

Council Chamber, Ann Arbor, Mich.

June 2, 1919. Regular session

Meeting called to order by Pres. Lewis. Present: Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Lutz, Pres. Lewis, 11. Absent: Ald. Sugden, Ehnis, Freeman, Reichert, 4. Minutes of previous meeting approved.

June 2, 1919.

To the Honorable, the Common Council: Gentlemen: I respectfully submit for your approval the appointment of Erwin E. Schmid as a member of the Board of Fire Commissioners, to fill the vacancy caused by the resignation of Albert Fiegel.

I respectfully ask your confirmation of this appointment.

Respectfully submitted: Ernst M. Wurster, Mayor.

Moved by Ald. Donnelly, that appointment be confirmed.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Lutz, Pres. Lewis, 11. Nays, none.

Enter Ald. Reichert.

Mr. Horace Barnard addressed Council, relative to street between Jackson and Dexter aves., which has been in public use for fifty years, and stated that plat showed another street, which has not been in use, about 150 feet east. The matter was referred to Street committee, City Engineer and City Attorney to report at next meeting of council.

From Board of Public Works.

To the Board of Public Works, Ann Arbor, Mich.: Gentlemen—I submit herewith, the approximate estimate of the cost of labor and material for the construction of curb and gutter on Oxford road from the north line of Hill st. to the north line of South University ave. Plans and specifications are on file in my office.

1350 lin. ft. combination curb and gutter @ \$0.75	.....	\$1,012.50
Engineering and contingencies	.....	101.25

\$1,113.75

Respectfully submitted, Geo. H. Sandenburgh, City Engineer.

Moved by Mr. Reule, that plans, specifications, and estimate of cost for Oxford road curb and gutter be approved, and recommended to Council.

(Council action)

By Ald. Heusel: Resolved, that the plans, specifications, and estimate of cost of curb and gutter on Oxford

road, from Hill st. to the N. line of South University ave., as submitted by the Board of Public Works, be and the same are hereby approved, and the Board of Public Works is hereby authorized to advertise for bids for and proceed with the construction of said curb and gutter.

Resolved, further, that the construction of said curb and gutter is hereby deemed and declared to be a necessary public improvement.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Lutz, Reichert, Pres. Lewis, 12. Nays, none.

June 2, 1919.

To the Honorable Common Council: Gentlemen—This Department would like permission to use the room in the basement of the City Hall, situated under the Water office, to be used for meters and fittings during the installation.

Very truly yours, Geo. J. Mann, John Lindenschmitt, Wirt Cornwell, Water Commissioners.

Moved by Ald. Henderson, that request be granted. Adopted by unanimous vote of those present, 12.

June 2, 1919.

To the Honorable Common Council: Gentlemen—This Department has placed the salaries of their employees as follows, and respectfully ask your confirmation of the same to take effect June 1st.

Station No. 1.—Harry Willsher, \$100.00 per mo. and house; Harry Warren, \$85.00 per mo.; Henry Walters, \$75.00 per mo.

Station No. 2.—Fred Linde, \$100.00 per mo. and house.

Station No. 3.

Steere Farm—Leslie Bush, \$100.00 per mo. and house; Robert Rowe, \$90.00 per mo.

Office—Clifford Shetterly, \$120.00 per mo.

Very truly yours, Geo. J. Mann, John Lindenschmitt, Wirt Cornwell, Water Commissioners.

Moved by Ald. Donnelly, that action of Water Commissioners be approved.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Lutz, Reichert, Pres. Lewis, 12. Nays, none.

Enter Ald. Freeman.

Welch Post, 137 Dept. of Mich., G. A. R., Ann Arbor, May 27, 1919.

To the Honorable, the Common Council: The appropriation usually

vouchsafed the above organization for Memorial Day expenses for this year, need not go over the following amount, fifty dollars (\$50.00).

