A LONG PEND NG CASE.

THE SUPREME COURT REVERSES THE BALLERINO JUDGMENT.

When a Delinquent Tax Sale is Legal. Other Decisions Made by the Supreme Court Received.

The supreme court has reversed the judgment of the superior court of Los Angeles in the case brought by the state against Ballerino to recover the amount of taxes levied in the year 1888 for state purposes upon his property. The opinion was received for filing yesterday by Deputy Clerk Sesnon. The case had been on appeal a long time.

The amount of the delinquent tax exceeded $300, and the suit was for the amount and 5 per cent for delinquency, and interest, and for a decree that the property be sold. Judgment went for the plaintiff, from which Ballerino appealed.

The applicant contended that the authority given to the county to sue is exclusive, and that the people of the state were not authorized to maintain such actions. The supreme court does not coincide with this contention.

The court does hold, however, that the complaint did not state facts sufficient to entitle the state to maintain the action. They say that it is very clear that the people of the state are not authorized to commence an action for the recovery of the delinquent tax until after the property has been once offered for sale. It was not alleged in the complaint that this condition was complied with, or that the controller ever directed the tax collector to only once offer the property for sale. The averment that the defendant procured a temporary injunction against the sale, and that it was not dissolved until May 19, 1890, did not cure the defect. Upon the points mentioned the judgment and order are reversed.

MOTION TO DISMISS DENIED.

The supreme court has also denied a motion to dismiss the appeal in the case of Adolph Anthony, respondent, vs. Fred Grand, appellent, a San Diego case. It was an appeal from a judgment entered against the defendant and an order denying a motion for a new trial. The respondent moved to dismiss on the ground that, when it was taken, another and prior appeal from the same judgment and order was pending. The court says that the second appeal was taken after the first had been dismissed without prejudice and denies the motion to dismiss.

The supreme court also affirms the judgment of the superior court of Los Angeles in the case of the county of Los Angeles vs. Ballerino et al., for the reasons given in a former opinion filed last March.

FREEMAN VS. GRISWOLD.

The judgment of the Los Angeles superior court has also been affirmed in the case of Daniel Freeman, respondent, vs. Daniel Griswold, appellant. It was an action on a written contract entered into between the assignor of the plaintiff and the defendant for the sale and purchase of certain real estate, and was brought to recover a balance of $5863.24 on account of the purchase price and interest. Plaintiff had judgment and the appeal was from that and an order denying a new trial.

The court holds that a covenant in an agreement to convey land, which provides that in the event of a failure to comply with the terms of payment by the purchasers, which was the fact in this case, no payments but $2331.66 paid at the execution of the contract having been made, the seller shall be released from all obligations in law or equity to convey the land, and the purchaser shall forfeit all right thereto, time being the essence of the contract, is a covenant for the benefit of the vendor, and must be construed as authorizing him to avoid the contract or not, at his option, and does not authorize the vendee to waive advantage of his own default in making payment. The judgment and order are affirmed.

PERSONAL.

[illegible] of Redlands is in the city.

[illegible] ells is in the city from [illegible]

[illegible] nnie of Phœnix, Ariz., is [illegible] the Hollenbeck.

[illegible] ldwin has returned from [illegible] visiting the world's fair [illegible] month.

[illegible] rthy, detective for the [illegible] association of California, [illegible] rsday from a visit to the [illegible]

[illegible] unter has returned from [illegible] ended trip to the world's [illegible] eastern points, having had [illegible] ble experience.

[illegible] Brown, superintendent of [illegible] schools, is a guest of his [illegible] d, Prof. Le Roy D. Brown, [illegible] nt of the city schools.

[illegible] ed, for many years con[illegible] the furniture house of W. [illegible] taken a position with the [illegible] alifornia Furniture Company.

[illegible] Romandy, the violinist and composer, is visiting friends at Alhambra. He has been musical director at Coronado for many months, and is now enjoying a vacation. He will return to Coronado in a few weeks.

A. B. Hinckley, a prominent merchant of San Francisco, is in the city on a two weeks' business and pleasure trip, and will visit all points of interest hereabouts.

M. J. Murphy, representing Miss Katie Emmett, who will be at the Los Angeles theater next week, was in the city yesterday. Mr. Murphy is a member of the New York Press club, and still has a hankering for newspaper harness.

World's Fair Columbian Edition Illustrated Herald.

This beautiful publication, printed on the finest book paper, is now on sale by all the newsdealers and at the HERALD business office. It contains 48 pages of information about Southern California and over 50 illustrations. As a publication to send to eastern friends it has never been equalled. Price 15 cents in wrappers.

HOTEL ARRIVALS.

HOLLENBECK.

