

COUNCIL CHAMBER. }
Ann Arbor, Dec. 21st, 1896. }

Regular Session.

Called to order by President Hiscock.

Roll Called. Quorum present.

Absent, Ald. Moore, Shadford.

The journal of December 7th was upon motion approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE.

To the Honorable the Common Council of the City of Ann Arbor.

Gentlemen:—As you are all aware the first and great duty of the Common Council is, to the best of its ability, so conduct the affairs of the City as to secure the greatest good to the greatest number. They are the conservators of the people who have confidently placed the City's management in their hands and they should see to it that it is run in the interest of *all*, with partiality to *none*. It is the duty of the Council to keep close watch of the City's Ordinances. If they can so frame a new ordinance or so alter an old one that it will grant the people relief from some wrong or increase their prosperity or pleasure, they should do so. I hope your Honorable Body will not think for a moment that I doubt your honest intention to do the very best you can for the City and its people, as nothing is further from my thoughts.

I see, or I think I see, for the poorer classes in our City hard times ahead. The conditions of the working man and woman for the season just passed has been such that be they ever so industrious and saving they could lay but little if anything by to carry them through a long winter which is now upon us and from now until Spring there will be still less to do and the laboring man's chance to earn a living for his family and himself will be all the less. My object in addressing you at this time is that if possible, we do something to lighten their burdens. We have two ordinances

which I believe bear directly on this question. One of them *directly* creates and protects monopoly and the other although not so bad of itself has been perverted and made to do the same thing. I would advise the changing of the saving clause in the ordinance relating to Hawkers and Peddlers in Section 7 on page 185 of Ordinances making it more explicit. By perversion of the above ordinance our people have been denied the right to buy their meat where and of whom they choose. Farmers or others from without the City having dressed meat to sell were not allowed to sell less than a quarter of beef at a time except to butchers under penalty of a heavy fine unless they got a peddler's license which, if they intended to sell from one horse rig would cost them \$3.00 per day, if from a two horse rig then it would cost \$5.00 per day, which operated as the manipulators evidently intended it should. The farmer could not afford to pay such a price for the privilege of peddling and consequently his only recourse was to sell to the butcher, thus creating for the sole benefit of the butcher a monopoly for which our citizens as well as the farmer must suffer, for the butcher knowing he has it all to himself, fixes his own price to the farmer for his meat and when he sells it out to our citizens whom he knows is at his mercy he again fixes prices to suit himself and the citizen pays the difference between free trade and protection.

The butcher is no better or worse than the rest of mankind. They are human and like the ordinary mortal will do just as all business men do—buy as cheaply as possible and sell for all they can get and our ordinances should be so framed as to guard against such opportunities. The ordinance as it is, does not prohibit the peddling of meat any more than any other farm produce, which we know is by the saving clause allowed to come in free, but somebody has so manipulated it that they have

succeeded in scaring out the meat peddler and our people have paid dear for it.

Not having interpreted the ordinance that way I have not enforced it but on the contrary I have given the police positive instructions to not interfere with anybody peddling farm produce of *any* kind (which included dressed meats) so long as they were selling only that which was good and wholesome.

There is another ordinance to which I most respectfully call the attention of your honorable body which is of the same nature but worse if possible than the foregoing, that is as yet scarce three months old rather young to have done much mischief yet, and I would recommend the killing of it before it gets any older. I have reference to the ordinance relative to "Transient Traders" passed by your honorable body Sept. 21st last, and three days later, in an unguarded moment, I committed the grave error of approving, thereby making it law—*if you can call it law*. I am willing to acknowledge my error and stand ready to rectify it and not leave to my successor that which I should do myself. In the first place the license should be procurable in the same manner as other licenses, by application to the City Clerk and not compel the applicant to wait for a meeting of the Common Council, which might not be for two weeks. The applicant may be an honest tradesman and his coming a great blessing to the people by stocking them up with a good line of goods at a great saving of money as did Sam and Pete, a firm of Transient Traders who came to Ann Arbor 25 or 30 years ago under the management of Mr. J. T. Jacobs, who has since remained with us and is now one of our foremost citizens. There was no Transient Trader's ordinance here then to scare the benefactor out of town and the consequence was a store was rented, a large stock of clothing was put in and our citizens were clothed in good suits

of clothes at from \$15 to \$20 each that formerly cost from \$25 to \$30. Our citizens thereby being the gainer by about \$10 on each suit of clothes and the city was the gainer of a good live business house and also an excellent citizen.

