Ordinance No. 30

An Ordinance repealing Ordinance No. [illegible] and Section forty-six and one-half entitled "An Ordinance creating a Board of Light and Water Commissioners for the Village of Yale and providing for the appointment of the members of said board and a secretary thereof, licensing plumbers, pipefitters, electricians and linemen and establishing rules, regulations and penalties for the government, care, protection, preservation and control of the Electric Light and Waterworks system of the Village of Yale, and creating a Board of Light and Water Commissioners and providing for the appointment of the members of said board and of a secretary thereof, licensing plumbers, pipefitters, electricians and linemen, and establishing rules, regulations and penalties for the government, care, protection, preservation and control of the Electric Light and Waterworks system of the Village of Yale, and repealing said ordinance to stand and be designated as "Ordinance No. 30" of the Ordinances of said Village.

THE VILLAGE OF YALE ORDAINS:—

Section 1. The village of Yale ordains that there shall be a Board of Light and Water Commissioners consisting of three members.

Section 2. That the president of the village for the with the consent of the village council shall appoint three commissioners who shall be qualified electors of said village, and who with ex-officio officio shall constitute said Board of Light and Water Commissioners, and the two members of the board whose term of office shall be the last two years shall receive $10 each a year and the member whose term shall expire shall receive $25 a year as compensation for their services. And the persons composing such board shall take the oath of office prescribed for village officers within ten days from the day of their appointment. The three commissioners so appointed shall hold their office for the terms of three years, one of said commissioners to be appointed on the first Monday of April, [illegible] annually thereafter one commissioner shall be appointed, provided, however, that John Holden, Carl McDonald and Edward Carter are hereby appointed as such commissioners and shall constitute said Board of Light and Water Commissioners for the terms for which they have been hereby respectively appointed members of the Board of Light and Water Commissioners of said village. The president of the village shall be chairman of said board of the members of said board who serves the office which shall expire shall be chairman pro tem of said board.

Section 3. Said Board of Light and Water Commissioners shall have the management and control of the Electric Light and Waterworks system of the village and shall enforce such rules and regulations in the matter of the village council or said Board may prescribe in addition thereto and the said Board may employ such persons and purchase such materials as it shall deem necessary for the operating and maintenance of said systems.

Section 4. Said Board shall meet at the Council Rooms of said village on the second Monday of each month. The president of the village may appoint special meetings of said Board, notice of which in writing shall be given to each commissioner of said board by leaving the same at their respective places of business or residence at least twenty-four hours before the meeting. All meetings of said Board shall be public.

Section 5. Said Board shall, and with the approval of the Common Council appoint a competent person who shall not be a member of said Board, Said Secretary shall be appointed annually on the last Monday in April for the term of one year. Provided, however, that Alfred T. Palmer is hereby appointed and shall serve as secretary of said Board for the term for which he was heretofore appointed Secretary of the Board of Light and Water Commissioners of said village. Said Secretary shall take the required oath of office and give a bond running to the Village of Yale in the penal sum of one thousand dollars with two sureties to be approved by the village council, conditioned to pay over at the end of each month to the treasurer of the Village of Yale all moneys that may come into his hands, and that he will faithfully discharge all the duties of his office. Said secretary shall receive such compensation as the Village Council may prescribe.

Section 6. The Secretary shall attend the meetings of said Board and shall keep a record of the proceedings, [illegible] he shall by and with the consent of the Board issue and remove permits for using electric lights and water and shall keep a record thereof in a separate books to be provided for that purpose, and at the end of each month he shall pay over all moneys collected by him to the treasurer of the village, who shall issue to the secretary duplicate receipts therefor and said secretary shall, on or before the first Monday of each month, make and file with the village clerk a verified written report of all light and water permits issued and moneys received by the Board, and all moneys received by him, whether said report shall be true and particular, therefor or not, and shall perform such other duties as may be directed by said Board. Said secretary shall be appointed, provided, however, that John Holden, Carl McDonald and Edward Carter are hereby appointed as such commissioners and shall constitute said Board of Light and Water Commissioners for the terms for which they have respectively been appointed members of the Board of Light and Water Commissioners of said village. The president of the village shall be chairman. Said Board of the members of said board who serves the office which shall expire shall be chairman pro tem of said board.

