

No. 13275

Supreme Court of Illinois

Chicago & Rock Island R.R.Co.

vs.

Board of Supervisors of
Bureau County

STATE OF ILLINOIS—SUPREME COURT,

THIRD GRAND DIVISION—APRIL TERM, 1861,

ABSTRACT OF RECORD.

THE CHICAGO & ROCK ISLAND RAILROAD COMPANY,
vs.
THE BOARD OF SUPERVISORS OF BUREAU COUNTY.

Appeal from Bureau.

This was a *certiorari* from the Circuit Court of Bureau county to the Board of Supervisors of said county.

- 1 Petition for writ, sets out that appellants, prior to May 1st, 1859, filed with the County Clerk of said county, a schedule of the property of the Company; that the schedule was made out in conformity with Section 4 of An Act to amend the Assessment Laws, approved Feb. 14th, 1855; that the said Bureau county was organized under the Township Organization Law, and that the Supervisors met on the 2d Monday of September, 1859, and at said meeting did equalize the assessment of property in said county.
- 3 That at said meeting said Board took up said schedule and referred it to a committee; which committee reported, and final action was had on said report.

That afterward said session was closed, and that in January, A. D. 1859, another session was held, at which said Board again took up said schedule, and passed the following order:

"And Mr. Simmons' motion was carried, and the resolution was adopted, as follows:

The committee on railroad assessments would beg leave to make the following report: That they have examined the several lists of property belonging to the several railroad companies having railroads running through and in said county of Bureau, filed with the clerk of this board by said railroad companies to be assessed for taxes for the year 1859, would respectfully report, that in pursuance
4 of a resolution appointing said committee, we proceeded to examine said lists, and do recommend that the assessments of the Chicago, Burlington & Quincy Railroad Company be raised twenty-three per cent. for the year 1859; that the Chicago & Rock Island Railroad assessment for the year 1859, be raised thirty-six per cent.; that the Peoria & Bureau Valley Railroad Company be raised four and a half per cent. for the year 1859. All of which is respectfully submitted. Signed by the Committee.

"Therefore, *Resolved*, That the valuation of the property listed by the Chicago, Burlington & Quincy Railroad Company, by the Chicago & Rock Island Railroad Company, and by the Peoria & Bureau Valley Railroad Company, for taxes for the year 1859, be, and they are hereby ordered to be increased in accordance with report of the committee on railroad assessments, and the clerk is hereby ordered to make such increase of valuation as a basis of taxation, and to notify the several companies of such increase."

Petition further alleged that said Board of Supervisors did not at said session proceed to equalize the assessments of property in said county.

5 That petitioners had no notice that such action was to be had at such session.

That the clerk of said board did add 36 per cent. to the gross valuation of the property of appellants in said schedule set forth, and extended the taxes thereon against them and certified the same to the Treasurer of said county.

That the increase of valuation was from \$239,369 00, to \$326,734 00.

6 & 7 That this increase was illegal and the reasons therefor.

8 That no appeal lies from the action of said board, and therefore prays that *certiorari* may issue to said board to send up the record of their proceedings, and that said writ operate as a *supersedias* to stay the collection of the taxes assessed upon the increased valuation.

10 Writ granted and set out.

13 The return to said writ is as follows:

THE STATE OF ILLINOIS, } IN CIRCUIT COURT, AT SEPTEMBER TERM, A. D. 1860.
COUNTY OF BUREAU. } ss.

The answer of the Board of Supervisors of said county, to the
14 petition of the Chicago & Rock Island Railroad Company, exhibited in said court, against said board.

In accordance with the exigency of the annexed writ of *certiorari*, I, Stephen G. Paddock, Clerk of the County Court of said Bureau county, and ex-officio Clerk of said Board of Supervisors, do certify and make return as follows, that is to say :

That on April 20, A. D. 1859, the said Railroad Company filed in the office of the undersigned clerk, a schedule or list of the property of said corporation liable to taxation in said Bureau county, for the said year 1859, a true copy of which list is annexed to the petition on file herein, as will by reference thereto, more fully appear ; that said clerk laid said list before said board at their session in September, A. D. 1859 ; that on Wednesday, which was the third day of said session, the following proceedings in said matter were had, as appears by the record of said board, in the custody of the undersigned, to-wit :

SEPTEMBER, A. D. 1859.

Annual meeting of the Board of Supervisors of Bureau county, Illinois, at the court house, in Princeton, on Monday, September 12, 1859. Present, Messrs. Batty, Chapman, Elliott, Gordon, Gray, Hall, Harris, Holmes, Jewett, Kinsman, Marple, Nickerson, Odell, Pomeroy, Porter, Smith, Sumner, Terry, Tenilliger, Triplett,
15 Tustin, Whipple, Whitney, Wilkinson, Bryant. Also, Stephen G. Paddock, Clerk ; David E. Norton, Sheriff.

WEDNESDAY, Sept. 14, 1859.

The Board met pursuant to adjournment. Lists of assessable property of the Chicago, Burlington & Quincy Railroad Company, the Chicago & Rock Island Railroad Company, and the Peoria & Bureau Valley Railroad Company, were presented to the board, and on motion of Mr. Sumner, referred to the committee on railroad assessments.

THURSDAY, September 29, 1859.

Board met pursuant to adjournment.

16 The committee on railroad assessments presented the following report :

The committee on railroad assessments beg leave to make the following report : That they have examined the several lists of property belonging to the several railroad companies having railroads running through and in said county of Bureau, filed with the clerk of this board by said railroad companies, to be assessed for taxes for the year 1859, would respectfully report, that in pursuance of a resolution appointing said committee, we proceeded to examine said lists, and do recommend that the assessments of the Chicago, Burlington & Quincy Railroad Company be raised twenty-three per cent. for the year 1859 ; that the Rock Island Railroad Company's assessment for the year 1859, be raised thirty-six and a half per cent. ; that the Bureau Valley Railroad Company be raised four and a half per cent. for the year 1859. All of which is respectfully submitted.

(Signed,) A. G. PORTER, SIMON ELLIOTT, O. E. CHAPMAN,
JOSEPH W. HARRIS, THOMAS SUMNER, Committee.

Therefore, *Resolved*, That the valuation of the property listed by
 17 the Chicago, Burlington & Quincy Railroad Company, by the Rock
 Island Railroad Company, and by the Bureau Valley Railroad
 Company, for taxes for the year 1859, be, and they are
 hereby ordered to be increased in accordance with the report of the
 committee on railroad assessments, and the clerk is hereby ordered
 to make such increase of valuation as a basis of taxation, and to
 notify the several companies of such increase.

On motion of Mr. Odell, it was ordered that the report be placed
 on file, and recorded and published with the proceedings, and that
 the resolution be adopted.

SATURDAY, October 1, 1859.

The board met pursuant to adjournment. Mr. Gordon moved
 that the board now adjourn *sine die*. Mr. Tennilliger moved to
 amend by substituting for "*sine die*," to 2d Monday of January
 next. The motion was amended, and carried as amended, and the
 board adjourned.

On the 14th day of October, A. D. 1859, the undersigned served
 a notice by copy upon B. C. Cook, Esq., as agent of the said Chi-
 cago & Rock Island Railroad Company, of which notice the follow-
 ing is a copy :

To the Chicago & Rock Island Railroad Company :

18 You will take notice that at the adjourned session of the annual
 meeting of the Board of Supervisors of Bureau county, Illinois, be-
 gun at Princeton, in said county of Bureau, on the 26th of Septem-
 ber, 1859, the valuation of the property listed by the Chicago &
 Rock Island Railroad Company, by Glover & Cook, Att'ys, for
 taxation for the year 1859, was ordered to be increased thirty-six
 and one-half per cent. on the value as listed, and that such increased
 valuation will be the basis of taxes levied on the property of said
 railroad company for the year 1859.

[SEAL.] Witness, Stephen G. Paddock, Clerk of the County
 Court of said county, and the seal thereof, at Princeton,
 this 14th day of October, A. D. 1859.

STEPHEN G. PADDOCK, Clerk.

Received a copy of the above notice this 14th October, 1859.

(Signed,) B. C. COOK, Agent.

And the undersigned further makes return, that at the adjourned
 meeting of said Board of Supervisors, held in January, 1860, the
 following proceedings in said matter were had, as appears by the
 record of said board, in the custody of the undersigned, to-wit :

19

JANUARY, 1860.

Adjourned meeting of the Board of Supervisors, Monday, Jan-
 uary 9, 1860. John C. Bryant, chairman, in the chair. Present,
 Supervisors Batty, Chapman, Elliott, Gordon, Hall, Harris, Holmes,

Jewett, Kinsman, Marple, Nickerson, Odell, Pomeroy, Porter, Smith, Sumner, Tennilliger, Triplett, Tustin, Whipple, Whiting, Wilkinson, Bryant. Also, Stephen G. Paddock, Clerk; David E. Norton, Sheriff.

Mr. Porter moved that the vote taken at the last session on the report and resolution of the committee on railroad assessments be reconsidered.

Mr. Tustin objected, that the motion was out of order.

Mr. Porter moved a suspension of the rules. Carried.

Mr. Porter again moved the reconsideration. Carried.

Mr. Whiting moved that the report and resolution be re-committed to the committee. Carried.

TUESDAY, January 10, 1860.

The board met pursuant to adjournment.

The committee on railroad assessment made their report on the
20 resolution.

