

The Proposed Local Option Bill.

*Based on the right of the people to govern themselves
on the Saloon Question.*

OUTLINE BY SECTIONS.

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A BILL FOR

An Act to provide for the creation of Anti-Saloon Territory.

[Introduced in the Senate on January 21, by Hon. F. W. Parker, of Cook, as Senate Bill No. 41, and referred to the Committee on License and Miscellany. Introduced in the House on February 11, by Hon. J. A. Montelius, of Ford, as House Bill No. 241, and referred to the Committee on Elections. See last page for list of committee members.]

Be it Enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. That Anti-Saloon Territory shall consist of all territory within the limits of any county, town, city, village, ward or precinct in this State which shall become and remain such through the action of the voters therein as provided by this Act.

By the expressions "said proposition" and "proposition provided by this Act" shall be understood the proposition "Shall this — (county, town, city, village, ward or precinct, as the case may be) become Anti-Saloon Territory?" and when same is written in this Act as follows, "Shall this — become Anti-Saloon Territory?" the proper word, whether "county," "town," "city," "village," "ward" or "precinct," shall be understood to be inserted in the blank, and shall be inserted in the petitions filed by and the ballots prepared for the voters of any county, town, city, village, ward or precinct.

For the purposes of this Act the term "town" shall be held to include towns in counties under township organization, and incorporated towns, and the term "precinct" shall be held to include any "voting precinct" or "election precinct" which is a subdivision for voting upon the election of county officers in counties not under township organization, or any subdivision of the same, commonly called an "election district," and also any "voting precinct" or "election precinct" which is a subdivision of a ward for voting upon the election of city officers.

The terms "election" or "regular election" shall, for the purposes of this Act, be understood to mean in counties, towns, cities and villages an election at a time fixed by law for choosing county, town, city, or village officers, as the case may be; in precincts in counties not under township organization it shall mean an election at a time fixed by law for choosing county officers; and in wards and precincts in cities it shall mean an election at a time fixed by law for choosing aldermen or other city officers.

For the purposes of this Act the terms "clerk" or "proper clerk" shall be held to mean, with reference to counties, towns, cities and villages, the county, town, city or village clerk, as the case may be; with reference to precincts in counties not under township organization it shall mean the county clerk; and with reference to wards and precincts in cities it shall mean the city clerk. Whenever the word "clerk" occurs in this Act, the same shall be held to apply to the board of election commissioners of any city, village or incorporated town in this State which has, in the manner provided by law, adopted the provisions of "An Act to regulate the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, so far as the same may be applicable.

Section 2. Upon the filing in the office of the clerk of any county in this State, at least sixty days before any regular election in such county, of a petition, directed to said clerk, containing signatures of legal voters of such county in number not less than one-fourth of the total vote cast in such county at the last regular election therein, to submit to the voters of such county the proposition "Shall this county become Anti-Saloon Territory?" the said proposition shall be submitted at such election, as herein provided, to the voters of such county, and if a majority of the voters voting upon said proposition shall vote "Yes," the whole of such county shall, within the meaning of this Act, become Anti-Saloon Territory.

Section 3. Upon the filing in the office of the clerk of any town, city or village in any county in this State which is not Anti-Saloon Territory, at least sixty days before any regular election in such town, city or village, of a petition, directed to such clerk, containing the signatures of legal voters of such town, city or village, as the case may be, in number not less than one-fourth of the total vote cast at the last regular election therein, to submit to the voters thereof the proposition "Shall this — (town, city or village, as the case may be) become Anti-Saloon Territory?" said proposition shall be submitted at such election, as herein provided, to the voters of such town, city or village, as the case may be, and if a majority of the voters voting upon said proposition vote "Yes," the whole of such town, city or village, as the case may be, shall, within the meaning of this Act, become Anti-Saloon Territory.

Section 4. Upon the filing in the office of the proper clerk in any city or county in this State which is not Anti-Saloon Territory, at least sixty days before any regular election therein, of a petition, directed to such clerk, containing the signatures of legal voters of any ward or precinct therein, in number not less than one-fourth the total vote cast in such ward or precinct at the last regular election, to submit to the voters thereof the proposition "Shall this — (ward or precinct, as the case may be) become Anti-Saloon Territory?" said proposition shall be submitted at such election, as herein provided, to the voters of such ward or precinct, as the case may be, and if a majority of the voters voting upon said proposition vote "Yes," the whole of such ward or precinct, as the case may be, shall, within the meaning of this Act, become Anti-Saloon Territory.

Section 5. A vote under the provisions of this Act shall become operative on the day fixed by law for the inauguration or induction into office of the officers elected at the election at which such vote is taken.

Section 6. A petition for submission of the proposition "Shall this — become Anti-Saloon Territory?" may be in the following form:

To the — (county, town, city or village) clerk of the (here insert the corporate or legal name of the county, town, city or village) :—

The undersigned, being residents and legal voters of the — (insert the legal name or correct designation of the county, town, city, village, ward or precinct), respectfully petition that you cause to be submitted, in the manner provided by law, to the voters thereof, at the next regular election, the proposition "Shall this — (county, town, city, village, ward or precinct, as the case may be) become Anti-Saloon Territory?"

Said petition shall contain the postoffice address of each person signing the same. At the bottom of each sheet of such petition shall be added a statement, signed by the person securing the signatures thereon, that he is a resident of the said county, town, city, village, ward or precinct, that he secured the signatures on that sheet of the said petition, that they are genuine, and that to the best of his knowledge and belief the persons so signing were legal voters of the said county, town, city, village, ward or precinct, as the case may be, at the time of signing said petition. Such statement shall be sworn to before the clerk to whom such petition is presented, or any notary public or justice of the peace, or other officer authorized to administer oaths in the proper county, and shall be *prima facie* evidence that the signatures on such petition are genuine and that the persons signing the same are legal voters of the county, town, city, village, ward or precinct named.

Section 7. The clerk with whom any petition shall be filed as provided herein shall cause notice to be given, in the manner now provided by law for giving notice of elections, of the submission at the next regular election to the voters of the county, town, city, village, ward or precinct named in such petition, of the proposition "Shall this — become Anti-Saloon Territory?" Publication of the submission of said proposition to the voters of such county, town, city, village, ward or precinct as the case may be, shall likewise be made in the manner provided by law for the publication of the list of nominations to be voted for at general elections. *Provided*, that the failure of such clerk to cause such notice to be given, or the failure of the proper parties to make publication of the submission of said proposition as above provided, shall not affect the validity or binding force of the vote upon said proposition.

