

Council Chamber, Ann Arbor, Mich., Dec. 4th, 1911. Regular Session.

Meeting called to order by Clerk. Ald. Manwaring called to Chair. Present: Ald. Hochrein, Koernke, Pipp, Flynn, Manwaring, Ramsay, Lutz, Lindenschmitt, 8. Absent: Ald. Schmid, Murray Sweet, Sherck, Good-year, Pres. Mills 6. Minutes of previous meeting approved.

(Enter Ald. Schmid, Murray, Sweet, and Sherck.)

Communications

Ann Arbor, Mich., Dec. 4, 1911.

To the Honorable Common Council: Gentlemen—I hereby petition your honorable body to release me from my contract with you to dispose of the city's garbage. Said release to take effect Dec 5th, 1911. This request is made upon condition that Edward Besch agrees to take care of said garbage from Dec. 5th, 1911, to Sept. 15 1912, the period of my contract, upon the same terms and conditions provided in my contract. The reason of making this request is that I am, on account of other engagements, unable to give the collection of garbage my personal attention, and I therefore recommend that the contract be given to Mr. Besch as he will be able to give to this important work his personal attention.

Respectfully submitted, J. W. Markey, Garbage Contractor.

Ordered on file

Ann Arbor, Mich., Dec. 4, 1911.

To the Honorable Common Council: Gentlemen—In consideration that you release John W. Markey from his present contract to take care of the city's garbage, I agree to take care of said garbage according to the provisions of the Markey contract from Dec. 5th, 1911, to Sept. 15th, 1912, and to enter into a similar contract with the city for the above time, and to give a bond for the performance of the same with proper sureties.

Ed Besch.

Ordered on file.

By Ald. Sweet: Resolved, that the request of J. W. Markey, to be released from his garbage contract be granted, and that the offer of Edward Besch to take his place on the same terms and conditions, be and the same is hereby accepted; and, further, that the city clerk enter into a contract with Edward Besch for the disposal of garbage, on the same terms and conditions as contained in the Markey contract, said contract to begin Dec. 5th, 1911, and end Sept. 15th, 1912. This resolution to take effect when bond is accepted by City Clerk.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherck, Koernke, Manwaring, Sweet, Hochrein, Ramsay, Murray Lutz, Schmid, Lindenschmitt, 12. Nays, none.

Ann Arbor, Mich., Nov. 29th, 1911.

Mr. Ross Granger, City Clerk, City: Dear Sir—I have the pleasure of sending you today the resolution passed by the Board of Supervisors at their January session, 1911, upon the city vacating the room in the court house, used as a council chamber, the resolutions are engrossed and framed. I hope you will find room for the same in your new Council Chamber in the city hall.

Yours, very truly, Charles L. Miller, County Clerk

By Ald. Murray: Resolved, that the council accept with thanks and appreciation the engrossed resolutions, as presented by the Board of Supervisors; and the City Clerk is hereby instructed to place said resolutions in the council chamber. Adopted by unanimous vote.

Ann Arbor, Mich., Nov. 24th, 1911.

Honorable Common Council, City: Gentlemen—I wish to call your attention to a tile drain under East Washington st., east of Twelfth st., which discharges water from the street on the property along the south side of said street, and finds its way to a depression only a few feet from my house. I trust you will take the necessary steps to abate this nuisance. Mrs. Eliza Mead, 1110 East Washington St.

Referred to Street committee.

Committee Reports
FINANCE REPORT.

Ann Arbor, Mich., Dec. 1st, 1911.

To the Finance committee of the Common Council: Gentlemen—I have examined the following accounts against the city of Ann Arbor, and I hereby certify that they are correct to the best of my knowledge. Respectfully submitted, ROSS GRANGER, City Clerk.

Contingent Fund.

Ross Granger, salary and clerk hire	\$166.66
Eugene G. Mann, salary and clerk hire	108.33
S. W. Beakes, salary	125.00
John W. Dwyer, salary	83.33
Jas. F. Breakey, salary	50.00
Harris Ball, salary	55.00
M. E. Easter'y, salary	50.00
Napoleon Brough, salary	50.00
R. G. MacKenzie, salary	25.00

Total regular salaries.....\$713.32

Fire Fund.

