

Council Chamber, Ann Arbor, Mich.,  
Nov. 1, 1915. Regular session.

Meeting called to order by the president. Present: Ald. Heusel, Fiegel, Hanselmann, A. Lutz, Koernke, Heck, Markey, Manwaring, McGregor, Freeman, G. Lutz, Pres. Wurster, 12. Absent: Ald. Flynn, Sherk, Sink, 3. Minutes of previous meeting approved.

#### Communications.

Ann Arbor, Mich., Nov. 1, 1915.

To the Honorable Common Council: Gentlemen—The Ann Arbor Federation of Charities respectfully petition the Common Council to renew for another year the appropriation of \$200.00 for the support of their work among the city poor.

The Federation would like to call your attention to the fact that during the year (80) eighty families, which represent over 200 children, have been helped to live on minimum incomes without assistance from the City Poor fund. The source of income being entirely from voluntary contributors, and the demand on our treasury especially urgent, we herewith solicit this contribution.

Respectfully submitted, Mrs. Fremont P. Ward, Pres.; Mrs. Olga L. Critenden, Treas.; Fanny M. Groves, Cor. Sec'y.

Moved by Ald Manwaring, that request be granted, and clerk draw warrant for amount asked. Adopted by unanimous vote of those present, 12.

Ann Arbor, Mich., Nov. 1, 1915.

To the City Clerk: You are hereby notified that I will exercise option to rent so called Steere farm land from Mar. 1, 1916, to Mar. 1, 1917, as per term of lease between the City of Ann Arbor and C. E. Lewis.

Yours respectfully, C. E. Lewis.

Received and ordered on file.

#### From Board of Fire Commissioners.

Ann Arbor, Mich., Nov. 1st, 1915.

To the Honorable, the Common Council of the City of Ann Arbor: Gentlemen—We desire to call your attention to the various repairs and improvements, as per list herewith, which are very urgently needed at the two fire stations, and which are practically necessary in order to properly maintain the personnel and equipment of the Fire Department in first class shape.

However, we would recommend that, instead of repairing the fire station on East University avenue, this property be sold and a new site be

procured a little to the south and east of the present location.

As you are all aware, engine house No. 2 is located next to the Sixth ward school, and the lives of our little school children may at any time be placed in danger by the sudden respond to an alarm by this portion of the fire department. Besides, the city is growing rapidly in this section, and it would be more advantageous to have the station a little to the southeast.

If a suitable place could be secured and a modern building erected, we think it would be the most economical for the city in the long run.

Trusting you will give this matter your careful consideration, we are, Very respectfully, Board of Fire Commissioners, Sid W. Millard, Clarence J. Sweet, Julius F. Haarer.

#### Repairs to fire stations—

##### Station No. 1:

3 large doors  
1 smaller door  
250 gallon gasoline tank and pump  
Chimney to be repaired  
Heating plant

##### Station No. 2:

5 new windows  
Large opening bricked up  
1 new door  
Small opening bricked up  
1 cement floor  
Reinforcing second floor joist  
New beach floor  
New stairs  
Plastering 1st and 2nd floors  
2 new doors  
Filling in cement floors  
Furring side walls  
Base and shoe  
Repairing roof  
Retrimming old windows  
Woodwork painted inside  
Collar ties  
Heating plant

Ann Arbor, Mich., Nov. 1st, 1915.

To the Honorable, the Common Council of the City of Ann Arbor: Gentlemen—Inasmuch as the city will soon install some motor driven fire apparatus, we think it expedient to purchase and install a gasoline tank, with pump connection, as our gasoline could then be purchased in large quantities at a considerably lower price, and we would respectfully petition your Honorable Body to authorize the purchase of such equipment.

In order to give you an idea of the

cost of such a tank, with pump attachment, Fire Chief Andrews has procured figures from several manufacturers and dealers, as follows:

Wayne Oil Tank & Pump Co.—  
 280 gal. tank, 14 gage galvanized iron, meter, filter and ten feet of hose.....\$170.00  
 340 gal. tank, 3-16 in. steel, same equipment. Less \$20.00, if no meter.....\$178.00  
 S. F. Bowser & Co.—  
 300 gal. tank, 3-16 in. steel, filter, hose, no meter.....\$191.00  
 280 gal. tank, 14 gage galvanized iron, filter, hose, no meter .....\$164.00  
 Same equipment, with meter.189.00  
 American Oil & Tank Co.—  
 280 gal. tank, 12 gage galvanized iron, filter, meter, register, hose and nozzle, complete F. O. B. Ann Arbor.\$177.00  
 Local Representatives: Schumacher & Backhaus.

In our judgment, the offer of the American Oil Pump & Tank Co., through local agents, Schumacher & Backhaus, is the best proposition for the City and we would recommend same.

Respectfully, Board of Fire Commissioners, Sid W. Millard, Clarence J Sweet, Julius F. Haarer.

Communication calling attention to the repairs needed at the fire-stations, and gasoline pump necessary when motor equipment arrives.

Moved by Ald. G. Lutz, that communication be referred to the Fire committee. Adopted.

**Petitions.**

Of William Poulos, asking that money paid for street peddler license be returned to him, for the reason that the same became useless to him, as he is now engaged solely in running a restaurant, received.

Moved by Ald. Koernke, that the request be granted.