Thanking you for this and also for your generosity in former years, We are, Yours in F. L. & G.,

Oliver H. Perry, Post Commander,
Hi. A. Sweet, Post Adjuvant.

Moved by Ald. Lutz, that City Clerk be instructed to draw warrant in favor of Welch Post, G. A. R., for amount of money requested.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13 Nays, none.

Communications from Washtenaw Gas Co., asking the order in which streets would be paved, received and referred to Street committee and Engineer.

Communication from Geo. W. Sweet Adm'r., relative to contract between Spencer J. Sweet and wife and the city, received and referred to Sewer committee and City Attorney.

Petition of J. F. Wurster, for street light at corner of Catherine and Main sts., received and referred to Lighting committee.

Street Oiling Petitions.

H. N. Chute, et. al, Catherine st., from State to Ingalls.

W. L. Noville, et. al, Forest ave., from S. Univ. ave. to Willard st.

Mrs. H. N. Gleason, et. al, Forest ave., from Hill st. to Cambridge rd.

C. R. Henderson, et. al, Geddes ave., from Observatory to Oxford, also Elm and Walnut sts.

O. T. Albro, et. al, Geddes ave., from Washtenaw to Camden Court.

Mrs. Josephine A. Murfin, et. al, Huron st., from Twelfth to U. of M. R. R. and also on Glen ave., from Huron to Ann st.

E. L. Schumacher, et. al, Ingalls, from Catherine to Ann st.

Phi Rho Sigma, et. al, Ingalls, from Kingsley to Catherine.

Mrs. Clara Hubbard, et. al, Madison, from Main to Division st.

Elizabeth R. Payne, et. al, State st., from Huron to Catherine.

C. E. Barthell, et. al, Washtenaw ave., from Oxford to Austin.

Isabel Harris, et al., Willard st., from E. Univ. to Forest ave.

E. W. Bailey, et al., Ann st., from State st. east of Thayer 80 ft., and also on Thayer st., from Huron st. 98 ft. north of Catherine st.

H. Bau, et al., Ann st., from Thayer st. to Ingalls st.

Fred T. Stowe, et al., Granger ave., from Olivia to Lincoln.

Mrs. R. Spokes, et al., Ingalls st., from Huron to Washington st.

J. K. Malcolm, et al., Martin Place, from Cambridge to Scott st.

O. Zwerdling, et al., State st., from Catherine to Lawrence.

Referred to City Engineer for estimates and distribution of cost of preparing and oiling said streets.

Committee Reports.

FINANCE REPORT

Contingent Fund

Ernst M. Wurster, salary	\$ 41.66
I. G. Reynolds, salary	166.66
Ross Grainger, salary	165.89
Herbert W. Crippen, salary	166.66
George H. Sandenburgh, salary ...	166.66
Alfred J. Paul, salary	150.00
F. Leslie Feiner, salary	125.00
Julius Lohrke, salary	90.00
Frank B. DeVine, salary	120.22
R. M. Caughey, salary	80.00
M. E. Easterly, salary	65.00
John A. Wessinger, salary	94.23
Douglas Bycraft, salary	70.63
Ura G. Richert, salary	50.00
Marcia M. Minnis, salary	75.00
John F. Blinn, salary	25.00
T. P. Stowe, salary	25.96
M. C. Ryan, salary, 1/2 month.....	51.23

Total salaries

\$1729.17

Fire Fund.

Chas. Andrews, salary	\$ 66.66
Eugene Williams, salary	56.38
Ralph Edwards, salary	56.38
Henry McLaren, salary	53.48
Jacob Gwinner, salary	53.48
Harley Wise, salary	51.23
Martin Noll, salary	51.23
Frank Markey, salary	51.23
Herman Kruse, salary	51.23
Emil Dammin, salary	51.23
Mat. Heiminger, salary	51.23
Raymond Gillespie, salary	51.23
Henry Maier, salary	51.23
Floyd Naylor, salary	51.23
Earl Arnold, salary	51.23
Claud Cobb, salary	47.55
Fred Nordman, salary	47.55
Chas. Carroll, salary	33.69
Frank Kapp, salary	33.69

Fire fund total salaries, half month,

May

\$961.16

Police Fund.