Chas. Andrews salary	\$ 41.66
Eugene Williams salary	36.30
Fred Jolly salary	36.30
Ralph Edwards salary	36.30
Henry McLaren salary	34.37
Geo. Hoelzle salary	34.37

Jacob Gwinner, salary	33.00
Arthur Clark, salary	33.00
Max Wittlinger, salary	33.00
Harley Wise, salary	30.00
Martin Noll, salary	30.00
Geo. Isbell, salary	30.00
Fred Nordman, salary	30.00
Mat. Heininger, salary	30.00
John Behr, salary	30.00
James Smith, salary	27.50
Frank Markey, salary	27.50
Harold Darling, salary	27.50
Chas. Carroll, salary	22.00
Frank Zapp, salary	22.00
Joe Seabolt, salary (sub.)	27.50

Total salaries for 1-2 month of November ... \$652.30

Police Fund.

Theo. C. Apfel, salary	\$ 41.66
Thos. O'Brien, salary	37.40
Zenus Sweet, salary	33.00
Wm. Blackburn, salary	33.00
Wm. J. April, salary	33.00
Gustave Meyer, salary	33.00
DeWitt Hathaway, salary	33.00
Rex Burnett, salary	33.00

Total salaries for 1-2 month of November ... \$277.06

Poor Fund.

J. H. Shadford, salary	\$20.00
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Cemetery Fund.

Matthias Luippold, salary	\$40.00
E. W. Groves, salary	\$166.66
John Wisner, salary	125.00
Harry Brightman, salary	83.33

Total ... \$374.99

Contingent Fund.

J. W. Markey, collecting garbage	\$255.00
Ann Arbor Gas Co., city hall, etc.	1.05
Eastern Michigan Edison Co., city hall, clock, etc.	34.02
Michigan Edison Tel. Co., rentals	53.27
G. F. Willey, services	26.00
K. E. Gauss, book binding	4.65
The Times News Co., printing	121.50
Washtenaw Post, printing	6.58
Miller-Bryant-Pierce Co., supplies	4.60
The Frederick Post Co., supplies	2.80
George Wahr, supplies	5.65
Luick Bros. & Co., supplies	23.00
Heizmann & Laubengayer, supplies	.72
Martin Haller, supplies	3.25
C. H. Major & Co., supplies	.30
The Artificial Ice Co., supplies	14.00
Hutzel & Co., labor and supplies	17.62
Burroughs Adding Machine Co., services	1.65
Ann Arbor Typewriter Agency, repairs, etc.	5.25
Kenny & Co., labor and supplies	46.75
John Wisner, expenses to convention	25.00

Total supplies, etc. ... \$652.66

Fire Fund.

Ann Arbor Gas Co., light, etc.	\$ 10.38
Eastern Michigan Edison Co., light, etc.	6.54
American-LaFrance Fire Engine Co., supplies and express	.50
Eberbach & Son Co., supplies	3.60
Schumacher Hardware Co. supplies	3.65
Schumacher & Backhaus, supplies	1.70
Chas. S. Millen, supplies	14.25
Luick Bros. & Co., supplies	6.15

Hutzel & Co., supplies	.60
Jacob Goff, supplies	3.00
Quinlan-Reimold Co., supplies	22.68
C. H. Kittredge & Co., supplies	4.60
E. C. Stretch, coal	37.50
Francis Griffin, oats	81.20
Seybold & Esslinger, horseshoeing, etc.	14.85
C. W. Cornell, horseshoeing, etc.	9.40

Total supplies, etc. ... \$220.60

Police Fund.

Edward Kuhn, special	24.20
Michael Ryan, special	2.20
Washtenaw Home Telephone Co., tolls	.60
The Michigan Daily, printing	8.64
Schumacher Hardware Co., supplies	2.70
Polhemus Transfer Line, livery	2.00
Gustave Meyer, supplies paid	.75
E. R. Frost, supplies	4.00
Theo. C. Apfel, detective services and supplies paid	16.45

Total supplies, etc. ... \$61.54

Poor Fund.

A. Lemble, Jr., supplies	\$ 33.38
Theurer & Walker, supplies	27.26
W. H. L. Rohde, wood	11.00
Staebler & Son, coal	23.85
Ann Arbor Gas Co., coke	5.75
O. F. Blaess, coal	15.85
Louis Miller, wood	52.50
D. L. Raymond, wood	74.25

Total supplies ... \$243.84

Street Lighting Fund.