Mr. Sumner moved to adopt the resolution.

Mr. Gray moved to postpone for the present.

Mr. Porter demanded the yeas and nays.

Yeas 6, nays 16; so the motion to postpone was lost. Those voting yea, were Messrs. Gray, Hall, Harris, Kinsman, Nickerson, Wilkinson. Those voting nay, were Messrs. Batty, Chapman, Elliott, Gordon, Holmes, Jewett, Marple, Odell, Pomeroy, Porter, Sumner, Tennilliger, Triplett, Whiting, Whipple, Bryant.

And Mr. Sumner's motion was carried, and the resolution was adopted, as follows:

The committee on railroad assessments would beg leave to make the following report: That they have examined the several lists of property belonging to the several railroad companies having railroads running through and in said county of Bureau, filed with the clerk of this board, by said railroad companies, to be assessed for taxes for the year 1859, would respectfully report, that in pursuance of a resolution appointing said committee, we proceeded to examine said lists, and do recommend that the assessments of the Chicago, Burlington & Quincy Railroad Company be raised twenty-three per cent. for the year 1859; that the Chicago & Rock Island Railroad Company be raised thirty-six per cent.; that the Peoria & Bureau Valley Railroad Company be raised four and a half per cent. for the year 1859. All of which is respectfully submitted.

21 A. G. PORTER, JOSEPH W. HARRIS, O. E. CHAPMAN, SIMON ELLIOTT, THOMAS SUMNER, Committee.

Therefore, *Resolved*, That the valuation of the property listed by the Chicago, Burlington & Quincy Railroad Company, by the Chicago & Rock Island Railroad Company, and by the Peoria & Bureau Valley Railroad Company, for taxes for the year 1859, be, and they are hereby ordered to be increased in accordance with the report of the committee on railroad assessments, and the clerk is hereby ordered to make such increase of valuation as a basis of taxation, and to notify the several companies of such increase.

SATURDAY Jan. 14th, 1860.

And the Board adjourned "*sine die*."

On the 2d day of February, 1860, the undersigned mailed a notice directed to Glover & Cook, Ottawa, Ill., as Attorneys for the said Rock Island Rail Road Company, of which the following is a copy:

To the Chicago and Rock Island Railroad Company:

You will take notice that at the adjourned session of the annual meeting of the Board of Supervisors of Bureau County, Illinois, 22 begun at Princeton, in said County of Bureau, on the 9th of January, 1860, the valuation of the property listed by the Chicago and Rock Island Rail Road Company, by Glover & Cook, Attorneys, for taxation for the year 1859, was ordered to be increased thirty-six and one-half per cent. on the value as listed, and that such increased valuation will be the basis of taxes levied on the property of said Railroad Company for the year 1859.

Witness, Stephen G. Paddock, Clerk of the County Court of said [L. S.] County, and the seal thereof, at Princeton. this 1st day of February, A. D., 1860.

STEPHEN G. PADDOCK, Clerk.

STATE OF ILLINOIS, }
COUNTY OF BUREAU, } ss.

I Stephen G. Paddock, Clerk of the County Court, in and for said County, hereby certify that the foregoing is a true copy of the records of the Board of Supervisors concerning the above matters, and a true statement of the proceedings had therein.

Witness my hand and the seal of said Court at Princeton, [SEAL.] this 27th day of August, A. D., 1860.

STEPHEN G. PADDOCK, Clerk.

Stipulation by parties that case be continued to next term, and that if any diminution of record is suggested, the defect should be supplied by the Clerk and not be cause for a continuance.

25 Affidavit showing diminution filed by Campbell at the next term. and motion for *alias* writ of *certiorari*.

28 Motion overruled.

Motion by plaintiffs to set aside the order of defendants increasing the valuation of their property in the schedule mentioned.

29 Cause heard upon the petition of plaintiffs, the return of defendants and proofs, and writ quashed and petition dismissed.
Appeal allowed, &c.

Stipulations of parties.

The said petitioners not having appended to their petition herein a copy of the tax schedule or list of taxable property for the year 1859, mentioned in said petition, it is agreed in this cause that the Clerk of this Court in making up the record herein to the Supreme Court, shall copy the original list for that year, on file in the County Clerk's office, and make said copy a part of such record.

COOK, for Plaintiff.

TAYLOR & PADDOCK, for Respondents.

Order of Court that the copy form part of the record.

Then follows the copy of said Schedule as follows :

31 OFFICE OF CHICAGO & ROCK ISLAND R. R. Co., }
Ottawa, May 1st, 1859.

[To the County Clerk of the County of Bureau, State of Illinois:

In accordance with Sections 2, 3, 4, 12, and 22 of "An Act to amend the assessment and Revenue Laws," "Approved February 14th, 1855." The Chicago & Rock Island R. R. Co., make the following return.

For value and description of Real Estate owned by said Company in the County of Bureau, see annexed Schedule marked (A.)

For value and description of the "Fixed and Stationary Personal Property" in the County of Bureau, see annexed Schedule marked (B.).

For value of all the Personal Property owned by said Company in the County of Bureau, see annexed Schedule marked (C.)

For value and inventory of all the "Movable Property" of said Company on this whole road, see annexed Schedule marked (D.)

The total length of the main track in this State is 950,104 feet or 181 76-100 miles.

The total value of all the "Rolling Stock" of said Company is \$377,496.

The length of the main track of said Company in the County of Bureau is 212,292 feet.

The share or proportion of the "Rolling Stock" which you are entitled to assess in said County of Bureau is \$84,916,80.

32 The County of Bureau is therefore entitled to assess as follows :

1st. Real Estate, - - - -	Schedule A.	\$ 6,051	10
2d. Fixed and Stationary Personal property, "	B.	\$134,029	20
3d. Other Personal Property	" C.	\$,750	00
4th. Pro Rata Movable Property,		\$ 84,916	80
5th. Station Buildings,		\$ 13,625	40
Total in the County of Bureau, - - -		\$239,372	10

This valuation is made on the first of April, 1859; should change be made in the same by you, you are requested to give notice of the same at this office. See Section 5 of the first act referred to in this report.

All of which is respectfully submitted.

GLOVER & COOK, Att'ys for C. & R. I. R. R. Co.

33

"SCHEDULE A"

This contains a complete list of every tract of land and town lot owned by the Company in the County of Bureau, and the valuation of each, aggregate \$6,051,10.

42

"SCHEDULE B"

Contains a list showing the length of main track in the County, and the length of side track in each town and valuation of each, aggregate \$134,429,20.

"SCHEDULE C"

Personal Property consisting of tools and fixtures for repair of road and other personal property, \$750,00.

43

"SCHEDULE D"

Contains a full description of all the movable property in the State and its valuation by items, aggregate \$377,496,00.

44

A recapitulation of the amounts of different kinds of property in each town in the County.

49

BILL OF EXCEPTIONS.

It was proven that during the year 1860; there were 25 Supervisors in the County. This was all the evidence outside of the record.

The Court decided that in the record of said board there was no error, and that writ be quashed and the petition dismissed.

Plaintiff then and there excepted.

ERRORS ASSIGNED.

1st. The Court erred refusing to grant an *alias* writ of *certiorari* on motion of said plaintiffs upon the affidavit of said Campbell.

2d. The Court erred in deciding that there was no error in the record of said Board of Supervisors.

3d. The Court erred in quashing said writ and dismissing said petition.

4th. The Court erred in rendering Judgment as aforesaid in manner and form aforesaid.

5th. And for other errors.

GLOVER, COOK & CAMPBELL,
For Appellants.

244
C & R R R Co

vs

Bureau County

Abstract

Filed May 1 1861

L. Leland
Clerk

1.

Pleas before the Hon^{ble} M. E. Hollister Judge of the Ninth Judicial Circuit of the State of Illinois at a term of said Circuit Court begun and held within and for the County of Bureau in the said State at the Court House in Princeton in said County on the second Monday in the month of March in the year of our Lord One thousand eight hundred and Sixty.

Present, Hon^{ble} M. E. Hollister Judge

E. M. Fisher, Clerk

D. E. Norton, Sheriff

W. Bushnell, State Attorney

(To wit, on the seventeenth day of said term)

Friday morning 8 1/2 o' clock

March 30th A. D. 1860

Court met pursuant to adjournment.

In the matter of the petition
of the Chicago & Rock-Island
Rail Road Company

vs.

Petition for Certiorari

The Board of Supervisors
of Bureau County

Now comes the said Petitioners
by Cook & Glover their Attorneys and file their
petition herein in the words and figures following.
to wit:

" State of Illinois

" Bureau County, and Circuit Court thereof

" Of March Term 1860.

" Your petitioner the Chicago and Rock Island.

" Rail Road Company respectfully show, That
 " on or before the 1st day of May A.D. 1859 it filed
 " in the office of the Clerk of the County of Bureau
 " aforesaid a Schedule or list of the Property of
 " said Company liable to be assessed for taxation
 " in said Bureau County for the year 1859 a copy
 " of which Schedule is hereto annexed marked (A)
 " and made a part of this Petition.

" Your Petitioner further shows ~~unto~~
 " your Honor that it is a Rail Road Company
 " owning and operating a Rail Road between Chicago
 " and Rock Island in this State and was & is an
 " incorporated Company incorporated under the
 " laws of this State.