Section 7. Said Board of Light and Water Commissioners shall have the management and control of the Electric Light and Waterworks system of the village and shall enforce such rules and regulations in the matter of the village council or said Board may prescribe in addition thereto and the said Board may employ such persons and purchase such materials as it shall deem necessary for the operating and maintenance of said systems.

Section 8. Said Board shall meet at the Council Rooms of said village on the second Monday of each month. The president of the village may appoint special meetings of said Board, notice of which in writing shall be given to each commissioner of said board by leaving the same at their respective places of business or residence at least twenty-four hours before the meeting. All meetings of said Board shall be public.

Section 9. Said Board shall, and with the approval of the Common Council appoint a competent person who shall not be a member of said Board, Said Secretary shall be appointed annually on the last Monday in April for the term of one year. Provided, however, that Alfred T. Palmer is hereby appointed and shall serve as secretary of said Board for the term for which he was heretofore appointed Secretary of the Board of Light and Water Commissioners of said village. Said Secretary shall take the required oath of office and give a bond running to the Village of Yale in the penal sum of one thousand dollars with two sureties to be approved by the village council, conditioned to pay over at the end of each month to the treasurer of the Village of Yale all moneys that may come into his hands, and that he will faithfully discharge all the duties of his office. Said secretary shall receive such compensation as the Village Council may prescribe.

Section 10. The Secretary shall attend the meetings of said Board and shall keep a record of the proceedings, [illegible] he shall by and with the consent of the Board issue and remove permits for using electric lights and water and shall keep a record thereof in a separate books to be provided for that purpose, and at the end of each month he shall pay over all moneys collected by him to the treasurer of the village, who shall issue to the secretary duplicate receipts therefor and said secretary shall, on or before the first Monday of each month, make and file with the village clerk a verified written report of all light and water permits issued and moneys received by the Board, and all moneys received by him, whether said report shall be true and particular, therefor or not, and shall perform such other duties as may be directed by said Board, and all moneys received by him, whether said report shall be true and particular, therefor or not, and shall perform such other duties as may be directed by said Board.

Section 11. Said Board shall have the management and control of the Electric Light and Waterworks system of the village and shall enforce such rules and regulations in the matter of the village council or said Board may prescribe in addition thereto and the said Board may employ such persons and purchase such materials as it shall deem necessary for the operating and maintenance of said systems.

Section 12. Said Board shall meet at the Council Rooms of said village on the second Monday of each month. The president of the village may appoint special meetings of said Board, notice of which in writing shall be given to each commissioner of said board by leaving the same at their respective places of business or residence at least twenty-four hours before the meeting. All meetings of said Board shall be public.

Section 13. Said Board shall, and with the approval of the Common Council appoint a competent person who shall not be a member of said Board, Said Secretary shall be appointed annually on the last Monday in April for the term of one year. Provided, however, that Alfred T. Palmer is hereby appointed and shall serve as secretary of said Board for the term for which he was heretofore appointed Secretary of the Board of Light and Water Commissioners of said village. Said Secretary shall take the required oath of office and give a bond running to the Village of Yale in the penal sum of one thousand dollars with two sureties to be approved by the village council, conditioned to pay over at the end of each month to the treasurer of the Village of Yale all moneys that may come into his hands, and that he will faithfully discharge all the duties of his office. Said secretary shall receive such compensation as the Village Council may prescribe.

Section 14. Electricians and linemen in making returns of permits shall give the names of the owners, street and building, number of lot and block where connection is made with the main lines of the lighting system of such other description of such connection as the secretary of the Board may require to enable him to make a record of the exact location thereof.

