

S. L. GEISTHARDT

Attorney at Law.

Burr Block.

SHERIFF SALE.

Notice is hereby given that by virtue of an order of sale issued by the clerk of the district court of the third judicial district of Nebraska, within and for Lancaster county, in an action wherein Maria A. Gilson is plaintiff, and Daniel H. Young et al are defendants, I will at 2 o'clock p. m., on the 24th day of October A. D. 1894, at the east door of the court house, in the city of Lincoln, Lancaster county, Nebraska, offer for sale at public auction the following described real estate, to-wit:

All of lots numbered eleven (11) and twelve (12) in block number twenty-seven (27) in Dawson's Addition to South Lincoln in Lancaster County, Nebraska.

Given under my hand this 20th day of September, A. D. 1894.

FRED A. MILLER,
Sheriff.

NOTICE TO CREDITORS.

First Publication Oct 13th.

In County Court, within and for Lancaster County, Nebraska, October term 1894, in the matter of the estate of Alexander N. Burd deceased.

To the creditors of said estate: You are hereby notified that I will sit at the county court room in Lincoln in said county on the 1st day of March, 1895, and again on the first day of June, 1895, to examine all claims against said estate with a view to their adjustment and allowance. The time limited for the presentation of claims against said estate is six months from the 30th day of November A. D. 1894, and the time limited for payment of debts is one year from said 30th day of November, 1894.

Notice of this proceeding is ordered published four consecutive weeks in THE COURIER, a weekly newspaper published in this state.

Witness my hand and the seal of said County Court this 5th day of October, 1894.

SEAL

I. W. LANSING,
County Judge.

POUND & BURR

Attorneys at Law.

Burr Block.

Sheriff Sale.

First Publication Oct. 6.

Notice is hereby given that by virtue of an order of sale issued by the clerk of the district court of the third judicial district of Nebraska within and for Lancaster county, in an action wherein Marcus Younker is plaintiff and John Burshek et al are defendants, I will at 2 o'clock p. m. on the 6th day of November A. D. 1894 at the east door of the court house in the city of Lincoln, Lancaster County, Nebraska, offer for sale at public auction the following described real estate to-wit:

Lots numbered (4) and five (5) of Lincoln Land Company's sub-division of lots eleven (11) and twelve (12) in block one hundred three (103) in the city of Lincoln, Lancaster County, Nebraska.

Given under my hand this 4th day of October, A. D. 1894.

FRED A. MILLER,
Sheriff.

An Ordinance.

Providing for appointment of commissioners and assessment of damages in all cases where public improvement are being made by the city whereby any private property shall be appropriated to use of the city or shall be destroyed by making of such public improvements or public works: Be it ordained by the mayor and council of the city of Lincoln.

SECTION ONE.

Whenever the city of Lincoln proposes to make, construct, repair or alter any public improvement by which any private property is, or is to be appropriated or damaged and the mayor and council shall by resolution determine to make such improvement, on resolution of the mayor and council so to do, it shall be the duty of the city attorney to institute proceedings in the county court of Lancaster County, Nebraska, for appointment of a commission of six (6) disinterested resident freeholders of the county to assess the damages caused by the making, repair, construction or alteration of any such improvement or that may in any way grow out of such improvement or the maintenance thereof; and the proceedings in such cases shall, as far as may conform to the practice and procedure in similar cases, instituted by railway companies under the law of eminent domain, except as herein specially provided; and such commissioners shall take and subscribe an oath before the county judge that they are not interested in a like question and that they will impartially and faithfully upon actual view of the premises appraise the damages accruing to such owner by reason of such improvements, which shall be filed and entered in the record of such proceedings and thereupon they shall view the property to be taken or damaged and assess the amount of damage caused to each lot or tract, taking into account the special benefits thereto, if any, and make in writing a report of their doings to said county court. They shall be authorized to assess the damages to all the property affected by the improvement upon which they are called to act and may for that purpose be reconvened and act at different times. The county judge shall enter upon such report of record and certify the original or a copy thereof to the city clerk and the same may be filed in the office of Register of Deeds of said county to be recorded and indexed in the same manner as deeds and after its record shall be returned to the city clerk.

