The Border Vidette.

FEBRUARY 26, 1916.

BLANKET ORDINANCE.

ORDINANCE No. 97.

To Amend Section 5 of Ordinance No. 20, Relating to Garbage, and for Other Purposes.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF NOGALES, ARIZONA:

SECTION 1. That Section 5 of Ordinance No. 20 adopted July 6. 1896, be and the same is hereby amended so as to read as follows: "Section 5. The word 'garbage' as is used in this ordinance shall mean and be held to include the refuse animal and vegetable matter from the kitchen, including ashes and chips, and all worthless and offensive matter, decayed fruit and vegetables, and all refuse organic matter in general.

"It shall be unlawful for any person, persons, firm, company or corporation to dump, throw, or deposit any filth, rubbish, garbage, or other offensive material, in any gutter, street, alley, public place, vacant lot, or water course within the limits of the Town of Nogales, Arizona. It shall be the duty of every owner, lessee, tenant or occupant of any and every dwelling, tenement house, lodging house, restaurant, hotel, or boarding house, to provide and at all times cause to be kept and provided within the building or on the lot on which said building is located suitable CLOSED METAL RECEPTACLES, in which shall be placed all garbage that accumulates on said premises, until removed therefrom by the garbage collectors; provided, that no dead animals or poultry, no discarded building material, no trees or branches, no manure, and no rocks nor soil, shall be considered garbage or placed within the garbage receptacles, but shall be removed from the premises by the occupant thereof.

'Each receptacle containing garbage shall, on the days on which garbage is to be collected, be placed at a distance not greater than six feet from the street on which the garbage collectors work on that day. A schedule for the collection of garbage will be prepared and published and distributed, and may be altered and amended from time to time as the Council may see fit and as circumstances may require

"Any person, firm, company, or corporation violationg any of the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five and not more than fifty dollars, or by imprisonment in the Town or County jail for a period not exceeding thirty days, or by both such fine and imprisonment."

SECTION 2. That Section 8 of said Ordinance No. 20 shall be amended so as to read as follows: "Section 8. All fines, penalties, and forfeitures which may accrue under the ordinances of the Town of Nogales may be secured by action for debt before any Justice of the Peace residing within the town, and the same, when collected, shall be paid into the Treasury of the town. It shall be sufficient to declare or complain generally, stating the ordinance under which the same is claimed. The first process in all such actions shall be a summons or warrant for the arrest of the offender, which shall be served by the Town Marshal or any police officer. Execution may issue against the estate of defendant as in other like cases, or against the body subject to fine and imprisonment, as prescribed by ordinance, and the defendant may be confined at hard labor upon the streets or public works of the Town. No fine shall be imposed exceeding two hundred dollars, nor imprisonment nor confinement at hard labor exceeding three months.

"Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars, or by imprisonment in the Town or County Jail not exceeding three months, or by both such fine and imprisonment."

SECTION 3. That Section 20 of Ordinance No. 59 be and the same is hereby amended so as to read as follows: "Section 20 Every person, firm, company, or corporation engaged in the business of dealing in either wool or coal for fuel within the corporate limits of the Town of Nogales, Arizona, shall pay a monthly license of Two dollars ($2.00) for each such article handled."

SECTION 4. That Article III of Ordinance No. 88 be and the same is hereby amended by inserting the word "galvanized" before the word "steel" wherever the latter appears in said Article III, so as to read "galvanized steel."

SECTION 5. The placing or suspending of any cotton, canvas, paper, or other display sign, or advertisements, over the sidewalks or in or across the streets, avenues, alleys, or other public places within the limits of the Town of Nogales, Arizona, is hereby declared to be a public nuisance. Every awning, frame, curtain, sign, or advertisement, or other obstruction placed over any sidewalk within the limits of the Town of Nogales at a height less than seven feet in the clear from the sidewalk is hereby declared to be a public nuisance.

Any person, persons, firm, company, or corporation who commits or maintains any public nuisance, as in this section defined, or who violates any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each offense be fined not less than five nor more than fifty dollars, or be imprisoned in the town and county jail for a period of not more than thirty days, or by both such fine and imprisonment.