" Your Petitioner further shows
 " that the Schedule of the Property of your
 " Petitioner liable to taxation in said Bureau
 " County was made out in Conformity with the
 " 4th Section of (of) an act to amend the assessment
 " and Revenue laws approved February 14th 1855.

" Your Petitioner further shows
 " that said County of Bureau was at that time
 " and before organized under and by virtue of an
 " act of the general assembly of this State entitled
 " "An act to provide for Township organization."

" Your Petitioner further shows
 " unto your Honor that the board of Supervisors
 " of said Bureau County did meet on the
 " 2nd Monday of September A.D. 1859, and did
 " at such meeting equalize the assessment of
 " Property in said County, said meeting being

3.

" the annual meeting of said Board, at which
 " time they were required by law to equalize
 " the assessment of Property.

" And Your Petitioner further shows
 " ~~made~~ ~~year~~ that afterwards and during said Session
 " said Board of Supervisors took up the schedule
 " aforesaid & laid before them by said Clerk and
 " referred it to a Committee which Committee
 " reported and final action was had on said
 " report.

" Your Petitioner further shows
 " to your Honor that afterwards said Board
 " of Supervisors closed its annual Session for
 " the year A. D. 1859. and another Session of
 " said Board of Supervisors convened in the
 " month of January A. D. 1860, at which Session
 " said Board of Supervisors again took up
 " said Schedule and thereupon passed and
 " spread upon their record the following order

" And Mr. Simmons motion was
 " carried and the resolution ^{was} adopted as follows:
 " The Committee on Rail Road assessments would
 " beg leave to make the following report. That
 " they have examined the several lists of Property
 " belonging to the several Rail Road Companies
 " having Rail Roads running through and in
 " said County of Bureau filed with the Clerk
 " of this Board by said Rail Road Companies
 " to be assessed for taxes for the year 1859- would
 " respectfully report that in pursuance of a
 " resolution appointing said Committee men

" Proceeded to examine said lists and do recommend
 " that the assessments of the Chicago, Burlington
 " and Quincy Rail Road Company be raised
 " twenty three per cent for the year 1859.

" That the Chicago and Rock-Island Rail Road
 " assessment for the year 1859 be raised thirty
 " six per cent.

" That the Peoria and Bureau Valley Rail Road
 " Company be raised four and a half per cent
 " for the year 1859.

" All of which is respectfully submitted.

A. G. Porter

Joseph W. Harris

O. E. Chapman

Simon Elliott

Thos. Sumner

Committee

" Therefore resolved that the valuation of the property
 " listed by the Chicago, Burlington and Quincy Rail-
 " Road Company; by the Chicago and Rock-Island
 " Rail Road Company; and by the Peoria and Bureau
 " Valley Rail Road Company for taxes for the year
 " 1859 - be and they are hereby ordered to be increased
 " in accordance with report of the Committee on Rail
 " Road assessments, and the Clerk is hereby ordered
 " to make such increase of valuation as a basis of
 " taxation and to notify the several Companies of
 " such increase."

" Your Petitioner shows that at
 " said January meeting said Board of Supervisors
 " did not proceed to equalize the assessments of
 " property in said County as your petitioner is
 " advised and believes or take any steps in relation

5.

" thereto except the Passage of the order aforesaid.

" Your Petitioner further shows that
" it had no notice in any manner that said
" Board of Supervisors were about to act upon
" the matter of said assessment at said January
" meeting in any manner or that they were about
" to pass upon the question as to whether the property
" of your Orator was correctly stated in said
" Schedule.

" Your Petitioner further shows
" that the Clerk of said County in pursuance
" of said resolution of said Board of Supervisors
" passed at said January meeting did add
" thirty six per cent to the gross valuation of the
" property of your Petitioner set forth in the
" Schedule aforesaid, and did compute and
" extend the tax against the property of your
" Petitioner upon said increased valuation
" and did make out and certify to the Treasurer
" of said County a statement of the taxes to
" be collected of your Petitioner in said County
" upon the basis of said increased valuation.

" That the total value of your
" Orator's property in said County according
" to the ~~original~~ Schedule filed by your Orator as
" aforesaid was the sum of \$239.³⁶⁹~~639~~-

" That the valuation of said property as
" increased as aforesaid was the sum of \$326.734.

" Your Petitioner further shows
" that the said increase of the valuation of the
" property of your Petitioner subject to taxation

" in said County was illegal and wholly without
" authority for the following reasons-

" 1st The said increase was made at a meeting
" when by law the said Board of Supervisors
" had no authority to act to act on said subject-
" the law requiring said Board to pass upon the
" valuation of said property, if at all, at the
" annual meeting of said Board at the time
" when they meet to equalize the assessment of
" property.

" 2nd Because your Petitioner had no notice
" of the action of said Board of Supervisors
" in the premises.

" 3rd Because if said Board of Supervisors
" were satisfied that the schedule filed by
" your Petitioner as aforesaid did not contain
" a full and fair statement of the property
" of your Petitioner subject to taxation in said
" County. made out and valued in accordance
" with the requirements of law, then said Board
" only had the right to assess the property of
" your Petitioner or cause it to be assessed in
" accordance with the rules prescribed for
" assessing such property - which said rule
" your Petitioner shows required that each
" tract of land mentioned in said schedule
" should be valued separately - That the
" whole tracks of your Petitioner's Rail Road
" should be valued separately.

" That the rolling stock of your Petitioner
" should be valued separately.

7.

" That the value of the side tracks of your
" Petitioner should be given separately.

" And that the valuation of the
" entire rolling stock of your Petitioner
" upon which taxes should be levied in said
" County should bear the same proportion
" of the entire amount of said rolling stock
" as the entire length of track in said County
" bore to the entire length of tracks in said
" State.

" Your Petitioner shows that the
" increase of valuation made by said Board
" of Supervisors was not made in accordance
" with said rules but was made in gross
" and therefore wholly without authority of
" law.

" 4th Because said Board of Supervisors
" increased the valuation of your Petitioner's
" property without determining that the
" schedule filed by your Petitioner did not
" contain a full and fair statement of the
" property of your Petitioner subject to
" taxation in said County made out and
" valued in accordance with the requirements
" of law.

" 5th Because the valuation of your
" Orator's property in the schedule filed by
" it was true & correct and the increased
" valuation thereof by said Board of
" Supervisors was and is unjust and oppressive.

" I demand therefore as no mode

" of appeal is provided for your Petitioner from
 " said order of said Board of Supervisors.
 " Your Petitioner Prays that the writ of Certiorari
 " after the Course of the Common Law may be
 " issued out of and under the Seal of this
 " Honorable Court and directed to the said
 " Board of Supervisors Commanding them that
 " they cause the record of their proceedings at
 " their said Meeting in January A. D. 1860, touching
 " the increase of the valuation of the property
 " of your Petitioner Subject to taxation in said
 " County to be fully certified to this Court
 " for its inspection and review and that upon
 " the inspection of such record this Court will
 " order and direct that said order of said
 " Board of Supervisors made at said January
 " Session be wholly vacated set aside and
 " annulled so far as the same relates to
 " the property of your Petitioner and that
 " the granting of said writ of Certiorari
 " may operate as a writ of Supersedeas to
 " stay the Collection of the taxes assessed upon
 " said increased valuation only, upon the
 " giving by your Petitioner such Bond with
 " such Conditions as to your Honor shall
 " seem meet.

" And your Petitioner will ever Pray by
 " Shover, Cook & Campbell
 " Attorneys

" State of Illinois
 " Cook County ss. John F. Tracy being

9.

" first duly sworn says that he is the General
 " Superintendant of the Chicago and Rock Island
 " Rail Road Company, and that the matters
 " and things in the above bill stated, so far
 " as the same are stated as facts, are true, and
 " so far as they are stated upon information
 " or belief, he believes them to be true.

" Subscribed and John F. Tracy
 " Sworn to before me Genl. Superintendant of the
 " this 28th day of March Chicago & Rock Island R.R. Co.
 " 1860.



H. H. Hamlin
 Notary Public

and enter their motion herein for a writ of certiorari
 on the Board of Supervisors of Bureau County,
 Illinois.

(To wit, on the eighteenth day of said term)
 Saturday morning 8 1/2 o'clock
 A.M. A.D. 1860 March 31st
 Court met pursuant to
 adjournment.

In the matter of the Petition
 of the Chicago & Rock Island R.R. Co.

vs.

Petition for Certiorari

The Board of Supervisors of Bureau County

Now comes the said petitioners
 by their Attorneys aforesaid and the Court
 being duly advised in the premises doth consider
 that the said motion of Petitioners be sustained

and that a writ of certiorari be issued herein directed to the Board of Supervisors of Bureau County commanding them forthwith to certify and send up to this Court a record of their proceedings in reference to the tax of the said Petitioners at their September (1859) and January terms (1860) last.

(Afterwards, to wit, on the 20th day of April A.D. 1860, in accordance with the order of said Court the Clerk of said Court issued and delivered to the Sheriff of said Bureau County a writ of certiorari which was and is in the words and figures following) to wit:

" State of Illinois S.S. The People of the State
" County of Bureau of Illinois.