Thos. O'Brien, salary	\$ 66.66
Wm. Aprill, salary	51.23
Gustave Meyer, salary	51.23
Ed. Blumhardt, salary	51.23
Marlend Howard, salary	51.23
Robert Clark, salary	51.23
Fred Sadt, salary	51.23
Clyde Bennett, salary	51.23
Chas. Splitt, salary	51.23
Geo. Randall, salary	51.23
Joseph Gast, salary	47.55
Frank Marz, salary	47.55

Police fund total salaries, half month,

May	\$622.83
Poor Fund	
John H. Shadford, salary	\$ 35.00
Cemetery Fund	
David Staebler, salary	\$ 70.00
Park Fund	
Ray E. Bassett, salary	\$150.00
Water Works Fund	
Geo. S. Vandawarker, salary.....	\$166.66
R. Spokes, salary	166.66
Dr. H. Emerson, salary	50.00
A. W. Cochran, salary	10.00
Geo. Mann, salary	20.00
John Lindenschmitt, salary	20.00
Wirt Cornwell, salary	20.00

Total monthly salaries.....	\$453.32
Harry Willsher, salary	\$45.00
Leslie Busn, salary	45.00
Robert Rowe, salary	42.50
Harry Warren, salary	37.50
Emanuel Sodt, salary	55.00
John Volland, salary	37.50
John Schwikart, salary	37.50
A. E. Hawkes, salary	42.50
Cliff Shetterly, salary	50.00
Louise Mailoy, salary	42.50
Russell Pryce, salary	32.50

Total semi-monthly salaries.....\$467.50

Water Works total salaries.....\$920.82

Contingent Fund

Engineer Dept.—	
Paul Barago, services	\$ 30.00
G. W. Francis, services	4 20
Fred C. Hanselman, services	1.56
Julius Nimz, services .....	.75
W. B. Russell, services	12.75
Martin Walsh, services .....	.88
E. R. Weeber, services	14.70
H. Marion Woodward, services.....	32.90

Total Engineer dept.	\$ 97.74
Henry H. Wagoner, collecting garbage	\$500.00
Michigan State Tel. Co., toll.....	.25
Jessie Crippen, services	29.00
Washtenaw Abstract Co., copying rolls	185.00
Emily Zeeb, services	12.00
A. H. Pearson, vaccinations.....	13.00
Standard Oil Co., coupon books....	30.00
Doubleday-Hunt-Dolan Co., supplies	16.62
The Ann Arbor Machine Co., supplies	13.50
The Brown Drug Store, supplies....	6.00
Eberbach & Son Co., supplies	6.28
Washtenaw Gas Co., supplies	1.20
G. E. Washington, supplies, etc....	3.30
Clyde C. Kerr, printing	4.50
The Times News Co., printing.....	1287.40
H. J. Hochrein, labor and material	23.10
Gus J. Vogel, repairs .....	.50
C. E. Godfrey, cartage, etc.....	1.77

Total supplies

Contingent fund total, including salaries

Fire Fund

The Detroit, Edison Co., light, etc..	\$ 4.94
Washtenaw Gas. Co., light, etc....	8.10
White Swan Laundry Co., Ltd., laundry	12.54
H. D. Edwards & Co., supplies, etc.	28.25

Dean & Co., Ltd., supplies.....	.75
Jno. C. Fischer Co., supplies.....	2.52
C. H. Kittredge, supplies	9.60
The Machine Specialty Co., supplies	.50
The Mayer-Schairer Co., supplies..	3.15
Schumacher Hardware Co., supplies	4.25
Joseph Clay, hauling ashes	10.00
Chas. Andrews, express paid .....	.71

Total supplies, etc.