E. Zander, Stuttgart, Germany; A. Mejor, Kansas City; C. C. Wheeler, Santa Barbara; W. Schwartz, W. Comstock, J. O. Garrick, S. B. Carlton, W. B. Glidden, F. E. Ettel, A. L. Young, J. H. Milizner, H. F. Marsh, jr., J. L. Latham, San Francisco; J. F. McKinnie, Phœnix; J. W. Nance, F. B. Beaucourt, Peoria; Mrs. F. T. Hendry, Cleveland, O.; F. W. Fogg, J. H. Gay, jr., San Diego; W. H. Wood, Rochester, N. Y.; F. B. Lisbash, New York; A. K. Penfield, P. Calon, J. Carson, Redlands; L. W. Keiser, Riverside; F. D. Well, Yuma; O. B. Taft, Chicago; T. J. Hannon, Los Angeles.

MAJOR POWELL TO LECTURE.

He Will Discuss the Canyons of the Colorado River.

The Southern California Science association will hold its initial meeting of the season next Tuesday evening, Oct. 10, at Turn Verein hall.

The committee has succeeded in obtaining the consent of Major J. W. Powell of the United States geological survey to lecture on the subject of the Cañons of the Colorado.

Major Powell has been engaged for engaged for nearly 24 years in directing explorations and surveys for the United States, and is recognized throughout the world as one of the foremost authorities on structural geology and erosion. He is a member of the National Academy of Sciences, and has been president of the American Association for the Advancement of Science. He has received more mentions, medals and diplomas from European scientific associations and institutions of learning than any other American, with the single exception of Prof. Spencer F. Baird.

He is most widely known, perhaps, as the original explorer of the cañons of the Colorado river, having made his first trip down the cañon in 1867, when the nature of the task was almost unknown. His lecture on Tuesday evening will be a popular narration of this thrilling experience, and all are invited to embrace the opportunity of hearing this interesting lecturer. No admission fee will be charged, but, anticipating a crowd, the committee has reserved a few of the front seats for the benefit of those who wish to be sure of a seat, and a small charge will be made for these.

THE COURTS.

Cases on Trial Yesterday and New Suits Filed.

Judge Shaw yesterday entered an additional order in regard to the grand jury, directing that the experts of the grand jury extend the results of their examination and report in writing to the county clerk, and that the county clerk furnish to the board of supervisors for their use and the use of the district attorney only, the exhibits and minutes of the grand jury and the reports of the experts.

Wm. Owens entered a plea of not guilty, to a charge of assisting a prisoner to escape, before Judge Shaw yesterday and his trial was set for November 11th. His bond was reduced to $500.

M. Carnahan pleaded guilty of burglary in Judge Shaw's court yesterday and was sentenced to two years at San Quentin.

Divorce proceedings have been commenced by Addie G. Bricker vs. William J. Bricker; Martha J. Parsons vs. Hiram R. Parsons.

NEW CASES.

Preliminary papers were filed in the county clerk's office yesterday in the following new cases:

F. P. Holland vs. Carl Raiss et al.; suit to ascertain balance due for materials furnished and declare a lien on certain premises.

Petition by Sallie M. Willets to be appointed guardian of John F. Duvall, Minnie Duvall and Edna M. Duvall.

Crops Saved by Frost Torches.

As fine a display of fireworks as could be desired might have been witnessed after midnight the other morning in the mountainous farm lands covering the northern portion of Saratoga county, N. Y. Frost comes early thereabouts, and three years out of five damages or destroys the corn and buckwheat.

A Swedish farmer on Hadley hill suggested the use of "frost torches" in time of danger, and explained that Scandinavian agriculturists made them of petroleum soaked peat. Peat is not handy in the locality of Hadley hill, but pine is plentiful, so in odd times during the summer a number of farmers cut stakes 2 inches in diameter and 5 feet long and provided themselves with kerosene.

At 8 o'clock the other evening the thermometer fell to 38 degrees, and the experimenters put their stakes to soak. At midnight they set them up, 50 to the acre, in the buckwheat fields, and by 1 a. m. had them blazing and smoking. Every man who tried the plan saved his crop. On other farms, where nothing was done, the probable yield is reduced at least two-thirds. The "frost torches" cost in all a half cent each.—New York Sun.

Swiss Waiters Drop the Dress Coat.

