

8640

No. \_\_\_\_\_

# Supreme Court of Illinois

City of Chicago

---

vs.

George W. Colby

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71641  7

State of Illinois  
First Grand Division

} Nov Term 1858.

To the Honorable the Chief Justice  
and Associate Justices of the  
Supreme Court of the State  
of Illinois

Humbly Complai-  
ning, your petitioner the City of  
Chicago would respectfully  
represent and show unto  
your honors

That on the fifth <sup>fourth</sup> day  
of October eighteen hundred  
and fifty five, the Common  
Council of the City of Chicago  
ordered that a Survey should  
be made, and that notice should  
be given that the City intended  
to proceed to take so much land  
as would be necessary for the ex-  
tension of La Salle Street from  
its present terminus at Madison  
Street in a straight line South  
through Blocks 95. 96. 97. 116. 117  
and 118 School Section addition  
to Jackson Street - And that  
the City Surveyor proceed forth-  
with to survey, mark out, plat  
and record in the book provided

for that purpose, showing particularly the said improvement and the real estate required to be taken therefor

Your petitioner would further represent & show, that due notice of said intentions & the proceedings intended to be taken for that purpose was given in the Corporation Newspaper published in the City of Chicago on the 29<sup>th</sup> day of October 1855 for ten consecutive days.

Your Petitioner would further represent & show that afterwards on the 27<sup>th</sup> day of November 1855, <sup>110 January 1856</sup> by order of the Common Council of said City three reputable, discreet and disinterested freeholders of said City were duly elected by ballot, as Commissioners to ascertain the damages & compensation due the owners respectively of such real estate as should be taken & appropriated for the opening of La Salle Street from Madison to Jackson Street in accordance with

a Survey thereof as above  
provided - and to assess the  
amount of damages together  
with the costs of the proceedings  
upon the real estate, deemed  
benefited by the improvement  
in proportion as nearly as  
may be to the benefits resul-  
ting to each parcel of ground  
respectively.

Your Petitioner would further  
represent & show that J. A. Pragg  
Wm W. Suttonhall & The ~~City~~ the  
Commissioners, elected as aforesaid  
were on the 16th day of January  
1856, duly qualified as such  
Commissioners

Your petitioner would further  
represent & show that said Com-  
missioners gave due notice by  
advertisement in the corporation  
newspaper that they would  
meet on the 24th day of ~~Janu-~~<sup>January</sup>  
~~ber~~ 1856 at the Supervisors Room  
in the Court House in Chicago  
at 10 o'clock A.M for the pur-  
pose hearing testimony & of ex-  
amining into the damages &  
benefits aforesaid

And afterwards the said Commissioners Appeal to the Common Council of said City and said Common Council by order on the 18th day of February 1856, extended the time for making their report for forty days - And afterwards on further application of said Commissioners the time was extended for fifteen days <sup>from 24th March 1856</sup> for making their report of assessment

Your petitioner further represents & shows to your honors that on the 5th day of April 1856. said Commissioners made their report, and returned an assessment Roll of all the lots & real estate damaged or taken - and of all the lots & real estate deemed benefitted by said improvement - to the Common Council of the City of Chicago - and the same was filed in the City Clerk's office

Your petitioner would further represent & show

That the Common Council  
Caused due notice of the  
Said Assessments to be given  
by advertisement in the pub-  
lic newspapers of the Corpora-  
tion for ten consecutive days  
and that all persons inter-  
ested might be and appear  
on the 21<sup>st</sup> April 1856, before  
the Common Council & make  
objections thereto - and that  
Said Council would then &  
there revise & confirm the  
Same

Your petitioner would  
further show that Said Com-  
mon Council did then & there  
on the said 21<sup>st</sup> day of  
April 1856 proceed to revise  
Said Assessment Roll;  
And afterwards on the 9<sup>th</sup>  
day of June 1856 Said  
Common Council did  
fully confirm the Said  
Assessment in every particu-  
lar - and did then and  
there order that a warrant  
issue ~~for~~ the collection  
of the several Assessments

therein set forth  
your petitioner would further  
represent & show that in pur-  
suance of said order a  
Warrant was duly issued  
and directed to the ~~Special~~<sup>City</sup>  
Collector of Assessments for  
the South ~~side~~<sup>Division</sup> of the City of  
Chicago for the year 1856-7.  
Which warrant bears date  
the 17<sup>th</sup> day of June 1856 and  
was under the hand of the  
Mayor and the Seal of said  
City

<sup>City</sup> Your petitioner would  
further state that George  
N. Coby was duly elected  
Collector of Special Assess-  
ments for the South ~~side~~<sup>Division</sup> in  
said City for the year 1856-7  
and qualified by executing  
bond & security, and taking  
the oaths of office as provided  
in the ordinances of said City  
and entered upon the duties  
of said office - and was then  
and there at the time of the  
issuing of said Warrant,

duly qualified & acting as  
such collector

Your petitioner would  
further state that said War-  
rant so made & sealed was  
afterwards then & there deliv-  
ered to said George W. Cobby  
as such collector of special  
assessments to be executed.  
And the said George W. Cobby  
as such collector then & there  
entered upon the execution of  
the said Warrant, and then  
and there collected divers sum-  
s so assessed upon lots Real & stop  
benefited of divers owners of the  
same amounting to a large sum  
of money to wit to the sum of  
twenty three thousand, nine hun-  
dred & thirteen dollars & three cents  
(\$23,913.03)

Your petitioner would  
further represent & show that  
the said Cobby was unable  
to collect the remainder of  
said assessment - and  
afterwards to wit on the 21<sup>st</sup>  
day of July 1856 made return  
to said Warrant that he



had demanded payment of the several owners of lots so assessed, and they had not paid the same, and that he had not been able to find personal property belonging to any of said owners subject to the payment thereof - and thereupon returned said warrant unsatisfied as to all of said assessments not marked "paid"

Your petitioner would further represent that afterwards to wit on the day & year last aforesaid the Common Council made an order of sale of the said several lots, parts of lots & tracts of land so assessed as aforesaid for the several amounts so assessed thereon and thereupon <sup>the said</sup> warrant was re-delivered to the said lobby including the said several tracts, lots & parts of lots so assessed - commanding him to sell the same for the collection of the several amounts so assessed and due thereon

Your petitioner would further represent that said lobby thereupon thereto there proceeded to

advertise the said lots, parts  
of lots & tracts of land for sale  
according to law for the collection  
thereof - until afterwards &  
before the day fixed for the  
sale of the same under said  
order, to wit on the 6<sup>th</sup> day of  
September 1856. The Board of  
Supervisors of Cook County as Com-  
plainants sued out of the Cook  
County Court of Common Pleas, a  
writ of Injunction against the  
City of Chicago & said George W.  
Cobby, requiring them from proceed-  
ing further to ~~sell~~ the real estate  
assessed to the said County of Cook  
as block numbered Thirty Nine  
as the Court house or public square  
on the alleged ground that the  
same is a public square & common  
& inalienable - & on the further ground  
that no judgment had been ob-  
tained against the same in the  
County Court - and afterwards  
the said City & Cobby were further en-  
joined by injunction issued out of the  
Cook County Court of Common  
Pleas by writ bearing date the  
29<sup>th</sup> day of January 1857. at the

out 9 Volney E Roscoe as to lots 3. 4. 6. 7  
& 8 in block 109 in School section  
addition to said City.

And your petitioner would further represent that to avoid further expense by further injunctions threatened by other owners of lots so assessed, to be sued out, your petitioner agreed by stipulation with divers persons so assessed whose entries are made on the judgement Roll hereto attached thus & that the collection of said assessment as to them should be stayed until - and should abide the event of the the injunction so sued out by said N. E. Roscoe.

