

Part I
CITY CHARTER

All ACT to amend an Act entitled "An Act to incorporate the City of Lake Forest," approved February 21, 1861.

ARTICLE I
Boundaries, General Powers And Formation Of Wards

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, that the inhabitants in the City of Lake Forest, in the County of Lake, and state of Illinois, be and they are hereby constituted a body politic and corporate, by the name and style of "The City of Lake Forest"; and by that name shall have perpetual succession and may have and use a common seal, which they may change and alter at pleasure.

SECTION 2. The boundaries of said city shall include within their limits all of the original plat of Lake Forest, as platted and recorded by the Lake Forest Association; the western addition to Lake Forest; all the west half of the north-west quarter of section thirty-three (33), township forty-four (44) north, of range twelve (12) east; also all of said section thirty-three (33), and all of the north-east quarter of section four (4), township forty-three (43), range aforesaid, that lies east of the eastern line or boundary of the public road or highway known as the Chicago and Green Bay road, or Chicago and Lake Shore road, so called; but no tract or lot thus included, and not embraced in either of the aforesaid plats', and exceeding thi ' rty (30) acres in area, shall be taxed for general city purposes, but the same shall bear a proportionate share of taxes for school purposes, and shall, also, be liable for special assessments for improvements of streets and highways adjacent thereto.

SECTION 3. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to implead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, preserve and hold property, both real and personal, within or beyond the city, for burial grounds, or for other public purposes, for the uses of the inhabitants of said city; to sell lease and convey or dispose of property, real and personal, for the benefit of the city, and to improve and protect such property and to do all other things thereto as natural persons.

SECTION 4. The City of Lake Forest shall be divided into three (3) wards, the boundaries of which shall be fixed by the city council and shall be, by the city council, changed from time to time, as they shall see fit, having regard to the number of inhabitants. The city council may create additional wards, as occasion may require, and fix the boundaries thereof.

ARTICLE II
Officers--Their Election And Appointment

SECTION 1. The municipal government of the city shall consist of a city council, to be composed of the mayor and two aldermen from each ward. The other officers of the corporation shall be as follows: a city surveyor and engineer , a city clerk and city attorney, who shall be elected by the city council; a city treasurer, a city assessor, a city marshal and collector, and a city supervisor, who shall be elected by the qualified voters of said city, who, in addition to the duties as may be prescribed by this act, shall perform such other duties as may be prescribed by ordinance. There shall, also, be such other offices, servants and agents of the corporation as may be provided by ordinance, to be appointed by the city council, and to perform such duties as may be prescribed by ordinance. All officers shall qualify for their respective offices in manner provided by law.

SECTION 2. The several wards of the city shall be represented in the city council by two aldermen from each ward who shall be bona fide residents thereof, and hold their offices for two years from and after their election, and until the election and qualification of their successors.

SECTION 3. A majority of the city council shall constitute a quorum to do business but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance.

SECTION 4. All officers elected or appointed under this act, except aldermen shall hold their offices for one year and until the election or appointment and qualification of their successors,

respectively. All other officers mentioned in this act, and not otherwise officially provided for, shall be appointed by the city council, by ballot, on the second Monday of April, in each year, or as soon thereafter as may be; but the city council may specially authorize the appointment of watchmen and policemen by the mayor, to continue in office during the pleasure of the city council: Provided, the mayor or marshal may be authorized to remove them from office for good cause. All officers elected or appointed to fill vacancies shall hold for the unexpired term, only, and until the election or appointment and qualification of their successors

SECTION 5. No person shall be eligible to the office of mayor who shall not, after the first election held under this charter, have been a resident of the city for one year next preceding his election, or who shall be under twenty-one (21) years of age, or who shall not at the time of his election be a citizen of the United States, and shall be a freeholder of property located within the bounds of said city.

SECTION 6. No person shall be an alderman unless he shall be, at the time of his election twenty-one (21) years of age, a citizen of the United States, a resident of the ward for which he is elected, and shall be a freeholder of property located within the bounds of said city, and, after the first election under this charter, shall have resided one year within the limits of said city.

SECTION 7. If, from any causes there shall not be a quorum of aldermen, the clerk shall appoint the time and place of holding a special election to supply such vacancies, and appoint judges thereof, if necessary. If any alderman shall remove from the ward represented by him, his office shall thereby become vacant. If, from any cause, the officers herein named shall not be appointed on the second Monday of April, in each year, the city council may adjourn from time to time until such appointments are made. If there should be a failure by the people to elect any officers herein required to be elected, the city council may forthwith order a new election.

SECTION 8. Any officer elected or appointed to any office, may be removed from such office, by a vote of three-fourths (3/4) of the aldermen authorized by law to be elected; but no officer shall be removed except for good cause, nor unless first furnished with the charges against him, and heard in his defense. And the city council shall have power to compel the attendance of witnesses and the production of papers, when necessary for the purpose of such trial; and shall proceed within ten (10) days, to hear and determine upon the merits of such case; and if such officer shall neglect to appear and answer such charge, then the city council may declare such office vacated: Provided, this section shall not be deemed to apply to any officer appointed by the city council, such officer may be removed at any time by a vote of three-fourths (3/4) as aforesaid, in their discretion; but any officer may be suspended until the disposition of the charges when preferred.

SECTION 9. Whenever any vacancy shall occur in the office of mayor or alderman, such vacancy shall be filled by a new election; and the city council shall order such special election within ten (10) days after the happening of such vacancy, Any vacancy occurring in any other office may be filled by appointment of the city council; but no special election shall be held to fill vacancies if more than nine (9) months of the time has expired.

SECTION 10. All citizens of the United States, resident in said city, and qualified to vote at any election held under this act, shall be qualified to hold any office created by this act, except as herein otherwise provided; but no person shall be eligible to any office under this or any other act in relation to said city, who is now or may hereafter be a defaulter to said city, or the state of Illinois; and any person shall be considered a defaulter who has refused or neglected, or may hereafter refuse or neglect, for thirty days after demand made, to account for and pay over to the party authorized to receive the same, any public money which may have come into his possession. And if any person holding any such office or place within the city shall become a defaulter while in office, the office or place may thereupon be declared vacant by the city council.

SECTION 11. When two or more candidates for any elective office shall have an equal number of votes for such office, the election shall be determined by the casting of lots, in the presence of the city council.

ARTICLE III
Elections

SECTION 1. A general election of all the officers of the corporation, required to be elected by this act, or any ordinance of the city, shall be held in the city on the second Tuesday of April, in each year, at such place as the city council may appoint, and of which six days, public notice shall previously be given, by written or printed notices, in three (3) public places in the city, or by publication in the newspaper publishing the ordinances of the city, by the city clerk.

SECTION 2. The manner of conducting and voting at the elections held under this act, and contesting the same, the keeping the poll lists, canvassing of the votes, and certifying the returns, shall be the same, as nearly as may be, as is now or may be hereafter provided by law at general state elections: Provided, the city council shall have power to regulate elections and the appointment of judges thereof. The voting shall be by ballot, and the judges of election shall take the same oath and shall have the same powers and authority as the judges of general elections. After the closing of the polls, the ballots shall be counted in the manner provided by law, and the returns shall be returned, sealed, to the city clerk, within three (3) days after the election; and thereupon the city council shall meet and canvass the same, and declare the result of the election. The person having the highest number of votes for any office shall be declared elected. It shall be the duty of the city clerk to notify all persons elected or appointed to office of their election or appointment; and unless such persons shall qualify within twenty (20) days thereafter, the office shall become vacant,

SECTION 3. No person shall be entitled to vote at any city or ward election who is not entitled to vote at state elections and has not been a resident of said city at least two (2) months next preceding said election. He shall have been, moreover, an actual resident of the ward in which he proposes to vote for ten (10) days previous to such election, and, if required by any judge or qualified voter, shall take the following oath, before he is permitted to vote: "I swear (or affirm) that I am of the age of twenty-one (21) years, that I am a citizen of the United States (or was a resident of this state at the time of the adoption of the constitution), and have been a resident of this state one year and a resident of this city two (2) months immediately preceding this election, and am now and have been for the last ten (10) days past a resident of this ward, and have not voted at this election," provided, that the voter shall be deemed a resident of the ward in which he is accustomed to lodge.

