

Qualifications  
of electors.

City to sup-  
port paupers.

Citizens to  
pay county  
tax.

Part of act re-  
pealed.

Mayor shall  
give bond as  
justice of  
peace.

In force, Mar.  
1, 1841.

Part of act  
repealed.

Qualifications  
of voters.

Oath of voter.

sided in the State six months next preceding the election, and who actually reside in the said city, shall enjoy the right of electors, but no person shall be entitled to vote for aldermen except in the ward in which he shall actually reside at the time of the election.

SEC. 2. The county shall be exempt from the support of paupers within the limits of said city, but the city council shall provide such means and pass such ordinances as they shall deem proper for the support of their own paupers.

SEC. 3. The inhabitants of the city of Quincy shall, the same as other citizens of the county, pay a county tax on all their property situate without the limits of the city.

SEC. 4. So much of the act to which this is an amendment, as requires the mayor of the city to be a freeholder, be, and the same is hereby repealed.

SEC. 5. The city council shall pass no ordinance contrary to, or which in any manner conflicts with, the laws of the United States or of this State, and any such ordinance which the city council may have passed, shall be void and of no effect.

SEC. 6. The person elected to the office of mayor shall, before being commissioned by the Governor as a justice of the peace, give bond as is now required by law of justices of the peace, and on failure to do so, another election shall be ordered, as is now required by the act to which this is an amendment.

*Approved, January 7, 1841.*

An ACT to amend "An act to incorporate the city of Chicago," approved the fourth day of March, one thousand eight hundred and thirty-seven, and for other purposes.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the fourth section of the act to which this is an amendment, as provides that the mayor, aldermen and assessors of the city of Chicago, shall be freeholders in the said city; and section nine of said act, and so much of section twenty-six of said act as allows an annual salary of five hundred dollars to the mayor of said city; and section fifty-two of said act, be, and the same are hereby repealed.

SEC. 2. Every person voting at the election for mayor, aldermen, assessors, and other officers of said city, shall be an actual resident of the ward in which he so votes, and shall have resided in said city at least six months next preceding such election, and shall moreover, if required by any person qualified to vote thereat, before he is permitted to vote, take the following oath: "I swear, (or affirm) that I am of the age of twenty-one years, that I have been a resident of this city for six months immediately, preceding this election, that I am now a resident of this ward, and have not voted at this election.



SEC. 3. That so much of the forty-first section of said act, as provides that all sales of real estate for taxes and assessments within said city of Chicago, shall be made by the city attorney; and so much of said section as provides that the said attorney shall receive one dollar, if proceedings in the sale of lots be stopped before the sale is made, and two dollars if the premises are sold, as his fees, be, and the same is hereby repealed; and that hereafter all sales of real estate in the said city, for any tax or assessment, shall be made by the city collector, in the manner, and at the time prescribed by the said act, and shall receive therefor the same fees and compensation as are allowed county clerks for similar services.

Part of 41st section of act repealed.

Sales to be made by city collector.

SEC. 4. The qualified electors of the said city shall elect annually, at the election for mayor and aldermen, a city marshal, whose duties shall be prescribed, and whose salary shall be fixed by the common council of said city, and that the seventy-seventh section of the said act to incorporate the said city of Chicago, be repealed.

City marshal

SEC. 5. That so much of the fourth and sixth sections of said act as provides for the election of one assessor from each ward of said city, be repealed; and that the common council at their first meeting annually, after the charter election in said city, or as soon thereafter as may be, shall appoint one assessor, with the privilege at any time of increasing the number to three, whose duties shall be the same in all respects, as is prescribed in the act to which this is an amendment.

Part of 4th & 6th sections repealed.

Appointment of assessors.

SEC. 6. All deeds made to purchasers of lots sold for taxes by order of the council, as is provided in the act to which this is an amendment, shall be *prima facie* evidence in all controversies and suits in relation to the right of the purchaser, his or her heirs or assigns, to the premises thereby conveyed, of the following facts: *First*, that the land or lot conveyed was subject to taxation at the time the same was advertised for sale, and had been listed and assessed in the time and manner required by law. *Second*, that the taxes were not paid at any time before the sale. *Third*, that the lands conveyed had not been redeemed from the sale at the date of the deed, and shall be conclusive evidence of the following facts:

Deeds of lots sold for taxes evidence of facts.

First.

Second.

Third.

*First*, That the land or lot was advertised for sale in the manner, and for the length of time, required by law.

First.

*Second*, That the land was sold for taxes, as stated in the deed.

Second.

*Third*, That the grantee in the deed was the purchaser.

Third.