Your petitioner would likewise refer to the annexed transcript of the proceedings in making said assessment, and obtaining judgement thereon before the Common Council - and to copies of the said writs of Injunction - and which it prays may be taken as part of this petition

Your petitioner would further represent and show that the said injunctions so granted at

The said <sup>Volney & Key Co</sup> of the Board of Supervisors  
of Cook County have been dissolved  
and there is nothing to hinder  
delay or prevent the said George  
W. Cobby from proceeding to sell  
the said several lots, parts of  
lots and tracts of land in the  
said judgment or order of  
sale of the said Common Council  
mentioned and set forth, and  
to enforce the collection of said  
assessment as it is his duty to do.

Your petitioner would further  
represent that divers persons  
have sued out Mandamuses  
against your petitioner to compel  
your petitioner to pay over to  
them the amount of damages  
awarded them for real estate  
taken for opening said street -  
and your petitioner has been  
ordered & compelled to pay the  
same - and your petitioner  
would further state & show that  
it has paid out all the money  
so collected as aforesaid <sup>& others are still pending</sup>

Your petitioner would further  
represent that divers others to whom  
damages were awarded as aforesaid  
are now threatening to sue

your petitioner for Damages so  
awarded, due & payable - and  
before the same is collected of  
the persons or real estate against  
which Damages were so assessed  
and your petitioner is liable to  
be harassed & put to great ex-  
pense and trouble before the  
said Damages are, or can be  
collected by reason of the said  
George W. Cobby refusing to pro-  
ceed as such Collector to sell  
and collect said Damages  
under the order of sale aforesaid

Your petitioner would state  
that it has applied to the said  
Cobby and requested him to pro-  
ceed with all diligence and  
collect and pay over the  
said Damages to your peti-  
tioner, in order that the same  
may be paid to those ~~to~~ whom  
are entitled thereto - but your  
petitioner would further state  
and show to your Honor that  
the said Cobby neglects so to do  
declaring that he is unable  
to collect the same without  
sale of the lots &c aforesaid - &  
said Cobby refuses to proceed

under the said order of sale &  
make sale of said lots &c under  
various pretences - at one time  
alleging that he has been au-  
thorized by the said writs of in-  
junction aforesaid - at another  
time said lobby pretends that  
the said Common Council had  
no jurisdiction to make said  
order or render said judgment  
and that the same is void -  
At other times he pretends  
that the County Court - and  
at other times that some Court  
of general jurisdiction in the  
City of Chicago alone has  
jurisdiction to order a sale  
of said lots &c for said as-  
sessment - all which pre-  
tences your petitioner would  
represent and show are  
without foundation or excuse  
in law - and the said lobby  
should proceed to execute  
the said order of sale and  
writ or warrant so placed  
in his hands as such City  
Collector of the South Division  
of said City for the year 1856-7.

At other times said Cobby pretends that he is not City Collector of the Assessments for 1856-7- for said District - but that since the Amendment of the City Charter by act of 16 Feb 1857 his office has been abolished - and the power & duties appertaining to said office have been transferred to the present City Collector - But your petitioners would further show that the said Cobby entered into bond & security as City Collector for the South Division for the year 1856-7- and received and accepted for the several assessment rolls of the assessments made that year - and entered upon the discharge of the duties of said office, and the collection of said assessments - and obtained an order of Common Council for the sale of said lots - as hereinbefore charged - and your petitioners would further charge & show that said City Collectors of special assessments always

according to the uniform practice  
in the city administrations, completed  
the collections so <sup>made</sup> put into their  
hands during the year for which  
they were appointed - and they and  
their Sureties were deemed alone  
to be liable for a failure to per-  
form that duty. Your petitioner  
would therefore submit to your  
honors that said Cobby under  
the facts & circumstances herein-  
before set forth, has power, &  
continues liable to the duty of ma-  
king sale & collection of the said  
assessments - and is authorized  
and empowered so to do by  
the law & the order of the Com-  
mon Council as aforesaid.

And now so it is may it  
please your honors your pe-  
titioner is wholly remediless and  
unable to proceed with, and  
cause the said collections to  
be made - and to pay over  
the damages so assessed and  
due as aforesaid without  
the aid of this Honorable Court  
in the premises.

Your petitioner would therefore



pray your honors that the said  
George W. Colby be made a  
party dependant hereto - and  
that your honors award the  
People's wish of Alternative  
Mandamus to the said Colby  
Commanding him at an  
early day to proceed to make  
Sale of the said several lots  
parts of lots & tracts of land  
set forth, mentioned & described  
in said order of Sale of the  
Common Council aforesaid  
and to collect and pay over  
the damages so assessed &c  
into the City Treasury - or  
that he shew Cause why  
he fails so to do. - And  
your petitioner would further  
pray that upon a final  
hearing in the premises  
your honorable Court may  
issue a peremptory Manda-  
mus to said Colby to proceed  
with & complete said Collec-  
tions by Sale of said premises  
for the amounts assessed thereon  
if not paid - & pay over the said  
damages as aforesaid

And that your honors will  
award to your petitioner his  
reasonable cost - as in duty  
your petitioner will ever pray.

City of Chicago  
By Elliott Anthony  
City atty.

State of Illinois }  
Cook County }  
attorney in & for the City of Chicago - Elliott Anthony City  
being first duly sworn deposes  
and says that he has read the  
foregoing petition - and is  
acquainted with the facts  
and circumstances as cir-  
cumstantially related & stated  
and from his knowledge  
thereof he believes that the  
facts as therein stated are sub-  
stantially true Elliott Anthony  
Subscribed & sworn  
to before me this day  
of November A.D. 1858.  
W. L. Church  
Clerk

State of Illinois } November Term 1858.  
Third Grand Division } Petition for Mandamus.

George W. Colby  
ad  
The City of Chicago }

George W. Colby Defendant  
in this cause waives notice  
of motion for alternative writ  
of mandamus - and he also  
waives an alternative writ  
and summons & comes now  
here & enters his appearance  
to the same and submits  
and makes return to said  
petition as to an alternative  
writ and consents that  
in case the Court should  
be of opinion that a writ  
of mandamus ought to  
be issued that a perem-  
ptory writ may issue in  
the first instance

And the said George  
W. Colby for return to the  
same, and for cause why

The same should not be issued would state as follows-

Defendant admits that ~~an assessment~~ he was duly appointed or elected and qualified as City Collector of Special Assessments for the South Division of said City for the year 1856-7- and that he entered into bond and security as such City Collector for the faithful discharge of his duties as such - that he took the proper oath of office and entered upon the discharge of his duties as such Collector:

He admits that such steps were taken that an assessment of damages & benefits was duly made for opening & extending La Salle Street from Madison to Jackson Street as stated in said Petition that the Warrant for the Collection of the same was duly issued & placed in the

hands of defendant as such  
Collector as aforesaid, for col-  
lection as stated in said petition  
That defendant proceeded  
under said Warrant and  
collected the said sum of  
Twenty Three Thousand nine  
hundred & thirteen dollars  
& Three Cents, as stated in said  
petition. He admits that he  
was unable to collect the re-  
mainder without an order  
of Sale - and that he re-  
turned to said Warrant  
that he could find no  
personal property out of which  
he could collect the remainder  
- that he admits that the  
said Common Council  
thereupon made an order  
of Sale as stated in said  
petition and shown in  
the transcript of the record  
thereof attached to said  
petition. He admits that  
the Mayor issued a Warrant  
for the Sale of 9 all lots  
parts of lots & streets, of land  
so as aforesaid ordered to be sold

He admits that he advertised  
the said premises so ordered  
to be sold, for sale, and  
that the Board of Supervisors  
enjoined him as is stated  
in said petition - and  
that the same was afterward  
dissolved.

He admits that said Volney  
J. Roscoe obtained an injunction  
and that the said city en-  
tered into a stipulation  
with certain other parties  
so arranged, as is stated in  
said petition - and that  
said injunction and  
stipulation are ~~still~~ <sup>now</sup> in  
~~full force~~ dissolved and at an end.