The dress coat of the kellner is shortly to disappear from the leading Swiss hotels, so that it will no longer be possible to confound the waiters with the guests. At a recent meeting of the Union of Hotel Keepers the question was solemnly debated whether it was not practicable to clothe the waiter in a more rational dress than the hitherto obligatory swallowtail. The precedent for such a revolution has already been set in Germany. A few months ago the "Deutsche Gastwirths Verband" offered a prize for the best example of a convenient dress for the waiter. The design accepted was a tailless jacket (Joppe) of dark blue cloth, after the fashion of the stewards' uniform on board ships. This has met with a wide approval in the profession, and it is already adopted by the kellner in many of the large German towns. The degrees of aristocracy among the waiters are marked on the collar. The ober kellner, or head waiter, wears three stars on his collar, Franz or Jean two stars and the Piccolo one star.—Bern Bund.

A Famous Theatrical Manager.

No better hearted man ever lived than Uncle Dick Hooley, Richard M., of Chicago. More than 30 years ago he owned and managed Hooley's Opera House in Brooklyn, where minstrel performances, vaudeville, burlesque and variety entertainments were given. He made a great deal of money and went to Chicago, where he owned and managed a first class theater in first class style. I doubt if he ever did a mean or an indefensible act. In his home life he was charming, in business his word was as good as his bond, and in every circle he was welcomed because of his genial manner and his hearty participation in all the ongoings of the occasion.—Joe Howard in New York Recorder.

When Baby was sick, we gave her Castoria.
When she was a Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

An Obscure Litterateur.

It seems odd that a man could make $12,000 a year in New York by writing fiction, die and remain as utterly unknown as if he had never existed. Arthur Elder Nelson, whose death occurred some days since, was such a man. He did not get even a three line obituary in any newspaper. His dealings were mostly with two huge New York concerns devoted exclusively to the manufacture of dime and half dime novels, and his specialty was the fiction that deals with boy pirates, boy highwaymen, robbers and other equally interesting juveniles. He started six years ago, when he was 25. Educated and refined (he was an Oxford man), he came to this country shortly after attaining his majority. His first effort in the line of blood and thunder narrative was made during his leisure as a drug clerk.

The success of his production encouraged him to persevere, and for the last two years he had worked steadily. His publishers say that his own share of the profits of his pen last year were $12,000, and he lived pretty well up to his income. He spoke four languages, and his wide reading and ripe scholarship enabled him to wander at will in the highways of literature, plundering wherever he saw an opportunity. Thus his works were, as a rule, mere plagiarisms brought down to his reader's level. He never aspired to anything higher. Certainly if he had wished to be a serious writer his income could never have exceeded say $3,500 a year, even had he attained great vogue. As it was, he kept a horse and carriage and enjoyed life.—Journalist.

A Folding Bridge.

There is a peculiar folding bridge at Canal street, Chicago, at a place where the Chicago river is too narrow to permit the use of a swing bridge with a pier in the middle of the stream. It consists of a movable roadway which divides in the center over the middle of the stream. Each half of the bridge is hinged at about one-third of its length from the shore. This permits the parts overhanging the river to drop down in front of the abutments, while the shorter hinged portions rise, forming a gate which intercepts the passage of teams or pedestrians. The two halves of the bridge are supported by heavy bars reaching down from steel towers about 50 feet high.

The whole bridge is 177 feet long, the movable part 100 feet and the actual span over the Chicago river 80 feet. The roadway is 21 feet wide, and there is a seven foot passage on each side. The whole structure is built of steel and weighs 130 tons. It is operated by a 10 horsepower engine on each side of the river, aided by a system of counter weights, the machinery being below the level of the bridge. It is operated very quickly, and the span has been opened or closed in 15 seconds. The structure cost but about $40,000, including the masonry abutments, and is very strong, a 20 ton steam roller passing over it without serious deflection.—Exchange.

IN THE SWIM

—those who take Dr. Pierce's Pleasant Pellets. They are used by every one, high livers, bad livers, those whose livers are sluggish—all find relief in these unequaled liver pills. They're sold by the million bottles, sold everywhere and in every country. They are the smallest, but the most effective. For Sick Headache, Bilious Headache, Dizziness, Constipation, Indigestion, Bilious Attacks, and all derangements of the liver, stomach, and bowels, they bring you permanent and absolute relief. Not just temporary relief, and then a worse condition afterwards, but help that *lasts*. Only one necessary for a laxative; three for a cathartic. They come in sealed vials, which keeps them always fresh and reliable; a convenient and perfect *vest-pocket remedy*. They are the cheapest pills you can buy.

The key to the situation—if you suffer from Catarrh you'll find in Dr. Sage's Remedy. No matter how bad your case may be, the proprietors of the medicine promise to pay $500 if they can't cure you. For sale by all druggists.

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NOT A DOLLAR NEED BE PAID US UNTIL CURE IS EFFECTED.

