No. 14331

Supreme Court of Illinois

Lill

vs.

City of Chicago

71641

120

STATE OF ILLINOIS,

SUPREME COURT,

Third Grand Division.

No. 247

14331

Lee

vs

Cryder

Refused

United States of America
State of Illinois Cook County ss

Be it remembered that on the third day of
February in the year of our Lord Eighteen Hundred
and sixty two John Baker City Collector of the City
of Chicago reported and filed with the Clerk of the
Court a list of lands lots and parcels of land and
other Real Estate situated in the City of Chicago upon
which taxes and assessments remained due and
unpaid for the year therein set forth, and attached
to said Report was a Certificate and affidavit of the said

Page 1

Collector that the annexed Schedule to said Report was a true and Correct list of the delinquent Real Estate specified in the Special Warrant No 190 North mentioned in said Report, upon which he had been unable to collect the assessments as required by law and that the amount due thereon was correctly set forth; and also attached to said Report was a Certificate of the Chicago Evening Journal the Corporation Newspaper of said City of Chicago, signed by Edward L Wilson Publisher of the due publication of notice as required by law of the making and delivery of the Warrant for the collection of said Taxes and Assessments, to the said John Baker City Collector as aforesaid and also attached to said Report was a further Certificate signed as aforesaid of the publication in the daily Edition of the Chicago Evening Journal of the Notice of the intended application for a Judgement against said Real Estate in said Warrant No 190 North at the term of Court, as required by the Law of this State approved

A.D. Eighteen hundred and

a Copy of which said Report, with said notice and Certificate is herein after set forth,

Warrant No 190 N

State of Illinois
City of Chicago } ss
County of Cook

Superior Court of Chicago
February Term A.D. 1862

To The Honorable John M. Wilson Wm. H. Higgins
and Grant Goodrich Judges of the Superior Court
of Chicago.

The Report of John Rabe City Collector of the
City of Chicago in said County of Cook, respectfully
represents that a special Warrant in due form of law
issued for the Collection of a special Assessment duly
made for Macadamizing Wells Street from the North
line of Kinzie Street to the Centre of Division Street
and signed by the Mayor and Clerk of said City of
Chicago and Countersigned by the City Comptroller
with the Corporate Seal of said City thereto attached
which said Warrant is known and designated as
Number 190 North and dated the 8th day of October
A.D. 1861. was delivered to him the said City Collector
On the second Tuesday of October A.D. 1861. to wit on the
8th day of October A.D. 1861.

That forthwith after the delivery of the said Warrant
to him he published in the Chicago Evening Journal
the Corporation Newspaper of said City a Notice
that he had received said Warrant for Collection
describing the same by Number and date and time
when received; the Amount to be Collected; the purpose
for which Collected; and the property assessed (by general
description) and requesting all persons forthwith to

3

make payment thereof at his office, and that on
default of said payment, the said assessment shall be
collected at the cost and expense of the persons liable
for the payment thereof; which said notice was publish-
-ed in said Corporation Newspaper for ten days the first
publication thereof being on the 9th day of October
AD 1861 a copy of which said notice together with a
certificate of the due publication thereof from the
publisher of said Corporation Newspaper is filed with
this report, and referred to for a more full and particular
description of the contents thereof,
That he had given ten days notice before the first day
of the February Term AD 1862 of this Court, by publication
in the said Corporation Newspaper, of his intention to apply
to said Court on the first day of the said February
Term AD 1862 for judgement against the lands lots
and parcels of land specified in said Warrant for the
amount of the assessment interest and costs respectively
due thereon; in which said notice he briefly specified
the nature of said Warrant, and requested all persons
interested therein to attend at said Term - a copy of
which said notice is herewith filed, together with a
certificate of the due publication thereof from the
publisher of said Corporation newspaper, and that same
are hereby referred to for a more full and particular
description;
That the annexed Schedule is a Correct list of the lands
lots and parcels of land specified in said Warrant, on
which the assessments are not paid; and that the
amounts of the assessment interest and cost due on the
said lands lots and parcels of land respectively, are
therein Correctly stated and set forth;
Wherefore your said petitioner prays that judgement
may be rendered according to the form of the

4

Statute in such case made and provided.