Section 15. No plumber, pipe-fitter or any other person shall make any attachment to any old pipe or water fixtures in premises from which the water has been shut off and the supply discontinued without the party desiring such work done having first made application and obtained a permit in writing for the same, nor shall any plumber, pipe-fitter or other person make any alteration in any pipe or water fixtures attached to the water works distributing pipes to conduct water into adjoining premises or into stables, baths, water closets, wash basins, cisterns, fountains or for any other purpose without written application for the same been made and a written permit obtained from the board of light and water commissioners for such and every job of such modification in the water fixtures or pipes, and a no one shall any plumber or pipe-fitter after the completion of any job of plumbing, work or pipe fitting, be it the first in production of service pipes, an extension or repair, leave the water turned on on the premises, but shall in all cases close the service stack and return his permit.

Section 16. No electrician, lineman or other person shall make any connection with the electric light system without having first made application in and obtaining a permit therefor from the board of light and water commissioners.

Section 17. Any plumber, pipe-fitter, electrician or lineman violating or aiding or abetting any violation of any of the rules or regulations adopted by the village council or the board of light and water commissioners shall, in addition to the other penalties provided by this ordinance, forfeit his license and such license shall upon the complaint of any member of the board, be revoked by the secretary of the board, and such person in his employ.

Section 18. All water rates shall be due and payable at the office of the secretary of the board of light and water commissioners quarterly on the first day of January, April, July and October in advance, except for a term when due and payable on the first day of April in advance and if not paid within ten days thereafter the water for the coal shall be added and the said sum fifteen days after the same shall become due the water shall be shut off. Water meter rates shall be due and payable at the office of the secretary of the board of light and water commissioners on the first of each month and if not paid when due shall be subject to the same penalties as provided for the non-payment of other water rates. All electric lighting rates shall be due and payable at the office of the Secretary of the board of light and water commissioners on the first of each month, and shall be subject to the same penalties as provided for the non-payment of water rates.

Section 19. Each subscriber to the electric light system shall furnish and place all fixtures, wires, insulators, brackets, hooks and fixtures necessary to connect his premises with the system at the outer wall of the building at his own expense.

Section 20. No person except the authorized agent of the board of light and water commissioners, or the chief of the fire department, shall take water from any public or private fire hydrant, fire plug, street washer, chase pipe, hose pipe, or hydrant except for fire purposes or for the use of the fire department in case of fire nor shall in any way take or use any water for private use which is furnished by the water works, unless such person shall have obtained a written permit signed by the Chairman and Secretary of the board of light and water commissioners, and no person, except the authorized agent of the board of light and water commissioners shall open or close any valve, plug, or interfere with any pipe, wire, transformer, meter or other apparatus connected with the electric lighting system, unless such person shall have obtained a written permit therefor signed by the chairman and secretary of the board of light and water commissioners.

Section 21. No person except a duly authorized agent of the board of light and water commissioners, or a member of the fire department in case of fire or for practice, shall be allowed to open any hydrant, stopcock of a fire, service, hydrant or district pipe, wire, hose, nozzle, transformer, meter, lamp or other apparatus of the village belonging to said water works and electric lighting system.

Section 22. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, on conviction thereof shall be punished by a fine not less than five dollars and costs of prosecution, and in default of the payment of such fine and costs be imprisoned in the corporation jail of the Village of Yale, or the county jail of the County of St. Clair, until such fine and costs are paid not exceeding sixty days.

Section 23. Persons wishing water must obtain a permit from the board of light and water commissioners in each building, on blank forms, etc. The fee to be paid the clerk for each original permit shall be $[illegible], such fee to be paid to the secretary of the board at the time the application is made for such permit, and shall be deposited to the credit of the light and water fund.

