

REVISED ORDINANCES

—OF THE—

TOWN OF LAKE VIEW.

CHAPTER I.

AN ORDINANCE

IN REGARD TO THE PASSAGE, APPROVAL AND PUBLICATION OF
THE GENERAL ORDINANCES OF THE TOWN OF LAKE VIEW.

WHEREAS, It is expedient that the General Ordinances of the Town of Lake View should be revised, compiled and arranged in chapters and sections; therefore,

Be it ordained by the Board of Trustees of the Town of Lake View, in manner following:

SECTION 1. That the ordinances and laws governing the Town of Lake View, as revised and arranged in thirty-two chapters, and passed by the Board of Trustees of said town, and approved by the President of said Board on the 17th day of March, A. D. 1879, and all ordinances now in force heretofore passed by the Board of Trustees relating to cemeteries and saloons, and also the ordinances heretofore published, in pamphlet form, entitled "Laws and Ordinances of the Town of Lake View, Cook County, Illinois," be, and the same are hereby ordered printed and published, by authority of the Board

of Trustees of said town, in book and pamphlet form, to be entitled "LAWS AND ORDINANCES GOVERNING THE TOWN OF LAKE VIEW."

Passed and approved March 17th, 1879.

JOHN N. HILLS, *President.*

STATE OF ILLINOIS, }
 COUNTY OF COOK, } ss.
 TOWN OF LAKE VIEW. }

I, JAMES J. WILSON, Town Clerk of the Town of Lake View, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An Ordinance in regard to the passage, approval and publication of the General Ordinances of the Town of Lake View," passed by the Board of Trustees of said town on the 17th day of March, A. D. 1879, and approved by its President on said date.

I further certify that I am the keeper of the original ordinance of which the foregoing is a certified copy, and that the same is on file at my office.

WITNESS my hand and the corporate seal of said town, this 18th day of March, A. D. 1879.

JAMES J. WILSON,
Town Clerk of the Town of Lake View.



CHAPTER II.

ORDINANCES.

- | | | |
|---------------------------|--|--------------------------|
| 1. Style of Ordinances. | | 6. Penalty. |
| 2. Passage of, veto, etc. | | 7. Publication. |
| 3. Reconsideration. | | 8. Proof of. |
| 4. Engrossing, etc. | | 9. Repealing. |
| 5. Definitions. | | 10. Rights not effected. |

SECTION 1. The style of ordinances passed shall be as follows: "Be it ordained by the Board of Trustees of the Town of Lake View."

SEC. 2. All ordinances passed upon by the Board of Trustees shall, before they take effect, be deposited in the office of the Town Clerk, said clerk shall record such ordinances, with proper indexes, in a book known and designated as the "Book of Town Ordinances," and kept for that purpose. The original ordinance shall be filed in the office of the Town 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 with said ordinances; and the Clerk shall also note on his 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 publication or posting of such ordinance, and if the President of the Board of Trustees approves thereof, he shall sign the same, and such as he shall not approve he shall return to the Board of Trustees with his objection thereto in writing, at the next regular meeting of the Board of Trustees, occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation or to the entire ordinance, and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect

and be in force. But in case said President shall fail to return any ordinance with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

SEC. 3. After the return of any ordinance by said President, the vote by which the same was passed may be reconsidered by the Board of Trustees at any regular meeting within thirty days thereafter, and if, after such reconsideration, four-fifths of all the Trustees elected shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding said President may refuse to approve thereof; otherwise the veto shall be final. The vote to pass the same over the President's veto shall be taken by yeas and nays and entered on the records of the town.

SEC. 4. The approval or veto by the President of any ordinance shall be in writing.

Whenever an ordinance has been approved by the President, or passed over his veto, it shall be the duty of the Clerk to note such final action with the date thereof upon the records, immediately after the ordinance.

Whenever any ordinance has been vetoed by the President and not adopted by the Board of Trustees on reconsideration, it shall be the duty of the Clerk, after the thirty days named in the preceding section shall have elapsed, to write across the ordinance on the records the words, "Vetoed and not adopted on reconsideration."

Whenever any ordinance shall have been repealed or amended by the Board, the Clerk shall note such repeal or amendment in like manner, giving the date when such subsequent action was taken.

SEC. 5. The words and phrases following, whenever used in any ordinance, shall be construed to include in their meaning the definitions set opposite the same, whenever it shall be necessary to the proper construction of said ordinances:

1. *Action*; suit, prosecution, judicial proceedings.
2. *Board*; Board of Trustees; the President and Board of Trustees.
3. *Court*; Justice of the Peace, Police Magistrate, Justice, Magistrate, and Court of Record.
4. *He*; male, female, company, corporation, firm, society, singular or plural number.
5. *Limits*; corporation, corporate limits of the Town of Lake View; the legal boundary of the Town of Lake View.
6. *Number*; the singular number shall include plural, and the plural number shall include the singular.
7. *Name of Officer*; the same as though the words "of the Town of Lake View" were added.
8. *Person*; persons, male, female, company, firm, society, singular or plural number.
9. *Premises*; place, places.
10. *President*; President of the Board of Trustees.
11. *Seal*; Seal of the Town of Lake View, corporate seal, seal of the corporation.
12. *Street*; alley, highway, lane, avenue, court, thoroughfare, way, parkway, boulevard.
13. *Tax*; taxes, special assessment, special tax, costs, interest or penalty imposed upon property.
14. *Tense*; words in the present tense shall include the future.
15. *Town*; Town of Lake View.

SEC. 6. Any person who shall violate any section or any clause or provision of any section of any ordinance where the penalty is not otherwise provided for, or shall fail to perform or omit to do any act or thing required by any such ordinance, shall on conviction be fined not to exceed one hundred dollars, and may be imprisoned in default of payment until the fine and costs are paid: *Provided*, No such imprisonment shall exceed six months for any offense.

SEC. 7. All ordinances imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation, shall, within ten days after they are passed, be published under the supervision of the Town Clerk, at least once in a newspaper published in the town, if any, or be posted in three public places in said town, and all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

SEC. 8. All ordinances, and date of posting or publication thereof, may be proven by the certificate of the Town Clerk, under the seal of the town, and when printed in book or pamphlet form, and purporting to be published by authority of the Board of Trustees, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places, without further proof.

SEC. 9. When any ordinance repealing a former ordinance, clause or provision, shall be itself repealed, such repeal shall not be construed to renew such former ordinance, clause or provision unless it shall be therein so expressly provided.

SEC. 10. 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 effected, released or discharged, but may be prosecuted, engaged and recovered as fully as if such ordinance had continued in force, unless it shall be therein otherwise expressly provided.

CHAPTER III.

BOUNDARIES AND ROAD DISTRICTS.

The corporate limits of the Town of Lake View, in the County of Cook, and State of Illinois, shall embrace and include within the same the following territory, to wit:

All of Sections 6, 7, 18 and 19, and that part of Section 30 lying east of Western Avenue and the north branch of the Chicago River. All of Sections 17, 20 and 29; also all of Fractional Sections 5, 8, 16, 21 and 28 lying west of Lake Michigan. Being all that part of Township Forty (40) north of Range Fourteen (14), east of the 3d P. M., bounded on the north by the north line of Sections Five (5) and Six (6), on the south by Fullerton Avenue, on the east by Lake Michigan, and on the west by the north and south center line of Western Avenue and the north branch of the Chicago River.

The said Town of Lake View is divided into the following Road Districts:

District No. 1. All that territory lying south of the center line of Graceland Avenue and north of the center line of Fullerton Avenue.

District No. 2. All that territory lying north of the center line of Graceland Avenue and south of the center line of North Fifty-Ninth Street.

District No. 3. All that territory lying north of the center line of North Fifty-Ninth Street to the north boundary line of Sections 5 and 6.

CHAPTER IV.

JURISDICTION, TERRITORIAL EXTENT OF.

1. Three miles into Lake Michigan.
2. Five miles to prevent pollution of source of water supply.
3. One mile for various purposes.

SECTION 1. The Town of Lake View shall have jurisdiction upon the waters of Lake Michigan bordering upon said town to the extent of three miles.

SEC. 2 The jurisdiction of the town, to prevent or punish any pollution or injury to the stream or source of water supply to the Water Works, shall extend five miles beyond its corporate limits, or so far as such Water Works may extend.

SEC. 3. The Board of Trustees shall have power—

First.—To direct the location and regulate the management and construction of packing-houses, renderies, tallow-chandleries, bone-factories, soap-factories and tanneries within the limits of said town, and within the distance of one mile without said town limits.

Second.—To prohibit any offensive or unwholesome business or establishment in, or within one mile of, the limits of the town.

Third.—To prohibit or regulate bathing in the waters of Lake Michigan bordering upon said town to the extent of one mile.

Fourth.—To have jurisdiction in and over all places within one-half mile of the town limits, for the purpose of enforcing health and quarantine ordinances and regulations thereof.

CHAPTER V.

CLERK.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Office, records and duties. 2. Record and publication of. 3. Post election notices. 4. Notice to officers elect. 5. Certify taxes to County Clerk. 6. Certify special assessments to Collector. 7. Notify all committees. | <ol style="list-style-type: none"> 8. Bills, certify action of board on. 9. Papers read by clerk. 10. Full record of licenses. 11. Fees allowed. 12. Certify plats. 13. Publish or post ordinances. 14. Records of Board of Health. |
|--|--|

SECTION 1. The Town Clerk shall keep his office at the Town Hall. He shall keep the corporate seal of the town, and affix the same to all papers which may require it. He shall keep all records, receive, mark and properly file all papers coming to his office belonging to the town, grant certified copies from the records or papers of the town, and execute such orders as he may be directed to do from time to time by the Board of Trustees. He shall attend all meetings of the Board of Trustees, and keep a full record of its proceedings in the journal. He shall, when required, make proper copies of all papers duly filed in his office, and make transcripts from the journal and other records and files of his office, and shall certify to the same under the corporate seal, and such certified copies and transcripts shall be evidence in all courts in like manner as if the originals were produced; the originals thereof shall be retained and under no circumstances be removed from said office.

SEC. 2. All ordinances passed by the Board of Trustees shall be recorded and properly indexed by the clerk in a book to be kept for that purpose, before the next regular meeting after their passage. If the ordinance requires publication, he shall cause the same to be duly published. The clerk shall note at the foot of the record of each ordinance, a memoran-

dum of the date of its passage, amendment or repeal, and the date of its approval or veto (if approved or vetoed) by the President; and, if published or posted, the date of the publication or posting of such ordinance. Whenever an ordinance has been approved by the President, or passed over his veto, it shall be the duty of the Clerk to note such final action, with the date thereof, upon the records, immediately after the ordinance. Whenever any ordinance has been vetoed by the President, and not adopted by the Board of Trustees on reconsideration, it shall be the duty of the Clerk, after the expiration of the thirty days allowed by ordinance in which a reconsideration may be had, to write across the ordinance on the records the words "Vetoed and not adopted on reconsideration." Which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and legal publication of such ordinance for all purposes whatsoever. The original shall be filed in the office of said clerk with a certificate of publication attached to ordinances requiring publication.

SEC. 3. It shall be the duty of the Town Clerk, not less than ten days before the annual election for town officers, to post up in each election precinct in the town, not less than three notices of such election, which notices shall be posted in the most public places in each precinct, and shall contain a list of the officers to be elected; and in all cases where public notices are required to be given, one copy of such notice shall be posted on the bulletin board in front of the Town Hall.

SEC. 4. It shall be the duty of the Town Clerk, within ten days after the result of any town election is declared, or appointment made, to notify all persons elected or appointed to any town office of their election or appointment, and unless such persons shall respectively qualify in ten days after such notice, the office shall become vacant, which vacancy, and the reasons therefor, shall be reported by the Clerk, in writing, to the Board of Trustees, at its next regular meeting, after the expiration of the ten days wherein to qualify. The Clerk shall in like manner report to the Board the names of all persons

elected or appointed to any town office that may have qualified within the ten days prescribed, with the date of filing his oath of office.

SEC. 5. It shall be the duty of the Town Clerk, on or before the second Tuesday in August, in each year, to file with the County Clerk of Cook County, Illinois, a certified copy of an ordinance in which the total amount of appropriations for all corporate purposes of the Town of Lake View, legally made, are levied and assessed.

SEC. 6. The Town Clerk shall file in his office all assessment rolls and judgments, certified by a clerk of a court of record, against property within the town, and shall issue a warrant to the Town Collector for the collection of such assessment. The assessment warrant shall contain a copy of such certificate of the judgment, describing the lots, blocks, tracts, or parcels of land assessed, and the respective amounts assessed on each lot, block, tract or parcel of land, and he shall deliver the same to the Town Collector. Such warrant shall give sufficient authority to collect the assessments therein specified. But the Town Clerk, before delivering such warrant to the Collector, shall satisfy himself that the proper and necessary bond, in at least double the amount of the sum to be collected, approved by the Supervisor and attested by himself, has been duly recorded in the Recorder's office of Cook County. The approval and recording of the Collector's bond, and the delivering of the assessment and warrant to the Collector with the dates thereof, shall be reported, in writing, by the Clerk to the Board of Trustees, at its next regular meeting thereafter.

SEC. 7. It shall be the duty of the Town Clerk, without unnecessary delay, to notify all committees appointed by the Board, and to deliver into their hands all papers, or copies thereof, referred to them, and all other notifications not otherwise provided for. He shall furnish a copy of the proceedings of the meetings of the Board of Trustees, not later than the day following such meeting, to one or more newspapers, for

publication, as the Board may from time to time direct; and, when so directed by the Board of Trustees, shall order the building of sidewalks, giving not less than fifteen days notice, for a compliance with such order, to the parties in front of whose property the sidewalk is to be built.

SEC. 8. When bills are allowed, or payments made by the Treasurer are approved by the Board of Trustees, the Town Clerk shall certify on the face of such bill or receipt, over his signature as Town Clerk, such action of the Board thereon, and the date thereof, and such action of the Board and certification by the Clerk shall be sufficient authority for the Treasurer to pay the same, in cases of bills due, or in ratification of his disbursements in cases of payments he may have made.

SEC. 9. All petitions, remonstrances, bids, bills or other communications, addressed to the Board of Trustees, shall be received by the Clerk and read by him, at the meeting of the Board in which they were presented, unless otherwise ordered by the Board.

SEC. 10. The Town Clerk shall keep a full record of all licenses granted, transferred or revoked by the Board of Trustees, or under its authority, with the date that the same was granted, transferred or revoked, (and, if revoked, the cause therefor), with the number thereof, and full name and residence of the applicant for such license, in a book to be kept by him for that purpose, and, where bonds are required, the names of such bondsmen or sureties. All licenses issued by the Board, or under its authority, shall be attested by the Clerk, under the corporate seal of the town.

SEC. 11. The Town Clerk is authorized to demand and receive as fees the following, to wit:

For each license, or transfer thereof, one dollar.

For each copy from any record or paper in his office, for each one hundred words, fifteen cents.

For each certificate, and the seal thereto affixed, fifty cents.

For certifying any map or plat of ground in the town, fifty cents.

For each search for any paper or record in his office, twenty-five cents, and for every hour he shall be so occupied, after the first hour, fifty cents.

But no fees shall be charged for such services rendered at the request of any officer of the town, where the paper or information is required for the use of the town or public by such officer or attorney employed by the town.

SEC. 12. It shall be the duty of the Town Clerk to duly certify, under the corporate seal of the town, all plats, maps or sub-divisions approved by the Board, and to properly file all copies thereof in his office, as required by chapter entitled "Plats."

SEC. 13. It shall be the duty of the Town Clerk, within ten days after the passage or adoption of any ordinance imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation, to cause the same to be published, at least once in a newspaper published in the town, if any, or to be posted in three public places in the town, one of which places shall be the Town Hall.

SEC. 14. The Town Clerk shall keep a full record of the doings and proceedings of the Board of Health, and shall make a report of the same, in writing, to the Board of Trustees, at the annual meeting thereof.

CHAPTER VI.

CONTRACTS.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Officers not to be interested in. 2. Contract paid from assessment. 3. How made. | <ol style="list-style-type: none"> 4. Protection in streets. 5. Contractors liable for damages. 6. Contractors give bonds 7 Penalty. |
|---|--|

SECTION 1. No officer shall be directly or indirectly interested in any contract of the town, the expense, price or consideration of which is paid from the town treasury, or by any assessment levied by any act or ordinance; nor in the purchase or sale of any real estate in behalf of said town.

SEC. 2. All persons taking any contracts with the town, and who agree to be paid from special assessments, shall have no claim or lien upon the town in any event, except from the collections of the special assessments made for the work contracted for.

SEC. 3. All contracts for the making of any public improvements, to be paid for in whole or in part by a special assessment, and any work or other public improvement, when the expense thereof shall exceed \$500, shall be let to the lowest responsible bidder, after ten days' notice in some newspaper, including the paper in which legal notices are published, if any, as the Board may by resolution direct. Such notice shall give only a general description of the work. Such contracts shall be approved by the President of the Board of Trustees. *Provided, however,* any such contract may be entered into by the proper officer, without advertising for bids, and without such approval, by a vote of two-thirds of all the trustees elected.

SEC. 4. In all contracts for paving or grading streets, for constructing sewers, for laying water pipes, and for building and repairing bridges and culverts, or for doing any work

whatever, whereby accidents or injuries may occur in consequence of any neglect or carelessness on the part of the contractor, a covenant or condition, requiring the contractor to place and maintain a good and sufficient fence, railing or barrier around the same in such a manner as to prevent accidents, and to keep upon such fence, railing or barrier, suitable and sufficient colored lights during the entire night. Also, that said contractor shall keep and save the town harmless and indemnified against all loss and damage which may be occasioned by reason of any negligence or carelessness in the manner of doing such work.

SEC. 5. In all cases in which any person shall perform any work, either under contract with the town, or by virtue of any permission from the Board of Trustees, such person shall be liable to the Town of Lake View for any and every loss or damage which said corporation may sustain, and for all sums which it may have to pay to any person by reason of any loss or injury sustained in consequence of any carelessness or negligence in doing the work, or by reason of any neglect or failure to comply with any provisions of any ordinance of said town.

SEC. 6. Every contractor with the Town of Lake View, for work or materials exceeding \$500, shall, before his contract shall be binding upon the town, execute a bond, with two or more sureties, in such penal sum as may be satisfactory to the Finance Committee, conditioned for the faithful performance of the same, and an observance of all ordinances of the town.

SEC. 7. Every person violating any clause, section or provision of this chapter shall, on conviction, pay a fine of not more than two hundred dollars, in addition to all other liabilities.

CHAPTER VII.

SEAL.

1. Representation of seal. | 2. In custody of clerk; uses of.

SECTION 1. The seal heretofore provided and used by and for the Town of Lake View, the impression on which is an inscription around the outer edge of said seal, "Corporate Seal, Town of Lake View, Cook Co., Ill.," and a circular tablet in the center, representing a lone forest tree, which seal, represented as aforesaid, is hereunto annexed, shall be, and is hereby, established and declared to have been, and now to be, the seal of common and corporate seal of the Town of Lake View.



SEC. 2. The said town seal shall be and remain in the custody of the Clerk of said town, to be used by the said Clerk and the Supervisor of said town 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 town, and in all cases in which, by the laws and customs of nations, it is necessary to use a seal by a corporation.

CHAPTER VIII.

STREETS AND BRIDGES.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Speed over bridges. 2. Obscene words and pictures. 3. Animals unfastened and where not fastened. 4. Obstruction by sign boards. 5. Awnings, how erected. 6. Immoderate riding or driving. 7. Not drive on sidewalk. 8. Obstructing streets and walks. 9. How removed. | <ol style="list-style-type: none"> 12. Not erect in streets. 13. Failure to remove; penalty. 14. Dug up, how replaced. 15. Permission first to be obtained. 16. Place barriers and lights. 17. Porch, steps, etc., on sidewalk. 18. Clean snow and mud off walk. 19. Vehicles keep to the right. 20. Penalty. |
|--|--|
- 10 and 11. Moving buildings.

SECTION 1. No person shall ride or drive over any bridge faster than a walk.

SEC. 2. No person shall write any obscene or indecent words, nor make any obscene or indecent pictures, nor post or paste any advertisements, without written permission of the owner, upon any bridge, fence, sidewalk, building, depot, station house, school-house, church building, or public building or place.

SEC. 3. No person shall leave any animal unfastened, or shall fasten any animal to or injure any fire hydrant, lamp-post, telegraph pole, fence, railing, ornamental or shade tree or shrub, or any other thing liable to be injured thereby, in or upon any park or highway.

SEC. 4. No person shall erect or cause to be erected any sign, sign-board or other obstruction to the sight, wholly or in part, over any sidewalk, avenue, street, lane or alley within the limits of the Town of Lake View.

SEC. 5. All awnings in such portions of the streets of the town as are, or hereafter may be, lighted by public lamps, shall be covered with cloth, leather or other light and pliable substance,

and securely attached to the building and properly supported, without post, by iron or other metallic fastenings and supports, and shall be elevated at least eight feet at the lowest part thereof above the top of the sidewalk, and shall not project over the sidewalk to exceed three-fourths of the width thereof so as to leave the sidewalk wholly unobstructed thereby; and no such awning shall be erected or repaired, either wholly or in part, of wood. All other awnings shall be elevated, in the lowest part thereof, at least eight feet above the top of the sidewalk, and may be supported by a rail placed on posts erected on the outer edge of the sidewalk. Any person who shall erect any awning contrary to the provisions hereof, or refuse or neglect forthwith to remove any awning or awning-posts heretofore or hereafter erected contrary to the provisions hereof, shall, on conviction, be fined five dollars for every offense, and to a further fine of five dollars for every day he shall fail to comply with a notice, after a lapse of three days from the service thereof, from the Supervisor or Captain of Police to remove the same.

SEC. 6. No person shall immoderately ride or drive any horse or other animal in any highway, avenue, street or alley.

SEC. 7. No person shall drive any horse, wagon, cart or other vehicle over any sidewalk, or use, ride or drive any horse, wagon or other vehicle thereon, unless it be in crossing the same to go into a yard or lot, where no other suitable crossing or means of access is provided.

SEC. 8. No person shall encumber or obstruct, or cause to be encumbered or obstructed, any highway, street, sidewalk, cross-walk, alley, bridge, public landing, wharf, or other public place in said town, by placing therein or thereon any building materials or any article or thing whatsoever, without having obtained written permission from the Supervisor.

SEC. 9. The Supervisor or any member of the Board of Trustees, or the Captain of Police, is hereby authorized to order any article or thing whatsoever which may encumber or obstruct any highway, street, sidewalk, crosswalk, alley, public

landing or pier within said town to be removed; and if such article or thing shall not be removed within six hours after notice to the owner, or the person in charge thereof, to remove the same; or if the owner cannot readily be found for the purpose of said notice, to cause the same to be removed to some suitable place; such action shall create a lien upon the property so removed to pay the expense of such removal.

SEC. 10. No person shall remove or cause to be removed, or aid or assist in removing any building into, along or across any street, alley or public ground in the town without first obtaining written permission from the Supervisor or Board of Trustees.

SEC. 11. No owner of any building or the contractor for its removal, or either or both, shall suffer any building, for the removal of which written permission has been had in accordance with the foregoing section, to remain in or upon any street, alley, or public ground of the town for any time longer than may be prescribed and specified in such written permission.

SEC. 12. No person shall erect or place any building, in whole or in part, upon any street, alley, sidewalk, park or other public ground.

SEC. 13. Whenever the owner of any building, fence or other obstruction upon any street, alley, sidewalk or public ground in this town shall refuse or neglect to remove the same within five days after notice so to do, from the Supervisor or any member of the Board of Trustees or Captain of Police of the Town, he shall, on conviction, be fined not exceeding fifty dollars for each offense, and a further fine of five dollars for every day he shall fail to comply with the notice to remove the same after a lapse of five days from the service thereof, and in all cases of refusal or neglect to remove the same within five days after notice as hereinbefore provided, or if the owner cannot be readily found for the purpose of such notice, such building, fence or other obstruction shall be deemed a nuisance; and it shall be lawful for the Supervisor or any member of the

Board of Trustees or the Captain of Police, to cause the same to be removed or taken down in such manner as they or either of them shall deem best, and the expense thereof shall be recoverable against the owner thereof; and every person who shall oppose or resist the execution of the orders of said Supervisor or member of the Board of Trustees or Captain of Police in the premises, shall, on conviction, forfeit and pay a penalty not exceeding one hundred dollars, nor less than ten dollars.

SEC. 14. When any part of any street, alley, sidewalk, or other public place in the town shall be torn or dug up or taken up for any purpose, the person so tearing, digging or taking up any earth, paving, planking, graveling or macadamizing shall immediately on the completion of such purpose, and as fast as practicable during the accomplishment thereof, return the earth, ram and puddle the same, as fast as returned, to a firm and solid bearing, and in a manner that will entirely prevent any settling of such earth, and shall also re-lay all paving, planking, graveling and macadamizing in a skillful and permanent manner, and in every case, to the satisfaction of the Supervisor or Board of Trustees.

SEC. 15. No person shall injure or tear up any pavement, sidewalk, 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 Town of Lake View, or cause or procure the same to be done, without first having obtained from the Supervisor written permission so to do, or hinder or obstruct the making or repairing any public improvement, or work, ordered by the Board of Trustees, or being done under the authority of a Commissioner of Highways.

SEC. 16. Whenever any person shall do any work which shall require the digging up, use or occupancy of any street, alley, highway or public ground, such person shall, during the night time, put up and maintain such barriers and lights as shall effectually prevent the happening of an accident in consequence of such digging up, use or occupancy of said street, alley, highway or public grounds.

SEC. 17. No porch, gallery, stoop, steps, cellar-door, stair, rail or platform erected, or to be erected within the town, shall be allowed to extend upon or into any sidewalk, and no bow-window shall extend into or over any sidewalk more than two feet, and shall be at least eight feet above grade line; nor shall any cellar-door, at its outer edge, rise or project above the surface of the sidewalk. *Provided*, that owners or lessee of buildings or lands used for the purpose of any legitimate business, shall be allowed to use a portion of the sidewalk, not to exceed four (4) feet in width, immediately abutting on the frontage of his or her store or other place of business, for the purpose of exhibiting his or her articles of trade or business.

SEC. 18. The occupant or owner, or if there be no occupant, of each and every tenement, building or lot in the Town of Lake View, fronting upon any street, the sidewalk of which shall be of plank, stone, brick or concrete, shall clear the sidewalk in front of such tenement, building or lot, of snow, ice, mud or filth, by ten o'clock of the forenoon of each day, and keep the same clear of such snow and ice, mud or filth, under a penalty of two dollars for a failure so to do, and the like penalty of two dollars for every twelve hours such sidewalk shall remain incumbered as aforesaid, after notice thereof to such occupant or owner from or by any officer of said town.

SEC. 19. Whenever any persons traveling with any carriage or other vehicle shall meet on any street or highway, the persons so meeting shall seasonably turn their carriage or other vehicle to the right of the center of the road, so as to permit each carriage or vehicle to pass without interfering or interrupting. *Provided*, this section shall not be construed to apply to any case unless some injury to persons or property shall occur by the driver of the carriage or wagon neglecting to turn to the right of the beaten track, nor shall it be construed to extend to a case where it is impracticable from the nature of the ground for the driver of the carriage, wagon or other vehicle to turn to the right of the beaten track.

SEC. 20. Any violation of this chapter, or any section or provision or clause thereof, shall, on conviction, be punished by a fine of not exceeding two hundred dollars, except where a section prescribes the penalty for its violation.

CHAPTER IX.

SEWERS AND DRAINS.

- | | |
|--|---|
| <ul style="list-style-type: none"> 1 Uncovering and excavating
 around. 2. Connections or openings. 3. House drains. 4. Permission to construct. 5. Obstructing. | <ul style="list-style-type: none"> 6. Malicious injury of. 7. Injuring and tapping ditches
 and drains. 8. Box drains, permission for. 9. Penalty. |
|--|---|

SECTION 1. No person shall uncover, excavate under or around any brick or pipe sewer laid in the Town of Lake View, for any purpose whatever, without the written consent of the Commissioner of Highways in their respective districts.

SEC. 2. No person shall make any connection with, or opening into, any brick or pipe or other closed sewer laid in this town, without first having obtained a written permit, in each case, from the Commissioner of Highways in their respective district.

SEC. 3. No person shall lay, alter or disturb any part of a house-drain or drains, catch basin or strainer of said drain or cess pool, connected with any brick or pipe sewer belonging to said town, without first having obtained a written permit, in each case, so to do, from the said Commissioner of Highways.

SEC. 4. No person shall construct any drain or sewer, connecting or emptying into any brick or pipe sewer belonging to said town, without the written permission of the Commissioner of Highways of the district first had and obtained, and then only in conformity with the orders and directions, and under

the supervision and subject to the approval of the Board of Trustees.

SEC. 5. No person shall deposit, or cause to be deposited, any substance in any brick or pipe sewer or drain in said town which shall obstruct or clog said sewer or drain.

SEC. 6. No person shall willfully or maliciously damage, injure or obstruct any sewer, house drain, cess-pool or closet pipe laid or constructed under the direction of the Board of Trustees.

SEC. 7. No person shall destroy or injure the bank of any ditch or open drain, or place any dirt or other substance therein, to obstruct the same, or shall obstruct the free passage of water through the same; nor tap any public ditch or open drain, or connect any private sewer, ditch or drain therewith, without the consent, in writing, of the Commissioners of Highways in their respective districts.

SEC. 8. No person shall build any box-drain in, or inclose any ditch on any of the streets of said town, without first having obtained permission from the Commissioner of Highways of the district, which permission shall indicate the size of such box-drain, which shall conform to the wants of the ditch.

SEC. 9. Any person who shall violate any section, clause or provision of this chapter shall, on conviction, be fined in a sum not exceeding one hundred dollars for each offense.

CHAPTER X.

SIDEWALKS AND CROSSWALKS.

- | | | |
|--|--|---|
| 1. Provide for construction by ordinance.
2. How and of what constructed. | | 3. Crosswalks and aprons, width of.
4. Crosswalks, how constructed.
5. Planting spaces. |
|--|--|---|

SECTION 1. The Board of Trustees may, by ordinance, provide for the construction of sidewalks upon any street in the town, in accordance with any law now in force or which may hereafter be in force in relation thereto.

SEC. 2. All sidewalks shall be built not less than six feet in width (unless otherwise provided by ordinance), of sound pine plank two inches thick and not exceeding eight inches in width, laid crosswise, and firmly set upon and supported by three bearing pieces of two by six inch pine timber, nailed with five thirty-penny nails to each plank, and cut to a line on the outer edge, and placed substantially on the ground, so as to form an even grade. All sidewalks shall incline upwards from the outer edge toward the line of buildings or lots at the rate of one inch in three feet. All lumber to be good common: *Provided*, That owners of any lot before which any sidewalk is ordered may construct a better sidewalk than above described, and of other materials, by permission of the Board of Trustees.

SEC. 3. All crosswalks shall be of the width of three feet, with suitable aprons or approaches, as the case may be.

SEC. 4. Crosswalks shall be built of plank not less than two inches thick, laid lengthwise, and firmly supported with cross-bearing pieces of four by six inch timber, and nailed firmly with thirty-penny nails; and crosswalks shall be laid with care, and so let into the ground and protected with aprons as

not to form any material obstruction to travel upon the street or road across which they are laid. All crosswalks shall be kept in repair by the Commissioners of Highways.

SEC. 5. On all streets, avenues, places or courts, the following, upon each side of said highways, are designated for sidewalks and grounds for adornment, and at which distances curbstones may be set: On highways one hundred feet wide, twenty-four feet; eighty feet wide, eighteen feet; sixty-six feet wide, fourteen feet.

CHAPTER XI.

