AN ORDINANCE

Requiring the Chicago, Burlington and Quincy Railroad Company to Construct a Sub-Way Du Page County, Illinois.

Be it ordained by the President and Board of Trustees of the Village of Downers Grove, Du Page County, Illinois :

Section 1. The Chicago, Burlington & Quincy Railroad Company is hereby or-Grove, Du Page County, Illinois, in manner and conditions bereinafter specified.

Paragraph 1. A sub-way shall be constructed beneath the tracks of the Chicago, Burlington & Quincy Railroad Company. where said tracks are intersected and crossed by Maple avenue.

Paragraph 2. Said sub-way to be constructed, shall be as to size and dimensions, location and other details in accordance with the following schedule: The depression of the street shall be sufficient to make an elevation for the floor or top of pavement of sub-way not less than 35.75 feet above the Village datum as heretofore ing or inspecting the work authorized or established by ordinance. This level shall required by this ordinance. extend to the right of way line of said railroad on each side thereof. From this level, approaches shall extend with a grade not to exceed 3.5 feet to a connection with the existing surface of the street including the easterly and westerly approaches on Maple avenue. Where the head of the approach connects with the present surface of the street, said connection shall be made

Section 2. The tracks of said railroad company shall be carried across said Maple avenue on a suitable bridge of one or two spans, whose superstructure shall consist of fron or steel girders, with fron or but should the latter plan be adopted then some suitable devise shall be provided to prevent storm water, dirt, oil and other substances from dropping from such elevated structure upon the sub-way beneath. abutment's of concrete or stone masonry, or of September, A. D. 1907. masonry foundation constructed within the

by means of a vertical curve.

lines of the railroad's right of way. If it shall be found necessary to construct the depression to sub-way, then such walls may be constructed within the limits of the construction of the sub-way referred to in port is situated, and the abutments or side walls of the sub-way itself reached by and forfeit to the Vidage of Downers Grove, such approach may be correspondingly advanced into the street, so as to be a contiauous line with the approach wall, and in any such case the other details and dimensions of the sub-way contained in this ordinance may be changed as far as necessary to accord with the location of retaining or side walls or abutments aforesaid. Section 3. The center line of said subway shall colucide with the center line of the said Mapie avenue where it intersects the Village of Downers tirore shall have with sald railroad.

Width between the walls of the sub-way to be 40.5 feet, which between carts in sale way 30 feet, width of sidewall, 4 feet and 8 inches, sald sidewalks to be placed along each aide of the said sub-way, curbs shail be inches in width placed on each side of the roadway

The depression of sidewalk shall be uni form with the roadway and about one foot above the level of said tondway, one line of posts may be placed along the center line of the readway of said entings to support girders and said subway shall be an empetricated as to give a clear head room

of 12 5 feet Beerlon t. All such exempations shall ! made in the street as man be required for the depression of acid only was and the aspromises the etc. Hit the depresent por then of the street shall be re-tored to see viscable could ion for the use of the person conduits, seniors and other substantures; belonging to the Village that may be difurbed by such excavations of required to from which they are found shall be to viscal and provided to restore their as fals. ness but the gradient of the senere e'atl tion of each orbants or approximate it chair become percently to disturb remove or do struc any pipes, conduits, wires or other be borne and assumed by the Village of uninterrupted right to prosecute its said

property belonging to any private corpora tion or individual, all of the cost and expense thereof and all damage thereto sha; Isomners Grove, and the said Village will, by condemnation, parchase or otherwise secure to said railroad company the free and work, and will eave the said railroad company harmiess from any and all chains, demands and suits arising therefrom and all damages which may be recovered therefor Section 5. Provisions shall be made for the drainage of the said sale was let the construction of receiving basins properly lose-**nt-pd** in or instrumentations authorized to said entenay, which receiving busine shall be connected and discharge their contents into the adjacent village storm and surface wa

Section 6. Paragraph 1 The sub was and the approaches thereto so to be conextracted by said company, in said Maple avenue, shall conform to the following structural requirements in this section mentioned, namely, the roadway in said only was shall be parrel with a single course of vireified brick of standard quality, laid at right angles with the cuth line and set upon a solid foundation of Portland ce ment concrete of not less than six inches thickness or deep when solidly tamped into place and otherwise finished, and property crowned ready for the brick wearing one face, between which and the concrete there shall be interpresed a later of serrened sand not less than one inch thick. The interations butween said brick shall be filled with a enal tar filter, the curb shall be of concrete masoner of standard dimensions and nnich, and the sidewalk in cald subway and along said approaches shall be finished and paved with Fortland cement concrete of standard quality and workmanship, and with curbing and condway paving shall be made, finished and put into permanent place, in accordance with the requirements to its mass and its distance exercises of this ordinance and to the satisfaction

Downers Grove. The approaches to sub-ways and existing roadway shall be in all respects restored as near as may be, to their condition before being excavated. Paragraph 2. As to the streets in this

of the Board of Trustees of the Village of

section mentioned, which are already paved. or provided with sidewalks, such pavements or sidewalks may be restored with the present material, when the same is in good condition, by said railroad company at | The heat that comes from some of them its expense, in such portion of said streets as are required to be constructed by said company, the said material and construction to be subject to the approval of the Prestdent and Board of Trustees of the Village of Downers Grove.