DR. C. EDGAR SMITH & CO.,

SPECIALISTS

Positively cure in from thirty to sixty days all kinds of

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VARICOCELE, HYDROCELE, PILES and FISSURE, FISTULA, ULCERATIONS, etc., etc., without the use of knife, drawing blood or detention from business.
CONSULTATION AND EXAMINATION FREE
Can refer interested parties to prominent Los Angeles citizens who have been treated by them. Cure guaranteed.
656 S. MAIN ST., COR. SEVENTH,
3-7 12m LOS ANGELES, CAL.

25 DOSES 25¢ THE GREAT COUGH CURE 25¢ 50¢ & $1.00

SHILOH'S CURE.

Cures Consumption, Coughs, Croup, Sore Throat. Sold by all Druggists on a Guarantee. For a Lame Side, Back or Chest Shiloh's Porous Plaster will give great satisfaction.—25 cents.

SHILOH'S VITALIZER.

Mrs. T. S. Hawkins, Chattanooga, Tenn., says: "*Shiloh's Vitalizer saved my life. I consider it the best remedy for a debilitated system I ever used.*" For Dyspepsia, Liver or Kidney trouble it excels. Price 75 cts.

SHILOH'S CATARRH REMEDY.

Have you Catarrh? Try this Remedy. It will positively relieve and Cure you. Price 50 cts. This Injector for its successful treatment is furnished free. Remember, Shiloh's Remedies are sold on a guarantee to give satisfaction.

Sold wholesale by HAAS, BARUCH & CO., and retail by druggists. 12-14 1yr

Can a Woman Be Beautiful

With a Sallow Complexion or a Rough Skin? Certainly Not!

Yours on Record to Beauty, Netta Harrison

THEN why not try a remedy that will make you beautiful? MRS. NETTIE HARRISON'S

Iola Montez Creme

The SKIN FOOD and TISSUE BUILDER, is a wonderful facial beautifier, containing no poisons, and recommended by the best physicians. It removes all roughness and dryness of the skin, protecting it from the sun and wind, and keeping it soft and smooth. Price, 75 cents. Pot lasts three months.

MRS. HARRISON'S FACE POWDER.

It is very fine and adhesive, cannot injure the most delicate skin, and I claim it to be positively imperceptible to the closest scrutiny. The pain of freckled and sunburnt skin, so annoying to many ladies, can be avoided by the free use of LOLA MONTEZ and this POWDER. Three shades—White, Flesh and Brunette. Price, 50 cents.

MRS. HARRISON'S FACE BLEACH

Is not a cosmetic to hide defects, but a medical wash that scientifically removes all Freckles, Tan, Sunburn, Blackhead, Moth Patches, Sallowness and all other skin blemishes. Price, $1. All of Mrs. Harrison's numerous preparations for sale by all druggists.

MRS. DORA JOHNSON,
Lady Agent for Los Angeles.
Hairdressing and Manicuring Parlors, Rooms 41-42 Wilson Block, Spring street.

For any special or complicated blemish of the face and form write to MRS. NETTIE HARRISON, 26 Geary street, San Francisco, Cal. Superfluous hair permanently removed.

Ordinance No. 1365.

(NEW SERIES.)

AN ORDINANCE OF THE MAYOR AND council of the city of Los Angeles declaring their intention to improve a portion of

BONNIE BRAE STREET.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That the public interest and convenience require, and that it is the intention of the city council of the city of Los Angeles to order the following work to be done, to-wit:

That a cement sidewalk six feet in width be constructed along the each side of said

BONNIE BRAE STREET,

From the southerly curb line of Seventh street to the northerly curb line of Ninth street (excepting such portions of said street between said points along which a cement or asphalt sidewalk has been constructed and accepted), said sidewalk to be constructed in accordance with specifications on file in the office of the city clerk, said specifications being numbered twelve.

SEC. 2. The street superintendent shall post notice of this work as required by law and shall cause said notice to be published for six days in the Los Angeles Daily HERALD.

SEC. 3. The city clerk shall certify to the passage of this ordinance and shall cause the same to be published for two days in the Los Angeles Daily HERALD, and shall post the same conspicuously for two days on or near the chamber door of the council, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles, on the 3d day of October, 1893, by the following vote:

Ayes—Messrs. Innes, Munson, Nickell, Pessell, Rhodes and Strohm, (6.)

Noes—None.

C. A. LUCKENBACH,
City clerk and ex-officio clerk of the council of the city of Los Angeles.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 2t Mayor.

Ordinance No. 1862.

(NEW SERIES.)