BOARD OF HEALTH AND SANITARY REGULATIONS.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Board of Health. 2. Powers of Board. 3. Health Officers. 4. Notices, how served. 5. Duties of Health officer. 6. Smallpox and scarlet fever. 7. Nurses and medicines. 8. Physicians make report. | <ol style="list-style-type: none"> 9. Head of family report. 10. Removal of afflicted persons 11. Remain in premises. 12. Rules governing. 13. Hospitals and quarantine. 14. Introducing disease, penalty, etc. 15. Expenses, how paid. |
|--|--|

SECTION 1. That there be, and there is hereby established, a Board of Health in said town, which shall consist of the Supervisor, Assessor and Town Clerk, of which the Supervisor shall be President.

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 small pox or other pestilential diseases, by issuing an order requiring all persons in said town, 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, on conviction, be fined not less 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 town, 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 town relating to the sanitary regulations of the town; to proceed from time to time to make a thorough and systematic examination of the town, and cause all nuisances to be abated with all reasonable promptness. 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 town.

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 town, 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, on conviction, be fined 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, occupant or agent of any premises, 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 infectious 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 town.

SEC. 6. It shall also be the duty of such health officer, or the Captain of Police, when directed by the Board of Health, to cause a notice, printed, painted or written in large letters, on yellow material, of a size not less than ten by twelve inches, to be placed conspicuously on the front of any house in which any person may be affected or sick with small-pox, upon which such notice shall be printed, painted or written the words "Small-Pox Here," and a notice of similar dimensions and construction, on red material, with the words "Scarlet Fever

Here," on any house where any person is affected or sick with scarlet fever; 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, on conviction, for each offense, be fined 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, on conviction, be fined 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 town; *Provided*, that such expense shall not be charged to the town, unless such deceased persons have left no means to defray the expenses of their sickness and burial.

SEC. 8. Every physician practising in this town 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, on conviction, be fined not less than five dollars, nor more than fifty dollars, for each day he shall neglect or refuse so to do.

SEC. 9. It shall be the duty of the head of any family of which any member may be attacked by small-pox, or any infectious or pestilential disease, to report the fact to the Captain of Police, health officer, or some member of the Board of Health, as soon as he becomes aware of the same, and any such person neglecting to give such notice shall, on conviction thereof, be fined not less than ten dollars.

SEC. 10. 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 town, 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, on conviction, be fined not less than ten dollars nor more than two hundred dollars for each offense.

SEC. 11. If any person affected with 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 town, or in any manner wantonly or recklessly expose any of the inhabitants of said town to such contagion or disease, every such person shall, on conviction, be fined for each offense not less than twenty-five dollars nor more than two hundred dollars.

SEC. 12. The said Board of Health shall make such rules and regulations for the government of the quarantine or health of the town 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 town, 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 town in or about such quarantine or hospital, to carry out and obey the same.

SEC. 13. The Board of Trustees of said town 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 town, before the same shall land or stop at any wharf, landing, depot or stopping place in said town, 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 seaboard, 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 town; 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, passen-

gers or persons, if any, shall stop at such quarantines; 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 town 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. 14. No person, master or conductor, in charge of any vessel, car, or other public conveyance, shall knowingly bring into this town 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 town shall leave the same without obtaining permission, in writing, 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 town in the discharge of his duties, as contemplated in this ordinance, or attempt to defeat or interrupt the carrying into effect of the pro-

visions of this ordinance or any lawful regulation of said Board of Health, shall, in cases where no penalty is prescribed, on conviction, be fined not less than five dollars nor more than two hundred dollars for each and every offense.

SEC. 15. 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 town; *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 in their behalf; which moneys, when received, shall be faithfully kept, accounted for and paid over to the Treasurer of said town, on demand, by the officer receiving the same.

CHAPTER XII.

MISDEMEANORS.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Assault and battery. 2. Breach of peace. 3. Riot, etc.; penalty. 4. Intoxication; fine. 5 and 6. Disorderly conduct. 7. Lewdness. 8. Killing birds, destroying nests and eggs. 9. Fireworks stored in vaults. 10. Discharging firearms, etc. 11. Music on Sunday. 12. Disturbing worship of God. 13. Disturbing school, etc. 14. Disturbing funerals. 15. Bathing. 16. Exposure of person. 17. Fighting. 18. Indecent show. 19. Cruelty to animals. 20. Fast driving. 21. Injury to bridge. 22. Obscene books, etc. 23. Defacing public or private property. 24. Destroying trees. 25. Signs, placards, etc. 26. House of ill fame. 27. Disorderly house. 28. Gambling. 29. Not keep gambling house. 30. Lotteries. 31. Cheating. | <ol style="list-style-type: none"> 32. Destroying notices. 33. Pasturing cattle. 34. Hogs running at large. 35. Breaking pound. 36. Dangerous dog. 37. Scaring horses. 38. Broken walk, cellar door, etc. 39. Gates to swing in. 40. Scaffolds. 41. Throwing stones, etc. 42. Public lamps. 43. Flying kites. 44. Impure milk. 45. Tainted meat, etc. 46. Impure ice. 47. Burning hay, grass, etc. 48. Bonfires. 49. Dead animals. 50. Concealed weapons. 51. Weapons; confiscated. 52. Vagrants. 53. Removing buildings. 54. Injuring signs and notices. 55. Base ball on Sunday. 56. Teamsters. 57. Obstructing highways. 58. Funerals; stopping at saloons. 59. Night scavengers. 60. Resisting officer. 61. Committed to calaboose, etc. 62. Penalty. 63. Misdemeanor defined. |
|---|--|

SECTION 1. No person shall be guilty of an assault, nor of an assault and battery.

SEC. 2. No person shall provoke a breach of the peace, or shall use any violent, threatening, profane or indecent language

to the disturbance of any person, or shall use any threatening or abusive language toward any other person tending to a breach of the peace.

SEC. 3. If any person or persons shall make, aid, or countenance, or assist in making any riot, improper noise, disturbance, breach of the peace, diversion, in any street or other public place in this town, or shall collect in bodies or crowds for unlawful purposes, or for any purpose, to the annoyance or disturbance of the inhabitants of said town within the limits of said town, such person or persons shall, on conviction, be severally fined in a sum not less than two nor more than twenty-five dollars for each offense.

SEC. 4. Any person who shall, within the limits of said town, be found tipsy or intoxicated in any saloon, street, highway, avenue, alley, or public place, or in any private house or place, to the annoyance of any citizen or person residing in said house or place, shall be fined for each offense not less than two dollars, nor more than twenty dollars, and any policeman of said town is hereby empowered to arrest, without warrant, any such person when so found tipsy or intoxicated, and to convey him or her to the town calaboose, county jail, or other place provided for the incarceration of offenders against the ordinances of said town, or in his discretion, to some other safe place within said town, there to remain in custody of the keeper of such place of confinement until such person so arrested shall become sober, or can otherwise be conveniently brought before the police magistrate of said town or some justice of the peace of Cook County for trial. If such arrest be made in the evening or night, or on Sunday, it shall be lawful to keep said person so arrested in custody, as aforesaid, over night, or over Sunday, as the case may be, and until he or she can be conveniently tried as aforesaid.

SEC. 5. If any person or persons shall be guilty of riotous conduct or disorderly behavior, tending to disturb the public quiet, or shall disturb the peace of any neighborhood or family,

by threatening to fight, or shall in loud and violent language advise any person to assault or beat the person of another, within the limits of said town, every person so offending shall, on conviction, be fined in a sum not less than three nor more than fifty dollars for each offense.

SEC. 6. No person shall be guilty of disorderly conduct, or shall make, aid, countenance, or assist in making any improper noise, riot, disturbance, or breach of the peace.

SEC. 7. No person shall be guilty of open lewdness, disorderly conduct or act of public indecency tending to debauch the public morals.

SEC. 8. No person shall shoot, kill, or destroy any bird, nor hunt with gun or dog in any street, alley, highway, thoroughfare, park or public grounds, or destroy any bird's eggs or bird's nests.

SEC. 9. No squibs, rockets, crackers, serpents, or other fireworks containing powder, or other combustibles, or explosive material, shall be kept or stored within the town, except the same be kept or stored in a fire-proof vault.

SEC. 10. No person shall fire or discharge any cannon, gun, fowling-piece, pistol, or fire-arm of any description, or fire, explode, or set off any squib, rocket, roman candle, fireworks, or other combustible containing powder or other explosive materials, within the limits of said town, without permission of the Board of Trustees, or written permission from the Supervisor of said town, which permission shall limit the time and place of such firing, and shall be subject to be revoked by said Supervisor or Board of Trustees at any time after it has been granted; any violation of this section shall subject the offender to a fine of not less than one dollar, nor more than ten dollars.

SEC. 11. No person shall play any musical instrument on Sunday in any street, highway, alley, thoroughfare, public or unoccupied ground, garden or grove to the disturbance of any person, without written permission so to do from the Board of Trustees.

SEC. 12. No person shall by any menace, profane swearing, vulgar language, or any disorderly or unusual conduct, interrupt or disturb any assembly of people met for the worship of God.

SEC. 13. No person shall wilfully interrupt or disturb any school or other assembly of people, met for a lawful purpose.

SEC. 14. No person shall wilfully interrupt or disturb a funeral assembly or procession.

SEC. 15. No person shall bathe or swim in any lake, river, pond, ditch or body of water within the corporate limits of the town at any time, nor in Lake Michigan, within one mile of the shore, in a naked state, amounting to an indecent exposure of the person, during the period of time commencing at sunrise and ending one hour after sunset, to the annoyance of any person or family.

SEC. 16. 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 shall be guilty of any indecent act or behavior within the limits of said town, such person shall, on conviction, be fined in a sum not less than one, nor more than fifty dollars for each offense.

SEC. 17. No person shall instigate, cause or procure any dog-fight, prize-fight, cock-fight, nor any public or private fighting.

SEC. 18. No person shall instigate, cause or procure, or in any manner assist in any indecent or immoral show or exhibition of any animal, or indecently exhibit any stud-horse, stallion, jack, bull or other animal or animals, or let any horse, stallion or jack to any mare or mares, or bull to cow or cows, within the limits of said town, unless in some enclosed place out of public view, and not less than ten rods from any occupied dwelling-house. Any person or persons guilty of any such offense shall forfeit and pay a penalty of five dollars for each offense.

SEC. 19. No person shall overload, overwork, cruelly beat, torture, mutilate, or cruelly kill any animal, or cause or knowingly allow the same to be done.

SEC. 20. If any person or persons shall run, ride, drive, race, or trot any horse, animal or animals in any street, avenue, lane or alley within the limits of said town at a speed faster than eight miles an hour, or in a manner which may be dangerous to any person or persons using such street, avenue, lane or alley, or to his or their property, or shall engage in racing with another, every person so offending shall, on conviction, be fined in a sum not less than two dollars nor more than fifty dollars for each offense.

SEC. 21. No person shall injure, remove, destroy or deface, or assist in injuring, removing, destroying or defacing, any bridge, fence, building, sidewalk, school house, church building, depot, house, public building, street signs, lamps, post-office boxes or hydrants.

SEC. 22. No person or persons shall expose, circulate, offer for sale, or distribute within the limits of said town, any obscene, scandalous or libelous newspaper, book, print, pamphlet, circular, 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 tranquility; any such offense as is above prohibited, is hereby declared a nuisance, and every person violating the provisions of this section shall, on conviction, be fined for each offense not less than five dollars, nor more than fifty dollars.

SEC. 23. Any person or persons who shall wantonly or willfully mark, mar, deface or injure any public or private building or grounds, within the corporate limits of said town, by writing, scribbling or marking with chalk, lead or paint, or who shall in any manner wantonly or willfully break, injure or deface the walls, plastering, paint, doors, lights, windows or window casings, or any other part of such building or grounds, or who shall commit any nuisance by depositing upon or thereabout,

or throwing at such building or grounds any offensive or unclean matter shall, on conviction, be fined for each offense in a sum not less than five dollars, nor more than two hundred dollars.

SEC. 24. Any person who shall wilfully or wantonly injure, deface or destroy any shade or ornamental tree, bush or fence, or hitching post, within said town limits, shall, on conviction, for each offense be fined in a sum not less than two dollars, nor more than twenty dollars.

SEC. 25. The posting, sticking, painting, marking, stenciling or other fastening upon or to any public or private house, store or other building, or upon or to any tree, fence, sidewalk or other premises within the limits of said town, of any handbill, placard, written or printed advertisement, except legal notices arising under the laws of this State, or the ordinances of said town, without permission of the occupant of the premises which may stand, belong, or be adjacent to, or of the owner, if such premises be unoccupied, and also the posting, sticking, painting, stenciling, marking or fastening upon or to any of the aforesaid places or things, or to any crossing, fire hydrant, telegraph pole, or railing, within said limits, of any advertisement or notice of any pills, drug, liniment, medicine, medicinal compound, or of the nature of the treatment of any disease, or of any obscene or indecent matter, are hereby severally defined and declared to be nuisances; any person who shall violate any of the provisions of this section shall, on conviction, be fined not less than two dollars, nor more than twenty dollars, for each offense, and in a like sum for each day such person shall fail or refuse to abate or remove such nuisance after having been notified so to do by any officer of said town. Whenever any nuisance of the character described in this section shall be found on any premises, the Supervisor of the town is hereby authorized, in his discretion, to cause the same to be abated in such manner as he may direct, and for that purpose to employ the police force of the town, or any other proper and convenient agents.

SEC. 26. No person shall keep or maintain a house of ill fame or assignation, or place for the practice of prostitution or lewdness. No person shall patronize or be an inmate of the same, nor let, own or be interested in any house, room or other premises, for any such purpose, or shall keep a common ill-governed, disorderly house, to the encouragement of idleness, gaming, drinking, fornication, or other misbehavior. Whoever violates any provision of this section shall be guilty of maintaining a nuisance; such person shall, on conviction, be fined in a sum not less than ten dollars, nor more than two hundred dollars, for each offense, and in the further sum of twenty-five dollars for every twenty-four hours that any such person shall continue to keep such house or place, or suffer the same to be kept for any of the purposes aforesaid, after the first conviction, or after such person shall be ordered by the Supervisor, or any member of the Board of Trustees, or Captain of Police of said town, to suppress, restrain, or discontinue the same; every inmate of such place, and every boarder or employe of such keeper, owner, or landlord, or other person residing in or connected with the keeping of any such house or place, and aiding in the keeping or maintaining of any such house or place, shall, on conviction, be fined in a sum not less than ten dollars, nor more than two hundred dollars, for each offense.

SEC. 27. If the owner, proprietor, landlord or keeper of, or any person within any common, ill-governed or disorderly house, bawdy house, house of ill fame, assignation house, or place for the practice of fornication, referred to in Section 26 of this ordinance, shall refuse to permit the Supervisor, or any member of the Board of Trustees, Constable, or any policeman of said town to enter such house or place, it shall be lawful for any of said officers, with or without the assistance of any of the inhabitants of said town, to enter, or cause to be entered, any such house or place by force, by breaking the door or otherwise, and to arrest, with or without warrant, all suspicious persons found therein.

SEC. 28. No person shall play for money or other valuable thing, at any game with cards, dice, checks, or at billiards, or with any other article, instrument or thing whatever, which may be used for the purpose of playing or betting upon, or winning or losing money, or anything of value, nor shall bet on any game they or others may be playing, or who shall trot or race any horse or horses on a stake, bet or wager money or other valuable thing upon a trotting match or horse race, within the corporate limits of said town; every such person or persons shall, on conviction, be fined for each offense so committed, not less than five nor more than two hundred dollars.

SEC. 29. No person shall keep a common gaming house, or in any building, place, booth, yard, garden, boat or float, by him or his agent used and occupied, procure or permit any persons to frequent or to come together to play for money, or other valuable thing, at any game, nor shall keep or suffer to be kept any tables or other apparatus for the purpose of playing at any game or sport for money, or any valuable thing, nor shall keep or rent any such place for any such purpose.

SEC. 30. No person shall keep, maintain, direct or manage, or aid in the keeping, maintaining, directing or managing of any lottery for the drawing or disposing of money or any other property or thing whatever.

SEC. 31. No person shall manage, use or practice any game or device whatever, with intent to cheat or defraud another, or practice or attempt to practice what is known as the confidence game.

SEC. 32. Any person who shall wilfully cut, tear, mar, mutilate, deface or tear down any legal notice or copy of any ordinance of said town, posted up in any public place in said town, by any authorized officer of said town, or by the order or authority of the Board of Trustees, or procure the same to be done before such notice or copy shall have remained posted for at least ten days, shall, on conviction, forfeit and pay a penalty of ten dollars for each offense.

SEC. 33. No person shall suffer or permit any cattle to pasture on any highway, alley, park or public ground, nor shall any cattle be allowed to stop for the purpose of pasturing while the same are being driven in a drove or herd.

SEC. 34. No person being the owner or having the charge of swine, shall suffer the same to run or be at large.

SEC. 35. No person shall break open, or in any manner, directly or indirectly, aid or assist in or counsel or advise the breaking open of any pound.

SEC. 36. No owner or possessor of a fierce or dangerous dog or slut, shall permit the same to be or run at large.

SEC. 37. No person shall use any sport or exercise likely to scare horses, injure passengers, or obstruct the passage of vehicles.

SEC. 38. No person 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 shall suffer any sidewalk in front of his premises to become or continue so broken as to endanger life or limb.

SEC. 39. That any gates, doors or appliances entering any lot, shop or building from the public streets, if on a line with said streets, shall be so hung as to swing inwardly, or so arranged by springs or other appliances as to leave the sidewalk free from all obstructions, by said gates, doors, etc.

SEC. 40. All scaffolds erected in this town, 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, on conviction, be fined not less than

five dollars, and not exceeding one hundreddollars, and to a like fine for every day the same shall remain after notice given by any policeman of said town to remove or reconstruct the same.

SEC. 41. If any person shall wantonly or wilfully throw or cast any stone or other missile at any person, or at any building, telegraph line, tree, or other public place, or inclosed or unin-closed ground, or at any horse or other animal, or at any rail-way train, car, carriage, or other vehicle, or person or persons therein, within the limits of said town, or aid or abet in such throwing or casting, such person shall, on conviction, forfeit and pay the said town a fine of not less than one nor more than twenty-five dollars for each offense.

SEC. 42. No person shall carelessly or maliciously break, deface, or in any way injure or destroy any public lamp or lamp-post in this town, nor climb upon nor hitch any animal to any lamp-post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood, or any other heavy material upon or against the same, or shall extinguish or cause to be extinguished, or cause to be lighted any of said lamps unless duly authorized so to do.

SEC. 43. No person shall raise or fly a kite, in any part of any street, avenue, or alley of this town, under a penalty of one dollar for every offense.

SEC. 44. No person shall sell, or offer to sell, or dispose of any impure, unwholesome, adulterated or diluted milk.

SEC. 45. No person shall sell, or offer to sell, any emaci-ated, tainted, putrid, decayed, or unwholesome meat, fruit, vegetables, or provisions.

SEC. 46. No person shall sell any impure ice, or any ice which shall contain filth or any other matter, substance or thing which, when melted, will render the water impure, or the use of the same unhealthful.

SEC. 47. No person shall burn any standing hay or grass,

nor set fire to nor burn any leaves or other combustible matter in any street, alley, park, or public ground.

SEC. 48. No person shall burn or set fire to any combustible matter within the limits of the town, nearer than one hundred feet to any house, fence, barn, shed, or wooden building, unless by the written permission of the Supervisor or Captain of Police.

SEC. 49. No person shall allow or suffer any dog, horse or other animal belonging to him, or in his charge, which may have come to its death, to lie upon any street, alley, road, or other ground, or public or private place.

SEC. 50. No person, except peace officers, shall carry or wear under their clothes, or concealed about their person, any pistol, revolver, slung-shot, knuckles, bowie-knife, dirk-knife, dirk, dagger, or any other dangerous or deadly weapon, except by written permission of the Captain of Police or Board of Trustees.

SEC. 51. Any such weapon, duly adjudged by a competent court to have been worn or carried by any person in violation of the last section, shall be forfeited or confiscated to the Town of Lake View, in addition to other penalties provided.

SEC. 52. All persons who are idle and dissolute, and who go about begging, or place themselves in any highway to beg or receive alms, all persons who use any juggling or other unlawful games or plays, runaways, pilferers, confidence men, common drunkards, prostitutes, common night walkers, lewd, wanton and lascivious persons in speech and behavior, common railers and brawlers, persons who are habitually neglectful of their employment or calling, and who do not lawfully provide for themselves or the support of their families, and all persons who are idle and dissolute, and who neglect all lawful business, and who habitually mis-spend their time by frequenting houses of ill-fame, gaming houses, or tippling-houses, all persons lodging in or found in the night time in railway or other cars, out houses, sheds, barns or unoccupied buildings, or lodging in the

open air, and not giving a good account of themselves, and all persons who are known to be thieves, burglars or pickpockets, either by their own confession or otherwise, or by having been convicted of larceny, burglary or other crime against the laws of the State, punishable by imprisonment in the State's prison or in a house of correction in any city, and having no lawful means of support, are habitually found prowling around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction-room, store, shop, or crowded thoroughfare, car or omnibus, or at any public gathering or assembly, or lounging about any court room, private dwelling-house, or out-house, or unoccupied buildings, or are found in any house of ill-fame, gambling-house, or tippling-house, shall be deemed to be, and they are hereby declared to be vagabonds.

It shall be the duty of any member of the Board of Trustees, or any policeman of the Town of Lake View, to arrest upon view any of the persons hereinbefore described; and it shall be the duty of any policeman of the town, at the request of any person (provided, such person shall have first made a written complaint and obtained a warrant from an officer authorized to issue one for the arrest of any such vagabond), to arrest and bring before the nearest justice or police magistrate any such vagabond, wherever he may be found, for the purpose of an examination; and the said officer making said arrest shall then and there make written complaint against said vagabond, unless a complaint has already been made in the case; and the said justice or police magistrate before whom any such vagabond shall be brought, shall, within thirty-six hours, proceed to try said person accused of being a vagabond; and if he pleads guilty, or if he be found guilty, the said accused person shall, on conviction, forfeit and pay a fine of not less than twenty dollars, nor more than two hundred dollars, and costs of suit; and in default of the immediate payment of said fine and costs so imposed, said vagabond shall immediately be sentenced by said magistrate to hard labor upon the streets, ave-

nues, alleys or public grounds, or public works of the Town of Lake View, or in and about the calaboose of said town, not less than five days, nor more than six months; said vagabond to labor ten hours of each working day, under the supervision of a Street Commissioner of said town, and the balance of the time to be confined in the town calaboose; or the said magistrate, in lieu of the above sentence to hard labor of said vagabond, may issue a mittimus directing the imprisonment of said vagabond in the county jail for six months, or until said fine and costs shall be fully paid; said imprisonment not to continue longer than six months for any one offense, in accordance with the provision of section sixty-eight of chapter twenty-four of the Revised Statutes of 1874.

SEC. 53. No person shall remove or cause to be removed, or aid or assist in removing, any building in, or into the Town of Lake View, or into, along or across any public street, alley or grounds in said town, without first obtaining a permit for that purpose from the Supervisor or Board of Trustees. Any person violating any of the provisions of this section shall, on conviction, be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

SEC. 54. No person shall deface, mutilate, remove or destroy, or shall counsel, aid or assist in defacing, mutilating, removing or destroying, any sign or placard placed upon any property by the owner or agent thereof for the purpose of indicating that the same is for sale or rent, or forbidding trespassing thereon, except the owner or agent thereof.

SEC. 55. No person or persons shall play any game of base ball or other similar game in the Town of Lake View on Sunday, or assist in playing any such game on said day, under a penalty of not less than two dollars, nor more than twenty dollars for each offense.

SEC. 56. All teamsters or drivers in the Town of Lake View, or those who are teaming or driving therein, are hereby required to hold the reins of their team and walk close to their

team, or while seated on their wagon or other vehicle, and all drivers or teamsters who shall fail to hold the reins, while so walking by their team or seated on their wagon, shall be deemed the author of a misdemeanor, and shall, on conviction, be fined not less than one dollar nor more than five dollars for each offense.

SEC. 57. No person shall obstruct any street, avenue or public highway, by allowing teams, wagons, sleighs or other vehicles, whether loaded or not, to remain thereon, nearer than eight feet from each side of the center thereof, so as to leave a clear sixteen feet of space in the center of such highway, for passage each way, or by stopping on any crosswalk.

SEC. 58. No person who is in or proceeding with any funeral or funeral procession, going to any cemetery, shall stop at any saloon or other place where brandy, wine, ale, beer or fermented or mixed liquors are for sale, and drink any of said beverages at such place. *Provided*, nothing in this section shall be construed so as to prevent any person from stopping and drinking as aforesaid, when he does not proceed further with such funeral or procession.

SEC. 59. It shall be the duty of the owner, driver or manager, and each of them, of any night-scavenger wagon, driving in or through the Town of Lake View in the night time, always to keep upon each side of such night-scavenger wagon a lighted lamp, with plain glass front and sides, with the number of the license of such wagon, painted with black paint, on the sides and front of each of said lamps, in distinct and legible figures, at least two inches in size, and so placed that said lamps may be distinctly seen, and said number easily read in any of the highways or premises adjacent thereto; every violation of this section shall, on conviction, be punished by a fine of not less than five dollars nor more than one hundred dollars.

SEC. 60. Each and every person who shall, within the corporate limits of said town obstruct, hinder or prevent the Supervisor or any member of the Board of Trustees, any policeman or other officer of said town, in the discharge of any duties imposed on him by the act under which said town is incorporated, or any of the ordinances of said town, or in the lawful exercise of any authority granted to him by such act or ordinance, shall, on conviction, forfeit and pay said town a sum not less than ten dollars, nor more than two hundred dollars, for each offense.

SEC. 61. Every person convicted under the provisions of this chapter, upon whom any fine or penalty shall be imposed, may be, on the order of the court or magistrate before whom the conviction is had, committed to the town calaboose or jail, and may be required to work for the Town of Lake View, at such labor as his strength will permit, within or without such calaboose or jail, not exceeding ten hours each working day; and for such work, the person so employed shall be allowed, exclusive of his board, two dollars per day for each day's work, on account of such fine and cost.

SEC. 62. Every person who shall violate any section, provision or clause of this chapter, shall be fined, on conviction, a sum not less than ten dollars, nor more than two hundred dollars, except for violations of such sections thereof as provide the penalty for a violation thereof, and as to such sections the penalty shall be as therein stated.

SEC. 63 A misdemeanor, in the meaning of this chapter, is any act or omission forbidden by this chapter.

CHAPTER XIII.

NUISANCES.

- | | |
|---|---|
| 1. Fifteen things declared to be
2. Rendering establishments.
3. Refuse matter.
4. Animal matter, conveyance.
5 and 6. Manufacturing fertilizers. | 7. Premises in filthy condition.
8. Keeping swine.
9. Slaughtering animals.
10. Cemetery vaults.
11. Abating nuisances.
12. Penalty. |
|---|---|

SECTION 1. It is hereby declared to be a nuisance:—

First.—To so negligently conduct any business or use any premises as to create such an offensive smell as may taint the air, and render it unwholesome or disagreeable to others.

Second.—To cause or suffer the carcass of any animal, or any offal, filth or noisome substance to be collected, deposited or to remain in any place, to the prejudice of others.

Third.—To throw or deposit any offal or other offensive matter, or the carcass of any animal, in any water-course, lake, pond, spring or well.

Fourth.—To deposit any night soil, dead animal, or other filthy, offensive or noisome substance upon any lot, street, alley, highway, park or other place.

Fifth.—To corrupt or render unwholesome or impure the water of any spring, well, river, stream, pond or lake, to the injury or prejudice of others.

Sixth.—To obstruct or impede, without legal authority, the passage of any navigable river or waters.

Seventh.—To obstruct or encroach upon public highways, private ways, streets, alleys, commons, wharves and landing places.

Eighth.—To establish, maintain and carry on any offensive or unwholesome business within the limits of the Town of Lake View, or within one mile of the limits thereof.

Ninth.—To establish a cemetery within the corporate limits of the Town of Lake View, or within one mile of the limits thereof, in violation of any ordinance of the Town of Lake View, or in violation of the provisions of an act of the General Assembly of the State of Illinois, entitled "An Act to amend the charter of the Town of Lake View, in Cook County," approved March 29th, 1869, or the provisions of an act of said said General Assembly entitled "An Act to preserve the shore of Lake Michigan for residences," approved March 30th, 1869.

Tenth.—For any person to permit or suffer any offal, filth, refuse, animal or vegetable matter, which is liable to become putrid, or offensive, or injurious to health, to remain on any premises used or occupied by him for a longer period than four hours at any one time.

Eleventh.—To keep or suffer to be kept in a foul, offensive, nauseous or filthy condition, any railroad car, building, yard, grounds or premises.

Twelfth.—To own, keep or use any railroad car, yard, pen, place or premises, in or upon which cattle or swine shall be confined or kept, so as to be offensive to those residing in the vicinity, or an annoyance to others.

Thirteenth.—To erect, continue or use any building or other place for the exercise of any trade, employment or manufacture which, by occasioning noxious exhalations, offensive smells, or otherwise is offensive or dangerous to the health of individuals, or of the public.

Fourteenth.—To locate, without first having obtained permission of the Board of Trustees to do so, any packing house, renderies, tallow chandleries, bone factories, glue factories, soap factories and tanneries within the limits of the town, and within the distance of one mile without the town limits.

Fifteenth.—To locate, without first having obtained permission of the Board of Trustees to do so, any brewery, distillery, livery stable, blacksmith shop and foundry within the limits of the town.

SEC. 2. All premises within the town, kept, occupied or used for the purposes of steaming, boiling, reducing or rendering in any manner of any offal, tainted or damaged lard or tallow, or the steaming or rendering of any animal substances, when the same is or may be kept, occupied or used in such manner as to occasion any offensive smell, or to so taint the air as to render it unwholesome or offensive to the smell, are severally declared to be nuisance.

SEC. 3. No person shall use, or own, or occupy any packing house, distillery, rendering establishment, tallow chandlery, bone factory, glue factory, soap factory or tannery, who shall cause or suffer any offal, filth, refuse, foul or nauseous liquor, or other offensive matter liable to become offensive, to be discharged out of, or flow from, any such premises into Lake Michigan, or into any slough within the jurisdiction of the said town, or in or upon any highway, street, alley, public square, vacant lands, wharf, dock, river or lake shore.

SEC. 4. Any person who shall cause animal matter or offal to be brought into the Town of Lake View for the purpose of manufacturing the same into agricultural fertilizers or other product, or who shall aid or assist therein, shall transport the same in close, tight and covered cars or boxes, and shall deposit the same in close, tight and covered bins, so that no unwholesome or offensive odor shall escape therefrom.

SEC. 5. Every person engaged in manufacturing animal matter, or offal, into a fertilizer, or other product, within the town, shall, before the rendition thereof, thoroughly deodorize the same, by the application of salts, acids, or other chemicals, so that the same shall not be offensive.

SEC. 6. Persons engaged in rendering, reducing or manufacturing animal matter or offal into agricultural fertilizer or other product, shall not:

First. Accumulate at any one place within the jurisdiction of the town animal matter, or offal, exceeding one hundred tons, or blood exceeding one thousand gallons.

Second. Deposit within the limits of the town any meat or offal in an offensive or putrid condition.

Third. Permit or suffer any animal matter or offal to remain on premises occupied or used by them for a longer period than twenty-four hours before the actual rendition or manufacture thereof.

Fourth. Use or be employed in any factory or other place for such purpose between the first day of April and the first day of November.

SEC. 7. The owner or person in charge or possession of any grocery, cellar, soap or tallow chandlery, tannery, stable, pigsty, privy, sewer or premises found to be in a filthy, nauseous, offensive or unwholesome condition, or any other unwholesome or nauseous building or place, shall immediately clean, abate or remove the same upon being notified so to do by any officer or policeman of the town.