SECTION 4. The persons entitled to vote at any election held under this act, shall not be arrested on civil process within said city, upon the day on which said election is held; and all persons illegally voting at any election held under this act, or the ordinances of the city in pursuance thereof, shall be punishable according to the laws of the state.

ARTICLE IV

SECTION 1. Every person chosen or appointed to an executive, judicial or administrative office under this act shall, before he enters upon the duties of his office, take and subscribe the oath of office prescribed in the constitution of this state, and file the same, duly certified by the officer before whom it was taken, with the city clerk.

SECTION 2. The mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm "that he will devote so much of his time to the duties of his office, as an efficient and faithful discharge thereof may require." He shall preside over the meetings of the city council, and shall take care that the laws of this state and the ordinances of this city are duly enforced, respected and observed within the city, and that all other officers of the city discharge their respective duties. He shall cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, give the city council such information, and recommend such measures as he may deem advantageous to the city.

SECTION 3. He is hereby authorized to call upon any and all white male inhabitants of the city or county, over the age of eighteen (18) years, to aid in the enforcing the laws of the state or the ordinances of the city; and, in case of a riot, to call out the militia, or any available force, to aid in suppressing the same; and any person who shall not obey such calls shall forfeit to the city a fine of not less than five (5) dollars.

SECTION 4. He shall have power, whenever he may deem it necessary, to require of any of the officers of the city an exhibit of his books and papers; and he shall have power to execute all acts that may be required of him by this act, or any ordinance made in pursuance thereof.

SECTION 5. He shall be liable to indictment in the Circuit Court of Lake County for palpable omission of duty, willful oppression, misconduct or partiality in the discharge of the duties of his office, and, upon conviction, shall be subject to a fine not exceeding one hundred (100) dollars; and the court shall have power, upon recommendation of the jury, to add, as a part of the judgment, that he be removed from office.

SECTION 6. He shall receive such salary as may be fixed by ordinance.

SECTION 7. All ordinances and resolutions shall, before they take effect, be placed in the Office of the city clerk; and if the mayor approve thereof, he shall sign the same; and such as he shall not approve, he shall return to the city council, with his objections thereto. Upon the return of any ordinance or resolution by the mayor, the vote by which the same was passed shall be reconsidered; and if, after such reconsideration, a majority of the members elected to the city council shall agree (by the ayes and noes, which shall be entered upon the journals), to pass the same, it shall go into effect; and if the mayor shall neglect to approve or object to any such proceedings for a longer period than three (3) days after the same shall be placed in the clerk's office, as aforesaid, the same shall go into effect. He shall, ex-officio, have power to administer any oath required to be taken by this or any law of the state, to take depositions, the acknowledgment of deeds, mortgages and all other instruments of writing, and certify the same, under the seal of the city, which shall be good and valid in law.

SECTION 8. In case of vacancy in the office of mayor, or of his being unable to perform the duties of his office, by reason of temporary or continued absence or sickness, the city council shall appoint one of its members, by ballot, to preside over its meetings, whose official designation shall be "Acting Mayor," and the alderman so appointed shall be vested with all the powers and perform all the duties of mayor, until he shall resume his office, or the vacancy shall be filled by a new election.

SECTION 9. The members of the city council shall be, ex-officio, fire wardens and conservators of the peace within the city, and shall be exempt from jury duty and street labor, or the payment of street taxes, during their term of office.

SECTION 10. The clerk shall keep the corporate seal, and all papers and books belonging to the city. He shall attend all meetings of the city council, and keep a full record of their proceedings on the journals; and copies of all papers, duly filed in his office, and transcripts of the journals of the proceedings of the city council, certified by him, under the corporate seal shall be evidence in all courts, in like manner as if the originals were produced. He shall likewise draw all warrants on the treasury, and countersign the same, and keep an accurate account thereof in a book provided for that purpose, He shall also keep an accurate account of all receipts and expenditures, in such manner as the city council shall direct.

SECTION 11. It shall be the duty of the city attorney to perform all professional services incident to his office, and, when required, to furnish written opinions upon questions and subjects submitted to him by the mayor, or city council or its committee.

SECTION 12. The city treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures, in such manner as the city council shall direct. All moneys shall be drawn from the treasury, in pursuance of an order of the city council, by a treasury warrant, signed by the mayor or the presiding officer of the city council, and countersigned by the city clerk. Such warrant shall specify for what purpose and from, what fund the amount therein named is to be paid. The treasurer shall exhibit to the city council, at least twenty (20) days before the annual election of each year, and oftener if required, a full and detailed account of all receipts and expenditures since the date of the last annual report, and also the state of the treasury; which account shall be filed in the office of the clerk.

SECTION 13. Before entering upon the duties of his office, the city treasurer shall give a bond, in a sum at least twice as large as the probable amount of moneys to be received or held by said treasurer. The amount of the same to be fixed by the city council, with two (2) sureties to be approved by the city council.

SECTION 14. The city marshal shall perform such duties as shall be prescribed by the city council for the preservation of the public peace, the collection of license moneys, fines or otherwise. He shall possess the powers and authority of a constable of Lake County, at common law and under the statutes of this state, and receive like fees, but shall not serve civil process without first entering into bond as such constable to be approved by the County Court of Lake County, as in other cases. He shall execute and return all process, issued by any proper officer, under this act, or any ordinance in pursuance thereof. He shall be, ex-officio, city collector.

SECTION 15. The city engineer or surveyor shall have the sole power, under the direction and control of the city council, to survey within the city limits, and he shall be governed by such rules and ordinances, and receive such fees and emoluments for his services, as the city council shall direct and prescribe. He shall possess the same power, in making plats and surveys within the city, as is given by law to county surveyors, and the like effect and validity shall be given to his acts and to all plats and surveys made by him as are or may be given by law to the acts, plats and surveys of the county surveyor. He shall, when required, superintend the construction of all public works ordered by the city, make out the plans and estimates thereof, and contract for the erection of the same. He shall perform all surveying and engineering ordered by the city council, and shall, under their direction, establish the grades and boundaries of streets and alleys; but such plans, estimates and contracts, grades and boundaries, shall be first reported to the city council, and approved by them, or they shall not be valid.

SECTION 16. The assessor shall perform all duties in relation to the assessing of property, for the purpose of levying the taxes imposed by the city council. In the performance of his duties, he shall have the same powers as are or may be given by law to county or town assessors, and be subject to the same liabilities. On completing the assessment rolls for city purposes, and having revised and corrected the same, he shall sign and return them to the city council. The city collector shall collect all taxes and assessments which may be levied by the city council, and perform such other duties as may be herein prescribed, or ordained by the city council.

SECTION 17. The supervisor shall superintend all public works and local improvements in the city; and carry into effect all orders of the city council in relation thereto. It shall also be his duty to superintend and supervise the opening of streets and alleys, and the grading, improving and repairing thereof, and the construction and repairing of bridges, culverts and sewers; to order the laying, relaying and repairing of sidewalks; to give notice to persons owning property, adjoining such sidewalks when required; and upon the failure of any person to comply with such notice, to cause the same to be laid, relaid or repaired, and apportion the costs thereof among the persons or lots properly chargeable therewith, and deliver the account thereof to the city clerk, to be laid before the city council; to make plans and estimates of any work ordered in relation to streets and alleys, bridges, culverts and sewers; to keep full and accurate accounts, in appropriate books, of all appropriations made for work pertaining to his office, and of all disbursements thereof, specifying to whom made and on what account; and he shall render monthly accounts thereof to the city council. It shall be lawful for the supervisor to appoint and have an assistant or deputy in each ward of the city, to be approved by the city council, who shall, under the control and direction of the supervisor, exercise the powers and duties of the supervisor within such ward, respectively; and the official acts of all such deputies shall have the same force and authority as those of the supervisor; but the supervisor shall in all cases be responsible for the acts of such deputies.