AN ORDINANCE DECLARING THE INTENTION of the mayor and council of the city of Los Angeles to establish the grade of

FIFTH STREET

From Lucas avenue to Witmer street.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That it is the intention of the council of the city of Los Angeles to establish the grade of

FIFTH STREET

From Lucas avenue to Witmer street as follows: At the intersection of Lucas avenue the grade shall be 107.00 on the northwest corner and 106.00 on the southwest corner; at the intersection of Fourth street 105.00 on the northeast corner and 104.80 on the northwest corner; at points in the south side of Fifth street opposite to the northeast corner of Fourth street 104.00 and opposite to the northwest corner of Fourth street 103.80; at the intersection of Witmer street 78.90 on the northeast corner and 78.36 on the southeast corner.

And at all points between said designated points the grade shall be established so as to conform to a straight line drawn between said designated points.

Elevations are in feet and above city datum plane.

SEC. 2. The city clerk shall certify to the passage of this ordinance and shall cause the same to be published for ten days in the Los Angeles HERALD, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles at its meeting of October 3d, 1893.

C. A. LUCKENBACH,
City Clerk.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 10t Mayor

Ordinance No. 1359.

(NEW SERIES.)

AN ORDINANCE PROVIDING FOR THE employment of assistants in the office of the city tax and license collector.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That during the month of October, 1893, there shall be employed in the office of the city tax and license collector seven additional deputies at a salary of $80 per month each.

SEC. 2. The city clerk shall certify to the passage of this ordinance and shall cause it to be published once in the Los Angeles HERALD, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles at its meeting of October 3, 1893.

C. A. LUCKENBACH,
City Clerk.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 1t Mayor.

Notice—Annual Meeting of Stockholders.

NOTICE IS HEREBY GIVEN THAT THE annual meeting of the stockholders of the Harper & Reynolds Company will be held at the office of the company in the city and county of Los Angeles, State of California, on Wednesday, Oct. 11, 1893, at 10 o'clock a. m., for the election of a board of directors and for the transaction of such other business as may be brought before the meeting.

I. B. NEWTON, Secretary.
Los Angeles, Sept. 26, 1893. 9-28 14t

THE FOLLOWING PLEDGES TAKEN OVER from B. Fanta, at 306 N. Main street, will be sold at auction October 7th, 10 a.m.: Consisting of gold, silver, filled case and nickel watches, diamond and gold ear-rings, breast-pins, diamond and gold rings, sleeve buttons, collar buttons, gold-headed canes, pistols, guns, opera and field glasses, meerschaum pipes and surveyors' instruments, guitars, mandolins, violins and banjos.

A. MORRIS, Prop.
H. ETTLING, Auctioneer. 10 3 5t

Ordinance No. 1366.

(NEW SERIES.)

AN ORDINANCE OF THE MAYOR AND council of the city of Los Angeles, ordering certain work to be done on the intersection of

FIGUEROA AND WASHINGTON STREETS.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That the council of the city of Los Angeles deems it to be required by the public interest and convenience, and hereby orders the following street work to be done according to the specifications contained in its ordinance No. 1894, to-wit:

First—That said intersection of

FIGUEROA AND WASHINGTON STREETS

in said city (excepting such portion of said intersection as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, and also excepting such portion as has already been paved and accepted, be paved with bituminous rock surface with concrete base and granite gutters four feet wide in accordance with the plans and profile on file in the office of the city engineer and specifications on file in the office of the city clerk of the city of Los Angeles for paving streets, said specifications being numbered A.

Second—That a cement curb be constructed along each line of the roadway of said intersection of Figueroa and Washington streets, (excepting along such portions of the line of said roadway upon which a cement or granite curb has already been constructed and accepted) in accordance with specifications in the office of the city clerk of said city for constructing cement curbs, said specifications being numbered twelve (12).

Third—That a public sewer be constructed along said intersection of Figueroa and Washington streets from the sewer manhole built in said intersection to the easterly line of Figueroa street. The size of said sewer shall be ten inches in internal diameter, and be constructed of salt glazed vitrified pipe and cement. All of which shall be constructed in accordance with the plans and profile on file in the office of the city engineer and specifications on file in the office of the city clerk, said specifications being numbered fourteen.

The district to be benefited by the construction of said sewer and to be assessed to pay the cost thereof is hereby declared to be all lots and lands fronting upon Washington and Figueroa streets half way from said intersection of Washington and Figueroa streets to the next main street crossings, being the lots and lands fronting upon the quarter blocks adjoining and cornering upon said intersection of Figueroa and Washington streets.

SEC. 2. The city clerk is hereby directed to publish notice of said work, inviting sealed proposals or bids for doing said work, and referring to the specifications posted or on file, for two days, in the Los Angeles HERALD, a daily newspaper published and circulated in this city, hereby designated for that purpose. Said notice shall require a certified check or a bond, as prescribed by law, and fix an amount not less than 10 per cent of the aggregate of the proposal. He is also directed to post said notice with specifications conspicuously for five days on or near the council chamber door.