" To the Board of Supervisors of
" said County and State, Greeting:

" Whereas it has been represented by the petition
" of the Chicago and Rock Island Rail Road
" Company and the affidavit of John F. Tracy
" the General Superintendant of said Rail Road
" That at a session of the Board of Supervisors
" of said County and State, to wit, in the month
" of January A.D. 1860 certain proceedings were
" had by which it appears that the assessment of
" the property of said Company was raised thirty
" six ~~days~~ per cent above the list of Property of
" said Company to be assessed for the year 1859
" filed by said Company in the Office of the Clerk
" of the County Court of said County. Also

" that in pursuance of said action of the said
 " Board of Supervisors the said Clerk did add
 " thirty six per cent to the gross valuation of the
 " property of said petitioners whereby it appears
 " that manifest injustice has been done to the
 " said petitioners by the said determination and decision
 " of the said Board of Supervisors in increasing the
 " valuation of their property as aforesaid. And whereas
 " at the March Term of the Bureau County Circuit
 " Court The Chicago and Rock Island Rail Road
 " Company presented their said petition to the Judge
 " of the Circuit Court of said County and State
 " praying that a writ of certiorari after the course
 " of the Common law may be issued out of and
 " under the seal of the said Circuit Court and
 " directed to the Board of Supervisors of said
 " County and also praying that the granting of
 " the said writ of certiorari may operate as a
 " supersedeas to stay the collection of the taxes
 " assessed upon said increased valuation only
 " upon the giving by the said Petitioner of such
 " bond with such conditions as to the said Court
 " should seem meet - and whereas the said bond
 " has been duly filed with the Clerk of said Court
 " and approved, and whereas also at the said
 " March term of said ~~County~~ Circuit Court the
 " said Court being fully advised in the premises
 " ordered that the said writ of certiorari issue
 " herein directed to the Board of Supervisors of
 " said County & State, and we being willing for
 " certain causes in the said petition stated and

" set forth that the said determination and decision
 " of the said Board of Supervisors and the matters
 " and things in controversy between the said Chicago
 " and Rock-Island Rail Road Company and the
 " said Board of Supervisors should be re-examined
 " in the Circuit Court of said County, we
 " do hereby Command and require you that you
 " do forthwith, without excuse or delay, certify to
 " the said Circuit Court a record of your
 " proceedings at the said meetings in September
 " A.D. 1859 and in January A.D. 1860 touching the
 " increase of the valuation of the property of the
 " petitioners subject to taxation in said County
 " and all things touching the same by whatsoever
 " names the parties aforesaid, or any, or either of
 " them ^{are or} is set down, truly, fully and exactly as
 " in your custody they now remain, under your
 " proper hand and seal, together with this writ,
 " that further thereof the said Circuit Court
 " may do that which of right ought to be
 " done. Also that this writ may operate as a
 " writ of Superseas to stay the collection of
 " the taxes assessed upon said increased
 " valuation only.



Witness Edward W. Fisher
 Clerk of our said Circuit
 Court and the Seal thereof
 at Princeton in said County
 this 20th day of April A.D. 1860.

To the Sheriff of Bureau County to execute
 Edward W. Fisher, Clerk
 by W.A. Fisher Dep. Clk.

Pleas before the Hon. W. E. Hollister Judge of the Ninth Judicial Circuit of the State of Illinois at the September Term of said Circuit Court begun and held at the Court House in Princeton in and for the County of Bureau in said State on the third Monday in the month of September in the year of our Lord One thousand eight hundred and sixty.

Present Hon. W. E. Hollister, Judge

Edward M. Fisher, Clerk

David E. Norton, Sheriff

W. Bushnell, State Atty.

(To wit, on the first day of said term.)

In the matter of the Petition
of the Chicago & Rock-Island
Rail Road Company

vs.

Petition for Certiorari

The Board of Supervisors
of Bureau County

Now Come the said
defendants by Taylor, Paddock & Phelps their
Attorneys and file their return to the writ
issued herein in the words and figures following
to wit:

" The State of Illinois + }
" County of Bureau S.S. }

In Circuit Court

At September Term A.D. 1860

" The answer of the Board of Supervisors of said
" County to the petition of the Chicago & Rock Island

" Rail Road Company exhibited in said Court
 " against said Board.

" In accordance with the exigency of the
 " annexed writ of certiorari I, Stephen G. Paddock
 " Clerk of the County Court of said Bureau
 " County and ex-officio Clerk of said Board
 " of Supervisors do certify and make return
 " as follows, that is to say:

" That on April 20. A.D. 1859 the said Rail
 " Road Company, filed in the office of the
 " undersigned Clerk a schedule or list of the
 " property of said Corporation liable to taxation
 " in said Bureau County for the said year
 " 1859 a true copy of which list is annexed
 " to the petition on file herein as will by reference
 " thereto more fully appear; that said Clerk
 " laid said list before said Board at their
 " session in September A.D. 1859; that on
 " Wednesday which was the third day of said
 " session the following proceedings in said matter
 " were had as appears by the record of said
 " board in the custody of the undersigned,
 " to wit:

" " September A.D. 1859 "

" " Annual Meeting of the Board of Supervisors
 " " of Bureau County, Illinois; at the Court
 " " House ~~in~~ Princeton on Monday September 12. 1859 "
 " " Present, Messrs. Batty, Chapman, Elliott, Gordon,
 " " Gray, Hall, Harris, Holmes, Jewell, Kineman,
 " " Marple, Nickerson, Odell, Pomeroy, Porter, Smith,
 " " Sumner, Terry, Terrilliger, Triplett, Justin.

" " Whipple, Whiting, Wilkinson, Bryant.

" " Also Stephen H. Paddock, Clerk

" " David E. Norton, Sheriff "

" " Wednesday Sept^r 14. 1859

" " The board met pursuant to adjournment "

" " Lists of assessable property of the
" " Chicago, Burlington and Quincy Rail Road
" " Company, the Chicago & Rock Island Rail Road
" " Company, and the Peoria and Bureau Valley
" " Rail Road Company were presented to the
" " Board and on motion of Mr. Sumner
" " referred to the Committee on Rail Road
" " Assessments."

" " Thursday September 29th 1859

" " The Board met pursuant to
" " adjournment."

" " On motion of Mr. Porter the Board went
" " into Committee of the Whole on Rail road
" " assessments, Mr. Tustin in the Chair."

" " The Committee of the Whole reported to
" " the Board the Rail Road assessments
" " without any recommendation."

" " On motion of Mr. Tustin the further
" " consideration of the Rail road assessments
" " was postponed."

" " Friday September 30th 1859.

" " The Board met pursuant to
" " adjournment."

" " The Committee on rail road assessments

Presented the following report:

The Committee on Rail Road Assessments would beg leave to make the following report: That they have examined the several lists of property ~~valued~~ belonging to the several rail road companies having rail roads running through and in said County of Bureau filed with the Clerk of this Board by said Rail Road Companies to be assessed for taxes for the year 1859 would respectfully report that in pursuance of resolution appointing said Committee we proceeded to examine said lists and do recommend that the assessments of the Chicago, Burlington and Quincy Rail Road Company be raised twenty three per cent for the year 1859. That the Rock Island Rail Road Company's assessment for the year 1859 be raised thirty six and a half per cent:

That the Bureau Valley Rail Road Company be raised four and a half per cent for the year 1859.

All of which is respectfully

Submitted.

(Signed)

A. G. Porter

Simon Elliott

O. E. Chapman

Joseph W. Harris

Thomas Sumner

Committee

Therefore resolved that the valuation

of the property listed by the Chicago, Burlington
and Quincy Rail Road Company, by the Rock
Island Rail Road Company and by the Bureau
Valley Rail Road Company for taxes for the
year 1859 be and they are hereby ordered to be
increased in accordance with the Report of
the Committee on Rail road assessments and
the Clerk is hereby ordered to make such increase
of valuation as a basis of taxation and to
notify the several Companies of such increase"

On motion of Mr. Odell it was ordered
that the report be placed on file and recorded
and published with the proceedings and that
the resolution be adopted.

Saturday October 1. 1859.

The Board met pursuant to adjournment.
Mr. Gordon moved that the Board now
adjourn sine die. Mr. Terrilliger moved to
amend by substituting for "sine die" "to
2nd Monday of January next". The motion
was amended and carried as amended
and the Board adjourned."

On the 14th day of October A.D. 1859
the undersigned served a notice by copy
upon B. L. Cook Esq. as Agent of the said
Chicago and Rock Island Rail Road
Company of which notice the following
is a copy

To the Chicago and Rock Island
Rail Road Company

You will take notice
 that at the adjourned session of the Annual
 meeting of the Board of Supervisors of Bureau
 County Illinois begun at Princeton in said
 County of Bureau on the 26th of September
 1859 the valuation of the property listed
 by the Chicago and Rock Island Rail Road
 Company by Glover & Cook, Attys, for taxation
 for the year 1859 was ordered to be increased
 Thirty Six and one half Per cent on the value
 as listed and that such increased valuation
 will be the basis of taxes levied on the
 property of said Rail Road Company
 for the year 1859.



Witness Stephen G. Paddock
 Clerk of the County Court
 of said County and the Seal
 thereof at Princeton this 14th
 day of October A.D. 1859.

Stephen G. Paddock Clerk

Received a copy of the above notice
 this 14th October 1859.

(Signed) B. C. Cook Agent

And the undersigned further makes
 return that at the adjourned meeting of said
 Board of Supervisors held in January 1860
 the following proceedings in said matter were
 had as appears by the record of said Board
 in the custody of the undersigned, to wit:

19.

" " " January 1860

" " " Adjourned meeting of the Board of Supervisors.