Section 24. The expense of tapping water pipes and supplying the ship pipes, and placing the meters, farmer pipes in the meter pits, shall be borne by the consumer. The expense of the connection of the service pipe with the main shall be borne by the village, and it shall be the duty of the village clerk to notify the village marshal of the connection.

Section 25. Every service pipe shall be provided with a stop and waste cock for each consumer, easily accessible and so adjusted that the water can be easily shut off and drained from the pipes.

Section 26. The board of light and water commissioners shall be authorized to enter and have free access at reasonable hours to premises to ascertain the location and condition of all hydrants, pipes, wires, meters, stops, waters or other appliances attached to said works and in case it is found that the water or current is being wasted by reason of negligence or by waste of pipes or of said water or current is being used for any other purpose than that stated in the permit therefor, and if such waste or misuse is not discontinued upon request the water or current shall be shut off from premises. In case of any defect in any private water pipe is discovered between the village service pipe and the stop cock, notice in writing shall be left at the premises and if the necessary repairs are not made within twenty-four hours thereafter, the water shall be shut off and not turned on again until such defect is repaired, and the sum of one dollar is paid to the secretary of the board, such sum is to be placed to the credit of the light and water fund.

Section 27. Persons taking water must keep their service pipe and all fixtures connected therewith in good repair and protected from frost at their own expense and must prevent all unnecessary waste of water, or the water will be shut off.

Section 28. In sprinkling streets each water taker must confine himself to one-half the width of the street in the frontage for which he pays water rent as per tariff of water rates, and in case he sprinkles or permits to be sprinkled more than the above frontage he shall be charged for the whole at the same rate per lot.

Section 29. Any consumer or consumers of water who shall permit others not members of his or their families to use water from his or their hydrants, faucets or other devices without knowing that the proper water rent has been paid, and anyone who shall thus obtain water without the permit from the board shall be fined in a sum of not less than one dollar nor more than ten dollars, and the water shall be shut off from such premises until such fine is paid to the secretary of the board.

Section 30. Hydrants, hose attachments, faucets or any other device which the consumer may adopt for obtaining water from the service pipe shall not be located so as to be accessible to persons living in or occupying neighboring premises, or to the public, and the water shall not be turned on such hydrant, faucet or other device until the same is removed to some unexposed place on said premises.

Section 31. Persons desiring water for sleeping rooms, or other intermittent supply, will be charged for the rate as per schedule or furnish at their own expense a water meter to be approved by the board of light and water commissioners. Persons intending to build or repair any building for which water from the water works is to be used, shall make application to the board giving the certified statement of the architect or builder of the number of bedrooms, parlors of necessity, yards of plant to be laid and other uses for the water, and pay the schedule rates therefor, the board shall thereupon grant a permit to use the water for said purpose to the extent of the work certified by the architect or builder. Any abuse of this privilege or neglect to guard against the use of water for other than the purpose stated in the permit will subject the owner to have the water shut off and it will not be turned on again until satisfactory assurances are given that the abuse shall not occur again and the payment to the secretary of the board the sum of one dollar, which shall be placed to the credit of the light and water fund.

Section 32. Hydrants, taps, hose, water closets, urinals, baths and other fixtures will not be permitted to be kept running when not in use without special permit and the payment of additional rates, such rates to be determined by the board of light and water commissioners and all continuous flow to guard against frost is strictly prohibited.

Section 33. The use of hand hose is permitted at all hours of the day for any of the purposes named in the permit, to wit: Sprinkling streets, yards and gardens, washing sidewalks, walks, steps, windows and fronts, except as herein limited that is to say, for sprinkling lawns, yards and gardens, the water may be used only between the hours of six and nine in the morning and five and eight in the afternoon and its use for these purposes at other times of the night or day is prohibited. But when there is an alarm of fire the use of the hand hose is prohibited for any of the purposes mentioned in this section. The water shall be turned off from any premises where the provisions of this section have been or are being violated and the same shall not be turned on again until the sum of one dollar has been paid to the secretary of the board, to be placed to the credit of the light and water fund.