Motion lost by following vote:  
 Yeas, Ald. Heusel, A. Lutz, Koernke, 3.  
 Neys, Ald. Fiegel, Hanselmann, Heck, Markey, Manwaring, McGreggor, Freeman, G. Lutz, Pres. Wurster, 9.

Of J. Royal Sage, et al, asking that a Tungsten street light be placed on Sixth st., about midway between Washington and Liberty sts., received and referred to Lighting committee.

To the Council: Gentlemen—The undersigned property owners on Mil-

ler ave., between Gott and Seventh sts., respectfully petition your honorable body to cause Miller ave. to be graded and paved within the above named district. This petition is signed with the understanding that the city pay 20 per cent of the cost of such pavement.

Property owners:	No of Feet Owned:
Wm. Hatfield .....	55
Mrs. C. Haselschwerdt ...	72
Mrs. E. Hampel .....	99
Martin Adamscheck .....	66
Mrs. Allen Smith .....	74 1/4
Mrs. Allen Smith .....	114
Wm. R. Hodden .....	45
Otto Kruse .....	55
A. F. Schaefer .....	77

Total .....657 1/4  
 Necessary foot frontage 445.  
 O. K. Manley Osgood, City Engineer.

By Ald. Heck: Whereas, this common council has been applied to in writing by a majority of the owners of the lands, which are liable to be assessed for the payment of the construction of the same, praying for the grading and paving Miller avenue, from Gott street to Seventh street, within the corporate limits of the City of Ann Arbor, Michigan; and

Whereas, the grading and paving of that part of Miller avenue, within the limits aforesaid, is deemed and declared to be a necessary public improvement; therefore

Resolved, that it is hereby declared to be the purpose of the Common Council to cause Miller avenue, within the limits aforesaid, to be graded and paved, under the charter and ordinances of the City of Ann Arbor, and in pursuance of the prayer of said petitioners.

Resolved, further, that the cost and expense of the construction of such public improvement shall be charged, assessed and paid as follows: All street and public alley intersections, engineering expenses and twenty per cent of the remaining shall be paid by the city, and the remainder shall be assessed and paid by special assessment, levied and assessed according to benefits on and against all the lands, tenements and premises lying on or fronting Miller avenue within the limits aforesaid.

Resolved, further, that the said petition, along with this determination, be and the same is hereby referred to the Board of Public Works

with directions to report to the Council with all convenient dispatch suitable plans with specifications for the said proposed improvement, the kind and quality of material to be used therefor, together with an estimate of the probable cost and expenses of such public improvement.

Adopted by unanimous vote of those present, 12.

### Committee Reports.

#### FINANCE REPORT

##### Contingent Fund

Ross Granger, salary and clerk hire,	\$166.66
Geo. W. Sweet, salary and clerk hire	108.33
Herbert W. Crippen, salary	125.00
Manley Osgood, salary	150.00
Alfred J. Paul, salary	125.00
Frank B. DeVine, salary	83.33
W. C. Russell, salary	85.00
Julius Lohrke, salary	80.00
R. M. Caughey, salary	70.00
M. E. Easterly, salary	55.00
John A. Wessinger, salary	50.00
Fred Biggs, salary	50.00
Ura G. Rickert, salary	50.00
Geo. F. Muehlig, salary	25.00
M. C. Ryan, salary ½ month	30.00
Edward Besch, collecting garbage,	400.00

Total salaries and services.....\$1,653.32

##### Fire Fund

Chas. J. Andrews, salary	\$ 50.00
Eugene Williams, salary	38.50
Geo Hoelzle, salary	38.50
Ralph Edwards, salary	38.50
Henry McLaren, salary	36.50
Jacob Gwinner, salary	36.50
Arthur Clark, salary	35.00
Harley Wise, salary	35.00
Martin Noll, salary	35.00
Geo. Isbel, salary	35.00
Frank Markey, salary	35.00
Thomas Shamp, salary	35.00
Clyde Carpenter, salary	35.00
Harold Darling, salary	35.00
Herman Kruse, salary	35.00
Ed. Kleinschmidt, salary	35.00
Al McNamara, salary	30.00
Emil Damman, salary	30.00
Edward Kapp, salary	30.00
James Sumrer, salary	30.00
Nelson Hoppe, salary	30.00
Theodore Higgens, salary	30.00
Chas. Carroll, salary	23.00
Frank Kapp, salary	23.00

Total salaries for ½ month of October .....\$814.50

##### Police Fund

Frank Pardon, salary	\$ 41.66
Thomas O'Brien, salary	40.00
Wm. Blackburn, salary	35.00
Wm. J. Aprill, salary	35.00
Gustave Meyer, salary	35.00
Ruben Armbruster, salary	35.00
Ed. Blumhardt, salary	35.00
Frank Keihl, salary	35.00
Emanue. Sadt, salary	32.50
Earl Walker, salary	32.50
Marlend Howard, salary	32.50