" " " Monday January 9. 1860.

" " " John H. Bryant Chairman in the Chair

" " " Present Supervisors Batty, Chapman, Elliott, Gordon, Hall, Harris, Holmes, Jewell, Kineman, Maple, Nickerson, Odell, Pomeroy, Porter, Smith, Sumner, Terrillgar, Triplett, Tustin, Whipple, Whiting, Wilkinson, Bryant.

" " " Also Stephen G. Paddock Clerk

" " " David E. Norton, Sheriff

" " " Mr. Porter moved that the vote taken at the last session on the report and resolution of the Committee on Rail Road Assessments be reconsidered.

" " " Mr. Tustin objected that the motion was out of order.

" " " Mr. Porter moved a suspension of the rules. Carried.

" " " Mr. Porter moved again the reconsideration. Carried.

" " " Mr. Whiting moved that the report and resolution be recommitted to the Committee. Carried.

" " " Tuesday January 10. 1860

" " " The Board met pursuant to adjournment.

" " " The Committee on Rail Road Assessment

made report with resolution.

Mr. Sumner moved to adopt the resolutions

Mr. Gray moved to postpone for the present.

Mr. Porter demanded the yeas and nays.

Yeas 6, Nays 16, so the motion to postpone was lost.

Those voting yea were Messrs. Gray, Hall, Harris, Kinziman, Nickerson, Wilkinson.

Those voting nay were Messrs. Batty, Chapman, Elliott, Gordon, Holmes, Jewell, Marple, Odell, Pomeroy, Porter, Sumner, Tenilleger, Triplett, Whiting, Whipple, Bryant.

And Mr. Sumner's motion was carried and the resolution was adopted as follows,

The Committee on Rail Road assessment would beg leave to make the following report, That they have examined the several lists of property belonging to the several Rail Road Companies having Rail Roads running through and in said County of Bureau filed with the Clerk of this Board by said Rail Road Companies to be assessed for taxes for the year 1859 would respectfully report that in pursuance of a resolution appointing said Committee we proceeded

to examine the said lists and do recommend that the assessments of the Chicago Burlington and Quincy Rail Road Company be raised twenty three per cent for the year 1859 - ~~that the assessments of the Chicago and Rock Island Rail Road Company be raised twenty three per cent for the year 1859~~ ^{that the assessments of the Chicago and Rock Island Rail Road Company be raised thirty six per cent for the year 1859} ~~that the Peoria and Bureau Valley Rail Road Company be raised four and a half per cent for the year 1859~~

All of which is respectfully submitted.

A. G. Porter Joseph W. Harris)

O. E. Chapman Simon Elliott } Committee
 Thos. Sumner

Therefore resolved, that the valuation of the property listed by the Chicago, Burlington & Quincy Rail Road Company, by the Chicago and Rock Island Rail Road Company, and by the Peoria and Bureau Valley Rail Road Company for taxes for the year 1859 be and they are hereby ordered to be increased in accordance with the report of the Committee on rail road assessments and the clerk is hereby ordered to make such increase of valuation as a basis of taxation and to notify the several Companies of such increase.

Saturday July 14. 1860.
 and the Board adjourned " sine die."

On the 2^d day of February 1860 the undersigned mailed a notice directed to Glover & Cook Ottawa Ill., as Attorneys for the said Rock Island Rail Road Company of which notice the following is a copy

To the Chicago and
 Rock Island Rail
 Road Company

You will take notice that at the adjourned session of the Annual meeting of the Board of Supervisors of Bureau County Illinois begun at Princeton in said County of Bureau on the 9th of

January 1860 the valuation of the property listed by the Chicago and Rock Island Rail Road Company by Glover and Cook, Attys; for taxation for the year 1859 was ordered to be increased Thirty six and one half per cent on the value as listed; and that such increased valuation will be the basis of taxes levied on the property of said Rail Road Company for the year 1859.



Witness Stephen G. Paddock
Clerk of the County Court
of said County and the
Seal thereof at Princeton this
1st day of February A.D. 1860.
Stephen G. Paddock
Clerk

State of Illinois
County of Bureau } Ss.

I, Stephen G. Paddock, Clerk
of the County Court in and for said County
hereby certify that the foregoing is a true copy of
the Records of the Board of Supervisors concerning
the above matters and a true statement of the
proceedings had therein.



Witness my hand and the
Seal of said Court at Princeton
this 27th day of August A.D.
1860.

Stephen G. Paddock Clerk

Taylor, Paddock & Phelps. Attys. for respondents.

Place before the (To wit, of the fifth day of said term)

Saturday Morning 8 o'clock September
22^d 1860 - Court met pursuant to
adjournment.

In the matter of the Petition
of the Chicago & Rock Island
R. R. Co

23. Petition for Certiorari

The Board of Supervisors
of Bureau County

Now comes the said Petitioners
by Cook & Glover their Attorneys and the defendant
comes by his Attorneys aforesaid and enters his
motion to quash the writ herein.

(To wit of the ninth day of said term)

Court met pursuant to adjournment.
Wednesday Morning 8 o'clock, September
26th A.D. 1860.

In the matter of the Petition
of the Chicago & Rock Island
Rail Road Co.

23. Petition for Certiorari

The Board of Supervisors
of Bureau County

Now comes the said parties
by their Attorneys aforesaid & file their agreement
or stipulation herein in the words & figures following
to wit:

"In this case it is stipulated that the same

" be continued to the December Term 1860 when
 " the same shall be finally disposed of without
 " further Continuance or delay, that at said term
 " no objection of a dilatory nature shall be made
 " to the return of the said defendants on file herein
 " but if it shall appear that the same is diminished
 " or in anywise insufficient such insufficiency
 " shall at once be supplied by the Clerk of
 " said Board as of course and without continuance
 " or delay.

B. C. Cook, for Petitioner
 Taylor, Paddock & Phelps, for Respondents.

It is therefore Considered by the Court that
 this Cause be Continued in accordance with
 the aforesaid agreement according to the terms
 thereof.

Pleas before the Hon. W. E. Hallister, Judge
 of the Ninth Judicial Circuit of the State of
 Illinois at a term of said Circuit Court
 begun and held at the Court House in Princeton
 within and for the County of Bureau on the
 second Monday in the month of December
 in the year of our Lord One Thousand Eight
 hundred and sixty.

Present, Hon. W. E. Hallister, Judge
 Geo. W. Radcliffe, Clerk
 David E. Norton, Sheriff

(To wit, on the tenth day of said term)
 Thursday morning 8 1/2 o'clock A.M.
 December 20th A.D. 1860. Court
 met pursuant to adjournment.

25.

In the matter of the Petition
of the Chicago and Rock-Island
Rail-Road Company

vs.

Certiorari

The Board of Supervisors
of Bureau County

And now come the plaintiffs
by Glover & Cook their Attorneys and move the
Court for an alias writ of certiorari against
the defendants herein.

(To wit, on the sixteenth day of said term)

Thursday morning December 27th A.D. 1860
9 o'clock A.M. - Court met pursuant
to adjournment.

In the matter of the Petition
of the Chicago & Rock Island
Rail Road Company

vs.

Petition for certiorari

The Board of Supervisors
of Bureau County

And now come the petitioners
by Campbell Attorney who files his affidavit
herein as follows, to wit:

" State of Illinois }
" Bureau County } S.S.

" Geo. C. Campbell being
" first duly sworn states on oath that he has
" carefully examined the records now remaining
" in the office of the Clerk of the County Court
" of said County and has carefully compared

" with the said Record, the Paper, filed in the case
 " of The Chicago and Rock Island Rail Road
 " Company against the Board of Supervisors
 " of said County of Bureau which is attached
 " to the writ of certiorari ~~return~~ in said Cause
 " and is certified under the hand of said Clerk
 " and the Seal of said Court to be a true
 " copy of the Records of the Board of Supervisors
 " Concerning the matters therein stated & which
 " said supposed record is certified and ~~is~~
 " attached to said writ as aforesaid, is filed
 " in said Cause as the return to said writ,
 " and affiant states that the said supposed
 " copy of said Record is not a true copy
 " of said record, and that said supposed
 " copy contains among other things a copy of
 " a certain notice dated the 14th day of October
 " A.D. 1859, which is alleged to have been
 " served upon B. L. Cook as the Attorney of
 " said Chicago & Rock-Island Rail Road
 " Company, by said Clerk, and this affiant
 " states that no such notices or any part or
 " portion of either of said notices are in truth
 " and fact found in the said Record as the
 " same now appears in the office of said Clerk.
 " Affiant further states that the said Record
 " does not purport to contain a full and
 " complete copy of all of the action of the
 " said Board of Supervisors had at the said
 " January session A.D. 1860. of said Board
 " upon the subject of the equalization of assessments

27.

" in and for said County of Bureau nor does
" it appear from the said supposed record
" whether any such action was had at such
" session or not.

" Affiant further states that he believes that
" the rights of the said Chicago and Rock Island
" Rail Road Company cannot fully be made
" to appear to this Court and cannot be fully
" protected in said Cause, nor can this Court
" be fully advised as to the action of said
" Board of Supervisors in the premises unless
" a full perfect & complete copy of the said
" Record unaccompanied by any other document
" or Paper of any kind whatever be placed upon
" the files in said Cause.

" Geo. C. Campbell

" Subscribed & sworn to

" before me this 20th day
" of December A.D. 1860.