SECTION 6. Every person who wilfully and maliciously engages in, instigates, or encourages any riot, rout, affray, disorderly noise or disturbance within any public or private place within the limits of the town of Nogales, Arizona, or who wilfully and maliciously disturbs the peace or quiet of any neighborhood, family or person within said town by any loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, challenging to fight, or fighting, or who applies any violent or abusive, or obscene, or blasphemous epithet to another, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the town or county jail for a period not exceeding sixty days, or by both such fine and imprisonment

SECTION 7. It shall be unlawful for any person within the town of Nogales, Arizona (except a peace officer in actual service and discharge of his duty.) to have or carry concealed on or about his person any pistol or other firearm, dirk, dagger, slung shot, sword-cane, gun, spear, brass knuckles or other knuckles of metal, bowie-knife or any kind of knife or weapon, except a pocket knife not manufactured and used for the purpose of offence and defense.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and may be arrested with or without a warrant, by the Marshal or any police officer, either in the daytime or night-time, and taken before the police justice for trial; and upon conviction shall be fined in any sum not less twenty nor more than two hundred dollars, or imprisoned in the town or county jail for not more than three months, or by both such fine and imprisonment; provided, that bona fide travelers and persons coming into the town may be permitted to carry their arms for one half hour after arriving in town, and for one-half hour prior to their departure.

SECTION 8. All fines collected in cases commenced in the Police Court shall be placed in a fund to be known as and called "The Police Fund," and shall be paid for the maintenance of the police department upon demand approved by the Finance Committee and paid as in case of other disbursements.

SECTION 9 Every person, firm, company, or corporation residing or whose premises are outside of the limits of the town of Nogales, Arizona, who desire to obtain from the town, water for and to be used upon said premises, may be permitted to connect said premises with and obtain water from the municipal water system upon application to the Superintendent of the Water Department, and the payment of Seven Dollars and Fifty Cents ($7 50) at the time such application is made, and upon the payment thereafter in advance of an annual fee of Four Dollars for a house or building of four rooms, and one dollar for each additional room, and of the monthly charges as per schedule of rates in force for water consumers.

SECTION 10. Every person, firm, company, or corporation, residing, or whose premises are outside the limits of the Town of Nogales, wishing to connect their said premises with the municipal sewer, may be permitted to do so upon application to the Superintendent, and upon payment of the sum of Seven Dollars and Fifty Cents ($7.50) at the time such application is made, and an annual fee, to be paid in advance, of Four Dollars for each building having one lavatory, one toilet, one bath, and one kitchen sink, and the further payment of One Dollar for each additional fixture

SECTION 11. That Section 10 of Ordinance No 83 be and the same is hereby amended by adding thereto the following subdivision:

"Every person, firm, company, or corporation, within the town of Nogales, Arizona, shall pay, in addition to the costs and charges in this ordinance provided, the sum of Five Dollars at the time his meter is installed or other connections made."

SECTION 12. That Section 2 of Ordinance No. 87 be and the same is here by amended so as to read as follows: "Section 2. Every person, firm, company, or corporation, within the limits of the town of Nogales, Arizona, connecting with the sewer system shall pay all costs and expenses from the sewer main to their property connections, and in addition thereto shall pay to the Superintendent of Sewers the sum of Five Dollars at the time a permit is given."

SECTION 13. All sidewalks on residence streets of thirty feet or more width shall have a parquette for tree planting, and the placing of water meters, in conformity with plans to be furnished when sidewalks are approved for the particular street.

SECTION 14. That every person, firm, company, or corporation owning, occupying, or managing any house or building within the limits of the town of Nogales, Arizona, is hereby required to number such house or building on its front in so conspicuous a manner that the number may be easily discernible and read from the street; that such numbers shall be of such style, size, and material as may be approved by the Common Council. And every person, firm, company, or corporation, the owner of any house or building within the town of Nogales, who shall, after due notice given him by the Town Marshal, refuse or neglect to place the proper number on his house or premises in accordance with the provisions of this section, or who shall neglect or refuse to place the number on his house or premises in such conspicuous manner that the same may be easily discernible, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than one nor more than five dollars.

SECTION 15 All ordinances or parts or ordinances in conflict with this ordinance are hereby repealed.

WHEREAS, an urgent necessity exists for greater authority in enforcing the ordinances of the town of Nogales, Arizona, and for the arrest, trial, and conviction of persons accused of the violation of the ordinances of said town, in order to preserve the public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance is hereby declared exempted from the referendum provisions of the State Constitution, and shall be in full force and effect from and after its passage, and posting as provided by law.

Passed and adopted at a regular meeting of the Common Council of the town of Nogales, Arizona, held at the Council Chambers February 7, 1916.