Total salaries for ½ month of

October .....\$389.16

##### Poor Fund

J. H. Shadford, salary .....\$ 35.00

##### Cemetery Fund

Matthias Luippold, salary .....\$ 50.00

##### Park Fund

Ray E. Bassett, salary .....\$125.00

##### Water Works Fund

Geo. S. Vandawarker, salary .....\$150.00

R. Spokes, salary ..... 150.00

R. W. Pryer, salary ..... 30.00

A. W. Cochran, salary ..... 10.00

George Mann, salary ..... 20.00

John Lindenschmitt, salary ..... 20.00

Wirt Cornwell, salary ..... 20.00

Total salaries for month of

October .....\$400.00

##### Contingent Fund

##### Engineer Dept.

F. R. Finch, services .....\$ 21.20

H. A. Miles, services ..... 45.50

Tom. O'Neill, services ..... 27.00

Horace H. Person, services ..... 42.00

A. L. Sloman, services ..... 28.80

C. W. Smedberg, services ..... 21.00

F. E. Williams, services ..... 19.05

Engineer Dept. total .....\$204.55

Eastern Mich. Edison Co., city hall, clock .....\$ 36.53

Mich. State Tel. Co., tolls ..... 1.20

Wm. G. Doty, justice, jury and witness fees ..... 14.65

Frank B. DeVine, expenses paid... 11.66

Clayton R. Pollan, services..... 1.50

Geo. W. Sweet, attorney fees, sale of bonds ..... 125.00

Burroughs Adding Machine Co., attention machine ..... 3.00

Eugene Dietzgen Co., supplies.... .50

Doubleday-Hunt-Dolan Co., supplies ..... 22.40

Keuffel & Esser Co., supplies ..... 22.13

The United States Blue Print Paper Co., supplies ..... 1.46

The Ann Arbor Machine Co., supplies ..... 16.00

The Home Supply Store, supplies .. 1.20

Luick Bros. & Co., supplies ..... 22.75

The Mayer-Schairer Co., supplies.. 4.95

O. D. Morrill, supplies ..... .50

Chas. R. Rash, supplies ..... 2.25

W. H. L. Rohde, supplies ..... 31.62

Smith & Whelan, supplies ..... 1.00

The Athens Press, printing ..... 8.75

Sid. W. Millard, printing ..... 9.90

The Times News Co., printing.... 249.35

S. A. Elsifor gravel ..... 1.25

Thos. Hession, walks built by city, 133.20

Smith Tire Repair Co., repairs.... 15.10

Breitenwischer Auto Co., repairs... 4.05

H. J. Richards, labor..... 6.50

Manley Osgood, expenses paid .... 1.12

Ross Granger, expenses paid ..... .97

Total supplies, etc. ....\$750.49

Contingent fund total .....\$2,608.36

##### Fire Fund

Eastern Mich. Edison Co., light...\$ 5.57

White Swan Laundry Co., laundry, 7.17

T. F. Lane, services ..... 2.00

Benz Bros., supplies ..... 5.28

Dawson Bros., supplies ..... 2.50

Luick Bros. & Co., supplies ..... 9.87

Smith & Whelan, supplies ..... 10.10

Adolph Walters, hay ..... 45.11

C. W. Cornell, horseshoeing.....	6.00	Crane Co., supplies .....	78.59
A. C. Hetsler, horseshoeing.....	2.05	Hoover Steel Ball Co., supplies....	15.39
Seybold & Esslinger, horseshoeing,	8.60	Electro Bleaching Gas Co., supplies,	36.16
		Berkshire Mfg. Co., supplies .....	7.15
Total supplies, etc. ....	\$104.25	Ohio & Mich. Coal Co., supplies....	55.60
Fire fund total .....	\$918.75	Washtenaw Electric Shop, supplies,	2.70
		Schumacher & Backhaus, supplies..	1.65
<b>Police Fund</b>			
John Shankland, special .....	\$ 4.50	Jno. J. Sauer, supplies .....	79.10
Mich. State Tel. Co., P. B. X. and		Staebler & Co., supplies .....	3.06
tolls .....	9.90	Eastern Mich. Edison Co., lights...	121.46
The Western Union Tel. Co., tele-		S. A. Elsifor, services .....	20.70
gram .....	.51	C. E. Godfrey, cartage .....	17.92
Standard Oil Co., gasoline .....	25.30		
A. Clark, supplies .....	.60	Total supplies, etc. ....	\$467.37
Eberbach Pharmacy, supplies .....	2.80	Water Works fund total.....	\$1,510.93
Breitenwischer Auto Co., repairs..	.75		
City Taxicab Co., repairs .....	2.75	<b>Park Fund</b>	
Ann Arbor Garage, repairs .....	9.95	Mort Bowen, labor .....	\$ 4.45
		Wm. Edwards, labor .....	1.13
Total supplies, etc. ....	\$ 57.06	John Herrst, sand .....	1.25
Police fund total .....	\$446.22	Howard Bros., removing trees....	10.00
		J. W. O'Brien, labor .....	.90
<b>Poor Fund</b>			
Schultz Bros., supplies .....	\$ 4.00	W. J. Randel, labor .....	3.12
L. C. Helber, supplies .....	9.80		
Theurer & Walker, supplies .....	7.93	Total labor .. ..	\$ 20.85
Geo. W. Peavey, rent .....	8.00	Mich. State Tel. Co., tolls .....	.70
Anna Ladd, care of old lady .....	3.50	W. H. Butler, insurance .....	8.50