Paragraph 3. Said company shall pave the entire length and width of the roadway in such portions of the sub-way as is required to be constructed by said railroad company and as mentioned in this ordi-

Paragraph 4. Nothing in this ordinance contained shall be construed as to require the said railroad company to assume or pay any demages to adjacent property or oughess caused by the passage and enforcement of this ordinance, or by the excavato defend any soft or suits which may be against the said railrad company, or against the Village of Downers Grove, or against any other party, or parties, for the recovery of any such damages, but it is understood, and the Village of Downers Grove hereby agrees that all such damages, if there are any that shall be adjusted and paid by said Village of Downers Grove. and the said Village of Downers Grove will assume the defense of any and all sufts brought for the recovery of the same, intervening therein if necessary for such purpose, and will relieve said railroad company from defending the same, and will pay all judgments recovered therein, provided. however, the said railroad company shall be liable for such damages as may arise from the negligent performance of any of the obligations imposed upon it by this ordinance. The stipulations in this paragraph are, however, upon the condition precedent that in case any suit is brought of a voit. against said railroad company, shall before the last day to plead therein, give notice in writing, of suit and of service therein, to the President of the Village of Down-

ers Grove, for the purpose of enabling such defense to be made by said Village. Paragraph 5. Said raffroad company or any contractor employed by said railroad ion of the work sone, shall have the of any work done

charge or expenses, but said or contractor shall comply with the ex-isting ordinances of the Village of Downers Grove, with reference to the use of the fire hydrants and in drawing water

Section 7. All work hereinbefore in this rdinance required to be done by said company, upon or in connection with the said under the superintendence and subject to

of Downers Grove. At least ten days prior to the commence and specifications therefor shall be submitted to said President and Board of Trustheir examination, and if found in accordance with the provisions of this ordinance dered and required to construct a sub-way in so far as this ordinance contains specific within the limits of the Village of Downers provisions and in the absence of such specinc provisions if they shall be satisfactory matters and details which by this ordinance are left to their discretion and judgment, such plans shall be approved by them, and after such approval all of the work outlined and included therein shall be constructed in strict conformity therewith: Nothing in this ordinance shall impose upon said company any liability of the Vii-

lage of Downers Grove for any services performed, or to be performed by any officer or employee of said Village in superintend-

Section 8. l'ermission and authority is hereby given to said company whenever the same shall be necessary in the prosecution of the work herein authorized or required to be done and performed, to obstruct temporarily any public street, avenue, or al- | United States statutes are not much ley, to such an extent and for such length' of time as may be approved by the Presi-dent and Board of Trustees of the Village of Downers Grove, said company is also authorized whenever the same shall become necessary to erect and maintain temporary structures and false work on said avenue during the construction of the said subway, subject to the like approval of the steel main floor or ordinary track stringers. President and Board of Trustees of the Village of Downers Grove.

Section 9. The said railroad company mentioned in this ordinance which is hereby required to construct the heretofore described sub-way, shall fully and finally com-The said bridge shall be supported upon plete said work on or before the 30th day

Section 10. The said Chicago, Burlingto gether latterly, erected on, and anchored to & Quincy Railroad Company required by ular with the Dutch people, but his unthis ordinance to construct the peretofore described sub-way shall do its portion of the work in accordance with the terms hereany retaining or side walls in connection of in apt and proper time so as not to inwith any approaches to said sub-way to terfere with the proper and orderly prosesupport the adjoining property line along cution of the work as a whole. Should the er Berlin will go far toward restoring company fait or neglect so to prosecute the street, or public way upon which said sup this ordinance, within the time stated herein, said railroad company shall be ifable the sum of One Hundred Dollars (\$100.00) per day for every day it shall fall or neglect to begin and prosecute the work in ac cordance with the terms of this ordinance, said amount to be recovered by said Vil- of perpetuity, at the still church. tage of Downers Grove in a suit of debt against said rathroad company, to any court or competent jurisdiction, or, should the said Village of Downers Grove so decide. the President and Board of Trustees of and is herely given the right, power and authority to give ten days' notice in writing, to such delinquent company, to prosecute such work. If such delinquers compaux shall fall or neglect to compiy with said notice, the President and Board of Trustees of the Alliage of Downers tirove has take charge and cause such work to be done and the expense thereof shall thereupon be paid to said Chicago, Burlington outlong, however, with the said Village of by his firm. Incapera totale to one for the penalty, of constitut the coleway and charge the mount of said construction to said raileach company as heretofore provided. gentled II. This ordinance shall be bind or in all its conditions and requirements corp. and innre to the properties become, the contract and aposton of the cold that . Badington & Quinct Builded Comsame in the came effect and with the puras though and became of exercise abil-

a state a Battered Company.

and he had been housed herein respective

Passed, this eighteenth day of April, A Approved, this eighteenth day of April. Published, this twentieth day of April, CHARLES MORTIEL.