Eastern Michigan Edison Co., light	\$1,217.23
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Park Fund.

John W. Markey, labor and teams	\$261.40
Chas. H. Otis, labor (supt.)	8.33
W. J. Randel, labor	5.40
J. W. Rogers, labor and supplies	87.00
C. W. Vogel, supplies	34.50

Total ... \$396.63

Street Fund.

Wm. Bury, labor	\$ 6.50
Adam Stoll, labor	2.89
John McHugh, team	5.78

Total, labor ... \$15.17

Martin Wurster, hay	\$ 28.90
E. W. Groves, oats	9.42

Total supplies ... \$38.32

Street fund total ... \$53.49

Bridge, Culvert and Crosswalk Fund.

Wm R. Allen, labor	\$ 3.00
James Barry, labor	5.00
Wm. Bury, labor	16.75
R. M. Caughey, labor	30.00
Wm. Clark, labor	3.00
George Coats, labor	7.00
Wm. Gohl, labor	1.88
Mike Heist, labor	2.00
Chris, Helber, labor	4.45
Michael Hession, labor	13.90
Wm. Kuehn, labor	12.75
Julius Loehrke, labor	22.50
J. G. Mack, labor	.38
James Mason, labor	13.34
George Miley, labor	.75
W. A. Miller, labor	2.75
Henry Norgard, labor	6.67
Michael Priescorn, labor	1.75
Ernest Rapp, labor	.50
Adam Stoll, labor	11.44

Wm. Wild, labor	2.75
Joe Youngbauer, labor	3.78
R. S. Ellis, team	10.25
S. A. Elsifor, team and plowing snow	21.50
John W. Herrst, plowing snow.....	10.00
John McHugh, team	4.23
George Schaible, team	11.42
Jos. Wallacker, team and plowing snow	9.84
Jos. Williams, plowing snow	2.50
Total labor	\$236.08
The W. L. McCullough Co., supplies	\$131.69
Moore Specialty Mfg. Co., snow plow	25.00
Barrett Mfg. Co., tank car rental...	68.00
Muehlig & Schmid, supplies	11.68
S. Wood & Co., supplies	4.10
Chumacher & Backhaus, supplies...	.15
Ransom Bros., supplies75
Ann Arbor Gas Co., coke	14.12
Ann Arbor Water Co., pavements and sprinkling	777.81
Wirt Cornwell, labor and supplies...	99.21
Seybold & Esslinger, repairs, etc...	25.45
S. A. Elsifor, repairs, etc.....	7.50
M. F. Finkbeiner, labor, etc.....	7.70
E. P. Cook, use of horse	3.50
C. E. Godfrey, cartage	9.30
Riverside Storage and Cartage Line, cartage	1.15

Total supplies, etc.....\$1,187.11
 Bridge, cul. & crosswalk fund tot. \$1,423.19

Labor Acct. Paving District No. 18.

C. B. Gass; balance due on curb....\$125.00

Recapitulation.

Contingent fund	\$1,365.98
Fire	872.90
Police	338.60
Poor	263.84
Street lighting	1,217.23
Cemetery	40.00
Park	396.63
Street	53.49
Bridge, culvert and crosswalk.....	1,798.18
Labor acct. pav. dist. No. 18.....	125.00

Total

Ann Arbor, Mich., Dec. 4th, 1911.

To the Honorable, the Common Council:
 Gentlemen—Your Finance committee have reviewed the foregoing report of the city clerk. Warrants for salaries were drawn Dec. 1st, 1911. We recommend that same be approved and that warrants be ordered drawn for the other foregoing accounts. George Lutz, Wm. H. Murray, Finance Committee.

Ald. Lutz moved the adoption of the report

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet, Hochrein Ramsay, Murray, Lutz, Schmid Lindenschmitt, 12. Nays, none.

Street Committee

To the Common Council of the City of Ann Arbor: Gentlemen—Your committee, to whom was referred the deed from Ewart H. Scott and Sarah E. Scott, dedicating to the city of Ann Arbor, lot 55 of assessor's plat No. 1 of Ferdon addition to the city

of Ann Arbor, the same to be used as a street called Norway road, have examined the same and recommend that the said dedication be accepted, and the street is hereby dedicated and declared to be a public street or road.