SECTION 18. The city council shall have power, from time to time, to require further and other duties of all officers elected or appointed to any office under this act, whose duties are or are not herein specifically mentioned, and fix their compensation. They may also require all officers, severally, before they enter upon the duties of their respective offices, to execute a bond to the City of Lake Forest, in such sums and with such securities as they may approve, conditioned that they shall faithfully execute the duties of their respective offices, and account for and pay over and deliver all moneys and other property received by them; which bond, with the approval of the city council certified thereon by the city clerk, shall be filed in his office.

SECTION 19. If any person having been an officer of said city, shall not, within ten (10) days after notification and request, deliver to his successor in office all the property, books, papers and effects, of every description, in his possession, belonging to said city or appertaining to his said office, he shall forfeit and pay, for the use of the city, fifty (50) dollars, besides all damages caused by his refusal or neglect so to deliver; and such successor may recover possession of the books, papers and effects belonging to his office, in the manner prescribed by the laws of the state.

SECTION 20. All officers except the mayor, elected or appointed under this act, shall be commissioned by warrant, under the corporate seal, signed by the mayor or presiding officer of the city council, and clerk.

ARTICLE V
Mayor's Court

Repealed by act of the legislature approved March 11, 1869.

ARTICLE V.
Powers Of The City Council And Duties.

SECTION 1. The mayor and aldermen shall constitute the city council of the city. The city council shall meet at such time and place as they shall, by resolution, direct. The mayor, when present, shall preside at all meetings of the city council, and shall have only a casting vote. In his absence, any one of the aldermen may be appointed to preside.

SECTION 2. No member of the city council shall be appointed to or be competent to hold any office of which the emoluments are paid from the city treasury or paid by fees directed to be paid by any act or ordinance of the city council, or be directly or indirectly interested in any contract, the expense or consideration whereof, is to be paid under any ordinance of the city council, or be allowed to vote in any matter in which he is directly interested, personally or pecuniarily.

SECTION 3. The city council shall hold twelve (12) stated meetings, one in each month, during the year; and the mayor or any two (2) aldermen may call special meetings, by-notice to each of the members of the city council, served personally or left at their usual place of abode. The said city of Lake Forest shall not at any time issue city bonds for a greater amount than five thousand (5,000) dollars, or for any sum, if the indebtedness of said city amounts to five thousand dollars, without submitting the question of issuing such bonds to a vote of the legal voters of said city; which vote or election shall be held as elections are now held under this charter for the election of such officers of the corporation as by this act are required to be elected by a vote of the people. If there is a majority in favor of issuing bonds, then it shall be lawful for the corporation, acting through the proper officer, to issue bonds. Petitions and remonstrances may be presented to the city council, and they shall determine the rule of their own proceedings, and be the judges of the election and qualification of their own members, and shall have power to compel the attendance of absent members.

SECTION 4. The city council shall have control of the finances and of all the property, real, personal and mixed, belonging to the corporation, and shall, likewise, have power, within the jurisdiction of the city, by ordinance--

First--To borrow money on the credit of the city, and issue the bonds of the city therefor; but no sum of money shall be borrowed at a higher rate of interest than the rate allowed by law; nor shall a greater sum or sums be borrowed, or at any time outstanding* the interest upon the aggregate of which shall exceed the one-half of the city revenue arising from the ordinary taxes within the city for the year immediately preceding; and no bonds shall be issued or negotiated at more than ten (10) per cent below par value; and, when so issued and negotiated, the interest on the same shall not exceed eight per cent per annum.

Second--To appropriate money and provide for the payment of the debts and expenses of the city. To provide for the payment of all proper expenses incurred by officers of the city in discharge of any duties imposed upon them by their respective offices; and in all cases when offenders against the law are apprehended, by the officers of said city or by other person by said officers employed, it shall be the duty of the city council to provide for the payment of the reasonable expenses incurred in said service, including the compensation of the persons so employed.

Third--To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and to enforce them within the city.

Fourth--To make regulations to secure the general health and comfort of the inhabitants; to prevent, abate and remove nuisances, and punish the authors thereof by penalties, fines and imprisonment; to define and declare what shall be deemed nuisances, and authorize and direct the summary abatement thereof; to

prevent indecencies within the corporation, and on Lake Michigan within one mile of the shore thereof and to license and authorize the erection of piers or wharves extending into said lake.

Fifth--To provide the city with water; to maker regulate and establish public wells, pumps and cisterns, hydrants and reservoirs, in the streets, within the city, or beyond the limits thereof, for the extinguishment of fires and the convenience of the inhabitants, and to prevent the unnecessary waste of water.

Sixth--To have the exclusive jurisdiction,, control and power over the streets, alleys and highways of the city, and to abate and remove any encroachments or obstructions thereon; to open, alter, abolish, widen, extend, straighten, establish, regulate grade, clean or otherwise improve the same; to put drains and sewers therein, and prevent the encumbering thereof,, in any manner, and protect the same from any encroachment or injury.

Seventh--To establish, erect, construct, regulate and keep in repair bridges, culverts and sewers, sidewalks and crossings, and regulate the construction and use of the same, and abate any obstruction's or encroachments thereof; to establish, alter, change and straighten the channels of the water courses and natural drains in the streets and avenues of the city, and to sewer the same or to wall them up and cover them over.

Eighth--To provide for lighting the streets and erecting lamp posts and lamps therein, and regulate the lighting thereof, and, from time to time, create, alter or extend lamp districts; to exclusively regulate, direct and control the laying and repairing the gas pipes and gas fixtures in the streets, alleys and sidewalks.

Ninth--To establish markets and public buildings of the city, and provide for the government and regulation thereof, and their erection and location.

Tenth--To provide for the enclosing, regulating and improving all public grounds and cemeteries belonging to the city; and to direct and regulate the planting of and preserving of ornamental and shade trees, in the streets or Public grounds, and the preservation of the same from injury an private grounds or property.

Eleventh--To erect and establish one or more hospitals and dispensaries, and control and regulate the same; to purchase and procure, for the use of the city, fire engines, and to organize and equip a fire department, and to make such rules, regulations and provisions concerning the sane and for the prevention of fires, generally, within said city, as said city council may deem proper; and nay require of the inhabitants of said city, in and about their dwellings and on their lands, such precautions as will tend to avert loss or injury by fire.

Twelfth--To prevent the encumbering of the streets, alleys, sidewalks or public grounds, with carriages, wagons, carts, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, or any other substance or material whatever; to compel all persons to keep the snow, ice, dirt and other rubbish from the sidewalks and street gutters in front of premises occupied by them.

Thirteenth--To license, tax and regulate merchants, commission merchants, inn-keepers, brokers, money-brokers, insurance brokers and auctioneers, and to impose duties on the sale of goods at auction; to license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, grocery keepers, and keepers of ordinaries, theatrical or other exhibitions, shows and amusements.

Fourteenth--To licenses tax, regulate and suppress hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations with or without vehicles, and prescribe their compensation; and to regulate and restrain runners for stages, cars and public houses.

Fifteenth--To license, tax, regulate, prohibit and suppress billiard tables, pin alleys; to suppress and restrain disorderly houses, tipping shops and saloons, bawdy houses, gaming and gambling houses, lotteries and all fraudulent devices and practices, and all playing of cards, dice and other games of chance, with or without betting, and to authorize the destruction of all instruments and devices used for the purpose of gaming.