Fire Fund total including salaries, \$1,046.47

Police Fund

Mich. State Tel. Co., tolls	\$ 1.70
The Western Union Telegraph Co., telegram .....	.53
Standard Oil Co., coupon books....	10.00
The Mayer-Schairer Co., supplies..	.25
Schumacher Hardware Co., supplies	7.20
Clyde C. Kerr, printing	11.50
Staebler & Sons, repairs .....	.95
A. C. Marquardt Garage, repairs...	3.71

Total supplies, etc.

Police Fund total, including salaries

Poor Fund

Mrs. Mabel Lloyd, Treas. Old. Ladies' Home	\$ 12.00
Kyer & Whitker, supplies	11.61
Geo. W. Fiegel, supplies	6.34
Oscar Pardon, supplies	11.31
Ann Arbor Taxi Co., ambulance....	3.00

Total supplies, etc.

Poor fund total, including salary, \$79.26

Cemetery Fund

S. S. Kresge Co., supplies.....	\$ 1.60
A. R. Schmidt, repairs	2.05
Total supplies, etc.	\$ 3.65
Cemetery fund total, including salary	\$ 73.65

Dog License Fund

G. E. Washington, supplies.....\$ 52.60

Water Works Fund

Flower Valve Mfg. Co., supplies..	\$201.64
Staebler & Co., supplies.....	50.00
Hochrein & Co., supplies	66.60
W. H. Sweetland Coal Co., supplies	92.32
Electro Bleaching Gas Co, supplies .....	.65
H. Mueller Mfg. Co., supplies.....	235.50
Jno. C. Fischer Co., supplies	5.65
The A. P. Smith Mfg. Co., supplies	99.70
Gray & Hartman, supplies	8.40
Electro Bleaching Gas Co., supplies	144.12
C. W. Tubbs, garage rent	15.00
Ann Arbor Railroad Co., freight...	107.93
The Detroit Edison Co., light and power	728.85
C. E. Godfrey, cartage, etc.	39.81
Water Works dept., expenses	1.88

Total supplies, etc.

F. Rhodenbecker, labor

A. Molkentine, labor

C. Hormann, labor

Z. Papa, labor

E. Dwyer, labor

Total labor

Water Works fund total including salaries

Special Water Works Fund

Murray W. Sales, supplies

Chas. McIntosh & Co., supplies.....	639.00	John Wendland, labor	28.25
C. E. Godfrey, cartage	15.76	Geo. Zeifle, labor	25.00
U. S. Cast Iron Pipe & Foundry Co., supplies	39.08	Clyde Apple, team	144.67
Albert Weimer & Co., services	582.82	Ed. Besch, team	72.72
S. C. Andres, contract	877.03	Chas. Beuckele, team	70.00
Holland, Ackerman & Holland, con- tract	823.33	Chas. Flewelling, team	77.78
J. C. Fischer Co., supplies	6.41	W. J. Grayer, team	79.33
Baker & Stewart, force main con- tract	370.91	Jno. E. Herrst, team	155.17
Baker & Stewart, suction main con- tract	714.40	Jno. W. Herrst, team	121.33
Detroit Edison Co., light	8.36	Jno. Miller, team	52.50
Muehlig & Schmid, supplies	31.25	Carl Reberg, team	104.61
		Walter Schneider, team	56.00
		C. J. Snyder & Sons, team	101.11
		Claude Young, team	80.50
		Jacob Young, team	74.67

