

LEGALS

(First publication June 5, 1947.)
NOTICE OF REFEREE'S SALE
Notice is hereby given that by virtue of an Order of sale issued by the District Court of Holt County, Nebraska, in an action pending in said Court wherein Leslie J. Jensen and Christian Jensen are plaintiffs and Richard Lee Holmes, a minor, and others are defendants, being Case No. 14339, directing me as Sole Referee to sell the following described real estate, to-wit:

The East Half of Section 20 and the North Half of the Northeast Quarter of Section 29, all in Township 25, North, Range 13, West of the 6th P. M., in Holt County, Nebraska. I will offer and sell said real estate at public auction on Thursday, the 10th day of July, 1947, at one o'clock P. M. of said day, at the front door of the Court House in the City of O'Neill, Holt County, Nebraska.

Said sale will remain open one hour.

Terms of Sale: 20% cash on day of sale; balance payable upon confirmation and delivery of deed.

JULIUS D. CRONIN,
Sole Referee
4-8

(First publication June 5, 1947.)
NOTICE OF SUIT
To: Sarah K. Metcalf, the heirs, devisees, legatees, personal representatives, and all other persons interested in the Estate of Sarah K. Metcalf, Deceased, real names unknown, and All persons having or claiming any interest in the Southwest Quarter of Section Twenty, Township Twenty-nine, North, Range Ten, West of the 6th P. M., Holt County, Nebraska, real names unknown, defendants:

You and each of you are hereby notified that on the 21st day of May, 1947, William G. Malenke as plaintiff filed his petition in the District Court of Holt County, Nebraska, against you as defendants, the object and prayer of which is to quiet and confirm the title in him, the said William G. Malenke, to the real estate above specifically described, as against you and each of you, and to secure a Decree of Court that you have no interest in, right or title to, or lien upon said real estate or any part thereof; and for general equitable relief.

You are required to answer said petition on or before the 4th day of July, 1947.
Dated this 3rd day of June, A. D., 1947.

WILLIAM G. MALENKE,
Plaintiff
By Julius D. Cronin,
His Attorney
4-7

(First publication June 5, 1947.)
ESTIMATE OF EXPENSES OF THE CITY OF O'NEILL

The following is an estimate of the expenses of the City of O'Neill, Nebraska, for the fiscal year commencing the first Tuesday in May, 1947, and ending the first Tuesday in May, 1948:

Wages and Salaries as provided by ordinance	\$ 3,500.00
Maintenance of Police Department	4,500.00
Maintenance of Water Department	1,800.00
Operation of Water Works	5,000.00
Improvement of Water Works	90,000.00
Street Lighting	3,500.00
Maintenance of Sewer System	2,000.00
Improvement of Sewer System	70,000.00
Street Maintenance, Walks, construction	2,000.00
Sewer Bonds, principal and interest	8,000.00
Maintenance of Fire Department	3,000.00
Miscellaneous	5,000.00
Support of Band	500.00
Parks and Grounds	none
Airport	1,500.00
Total	\$ 168,300.00

Entire receipts of revenue for day in May, 1947, was as follows:
Water Collections \$ 13,382.52
Holt County Treasurer, taxes 16,813.75
Licenses, fees, occupation taxes 2,190.05
Police Judge 12.20
State Aeronautics Commission 1,414.04
Miscellaneous 12,990.34
Total \$ 46,802.90

Dated June 3, 1947.

F. J. DISHNER
Mayor
Attest:
O. D. FRENCH
City Clerk
(SEAL)
4-7

(First publication June 19, 1947.)
NOTICE TO OIL DEALERS
Notice is hereby given that the City Council of the City of O'Neill, Nebraska, will receive sealed bids for 5,000 gallons of prime white distillate, delivered in the tanks at the pump house. Bids will be opened at the regular meeting of the Council on Tuesday, July 1, 1947, and bids

William W. Griffin
ATTORNEY
First National Bank Bldg.
O'NEILL

must be on file before that date.
O. D. FRENCH,
City Clerk.
6-7

(First publication June 12, 1947)
Elven A. Butterfield, Attorney
NOTICE TO CREDITORS
Estate No. 3397
In the County Court of Holt County, Nebraska, June 12, 1947. In the matter of the Estate of Minnie Brittle, Deceased. CREDITORS of said estate are hereby notified that the time limited for presenting claims against said estate is October 3, 1947, and for the payment of debts is June 12, 1948, and that on July 3, 1947, and on October 4, 1947, at 10 o'clock A.M., each day, I will be at the County Court Room in said County to receive, examine, hear, allow, or adjust all claims and objections duly filed.