Section 34. Any person wishing to discontinue the use of water or electric lights must give notice thereof in writing to the secretary of the board on or before the day to which rent is paid, or they will be charged with water or light rates to next rent day.

Section 35. Service pipes intended to supply two or more distinct premises or tenants, and where only one stop cock is used, the persons or persons controlling the same must pay the water rent of all parties thus supplied, as separate water bills will not be made.

Section 36. No hose shall be used in any case unless a permit for such use has been granted by the board, and in no case shall it be used without a nozzle and the nozzle shall not exceed three eighths of an inch in diameter unless specially authorized. Hose larger than three quarters of an inch will not be permitted except upon payment of an additional charge, the amount to be determined by the board of light and water commissioners.

Section 37. No claim shall be in no account the village of Yale by reason of the breaking of any pipe, service cock, or wire, or for any interruption of the water or electric supply or by reason of the breaking of any machinery or appliances, or stoppage for necessary repairs.

Section 38. No permit shall be issued to enterprise anything to Crystal Lake and truthfully stated to the applicants in the said permit.

Section 39. No private dwelling to open by dealers shall delegate his authority to another, or let or sell or any person to exercise a franchise granted him or within the same to be taken from any hose house of said village except for purposes strictly connected with the management of waterworks, or as their circumstances may cause an occasion of fire.

Section 40. No person will be allowed to put in hydrants, sprinklers or private fire plugs without a stop cock.

Section 41. If proprietors of manufactories, business yards, mills, stores, elevators, warehouses, hotels, public buildings, being regular consumers of water from the water works which in case large pipes with hydrants and hose complied for the use of occasional fire, they will be permitted to connect with the street main at their own expense upon application to the board and under their direction and will be allowed the use of water for the purposes such, provided, that all such pipes must be provided with a suitable valve which must be sealed by the board and a stop and waste cock affixed at the bottom. In case water is taken for water is used for a fire or other purposes than the extinguishment of fire the water will be immediately shut off and will not be turned on again except on the payment of a penalty of ten dollars to the secretary of the board and satisfactory assurance given the board that this section will not be violated again. No stand pipe will be allowed on premises where water is not used for other than fire purposes.

Section 42. Connection with the service pipe must be laid at least four feet and one half feet deep. After service pipes are laid in readiness, the opening in the earth must be laid to be open not more than nine inches in depth and each layer thoroughly tamped or puddled to permit settlement and this work together with the replacing of side walks, roads and paving must be done so as to leave the street in as good condition as before it was disturbed and to the satisfaction of the board of light and water commissioners. No silver pipe or paving shall be disturbed or trench opened before the plumber is fully prepared to lay the pipe, and no trench shall be left open for a greater length of time than may be actually necessary to perform the work contemplated. All material piled, whether sidewalk, paving or earth from the trenches must be replaced where it will cause the least inconvenience to the public. All such material must be restored to its proper place with the least possible delay. If any dispute shall thereafter appear in said work it must be promptly repaired as often as necessary or as required. In case of delay in complying with these requirements the board of light and water commissioners may, if they shall deem it so, make such repairs at the expense of the person building the house under which said work was done, whether such house be occupied or not. No trench or hole in any street or alley shall be left open after the hour of eight o'clock p. m. and all such trenches and holes must be properly secured and guarded. All other necessary precautions must be taken to protect the public against accidents as prescribed by the ordinances of the village. No opening of the ground for laying mains will be allowed when the ground is frozen without a written permit from the board of light and water commissioners.

Section 43. No person not an authorized agent of the board of light and water commissioners shall make any connection of any pipe, wire, or other appliance with any of the water or electric light mains or pipes. Any person violating any provisions of this section shall be prosecuted with the commissioners, upon a complaint in writing by any member of the board of light and water commissioners.