Was not that transient trader a great benefit to us all? Would it have been the wise thing to do to have kept them out and compelled our people every time they bought a suit of clothes to go down in their pockets and make the merchant a present of \$10.00 more? I say, no gentlemen, it would not have been the wise thing to do then and it is not the right thing to do now and therefore I would recommend the striking out of Section 3 and the second clause of Section 4 of that ordinance forbidding the selling of goods from a stock actually kept on hand from which selections may be made without first paying a license of \$10 per day for the first 20 days and \$3 per day for each and every day thereafter. Such rates are prohibitive and this even in a store rented to him by our citizens who own and pay taxes on the building. Gentlemen of the Council, that ordinance although it is a great protection to our merchants is at the same time an outrage on nine-tenths of our people. It practically denies the owner of the building the privilege of renting it. It denies to the people the right to purchase where they choose and of whom they choose and to their best advantage. It sets up a sort of protectorate over our people tending to curtail their liberties all of which is very unAmerican. And for Ann Arbor, the center of learning to have its laws contaminated by such an ordinance is a stain on its fair name, one which your honorable body should hasten to wipe off. We hear a great deal about protecting our merchants; they tell us they pay taxes and for that reason they must have extra privileges; we must keep out all competition so that they may get good

prices. Now gentlemen of the Council, although the merchants of our City as a class will compare favorably with the merchants of any City, I don't believe they are any thing more than mortal, at any rate as long as they stay here on earth with the rest of us poor beings who are yet subject to death, they should be content with the same privileges as we have. Just why we should put an extra burden upon 15000 people in order that our few merchants can thrive is a thing I can't understand, far better if you can devise some means whereby you can better the condition of the 15000 whom this ordinance intends shall be taxed to support our merchants. I don't believe our merchants care any more for the prosperity of the City (outside their own business) than the day laborer. They are both animated by the same desire to make all they can and that is all there is of it. We have among our merchants those who will not, if they can help it, spend one dollar in our City, who will not even deposit with our banks, ever ready to block the way of any and all improvements unless it accrued to their private interests and you will find the same men pushing protection for the merchant.

I wish also to call the attention of your honorable body to a matter of considerable importance, which affects a very large portion of our citizens and is deserving of your most earnest consideration. I have reference to the rights of the Bicycle riders. The bicycle is no longer to be classed among novelties or toys as a mere plaything it has long since passed such rating and is become as staple as the horse. It is used in business and in pleasure Business men ride it to and from their places of business. The mechanic and the laborer ride it to and from their work. The scholars in our schools and students in the University use it to go to and from their classes, lectures etc., and thousands use it for recreation.

The riders of the bicycles, either by themselves or parents, pay the largest part of our taxes and are composed largely of our best people. I believe the time has arrived when they should be recognized and given their rights. It is not right that they should be confined to the roads regardless of their condition, to take their chances with trucks and teams and an occasional "Road Hog". I believe it is the duty of the Common Council to grant to the bicycle rider a reasonable use of the sidewalks of our City under such restrictions as will best serve the interest of all and several of you with whom I have spoken fully concur. I have a plan in view which although giving the bicyclist a very extended privilege on the sidewalks will, at the same time, be no very great inconvenience to any one. Perhaps some of you gentlemen of the Council may suggest something better; if so it will be accepted with pleasure. I would suggest that on a few of our business streets, riding on the sidewalk be prohibited, on all other streets in the City which run east and west that the bicycle be allowed to use the walk on the south side of the street and on all streets running north and south the bicyclist may use the walk on the east side. Excepting on all streets where they adjoin the University grounds they will go on the side adjoining said grounds. The rate of speed should be confined to not more than six miles per hour on the walks and all should be required to pay a small license for which they receive a numbered tag, (which shall be perpetual unless for violation of law it becomes forfeited), which is to be so placed on the bicycle that it may be plainly seen from the rear. This tag is in evidence that the owner of the wheel has obeyed the law and has a right to the use of the sidewalks as provided by ordinance. This tag or number may be taken away for violations of the bicycle ordinance, in which case another number could not be obtained without

giving a bond that the party will obey the law. Bicyclists, when riding on the walks and when meeting pedestrians or others will pass in single file and people on foot will be required to do the same making room for those on the wheels to pass be they coming from either front or rear. This, gentlemen. is an outline of my plan to solve the bicycle problem in which I have endeavored to give to the people using the wheel the greatest privileges possible compatible with the security, comfort and convenience of the people. As opportunity has offered I have consulted members of the Common Council and I dont believe there is one of your honorable body but are willing and anxious to give to the wheelmen all the privileges possible consistant with safety to all.