*Fourth*, That the sale was conducted in the manner required by law. And in controversies and suits involving the title to land claimed and held under and by virtue of a deed executed by the mayor and clerk, as provided in the act to which this is an amendment, the person or persons claiming title adverse to the title conveyed by such deed, shall be re-

Fourth.



quired to prove, in order to defeat the said title, either that the said land was not subject to taxation at the date of the sale; that the taxes had been paid; that the land had never been listed and assessed for taxation; or that the same had been redeemed according to the provisions of this act, and that such redemption was had or made for the use and benefit of the persons having the right of redemption under the laws of this State; but no person shall be permitted to question the title acquired by the said deed, without first showing that he, she, or they, or the person under whom he, she, or they, claim title, had title to the land at the time of the sale, or that the title was obtained from the United States, or this State, after the sale, and that all taxes due upon the lands have been paid by such person or the person under whom he claims title as aforesaid.

Punishment  
for violation  
of ordinances

SEC. 7. That the common council of the city of Chicago, have power and authority to inflict such penalties not inconsistent with the Constitution and laws of this State, as they may deem necessary and expedient, for a noncompliance with such ordinances as they may pass in relation to the regulating, restraining, or licensing the sale of vinous, spirituous, or fermented liquors within the city aforesaid; and also, that the said council have full and ample power over the streets and alleys, and public buildings of said city, (except such as belong to the county of Cook) and to authorize, if they may deem it necessary, the location of any market, or market buildings, in any of the streets or alleys of said city, with power to establish and regulate the markets so located by such ordinance or ordinances, for the restraining or licensing of the sale of meats and vegetables therein, as they may deem expedient, with such penalties as they may see proper to affix thereto for a violation thereof, not inconsistent with the laws and Constitution of this State.

Markets.

Improve-  
ments on ca-  
nal lots may  
be taxed.

SEC. 8. That the said common council shall have power to assess and levy a tax upon all improvements on canal lots, or forfeited canal lots, as other lots are taxed in said city, so as to make the said improvements, or the rents thereof liable therefor, and that the personal property of the person or persons in said city, owning said improvements, or renting or leasing the ground of said lots, shall be liable therefor, and upon a failure or refusal to pay said taxes, it shall be the duty of the collector of said city to obtain from the common council of said city, a warrant in the nature of an execution against all such delinquents, authorizing him to levy upon and sell their goods and chattels, as in case of an execution from a justice of the peace, for the payment of said taxes and costs, and in case the said persons so owning the said improvements or renting the ground aforesaid, shall have no personal estate upon which to levy for the payment of the said taxes and costs, then, and in that case the tenant or tenants, after notice given, shall be liable for the said taxes and

Persons rent-  
ing lots liable  
for tax.



costs to the extent of the rents in their hands unpaid, if sufficient to pay said taxes and costs; and upon refusal to pay the same, may be proceeded against in the same manner as the persons owning said improvements, or leasing said lots. In case of refusal to pay tax, how proceeded against.

SEC. 9. That the thirty-fifth section of the act to which this is an amendment, be so amended, that whenever the word "or" occurs in said section, it shall be taken and construed to mean "and," and in all respects shall have the same meaning and signification as the word "and." 35th section amended.

SEC. 10. That the forty-first section of the said act, to which this is an amendment, or so much thereof as provides that the right of redemption shall in all cases of sale of real estate for taxes, exist to the same extent to the owner and his creditors, as is allowed by law in cases of sale of real estate for taxes, be so amended as to make the late revenue law, approved, February the twenty-sixth, one thousand eight hundred and thirty-nine, the law to which reference shall be expressly had in all cases. 41st section amended.

SEC. 11. That the county commissioners of Cook county, be, and they are hereby authorized to borrow upon the faith and pledge of said county, a sum not exceeding ten thousand dollars, at a rate of interest not exceeding eight per cent., for a term not exceeding twenty years, and to issue bonds therefor under the seal of the county commissioners' court for said county, and countersigned by the clerk of the county commissioners' court: *Provided*, That in no case shall the said bonds be funded or sold for county orders unless said county orders shall be at par. County commissioners of Cook may borrow money. Proviso.

SEC. 12. This act to take effect from and after the first day of March next.

*Approved, February 27, 1841.*

An ACT to amend "An act to incorporate the city of Springfield," approved, February 3, 1840.

In force Feb. 27, 1841.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That so much of the third section of article second, and section second of article third, of the act to which this is an amendment, as requires the mayor and aldermen of said city to be citizens of the United States, be and the same is hereby repealed; and hereafter every inhabitant of said city who is entitled to vote for State officers, and who has the requisite length of residence according to the act to which this is an amendment, shall be eligible to the office of mayor or aldermen of said city. Part of third section of act repealed. Qualifications of electors.

SEC. 2. That so much of section second of article fourth of the act to which this is an amendment, as requires persons to be citizens of the United States to be entitled to vote for city officers, be and the same is hereby repealed, and hereafter every inhabitant of said city who is entitled to vote for Part of second sec. repealed.