He admits that he has  
been requested by said  
City to proceed and make  
said sales of so much of  
said premises as are not  
included in said injunc-  
tion and stipulation - and  
that he neglected and de-  
clined so to do for the sev-  
eral reasons stated in said  
petition as the pretences of  
this defendant - but all

These reasons were assigned  
in good faith, and not as  
pretences to avoid the per-  
formance of his duties as  
Treasurer Collector. And the  
said Dependant would  
~~not~~ <sup>not</sup> return & submit to your  
honors that a doubt hangs  
over the question of the juris-  
diction of the said Common  
Council to make said order  
of sale, and that Dependant  
cannot make sale of said  
premises while the power  
of the Council to make the  
order of sale remains in  
doubt as no one will bid  
for real estate under such  
circumstances such large  
amounts as are due upon  
said premises.

Respondent further shows  
that since the amendment  
of the Charter of said City as  
aforesaid, he was advised  
and believed that some  
Court of general jurisdiction  
only could render judgment  
against said premises - &

So the question as to what  
Court has power & jurisdiction  
to order said Sale has ever  
been one of doubt & un-  
certainty to dependant -  
Wherefore he has forbore  
to sell until the question  
could be settled by the judi-  
cial determination of this  
Honorable Court

Dependant admitting all the  
statements of the petition  
in this behalf, submits to  
the Court whether he is au-  
thorised & well empowered  
by law, under the facts  
& all circumstances set  
forth in the petition to  
proceed to make sale under  
said order aforesaid,  
or whether he can proceed  
elsewhere to obtain an  
order of sale for the col-  
lection of said assessments  
And having shewn  
Cause he prays to be  
Dismissed hence with  
his reasonable costs

Scates McAlister  
& Jewett of Counsel

George W. Colby



Assessment Roll  
for  
the Extension of La Salle Street

In Common Council Oct 15<sup>th</sup> 1855

Ordered, That, when the survey shall be made that the City Clerk give ten days notice in the Corporation newspaper that the common Council of the City of Chicago intend to appropriate and take so much land as shall be necessary for the extension of La Salle St. from its present terminus at Madison St. in a straight line south to Jackson St. to conform in width with that part of La Salle St. already opened, said extension to run through blocks 95, 96, 97, 116, 117, 118, school section addition to Chicago.

Ordered, That the City Surveyor proceed forthwith to survey, mark out, plat, and record in the book provided for that purpose (showing particularly the proposed improvement and the real estate required to be taken therefor) the extension of La Salle St. from its present terminus at Madison St. in a straight line south to Jackson St. to conform in width with that part of La Salle St. already opened, said extension to run through blocks 95 & 118, 96 & 117 and 97 & 116 of the school section and addition to Chicago.

Passed,

Attest N. W. Zimmerman  
City Clerk

Corporation Notice

City Clerks Office }  
Chicago Oct 19, 1855 }

Public Notice is hereby given to all persons interested, that the Common Council of the City of Chicago intend to appropriate and take the land necessary to extend La Salle St from its present terminus at Madison Street in a straight line south to Jackson St, to conform in width with that part of La Salle Street already opened, said extension to run through blocks 95 & 118, 96 & 117, 96 & 116 of School Section Addition to Chicago

N. W. Zimmerman

City Clerk

This Certificate, that appended notice relative to the Extension of La Salle Street to Jackson Street &c has been published in the Chicago Daily Democrat the Corporation Newspaper of the City of Chicago County of Cook and State of Illinois, ten days consecutively commencing with October 20th 1855

Chicago March 24, 1856

J. W. Bradley

Publisher & Proprietor

In Common Council November 12th 1855: By Alder Fletcher. Ordered, That the Common Council do now elect by ballot three reputable discreet and disinterested freeholders of the City of Chicago, whose duty it shall be to ascertain the damages and recompense

3  
and the owners respectively, of such real estate as shall  
be taken and appropriated for the opening of La Salle Str  
from Madison <sup>street</sup> to Jackson Street, in accordance with an  
order for the survey thereof, passed Oct 15th 1855, and at  
the same time assess the amount of such damages toge-  
ther with the cost of the proceedings upon the real estate  
deemed benefitted by the improvement in proportion  
as nearly as may be to the benefits resulting to each  
parcel of ground respectively.

The order passed and the Council proceeded to the  
election of Commissioners thereunder.

On the first ballot J. A. Bragg and Thomas  
Church received each 10 votes and were declared  
elected, On the second ballot for a third Comm-  
issioner there was no choice.

Attest  
H. W. Zimmerman  
City Clerk

In Common Council January 10th 1856  
By Ald. Colby. The order for the election of Com-  
missioners for the opening of Franklin Street.

The order was passed and the Council proceeded to  
the election of Commissioners thereunder. On the first  
ballot there was no choice, and on motion of Alder-  
man Ditcher further balloting on said order was  
suspended for the purpose of electing three Com-  
missioners to make an assessment for the exten-  
sion of La Salle Street. On the first ballot there was  
no choice, On the second ballot W. W. Saltonstall

received 10 votes and was declared elected. On the third ballot P. H. Bragg and Thomas Church received each 11 votes and were declared elected.

Attest  
W. W. Zimmerman  
City Clerk

### Oath of Commissioners

State of Illinois }  
City of Chicago }<sup>ss</sup>

We the undersigned freeholders of the City of Chicago, appointed by the Common Council of said City of Chicago as Commissioners to ascertain the damages and recompense due the owners of such real estate as shall be appropriated and taken for extension of LaSalle Street from its present terminus to Jackson Street in accordance with the foregoing orders: and at the same time, to assess such damages together with the cost of these proceedings upon the real estate deemed benefitted thereby as nearly as may be, do solemnly swear that we will faithfully and impartially perform our duty as such Commissioners according to the best of our ability.

Subscribed and sworn before  
me this 16 day of January 1856  
W. W. Zimmerman City Clerk

P. H. Bragg  
W. W. Saltonstall } Comm  
Thos Church }

5  
Commissioners Notice

All persons interested in the extension of La Salle street from Madison Street to Jackson Street, who wish to introduce testimony as to the value of the land appropriated, are requested to meet the Commissioners at the Supervisors room in the Court House on Monday the 24 instant at 10 o'clock A.M.

J. H. Bragg }  
Thos Church } Commissioners  
W. W. Saltonstall }

In Common Council Feby 18, 1856

Petition of the Commissioners for 40 days extension of time for making the assessment for the extension of La Salle street from its present terminus to Jackson Street - Granted

Attest H. W. Zimmerman  
City Clerk

In Common Council March 24 1856

Petition of Commissioners for an extension of fifteen days time complete the assessment for the extension of La Salle street. Granted

Attest H. W. Zimmerman  
City Clerk

#  
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Commissioners Notice

Public Notice, is hereby given to all persons interested that the undersigned Commissioners appointed by the Common Council of the City of Chicago to ascertain the damages and recompense due the owners respectively of such real estate as shall be appropriated and taken for the extension of La Salle Street from its present terminus at Madison Street to Jackson Street in accordance with an order for the survey thereof passed October 15th 1855 and in accordance with an order passed in Common Council Jan'y 16th 1856 and at the same time to assess the amount of such damages together with the costs of the proceedings, upon the real estate by them deemed benefitted, in proportion, as nearly as may be to the benefits resulting to each parcel of ground respectively, will meet at room No 1 in the Court House on the 19th day of February, 1856 at the hour of 10 o'clock A.M. for the purpose of viewing the premises and of making said assessment.

