

*Bodies Surrendered.*

§ 8. JUDGMENT AFFIRMED — PROCEEDINGS THEREON. If the judgment is affirmed, the supreme court shall direct the court in which the original sentence was rendered to carry the same into effect, and shall give judgment against the plaintiff in error for costs, and execution may issue therefor from the supreme court.

§ 9. SURRENDER OF THE PRISONER BY SURETIES ON JUDGMENT AFFIRMED. When judgment is affirmed, if the prisoner was bailed from the custody of the sheriff, he shall be surrendered to the sheriff, who shall proceed to execute the judgment of the court; or, if bailed from the custody of the warden, he shall be surrendered to such warden, to be dealt with according to the judgment of the court, and the warden receiving him shall immediately certify to the clerk of the court to which the recognizance is returned the fact of such surrender, which certificate shall be sufficient evidence of the compliance of the condition of the bond.

§ 10. TIME OF SERVICE. When a prisoner has been committed to the penitentiary in pursuance of a sentence of imprisonment therein, or has been committed to the county jail pursuant to a sentence of confinement therein, and the judgment is affirmed, the time of service under the sentence of such prisoner shall commence to run from the time of such commitment, notwithstanding a supersedeas may have been granted: *Provided*, if any such prisoner is admitted to bail after such commitment, the time during which he is out upon bail shall be excluded from the computation of his time of service.

§ 11. RETURNING PRISONER FOR TRIAL. In case of the reversal of any judgment upon which any person has been committed to the penitentiary, and the granting of a new trial by the supreme court, it shall be the duty of the warden of the penitentiary, upon receiving a certified copy of such judgment of the supreme court, to deliver the person so committed to the custody of the sheriff of the county where such new trial is to be had, and of such sheriff to take and reconvey such person to the jail of his county, and for such services the sheriff shall be allowed and paid like fees as in the case of commitments to the penitentiary.

## CONSTRUCTION: DUTY OF COURTS.

*An act to provide for Recording Indictments. Approved 11 April 1873. In force 1 July 1873.*

1. INDICTMENT RECORDED.] § 1. The judge of the court in which any indictment may be found or returned by the grand jury of any county, may order the clerk of his said court in which said indictment is found and returned, to copy such indictment, together with all indorsements thereon, at length, upon the records of such court; and in case of the loss or destruction of such original indictment, such copy of the lost or destroyed indictment shall be considered as prima facie evidence of the contents of such original indictment, and the party or parties who stand indicted may be tried upon a certified copy from the record of such lost or destroyed indictment.

NOTE. The following acts; 19th March 1873, concerning unlawful interference, and misconduct at coal bank; and 3d May 1873, relating to obscene literature, are specially repealed. See REPEALING ACT.

## DISSECTION.

§ 1. *Bodies Surrendered.*  
§ 2. *Body Decently Buried.*

§ 3. *How Used.*  
§ 4. *Penalty for Violation.*

*An act to promote the science of Medicine and Surgery in the State of Illinois. Approved 16 February 1874. In force 1 July 1874.*

BODIES SURRENDERED.] § 1. It shall be lawful, in cities and counties whose population exceeds 100,000 inhabitants, for superintendents of penitentiaries, wardens of poor houses, coroners and city undertakers, to deliver to the professors and teachers in medical colleges and schools in this state and for professors and teachers to receive the remains or body of any deceased person, for purposes of medical and surgical study: *Provided*, that said remains shall not have been regularly interred, and shall not have been desired

*Causes of Divorce.*

for interment by any relatives or friends of said deceased within 48 hours after death: *Provided, also*, that the remains of no person, who may be known to have relatives or friends, shall be so delivered or received without the written consent of said relatives or friends: *And provided further*, that the remains of no one detained for debt, or as a witness, or on suspicion of crime, or of any traveler, or of any person who shall have expressed a desire in his or her last sickness, that his or her body may be interred, shall be delivered or received as aforesaid, but shall be buried in the usual manner: *And provided, also*, that in case the remains of any person so delivered or received shall be subsequently claimed by any surviving relative or friend for interment: *Provided further*, that notice shall be given to friends or relatives of any deceased person if such friends or relatives are known to the authorities.

**BODY DECENTLY BURIED.] § 2.** It shall be the duty of the said professors and teachers decently to bury in some public cemetery, the remains of all bodies, after they shall have answered the purposes of study aforesaid; and for any neglect or violation of the provisions of this act, the party so neglecting shall forfeit and pay a penalty of not less than \$50. nor more than \$100., or be imprisoned in the county jail not less than six or more than 12 months, or both, at the discretion of the court. Such penalties to be sued for by the health or school officers, or any person interested therein, for the benefit of the school fund or health department, as the case may be.

**HOW USED.] § 3.** The remains or bodies of said persons as may be so received by the professors and teachers as aforesaid, shall be used for the purposes of medical and surgical study alone, and in this state only; and whoever shall use such remains for any other purpose, or shall remove such remains beyond the limits of this state, or in any manner traffic in the same or in any manner aid or assist in the same, shall be deemed guilty of a misdemeanor, and shall, on conviction, be imprisoned for a term not exceeding one year in a county jail.

**PENALTY FOR VIOLATION.] § 4.** Every person who shall deliver up the remains of any deceased person in violation of or contrary to any or all of the provisions contained in § 1 of this act, and every person who shall receive said remains, knowing the same to have been delivered contrary to any of the provisions of said section, shall each and every one of them be deemed guilty of a misdemeanor, and shall, on conviction, be imprisoned for a term not exceeding two years in a county jail.

DIVORCE.

- § 1. *Causes of Divorce.*
- § 2. *One Year in the State.*
- § 3. *Legitimacy of the Children.*
- § 4. *Courts having Jurisdiction.*
- § 5. *Where Complainant Resides.*
- § 6. *Process, Practice, Pleading.*
- § 7. *Charges Denied, Jury Trial.*
- § 8. *Testimony in Open Court, Default.*
- § 9. *Defendant's Confession.*
- § 10. *Collusion.*

- § 11. *Proof of Foreign Marriage.*
- § 12. *Personal Liberty of Wife.*
- § 13. *Custody of Children.*
- § 14. *Poor Woman Prosecute Free.*
- § 15. *Suit Pending, Maintenance, Alimony.*
- § 16. *Resume Maiden Name.*
- § 17. *Title to Property.*
- § 18. *Maintenance, Alimony, Children.*
- § 19. *Plurality of Wives, Alimony.*
- § 20. *Sales to pay Alimony.*

*An act to Revise the law in relation to Divorce. Approved 10th March 1874. In force 1 July 1874.*

**CAUSES OF DIVORCE.] § 1.** In every case in which a marriage has been or hereafter may be contracted and solemnized between any two persons, and it shall be adjudged in the manner hereinafter provided that either party at the time of such marriage was and continues to be naturally impotent; or that he or she had a wife or husband living at the time of such marriage, or that either party has committed adultery subsequently to the marriage, or has wilfully deserted or absented himself or herself from the husband or wife without any reasonable cause, for the space of two years; or has been guilty of habitual drunkenness for the space of two years; or has attempted the life of the other by poison or other means showing malice; or has been guilty of extreme and repeated