Special Water Works fund total, \$4,147.35

Park Fund

C. M. Aseltine, labor	\$ 31.40
W. J. B. Bauer, labor.....	12.00
Wm. J. Baker, labor	4.80
Guy Barrett, labor	5.83
George Coburn, labor	16.80
J. E. Dwyer, labor	4.00
Roland Fletcher, labor	11.25
Eddie Grob, labor	6.00
John Gross, labor	30.40
George Hurrell, labor	6.00
William Keedle, labor	1.67
John Leneberg, labor	35.20
Fred McPherson, labor	12.00
Charlie Maleitzke, labor	18.00
Ezra Moore, labor	43.20
Will Maulbetch, labor	63.00
Geo. Randel, labor	9.50
W. J. Randel, labor	13.67
Andrew Reuele, labor	32.00
Raymond Ross, labor	8.00
Gottlob Schmid, labor	7.33
Richard Wallaker, labor	41.60
Martin Webb, labor	26.83
John Herrst, team	56.00
C. A. Sauer & Co., team	12.00

Total labor	\$511.48
Mich. State Tel. Co., service.....	\$ 4.98
United Engine Co., supplies.....	17.10
Standard Oil Co., coupon books....	20.00
Chamber of Commerce, shrubs.....	10.80
Jno. C. Fischer Co., supplies	46.55
The Mayer-Schairer Co., supplies..	2.80
Schumacher Hardware Co., supplies	1.24
John E. Herrst, garden work.....	13.00
City Garage, auto repairs, etc.....	36.77
Ray E. Bassett, freight paid.....	.62

Total supplies, etc.\$153.86
Park fund total, including salary..\$15.34

Street Fund

L. G. Bird, labor	\$ 61.05
Wm. Clark, labor	33.34
Chris. Hanselman, labor	32.40
Ernest Hanselman, labor	45.90
Fred G. Hanselman, labor	77.00
Conrad Heselshwerdt, labor	32.20
Emanuel Holzappel, labor	33.00
Sam. Horning, labor	34.20
Matt. Koch, labor	19.80
Wm. L. Kuehn, labor	33.78
James Mason, labor	49.50
Julius Nimz, labor	27.15
W. H. Romig, labor	26.00
Adam Schlecht, labor	28.00
Fred'k. Ullrich, labor	54.00
Martin Walsh, labor	33.43
Mike Weidman, labor	26.00

Total labor	\$1,890.39
Abram Cement Tool Co., supplies..	\$ 24.70
The Barrett Co., tarvia	30.40
Elkin Street Sweeper Co., supplies..	15.00
Schlenker's Hardware, supplies....	2.30
A. Clark, oats	93.75
Alfred J. Paul, express paid.....	4.82

Total supplies, etc.\$170.97
Street fund total

Bridge Cul. & C. W. Fund

W. A. Bachus, labor	\$ 21.00
W. A. Bachus, labor	\$ 21.00

Recapitulation

Contingent fund	\$ 3,960.33
Fire fund	1,046.47
Police fund	658.67
Poor fund	79.26
Cemetery fund	73.65
Dog License fund	52.60
Water Works fund	2,900.67
Special Water Works fund.....	4,147.35
Park fund	815.34
Street fund	2,061.36
Bridge Cul. & C. W. fund.....	21.00

Total City funds

Lab. Acc. Sewer Dist. 88.....

Grand total

Ann Arbor, Mich., June 2, 1919.

To the Finance Committee of the Common Council: Gentlemen—I have examined the foregoing accounts against the city of Ann Arbor, and I hereby certify that they are correct to the best of my knowledge. ISAAC G. REYNOLDS, City Clerk.

To the Honorable, the Common Council: Gentlemen—Your Finance Committee has reviewed the foregoing report. Warrants for salaries were drawn June 2, 1919. We recommend that same be approved and that warrants be ordered drawn for the foregoing accounts.

GEO. LUTZ, JOHN MAC GREGOR, O. R. MAYER, Finance Committee.

Ald. Lutz moved the adoption of the report, which was adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Ald. Donnelly presented itemized bill of committee's expenses for return of Co. E. from Camp Custer, total amount \$184.51.

Moved by Ald. Lutz, that bill be approved and City Clerk instructed to draw warrant in favor of Chris. T. Donnelly for amount of bill.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Sewer Committee Report.