Section 8. The clerk with whom any petition shall be filed as provided by this Act shall, in accordance with the provisions of any law of the State of Illinois relating to the printing of ballots cause the proposition "Shall this — become Anti-Saloon Territory?" to be printed upon all the ballots to be used at the next regular election in the county, town, city, village, ward or precinct named in such petition, in the manner following, to-wit:

Shall this — (county, town, city, village, ward or precinct, as the case may be) become Anti-Saloon Territory?	YES	
	NO	

Section 9. The clerk with whom any petition shall be filed as provided in this Act shall record in a well bound book, to be kept in his office by himself and his successors, the result of the vote upon the proposition provided by this Act in the county, town, city, village, ward or pre-

cinct named in such petition, and the result of such vote may be proven by such book, or by the certificate of said clerk, under his hand and the seal of his office, if any.

Section 10. Any county, town, city, village, ward or precinct which has become Anti-Saloon Territory as herein provided shall continue to be such throughout its entire extent until the voters of that particular entire county, town, city, village, ward or precinct, as the case may be, and none others, have voted, in and for same, according to the provisions of this Act, to reverse their vote creating Anti-Saloon Territory, and the following section shall be construed in harmony herewith.

Section 11. Upon the filing in the office of the proper clerk, at least sixty days before any regular election, of a petition, directed to such clerk, containing the signatures of legal voters of any county, town, city, village, ward or precinct which is Anti-Saloon Territory, in number not less than one-fourth the total vote cast therein at the last regular election, to submit to the voters thereof the proposition "Shall this — (county, town, city, village, ward or precinct, as the case may be) reverse its vote creating Anti-Saloon Territory?" such proposition shall be submitted at such election, to the voters of such county, town, city, village, ward or precinct, as the case may be, and wherever the proposition "Shall this — become Anti-Saloon Territory?" occurs in Sections one (1), five (5), six (6), seven (7), eight (8) and nine (9) of this Act the provisions thereof shall be held to apply, so far as they may be applicable, to the proposition "Shall this — reverse its vote creating Anti-Saloon Territory?" If a majority of the voters voting upon said last mentioned proposition in any county, town, city, village, ward or precinct vote "Yes," such county, town, city, village, ward or precinct, as the case may be, shall cease to be Anti-Saloon Territory, and all general laws of the State of Illinois concerning the regulation and licensing of dram-shops and the sale of intoxicating liquors shall be in force within same.

Section 12. A vote under the provisions of this Act, in and for any county, town, city, village, ward or precinct, upon the proposition "Shall this — become Anti-Saloon Territory?" or the proposition "Shall this — reverse its vote creating Anti-Saloon Territory?" shall be a bar to the submission of either of said propositions in and for such county, town, city, village, ward or precinct, as the case may be, before the first regular biennial or the second regular annual election thereafter. *Provided*, that a vote upon either of said propositions in one or more towns, cities, villages, wards or precincts within any county, town, city or ward, as the case may be, shall not be a bar to the submission of either, at any election, to the people of the entire county, town, city or ward.

Section 13. It shall not be lawful for the county board of any county, or the corporate authorities of any city, town or village to grant or issue, or cause to be granted or issued, a license for a dram-shop to be kept within the limits of any county, town, city, village, ward or precinct in this State while the same is Anti-Saloon Territory.

Section 14. Whoever shall, by himself or another, either as principal, clerk or servant, directly or indirectly, sell, barter or exchange any intoxicating, malt, vinous or fermented liquors, in any quantity, within the limits of any county, town, city, village, ward or precinct in this State, while the same is Anti-Saloon Territory, shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court: *Provided*, that nothing in this section shall apply to the sale of liquors for medicinal, mechanical, sacramental and chemical purposes by druggists who have been granted permits therefor in the manner provided by law, nor to the sale of liquor in accordance with the terms of an unexpired dram-shop license, regularly issued, in good faith, according to law, nor to the sale, in a wholesale way, by a manufacturer, of the product of his own manufactory, located within Anti-Saloon Territory, to be delivered outside the limits of the Anti-Saloon Territory in which the same is located.

Section 15. The giving away or delivery of any of the liquors mentioned in the foregoing section, for the purpose of evading the provisions of this Act, or the taking of orders or the making of agreements, at or within any county, town, city, village, ward or precinct, while the same is Anti-Saloon Territory, for the sale or delivery of any such liquors, or any other shift or device to evade the provisions of this Act, shall be held to be an unlawful selling.

Section 16. Any fine or imprisonment mentioned in this Act may be enforced by indictment in any court of record having criminal jurisdiction, or the fine above may be sued for and recovered before any justice of the peace of the proper county, in the name of the People of the State of Illinois; and in case of conviction the offender shall stand committed to the county jail until the judgment and costs are fully paid.

Section 17. In all prosecutions under this Act, by indictment or otherwise, it shall not be necessary to state the kind of liquor sold, nor to describe the place where sold; nor to show the knowledge of the principal, to convict for the acts of an agent or servant; and in all cases the persons to whom intoxicating liquors shall be sold in violation of this Act shall be competent witnesses.

Section 18. All places where intoxicating liquors are sold in violation of this Act, shall be taken, held and be declared to be common nuisances, and all dram-shops, rooms, hotels, eating houses, bazars, restaurants, drug stores, groceries, coffee houses, cellars or other places of public resort where intoxicating liquors are sold in violation of this Act, shall be deemed public nuisances and may be abated as such; and whoever shall keep any such place, by himself, or his agent or servant, shall, for each offense, be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) and confined in the county jail not less than twenty nor more than ninety days, and when the conviction is in a court of record it shall be a part of the judgment, upon the conviction of the

keeper, that the place where liquor is found to have been sold contrary to this Act be shut up and abated, and such order may be enforced by the court by proceeding as in case of contempt of the court; and the court may also require the defendant to enter into bond with sufficient security to be approved by the court in the penal sum of one thousand dollars (\$1000), payable to the People of the State of Illinois, conditioned that he will not sell intoxicating liquors contrary to the laws of this State, and will pay all fines, costs and damages that may be assessed against him for any violation thereof; and in case of a violation of the conditions of such bond, suit may be brought and recovery had thereon for the use of the county, city, town or village for the recovery of any fine or fines that may be assessed against him under this Act. It shall not be necessary in any prosecutions under this Act to state the name of any person to whom liquor is sold.

Section 19. Any clerk with whom any petition shall be filed as provided by this Act, who shall refuse or neglect or fail to discharge the duties imposed by Sections seven (7), eight (8) and nine (9) herein, shall be fined not less than twenty dollars (\$20) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court.

Section 20. Nothing in this Act shall be construed to remove or in any way interfere with any other restriction or prohibition of the sale of intoxicating liquor which exists or may hereafter be imposed in any district or territory within this State.

BY WAY OF COMMENT.