		Henry F. Michell Co., bulbs .....	30.09
Total supplies, etc. ....	\$ 33.23	Benz Bros., supplies .....	8.50
Poor fund total .....	\$ 68.23	Hutzel & Co., supplies .....	.64
		H. J. Richards, supplies .....	1.50
<b>Dog License Fund</b>			
Joe Clay, burials .....	\$ 3.50	W. H. L. Rohde, supplies .....	6.69
		Staebler & Co., supplies .....	2.11
<b>St. Lighting Fund</b>			
Eastern Mich. Edison Co., light,	\$1,482.17	Staebler & Sons, supplies, etc. ...	3.40
		Gus. J. Vogel, repairs .....	1.65
<b>Steeer Farm Fund</b>			
Eberbach Pharmacy, repairs.....	\$ .30	C. E. Godfrey, cartage .....	4.25
Washtenaw Electric Shop, labor &		The Times News Co., printing.....	1.80
supplies .....	.78		
Total .....	\$ 1.08	Total supplies, etc. ....	\$ 69.83
		Park fund total .....	\$215.68
<b>Building Sidewalk Fund</b>			
Thos. Heslion, sidewalks built....	\$ 48.90	<b>Street Fund</b>	
C. M. Thompson & Son, sidewalks		Douglas Bycraft, labor .....	\$ 27.00
built .....	97.83	Wm. Clark, labor .....	30.00
Total .....	\$146.73	R. A. Dodge, labor .....	13.35
		Fmanuel Holzappel, labor .....	24.75
<b>Water Works Fund</b>			
W. H. Willsher, services .....	\$ 37.50	K. N. Jenkins, labor .....	13.11
Joel West, services .....	37.50	Matt Koch, labor .....	24.00
Leslie Bush, services .....	37.50	Fred Kraus, labor .....	26.00
Robert Stoll, services .....	30.00	Geo. J. Mack, labor .....	24.00
Fred Schwikert, services .....	30.00	James Mason, labor .....	36.00
John Ford, services .....	30.00	A. H. Niles, labor .....	2.55
J. Schwikert, services .....	32.50	Aug. Redies, labor .....	13.11
Henry Linde, services .....	32.50	W. H. Romig, labor .....	24.00
John Wood, services .....	30.00	Geo. J. Schaible, labor .....	24
A. E. Hawkes, services .....	27.50	Eugene Schlanderer, labor .....	24.45
Cliff Shetterly, services .....	41.66	A. G. Schneeberger, labor .....	24.00
Louise Malloy, services .....	25.00	Adam Seyfried, labor .....	20.00
Raymond Spokes, services .....	10.00	C. F. Seymour, labor .....	29.25
		Jacob F. Staebler, labor .....	23.23
Total services for ½ month of		Fred Ulrich, labor .....	36.00
October .....	\$411.66	Martin Walsh, labor .....	27.00
F. Rhodenbecker, labor .....	\$ 25.00	Mike Weidman, labor .....	
J. Glazier, labor .....	26.40	John Wendland, labor .....	24.00
L. Hazelschwerdt, labor .....	27.50	Robert Barnard, team .....	17.10
E. Rhodenbecker, labor .....	24.75	Jacob Beck, team .....	13.50
H. Norgord, labor .....	15.75	Max Bethke, team .....	27.00
H. Koernke, labor .....	24.75	Rob. Biddle, team .....	31.80
C. Larmee, labor .....	20.50	J. B. Elfring, team .....	16.20
Geo. Mast, labor .....	20.50	Fd. Grams, team .....	9.00
A. Molkentine, labor .....	20.50	F. G. Hanselman, team .....	53.50
J. Nimz, labor .....	20.50	Wm. Henderson, team .....	54.00
Peter Carey, labor .....	5.75	John Herrst, Sr., team .....	6.00
		John Huber, team .....	9.00
Total labor .....	\$231.90	J. A. Kaapp, team .....	19.80
E. M. Wurster, supplies .....	\$ 27.89	Mrs. H. Marquardt, labor .....	9.00
		John McHugh, team .....	40.50
		John Miller, team .....	45.00

Robert Miller, team .....	42.00
Carl Rehberg, teams .....	121.50
Orin Schafer, team .....	22.50
Geo. Schaible, team .....	42.00
Walter Schneider, team .....	4.50
Mrs. Joe Schwab, team .....	9.00
W. H. Seeley, team .....	36.00
O. D. Taft, team .....	22.50
M. M. Wheelock, team .....	9.00
Claud Young, team .....	54.00

Total labor .....	\$1,218.30
H. J. Abbott, P. M., postage.....	\$ 10.68
Benz Bros., supplies .....	8.09
S. M. Braun, supplies .....	1.48
Luick Bros. & Co., supplies .....	11.70
W. H. L. Rohde, supplies .....	9.54
U. of M. Athletic Asso., gravel.....	35.00
Thos. Hession, curbing .....	6.40
M. G. Richmond, intersection walk,	3.00
C. M. Thompson & Son, extensions,	10.23
F. D. Levleit, intersection walk....	6.00
E. A. Wisdom, repairs .....	4.54
Seybold & Esslinger, supplies, etc.,	12.55
C. W. Cornell, horseshoeing .....	4.00

Total supplies, etc. ....	\$123.21
Street fund total .....	\$1,341.51

**Labor Acc. Paving Dist. No. 32**

Ann Arbor Railroad Co., freight...\$	27.19
Barnes & O'Neil, use of mixer, etc.,	142.05
Hertler Bros., supplies .....	1.30
Luick Bros. & Co., supplies.....	22.09
Ann Arbor Garage, labor .....	.75