To the Honorable, the Common Council: Gentlemen—Your Sewer committee has had the following matters under consideration, and respectfully recommends:

1. That sanitary sewers be constructed on Berkshire road, from Washtenaw ave. to Orchard st., and on Orchard st., from Berkshire road to Wayne st.; on E. Hoover ave., from Ann Arbor Railroad to Greene st.; on Edward st., from Summit st. north about 250 ft.; on Seventh st., from Washington st. north about 150 ft.

2. That the City Engineer be instructed to prepare plans, specifications and estimates of cost for construction of above named sanitary sewers.

Respectfully submitted, Theo. Prochnow, Frank J. Ryan, Geo. Lutz, W. S. Moore, Sewer Committee.

Ald. Prochnow moved the adoption of the report, which was adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

By Ald. Prochnow: Resolved, that the construction of sanitary and storm water sewers hereinafter mentioned, is deemed and declared to be a necessary public improvement, and the construction of the same is hereby ordered, that is to say: Sanitary sewers on Berkshire road, from Washtenaw ave. to Orchard st., and on Orchard st., from Berkshire road to Wayne st.; one E. Hoover ave., from Ann Arbor Railroad to Greene st.; on Edward st., from Summit st. north about 250 ft.; on Seventh st., from Washington st. north about 150 ft.

Storm water sewer on Hill st., from Church st. to E. University ave.

Resolved, further, that the City Engineer cause all needful surveys, maps, measurements and estimates to be made and report to Council with all convenient dispatch.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow,

Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Railway Committee.

To the honorable, the Common Council: Gentlemen—Your Railway committee, to whom was referred the matter of the track on Main st., begs leave to report that they have had the same under consideration and they make the following recommendation: That a committee of twenty persons be appointed to consider the various street railway problems now confronting the city. That said committee be requested to outline a general plan of improvement of railway conditions.

The above committee to consist of seven members of the Council, to be appointed by the President; three members of the Chamber of Commerce, three representatives of the University, and the Mayor, together with six citizens appointed by the Mayor, representing different sections of the city and varied interests.

Ald. Freeman moved the adoption of report which was adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Lighting Committee.

Ald. Donnelly made oral report that the Lighting committee had met with Mr. E. T. Cope of the Edison Co., and that Mr. Cope would present later in the evening a proposal for change in system.

Bond Committee Report.

To the Honorable, the Common Council: Gentlemen—Your Committee on Bonds has had the following plumber's bond under consideration, and respectfully recommends approval of same: Fred Wier, principal; Chas. F. Pardon and wife and Wm. Lindemann and wife sureties. Respectfully submitted, Frank J. Ryan, Wm. L. Henderson, C. C. Freeman, Bond Committee.

Ald. Ryan moved the adoption of report, which was adopted by following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Officers' Reports.

City Engineer presented the following estimates for oiling streets:

Name of Street—	Total Property	cost.	of pay.
Catherine st., H. N. Chute		\$ 54.87	\$32.92
Forest ave., Wm. L. Noville		43.90	26.34
Forest ave., Mrs. H. N. Gleason		89.87	53.92
Geddes ave., O. F. Albro		33.03	19.82
Geddes ave., C. R. Henderson		149.20	88.62
Huron and Glen, Mrs. Josephine Murfin.....		66.33	38.00
Ingalls st., E. L. Schumacher.....		29.40	17.64
Ingalls st., Phi-Rho Sigma		58.53	35.12
Madison st., Mrs. Clara Hubbard		119.67	71.80
State st., Elizabeth R. Payne		59.57	35.74
Washtenaw, C. E. Barthell		164.73	98.84
Willard, Isabel Harris		44.03	26.42

By Ald. Moore: Resolved, that the prices determined by the City Engineer for the oiling of all streets for which petitions have been received be fixed and determined as the price to be paid by the petitioners, and that the City Treasurer be ordered to collect all sums to be paid by petitioners.