Upon taking charge of the work of the Illinois Anti-Saloon League, at the beginning of the legislature of 1901, we proposed a local option bill as the issue upon which the scattered temperance forces might be rallied to victory. The original bill, hastily drafted and introduced to lay the foundation for the reorganization work of the intervening two years, and the present campaign, was crude. The revised bill, now offered, has received the friendly criticism and, in its completed form, the hearty approval of so many eminent lawyers who are actual authority on the questions involved, that we have no hesitation in submitting it as a practically perfect working measure, worthy of the support of all foes of the saloon until it finally becomes the law of the State.

The ground for the objection of unfairness urged against the original draft has been totally eliminated. The present measure is comprehensive enough to secure the object in view, and so simple as to explain itself. Differences of opinion about the subject matter or the wisdom of certain provisions are inevitable. If the objection be that saloons not wanted by the majority of the people concerned will have to go, and that the measure is both elastic and comprehensive, we cheerfully concede the point. Voluminous correspondence and hundreds of personal interviews during the past two years, covering the whole state, seem to justify the assertion that the bill proposed is the nearest possible approximation to what is desired by the largest number of people, with due regard for the special interests of large cities, small towns and rural communities.

The bill does not ask the legislature to close a single saloon, but simply to hand the question back to the people of the locality concerned. It involves merely the principles of majority rule and self-government. It is not proposed as a favor asked of the legislature, but as a right belonging to the people. As a result of the work of the last two years, the Illinois Anti-Saloon League has become an actual *federation*, and the officially recognized agency of nearly every religious body in the State (detailed action is shown by separate leaflet) for securing a local option bill.

If a legislature elected in the ordinary course of political events will not pass a satisfactory local option law, the constituency of this non-partisan, non-sectarian movement of the reputable independent element in politics is committed to undertaking the election of one that will. In Ohio, the birthplace of the Anti-Saloon League movement as an independent political influence, only 15 of 67 members of both houses who voted against the Clark bill in 1900, were re-nominated and re-elected to the legislature of 1912, which passed the local option bill desired by the people of the state, without in any way disturbing the political balance. We can accept with good grace so-called defeats which strengthen sentiment, close up the ranks and increase our numbers. We can afford to be "defeated," but there are men holding public office who can not afford to try to defeat the principle for which we stand.

THE MEMBERS OF THE LEGISLATURE HAVE AN OPPORTUNITY TO KEEP THIS QUESTION OUT OF POLITICS BY PASSING THE BILL NOW. IF IT RISES TO VEX THEM IN THE FUTURE THEY HAVE ONLY THEMSELVES TO BLAME.

The "Letter Campaign" leaflet and the Voters List, with Instructions to Committees, sent free on receipt of stamp, explain detailed plans for work during the session. Watch the progress of the campaign and write or wire your representatives or senator whenever it will help. **THE AMERICAN ISSUE**, weekly, under the best Anti-Saloon editorial management in the country, published from Chicago and Columbus, Ohio, as the organ of the Anti-Saloon League of Illinois, Ohio and Indiana, will keep you informed. Subscription \$1.00 a year. Send to us.

A dozen copies of this bill will be sent to any address on receipt of 5 cents in stamps. It will be furnished to persons who desire to circulate it for 30 cents per 100 by mail, prepaid, and at \$.50 per 100 by express, not paid.

As your agents, it is our function to supply you with information and arouse the other temperance people of the state to co-operate. To do this requires printing, postage and labor. Special subscriptions amounting to \$5,000 are needed at once for this purpose. Results can only be in proportion to means furnished.

Illinois Anti-Saloon League,

Legislative Department,
Springfield, Ill.

WILLIAM H. ANDERSON,

Superintendent and General Attorney.

BULLETIN No. 1---COMMITTEES.

The members of the Senate Committee on License and Miscellany, to which the local option bill was referred, are Senators Haas (chairman), Gardner, Clark, Townsend, Hall, Evans, Humphrey, Koch, Watson, Dawson, Alden and Powers.

The members of the House Committee on Elections, to which the bill was referred, are Representatives Morris (chairman), Rinaker, Taggart, Iserman, Wilkerson, Beitler, Smejkal, Leaverton, Norden, Pederson, Edwards, Stewart, Brown, Wallace, Webster, Grav and Corigan.

Strong pressure will be brought to bear on these committees by members of both houses who do not want to go on record, to induce them to hold the bill up. If one of your men is on either committee, write him at once urging immediate action. This is important. We have issued a special committee bulletin. It contains facts you ought to know. Send stamp for it. Without making any statement about Illinois we will suggest that bills like this have their hardest time in senates generally. *Pay special attention to the Senate.*

BULLETIN No. 2---COUNTY FEATURE ASSAILED.

The "County" feature of the bill has been singled out for attack. It is urged that it is not fair. Here is our proposition reduced to its lowest terms. This is a license state. We have saloons. If the people want them they exercise their "local option" under the bill by voting down a proposition to become Anti-Saloon territory. If they don't want saloons they "exercise their 'local option'" by becoming Anti-Saloon Territory. If they change their minds they "exercise their 'local option'" by reversing their vote, which restores the license laws. Nothing could be fairer or simpler. Of course, in this case, as in all others, the "local option" of the smaller division must give way to the *majority rule* of the larger.

It is argued earnestly that the county has no right to vote prohibition on a city within its borders. This sounds well from the city point of view. It ignores the *rights* of the county. The simplest of many answers to this contention is that the cities and villages license saloons and spend the money, but the county is taxed to support jails, almshouses, and criminal courts, etc., which, judges universally say, are necessitated in largest part by saloons. In short the cities get all the financial benefit and the county must help pay the damages without a vote on the matter. That is taxation without representation. This bill proposes that the farmer shall have a chance to determine whether the institution which causes these taxes shall exist. That is self-government. Tell your senator and representatives that you favor the bill as it stands.

A Bill for

An Act to restrict the powers of counties and villages in licensing dram-shops in certain "Anti-License Territory," to prevent the sale of intoxicating liquors in such territory, and for punishing persons for selling such liquors in such territory.

Section 1.. Be it enacted by the People of the State of Illinois represented in the General Assembly:

That hereafter it shall not be lawful for the county board of any county, or the corporate authorities of any city, town or village in this State, to grant a license for the keeping of a dram-shop within the limits of any territory in this State which, by a vote of the legal voters thereof as hereinafter provided, shall become and be designated "Anti-License Territory," so long as such vote is not reversed in such territory by a vote of the legal voters therein, as hereinafter provided.