Section 44. Any person making any connection or interfering with any pipe or wire shall be liable to pay all costs of forfeiture, with the expense of taking such person, or any person who may have the same made in power, that the board of light and water commissioners may appoint. Water takers using it placed where they are subject to freezing and the consuming pipe must be lined with asbestos or other material and a shut and waste cock inserted in such service pipe within the house.

Section 45. Any violation of or failure to comply with any of the provisions of this ordinance or of regulations to comply with any orders of the board of light and water commissioners, if there be no specific penalty provided therefor by this ordinance, shall be deemed a misdemeanor and any person so offending shall be punished by a fine not exceeding fifty dollars and costs of prosecution, and in default of the payment of such fine and costs shall be imprisoned in the corporation jail of said village of Yale, or in the county jail of St. Clair county, not exceeding sixty days.

Section 46. The Village Council reserves the right to alter or amend any of the foregoing rules and regulations as may be found necessary to more perfect protection of the public interest in the management of the electric light and water works system and to impose such additional restrictions as may be deemed proper.

Section 47. That ordinance No. 21 and section No. [illegible] entitled "An ordinance creating a Board of Light and Water Commissioners for the Village of Yale and providing for the appointment of the members of said Board and a secretary thereof, licensing plumbers, pipefitters, electricians and linemen, and establishing rules, regulations and penalties for the government, care, protection, preservation and control of the Electric Light and Waterworks system of the Village of Yale, and the same are hereby repealed.

Section 48. In all cases where the orifice of the service pipe at its connection with the main pipe shall not exceed the size prescribed in Section 16, of this ordinance, the rates shall be as follows:

WATER RATES.

	Per Annum
Bakeries	20 00
Barber shops, first chair	3 00
Barber shop, second chair	2 00
Each additional chair	1 00
Bath tubs, public, per tub	3 00
Bath tubs, private, per tub	1 50
Billiard rooms	5 00
Hotels, including 1 wash basin	4 00
Lodgings, 1 bed	2 50
Each additional bed	1 00
Buildings, private, including setting of bricks, per 1,000	10
For each coat of stone lime	15
Plastering, per 100 sq. yds. 3 coats or less	25
Churches	2 00
Cigar manufactories, employing 10 hands or less	5 00
Each additional hand	25
Carpenter's bell, and use of labor	1 00
Dwellings, one family	4 00
Each additional family	1 00
Dwellings, over stores	4 00
Dental offices	4 00
Drug stores	4 00
Drug stores, including soda fountains	6 00
Feather or moss renovators	50
Fountains, for every jet or hole, per day, during season from Apr. 1st to Nov. 1st 1 inch or less	5 00
Each additional 1/4 inch or less	2 00
Foundries, special or meter rates	
Hotels, including lavatories, special or meter rates	
Hose for washing windows, sprinkling streets or sidewalks on business streets, frontage of 25 feet or less	2 00
Each additional foot	05
Ice cream parlors	3 00
Ice cream parlors including soda fountain	7 00
Laundries, special or meter rates	
Livery stables, including washing carriages, special or meter rates	
Lumber yards, special or meter rates	
Lawn and garden sprinkler, each four rods or less, one hose only	3 00
Each additional rod frontage	25
Each additional hose	1 00
Meat markets	5 00
Manufactories, special or meter rates	
Offices, including 1 wash basin	2 50
Printing offices	4 00
Photographic galleries	4 00
Physicians and surgeons' offices	4 00
Public halls, special or meter rates	
Saloons and offices, special or meter rates	
Restaurants or eating houses, special or meter rates	
Steam engines, special or meter rates	
Steam boilers, for house warming, special or meter rates	
School houses, special or meter rates	
Stables, private, including washing carriages one horse or cow	1 00
Each additional horse or cow	50
Stores, from five to eight hours	4 00
Street sprinkling with water, special rates	
Urinals in stores, banks, offices, etc., each	3 00
All urinals must be self closing	
Water closets in private houses	2 00
Water closets, for persons or less	2 00
Each additional person	25

METER RATES.