President of the Village of Incanced

RERT (WHITE.

Village Clerk. POWER FROM THE PLANETS.

Stellar Influence !tensured by Selentlate of the Saval Observatory.

Among the earliest ideas of mankind concerning the stars was the popular belief that they exercised some mysterious power over the inhabitants of the earth. This notion gave rise to astrology, whose superstitious practices still find votaries even at this late day. The advance of science long ago put an end to astrological fancies in the minds of well-informed people, while in place of the old notions about the influences of the stars new conceptions, not less wonderful in many respects, have been

We snow, for instance, that if the law or gravitation prevails, as we have a reason to believe it does, among the stars then every star in proportion an attractive influence upon the earth and, of course, upon every inhabitant of the earth. These attractions, however, are necessarily so slight that we have as yet no means of detecting | Supplies Always on Hand

In some other respects, however, the influence of the stars can be measured. has been thought sufficient to effect delicate thermopiles exposed to their radiation, although this is still open to some question.

Of late years experiments have been conducted which, if they are to be trusted, reveal a distinct electromotive power exercised by the stars. Using a reflecting telescope of two feet aperture to concentrate the stars' rays and a sensitive electrometer to note their influence, two scientists of the naval observatory at Washington believe that they have been able not only to detect but to readily measure the electromotive force of both stars and planets.

To Venus, for instance, they ascribe a force of about seventeen one hundredths of a volt and to Jupiter a force of at least three one bundredths of a volt. In the case of Jupiter only a part of the planet's light fell upon the electrometer, so that the experimenters infer that its entire electric influence must be much greater than that stated. Sirius, which appears to us as the brightest of the fixed stars, showed a P. O. Box 408 force amounting to two one hundredths

ALIMONY PAID IN PENNIES.

Trick Sometimes Resorted To in Order to Cante a Creditor Trouble. As a rule nobody will refuse any kind of good money in payment of a trom the public was convenient than others. Pennies are less

gal tender, but it would take a quart of them to pay a bill of any considerable size. It sometimes happens that just to be disobliging and to cause the credftor inconvenience the debtor pays in

Such a case happened in Flatbush. Maple avenue, shall be done and performed | I. I., the other day, where a husband in the Village of Downers Grove, the inspection and approval of the Frest had been directed by the court to pay dent and Board of Trustees of the Village \$4 a week for the support of his wife and to pay it to the clerk of the court. ment of any part of such work the plans In order to make both as much trouble as possible he brought in the \$4 in pentees of the Village of Downers Grove for | nies and they were accepted, though as a matter of fact penules are not legal tender to that amount. The minor coins of the United States are determined by to the President and Board of Trustees of statute to be 'a 5-cent piece.' A Unitthe Village of Downers Grove, in regard to ed States statute says: "The minor coins of the United States shall be of legal tender at their nominal value for any amount not exceeding 25 cents in any one payment."

The creditor can take them by the carload if he wishes, but refusing to take them in sums over 25 cents at a time will not enable the creditor to set up the claim of a tender, nor will it invalidate the creditor's right to collect. These tactics are seldom resorted to and only to create inconvenience. The studied by laymen, and so this point is not generally understood. Of the minor coins only the 5-cent piece, or nickel, as it is commonly called, and the penny, are in any considerable circulation. The 3-cent piece has gone out of use, is seldom seen and is not much missed. It has gone the way of the 2cent piece and the copper penny.

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EXECUTOR'S NOTICE

Estate of Isabella Ann Dunn, Deceased

The understaned, having been appointed executor of the last will and testament of Imbella Ann Ponn, late of the County of ImPage and State of Himais, deceased, herehe gives notice that he will appear before the County Court of Dul'age County, at the Court House in Wheaton, at the June Term, on the first Monday in June next, at which time all persons having claims tery lot at honest prises. One come against said Estate are notified and requested to attend for the purpose of having the same adjusted. All persons indebted to said Estate are requested to make immediate parment to the undersigned. Itated this 1st day of April, A. D. 1907. DANIEL DUNN, Executor.

F. KELLERSMAN, Attorney.

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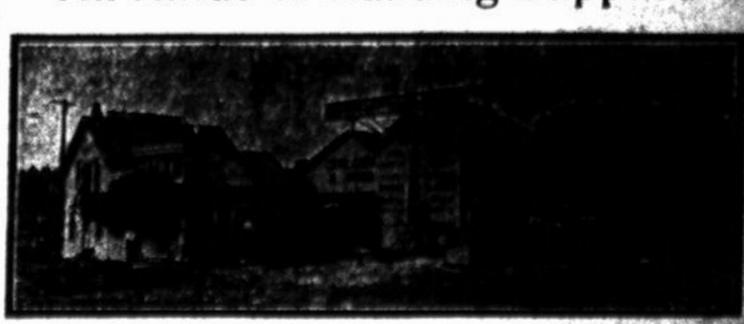
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