Total .....	\$193.38
-------------	----------

**Labor Acc. Paving Dist. No. 35**

The Ann Arbor Machine Co., sup- plies .....	\$ 6.75
--	---------

**Sprinkling Districts**

John J. Gutekunst—	
Number 11 .....	\$112.40
Number 12 .....	64.80
Number 14 .....	54.40

Total .....	\$231.60
-------------	----------

**Recapitulation**

Contingent fund .....	\$2,698.36
Fire fund .....	918.75
Police fund .....	443.22
Poor fund .....	68.23
Cemetery fund .....	50.00
Dog License fund .....	3.50
Street Lighting fund .....	1,482.17
Steere Farm fund .....	1.08
Building Sidewalk fund .....	146.73
Water Works fund .....	1,510.93
Park fund ..	215.68
Street fund .....	1,341.51

Total City funds .....	\$8,793.16
------------------------	------------

Paving Districts—	
Labor Acc. No. 32 .....	\$ 193.38
Labor Acc. No. 35 .....	6.75

Total Paving funds .....	\$ 200.13
--------------------------	-----------

Sprinkling Districts—	
Number 11 ..	\$ 112.40
Number 12 ..	64.80
Number 14 ..	54.40

Total Sprinkling funds .....	\$ 231.60
Grand total .....	\$9,224.89

Ann Arbor, Mich., Nov. 1, 1915.

To the Finance committee of the Common Council: Gentlemen—I have exam-

ined the foregoing accounts against the city of Ann Arbor, and I hereby certify that they are correct to the best of my knowledge. ROSS GRANGER, City Clerk.

To the Honorable, the Common Council: Gentlemen—Your Finance committee has reviewed the foregoing report. Warrants for salaries were drawn Nov. 1, 1915. We recommend that same be approved; that warrants be ordered drawn for the foregoing accounts.

GEORGE LUTZ, Chairman Finance Committee.

Ald. G. Lutz moved the adoption of the report, which was adopted by unanimous vote of those present. 12.

**From Board of Public Works.**

Ann Arbor, Mich., Nov. 1, 1915.

To the Honorable Board of Public Works: Sirs—I present the following first estimate for furnishing labor and material for the construction of sanitary sewers on Seventh street, from Huron street to Miller avenue, and on Bath and Willow streets, west of Seventh street, and recommend payment of the amount now due to William Eddy & Son, the contractors. 800 lin. ft. 10" tile at 19c...\$152.00  
1200 lin. ft 8" tile at 14c.... 168.00  
24 lin. ft 10" C. I. pipe at \$1.20

.....	28.80
36 lin. ft. 8" pipe at 80c.....	28.80
5 manholes, 0-6 ft. deep, at \$25.00 .....	125.00

Excavation and backfilling:

350 cu. yds. 0-6 ft. deep at 57c .....	199.50
---	--------

Total .....	702.10
Less 10 per cent retained..	70.21

Amount now due contractors .....\$631.89  
Respectfully submitted, Manley Os-  
good, City Engineer.

Ann Arbor, Mich., Nov. 1, 1915.

To the Honorable Board of Public Works: Sirs—I present the following third estimate for furnishing labor and material for the construction of the reinforced concrete pavement on Geddes avenue, from Oxford Road to Oswego street, and recommend payment of the amount now due to Messrs. Barnes &amp; O'Neil, the contractors.

1800 ln. ft. concrete curb- ing at 28c .....	\$ 504.00
1400 cu. yds. excavation at 45c .....	630.00
3000 sq. yds. concrete pav- ing at \$1.14 .....	3420.00

Total .....	4554.00
Less 10 per cent .....	455.40

Balance ..... 4098.40  
 Less amount of previous estimates ..... 980.00

Amount now due contractor ..... \$3118.60  
 Respectfully submitted, Manley Os-  
 good, City Engineer.

Action of Board of Public Works  
 Nov. 1, 1915.

Moved by Mr. James, that estimates be approved and recommended to Council for payment. Adopted by Board.

(Council action.)

Moved by Ald. G. Lutz, that estimates for Wm. Eddy & Son and Barnes & O'Neil, as presented by Board of Public Works, be approved, and clerk draw warrants for same.

Adopted by unanimous vote of those present, 12.

Ald. G. Lutz presented the following opinion from the City Attorney on the matter of injuries received by Mr. J. B. Draper at corner of Jefferson and Thompson sts.

Ann Arbor, Mich., Oct. 27, 1915.

Hon. George Lutz, Chairman of the Finance Committee, City: Dear Sir—  
 Replying to your inquiry relative to the liability of the City of Ann Arbor for the injuries received by J. B. Draper, at the corner of Jefferson and Thompson streets, on the night of September 18th last, would reply as follows:

That as to the right of Mr. Draper to recover for said injuries, do not here attempt to give an opinion, as that must rest upon his actions at the time the accident occurred, that is whether or not he was guilty of contributory negligence or the contractor negligent. I merely attempt to inform you as to who should take care of this claim, in case Mr. Draper is entitled to recover. That is whether the damages caused by such injury should be borne by the city of Ann Arbor, or by the Good Roads Construction company, the contractor doing the work on the street at that time.