Section 2.- "Anti-License Territory," within which dram-shops shall not be licensed as provided in Section One (1) of this Act, shall consist of all the territory within the limits of any county, township, incorporated town, village, city or ward, which shall become and be designated such by a majority vote of the legal voters residing within such territory who vote upon such proposition, to be taken in the manner following, to-wit:

(a)- Upon the filing in the office of the county clerk of any county in this State, at least sixty days before any general election in such county, of a petition, directed to said clerk, containing signatures of legal voters of such county in number not less than one fourth of the total vote cast in such county at the last general election, to submit to the voters of such county the proposition "Shall dram-shops be licensed?", there shall be submitted at such election in the manner hereinafter provided, to the voters of such county the proposition following, to-wit: "Shall dram-shops be

licensed?"; and if at such election the majority of the voters voting upon said proposition in such county shall vote against the licensing of dram-shops, the whole of such county so voting against licensing dram-shops, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

(b)- Upon the filing in the office of the clerk of any township, incorporated town, village or city in any county in this State which has not become "Anti-License Territory" in the manner above provided, at least sixty days prior to any general election to be held in any such township, incorporated town, village or city, respectively, of a petition, directed to such clerk, containing the signatures of legal voters thereof, respectively, in number not less than one fourth of the total vote cast in such township, incorporated town, village or city, respectively, at the last general election therein, to submit to the voters of any such township, incorporated town, village or city, respectively, the proposition "Shall dram-shops be licensed?", there shall be submitted at such election, in the manner hereinafter provided, to the voters of such township, incorporated town, village or city, the proposition following, to-wit: "Shall dram-shops be licensed?"; and if at such election the majority of the voters voting upon said proposition in any such township, incorporated town, village or city, shall vote against the licensing of dram shops, the whole of such township, incorporated town, village or city, respectively, so voting against licensing dram-shops, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

(c)- Upon the filing in the office of the clerk of any city in this State which has not become "Anti-License Territory" in the manner above provided, at least sixty days before any general election to be held in such city, of a petition, directed to said clerk, containing the signatures of legal voters of any ward in such city not less in number than one fourth the total vote cast in such ward at the

last general election in such city, to submit to the voters of such ward in such city the proposition "Shall dram-shops be licensed?", there shall be submitted at such election, in the manner hereinafter provided, to the voters of such ward, the proposition following, to-wit: "Shall dram-shops be licensed?"; and if at such election the majority of the voters voting upon said proposition in such ward shall vote against the licensing of dram-shops, the whole of such ward so voting, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

Section 3.- The clerk of any county, township, incorporated town, village or city with whom any petition herein provided for shall be filed prior to any election herein specified, shall cause notice to be given of the submission at such election of the proposition "Shall dram-shops be licensed?" to the voters of such county, township, incorporated town, village or city, or of any ward of such city, in the manner now provided by law for giving notice of general elections in counties, townships, incorporated towns, villages and cities, respectively. Notice of the submission of the said proposition "Shall dram-shops be licensed?" to the voters of such county, township, incorporated town, village or city, or of any ward of such city, shall likewise be published in the manner provided by law for the publication of the list of nominations to be voted for at general elections. Provided, that the failure of such clerk to cause such notice to be given, or the failure of the proper parties to publish notice of the submission of said proposition as above provided, shall not affect the validity or binding force of the vote upon said proposition.

Section 4.- The officer with whom such petition shall be filed as provided herein, shall cause to be printed upon all the ballots to be used at such election the question herein provided to be submitted, in the manner following, to-wit:

(4).

Shall dram-shops be licensed?	Yes. <u>I</u> <u>I</u>
	No. <u>I</u> <u>I</u>

Section 5.- The clerk of any county, township, incorporated town, village or city in which said proposition "Shall dram-shops be licensed?" shall be submitted to the voters thereof, shall record in a well bound book, to be kept in his office by himself and successors, the result of the vote upon said proposition at such election, and the result of such vote may be proven by such book, or by the certificate of the clerk of such county, township, incorporated town, village or city, under his hand and the seal of his office, if any.

Section 6.- The vote taken upon the submission of the proposition of licensing dram-shops in any county, township, incorporated town, village, city or ward, shall not be subject to reversal within two years from the date of such election, and then only by the submission of such proposition in the same manner as above directed for the submission of the same; Provided, however, that a vote at any county election in favor of licensing dram-shops shall not be a bar to the submission of the said proposition at any time in any township, incorporated town, village or city in such county, and a vote at any city election in favor of licensing dram-shops shall not be a bar to the submission of the said proposition at any time in any ward of such city.

Section 7.- Whoever shall by himself or another, either as principal, clerk or servant, directly or indirectly, sell, deliver, barter, exchange, or give away any intoxicating, malt, vinous, or fermented liquors, in any quantity, within the limits of any county, township, incorporated town, village, city or ward which has become and been designated "Anti-License Territory" in accordance with the provisions of this Act, shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the dis-

cretion of the court: Provided, that nothing in this section shall apply to the sale of liquors for medicinal, mechanical, sacramental and chemical purposes by druggists who have been granted permits therefor in the manner provided by law.

Section 8.- The clerk of any county, township, incorporated town, village or city with whom any petition may be filed as herein provided, who shall neglect or refuse or fail to cause notice to be given of the submission of said proposition "Shall dram-shops be licensed?" to the voters at any election as provided herein, or who shall fail to cause such proposition to be printed upon the ballots for such election as herein provided, shall be fined not less than twenty dollars (\$20) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court.

Section 9.- Nothing in this Act shall be construed to interfere with or in any manner affect any municipality, district or territory within this State, where the sale of intoxicating liquors is now or may hereafter be prohibited by law.

Section 10.- All Acts and parts of Acts in conflict with the provisions of this Act shall be and the same are hereby repealed.

Original Bill

A Bill For

An Act to restrict the powers of counties, cities, towns and villages in licensing dram-shops in certain "Anti-License Territory", to prevent the sale of intoxicating liquors in such territory, and for punishing persons for selling such liquors in such territory.

Section 1.- BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS REPRESENTED IN THE GENERAL ASSEMBLY:

That hereafter it shall not be lawful for the county board of any county, or the corporate authorities of any city, town or village in this State, to grant a license for the keeping of a dram-shop within the limits of any territory in this State which, by a vote of the legal voters thereof as hereinafter provided, shall become and be designated "Anti-License Territory", so long as such vote is not reversed in such territory by a vote of the legal voters thereof, as hereinafter provided.

