

# CHANGE THE ORDINANCE.

## City Council Revises the Law on Sidewalks.

### A NEW STREET COMMISSIONER.

Mr. Hartman is Removed by the Council and Bathke is Put in the Office. Insurance Companies Will Have to Pay up What They Owe.

Street Commissioner E. E. Hartman was removed from office by order of the city council last night. August Bathke was nominated by the mayor and appointed to the position.

The city council met in regular session, present Mayor Hazen, Councilmen Brummond, Klesau, Spellman, Wilkinson, Zuelow. Absent, Tyler, Walker.

Proceedings of two previous meetings were read and approved. Street and alley committee reported that they had made contract with M. E. Shipley to construct Park avenue ditch but bond has not yet been signed. Suggested that committee decide as to requirement for bond.

Motion to award contract to Shipley without bond was lost.

On reconsideration a motion to place tiling in North Fourth street gutter was lost.

W. W. Roberts said all insurance companies had not paid tax and suggested that they be made to do so. Motion carried to that effect.

Mr. Wilkinson reported from special committee on street grades, with following resolution and moving its adoption and insertion in ordinance:

Resolved, That the sidewalk grade in all streets south of the north line of Madison avenue and west of Sixth street and north of the south line of Braasch avenue shall not be more than eight inches level of the natural surface of the lots in the block where the walk is to be laid, or grade established by the streets and alleys, and all walks shall be laid in a uniform street with the other sidewalks in the same block.

Motion carried. Ordinance No. 275 was read and passed its third time. It was declared an ordinance. Council adjourned.

Ordinance No. 275. An ordinance regulating the construction of sidewalks in the city of Norfolk, Nebraska, providing the time, manner and material for their construction and for their maintenance and care, and for the condemning and repairing of sidewalks already built.

Be it ordained by the Mayor and Council of the City of Norfolk, Neb. Sec. 1. Immediately after the passage, approval and publication of this ordinance according to law, all sidewalks within the corporate limits of the city of Norfolk are hereby ordered to be constructed at the time, in the manner and of the material as hereinafter provided.

Sec. 2. All sidewalks shall be constructed of stone, cement, hard burned brick, vitrified brick or artificial stone, resting on a foundation of four inches of cinder or sand, and when built of brick the border bricks shall be set on edge and supported with a bank of earth as high as the top of the walk. All walks to be constructed with a slope toward the street of 1 inch in 5 feet.

Sec. 3. All sidewalks shall be so constructed that the top of the walk shall correspond with the established grade, where one is established; where no grade is established sidewalks shall be built under the supervision of the street commissioner who shall ascertain the grade.

Sec. 3 1/2. The sidewalk grade on all streets south of the north line of Madison avenue and west of Sixth street and north of the south line of Braasch avenue shall be not more than eight inches above the level of the natural surface of the lots in the block where the walk is to be laid, and all walks shall be laid on grade established by the street commissioner with the approval of the committee on streets and alleys, and all walks shall be laid in a uniform street line with the other sidewalks in the same block.

Sec. 4. All sidewalks shall be of a width described as follows: On Norfolk avenue from First street to Seventh street the walks shall be not less than sixteen feet wide;

On Norfolk avenue from Seventh street to Thirteenth street the walks shall be not less than five feet wide;

On Madison avenue from Third street to Fourth street on the north side, the walk shall be not less than six feet wide; and from Fourth street to Sixth street on the north side the walk shall be not less than five feet wide.

On Second street on the east side from Norfolk avenue south to the alley the walk shall be not less than six feet wide and on the west side of Second street from Norfolk avenue to Madison avenue the walk shall be not less than six feet wide.

On Third street from Norfolk avenue to Madison avenue the walk shall be not less than five feet wide.

On Fourth street on the east side from Norfolk avenue to Madison avenue the walk shall be not less than ten feet wide and on Fourth street on the east side from Norfolk avenue to Braasch avenue the walk shall be not less than ten feet wide, and on Fourth street from Braasch avenue to Madison avenue on the west side of the street the walk shall be not less than eight feet wide and from Madison avenue to Philip avenue on the west side of Fourth street the walk shall be not less than six feet wide.