Resolved, further, that the Board of Public Works proceed with the oiling of all streets for which petitions have been received and approved upon receiving the notice from the City Treasurer, as provided by an ordinance, relative to street oiling.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

June 2, 1919.

The the Honorable, the Common Council: Gentlemen—In Re: The claim of D. Frederick Schairer:

The above entitled claim, which was referred to me by your honorable body under date of May 19th, 1919, has been investigated by me to the extent of going over the itemized claims presented by Mr. Schairer and the communication which was presented with the claims, and I find that according to Mr. Schairer's statement, that this damage occurred some time during the month of January, 1919. No claim was made to the city of Ann Arbor until May 1st, 1919. Section one hundred of the Charter of the city of Ann Arbor provides, among other things, that any claim for damages against the city growing out of the negligence or default of said city or any of its officers or employes shall be presented to the Common Council within sixty days after such claim shall arise, and that in default thereof, said claim shall be forever barred. The same section provides that all claims against the city shall be duly verified, that is, sworn to. Mr. Schair-

er did not present his claim within the sixty days, in fact, it was more than ninety days after the alleged damages occurred that the claim was presented, and the claim was not duly verified. I therefore find that there is no liability on the part of the city as far as this claim is concerned, and I therefore recommend that it be not allowed.

Very truly yours, Frank B. DeVine.

Moved by Ald. Reichert, that recommendation of City Attorney be concurred in.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

June 2, 1919.

To the Honorable, the Common Council: Gentlemen—In Re: The claim of Mrs. Anna Williams:

The above entitled claim, which was referred to me by your honorable body under date of May 19, 1919, has been investigated by me, and I find that the claimant caught her foot on an iron pipe in the lawn extension at the northeast corner of Thayer and Huron streets, on or about the 17th day of March, 1919. I have taken this matter up with the City Engineer, and find that the pipe on which claimant caught her foot was not placed there by the city of Ann Arbor through any of its officers or employes. The pipe has the appearance of being something that the abutting property owners, at some time in the past, have placed there to keep pedestrians from walking across the corner lawn extension.

Section one hundred of the Charter of the city of Ann Arbor provides, among other things, as follows:

"And provided further, that no civil action shall be maintained against the city for damages or injuries to person

or property sustained in consequence or any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructive, unless that it appear that written notices of the particular defective, unsafe, dangerous or obstructive condition of such street, highway, bridge, culvert, sidewalk or crosswalk, was actually given to the Board of Public Works; and that there was a failure or neglect within a reasonable time after the giving of such notices to repair or remove the defect, danger or obstruction complained of."

This provision, relative to the giving of a written notice of any defect in a public street or thoroughfare before the municipality becomes liable for any injuries sustained, was passed upon by the Supreme Court of this state in the case of *Forsythe vs. the city of Saginaw*, 159 Michigan, 201. The Charter of the city of Saginaw contained the same provisions that we now have in our Charter; in fact, the provision in our charter having been taken from the Saginaw Charter after the Supreme Court has sustained the validity of such a provision. The Supreme Court holding that the provision of the Charter of the city of Saginaw and the general law of the state imposing liability upon municipalities for injuries received, through defects in the street might stand together, and that there was no conflict between the Charter of the city of Saginaw and the general laws of the state.

In the same case the Supreme Court cited with approval, the case of *Mac-lan vs. the city of Marquette*, 148 Michigan, 408. While the accident in this case is an unfortunate one, at the same time, my duty is to advise this Council as to its legal liability in the case before it, and I can only report upon the conditions and laws as I find them, and until the Supreme Court would see fit to change the view which it expressed in the Saginaw case, I can do but one thing in this case and that is to say that in my opinion no legal liability attaches to the city of Ann Arbor for the injuries suffered by Mrs. Williams.

I would therefore recommend that the claim be not allowed.

Very truly yours, Frank B. DeVine,
City Attorney.