Sixteenth--To authorize the proper officer of the city to grant and issue licenses for all proper purposes, and to direct the manner of issuing and registering thereof, and the fees and charges to be paid therefor. No license shall be granted for more than one year; and not less than three (3) dollars nor more than five hundred (500) dollars shall be charged for any license under this act, and the fees for issuing the same shall not exceed one dollar.

Seventeenth--To license, restrain regulate and prohibit the selling or giving away of any intoxicating or malt liquors, by any person, within the city; to forbid and punish the selling or giving away of any intoxicating or malt liquors to any child, minor, apprentice, servant or Indian.

Eighteenth--To prevent, restrain and punish forestalling and regrating; to regulate the inspecting and vending of fresh meats, poultry and vegetables, of butter, lard and other provisions, and the place and manner of selling fish and inspecting the same.

Nineteenth--To regulate, license and prohibit butchers, and to revoke their licenses for misconduct in the course of trade.

Twentieth--To regulate the Keeping and conveying of gunpowder and other combustible and dangerous materials, and the use of candles and lights in barns, stables and outhouses.

Twenty-first--To establish standard weights and measures, and regulate the weights and measures to be used within the city, in all cases not otherwise provided by law; to require all traders and dealers in merchandise or property, of any description, which is sold by measure or weight, to cause their measures and weights to be tested and sealed by the city sealer, and to be subject to his inspection. The standard of such weights and measures shall be conformable to those established by law of this state.

Twenty-second--To regulate and provide for the inspecting and measuring of lumber, shingles, timber, posts, staves, heading and all kinds of building materials, and for the measuring of all kinds of mechanical work, and to appoint one or more inspectors or measurers.

Twenty-third--To provide for the inspection and weighing of hay, lime and stone-coal, and the place and manner of selling the same; to regulate the measurement of firewood, charcoal and other fuel, to be sold or used within the city, and the place and manner of selling the same.

Twenty-fourth--To regulate the inspection of beef, pork, flour, meal and other provisions, salt, whiskey and other liquors, to be sold in barrels, hogsheads and other vessels or packages; to appoint weighers, gaugers and inspectors, and prescribe their duties, and regulate their fees: Provided, that nothing herein contained shall be so construed as to require the inspection of any articles enumerated herein, which are to be shipped beyond the limits of the state, except at the request of the owner thereof or his agent.

Twenty-fifth--To regulate the weight and quality of bread, to be sold or used within the city.

Twenty-sixth--To regulate the size and quality of bricks to be sold or used within the city, and the inspection thereof.

Twenty-seventh--To prevent and suppress any riot, rout, affray, noise, disturbance or disorderly assembly, in any public or private place within the city.

Twenty-eighth--To create, establish and regulate the police of the city; to appoint watchmen and policemen, and Prescribe their duties and powers.

Twenty-ninth--To prohibit, prevent and suppress horse-racing, immoderate riding or driving in the streets, and to authorize persons immoderately riding or driving, as aforesaid, to be-stopped by any person; to prohibit and punish the abuse of animals; to compel persons to fasten their horses or other animals, attached to vehicles, or otherwise, while standing or remaining in the streets.

Thirtieth--To restrain and punish vagrants, mendicants, street beggars and prostitutes.

Thirty-first--To regulate restrain or prohibit the running at large of horses, cattle, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same, for the costs of the proceedings, and the penalty incurred, and to impose penalties on the owners thereof,

Thirty-second--To prohibit and restrain the rolling of hoops, flying of kites, or any other amusements or practices tending to annoy persons passing on the streets or sidewalks, or to frighten horses or teams; to restrain and prohibit the ringing of bells, blowing of horns or bugles, crying of goods, and all other noises, performances and practices tending to the collecting of persons on the streets and sidewalks, by auctioneers and others, for the purpose of business, amusement or otherwise.

Thirty-third--To do all acts and make all regulations which may be necessary or expedient for the promotion of health and suppression of disease.

Thirty-fourth--To compel the owner or occupant of any grocery, cellar, soap or tallow chandler, or blacksmith shop, tannery, stable, privy, sewer or other unwholesome or nauseous house or place, to cleanse, remove or abate the same, as may be necessary for the health, comfort and convenience of the inhabitants.

Thirty-fifth--To direct the location and regulate the management and construction of breweries, tanneries, blacksmith shops, foundries, livery stables and packing houses; to direct the location and regulate the management and construction of, and restrain, abate and prohibit, within the city and to the distance of one mile from the limits thereof, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal and such other substances as may be rendered, and all other establishments or places where any nauseous, offensive or unwholesome business may be carried on.

Thirty-sixth--To regulate the burial of the dead; to establish or regulate one or more cemeteries; to regulate the registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians and sextons and others for any default in the premises.

Thirty-seventh--To provide for the taking of an enumeration of the inhabitants of the city.

Thirty-eighth--To erect and establish a workhouse or house of correction make all necessary regulations therefor, and appoint all necessary keepers or assistants. In such workhouse, or house of correction, may be confined all vagrants, stragglers, idle and disorderly persons, who may be committed thereto by any proper officer; and all persons sentenced by any criminal court or magistrate in and for the city or for the County of Lake, for any assault and battery, petit larceny, or other misdemeanor punishable by imprisonment in any county jail, and any person who shall fail or neglect to pay any fine, penalty or costs imposed by any ordinance of the city for any misdemeanor, breach of any ordinance of the city, may instead of being committed to the county jail of Lake County, be kept therein, subject to labor and confinement.

Thirty-ninth--To authorize and direct the taking up and providing for the safe keeping and education, for such periods of time as may be deemed expedient, of all children who are destitute of proper parental care, wandering about the streets, committing mischief, and growing up in mendicancy, ignorance, idleness and vice.

Fortieth--To fill up, drain, cleanse, alter, relay, repair and regulate private drains, sinks and privies; direct and regulate their construction, and cause the expense thereof to be assessed and collected in the same manner as sidewalk assessments,

Forty-first--To have exclusive right and power to direct and control the laying and construction of horse railways, railroad tracks, switches bridges, turn-outs in the streets and alleys, and the location of depot grounds within the city; to require that railroad tracks, bridges, turn-outs, and switches shall be so constructed and laid as to interfere as little as possible with the ordinary travel and use of the streets and alleys, and that sufficient space shall be left on either side of said tracks, for the safe and convenient passage of teams and persons; to require railroad companies to keep in repair the streets through which their track may run, and to construct and keep in repair suitable crossings at the intersection of streets and alleys and ditches, sewers and culverts, when the city council shall deem necessary; to direct and prohibit the use and regulate the speed of locomotive engines within the inhabited parts of the city; to prohibit and restrain railroad companies from doing storage or warehouse business, or collecting pay for storage; and no railroad or horse railroad shall run or pass through any part of said city, without the consent of the city council of said city.

Forty-second--To provide for the erection of a pier or piers on the shore of Lake Michigan, and a break-water or other means of preventing the encroachments on said shore by the water of the lake; and shall have the further power to charter or incorporate a pier or dock company, granting to said company all proper franchise relating to the construction and use of a dock or docks upon said shore of said lake.

Forty-third--The city council shall have power to pass, publish, amend and repeal all ordinances, rules and police regulations, not contrary to the constitution of the United States or this states for the good government peace and order of the city and the trade and commerce thereof, that may be necessary or proper, to carry into effect the powers vested by this act in the corporation, the city government or any department or officer thereof; to enforce the observance of all such rules, ordinances and police regulations, and to punish violations thereof by fines, penalties, and imprisonment in the county jail, city prison or workhouse, or both, in the discretion of the court or magistrate before whom conviction may be had; but no fine or penalty shall exceed five hundred (500) dollars, nor the imprisonment six (6) months, for any offense, and such fine or penalty may be recovered with costs, in an action of debt, in the name or for the use of the city, before any court having jurisdiction and punishment inflicted; and any person upon whom any fine or penalty is imposed shall stand committed until the payment of the same and costs, and, in default thereof, may be imprisoned in the county jail, city prison or Workhouse or required to labor on the streets or other public works of the city, for such time and in such manner as may be provided by ordinance.