L. W. MIX,
Mayor Town of Nogales, Arizona.

ATTEST:
(Seal) W. C BUDGE.
Town Clerk.

Posted 4:30 p. m. February 8, 1916.
W. C BUDGE.
2-12-4t. Town Clerk.

E. K. CUMMING,
NOTARY PUBLIC
NOGALES, - - ARIZONA

STATE OF ARIZONA
Office of the
Arizona Corporation Commission

UNITED STATES OF AMERICA, } ss.
STATE OF ARIZONA }

The Arizona Corporation Commission does hereby certify that the annexed is a true and complete transcript of the

ARTICLES OF INCORPORATION
OF
"THE EL PASO STORE, INCORPORATED"

which were filed in the office of said Arizona Corporation Commission on the 7th day of February, A. D., 1916, at 10:00 o'clock a. m., as provided by law.

In Testimony Whereof, The Arizona Corporation Commission, by its chairman has hereunto set its hand and affixed its official seal Done at the City of Phoenix, the Capitol, this 8th day of February, A. D., 1916

Arizona Corporation Commission,
(SEAL) Attest: F. A. JONES, Chairman.
W. N. SANGSTER, Secretary

(I. R 10 cents cancelled)

ARTICLES OF INCORPORATION
—OF—
THE EL PASO STORE, INCORPORATED

KNOW ALL MEN BY THESE PRESENTS That S. Leeker, Rae F. Leeker, and L. Chernis, whose names are hereto subscribed, and the residence and postoffice address of each of whom is Nogales, Santa Cruz County, Arizona, have associated themselves together for the purpose of forming a corporation under the laws of the State of Arizona, and to that end have adopted and do hereby adopt the following Articles of Incorporation, and do hereby certify that:

I

The name of this corporation, and by which it shall be authorized to transact its business is "THE EL PASO STORE, INCORPORATED." The names, residence, and postoffice address of the incorporators are S. Leeker, Rae F. Leeker, and L. Chernis, all of Nogales, Arizona. The principal office and place of transacting the business of this corporation shall be at Nogales, Santa Cruz County, Arizona but branch offices and places of business may be kept and maintained at such other place or places, either in the United States or foreign countries, as the Board of Directors may by resolution decide, at any of which offices meetings of the directors may be had and corporate business transacted.

II

The capital stock of this corporation shall be Fifty Thousand Dollars ($50 000 00), divided into five hundred shares of the par value of One Hundred Dollars ($100 00) per share. The capital stock shall be paid in the treasury of the corporation at such time and under such conditions as the Board of Directors shall determine, either in cash, or by the transfer of real or personal property or by services rendered, or by the transfer of any other valuable right or thing, for the uses and purposes of the corporation, in exchange for which shares of the capital stock shall be issued, and such stock when issued shall be fully paid and forever non-assessable. The judgment of the directors as to the value of any property, right, or thing acquired, or services rendered in exchange for shares of the capital stock, when entered on the minutes of the corporation, shall, in the absence of actual fraud, be conclusive.

III

The purpose for which this corporation is formed is to purchase and acquire the good will, stock of merchandise, and business now carried on and conducted under the name of "The El Paso Store," and the general nature of the business proposed to be transacted is to carry on, and conduct said business, and to carry on and conduct a general wholesale and retail dry goods, haberdashery and clothing business, and to carry on the business of importing and manufacturing, buying, and selling dry goods, fancy goods, cloaks, suits, curtains, boots and shoes, hosiery, gents' furnishings, ladies' clothing, and all other articles of dry goods and clothing, both useful and ornamental, trunks, valises, bedding, and all other goods, wares and merchandise appertaining and relating to the dry goods and fancy goods business, and to make, manufacture, buy, and sell cloaks, suits, and other articles of wearing apparel, and to do and transact everything necessary, proper, convenient, and beneficial to the successful conduct of said business. Also, to acquire, sell, lease, rent, hire, and hypothecate real estate, and to make assignments of leases and contracts, and to transfer and sign leases and contracts when and wherever necessary and incident to said business.

IV

The time of the commencement of this corporation shall be the date of the filing of a copy of these Articles of Incorporation in the office of the Arizona Corporation Commission, and a certified copy thereof in the office of the County Recorder of Santa Cruz county, and the termination thereof shall be twenty-five years thereafter, with the right of renewal and perpetual succession as provided by law.