John Baker City Collector

State of Illinois
County of Cook ss

I John Baker City Collector in and for the City of Chicago do solemnly swear that the foregoing report by me made is true, according to the best of my knowledge and belief, and the annexed schedule is a true and correct list of the delinquent lands lots and parcels of land specified in the special warrant mentioned, in said report, upon which I have been unable to collect the assessment as required by law, and that the amounts due upon the said lands lots and parcels of land are therein correctly set forth.

Subscribed & sworn to before me this 3rd day of February A.D. 1862

John Baker City Collector

Hue Baxter Cl. C.

City Collectors Office
Chicago October 8th 1861

Public Notice is hereby given that I have this day received and now have in my hands for Collection the following special warrants viz,

Warrant No 352 South dated this 8th day of October 1861 for $ 341.62 (five thousand three hundred and forty one and 62-100 dollars) for Curbing filling grading and paving with Nicholson pavement Lake street from the East line of Wabash Avenue to Central Avenue, the property assessed is as many of the lots and lots pieces or parcels of land in Block (6) six (7) seven (10) ten and (11) eleven of Hurl

5

Dearborn Addition to Chicago as front bounded or abuts on Lake Street

Warrant No 353 South dated the 8th day of October 1861 for filling and Macadamizing Monroe Street from Clark Street to State Street amount to be Collected $3,069-48/ Three thousand and sixty nine and 48-100 dollars assessed on the lots sub-lots, pieces or parcels of land fronting bounding or abutting on Monroe Street between Clark and State Streets in Block (119) One hundred and Nineteen (119) One hundred and twenty, (120) one hundred and forty one (141) and One hundred and forty two, (142) in the School Section Addition to Chicago

Warrant No 354 South, dated the 8th day of October 1861, for filling with earth and paving with Nicholson Pavement the alley running East and West through block (17) Seventeen in the original town of Chicago amount to be Collected $1024 00 One thousand twenty four dollars, assessed on the lots sub-lots pieces or parcels of land fronting bounding or abutting on said alley in Block (17) Seventeen in the original town of Chicago;

Warrant No 355 South dated the 8th day of October 1861 for the Construction of a sidewalk on the West side of Wabash Avenue and on the North side of Randolph Street amount to be Collected $162-23 One hundred and sixty two and 23-100 dollars assessed on the South 102 feet of Lot (16) Sixteen and Lot (17) Seventeen in Block (9) nine in Block Dearborn Addition to Chicago

Warrant No 479 West dated the 8th day of October 1861 for Widening of Elizabeth Street between Washington and Madison Streets amount to be Collected (77-50) Seventy seven and 50-100 dollars assessed on sub Lots (1) One (2) two (3) three (4) four and five (5) of Lot (5) five of block (2) two of Mayhews Addition to Chicago.

Warrant No 190 North dated the 8th day of October 1861 for Macadamizing Wells Street from the North line of Kinzie Street to the centre of Division Bay Road, amount

to be Collected (7.882, 85, Seven teen Thousand eight hundred and Eighty two and 85-100 Dollars, a general Description of the property assessed is all of the sub lots lots blocks pieces or parcels of land as front bound or abut on said Wells Street, lying in the following additions or subdivisions to wit Newberry's Addition to Chicago Dobsons Roberts and Storrs Addition to Chicago Browns Addition to Chicago North Addition to Chicago, and Canal Trustees Subdivision of part of Section 33 Town 40 Range 14 East,

All persons interested are hereby notified to make payment forthwith at my office No 14 Court House or the same will be Collected at the cost and expense of the persons liable to pay the same,

John Haber
City Collector

Certificate of Publication

This Certifies that the appended Collectors Notice has been published in the Chicago Evening Journal the Corporation Newspaper of the City of Chicago County of Cook and State of Illinois ten days Consecutively Commencing with October 9th 1861,

Chicago January 3rd 1862,

John D Wilson Publisher

Tax Collectors Notice

State of Illinois Cook County ss

City Collectors Office
Chicago January 14 1862

Notice is hereby given that on the first Monday in

February being the 3rd day of February A.D. 1862 at a regular term of the Superior Court of Chicago to be begun and holden at the Court House in said City of Chicago on the last aforesaid day I shall report to said Superior Court of Chicago all the lands and parcels of lands, on which the taxes and assessments charged in the Collectors Warrants hereinafter more particularly described have not been collected or paid for judgement against said lands lots and parcels of land, for the amount of taxes assessments, damages interest and costs respectively due thereon to wit,