Moved by Ald. Reichert, that recommendation of City Attorney be concurred in.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

By Ald. Mayer: Whereas, the Huron Farms Company will lease to the city of Ann Arbor the so-called Municipal bath house and bathing beach for a period of fifteen years, and the Council at the meeting held April 21st, 1919, authorized an item of \$2,000 in the 1919 park budget for the purpose of enlargement and extension of said bath house and bathing beach, therefore,

Resolved, that the Mayor and City Clerk be authorized to lease said bath house and bathing beach from the Huron Farms Company for a period of fifteen years:

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Moved by Ald. Lutz, that matter of sprinkling the streets around the campus during commencement time be referred to Street Commissioner with power to act.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

By Ald. Lutz: Resolved, and it is hereby ordered that the City Clerk draw warrants for water works coupons, second bond issue, due July 1st, 1919; and all city bonds and coupons due August 1st, 1919, when presented on or after the dates said bonds and coupons are due.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

By Ald. Lutz: Resolved, that the City Clerk advertise for bids for custody of city money for ensuing year, commencing July 1st, 1919, excepting such city money deposited at Ann Arbor Savings Bank from sale of second issue of water works bonds; proposals to be received by Council June 16, 1919.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays, none.

Moved by Ald. Lutz, that the mat-

ter of oiling streets, where it is impossible to procure petitions for same, be referred to Street committee to take up with the Board of Public Works and recommend such streets oiled by the city as they deem necessary. Adopted.

Moved by Ald. Heusel, that the Street Commissioner be instructed to notify C. J. Snyder & Sons to keep steam shovel off the paved streets, and to use all authority to keep our streets free from damage by any person. Adopted by unanimous vote of those present, 13.

Moved by Ald. Lutz, that matter of damages to streets by steam shovel be referred to Street Commissioner and City Attorney. Adopted.

Mr. E. T. Cope presented the following proposal:

The Detroit Edison Co., Ann Arbor, June 3d, 1919:

Honorable Common Council of Ann Arbor, Ann Arbor, Michigan: Gentlemen—The Detroit Edison Company submits the following proposal for the change of street lighting for this city from the present system consisting:

218 arc lamps at \$60 each per year.

258 100 c. p. lamps at \$18 each per year.

5 60 c. p. lamps at \$18 each per year.

6 600 c. p. lamps at \$48 each per yr.

A total annual cost of which for the year 1918 was \$18,102.. In the place of this system we offer a street incandescent lamp system, units of approximately the same form as are now installed at Liberty and Maynard, Liberty and State, State and Washington, State and N. University, State and William, etc.

301 600 c. p. lamps at \$48 apiece per year.

73 250 c. p. lamps at \$36 apiece per year.

153 100 c. p. lamps at \$18 apiece per year.

Making a total cost of \$19,830. The city to receive in illumination 214,150 c. p. by the new system, as compared with 102,512 c. p. of the old system. A resolution from your Honorable Council requesting the Detroit Edison Company to make this change will start the system machinery to have this work completed as promptly as possible.

A complete report with comparisons as submitted by our engineering department is attached.

Yours very truly, E. T. Cope, District Agent.

Moved by Ald. Prochnow, that proposal of the Detroit Edison Company be accepted, and the Mayor and City Clerk be authorized to sign contract when approved by City Attorney.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays none.

Moved by Ald. Prochnow, that Lighting committee be authorized to have the boulevard light posts painted.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays none.

Moved by Ald. Reichert, that the Board of Public Works be authorized to repair walls to shed in rear of fire station No. 1.

Adopted by the following vote: Yeas, Ald. Heusel, Mayer, Prochnow, Henderson, Donnelly, Ryan, Spathelf, Moore, MacGregor, Freeman, Lutz, Reichert, Pres. Lewis, 13. Nays none.

On motion of Ald. Lutz, Council adjourned.

ISAAC G. REYNOLDS,
City Clerk.