In the contract that exists between the Good Roads Construction company and the city of Ann Arbor is a clause that provides that the contractor will pay, indemnify and hold the city of Ann Arbor harmless for and against any damages, costs and expenses which the city of Ann Arbor may suffer or may come to it or rise out of any act done or omit-

ted to be done by the contractor. The bond which they have given to the city of Ann Arbor is not only intended to cover any failure to perform their contract, but is also intended to cover just such cases as Mr. Draper's, in case he should be entitled to damages for his injury. Of course the fact that we have taken a bond from the contractor would not prevent anyone from suing the city of Ann Arbor. However, any judgment that would be recovered against the city of Ann Arbor, arising out of any negligence, carelessness, or failure to do or perform any duty devolved upon the contractor, could be recovered by the city of Ann Arbor, under the bonds of the contractor. I therefore feel that in this matter, although the claim for the damages is very small, that the city of Ann Arbor should not pay the claim. It is not a question of the smallness of the amount, but it is the principle and the door that will be open to others to come in and claim damages in like cases later on, without leaving the city of Ann Arbor any right to recover against the contractor, because of the fact that the liability of the contractor for the injuries have not been proven.

Trusting that this is the information which you desire, I am,  
 Very truly yours, FRANK B. DEVINE, City Attorney.

Moved by Ald. G. Lutz, that the recommendation of the City Attorney be accepted and adopted, which was adopted by unanimous vote of those present, 12.

**Ordinance Committee.**

Ald. A. Lutz presented "An ordinance to amend 'An ordinance entitled, 'An ordinance relative to fire limits and fires''" which was given its first reading by title and referred to the ordinance committee by unanimous vote of those present, 12.

Ald. A. Lutz presented "An ordinance to amend an ordinance entitled, 'An ordinance to regulate and control the driving of automobiles, motor-vehicles and other vehicles within the City of Ann Arbor,'" which was given its third reading as follows:

An ordinance to Amend an Ordinance entitled, "An ordinance to regulate and control the Driving of Automobiles, Motor Vehicles and other Vehicles within the City of Ann Arbor." Passed August 21st, 1911. Approved August 23rd, 1911.

The Common Council of the City of Ann Arbor Ordain:

Sect. 1. That sections two and three of an Ordinance entitled, "An Ordinance to Regulate and Control the Driving of Automobiles, Motor Vehicles and other Vehicles Within the City of Ann Arbor," passed August 21st, 1911, approved August 23rd, 1911, be and the same is hereby amended to read as follows:

Sec. 2. The owner, operator, driver or person in charge of any cart, dray, wagon, hackney coach, omnibus, automobile, motor cycle, motor vehicle, carriage or other vehicle, except street cars, used, propelled or driven upon any street, alley or public place of the corporation shall conform to and observe the following rules of the road:

1. All vehicles shall be driven in a careful manner, and with due regard for the safety and convenience of other vehicles and of pedestrians.

2. Every vehicle shall keep on the right side of the road or street, except when necessary to turn to the left in crossing or in overtaking another vehicle.

3. Vehicles going in opposite directions shall pass each other on the right.

4. Every vehicle overtaking another vehicle shall keep to the left of the overtaken vehicle in passing.

5. Vehicles turning to the left into another street, shall pass to the right of and beyond the center of street intersection before turning, and in congested districts where traffic policeman are stationed at street intersections, an approaching automobile or vehicle must signal such officer and not enter such intersection until receiving proper signal from said officer.

6. No vehicle shall be driven through a procession, except with the permission of a police officer.

7. Every driver of a vehicle, when such vehicle is approaching a street car stopping for the purpose of taking on or discharging passengers, shall give some signal plainly visible or audible to such passenger, and shall keep such vehicle at least six feet from the running board or lower step of such car; and if, either by reason of the presence of vehicles at the place where such car is stopping, or by reason of the narrowness of the street, it is not possible to preserve such distance of six feet from such running board or lower step, the driver of said vehicle shall stop the same until such car shall have taken on or discharged its passengers and

again started. Provided that a portion of each street hereinafter named where street cars are required to stop to receive or discharge passengers described as a strip of the street six feet in width and lying outside and adjacent to and parallel with the outer car rail and running from the hither lot line sixty feet from the street intersection shall be deemed a safety zone, and it shall be a violation of the provisions of this ordinance to drive into said safety zones while persons are waiting for passage on any street car or alighting therefrom. The above mentioned safety zones shall be established at the following places: At the corner of Main and Huron streets, corner of Main and Washington streets, corner of Liberty and Main streets, corner of Main and Williams streets, and at the corner of Williams and State streets and such other places as the Common Council may from time to time by resolution designate.

8. No vehicle shall stand or stop within any street intersection so as to obstruct the free passage of vehicles and pedestrians.

9. No vehicle shall stop at any cross walk or sidewalk in such manner as to obstruct the free passage of pedestrians on such crosswalk or sidewalk, or for a longer period than is necessary to permit persons to alight from or to enter said vehicle.

10. No vehicle shall stop on any street, except within two feet of the curb, or in any such way as to obstruct free passage on the street, provided that this rule shall not apply when a driver of a vehicle is compelled to stop by reason of rule 7 of this section.

11. No vehicle shall cross any thoroughfare or make any turn thereon at a greater speed than one-half the legal speed limit upon such thoroughfare.

12. Automobiles crossing any thoroughfare shall signal approaching vehicles and the vehicle nearest the approaching street intersection shall have the right of way wherever a traffic officer is not stationed; otherwise rule 5 must be strictly observed.

13. Vehicles moving slowly shall keep as near as may be convenient to the curb on the right allowing more swiftly moving vehicles free passage on their left.