WARREN E. WALKER,

Mayor.

Ann Arbor, December 21st. 1896.

Ald. Coon moved that that portion of the Mayor's Communication relative to Bicycles be referred to the Ordinance Committee.

Lost as follows:

Yeas—Ald. Maynard, Brown, Rhodes, Coon, Soule, Cady—6,

Nays—Ald. Koch, Grossman, Laubengayer, Dell, Burke, Danforth, Pres. Hiscock—7.

Ald. Cady moved that the communication be laid on the table with the exception of that which refers to Bicycles.

Adopted.

That portion relative to Bicycles was received and placed on file.

PETITIONS AND COMMUNICATIONS.

Ald. Moore entered.

To the Common Council.

The Board of Public Works respectfully presents to your honorable body the following report of the work done in macadamizing Detroit st. as well as work done in improving other streets of our City in connection with the same.

Glen V. Mills,

Clerk of the Board of Public Works.

Ann Arbor, Mich.,
Dec., 12th 1896.

To the Board of Public Works.

Gentleman:—I herewith submit for your consideration a detailed statement of cost of improvements made on Detroit-st. and of such other work as was rendered necessary on account of the same on Fuller-st. and Division-st. also work on Main-st., Ashley-st., Kingsley st., Catherine-st., Fifth Ave., Depot-st., Summit-st., Felch-st., Division-st., and several others.

There were several circumstances which hindered the work and which added to the expense account. Among these, was the delay caused by the Street Railway, another was the necessity of lowering nearly 400 ft. of storm sewer, another was having to wait for fine stone for choker.

These delays deprived us of some of the best weather for work and made it necessary to repair some work already constructed.

These various delays have no doubt increased the cost of this work not less than \$500.00.

The following statement shows in quite full details the locality and nature of the work done and the expense incurred. It is estimated that the cost of crushing the stone was 20c per cu. yd. The gravel taken from Detroit-st. was charged to other streets at bare cost of carting away and spreading.

On Fuller Street.

2151½ hr. team labor at 30c per hr.....	\$645 45
1030½ hr. hand labor at 15c per hr.....	154 58
10 cu. yds. paving stone at 60c per yd.; 30 yd. gravel at 10c per yd.....	9 00
444 ft. coping stone at \$1.25 per rd.; 95 ft. coping stone at \$1.50 per rd.....	42 38
44 ft. of 10 inch pipe at 17c per ft.....	7 48
2 10 inch elbows at 69c each; 2 grates at \$3.75 each; 2 y's at 74c each.....	10 36

1 bbl. lime 70c; 1 sack cement 30c.....	1 00	
To Julius Funke, salary for superintendence.....	75 00	
86 loads gravel from Detroit st. at 55c per load.....	47 30	
25 loads gravel from Division st at 30c per load.....	7 50	
	<hr/>	\$1000 05
Ret. to crusher 104 loads stone at 80c per load.....	\$ 83 20	
Sold building stone 28 roads at \$1.00 per ld.	28 00	
Sold building stone 23 loads at 75c per load	17 25	
Gravel furnished Ashley st. 69 loads at 35c	24 15	
Gravel furnished Depot st. 10 loads at 30c....	3 00	
Gravel furnished Felch st. 492 loads at 25c...	123 00	
Ret. to yard 75 ft. 5 in. drain tile at 3c per ft.	2 25	\$280 85
Total.....	<hr/>	\$819 20
On Division Street.		
Team labor 260 hrs. at 30c per hr. furnished by Detroit st...	\$ 78 00	
Hand labor 648½ hrs. at 15c per hr. furnished by Detroit st..	97 28	
Coping stone 12-12 rds. at \$1.50 per rd. furnished by Detroit st.....	18 18	
12 inch pipe 44 ft. at 22c per ft	9 68	
2 elbows at 88c each; 2-12 inch Y at 96c each; 2 grates at \$3.75 each.....	11 18	
152 ft. 4 inch drain tile at 26-10 cts. per ft.....	3 95	
10 loads paving stone at 80c per load.	8 00	
12 loads gravel at 10c per load; 1 sack cement 30c.....	1 50	
2 12 inch Y's at 96c each; To superintendence \$25.00.....	26 92	
Crushed stone furnished from Detroit st. 164 cu. yds. at (20c crushing, 24c hawling, 60c cost)=\$1.04 per cu. yd.....	170 56	
	<hr/>	425 25
Return to crusher 7 loads stone at 80c per load.....	\$ 5 60	