John Lindenschmitt, E. B. Manwaring, Henry Hochrein, Henry G. Pipp, Street Committee.

Ald. Lindenschmitt moved the adoption of the report.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet, Hochrein, Ramsay, Murray, Lutz, Schmid, Lindenschmitt, 12. Nays, none.

To the Honorable Common Council: Gentlemen—Your committee, to whom was referred the plat known as Eastwood, dedicated by Ewart H. Scott and Sarah E. Scott, approved by the Board of Public Works, Nov. 22, 1911, recommend that the said plat dedicated to the city of Ann Arbor for the purposes therein provided be accepted.

John Lindenschmitt, E. B. Manwaring, Henry Hochrein, Henry G. Pipp, Street Committee.

Ald. Lindenschmitt moved the adoption of the report.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet Hochrein, Ramsay, Murray, Lutz, Schmid, Lindenschmitt, 12. Nays, none.

Bond Committee

To the Common Council: Gentlemen—Your bond committee have had the druggist bond of Arthur E. Crippen, as principal, and Frank Pardon and Charles F. Pardon, as sureties, under consideration, and recommend its approval.

Therefore, resolved, that the druggist bond of Arthur E. Crippen be accepted.

Erwin Schmid, C. J. Sweet, Bond Committee.

Ald. Schmid moved the adoption of report and resolution.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet, Hochrein, Ramsay, Murray Lutz, Schmid, Lindenschmitt, 12. Nays, none.

CITY FUNDS—Treasurer's Report for Month Ending Nov. 30, 1911—

Money Received—	
Contingent Fund—	
Interest on bonds sold	\$20.97
Interest on bank balance	24.11
Fees on taxes collected74
Peddlers licenses	24.00
Dray licenses	50
Hack licenses	2.00
Theater licenses	25.00

Total

\$97.32

Police Fund—	
Officers' fees	10.40
Sprinkling Dist. 12—	
Taxes collected	4.44
Park Fund—	
Rent of house	5.00
Cemetery Fund—	
Burial permits	11.00
B. C. and C. W. Fund—	
Cement sold	\$77.73
Water	16.65
Brick	3.00
Total	\$97.38
Dog License Fund—	
Dog licenses	\$ 6.25

Total	\$231.79
On hand Nov. 1st	\$2,448.45
Total	\$2,680.24
Warrants paid	\$12,087.62

Overdrawn Dec. 1st.....	\$9,407.38
Disbursed, Warrants Paid—	
Bridge, cul. and crossw'k fund....	\$ 5,460.05
Contingent fund	1,399.97
City cemetery fund	40.00
Fire department fund	1,528.63
Poor fund	249.02
Police fund	884.65
Street fund	601.63
Park fund	86.92
Street lighting fund	1,219.20
Sidewalk fund	70.43
Sidewalk building fund	547.12

Total	\$12,087.62
Condition of City Funds on the First Day of December, 1911:	
On Hand—	

Contingent fund	\$ 5,907.51
City cemetery fund	489.69
Dog license fund	333.23
State dog tax fund	100.00
Fire department fund	3,082.16
Poor fund	1,309.42
Police fund	4,117.94
Street fund	9.00
Water fund	4,497.55
Park fund	495.53
Street lighting fund	5,692.61
Sidewalk fund	890.18
City hall tax fund	20.00
Rejected tax fund	59.07

Total	\$27,003.92
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Overdrawn—	
Bridge, cul. and crossw'k fund..	\$10,833.11
Main sewer tax fund	845.08
Judgment fund	1,685.50
Sprinkling tax fund, No. 11.....	147.73
Sprinkling tax fund, No. 12.....	47.68
Uncollected city tax fund	18,683.25
Delinquent tax fund	4,168.95

Total	\$36,411.30
Warrants Outstanding—	
Bridge, cul. and crosswalk fund	\$68.24
Contingent fund	76.90
Park fund	3.65

PAVING FUNDS—Treasurer's Report for Month Ending Nov. 30, 1911:	
Money Received—	
Labor Acct. Pav. No. 20 --	
Bonds sold	\$ 500.00
Labor Acct. Pav. No. 18—	
Bonds sold.....	3,280.00

Labor Acct. Pav. No. 24—	
Bonds sold	1,200.00
Tax Acct. Pav. No. 15—	
Taxes collected	94.42