LOUIS W. REIMER,
County Judge.
COUNTY COURT SEAL 5-7

ORDINANCE NO. 231-A

An ordinance relating to the preservation of the health of the inhabitants of the City of O'Neill, Holt County, Nebraska; to provide for the continuation, organization, functions, powers and duties of the board of health for the city; designating the city dumping ground and providing for right of way thereto; to provide an orderly method for removal of garbage, rubbish, trash or waste from private premises; to provide rules and regulations governing and controlling tourist camps and trailer houses; to provide penalties for the violation thereof; to repeal all ordinances and parts of ordinances in conflict therewith; and to prescribe the time when this ordinance shall be in full force and take effect.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:

ARTICLE I. BOARD OF HEALTH

(1) BOARD OF HEALTH; CREATED; PERSONNEL. — A board of health is hereby created in and for the city, which board shall consist of four members, the mayor, who shall be chairman, a physician, who resides permanently in the city, who shall be medical adviser, the chief of police, who shall be secretary and quarantine officer and the president of the council.

(2) SAME, QUORUM; DUTIES; RULES INCORPORATED BY REFERENCE; PUBLIC TOILETS; PRIVIES, PRIVY VAULTS, OUT-DOOR TOILETS, CESSPOOLS. — (a) Quorum, duties, rules. A majority of the board of health shall constitute a quorum. Such board shall, within sixty days after this code becomes effective, or from time to time thereafter, as deemed necessary, enact rules and regulations to safeguard the health of the people within city, not included in and not in conflict with any existing health ordinance, which rules and regulations, when ordained by ordinance, or when published in book or pamphlet form and three copies thereof filed with the city clerk, and any amendments thereto, when so published and filed, are hereby incorporated by reference as a part of this code. Such rules and regulations shall treat with such subjects as tourist camps, trailer houses, slaughter houses, rendering establishments, commercial feed lots, interior sales barns, cattle and hog pens, offensive or noxious odors or smells emanating from premises where green or salted animal hides are kept or where any hides are kept or tanning, for accumulation for transportation, sale or shipment later or for any other purpose, quarantine regulations, sanitary conditions of streets, alleys and public places, outdoor privies, cesspools, or waterclosets where permitted or allowed, burial and disposition of dead animals, milk, meat products and all other products and all other products used, useful, kept, sold or offered for sale as food for human consumption, sanitary regulations of barber shops, beauty parlors, soda fountains, restaurants, hotels, beer parlors or any other subject, business, place or activity affecting the public health, including dairies, milk stations, poultry or egg farms, control of syphilis, venereal or other social diseases and control of tuberculosis. (b) PUBLIC TOILETS. Public toilets shall be constructed and installed in a sanitary manner with respect to sanitation and shall be maintained in a clean and sanitary condition. All fixtures shall be connected with a sewer system where possible. (c) PRIVIES, OUT-DOOR TOILETS, CESSPOOLS. (1) No such privy, vault, out-door toilet or cesspool shall be constructed or installed within twenty-five feet of any residence or business building, nor within one hundred feet of any well, nor within five feet of the limits of the premises upon which installed. (2) All privies, privy vaults, out-door toilets and cesspools and all parts of the same shall be constructed and maintained in such manner as to avoid causing a nuisance, and in such manner as to be and remain fly-proof, and in such manner that no danger to health or comfort of the people will result from leaching or contamination of soil

or water. (3) No privy, privy vault, out-door toilet, or cesspool shall hereafter be constructed or suffered to remain in any situation or location within a distance of 210 feet from any public sewerage disposal line now existing or hereafter established.