On Fifth street south to the alley on the east side of the street the walk shall be not less than twelve feet wide and on the east side of Fifth street from Norfolk avenue to Braasch avenue the walk shall be not less than six feet wide and on the west

side of Fifth street from Norfolk avenue to the depot platform the walk shall be not less than twelve feet wide and on the west side of Fifth street from Norfolk avenue south to the alley the walk shall be not less than fourteen feet, and on the west side of Fifth street from Madison avenue north to the alley the walk shall be not less than twelve feet wide.

On Sixth street on the east side from Norfolk avenue to Philip avenue the walk shall be not less than five feet wide.

On First street from First avenue to Second avenue the walks shall be not less than eight feet wide.

On all other streets in Norfolk the walks shall be not less than four feet and eight inches in width, and in the residence part of the town the street line shall be not less than five feet four inches from the line of the adjoining lot.

Sec. 5. In cases where the established grade is fixed at twelve inches or more above the level of the adjoining lot the walk may be made of boards of not less than one inch in thickness laid closely together upon not less than four stringers not less than two by four inches in size and securely nailed thereto, and shall conform in width with walks specified in this ordinance.

Sec. 6. Sidewalks shall be constructed by order of the city council which order shall be served upon the owner, if he be within the limits of the city, otherwise upon the agent of the owner or upon the person occupying said lots, and such sidewalks shall be constructed within thirty days after the service of such notice.

Sec. 7. If the owner, his agent, or the person occupying such lots shall fail or neglect to construct such sidewalks within thirty days after notice shall have been served upon him or her it shall be the duty of the street commissioner of this city to construct such sidewalk and furnish the city council an itemized statement of all expenses incurred in building said sidewalks and such expense shall be assessed against said property and collected in manner provided by law.

Sec. 8. All sidewalks hereafter constructed shall conform to the provisions of this ordinance and in case any person within the city limits, under notice given or otherwise, constructs a sidewalk in violation of this ordinance the street commissioner shall stop the work of such construction and order the same to be made in accordance with the provisions of this ordinance, and the work already made to be changed and on failure of such person to change any such work the street commissioner shall forthwith change said work and furnish the city council with an itemized statement of the expense, and such expense shall be assessed against said property and collected in manner provided by law and any person violating any of the foregoing provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding the sum of ten dollars.

Sec. 9. All cross walks in the city shall be not less than three feet in width and so laid as to conform to the established grade of the street, and shall, within the fire limits of the city of Norfolk, be constructed of stone or cement, and without said fire limits, may be two inch plank laid crosswise on four by four stringers two feet six inches apart.

Sec. 10. The owner of each lot or lots adjoining which a sidewalk is constructed, or which may hereafter be required to be constructed is hereby required to keep such sidewalks in good repair and in safe condition. When any such sidewalk is not in good repair or in safe condition, and the street commissioner shall deem it necessary that any sidewalk shall be repaired, or it shall be required by the city council, it shall be the duty of the street commissioner to notify, either orally or in writing, the owner of the lot or piece of land along and contiguous to which such sidewalk is situated, his agent or the person occupying such property to at once repair the same and place it in good and safe condition. Any person failing to comply with such notice within twenty-four hours after its service shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding ten dollars. If within the twenty-four hours after the service of said notice said sidewalk is not repaired and rendered safe, it shall be the duty of the street commissioner to repair and make safe said sidewalk and furnish to the city council an itemized statement of the costs incurred in repairing said sidewalk and such costs shall be assessed against said property and collected in manner provided by law.

Sec. 11. Whenever the city council shall deem it necessary that an old sidewalk shall be rebuilt or reconstructed it shall order the same to be done and the street commissioner shall, either orally or in writing, notify the owner of the lot or piece of land along and contiguous to which such sidewalk is to be rebuilt or reconstructed, to rebuild or reconstruct the same within thirty days from and after such notice. If any such owner shall neglect or refuse, or shall have failed, after said notice has been given to rebuild or reconstruct any sidewalk within the time limited in said notice, and whose duty it is made by this ordinance to rebuild and reconstruct such walk, the street commissioner shall proceed at once without further notice to have such sidewalk rebuilt and reconstructed and furnish the city council an itemized statement of the expense of such walk and work, which expense shall be assessed to such lot or piece of land and collected as provided by law. Any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding ten dollars.