SEC. 3. The city clerk shall certify to the passage of this ordinance and shall cause the same to be published for two days in the Los Angeles HERALD, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles, at its meeting of October 3, 1893, by the following vote:

Ayes—Messrs. Innes, Munson, Nickell, Pessell, Rhodes and Strohm, (6.)

Noes—None.

C. A. LUCKENBACH,
City clerk and ex-officio clerk of the council of the city of Los Angeles.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 2t Mayor.

Ordinance No. 1861.

(NEW SERIES.)

AN ORDINANCE OF THE MAYOR AND council of the city of Los Angeles, declaring their intention to improve a portion of

EIGHTH STREET,

And determining that bonds shall be issued to represent the cost thereof.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That the public interest and convenience require, and that it is the intention of the city council of the city of Los Angeles to order the following work to be done, to wit;

First—That said

EIGHTH STREET

In said city from the east line of Union avenue to the west line of Pearl street, including all intersections of streets (excepting such portions of said street and intersections as are required by law to be kept in order or repair by any person or company having railroad tracks thereon, and also excepting such portions as have already been graded and graveled and accepted) be graded and graveled in accordance with the plans and profile on file in the office of the city engineer and specifications on file in the office of the city clerk of the city of Los Angeles for graveled streets, said specifications being numbered five.

Second—That a cement curb be constructed along each line of the roadway of said Eighth street, from the east line of Union avenue to the west line of Pearl street (excepting along such portions of the line of said roadway upon which a cement or granite curb has already been constructed and accepted) in accordance with specifications on file in the office of the city clerk, said specifications being numbered twelve (12).

Third—That a cement sidewalk four feet in width be constructed along the south side of said Eighth street, from the east line of Union avenue to the west line of Pearl street, and on the north side of said Eighth street from the east line of Union avenue to the east line of lot 34 of the Kennedy tract addition, (excepting such portions of said street between said points along which a cement or asphalt sidewalk has been constructed and accepted), said sidewalk to be constructed in accordance with specifications on file in the office of the city clerk, said specifications being numbered 12.

SEC. 2. The city engineer having estimated that the total cost of said improvement will be greater than one dollar per front foot along each line of said street, including the cost of intersections, it is hereby determined in pursuance of an act of the legislature of the state of California, approved February 27th, 1893, that bonds shall be issued to represent the cost of said improvement. Said bonds shall be serial, extending over a period of ten years, an even proportion of which shall be payable annually on the second day of January of each year, after their date until the whole are paid, and to bear interest at the rate of 7 per cent per annum, payable semi-annually on the second days of January and July of each and every year.

SEC. 3. The street superintendent shall post notice of this work as required by law and shall cause said notice to be published for six days in the Los Angeles Daily HERALD.

SEC. 4. The city clerk shall certify the to passage of this ordinance, and shall cause the same to be published for two days in the Los Angeles Daily HERALD, and shall post the same conspicuously for two days on or near the chamber door of the council, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles at its meeting of October 3, A. D. 1893, by the following vote:

Ayes, Messrs. Gaffey, Innes, Munson, Nickell, Pessell, Rhodes and Strohm (7).

Noes, none.

C. A. LUCKENBACH,
City clerk and ex-officio clerk of the council of the city of Los Angeles.
Approved this 5th day of October, 1893.
T. E. ROWAN, Mayor.
10-7 2t

Ordinance No. 1864

(NEW SERIES.)

AN ORDINANCE OF THE MAYOR AND council of the city of Los Angeles, declaring their intention to improve a portion of

CENTRAL AVENUE.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That the public interest and convenience require, and that it is the intention of the city council of the city of Los Angeles to order the following work to be done, to-wit:

That a cement sidewalk six feet in width, be constructed along the west side of said

CENTRAL AVENUE,

from the southerly curb line of Pico street to the northerly curb line of Fourteenth street, (excepting such portions of said street between said points along which a cement or asphalt sidewalk has been constructed and accepted) said sidewalk to be constructed in accordance with specifications on file in the office of the city clerk, said specifications being numbered twelve (12).

SEC. 2. The street superintendent shall post notices of this work as required by law, and shall cause said notice to be published for six days in the Los Angeles Daily HERALD.

SEC. 3. The city clerk shall certify to the passage of this ordinance, and shall cause the same to be published for two days in the Los Angeles Daily HERALD, and shall post the same conspicuously for two days on or near the chamber door of the council, and thereupon and thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles, at its meeting of October 2d, A. D., 1893, by the following vote:

Ayes, Messrs. Gaffey, Innes, Munson, Nickell, Pessell, Rhodes and Strohm (7).

Noes, none.