SEC. 8. No person shall keep or suffer to be kept, any swine in any enclosure or pen within the distance of two hundred feet of any dwelling-house other than his own, and any person so keeping or suffering to be kept in any pen or enclosure on his premises any swine contrary to the foregoing provision, shall be deemed the author of a nuisance.

SEC. 9. No person shall kill or slaughter any neat cattle, hogs or sheep, or 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 from the Board of Trustees; and every person violating any of the provisions of this section shall be deemed guilty of a nuisance, except the owner of animals may slaughter them for his own use, upon his own premises without such license.

SEC. 10. The leaving open of any cemetery vaults or other receptacles for the dead, containing dead bodies so far decomposed as that the exhalations therefrom taint the air, to the annoyance or discomfort of any of the inhabitants of the town,

is hereby declared a nuisance; and any person violating this section, and producing such nuisance, shall, on conviction, be punished by a fine of not less than fifty dollars nor more than two hundred dollars.

SEC. 11. Whenever any nuisance exists or shall be found on any premises within the town contrary to any ordinance of said town, the Supervisor is hereby authorized, in his discretion, to cause the same to be summarily abated, in such manner as he may direct.

SEC. 12. Whoever violates any clause, section or provision of this chapter shall, on conviction, be fined not less than five dollars and not exceeding two hundred dollars, and may in addition, in the discretion of the justice or magistrate, be imprisoned not exceeding six months, except where the punishment is provided for in the section violated, and in such case said person shall be punished as therein specified.

CHAPTER XIV.

ACTIONS, ARRESTS, TRIALS AND PUNISHMENTS.

- | | |
|-----------------------------------|----------------------------------|
| 1. Actions, how brought. | 16. Judgment against surety. |
| 2 and 3. Statement. | 17. Manner of trial. |
| 4. Debt. | 18. Jury. |
| 5. Different offenses. | 19. Officers as witnesses. |
| 6. Form of summons. | 20. Judgment on verdict. |
| 7. Complaint for warrant. | 21. Judgment entered on docket |
| 8. Form of warrant. | 22. Trial by jury. |
| 9. Arrest without process. | 23. Commitment and mittimus. |
| 10. Officers act like constables. | 24. Bond, how executed. |
| 11. Who make arrests. | 25. Imprisonment till fine paid. |
| 12 and 13. Custody of prisoners. | 26. Not compromise offense. |
| 14 and 15. Special bail. | 27. Penalty. |

SECTION 1. Actions, suits and prosecution for the violation of any Town Ordinance, may be prosecuted in the name of the "Town of Lake View," before the Police Magistrate or

any Justice of the Peace of the County of Cook and State of Illinois, and any other court having jurisdiction thereof by law.

SEC. 2. Before any suit shall be brought in the name of the Town of Lake View, for the recovery of any fine, penalty or forfeiture, except in cases of arrest without process, the person prosecuting, or some one on his behalf, shall file a written statement, signed by him, substantially as follows :

A _____ B _____, To the Town of Lake View, Dr.,
 To \$ _____, for breach of Section _____, of Chapter number _____ entitled _____ of Ordinances. In this, to wit, (here in general terms describe the particular breach substantially in the language of the ordinance): on or about the _____ day of _____, A. D. 18—
 (Signed) C _____ D _____

SEC. 3. The statement may include several persons charged with the same violation of any ordinance. No suit shall be dismissed for any defect of form in the statement if it substantially sets forth the nature of the violation alleged. All papers and processess may be amended to show the fact in the discretion of the court before whom the action is pending.

SEC. 4. All fines, forfeitures, penalties and costs imposed against any person by any ordinance for the breach thereof, may be recovered by suit in debt, and judgment may be rendered and collected by execution or other process, and all fines and money so collected shall be paid to the Town Treasurer within ten days after its collection. In all actions and suits for the violation of any ordinance, the first process shall be a summons, where arrest upon view, without process, is not made, or a warrant is not issued.

SEC. 5. No prosecution, recovery or acquittal for the violation of any ordinance shall constitute a defense to any other prosecution of the same party for any other violation of any such ordinance, although the different causes of action existed at the same time, and if united, would not have exceeded the jurisdiction of the court, justice or magistrate.

SEC. 6. Summons shall be in the following form :

STATE OF ILLINOIS, }
COOK COUNTY. } ss.

The people of the State of Illinois, to the Captain or Sergeant of Police, or any policeman or special policeman or constable of the Town of Lake View, or any constable of said county ; GREETING :

You are hereby commanded to summon A—— B—— to appear before me at my office in the Town of Lake View, in said Cook County, on the —— day of ——, A. D. 18—, at — o'clock, — M., to answer the complaint of the Town of Lake View, for a failure to pay the said town a certain demand not exceeding two hundred dollars, incurred by violating section —— of chapter —— of the Revised Ordinances of the Town of Lake View ; and hereof make due return as the law directs.

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

————— P. M., or ————— J. P.

SEC. 7. Whenever any person shall make complaint in writing, verified by affidavit, to the Police Magistrate, or any Justice of the Peace, or court, as aforesaid, and shall state in said complaint that any ordinance of said town, or any section or provision of the Revised Ordinances thereof, has been violated, and that he, the complainant, has reasonable grounds to believe that the person charged in such complaint with such violation is guilty thereof, said magistrate, or justice, or judge may issue, in the first instance, a warrant for the arrest of the person so charged.

SEC. 8. Warrants shall be in the following form, as near as may be :

STATE OF ILLINOIS, }
COOK COUNTY. } ss.

The people of the State of Illinois to the Captain or Sergeant of Police, or any policeman or special policeman of the Town of Lake View, or any constable of said county ; GREETING :

Whereas, complaint in writing, verified by affidavit, has been made by ————— to the undersigned, Justice of the Peace of the Town of Lake View, in said Cook County, charging that Section —— of Chapter —— of the Revised Ordinances of the Town of Lake View, has been violated on the —— day of ——, A. D. 18—, at and within the corporate limits of the said Town of Lake View,

by _____, in violation of said Section — of Chapter — of said ordinances, and that the complainant has reasonable grounds to believe that _____, the person charged in such complaint with such violation, is guilty thereof; you are therefore hereby commanded to take the body of A_____ B_____ and bring him forthwith before me, at my office in said town, to answer the complaint of the Town of Lake View, for a failure to pay said town a certain demand not exceeding two hundred dollars for the violation aforesaid; and hereof make due return as the law directs.

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

_____, P. M. or _____, J. P.

SEC. 9. Whenever any person shall be arrested on view, without process, and shall be taken before any court, the magistrate or justice shall note upon his docket the cause of such arrest, as stated by the officer making the arrest, and proceed to hear and determine the cause in the same manner as if the defendant had been arrested by a warrant.

SEC. 10. The officers who shall execute any writ or process shall proceed in the execution of their duty in the same manner as constables are required to proceed under the laws of this State, except as changed by this chapter, and chapter number 15, entitled "Police."

SEC. 11. The Supervisor or any member of the Board of Trustees, Captain of Police, Sergeants of Police, Policemen, and Special Policemen are hereby severally authorized to arrest, on view, with or without process, any person who may break the peace or violate any section or provision of the ordinances of said town, and to take such person forthwith before a magistrate or any justice whose office is located in said town.

SEC. 12. In case such arrest is in the night, or on Sunday, the person arresting may detain the person arrested in custody over night, or over Sunday, in the town calaboose or any safe place, until such person can be brought before said magistrate or justice for trial.

SEC. 13. In all cases of arrest in which detention in custody of the person so arrested shall be authorized, it shall be

the duty of the keeper of the town calaboose, or keeper of other place of confinement provided for violators of said ordinances, to receive, and he is hereby authorized and empowered to receive, from any officer legally empowered to make arrests, any such person, and to safely keep him until he can be safely brought before the proper court and be tried for the offense.

SEC. 14. If for any cause a continuance is granted a defendant under arrest, he may give special bail for his appearance before the court by endorsing the same upon the back of the warrant in the following form, to-wit:

I, C. D., acknowledge myself special bail for the within named A. B.

Witness my hand this—day of—, A. D. 18—.

C. D.

Approved:

— — — — —, *J. P.*

which endorsement shall be signed by one or more sureties, to be approved by the court to whom the writ is returnable or before whom the suit is pending.

SEC. 15. In place of special bail, personal property and choses in action, of sufficient value to satisfy the probable judgment and costs, may, in the discretion of the court, be taken. In such case the following shall be endorsed upon the back of the warrant:

I, A. B., pledge the following property—
for my appearance before C. D., Esq., J. P. or P. M., on the—day
of—A. D. 18—, at—o'clock—. M. on said day, and to
which property I waive all exemption rights.

Witness my hand this —day of—A. D. 18—.

A. B.

Approved:

— — — — —, *J. P.*

SEC. 16. Upon the trial of any cause in which special bail shall have been given, if the defendant shall be found guilty, judgment shall be rendered against both principal and surety

(in the special bail) for the amount of the fine assessed by the court or jury, and all costs that may have accrued. In case personal property or choses in action were given in lieu of special bail, and judgment is rendered against the defendant, execution shall issue and said property be sold under it. Exemption rights shall be waived by making such pledge of said property or choses in action. When arrests are made at night, or on Sunday, the Captain of Police may take special bail, in form provided by this chapter.

SEC. 17. The manner of conducting trials, granting continuances and changes of venue, subpoenaing witnesses, summoning and impaneling juries, and taking appeals, shall be the same as in civil cases before Justices of the Peace, except that the appeal shall be taken to the Criminal Court of Cook County.

SEC. 18. In all cases of trial for violation of any ordinance, either party may have the cause tried by a jury, if he shall so demand before the trial is entered upon, and will first pay the fees of the jurors. The number of jurors shall be six, or any greater number not exceeding twelve, as either party may desire.

SEC. 19. All officers making arrests shall attend as witnesses, before the court where the trial may be had, and shall procure all necessary evidence in their power, and furnish a list of witnesses to the court; and no town officer shall be entitled to any witness fee to be taxed against the town in any action for a violation of any ordinance where the town is plaintiff. No costs of any kind shall be taxed against or collected of the town, in which said town is plaintiff, in any suit brought for the violation of any ordinance; but the court may, in its discretion, tax and give judgment for such costs against the prosecuting witness.

SEC. 20. In every case where the trial for the breach of any ordinance shall be by jury, the court shall record the verdict. The amount of the fine, penalty, forfeiture, imprisonment or punishment, the limits of which are provided by any ordinance,

shall be found by the jury if they find the defendant guilty, and the court shall render judgment in accordance therewith, and the costs of suit. If the verdict shall be "not guilty," and the defendant is in custody, he shall be discharged.

SEC. 21. When a person is tried before the Police Magistrate, or any Justice of the Peace, for a violation of any of the Sections or part of the Ordinances of the Town of Lake View, without a jury, and the defendant is found guilty, the Justice shall impose the fine and shall record the rendition of said judgment in his docket, in the cause as near as may be in the following form :

"After hearing the evidence the Court finds the defendant guilty of violating Section — of Chapter — of the Revised Ordinances of the Town of Lake View, and that said defendant be fined the sum of \$—— and cost of suit, (or that the defendant be committed to the county jail and imprisoned for — months) as the case may be; and the Court doth further adjudge that the plaintiff have and recover of said defendant, the sum of \$—— fine, assessed as aforesaid, together with costs of suit herein taxed at \$——. *And the Court doth further order that unless the above judgment and costs are forthwith paid, said defendant be committed to the jail of Cook County in accordance to law."

SEC. 22. Where the defendant is tried by jury for the violating of any Section or parts of the Ordinances of the Town of Lake View, and the jury shall find the defendant guilty, and assess the fine to be imposed therefor, it shall be the duty of the magistrate before whom said cause was tried by jury to render judgment upon the verdict of the jury, and after recording the verdict of said jury in his docket, in said cause, to write therein the judgment so rendered, which shall be, as near as may be, as follows :

"The Court thereupon renders judgment upon said verdict of the jury aforesaid, which is that the defendant is guilty of violating Section — of Chapter — of the Revised Ordinances of the Town of Lake View, and that he be fined the sum of \$—— and costs of suit, (or be imprisoned for — months) as the case may be, and that the plaintiff have and recover of said defendant the sum of \$—— fine, assessed as aforesaid, and the costs of suit herein taken

at \$——. *And the Court doth further order that unless the defendant immediately pay said judgment and costs herein rendered, that he be forthwith taken to the jail of Cook County and there confined in accordance with law.”

In case the verdict or judgment be that the defendant be imprisoned as well as fined, the Court shall not record the words in the above forms following the*; and in such case the Court shall commit the defendant to jail forthwith, and also issue a mittimus or execution for the collection of the fine and costs; but said last named mittimus shall only authorize the committal of the prisoner to jail for a failure to pay said fine and costs, for a term which added to the imprisonment fixed by the judgment would make six months imprisonment in all.

SEC. 23. Commitment of any person, as provided in this chapter, shall be by process, under the hand of the court which shall have made the order for such commitment, and when issued for the collection of the fine and costs, shall be as near as may be, in the following form, to wit:

STATE OF ILLINOIS, }
COOK COUNTY. }^{88.}

The People of the State of Illinois, to any Constable of said County or any Policeman of the Town of Lake View, in said County, and to the Keeper of the Common Jail in said County, GREETING:

Whereas, upon the complaint of———of the Town of Lake View, lately made before the undersigned Police Magistrate of the said Town of Lake View, in said County, and *ex officio* Justice of the Peace of the Town of Lake View in and for said County, against —— (here state name of prisoner) for a violation of Section ——, of Chapter —— of the Revised Ordinances of the said Town of Lake View, summons (or warrant) was issued, dated the——day of——, A. D. 18—, returnable on the——day of——A. D. 18—, at the hour of—o'clock—M. On the——day of——, A. D. 18—, said summons (or warrant) was returned by Constable———served on said defendant by——(here state how served)——. At the time set for trial of said case, to-wit: on the ——day of——A. D. 18—, at ——o'clock — M., said case was called, the defendant was present, and said case was tried before the undersigned Justice, and a (if by jury, here insert it), and the said (name of prisoner) was found guilty of said charge, to-wit: a violation of Section ——, of Chapter ——, of the said Revised Ordinances of the Town of Lake View, and the said

(here state court or jury as the case may be) assessed the fine which the said—— (name of prisoner) should pay to said town, the sum of——dollars and costs of suit; and also that said defendant be imprisoned for —— months, —— and ——

Whereas, the Court thereupon, on said——day of——A. D. 18—, rendered judgment (upon the verdict of the jury), which judgment was that the defendant is guilty as charged, and is fined \$——, and costs of suit herein taxed at \$——, and that the defendant also be imprisoned for——months in the county jail, and that the plaintiff have and recover of said defendant said sum of \$— fine and said costs of suit: and the court did further order that in case said defendant,———, should fail, neglect or refuse forthwith to pay said fine and costs so adjudged against him, the said defendant, ——, be committed to the jail of said Cook County, there to remain until said fine and costs shall be fully paid (said imprisonment, however, not to extend beyond six months from the date of commitment), or otherwise legally discharged.

We, therefore, command you, the said constable or policeman, to demand of said ——, the amount of said fine and costs. And in case the said —— shall neglect, fail or refuse to pay the same forthwith, then you are to take the said —— and convey him to the jail of said Cook County, and deliver him into the custody of the keeper of said jail; and you, the said keeper, in such case, are hereby required to receive the said —— into your custody in said jail, and him there safely keep, pursuant to the Statutes of Illinois and the Revised Ordinances of the Town of Lake View; said imprisonment in the county jail to continue for six months from date of commitment, or until said fine and costs are fully paid in money, or he is otherwise legally discharged.

Given under my hand and seal this——day of——, A. D. 18—.

*Police Magistrate of the Town of Lake View
and ex-officio Justice of the Peace.*

Where the judgment is that the defendant be imprisoned for six months, as well as fined, no mittimus shall be issued to collect the fine, but an execution shall be issued for the collection of said fine and costs, and a mittimus shall be issued immediately for the imprisonment, and the defendant conveyed to jail, unless said case is appealed, and the appeal perfected. The mittimus shall be in the following form, as near as may be:

STATE OF ILLINOIS, }
 COOK COUNTY. } ss.

The people of the State of Illinois, to any constable of said county, or any policeman of the Town of Lake View, in said county, and to the keeper of the common jail in said county; GREETING:

Whereas, upon the complaint of _____, of the Town of Lake View, lately made before the undersigned police magistrate of the said Town of Lake View, in said county, and ex-officio justice of the peace of said Town of Lake View, in and for said county, against _____, for a violation of Section _____ of Chapter _____, of the Revised Ordinances of the said Town of Lake View, summons (or warrant) was issued, dated _____ the _____, A. D. 18—, returnable before the undersigned magistrate, on the _____ day of _____ A. D. 18— at the hour of —M., to answer the complaint of the Town of Lake View, for a failure to pay it a demand not exceeding two hundred dollars, accrued by violating Section _____ of Chapter _____, of the Revised Ordinances of said town. On the _____ day of _____, A. D. 18—, said summons (or warrant) was returned by Constable _____, served on said defendant by _____ on the _____ day of _____, A. D. 18—.

At the time set for the trial of said case, _____ it was tried before the undersigned and a _____, and the said _____ was found guilty of said charge, to-wit: a violation of Section _____, of Chapter _____, of the Revised Ordinances of the Town of Lake View, and the said (court or jury, as the case may be) found the defendant guilty, and fixed the penalty therefor at six months' imprisonment and fine of \$—, and the costs of case; and whereas it was thereupon, on the _____ day of _____, A. D. 18—, considered and determined by said court that said Town of Lake View have and recover of said defendant, _____, for its demand and the violation aforesaid, the sum of \$—, fine assessed, as aforesaid, and also the costs of suit therein, taxed at \$—, and the said defendant be committed to the jail of said Cook County, — there to remain six months from the date of commitment.

We therefore command you, the said (Constable or Policeman) to take the body of said _____ and convey him to the jail of said Cook County, and deliver him into the custody of the keeper of said jail, and you, the said keeper in such case, are hereby required to receive the said _____ in your custody in the said jail, and him there safely keep, pursuant to the Statutes of Illinois and the Revised Ordinances of said Town of Lake View, said imprisonment in the county jail to continue for six months from the date of commitment, or until he is otherwise legally discharged.

Given under my hand and seal this _____ day of _____, A. D. 18—.

*Police Magistrate of the Town of Lake View
 and ex-officio Justice of the Peace.*

SEC. 24. In all cases where an appeal of any suit, action or proceeding is advised by the Board of Trustees, the appeal bond shall be executed by the Supervisor and Town Clerk in their official character, in the name of the Town of Lake View, and said bond, thus executed, shall be binding on the town.

SEC. 25. In all cases where any person convicted of a breach of any of said ordinances shall fail, neglect or refuse forthwith to pay any fine or penalty and cost which may be adjudged against him, it shall be competent and lawful for the court before whom such conviction is had, to order that such person so convicted as aforesaid be committed to the jail of Cook County, the town calaboose, or other place provided by said town for the incarceration of offenders in such cases, there to remain until such fine, penalty and cost shall be fully paid, or otherwise legally discharged; *Provided*, that no such imprisonment shall exceed six months for any one offense. In all cases where any person is so committed to the town calaboose, he may be required to work for the corporation at such labor as his strength will permit, at any place within the town, not exceeding ten hours each working day, and for such work the person so employed to be allowed, exclusive of his board, two dollars for each day's work on account of such fine and costs.

SEC. 26. No officer, judicial or ministerial, shall in any manner compromise with any person charged with the violation of any ordinance of the town, without direction, by resolution of the Board of Trustees; nor commute, release, remit, suspend, or diminish any judgment or fine rendered or imposed for violation of any ordinance, nor shall give time for the payment of any such judgment or fine; but the officer rendering such judgment shall, unless the same be paid immediately upon the rendition of the same, issue the proper process for the collection of such judgment or for the committal of the person against whom the same was rendered.

SEC. 27. All prosecutions for the violation of any ordi-

nance, or for any fine or forfeiture under the same, shall be commenced within one year and six months from the time of committing the offense or incurring the fine or forfeiture. No period during which the party charged was not usually or publicly resident within the State of Illinois shall be included within the time of limitation. When the proceedings upon any warrant or process for the violation of any town ordinance are reversed on appeal, or writ of error, or quashed, set aside or dismissed without a trial on the merits, the time during such pendency of said proceedings shall not be reckoned within the time limited by this section so as to bar a new proceeding for the same offense.

SEC. 28. Every person convicted of a violation of any provision, clause or section of this ordinance and its several chapters, or any ordinance, section, article, clause, provision or chapter, where no other penalty is prescribed, shall on conviction be fined not to exceed two hundred dollars, for each offense.

CHAPTER XV.

POLICE.

- | | |
|--------------------------------|---|
| 1. Police department. | 11. Report arrests to captain. |
| 2. Supervisor has supervision. | 12. May call assistance. |
| 3. Captain, duties of. | 13. Resisting or interfering. |
| 4. Sergeants. | 14. Seize gaming devices. |
| 5. First sergeant. | 15. Enter gaming or disorderly houses. |
| 6. Police, duties of. | 16. Police not bail. |
| 7. Oath and bond. | 17. Police only act as such ; stars, etc. |
| 8. Suspensions, pay, etc. | 18. Penalty. |
| 9. Committee on police. | |
| 10. Information, reports, etc. | |

SECTION 1. The Supervisor and each member of the Board of Trustees, the Captain of Police, Sergeants of Police, Policemen and Special Policemen shall constitute the police department of the Town of Lake View. It shall be the duty of each member of said police force, to enforce all ordinances relative to the preserving of the peace, health, and good order and quiet of said town, and to the prosecution of all violations of all ordinances of the town.

SEC. 2. The Supervisor shall exercise a general supervision and control over the police, and shall see that the various police officers are prompt and efficient in the discharge of their duties ; and he shall, from time to time, take such measures for the preservation of the public peace and good order, and for the prompt and efficient execution of the laws of the State and ordinances of the town, as may be deemed most expedient and best to accomplish the purpose contemplated.

He may, with the concurrence of the Board of Trustees, make and establish rules and regulations, to be styled "Police Regulations of the Town of Lake View," in which the duties of the various members of the police force shall be specified, with a view to a vigilant, effective, useful police department, and the orderly conduct of its members.

SEC. 3. The Captain of Police shall have the immediate charge of the police, and see that all "police regulations" are strictly enforced. He shall keep his office at the Town Hall, and he shall be keeper of the town calaboose. He shall make a monthly report to the Board of Trustees at their first regular meeting of each month, which shall contain the names of all persons arrested by any member of the police department, the reason for the arrest, the magistrate before whom they shall have been tried, the fine imposed, and whether it is satisfied by payment or imprisonment, or appeal. Said report shall contain any other matter concerning the police department, which may be of interest to the town. At the last meeting of the Board of Trustees, in each municipal year, he shall make an annual report, which shall be a verified summary of said monthly reports.

SEC. 4. The Board may appoint Sergeants of Police in such districts as they may by resolution specify. They shall be numbered first, second, third, and so on consecutively, and shall have rank in such order.

SEC. 5. The First Sergeant of Police shall have immediate charge of the police force, in the absence, death or resignation of the Captain of Police.

SEC. 6. The Captain and Sergeants of Police and Policemen shall devote their entire time to the duties of their office. They shall see that all streets, alleys and vacant grounds are kept clean. All Sergeants and Policemen shall report to the Captain any imperfections in sidewalks, crossings, bridges, culverts, drains, ditches and sewers on their respective beats. The Captain shall immediately report in writing to the Commissioners of Highways in their respective districts all such imperfections, giving their location and extent.

SEC. 7. Each Policeman and Special Policeman shall, before entering upon the discharge of the duties of his office, take and subscribe the oath required of the officers of the town, and if the Board of Trustees shall by resolution so direct, he shall execute a bond to the town, conditioned as in the case of other

town officers, which bond shall be approved by the Supervisor.

SEC. 8. The Board of Trustees may from time to time appoint as many Policemen and Special Policemen as they shall deem necessary, who shall hold their offices during the pleasure of the Board of Trustees; and the Board may by resolution fix or change the pay or compensation for members of the police force, as it may from time to time deem necessary, and in case of emergency the Supervisor may appoint Special Policemen. The Supervisor may suspend any member of the police force for insubordination, neglect of duty, drunkenness, or any act or conduct unbecoming a policeman, which suspension he shall report in writing to the Board of Trustees at its next regular meeting, giving a full statement of the offense or offenses committed; and it shall be the duty of the Board to take immediate action in the matter, and as soon as practicable, either reinstate or dismiss the offender from the police force. No person shall be employed on the police force who is not strictly temperate; and in case any person shall be intoxicated while on duty, he shall be immediately discharged from the force, in the discretion of the Board of Trustees. No member of the police force, under penalty of forfeiting the pay which may be due him, shall withdraw or resign from the police force, unless he shall have given one week's notice thereof in writing to the Supervisor; and no person who shall ever have been removed from the police force for misconduct or other offense, shall be re-appointed to any office in the said police force.

SEC. 9. The Committee on Police shall visit the town calaboose or prison at least once in each month, and see that it is kept in good order and condition, and inquire into the treatment of the persons confined therein, and shall report to the Board of Trustees without delay any omission of duty on the part of the keeper thereof.

SEC. 10. It shall be the duty of all policemen and special policemen, on request, to furnish, at all times, any and all information which may aid any person in finding any park, place, or the residence of any person, and they shall conduct them-

selves in a gentlemanly manner. They shall report all violations of ordinances and all crimes to the Captain of Police at the earliest moment. They shall take all property found and stolen to police headquarters. They shall arrest all persons found in the act of violating any ordinance of the town, and shall in all cases of arrest take the person arrested immediately before the Police Magistrate, or some Justice of the Peace of Cook County, Illinois, and prefer a charge against the party so arrested. In case the arrest is at night, or on Sunday, the party shall be confined in the town calaboose or prison, or place of safety provided, until it is practicable to have a trial of such offender, and until the person arrested shall be disposed of according to law. They shall render assistance at all fires in the capacity of firemen.

SEC. 11. Each policeman shall promptly make report, in writing, to the Captain of Police of all arrests made by him, stating the name of the person arrested, the offense, and what disposition was made of the offender.

SEC. 12. It shall be the duty of any person in the Town of Lake View, when called upon by any member of the police department, to promptly aid and assist him in the execution of his police duties.

SEC. 13. No person shall resist any member of the police force in the discharge of his duty, or shall in any way interfere with or hinder or prevent him from discharging his duty as such member, or shall offer or endeavor to do so, nor shall in any manner assist any person in custody of any member of the police force to escape or attempt to escape from such custody, nor shall rescue or attempt to rescue any person in custody.

SEC. 14. Any constable or member of the police force of the town may seize any instrument, device or thing used for the purpose of gaming, or by or on which money or other articles of value may be lost or won, and all such instruments, devices or things may be demolished or destroyed.

SEC. 15. If the owner or keeper of, or any person within, any gambling house or room, any disorderly house, or house of ill-fame, within this Town, shall refuse to permit the policemen or any constable to enter the same, it shall be lawful for any policeman or constable to enter, or cause the same to be entered, by force, by breaking the doors or otherwise, and to arrest, with or without warrant, all suspicious persons found therein.

SEC. 16. No member of the police force shall become or furnish bail for any person arrested for violation of any ordinance of the Town of Lake View, or of the criminal laws of the State of Illinois.

SEC. 17. No person other than a member of the police department shall assume to act as a policeman in any capacity within the Town of Lake View. No person other than a member of the police department shall wear a star, or other similar device like that of a policeman.

SEC. 18. Any person violating Sections 11, 12, 13, and 17, or any provision contained in said sections, shall on conviction be punished by a fine of not less than three dollars, and not exceeding one hundred dollars.

CHAPTER XVI.

CALABOOSE.

- | | | |
|-------------------------|--|-----------------------|
| 1. Where situated. | | 3. Keeper of. |
| 2. Cells, in town hall. | | 4. Other calaboosees. |

SECTION 1. The lower floor of the Town Hall, situated on the north-west corner of Addison and Halsted Streets, be, and the same is hereby set apart for and designated as the Police Court room and police headquarters for the Town of Lake View.

SEC. 2. The cells in the rear part of the lower floor of the said Town Hall be, and the same are hereby set apart for and

designated as the Town Calaboose, or lock-up of the Town of Lake View.

SEC. 3. The Captain of Police shall be ex-officio keeper of said calaboose or jail, and shall have the custody, rule, charge and keeping of the same, and of all persons committed thereto, under the supervision and direction of the Supervisor or Board of Trustees.

SEC. 4. The Board of Trustees may, by resolution or ordinance, establish other calaboses in said town, and any officer having any person in arrest at night, or on Sunday, may keep him in any safe place, in his discretion, over night or Sunday, until he can bring such person before the proper magistrate or justice.

CHAPTER XVII.

POUNDS.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Animals at large. 2. Penalty, defining, etc. 3. Pound-keeper, impound. 4. Who may impound. 5. Duties of Pound-keeper. 6. Fees, notices, etc. 7. When owner is unknown. 8. Make return of sale. 9. Balance paid to Treasurer. 10. Redeemed before judgment. 11. Redeemed before sale. | <ol style="list-style-type: none"> 12. When liable to penalty. 13. Who must not purchase. 14. Breaking pounds. 15. Hinder, delay or obstruct. 16. Pound-keeper report. 17. Surplus proceeds. 18. Establishing pounds. 19. Pound-keeper, powers of. 20. Not take to pound. 21. Penalty. |
|---|--|

SECTION 1. That it shall be unlawful, and is hereby declared to be a nuisance, for any horse, colt, mule, ass, bull, ox, cow, calf, hog, pig, sheep, goat, geese, or cattle of any kind, to run, go, or be at large, within the corporate limits of the Town of Lake View.

SEC. 2. Any owner or owners of any such animal or ani-

mals, who shall permit the same to run, go or be at large, contrary to the provisions of Section 1 of this Chapter, shall forfeit and pay a penalty of two dollars for every animal named in said Section 1, so permitted to run, go, or be at large, together with the costs of impounding and the expense of sustenance for such animal or animals when impounded, as hereinafter provided. The tying or securing, or suffering to be tied or secured, by means of a rope, chain or other contrivance, any animal or animals mentioned in Section 1 of this Chapter, upon any street, alley, avenue, sidewalk, park or other public ground, within the limits of said town, or the herding or keeping of any such animal or animals upon any uninclosed ground within said limits, without the consent of the owner of such ground, or person having control of the same, for the purpose of allowing such animal or animals to graze thereon, or the permitting, suffering or allowing any of said animals to graze thereon, whether attended by drivers or watchers or not, shall be deemed running at large under this chapter; and it shall be no defense to any action under this chapter that the owner or possessor of any animal found running at large contrary to the provisions hereof, did not authorize the running at large of such animal or animals.

When any animal or animals run at large contrary to the provisions of this chapter, and are not impounded, the owner or possessor of the same shall forfeit and pay to the Town of Lake View a fine of not less than two dollars, nor more than ten dollars, for each animal proved to have been running at large; said fine to be collected in the same manner as other fines for violation of ordinances, and when collected to belong to the Town of Lake View, and to be paid to its Treasurer.

SEC. 3. It shall be the duty of the pound-keeper, or of any policeman, to take up and impound any animal known to him to be running at large, contrary to the provisions of Sections 1 and 2 of this Chapter, and for each refusal or neglect so to do, he shall forfeit and pay a fine of five dollars.

SEC. 4. It shall be lawful for any person over the age of fourteen years, to take up any animal being or running at large, contrary to the provisions of Sections 1 and 2 of this Chapter, and to take the same to any pound in the Town of Lake View, and deliver such animal or animals to the keeper of such pound, and for so doing he shall receive from the Treasurer of said town, when collected, an impounding fee for each animal so taken up and impounded by him, and it shall be the duty of the pound-keeper to enter upon his books forthwith the name and residence of the person so taking any such animal to the pound, as provided in this section.