Sec. 12. In all cases where notice is required under this ordinance and service cannot be made as herein provided the same may be made by publication; publication to be made for two weeks, in some newspaper published in the city of Norfolk, Neb.

Sec. 13. It shall be the duty of each member of the council to report at every meeting of the council all side-

walks within his personal knowledge that are not in good condition for safe use, and it shall be the duty of the council to immediately take such action, as provided by this ordinance, to place such sidewalk in good repair and safe condition. All ordinances and parts of ordinances in conflict or inconsistent herewith are hereby repealed. Passed and approved September 17, 1903.

Miner C. Hazen, Mayor.  
S. R. McFarland, Clerk.

### PERSONAL.

Ralph Braasch was in Neligh yesterday.

C. H. Vall was at Neligh yesterday afternoon.

John Koylek was in the city this morning from Battle Creek.

Mr. and Mrs. E. H. Luitkart of Tilden visited in the city yesterday.

J. W. Edwards, John Krantz and W. O. Hall were in Neligh yesterday. Mr. and Mrs. Oliver Goldsmith of Chicago are visiting Mr. and Mrs. C. B. Durland.

B. W. Jonas went to Battle Creek yesterday to attend the funeral of "Grandpa" Newerk.

John Enright has returned to his home in Lincoln after a visit with his daughter, Mrs. M. Hennessy.

Mrs. E. P. Weatherby and Mrs. H. E. Warrick will go to Omaha tomorrow for a visit with Mrs. Joseph Shoemaker.

Manager Bundick and Agriculturalist Gerecke of the sugar factory went to Omaha today to confer with General Manager Howe.

Judge J. B. Barnes of this city, candidate for justice of the supreme court was in Neligh yesterday attending the carnival. The judge met many former friends and made many new ones.

Deputy County Treasurer Arthur Pilger and wife came over from Madison last night for a visit with Norfolk relatives and friends. Meantime Mr. Pilger will interest his friends in his candidacy for the republican nomination for treasurer.

E. W. Huse and family arrived in Norfolk last evening over the Union Pacific. Wm. Huse and wife came with them as far as Grand Island, going from there to Fairfield to visit Mrs. Wheeler. Four years ago the family went to Oregon, with the idea of making that their home. After trying two towns and looking at a town in Washington they decided that there is no place like Nebraska, and back they came. Being newspaper people, it is quite probable that there will be one or more additional Huse newspapers in the state in the near future.

Dr. A. Mittlestadt, dentist, Bishop block. Telephone 60.

New designs in jardiniere at the Book store.

Dr. F. G. Walters succeeds to the practice of Dr. Kiesau. Phone, office and residence 18.

Chicago Centennial. C. & N. W. excursion tickets will be sold on September 26, 27 and 28, at one fare for the round trip, with final return limit of October 5.

H. C. Matrau, Agent.

"Human Hearts."

When the roster of a company is composed of so many well known and deservedly favorite players as will be found with "Human Hearts," it augurs well for the excellence of the performance. Such names as John D'Ormond, Agnes Fuller, Connie Thornton, Harry Lane, and Nedra Perry are rarely met with, outside of big metropolitan productions, but manager Nankeville wants none but the best, and for this reason alone, the patrons of the Auditorium will be enabled to see this great company when "Human Hearts" is produced here on Wednesday, September, 23.

School Tablets. A big school tablet for 5c at The News office.

School tablets at The News office.

# Fall Opening

## Saturday and Monday, Sept. 19 and 21

A full line of Tailor Made Hats, and Children's Hats and Tams. Beautiful patterns only need to be seen to sell them, as prices and styles are right.

# DURLAND SISTERS

### WARNERVILLE.

Mrs. J. B. Glenn is quite ill with the rheumatism.