Chicago Jan'y 24th 1856

J. A. Bragg  
W. W. Saltonstall  
Thos. Church

This Certifies that the appended notice relative to the Extension of La Salle Street from Madison to Jackson Street has been published in the Chicago Daily Democrat the Corporation Newspaper of the City of Chicago County of Cook State of Illinois two days consecutively commencing

5  
8 - ncing with January 24th 1856

Chicago March 24/1856

D. W. Bradley  
Publisher for the Proprietor

To the Mayor and Alderman of the City of Chicago in  
Common Council assembled:

The undersigned Commissioners appointed by your  
Honorable body to ascertain the damages and recom-  
pense due the owners of such real estate as shall be  
appropriated and taken for the Extension of La-  
Salle Street from Madison Street to Jackson Street  
in accordance with the orders passed by the Common  
Council and hereto prefixed, and at the same time  
to assess the amount of such damages together with  
the costs of the proceedings upon the real estate deemed  
benefitted by the said improvement, in proportion  
as nearly as may be, to the benefits resulting to each  
lot or parcel of ground respectively. Do hereby report  
and return to the Common Council:

That in pursuance of said appointment they  
were duly qualified before entering upon their duties  
as appears by the oath recorded herein: that they  
published a notice of the time and place of their  
meeting for the purpose of making their assessment,  
in the Chicago Daily Democrat at the Corporation  
Newspaper of the City of Chicago, for the period of  
ten consecutive days previous to such meeting, a  
certificate of which publication is hereto prefixed:  
that they were present at the time and place and  
for the purpose designated in said notice, that  
they adjourned from day to day until April 5, 1856  
when they were all present at the same hour  
at Room No 3 in the Court House and after



viewing the premises 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 from the said improvement, to such lots or parcels of ground respectively - having first fixed a valuation on the said real estate which is likewise set forth in said roll

All which is respectively submitted

D. St. Boag

Thos Church (Commissioners

Wm W Saltonstall)

Chicago April 5<sup>th</sup> 1856.

State of Illinois }  
 City of Chicago }<sup>ss</sup> I do hereby certify, that the foregoing Assessment Roll was returned to me and filed in my office by the Commissioners this Fifth day of April 1856

W. H. Zimmerman City Clerk

City Clerk's Office

Chicago April 7<sup>th</sup> 1856

Assessment Notice. Public Notice is hereby given to all persons interested that the Commissioners

appointed by the Common Council of the City of Chicago to ascertain and assess damages and benefits resulting to owners of real estate in the South Division by reason of the extension of La Salle street from its present terminus at Madison Street in a straight line south to Jackson street, have completed their assessment and made return thereof to my office.

Any person wishing to appeal from said assessment must file their objections, in writing in my office on or before Monday the 21st day of April 1856 at 7 o'clock P.M. as the Common Council will, at that time, in the Council Room hear all objections to said assessment, and revise and conform or annul the same.

H. W. Zimmerman  
City-Clark

This Certifies that the appended Notice has been published in the Daily Times the Cooperation Newspaper of the City of Chicago, County of Cook and State of Illinois, <sup>days</sup> consecutively commencing with April 8th 1856

## Order of Confirmation.

Any Common Council from the 9<sup>th</sup> 1856  
 Whereas due notice has been given by the City-Clirk  
 of the return of the foregoing Assessment Roll and  
 objections thereto having been filed and overruled it is  
 therefore Ordered that the said Assessment as revised  
 by the Common Council, be, and the same is hereby  
 confirmed, It is further ordered that a warrant  
 be issued for the collection thereof, returnable in thirty  
 days after its date, Passed

H. W. Zimmerman  
 Warrant issued from the 17, 1856 City-Clirk

The Assessment Roll returned by  
 said Commissioners is hereinafter  
 set forth as the judgment  
 Roll & Warrant for sale and  
 Collection under order of sale  
 of said the Common Council  
 for remainder of the tracts  
 lots & parts of lots not paid  
 so far as it is deemed ne-  
 cessary to insert the same  
 in this place.

State of Illinois } Collectors Return  
 City of Chicago } Office of the City Collector of the  
 South Division July 21st 1856

The undersigned City Collector of the South Division of the City of Chicago, makes return to the Common Council of the within and foregoing warrant, that he has collected the assessments on all the Real Estate in said warrant opposite to which in the appropriate columns the word "Paid" is written, that a demand of payment has been made of the several other assessments not marked "Paid" in every case, of the persons mentioned in said warrant as liable to the payment thereof: and that he has not been able to find any personal property belonging to any of them subject to the payment thereof.

He therefore returns the said warrant unsatisfied as to all assessments not marked "Paid" in the face of the warrant

Geo W. Colby  
 City Collector of the South Division

The Assessment Roll will  
be found after order of  
Sale as hereinafter inserted  
with warrant for its  
Collection &c.

## Order of Sale

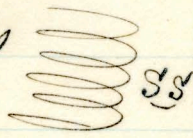
Passed in Common Council July 21st 1856.

Whereas certain Special Warrants hereinafter described have been returned to the Common Council of the City of Chicago by the Collector of the South Division of said City uncollected as to the several amounts assessed for the purpose set forth in said Warrants upon the following described lots parts of lots and pieces of land, that is to say —  
— Warrant No 207,

It is therefore ordered by the Common Council of the City of Chicago, that the said Collector proceed forthwith to advertise and sell the said lots, parts of lots and pieces of land for the assessment and costs due thereon respectively and make a return of such sale to the City Clerk

H. W. Zimmerman  
City Clerk

State of Illinois  
City of Chicago



The People of the State of Illinois, to the Special Collector of the South Division of Chicago. Greeting:  
Whereas the Common Council of the City of Chicago did, on the ninth day of June 1856, confirm the assessment duly made and filed in the office of the City Clerk, by the Commissioners appointed by the said Common Council to assess the damages, expenses and benefits resulting from extending La Salle Street from its present terminus to Jackson St. upon the real estate in the South Division of said City deemed benefited or damaged thereby, in proportion as nearly as may be, to the value of such damages or benefits, upon the several pieces or parcels of land deemed damaged or benefited thereby, each to each, in pursuance of an order of the Common Council for said assessment, made on the tenth day of January 1856; and did thereby assess the several sums of money noted in the roll of said assessment, upon the several lots, sublots, pieces or parcels of land respectively opposite thereto, which said roll is in the words and figures following, to wit:

A description of the Real Estate in the South Division of the City of Chicago deemed benefitted and damaged by reason of the extension of La Salle Street from its present terminus at Madison St. South to Jackson St. in accordance with the order for the survey thereof by the Common Council of the said City on the fifteenth day of October 1855, and the subsequent orders in relation thereto, together with the valuation of said Real Estate, and the sums of money severally assessed thereon, for benefits, and awarded as damages respectively, by the Commissioners, to wit:



20

OWNERS' NAMES.

DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
J B Pomeroy & Co	Wharfing Lots		10		21000	2070
P H W Peck	W 1/2		12		16000	207
W State Bank			13		19000	25875
J S Newhouse			15		20000	2070
Est of J Price	N 1/4	4	18		13800	2070
P H W Peck	N 1/2 Cor N E 1/4	"	"		21600	62100
W C Bryan	S 25ft	"	"		10000	25875
W H Medoney	25ft Broadway 25ft	"	"		9000	20700
W L Patrick	N 78ft Cor 17 1/2 ft in W 1/2	5	"		23000	22450
Est of J Price		6	"		74000	15525
Do	E 1/2	3	19		26000	1240
J King	N 1/4	"	"		13000	310
J S Surdam	W 1/2 of Cor	6	"		15000	2070
W Locke	E 1/2 of W 1/2	"	"		13400	1274
C V Holden	W 1/4	"	"		13400	775
Rosenfield & Rosenberg	E 1/4	7	"		11000	5690
Est of J Garrett		1	8		13000	31050
Do		2	"		8800	10350
Do		3	"		8800	8280
J S Surdam		4	"		8800	6210
Do	E 1/2	5	"		2800	18630
C B Hellogg		7	"		11000	20700
Do		8	"		11000	20700
P H W Peck	E 1/4	1	33		43400	91080
W H Trammel	25ft Broadway 40ft	"	"		4300	22770
F Litz	40ft Broadway 80ft	"	"		9200	45540
P H W Peck	Cor	2	"		16000	9315
J B Cobb	Cor of W 1/2	"	"		12000	3105
C S Prescott	Cor	3	"		26000	4658
L Menzies	W 1/4	"	"		12400	773
Rosenfield & Rosenberg	E 1/4	7	"		8000	6310
Jacob H. Burley	S 1/2	8	"		46800	129375