Furnished 25 lds. gravel to Fuller st. at 30c per load.....	7 50
Furnished 3 loads gravel to Depot st. at 30c per load.....	90
Furnished 161 loads gravel to Felch st. at 25c per load.....	40 25
Furnished 17 loads gravel to Fifth ave. at 30c per load.....	5 10
Furnished 69 loads gravel to Ashley st. at 30c.....	20 70
Total.....	<hr/>
	\$345 20
On N. Main St.	
757 loads gravel at 55c per load from Detroit st.....	\$416 35
Cartage of pipe	30
Total.....	<hr/>
	\$ 416 65
On Miller Ave.	
24 loads gravel at 40c per load from Detroit st.....	\$ 9 60
Cleaning crossings... ..	1 00
Total.....	<hr/>
	\$ 10 60
On Wilmot St.	
63 loads gravel from Detroit at 55c per load.....	\$ 34 65
On Washtenaw Ave.	
20 loads gravel from Detroit st. at 55c per load.....	\$ 11 00
On Catherine St.	
96 loads from Detroit st at 45c per load.....	\$ 43 20
Labor repairing drain....	9 00
Total.....	<hr/>
	\$ 52 20
On Kingsley St.	
92 loads gravel from Detroit St. at 35c per load.....	\$ 32 20
Cartage of cinders.....	75
Total.....	<hr/>
	\$ 32 95
On Fifth Ave.	
22 loads of gravel from Detroit St. at 35c per load.....	\$ 7 70
17 loads of gravel from Division St. at 30c per load.....	5 10
Fixing crossing.....	12 15
Total.....	<hr/>
	\$ 24 95

On Ashley St.	
131 loads gravel from Detroit St. at 55c per load.....	\$ 72 05
69 loads gravel from Fuller St. at 35c per load.....	24 15
69 loads gravel from Division St. at 30c per load.....	20 70

Total.....\$ 116 90

On Summit St.	
238 loads gravel from Detroit St. at 30c per load.....	\$ 71 40

On Depot St.	
58 loads gravel from Detroit St. at 30c per load.....	\$ 17 40
10 loads gravel from Fuller St. at 30c per load.....	3 00
3 loads gravel from Division St. at 30c per load.....	90

Total.....\$ 21 30

On Felch St.	
322 loads gravel from Detroit St. at 35c per load.....	\$ 112 70
161 loads gravel from Division St. at 25c per load.....	49 25
492 loads gravel from Fuller St. at 25c per load.....	123 00
64 ft. 16 inch pipe at 30c per ft. from Detroit st.....	19 20
20 ft. 18 inch pipe at 40c per ft. from Detroit st.....	8 00
Cartage of pipes 2 hours at 30c per hour.....	60

Total.....\$ 303 75

On Cedar Bend Ave.	
Picking off stone 9 hours at 15c per hour.....	\$ 1 35

On Two Triangular Parks.	
Coping 18 1-8 rods at \$1.25 per rod from Detroit St.....	\$ 22 66
Hand labor, 222 hr. at 15c. per hr. from Detroit St.....	33 30
Dirt filling, 180 loads at 25c. a load, from Detroit St.....	45 00
52 ft. 4 inch tile at 5c. a ft.....	2 60
3 4 inch curves at 16c. each.....	48
Making connection with water main.....	13 68

Total.....\$ 117 42

General Sewer Fund.	
4 grates at \$3.75 each.....	15 00

Lowering 370 ft. of 18 inch sewer.....	60 00
38 ft. 18 inch sewer pipe at 42½c per ft.....	16 15
Total.....	\$ 91 15

On Washington St.	
165 loads gravel from Detroit st., at 55c. per load.....	\$ 90 75