Section 2.- "Anti-License Territory", within which dram-shops shall not be licensed as provided in Section One (1) of this Act, shall consist of all the territory within the limits of any county, town in counties under township organization, incorporated town, village, city or ward, which shall become and be designated such by a majority vote of the legal voters residing within such territory who vote upon such proposition, to be taken in the manner following, to-wit:

(a)- Upon the filing in the office of the county clerk of any county in this State, at least sixty days before any general election in such county, of a petition, directed to said clerk, containing signatures of legal voters of such county in number not less than one fourth of the total vote cast in such county at the last general election, to submit to the voters of such county the proposition "shall "Anti-License Territory" be created?", there shall be submitted at such election in the manner hereinafter provided, to the voters of such coun-

ty the proposition following, to-wit: "Shall "Anti-License Territory" be created?"; and if at such election the majority of the voters voting upon said proposition in such county shall vote for the creation of "Anti-License Territory", the whole of such county so voting, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

(b)- Upon the filing in the office of the clerk of any town in counties under township organization, incorporated town, village or city in any county in this State which has not become "Anti-License Territory" in the manner above provided, at least sixty days prior to any general election to be held in any such town in counties under township organization, incorporated town, village or city, respectively, of a petition, directed to such clerk, containing the signatures of legal voters thereof, respectively, in number not less than one fourth of the total vote **cast** in such town in counties under township organization, incorporated town, village or city, respectively, at the last general election therein, to submit to the voters of any such town in counties under township organization, incorporated town, village or city, respectively, the proposition "Shall "Anti-License Territory" be created?", there shall be submitted at such election, in the manner hereinafter provided, to the voters of such town in counties under township organization, incorporated town, village or city, the proposition following, to-wit: "Shall "Anti-License Territory" be created?"; and if at such election the majority of the voters voting upon said proposition in any such town in counties under township organization, incorporated town, village or city, shall vote for the creation of "Anti-License Territory", the whole of such town in counties under township organization, incorporated town, village or city, respectively, so voting, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

(c)- Upon the filing in the office of the clerk of any city in this State which has not become "Anti-License Territory" in the manner above provided, at least sixty days before any general election to be held in such city, of a petition, directed to said clerk, containing the signatures of legal voters of any ward in such city not less in number than one fourth the total vote cast in such ward at the last general election in such city, to submit to the voters of such ward in such city the proposition "Shall "Anti-License Territory" be created?", there shall be submitted at such election, in the manner hereinafter provided, to the voters of such ward, the proposition following, to-wit: "Shall "Anti-License Territory" be created?"; and if at such election the majority of the voters voting upon said proposition in such ward shall vote for the creation of "Anti-License Territory", the whole of such ward so voting, shall, within the meaning of this Act, become and be designated "Anti-License Territory".

Section 3.- The clerk of any county, town in counties under township organization, incorporated town, village or city with whom any petition herein provided for shall be filed prior to any election herein specified, shall cause notice to be given of the submission at such election of the proposition "Shall "Anti-License Territory" be created?" to the voters of such county, town in counties under township organization, incorporated town, village or city, or of any ward of such city, in the manner now provided by law for giving notice of general elections in counties, towns in counties under township organization, incorporated towns, villages and cities, respectively. Notice of the submission of the said proposition "Shall "Anti-License Territory" be created?" to the voters of such county, town in counties under township organization, incorporated town, village or city, or of any ward of such city, shall likewise be published in the manner provided by law for the publication of the list of nominations to be voted for at general elections. Provided,

that the failure of such clerk to cause such notice to be given, or the failure of the proper parties to publish notice of the submission of said proposition as above provided, shall not affect the validity or binding force of the vote upon said proposition.

Section 4.- The officer with whom any such petition shall be filed as provided herein, shall cause said proposition "Shall "Anti-License Territory" be created?" to be printed upon all the ballots to be used at any election at which the proposition "Shall "Anti-License Territory" be created?" shall be submitted, under the provisions of this Act, to the voters of any county, town in counties under township organization, incorporated town, village, city or ward, respectively, in the following manner, to-wit:

	Yes. <u> I </u>
Shall "Anti-License Territory" be created?	No. <u> I </u>

Section 5.- The clerk of any county, town in counties under township organization, incorporated town, village or city in which said proposition "Shall "Anti-License Territory" be created?" shall be submitted to the voters thereof, shall record in a well-bound book, to be kept in his office by himself and successors, the result of the vote upon said proposition at such election, and the result of such vote may be proven by such book, or by the certificate of the clerk of such county, town in counties under township organization, incorporated town, village or city, under his hand and the seal of his office, if any.

Section 6.- The vote taken upon the submission of the proposition of creating "Anti-License Territory" in any county, town in counties under township organization, incorporated town, village, city or ward, shall not be subject to reversal within two years from the date of such election, and then only by the submission of such proposition in the same manner as above directed for the submission of the same;

Provided, however, that a vote at any county election against the creation of "Anti-License Territory" in such county as a whole shall not be a bar to the submission of the said proposition at any time in any town in counties under township organization, incorporated town, village or city in such county, and a vote at any city election against the creation of "Anti-License Territory" in such city as a whole shall not be a bar to the submission of the said proposition at any time in any ward of such city.

Section 7.- Whoever shall by himself or another, either as principal, clerk or servant, directly or indirectly, sell, barter, or exchange any intoxicating, malt, vinous, or fermented liquors, in any quantity, within the limits of any county, town in counties under township organization, incorporated town, village, city or ward which has become and been designated "Anti-License Territory" in accordance with the provisions of this Act, shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court: Provided, that nothing in this section shall apply to the sale of liquors for medicinal, mechanical, sacramental and chemical purposes by druggists who have been granted permits therefor in the manner provided by law.

Section 8.- The giving away or delivery of any of the liquors mentioned in the foregoing section for the purpose of evading the provisions of this Act, or the taking of orders or the making of agreements, at or within any county, town in counties under township organization, incorporated town, village, city or ward which has become and been designated "Anti-License Territory" in the manner provided above, for the sale or delivery of any of such liquors, or any other shift or device to evade the provisions of this Act, shall be held to be an unlawful selling.

Section 9.- The clerk of any county, town in counties under township organization, incorporated town, village or city with whom any petition may be filed as herein provided, who shall neglect or refuse or fail to cause notice to be given of the submission of said proposition "Shall "Anti-License Territory" be created?" to the voters at any election as provided herein, or who shall fail to cause such proposition to be printed upon the ballots for such election as herein provided, shall be fined not less than twenty dollars (\$20) nor more than two hundred dollars (\$200), or imprisoned in the county jail not less than ~~ten~~ nor more than ninety days, or both, in the discretion of the court.

Section 10.- Nothing in this Act shall be construed to interfere with or in any manner affect any municipality, district or ~~territory~~ within this State, where the sale of intoxicating liquors is now or may hereafter be prohibited by law.

Section 11.- All Acts and parts of Acts in conflict with the provisions of this Act shall be and the same are hereby repealed.

Amount Bill as
tendered the sum,



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(HEADQUARTERS CENTRAL DISTRICT)

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STATE SUPERINTENDENT.

CHARLES W. WILLIAMS,
ASST. STATE SUPERINTENDENT

R. O. EVERHART,
SUPERINTENDENT CENTRAL DISTRICT.

Springfield.

*Comparison showing variations in
Senate Bill 95.*

THE FULL TEXT.

