

COUNCIL CHAMBER,
ANN ARBOR, December 9, 1895. }

Adjourned session.

Called to order by President Hiscock.

Roll called. Quorum present.

Absent Ald. Moore, Allmendinger,
Taylor.

COMMUNICATIONS.

FROM THE BOARD OF PUBLIC WORKS.

To the Common Council:

WHEREAS, one Henry Collins, did on the 19th day of June A. D. 1895, enter into certain contracts with the City of Ann Arbor, through its duly authorized representatives, for the construction of two certain lateral sewers known and designated as the Hill street lateral sewer, situate in lateral sewer district number three, and the Huron street lateral sewer, situate in lateral sewer district number four of the said City of Ann Arbor, and

WHEREAS, section 113 of the sewer specifications of the City of Ann Arbor the same being a part of said contract of Henry Collins with the City of Ann Arbor, provides,

The contractor shall well and truly and promptly pay as the same may become due and payable, all indebtedness which may become due to any person, firm or corporation on account of any labor performed, or material furnished in the construction of any sewer for the City of Ann Arbor, and in case any claims or claims for failure to so well and truly pay for materials and labor as above the Board shall retain from any monies due or to become due to the contractor, a sufficient sum to pay such claim or claims and shall pay the same therefrom when such claim or claims is, or are fully proven to the satisfaction of the Board.

And whereas said contractor, Henry Collins has failed to pay certain claims

that have become due for labor and material used in the construction of said sewers, which failure has been brought to the attention of this Board therefor,

Be it Resolved, That this Board deem it expedient to exercise the authority vested in it by said section 113 of the sewer specifications of the said City of Ann Arbor, and hereby declare that the Board does retain all money due or to become due said contractor Henry Collins for the construction of said sewers said money to be held for the benefit of said claims for labor and materials furnished in the construction of said sewers said money to be paid on such claims as the Board may deem expedient, when the same are to be proven to its satisfaction, and

Be it further resolved, that the Clerk be intructed to notify the Common Council of the City of Ann Arbor and said contractor Henry Collins, of this declaration.

Board of Public Works,
Glen V. Mills,
Clerk.

Received and placed on file.

RESOLUTIONS.

By Ald. Brown.

Resolved, That T. A. Bogle be employed to assist in the trial of the case of Herman Hutzel vs. the City of Ann Arbor.

Adopted as follows:

Yeas—Ald. Maynard, Koch, Snyder, Laubengayer, Brown, Ferguson, Shadford, Prettyman. Coon, Butterfield, Cady, Pres. Hiscock—12.

Nays—None

By Ald. Brown.

Resolved, that a warrant be drawn in favor of Glen V. Mills for the sum of \$516.84 to be paid to the Clerk of the Circuit Court for the County of Washtenaw, in the case of Hutzel vs. the City of Ann Arbor.

Adopted as follows:

Yeas—Ald. Maynard, Koch, Snyder, Laubengayer, Brown, Ferguson, Shadford, Prettyman, Coon, Cady, Pres. Hiscock—11.

Nays—None.

Ald. Butterfield excused from voting.

By Ald. Brown.

WHEREAS, In the case of Ann Walker vs. the City of Ann Arbor, John F. Lawrence appeared and tried said case in the circuit court. and

WHEREAS, said case has been appealed to the supreme court and Mr. Lawrence is fully conversant with the facts of the case,

Therefore be it Resolved, that Mr. Lawrence be and is hereby employed to conduct said case in the supreme court.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Koch, Snyder, Laubengayer, Brown, Ferguson, Shadford, Prettyman, Coon, Butterfield, Cady, Pres. Hiscock—13.

Nays—None.

Ald. Butterfield moved that the 5th estimate of the Engineer as submitted to the Council December 5th, 1895 be allowed and a warrant be ordered drawn for the same payable to Henry Collins or his assignee.

Ald. Prettyman moved that the motion be laid on the table.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Snyder, Brown, Ferguson, Shadford, Prettyman, Coon, Cady, Pres. Hiscock—10.

Nays—Ald. Koch, Laubengayer, Butterfield—3.

Ald. Butterfield moved that the motion be taken from the table and referred to the City Attorney.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Koch, Snyder, Laubengayer, Brown, Ferguson, Shadford, Prettyman, Coon, Butterfield, Cady, Pres. Hiscock—13.

Nays—None.

By Ald. Moore.

Resolved, That the Board of Fire Commissioners be authorized to purchase 500 foot of hose.

Ald. Brown moved that the resolution be laid on the table for one week.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Koch, Snyder, Laubengayer, Brown, Ferguson, Shadford, Prettyman, Coon, Butterfield, Cady, Pres. Hiscock—13.

Nays—None.

On motion the Council adjourned.

GLEN V. MILLS.

City Clerk.