" Geo. W. Radcliffe Clerk.

" Per. Chas. J. Peckham Dep.

(Of the twentieth day of said term)

Tuesday Morning January 1st A.D. 1861.

9 o'clock A.M. - Court met pursuant
to adjournment.

In the matter of the Petition
of the Chicago & Rock Island
Rail Road Company

vs.

Petition for Intervention

The Board of Supervisors of Bureau County

And now after argument of Counsel, the Court being fully advised herein, Consider and orders that the motion of Petitioners for alias writ of Certiorari herein be overruled.

(To wit, on the twenty second day of said term)
Thursday morning January 3rd A.D. 1861
8 1/2 o'clock A.M. - Court met pursuant
to adjournment.

In the matter of the Petition
of the Chicago & Rock-Island
Rail Road Company

vs.

Petition for Certiorari
The Board of Supervisors
of Bureau County

And now come the petitioners
by Glover & Cook their Attorneys and move the
Court to set aside the order of defendants made
in January A.D. 1860 increasing the valuation of
the property of Petitioners in said County.

(To wit, on the twenty third day of said term)
Friday morning January 4th A.D. 1861
9 o'clock A.M. - Court met pursuant
to adjournment.

In the matter of the Petition
of the Chicago & Rock-Island
Rail Road Company

vs.

Certiorari
The Board of Supervisors of
Bureau County

And now on this day the said Chicago and Rock Island Rail Road Company come by Cook their Attorney and said Board of Supervisors of the County of Bureau also come by Taylor & Paddock their Attorneys, and this matter comes on for hearing upon the petition of said Rail Road Company, the writ of Certiorari herein, and the return of said respondents thereto, and thereupon after argument of Counsel it is considered by the Court that in the record of the said Board of Supervisors touching the assessment of the tax mentioned in petitioners said petition is no error, and that the writ of Certiorari and Superseas herein be quashed and said petition be dismissed; and by agreement of parties herein an appeal to the Supreme Court of the State of Illinois from this judgment is allowed herein upon said petitioners filing bond with the Clerk of this Court in the penal sum of Two Thousand Dollars, with John F. Tracy as security, in thirty days from this day.

And afterwards, to wit, on this same day come the parties aforesaid by their Attorneys aforesaid and file their stipulation herein in the words and figures following, to wit:

" The said petitioners not having appended to their
 " petition herein a copy of the tax schedule or list
 " of taxable property for the year 1859 mentioned in
 " said petition it is agreed in this cause that the Clerk
 " of this Court in making up the record herein to the

" Supreme Court shall copy the original list
 " for that year on file in the County Clerk's Office
 " and make ~~such record~~ said copy a part of
 " such record.

" Cook, for Plff.
 " Taylor & Paddock
 " for respondents

It is thereupon Considered and ordered by the Court that said copy of Schedule be appended to the record herein in accordance with said stipulation, and the same is in the words and figures following, to wit:

~~~~~  
 ~~~~~  
 ~~~~~  
 ~~~~~


Office of the Chicago & Rock Island R.R. Co.
Ottawa May 1st 1859

To the County Clerk of the County of Bureau
State of Illinois:

In accordance with sections 2. 3. 4. 12th & 22nd, of "An Act to amend the Assessment and Revenue Laws" approved February 14th, 1855, the Chicago & Rock Island R.R. Co. make the following return:

For value and description of Real Estate owned by said Company in the County of Bureau, see annexed Schedule marked (A)

For value and description of the "Fixed and Stationary Personal Property" in the County of Bureau, see annexed Schedule marked (B)

For value of all other Personal Property owned by said Company in the County of Bureau, see annexed Schedule marked (C.)

For value and inventory of all the Movable Property of said Company on their whole Road, see annexed Schedule marked (D.)

The total length of the main track in this State is 950,104 feet, or 181⁷⁶/₁₀₀ miles.

The total value of all the Rolling Stock of said Company is \$377,496.

The length of the main track of said Company in the County of Bureau is 212,292 feet.

The share or proportion of the Rolling Stock which you are entitled to assess in said County of Bureau is \$84,916.

The County of Bureau is

Therefore entitled to assess as follows :

1 st	Real Estate	Schedule A	\$ 6.051	10
2 ^d	Tied and Stationary Personal Property	" B	\$ 134.029	20
3 ^d	Other Personal Property	" C	\$.750	00
4 th	Pro-rata Movable Property		\$ 84.916	80
5 th	^{Stationary} Buildings		\$ 13.625	00
Total in the County of Bureau.			\$ 239.372	10

This valuation is made on the first of April 1859. Should any change be made in the same by you, you are required to give notice of the same at this office. See section 5. of the first act referred to in this report.

All of which is respectfully submitted.

Slaver & Cook

Attys for C & R I. Railroad Company.

Bureau County

Part of Tract	Section	Town	Range	Length Ht. & P.	Width Ht. & P.	Acre	Valuation	
Township of Hall							\$	¢
Whole tract	1	15	11	4240	100	9.73	97	30
E $\frac{1}{2}$ NE $\frac{1}{4}$	2	"	"	1349	"	3.09	30	90
W $\frac{1}{2}$ "	"	"	"	1355	"	3.11	31	10
SE $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	1364	"	3.13	31	30
W $\frac{1}{2}$ NW $\frac{1}{4}$	"	"	"	1385	"	3.06	30	60
That pt. N. of RR E $\frac{1}{2}$ NE $\frac{1}{4}$	3	"	"	690	Irregular shape	14.25	142	50
" " S. " "	3	"	"	645	100	1.55	15	50
W $\frac{1}{2}$ "	"	"	"	1358	"	3.12	31	22
E $\frac{1}{2}$ NW $\frac{1}{4}$	"	"	"	1177	"	2.70	27	00
" SE $\frac{1}{4}$	34	16	11	240	"	.55	5	50
W $\frac{1}{2}$ "	34	16	11	1329	"	3.05	30	50
E pt. SE $\frac{1}{4}$	33	"	"	172	"	.39	3	90
pt. E $\frac{1}{2}$ "	33	"	"	904	"	2.08	20	80
" " "	"	"	"	178	"	.41	4	10
" " "	"	"	"	162	"	.37	3	70
E $\frac{1}{2}$ W $\frac{1}{2}$ "	"	"	"	702	"	1.61	16	10
W $\frac{1}{2}$ "	"	"	"	673	"	1.54	15	40
E to ans SE $\frac{1}{4}$	"	"	"	1027	"	2.70	27	00
W pt. E $\frac{1}{2}$ of "	"	"	"	320	"	1.10	11	00
E $\frac{1}{2}$ of W $\frac{1}{2}$ "	"	"	"	703	"	1.61	16	10
W $\frac{1}{2}$ W $\frac{1}{2}$ "	"	"	"	683	130	1.99	19	90
E $\frac{1}{2}$ SE $\frac{1}{4}$	32	"	"	1359	130	4.05	40	50
W $\frac{1}{2}$ "	"	"	"	1321	"	3.94	39	40
10 rods. E side SE $\frac{1}{4}$	"	"	"	180	"	.54	5	40
30 " E $\frac{1}{2}$	"	"	"	484	"	1.45	14	50
10 " "	"	"	"	169	"	.50	5	00
10 " "	"	"	"	89	130	.27	2	70
10 " "	"	"	"	309	"	.87	8	70
10 " "	"	"	"	208	"	.62	6	20
E 30 " W $\frac{1}{2}$	"	"	"	435	"	1.30	13	00
W 54 " "	"	"	"	967	"	2.88	28	80
				26.197				
								475.50

Township of Hall Cont'd

Part of Tract	Section	Town	Range	Length of Strip	Width of Strip	Acres	Valuation	
pt. E $\frac{1}{2}$ SE $\frac{1}{4}$	31	16	11	472 945	130 130	5.02	\$50	20 ^c
W $\frac{1}{2}$ "	"	"	"	1225	100	2.81	28	10
E $\frac{1}{2}$ SW $\frac{1}{4}$	"	"	"	1415	100	3.25	32	50
E pt W $\frac{1}{2}$ "	"	"	"	724	"	1.66	16	60
W $\frac{1}{2}$ " " "	"	"	"	610	"	3.50	34	00
				5391			\$161	40
Total value of Lands						\$936.90		
" length of main track						31.5880		

Township of Selby

I $\frac{1}{2}$	36	16	10	5291	100	12.15	121	50
pt E $\frac{1}{2}$ SE $\frac{1}{4}$	35	"	"	1329	"	3.05	30	50
W $\frac{1}{2}$ "	"	"	"	1328	"	3.05	30	50
SW $\frac{1}{4}$	"	"	"	2760	"	1.34	63	40
" Section on SE $\frac{1}{4}$	"	"	"	787	300			
E $\frac{1}{2}$ "	34	"	"	1369	100	3.12	31	20
W $\frac{1}{2}$ "	"	"	"	1309	"	3.01	30	10
E $\frac{1}{4}$ of E $\frac{1}{2}$ of SW $\frac{1}{4}$	"	"	"	735	"	1.69	16	90
W $\frac{1}{2}$ "	"	"	"	206	"	.47	4	40
				14308			\$328	80

Total value of lands
 " length of main track
 " " " side "
 Station Buildings

\$328 80
 14 308
 1 530
 \$2125.