The Warrant for the Collection of taxes for general special purposes assessed by said City for the Municipal year 1861, said Warrant being dated the 30th day of September 1861,

Special Warrants

Warrant No 173 South (2nd issue) dated the 18th day of July 1861, for paving Lake Street from the center of State street to the west line of the ground of the Illinois Central Rail Road Company,

Warrant No 208 South (2nd issue) dated the 13th day of July 1861, for filling up and paving Lake Street from the Center of State Street to Lake Street bridge,

Warrant No 300 South (2nd issue) dated the 16th day of August 1861, for filling up walling and paving Clark Street with Nicholsons Pavement from the South line of Madison Street to the North line of Polk street,

Warrant No 307 South, dated the 17th day of May 1861 for filling walling and paving Wells Street from the South line of Randolph Street to the North line of Madison Street,

Warrant No 347 South, dated the 25th day of September 1861 for walling filling grading and paving with block stone

8

February being the 3rd day of February A.D. 1862 at a regular term of the Superior Court of Chicago to be begun and holden at the Court House in said City of Chicago on the last aforesaid day I shall report to said Superior Court of Chicago all the lands and parcels of lands, on which the taxes and assessments charged in the Collectors Warrants hereinafter more particularly described have not been collected or paid for judgement against said lands lots and parcels of land, for the amount of taxes assessments, damages interest and costs respectively due thereon to wit,

The Warrant for the Collection of taxes for general special purposes assessed by said City for the Municipal year 1861, said Warrant being dated the 30th day of September 1861,

Special Warrants

Warrant No 173 South (2nd issue) dated the 18th day of July 1861, for paving Lake Street from the center of State street to the west line of the ground of the Illinois Central Rail Road Company,

Warrant No 208 South (2nd issue) dated the 13th day of July 1861, for filling up and paving Lake Street from the Center of State Street to Lake Street bridge,

Warrant No 300 South (2nd issue) dated the 16th day of August 1861, for filling up walling and paving Clark Street with Nicholsons Pavement from the South line of Madison Street to the North line of Polk street,

Warrant No 307 South, dated the 17th day of May 1861 for filling walling and paving Wells Street from the South line of Randolph Street to the North line of Madison Street,

Warrant No 347 South, dated the 25th day of September 1861 for walling filling grading and paving with block stone

8

South Water Street, from the East line of Lot 3, of Block 16 Original Town of Chicago to West line of Dearborn Street;
Warrant No 348 South, dated the 25th day of September 1861 for filling Nailing grading and paving with Block Stone South Water Street, from the East line of Wacker Lot 3, and Lot 3 Block 16, original town of Chicago to River Street,
Warrant No 349 South, dated the 13th day of July 1861 for grading and Macadamizing Twelfth Street from the South branch of Chicago River to the Centre of State Street;
Warrant No 350 South, dated the 13th day of July 1861, for Grading Market Street from Washington Street to Madison Street
Warrant No 351 South dated the 16th day of August 1861 for the filling Nailing grading and paving with Nicholson pavement, Lake Street from the East line of Wabash Avenue to the planking of State Street Bridge Excepting the road way of State Street,
Warrant No 352 South dated the 8th day of October 1861 for the Cutting filling grading and paving with Nicholson pavement Lake Street from the East line of Wabash Avenue to Central Avenue,
Warrant No 353 South dated the 8th day of October 1861 for the filling and Macadamizing of Monroe Street from East line of Clark Street to West line of State Street,
Warrant No 354 South dated the 8th day of October 1861 for the filling with Earth to grade and paving with Nicholson pavement, the alley running East and West through Block 17 original Town of Chicago,
Warrant No 355 South dated the 8th day of October 1861 for the Construction of sidewalk on the West side of Wabash Avenue and on the North side of Randolph Street opposite Lots 16, 17 Block 9 Fort Dearborn Addition,
Warrant No 477 West dated the 17th day of May 1861 for the grading of Chicago Avenue twenty eight feet wide from Chicago Avenue to the road way of Milwaukee Avenue