SECTION TWO.

Before such commission shall have power to act, the owner of the property if a resident of the county, shall have at least ten days notice in writing stating the time and place that such appraisalment will be made by personal service or by leaving a copy thereof at his usual place of residence.

If any property affected is owned by a non-resident upon whom service of such notice cannot be had in this county, or if the residence of the owner cannot be ascertained then notice may be served on the occupant or agent of the property and notice may be given by four weeks consecutive publication in some newspaper published in the city and if the owner shall not within thirty days thereafter apply to the County Judge to have the damages assessed, the city attorney shall proceed on behalf of the city to have such damages assessed.

Copies of all notices with the manner of service and proof thereof shall be filed in the court and be entered of record with the report of the commissioners.

The making and filing of such report shall create no liability against the city of Lincoln unless the property affected is appropriated or damaged and such proposed improve is made, constructed, altered, or repaired.

SECTION THREE.

In case of death, absence, refusal or neglect of any of the commissioners to act, the County Judge shall as in cases of similar proceedings by railway companies appoint other competent freeholders to complete the panel.

SECTION FOUR.

In case any owner of property claim that damages has accrued or will accrue to his property by reason of any public improvement made or proposed to be made by the city and the city neglect for thirty days after notice by such owner to apply for appointment of a commission for appraisal of damages then such owner may apply to the County Judge for the appointment of a commissioner and the proceedings shall be similar in all respects to proceedings instituted on behalf of the city.

SECTION FIVE.

Costs of the proceedings shall in the first instance be paid by the party applying therefore, by the city or the owner as the case may be and in case of proceedings at instance of owner the city shall not be liable for costs unless damages are ultimately recovered against the city.

SECTION SIX.

Either party may within twenty days after filing of the report of the commissioners in the county court appeal from the assessment to the district court of the county on like terms with respect to appeal by notice and docketing of the case as in similar cases of condemnation by railway companies, except that no appeal bond need be given by the city and the procedure on appeal shall be in as like cases instituted for appraisal of damages by railway companies except as herein before provided.

SECTION SEVEN.

This ordinance shall take effect from and after its passage, approval and publication according to law.

Passed October 1, 1894—approved October 3, 1894. GEO. J. WOODS,

Attest: Acting Mayor.
J. W. BOWEN, City Clerk.

Introduced by Councilman H. H. Meyer.

Notice of Incorporation.

First Publication Oct. 6.

Notice is hereby given of the incorporation under the laws of this state of an association, the name of which is Harris & Company, and the principal place of transaction of business of which is at the city of Lincoln in Lancaster County, Nebraska, and the general nature of the business to be transacted by which is the buying, selling, forwarding of and general dealing in grain, the buying, selling, owning, leasing and operation of elevators, cribs and other property, machinery and appliances necessary or proper to be owned, occupied or used in and about the handling of grain, and buying selling, owning, and leasing of real estate, both improved and unimproved.

The amount of the capital stock of said incorporation is \$140,000, which was fully paid in at the time of incorporation. The time of the commencement of said incorporation was the 25th day of September, 1894, and the time of its termination will be the 25th day of September, 1944, and the highest amount of indebtedness or liability to which said corporation can at any time subject itself is \$90,000. The affairs of said incorporation are to be conducted by a board of four directors, who are required to appoint from among their own number, a president, and may also choose a vice-president. And they are also required to appoint a secretary and treasurer, which two last named offices may be conferred upon the same person; and the president is to be also general manager of the corporation.

The articles of incorporation of said association were adopted on the 25th day of September, 1894, and were filed in the office of the clerk of Lancaster County, Nebraska, on the 26th day of September, 1894, at 9 o'clock and 20 minutes a. m., recorded in book C of Incorporations at page 439.

By Order of the Board of Directors,
FREDERICK L. HARRIS, President,