14. Drivers of motor vehicles before turning, stopping or changing their course, shall make sure that such movement can be made with safety.

15. Vehicles crossing from one side of the street to the other in the congested district, shall do so by turning to the left so as to head in the same direction as the traffic on that side of the street toward which the crossing is made.

16. No vehicle shall stop in the congested district with its left side to the curb, and no automobile shall stop anywhere in the city with its left side to the curb.

17. No vehicle shall remain backed up to the curb in the congested district unless it is actually loading or unloading, and in such case no longer than the actual loading or unloading requires.

18. All automobiles shall carry the proper number of lamps, and shall during the period from one hour after sunset to one hour before sunrise display the number and kinds of lights required by state law. Automobile drivers may aid themselves in this rule by observing the general rule of lighting street lamps.

19. Automobiles leaving any public garage or alley, must stop before crossing the sidewalk line, and give proper signal, and the utmost care shall be used in entering same. Signals in such cases may be used freely.

20. The horse or horses attached to a vehicle backed up to the curb in the congested district shall be turned at right angles to the vehicle, and in the direction in which the traffic upon that side of the street is moving.

21. No person while under the influence of liquor shall drive any kind of a vehicle upon the streets, highways or public places of the city.

22. The Chief of Police may from time to time prohibit the parking of motor vehicles or other vehicles in any district where such parking will interfere with traffic.

Sec. 3. Lights on automobiles or motor vehicles being operated or standing upon said streets must be kept burning in front and rear during the time the city lights on the streets are lighted, and each of such automobile or motor vehicles shall carry the state license exposed in front and rear, as required by the state law. Provided that every motor vehicle equipped with and using electric light or lights upon any of the public streets of this city shall be provided and equipped with some practical and efficient device or devices whereby the forward light or lights of such vehicle shall be dim-

med or lessened to such an extent that such electric light or lights or the reflection therefrom through such forward light or lights will not interfere with the sight of nor temporarily blind the vision of any pedestrian or the driver of any approaching vehicle, and it shall be the duty of each and every driver or chauffeur of such motor vehicle or other vehicle equipped with and using electric light or lights of the vehicle being driven by him and cause such light or lights to be dimmed and lessened so as not to interfere with the sight or temporarily blind the vision of any pedestrian or the driver of any approaching vehicle.

Sec. 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 3. This ordinance shall take effect and be in force from and after ten days from legal publication.

The Chair put the question, "Shall this ordinance pass?"

Moved by Ald. Freeman, that the ordinance be published and made a special order of business at the next meeting of Council. Adopted by unanimous vote of those present, 12.

Ald. A. Lutz presented "An ordinance to amend an ordinance entitled, 'An ordinance relative to porters, runners, and drivers and to regulate hacks and drays,'" which was given its third reading, as follows:

An Ordinance to Amend an Ordinance entitled, "An Ordinance Relative to Porters, Runners and Drivers and to Regulate Hacks and Drays," passed March 16th, 1896; approved March 17th, 1896; amended August 20th, 1900.

The Common Council of the City of Ann Arbor Ordain:

Section 1. That section two of an ordinance entitled "An Ordinance Relative to Porters, Runners and Drays;" Passed March 16th, 1896; Drays; Passed March 16th, 1896; approved March 17th, 1896, be and the same is hereby amended to read as follows:

Section 2. Every person licensed to use any cart, truck, wagon, or other vehicle for the transportation of any property, for hire, within the limits of the City of Ann Arbor, shall be allowed to charge the following rates of prices for such transportation, and no more:

For the moving and carting of furniture, for a truck, dray or other vehicle, team and two men, one dol-



lar and twenty-five cents per hour, the time to be computed from the time the dray or truck leaves the office or warehouse until its return and forty cents per hour for each extra man demanded; ninety cents per hour for dray or truck, team and one man; for moving of upright piano, first floor to first floor, in load, one dollar each; for moving of upright piano, first floor to first floor, not in load, two dollars.

The following charges may be made for general draying: For a truck or dray, team and two men, one dollar per hour; thirty cents per hour for each extra man required; seventy-five cents per hour for dray or truck, team and one man.

The following charges may be made for general team work: Sixty cents per hour for wagon, team and one man; thirty cents per hour for each extra man.

The charges for any of the above work done with a dray or truck drawn with one horse shall be three-fourths of the amount charged for a dray or truck drawn by two horses.

The charges for motor vehicles shall be the same as for two horse drawn vehicles.

The charge for conveying any single box or trunk, except fragile articles, not exceeding in weight one hundred fifty pounds, 1st floor to 1st floor to any part of the city shall be twenty-five cents.

And no greater sum shall be demanded and received, unless by previous agreement by the parties interested, but not to make an unreasonable or exorbitant charge for moving any such property or thing.

Every person driving, or having in charge, any dray, cart, or other vehicle for the transportation of property for hire, shall keep and immediately produce, upon request, a correct copy of this section of this ordinance, to be furnished, upon application, by the City Clerk.

Any person who shall make and collect any overcharge on the above rates shall forfeit and pay a fine of not to exceed five dollars and costs of prosecution for a first offense, and not exceeding twenty-five dollars and costs of prosecution for a second offense, and in default of payment of any such fine the offender may be confined in the Washtenaw County jail for a period not to exceed ninety days.

Section 2. All ordinances and parts of ordinances heretofore passed by the City of Ann Arbor in conflict with this amendment or any provision of the same are hereby repealed.