9

Warrant No 478 West, dated the 20th day of August 1861, for the Construction of private drains Connecting the lots described therein with the public Sewers;
Warrant No 116 North, (2nd division) dated the 26th day of December 1860 for the Extension of North La Salle Street (Goss Division Street) to North Clark Street;
Warrant No 190 North dated the 8th day of October 1861 for the Macadamizing of Wells Street from the north line of Kinzie Street, to the Center of Green Bay Road;
All Persons interested are requested to attend at the aforesaid Session of the Superior Court of Chicago.

John Baker
City Collector

NB Property owners wishing to have Court Warrants immediately, to the Collector's No 14 Court House.

Certificate of Publication

This Certifies That the appended Notice was published in the Chicago Evening Journal the Corporation Newspaper of the City of Chicago, County of Cook and State of Illinois for days Consecutively Commencing with January 15th 1862
Chicago February 3rd 1862

John L Wilson
Publisher

Ottawa Trustees Subdivision of part of Section 33, T 40, 14 E

Names	Part of Lot or Land	Out Lot	Lot	Block	Valuation	Amt of Assessment		Damages		Costs	Amt of Budget		To whom sold
					Dollars	Dollars	cents	Dollars	cts.	Cents	Dollars	cents	
J Millman				45	2500	204	40	3	46	16	208	02	
"				46	700	219	00	3	72	16	222	88	
Wm Lill				47	900	180	67	3	16	16	183	89	

11

And afterwards Hereupon Collins on the Fourth day of February in the year of our Lord Eighteen Hundred and sixty two said day being one of the days of the February Term of said Superior Court of Chicago the following among other proceedings was had and entered of record, in said Court, as appears of record, Which proceedings in this cause are in words and figures following to wit,

State of Illinois Cook County
City of Chicago } ss

Whereas John Rabe City Collector of the said City of Chicago reported to the Superior Court of Chicago in said County of Cook on the first day of the February Term A.D. Eighteen Hundred and sixty two being On the third day of February A.D. 1862, the following lots, sub lots, pieces or parcels of land, as having been assessed by the Commissioners of the Board of Public Works of the said City of Chicago for benefits resulting from the special improvements in said Collectors report, mentioned; and a special Warrant, in due form of law having been duly issued, by the said City of Chicago for the Collection of the Amount of Money so assessed upon and due from the said several lots sub lots pieces or parcels of land respectively; and that the several sums of money so assessed remained due and unpaid on the day of the date of said Collectors Report, and that he had been unable to collect the same or any part thereof as required by law, on the lots pieces or parcels of land hereinbefore described,

And Now on this Fourth day of February A.D. Eighteen Hundred and sixty two Comes said City of Chicago by Isaac N. Bull City Attorney and due notice having been given of the Time and Place of making

12

the intended application for judgement against said lands and objections to taking of judgement being filed by Frederick H Mason as the owner of the South half of Lot No 117 Bowen's Addition to Chicago and also by William Lill as the owner of Block 47 in the Canal Trustees Subdivision of part of Section 33. T 40. N of R 14 E as against the said Real Estate set forth in said objections and no owner or owners of the remaining Real Estate in said Report not objected to having appeared and made any good legal or sufficient defence or shown any legal any legal or proper cause why judgement against said remaining lots pieces or parcels of land should not be entered for the sum of money assessed against them respectively as aforesaid.

It is therefore considered by the Court that judgement in the name of the City of Chicago be and it hereby entered against the remaining lots pieces or parcels of land in said report described to which objections are not filed for the sum of Money assessed to each lot piece or parcel of land respectively in said report described not objected to as aforesaid, and for the amount of damages provided by law to wit, damages at the rate of one per centum per Month upon the said several sums aforesaid to be computed from the twenty first day of October A.D. 1861, to the date of said judgement and Costs, which said several sums are intended and particularly specified in the foregoing list of delinquent real Estate.