21 OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
James Mc Barden	N 80 ft		8	33	25000	993 60
L P Hilliard	N 90		3	34	22000	87 98
Est of J Butterfield	E 1/4		4	"	11000	82 80
P. Kenberg	20 ft on Lake st by 100 ft deep. W & adj. E 1/4		"	"	8400	62 10
David McThomson	20 ft on Lake st by 100 ft deep. W & adj. E 1/2		"	"	9000	82 80
Est of L McBayce	20 ft on Lake st by 100 ft on Lasalle st in N.W. cor		"	"	11000	362 25
John Wentworth	20 1/2 ft on Lasalle st by 60 ft deep		"	"	11000	248 40
J Berg	20 ft on Lasalle st by 60 ft deep. W & adj. S 35 <sup>65</sup> / <sub>100</sub> ft		"	"	8800	277 70
Est of L. McBayce	26 ft on Lasalle st by 60 ft deep. W & adj. S 55 <sup>65</sup> / <sub>100</sub> ft		"	"	11000	296 01
L G Sinclair	N 23 ft 70 ft deep		5	"	7800	285 66
Est of Geo Rath	25 3/10 ft E & adj. N 23 ft		"	"	9800	310 50
P. Gall	25 3/10 ft E & adj. N 48 8/10 ft		"	"	9000	310 50
G. McReis	20 3/10 ft E & adj. N 74 6/10		"	"	7000	248 40
Geo Rath	W 20 ft on Randolph st by 75 ft on Lasalle st		"	"	8000	362 25
Rudolph Weahler	20 ft on Randolph st by 76 ft deep. E & adj. W 20 ft		"	"	7000	93 15
Geul & Wilson	20 ft on Randolph st by 76 ft deep. E & adj. W 40 ft		"	"	7000	82 80
George Rath	E 20 ft on Randolph st by 76 ft deep		"	"	7000	72 45
C. H. & C. Aiken			6	"	32000	186 30
Est of L. McClark	W 20 ft on Randolph st by 80 ft deep		7	"	7200	33 65
D. O.	20 ft on Randolph st by 80 ft deep. E & adj. W 20 ft		"	"	7200	28 48
F. C. Sherman	E 40 ft on Randolph st by 80 ft deep		"	"	30000	41 60
Cook County			39		30000	7697 30
Henry Moore	E 1/2 N 80 ft		1	40	25000	1676 70

22

OWNERS' NAMES.

DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
Mr Jones	M <sup>1/2</sup> of C <sup>1/2</sup>		2	40	7200	51 75
Do	M <sup>1/2</sup>		"	"	14000	72 45
J L Gerber	C <sup>1/4</sup>		3	"	7200	33 65
Abel Stein	M <sup>1/2</sup> of C <sup>1/2</sup>		"	"	8400	28 48
Rehigula	C <sup>1/2</sup> of M <sup>1/2</sup>		"	"	9200	20 70
Do	M <sup>1/4</sup> 90 ft deep Bond		"	"	7000	10 85
J King	C <sup>1/2</sup> of Washington St } by 106 ft deep		6	"	6000	87 98
Do	C <sup>1/2</sup> of Washington St } by 106 ft deep & adj C <sup>1/2</sup> of C <sup>1/2</sup>		"	"	6000	67 28
Unknown	M <sup>1/4</sup> of C <sup>1/2</sup>		7	"	2400	103 50
J King	C <sup>1/2</sup> of Washington St } by 95 1/3 ft deep		"	"	4400	207 00
C B Farmill	C <sup>1/2</sup> of Washington St } 106 ft deep & adj M <sup>1/2</sup> of C <sup>1/2</sup>		"	"	4400	118 88
A McClure	M <sup>1/4</sup> of C <sup>1/2</sup>		8	"	10200	1192 32
Thos Hayne	20 2/3 ft & adj M <sup>1/4</sup> of C <sup>1/2</sup>		"	"	7000	455 40
J King	L 95 1/3 ft		"	"	26000	2064 83
P F W Pick	M <sup>1/2</sup> of Lot 1 & 2 10 ft of S <sup>1/2</sup> of C <sup>1/4</sup>		2	55	15200	2587 50
Alex White	M <sup>3/4</sup>		"	"	10000	305 33
C H Dunham			3	"	10000	126 80
H Robinson	M <sup>1/2</sup>		7	"	6000	326 03
J Marks	C <sup>1/2</sup> of C <sup>1/2</sup> 15 ft		"	"	6000	326 03
J Horton			1	8	3000	802 13
Do			2	"	2600	776 25
Do			3	"	3000	802 13
A McClure			4	"	2800	828 00
J Bassett			5	"	2800	853 88
Do			6	"	2400	879 75
Jud Braley			7	"	5800	1086 75
1 <sup>st</sup> Best Church	C <sup>1/2</sup> of C <sup>1/2</sup> & C <sup>1/2</sup> of C <sup>1/2</sup>		2	56	3750	41 40
Alex White	M <sup>1/2</sup> of C <sup>1/2</sup>		"	"	9000	144 90
Do			3	"	18000	434 70
Mrs Day	C <sup>1/2</sup> of C <sup>1/2</sup>		4	"	23000	683 10
City of Chicago	44 ft & adj C <sup>1/2</sup> of C <sup>1/2</sup>		"	"	55000	1366 20
Baptist Church	M <sup>1/4</sup> of C <sup>1/2</sup>		"	"	24500	2947 75

23

OWNERS' NAMES.

DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

W <sup>m</sup> H Adams	N 70 ft	5	56	9000 <del>2450</del>	2173 50
W <sup>m</sup> White	25 ft & 25 ft N 70 ft	"	"	3000	828 00
J B Sherwood	55 ft & 25 ft N 90 ft	"	"	9000	1906 47
W S Seely	S 25 ft	"	"	5000	1014 30
Do	N 30 ft and Madison st 25 ft deep	6	"	600	103 50
Trinity Church		1	"	10000	248 40

School Section addition to Chicago

W <sup>m</sup> Ellis		2	182	95	1500	108 50
J McKerson		384	182	"	3000	103 50
W <sup>m</sup> Hennicatt	C 1/3		3	"	4200	414 00
J W Brown	N 1/2 of C 1/3		"	"	4000	310 50
W <sup>m</sup> Hennicatt	N 1/3		"	"	3700	207 00
C Pencush	N 1/2		4	"	16000	1164 38
Dr Dusk	N 1/2 of W 1/2		5	"	7125	569 25
J Millner	C 2 1/2 ft		6	"	4400	300 15
Est of L M Tallmager	27 1/2 N 25 ft		"	"	5600	284 65
J M Herrick	C 20 ft of N 1/2		"	"	3600	165 60
R Clarkson	N 20 ft		"	"	3600	124 20
W <sup>m</sup> Heiner		3	788	"	2400	62 10
H McAuley			2	96	16000	310 50
W <sup>m</sup> Bailey	N 1/2		3	"	8000	305 33
B James	C 1/2		"	"	8000	414 00
W Dickerson	N 3 1/4 ft		4	"	7000	517 50
R Schlupfer	C 1/2 of N 1/2		5	"	4500	401 58
Henry Meyers	N 1/4		"	"	4500	297 05
Berg & Atzel	C 1/4		6	"	4500	238 05
F Burk	N 1/2 of C 1/2		"	"	4500	165 60
Leopold Meyer	C 1/2 of N 1/2		"	"	4500	144 90
R White	N 1/4		"	"	4500	124 20
John S Wright			7	"	18000	258 75
Dan Taylors			2	97	10000	724 50
Do			3	"	10000	465 75
Do			4	"	10000	362 25
Est of J Price			5	"	10000	207 00
Rippon		6	10811	"	2500	207 00
Thomas Whittack			12	"	15000	207 00