SEC. 5. It shall be the duty of the pound-keeper to receive into the pound all animals mentioned in Section 1 of this Chapter, which may be brought there in pursuance of Sections 3 and 4 of this Chapter, to provide proper sustenance for all animals impounded, and to deliver the same when demanded, and all lawful charges against the same are paid by the owner or duly authorized person demanding the same.

SEC. 6. There shall be charged for each animal impounded, an impounding fee of fifty cents, which fee shall belong to the pound-keeper when the animal is taken up and impounded by any pound-keeper or policeman; but when the animal is taken up and driven to the pound by any other person, such fee shall belong and be paid by the Treasurer to such person when collected; and the pound-keeper shall be entitled to receive for providing sustenance for each day, or part thereof, any animal may be impounded, the following sums, to-wit: Fifty cents for each horse, colt, mule, ass, bull, ox, cow, calf, hog or pig, and twenty-five cents for each sheep, goat or goose; and the pound-keeper shall also be entitled to one-half of all penalties received for all animals taken up and impounded; and if such animals are not redeemed within three days after the same are impounded, the pound-keeper shall make complaint to any Justice of the Peace or Police Magistrate of the Town of Lake View against the owner or owners of such animal or animals for a violation of Sections 1 and 2 of this Chapter,

which complaint shall be written or printed, or partly written and partly printed, and containing the name of such owner or owners, if known to the pound-keeper; but, if not known, then said complaint shall contain a description of such animal or animals, when and where impounded, and a statement that the owner or owners are unknown; and thereupon the officer before whom said complaint shall be made shall issue a notice in substance as follows, to-wit:

POUND NOTICE.

Whereas, complaint has been made before me this day 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 ordinances of the Town of Lake View. Now, therefore, notice is hereby given that a trial will be had upon said complaint at my office in the Town of Lake View 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—.

—————, P. M. or J. P.

The day named in said notice for trial shall not be less than five nor more than fifteen days from the time of issuing the notice, and it shall be the duty of the pound-keeper, upon making the complaint, forthwith to post three copies of said notice, one at the pound where the animal is impounded, one at the Town Hall, and one at the nearest school-house to such pound, and to return said notice with the time and manner of said posting.

The justice or police magistrate issuing said notice shall enter the cause upon his docket as follows, to-wit:

The Town of Lake View *vs.* The unknown owner of ———
(here specify the animals) ———

And upon return of the notice aforesaid, like proceedings shall be had as in the case of personal service or appearance, except in all cases of unknown owners, the trial shall be a jury

trial. Upon filing the complaint provided for, if the name of the owner or owners is given therein, then the magistrate or justice of the peace shall issue a summons as in case of proceedings for the collection of fines for violation of other ordinances of the town; and if judgment be given against such owner or owners, said magistrate or justice shall order a sale of such animal or animals to satisfy the judgment, costs of suit and expenses of impounding and sustenance.

SEC. 7. Upon the filing of the complaint provided for in Section 6 above, when the complaint sets forth the fact that the owner or owners are unknown, or when the summons provided for in Section 6 is returned without personal service having been had therefor, and no appearance is entered by such owner or owners, the Justice of the Peace shall continue the case ten days, and shall immediately prepare a notice directed to the owner or owners thereof. Said notice shall contain a statement of the complaint and the time and place of the trial, and shall also state that unless the said owner or owners shall appear at the time and place fixed for the trial, that judgment will be entered by default, and the animal or animals ordered to be sold to satisfy the judgment, costs of suit, and expense of impounding and sustenance, which said notice shall be delivered to any constable of the town. Such constable shall immediately post three copies thereof in like places as provided in Section 6 of this chapter, at least eight days before the day set for the trial, and on or before the day set for the trial, said constable shall return the notice delivered to him by said justice, with an endorsement thereon stating the time when and the places where he posted the copies thereof herein provided for. At the time and place fixed in said notice for the trial of the cause, the Justice of the Peace shall proceed to hear and determine the same as though process had been personally served upon the said owner or owners, and if judgment be given against such owner or owners, such justice shall order a sale of such animal or animals to satisfy the judgment, costs of suit and expense of impounding and sustenance; *Provided*, that if

the constable shall have failed to post the notices as herein provided, such justice shall again continue the cause and require the notices to be posted, as aforesaid, previous to any trial of the cause. The notices shall be in the following form, as near as may be:

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

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 Town of Lake View lately recovered before me against the said —————, and hereof make due return.

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

————— P. M., or ————— J. P.

Upon the receipt of such order, the pound-keeper shall immediately post three notices in like places as provided in Section 6 of this chapter, in substance as follows:

POUND NOTICE.

Taken up and impounded in the town pound of the Town of Lake View, situated at——street, 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 — M., on the — day of —, A. D. 18—.

—————Pound-Keeper.

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 is not redeemed, the pound-keeper shall sell the same in accordance with said notice. It shall be the duty of such pound-keeper to return such order, within twenty days after its date, to the officer issuing the same, with an endorsement showing when and how the same was executed.

SEC. 8. Within five days after the sale of any impounded animal or animals, as provided for in Section 6 of this chapter, the pound-keeper making the same shall make return of the order of sale delivered to him by the Justice of the Peace, with

an endorsement thereon of the date of the sale, the amount received from such sale, and the amount retained as pound-keeper fees, and he shall, with such return, deliver to such Justice the amount received from such sale, less the amount of pound-keeper's fees.

SEC. 9. The Justice of the Peace shall, after deducting his fees in the case, from any money he may receive from the sale of any impounded animal or animals, pay to the pound-keeper of the pound wherein the same were impounded, the amount he may be entitled to receive under the provisions of Section 6 of this Chapter, and the balance, if any, he shall pay to the Treasurer of the Town of Lake View.

SEC. 10. At any time before judgment under the provisions of Sections 6 or 7 of this Chapter, the owner or owners of any impounded animal or animals may redeem the said by paying to the pound-keeper of the pound in which the same are impounded, such sums as he may be entitled to receive for penalties, fees and sustenance under the provisions of Section 6 of this Chapter.

SEC. 11. At any time after the judgment provided for in Sections 6 or 7 of this Chapter, and before the sale thereof, the owner or owners of any impounded animal or animals may redeem the same by paying to the Justice of the Peace by whom the judgment was rendered, the amount of the judgment and costs, including the amount the pound-keeper or other person may be entitled to receive, under the provisions of Section 6 of this Chapter, and the money so paid to the Justice shall be by him disposed of as is provided in Section 9 of this Chapter.

SEC. 12. When any animal shall have been redeemed before judgment is rendered against the owner or owners, as provided in Sections 6 or 7 of this Chapter, such owner or owners shall be liable to the penalty provided in Section 2 of this Chapter, to be collected as other penalties for violation of ordinances.

SEC. 13. No person shall purchase, or be interested directly or indirectly, in the purchase of any animal taken up, impounded or sold by him, under any section or provision of this chapter, under a penalty of not less than five dollars nor more than fifty dollars for each animal, and if a pound-keeper, a forfeiture of his office.

SEC. 14. Any person who shall break open, or in any manner, directly or indirectly, aid or assist in, or counsel or advise the breaking open of, any pound in the Town of Lake View, shall, on conviction thereof, be fined in a sum not exceeding one hundred dollars.

SEC. 15. Any person who shall hinder, delay or obstruct any person or persons engaged in taking to any pound in said town any animal or animals liable to be impounded, shall, on conviction thereof, be fined in a sum not less than five dollars nor more than twenty-five dollars.

SEC. 16. Each pound-keeper shall render to the Board of Trustees of the Town of Lake View, whenever called on by said Board so to do, a full statement (under oath, if required) of all animals received by him into his pound, and of those redeemed by the owners; he shall also keep a record, in which he shall enter, from time to time as they occur, all the matters required to be shown in such statement, and upon which he shall take the receipt of the owners of animals redeemed.

SEC. 17: When the surplus proceeds of the sale of any animal, as mentioned in Section 9 of this chapter, shall have been paid to the Treasurer, the owner of such animal or animals, upon satisfactory evidence of his right thereto being presented to the Board of Trustees of said Town of Lake View, may have a warrant on the Treasurer for such surplus.

SEC. 18. The Board of Trustees may, by order or resolution, establish as many pounds as they may deem proper, each pound to be placed in the charge of a pound-keeper, and the Board of Trustees may appoint pound-keepers for such pounds, or appoint a policeman to do the duties of a pound-keeper for

such time as they may see fit, and such appointment shall be revocable at pleasure.

SEC. 19. Pound-keepers shall possess and exercise the powers and duties of policemen for the preservation of the public peace, the property of the town, and all animals impounded.

SEC. 20. No person shall take up, drive or carry to any pound any animal not legally liable to be impounded.

SEC. 21. Any person violating any clause, section or provision of this chapter, in which the penalty is not therein provided, shall, on conviction, be fined in any sum not exceeding two hundred dollars.

CHAPTER XVIII.

DOGS.

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> 1. Dogs running at large. 2. Who held to be owner. 3. Slut, while in heat. | | <ul style="list-style-type: none"> 4. May be slain. 5. Proclamation; mad dogs. |
|--|--|--|

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 the town, to the danger or annoyance of any of the inhabitants, such owner or possessor shall, on conviction, forfeit and pay a sum of not less than five dollars nor more than two hundred 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 town, shall be held to be the owner of the same, and subject to the penalties contained in this ordinance.

SEC. 3. If any owner or possessor of any female dog shall knowingly permit her to run at large while in heat, within the limits of the town, such owner or possessor shall, on conviction, forfeit and pay a penalty of not less than one nor more than ten dollars for each offense.

SEC. 4. It shall be the duty of the police, and of such persons as the Supervisor may designate, to slay all dogs and sluts designated in Section 1 of this Chapter, and to superintend the removal and burial of the same, and to enforce the provisions of the foregoing sections of this chapter.

SEC. 5. Whenever it shall be made to appear to the Supervisor that there are good reasons for believing that any dog or dogs within the corporate limits of said town, or within one mile thereof, are mad, or have been bitten by any rabid animal, it shall be the duty of said Supervisor 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, and of such other persons as the Supervisor may designate, to enforce the provisions of this section, and of such proclamation; and the use of fire-arms by such officer or person in so doing shall not subject them to the penalties of any ordinance relative to the discharge of fire-arms.

CHAPTER XIX.

LICENSES.

- | | |
|-------------------------------|------------------------------|
| 1. How, and when issued. | 6. Number and badge. |
| 2. Limit of license. | 7. Transfer of. |
| 3. Who must have licenses. | 8. Fees and bonds. |
| 4. Sewer builder and plumber. | 9. Forfeiture or revocation. |
| 5. Vehicles used for hire. | 10. Penalty. |

SECTION 1. All applications for saloon license shall be made to the Board of Trustees, and when ordered by the Board, the same shall be signed by the President, countersigned by the Clerk, and attested by the Town Seal, upon the payment to the Supervisor of the sum required in each case by the Board, as fixed by ordinance or resolution; and all other licenses required by the ordinances, may be issued by the Town Clerk, upon a written order from the Supervisor, upon the payment to the Supervisor of the sum required in each case, to be signed in like manner by the Supervisor and Clerk, and attested by the Town Seal.

SEC. 2. No license issued by the Board of Trustees or by their authority, shall extend beyond the 30th day of June then next following.

SEC. 3. It shall be unlawful for any person to exercise or carry on, either directly or indirectly, within the limits of the town, the trades, business, occupations, and employments, or either of them, mentioned in this chapter, without first procuring a license therefor, that is to say: Auctioneers and keepers of auction stores, billiard tables, pool tables, pigeon-hole tables, bagatelle or similar tables, bowling alleys, circus and equestrian exhibitions, draymen, druggists, hackmen, junk dealers, keepers of gunpowder, livery-stable keeper, menagerie, musical or minstrel party or concert, paintings, scenic exhibitions, pawnbrokers, peddlers, venders of beer, pop, or other liquids, in glass or stone vessels from any wagon or other

vehicle, hawkers, plumbers, and sewer builders, shows, statuary, wax-figures, theatrical or other like exhibitions, tricks of ledgerdemon, puppets, or other like shows or performances. But this chapter shall not be construed to include any entertainment made or held by any citizens of the town, nor any person peddling or selling any article manufactured or produced by a citizen of the town.

SEC. 4. No license shall be granted to any person as sewer builder or plumber unless the applicant shall first furnish to the Supervisor satisfactory evidence of his skill, competence and ability as sewer builder or plumber, and a bond payable to the Town of Lake View, with one or more sufficient sureties, to be approved by the Supervisor, in the penal sum of one thousand dollars, conditioned to pay any and all damages which may occur by reason of injury to any sewer or drain in the town, caused by or resulting from any act of such licensee, or caused by, or resulting from any act of any person in his employ or acting under his direction; and further conditioned for the performance of all work connected with sewers or drains in the town in a good and workmanlike manner to the satisfaction of the Board of Trustees: *Provided*, That nothing in this section shall authorize any person to do any act connected with sewers or drains contrary to the provisions of this chapter.

SEC. 5. No person shall hire out, keep or use for hire, or cause to be kept or used for hire, for the purpose of carrying or conveying any person, article or thing whatever, within the Town of Lake View, any hack, carriage, dray, cart, wagon, or other vehicle of any name or description whatever, without a license so to do from the Supervisor or Board of Trustees.

SEC. 6. All licensed hacks, carriages, drays, carts, wagons or other vehicles, shall have placed upon them in a conspicuous manner and place, the number of said license, and the driver thereof shall wear, in a conspicuous manner, a metal badge bearing the number of his license.

SEC. 7. All saloon licenses granted under the provisions of this chapter, may be transferred by order of the said Board; such transfer to be signed by the President of said Board and attested by the Town Clerk. All other licenses granted under the provisions hereof may be transferred by the Supervisor, to be approved in like manner by the President and attested by the Town Clerk.

The Town Clerk shall keep a record of all such licenses so granted or transferred.

SEC. 8. No license shall be issued to any person, for any purpose whatever, until such person shall have paid the fee and given the bond, with such sureties as the Board of Trustees may from time to time adopt, by resolution or ordinance, in relation thereto.

SEC. 9. Any violation of any of the ordinances, rules, regulations or resolutions of said Board of Trustees, respecting any business in this chapter mentioned, or for which a license is or may be required, by any ordinance of the town, by any person who may obtain a license therefor, or by any person in the employment or under the control of such licensee, shall, in addition to all other penalties imposed, immediately work a forfeiture and revocation of such license.

SEC. 10. Any person who shall violate any clause, provision or section of this chapter, shall, on conviction, be fined not to exceed two hundred dollars.

CHAPTER XX.

REGULATING THE STORAGE OF GUNPOWDER, COAL OIL
AND CERTAIN COMBUSTIBLE MATERIAL.

- | | | |
|------------------|--|-----------------------------------|
| 1. Where stored. | | 3. Kerosene, etc.; fifty gallons. |
| 2. Retailers. | | 4. Complaint and penalty. |

SECTION 1. That no person or persons shall keep or store any gunpowder, coal oil, kerosene oil, benzine, naptha, camphene or gasoline, in any store, storehouse, warehouse, cellar or other place within said town, unless the same shall be stored in a fire-proof magazine or cellar, to be located and approved of by the Board of Trustees: *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, on conviction, be fined 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 town, 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 cannisters, 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 town, after lamp or gas lighting in the evening; and every person violating the provisions of this section shall, on conviction, be fined not less than ten dollars nor more than fifty dollars.

SEC. 3. No retailer of coal oil, kerosene oil, benzine, nap-

tha, camphene or gasoline, shall keep or store within the limits of said town, a quantity greater than one barrel, containing fifty 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, on conviction, be fined not less than ten dollars nor more than fifty dollars.

SEC. 4. It shall be the duty of the Supervisor when complaint is made or information is communicated to him, by any town 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 chapter, to make at any time a careful examination of any building or place within said town, 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 chapter, 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 town, contrary to this chapter.

CHAPTER XXI.

FIRE LIMITS.

- | | |
|----------------------------------|--------------------------------|
| 1. What are, etc. | 10 and 11. Stove pipes. |
| 2. Building permit. | 12. Lanterns. |
| 3. Thickness of walls. | 13. Fire and hose companies. |
| 4. Sheds, dimensions of. | 14. Destroy buildings at fire. |
| 5. Depositories for ashes. | 15. Command at fires. |
| 6. Raise buildings to grade. | 16. Hindrance at fires. |
| 7. Erecting, moving or repairing | 17. Injuring hydrants. |
| 8. Violation, building razed. | 18. Injuring telegraph. |
| 9. Chimneys. | 19. Penalty. |

SECTION 1. That the following fire limits be and the same are hereby established as the fire limits of the Town of Lake View. On the application in writing of the owners of a majority of the front feet in any block not included in the fire limits, the Board of Trustees may by resolution extend to such block the provisions of this chapter. A block shall be construed to mean a space bounded by three or more streets.

SEC. 2. No building shall hereafter be erected in such fire limits unless a permit for the erection thereof shall have first been obtained from the Board of Trustees.

SEC. 3. No building or structure of any kind or description shall be erected or constructed within said fire limits, 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 be hereafter erected or constructed within said fire limits, 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 not be less than sixteen inches in thickness; and walls of the stories above the second shall not be less than twelve inches in thickness, and, with the exception of the front walls, shall extend at least twelve inches above the

roof: *Provided*, That buildings erected and used as dwellings only, may be constructed with walls in all cases, four inches less in thickness than is hereby above specified: *And provided further*, That any building, cottage or barn, one story in height, may be built with walls not less than eight inches thick. All posts, beams and other timbers in outside and party walls of buildings in said fire limits shall be separated at least eight inches from each other with stone or brick, laid in mortar or cement. No building, which may be erected within the fire limits, shall have any bay or oriel window constructed of wood, extending over three feet above the floor of the third story of said building; and no cornice of wood shall be placed on any building over two stories in height, not counting the basement (if any) as one story. All chimneys shall be carried at least three feet above the roof. Felt, tar, or composition roofing may be allowed in the construction and erection of buildings within the fire limits: *Provided*, Such felt shall be covered with distilled roofing, cement, or other equally non-inflammable material, and well covered with gravel or other non-combustible material. If a French or Mansard roof be placed on any building, the same shall be constructed as to its outside surface of fire-proof or non-ignitable material.

SEC. 4. Sheds not exceeding twelve feet in height at the peak, or highest part thereof, and privies not exceeding ten feet square and twelve feet in height at the peak, may be constructed of wood, and shall not be subject to the provisions of this chapter.

SEC. 5. All depositories for ashes in said town shall be built of brick or other fireproof material, without wood in any part thereof.

SEC. 6. The owners or occupants of buildings within the fire limits, shall have the right to raise wooden buildings to the established grade; also to build basements and cellars of brick or stone, under said buildings.

SEC. 7. Wooden buildings may be erected, repaired or moved, within the fire limits, notwithstanding the provisions of this ordinance, in manner following:

The party desiring to erect, repair or move any wooden buildings within the fire limits, shall, in a petition to the Board of Trustees of the town, describe by plat, plans and specifications, the place where the building is to be situated, and the work designed to be done, which petition shall, if buildings are to be moved, show the present location of the building and the streets through which the same may be moved; which petition shall be signed by the owners of a majority of the frontage upon both sides of the street upon which the building is to be located, for a distance of five hundred feet each way, or to the line of the fire limits, and the Board of Trustees, upon the presentation of said petition, may by resolution permit or refuse to grant the request of such petition, under such conditions and provisions as may be specified in said resolution.

SEC. 8. Any wooden building which may be erected, enlarged, removed or repaired, or in any process of erection, enlargement, removal or repair, contrary to the provisions of this chapter, shall be deemed a nuisance; and upon information, it shall be the duty of the Captain of Police, after twenty-four hours' notice to the owner, occupant or person in charge, or the builder thereof, to abate the same—to raze such building to the ground. The expenses thereof shall be reported by the said Captain to the Board of Trustees, for assessment, or may be collected of the owner of such building by suit.

SEC. 9. No chimney shall be built with less than four inches thickness of brick or stone, completely imbedded in lime mortar, and plastered on the inside with a smooth coat of the same. No flue shall in any case be less than eight by eight inches; and if intended for two full stories, not less than eight by twelve inches. Holes for stove pipes shall have a sheetiron thimble, or other fireproof material, inserted into the chimney, imbedded in mortar, and a tin or sheetiron stopper, with a flange at least one inch wide, outside of the brick.

SEC. 10. No stovepipes shall be less than four inches from any wood or other combustible materials, unless there is a double

circle of tin, connected together, and air holes through the connecting tin between said pipe and the combustible substance.

SEC. 11. No pipe of any stove shall be put up within said town, unless it be conducted into a chimney made of brick or stone.

SEC. 12. No lighted candle or lamp shall be used in any stable or other place or building where hay, straw, shavings or other combustible materials are kept, unless the same be well secured in a lantern.

SEC. 13. Volunteer fire and hose companies may be organized to embrace such territory within the limits of the town, and adopt such regulations and by-laws, and possess such powers, and may use the hydrants, hose, hose-carts and fire apparatus of the Town of Lake View, as the Board of Trustees may by resolution direct.

SEC. 14. Any Trustee, or the officer in command of any volunteer, fire, or hose company at, or during any fire, may cut down or remove any building, erection or fence, for the purpose of checking the progress of any fire. Two Trustees may command any policeman, or any member of any volunteer fire or hose company to blow up with powder or otherwise, any building or erection during the progress of a fire, for the purpose of extinguishing or checking the same.

SEC. 15. Every volunteer fireman or persons not belonging to any hose or fire company, who shall be present at a fire, shall be subject and obedient to the orders of the officer in command of the volunteer hose or fire company of the district in which such fire may occur.

SEC. 16. No person shall wilfully hinder or offer hindrance to any one in the performance of his duty at a fire.

SEC. 17. No person shall wilfully, in any manner, injure, deface, or destroy any hose cart, hydrant, hose or fire apparatus belonging to the Town of Lake View, or any volunteer fire or hose company within said town.

Sec. 18. No person shall destroy, break or cut any fire-telegraph pole or wire ; nor give a false alarm of fire, unless by permission of a Trustee to test the efficiency of fire apparatus, or companies.

SEC. 19. Any owner, builder or other person, who shall own, build or aid in the erection of any building, or part of a building, within the said fire limits, contrary to, or in any other manner than authorized by the provisions of this chapter ; or who shall own, remove or assist in removing any wooden building within said fire limits, from one lot to another therein ; or, who shall own, remove or assist in removing any such building from without said fire limits into the same ; or, any person who shall violate any of the provisions of this chapter, shall on conviction be fined not exceeding two hundred dollars, in the discretion of the Court, for the first offense ; and to a like fine for every forty-eight hours such person shall fail to comply with the provisions of this chapter ; or continue in the violation thereof.

CHAPTER XXII.

FIRE MARSHAL.

1. Organization and command. | 2. Duties of.

SECTION 1. The Fire Marshal shall receive no compensation for his services. All volunteer fire and hose companies recognized by the Board of Trustees, shall be entitled to five votes in the election of a Fire Marshal, and the Board of Trustees shall appoint no person a Fire Marshal who shall not have received the highest vote as aforesaid. The Fire Marshal shall have command at all fires, and the Captain and officers and members of the fire and hose companies aforesaid, shall obey his commands at fires.

SEC. 2. It shall be the duty of the Fire Marshal, or Captain of Police, 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, straw, leaves 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 the town in such cases made and provided; that no straw, hay, shavings, leaves or other combustible material is placed or stacked on any streets within the limits of the town, contrary to the provisions of the ordinances for such cases provided; also to report to said Board all fires in said town, and to examine into the probable cause thereof. In the performance of his duties as Fire Marshal, under this section, he shall have the assistance of the Captain of Police.

CHAPTER XXIII.

GAS COMPANIES.

- | | | |
|-------------------------------|--|-----------------------------|
| 1. Where pipes shall be laid. | | 3. Permission to lay pipes. |
| 2. Map showing location. | | 4. Conform to ordinances. |

SECTION 1. Any company putting in pipes shall be required to lay their street mains at a distance of not less than ten feet from the centre of any street in the town, in which such pipes are laid, and on the south or west, or southerly or westerly sides of the streets; and in all cases so that they will not interfere with sewers or water pipes, and according to any resolution of the Board of Trustees. In case water pipes or sewers are laid in any street so that a compliance with the above will cause gas pipes to be placed on the same side of the street or avenue as the water pipes or sewers, then in such case the gas companies shall obtain special permission as to the location of said gas pipes from the Board of Trustees.

SEC. 2. Every gas company that may, or shall hereafter lay down gas pipes in any street or alley in this town, shall make and keep on file at the Town Hall an accurate map, showing the exact location and depth of every line of pipe laid by them, and of every lamp post in the town, which map shall at all times be accessible for public inspection.

SEC. 3. No gas company shall make any excavations for the purpose of laying down pipes in any portion of any street, alley or highway, in said town, without first having obtained permission from the Board of Trustees.

SEC. 4. Every gas company in said town shall conform to all the ordinances of said town, and all orders or resolutions of the Board of Trustees.

CHAPTER XXIV.

LAMPS.

1. Who may use. | 2. Injuring, lighting, extin., etc.

SECTION 1. The postoffice department hereby have permission, under the direction of the Board of Trustees, to attach and fasten postoffice boxes to lamp posts in the Town of Lake View.

SEC. 2. No person shall carelessly or maliciously break, deface, or in any way injure or destroy any public lamp or lamp post in the town, nor climb upon, nor hitch any animal to any lamp post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood, or other heavy material upon or against the same, or shall extinguish or cause to be extinguished, or light, or cause to be lighted any of said lamps, unless duly authorized so to do. Any person violating any of the provisions of this section shall, on conviction, be fined not less than one dollar nor more than ten dollars for each offense.

CHAPTER XXV.

PLATS.

- | | | |
|--|--|---|
| <ol style="list-style-type: none"> 1. Certified by owner and surveyor. 2. When entitled to record. | | <ol style="list-style-type: none"> 3. Copy to accompany plat. 4. Town Clerk record. |
|--|--|---|

SECTION 1. No plat, map or subdivision of any block, lot, sub-lot, or any part thereof, or any piece or parcel of land, in the Town of Lake View, shall be approved by the Board of Trustees, until the same shall be properly certified by a surveyor, and acknowledged by the owner, as provided by the general law of this State.

SEC. 2. Said Board shall examine the plat, map or subdivisions not earlier than the next meeting, after a compliance with the provisions of Section 1 of this chapter, and shall either approve or reject the same; and upon approval thereof, shall cause the Town Clerk to duly certify to the approval thereof, under the corporate seal of the town, and until the same is so approved and certified, the plat, map or subdivision shall not be entitled to record, and shall have no validity whatever.

SEC. 3. There shall be presented with said map, plat or subdivision, a copy of the same (on which the Town Clerk shall note if approved or rejected,) which shall be filed by the Town Clerk in his office.

SEC. 4. The Town Clerk shall keep an index of all such maps, plats or subdivisions in the records of the town.

CHAPTER XXVI.

PARKS.

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Injuring trees, shrubbery, etc. 2. Fast driving. 3. What vehicles not allowed in. 4. Placards, signs, notices, etc. | <ol style="list-style-type: none"> 5. Keep off the grass. 6. Vehicles, etc., on foot walks. 7. Not stop on driveways. 8. Drunk and disorderly. 9. Penalty. |
|---|---|

SECTION 1. No person shall cut, break or in any way injure or deface any tree, shrub, plant, flower, turf, or any of the buildings, fences, or other structures, or dig into the soil, or into any road, in any park, parkway, common, public ground or street, within the jurisdiction of the Town of Lake View, without permission from the Board of Trustees; or in Lincoln Park, not without permission in writing from its Commissioners.

SEC. 2. No person shall drive or ride upon any of said parks, parkways or public grounds, or upon any roads or roadways, or avenues included within the boundaries thereof, at a rate of speed exceeding eight miles an hour, except at such times and places as may be designated by such person as may be legally appointed for the governance of such park, parkway or public ground.

SEC. 3. No person shall drive or draw any cart, dray, wagon, truck or other vehicle, containing goods, merchandise, building material, manure or soil, or for other purposes of traffic, upon any of the drives or carriage roads of any such parks, parkways or public grounds, or upon any part thereof, except such roads as may be specially designated and set apart therefor by the Board of Trustees, or such person as shall be legally appointed to regulate and govern such park: *Provided*, that vehicles carrying family supplies or building material, or other merchandise to be used upon lots abutting upon such parks,

parkways or public grounds, may enter upon and travel thereon, so far as it may be necessary to deliver such supplies, material or merchandise, and no further.

SEC. 4. No person shall post or affix any placard, bill, notice or other paper upon any structure or other thing within such parks, parkways or public grounds, nor upon any of the fences or enclosures thereof.

SEC. 5. No person shall go upon the grass or turf of such parks or public grounds, except when and where the word "COMMON" is posted, indicating that persons are at liberty, at that time and place, to go upon the grass.

SEC. 7. No vehicle or horse, or other animal, shall be permitted on the foot walks—the same being devoted exclusively to pedestrians; nor shall any vehicle, horse or animal of burden go upon any part of either of the parks, except upon the carriage drives and upon such places as are appropriated for carriages at rest.

SEC. 7. No animal or vehicle shall be permitted to stand upon the drives or carriage roads of any of the public parks of the town, or any part thereof, to the obstruction of the way, or to the inconvenience of travel.

SEC. 8. All drunkards or disorderly persons, and all persons doing any act contrary to the provisions of this chapter, may be removed from such parks, parkways or public grounds by the park keeper or any member of the police force.

SEC. 9. Any person violating any clause, section or provision of this chapter, shall, on conviction, be subject to a penalty of not less than three dollars and not more than one hundred dollars, for each offense.

CHAPTER XXVII.

RAILROADS.

- | | |
|-----------------------------------|---|
| 1. Grade, crossings and drains. | 6. Ring bell at crossings. |
| 2. Flagmen at crossings. | 7. Must not get on or off while
in motion. |
| 3. Obstructing street crossings. | 8. Storing combustibles, etc. |
| 4. Lights at night. | 9. Penalty. |
| 5. Switch-house, etc., on street. | |

SECTION 1. All railroad companies, and the owner of any railroad track, shall raise or lower their railroad track lying within the limits of the Town of Lake View, so as to conform to any grade which may at any time be established for any street, alley or highway by ordinance of the Board of Trustees; and where said tracks run across or lengthwise of any such street, alley or highway, they shall keep their railway tracks on a level with the surface, so that such tracks may be crossed at any place in such street, alley or highway; and all railroad companies, and the owner of any railroad track, shall make and keep open and in repair, ditches and side-drains, sewers and culverts, along and under their railrod tracks, so that filthy or stagnant water cannot stand on their grounds or right of way, and in such manner that the natural drainage of the adjacent property shall not be impeded.

SEC. 2. All railroad companies, and the owner of any railroad track, shall station, keep and maintain at all times, at their own expense, at the crossing of their railroad track with any and all public streets or highways where they may be directed so to do, by order or resolution of the Board of Trustees, a flagman, whose duty it shall be to signal persons traveling in the direction of either of such crossings, and to warn them of an approach of any locomotive engine, or other impending danger.

SEC. 3. No railroad company, railroad engineer, train conductor, or other person, shall cause or allow any locomotive engine, car or cars, or train of cars, to stop in or remain upon any street or railroad crossing within said town, for a longer period than ten minutes at any one time, nor shall any cars be stored on any railroad track in said town, except upon the freight and depot grounds of said railroad: *Provided*, however, that in case an accident should take place at any or either of the crossings aforesaid, a reasonable times shall be allowed to remove any obstruction that may be caused thereby. Should any street and railroad crossing in said town be, and remain obstructed, in whole or in part, by any train of railroad cars, for and during a period longer than ten minutes, it shall be the duty of each and every railroad company upon whose line of road such obstruction may occur, their agents or employees, or persons in charge of such train, on or before the expiration of said ten minutes, when from any cause the entire train cannot be propelled or moved to any one side of any street obstructed as aforesaid, to cause such cars as are or may be on such crossing to be uncoupled, and one division of the train, as thus made, removed from off the aforesaid street and railroad crossing, in such manner as to leave said street entirely unobstructed, and said train, when again coupled, shall be removed forthwith from off any such crossing, as aforesaid.