ARTICLE VII Of Taxation

SECTION 1. The city council shall have power within the city, by ordinance--

First--To levy and collect, annually, taxes on the assessed value of all real and personal estate and property within the city, and all personal property of the inhabitants thereof made taxable by the laws of the state for state purposes, to defray the general, special and contingent expenses of the city and all other appropriations not otherwise provided for.

Second--To require, and it is hereby made the duty, of every male resident of the city, over the age of twenty-one (21) years, to labor three days in each year upon the streets and alleys of the city; but any person may, at his option, pay, in lieu thereof, such sum as the city council shall designate as the price or value of such labor: Provided, the same shall be paid within ten (10) days after notification by the supervisor, and Provided, further, that ten (10) hours of labor shall be required to constitute a day's work under this section. In default of payment, as aforesaid, the sum aforesaid and twenty-five (25) per cent added thereto and costs may be collected; and no set-off shall be allowed in any suit brought to collect the same; Provided, that any person who shall make said city his place of abode for the space of sixty (60) days shall be deemed a resident of said city for the purposes of this section.

SECTION 2, All personal property of the inhabitants of said city, within said city, made taxable by the laws of the states and all other personal property therein, shall be assessed and taxable within said city; and said inhabitants shall, as in other cases required by law, render and state unto the city assessor a full and accurate statement, when called upon, of all moneys, rights, credits, bank stock, railroad and other stock, in any corporate company, wherever the same may bee and all personal property and effects of every name and nature, as aforesaid.

ARTICLE VIII Public Improvements And Assessments Therefor.

SECTION 1. The city council shall have power to open and lay out public grounds or squares, parks, streets, alleys, and highways, and to alter, widen, contract, straighten and discontinue the same; but no street, alley or highway, or any part thereof, shall be discontinued or contracted without the consent, in writing, of the owners of three-fourths of the land or lots adjoining said street, alley or highway. They shall cause all streets, alleys and highways, or public squares or parks or grounds, laid out by there, to be surveyed, described and recorded in a book to he kept by the clerk, showing, accurately and particularly, the proposed improvements and the real estate required to be taken; and the same, when opened and made, shall be public highways and grounds.

SECTION 2. Whenever any street, alley or highway, park or public ground, is proposed to be laid out, opened, altered, widened or -straightened, by virtue hereof, and the amount of compensation cannot be agreed upon, the city council shall give notice of their intention to appropriate and take the land necessary for the same, to the owner thereof, by publishing said notice for ten (10) days in the corporation newspaper, or by posting the same in the manner to be provided by ordinance; at the expiration of which time they shall choose, by ballot, three (3) disinterested freeholders, residing in the city, as commissioners to ascertain and assess the damages and recompense due the owners of said real estate respectively. A majority of all the aldermen authorized by law to be elected shall be necessary to a choice of such commissioners.

SECTION 3. The commissioners shall be sworn faithfully and impartially to execute their duties to the best of their abilities, before entering upon their duties. They shall have at least five (5) days' notice to all persons interested, of the time and place of their meeting, for the purpose of viewing the premises and making their assessments which notice shall be given personally, if the owners are residents and known, or by publication, if non-residents or unknown. They shall view the premises and in their discretion receive any legal evidence, and may, if necessary, adjourn from day to day,

SECTION 4. If there should be any building standing, in whole or in part, upon the land to be taken, the commissioners, before proceeding to make their assessments, shall first estimate and determine the whole value of such building to the owner, aside from the value of the lands and the actual injury to him, in having such building taken from him, and secondly, the value of such building to him to remove.

SECTION 5. At least five (5) days' notice shall be given to the owner, when known and a resident of the city, which may be given personally, or in writing, left at his usual place of abode. If a non-resident, or unknown, like notice to all persons interested shall be given by publication. Such notice shall specify the buildings and the award of the commissioners and shall be signed by them. It shall also require the persons interested to appear by a day to be named therein, or give notice of their election to the city council either to accept the award of the commissioners, and allow such building to be taken, with the land condemned or appropriated, or if their intention to receive such building at the value set thereon by the commissioners to remove. If the owner shall agree to remove such building, he shall have such reasonable time for that purpose as the city council may direct.

SECTION 6. If the owner refuses to take the building at its appraised value to remove, or fails to give notice of his intention as aforesaid, within the time prescribed, the city council shall have power to direct the sale of such building at public auction, for cash or on credit, giving five (5) days' public notice of the sale. The proceeds of the sale shall be paid to the owner, or deposited to his use.

SECTION 7. The commissioners shall thereupon proceed to make their assessment, and determine and appraise to the owner the value of the estate appropriated, and the injury arising from the condemnation thereof, which shall be awarded to such owner as damages. In the estimate of damages to the land, the commissioners shall include the value of the buildings, if the property of the owner of the land, as estimated by them, as aforesaid, less the proceeds of the sale thereof, or if taken by the owner, at the value to remove, in that case they shall only include the difference between such value and the whole estimated value of such building.

SECTION 8. If the lands and buildings belong to different persons, or if the land be subject to lease or mortgage, the injury done to such persons, respectively, may be awarded to them by the commissioners, less the benefits resulting to them respectively from the improvements.

SECTION 9. The clerk shall give ten (10) days' notice, by publication, that such assessment has been returned, and, on a day to be specified therein, will be confirmed by the city council, unless objections to the same are made by some persons interested. Objections shall be heard before the city council, and the hearing may be adjourned from day to day. The council shall have power, in their discretion, to confirm or annul the assessment, or refer the same back to the commissioners. If annulled, all the proceedings shall be void. If confirmed, an order of confirmation shall be entered. If referred back to the same or other commissioners, they shall proceed to make their assessments and return the same, in like manner, and give like notice, as herein required in relation to the first; and all persons in interest shall have the like notice and rights, and the city council shall perform like duties and have like powers, in relation to any subsequent determination, as are herein given in relation to the first.

SECTION 10. The city council shall have power to remove commissioners, and from time to time appoint others in place of such as may be removed, or refuse, neglect, or are unable from any cause to serve.

SECTION 11. The land required to be taken for the making, opening, widening, straightening or altering any street, alley or other highway, or public ground or square, shall not be appropriated until the damages awarded therefor to any owner thereof, under this act, shall be paid or tendered to such owner or his agent, or in case such owner or his agent cannot be found within the city, deposited to his or their credit, in some safe place of deposit, other than the hands of treasurer; and then, and not before, such lands may be taken and appropriated for the purposes required in making such improvements; and such streets, alleys or other highways, or public grounds may be made and opened.

SECTION 12. Men the whole of any lot or parcel of land or other premises, under lease or other contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts and engagements between landlord and tenant, or any other contracting parties, touching the same or any Part thereof, shall, upon the confirmation of the report of the commissioners, respectively# cease, and be absolutely discharged.

SECTION 13. When part only of any lot, parcel of land or other premises so under lease or contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts, agreements and engagements respecting the same, upon the confirmation of the report of the commissioners, shall be absolutely discharged, as to that part thereof so taken, but shall remain valid as to the residue thereof; and the rents, considerations, and payment received, payable and to be paid for, in respect to the same, shall be so proportioned, as that the part thereof justly and equitably payable for such residue thereof, and no more, shall be paid or recoverable in any respect of the same.

SECTION 14. Any person interested may appeal from any order of the city council for opening, altering, widening or straightening any street, alley or other highway or public ground, to the Circuit Court of Lake County, by notice, in writing, to the mayor, at any time before the expiration of twenty (20) days after the passage of said final order, In case of appeal the city council shall make return within thirty (30) days after notice thereof, and the court shall, at the next term after return filed in the office of the clerk thereof, hear and determine such appeals and confirm or annul the proceedings, from which judgment no appeal or writ of error shall lie. Upon trial of an appeal, all questions involved in said proceedings, including the amount of damages, shall be opened to investigation by affidavit or oral testimony adduced to the court, or upon application of the city or any party, the amount of damages may be assessed by a jury of said court, without formal pleading, and judgment rendered accordingly; and the burden of proof shall, in all cases be upon the city, to show that the proceedings are in conformity with this act.