Less than 600 cubic feet per month, per 100 cubic feet	15
600 to 800 cu. ft. per month per 100 cu. ft.	12
Over 800 cu. ft. per month per 100 cu. ft.	10

All rates not herein enumerated shall be proportioned to the water consumed and all special rates shall be determined by the board of light and water commissioners.

Section 49. The rates for electric lights shall be as follows: For stores, banks, barber shops, halls and other commercial lighting 7 cents per 100 watts. For residences, halls and churches, 8 cents per 100 watts. All lamps must be approved by the board of light and water commissioners.

All rates not herein enumerated shall be proportioned to the service given and shall be determined by the board of light and water commissioners.

Section 50. That any rate for either water or light may be changed, altered or rearranged by the Board of Light and Water commissioners at any time they shall deem it necessary for the best interest of the village, but such change or new schedule of rates shall be uniform and first approved by a resolution of the village council and shall conform with the resolution approving the same shall be published for three consecutive weeks in some village paper and not go into effect within 30 days of its passage. The Board of Light and Water Commissioners shall have the power to make and have with consumers such special rates for both light and water and the method of such meter shall be determined by the Village Council and collected in same manner as other light and water rates. Provided, however, that the minimum meter charge for either light or water shall not be less than 50 cents a month and the minimum charge for either light or water meter shall not be less than [illegible] cents a month.

Any subscriber to the electric light or water system may, upon notice to the board of light and water commissioners and to the board of light by the meter rate.

Section 51. Any trespasser to the electric light and water works who shall by their act carelessness injure, destroy or break any of the meters belonging to said electric light and water works system shall be charged with the cost of repairing such meter and the said cost shall be collected in the same manner as other light and water dues.

Section 52. This ordinance to take effect after ten days from the time of its passage.

Passed, approved and adopted, this, the 17th day of March, A. D. 1904.

E. F. PEARL, President.
F. T. PALMER, Clerk.

MORTGAGE SALE.

DEFAULT having been made in the payment of the money secured by a certain mortgage dated the 1st day of May, A. D., 1900, executed by Orlando Stark and Belinda Stark, his wife, of the Township of Brockway, St. Clair county, Michigan, to the Pioneer Bank, a corporation organized under the laws of the State of Michigan, of North Branch, Lapeer County, Michigan, which said mortgage was recorded in the office of the Register of Deeds for the County of St. Clair in Liber 79 of Mortgages on page 256, on the 4th day of May, A. D., 1900, at 4 55 o'clock p. m., and which said mortgage was duly assigned by the said Pioneer Bank to the State Savings Bank, a corporation organized under the laws of the State of Michigan, of Lapeer, Lapeer County, Michigan, on the 14th day of June, A. D., 1900, which assignment was duly recorded in the office of the Register of Deeds for the County of St. Clair on the 17th day of June, A. D., 1900, in Liber 11 of Assignments of Mortgages on page 55; and which said mortgage was duly assigned by the said State Savings Bank to the Pioneer Bank aforesaid on the 22nd day of January, A. D., 1901, which assignment was duly recorded in the office of the Register of Deeds for the County of St. Clair on the 24th day of January, A. D., 1901 in Liber 13 of Assignments of Mortgages on page 106, and which said mortgage contained the following covenant and stipulation, viz: "Should default be made in the payment of said principal, or interest or any part thereof, when the same are payable as above provided, and should the same, or any part thereof, remain unpaid for the period of thirty days thereafter, then the aforesaid principal sum with all accrued interest, shall, at the option of said mortgagee, its successors and assigns, become payable immediately thereafter, although the period above limited for the payment thereof shall not then have expired, anything hereinbefore contained to the contrary thereof notwithstanding," and the interest due May 1st, A. D., 1903, not having been paid for more than thirty days having elapsed since the same was due, and the same being yet in arrears and unpaid, the said Pioneer Bank, mortgagee, makes and by virtue of the condition in said mortgage contained, elects to declare and hereby declares the whole amount of said principal and all arrearages of interest due and payable, and whereas the whole amount claimed to be due on said mortgage at the date of this notice, is the sum of ten hundred and twenty-five dollars ($1025), and no suit or proceeding at law or in equity having been instituted to recover the money so secured by said mortgage, or any part thereof, now, therefore, by virtue of the power of sale contained in said mortgage and the statute in such case made and provided, notice is hereby given that on Monday, the 9th day of May, A. D., 1904, at five o'clock in the afternoon, I shall sell at public auction to the highest bidder at the front door of the Court House in the City of Port Huron, in the County of St. Clair, that being the place where the Circuit Court for said County of St. Clair is held, the premises described in said mortgage, or so much thereof as may be necessary to pay the amount due on said mortgage with interest and all legal costs, together with an attorney fee provided for by statute and in said mortgage contained. Said premises being described in said mortgage as follows: The East Half (E½) of the South East Quarter (¼) of Section Nineteen (19), Town Eight (8) North, Range Fourteen (14) East, in the Township of Brockway, St. Clair County, Michigan.