On Detroit Street.	
Team labor 3587 1-3 hr. at 30c. per hr.....	\$1076 20
Hand labor 12981 hr. at 15c. per hour.....	1947 15
Hand labor 460 hr. at 25c. per hour.....	115 00
Hand labor 416 hr. at 5c. per hr.	20 80
Hauling 2333 1-3 cu. yd. at 24c. per cu. yd.....	560 00
Crushing 2333 1-3 cu. yd. at 20c. per cu. yd. (estimated).....	466 67
Price paid for 2333 1-3 cu. yd. at 60c. per cu. yd.....	1400 00
Paving stone 252 cu. yd. at 60c. per cu. yd. (estimated).....	151 20
Coping stone 300 rods at \$1 35 a rod.....	375 00
4 12 inch elbows at 96c. each; 4 grates at \$3.75 each; 198 ft. 4 inch drain tile at 2.6c. per ft.	22 99
53 loads gravel at 10c. per load; 42 ft. 12 inch pipe at 22c. per foot.....	14 54
1 15 inch Y at \$1.41; 10 ft. 12 in. pipe at 22c.; 14 in elbow 16c; 18 ft. 18 in. pipe at 42½c.....	11 40

Labor performed on Division St.....	\$ 175 28
Stone furnished on Division St.....	197 74
Labor performed on Fuller St.....	800 03
Stone furnished and gravel, on Fuller St. from Detroit St.....	98 68
Dirt furnished on Felch St.....	112 70
Pipe furnished on Felch St.....	27 80
Dirt furnished on Depot St.....	17 40
Labor performed on Cedar Bend Ave.....	1 35
Gravel furnished main street.....	416 65

Gravel and labor furnished Miller Avenue.	10 60
Gravel furnished Wilmot st.....	34 65
Gravel furnished Washenaw Avenue.....	11 00
Gravel and labor furnished Catherine st..	52 20
Gravel and labor furnished Kingsley st....	32 95
Gravel and labor furnished Fifth Ave.....	19 85
Gravel furnished Ashley street.....	72 05
Gravel furnished Summit street.....	71 40
Dirt and labor furnished Triangular Parks	78 30
Stone furnished Triangular Parks	22 66
Labor furnished A. A. St. Ry.....	193 20
Labor furnished A. A. Water Co.....	59 98
35 loads stone at 80c per load to crusher.....	28 00
20 cu. yd. at 60c per yd; 5 yd. at 75c, stone....	17 55
Dirt furnished Glen V. Mills.....	3 00
Paving driveways.....	23 25
Team labor furnished Geo. W. Weeks.....	5 70
Ret. to yard 1731 sq. ft. flagstone at 18c per sq. ft	311 58
Ret. to yard 380 line ft. crossing stone at 25c per foot.....	95 00
Ret. to yard 1400 paving brick at \$14 per M.....	19 60
Ret. to yard 1-12 inch elbow 88c; 1-9 inch curve 51c; 10 feet 16 inch pipe at 30c per ft. 1-18 inch "Y" at \$1.71; 4 ft. 12 inch pipe at 22c per foot..	6 97
Ret. to yard 80 feet 16 inch pipe at 30c per foot; 20 ft. 18 inch pipe at 40c per foot..	32 00
141 ft. coping re-used at \$1.25 per rod.....	10 68
331 minutes at 80 gal. per min. 26480 gal at 10c per 100 gallon.	

Labor performed on Thirteenth St	5 65
Labor performed cleaning street and bridges	20 85
Labor performed Hay & Todd scales.....	15 00
Blacksmithing A. R. Schmidt \$2.10; J Donnegan \$62.30.....	68 40
165 loads gravel furnished Washington st. at 55c per load.....	90 75
Labor and material furnished Gen. Sewer Fund.....	91 15
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Total.....	\$3283 20 \$6232 00
	\$3283 20

Cost on Detroit St. \$2948 80

On account of springy ground 122 ft. of drain tile was required and then heavy rains made it necessary to increase this amount to 198 ft. Soft spots in the street made it necessary to make extra excavation and use extra amount of stone. Delay on account of coping was another annoyance.

GEO. E. KEY,
City Engineer.

Ald. Koch moved that the report of the Board of Public Works be referred to a committee of three together with the City Attorney and that the committee be unpowered to subpoena witnesses and investigate the subject.