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A BILL

For an Act to provide for the creation by popular vote of Anti-Saloon Territory, within which the sale of intoxicating liquor shall be prohibited and for the abolition by like means of territory so created.

Be it Enacted by the People of the State of Illinois, Represented in the General Assembly:

Section 1. The words and phrases mentioned in this section as used in this Act and in proceedings pursuant hereto shall, unless the same be inconsistent with the context, be construed as follows:

"Anti-Saloon Territory" shall mean all territory within the limits of any county, town, precinct, city, village, ward or ward subdivision in this State in which, through the action of the legal voters therein as provided by this Act, the sale of intoxicating liquor, except as herein provided, is prohibited.

"Town" shall include towns in counties under township organization, and incorporated towns.

"Precinct" when used between the words "town" and "city" or in the phrase "precincts in counties not under township organization," shall mean any "voting precinct" or "election precinct" which is a subdivision for voting at an election of county officers in counties not under township organization, or any subdivision of the same, commonly called an "election district."

"Ward subdivision" shall mean any "voting precinct" or "election precinct" which is a subdivision of a ward for voting at an election of city officers or any combination of such precincts in any ward, less than the whole ward, forming a continuous territory.

"Political subdivision" shall mean the phrase "county, town, precinct, city, village, ward or ward subdivision."

"District" shall mean territory in which after the same has become Anti-Saloon Territory the limits of the political subdivision have been changed.

In the phrase "Shall this.....become Anti-Saloon Territory?" the proper word, whether "county," "town," "precinct," "city," "village," or "ward," and in cases which relate to one precinct of a ward the word "precinct" shall be understood to be inserted in the blank, and in cases which relate to more than one precinct of a ward such phrase shall be made to read "Shall precincts numbered.....(here insert the numbers) of this ward become Anti-Saloon Territory?" and the same shall be inserted in the petitions filed by and the ballots prepared for the voters of any county, town, precinct, city, village, ward or ward subdivision.

"Said proposition" shall mean the proposition "Shall this.....(county, town, precinct, city, village, ward or ward subdivision, as the case may be) become Anti-Saloon Territory?"

"Clerk" shall mean, with reference to counties, towns, cities and villages, the county, town, city or village clerk, as the case may be; with reference to precincts in counties not under township organization it shall mean the county clerk; and with reference to wards and ward subdivisions it shall mean the city clerk; and it shall mean the board of election commissioners of any city, village or incorporated town in this State in which there now is or hereafter may be a board of election commissioners, and in the provisions of this act applicable to or within any such city, village or incorporated town, "legal voter" shall mean a duly registered legal voter.

"Election" shall mean, in counties, towns, cities and villages, an election at a time fixed by law for choosing county, town, city, or village officers, as

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STATE SUPERINTENDENT.

CHARLES W. WILLIAMS,
ASST. STATE SUPERINTENDENT

R. O. EVERHART,
SUPERINTENDENT CENTRAL DISTRICT.

Springfield,

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THE LOCAL OPTION BILL.

the case may be; in precincts in counties not under township organization it shall mean an election at a time fixed by law for choosing county officers; in wards and ward subdivisions it shall mean an election at a time fixed by law for choosing aldermen or other city officers, and in no case shall it mean a special election to fill a vacancy.

"Intoxicating liquor" shall include all distilled, spirituous, vinous, ferment-
ed and malt liquors.

Section 2. Upon the filing in the office of the clerk at least sixty days before an election of a petition as in this Act provided, directed to such clerk, containing the signatures of legal voters of any political subdivision in number not less than one-fourth of the total vote cast in such political subdivision at the last election therein to submit to the voters of such political subdivision the proposition "Shall this become Anti-Saloon Territory?" said proposition shall be submitted at such election, as in this Act provided, to the legal voters of such political subdivision and if a majority of the legal voters voting upon said proposition shall vote "Yes," such political subdivision shall become Anti-Saloon Territory. Such petition shall be a public document and shall be subject to the inspection of the public.

No precinct of a ward shall for the same election be included in more than one petition covering more than one precinct. This provision shall not apply to the case of a petition covering one precinct only and another petition covering more than one precinct or covering a county, town, precinct, city, village or ward within which such precinct is included. In case more than one petition for the same election shall be filed, each covering more than one precinct of a ward and including a precinct in common, the petition which shall be first filed with the clerk shall alone be valid.

Section 3. A vote under the provisions of this Act shall become operative on the fifteenth day after the day of the election at which such vote is cast.

Section 4. A petition for submission of said proposition shall be in substantially the following form:

To the (county, town, city or village) clerk of the (here insert the corporate or legal name of the county, town, city or village):

The undersigned, residents and legal voters of the (insert the legal name or correct designation of the political subdivision) respectfully petition that you cause to be submitted, in the manner provided by law, to the voters thereof, at the next election, the proposition "Shall this become Anti-Saloon Territory?"

Name of Signer.	Street.	No.	Date of Signing.
.....

Such petition shall consist of sheets having such form printed or written at the top thereof and shall be signed by the legal voters in their own proper persons only, and opposite the signature of each legal voter his residence address shall be written, (and in cities having a population of over ten thousand by the then last preceding census of the United States the street and street number of such residence shall be written) and the date of signing the same. No signature shall be valid or be counted in considering such petition unless these requirements are complied with and unless the date of signing is less than six months preceding the date of filing the same. At the bottom of each sheet of such petition shall be added a statement, signed by a resident of the county in which the signers thereof reside, stating his residence address (and in cities having a population of over ten thousand by the then last preceding census

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UNABRIDGED.

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of the United States, stating the street and street number of such residence), that the signatures on that sheet of the said petition are genuine, and that to the best of his knowledge and belief the persons so signing were at the time of signing said petition legal voters (and, in cities, villages and incorporated towns in which voters are or may be required to be registered, that they were at the time of signing said petition duly registered legal voters) of the said county, town, precinct, city, village or ward, as the case may be (and in case such petition relates to a ward subdivision, of the precinct, or precincts, and ward, stating the numbers, respectively, thereof); that their respective residences are correctly stated therein and that each signer signed the same on the date set opposite his name. Such statement shall be sworn to before some officer residing in the county where such legal voters reside, authorized to administer oaths therein. Such petition, so verified, or a copy thereof, duly certified as hereinafter provided, shall be *prima facie* evidence that the signatures, statement of residence and dates upon such petition are genuine and true and that the persons signing the same are legal voters of the political subdivision named. Such sheets shall be fastened together in one document, filed as a whole and when filed shall not be withdrawn or added to. No signature shall be revoked except by a revocation filed with the clerk with whom the petition is required to be filed and before the filing of such petition. Upon the request of anyone filing such a petition and verified statement and paying or tendering to the clerk one dollar for each one hundred names, or fraction thereof, signed thereto, together with a copy thereof, the clerk shall immediately compare the original and copy and issue to such person an official certificate that such copy is a true copy of the original, stating the day when such original was filed in his office. Whoever in making the sworn statement above prescribed shall knowingly, wilfully and corruptly swear falsely shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly. Whoever forges any name of a signer upon any petition shall be deemed guilty of forgery and on conviction thereof shall be punished accordingly.