Total	\$ 5,074.42
On hand Nov. 1st	\$19,393.18
Total	\$24,467.60
Warrants paid	1,489.09

On hand Dec. 1st	\$22,978.51
Disbursed, Warrants Paid—	
Labor acct. paving dist. No 18....	\$ 1,480.99
Labor acct. paving dist. No. 20...	6.60
Labor acct. paving dist. No. 25..	1.50

Total	\$ 1,489.09
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Condition of Paving Funds on the First Day of December, 1911:

On Hand—	
Tax acct. paving dist. No. 4.....	\$ 138.80
Tax acct. paving dist. No. 5.....	3,018.88
Tax acct. paving dist. No. 6.....	368.52
Tax acct. paving dist. No. 7.....	914.96
Tax acct. paving dist. No. 8.....	376.07
Tax acct. paving dist. No. 9.....	564.81
Tax acct. paving dist. No. 10.....	847.21
Tax acct. paving dist. No. 11.....	717.87
Tax acct. paving dist. No. 13.....	570.72
Tax acct. paving dist. No. 14.....	1,294.80
Tax acct. paving dist. No. 15.....	1,194.93
Tax acct. paving dist. No. 16.....	474.21
Labor acct. paving dist. No. 16....	24.50
Tax acct. paving dist. No. 17.....	79.16
Tax acct. paving dist. No. 18.....	751.19
Labor acct. paving dist. No. 18....	8,628.53
Tax acct. paving dist. No. 11.....	281.74
Labor acct. paving dist. No. 19....	4.00
Tax acct. paving dist. No. 20.....	45.78
Labor acct. paving dist. No. 20....	3,184.30
Tax acct. paving dist. No. 21.....	253.55
Labor acct. paving dist. No. 24....	893.74

Total	\$24,707.27
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Overdrawn—	
Labor acct. paving dist. No. 11....	\$ 807.55
Tax acct. paving dist. No. 12.....	145.74
Labor acct. paving dist. No. 22....	155.76
Labor acct. paving dist. No. 23....	577.29
Labor acct. paving dist. No. 25....	42.42

Total	\$1,728.76
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Warrants Outstanding—	
Labor acct. paving dist. 16.....	\$26 50
Labor acct. paving dist. No. 18.....	52.73
Labor acct. paving dist. No. 20.....	10.00
Labor acct. paving dist. No. 24.....	9.22

LATERAL SEWER FUNDS—Treasurer's Report for Month Ending Nov. 30, 1911:

Money Received—	
Tax Acct. Sewer No. 34—	
Taxes collected	\$ 19.86
Total	\$ 19.86
Overdraft Nov. 1st.....	\$ 2,801.21

Overdraft Dec. 1st	\$ 2,781.35
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Condition of Lateral Sewer Funds on the First Day of December, 1911:

On Hand—	
Tax acct. lateral sewer No. 14....	\$ 50.75
Tax acct. lateral sewer No. 17....	50.80
Tax acct. lateral sewer No. 19....	279.69
Tax acct. lateral sewer No. 20....	50.89
Tax acct. lateral sewer No. 21....	12.57
Tax acct. lateral sewer No. 27....	727.05
Tax acct. lateral sewer No. 30....	142.74
Tax acct. lateral sewer No. 31....	21.67
Labor acct. lateral sewer No. 32..	719.51
Tax acct. lateral sewer No. 33....	13.86

Labor acct. lateral sewer No. 33..	73.31
Labor acct. lateral sewer No. 34..	889.55
Tax acct. lateral sewer No. 35....	147.14
Tax acct. lateral sewer No. 36....	8.75
Labor acct. lateral sewer No. 37..	253.66
Tax acct. lateral sewer No. 37....	137.59
Labor acct. lateral sewer No. 38..	158.99
Tax acct. lateral sewer No. 38....	2.76
Labor acct. lateral sewer No. 39..	38.68
Labor acct. lateral sewer No. 39..	299.46
Tax acct. lateral sewer No. 40....	36.43
Labor acct. lateral sewer No. 40..	447.07
Tax acct. lateral sewer No. 41....	491.52
Tax acct. lateral sewer No. 42....	18.17
Tax acct. lateral sewer No. 43....	5.37

Labor acct. lateral sewer No. 41..	130.49
Labor acct. lateral sewer No. 42..	136.74
Labor acct. lateral sewer No. 43..	130.05
Labor acct. lateral sewer No. 44..	194.03
Labor acct. lateral sewer No. 45..	234.96
Labor acct. lateral sewer No. 46..	511.61
Labor acct. lateral sewer No. 47..	506.08

Total\$ 7,879.19

RECAPITULATION.