SEC. 4. Every locomotive engine, railroad car, or train of cars, running in the night time on any railroad track in said town, shall have and keep, while so running, a brilliant and conspicuous light on the forward end, and while backing up, on the rear end of such locomotive engine, car or train of cars.

SEC. 5. No person shall be allowed to deposit or place in the street any lumber or other material, nor shall they load any car from the street with any material deposited there, nor erect or maintain any switch house or other building upon any street, highway, alley or public grounds within the limits of said town.

SEC. 6. The bell of each locomotive engine shall be

rung continuously while said locomotive engine is in motion, and approaching and within eighty rods of any street that crosses track upon which said locomotive engine is so running.

SEC. 7. No person shall get upon or off, or attempt to get upon or off, any locomotive engine, tender, car or train of cars, while the same, or either of them, is in motion, without having first obtained from the person in charge thereof, express permission so to do.

SEC. 8. No person shall store any gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, nor other combustible or explosive material, or suffer any such material to be and remain within any cars standing on any railroad track within the limits of the town, without a permit therefor from the Board of Trustees, to be in writing, and signed by its President.

SEC. 9. Any railroad company or railroad corporation who shall, by themselves, their agent or employees, violate or fail to observe any of the foregoing provisions of this chapter, or any agent or employee of any railroad company or railroad corporation, or any person who shall violate or fail to observe the same, shall, on conviction, be fined for each violation or failure to observe the same, in a sum not exceeding two hundred dollars.

CHAPTER XXVIII.

HORSE RAILROADS.

- | | |
|--|---|
| 1. Gauge of.
2. Kind of rails, grade, etc.
3. Tracks, alterations and improvements; how constructed.
4. Tracks, how kept. | 5. Notice to repair.
6. Penalty for neglect.
7. Conductor, have charge.
8. Where may and may not stop.
9. Obstructing track, penalty. |
|--|---|

SECTION 1. The gauge of all horse railroads that may be laid within the limits of the Town of Lake View, 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 town, shall be tram rails, of the kind, quality and material customarily in use for horse railroads. 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 to carry out the provisions of this ordinance, shall be subject to the direction of said Board of Trustees.

And in all streets where a railroad is now laid with rails of a different form from that hereby prescribed for use, such rails shall be displaced by rails of the form herein prescribed, whenever the Board of Trustees shall order the streets in which such railroads are laid to be paved, graded, macadamized, or otherwise improved.

SEC. 3. That in all cases where a single track is laid, it shall be laid in the centre of the street, and in all cases where double tracks are laid, they shall be laid so that the outer edge of the outer rails of said track shall not be more than seven feet from the centre of the street or streets wherein laid. And all persons, companies, or corporations operating, or who may hereafter operate any line or lines of horse railroad in said town, shall at their own expense keep eight feet in width

where a single track is used, and sixteen feet in width where a double track is used, in good repair, so that wagons, carriages, and other vehicles can pass and re-pass at any and all points, and in any and all directions without obstruction; and when any new improvements, paving, repairing, planking, or re-planking is ordered by the Board of Trustees in said streets so occupied, or any part thereof, the said persons, company or corporation shall, in like manner, and with like material as required of the property as to other contiguous parts of said streets, make such new improvements on eight feet in width where a single track is used, or sixteen feet in width where a double track is used; (but written permission may be given by the Board of Trustees to use other material, the kind and quality of the material to be stated in the permission). And if said persons, company, or corporation shall refuse or neglect to make such new improvements within a reasonable time to be fixed by the ordinance, the work may be done by the town, and the cost thereof assessed on said persons, company, or corporation, and collected as other assessments from any real or personal property of said persons, company, or corporation. But if the Board of Trustees shall deem it inexpedient that said new improvements should be made by said persons, company, or corporation, then the same shall be done by the town, as in other cases, and the cost thereof assessed upon and collected of said persons, company, or corporation, in the manner as aforesaid.

And if the said persons, company, or corporation, shall refuse or neglect to make any necessary repairs as aforesaid, after twenty days' notice from the Board of Trustees, the town may make the repairs and collect the costs thereof by suit at law in any court of competent jurisdiction.

SEC. 4. All proprietors or corporations owning or operating horse railroads in said town, shall keep the tracks of their respective roads, within the limits of said town, 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, and in such manner that the space between the rails of the tracks of said railroads shall be kept to the same grade as the grade of the street in which the same shall be laid.

SEC. 5. Whenever any proprietor, company, or corporation, owning or operating any horse railroad within the limits of said town, shall fail, neglect, or refuse to comply with the provisions of Section 4 of this Chapter, the Supervisor, or other officer of said town, so directed by the Board of Trustees, shall cause a notice to be served upon such proprietor, company, or corporation, requiring the track 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 4, within twenty days after the service of said notice.

SEC. 6. If any such proprietor, company, or corporation, shall fail, neglect or refuse to put the track, or any part thereof, or portion of the streets as aforesaid, mentioned in such notice, in the condition specified, within twenty days after the service of said notice, such proprietor, company, or corporation, shall, on conviction, pay a penalty not exceeding two hundred dollars for each offense, and a further penalty not exceeding fifty dollars for every day such neglect, failure or refusal, shall continue after the expiration of said twenty days.

SEC. 7. No proprietor, company, or corporation, owning or operating any horse railroad in said town, shall suffer or permit any car to be run on any of the streets, alleys or public grounds, or any portion thereof, within the limits of said town, at any time, without such car being in charge of and under the control of some competent conductor. For each and every violation of the provisions of this section, the said proprietor, company, or corporation, or either of them, shall, on conviction, be subject to a fine of not less than ten dollars, nor more than one hundred dollars.

SEC. 8. All proprietors, conductors or drivers of horse railroad cars, or omnibuses, are hereby prohibited from stopping any car or omnibus at any street crossing, so as to interfere with or interrupt the travel of the several streets which such car or omnibus is required to cross. In stopping cars or omnibusses 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 or omnibus shall arrive at the last sidewalk crossing in the direction in which the car or omnibus shall be moving. All persons violating the provisions of this section shall, on conviction, be liable to a fine of not less than three dollars, nor more than twenty-five dollars, for each and every offense.

SEC. 9. In all cases where a team or vehicle shall meet a car upon any horse railroad upon the streets of said town, such team or vehicle shall give way to such 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 or vehicle, or other obstacle, in, upon or across, along or near to the track of such railway, within the limits of said town, after being notified by the ringing of the car bell. Whoever shall violate any of the provisions of this section shall, on conviction, be liable to a fine of not less than five dollars, nor more than twenty-five dollars for every such offense.

CHAPTER XXIX.

TELEGRAPH AND TELEPHONE COMPANIES.

- | | |
|---|--|
| 1. Permission to erect.
2. Notice to alter or remove.
3. Others may not use without
permission of Board. | 4. Lines, how constructed.
5. Injury to. Penalty. |
|---|--|

SECTION 1. No telegraph, telephone, or other company or corporation, or person, shall erect poles, posts, piers, abutments, wires, or other fixtures along or upon any street, alley, or other highway or public grounds within the Town of Lake View, without the consent of the Board of Trustees of said town; such consent shall be by ordinance or resolution, in writing, specifying accurately the route of such line as to streets, and location on such streets, and shall be recorded in the Recorder's office of Cook County, before the work of building such line is commenced, and the Board of Trustees shall have power to direct any alteration in the location or erection of any such poles, posts, piers or abutments, and also in the height of the wires, having given first the company, or its agent, or the person owning or controlling such wire, an opportunity to be heard in regard to such alteration.

SEC. 2. All telegraph or telephone poles, posts, piers, abutments, wires, or other fixtures, that have been or may be hereafter erected along or upon any street, alley, or other highway, or public ground, in the Town of Lake View, contrary to the provisions of Section 1 of this Chapter, are hereby declared to be a nuisance; and any company, corporation, or person, who shall erect any telegraph or telephone poles, posts, piers, abutments, wires or other fixtures, without first obtaining the consent of the Board of Trustees, as provided in Section 1 of this Chapter, or who shall refuse or neglect to remove or alter any of said poles, posts, piers,

abutments, wires or other fixtures, erected contrary to the provisions of Section 1 of this Chapter, after being notified, in writing, by the Board of Trustees, to remove or alter the same, shall be fined, on conviction, twenty-five dollars for each line so constructed, and ten dollars per day for each day such company, corporation, or person, shall fail to remove or alter such line after the expiration of the number of days within which they are ordered to remove or alter said line.

SEC. 3. The consent of the Board of Trustees to any company, corporation, or person, to erect any poles, posts, piers, abutments, wires or other fixtures upon the streets, alleys, or other highways, in the Town of Lake View, shall not be construed to give consent to any other company, corporation, or person, to erect any wire, insulators, or other fixtures, upon any of the poles, posts, piers or abutments of the company, corporation or person, who may have obtained such consent, nor shall such wires, insulators, or other fixtures, be erected thereon without the consent of the Board of Trustees, as provided in Section 1 of this Chapter. Any person violating the provisions of this section shall, on conviction, pay a fine of ten dollars for each offense, and five dollars per day for every day such wires, insulators, or other fixtures, are allowed to remain after the expiration of the number of days within which they are ordered to remove said line or fixtures.

SEC. 4. All telegraph or telephone lines or wires hereafter erected in the Town of Lake View shall, unless otherwise directed by the Board of Trustees, be erected as follows, to-wit: Poles shall be placed, where practicable, at the outer edge or curb of the sidewalk, and always in such position as not to obstruct any street, alley, crossing or sidewalk, and such poles shall not be less than twenty-five feet in length, and set at least four and one-half feet in the ground, and well secured, wires shall be substantially secured to poles, and where they cross any street, alley or highway, shall not be suspended less than sixteen feet above the ground at such crossing. All telegraph or telephone lines shall be placed as near as practi-

cable on one side of the streets in which they are built. All telegraph or telephone poles, lines or wires erected contrary to the provisions of this section, are hereby declared to be nuisances, and shall be removed or altered, subject to the order of the Board of Trustees, as provided in Section 2 of this Chapter.

SEC. 5. Any person who shall unlawfully, intentionally or maliciously injure, molest or destroy any telegraph or telephone line, post, pier, abutment, wire, insulator, or material or property in the Town of Lake View, erected in accordance with the provisions with this chapter, or of any telegraph or telephone line belonging to the Town of Lake View shall, on conviction, be fined not exceeding two hundred dollars, or be confined in the town calaboose, or county jail of Cook County, not exceeding one year, or both, in the discretion of the court having cognizance thereof.

CHAPTER XXX.

TREES.

- | | | |
|----------------------------|--|--|
| 1. Trees planted on walks. | | 3. Removal, trimming, etc., and penalty. |
| 2. Injuring or destroying. | | |

SECTION 1. All shade and ornamental trees shall be planted at least two feet inside the outer line of the sidewalk, as defined and established by chapter relative to sidewalks.

SEC. 2. No person shall cut, break, or otherwise injure or destroy any shade or ornamental tree, other than his own, upon any sidewalk or elsewhere.

SEC. 3. If any tree shall have been heretofore planted without the line established at the time the same was set out, or shall hereafter be planted in violation of this chapter, or if any trees shall be suffered by the owner or occupant of the premises to grow in such a manner as to obstruct the public

highways, streets or sidewalks, the passage of persons, or the reflection of the public lamps, it shall be the duty of the Commissioner of Highways of the district to notify the owner, or occupant of the premises, forthwith to remove or trim the same, in the manner to be specified in the notice. If any person shall refuse or neglect to comply with such notice, it shall be the duty of said commissioner to cause such trees to be removed, or trimmed, and the person so neglecting or refusing shall, on conviction, be subject to a penalty of not less than one dollar nor more than ten dollars, for each tree he was so notified, and refused or neglected to remove or trim.

CHAPTER XXXI.

LAKE VIEW WATER WORKS.

RULES AND REGULATIONS FOR THE GOVERNMENT OF WATER TAKERS, LICENSED PLUMBERS, AND OTHERS.

1. Injuring building, machinery, hydrants, meters, supply pipes, etc.
2. No person to use water (except for fire purposes,) without permit.
3. Excavating streets, laying or tapping pipes, without permit.
4. Excavating streets within $4\frac{1}{2}$ feet of laid pipe, without permit
5. Additions or alterations, to be made by licensed plumber.
6. All hydrants public; to be opened only by those authorized.
7. Authority to open hydrants, or use of wrenches, not transferable.
8. Penalty for breach of foregoing Sections.
9. Rules for water takers and plumbers :
 - 1st. Appointment of officers, duties and salaries.
 - 2nd. Work to be done under supervision of Superintendent of Water Works.
 - 3rd. Ferrule of size specified ; Supt. record location of taps.
 - 4th. Permits to insert ferrules : size, and fee for.
 - 5th. Notice by plumber to Supt. three days before inserting ferrules.
 - 7th. Excavations, manner of deposit, barricades and lights.
 - 7th. Pipes tapped on top and not at hub.
 - 8th. Earth returned and rammed, ferule covered with iron box.
 - 9th. Streets to be made good as before, pipes protected from injury or settling.
 - 10th. Supt direct work, and report to Board of Trustees.
 - 11th. Pipes to be laid not less than five feet below surface.
 - 12th. Stop Cocks—protection, description and location.
 - 13th. Lead pipe—weight of, wiped to brass connections, etc.
 - 14th. Water takers—prevent waste, and protect pipes from frost.
 - 15th. Water must not be allowed to run unless in actual use.

- 16th. Private hydrants, not located on walks.
 - 17th. Service pipes for two or more tenements - provisions for.
 - 18th. Walk to be maintained or shut off while putting in pipe.
 - 19th. Applications to state all particulars relative to consumption, etc.
Supply to be cut off for misrepresentation.
 - 20th. Water not to be supplied to other premises.
 - 21st. Water rents—when due; penalty for non-compliance.
 - 22nd. Supt. to have free access to premises, etc.
 - 23rd. Hose for sprinkling—time for using; gardens, nurseries and greenhouses have meter rates.
 - 24th. Fountains—time and rate for using.
 - 25th. Hose over $\frac{3}{4}$ inch, and nozzle over $\frac{1}{2}$ inch, for sprinkling prohibited.
 - 26th. Excavations, left at night, must have barricades and warning lights.
 - 27th. Board reserve right to apply meter, where deemed advisable.
 - 28th. Hotels, manufactories, halls, etc., put in larger pipe with hydrants.
 - 29th. Plumber—penalty for breaking rules.
 - 30th. Plumber to make return within forty-eight hours to Supt., etc.
 - 31st. Water to be paid for before turning on; plumbers may turn on to test.
 - 32nd. Plumber's petition for license; pay for before receiving, and file bonds.
 - 33rd. Plumbers must have license to do work for water connections: penalty.
 - 34th. Hydrants and fountains in streets to be enclosed, and not used for domestic purposes.
 - 35th. Meters may be used by Supt. where measurement is not provided for.
 - 39th. Size of ferrule and weight of pipe.
 - 37th. Bills must be paid when due: credit prohibited.
 - 38th. Pipes over two inches must be of iron.
 - 39th. Penalty for violation of any of the rules.
 - 40th. Permits granted on condition no damages are claimed for lack of supply.
10. Penalty for a breach of any part of Section 9.
11. Weights of pipe, water rates and meter rates.
12. Annual charges for meters.
13. Specifications for laying water pipes.

SECTION 1. No person shall wilfully or carelessly break, injure, mar, deface, interfere with or disturb any building, machinery, apparatus, fixture, attachment or appurtenance of the Lake View Water Works, or any public or private hydrant, or stop-cock, stop-cock box, meter, water supply or service pipe, or any part thereof; nor shall any person deposit anything in any stop-cock box, or commit any act tending to obstruct or impair the intended use of any of the above mentioned property without the permission of the Superintendent of the Water Works, or except in the cases hereinafter regulated.

SEC. 2. No person except a regularly authorized agent of the Board of Trustees shall take water from any public or private hydrant, plug, hose-pipe or fountain (except for fire purposes, or for the use of the Fire Department in case of fire), or shall in any way use or take any water for private use (drinking at public fountains excepted), unless such person has first

paid for the same and received a permit from the Superintendent of Water Works.

SEC. 3. No person shall make any excavation in any street for the purpose of laying water-pipe, or tap any water or service pipe laid down, without written permission from the Superintendent of Water Works, and then only such persons as are authorized to perform such work shall do the same, and the particular person to be employed shall in each case be named in the permit.

SEC. 4. No person shall make any excavation in any street or highway, within four and one-half feet of any laid water-pipe, while the ground is frozen, except by special order of the Superintendent of the Water Works or of the Board of Trustees.

SEC. 5. No person shall make any addition or alteration whatever, in or about any conduit pipe, water-cock or other fixture, except through a duly licensed plumber, permission in writing having been previously obtained from the Superintendent of the Water Works.

SEC. 6. All the hydrants erected in the Town of Lake View are hereby declared to be public hydrants and no person or persons other than those especially authorized by the Board of Trustees shall open any of said hydrants or attempt to draw water from the same, or in any manner interfere with any of said hydrants.

SEC. 7. No persons authorized to open hydrants shall delegate his authority to another, or let out or suffer any person to take the wrenches furnished him, or suffer the same to be taken from any hose house of said town, except for purposes strictly connected with fire uses, or as they accompany hose carts on occasions of fire.

SEC. 8. Any person who shall violate either of the foregoing sections, or any clause or provision of either of the foregoing sections of this chapter shall, on conviction, be fined for each offense in a sum not less than three dollars, nor more than

two hundred dollars; and if such offense be committed by any licensed plumber, his license may be revoked in the discretion of the Board of Trustees.

SEC. 9. The following rules and regulations for the government of water takers and licensed plumbers are hereby adopted and established:

First. The Board of Trustees shall appoint all necessary officers and agents for furnishing water, collecting water rents, assessments and rates, and determine the terms of office, duties, and salaries or compensation, of such officers and agents.

Second. All work done on the streets and contemplated by this chapter, must be done under the supervision of the Superintendent of Water Works and subject to his direction and approval.

Third. The ferrule inserted in the distributing pipes and the service pipe laid shall be of the size specified in the permit and order. The Superintendent of Water Works shall keep a complete record and a plat showing the exact location and number and sizes of all taps inserted, the length of service pipe laid and exact location of stop-cocks and meters.

Fourth. Applications for permits to connect service pipes with any supply pipe must be made to the Superintendent of Water Works, and the following sums must be paid for the insertion of the service cocks:

$\frac{3}{8}$ and $\frac{1}{2}$ inch ferrules.....	\$4 00
$\frac{5}{8}$ inch "	4 50
$\frac{3}{4}$ inch "	5 00
1 inch "	5 50

Including the furnishing of the service cock, cast-iron cover for said cock, and cover for stop-cock on sidewalk; and no such connection shall be made by any person not regularly authorized by the Board of Trustees, and then only after the permit has been issued and paid for as above.

Fifth. Notice must be left at the office of the Superintendent of Water Works by the plumber about to lay down service pipe, fixing the day on which he wishes the ferrule inserted.

This notice must be given three days previous to the excavation for the insertion of the ferrule.

Sixth. In making excavations in streets or highways for the laying of pipe, the planks or paving stones and earth removed must be deposited in a manner that will occasion the least inconvenience to the public and provide for the passage of water along the gutters. Suitable barricades must be erected around the excavation, and red lights maintained at night.

Seventh. Pipes must always be tapped on the top and not in any case at the hub.

Eighth. After the ferrule is inserted, the earth must be returned and carefully rammed with suitable rammers under the supply pipe to a level with the top of the pipe before the connection is made, and the ferrule must be covered with a cast-iron box.

Ninth. After service pipes are laid, the back filling must be puddled, and this work, together with the replacing of ballast and paving, must be done so as to make the street at least as good as it was before it was disturbed and to the satisfaction of the Superintendent of Water Works, and the plumber will be held responsible for any subsequent settling of the ground. All water, sewage, and other pipes must be protected from injury or settling to the satisfaction of said Superintendent.

Tenth. It shall be the duty of the Superintendent of Water Works to supervise and direct these operations, and from time to time report to the Board of Trustess as to the manner in which the plumbers perform their work, and the condition in which he finds the streets repaired.

Eleventh. Service pipes must in all cases be laid at a depth of not less than five feet below the surface of the ground.

Twelfth. Stop-cocks must in every case be inserted in the service pipe, and protected with a cast-iron cover, having the letter "W" marked thereon, and such cover shall be placed by the plumber on the edge of the sidewalk near the curb, visible and even with the platform or planking.

Thirteenth. Service pipes, if of lead, must be of the weight known as "extra strong." Lead pipe used for plumbing houses must be in weight equal to the kind known as "strong," as designated on the circulars of E. W. Blatchford & Co., Lead Pipe Manufacturers, Chicago. Iron service pipes must withstand a hydraulic pressure of two hundred pounds to the square inch. In no case must lead be soldered to iron, but be wiped with heavy joints into brass connections, and between the tap and the coupling in the iron service pipe there must be at least two feet of lead pipe bent in **S** or other form to relieve the rigidity of the iron pipe. Pipes must be at least one-eighth inch larger than the tap used.

Fourteenth. All persons taking the water shall keep their service pipes, stop-cocks, and fixtures connected therewith, in good repair and protected from frost, and shall prevent all unnecessary waste of water; and it shall be expressly stipulated in all permits that no claim shall be made against the town, or any of its officers or agents, by reason of the breaking of any supply or service pipe or cock.

Fifteenth. Hydrants, taps, hose, water-closets, urinals, baths, and other fixtures, will not be permitted to be kept running when not in actual use. All faucets connected with service pipes must be so constructed and of such pattern as may be approved by the Superintendent.

Sixteenth. No private hydrant shall be located on the sidewalk or elsewhere beyond the limits of the lot of the party to whom the permit is issued.

Seventeenth. Service pipes intended to supply two or more distinct premises or tenements, must be provided with separate and distinct stop-cocks for each tenement on the outside of the same, and when only one stop-cock is used, the person or persons controlling the same must pay the water rent of all parties who are thus supplied, as separate water bills will not be made.

Eighteenth. Where it is necessary to break up the sidewalk for putting in water service pipes or private drains, there shall be left, or constructed, and maintained, a walk at least four feet wide, in all cases excepting when the walk is wholly taken up and travel shut off by a substantial barricade.

Nineteenth. Applications for water must state fully and truly all the purposes for which it is required, and when paying the semi-annual charges for it, parties must frankly, and without concealment, answer all questions put to them relative to its consumption; and the applicant shall, in such application, agree that in consideration of the insertion of the ferrule, he will pay, or cause to be paid, the assessment levied, or to be levied, on said premises for the water pipe that is proposed to be tapped, and that he will faithfully comply with the rules established by this ordinance.

In case of fraudulent misrepresentation on the part of the applicant, or of users of water, not embraced in the applicant's bill, or of wilful or unreasonable waste of water, the supply of water will be cut off, and all payments shall be forfeited to the town.

Twentieth. No owner or occupant of any building, premises or enclosure, into which water shall be introduced, will be allowed to supply water to other persons or families. If so supplied, the water will be cut off without notice, and the payment forfeited.

Twenty-first. Water rents shall be due, and payable in advance, on the first day of May and the first day of November in each year. Ten per cent. penalty will be added if the rent is not paid within thirty days after the same becomes payable.

Twenty-second. The Superintendent of Water Works, and his authorized agents, shall have free access at all hours of the day, between seven o'clock A. M. and six o'clock P. M., to all parts of every building in which the water is delivered and consumed, to examine the pipes and fixtures, and to ascertain whether there is any unnecessary waste of water.

Twenty-third. Hose for sprinkling gardens or washing windows and sidewalks shall be used only from the first day of April to the first day of November, and between the hours of five and eight o'clock A. M. and five and eight o'clock P. M. If allowed to run at other hours, the water will be cut off without previous notice. This section not to apply to market gardens, nurseries and green-houses. Water shall be furnished for use in market gardens, nurseries and green-houses at meter rates, with the privilege of use at all times, except at such times as shall be specially directed by the Superintendent, under authority reserved by clause 38 of this section.

Twenty-fourth. Yard fountains shall not be used more than six hours per day, and only between April 1 and November 1, except by special permission and upon the payment of additional charges; and the right is reserved to suspend their use and the use of hose for sprinkling gardens, whenever in the opinion of the Superintendent of Water Works, the public exigency may require it. The rate for the use of fountains shall be established according to the size of the orifice in a thin metal plate fixed in the supply pipe of the fountain, at its junction with the main or principal pipe, from which it is supplied. The service pipes of all fountains out of doors must be provided with stop-cocks, under the control of the Superintendent of Water Works.

Twenty-fifth. Hose larger than $\frac{3}{4}$ -inch will not be permitted except on payment of an additional charge, and sprinkling without nozzle, or through a larger opening than $\frac{1}{4}$ -inch, is forbidden.

Twenty-sixth.—No person shall leave any excavation, made in any street or highway, open at any time during the night without suitable barricades and warning lights maintained at such excavation.

Twenty-seventh.—The Board of Trustees reserve the right to order a meter to be applied to any service pipe wherever they may deem it advisable.

Twenty-eight.—If proprietors of lumber-yards, manufactories, halls, stores, hotels, or public buildings, regular customers of water from the works, wish to lay large pipes, with hydrants and hose couplings, to be used only in case of fire, they will be permitted to connect with the street mains at their own expense upon application to the Superintendent of Water Works, (and under his direction,) and will be allowed the use of water for fire purposes only, free of charge.

Twenty-ninth. Any plumber or pipe-fitter who shall be guilty of a violation of any of the rules or regulations adopted by the Board of Trustees, shall forfeit his license. A forfeiture of the license of any plumber shall operate as a suspension of the license held by any co-partner in the same business, or by any person in his or their employment.

Thirtieth. Within forty-eight hours after completing any attachment, or connection, the plumbers or pipe-fitters shall make a true return in writing on the back of the permit of the number of rooms in the premises, and of the contemplated uses of the water therein, according to the rules and regulations and the tariff of water rates, and file the same in the office of the Superintendent of Water Works, as the water will not be turned into any premises until complete returns are made by the plumber.

Thirty-first. The water will not be turned into any house or private service pipe except upon the order of the Superintendent, nor until the applicant shall have paid his rent for the current term; and plumbers are strictly prohibited from turning the water into any service pipe except upon the order or permission of the Superintendent.

This rule shall not be construed to prevent any plumber admitting water to test pipes, and for that purpose only.

Thirty-second. Any plumber wishing to do business in connection with the Water Works shall, before receiving his license, file in the office of the Superintendent of Water Works a petition, in writing, giving his name, and that of each mem-

ber of his firm, if any, and place of business, asking to become a licensed plumber of the Town of Lake View, stating his willingness to be governed in all respects by all the rules and regulations of the Board of Trustees now or hereafter to be adopted concerning his business. Said petition shall be signed by two responsible citizens of said town, vouching for the business capacity and good reputation of the applicant and for his worthiness to receive a license.

Any person or persons making application to the Town of Lake View, to become a licensed plumber of said town, shall pay or cause to be paid to said town, before such license shall be issued to such person or persons, such sum as the Board of Trustees may from time to time determine.

All plumbers' licenses, unless revoked, shall remain in force until the 30th day of June thence next following the issuing thereof.

Before receiving a license the applicant shall file in the office of the Superintendent of Water Works a bond with two or more sureties, to be approved by the Board of Trustees in the sum of five thousand dollars, conditioned that he will indemnify and keep harmless the Town of Lake View and Board of Trustees from all liability for any accidents and damages arising from any negligence or unskillfulness in doing or protecting his work, or from any unfaithful or inadequate work done in pursuance of his license; and that he will also restore the street, sidewalk and pavement over any pipe he may lay, and fill all excavations to be made by him, so as to leave said street, sidewalk, and pavement in as good state and condition as he found them, and keep and maintain the same in good order to the satisfaction of the Superintendent of the Water Works for the period of one month next thereafter; and that he will pay all fines that may be imposed on him for a violation of any rule or regulation adopted by the Board of Trustees and in force during the term of his license.

Thirty-third. 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 Lake View Water Works, or of preparing them for such connections, with a view of having such premises supplied with water by the Lake View Water Works; or who shall make any addition to, or 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 such work by the Board of Trustees of the Town of Lake View, and without having first obtained a permit for the doing of such work from the Superintendent of Water Works of said Town of Lake View, shall be subject to a fine of not less than ten (\$10.00) dollars and not exceeding fifty (\$50.00) dollars.

Thirty-fourth. No hydrant, except the public drinking fountains, shall be placed within the limits of any street unless such hydrant is securely closed and protected against general use, and no drinking fountain shall be erected for public use which has openings by which it can be used as a source of domestic supply.

Thirty-fifth. Water supplied to any place of which the rates and system of measurement are not provided for by other rules, shall be estimated by the Superintendent and assessed at the rate of twenty cents per thousand gallons. Whenever practicable, a meter shall be used as a basis for estimation.

Thirty-sixth. The size of ferrules shall be :

For all houses of 9 rooms or less, $\frac{1}{2}$ -inch internal diameter.

For all houses, 9 to 18 rooms, $\frac{5}{8}$ -inch internal diameter.

For all houses, more than 18 rooms, $\frac{3}{4}$ -inch internal diameter.

For hotels, manufacturing establishments, or public buildings, requiring a larger supply, the size of the ferrule will be increased in proportion to the estimated amount of water to be used.

Street service pipes must be $\frac{1}{8}$ -inch larger than the ferrule, and the allowed weight of pipe used in plumbing houses will be found in the following table "A."

Thirty-seventh. All bills must be paid promptly when due, and all officers of the Water Works are positively prohibited from allowing credit to any one.

Thirty-eighth. Pipes of two inches or more shall be made of iron.

Thirty-ninth. For a violation of any of these rules and regulations, or such others as the Board of Trustees may hereafter adopt, the Board reserves the right to stop the supply of water, without any preliminary notice, nor will it be restored until all back rent and damages shall be paid, together with one dollar for the expense of turning off the water and one dollar for turning it on again; and upon a satisfactory understanding with the party that no further cause of complaint shall arise. And the Board of Trustees hereby reserves to itself the full right, power and authority to cut off the supply of water at any time, without incurring any liability or cause of action for damages of any kind, any permit granted or regulation to the contrary notwithstanding. In case of a second violation of the regulations by any person, the Superintendent of Water Works may cause the ferrule to be drawn. Should this be done, a charge of three dollars will be made for re-inserting it.

Fortieth. All permits for use of water shall be granted only upon the express condition that if, from any cause, the supply of water should fail, no damage shall be claimed by the person or persons to whom they are given.

SEC. 10. Any person who shall violate any or either of the rules and regulations for the government of water-takers or plumbers, specified in Section 9, shall, upon conviction, in addition to the enforcement of the forfeitures, liabilities, stipulations and reservations therein contained, pay a fine of not less than three dollars nor more than one hundred dollars.