Dated Feb. 9th, 1904. PIONEER BANK,
J. A. BAILEY, Yale, Michigan, Mortgagee.
Attorney for Mortgagee. 4243

GUARDIAN'S SALE OF REAL ESTATE.

State of Michigan, County of St. Clair, ss.

In the matter of the estate of Eliza Herron, an insane person.

Notice is hereby given, that in pursuance and by virtue of an order granted to the undersigned, as guardian of the estate of said Eliza Herron by the Hon. Stephen A. Graham, judge of probate in said county, on the 11th day of January, A. D., 1904, there will be sold at public vendue, to the highest bidder, at the premises in the Village of Yale in said County, on Friday the 29th day of April, A. D., 1904, at two o'clock in the afternoon of said day all the right, title, and interest of said Eliza Herron in and to the following described lands and premises, situated in the Village of Yale, County of St. Clair, State of Michigan, to wit: Lot three (3) in Block four (4) of Reed & McNutt's addition to the Village of Yale.

E. P. DRAKE,
Guardian of the estate of Eliza Herron, an insane person.

Dated March 16th, A. D., 1904.

PROBATE NOTICE

FOR HEARING CLAIMS BEFORE COURT.

State of Michigan, County of St. Clair, ss.

Notice is hereby given that by an order of the Probate Court for the County of St. Clair, made on the 5th day of March, A. D., 1904, four months were allowed for creditors to present their claims against the estate of Thomas Carless, late of said county, deceased, and that all creditors of said deceased are required to present their claims to said Probate Court, at the Probate Office, in the City of Port Huron, for examination and allowance, on or before the 5th day of July next, and that such claims will be heard before said Court, on the 5th day of May and on the 5th day of July next, at ten o'clock in the forenoon of each of those days.

Dated March 5, A. D., 1904.

STEPHEN A. GRAHAM,
Judge of Probate.

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MEN'S DISEASES

There is seldom a day that we are not consulted in regard to a condition that, if we were to have seen it in its early stages, the sufferer would have been relieved, cured and saved considerable expense. This we consider issue to lack of knowledge on the part of the doctor who has previously treated the case; therefore, we say to you, if you are suffering from any disease or condition peculiar to men, or if you have been a victim and been disappointed in not getting a permanent cure elsewhere, we would ask that you come to our office for personal examination or write us for a Question Blank for Home Treatment. We will explain to you OUR SYSTEM OF TREATMENT, which we have originated and developed after our whole life's experience in the treatment of special diseases of men. We will give you, FREE OF CHARGE, an honest and scientific opinion of your case. If we find you are incurable we will honestly tell you so. If we find your case curable we will give you a written guarantee to cure you or refund you your money.

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