City funds overdrawn	\$ 9,407.38
Sewer funds overdrawn	2,781.35

Overdrawn	\$12,188.73
Paving funds on hand	22,978.51

Balance on hand	\$10,789.78
Bank certificate	\$10,594.36
Cash on hand	195.42

Total\$10,789.78

Respectfully submitted: E. G. MANN, City Treasurer.

Farmers and Mechanics Bank, Ann Arbor, Michigan, December 4th, 1911.

I hereby certify that the city of Ann Arbor, E. G. Mann, treasurer, had on deposit in the Farmers and Mechanics bank at the close of business, Nov. 30, 1911, the sum of ten thousand five hundred ninety-four and 36-100 dollars, (\$10,594.36.)

H. A. WILLIAMS, Cashier.

Report of the City Clerk and Comptroller.

CITY FUNDS.	Nov. 30, 1911.		Balance Liabilities	Available:	Deficit. July Next
	On Hand	Overdr. wn			
Bridge, Culvert and crosswalk		\$10,901.35	\$ 2,999.92		\$13,901.27
outgoing	\$ 5,830.61		5,706.56	124.05	
City Cemetery	489.69		320.00	269.69	
Dog license	333.23			333.23	
State Dog Tax	160.00			100.00	
Fire department	3,082.16		10,476.80		7,394.64
Poor office	1,309.42		160.00	1,149.42	
Street	4,117.94		4,432.96		315.02
Water	9.00			9.00	
Park	4,497.55		4,867.50		369.95
Street Lighting	491.91			491.91	
Sidewalk	5,692.61		9,738.64		4,046.03
Sidewalk building	890.18			890.18	
City Hall Tax		845.08			845.08
City Hall Labor	20.00		20.00		
Uncollected City Tax		18,683.25			
Rejected Tax		4,168.95			
Sprinkling Dist. No. 11.....	59.07				
Sprinkling dist. No. 12.....		147.73			
Exinger judgment.....		47.68			
		1,685.50			
Total	\$26,923.37	\$36,479.54	\$28,722.38	\$ 3,307.48	\$26,871.99

Respectfully submitted: ROSS GRANGER, City Clerk and Comptroller.

Office of the Street Commissioner, Ann Arbor, Mich., Nov. 10, 1911.

Hon. Board of Public Works, Wirt Cornwell, Esq., President: Gentlemen—Permit me to make the following report of the operations of the department under my charge and the work done under my direction during the month of October, 1911: Oct. 2-11-12-31--Cleaning paved streets,

labor\$547.10
 Oct. 3-6; 9-10 and 21—Flushing san. sewers, labor 6.65
 Oct. 3-4; 5-6; 11-14; 20-21—Foundation for tar tank, setting and painting same, labor 24.31
 Oct. 5-11; 13-14; 18-21; 23; 25-28—Extensions and crosswalks, labor 126.57
 (Extension and crosswalk across west