SEC. 11. The following weights of pipe, water rates and meter rates are hereby adopted :

TABLE A,

Showing size and weight of street service pipe, and weight per foot of lead pipe allowed in plumbing houses :

Size of Pipe.	EXTRA STRONG.	STRONG.
	Weight of Sheet Service Pipe, per foot.	Weight of House Service Pipe, per foot.
$\frac{3}{8}$ -inch.	2 lbs. 0 oz.	1 lb. 8 oz.
$\frac{1}{2}$ -inch.	2 lbs. 8 oz.	1 lb. 12 oz.
$\frac{5}{8}$ -inch.	3 lbs. 0 oz.	2 lbs. 8 oz.
$\frac{3}{4}$ -inch.	3 lbs. 8 oz.	3 lbs. 0 oz.
1-inch.	4 lbs. 12 oz.	4 lbs. 0 oz.
1 $\frac{1}{4}$ -inch.	6 lbs. 0 oz.	4 lbs. 12 oz.
1 $\frac{1}{2}$ -inch.	7 lbs. 8 oz.	6 lbs. 0 oz.
1 $\frac{3}{4}$ -inch.	8 lbs. 0 oz.	6 lbs. 8 oz.
2-inch.	9 lbs. 0 oz.	8 lbs. 0 oz.

SCALE OF ANNUAL WATER RATES FOR ALL PRIVATE
DWELLING HOUSES.

	PER ANNUM.
House of 1 story, 6 rooms or less.....	\$5 00
“ “ each additional room,	1 00
“ 2 “ 10 rooms or less.....	7 00
“ “ each additional room,	1 00
“ 3 “ 10 rooms or less.....	10 00
“ “ each additional room,	1 00

All finished basements shall be taken as one story additional.

The family occupying the dwelling house to number not more than ten persons ; for each person beyond that number, fifty cents per year shall be charged. Dwelling houses occupied by more than one family shall be charged as follows :

The second family,	- - -	one-third of the regular rates.
“ third	“ - - -	one-fourth “ “ “
“ fourth	“ - - -	one-eighth “ “ “
Each family over four families,		one-eighth “ “ “

Or, extra families shall be charged such rates as may be determined upon in the discretion of the Board.

And the Board of Trustees do further establish that the

EXTRA AND MISCELLANEOUS RATES

shall be as follows :

	PER ANNUM.
Stores and places of business occupied by one party when not over 25 feet front,	\$6 00
For each additional 10 ft. front or part thereof,	3 00
When by more than one party, dwelling house rates.	
Bakeries,	10 00
Offices of professional persons,	from \$3 00 to 5 00
Saloons, in addition to building,	6 00
Hotels, in addition to the regular rates for private families, each room,	1 00
Taverns and boarding houses, in addition to regular rates for private families, each room,	1 00
Bathing tubs,	3 00
“ “ (private dwelling of one family,) 2d tub,	2 00
“ “ “ “ over two, each	1 00
“ “ (public,) each,	6 00
Water closets,	3 00
“ “ (private dwelling of one family,) 2d,	2 00
“ “ (“ “ over two “) each,	1 00
“ “ (public,)	6 00
Urinals, first,	3 00
“ (private dwelling of one family,) 2d,	2 00
“ over two, each,	1 00
Building purposes,—for each 1000 brick,	5 cts.
“ “ —for each cord of stone,	6 “
For each 100 square yds. plastering,	15 “

	PER ANNUM.
Steam engines, each horse power, ten hours per day,	5 00
Printing offices, according to the number of persons, (not including steam engines,) - from \$6.00 to	40 00
Printing offices,—first power press, - - -	6 00
“ “ —balance “ - - -	4 00
“ “ —hand “ - - -	2 00
Private stable, for each horse, - - -	1 00
Livery stables, (includ. washing of carriages,) each horse,	2 00
Dray and team horses, - - - -	1 00
Street sprinklers, for each tub, per month,	\$20.00.
Brewers, for each 100 gallons taken, - - -	.02.
Distilleries, “ “ “ “ - - -	.02.
Gas Works, - - - - from \$100.00 to	300 00
Fountains, one-sixteenth of an inch jet, in use four months in the year, average use three hours per day,	15 00
Fountains, one eighth of an inch jet, in use four months in the year, average use three hours per day,	60 00
Vegetable fountains, each, - - - -	3 00
Work shops for ten persons or under, - - -	3 00
Manufactories, frontage, - - - -	6 00
Each additional person over ten, - - - -	25

All manufacturing and other business requiring a large supply of water, are to be charged therefor per 100 gallons, at the average estimated quantity during the year. The year to be estimated at 300 days, as follows :

When the quantity used averages from 200 to 300 gallons per day, at the rate of 4 cents per 100 gallons.

When the quantity used averages from 300 to 1,000 gallons per day, at the rate of 3½ cents per 100 gallons.

When the quantity used averages from 1,000 to 5,000 gallons per day, at the rate of 3 cents per 100 gallons.

When the quantity used averages from 5,000 to 10,000 gallons per day, at the rate of 2 cents per 100 gallons.

When the quantity used exceeds 10,000 gallons per day, the price will in no case be less than 1 cent per 100 gallons.

For the right to attach hose of not more than $\frac{1}{2}$ of an inch orifice, for washing windows, sprinkling lawns and gardens :

50 feet front,	\$3 00
50 feet front to 100 feet front,	5 00
100 feet front to 200 feet front,	10 00

Special rates for a greater frontage than 200 feet.

Also for market gardens, cemeteries, nurseries and green-houses.

Meter rates, per 1000 gallons,	20 cts.
--------------------------------------	---------

When the water is measured by meter, the bills must be paid monthly; the amount of water used will determine the price to be paid for each month. If the water used during the month amounts to 200,000 gallons or less, the rate will be 20 cents for each 1,000 gallons. If the water used during the month amounts to 1,200,000 gallons or more, the rate will be 10 cents per each 1,000 gallons. The price of all monthly amounts between 200,000 gallons and 1,200,000 will rise uniformly from \$40, the price of 200,000 to \$120, the price of 1,200,000, as follows :

200,000,.....\$40 00	600,000,.....\$72 00	1,000,000, ..\$104 00
300,000,..... 48 00	700,000,..... 80 00	1,100,000, .. 112 00
400,000,..... 56 00	800,000,..... 88 00	1,200,000, .. 120 00
500,000,..... 64 00		

The price of any number of gallons between 200,000 and 1,200,000 shall be arrived at by multiplying the excess of the number of thousands over 200 by 8 cents, and adding the product to \$40.

SEC. 12. When water meters are furnished by the town, an annual charge for the use of same shall be made and collected in the same way as the water rents, as follows :

For $\frac{1}{2}$ -inch pipe,	\$3 00
For 1-inch pipe,	5 00
For $1\frac{1}{2}$ -inch pipe,	6 00
For 2-inch pipe,	7 00
For 3-inch pipe,	14 00

SEC. 13. SPECIFICATIONS FOR LAYING WATER PIPES.—

Lines of pipes to be laid at such times and in such streets, or parts thereof, as the Board of Trustees, or their Engineer, shall direct.

In digging trenches, the surface covering of improved streets shall be carefully removed and deposited in such a manner as not to be mixed with the deeper excavations, and not to obstruct necessarily the streets.

The remaining materials to be excavated shall be deposited on one side, and, at least, two feet from the edge of the trench.

All trenches shall be excavated in advance of the pipe laying as far, and only as far, as required by the Board or their Engineer. The trenches shall be dug of sufficient width, and joint holes shall be dug at the bell end of each pipe, of sufficient depth to allow of convenient access to the joint upon all sides, and the trenches shall be kept clear and free from water, or cavings, until the pipes are laid and calked.

No pipes shall be laid less than five and one-half feet from the surface, unless otherwise ordered by the Board of Trustees.

All connections of water pipes, specials and fixtures, to be made with lead joints in the most careful manner, as follows: The pipes having first been swabbed out clean; after the pipes have been put in place there will be first used a sufficient quantity of sound rope gasket, properly driven into either the hub or sleeve, as the case may be, to a good and hard seat around said pipes, or spigot end, and in said hub or sleeve; then there will be poured into and on said gasket molten lead, to be, when cold, not less than two inches in depth, extending into the hub or sleeve, after which, the joint so made shall be calked in the most perfect manner, the said joints completed to remain water tight for the space of one year from the acceptance of the work, as hereafter provided.

The back filling shall be carefully done, by ramming the earth or sand under or around the said pipes and connections,

giving them a good and suitable bearing, the remainder of the trench to be filled in layers and thoroughly rammed, or thoroughly wet with water; surplus earth remaining shall be removed by the contractor and deposited in such places as will be directed by the Board, or their Engineer, or be spread uniformly over the surface of the street, as the Engineer may direct.

In improved streets, after the trench has been thoroughly filled, and had time to settle, all surface material removed shall be carefully replaced, so as to leave the street in as good condition as before the trench was dug.

When culverts or drains are disturbed, the contractor shall be required to restore them to their original, or to as good a state, in all respects, as they were in before being disturbed, without any extra charge therefor. In all cases, when bracing to prevent caving of the banks is necessary, the contractor shall make no extra charge therefor.

The contractor shall be liable for all damages occasioned by the digging up, use, or occupancy of any street, or public ground, or which may result from the carelessness of such contractor, his agents, employees or workmen, or from neglect to maintain suitable barriers and signals of warning, by night or by day.

The contractor will be required to keep in good repair and condition, for six months after the completion of his work, all streets, pavements, and surfaces, so far as they may settle or otherwise be injured in the consequence of defective work, or backfilling said trenches, and restoring said streets, pavements and surfaces.

Pipes for putting in fire hydrants, shall be laid by the contractor whenever required, and shall be paid for at the same rate as for pipes of the size used for the hydrant connections.

After the pipes have been laid and connected together in the trenches, together with all valves, hydrants and specials of every kind required to complete the pipes, or mains, for use as

intended, for fire or domestic service, there will be a test made by hydraulic pressure, not to exceed 175 pounds to the square inch, which test will be constantly applied, until all of the pipes, valves, hydrants and specials, are found to maintain safely the direct pressure of 175 pounds to the square inch.

All of the aforesaid work to be done and completed in the most careful and workmanlike manner.

CHAPTER XXXII.

REPEAL.

- | | | |
|----------------------|--|--|
| 1. Repealing clause. | | 2. What repealing act does not affect. |
|----------------------|--|--|

SECTION 1. All ordinances, or parts of ordinances, heretofore passed by the Board of Trustees of the Town of Lake View, in relation to the subject matter of, or inconsistent with, any of the provisions of these Revised Ordinances, are hereby repealed.

SEC. 2. The repeal of ordinances, and parts of ordinances, mentioned in the preceding section, shall not affect any act done, or any rights accrued or established, or any suit, action, or proceeding had or commenced in any court before the time when said repeal shall take effect, nor any offense committed, nor any penalty or forfeiture incurred, nor any suit or prosecution pending for the recovery of any fine or penalty incurred under any ordinance so repealed.

Passed and approved March 17, 1879.

JOHN N. HILLS, *President.*

STATE OF ILLINOIS, }
 COUNTY OF COOK, }
 TOWN OF LAKE VIEW. } ss.

I, JAMES J. WILSON, Town Clerk of the Town of Lake View, do hereby certify that the foregoing thirty-two Chapters are true copies of the Revised Ordinances, as arranged by the Committee on Revision in Sections and Chapters, entitled "Laws

and Ordinances governing the Town of Lake View," and as passed by the Board of Trustees of said town, and approved by the President of said Board, on the 17th day of March A. D. 1879.



IN WITNESS whereof, I have hereunto set my hand and the corporate seal of said town, this 18th day of March, A. D. 1879.

JAMES J. WILSON,

Town Clerk of said Town of Lake View.

ORDINANCES
RELATING TO
CEMETERIES.



Relating to Cemeteries.

- | | |
|--------------------------------------|---------------------------------|
| 1. Where interments prohibited | 4. Where interments are lawful. |
| 2. Not establish cemeteries. | 5. Penalty. |
| 3. Boundaries of Graceland Cemetery. | 6. What repealed. |

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE VIEW.

SECTION 1. That no corpse shall be interred in any place within the limits of said town, not legally established and actually used as a cemetery on the 5th day of March, 1867, or in any place not lying within the enclosure of a cemetery in said town, as such enclosure was standing on said day, except as hereinafter provided and allowed.

The interment of any dead body in any place where interments are prohibited by this ordinance, is hereby declared to be a nuisance.

SEC. 2. No corporation, person or persons, shall use, open, establish or locate any cemetery in said Town of Lake View, unless the Board of Trustees of said town shall first, by ordinance, fix and determine the location and boundaries of such cemetery.

SEC. 3. The boundaries of Graceland Cemetery are hereby fixed as follows: Commencing at the intersection of the east line of the Green Bay Road and the north line of Graceland Avenue in said town, running thence east along the north line of said Avenue to the east line of Lot Twenty in Iglehart's Subdivision of the west half of the south-east quarter of Section Seventeen—thence north to the north-east corner of Lot Nineteen in said Subdivision—thence west along the north line of said Lot Nineteen to the east line of the south-west

quarter of said Section Seventeen—thence north along said east line to the south line of Sulzer Street—thence west along said south line to the west line of the east half of said southwest quarter—thence south along said west line thirty-eight rods, more or less, to the south-east corner of a parcel of land formerly belonging to Conrad Sulzer—thence west along the south line of said Sulzer tract to the east line of the Green Bay Road—thence south-easterly along the east line of said Road to the place of beginning.

SEC. 4. It shall be lawful to inter dead bodies within the limits above fixed and prescribed of said Graceland Cemetery, and also within the limits as the same legally existed on the 5th day of March, 1867, of all other cemeteries in said Town of Lake View, under such regulations as may from time to time be made by said Board of Trustees, but the burial of any corpse outside of such limits shall be deemed a violation of the first or second sections of this ordinance.

SEC. 5. If any person or corporation shall violate any of the provisions of this ordinance, he shall be deemed guilty of committing a nuisance, and shall be fined, on conviction thereof, not exceeding one thousand dollars, or imprisoned not exceeding six months, or both, in the discretion of the court.

It shall be lawful for the court to order the offender to dis-inter any and all dead bodies that he may be proven to have buried, or caused to be buried, contrary to the provisions of this ordinance, and to enforce obedience to such order by fine or imprisonment, or both.

It shall be lawful for the Police, or other persons, under the directions of the Board of Trustees, to dis-inter any corpse buried contrary to the provisions of this ordinance, or to remove and re-inter the same within the bounds of any lawful cemetery.

SEC. 6. All ordinances relating to cemeteries heretofore passed by said Board of Trustees, shall remain in full force,

except as to provisions thereof inconsistent with the provisions of this ordinance, which provisions thereof, so inconsistent, are hereby repealed.

Adopted February 3d, 1879.

JOHN N. HILLS, *Supervisor*
Of the Town of Lake View.

Attest: JAMES J. WILSON, *Town Clerk*
Of said Town of Lake View.

AN ORDINANCE.

In Regard to the Extension of Graceland Cemetery,

WHEREAS, the Graceland Cemetery Company, on the 10th day of March A. D. 1879, presented to the Board of Trustees of the Town of Lake View, an application for leave to enlarge its cemetery according to the terms and conditions of the following proposition, to-wit:

“Provided said Town of Lake View shall first, and prior to
“April 25th, 1879, by proper and valid ordinance, under
“authority of a vote of the people of said town, as provided
“in and by the Act of March 29th, 1869, amendatory of the
“charter of Lake View, authorize said Graceland Cemetery
“Company to extend the limits of Graceland Cemetery to
“include for burial purposes the following lands in Lake View,
“to-wit: That part of the north half ($\frac{1}{2}$) of the north-west
“quarter ($\frac{1}{4}$) of the south-west quarter ($\frac{1}{4}$) of Section Seven-
“teen (17), Township Forty (40), North Range Fourteen (14)
“East of 3rd P. M., lying east of the Green Bay Road; and
“Lots Three (3), Four (4), Seven (7), Eight (8), Eleven (11),
“Twelve (12), Fifteen (15) and Sixteen (16) of Iglehart’s Sub-
“division of the west half ($\frac{1}{2}$) of the south-east quarter ($\frac{1}{4}$) of
“Section Seventeen aforesaid.

“Said Graceland Cemetery Company will thereupon, by means effectual for such purpose, accept the boundaries thus extended as the fixed limits of Graceland Cemetery, and relinquish absolutely all claim and intention to use or acquire for burial purposes any other land in the Town of Lake View.

“And said Cemetery Company will also, before the next annual sale for State and County taxes, pay all taxes (including Lincoln Park tax), levied and assessed upon its lands, not now enclosed for cemetery purposes, for the years 1875, 1876, 1877 and 1878.

“And said Cemetery Company will also, in case of such extension, contribute so much of the land now owned by said company, or which shall hereafter be acquired by said company, as shall be required for the purpose of continuing Stella Street sixty-six feet in width from Graceland Avenue due north to Sulzer Street, and will keep free from actual interments a strip of its lands fifty feet in width along the west line of Stella Street thus extended, and plant and maintain a hedge, or row of trees, along said street line, and in case it shall purchase for burial purposes the tract of land first above mentioned, known as the “Sulzer Tract,” will reserve the frontage thereof on Sulzer Street and Green Bay Road to the depth of ten feet, and also the space between said road and street, and a curved red line as shown on plats hereto attached, to be kept free from burials, and used for the purpose of a hedge of evergreens or other trees; and said Cemetery Company will not construct or use any other carriage entrance to said cemetery than the one now in use at the south-west corner thereof.”

And, whereas, said application was supported by the petition of more than twenty legal voters of said town; and thereafter in pursuance of the statute in such case provided, said Board of Trustees caused the question of granting said application to be submitted to the legal voters of said town, at the annual election of town officers, held in said town on the first

day of April, A. D. 1879, and a large majority of all the legal voters, voting at such election, voted in favor of granting said application upon the terms and conditions aforesaid; therefore,

Be it ordained by the Board of Trustees of the Town of Lake View :

SECTION 1. That the Graceland Cemetery Company have leave to enlarge its cemetery to the extent, and upon the terms and conditions, set forth in the foregoing proposition, and not further or otherwise.

SEC. 2. If said Cemetery Company shall fail to keep and perform the said terms, conditions and agreements of said proposition, upon which said extension is granted, according to the true intent and meaning thereof, then and thenceforth all rights and privileges hereby granted, shall at once cease and determine.

Passed and approved the 7th day of April, 1879.

JOHN N. HILLS, *President.*

Attest: JAMES J. WILSON, *Town Clerk,*

Town of Lake View.



MISCELLANEOUS ORDINANCES.

AN ORDINANCE
IN REGARD TO LICENSING SALOONS.

Be it ordained by the Board of Trustees of the Town of Lake View:

SECTION 1. That the Town shall be divided into the following seven districts, to-wit:

District No. 1. All that part lying east of a line one hundred and twenty-five (125) feet east of the east line of Halsted Street, and south of the centre line of Belmont Avenue, and north of the centre line of Fullerton Avenue.

District No. 2. All that part lying west of a line one hundred and twenty-five (125) feet east of the east line of Halsted Street, and east of a line one hundred and twenty-five (125) feet west of the west line of Southport Avenue, south of the centre line of Belmont Avenue, and north of the centre line of Fullerton Avenue.

District No. 3. All that part of the Town of Lake View lying south of the centre line of Belmont Avenue, and north of the centre line of Fullerton Avenue, not already provided for in Districts Nos. 1 and 2.

District No. 4. All that part of the Town of Lake View lying north of the centre line of Belmont Avenue, and south of the centre line of Graceland Avenue, east of a line two hundred (200) feet east of the east line of the Green Bay Road.

District No. 5. All that part of the Town of Lake View lying north of the centre line of Belmont Avenue, and south of the centre line of Graceland Avenue, and west of a line two hundred (200) feet east of the east line of the Green Bay Road.

District No. 6. All that portion of the Town of Lake View lying north of the centre line of Graceland Avenue, and south of the centre line of North Fifty-ninth Street, and co-extensive with the town limits east and west.

District No. 7. All that part of the Town of Lake View lying north of the centre line of North Fifty-Ninth Street.

SEC. 2. Every applicant for license to keep a saloon or place for the sale of whiskey, brandy, wine, beer, ale, or other spirituous, vinous, malt or mixed liquors, shall present a petition to the Town Clerk, at least fifteen days before the annual election for town officers, specifying therein the place or building where the applicant wishes to open and keep such saloon or place; and thereupon it shall be the duty of the Clerk to give public notice of all such applications, at least ten days before the election, by publication in some newspaper circulating in the town, and posting not less than three notices in the most public places in the district in which the applicant desires to keep such saloon or place.

SEC. 3. Every legal voter in a district where a license is asked, may vote for or against granting each license, by ballot, at the annual election. A box shall be provided for each district, and the judges of election shall receive and deposit ballots presented by every legal voter who chooses to vote on the question submitted. The ballots may be written or printed, and state in substance, "For license to ——," "Against license to ——," naming the applicant. The ballots shall be counted and canvassed, as nearly as practicable, according to the rules for ascertaining the result of the election of town officers. The judges and clerks shall certify the result to the Board of Trustees, and it shall be recorded by the Town Clerk.

SEC. 4. When a majority of the votes cast on any application is in favor of granting a license, the Board of Trustees may order a license to issue, and when a bond shall be given by the applicant to the town, in the penal sum of five hundred dollars, with at least two sureties, to be approved by the Supervisor, conditioned that the applicant will faithfully keep and observe the laws of the State and all the ordinances relating to saloons, during the continuance of the license, and the sum of fifty dollars and Clerk's fees shall be paid, the Supervisor and Town Clerk may issue a license. Every license shall expire on the

first day of May in the year following the election, and may be revoked by the Board of Trustees for a breach of the bond or for keeping a disorderly place. If a majority of the votes cast on any application are against granting the license, none shall be issued.

SEC. 5. The provisions of Section two of this ordinance shall not apply to the granting of licenses expiring the first day of May, A. D. 1880, but every person desiring a license to keep a saloon or place for the sale of whiskey, brandy, wine, beer, ale or other spirituous, vinous, malt or mixed liquors, prior to the first day of May, A. D. 1880, shall present a petition to the Town Clerk before the thirtieth day of May, A. D. 1879, specifying therein the place or building where the applicant wishes to open and keep such saloon or place; and thereupon it shall be the duty of the Clerk to forthwith give public notice of all such applications by publication in some newspaper circulating in the town, and posting not less than three notices in the most public places in the district in which the applicant desires to keep such saloon or place. Where no objection by a legal voter of the district within which the applicant desires to keep such saloon or place, to the granting of such application is filed with the Town Clerk on or before the sixteenth day of June, A. D. 1879, or where the number of legal voters of such district petitioning for the granting of such application is greater than the number of legal voters of such district objecting or remonstrating against the granting of such application, in such case, and not otherwise, the Board of Trustees may order a license to issue upon the terms and conditions, and in the manner specified in Section 4 of this ordinance, except that the fee for licenses expiring May first, A. D. 1880, shall only be forty-one dollars and sixty-six cents (\$41.66). All remonstrances must be filed with the Town Clerk on or before the sixteenth day of June, A. D. 1879, but the applicant for such license may have further time, not to exceed ten days, in which to procure signatures of the legal voters in his district who are favorable to his application. Petitions and remonstrances must contain the full name and residence of the persons signing the same.

All licenses granted under this Section shall expire on the first day of May, A. D. 1880.

SEC. 6. Every person who shall barter, sell or give away any whiskey, brandy, wine, beer, ale or other spirituous, vinous, malt or mixed liquors, in a quantity less than one gallon, in any saloon, drug store, restaurant, eating house, grocery, grove, garden, or place of business in the town, without having a license according to the terms of this ordinance, or some prior ordinance, when the license has not expired, shall be considered and deemed guilty of committing a nuisance, and upon conviction, be punished by a fine of not less than ten nor more than one hundred dollars, and to be committed to the town calaboose or County jail until the fine and costs are paid. Prosecutions for a violation of this ordinance may be made in any court of competent jurisdiction.

SEC. 7. Every person keeping a saloon in the Town of Lake View, shall cause to be placed on the outside of his or her place of business, a sign indicating the nature of his or her business, and no person keeping a saloon in the town shall erect or use any sign or give his or her place of business any name or designation calculated to mislead any person as to the character of the business of such saloon keeper. Any breach of this Section shall be sufficient cause for revoking the license of the person guilty of such offense, and the offender shall also be liable to a fine of ten dollars for each day during which such person shall disregard the provisions of this section.

SEC. 8. All previously enacted ordinances conflicting with any of the provisions herein contained, be and the same are hereby repealed.

SEC. 9. This ordinance shall take effect from and after its passage.

Passed and approved May 12, 1879.

EDGAR SANDERS, *President.*

Attest: JAMES J. WILSON, *Town Clerk.*

AN ORDINANCE

Determining to adopt, and adopting, the provisions of Article Nine of an Act of the General Assembly of the State of Illinois, entitled "An Act to provide for the incorporation of Cities and Villages,"
Approved April 10, 1872:

SECTION 1. Whereas, the General Assembly of the State of Illinois did pass a certain Act entitled "An Act to provide for the incorporation of Cities and Villages," which Act was approved April 10, A. D. 1872; and whereas, the fifty-fourth section of said Article Nine provides as follows: "Sec. 54. "Any city or incorporated town or village may, if it shall so determine by ordinance, adopt the provisions of this Article, without adopting the whole of this Act; and where it shall have so adopted this Article, it shall have the right to take all proceedings in this Article provided for, and have the benefit of all the provisions hereof." And whereas, the Town of Lake View is desirous of adopting the provisions of said Article Nine (9), without adopting the whole of said Act; Therefore:

Be it ordained by the Board of Trustees of the Town of Lake View:

That the Town of Lake View hereby determines to adopt the provisions of Article Nine of an Act of the General Assembly of the State of Illinois, entitled "An Act to provide for the incorporation of Cities and Villages," approved April 10, A. D., 1872, and that all the provisions of said Article Nine of said Act be, and the same are hereby adopted and declared to be a part and parcel of the organic law of said Town.

Adopted Sept. 16, 1872.

AN ORDINANCE.

In regard to the Advancement of Funds necessary to pay for
the whole or any part of any improvement
ordered by special assessment.

*Be it ordained by the Board of Trustees of the Town of Lake
View :*

SECTION 1. That whenever any person or persons shall be desirous or willing to advance the funds necessary to pay for the whole or any part of any improvement ordered by this Board, the cost of which is to be defrayed wholly or in part by special assessment, the Supervisor is hereby authorized to let the contract for the whole or a part of such improvement, as the case may be, either by private contract or to the lowest bidder, as he may deem advisable, and to receive money necessary to pay for the same, issuing therefor certificates of indebtedness, under the corporate seal of the town, and signed by the Supervisor and Town Clerk; such certificates to be payable only out of moneys collected upon the special assessment or assessments levied, or to be levied, to pay for such improvement, and each certificate shall be payable *pro rata* with the other certificates drawn upon the same fund, or out of the proceeds of the assessment levied upon special parcels of land, as may be stated upon its face. And in no event shall the holder of any certificate be entitled to claim any money from any other fund or source than that stated in his certificate.

SEC. 2. The Supervisor is hereby authorized to issue certificates of indebtedness, under the seal of the town, signed by himself and the Town Clerk, for moneys advanced for general road purposes; such certificates to be payable out of the proceeds of the tax levied, or to be levied, for road purposes.

SEC. 3. It shall be the duty of the Town Clerk to keep a record of all certificates issued by virtue of this ordinance, specifying therein the date and amount of each certificate, and to whom and out of what fund the same is payable.

Adopted September 1, 1873.

RIGHT OF WAY TO
Chicago and North-Western Railway Company.

*Be it ordained by the Board of Trustees of the Town of Lake
View, Cook County, Illinois:*

First. That the right of way is hereby granted to the Chicago and North-Western Railway Company, the lessee of the Chicago and Milwaukee Railway Company, over and along Western Avenue, from the southern to the northern terminus thereof, as the same is laid out on the recorded plan of Mount Pleasant Sub-division of the South one-half ($\frac{1}{2}$) of the South-east quarter ($\frac{1}{4}$) of the North-east quarter ($\frac{1}{4}$) of Section Seven (7), Township Forty (40), North Range Fourteen (14), East, twenty-five (25) feet in width off from the west side of said Avenue, and adjoining the east side of the right of way of said Chicago and Milwaukee Railway Company, now occupied, used and controlled by the said Chicago and North-Western Railway Company, for the uses and purposes of maintaining and operating a railroad thereon, including the laying down and maintaining of a railroad track or tracks thereon, and using the same for the purposes of a railroad, so long as the said Chicago and North-Western Railway Company, its successors and assigns, shall maintain or operate a railroad thereon, or on any part thereof.

Adopted November 28, 1874.

AN ORDINANCE

In regard to the issuing of Bonds for the Construction and Maintenance of the Lake View Water Works.

Be it ordained by the Board of Trustees of the Town of Lake View:

SECTION 1. That interest-bearing coupon Bonds, to the amount of one hundred and twenty-five thousand dollars, be issued by the Town of Lake View, said Bonds to be each for the principal sum of one thousand dollars, payable on the first day of July, A. D. 1895, to bear date the first day of July, A. D. 1875, to be numbered consecutively one to one hundred and twenty-five inclusive, to bear interest at the rate of seven per cent. per annum from the date thereof, the interest to be payable on the first day of January and first day of July in each year, upon the presentation and surrender of the proper interest coupons, the interest to be evidenced by forty coupons attached to each Bond, to be numbered consecutively, and each coupon to bear the number of the Bond to which it is attached; the first coupon on each Bond to be payable January first, A. D. 1876, the second coupon to be payable July first, A. D. 1876, and so on, each coupon being payable six months after the preceding one; both principal and interest of said Bonds to be payable at the American Exchange National Bank in the city of New York. Said Bonds shall be signed by the President of the Board of Trustees of the town, countersigned by the Town Clerk and attested by the corporate seal of said Town of Lake View, and shall be known and designated as "Town of Lake View Water Bonds;" the coupons attached to said Bonds shall be signed by the President of the Board of Trustees, and countersigned by the Town Clerk.

SEC. 2. The proceeds arising from the sale of said Bonds shall be placed in the treasury of said town, to the credit of a fund to be known as "Water Works Fund," and shall be used for the purpose of providing a supply of water for fire protection and for the use of the inhabitants of said town, by the erection, construction and maintaining of a system of water works, and for no other purpose.

SEC. 3. That an annual tax sufficient to pay the interest on said Bonds as the same shall become due according to the terms thereof, and sufficient also to provide an adequate sinking fund for the final payment of the principal sum of said Bonds herein provided for, on the first day of July, A. D. 1895, to-wit: The sum of thirteen thousand dollars be assessed and levied annually hereafter on the taxable property of the Town of Lake View, and that said sum of thirteen thousand dollars be included annually in the certificate filed with the County Clerk, of the amount required to be raised by taxation in said town.

SEC. 4. That said Bonds may be registered at the American Exchange National Bank in the city of New York, and Bonds so registered will be transferable only by the endorsement of the person or persons in whose name the same may be so registered, or his, her or their executors, administrators or assigns.

SEC. 5. It shall be the duty of the Board of Trustees of said town to invest the money belonging to the sinking fund in this ordinance provided for, in interest-bearing bonds of the United States, County of Cook, or City of Chicago, or to use the same for the purchase or retirement of the "Town of Lake View Water Bonds" herein provided for, and said money shall be used in no other manner whatsoever.

SEC. 6. Whenever any of the "Town of Lake View Water Bonds" shall have been purchased, as provided for in the fifth section of this ordinance, said Bonds so purchased shall be

cancelled, and evidence of said cancellation be exhibited to the Board of Trustees of said town.

SEC. 7. That the credit of the Town of Lake View be, and the same is hereby, irrevocably pledged to the payment of any and all of said Bonds in this ordinance provided for, and the interest thereon.

Adopted June 21, 1875.

NOTE.

The following Laws and Ordinances, embracing twelve chapters of miscellaneous ordinances, an ordinance entitled "Sidewalk Ordinance," and an ordinance entitled "An Ordinance to License Vehicles in the Town of Lake View," which were published in the year 1869, in pamphlet form, by authority of the Board of Trustees of the Town of Lake View, are now republished by order of said Board; a portion of them have been legalized by the Legislature of the State of Illinois, by an act entitled "An Act to amend the Act to incorporate a Board of Trustees for the Town of Lake View, in Cook County; approved February 16, 1865," approved March 5, 1867, as appears in Section 15 of said Act, and still remain in force, except so far as repealed by the chapter entitled "Repeal of the Revised Ordinances, passed and approved March 17, 1879."