And it is further ordered by the Court that the said several lots pieces and parcels of land in said report described (except the said S½ of Lot 117 Bowen's Addition and Block 47 Section 33. 40. 14, to which objections have been filed) or so much thereof as shall be sufficient of each of them to satisfy the amount of the assessment assessed to them severally and also the

13

damages respectively due thereon as aforesaid to be sold as the law directs,

John M. Wilson
Master Commissioner

Judge of the
Superior Court
of Chicago.

And now on this 7th day of February A.D. Eighteen hundred and sixty two again comes said City of Chicago by Wm H. Bond City attorney and the owners of said S½ of Lot 117 in Brown's Addition to Chicago and Block 47, in Canal Trustees Subdivision of part of Section 33, 40, 14, in Cook County, also comes and counsel being heard on said objections and the Court being fully advised it is Considered and ordered by the Court that the objections in stating of judgement against the said Real Estate in said objections set forth be and the same are hereby overruled and judgement awarded in favor of said City of Chicago against the same,

Therefore it is Considered by the Court that judgement in the name of the City of Chicago be and is hereby entered against the aforesaid lots pieces and parcels of land in said objections set forth, and hereinbefore described for the sum of money summed to each respectively and for the amount of damages provided by law, to wit damages at the rate of One per Centum per month upon the said several sums aforesaid to be Computed from the twenty first day of October 1861 to the date of said judgement and Costs; which said several sums are extended and particularly specified in the foregoing list of said tax pieces of delinquent Real Estate,

And it is further ordered by the Court that the said S½ of Lot 117 in Brown's Addition to Chicago and Block 47 in Canal Trustees Subdivision of part of Section 33, 40

14

R 14 E. of 3 P.M. much of each of them as shall be sufficient of each of them respectively to satisfy the amount of the assessment assessed to them severally and both the damages respectively and them as aforesaid so set both the Court decided.

John M. Wilson
Grant Goodrich

Judges of the Superior Court of Chicago

And thereupon on this 2 and day of this 2 and term of said Court, comes said William Lill as the owner of Block 47 in the Canal Trustees Subdivision of part of Section 33, T 40 R 14 E, and prays an appeal herein to this Supreme Court of this State from the aforesaid judgment in favor of said City of Chicago against said Real Estate in the said objections set forth, which appeal is allowed him on filing his appeal bond in penalty of Four Hundred Dollars, with Michael Sweeney as security, bond & bill of Exceptions to be filed during the present Term of this Court.

And thereupon on this 2 and day of this 2 and Term of said Court Comes said Frederick H. Winston as owner of Lot Lot 117 in Bowens Addition to Chicago and prays an appeal herein to the Supreme Court of this State from the aforesaid judgment in favor of said City of Chicago against said Real Estate in the said Objections set forth, which appeal is allowed to him on filing bond in penalty of Five Hundred Dollars with H. H. Blodgett as surety, bond and bill of Exceptions to be filed during this present Term of this Court.

15

And now on this twenty first day of February A.D. Eighteen Hundred and sixty two again comes

said William Lill by Burnham & Martin his Attorneys and on their motion it is ordered that time for said William Lill to file his objections herein as prayed be and is hereby extended to the first day of the next term of this Court,

State of Illinois
County of Cook ss

I Thomas B Carter Clerk of the Superior Court of Chicago and for the County of Cook and State aforesaid, do hereby Certify that the above and foregoing is a full true and Complete copy of the Report of the City Collector of the City of Chicago made to said Court, at the first day of the February Term AD 1862, for judgement for the amount due upon Special Warrant Number 190 for Macadamizing Wells Street from the North line of Illinois Street to the Center of Green Bay Road, together with the order of said Court thereon as the same appears of record in said Court,

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at the City of Chicago in the County aforesaid this 21st day of February AD 1862

Thomas B Carter Clk,

And afterwards to wit on the Eighth day of March in the year aforesaid and filed in the Office of the Clerk of said Court the Defendants Bill of Exceptions, which Bill of Exceptions is in the words and figures following, to wit,

In the Superior Court of Chicago
Of February Term A.D. 1862

The City of Chicago
vs
William Lill et al

Be it remembered that on the hearing of this application for judgement the defendant William Lill filed and presented to the Court the following objections as working by way of defence as to Block 47 Canal Sub of pt of Sec 33, 40, 14,