24 OWNERS' NAMES.

DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

The Whitlock		13	97	18000	362 25
Do		14	"	15000	465 75
R. J. R. Co		1	98	5000	465 75
Do		2	"	4000	517 50
Do		3	"	4000	517 50
Do		4	"	4000	517 50
Do		5	"	4000	517 50
Do		6	"	4000	517 50
Do		7	"	4000	517 50
Do		8	"	4500	686 06
J. J. Linden		9	"	4500	362 25
Ernest Ayers	S 1/2	10	"	2000	155 25
Henry Miller	N 1/2	"	"	2000	155 25
Dr. Brainard		11	"	4000	310 50
Fritz		12	"	4000	310 50
J. J. Holmes	N 1/2	13	"	2000	155 25
J. C. Brown	S 1/2	"	"	2000	155 25
J. A. Springer		14	"	4000	310 50
P. T. W. Peck		16	"	5000	465 75
R. J. R. Co		1	99	4500	682 06
Do		6	"	4000	310 50
Do		7	"	4000	310 50
Do		12	"	4000	310 50
Do		13	"	4000	310 50
Isabel Gillen	N 1/2	14	"	2000	129 38
J. J. Mearns	S 1/2	"	"	2000	129 38
R. J. R. Co		18	"	4000	310 50
Do		19	"	4000	310 50
Chas. Divine		20	"	4000	258 75
H. Guehler		23	"	4000	232 88
R. J. R. Co		24	"	4000	258 75

Glasscock's Subdivision in N.W. Corner

J. Roberts	Trap 45-ft. and 1/2 in. S. W. corner by 160 ft. deep. E. side Lot 7 at Glasscock's Subdivision	99		2800	62 50
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25 OWNERS' NAMES. DESCRIPTION. S. Lot. Lot. Block. Valuation. Assessment.

Subdivision in N E Corner

OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
East of Plure	36ft an Sherman st	}	1	99	3000	258 75
Do	575ft an Sherman st					
Do	25ft an Sherman st	}	2	"	1500	31 05
Do	36ft deep Gradjt 75ft					
Do	25ft an Sherman st	}	3	"	1100	31 05
Do	36ft deep Gradjt 100ft					
Valentine Woodh	25ft an Sherman st	}	4	"	1500	31 05
Do	36ft deep Gradjt 125ft					
Mr Zimmerman	30ft an Sherman st	}	5	"	1800	36 25
Do	36ft deep Gradjt 150ft					
Geo Hartman	20ft an Sherman st	}	6	"	1200	25 58
Do	36ft deep Gradjt 180ft					
Oliver & Major			1	100	4500	181 15
J. G. Fout			4	"	2400	181 15
J. C. Larned	N 1/2		5	"	1500	90 58
Mr W Baldwin	S 1/2		"	"	1500	90 58
Geo Bowman			8	"	3500	181 15
Do	N 1/2		9	"	1500	90 58
Isaac Cook	S 1/2		12	"	1200	90 58
H Haines	E 3/4		13 & 16	"	6000	414 00
R. I. R. Co			17	"	3000	414 00
Do			18	"	3000	258 75
Do			19	"	3000	258 75
Do			20	"	3000	258 75
Do			21	"	3000	258 75
Do			22	"	3000	258 75
Do			23	"	3000	258 75
Do			24	"	3000	258 75
Do			1	101	3000	290 80
C. Bliss	E 81 ft		2	"	2500	155 25
Thomas B Bryan	N 25 ft		"	"	500	10 35
Do	N 14 ft		5	"	1050	38 35
Mr Bliss	S 25 ft		"	"	1950	64 70
R. I. R. Co			6	"	3000	198 70
Do			7	"	3000	198 70

Copies at Lussell St Property against  
which judgment was entered

26

OWNERS' NAMES.

DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

Mc Smith	N <sup>1/2</sup>	8	101	1500	51 75
Estab Mrs. Walker	S <sup>1/2</sup>	"	"	1500	51 75
C. D. Wolf	N <sup>1/2</sup>	11	101	1500	51 75
Wm. Seckman	S <sup>1/2</sup>	"	"	1500	51 75
R. J. R. Co		12	"	3000	198 72
Do		13	"	3000	198 72
Peter Kepler	N <sup>1/2</sup>	14	"	2000	68 99
Mrs. Hardy	S <sup>1/2</sup>	"	"	1000	34 47
Do	N <sup>1/2</sup>	17	"	1000	34 47
H. John	S <sup>1/2</sup> apt N <sup>1/2</sup>	"	"	1000	34 47
Do	S <sup>1/2</sup>	"	"	1000	34 48
R. J. R. Co		18	"	3000	198 72
Do	N <sup>1/2</sup>	19	"	1500	99 36
J. P. Schedel	S <sup>1/2</sup>	"	"	1500	99 36
Jaynas Paul	N <sup>1/2</sup>	20	"	1500	51 75
Do	S <sup>1/2</sup>	"	"	1500	51 75
J. Trachle	N <sup>1/2</sup>	23	"	1500	51 75
Isaac Parker	S <sup>1/2</sup>	"	"	1500	51 75
R. J. R. Co		24	"	3000	198 72
Do		25	"	3000	198 72
Peter Schick	N <sup>1/2</sup>	26	"	1500	51 75
Wm. Smier	S <sup>1/2</sup>	"	"	1500	51 75
Isaac Parker		29	"	3000	103 50
R. J. R. Co		30	"	3000	198 72
Do	C <sup>1/3</sup>		102	30000	1925 10
Blaney & Butler	E <sup>1/2</sup> apt N <sup>1/2</sup>	"	"	30000	962 55
Isaac Parker		1	103	2500	196 70
John Landgrin		2	"	2500	93 15
Do		5	"	2000	84 87
Do		6	"	2000	190 44
Do		7	"	2000	190 44
Do		8	"	2000	84 87
Do		11	"	2000	84 87
Peter Schenk		12	"	2000	190 44
Meyer & Schayle		13	"	2000	186 30
Isaac Parker		14	"	2000	79 70



27

## OWNERS' NAMES.

## DESCRIPTION.

S. Lot.

Lot.

Block.

Valuation.

Assessment.

OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
Charles Obermuer	N 1/2		17	103	1000	39 56
Do	S 1/2		"	"	1000	39 56
George Tremiere	N 1/2		18	"	1000	93 15
Wm Valtmer	S 1/2		"	"	1000	93 15
Peter Maunter			19	"	2000	186 50
Henry Bankner			20	"	2000	79 70
Andrus Bawens			23	"	2000	74 52
Chas Schudell			24	"	2000	181 13
Do	N 1/2		25	"	1000	90 58
Anto Lippert	S 1/2		"	"	1000	90 58
Nicholas Kullshon	N 1/2		26	"	1000	37 26
H. Mezgula	S 1/2		"	"	1000	37 26
N. Reuste	N 1/2		29	"	1000	37 26
H. Zimmerman	S 1/2		"	"	1000	37 26
J. Grube	N 1/2		30	"	1000	90 58
Cinham Bernard	S 1/2		"	"	1000	90 58
W. J. Gurnee			17	104	800	46 58
John Strang			18	"	800	45 55
James Lamb			19	"	800	44 52
Do			20	"	800	43 49
Thomas White			21	"	800	42 46
Do			22	"	800	41 43
James Healy			23	"	800	40 39
John Hartman			24	"	800	39 36
Luke Tahan			25	"	800	38 33
Terence Galin			26	"	800	37 30
Dennis O'Moarran			27	"	800	36 27
Richard Barran			28	"	800	35 24
Do			29	"	800	34 21
N. Cramer			30	"	800	33 18
Stebbins & Frank			32	"	800	41 43
W. J. Gurnee			33	"	800	46 58
Do			34	"	800	45 55
Do			35	"	800	44 52
Do			36	"	800	43 49
Do			37	"	800	42 46