SECTION 15. The city council may, by ordinance, make any changes they may deem advisable in the proceedings herein prescribed, for ascertaining the damages and injury occasioned to any person or real estates by reason of the condemnation of such real estate, or any real estate upon which any buildings may be situated, in whole or in part, in all such other respects as experience may suggest.

SECTION 16. When any known owner, or other person having an interest in any real estate, residing in the city or elsewhere, shall be an infant, and any proceedings shall be had under this act, the judge of the Circuit Court of the County of Lake, or the county judge of said court, or any judge of the Supreme Court, may upon the application of such infant or his next friend, appoint a guardian for such infant, taking security from such guardian, by bond to the county court, for the faithful execution of such trust; and all notices and summons required by this act shall be served on such guardian.

SECTION 17. The city council shall have power from time to time to cause any street, alley or other highway to be graded, regraded, leveled, paved or planked and keep the same in repair and alter and change the same.

Second--To cause cross and sidewalks, main drains and sewers and provide drains to be constructed and laid, relaid, cleansed and repaired and regulate the same.

SECTION 18. To grade, improve, protect and ornament any park, square or other public grounds now or hereafter laid out,

SECTION 19. For the purpose of establishing a system of sewerage and drainage the city council shall have power, in their discretion, but may provide for the same otherwise, to cause the city to be laid off into districts, to be drained by principal and lateral or tributary sewers and drains constructed through the streets of the city, having reference to a general plan of drainage by sewers and drains for the whole city, and number and record the same.

SECTION 20. In all cases where expenses may be incurred in the removal of any nuisance, the city council may cause the same to be assessed against the real estate chargeable therewith, in the same manner prescribed in the foregoing sections. Such expenses may be likewise collected of the owner or occupant of such premises, in a suit for money expended to his or their use. And in case the same should not be chargeable to any real estate, suit may in like manner be brought for such expense against the author of such nuisance, if known, or any person whose duty it may be to remove or abate the same.

SECTION 21. The city council shall have the power to compel the owners of lots or ground fronting or adjoining any private or public alley, to keep the same clean, and if necessary, to direct the same to be paved, planked or otherwise, and the costs thereof to be assessed and collected in the same manner as sidewalk assessments.

ARTICLE IX Collection of Taxes and Assessments

SECTION 1. The city council shall have power, by ordinance, to prescribe the form of assessment lists, and prescribe the duties and define the powers of assessors. They may also make such rules and give such directions in relation to revising, altering, or adding to the lists, as they may deem proper and expedient.

SECTION 2. The annual lists shall be returned by the assessor on or before the first Monday in August, in each year; but the time may be extended by order of the city council. On the return thereof, the city council shall fix a day for hearing objections thereto; and the clerk shall give notice of the time and place of such hearing, by publication in the newspaper publishing the ordinances of the city; and any person feeling aggrieved by the assessment of his property, may appear at the time specified and make his objections. The city council shall have power to supply omissions in said assessment lists, and for the purpose of equalizing the same, to alter, to add, to take from, and otherwise correct and revise the same, or refer the same back to the assessor, with instructions to revise and correct the same.

SECTION 3. When the assessment lists have been corrected and revised, the same shall be filed, and an order confirming the same, and directing the warrant to be issued for the collection thereof, shall be entered by the clerk. The city council shall thereupon, by an ordinance or resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, not exceeding the authorized percentage.

SECTION 4. All taxes and assessments, levied or assessed by the city council under this act or any ordinance in pursuance thereof, shall be a lien upon the real estate upon which the same may be imposed, voted or assessed, for two (2) years from and after the corrected assessment lists shall be confirmed or the passage of the order for assessment, and on personal estate from and after the delivery of - the warrant for the collection thereof, until paid, and no sale or transfer shall affect the lien. Any personal property belonging to the debtor may be taken and sold for the payment of taxes on real or personal estate; and the real estate shall be liable for the taxes on personal estate in case of removal or when the tax cannot be made out of the personal estate, in the same manner as is prescribed by the laws of the State: Provided, that in case the collection of any assessment shall be delayed by injunction or other judicial proceeding, the same shall continue a lien upon the real estate for the period of two (2) years from and after the final disposition of such injunction or other judicial proceeding.

SECTION 5. The clerk shall issue a warrant or warrants for the taxes, and rule therein separate columns, in which the taxes levied shall be separately set down opposite the name of the person or such real estate subject thereto. Each column shall be headed with the name of the tax therein set down.

SECTION 6. All warrants issued for the collection of taxes or assessments shall be signed by the mayor and clerk, with the corporate seal thereto attached, and shall contain true and perfect copies of the corrected assessment lists, upon which the same may be issued. They shall be delivered to the collector for collection within thirty (30) days after the filing of the corrected lists, unless further time shall be given for this purpose by the city council. If not otherwise paid, the collector shall have power to collect said

taxes, with interest and costs, by suit, in the corporate name, or by distress and sale of personal property as aforesaid, after a demand and a refusal to pay the same: Provided, a notice, published by the collector for ten (10) days, shall be deemed a demand; and a neglect to pay taxes, for twenty days thereafter, shall be deemed a refusal. The assessor's lists shall, in all cases, be evidence on the part of the city.

SECTION 7. All taxes and assessments shall be collected by the collector in the same manner and with the same power and authority as is given by law to collectors of county and state taxes, He shall pay the same as fast as collected into the city treasury, and his duty in regard to returning warrants and settling with the city, and his liability in case of default or misconduct shall be the same as prescribed by law in case of other collectors of taxes; Provided, the city council shall have power to prescribe the powers, duties and liabilities of collectors by ordinance.

SECTION 8. In case of the nonpayment of any taxes or assessments, levied or assessed under this act, the premises may be sold for the payment thereof at any time within two (2) years after the confirmation of the assessment by the city council. Before any such sale an order shall be made by the city council, which shall be entered at large in the journal or record kept by the clerk, directing the collector to sell, particularly describing the delinquent premises to be sold and the assessment for which the sale shall be made; a certified copy of which order, under the corporate seal, signed by the mayor or presiding officer, and clerk, shall be delivered to the collector, which, together with the warrant, shall constitute the process upon which such sale may be made.

SECTION 9. The collector shall then advertise such Premises in the corporate newspaper, or by posting notices in three public places within said city, for sale, at least twenty (20) days from, and after the first publication or posting of such notice, describing the premises by numbers, figures or otherwise, with the name of the owner, when known, and the several amounts of the taxes and assessments thereon and costs. Said notice shall also contain the time and place of sale, and shall be published at each regular issue of said paper (if published therein) from the first insertion thereof unto the day of the sale. The proceedings may be stopped at any time on the payment of the taxes or assessments and interest, with expenses of advertising and other costs to such time incurred.

SECTION 10. All sales shall be conducted in the manner required by law, but the city council shall have power to prescribe the manner of conducting the same. The sale shall be made for the smallest portion of ground to be taken from the east side of the premises for which any person will take the same and pay the taxes or assessments thereon with the interests and costs of sale. Duplicate certificates of sale shall be made and subscribed by the collector, one of which shall be delivered to the purchaser, and the other filed in the office of the clerks in a book to be kept by the clerk for such purpose, and may be in the form of an ordinary letter file. The said certificate shall contain the name of the purchaser, a description of the premises sold, the amount of taxes or assessments, with the interest and expenses for which the same was sold, and the time when the right to redeem will expire. The collector shall be allowed the same fees for selling as are allowed for similar services by Jai,;, or his fees may be regulated by ordinance. The clerk shall keep a record of such sales, which shall be open to public inspection at all reasonable times.