JOHN N. HILLS, } *Committee on Revision*
 JAMES J. WILSON, } *of Ordinances.*

LAKE VIEW, March 17, 1879.

LAWS AND ORDINANCES
OF THE
TOWN OF LAKE VIEW,
COOK COUNTY, ILLINOIS.

1869.

I.

MEETINGS OF THE BOARD OF TRUSTEES.

Be it ordained by the Board of Trustees of the Town of Lake View, That the regular meetings of the Board of Trustees shall be held on the evening of the first Monday in every month, at the Town Hall, or at such other place as the Board of Trustees shall from time to time appoint. Any regular meeting may be adjourned to such time and place as the Board shall order. Meetings may be called by the President or any two or the Trustees, of which notice shall be given to each member of the Board, in person, or by leaving a written notice at his residence.

II.

THE CLERK.

SECTION 1. *Be it ordained by the Trustees of the Town of Lake View,* That the Clerk shall keep a record of all the proceedings of the Board of Trustees, and of the Highway Commissioners, while acting as such, or as a committee of the Board of Trustees, to receive, mark, and file all papers coming

to his office, to keep the seal of the town, to grant certified copies from the records or papers of the town, and to execute such orders as he may be directed to do from time to time by the Board of Trustees.

SEC. 2. The Clerk is authorized to charge and receive as fees :—

For each license, one dollar.

For each copy from any record or paper, ten cents for each hundred words.

For each certificate, and the seal thereto affixed, fifty cents.

For each search for any paper or record in his office, twenty-five cents ; and for every hour he shall be so occupied after the first hour, fifty cents.

But no fees shall be charged for such services rendered at the request of any officer of the town where the paper or information is required for the use of the town or public.

III.

THE TREASURER.

SECTION 1. *Be it ordained by the Trustees of the Town of Lake View*, That the Treasurer shall keep an accurate account of all moneys received or paid out by him in a book to be provided for that purpose, and shall take a receipt or voucher for each payment made ; and he shall render itemized accounts to the Board of Trustees, whenever ordered by said Board or a majority thereof.

IV.

POLICE.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View*, That the President shall have the general supervision and control of the police, subject to any orders of the Board of Trustees.

SEC. 2. All policemen shall be appointed by the Board of

Trustees and may be removed or discharged at its pleasure. The Board may designate a Captain of Police, who shall see that the laws and ordinances of the town are obeyed and executed; and all other policemen are required to obey his orders. Special policemen may be appointed, but, when at the request of persons for private purposes, no compensation shall be allowed. The compensation of all public policemen shall be fixed by the Trustees.

SEC. 3. It shall be lawful to imprison any person arrested, with or without warrant, in the calaboose, or other place, for such time as may be necessary to take him before a Justice of the Peace for examination.

SEC. 4. If any person shall resist, by force, any policeman, constable, or officer of the town authorized to make an arrest, or serve any writ, such person, on conviction, shall be punished by a fine, not less than twenty-five dollars, nor more than one hundred dollars, or imprisoned, not exceeding one month, or both.

SEC. 5. If any policeman shall wilfully refuse or neglect to execute any writ placed in his hands for that purpose, or to arrest any person known to him to have violated a law or ordinance of the town, or when he may have credible information that any person has violated a law or ordinance of the town, and such person can be found within the limits of the town, such policeman, on conviction, shall be fined not exceeding one hundred dollars.

V.

IMPRISONMENT.

SECTION 1. *Be it ordained by the Trustees of the Town of Lake View,* That in all cases where judgment may be rendered, for a fine and costs, for the violation of an ordinance or law of the town, it shall be lawful for the Court, or Justice of the Peace, to order the person against whom such judgment is rendered, to be imprisoned until the fine and costs are paid.

SEC. 2. It shall be lawful to execute any order or judgment for imprisonment by confinement in the calaboose, or in the County jail of Cook County.

SEC. 3. Whenever any judgment is entered for the violation of an ordinance, it may be lawful for the Justice to take a bond in at least double the amount of the judgment, with good security for the payment of the judgment, with costs, within ten days, instead of committing the offender until the fine and costs are paid; policemen or constables to be responsible for such bail.

VI.

POUNDS.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View,* That the Overseer of Highways in Road District Number One, when directed by the Board of Trustees, shall construct good and sufficient pounds in such Road District, to be placed under the care of a pound-master, to be appointed by the Board of Trustees, who may be removed at pleasure.

SEC. 2. No horse, cow, hog, sheep, or other domestic animal shall be permitted to run at large in said Road District Number one; and, if found running at large in said District, each of such animals may be imprisoned in a pound, from which it shall not be released until the owner, or other person, shall pay fifty cents, and twenty-five cents for every twenty-four hours the same shall be kept, after the first twenty-four hours.

SEC. 3. If any such animal shall be kept in any pound for five days, and no person shall apply and pay the legal charges, it shall be lawful for the pound-master to sell the same at public sale, after giving at least fifteen days' notice thereof, by posting up not less than ten notices, in ten public places in the Town of Lake View.

SEC. 4. The pound-master shall render a true account of all animals impounded, all fees received, and all money received from sales, to the Board of Trustees, at a regular meeting every month, and pay over all money in his hands, over and above his fees, to the Treasurer, upon the order of the Board.

SEC. 5. If any person shall break open any pound, or take away from a pound any animal therein impounded, without the consent of the pound-master, he shall be liable to a fine of not less than twenty dollars nor more than fifty dollars.

SEC. 6. If any pound-master shall refuse to receive any such animal running at large, or to take proper care of the same, or to deliver up such animal upon the payment or tender of his legal fees, or to make his report as required by this ordinance, or to pay over any proceeds of sales when required, he shall be liable to a fine of not exceeding one hundred dollars.

SEC. 7. The money received as the proceeds of any such sale, over the fees and expenses, shall be paid to the owner, upon the order of the Board of Trustees.

VII.

LICENSES.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View,* That all licenses shall be issued and signed by the President and Clerk, with the corporate seal affixed; and, where not otherwise ordered by the Board of Trustees, shall continue in force for one year.

SEC. 2 No saloon, brewery, distillery, slaughter-house, packing-house, gardens of public resort, where beverages of any kind are sold, shooting-gallery, shooting-park, or establishment for target-shooting shall be established, kept, or maintained within the Town of Lake View without a license; and such place shall be conducted according to the ordinances of the Town, or such regulations as may be made by the Board of

Trustees; and, upon a violation thereof, the license may be revoked by order of the Board of Trustees.

SEC. 3. No license shall be assignable or transferred without the consent of the Board of Trustees.

SEC. 4. The rates for license shall be fixed by order or resolution of the Board of Trustees; and all applications for a brewery, distillery, slaughter-house, or packing-house shall be made to the Board of Trustees, and designate the place it is proposed to carry on the business.

VIII.

NUISANCES.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View,* That the keeping of any establishment for steaming or rendering lard, tallow, or offal, any soap factory, any place or depot for the deposit of night-soil or dead animals, any glne or bone manufactory, or any other place where any offensive, or nauseous, or unwholesome business may be carried on, is declared to be a nuisance, and the same is hereby prohibited entirely. Every person who shall keep, maintain, or continue any such establishment or place shall be punished, on conviction, by a fine not exceeding one hundred dollars, and not exceeding the same amount for every twenty-four hours the same shall be continued; and such place or establishment, including the building in which the business may be conducted, shall be subject to summary abatement, by order of the Board, or by any policeman or officer of the town, without order.

SEC. 2. The keeping of any saloon or garden for public resort, where beverages of any kind are sold, or the conducting of any brewery, distillery, slaughter-house, packing-house, or shooting-gallery, shooting-park, or establishment for target-shooting without license, as required by the ordinances, is declared to be a nuisance, and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars; and a continuance of any such business, without license,

as aforesaid, for five days, shall be punished by a like fine. In all prosecutions under this section, it shall not be necessary for the town to prove that the accused has no license, but it shall be deemed sufficient proof of the offense charged to prove that any such establishment or business was conducted or carried on, and it shall devolve on the defendant to produce such license, if any he has.

SEC. 3. It shall be unlawful for any person to bring any dead animal, or decayed animal or vegetable matter, into the Town of Lake View, or to deposit any night-soil, filth, or offensive matter of any kind, shall be deemed guilty of committing nuisance, and shall be punished, on conviction, by a fine of not less than five dollars, nor more than one hundred dollars, for each and every offense.

SEC. 4. If any person shall allow manure, night-soil, or filth to accumulate on his premises, so as to become offensive or unwholesome, or shall allow any drain, sewer, or ditch to become offensive or unhealthy upon his premises, or shall permit any privy, cellar, or reservoir on his premises to become nauseous, offensive, or unwholesome, such act is declared to be a nuisance, and shall be punished by a fine of not more than twenty-five dollars, for every two days after notice by any officer of the Town of Lake View.

SEC. 5. If any person shall dig any hole in any public street, or remove any soil therefrom, when not authorized by the Board of Trustees or Overseer of Highways in writing, or shall obstruct any street in any way, so as to render it inconvenient or unsafe to pass, or shall injure or remove any sidewalk or bridge, without due authority from the Board of Trustees or Overseer of Highways, or shall cut down, injure, or remove any tree or shrub, in any public road or street, without such authority, such act is declared to be, and shall be deemed to be, a misdemeanor, and shall be punished by a fine of not more than one hundred dollars. The continuance of any obstruction in any street for every day shall be punished by a fine

of not more than twenty-five dollars. No prosecution shall be commenced under this section without the consent of the Highway Commissioners, or two of them.

SEC. 6 If any person shall cut down, injure, or destroy any tree or shrub on the premises of another, without the permission of the owner or legal occupant, or shall remove from the property of another, without permission, any sand, gravel, or soil, such act is declared to be, and shall be deemed to be, a nuisance, and shall be punished by a fine, not more than twenty-five dollars for each and every offense.

SEC. 7. If any person shall hunt game or birds out of season; or, if any person, not a resident of the town, shall hunt game or birds in season, or if any person shall shoot or kill any bird or birds not suitable for game, at any time, such act shall be deemed, and is declared to be, a nuisance, and shall be punished by a fine, not less than five dollars, and not exceeding twenty-five dollars for each and every offense.

The firing of firearms in any public highway, or upon grounds not in possession of, or owned by, the person using the same, except by residents of the town, as aforesaid, in the game season, is declared also to be a nuisance, and shall be punished by a fine of not less than five and not exceeding twenty-five dollars.

SEC. 8. If any person shall haul or draw sand, gravel, or soil for hire, on any public street or highway, without a license, issued under such regulations as may be made by the Board of Trustees, such act is declared to be, and shall be deemed to be, a nuisance, and every person found guilty shall be fined not less than one dollar for each load: and the fines for such offense shall be applied to keeping in repair the roads or streets in said town.

IX,

SCAVENGERS.

SECTION 1. *Be it ordained by the Board of Trustees of the*

Town of Lake View: That it shall be the duty of the owner, driver, or manager, and each of them, of any night-scavenger wagon, in driving in or through the Town of Lake View, always to keep upon each side of such night-scavenger wagon, in the night-time, a lighted lamp, with plain glass front and sides, with the number of the license of such wagon painted with black paint on the sides and front of each of said lamps, in distinct and legible figures, at least two inches in size, and so placed that said lamps may be distinctly seen, and said number easily read by any person in any of the highways or premises adjacent thereto; and every violation of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and the Court may commit the offender to the County jail, or other place, until such fine and costs shall be paid.

SEC. 2. No person shall deposit in the Town of Lake View any garbage, night-soil, or filth, without the express permission of the Board of Trustees first obtained in writing; and every person who shall violate this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or imprisoned for a time not exceeding one month, in the discretion of the Court; and the Court may commit the person so found guilty until the fine and costs are paid.

SEC. 3. Every person who shall violate the provisions of the foregoing sections shall be deemed and held to be guilty of a nuisance.

X.

BREACHES OF THE PEACE.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View*, That if any person shall engage in fighting by agreement, or if any person shall act as a second, referee, or umpire at any such fight, such person shall be fined, on conviction, one hundred dollars.

And every person who shall aid and abet any such fight by

their presence as spectators or otherwise shall be fined, on conviction, not exceeding twenty-five dollars.

SEC. 2. Every person who shall engage in any fight, or participate in a riot, or shall disturb the peace and quiet of any family or assemblage by loud and unusual noises, by profane or obscene language, or by shouting or singing, shall be fined, on conviction, not exceeding twenty-five dollars.

SEC. 3. All disorderly houses or places, and all assemblages in any place where the persons, or any of them, composing the same, are disorderly, are prohibited; and every inmate or person found in any such house or place guilty of disorderly conduct shall be punished by a fine not exceeding twenty-five dollars. Drunkenness in any assemblage, in the streets, or in any public place shall be considered disorderly conduct.

XI.

CEMETERIES.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View*, That no corpse shall be interred in any place within the limits of the Town of Lake View, not actually used as a cemetery on the 5th day of March, 1867, or lying within the enclosure of a cemetery, not established on or before said day, except as hereinafter provided and allowed.

SEC. 2. No corporation, or person or persons, shall establish or open any cemetery within the limits of the Town of Lake View, unless the Board of Trustees shall first fix and determine the location of such cemetery, and fix the boundaries thereof.

SEC. 3. The boundaries of Graceland Cemetery are hereby fixed as follows, to-wit:—The E. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of Section 17, lying East of Green Bay Road, and Lots 19 and 20 of Iglehart's subdivision of W. $\frac{1}{2}$ of S. E. $\frac{1}{4}$ of Section 17, T. 40, R. 14.

SEC. 4. The boundaries of Rose Hill Cemetery are hereby fixed as follows, to-wit—That portion of Section 6, in Town 40, North Range 14, East of the 3d P. M., as the same is de-

scribed in the Record of Rose Hill Cemetery Company's subdivision of the S. $\frac{3}{4}$ of the W. $\frac{1}{2}$ of the S. E. $\frac{1}{4}$ of Section 6, in Town 40, North of Range 14, East of 3d P. M., as the same is recorded in the Recorder's office of Cook County, in Book of Maps, Number 160, on pages 76 and 77.

SEC. 5. The boundaries of all other cemeteries within the Town of Lake View are hereby fixed at the enclosure now surrounding any such cemeteries; but, if any street is embraced in any such enclosure, no permission is hereby given to use such street, or keep the same enclosed.

SEC. 6. It shall be lawful to inter dead bodies within the limits above prescribed, under such regulations as may from time to time be made by the Board of Trustees; but the burial of any corpse outside of such limits shall be deemed a violation of the first or second sections of this ordinance.

SEC. 7. If any person shall violate any one of the provisions of this ordinance, he shall be fined, on conviction, thereof, not exceeding one thousand dollars, or imprisoned, not exceeding six months, or both, in the discretion of the Court. It shall be lawful for the Court to order the offender to disinter any and all dead bodies that he may be proven to have buried contrary to the provisions of this ordinance, and to enforce obedience to such order by fine, or imprisonment, or both. It shall be lawful for the police, or other persons under the direction of the Board of Trustees, to disinter any corpse buried contrary to the provisions of this ordinance, to remove and re-inter the same within the lawful bounds of any cemetery.

SEC. 8. Nothing in this ordinance shall be construed to repeal or modify an ordinance passed on the 2d day of April, 1866, numbered Chapter eight, or an ordinance passed May 7th, 1866, and numbered Chapter ten; but the same are declared to be in force.

XII.

PENDING SUITS.

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View, That nothing in the Revised Ordinances, numbered from one, inclusive, to twelve, and now passed, shall be construed to repeal any ordinance, or part of an ordinance, for the violation of which any suit may be now pending or commenced, so far as such suit may be concerned: but such ordinances, or parts of such ordinances, are continued in full force and effect with reference to the matters involved in any such suit, until the final termination thereof.*

EDWARD FOSTER,

President.

FREDERICK SULZER,

Town Clerk.

SIDEWALK ORDINANCE.

SECTION 1. *Be it resolved by the Board of Trustees of the Town of Lake View, That, hereafter, the distance of twelve (12) feet upon each side of each and every street or highway in said town shall be, and the same is hereby declared to be, for a sidewalk, and shall be used as such only.*

Provided, that it shall be lawful for owners of land bordering on such sidewalk to plant shade or ornamental trees upon the outside, four feet in breadth of each walk.

SEC. 2. That the grades of sidewalks upon the road now occupied by the Dummy road or track shall be, as near as may be, to a level grade with such Dummy track; and that the grades upon the other streets and highways shall be upon a level with the road bed thereof.

SEC. 3. Any person or persons who shall be guilty of obstructing any such walk, three days after notice from any of the authorities of said town, shall be fined not less than five (5) nor more than twenty-five dollars for each and every offense.

I hereby certify that the above is a true transcript of an ordinance passed by the Board of Trustees of the Town of Lake View, Cook County, Illinois, at a regular meeting of said Board, on the first day of February, A. D. 1869; said ordinance being entitled as above shown, and recorded in my office, Lake View, April 2d, 1869.

T. M. BRADLEY,
President.

GEORGE WOLFRAM,
Town Clerk.

AN ORDINANCE

To License Vehicles in the Town of Lake View,

SECTION 1. *Be it ordained by the Board of Trustees of the Town of Lake View, in Cook County, Illinois,* That in pursuance of an Act of the Legislature of the State of Illinois, entitled "An Act to amend the Charter of the Town of Lake View," in said county, "Approved, March 29th, 1869," That hereafter each and every owner, teamster, or driver of any wagon, cart or other vehicle hauling for hire or sale any load, or loads, within the limits of said town, or for hire or sale elsewhere, other than the vegetable product of the soil, shall pay a license to said town, as follows: For any vehicle drawn by one animal, five dollars; and for any vehicle drawn by two animals, ten dollars; and for any vehicle drawn by more than two animals, twenty dollars a year; said license to run from the first day of July of each and every year.

SEC. 2. The President and Clerk of said Board of Trustees may, upon application of the owner of any such wagon, cart, or other vehicle, grant a license therefor.

SEC. 3. Each and every teamster, or driver, shall procure and wear in plain view a metal badge, of not less than one and a half inch long, and one inch wide, on which shall be engraved the kind of vehicle and number of the license, in letters not less than $\frac{5}{16}$ of an inch long, and figures not less than $\frac{7}{16}$ of an inch long; said letters and figures to be boldly cut in Roman character, and filled in with black; said badge to be provided with pin or fastening by which the same shall be worn in a conspicuous place upon the outside of the breast of the coat, so that it may not be hidden from view, either by accident or design.

SEC. 4. Every person or persons so licensed shall forthwith cause the name of the owner, and the number of his or their license to be plainly painted in letters, at least one and a half inches in size, in a conspicuous place on it, outside of each side of such vehicle, and shall keep the same plain and distinct at all times, when used during the continuance of such license; but upon the expiration of said license (unless renewed), such person shall immediately cause the same name and number to be erased from said vehicle, and shall not allow said vehicle to be used with said name or number thereon.

SEC. 5. Any person or persons violating any of the provisions of this ordinance, shall be liable to a fine of not less than one nor more than five dollars, for each and every load hauled, or imprisoned not less than one nor more than three months, in the county jail, in the discretion of the court.

Approved, May 10th, 1869.

T. M. BRADLEY,
President.

GEORGE WOLFRAM,
Clerk.



AN ACT

—TO—

INCORPORATE

—A—

BOARD OF TRUSTEES

FOR THE

TOWN OF LAKE VIEW,

IN

COOK COUNTY.

AN ACT

*To Incorporate a Board of Trustees for the Town of Lake View,
in Cook County:*

SECTION 1. *Be it enacted*, by the people of the State of Illinois, represented in the General Assembly, that the Supervisor, Assessor, and Commissioners of Highways of said Town of Lake View, and their respective successors in office, are hereby constituted and declared to be *ex officio*, a Board of Trustees for said Town of Lake View.

SEC. 2. The said Board of Trustees shall hold stated meetings on the first Monday of each month, at eight o'clock in the evening, at such place as they shall by resolution direct, at which times the said Board may exercise any of the powers conferred upon them by law. The Supervisor shall preside at all meetings, and the Assessor shall act as Secretary.

SEC. 3. The said Board of Trustees shall have power, from time to time,

1st. To cause any street, alley, or highway to be paved, macadamized, gravelled or planked, and to keep the same in repair.

2d. To cause cross-walks and side-walks, main drains, and sewers to be constructed and laid, relaid, cleansed and repaired, and to regulate the same.

3d. To grade, improve, protect, and ornament any public square, public ground, or park, now laid out, or hereafter to be laid out in said Town, except such park or public grounds as may be located by the Board now, or to be known as that of the North Park Commissioners; *provided*, nevertheless, that said Board shall not cause any such paving, macadamizing, gravelling or planking to be done, or any such sidewalks, or main drains, or sewers to be constructed and laid, or any pub-

lic ground, park or square to be graded, improved or ornamented, except upon the written petition of residents of said Town of Lake View; such petition to be signed by two-thirds in number of all the property owners resident in said Town, whose property shall be liable to be assessed, as hereinafter provided, to pay for such paving, sidewalks, or other improvements above named, which may be done or made in pursuance of the prayer of such petition.

SEC. 4. The expenses of any improvement mentioned in the foregoing Section shall be assessed upon the Real Estate in the said Town of Lake View, benefitted thereby, with the costs of the proceedings therein in proportion, as nearly as may be, to the benefits resulting thereto.

SEC. 5. The amount to be assessed for any such improvement shall be determined by the said Board of Trustees, and they shall by ballot appoint, by a majority of said Board, three respectable freeholders of said Town of Lake View, to make such assessments. The Commissioners thus appointed shall be sworn faithfully and impartially to execute their duty, to the best of their ability.

SEC. 6. The Commissioners shall assess the amount directed by said Board of Trustees to be assessed, upon the Real Estate by them deemed benefitted by any such improvement, in proportion to the benefit resulting thereto, as nearly as may be, and briefly describe in the assessment roll, to be made by them, the Real Estate in respect to which any assessment is made.

SEC. 7. When the Commissioners shall have completed their assessment, and made a corrected copy thereof, they shall deliver the same to the Town Clerk of said Town of Lake View, within forty days after their appointment, signed by all the Commissioners. The Town Clerk shall thereupon cause notices to be posted up in three of the most public places of said Town of Lake View, for the space of six days, to all persons interested, of the completion of the assessment and the filing of the roll, and in said notices a time and place shall be designa-

ted, at which said Board of Trustees shall hear objections to said assessments.

SEC. 8. Any person interested may appeal to said Board of Trustees for the correction of the assessment. Appeal shall be in writing, and filed in the Town Clerk's office within six days after the notices shall have been posted up, as provided in the foregoing section. The Board of Trustees may adjourn such hearing from day to day, and shall have power, in case of appeal or otherwise, in their discretion, to revise and correct the assessment, and confirm or amend the same, or direct a new assessment to be made in the manner hereinbefore directed, by the same commissioners or by three others, which shall be final and conclusive on all parties interested, if confirmed. When confirmed, the assessment shall be collected as hereinafter provided, and no appeal or writ of error shall lie in any case from such order and determination. If any assessment be set aside by any order of court, the Board of Trustees may cause a new one to be made in like manner, for the same purpose, for the collecting of the amount so assessed.

SEC. 9. If any vacancy happen in the office of Commissioner, at any time, by reason of removal, failure, or refusal or inability from sickness, or other cause, to serve, the Board of Trustees may fill such vacancy.

SEC. 10. If the first assessment prove insufficient, another may be made in the same manner, or if too large a sum shall at any time be raised, the excess shall be refunded ratably to those by whom it was paid.

SEC. 11. Commissioners appointed under this act may be sworn into office by the Town Clerk, and said Commissioners shall be allowed two dollars per day, each, for actual service, which together with all other expenses in relation to any assessment made in pursuance of this act, shall be deemed part of the expenses of the improvement, and included in such assessment.

SEC. 12. When the said assessment shall have been confirmed, as hereinbefore provided, it shall be the duty of the Town Clerk to file the same in the office of the Clerk of the County Court of said County of Cook, and it shall be the duty of the said Clerk of the County Court in the warrant next thereafter to be issued for the collection of State and County Taxes levied upon the real estate in said Town of Lake View, to set down in a column for that purpose provided, opposite the several lots, pieces or parcels of real estate upon which assessments have been made for benefits, as hereinbefore provided, the amounts of said assessments, respectively; and it shall thereupon be the duty of the Collector of the Taxes for the State and County to collect said assessments, and enforce the payment thereof, in the same manner, and with all the rights, power, and authority that he has to collect State and County Taxes, and shall pay the same over to the officer entitled to receive the Town Tax, at the same time that he is required to pay over the County revenue, and the proper Court of said County shall render judgment against, and order the sale of any lot, piece or parcel of real estate for the non-payment of the said assessment and costs, in the same manner, as is or may be provided for State and County Taxes; and judgment shall be rendered for the aggregate amount for State, County, and other Taxes, and the assessment aforesaid. The sale shall be conducted upon the same notice and judgment, and in the same manner as is or may be provided by law, for State and County Taxes; the right of redemption shall exist, and be exercised in the same manner; and deeds for property sold for any assessment levied under this Act shall be executed by the same persons, and shall have the same effect as evidence as deeds executed in pursuance of the laws now in force, or hereafter to be enacted, providing for the collection of State and County Taxes, in counties adopting the Township Organization.

SEC. 13. Said Board of Trustees shall also have power:

1st. To compel the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, stable, barn,

privy, sewer, or other unwholesome, nauseous house, or place, to cleanse, remove, or abate the same, from time to time, as often as may be necessary, for the health, comfort and convenience of the inhabitants of said town.

2d. To direct the location and management of, and regulate, license, and prohibit, breweries, tanneries and packing-houses, and to direct the location, management and construction of, and regulate, license, restrain, abate and prohibit within the town, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal, and such other substances as can or may be rendered, and all establishments or places where any nauseous, offensive or unwholesome business may be carried on, and to regulate, restrain, abate and prohibit any shooting gallery, shooting park, or establishment for target shooting, and to punish by fine and imprisonment, persons guilty of a violation of the ordinances, orders or regulations to be made by said Board of Trustees, in relation thereto.

3d. To restrain and regulate, or prohibit, the running at large, or herding of cattle, horses, mules, swine, sheep, goats and geese; and to authorize the distraining, impounding and sale of the same, for the penalty incurred, and the cost of the proceedings, and also to impose penalties on the owners of any such animals, for a violation of any ordinance in relation thereto.

4th. To abate and remove nuisances, and punish the authors thereof, by penalties, fines and imprisonment, and to authorize and direct the summary abatement thereof; but nothing in this Act shall be construed so as to outset any court of jurisdiction to abate and remove nuisances in the streets, or any other parts of said Town, or within its jurisdiction, by indictment or otherwise.

5th. To restrain, prohibit and punish by fine or imprisonment, the cutting of trees or shrubbery upon any of the public grounds or highways in said Town.

6th. To regulate, restrain, prohibit and punish, by fine or imprisonment, the shooting of fire-arms in said Town.

SEC. 14. All orders, ordinances, and resolutions of said Board of Trustees shall be posted, for ten days, in three or more public places in said town, by the Secretary of said Board, but they shall take effect and be operative upon their passage, notwithstanding any failure to post the same.

SEC. 15. Any Justice of the Peace of said town, or any Court of Record of Cook County, shall have jurisdiction of any offenses under the orders, ordinances, or resolutions of said Board of Trustees.

SEC. 16. All actions brought to recover any penalty or forfeiture incurred under this act, or the ordinances, orders, or regulations made in pursuance of it, shall be brought in the name of the Town of Lake View. It shall be lawful to declare generally in *debt* for such penalty or forfeiture, stating the clause of this act, or the ordinance, order, or regulation under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it.

SEC. 17. In all prosecutions for any violation of any ordinance, order, or regulation, the first process shall be a summons, unless oath or affirmation be made for a warrant, as in other cases.

SEC. 18. Any fines imposed for violation of any order, ordinance, or regulation, shall be paid to said Board, and shall by them be used to defray such expenses as may be incurred in the exercise of their powers.

SEC. 19. Said Board of Trustees may exercise the power hereby conferred to abate nuisances, at any time, and may appoint such agents as it may determine, to execute the same.

SEC. 20. Said Board shall have power, by resolution, to appropriate so much money as they may deem necessary, as a local bounty, for the purpose of filling the quota of said town, under any call of the President for soldiers for the armies of the United States, and through the proper officers of said town and county, to levy and collect taxes for that purpose, and to

reimburse any person for advances that may have been made, or may hereafter be made therefor, at the request of the Supervisor of said town.

SEC. 21. This Act shall be deemed a public Act, and shall take effect and be in force from and after its passage.

ALLEN C. FULLER,

Speaker of the House of Representatives.

WILLIAM BROSS,

Speaker of the Senate.

Approved, February 16, 1865.

RICHARD J. OGLESBY,

GOVERNOR.

UNITED STATES OF AMERICA, } ss.
STATE OF ILLINOIS.

I, SHARON TYNDALE, Secretary of State of the State of Illinois, do hereby certify that the foregoing is a true copy of an enrolled law now on file in my office.



STAMPED. In witness whereof, I have hereunto set my hand, and affixed the great seal of the State, at the City of Springfield, this 20th day of February, A. D. 1865.

SHARON TYNDALE,
Secretary of State.

AN ACT

To amend the Act to incorporate a Board of Trustees for the Town of Lake View, in Cook County, approved February 16th, 1865.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in General Assembly, that the township of Lake View, in Cook County, is, and shall be a municipal corporation, under the name of the Town of Lake View, and may have, and use a common seal, and alter the same at pleasure.

SEC. 2. The Supervisor of said town shall be the President, and the Clerk of said town shall be the Clerk of the Board of Trustees, and regular meetings of the Board of Trustees shall be held at such times and places as they may, by orders or resolution appoint.

SEC. 3. The Supervisor shall be the Treasurer, and execute such bond as the Board of Trustees may direct. The Clerk shall perform such duties as may be prescribed by the Board of Trustees, and the records, and certified copies therefrom, or of any paper on file in the office of said Clerk, shall be evidence in all courts and places.

SEC. 4. The Board of Trustees shall have power to levy taxes on the real estate and personal property assessed in said town, to pay the expenses authorized by this Act, and the Act to which this is an amendment. Whenever the Board of Trustees determines on the rate of taxation, the Town Clerk shall file a certificate thereof with the County Clerk, who shall compute and extend the taxes on the real and personal property, assessed in said town, and returned to him by the Town Assessor, as in the case of Town taxes, and thereafter, the like proceedings shall be had to collect the same, and enforce payment

thereof, as in the case of other taxes. The money when collected shall be paid to the Treasurer of the Board of Trustees, and paid out as may be ordered by said Board.

SEC. 5. The Board of Trustees shall have power to borrow, not exceeding two thousand dollars in any one year, at a rate of interest not exceeding ten per cent. per annum, to enable the town to meet any deficiency, or to anticipate the collection of the taxes for the current year.

SEC. 6. The Board of Trustees may build a Town Hall, and a Calaboose, at such place as they may designate, and for that purpose may borrow money, if necessary, for and in behalf of the Town, and levy a tax to pay the expense of procuring a site, and erecting either or both of such buildings, but the cost shall not exceed the sum of three thousand dollars, unless the plan and amount be first submitted to the legal voters of said Town, at any regular election, or any special election, ordered by the Trustees for that purpose. Whenever a Town Hall shall be built, the Town meetings, elections, and the meetings of the Board of Trustees, shall be held at such Town Hall.

SEC. 7. The Board of Trustees shall have the control and supervision of the highways, streets, alleys, public grounds and parks in said Town. Any park that may be opened by the North Park Commissioners, under an Act entitled, "An Act to provide for the location, improvement and regulation of a certain park therein named," approved February 16th, A. D. 1865, and the Overseers of Highways, shall be subject to the orders of said Board.