28 OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
Walter Gurnee			38	104	800	41 43
Do			39	"	800	40 40
Do			40	"	800	39 37
Do			41	"	800	38 34
Do			42	"	800	37 31
Do			43	"	800	36 28
Do			44	"	800	35 25
Do			45	"	800	34 22
Do			46	"	800	33 19
Francis Peters			47	"	800	32 16
Adams Keryander			48	"	800	41 43
W Babbins	E 2/3			105	28000	517 50
Do	W 2/3			108	26000	517 50
Geo Smith			1	109	800	108 68
Joseph Hogan			2	"	800	108 50
Walney Husco			3	"	800	98 33
Do	W 1/2		4	"	400	47 61
Do	S 1/2		"	"	400	45 54
J B Hobb			5	"	800	87 98
W Gurnee			6	"	800	82 80
Do			7	"	800	79 70
Do			8	"	800	76 59
Simcon Paust			9	"	800	73 47
C B Bliss			10	"	800	70 38
Simcon Paust			11	"	800	67 28
Peter Meatter			12	"	800	64 17
Auguste Hilde			13	"	800	61 07
John Dehen			14	"	800	57 97
Minie Blansh			15	"	800	54 87
Do			16	"	800	51 77
B S R R Co	E 2/3			109	50000	124200
John Forsyth			2	110	2000	93 15
B S R R Co			3	"	2000	196 65
Do			4	"	2000	194 44
John Forsyth			5	"	2000	84 87
W Bauer	W 1/2		8	"	1000	42 45

29 OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
H Hammerman	S 1/2		8	110	1000	42 45
Co. N. S. R. R. Co			9	"	2000	190 44
Do			10	"	2000	190 44
J. Klapler	N 1/2		11	"	1000	42 45
Geo Hank	S 1/2		"	"	1000	42 45
Johu Waganberger	N 1/2		14	"	1000	42 45
Johu Mezesst	S 1/2		"	"	1000	42 45
Co. N. S. R. R. Co			15	"	2000	190 44
Do			16	"	2000	190 44
Geo W Batterman	N 1/2		17	"	1000	42 45
Johu Herber	S 1/2		"	"	1000	42 45
Johu Strong	N 1/2		20	"	1000	42 45
Co. N. S. R. R. Co	S 1/2		"	"	1000	42 45
Do			21	"	2000	190 44
Do			22	"	2000	190 44
Do			23	"	2000	84 90
Unknown			26	"	2000	84 90
Co. N. S. R. R. Co			27	"	2000	190 44
Do			28	"	2000	181 13
Do	N 1/2		29	"	1000	42 45
Mary Frederick	S 1/2		"	"	1000	42 45
Johu Duffy	N 1/2		1	111	1000	119 03
Pat Hartz	S 1/2		"	"	1000	119 03
Do			2	"	2000	119 03
Co Fisher			5	"	2000	119 03
W C Turner			6	"	2000	238 06
Burr & Randall	N 1/2		12	"	1000	119 03
Unknown	S 1/2		"	"	1000	119 03
Co H Dusk	N 1/2		13	"	1000	119 03
Unknown	S 1/2		"	"	1000	119 03
Co R Starkweather			14	"	2000	119 03
Do			17	"	2000	119 03
Casper Duncan			18	"	2000	238 06
Co R Starkweather			19	"	2000	238 06
Fred Haps			23	"	2000	129 43
Co R Starkweather			24	"	2000	258 75

30 OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
W Wright			1	112	3000	362 25
Do			2	"	3000	155 25
Do			5	"	3000	129 43
C & R I R R Co			6	"	3000	248 40
Do			7	"	3000	248 40
W Wright	N 10 ft		8	"	600	25 88
Do	S 40 ft		"	"	2400	103 50
Do			11	"	3000	129 43
C & R I R R Co			12	"	3000	248 40
Do			13	"	3000	248 40
W Wright			14	"	3000	129 43
Do			17	"	3000	129 43
C & R I R R Co			18	"	3000	248 40
Do			19	"	3000	248 40
W Wright			20	"	3000	129 43
Do			23	"	3000	129 43
C & R I R R Co			24	"	3000	248 40
Do			1	113	3000	258 75
C Bently	N 1/2		2	"	1500	90 58
S J Edwards	S 1/2		"	"	1500	90 58
S J Edwards	Sta N 1/2		5	"	1500	90 58
C M Edwards	S 1/2		"	"	1500	90 58
C & R I R R Co			6	"	3000	258 75
Unknown			7	"	3000	258 75
Henry Maher			12	"	3000	258 75
C & R I R R Co			13	"	3000	258 75
J Supper			18	"	3000	258 75
M P Holden	E 1/2		19 & 24	"	3000	336 38
J Supper	N 1/2		"	"	3000	336 38
Sarah Gillen			2	114	4500	310 50
Church Property			3	"	4500	680 07
Do	N 1/2		4	"	2000	155 25
Unknown	S 1/2		"	"	2000	155 25
W Wright			5	"	4000	258 75
W Wright			8	"	4000	258 75
C & R I R R Co			9	"	4000	310 50

31 OWNERS' NAMES.	DESCRIPTION.	S. Lot.	Lot.	Block.	Valuation.	Assessment.
C. & R. I. R. Co			10	114	4000	310 50
W. Wright			11	"	4000	258 75
J. D. Webster			14	"	4000	258 75
J. M. Staples			16	"	4000	310 50
Do			17	"	4000	258 75
Timothy Wright			20	"	4000	258 75
C. & R. I. R. Co			21	"	4000	310 50
Do			22	"	4000	258 75
Timothy Wright			23	"	4000	232 88
C. & R. I. R. Co			1	115	5000	465 50
J. C. Brown			5	"	4000	310 50
C. & R. I. R. Co			6	"	4000	517 50
J. Y. Lammann			7	"	4000	517 50
C. & R. I. R. Co			12	"	4000	517 50
Do			13	"	4000	517 50
Do			18	"	4000	517 50
Do	N 1/2		19	"	2000	258 75
Do	S 1/2		"	"	2000	258 75
Do			24	"	4000	820 7
Wm. Jones			2	117	22500	719 33
Wm. Locke	N 30 ft		3	"	7500	103 50
Stark Front	E 60 ft		"	"	15000	103 50
Hibbard Parter	S 99 1/2 ft		6	"	17500	207 00
Unknown Church	N 49 1/2 ft		"	"	3000	51 75
Est. of W. Walker	N 1/2		7	"	9000	403 15
Wm. O. Heacash	N 1/2 of E 1/2		"	"	4500	144 90
J. Heacash	E 1/4		"	"	4500	124 20
D. M. Chappel	E 1/4		8	"	4500	297 05
Mrs. O. Brien	N 1/2 of E 1/2		"	"	4500	401 08
J. W. Farnell	E 63 ft of Sub Lot 9, W 1/2 of Sub Lot 2, & all of Sub Lot 3		} 118		13000	310 50
D. Knight	N 1/2		3	"	14000	155 25
D. Taylor	N 50 ft on balance of E 1/2 of N 1/2 of 25 ft by 76 ft deep of 4 1/2 E 1/2 of S 1/2		"	"	6000	51 75
J. Peacock	E 1/2		6	"	11000	103 50
Thos. Brock	25 ft by 76 ft deep of 4 1/2 E 1/2		6 1/2	"	6000	42 45
R. Lancaster	E 67 ft of 1100 ft deep 50 ft		7	"	9000	217 00

Now therefore you are hereby commanded to levy  
 make and collect on the goods and chattels of the  
 respective owners of the Real Estate above described  
 the several sums of money assessed thereon, for  
 which each may be liable as aforesaid, and hereof  
 make due return in what manner you shall ex-  
 ecute this writ, within thirty days from the date  
 hereof

Witness Thos Dyer, Mayor of  
 the City of Chicago, and the  
 Corporate seal thereof this  
 seventeenth day of June 1856