1st That the assessment has neither been made nor confirmed in due form of law,

2. That said Block has assessed knowingly and fraudulently upon a valuation of property to three times the real value thereof at the time of making said assessment,

3. That the amount assessed upon said Block 47 and for which judgement is asked is more than twenty five percent of the actual valuation of said Block as appears by the assessment roll Warrant & said assessment and warrant are illegal & void,

And it was stipulated and agreed by and between the Counsel on both sides that the following Reports ordinances orders proceedings of the Common Council, partial assessment Roll, Returns notices Statements and advertisements respectively are to be deemed and taken as produced and proven, and that they and each constitute all the material records proceedings and facts establishing vouching or affecting the validity and the invalidity of the application or Report

18

for judgement in this case to wit;

5

Report and Ordinance for Improvement of Streets

To the Mayor and Aldermen of the City of Chicago
in Common Council assembled,
The Board of Public Works, have received a
petition representing a large share of the property
owners along the line of the desired improvement
and asking that North Wells St be Macadamized from
Illinois Street, to the Green Bay Road on the present grade
and for a width of 24 feet and a depth of 15 inches;
The petition as now submitted to us represents over
5600 feet of property along the street, to be improved
and one are assured may be largely increased by
further circulation; The said improvement is now
asked for by the petition of the owners of three fourths
of the property to be affected for the doing of said work;
The Board however deem the desired improvement
one of urgent public necessity and recommend
to your Honorable Body that the work be ordered
without delay;
We herewith submit a plan or profile of the work
to be done, together with an estimate of the expense
for the doing of the same accompanied with a proper
ordinance for the ordering of said work;

Estimate

Mc Adam		
Filling and Grading		
Mc adamizing		$ 17,892.31
Engineering and Superintendence		$ 200.00

19

Sundry Costs and Expenses $ 50-00

Total Estimate of Expense $ 18,142,31)

Ordinance

Be It Ordained By the Common Council of the City of Chicago

Section 1. That Wells St from the North end of Kinzie St to the Centre of Green Bay Road be and as to Connect with the planking of Green Bay Road be and is hereby ordered Macadamized in accordance with Specifications which may be furnished by the Board of Public Works, and that the same be done under the superintendence of the Board of Public Works; and in accordance with the plan & profile hereto annexed and also as per name & estimate for the same

Benjamin Carpenter
Bird Ferry
J G Riedle
Commissioners of the Board
of Public Works,

Respectfully Submitted,

Chicago Augst 26th 1861

The foregoing report from the Board of Public Works was presented to the Common Council, on the 26th day of August A.D 1861 and at the same meeting referred to their Committee on Streets & Alleys from the North Division of which Committee Alderman Harvey was Chairman and was ordered published;

No 2

Proceedings in Common Council September 11th A.D 1861

20 Miscellaneous and unfinished Business

The following ordinance was presented by Alderman Harvey and passed by the following unanimous vote;
Ayes, Aldermen Colby, Botsford, Marshall, Stoyt, Loy Myers, Baragwanath, Gross, Cobb, Hubbard Harvey, Perkins, McDonald, and Cominsky. 15;

Be it ordained by the Common Council of the City of Chicago;

Section 1. That Wells Street from the north line of Kinzie Street to the Centre of Green Bay Road, be and is hereby ordered Macadamized, in accordance with specifications which may be furnished by the Board of Public Works; said work to be done under the superintendence of the Board of Public Works, and in accordance with the plan or profile hereto annexed and at an expense named in their estimate for the same;

And it is further ordained that the foregoing is the same identical ordinance reported to the Common Council by the Board of Public Works, August 26 A.D. 1861, as above set forth, that the petition referred to in said report was duly presented to said Board of Public Works for the said improvement prior to the making of their said report; and that said ordinance was passed by the vote of three fourths of all the Aldermen authorized by law to be elected, and said vote was taken by ayes and noes as required by the act of 1861, Amendatory of the City Charter and entered upon the records of the Common Council;

No 3

Assessment Roll, for Macadamizing Wells Street from the North line of Kinzie Street to the Centre of Green Bay Road,