Adopted.

Pres. Hiscock appointed Ald. Koch, Moore and Rhodes as such commttee. To the Common Council:

The Board of Public Works respectfully refers to your honorable body the findings of the City Attorney and City Engineer in the claim of extras in the construction of lateral sewers No. 3 and 4 together with the Engineer's final estimates of completed work, without recommendation.

Glen V. Mills,

Clerk of the Board of Public Works.
To the Board of Public Works:

Gentlemen—The matter of the Collins contract with the City of Ann Ar-

bor which was referred to the City Attorney and myself has been duly considered by us and we offer the following report:

Mr. Collins submitted two lists of claims for extras in Lateral Sewer District No. 3. One of these lists of claims is clearly not allowable under the contract as it is a claim for house branches, and the plans clearly delineated the number and extent of the same, the specifications required the contractor to construct them, and the terms of the contract also required this work performed.

The other list of claims in District No. 3 for extra work is in the main allowable, we have made such reductions as are in our judgment proper to make, and necessary under the terms of the contract. These changes are marked in red ink on the list and the reason for making the change.

There is also a list of claims for extra work done on lateral sewer in Dist. No. 4 and changes have been made in this list in the same manner as in the other lists.

Final estimates are submitted showing the city's indebtedness to Mr Collins and all changes or variations from original plan are given in detail to the engineer's notes.

Geo. F. Key,
City Eng.
Thos. D. Kearney,
City Atty.

Final estimate of work on Lateral Sewer in Dist. No. 3.

Contract Price.....	\$26746 75
Total extras allowable on contractor's claim.....	1166 05
<hr/>	
Gross Contract Price.....	\$27912 80
Am't deducted for work short of original contract	\$ 1435 52
Am't allowed in Aug. '95, \$2051.82; in Sept. '95, \$2878.03..	4929 85
Am't allowed in Oct. '95, \$6600.96; Nov. '95, \$5223.69.....	11824 65

Am't allowed in Dec. '95, \$3405.17; Jan. '96, \$475.47.....	3880 64
Am't allowed in Feb. '96, \$2266.94; April '96, \$26 35.....	2293 29
Am't allowed in Dec. '96, \$768.40.	768 40
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Total am't allowed.....	25132 35
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Balance of Gross contract Price.....	2780 45
Less 5 percent of original contract Price for 1 year.....	1337 34
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Am't due contractor..... \$ 1443 11
GEO. F. KEY,
City Eng.

Final Estimate of Work on Lateral Sewer in District No. 4.

Contract Price.....	\$ 4181 20
Total extras allowable on contractors claims.....	121 99
<hr/>	
Gross Contract Price.....	4303 19
Am't deducted for work not performed but required by plans and specifications.....	103 07
Am't allowed Aug. '95	740 42
Am't allowed Sept. "	1895 94
Am't allowed Oct. "	1175 92
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Balance of Contract Price.....	\$ 387 84
Less 5 percent of original contract Price retained for 1 yr	209 06
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Am't due Contractor..... \$ 178 78
GEO. F. KEY,
City Eng.

Received and placed on file.
To the Common Council.

The attention of the Board of Public Works has been called to an ordinance under consideration by your honorable body relative to the shooting of red squirrels within the limits of the City of Ann Arbor. The Board most respectfully and earnestly protests

against the passage of an ordinance or the amendment of an existing ordinance allowing the shooting of fire-arms within the limits of the City of Ann Arbor. We believe that the granting of any such privilege is detrimental to property and a menace to the life and limb of our citizens.

Glen V. Mills,

Clerk of the Board of Public Works.

Received and placed on file.

A communication from Elliot G. Stevenson asking for the settlement of the claim of Stevenson, Reed, Finane & Schultz was read and referred to the Finance Committee and City Attorney.

A petition signed by Philip Visel asking for the payment for gravel used by the City was read and referred to the Finance Committee.

The bids for sewer bonds in District No. 5 were read and referred to the Finance Committee.

A petition signed by D. A. Hammond and thirty-two others asking for the fulfillment of the franchise of the Ann Arbor Street Railway Co. was read and referred to the Ordinance Committee.

REPORTS OF STANDING COMMITTEES.

FINANCE.

To the Common Council.