SEC. 8. The Board of Trustees shall have power to lay out, open, widen, narrow, extend, straighten, alter, or vacate highways, streets, and alleys, and to cause new or old highways, streets and alleys to be surveyed, platted and recorded. Whenever the Board of Trustees shall determine to execute any power under this section, the three Commissioners of Highways, shall proceed in the manner provided by the laws in regard to Township organization, in force at such time, and the Commissioners shall report their proceedings to the Board of Trustees*.

for examination and confirmation, and if disapproved, the same shall be of no force, but if confirmed, the same shall have the like effect as the final decision of the Commissioners of Highways, under the Township organization laws, and an appeal may be prosecuted from the decision of the Board of Trustees of disapproval or confirmation in the same manner, and with like effect, as from the final decision of Commissioners of Highways.

SEC. 9. The Board of Trustees may provide for the expenses of opening, widening and narrowing, extending or altering highways, streets or alleys, and for improving the same as authorized by the Act to which this is an amendment, by general taxation, or for a part thereof by special assessment, and a part by general taxation, or for the whole in the manner provided in said Act, as they may see proper.

SEC. 10. All highways, streets, avenues, alleys, squares, parks or public grounds, marked or noted as such on any plat, sub-division, or map of any tract, or parcel of land in said town, heretofore made, or hereafter to be made by the owner thereof, and recorded in the office, where deeds have been, or may be required by law to be recorded, shall be deemed in law and equity a sufficient conveyance to vest the fee-simple of all such parcels of land in the Town of Lake View, for the uses and purposes expressed or indicated on said plat in like manner, and with the same effect, as is provided in Section 21, Division 1, Chapter 25, of the Revised Laws of 1845, entitled "Corporations."

SEC. 11. The Board of Trustees shall also have power to define and declare what shall be deemed nuisances, and to prevent and abate the same, and provide for the punishment of offenders against any order or ordinance passed concerning the same, by fine or imprisonment, or both; to fix and determine the location of any Cemetery, which any person or corporation may hereafter desire to establish or open in the Town of Lake View, and to fix the boundaries of any Cemetery, and to prevent the interment of the dead in any place, not now actually

used as a Cemetery, or lying within the enclosure of a Cemetery now established; to designate the place of holding elections and town meetings, until a Town Hall may be built; to license or regulate saloons, gardens of public resort, and the sale of spirituous, vinous or malt liquors; to prohibit and suppress gaming, houses of ill-fame, horse-racing, and all disorderly houses and places; to provide for the punishment of those engaged in fighting, riots or breaches of the peace, or those who may disturb the peace and quiet of any religious assembly, or private family; to commence and prosecute or defend any suit or legal proceedings, and to employ attorneys and necessary agents for that purpose; to appoint policemen, define their duties, and fix their compensation; policemen, constables and members of Board of Trustees, may each arrest without warrant, any person who may be found in the violation of the Charter of the Town or Ordinances passed in pursuance thereof, or who may be suspected of any such offense, and bring the person so arrested before any Justice of the Peace in said town for examination.

SEC. 12. The Town shall sue and may be sued by its corporate name. The Justices of the Peace of the Town shall have jurisdiction of all suits or proceedings for a violation of any of the ordinances passed thereunder; warrants and other writs may be served by the constables or policemen of the Town, anywhere in Cook County. All fines shall be paid to the Treasurer of said Board.

SEC. 13. It shall not be lawful to keep open on Sunday in the Town of Lake View, any saloon or other place where liquors, ale or beer shall be sold or given away, within twenty-five rods distance from any Cemetery, School House or Church, without the written consent of the Superintendent of said Cemetery, or the Directors of the School District, where such School House is situated, or the Trustees or Vestrymen of such Church, as the case may be, and every violation of this Section shall be punished by a fine of one hundred (100) dollars, to be recorded before any Court of competent jurisdiction, and the license of

the offender or offenders shall cease and be null and void, from and after any conviction for such offense.

SEC. 14. The proviso to Section three, (3,) of the Act hereby amended, and all parts of said Act, inconsistent with this Act, are hereby repealed.

SEC. 15. The Ordinances heretofore passed by the Board of Trustees are hereby declared valid, and shall remain in force until amended or repealed by said Board, and said Board of Trustees may carry out the powers conferred on them by resolution, order or ordinance—but neither this Act, nor the Act hereby amended, shall in any way be construed as giving power to impair the rights of the Lake View Avenue Company, or the powers and privileges granted, or to be granted, to the said North Park Commissioners.

SEC. 16. This Act shall be a public Act, and all Courts shall take judicial notice thereof, and it shall take effect from and after its passage.

Approved March 5th, 1867.

UNITED STATES OF AMERICA, }
STATE OF ILLINOIS. } ss.

OFFICE OF SECRETARY.

I, SHARON TYNDALE, Secretary of State, of the State of Illinois, do hereby certify that the foregoing is a true copy of an Enrolled Law, now on file in this office.



In witness whereof, I hereto set my hand and affix the Great Seal of State, at the City of Springfield, this 12th day of March, A. D. 1867.

SHARON TYNDALE,
Secretary of State.

AN ACT

To amend the Charter of the Town of Lake View, in Cook County.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter no new cemetery shall be opened or established in the Town of Lake View, in Cook County, or any existing cemetery in said town be enlarged beyond the limits now actually enclosed or fixed by ordinance now in force, except in the manner herein prescribed. Whenever any person or corporation shall desire to open such new cemetery, or enlarge an old one, an application shall be made to the Board of Trustees, supported by the petition of at least twenty legal voters of the town, when it shall be the duty of the Board to cause the question to be submitted to the legal voters of the town, at the next annual election for town officers; and if the majority of all the legal voters, voting at said election, shall vote in favor of the proposition, then it shall be lawful to open and establish the new cemetery, or enlarge the old one, as the case may be, in accordance with the proposition submitted, but not otherwise.

SEC. 2. If any person, association, or corporation, shall attempt to or shall open and establish a new cemetery, or enlarge an old one, contrary to the provisions of this Act, it shall be deemed a misdemeanor, and punished, as now provided by the ordinance of said town, or as may be provided by ordinance hereafter passed; and the steps now allowed by the ordinances of the town to prevent, abate and remove the same, may also be taken as therein provided.

SEC. 3. It shall be the duty of any court of competent jurisdiction, on application of any resident tax payer of the town, or of the town itself, to prevent the opening or establish-

ment of any new cemetery, or the enlargement of any old one, contrary to the provisions of this act; by injunction.

SEC. 4. The Board of Trustees may license and regulate the use of all wagons and teamsters engaged in hauling for hire within the town, whether the owners or teamsters reside or keep such wagons and teams in the town, or elsewhere, and may enforce such regulations by penalties and imprisonment.

SEC. 5. This Act shall take effect from and after its passage.

F. CORWIN,
Speaker of the House of Representatives.

J. DOUGHERTY,
Speaker of the Senate.

Approved, March 29, 1869.

JOHN M. PALMER,
GOVERNOR.

UNITED STATES OF AMERICA, }
STATE OF ILLINOIS. } ss.

OFFICE OF SECRETARY.

I, EDWARD RUMMEL, Secretary of State of Illinois, do hereby certify that the foregoing is a true copy of "*An Act to amend the Charter of the Town of Lake View, in Cook County, Approved, March 29th, 1869,*" now on file in this office.



In witness whereof, I hereto set my hand, and affix the Great Seal of State, at the City of Springfield, this 15th day of April, A. D. 1869.

EDWARD RUMMEL,
Secretary of State.

AN ACT

To Preserve the Shore of Lake Michigan for Residences.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That hereafter no cemetery or place for burial of the dead shall be laid out or established at any place within one mile of the shore of Lake Michigan, in the Towns of Lake View and Evanston; and no cemetery or place for burial of the dead, now being within that distance of said lake, in said towns, shall be extended, increased in size, or enlarged beyond the present limits, as laid out and dedicated for purposes aforesaid, so as to bring the said cemetery nearer to the lake than its present location, or within the said mile.*

SEC. 2. This Act shall take effect and be in force from and after its passage.

F. CORWIN,

Speaker of the House of Representatives.

J. DOUGHERTY,

Speaker of the Senate.

Approved, March 30th, 1869.

JOHN M. PALMER,

GOVERNOR.

UNITED STATES OF AMERICA, }
STATE OF ILLINOIS. } ss.

OFFICE OF SECRETARY.

I, EDWARD RUMMEL, Secretary of State of Illinois, do hereby certify that the foregoing is a true copy of "*An Act to preserve the shore of Lake Michigan for Residences, Approved, March 30, 1869,*" now on file in this office.



In witness whereof, I hereto set my hand and affix the Great Seal of State, at the City of Springfield, this 15th day of April, A. D. 1869.

EDWARD RUMMEL,

Secretary of State.

Article IX,

*Of an Act of the General Assembly of the State of Illinois,
entitled "An Act to provide for the Incorporation of Cities
and Villages." Approved April 10, 1872.*

SPECIAL ASSESSMENTS FOR LOCAL IMPROVEMENTS.

1. Taxing powers.
2. Manner of taxation.
3. Eminent domain.
4. Petition for condemnation.
5. Form and contents of petition.
6. Summons—notice.
7. Hearing—jury.
8. Compensation ascertained by jury.
9. Viewing premises.
10. Verdict; order; new parties; further proceedings.
11. Powers of court.
12. Delay—powers of court.
13. Persons under disability.
14. Judgment; payment; effect; appeals, etc.
15. Order for possession; when.
16. Expense, when paid by general tax.
17. Where, by special taxation of contiguous property.
18. Special assessment; how made.
19. Ordinance for.
20. Estimate of expense.
21. Report and approval.
22. Petition for assessment.
23. Order appointing commissioners; form of oaths.
24. Duty of commissioners.
25. Assessment roll.
26. Notice of assessment; notices by mail, form of; notice by publication, form of.
27. Proof of such notice, and place of deposit.
28. Effect, if notice not in time.
29. Hearing of report; object'ns.
30. Manner of hearing & finding
31. Preference over other cases on docket.
32. Powers of court to modify, etc.; assessment.
33. Effect of judgment; appeals from; to be a lien.
34. Certificate of judgment, etc. to clerk of city.
35. Form of warrant to collect.
36. Notice by city collector; form of.
37. Manner of collecting.
38. Delinquent list to be reported to general officer of county; manner and effect of.
39. Duty of officer receiving report.

- | | |
|---|--|
| <p>40. Report of sales; redemption from.</p> <p>41. Penalty of general officer for selling land, for which he has coll'c'd assessment.</p> <p>42. Both collectors to pay over, as per ordinance; compensation.</p> <p>43. Proceedings for judgment; as per general revenue law.</p> <p>44. Cities may purchase at sales.</p> <p>45. New assessments.</p> <p>46. Second assessment.</p> <p>47. Time for subsequent assessment, for deficiency; cred-</p> | <p>its or further assessments; liens five years from confirmation of first assessm't, etc.</p> <p>48. Rights of contractor.</p> <p>49. Letting contracts.</p> <p>50. Lien of assessments.</p> <p>51. Suits by collector for assessments; trial and judgment; general execution; or sci. fa. by city for gen'l execution.</p> <p>52. Petition to assess benefits may be filed with petition for condemnation.</p> <p>53. Any existing city or town may adopt this article alone</p> |
|---|--|

SECTION 1. That the corporate authorities of cities and villages are hereby vested with power to make local improvements by special assessment or by special taxation, or both, of contiguous property, or general taxation, or otherwise, as they shall by ordinance prescribe.

SEC. 2. When any such city or village shall, by ordinance, provide for the making of any local improvement, it shall by the same ordinance prescribe whether the same shall be made by special assessment or by special taxation of contiguous property, or general taxation, or both.

SEC. 3. Should said ordinance provide for improvements which require the taking or damaging of property, the proceeding for making just compensation therefor shall be as follows :

SEC. 4. Whenever any such ordinance shall be passed by the legislative authority of any such city or village, for the making of any improvement mentioned in the first section of this Act, or any other local improvement that such city or village is authorized to make, the making of which will require that private property be taken or damaged for public use, such city or village shall file a petition in some court of record of the county in which such city is situated, in the name of the city, praying that "the just compensation to be made for private property to

be taken or damaged for the improvement or purpose specified in such ordinance shall be ascertained by a jury."

SEC. 5. Such petition shall contain a copy of the said ordinance, certified by the clerk, under the corporate seal; a reasonably accurate description of the lots, parcels of land, and property which will be taken or damaged, and the names of the owners and occupants thereof, so far as known to the board or officer filing the petition, and where any known owners are non-residents of the State, stating the fact of such non-residence.

SEC. 6. Upon the filing of the petition aforesaid, a summons, which may be made returnable upon any day in term time, shall be issued and served upon the persons made parties defendant, as in cases in chancery. And in case any of them are unknown, or reside out of this State, or on due inquiry cannot be found, the clerk of the court, upon an affidavit being filed showing such fact, shall cause publication to be made in some newspaper printed in his county, or if there be no newspaper published in his county, then in some newspaper published in this State, containing notice of the pendency of such proceeding, the parties thereto, the title of the court, and the time and place of the return of the summons in the case, and the nature of said proceeding; such publication to be made for four weeks consecutively, at least once in each week, the first of which shall be at least thirty days before the return day of such summons. Notices so given by publication shall be sufficient to authorize the court to hear and determine the suit, as though all parties had been sued by their proper names and had been personally served.

SEC. 7. Upon the return of said summons, or as soon thereafter as the business of the court will permit, the said court shall proceed to the hearing of such petition, and shall impanel a jury to ascertain the just compensation to be paid to all of such owners and occupants aforesaid.

But if any defendant or party in interest shall demand, or the court shall deem it proper, separate juries may be impan-

eled as to the compensation or damages to be paid to any one or more of such defendants or parties in interest. [As amended by act in force March 30, 1874.]

SEC. 8. Such jury shall also ascertain the just compensation to be paid to any person claiming an interest in any lot, parcel of land or property which may be taken or damaged by such improvement, whether or not such person's name, or such lot, parcel of land, or other property, is mentioned or described in such petition; *Provided*, such person shall first be admitted as a party defendant to said suit by such court, and shall file a statement of his interest in, and description of the lot, parcel of land, or other property in respect to which he claims compensation.

SEC. 9. The court may, upon the motion of such city or village, or of any person claiming any such compensation, direct that said jury (under the charge of an officer of the court) shall view the premises which it is claimed by any party to said proceeding will be taken or damaged by said improvement, and in any case, where there is no satisfactory evidence given to the jury as to the ownership of, or as to the extent of the interest of any defendant in the property to be taken or damaged, the jury may return their verdict as to the compensation or damage to be paid for the property or part of property to be taken or damaged, and for the entire interests therein. [As amended by act in force March 30, 1874.]

SEC. 10. Upon the return of such verdict, the court shall order the same to be recorded, and shall enter such judgment or decree thereon as the nature of the case may require. The court shall continue or adjourn the cause, from time to time, as to all occupants and owners named in such petition who shall not have been served with process, or brought in by publication, and shall order a new summons to issue and new publication to be made; and upon such occupants or owners being brought into court, shall impanel a jury to ascertain the compensation so to be paid to such defendant or defendants, for private property taken or damaged; and like proceeding

shall be had for such purpose as hereinbefore provided for the ascertaining of compensation to other owners.

SEC. 11. The court shall have power, at any time, upon proof that any such owner or owners named in such petition, who has not been served with process, has ceased to be such owner or owners since the filing of such petition, to impanel a jury and ascertain the just compensation to be made for the property (or the damage thereto) which had been owned by the person or persons so ceasing to own the same; and the court may, upon any finding or findings of any jury or juries, or at any time during the course of such proceedings, enter such order, rule, judgment or decree as the nature of the case may require.

SEC. 12. No delay in making an assessment of compensation shall be occasioned by any doubt or contest which may arise as to the ownership of the property, or any part thereof, or as to the interests of the respective owners or claimants, but in such case the court may impanel a jury and ascertain the entire compensation or damage that should be paid for the property, or part of property, and the entire interests of all parties therein, and may require adverse claimants to interplead so as to fully determine their rights and interests in the compensation so ascertained. And the court may make such order as may be necessary in regard to the deposit or payment of such compensation.

SEC. 13. When it shall appear, from said petition or otherwise, at any time during the proceedings upon such petition, that any infant, or insane or distracted person, is interested in any property that is to be taken or damaged, the court shall appoint a guardian, *ad litem*, for such infant or insane or distracted person, to appear and defend for him, her or them; and the court shall make such order or decree as it shall deem proper to protect and secure the interest of such infant, or insane or distracted person, in such property, or the compensation which shall be awarded therefor.

SEC. 14. Any final judgment or judgments, rendered by said court, upon any finding or findings of any jury or juries, shall be a lawful and sufficient condemnation of the land or property to be taken upon the payment of the amount of such finding as hereinafter provided. It shall be final and conclusive as to the damages caused by such improvement, unless such judgment or judgments shall be appealed from; but no appeal or writ of error upon the same shall delay proceedings under said ordinance, if such city or village shall deposit, as directed by the court, the amount of the judgment and costs, and shall file a bond in the court in which such judgment was rendered, in a sum to be fixed and with security to be approved by the judge of said court, which shall secure the payment of any future compensation which may at any time be finally awarded to such party so appealing or suing out such writ of error, and his or her costs.

SEC. 15 The Court, upon proof that said just compensation so found by the jury has been paid to the person entitled thereto, or has been deposited as directed by the court (and bond given, in case of any appeal or writ of error,) shall enter an order that the city or village shall have the right, at any time thereafter, to take possession of or damage the property, in respect to which such compensation shall have been so paid or deposited, as aforesaid.

SEC. 16. When the ordinance under which said improvement is ordered to be made, shall provide that such improvement shall be made by general taxation, the cost of such improvement shall be added to the general appropriation bill of such city or village, and shall be levied and collected with and as a part of the general taxes of such city or village.

SEC. 17. When said ordinance under which said local improvement shall be ordered shall provide that such improvement shall be made by special taxation of contiguous property, the same shall be levied, assessed and collected in the way provided in the sections of this act providing for the mode of making, levying, assessing and collecting special assessments.

(a) See Act of 1872, entitled "Eminent Domain," and notes thereto.

(b) Mandamus may be awarded to compel a city to collect such taxes and assessments, *Higgins vs. Chicago*, 18 Ill. R., 276, and an action on the case will lie against the city for failure to collect and pay over damages assessed on condemnation. *Clayburg vs. Chicago*, 25 Ill. R., 535.

SEC. 18. When the ordinance under which said local improvement is ordered to be made shall provide that such improvement shall be wholly or in part made by special assessment, the proceedings for the making such special assessment shall be in accordance with the sections of this act [Article] from eighteen to fifty-one inclusive.

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

SEC. 20. The city council or board of trustees shall appoint three of its members, or any other three competent persons, who shall make an estimate of the cost of the improvement contemplated by such ordinance, including labor, materials, and all other expenses attending the same, and the cost of making and levying the assessment, and shall report the same in writing to said council or board of trustees.

SEC. 21. On such report being made and approved by the council, or board of trustees, as the case may be, it may order

a petition to be filed by such officer as it shall direct, in the county court of its county, for proceedings to assess the cost of such improvement in the manner provided in this act.

SEC. 22. The petition shall be in the name of the corporation, and shall recite the ordinance for the proposed improvement, and the report of such commission, and shall pray that the cost of such improvement may be assessed in the manner prescribed by law.

SEC. 23. Upon the filing of such petition the court shall appoint three competent persons as commissioners, who shall take and subscribe an oath, in substance as follows, to-wit:

“STATE OF ILLINOIS, } ss.
 ———County. }

“We the undersigned commissioners, appointed by the county court of———county, to assess the cost of ——(here state in general terms the improvement,) do solemnly swear (or affirm, as the case may be,) that we will a true and impartial assessment make of the cost of said improvement upon the city (or village) of ——, and the property benefited by such improvement, to the best of our ability, and according to law.”

SEC. 24. It shall be the duty of such commissioners to examine the locality where the improvement is proposed to be made, and the lots, blocks, tracts and parcels of lands that will be specially benefited thereby, and to estimate what proportion of the total cost of such improvement will be of benefit to the public, and what proportion thereof will be of benefit to the property to be benefited; and apportion the same between the city or village and such property, so that each shall bear its relative equitable proportion; and having found said amounts, to apportion and assess the amount so found to be of benefit to the property, upon the several lots, blocks, tracts and parcels of land in the proportion in which they will be severally benefited by such improvement: *Provided*, That no lot, block, tract or parcel of land shall be assessed a greater amount than it will be actually benefited. *And provided further*, That it shall not be necessary for said commissioners to examine the locality except where the ordinance provides for the opening,

widening or improvement of streets and alleys, (as amended by act approved and in force March 30, 1874.)

(a) See Sec. 9, Art. 9, Constitution of 1870. Prior to this section it was decided that it was not necessary for the commissioners to go upon the ground or streets sought to be improved, and there investigate. *Wright vs. Chicago*, 48 Ill. R., 285, and their judgment could not be impeached except by fraud. (*Elliot vs. Chicago*, 48 Ill. R., 293; *Chicago vs. Burtice*, 24 Id., 489.)

(b) Such assessments are not like taxes, a charge upon property that reduces its value. (*The Trustees &c., vs. Chicago*, 12 Ill. R., 403; *Peoria vs. Kidder*, 26 Id., 357.)

(c) In all special assessments, there should be assessed on each lot or tract the benefit it will derive from the improvement charging such benefit: and the residue of the cost should be paid by equal and uniform taxation. (*Chicago vs. Larned*, 34 Ill. R., 203; *Ottawa vs. Spencer*, 40 Id., 211; *Chicago vs. Baer*, 41 Id., 306; *Bedard vs. Hall*, 44 Id., 91; *Holbrook vs. Dickinson*, 46 Id., 285.) And such special assessment is void, where the whole cost of the improvement is put upon property in proportion to the benefits exceeding the actual benefits conferred. (*St. John vs. East St. Louis*, 50 Ill. R., 90.) It is the same where contiguous property is taxed for improvements under Sec- 17, *ante*.

(d) Church property exempt from general taxation is liable to special assessments. (*Ottawa vs. Trustees, &c.*, 22 Ill. R., 624.) So is property owned by a city. (*Higgins vs. Chicago*, 18 Ill. R., 281; *Scammon vs. Chicago*, 12 Ill. R., 193.) Or by a street railroad. (*Chicago vs. Baer*, 41 Ill. R., 306.)

(e) Assessments must be for improvements to be made, and not for those already completed. (*Dorathy vs. Chicago*, 53 Ill. R., 79; *Butsie Howell vs. Buffalo*, 37 N. Y., R., 267.)

(f) An assessment collected, may be recovered back where the improvement has been abandoned. (*Bradford vs. Chicago*,

25 Ill. R., 411; *Cook Co. vs. C. B. & Q. R. R. Co.*, 35 Ill. R., 466.)

(g) A great number of recent decisions, not yet reported, on sundry points in relation to special assessments, should be consulted.

(SEC. 25. Repealed by act approved April 25, 1873.)

SEC. 26. They shall also make or cause to be made an assessment roll, in which shall appear the names of the owners, so far as known, a description of each lot, block, tract or parcel of land, and the amount assessed as special benefits thereto; and in which they shall set down as against the city or village the amount they shall have found as public benefit, and certify such assessment roll, to the court by which they were appointed, at least ten days before the first day of the term at which a final hearing thereon shall be had.

SEC. 27. It shall also be the duty of such commissioners to give notice of such assessment, and of the term of court at which a final hearing thereon will be had, in the following manner :

First.—They shall send by mail to each owner of premises assessed, whose name and place of residence is known to them, a notice substantially in the following form :

“ Mr. ——— :

“ Your (here give a short description of the premises) is assessed \$—— for public improvement. The assessment roll will be returned to the —— of the County Court of —— County.

(Here give date.)

——— }
 ——— } *Commissioners.*”
 ——— }

Second.—They shall cause at least ten days' notice to be given by posting notices in at least four public places in such city or village, two of which shall be in the neighborhood of such proposed improvement, and when a daily newspaper is published in such city or village, by publishing the same at least five successive days in such daily newspaper published; or if no daily newspaper is published in such city or village, and

a weekly newspaper is published therein, then at least once in each week for two successive weeks in such weekly newspaper; or if no daily or weekly newspaper is published in such city or village, then in a newspaper published in the county in which such city or village is situated. The notice may be substantially as follows :

“*Special Assessment Notice.*—Notice is hereby given to all persons interested, that the city council (or board of trustees, as the case may be), of —, having ordered that (here insert the description and nature of improvements substantially as in ordinance) have applied to the County Court of — County for an assessment of the costs of said improvements according to benefits, and an assessment thereof having been made and returned to said court, the final hearing thereon will be had at the — term of said court, commencing on the — day of —, A. D. 18—. All persons desiring may then and there appear and make their defense.

(Here give date.)

 _____ } *Commissioners.*

(As amended by act in force July 1, 1873. See *Ottawa vs. Macy*, 20 Ill. R., 413.)

SEC. 28. On or before the final hearing, the affidavit of one or more of the commissioners shall be filed in said court, stating that they have sent or caused to be sent by mail to the owners whose premises have been assessed, and whose names and places of residence are known to them, the notice hereinbefore required to be sent by mail to owners of premises assessed. They shall also cause to be filed the affidavit of the person who shall have posted the notices required by this act to be posted, setting forth when and in what manner the same were posted. Such affidavits shall be received as *prima facie* evidence of a compliance with this act in regard to giving such notices. They shall also file a certificate of publication of said notice in like manner as is required in other cases of publication of notices. (As amended by act in force July 1, 1873.)

SEC. 29. If ten days shall not have elapsed between the first publication, or the putting up of such notices, and the first

day of the next term of such court, the hearing shall be continued until the next term of court.

SEC. 30. Any person interested in any real estate to be affected by such assessment, may appear and file objections to such report, and the court may make such order in regard to the time of filing such objections as may be made in cases at law in regard to the time of filing pleas. As to all lots, blocks, tracts and parcels of land, to the assessment of which objections are not filed within the time ordered by the court, default may be entered and the assessment confirmed by the court.

(a) The court may take time to consider and decide upon the objections. (*Ottawa vs. Fisher*, 20 Ill. R., 422.)

(b) A party after notice, who fails to appear, waives all objections. (*Ottawa vs. C. & R. I. R. R. Co.*, 25 Ill. R., 43; *Jenks vs. Chicago*, 48 Id., 296.)

(c) A special assessment cannot extend beyond the property described in the notice. (*Owen vs. Chicago*, 53 Ill. R., 95.)

(d) The assessment must conform to the law; it is the foundation of the proceedings. (*Chicago vs. Wright*, 32 Ill. R., 192.)

SEC. 31. On the hearing, the report of the commissioners shall be competent evidence, and either party may introduce such other evidence as may tend to establish the right of the matter. The hearing shall be conducted as in other cases at law, and if it shall appear that the premises of the objector are assessed more or less than they will be benefited, or more or less than their proportionate share of the cost of the improvement, the jury shall so find, and also find the amount for which such premises ought to be assessed, and judgment shall be rendered accordingly.

SEC. 32. The hearing in all cases arising under this act shall have precedence over all other cases in such court, except criminal cases.

SEC. 33. The court before which any such proceeding may be pending, shall have authority, at any time before final adjournment, [judgment,] to modify, alter, change, annul or confirm any assessment returned as aforesaid, or cause any such assessment to be recast by the same commissioners whenever it shall be necessary for the attainment of justice, or may appoint other commissioners in the place of all or any of the commissioners first appointed, for the purpose of making such assessment, modifying, altering, changing or recasting the same, and may take all such proceedings and make all such orders as may be necessary to make a true and just assessment of the cost of such improvement according to the principles of this act, and may from time to time, as may be necessary, continue the application for that purpose as to the whole or any part of the premises.

SEC. 34. The judgment of the court shall have the effect of a several judgment as to each tract or parcel of land assessed, and any appeal from such judgment or writ of error shall not invalidate or delay the judgment except as to the property concerning which the appeal or writ of error is taken. Such judgment shall be a lien upon the property assessed, from the date thereof until payment shall be made.

SEC. 35. The clerk of the court in which such judgment is rendered shall certify the assessment roll and judgment to the clerk of such city or village, or if there has been an appeal or writ of error taken on any part of such judgment, then he shall certify such part of the judgment as is not included in such appeal or writ of error. The clerk of the city or village shall file such certificate in his office, and issue a warrant for the collection of such assessment.

SEC. 36. The warrant in all cases of assessment under this act shall contain a copy of such certificate of the judgment, describing the lots, blocks, tracts and parcels of land assessed, and the respective amounts assessed on each lot, block, tract or parcel of land, and shall be delivered to the officer authorized

to collect such special assessments. Such warrant shall give sufficient authority to collect the assessments therein specified.

SEC. 37. The collector receiving such warrant shall immediately give notice thereof by publishing such notice in one or more newspapers in such city or village, if such newspaper is there; and if there is no such newspaper, then by posting four copies thereof in public places along the line of the proposed improvement. Such notice may be substantially in the following form:

“SPECIAL ASSESSMENT NOTICE. SPECIAL WARRANT NO. —.

“Public notice is hereby given that the (here insert the title of court) has rendered judgment for a special assessment upon property benefited by the following improvement (here insert the character and location of the improvement in general terms), as will more fully appear from the certified copy of the judgment on file in the office of the clerk of the city (or village) of ———, that a warrant for the collection of such assessments is in the hands of the undersigned. All persons interested are hereby notified to call and pay the amounts assessed at the collector’s office (here insert location of office), within thirty days from the date hereof.

“Dated this ——— day of ———, A. D. 18—.

—————, *Collector.*”

SEC. 38. It shall be the duty of the collector into whose hands the warrant shall so come, as far as practicable, to call upon all persons resident within the corporation whose names appear on the assesment roll, or the occupants of the property assessed, and personally, or by written or printed notice left at his or her usual place of abode, inform them of such assessment, and request payment of the same. Any such collector omitting so to do shall be liable to a penalty of ten dollars for every such omission, but the validity of the special assessment, or the right to apply for and obtain judgment for any such special [assessment] shall not be affected by such omission. It shall be the duty of such collector to write the word “paid” opposite each tract or lot on which the assessment is paid, together with the name and post office address of the person making the payment, and date of payment.

SEC. 39. It shall be the duty of the collector of special assessments, within such times as the city council or board of trustees may, by ordinance, provide, to make a report in writing — to the general officer of the county authorized, or to be designated by the general revenue law of this State, to apply for judgment and sell lands for taxes due the county and State — 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 thereon, together with his warrant, or with a brief description of the nature of the warrant or warrants received by him authorizing the collection thereof; which report shall be accompanied with the oath of the collector that the list is a correct return and report of the lands, town lots and real property on which the special assessments levied by authority of the city of ———, (or village of ———, as the case may be), remain due and unpaid; that he is unable to collect the same or any part thereof, and that he has given the notice required by law that said warrants had been received by him for collection. Said report, when so made, shall be *prima facie* evidence that all the forms and requirements of the law in relation to making said return have been complied with, and that the special assessments mentioned in said report are due and unpaid. And upon the application for judgment upon such assessment, no defense or objection shall be made or heard which might have been interposed in the proceeding for the making of such assessment, or the application for the confirmation thereof. (See *Ottawa vs. Macy*, 20 Ill. R., 413.)

SEC. 40. When said general officer shall receive the report provided for in the preceding section, he shall at once proceed to obtain judgment against said lots, parcels of land and property for said special assessments remaining due and unpaid, in the same manner as is or may be by law provided for obtaining judgment against lands for taxes due and unpaid the county and State; and shall in the same manner proceed to sell the same for the said special assessments remaining due and un-

KFX
1601
L335A3
1879
RARE
BK RM