21

Canal Trustees Sub. of part Sections 33, 40, 14

Name of Owner	Part of Lot or Land	Subdiv	Lot	Block	Valuation Dollars	Assessment of benefits Dollars	Cents
Wm Lill				47	700	18	67
J Millman				45	2500	207	40
"				46	700	219	00
Newberry & Addition to Chicago							
W B Newberry			1	1	450	22	81
"			2	"	400	22	81
"			8	2	460	22	81
"			1	3	600	22	81
"			4	3	560	25	55
			5	"	800	25	55
			2	4	750	25	55
			4	"	550	25	55
			8	"	800	22	81
			1	5	600	22	81
			2	"	550	25	51
			8	"	1100	25	51
				9	25000	201	83
				10	22000	201	88
Mason Roberts & Norris Addition to Chicago							
			6	1	250	22	81
			12	"	700	22	81
			23	15	300	24	86
			24	"	550	24	86
			1	16	400	24	86
			2	"	330	24	86

22

The foregoing is only a portion of the assessment Roll taken

sufficiently indicates the general Character and detail
of the Skates material in this Case,

Office of the Board of Public Works
Chicago, September 26 A.D. 1861.

The Board of Public Works of the City of Chicago hereby certifies that it has completed the assessment roll for the Macadamizing of Belle Street, in said City from the North line of Kinzie Street to the Centre of Green Bay Road; that before proceeding to make such assessment, the Commissioners of said Board, in accordance with law published a notice of the time and place of their meeting for the purpose of making said assessment in the Corporation Newspaper of the City of Chicago for the period of six Consecutive days previous to such meeting - a certificate of which publication is hereto attached; that they were present, at the time and place and for the purpose designated in said notice, and having first fixed a valuation on the real estate described and set forth in the proper columns of the foregoing assessment Roll, did then and there, and do hereby assess the respective amounts set opposite to each lot or parcel of ground in the foregoing assessment Roll, mentioned in their appropriate columns, as the damages and benefits resulting to such lots or parcels of ground respectively, by reason of the doing of such work and the making of such contemplated improvement,

All of which is respectfully submitted

Benjamin Carpenter
President of the Board of Public Works

23

Commissioners Notice.

Office of the Board of Public Works
Chicago September 19th 1864

Public Notice is hereby given that the Common Council of the City of Chicago has ordered Wells Street in said City from the North line of Kinzie Street to the Centre of Fremont Road Macadamized;

Now therefore Notice is hereby given to all persons interested that the Commissioners of the Board of Public Works will meet at Room No 11 in the Court House on the 26th day of September A.D. 1864 at the hour of 10 o'clock A.M. to make an assessment of the benefits and damages Costs and expenses of the doing of such work, and the making of such Contemplated improvement; The amount of said assessment will be $18,142.31/100,

A general description of the premises to be assessed is all of the sub Lots blocks pieces or parcels of land at front, bound or about on said Wells Street, lying within the following additions or sub divisions to wit;

Newberry's Addition to Chicago Johnston Roberts & Storrs Addition to Chicago Brown's Addition to Chicago North Addition to Chicago and Canal Trustees Sub-division of part of Section 33. T 40. N 14

B Carpenter
Fred Lehe
J G Gindele
Commissioners of the Board of Public Works

I Hereby Certify that the appended Commissioners Notice has been published in the Chicago Evening Journal the Corporation Newspaper of the City of Chicago County of Cook and State of Illinois; for days Consecutively Commencing with September 19th 1864,

Chicago Sept 26th 1864

24

H. W. D. Wilson Publisher

Proceedings of Common Council October 7th 1861

The Board of Public Works made application for Confirmation of the assessment for Macadamizing North Bell from Pleasant Street to Green Bay Road

On motion of Alderman Brandville it was Confirmed by Entry of the usual order of Confirmation

That whereas the foregoing assessment roll has made up by said Board of Public Works duly filed the same with their Office and in duplicate with the Office of the City Clerk, and gave due notice by publication of such filings respectively and that at the next regular meeting of the Common Council they would apply for a Confirmation of such assessment, that the defendant did not attend at such meeting of the Common Council nor did he file any objection to said assessment with the Clerk of said Council. That on the Eighth day of October 1861 a warrant in due form of law was duly issued and delivered to the City Collector, for Collection of said assessment, of which notice was given by the Collector as required by law, and that after due publication of notice of intention to apply for judgement such application was made as appears by the Record in this Cause, and at the hearing said Defendant did insist that the foregoing facts, and proceedings established the invalidity of said assessment and application for Judgement; but the Court, ruled that said assessment and application were valid and good in law. To which ruling of the Court said defendant then and there