The Omaha Elevator company shipped a carload of hogs to South Omaha Friday.

The republican voters of the precinct will hold a caucus Saturday evening, September 26.

The members of the Modern Brotherhood lodge will give a dance in the hall Wednesday evening, September 23.

The youngest daughter of Mr. and Mrs. Fred Terry has been seriously ill with cholera infantum the past week.

Henry Rasmusen went to South Dakota the first of the week. He will sell fruit trees there this fall.

Howard Warner of Stapelhurst, this state, is here making preparations to move his family onto the farm he purchased a year ago.

Mrs. Elizabeth Pollock left for Marysville, Kansas, to make her future home on Tuesday. Her household goods were loaded the same day.

# PIANOS

## The Chickering.

If there be one firm in America that commercialism has not in any way affected, that firm is surely the famous old concern of Chickering & Sons, Boston. These manufacturers of the Chickering Piano have been in business since 1823, and have at all times conducted their affairs on conservative, artistic lines. They have never considered the money cost of manufacture, but have ever produced the finest piano possible—and have then set the price. The result is that the Chickering name is synonymous for all that is best in piano construction, that the Chickering piano is beyond all cavil the best the whole world produces. Eighty years of constant, honorable endeavor is the secret of the matchless Chickering tone—that elusive, beautiful thing that all other makers have tried to imitate, but have failed.

For inside prices write, Chas. H. Johnson, Norfolk, Nebraska.

W. H. RISH, Plumbing, Steam and Hot Water Fitting. All Kinds of Pumps. YOUR WORK SOLICITED. Phone No. 97.

CHARLES PARKER DENTIST. Mast Block, Norfolk, Neb. Visits Battle Creek Every Monday.

A NEW ART NEEDLE STORE. Has just been opened by Mrs. Joseph Schwartz, at 130 South Fourth street. All sorts of Fancy Embroidery Silks, Sofa Cushion Covers. Etc., are for sale. A department, also, for HAIR DRESSING, MANICURING, SHAMPOOING AND FACIAL MASSAGE. Embroidery lessons given. Miss Ella Schumacher assists in this branch.

Brainard & Armstrong Silks.

HARDWARE G. E. Moore. A Reputation for good work in our tinshop and good goods from our store keeps us busy all the time. Sugar City Cereal Mills.

Norfolk National Bank. The Oldest Established Bank in Northeast Nebraska. Capital, \$100,000.00 - Surplus, \$20,000.00. Does a General Banking Business. Buys and Sells Exchange, Interest Paid on Time Deposits, Drafts and Money Orders Sold on any Point in Europe. A General Steamship and Foreign Passage Business Transacted. DIRECTORS: A. BEAR, F. P. HANLON, F. J. HALE, W. H. BUCHOLZ, WM. ZUTZ, N. A. RAINBOLT, S. S. COTTON.

The Citizens National Bank. CAPITAL, \$50,000. SURPLUS, \$10,000. Buy and Sell Exchange on this Country and all parts of Europe. Farm Loans. DIRECTORS: CARL ASHBY, W. H. JOHNSON, G. A. LUIKART, CHAS. S. BRIDGE, T. F. MEMMINGER, F. MCGIVERN, C. M. SWANE, L. SESTONIS.

DR. N. J. HOAGLAND. Osteopathic Physician. Diseases both acute and chronic successfully treated without use of drugs or knife. Office at residence, 108 North 10th Street. Phone No. NORFOLK.

G. R. SEILER. LIVERY AND SALE STABLE. CORNER BRAASCH AVE. AND THIRD ST. Telephone, No. 44.

L. L. REMBE. PLUMBER. Steam and Hot Water Heating. First Door South News Office.

HAVE YOUR ABSTRACTS MADE BY Chester Fuller.

Dr. J. H. Mackay. PHYSICIAN AND SURGEON. Phone 11. NORFOLK, NEBR.

SESSIONS & BELL. Undertakers and Embalmers. Sessions Bldg., Norfolk Avenue, NORFOLK, NEBRASKA.

Chas. H. Johnson, Norfolk, Nebraska. Sugar City Cereal Mills.