(3) SAME; RECORDS; RULES AND REGULATIONS OF DEPARTMENT OF HEALTH, STATE OF NEBRASKA, INCORPORATED BY REFERENCE. — (a) The Board of health shall keep a record of all its transactions, orders, notices and of such other action taken by it, which records shall be filed with the city clerk and be and are hereby made public records of city and shall be accessible to the public for inspection in the office of the city clerk at all reasonable hours. In the absence or disability of the medical adviser, the mayor may appoint some other physician to act in place of the medical adviser during such absence or disability; and to the end that the board of health may at all times be in position to function and perform its duties, there shall be a substitute appointed for any member thereof when absent, unable or disqualified to act; and the substitute member so appointed shall have the power to do and perform each and every act as the regular member thereof while serving on said board. (b) Three copies of the Rules and Regulations of the Department of Health of the State of Nebraska, relating to communicable Disease, Quarantine and Schools and for the control of Venereal Diseases, as revised, adopted and promulgated in pamphlet form, effective June 23, 1933, are in the hands of the city clerk, and such rules and regulations, together with any alterations or amendments thereto, if and when three copies of said alterations are likewise filed with the city clerk, are incorporated herein by reference in so far as the same are applicable to cities of the second class having a population of more than 1,000 and less than 5,000 inhabitants, the same as though copied at full length herein.

ARTICLE II. DUMPING GROUND

(1) DUMPING GROUND, ESTABLISHED. — Such territory within or adjacent to city, as the mayor and council shall hereafter by resolution designate, shall be used as a dumping ground and corporate authority is hereby extended over said real estate for all purposes, including what, how and when dumping may be permitted or allowed thereon.

ARTICLE III. GARBAGE, RUBBISH, TRASH, WASTE.

(1) GARBAGE, DEFINITION. — The word "garbage," as used in this code, shall be taken to mean all kitchen refuse, decayed vegetables or meats, dead animals or anything whatsoever that will or may decompose or become offensive or dangerous to health.

(2) RUBBISH, TRASH; DEFINITION. — The terms "Rubbish" or "Trash," as used in this code, shall be taken to mean dirt, chips, pieces of lumber, sticks, dead trees or branches thereof, bottles, broken glass, crockery, tin cans, wooden ware, cans, boxes, straw, papers, circulars, hand bills, rags, boots, shoes, hats or any other litter whatsoever.

(3) WASTE, DEFINITION. — The term "waste," as used in this code, shall be taken to mean cinders, ashes, plaster, brick or stone, sawdust, sand, or earth free and clear of any rubbish as defined in Section number (2) of this code.

(4) GENERAL REGULATIONS. — It shall be unlawful for any person or persons to keep in, on, or about any dwelling house, building or premises in city and within the corporate limits thereof, any decayed vegetable or animal substance, garbage, offal or refuse matter or any substance that may be injurious to the public health or offensive to the residents or inhabitants of the vicinity unless the same is kept in receptacles as hereinafter described; or to throw or sweep into the streets, avenues, alleys, parks or public grounds of city any dirt, paper, nails, pieces of glass or board, fruit parings or skins, refuse, waste or rubbish of any kind or to throw or place such matter upon any sidewalk or street crossing or on any driveway, or upon the floor, stairway or hallway of any public building, theater, railway depot or railway platform in city.

(5) GARBAGE; CARE AND DISPOSAL. — Garbage may be disposed of by the householders by removing to a suitable place outside of city for incineration, reduction, feeding to hogs, or other standard satisfactory methods which will not cause a nuisance or become dangerous to the health or comfort of the people. The owner, tenant or occupant of any premises shall have the right to dispose of his garbage on the premises where it originates by burning the same without offense to the neighborhood or danger to the public health. Garbage shall not be deposited on the city dumping grounds, provided for in Article II of this code, except upon res-



TOUGH FIGHT

Stephanie Lillian Dole weighed 26 ounces at birth. Then she contracted double pneumonia, was given 10 million units of penicillin, stopped breathing eight times, and is fine now.

olution of the mayor and council; shall not be thrown or permitted to fall on the ground or into the streets and alleys and shall not be allowed to accumulate except as herein provided. Where not burned on the premises, as allowed, it shall be deposited in suitable covered fly-proof cans and shall be removed by the householder or tenant at his own expense at least once each week during the months of May, June, July, August, September, October and November of each year, and once each two weeks during the rest of the year. PROVIDED, garbage shall be removed oftener and at such other times as the mayor or city may direct or the board of health of city shall deem necessary. The board of health is hereby empowered to acquire by lease or purchase, subject to the approval of the mayor and council, such suitable place or places, outside the corporate limits where garbage may be deposited.