C. A. LUCKENBACH,
City clerk and ex-officio clerk of the council of the city of Los Angeles.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 2t Mayor.

Ordinance No. 1863.

(NEW SERIES.)

AN ORDINANCE OF THE MAYOR AND council of the city of Los Angeles declaring their intention to construct a sewer along San Pedro, San Julian, Wall, Los Angeles, East Pico, Ninth, Eighth, Seventh, Winston, Fourth, Boyd and Twelfth streets and Maple and Myrtle avenues.

The mayor and council of the city of Los Angeles do ordain as follows:

SECTION 1. That the public interest and convenience require, and that it is the intention of the City Council of the City of Los Angeles to order the following work to be done in the city, of Los Angeles to-wit:

First—That a public sewer be constructed along

MAPLE AVENUE.

From the manhole in the central intercepting sewer in the intersection of Maple avenue and Washington street to the center line of Seventh street, also along Seventh street from the center line of Maple avenue south of Seventh street to the center line of Los Angeles street; also along Los Angeles street from the center line of Seventh street to the sewer manhole built in the intersection of Los Angeles and First streets, also along East Pico street from the center line of Maple avenue to the center line of San Julian street, also along San Julian street from the center line of East Pico street to a point 110 feet south of the south line of Seventh street, also along Twelfth street from the center line of Maple avenue to the center line of Myrtle avenue, also along Myrtle avenue from the center line of Twelfth street to a point 155 feet south of the south line of Ninth street, also along Ninth street from a point 50 feet west of the west line of San Julian street north of Ninth street to a point 40 feet east of the east line of Los Angeles street, also along Eighth street from a point 60 feet west of the west line of San Julian street to a point 110 feet east of the east line of Los Angeles street, also along Wall street and Myrtle avenue from the center line of Eighth street to the north line of the Maple avenue tract, also along Seventh street from the center line of Maple avenue south of Seventh street to the center line of San Pedro street, also along San Pedro street from the center line of Seventh street to a point 50 feet south of the south line of Second street, also along Boyd street from the center line of San Pedro street to a point 50 feet west of the west line of Omar avenue, also along San Julian street from the center line of Seventh street to the north line of the Whisler subdivision, also along Wall street from the center line of Seventh street to the center line of Boyd street, also along Maple avenue from the center of line of Seventh street to a point 60.4 feet south of the south line of Fifth street, also along Winston street from a point opposite the east line of lot 2 of the Jones & Ponet block to a point opposite the east line of lot 7 of the Shaw tract, also along Fourth street from a point 144 feet east of the east line of Los Angeles street to a point opposite the east line of lot 21 of block 4 of the Orchard tract, also along Fourth street from a point 100 feet east of the east line of Main street to the center line of Los Angeles street, and 8 inches in internal diameter along Boyd street from a point 134 feet east of the east line of Los Angeles street to a point opposite the east line of lot 14 of block 4 of the Orchard tract, and be constructed of vitrified salt-glazed pipe, brick, iron and cement.

All of which shall be constructed in accordance with the plans and profile on file in the office of the city engineer and specifications on file in the office of the city clerk of the city of Los Angeles, said specifications being lettered D.

The district to be benefited and to be assessed to pay the total cost of said work is hereby declared to be all lots and lands fronting thereon.

Sec. 2. The street superintendent shall post notice of this work as required by law, and shall cause said notice to be published for six days in the Los Angeles Daily Herald.

SEC. 3. The city clerk shall certify to the passage of this ordinance and cause the same to be published for two days in the Los Angeles Daily HERALD, and shall post the same conspicuously for two days on or near the chamber door of the council, and thereupon thereafter it shall take effect and be in force.

I hereby certify that the foregoing ordinance was adopted by the council of the city of Los Angeles, at its meeting of October 2nd, A. D., 1893, by the following vote:

Ayes, Messrs. Gaffey, Innes, Munson, Nickell, Pessell, Rhodes and Strohm (7).

Noes, none.

C. A. LUCKENBACH,
City clerk and ex-officio clerk of the council of the city of Los Angeles.
Approved this 5th day of October, 1893.
T. E. ROWAN,
10-7 2t Mayor.

Notice of Street Work.

NOTICE IS HEREBY GIVEN THAT ON Monday, the 18th day of Sept., A. D. 1893, the council of the city of Los Angeles did, at its meeting on said day, adopt an ordinance of intention, No. 1838 (new series), to have the following work done, to-wit:

First—That said

TWELFTH STREET,

in said city from the southeasterly line of Olive street to the southwesterly line of Hill street, including all intersections of streets (excepting such portion of said street and intersections as are required by law to be kept in order or repair by any person or company having railroad tracks thereon, and also excepting such portions as have already been graded, graveled and accepted) be graded and graveled in accordance with the plans and profile on file in the office of the city engineer and specifications on file in the office of the city clerk of the city of the city of Los Angeles for graveled streets, said specifications being numbered five.