Exceptions and as much of the matters aforesaid
do not appear in the Record of the proceedings
in this Cause the Defendant hath tendered to
and prayed the Honorable
of the Judges of the Superior Court of Chicago and
before whom this cause was tried to sign and seal
this Bill of Exceptions; and the said
the Honorable hath hereunto
set his hand and seal this third day of March
in the year of our Lord One thousand Eight
hundred and sixty two

Wm W Higgins Seal
Judge

And on the Seventeenth day of February in the
year of our Lord Eighteen Hundred and sixty two the
said Bill and Bill filed in the Office of the Clerk
of said Court. Her appeal bond on appeal to the
Supreme Court in this Cause, with Michael Heaney
& Security which appeal bond is in the words
and figures following, to wit,

Know all Men by these Presents That We
William Lill and Michael Diversey of the County of
Cook and State of Illinois are held and firmly bound
unto the City of Chicago also in the said County and
State in the penal sum of Four hundred Dollars lawful
Money of the United States for the payment of which
well and truly to be made, we bind ourselves, our heirs
Executors and Administrators, jointly, severally and firmly
by these presents, Witness our hands and seals
this Seventeenth day of February A.D. 1862,
The Condition of the above obligation is such, That
Whereas the said City of Chicago did, on the
fifth day of February A.D. 1862 with a Superior Court
of Chicago in and for the County of Cook and State
aforesaid, and of the February Term thereof A.D.
1862, recover a judgement against the above bounden
William Lill for the sum of One Hundred and
Eighty three Dollars and Seventy three Cents besides
Costs of suit; from which said judgement of the said
Superior Court of Chicago the said William Lill has
prayed for and obtained an appeal to the Supreme Court
of said State.
Now therefore if the said William Lill shall duly prosecute
his said appeal with effect, and moreover pay the
amount of the judgement Costs interest and Damages
rendered and to be rendered against him in and
the said judgement shall be affirmed in said Supreme
Court then the above obligation to be void, otherwise
to remain in full force and virtue.
Taken and entered into
before me at my office
in Chicago this day
of A.D. 186 Clerk

William Lill (Seal)
M Diversey (Seal)

Signed Sealed and delivered in Presence of Edward Mansfield,

State of Illinois
Cook County ss

I Thomas B Carter Clerk of the Superior Court of Chicago within and for the County of Cook in the State of Illinois do hereby Certify the above and foregoing to be a full true and Perfect Transcript of the Collectors Report Petition for Judgment Notice and Certificate of Publication with Book of the Roll of Assessment, Made out Nov 1870 North, Embracing the Property in Controversy in this Case Bill of Exceptions and Appeal Bond now on file in my office together with all Orders and Judgment Entered of record in said Court in certain Suit and Proceedings had and taken therein Wherein the City of Chicago was Plaintiff and William Hill Others were Defendants.

In Testimony Whereof I have hereunto set my hand and affixed the Seal of said Court at Chicago in said County this twenty Eighth day of March A D Eighteen hundred and Sixty Two

Thomas B Carter Clerk

The appellant assigns the following the following grounds or causes of Error appearing upon the foregoing Record - to wit -

1st. The erred in giving the said judgment against the property of the appellant, and in favor of the appellee

2d. The Court Erred in ruling and deciding that the said assessment and application for judgment were good and valid in law

3d - The Court erred in assuming that said assessment was made pro-rata, upon the front feet of lots abutting on the improvement,

4th. The said judgment against said Block 47 - is erroneous & invalid

Brunham & Mantle
Attys for Appellant

In nullo est erratum
B. F. Dyer
Attorney for appellee

247

Wm H Gill

vs

City of Chicago

Record &

Errors

Filed Apl. 23d 1862

L. Leland

Clk.

Fees 7.70

Cert .50

$8.20