SECTION 11. The right of redemption in all cases of sales (for) taxes or assessments, shall exist to the owner, his heirs, creditors or assignees, to the same extent as is allowed by law, in case of sales of real estate for taxes, on the payment, in legal tender funds, of double the amount for which the same was sold, and all taxes accruing subsequent to the sale, at the rate of ten (10) per cent per annum. If the real estate of any infant, femme covert, or lunatic, be sold under this act, the same may be redeemed at any time before or within one year after such disability is removed. In case of redemption, the money may be paid to the purchaser, or for him to the city clerk, who shall make a special deposit thereof with the treasurer, taking his receipt therefor. If not redeemed according to law, upon return of the certificate or proof of its loss, the legal holder thereof shall be entitled to a deed conveying to said purchaser or his assignee the premises so sold and unredeemed, which deed shall be under the corporate seal and signed by the mayor and countersigned by the city clerk. An abstract of all deeds so made and delivered shall be entered by the clerk in the book wherein tax sales are recorded. A fee of one dollar may be charged by the clerk for any deed so issued.

SECTION 12. The assignee of any tax certificate of any premises sold for taxes or assessments under the authority of the city shall be entitled to receive a deed of such premises in his own name, and with the same effect as though he had been the original purchaser.

SECTION 13. If, at any sale of real or personal property, for taxes or general assessments, no bid shall be made for any parcel of the land or goods and chattels, the same shall be struck off and sold to the city, in like manner as other purchasers.

SECTION 14. All deeds made to the purchasers of lots sold for taxes or assessments by order of the city council, shall be prima facie evidence, in all controversies and suits in relation to the rights of the purchaser, his heirs or assignees, to the premises thereby conveyed, of the following facts:

First--That the land or lot conveyed was subject to taxation or assessment at the time the same was advertised for sale, and had been duly listed and assessed.

Second--That the taxes or assessments had not been paid at any time before the sale.

Third--That the land conveyed had not been redeemed from sale at the date of the deed.

And shall be conclusive evidence of the following facts:

First--That the land or lot was advertised for sale for the length of time and in the manner required by law, and was sold at a time and in a manner authorized by law.

Second--That the land or lot was sold for the taxes or assessments, as stated in the deed.

Third--That the grantee in the deed was the purchaser. And of the regularity of all other proceedings or acts, pertaining to the said listing, assessment (and) sale, and not herein specified, and in all controversies and suits involving the title to land claimed and held under or by virtue of such deed, the person or person- claiming title adverse to the title conveyed by such deed shall be required to prove, in order to defeat the said title, either that the land was not subject to taxation or assessment at the date of the sale, that said land has never been listed or assessed for taxation or assessment, that the taxes or assessments had been paid, or that the same had been redeemed according to law, and that such redemption was made for the use and benefit of the person having the right of redemption under the laws of this state.

SECTION 15. In all matters and proceedings relating to the assessment and collection of redeemed or special assessments, not herein and hereby particularly otherwise provided for, the general law of this state, as far as applicable thereto, shall govern in all things thereunto appertaining.

ARTICLE X Public Schools

SECTION 1. The care and superintendence of the common or public schools, within the city of Lake Forest, together with the funds and estates both real and personal, belonging to the districts embraced within the limits of said city, shall devolve upon the city council; and they shall have power to appoint, at any meeting after their annual election in each year, a superintendent of public schools for said city, whose term of office shall be for one year, and until his successor shall be duly elected and qualified; and his duties and the amount of his salary shall be defined by the city council. And the said city council shall have power to make all laws and ordinances necessary and proper for the management of said schools, not inconsistent with the laws and constitution of this state.

SECTION 2. It shall be the duty of said superintendent to furnish to the school commissioner Of Lake County an abstract of the whole number of children under the age of twenty-one (21) years, residing in the said city, within ten (10) days after the same shall be ascertained; and the said school commissioner shall, annually, pay to the clerk of the City of Lake Forest the proportion of the school, college and seminary fund to which the said city may be entitled, according to the area of said city, and the number of children under the age aforesaid residing in said city--taking his receipt for the same. It shall be the duty of the city clerk, on the receipt of such money, to pay the same over to the treasurer of said city, taking his receipt for the same. The abstract of the number of children, as aforesaid, shall be taken once in two (2) years, in such manner as the city council shall direct.

SECTION 3. All common or public school houses and school property within the limits of said city, shall belong to the city; and the city council shall have power, and it shall be their duty, to divide said city into proper school districts, and erect substantial and comfortable school houses (in) each of the same.

SECTION 4. The township funds, and the estate, real and personal, belonging to township forty-three (43) and forty-four (44), range twelve (12) east, in the County of Lake shall be divided between the City of Lake Forest and the portions of said townships lying without the City of Lake Forest, as follows: The city clerk of said city shall be required to give notice, in writing, to the trustees of schools of the said townships, respectively, either by delivering a copy of said notice to each of said trustees, personally, or by leaving the same at the residence of each of said trustees, respectively; which notice shall be so served at least ten (10) days before the term of court to which application shall be made, and shall notify said trustees that, at the then next ensuing term of the Circuit Court of the County of Lake an application will be made to the said court to divide the funds and the estate of the said townships, respectively, between said townships, respectively, and the said City of Lake Forest; and the said trustees, respectively, and the said city clerk, shall each be required to appear before the said court, and give full and true statements so far as they and each of them. may be able, of the number of persons under the age of Twenty one (21) years residing within said city and the portions of said townships respectively without said city, and the amount of funds and estate now belonging to each of said townships, and the amount of the same heretofore transferred by either of said townships to said city, and the said court, giving credit and allowance for all that may have been so transferred, shall fairly and equitably divide and apportion said funds and estate, giving to each its fair and equitable share of the same; and the trustees of each of the said townships, respectively, shall thereupon convey, transfer and deliver unto the said city of Lake Forest such shares or portions of said funds and estate as may be so awarded by said court; and said court shall have power to compel and enforce its orders in such behalf.

ARTICLE XI Miscellaneous Provisions

SECTION 1. It shall not be lawful for any person to make or sell, or keep for sale, any spirituous or intoxicating liquors, anywhere within the corporate township within which the said City of Lake Forest is situated; and any person or persons found violating this section shall be liable, for each offense, to a fine in any sum not exceeding one hundred dollars, and may be prosecuted for such offense before any police or other magistrate in the County of Lake--jurisdiction of such offenses, whenever committed in said township, being hereby given to the aforesaid officers, who, in addition to the said fine, shall have power to commit the offender to the jail of said county until the fine and costs of the prosecution are fully paid.

SECTION 2. The city council shall, at least ten (10) days before the annual election in each year, cause to be published in the corporation newspaper, or by postings a correct and full statement of the receipts and expenditures from the date of the last annual report, together with the sources from whence the former are derived, and the mode of disbursement, and also a distinct statement of the whole amount assessed, received and expended in the respective wards and divisions of the city, for making and repairing streets, highways and, bridges for the sane period, together with such information as may be necessary to a full understanding of the financial concerns of the city.

SECTION 3. The inhabitants of the City of Lake Forest are hereby exempted from, working upon any road or highway beyond the limits of the city, and from paying the tax in lieu thereof without said limits.

SECTION 4. The supervisor shall demand the services of all persons who are required to labor on the streets, alleys and Highways of the city, at such time and place, and in such manner, as the city council may direct,, or the supervisor shall deem necessary. He shall deliver or cause to be delivered, or left at the usual place of abode or business of any persons so required to labor, as aforesaid, a written or printed notice or partly written or partly printed notice in such form as the city council shall prescribe; which notice shall be given at least five (5) days previous to the first day on which he or they are required to labor, requiring such person to appear at such time and place as may be designated, for the purpose of laboring upon the streets, alleys or highways. Upon neglect of any person to appear and labor, as aforesaid, or to pay the sum designated by the city council as an equivalent for such labor, the collector shall collect from such person, in the same manner as other taxes, the sum assessed against such person, and twenty-five (25) per cent added thereto; with his commission for collecting the same added thereto; or the same may be recovered by suit, with costs, as in other cases.