side Main; cement gutter across Second, west side Madison; crosswalk across State southeast entrance Ferry field; raising crosswalk across Cambridge road west side Washtenaw; across Washtenaw at Cambridge road; cement gutter across Mosely west side Main; across Murray south side Washington; gutter boxes Brooks st; brance extensions corner Summit and Main; Summit and 5th av.; drain Packard at Brooklyn.)
 Oct. 2; 13-19—Unloading cars cement and handling and shipping empty cement sacks, labor 36.89
 Oct. 7; 11; 12-17—Laying brick at intersections with new paving work, labor 27.96 (Packard and Woodlawn; Wells; State; Hill; Madison; Division; Monroe; Thompson; 4th av.; alley between 4th av. and Main)
 Oct. 9-11; 17-31—Cleaning leaves from gutters, labor 154.46
 Oct. 2-4; 11-31—Graing, graveling and patching streets, labor 189.41
 Oct. 1-2 and 8—Cleaning inlets, labor 25.72 (McKinley av.; 5th av.; W. Huron; 8th; Mack road; Forest; Observatory; Kingsley and State; new street at Ferdon road south of Washtenaw; patching in various wards.)
 Oct. 3-4; 6-11; 18-21 and 28—Grading sidewalks, labor ... 135.74 (Packard between Monroe and Division; Cambridge road north of Washtenaw; Ferdon road.)
 Oct. 3; 12; 15; 20; 23; 26—Tarring pavements, labor 11.86 (N. Main; E. Huron)
 Oct. 6-9—Setting inlets and repairs drains, labor ... 14.66 (Inlets Packard, 5th av. and S. Main; repairs Glen and Ann; inlet Main and William; tile Olivia av.)
 Oct. 19-20—Miscellaneous work—repairs extension work; piling lumber, brick and materials at city yard; laying up cement mixers, labor 17.88
 Oct. 20-24; 27-30—Making street sweeper brooms, labor 17.59
 Oct. 12-16; 24-28—Repairs cement and tar sidewalks in various wards, labor 67.20
 Oct. 23-27 and 30—Firing boiler at city tar tank, labor 36.32
 Oct. 13-14—Cleaning M. C. R. R. overhead crossing and No. 1 bridge, labor .. 4.60
 Oct. 16; 18-21—Grading with street drag in the various wards, labor 26.36
 Oct. 18-20; 23; 25-26—Culvert MsKinley av., labor 63.89
 Oct. 20-31—Storm water sewer Benjamin and Mary sts., and inlets, labor ... 263.90
 Oct. 21—Hauling old brick, labor ... 6.00
 Sept. 28-Oct. 30—Paving S. Main and Packard. No. 18, labor acct.....3,554.48
 Oct. 16—Paving Arch No. 24. State No. 25. (gravel) labor acct 2.60

Total\$5,366.55
 Respectfully submitted, J. WISNER, Street Commissioner.
 Reports of City Treasurer, Clerk and Street Commissioner received and ordered printed and filed.
City Clerk on Special Election
 Ann Arbor, Mich., Dec. 4th, 1911.

To the Common Council of the City of Ann Arbor, Michigan: Gentlemen—The following is a correct statement of the votes given for and against the proposed amendments to the charter of the city of Ann Arbor, at the election held in the voting room, city hall, Ann Arbor Michigan, Dec. 4th, 1911:

For maximum rate of taxation for the general city funds, three-fourths of one per cent—Yes, 328; No, 155; Majority for, 173.

For power to issue bonds for any public purpose—Yes, 346; No, 135; Majority for, 211

For power to build or purchase water works plant and issue bonds therefor—Yes, 362; No, 121; Majority for, 241.

Respectfully submitted, Ross Granger, City Clerk.

By Ald. Ramsay: Resolved, that the report of the city clerk, relative to the election on the adoption of the charter amendments of section 171, section 186 and subdivision 22nd to section 88, be accepted, and the city clerk comply with the law by filing with the secretary of state and the county clerk two printed copies of said amendments, together with his certificate of same.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet, Hochrein, Ramsay, Murray, Lutz, Schmid, Lindenschmitt, 12. Nays, none.

To the Common Council of the city of Ann Arbor.

Gentlemen: In compliance with your request for information as to the legal right of the Detroit, Jackson and Chicago Ry. Co. to carry freight over its lines in the City of Ann Arbor, I report as follows:

In 1888, the City of Ann Arbor gave the "Ann Arbor Street Railway Company," for a period of thirty years, a franchise, authorizing said Company to construct, own and maintain street passenger railways with single track, with all necessary tracks for turnouts, sidetracks, switches, and turntables, and to run cars thereon for the transportation of passengers and their baggage and packages, through, along and upon Main street, and all other streets east of Main street upon which cars are now operated.

The rate of fare for each passenger was not to exceed five cents the entire length of the whole line of road or any part thereof: Provided, No passenger should ride over the same track twice without paying an additional fare; and for the carriage of pack-

ages and baggage of passengers such additional sum could be charged as may be justly proportionate to the price allowed for carriage of passengers themselves, except that ordinary hand satchels and hand packages not exceeding twenty five pounds in weight should be carried for passengers free of charge.

In 1893, the city of Ann Arbor gave the "Ann Arbor Street Railway Company" a franchise permitting it to extend its railway system as it now exists around south of the Campus.