(6) RUBBISH, TRASH OR WASTE; CARE AND DISPOSAL. — Rubbish, trash or waste shall not be thrown or permitted to fall on the ground on private premises or into streets, alleys or vacant lots and shall not be allowed to accumulate on any premises, except as hereinafter provided, but shall be removed to the city dumping grounds, as required by the terms and conditions of this Act, at the cost and expense of householder or tenant.

(7) GARBAGE, RUBBISH, TRASH OR WASTE; COLLECTIONS IN ABSENCE OF CONTRACT; APPLICATION AND PERMIT. — In the event the mayor and council deem it neither expedient nor advisable to enter into a contract for the collection of garbage, rubbish, trash or waste throughout city, any person may, upon written application to the city clerk, if he can satisfy the clerk that he can and will comply with the provisions of the ordinances of city, be issued a written permit to engage in said work on such form as the city clerk shall provide for that purpose. No fee shall be charged for the issuance of the permit which shall entitle the recipient thereof to haul and collect garbage, rubbish, trash and waste from householders or tenants in city until April thirtieth after the date of issuance; and the permit may be renewed annually if said mayor and council shall not, in the meantime, have elected to enter into a contract with a licensed collector. The application for permits shall be on standard forms, prepared by the city clerk, and shall elicit such information on the subject as the clerk shall deem in the public interest. It shall be unlawful for any person to haul or collect for hire any garbage, rubbish, trash or waste for others in city without first procuring the permit to do so.

(8) GARBAGE CANS, CAPACITY; REGULATIONS. — Every householder or occupant of any dwelling house or other building used for the housing of persons, and the owner, keeper or manager of every hotel, restaurant, store, wholesale business and retail business, or other place where garbage accumulates in city, shall provide one or more suitable metal garbage cans or cans of five or ten gallons in capacity, which shall be water-tight and fly-proof, shall have a close fitting lid and two handles thereon, which shall be placed on the premises owned or occupied by said person or persons at a place that can be easily reached by the garbage collector. PROVIDED, the garbage can or cans shall be kept in the rear of the premises, in the basement or in passageways most accessible to the collector, and never upon the street, or sidewalk; and all such vessels where not easily accessible shall be promptly delivered to the collector when called for. The same shall not be used for the

reception of garbage by more than one family, householder, hotel, restaurant, store, wholesale business or retail business, and all garbage created by or upon the premises occupied by said persons shall be deposited in garbage cans, which shall be kept tightly covered at all times and garbage shall be removed under such rules and regulations as in Section (5) of this code provided.

(9) DEAD ANIMALS. — All dead animals shall be immediately removed and buried by the owner of such animals; and, if the owner of such animals can not be found within two hours after discovering the same, then, and in that event, said animals shall be removed and buried by and at the expense of city. Dead animals shall not be buried within the corporate limits of city, nor within one mile thereof, nor in or above the course of ground water that is used for drinking purposes by city or its inhabitants.

(10) CONVEYANCE. — No person shall carry, cart, haul or convey any manure, rubbish, waste or other refuse matter specified under Sections (2) and (3) of this code, through the streets, alleys or public places of city, except in some tight wagon box or bed so made, placed and loaded that none of its contents shall be spilled or strewn over, on or along such street, alley or public place. No person shall carry, cart, haul or convey any garbage as defined in section (1) of this code, in any wagon, truck or other conveyance unless the same be water-tight, be cleaned and disinfected with sufficient frequency so as not to cause offense to the eye or nose and be enclosed. PROVIDED, the mayor or council may at any time by resolution provide that all said conveyances be constructed or provided with metal bodies or beds.

(11) ADDITIONAL GARBAGE CANS. — The board of health shall have authority to require the owners, managers or renters of restaurants, hotels, meat markets, stores, retail business and other places where garbage accumulates in quantities to furnish sufficient number of receptacles to take care of such accumulations and may require that such receptacles be removed in any of the ways contemplated by this code, and as often as necessary. Failure to obey any order or regulation of the board of health in connection with the administration or enforcement of the provisions of said article shall be construed as a violation thereof.