Section 5. The clerk with whom any petition shall be filed as provided in this Act shall cause notice to be given, in the manner provided by law for giving notice of an election, of the submission of said proposition at the next election to the voters of the political subdivision named in such petition. Publication of the submission of said proposition to the voters of such political subdivision shall likewise be made in the manner provided by law for the publication of the list of nominations to be voted for at an election, *Provided*, that the failure of such clerk to cause such notice to be given, or the failure to make publication of the submission of said proposition as above provided, shall not affect the validity or binding force of the vote upon said proposition.

Section 6. The clerk with whom any petition shall be filed as provided by this Act shall cause said proposition to be plainly printed after the list of candidates upon all the ballots to be used in the election of officers at the next election in the political subdivision named in such petition, as follows:

Shall this.....(county, town, precinct, city, village or ward, as the case may be, [and in case such petition relates to one precinct only of a ward, precinct,]) become Anti-Saloon Territory?	YES.
	NO.



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SUPERINTENDENT CENTRAL DISTRICT.

Springfield,

In case such petition relates to more than one precinct of a ward, said proposition shall be printed as follows:

Shall precincts numbered..... (here insert the numbers) of this ward become Anti-Saloon Territory?	YES.
	NO.

At the canvass of the ballots in each polling place where said proposition is submitted, it shall be the duty of the judges of election to admit to the room one legal voter selected by the persons managing the interests of those in favor of and one selected by the persons managing the interests of those opposed to said proposition at such polling place, provided such legal voters shall be of good character and sober and shall in no wise interfere with such canvass, as special watchers of such canvass, and said judges and the police officers and other officers of the law shall protect such watchers and see that they are not excluded and at the time of such canvass of the ballots cast upon said proposition, such watchers shall be entitled to a position where they can plainly see and read each ballot and it shall be the duty of such judges to protect them in such position. Wherever any other method of taking and recording votes at elections than by means of printed ballots is provided by law the procedure for taking and recording the votes upon said proposition may conform to the method so provided.

Section 7. The clerk shall record in a well bound book, to be kept in his office by himself and his successors, the result of the vote upon said proposition and such result may be proven in all courts and in all proceedings by such record or by the official certificate of the clerk, and in case where such record or certificate shows that a majority of the legal voters voting upon said proposition voted "yes" the same shall be *prima facie* evidence that the political subdivision to which such vote was applicable has become Anti-Saloon Territory.

Section 8. All the territory within any political subdivision which has become Anti-Saloon Territory shall continue to be Anti-Saloon Territory throughout its entire extent, notwithstanding any change which may be made in the limits of any such political subdivision, until the legal voters thereof have voted, according to the provisions of this Act, to reverse the vote creating Anti-Saloon Territory and the following section shall be construed in harmony herewith. In all Anti-Saloon Territory, during the time that it remains Anti-Saloon Territory, the operation of all resolutions and ordinances providing for the restriction, regulation or prohibition of the sale of intoxicating liquor or for the issuing of dram-shop licenses, within any portion of such territory, shall be suspended within such territory.

Section 9. Upon the filing in the office of the clerk, at least sixty days before an election in any political subdivision, of a petition directed to such clerk, containing the signatures of legal voters of an Anti-Saloon Territory or district, in number not less than one-fourth of the total vote cast therein at the last election, to submit to the voters thereof the proposition "Shall this political subdivision or district reverse its vote creating Anti-Saloon Territory?" (provided such petition corresponds in all other respects with the petition in this Act before described) such proposition shall be submitted at such election to the voters of such political subdivision or territory, and the provisions of Section One (1), Four (4), Five (5), Six (6) and Seven (7) of this Act shall apply in all respects, so far as applicable, to the proposition "Shall this political subdivision or territory reverse its vote creating Anti-Saloon Territory?", to the submission of such proposition to such voters, to the petition therefor, to the recording of the vote thereon and to the proof and evidence of



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THE FULL TEXT.

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the petition and vote, except that in a district such proposition shall be submitted by separate ballot. If a majority of the legal voters voting upon such last mentioned proposition in any such political subdivision or district vote "Yes," such political subdivision or district shall cease to be Anti-Saloon Territory, and all resolutions and ordinances providing for the restriction, regulation or prohibition of the sale of intoxicating liquor or for the issuing of dram-shop licenses the operation of which was suspended within such political subdivision or district by virtue of the vote therein to become Anti-Saloon Territory, so far as then in force and with all additions and amendments which in the meantime may have been made thereto, shall become and be in force within said political subdivision or district to the same extent, only, however, as the same would then be in force had such political subdivision or district never become Anti-Saloon Territory. The petition mentioned in this section shall be a public document and shall be subject to the inspection of the public.

Section 10. A vote under the provisions of this Act in and for any political subdivision upon the proposition "Shall thisbecome Anti-Saloon Territory?" or in and for any political subdivision or district upon the proposition "Shall this.....or district reverse its vote creating Anti-Saloon Territory?" shall be a bar to the submission to the voters thereof of either of such propositions as applied to that identical political subdivision or district only, until after the lapse of eighteen months.

Section 11. It shall not be lawful to grant or issue, or cause to be granted or issued, a license to keep a dram-shop or to sell intoxicating liquor in any quantity whatever within the limits of any political subdivision or district in this State while the same is Anti-Saloon Territory, and if any such license be granted or issued in violation hereof the same shall be void.

Section 12. Whoever shall, by himself or another, either as principal, clerk or servant, directly or indirectly, sell, barter or exchange any intoxicating liquor in any quantity whatever, within the limits of any political subdivision or district in this State, while the same is Anti-Saloon Territory, shall be fined not less than Twenty (20) dollars nor more than One Hundred (100) dollars, or imprisoned in the county jail for not less than ten (10) days nor more than thirty (30) days, or both, in the discretion of the court.

If any person shall be convicted of violating any provision of this section and shall subsequently violate any provision of this section he shall upon conviction thereof be fined not less than Fifty (50) dollars nor more than Two Hundred (200) dollars and imprisoned in the county jail for not less than ten (10) days nor more than thirty (30) days. And in like manner, if he shall subsequently violate any provision of this section, for such third and each subsequent violation he shall upon conviction thereof be fined not less than One Hundred (100) dollars nor more than Two Hundred (200) dollars and imprisoned in the county jail for not less than thirty (30) days nor more than ninety (90) days.