Your Committee on Finance would recommend that the salary of the janitor of the City Building be fixed for the ensuing year at \$15 per month for the first five months and at ten dollars per month for the remainder of the year.

Respectfully submitted,

C. H. Cady,
Harrison Soule,
Emmett Coon,
Committee on Finance.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Rhodes, Coon, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

ORDINANCE.

Chairman Maynard presented the or-

dinance entitled "An Ordinance to Amend an Ordinance for the Protection of Squirrels within the Limits of the City of Ann Arbor" which was given its third reading by sections.

Ald. Coon moved that the ordinance be laid on the table.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Rhodes, Coon, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

Chairman Maynard presented an ordinance entitled "An Ordinance to Prohibit the Firing of Fire-arms within the Limits of the City of Ann Arbor" which was given its third reading by sections and placed on its final passage where upon the question was "Shall this Ordinance Pass"?

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Rhodes, Coon, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

Chairman Maynard presented an ordinance entitled "An Ordinance to Amend an Ordinance Relative to Licenses" which was given its first reading by title.

Ald. Moore moved that the ordinance be placed on its second reading.

Adopted.

Whereupon the ordinance was given its second reading by sections.

REPORT OF SPECIAL COMMITTEES.

To the Common Council:

Your Special Committee to whom was referred the subject of the employment of E. W. Groves as assistant engineer would report that they have conferred with the Board of Public Works relative to the same and find that the Board have employed him by the year and further your Committee are of the opinion that the employment of Mr. Groves or some other suitable person to

take charge of the sewer system is necessary as well as a saving to the City. Respectfully submitted,

J. A. Dell,
John Koch,
W. M. Shadford,
Special Committee.

Adopted as follows:

Yeas—Ald. Moore, Koch, Laubengayer, Dell, Rhodes, Coon, Soule, Cady, Danforth, Pres. Hiscock—10.

Nays—Ald. Maynard, Grossman, Burke, Brown—4.

To the Common Council.

Gentlemen:—In the matter of the opening of Twelfth-st. referred to me for further investigation I will say that my opinion of November 16th disposes of the question of the right of the City to claim the land by reason of its dedication for a street. There are two other propositions that might arise, viz:

1. Did the executors of the estate of Lucy Morgan deed this land to the City prior to the deed to Mr. Whitman?

2. In whom is the title to this land at the present time? I shall dispose of the first question by saying that the executors did not deed this land to the City neither prior to the deed to Mr. Whitman nor at any other time.

If the City has no interest in this property the second proposition would be a proper one for Mr. Johnson to have looked up. But in accordance with your request I have investigated the facts and law and herewith report as follows:

Mrs. Foley and her grantor has claimed the south half of this land for over thirty years. The same is true of the north half that has been claimed by Mr. Whitman and his grantors for the same length of time. The fence dividing their property from the Morgan property has been on the center line of this street for over twenty-five years and was built and repaired by Mr. Morgan and Mr. Parker who admitted to Mrs. Foley that she owned the south

half of this land that was west of the fence and establishing beyond any question her title to the same by adverse possession. The fence running on this line to Ann-st., the same would be true of the north half of this land that is west of the fence.

The east half of this street is a part Block one, north, Range thirteen east. It was platted by E. W. Morgan et al. without any reservation of the streets should they not be accepted by the City. The Morgan estate derived its title from E. W. Morgan and when it transferred the block to Mr. Whitman all the interest they ever had, passed. In any event the Lucy Morgan estate has no interest in this land. It belongs either to Mr. Whitman or to the estate of E. W. Morgan. It cannot belong to the estate of E. W. Morgan for he did not reserve it when he platted the property and the law is well settled that the grantee of a lot or block described by number of the lot and block takes to the center of the street. There can be no doubt that it was the intent of all parties that Mrs. Morgan should take the entire interest of Mr. Morgan and that Mr. Whitman should take the entire interest of the Morgan estate in that land when they bought it. That this is true between the Morgan estate and Mr. Whitman is evidenced by the fact that in opening Thirteenth-st. the Morgan executors joined with him in a deed to the City of the land for the street.

I have no doubt that the title to this land is vested in Mr. Whitman and Mrs. Foley.

Very respectfully,
Thos. D. Kearney,
City Atty.

To the Common Council.

Gentlemen:—In the matter of the bill of Dr. Lee for surgical attendance upon Jacob Moegle referred to me I would suggest that the same be disallowed.