Second—That a cement curb be constructed along each line of the roadway of said Twelfth street from the southeasterly line of Olive street to the southwesterly line of Hill street, excepting along such portions of the line of said roadway upon which a cement or granite curb has already been constructed and accepted,) in accordance with specifications in the office of the city clerk of said city for constructing cement curbs, said specifications being numbered twelve.

Reference is hereby made to the said ordinance of intention for further particulars.

D. A. WATSON,
Street Superintendent.
By F. C. HANNON, Deputy. 10-5 7t

Summons.

IN THE SUPERIOR COURT OF THE COUNTY of Los Angeles, State of California.

Sarah C. Whigham, plaintiff, vs. F. H. Barclay, H. J. Hunt, J. W. Hendrick, J. S. Chapman, Ida Hancock, as administratrix of the estate of John Hancock, deceased; Francis E. McDonnell, A. A. McDonnell, Robert N. C. Wilson, H. S. Shields, Julia McKlain, John Doe, Richard Roe, Mary Doe, defendants.

Action brought in the superior court of Los Angeles county, state of California, and the complaint filed in said county of Los Angeles in the office of the clerk of said superior court.

The people of the state of California send greeting to F. H. Barclay, H. J. Hunt, J. W. Hendrick, J. S. Chapman, Ida Hancock, as administratrix of the estate of John Hancock, deceased; Francis E. McDonnell, A. A. McDonnell, Robert N. C. Wilson, H. S. Shields, Julia McKlain, John Doe, Richard Roe, Mary Doe, defendants.

You are hereby required to appear in an action brought against you by the above named plaintiff in the superior court of the county of Los Angeles, state of California, and to answer the complaint filed therein, within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or if served elsewhere, within thirty days, or judgment will be taken against you according to the prayer of said complaint.

The said action is brought to obtain a decree of this court vacating and setting aside the decree of foreclosure and order of sale, made in the Superior court in the superior court, being action No. 14,374 on the register of action of said court, wherein Sarah C. Whigham was plaintiff, and F. H. Barclay and others were defendants, which said action was instituted for the purpose of foreclosing the mortgage hereinafter referred to; and also vacating and setting aside the sale and confirmation thereof, the 17th day of November, 1891, in pursuance of the said decree of foreclosure; and also vacating the sheriff's certificate of said sale issued in pursuance of said sale, which said certificate of sale is recorded in book 8, sheriff's certificates of sale, page 211; and also vacating and setting aside the sheriff's deed, made by the sheriff of said county to said plaintiff in pursuance of said certificate on November 18th, 1891, recorded in book 802 of deeds, page 2, in the office of the county recorder of said county of Los Angeles. Also to recover judgment against the said defendant, F. H. Barclay, for the sum of $5731.61, with interest at the rate of 12 per cent per annum from November 5, 1889 compound quarterly; also to obtain a decree of this court for the foreclosure of a mortgage described in said complaint and executed by the said defendant, F. H. Barclay, on the 5th day of March, A. D. 1883, to secure the payment of a certain promissory note, made by said defendant, F. H. Barclay, payable on May 5, A. D. 1888, to said plaintiff, for $5500 gold coin, upon which said promissory note and mortgage there has been paid the sum of $767, and no more, and upon which promissory note and mortgage there is due and unpaid a balance of $5731.61, with interest thereon at the rate of 12 per cent per annum, from November 5, 1889, compounding quarterly; also to recover judgment for the sum of $41.20 laid out and expended by plaintiff for taxes upon the mortgaged premises, and for interest thereon at 12 per cent per annum, compounding quarterly from December 20, 1890, and also for the sum of $600 as reasonable counsel fee of plaintiff herein, and to avoid in said mortgage that the premises described in said mortgage may be sold and the proceeds applied to the payment of the amount the court shall ascertain to be due on said note and mortgage, or other, and for such taxes, and for counsel fees, and for costs of suit; and in case such proceeds are not sufficient to pay the same, then to obtain judgment for the deficiency, and an execution against said defendant, F. H. Barclay, and also that each and all of the defendants, and all persons claiming by, through or under them, or either of them, may be barred and forever foreclosed of all right, title, claim, lien, equity of redemption and interest in and to said mortgaged premises, and for the appointment of a receiver for said premises, and for other and further relief. Reference is had to said complaint for particulars.

And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to the court for the relief demanded in said complaint.

Given under my hand and the seal of the superior court of the county of Los Angeles, state of California, this 19th day of