Part of Tract.	Section	Town	Range	Length of Strip	Width of Strip	Acre	Valuation	
Township of <u>Argyle</u>							\$	¢
E $\frac{1}{2}$ NE $\frac{1}{4}$	12	15	9	941	82 $\frac{1}{2}$	2.16	21	60
" SE $\frac{1}{4}$	1	"	"	598	100	1.37	13	70
W $\frac{1}{2}$ "	"	"	"	1328	82 $\frac{1}{2}$	3.05	30	50
E $\frac{1}{2}$ SW $\frac{1}{4}$	"	"	"	1148	"	2.64	26	40
SW$\frac{1}{4}$ "	"	"	"	"	"	"	"	"
E $\frac{1}{2}$ NW $\frac{1}{4}$	12	"	"	218	"	.50	5	"
W $\frac{1}{2}$ NE $\frac{1}{4}$	"	"	"	1420	100	3.26	32	60
NE $\frac{1}{4}$	11	"	"	1000	300	6.91	69	10
"	"	"	"	800	100	"	"	"
"	"	"	"	1200	160	5.23	52	30
E $\frac{1}{2}$ NW $\frac{1}{4}$	"	"	"	933	100	2.14	21	40
Extra on "	"	"	"	-	-	1.08	10	80
" SE $\frac{1}{4}$	"	"	"	639	"	1.47	14	70
W $\frac{1}{2}$ "	"	"	"	1480	"	3.40	34	00
NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	"	"	700	"	1.61	16	10
SE $\frac{1}{4}$ "	"	"	"	725	"	1.66	16	60
W $\frac{1}{2}$ "	"	"	"	1344	"	3.09	30	90
" SE $\frac{1}{4}$	"	"	"	2659	"	6.10	61	00
E $\frac{1}{2}$ SE $\frac{1}{4}$	9	"	"	1337	"	3.06	30	60
W $\frac{1}{2}$ SE $\frac{1}{4}$	"	"	"	1343	"	3.08	30	80
E $\frac{1}{2}$ SW $\frac{1}{4}$	"	"	"	1379	"	3.16	31	60
W $\frac{1}{2}$ "	"	"	"	1598	"	3.67	36	70
E $\frac{1}{2}$ SE $\frac{1}{4}$	8	"	"	910	"	2.08	20	80
NE $\frac{1}{4}$ NE $\frac{1}{4}$	14	"	"	726	"	1.67	16	70
W $\frac{1}{2}$ NE $\frac{1}{4}$	"	"	"	1456	160	5.35	53	50
E 13 rods of E $\frac{1}{2}$ NE $\frac{1}{4}$	"	"	"	251	150	.66	6	60
NE $\frac{1}{4}$ " "	"	"	"	1129	"	2.59	25	90
Part of W $\frac{1}{2}$ "	"	"	"	886	100	3.75	37	50
" " " "	"	"	"	453	"	3.01	30	10
" " E $\frac{1}{2}$ "	"	"	"	820	"	1.88	18	80
W $\frac{1}{2}$ NE $\frac{1}{4}$	18	"	"	1890	"	4.34	43	40
				31.499			\$ 839.70	

Description of part of Lot taken	Lot	Block	Width of Strip	Value
"2230 feet" ^{Lots in} <u>Indian town or Tiskilwa</u>				
That part within 30 ft ^{center R.R. track} each side, ^{thru}	41		60	
Same thro' 42. 43. 44 &	45		"	
" " 90. 92. 91. 93 &	94		"	
" " 82. 83. 84 &	85		"	
" " Public Square			"	
" " 136. 137 &	138		"	
Whole of ^{of R.R. track} Part within 30 ft of center ^{thru}	160		"	
" " 50 " " "	134		100	
Whole of 161. 162. 186 &	187			
" " 132. 133 "	163			
Part within 150 ft ^{of R.R. tracks} of center ^{thru}	164			
" " " " ^{of R.R. track} " "	165			
" " " " ^{of R.R. track} " 181 &	182			
Whole of	183			
" " 184 &	185			
Part of S.W. 1/4 Sec 7. 315 Rg. Length 475 ft ^{width}				
300 ft " 1315 " "100 ft			8.80	
Total value of lands				\$ 548.50
" " " lots				\$ 51.20
" length main tracks	35.519.			
" " side "	2746			
Station Buildings				\$ 5.500.

Part of Tract.	Section	Town	Range	Length of Strip	Width of Strip	Acres.	Valuation	
<u>Township of Indiantown</u>							\$	¢
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	12	15	8	420	100	0.96	9	60
E $\frac{1}{2}$ NE $\frac{1}{4}$	"	"	"	1745	"	4.00	40	00
{ Rest Balance	"	"	"	1170	"	2.68	26	80
Part SE $\frac{1}{4}$	1	"	"	715	"	1.64	16	40
SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	750	"	2.18	21	80
SW $\frac{1}{4}$	"	"	"	1120	150	7.46	74	60
NE $\frac{1}{4}$, SW $\frac{1}{4}$	"	"	"	348	100	1.03	10	30
SE $\frac{1}{4}$, SW $\frac{1}{4}$	"	"	"	1492	150	3.79	37	90
NE $\frac{1}{4}$	"	"	"	785	100	1.80	18	00
NE $\frac{1}{4}$	"	"	"	00	100	.13	1	30
SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	576	150	3.69	36	90
				698	150			
				9.819			\$ 293	60
Total value of Lands						\$ 293.60		
" length main track						9.819.		

Part of Tract	Section	Town	Range	Length of Strip	Width of Strip	Acres.	Valuation	
Township of Concord							\$	¢
E $\frac{1}{2}$ of E $\frac{1}{4}$	24	16	7	1220	100	3.03	30	30
W $\frac{1}{2}$ " "	"	"	"	1307	"	3.00	30	00
N $\frac{1}{2}$ of E $\frac{1}{4}$	"	"	"	1321	150	3.18	31	80
W $\frac{1}{2}$ " "	"	"	"	1316	100	3.68	36	80
E $\frac{1}{2}$ " SE $\frac{1}{4}$	23	"	"	1379	"	3.17	31	70
N $\frac{1}{2}$ " "	"	"	"	1380	150	17.77	177	70
SE $\frac{1}{4}$ " "	"	"	"	2459	"			
N $\frac{1}{2}$ " "	"	"	"	"	"			
N $\frac{1}{2}$ of SE $\frac{1}{4}$	22	"	"	00	0	0.30	3	00
Grace pit { N $\frac{1}{2}$ " "	"	"	"	"	"	14.01	140	10
{ SE $\frac{1}{2}$ " N $\frac{1}{2}$	"	"	"	2700	"	27.56	275	60
N $\frac{1}{2}$ " N $\frac{1}{2}$	"	"	"	2684	"	7.78	77	80
SE $\frac{1}{4}$ 21	"	"	"	854 2633	200 150	8.00	80	00
E $\frac{1}{2}$ of N $\frac{1}{2}$	"	"	"	1340	100	3.06	30	60
W $\frac{1}{2}$ " "	"	"	"	1325	"	3.04	30	40
SE $\frac{1}{4}$ 20	"	"	"	2670	"	6.13	61	30
E $\frac{1}{2}$ N $\frac{1}{2}$	"	"	"	1330	"	9.13	91	30
W $\frac{1}{2}$ " "	"	"	"	1320	"			
E $\frac{1}{2}$ SE $\frac{1}{4}$ 19	"	"	"	1325	"			
W $\frac{1}{2}$ " "	"	"	"	1325	"	3.04	30	40
" N $\frac{1}{2}$	"	"	"	1000 1429	300 100	5.58	55	80
							32.620	\$1214 60

Total value of Lands \$1214.60
 " length main tracks 32.620.
 " " side " 5.186
 Station Buildings \$500.

Part of Tract	Section	Town	Range	Length Feet	Width Feet	Acres	Valuation	
<u>Township of Mineral</u>							\$	¢
NE $\frac{1}{4}$	24	16	6	2470	100	6.36	13	60
E $\frac{1}{2}$ of NW $\frac{1}{4}$	"	"	"	1385	"	3.18	31	80
SW $\frac{1}{2}$ "	"	"	"	1312	"	3.13	31	30
E $\frac{1}{2}$ " NE $\frac{1}{4}$	23	"	"	646	"	1.48	14	80
S $\frac{1}{2}$ SE $\frac{1}{4}$	14	"	"	2181	"	5.01	50	10
SW $\frac{1}{4}$	"	"	"	2712	"	6.23	62	30
see	15	"	"	5574	"	12.80	128	00
see	16	"	"	5574	"	12.80	128	00
NE $\frac{1}{4}$	17	"	"	1809	"	4.15	41	50
SE $\frac{1}{4}$	8	"	"	959	"	2.20	22	00
SW $\frac{1}{4}$	"	"	"	2781	"	6.38	63	80
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	7	"	"	880	"	2.02	20	20
NE $\frac{1}{4}$ "	"	"	"	520	"	1.19	11	90
NW $\frac{1}{4}$ "	"	"	"	1402	"	3.22	32	20
SW $\frac{1}{4}$	"	"	"	2429	"	5.57	55	70
				27410			\$	643 10

Total value of lands \$ 643.10.
 " length main track 27.410.