V

The business affairs of this corporation shall be conducted by a Board of Directors consisting of three members, each of whom shall be a stockholder, and whenever a director shall cease to be a stockholder, he shall also at the same time cease to be a director. They shall be elected annually by the stockholders at their regular annual meeting, which shall be held at the office of the company in Nogales, Arizona, on the first Monday of February in each year, and shall hold their office until their successors are elected and qualified. The first annual meeting of the stockholders shall be held on the first Monday of February, 1917, and until that time, and until their successors are elected and qualified, the incorporators whose names are hereto subscribed shall constitute the Board of Directors of this corporation.

VI

The officers of this corporation shall be a President, a Vice-President, and a Secretary and Treasurer, and such other officers and agents as the Board of Directors may determine, who shall be chosen annually by the directors, either by election or appointment, as may be provided by the By-laws, and they shall hold their office until their successors are chosen and qualified. Until the first annual meeting of the stockholders, and until their successors are chosen and qualified, S. Leeker shall be President of the corporation. L. Chernis shall be Vice-President, and Rae F. Leeker shall be Secretary and Treasurer.

VII

The Board of Directors shall have power to prepare and adopt By-laws for the government of the corporation, and may amend the same at any regular meeting of the Board; and such By-laws or any amendments thereto shall remain in force until revoked by the stockholders at any regular meeting, or at a special meeting called for that purpose. Any vacancy in the Board of Directors may be filled by the remaining members of the Board by appointment from among the stockholders.

VIII

The highest amount of indebtedness or liability, either direct or contingent, to which this corporation is at any time to subject itself shall not exceed the amount of two-thirds (⅔) of the capital stock. And the private property of the stockholders of this corporation shall be forever exempt from the payment of corporate debts.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 29th day of January, A. D., 1916.

S. LEEKER Seal.
L. CHERNIS Seal.
RAE F. LEEKER Seal.

STATE OF ARIZONA, } ss
County of Santa Cruz }

Before me, Frank J. Duffy, a Notary Public in and for the County of Santa Cruz, State of Arizona, on this day personally appeared S. Leeker, Rae F. Leeker, and L. Chernis, known to me to be the persons whose names are subscribed to the above and foregoing Articles of Incorporation, and severally acknowledged to me that they executed said Articles of Incorporation for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29th day of January, A. D., 1916.

Seal. FRANK J. DUFFY,
Notary Public.
My commission expires October 23, 1917.

Filed in the office of the Arizona Corporation Commission this 7th day of Feb., A. D., 1916, at 10:00 a. m., at request of Duffy & Purdum, whose post office address is Nogales, Arizona.

Arizona Corporation Commission,
By F. A. JONES, Chairman.

STATE OF ARIZONA, } ss
County of Santa Cruz. }

I hereby certify that the within instrument was filed and recorded at the request of E. R. Purdum, Feb. 10, A. D., 1916, at 11:00 a. m., book 1 Articles of Incorporation, pages 137.

Witness my hand and official seal the day and year aforesaid.

Seal. ARCUS REDDOCH,
2-19 6t. County Recorder.

PROFESSIONAL CARDS.

F. J. DUFFY E. R. PURDUM
DUFFY & PURDUM
Attorneys-at-Law
OFFICE IN BREEN BUILDING
Stenographer, Typewriter and Notary Public in Office

F. J. BARRY JAMES BARRY
BARRY & BARRY
Attorneys and Counsellors-at-Law
Mexican Mining and Corporation Law
NOGALES, ARIZONA

H. W. PURDY,
Physician and Surgeon.
NOGALES, - - ARIZONA

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Beginning Monday, July 12th, mixed service between Nogales and Guaymas will be run on the following schedule:

SOUTH BOUND

Mondays — Wednesdays — Fridays		
Leave Nogales	7:00	A M
" Magdalena	11:00	"
" Carbo	3:25	P M
Arrive Hermosillo	6:50	"
TIE UP FOR THE NIGHT		
Leave Hermosillo	8:00	A M
" Torres	9:40	"
" Ortiz	11:40	"
Arrive Guaymas	2:00	P M

NORTH BOUND

Mondays — Wednesdays — Fridays		
Leave Guaymas	7:00	A M
" Ortiz	9:40	"
" Torres	11:40	"
Arrive Hermosillo	1:20	P M
TIE UP FOR THE NIGHT		
Leave Hermosillo	7:00	A M
" Carbo	9:15	"
" Magdalena	1:45	P M
Arrive Nogales	6:00	"

Dinner station both directions will be Llano.

E B. SPRIGGS, Agent

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