This action of the City in 1893, allowing the extension did not grant any greater power to the "Ann Arbor Street Railway Company," but simply permitted the railway company to use the additional streets in all things according to the provisions of and conditions contained in the "Ann Arbor Railway Company's" original franchise granted in 1888.

The above franchises cover all the streets upon which cars are operated except the line on West Huron Street.

Under the original franchise granted in 1888 as extended in 1893, there is no legal right or authority of the street railway company to carry freight over its lines in the city of Ann Arbor.

The only authority given to the Ann Arbor Railway Company was to carry packages and baggage of passengers. No authority was given to carry freight.

In 1900, the city of Ann Arbor granted a franchise to J. D. Hawks and S. E. Angus, giving them authority to construct, maintain operate a street railway for a period of thirty years on West Huron street from Main street to the city limits.

Under this franchise on West Huron Street the right, privilege, power and authority was given to carry passengers baggage, express, United States mail, and light and package freight.

The Detroit, Jackson & Chicago Ry. Co. has succeeded to all the rights and privileges granted to the "Ann Arbor Street Railway Company" and the so-called "Hawks & Angus" line on West Huron Street. The present Company can have no greater authority to carry freight than its predecessors had. So that at the present time, as far as the franchises are concerned, the Detroit, Jackson & Chicago Ry. Co. has no legal right to carry freight over its line on Main street or on any other street east of Main street. It has a legal right to carry packages and baggage for passengers.

As to West Huron street, the De-

troit, Jackson & Chicago Ry. Co. operating under the so-called "Hawks and Angus" line, has legal authority to carry baggage, express, United States mail, and light and package freight. This authority to carry freight is confined to West Huron street and does not extend to Main street and Packard street or to any of the streets east of Main street. Even on West Huron street there is no authority to carry heavy freight. However the railway company may carry heavy freight, such as rails, ties, stone, brick, iron, cement, gravel, etc., when it is to be used in repairing or improving any part of its line.

In 1897, the legislature of the State of Michigan amended the law under which street railway companies are formed, and this amendment gave to street railway companies the following powers:

Corporations organized under this act may do a suburban express business and may carry farm produce, garden truck, milk, merchandise and other light freight. Provided, That no cars for the conduct of any such business shall be operated on any street railway within the limits of any incorporated city or village in the daytime, between eight o'clock in the morning and eight o'clock in the evening, without the consent of the municipal authorities, and under such rules and regulations as they may prescribe.

I do not believe that the amendment of the state law in 1897, authorizing the carrying of freight, applies to the line on Main street or any street east of it as the franchise over those streets was granted by the city to the "Ann Arbor Street Railway Company" in 1888, nine years before the amendment to the state law was passed. Whether or not the amendment to the state law applies to West Huron Street makes little difference as the franchise gives just as much power to carry freight as the amendment of 1897.

Even if the state law as amended in 1897 be construed to apply and to allow the Detroit, Jackson & Chicago Ry. Co. to carry freight through our city, the transportation of freight could be done only in the night time, as the state law provides that "no cars shall be operated on any street railway within the limits of any incorporated city or village in the day time, between eight o'clock in the morning and eight o'clock in the evening, without the consent of the municipal authorities, and under such rules

and regulations as they may prescribe.

The city of Ann Arbor has not given the Detroit, Jackson & Chicago Ry. Co. permission to carry freight through its streets in the day time, except on West Huron street, and can stop such hauling at anytime the railway company assumes to exercise such right.

To prevent the carrying of freight through our city during the day time would be just as effective against the railway company as to prevent the carrying of freight altogether.

Respectfully submitted,
J. W. DWYER,
City Attorney.

Moved by Ald. Lutz, that the report be accepted and filed. Adopted.

Resolutions

Moved by Ald. Murray: That the matter of wood for Mrs. E. Lawson be referred to the Poor committee, with power to act.

Adopted as follows: Yeas, Ald. Pipp, Flynn, Sherk, Koernke, Manwaring, Sweet, Hochrein, Ramsay, Murray, Lutz, Schmid, Lindenschmitt, 12. Nays, none.

Moved by Ald Murray: That the proposition to accept deed to Woodlawn av. be referred to the Street committee. Adopted.

The council adjourned.
ROSS GRANGER, Clerk.