" B "

Schedule.	Feet	Value of
Length of main track in the County of Bureau	212.292	127.345 20
Station at Trenton	1.530	.612 00
Travel pit 1 1/2 miles East of Bureau	1.640	.656 00
" " Bureau	3.893	1.557 20
" " Tiskilwa	2.746	1.098 40
" " Pond Creek	2.640	1.056 00
" " Sheffield	2.621	1.048 40
" " Coal Bank	1.565	.626 00

Total value "Fixed & Stationary Personal Property" = \$134.029 ²⁰/₁₀₀

Schedule "C"

Personal Property	Value
Tools & fixtures for repairs of road	\$ 250 -
All other Personal Property	500 -
Total Personal Property	\$ 750 -

43.

Schedule "D"

Movable Property

Description	No	Average Value	Total Value
Locomotives - { 41- 1 st class x 4000 13- 2 nd " x 3000 3- 3 rd " x 1000 54			206.000
Passenger Cars { 26- 1 st class 6,000 7- 2 nd " at 600 33			29.200
Emigrant "	8	400	3.200
Baggage "	11	400	4.400
House "	492	300	147.600
Cattle "	105	250	26.250
Platform "	205	200	41.000
Gravel " 4 wheel	10	100	1.000
Coal "	100	100	10.000
Hand "	48	15	.720
Mail & Express "	5	500	2.500

Total movable property ^{RR} C & N. I. & P. & B. & V. & R. & E.
 Deduct 15 for Equipment of P. & B. & R. & E.
 Total. ~~at 41 for Equipment C & R. I. R. R.~~

\$ 441.870
 94.374
 \$ 347.496

Valuation of the property of the C. & N. I. R. R. Co., in the County of Bureau.

Towns.	Items of Property	Feet	Valuation	Total.
Hall.	Main Track	31.588	\$18.952 80	
	Side Track			
	Pro-rata of movable property		12.635 20	
	Other Personal property			
	Buildings & Real Estate -		936 90	
				\$32.524. ²⁰

Selby	Main Track	14.308	\$8.584 80	
	Side Track	1.530	612 00	
	Pro-rata of movable property		5.723 20	
	Other Personal property		100 00	
	Buildings		2.125 00	
	Real Estate		328 80	\$17.473. ⁸⁰

Leopertown	Main Track	27.681	\$16.608 60	
	Side Track	5.333	2.213 20	
	Pro-rata of movable property		11.072 40	
	Other Personal property		150 00	
	Buildings		1.000 00	
	Real Estate		779 90	\$31.824. ¹⁰

Arispe	Main Track	35.519	\$21.318 40	
	Side Track	2.746	1.098 40	
	Pro-rata of movable property		14.207 60	
	Other property		300 00	
	Buildings		3.500 00	
	Real Estate		899 70	\$41.317. ¹⁰

45.

Indian town

Main Track	9.819	\$5.891	40	
Side Track				
Pro-rata of movable property		3.927	60	
Other personal property				
Buildings				
Real Estate		293	60	\$10.1121 ⁶⁰

Centre

Main Track	33.347	\$20.008	20	
Side Track	2.640	1.056	00	
Pro-rata of movable property		13.338	80	
Other Personal property				
Buildings		2.000	00	
Real Estate		954	50	\$37.357 ⁵⁰

Concord

Main Track	32.620	\$19.572	00	
Side Track	5.186	1.674	40	
Pro-rata of movable property		13.048	00	
Other Personal property		200	00	
Buildings		5.000	00	
Real Estate		1.214	60	\$40.709 ⁰⁰

Mineral

Main Track	27.410	\$16.446	00	
Side Track				
Pro-rata of movable property		10.964	00	
Other personal property				
Buildings				
Real Estate		643	10	\$28.053.10

State of Illinois } ss.
County of Bureau }

I Stephen G. Paddock clerk
of the County Court in and for said County and
State do hereby certify that the foregoing is a true
and correct copy of the original List of all the
Taxable property of the Chicago and Rock Island
Rail Road Company filed in my office April 20. 1861
and the said original still being on file ⁱⁿ my office
the foregoing was carefully copied from the same

In Witness whereof I have hereunto
set my hand and the seal of said
County Court this Eighth day of
April 1861.

Stephen G. Paddock Clk. Co. Court.
by Wm F. Robertson Deputy



COPY
Bureau Co.
C & R I R R
1859

48.

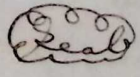
Filed April 20. 1859.
J. G. Faddock
Clerk

Dec 18 75

And afterwards, to wit, on this same day, come the Petitioners by Cook their Attorney and file their Bill of Exceptions herein in the words and figures following, to wit:

" Be it remembered that on the hearing of this
 " Cause it was proven that during the years A.D.
 " 1859 + A.D. 1860, there was twenty five Supervisors
 " in Bureau County - this was all the evidence
 " outside the record - The Court entered the
 " following order;

" And now on this day the said Chicago
 " and Rock Island Rail Road Company
 " Come by Cook their Attorney and said
 " Board of Supervisors of the County of
 " Bureau, ^{also} Come by Taylor + Paddock their
 " Attorneys and this matter comes on for
 " hearing upon the petition of said Rail Road
 " Company, the writ of certiorari herein, and the
 " return of said respondents thereto, and thereupon
 " after argument of counsel, it is considered by
 " the Court that in the record of the said Board
 " of Supervisors touching the assessment of the tax
 " mentioned in petitioners said petition is no error,
 " and that the writ of certiorari and supersedeas
 " herein be quashed and said petition dismissed;
 " to which ruling of the Court the said Chicago and
 " Rock Island Rail Road Company by its counsel
 " then + there excepted at the time said order was made
 " + prays that this bill of exceptions be signed sealed &
 " made part of the record which is done.

(Signed) M. E. Hallister Judge 

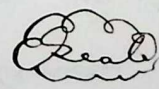
And afterwards, to wit, on the 2nd day of February
 A.D. 1861 the said Chicago and Rock Island Rail
 Road Company caused to be filed in the office
 of the clerk of said Circuit Court of Bureau
 County a certain bond in the cause aforesaid of
 which the following is a true copy) to wit:
 " Know all men by these presents that we the
 " Chicago and Rock Island Rail Road Company
 " as Principal and John F. Tracy as surety are
 " held and firmly bound unto The Board of Supervisors
 " of Bureau County State of Illinois in the Penal
 " Sum of Two Thousand Dollars for the Payment
 " of which we bind ourselves and said Tracy binds
 " his heirs, executors and administrators jointly, severally
 " and firmly by these presents. Sealed with our
 " seals and dated this 22^d day of January A.D. 1861.
 " The Condition of the above obligation is such that
 " whereas the above bounden Chicago & Rock Island
 " Rail Road Company did on the 20th day of
 " April A.D. 1860 sue out of the Circuit Court of
 " Bureau County Illinois a writ of certiorari to
 " remove into said Court the order made by the
 " Board of Supervisors of said County on the
 " 10th day of January A.D. 1860 by which the
 " valuation of the lists of Property of said Company
 " as filed by them with the County Clerk May 1st 1860
 " was increased thirty six per cent, and whereas
 " such proceedings were afterwards had in said
 " Court that said writ of certiorari was
 " dismissed at the December term of said Court
 " A.D. 1860 and the proceedings and order of said

" Board of Supervisors were in all things affirmed,
 " from which ^{said} order of the Circuit Court the said Rail
 " Road Company has taken an appeal to the Supreme
 " Court of said State. Now if said Rail Road
 " Company shall prosecute said appeal with effect
 " & without delay and shall pay whatever tax has
 " been or may be legally assessed against its
 " property for the year 1860 in case the said Judgment
 " of the said Circuit Court shall be affirmed
 " taking as a basis for said tax the valuation of said
 " Board of Supervisors and shall also pay all such
 " costs interests & costs as by said Supreme Court
 " it shall be adjudged to pay in said Cause, then
 " this bond shall be void, otherwise in force.



The Chicago and Rock Island
 Rail Road Company by
 John F. Tracy

Superintendent

John F. Tracy 

State of Illinois, County of Bureau, Is.

I, George W. Radcliffe, Clerk of
 the Circuit Court within and for said County
 do hereby certify that the foregoing is a true
 and correct transcript from the record and files
 of said Court of the proceedings had therein in
 the matter of the Petition of the Chicago and
 Rock Island Rail Road Company against
 the Board of Supervisors of Bureau County, the
 same being a petition for certiorari disposed
 of at the December Term A.D. 1860 of the

Said Circuit Court.



In testimony whereof I have
herewith set my hand, and
affixed the Seal of Said Court
at Princeton this 9th day of
April A.D. 1861.

Geo. W. Radcliffe, Clerk.
Pr. Chas. J. Peckham, Deputy

And now comes the said Chicago and
Rock Island Rail Road company the
Appellant herein saying that in the re-
cord proceedings aforesaid and in
the judgment aforesaid there is man-
ifest error in this to wit

1st The Court erred in refusing to grant
an alias writ of Certiorari on motion of
said plaintiff upon the affidavit of said
Campbell

2^d The Court erred in deciding that
there was no error in the record of said
Board of Supervisors

3^d The Court erred in granting said
writ & dismissing said petition

4th The Court erred in rendering judg-
ment as aforesaid in manner and
form aforesaid

^{5th} And for other errors

Glover, Lodge Campbell
for Apellants

244-153
The Chicago & Rock-Island
Rail Road Company

vs.

The Board of Supervisors
of Bureau County

Transcript of record

Filed Apr. 17, 1861
R. S. Leonard
Clk

Clk's fees (including copy
Schedule) \$15.35

Paid by C. & R. I. R. R. Co.