

NEW LOCAL OPTION MEASURE

Some Details of Bill Affecting Liquor Traffic Passed by the Illinois Legislature.

The News has been requested by a number of persons in different parts of the county to publish the local option bill recently passed by the legislature. While the bill is too long for newspaper publication in its entirety, The News gave yesterday a comprehensive synopsis of it, and today gives in detail some of the important provisions. The measure is entitled "A bill for an act to provide for the creation by popular vote of anti-saloon territory, within which the sale of intoxicating liquor and the licensing of such sale shall be prohibited, and for the abolition by like means of territory so created." Section 1 of the bill specifies that—

"'Anti-Saloon Territory' shall mean all territory within the limits of any town, precinct, city or village 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, (provided that no incorporated town, city or village that has been heretofore annexed to another incorporated town, city or village under the provisions of 'An Act to provide for the annexation of cities, incorporated towns and villages,' approved and in force April 25, 1889, shall be entitled to hold an election under the provisions of this act separately from the town, city or village to which the same has been annexed.)

Section 7 provides for recording the result in a book which in all courts is to be prima facie evidence.

The next section provides as follows:

"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 discontinue such anti-saloon territory, and the following section shall be construed in harmony herewith. In all anti-saloon territory, during the time that it continues to be anti-saloon territory, the operation of all 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 or the whole of such territory, so far as inconsistent with its status as anti-saloon territory, shall be suspended.

Section 10 specifies the manner of submitting to the voters a proposition for the discontinuance of anti-saloon territory and the restoration of local ordinances and regulations regarding the issuance of dramshop licenses in such territory.

The next five sections provide:

"Section 10. A vote under the provisions of this act in and for any political subdivision upon the proposition 'Shall this become anti-

ties under township organization and incorporated towns, (provided that no incorporated town, city or village that has been heretofore annexed to another incorporated town, city or village under the provisions of 'An Act to provide for the annexation of cities, incorporated towns and villages,' approved and in force April 25, 1889, shall be entitled to hold an election under the provisions of this act separately from the town, city or village to which the same has been annexed.)

"'Precinct' shall mean any 'voting precinct' or 'election precinct' which was a sub-division for voting in counties not under township organization at the general election held on the 6th day of November, A. D. 1906.

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

"'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 'town,' 'precinct,' 'city,' or 'village,' shall be understood to be inserted in the blank, and the same shall be inserted in the petitions filed by and the ballots prepared for the voters of any town, precinct, city or village.

"'Said proposition' shall mean the proposition 'Shall this (town, precinct, city or village, as the case may be) become anti-saloon territory?'

"'Clerk' shall mean, with reference to towns, cities and villages, the 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 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 towns,

loon territory, shall be suspended.

Section 10 specifies the manner of submitting to the voters a proposition for the discontinuance of anti-saloon territory and the restoration of local ordinances and regulations regarding the issuance of dramshop licenses in such territory.

The next five sections provide:

"Section 10. A vote under the provisions of this act in and for any political subdivision upon the proposition 'Shall this become anti-saloon territory?' or in and for any political subdivision or district upon the proposition 'Shall this (political subdivision or district) continue to be 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 sell intoxicating liquor in any quantity whatever nor to grant or issue, or cause to be granted or issued, any license to sell intoxicating liquor in any quantity whatever within the limits of any political subdivision or district whatever 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 dollars (\$20); nor more than one hundred dollars (\$100), 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 dollars (\$50) nor more than two hundred dollars (\$200) and imprisoned in the county jail for not less than ten (10) days,

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age, 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 towns, cities and villages, an election at a time fixed by law for choosing 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. In cities and villages the officers of which shall be chosen for a term of four years, 'election' shall also mean an election at a time fixed by law for choosing county officers. In no case shall it mean a special election to fill a vacancy.

"Intoxicating liquor' shall include all distilled, spiritous, vinous, fermented and malt liquors.

Sections 2 and 3 are as follows:

"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.

"Section 3. A vote under the provisions of this act, shall become operative on the thirtieth day after the day of the election at which such vote is cast."

Section 4 specifies the form of petition to be used and gives directions as to manner of filing it.

Section 5 provides for publication

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 dollars (\$50) nor more than two hundred dollars (\$200) 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 dollars (\$100), nor more than two hundred dollars (\$200), 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 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 liquor contrary to the law, and will pay all fines, costs and damages assessed against him for any

cast.

Section 4 specifies the form of petition to be used and gives directions as to manner of filing it.

Section 5 provides for publication of notice of the election.

Section 6 gives directions as to ballot to be used and manner of holding election.

payable to the people of the state of Illinois, conditioned that he will not sell intoxicating liquor contrary to the law, 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,