Section 13. The giving away or delivery of any intoxicating liquor for the purpose of evading any provision of this Act, or the taking of orders or the making of agreements, at or within any political subdivision or district while the same is Anti-Saloon Territory, for the sale or delivery of any intoxicating liquor, or other shift or device to evade any provision of this Act, shall be held to be an unlawful selling.

Section 14. All places where intoxicating liquor is sold in violation of any provision of this Act, shall be taken and held and are declared to be common nuisances and may be abated as such; and whoever shall keep any such place, by himself or his agent or servant, shall, for each offense, upon conviction thereof, be fined not less than Fifty (50) dollars nor more than One Hundred (100) dollars and confined in the county jail not less than twenty (20) days nor more than fifty (50) days, and it shall be a part of the judgment, upon the conviction of the keeper, that the place where liquor is found to have been sold contrary to this Act, be shut up and abated until the keeper

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shall give bond, with sufficient security to be approved by the court, in the penal sum of One Thousand (1,000) dollars, payable to the People of the State of Illinois, conditioned that he will not sell intoxicating liquors contrary to the laws of this State, and will pay all fines, costs and damages assessed against him for any violation thereof; and in case of a violation of the condition of such bond, suit may be brought and recovery had thereon for the use of the county, city, town or village for any fine or fines that may be assessed against him under this Act.

Section 15. Any clerk who shall refuse or neglect or fail to discharge any duty imposed by this Act, and anyone who signs a petition provided for in this Act knowing he is not qualified to do so, or who files with the clerk any such petition or any sheet or other part thereof knowing that it contains the signature of a person not qualified to sign the same, or who receives, requests or demands or gives, offers or promises any reward for the signing or the refraining from signing of any such petition, or who by treating or giving intoxicating liquor or anything else, or by threats to injure another in person or property, or by betting or other device, either directly or indirectly influences or attempts to influence anyone to sign or refrain from signing any such petition, shall upon conviction thereof be fined not less than Twenty (20) dollars, nor more than Two Hundred (200) dollars, or imprisoned in the county jail for not less than ten (10) days nor more than ninety (90) days, or both, in the discretion of the court.

If any person shall be convicted of violating any provision of this section and shall subsequently violate any provision of this section, for such second and each subsequent violation he shall upon conviction thereof be fined not less than Twenty (20) dollars nor more than Two Hundred (200) dollars and imprisoned in the county jail for not less than ten (10) days nor more than ninety (90) days.

Section 16. All offenses defined or mentioned in this Act may be prosecuted by indictment in any court of record having criminal jurisdiction, or such fine may be sued for and recovered before any justice of the peace of the proper county, in the name of the People of the State of Illinois; and in case of conviction the offender shall stand committed to the county jail until the judgment and costs are fully paid.

Section 17. Any two householders, not attorneys admitted to practice law in this State, may in term time or in vacation file in the office of the Clerk of the Circuit Court of the proper county a petition for leave to prosecute an action or actions of debt in the name of the People of the State of Illinois for the recovery of any penalty or penalties for the violation of any of the provisions of this act. Such petitioners shall, at the time of presenting such petition, enter into bond in the penal sum of Five Hundred (500) dollars, with security to be approved by the Clerk, conditioned that they will cause such suit or suits to be faithfully prosecuted to a conclusion with all convenient speed and that they will promptly pay all costs therein and all costs which may be assessed against them in the matter of such petition. Upon the filing of such petition and such bond, approved as aforesaid, in term time the judge of the court shall enter an order in accordance with such petition. Upon the filing of such petition and such bond, approved as aforesaid, in vacation such petitioners may prosecute such suit or suits in accordance with such petition until such time in the next succeeding term as the judge of the court shall pass upon such petition; at that time said judge shall pass upon such petition and shall enter an order in accordance therewith unless good reason be shown to the contrary, and if good reason be shown to the contrary he shall deny the same and enter an order that petitioners dismiss at their costs any suit or suits which may in the meantime have been commenced. Such petitioners may name in their petition an attorney at law, duly licensed to practice law in this State, as the attorney whom they desire to employ in such suit or suits, and if the selection of such attorney is approved by the

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SUPERINTENDENT CENTRAL DISTRICT.

Springfield,

CONCLUDED.

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court and any fine or fines shall be paid as the result of prosecuting such suit or suits, such court may allow out of the amount of such fine or fines a reasonable compensation for such attorney and the balance of such fine or fines shall be paid into the school fund. Any suit or suits begun under the provisions of this Section except such as the court orders the petitioners to dismiss, shall not be dismissed without the consent of the State's Attorney of the County. If any suit begun by petitioners under the provisions of this Section is not undertaken and prosecuted to a conclusion in good faith, and with all convenient speed, the court may assess against the petitioners a sum not less than Five (5) dollars and not more than Fifty (50) dollars in each case, to be taxed as costs of the proceeding in which the petition is filed; otherwise there shall be no costs in such proceeding. In case of conviction under this Section the offender shall stand committed to the county jail until the judgment and costs are fully paid.

Section 18. In all prosecutions under this Act, by indictment or otherwise, it shall not be necessary to state the kind of liquor sold; nor to describe the place where sold; nor to show the knowledge of the principal to convict for the acts of an agent or servant; nor to state the name of any person to whom liquor is sold; nor to set forth the facts showing that the required number of legal voters petitioned for the submission to the voters of said proposition, nor that a majority of the legal voters voting upon said proposition voted "Yes," but it shall be sufficient to state in that regard that the Act complained of took place in an Anti-Saloon territory or district. The issuance of a license or internal revenue special tax stamp by the United States to any person for the sale of intoxicating liquors shall be *prima facie* evidence that such person is selling intoxicating liquor.

Section 19. Nothing in this Act shall be construed to forbid or prevent the sale within Anti-Saloon Territory by druggists to whom permits or licenses therefor have been duly granted in the manner provided by law, of liquor for medicinal, mechanical, sacramental and chemical purposes only, not to be drunk upon the premises under any circumstances, so long as such druggist in good faith shall keep a true and an exact record in a book, which he shall provide for the purpose, of all sales of intoxicating liquor made by him or in or about his place of business to all persons whomsoever, showing the date of each sale, the name and address of each purchaser, the quantity and kind of liquor and the purpose for which the same is sold, and so long as such druggist shall keep such book open to the full and free inspection of the police and all public officers elected and appointed and their deputies and agents during business hours. Nothing in this Act shall be construed to forbid or prevent the sale of liquor during the period and according to the terms of a dram-shop or other municipal license regularly issued in good faith according to law and which has not expired at the time that the vote shall become operative in the Anti-Saloon Territory thereby created, or the sale at wholesale by a manufacturer who manufactures from the raw materials of the product of his own manufactory located within Anti-Saloon Territory for delivery outside the limits of such territory.

Capitalization of "Act" and "Section"
omitted in some instances.