Very respectfully,
Thos. D. Kearney,
City Attorney.

Received and placed on file.

By Ald. Maynard.

Resolved, That the city attorney be and is hereby directed to file a Bill of Interpleader in the Collins matter in order that the court may determine to whom the money now in the city treasury belonging to our callers shall be payable.

Ald. Brown moved that the resolution be laid over until the next regular session.

Adopted.

By Ald. Maynard.

Resolved, That it is the sense of the council that the mayor take every step that lays in his power to discontinue any further boxing or fighting contests within the city limits.

Ald. Brown moved to postpone the matter until the next session of the council.

Adopted.

REPORT OF CITY OFFICERS.

Ann Arbor, Mich., Dec. 21, 1896.

To the Common Council of the City of Ann Arbor, Mich.

Gentlemen:—This is to certify that there was on deposit in this Bank to the credit of Chas. H. Manly City Treasurer on the 30th day of November 1896, the sum of thirteen thousand five hundred and twenty-three and 77-100 dollars \$13523.77

Respectfully,

M. J. Fritz,
Asst. Cashier.

CITY TREASURER'S REPORT.

Balance on hand, last report..... \$3574 07

MONEY RECEIVED.

Street fund.....\$ 1 75
 Bridge Culvert and Cross-walk
 Glen V Mills..... 25 50
 Dog fund
 G V Mills..... 3 00 30 25

Total..... \$ 17604 32

MONEY DISBURSED.

Contingent fund.....\$ 1599 95
 Street fund..... 3369 31
 Poor fund..... 130 16
 Bridge, Culvert and Cross-walk fund..... 1404 88
 Police fund..... 276 50
 Firemen's fund..... 515 75 7296 55

Total..... \$10307 77

BALANCE ON HAND

Contingent fund.....\$ 5852 11
 Main Sewer bond fund..... 33 00 00
 Street fund..... 2811 49
 Poor fund..... 2061 85
 Bridge, Culvert, and Cross-walk fund..... 2228 73

Police fund..... 1703 52
 Firemen's fund..... 5264 22
 City Cemetery fund..... 50 10
 Water fund..... 4782 40
 Dog Tax fund..... 197 00
 University Hospital Aid Bond Fund..... 3240 00
 Delinquent Tax Fund..... 796 44
 Uncollected City Tax..... 10306 77

\$26451 20 16143 43
 16143 43

Total.....\$ 10307 77

SEWER REPORT.

Nov. 1 Amount on hand... \$ 3546 60

MONEY RECEIVED.

Nov. 30. Main Sewer Glen V. Mills..... 15 00
 Nov 30. Tax acco't Sewer district No 3..... 49 97
 Nov. 30 tax acco't Sewer district No 5..... 75 24 139 91

Nov. 30 Amount received..... 3686 51

MONEY DISBURSED.

November 30
 General sewer warrant..... 49 16
 Sewer Dist. No. 5 warrant labor account..... 403 53 452 69

Amount of Sewer Tax on hand..... 3233 82

BALANCE ON HAND.

November 30.
 Main sewer fund..... \$ 10092 43
 Labor ac't lateral sewer Dist. No. 1..... 39 90
 Labor ac't lateral sewer Dist. No. 2..... 27 28
 Labor ac't lateral sewer Dist. No. 3..... 4232 40
 Labor ac't lateral sewer Dist. No. 4..... 252 73
 Labor ac't lateral sewer Dist. No. 5..... 8304 89
 Labor ac't lateral sewer Dist. No. 6..... 3 95
 Tax ac't lateral sewer Dist. No. 1..... 715 22
 Tax account lateral sewer Dist. No. 2..... 1217 30
 Tax account lateral sewer Dist. No. 3..... 983 50
 Tax account lateral sewer Dist No. 4..... 1024 16
 Tax account lateral sewer Dist No 5..... 2094 10
 Uncollected sewer tax..... 94 20

16157 94 12924 12
 12924 12

Balance in sewer funds...\$ 3233 82

Respectfully submitted,

C. H. MANLY,
Treasurer.

Ald. Soule moved that that portion of the Mayor's Communication relative to bicycles be referred to a special committee.

Pres. Hiscock declared the motion out of order.

On motion the Council adjourned.

GLEN V. MILLS,
City Clerk.