(12) RECEPTACLES FOR RUBBISH, TRASH AND WASTE. — It shall be the duty of all property owners or tenants occupying any premises to provide pens, boxes, or barrels for the reception of any rubbish and waste, the same to be hauled to the dumping grounds, designated from time to time by the board of health, by said property owners or tenants at their own expense.

(13) GARBAGE IN SEPARATE RECEPTACLE. — No person, occupant or owner of any property whatsoever shall place any rubbish, waste, ashes or cinders or anything but garbage in the cans provided for in Section (8) of this code, nor shall such person mix any rubbish, waste, ashes or cinders with any garbage that is to be collected and moved.

(14) DEPOSIT, WHERE UNLAWFUL. — It shall be unlawful for any person to throw or deposit any rubbish, waste or garbage on any vacant lot, public thoroughfare, street or alley or public property or any place whatsoever, except the place provided by the said board of health.

(15) MANURE. — It shall be the duty of all property owners and tenants occupying premises upon which manure of any kind accumulates to provide pens, boxes, bins or other suitable receptacles therefor, and said receptacles shall be emptied promptly and completely when full and the contents thereof shall be disposed of in a manner satisfactory to the board of health.

(16) CITY-WIDE COLLECTION, BID AND CONTRACT FOR. — The mayor and council may, in their discretion, by resolution, provide for the letting of a contract for the collection of garbage, rubbish, trash and waste to any person on a city-wide basis. In such event bids for said service shall be invited under such specifications as the board of health shall recommend and the council shall approve. PROVIDED, no such contract shall provide that the cost or expense of any city-wide collection shall be paid by the city.

(17) VIOLATION, PENALTY. — Any person violating any of the provisions of Article III of this code, or obstructing or interfering with the execution thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars for each offense.

ARTICLE IV. MILK AND CREAM

(1) Milk and Cream Products; Sale Permits, Fee Required; Application For; Inspection; Revo-

South Corporate limit line to the intersection of Fourth Street, thence running North on said Fourth Street to the intersection of Hancock Street, thence running East on Hancock Street to the intersection of the East corporate limits of said City, thence running North on the line of the Corporate limits of said City to the point of beginning.

ARTICLE VI. PENAL PROVISIONS
(1) VIOLATION, PENALTY; GENERAL. — Any person who shall refuse or neglect to make application hereunder for a permit or who shall violate any provision of this ordinance, including provisions incorporated by reference therein, for which penalty is not elsewhere provided, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding one hundred dollars for each offense. PROVIDED, each and every violation of the provisions of said chapter shall constitute a separate and distinct offense; AND PROVIDED FURTHER, if defendant so convicted be the recipient or holder of any permit issued hereunder, the police magistrate as a part of the judgment of conviction may order the surrender of to him, and may revoke, the permit of defendant to carry on the business, profession or activity involved in the prosecution if the circumstances seem to require such action.

ARTICLE VII. REPEAL AND OPERATIVE CLAUSES
(1) REPEAL OF PRIOR ORDINANCES IN CONFLICT. — All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.
(2) WHEN OPERATIVE. — This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.
Passed and approved June 3, 1947.

F. J. DISHNER,
Mayor.

Attest:
O. D. FRENCH
City Clerk.
(SEAL)

Money to Loan
ON
AUTOMOBILES
TRUCKS
TRACTORS
EQUIPMENT
FURNITURE
Central Finance Co.
C. E. Jones, Manager
O'NEILL, NEBRASKA

Barn For Sale!
The Board of Education of School District 8 will offer for sale to the highest bidder on —
Saturday, June 28
Between 2 and 3 p. m.
one barn, measuring 16-ft. in width, 24-ft. in length, 8-ft. sides. The barn is situated near the schoolhouse, which is 3-miles west of Danceland and 1½-miles north.
TERMS: CASH
Board of Education
School District 8

IT'S HERE!
Have You Tried It?
A SIP OF SUNSHINE
IN EVERY DREAM
Dream
Anytime

Merri Dr. Pepper
-- Bottling Co. --
O'Neill, Nebraska