SECTION 5. The city council shall have power to establish, make and declare the boundaries and names of streets, alleys and highways, and to change the same at pleasure.

SECTION 6. All fines, forfeitures and penalties collected for offenses committed within said city shall be paid into the treasury of said city by the officer collecting the same. All fines and forfeitures collected for any conviction in the Circuit Court, for any offense committed in said city, shall be paid over in like manner.

SECTION 7. All licenses, either county or state, which are or may be required to be taken out by state or city law within said city, shall be taken from the city clerk of said city, in like manner as city licenses, any state law to the contrary notwithstanding: and the fee or charge therefor shall be paid into the city treasury.

SECTION 8. The city council shall have power to require that all additions or subdivisions of land within the limits of said city shall be so laid out or platted as to correspond and conform to the regular blocks, streets, alleys and highways already laid out and established within said city, and shall have the further power to direct in what manner lots and blocks shall be numbered or designated in such subdivisions hereafter to be made, and re-number the lots and blocks in said city, and make a map thereof.- and such map, certified by the city clerk, shall be admitted to record in the county of Lake, and copies thereof, purporting to be published by authority of said city, shall be received in evidence, in all courts and places, as prima facie correct.

SECTION 9. The Lake Forest cemetery, and public parks belonging to said city, shall be managed under the control and direction of the city council; and said council may, for such purpose, appoint one or more superintendents and agents to conduct and manage the same.

SECTION 10. The supervisor, in addition to the penalties prescribed by ordinance, shall, for willful neglect of duty, be liable to indictment and fine, in the same manner -as supervisors under the laws of this state.

SECTION 11. Neither the city council nor mayor shall remit any fine or penalty imposed upon any person for a violation of any laws or ordinances of said city, or release from confinement, unless two-thirds of all the aldermen elected shall vote for such release or remission nor shall anything in this act be so construed as to oust any court of jurisdiction to abate and remove nuisances within its jurisdiction, by indictment or otherwise.

SECTION 12. No vote of the city council shall be reconsidered or rescinded at a special meeting, unless the meeting be called, in whole or in part, for that purpose, and the aldermen so-notified, and unless, at such special meeting, there shall be present as large a number of aldermen as was present when such vote was taken.

SECTION 13. The publication of ordinances, notices, and other matter in this act required, may be by publishing the same in the corporation newspaper, or by posting copies thereof in three public places in the city by the city clerk; and the certificate of the city clerk, endorsed in the original, setting forth the fact of such publication or posting, shall be evidence of the same.

SECTION 14. All actions brought to recover any penalty or forfeiture incurred under this act, or any ordinance, by law or police regulation made in pursuance thereof, shall be brought in the corporate name. It shall be lawful to declare, generally, in debt for such penalty, fine or forfeiture, stating the clause of this act, or the by-law or ordinance, under which the penalty or forfeiture is claimed, and to give the special (matter) in evidence under it.

SECTION 15. In all prosecutions for the violation of an,7 ordinance, by-law or other regulation, the first process-, shall be a summons, unless oath or affirmation be made for a warrant, as in other cases.

SECTION 16. Execution may issue immediately on rendition of judgment. If the defendant has no goods or chattels or real estate within the County of Lake, whereof the judgment can be collected, the execution shall require the defendant to be confined in the county jail or work house, or city prison, for a term not exceeding six months, in the discretion of the court rendering judgment; and all persons who may be committed under this section shall be confined one day for each one dollar of such judgment and

costs. All expenses incurred in any execution for recovery of any fine, penalty or forfeiture, when collected, shall be paid into the city treasury.

SECTION 17. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant or a freeholder in the City of Lake Forest, in any action or proceeding in which said city may be a party in interest.

SECTION 18. All ordinances regulations and resolutions now in force in the City of Lake Forest, and not inconsistent with this act, shall remain in force under this act, until altered, modified or repealed by the city council, after this act shall take effect; and all said ordinances, regulations and resolutions, and all acts, proceedings, matters and things, of any and every name and nature whatsoever, done or provided to be done throughout the limits of said city, as herein and hereby extended by the city council of the City of Lake Forest, before their successors shall have been elected under this act, and hereby made and declared to be valid.

SECTION 19. The offices of the aldermen now acting as such in said city shall become vacant at the first annual election after the passage of this act; and there shall be elected, at said election, six aldermen, two of whom shall be chosen from that division of the city east of the railway and north of Deerpath avenue, two others from that part east of the railway and south of Deerpath avenue and two others from that part West of the railway; and such aldermen so chosen shall constitute the first board of aldermen for said city; and said divisions shall, respectively, comprise the firsts second and third wards of the city, in the order above designated until changed by the city council.

SECTION 20. All rights, actions, fines, penalties and forfeitures, in suit or otherwise which have heretofore accrued to the city at any times shall be vested in and prosecuted by the corporation hereby created.

SECTION 21. All property, real, personal or mixed, belonging to the City of Lake Forest, is hereby vested in the corporation created by this act; and the officers of said corporation now in office shall, respectively, continue in the same until superseded in conformity to the provisions hereof, but shall be governed by this act, which shall take effect from and after its passage,

SECTION 22. The style of all ordinances shall be: "Be it enacted by the City Council of the City of Lake Forest."

SECTION 23. All ordinances of the city may be proven by the seal of the corporation, and the certificate of the city clerk; and when printed and published in a book or pamphlet form, and purporting to be printed and published by authority of the city, the same shall be received in evidence in all courts and places without further proof.

SECTION 24. This act shall not invalidate any legal act done by the city council of the City of Lake Forest, or by its officers, nor divest their successors, under this act, of any rights of property or otherwise, or liability which may have accrued to or been created by said corporation prior to the passage of this act.

SECTION 25. All officers of the city created conservators of the peace, by this act, or authorized by any ordinance, shall have power to arrest, or cause to be arrested, with or without warrant or process, all persons who shall break the peace, or threaten to break the peace, or be found violating any ordinance of the city, commit for examination, and if necessary, detain such persons in custody over night or the Sabbath, in the watch house or other safe place, until they can be brought before a magistrate; and shall have and exercise such other powers as conservators of the peace as the city council may prescribe.

SECTION 26. There shall be a digest of the ordinances of the city, which are of a public nature, published within five (5) years after the passage of this act, and a like digest within every period of five years thereafter.

SECTION 27. The present act of incorporation of said city, approved February 21, 1861, shall be, and the same is hereby repealed.

SECTION 28. This act shall be a public act, and shall take effect from and after its passage.
APPROVED March 11, 1869.

AN ACT supplemental to an act to amend an act entitled: "An act to incorporate the City of Lake Forest," approved February 21, 1861.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That article V of this act, to which this is a supplement, be and the same is hereby repealed.

SECTION 2. This act shall be a public act, and shall take effect from and after its passage.
APPROVED March 11, 1869.

AN ACT supplemental to an act to amend an act entitled: "An act to incorporate the City of Lake Forest," approved February 21, 1861.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and is hereby added to section nineteen of article eleven of the act to which this is a supplement, the following: "Provided, that the term, of office of one of said aldermen, so to be elected in each of said wards, respectively, shall expire in one year from said election and the same shall be filled at said time; and, thereafter, the term of office of one alderman in each ward shall expire annually; and in all cases When on account of vacancy or otherwise, two aldermen shall be chosen at the same election for the same ward, the one who shall receive the highest number of votes shall be entitled to the full term.

SECTION 2. That the words "second Monday of April," in section four (4) and section seven (7). of article two (2), of the act to which this is a supplement, shall be and are hereby made to read "Monday after the second Tuesday in April."

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

APPROVED April 17, 1869.