Attest H. W. Zimmerman

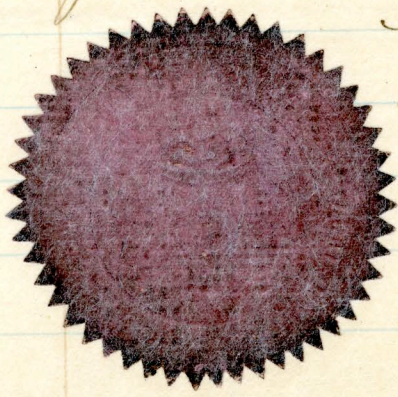
City Clerk

Thos Dyer

Mayor

State of Illinois  
Cook County of  
City of Chicago

I H. Kreismann, City Clerk  
of the City of Chicago aforesaid, do  
hereby certify that the foregoing thirty  
two pages contain a full, perfect  
and complete transcript of the  
orders and proceedings of the  
Common Council of said City,  
and of the Commissioners appointed  
for opening and extending La Salle  
Street from Madison Street to Jackson  
Street and assessing the Damages  
and benefit occasioned thereby, and  
also of the warrant issued for the  
collection thereof and the return  
thereof; also of the order of sale  
made by the Common Council  
and warrant and proceedings  
thereunder: the same now remaining  
of record and on the file of this office  
Witness my hand and the  
Corporate Seal of said City  
this Sixth day of November  
A.D. 1838  
H. Kreismann City Clerk



State of Illinois

Cook County } ss The People of the State of Illinois To the City of Chicago  
and Geo M. Colby, Collector their attorneys, agents, & Servants and  
each and every of them Greeting

Whereas it has been represented to the Hon<sup>ble</sup> John  
Mr. Wilson Judge of the Cook County Court of Common Pleas of the  
County of Cook in said State of Illinois, by Volney E. Rosecr in his  
certain bill of complaint exhibited before said Judge and filed  
in said Court, amongst other things that now the said City of  
Chicago and Geo M. Colby, Collector &c unjustly and illegally,  
are proceeding to enforce the collection of the assessment made pur-  
suant to orders heretofore made by the Common Council of the  
City of Chicago (For the extension of La Salle street in the City  
of Chicago from its present terminus on Madison street Southward  
straight line to Jackson street) against certain Lots owned by the  
said Complainant and known and described as Lots three, four,  
six, seven and eight in Block one hundred and nine in the  
School section addition to Chicago, Situate on Griswold Street  
near Taylor street in said City of Chicago and that unless said  
assessment is paid on or before the first Monday of February next,  
Judgement will be taken against for the amount of said assessment  
as is stated and set forth in said Bill of complaint all of which  
is contrary to Equity and good conscience, and the said Judge  
having under his hand endorsed upon said Bill an order  
that a writ of Injunction issue out of said Court according to the  
prayer of the said Bill. Now therefore we do hereby strictly  
Enjoin and command now the said City of Chicago and Geo  
M. Colby, Collector &c your attorneys, Agents, and Servants and



each and every of you that you do absolutely and entirely desist  
and refrain from further proceeding to enforce the collection of the  
assessment made as aforesaid against the said Lots of the said  
complainant for the said extension of La Salle street in the  
City of Chicago from its present terminus on Madison street  
in a straight line south to Jackson street heretofore de-  
scribed and set forth in said bill of complaint and from  
taking any other or further steps for collecting said assessment  
upon said Lots of the said complainant known and described  
as lots three, four, six, seven and eight in Block one hundred  
and nine in School section addition to Chicago and from  
taking judgment against said Lots until this honorable  
Court in Chancery sitting shall make ~~other~~ order to the contrary.

Hereof fail not under the penalty  
of what the Law directs.

Witness Walter Kimball Clerk of our said  
Court and the Seal thereof at Chicago in said  
County this 29 day of January A.D. 1857

Walter Kimball  
Clerk

185-01-185

11887

Cook County Court  
of Common Pleas  
April 7, 1857

Volney C. Ruscoe  
The City of Chicago  
George W. Calby

---

Writ of Injunction

Copy

Hoerner King & Scott  
Solicitors

State of Illinois, }  
COOK COUNTY, } Sect.

The People of the State of Illinois:

TO

The City of Chicago and to George W Colby  
and to their and each of their

Attorneys, Solicitors, Agents and Servants and each and every of them, GREETING:

Whereas it has been represented to the Honorable <sup>John W. Wilson</sup> ~~JOSEPH W. WILSON~~, Judge of the ~~Seventh Judicial Circuit and presid-~~  
~~ing Judge of the Circuit Court of the County of Cook, in said Circuit, and State of Illinois, by Cook County Court~~  
of Common Pleas by the Board of Supervisors of  
Cook County, Complainants

~~complaint~~, in a certain bill of Complaint exhibited before said Judge and filed in said Court, amongst other things that you  
the said George W. Colby pretending to act under a warrant from  
the Common Council of said City of Chicago have advertised  
Block Thirty nine in the original Town of Chicago for  
sale by Public Auction for a certain assessment  
levied thereupon by said City of Chicago for alleged  
benefits arising thereto from the proposed extension of  
LaSalle Street and that said Block is a Public Common or  
Square and inalienable by said City or County and that no  
Judgment has been obtained in the County Court against  
said Block for said assessment and that you said George  
W. Colby intend to sell said Block in some part thereof in  
pursuance of said assessment unless restrained by Injunction  
and praying for the Injunction, hereinafter Contained

all of which is contrary to equity and good conscience; And the said Judge having under his hand endorsed upon said bill an  
order that a writ of injunction issue out of said Court according to the prayer of the said bill.

Now, therefore, we do hereby strictly enjoin and command you the said *City of Chicago and*  
*George W Colby and each of you your and each of*  
your Attorneys, Solicitors, Agents and Servants, and each and every of you, that you do absolutely and entirely desist and refrain from

until the hearing of the said Cause from selling or attempting to sell or offering to sell and from advertising for sale said Block thirty nine {39} in the original Town of Chicago or any part thereof for the assessment made for the extension of Cassell Street from its present terminus at Madison Street in a straight line to Jackson Street

or

until this Honorable Court in Chancery sitting, shall make other order to the contrary. Hereof fail not under the penalty of what the law directs.

Walter Kimball

WITNESS, ~~LOUIS D. HOARD~~, Clerk of said Circuit Court and the Seal thereof, at Chicago, in said County, this 6<sup>th</sup> day of September 1856

Walter Kimball

CLERK.

Edward M. ...  
To the Sheriff of Cook County to execute.



G. No.

~~COOK CIRCUIT COURT.~~

*Am Pleas Term 185*

*Leity  
vs*

*County*

Writ of Injunction.

*Copy*

*Rec'd 8-58  
Martin Sol'r.*

X

1846-1850

City of Chicago } Application for  
vs }  
George W. Colby } Mandamus -

Mode of ordering sales of lots  
& lands for special assessments  
was prescribed by the City of  
Chicago Charter of 1851 - passed by order  
of the Common Council -  
Municipal Code page 48 - Sec 8 -

By act of 1854 - all the cities in  
the state except Chicago - were  
required to make application to  
the county court for judgments  
for non payment of Taxes  
Cook's Statute, page 201 - Sec 1 -

The Second Section of said act  
without repeating the exception  
of the City of Chicago - expressly  
provides for a similar applica-  
tion for judgments for Assessments

We submit that the express exception  
in Sec 1. of Act 1854 - was intended

& understood as being implied  
in the Second section - & such  
has the understanding and  
uniform practice of the Common  
Council under it - and all  
the sales for non payment of  
assessments since the act  
of 1854 - have been under  
orders passed by the Common  
Council -

If the order of the  
Common Council in this  
case is void - the question  
then arises by whom shall  
an application for judgment  
be made at this time - and  
to what court - since the  
Amended Charters of the  
city - by the act of Feb  
1857 - directing applications  
to be made to some court  
of general jurisdiction.

Acts of 1857 - (p page 14-15 -  
Sec 40 - 41 of New City Charters)  
See also page 17. " " " "  
Sec 51 - page 11 - Sec 27 -

Page 25 Sec 85-6-7

E. Anthony  
Counsel for City of Chicago



Edy. C. C. C. C.  
George W. Colby

Points of - C. C. C. C.

Robert C. C. C. C.

to C. C. C. C.