This ordinance shall take effect and be in force on and after ten days from legal publication.

The Chair put the question, "Shall this ordinance pass?"

Moved by Ald. McGregor, that it be laid over until next meeting of Council. Adopted.

Ald. A. Lutz presented an ordinance entitled, "An ordinance to regulate the selling of any newspapers, article or thing or the soliciting of subscriptions therefor, the proceeds of which are to be used for any so called charitable purpose, and to prevent the practice of fraud in connection therewith," which was given its third reading as follows:

An Ordinance to Regulate the Selling of Any Newspapers, Article or Thing or the Soliciting of Subscriptions Therefor, the Proceeds of which are to be used for any So-called Charitable Purposes, and to Prevent the Practice of Fraud in Connection Therewith.

The Common Council of the City of Ann Arbor Ordain:

Sec. 1.—No person, corporation or society of any kind, nature or description, either charitable or fraternal, their agents, representatives or employes, shall sell any newspapers, articles or things, or solicit funds or secure subscriptions for the purpose thereof, the proceeds of which are to be used for any so-called charitable purpose, within the limits of the city of Ann Arbor, without first having secured from the mayor a permit in writing so to do.

Sec. 2.—No persons, society or corporation, their agents, representatives or employes shall falsely or by misrepresentation of any kind sell any newspaper, article or thing or secure subscriptions therefor, claiming the proceeds of which sale or subscription are to be used for any so-called charitable purpose.

Sec. 3.—Before the mayor shall issue any permit for any of the purposes aforesaid, the person, corporation or society, fraternal or otherwise, shall file with the mayor a written application at least ten days before the issuance of such permit. Such application shall state the name or names of the persons desiring to en-

gage in such practice, the articles intended to be sold or subscribed, the purpose for which the same is to be done and the date or dates of permission. Such application must have the signature of at least six reputable citizens of the city recommending the person, society or corporation to whom the permit is to be given and the purpose for which the sale or subscriptions are to be used.

Sec. 4.—It shall be the duty of the mayor to direct the city attorney to make an investigation of the matter of issuing such permit, and said city attorney shall file with the mayor a written report of the result of his investigations before such permit shall be issued.

Sec. 5.—Application blanks for such permits shall be prepared by the city clerk and furnished free to the applicants. There shall be no fee charged for the issuance or granting of such permit.

Sec. 6.—Whenever it is deemed advisable by the mayor to issue a permit to any corporation or society as aforesaid, the mayor is hereby authorized to issue as many permits as he may deem necessary to any such corporation or society, as aforesaid, securing such permit. The names of the persons entitled to engage in such practice shall be left in blank to be filled in by the officers of any such corporation or society.

Sec. 7.—Whenever any persons, society or organization, their agents or representatives are engaged in the soliciting of any money, or subscriptions of any kind for any charitable purpose, either upon streets or from house to house, it shall be their duty to have with them the permit authorizing them to do the same and shall upon demand from any police officer or citizen exhibit the same.

Sec. 8.—Any persons, corporation or society, their officers, agents or representatives violating the provisions of this ordinance or failing to comply therewith shall upon conviction thereof be punished by a fine not to exceed the sum of one hundred dollars and the costs of prosecution and in the imposition of any such the court may make a further sentence that the offender be committed to the Washtenaw county jail until the payment thereof: provided, however, that the term of such imprisonment shall not exceed ninety days. It is hereby provided that the mayor may in his discretion revoke the

permit of any such person, society or corporation as in his opinion fails to comply with the provisions of this ordinance.

Sec. 9.—This ordinance shall take effect and be in force from and after ten days from legal publication.

The Chair put the question, "Shall this ordinance pass?"

Passed by following vote: Yeas—Ald. Heusel, Fiegel, Hanselman, A. Lutz, Koernke, Heck, Markey, Manwaring, McGregor, Freeman, G. Lutz, Pres. Wurster—12. Nays—none.

#### Street Committee

To the Honorable, the Common Council: Gentlemen—We, your Street committee, have had under consideration the request for the opening of Edwin st., from the west end of the street as it is now laid out west to Phillips st. We feel that it is a public necessity to have this street opened. And as it will be necessary to condemn certain lands in order to have a street opened, we would therefore recommend that the City Attorney be authorized to prepare the necessary resolutions and papers to start condemnation proceedings to condemn property for the above street, and present such resolutions as will be necessary at the next meeting of the Common Council.

Respectfully submitted, Albert Fiegel, E. B. Manwaring, J. W. Markey, F. E. Heck, John McGregor, Albert S. Lutz, Street Committee.  
Ald. Fiegel moved the adoption of the report, which was adopted by unanimous vote of those present, 12.

#### Railway Committee

To the Honorable, the Common Council, Gentlemen—We, your Railway committee, have had under consideration the petition of Arthur Brown, et al, relative to the noise created by the turning of the cars on the city lines at the corner of East University ave. and Monroe st., and at the corner of Hill and East University ave., and have given same our careful attention. We have investigated the matter and find that about the only thing that will do away with the uncalled for noise would be to lengthen out the curve at these points. This is what the railway people desired to do when they constructed the lines, but owing to the opposition to the long curves, they were compelled to put in short curves. This opposition was due to the fact that the long curves would

bring the railway closer to the curb and would thereby endanger the street traffic when cars were making the turn. We therefore feel that we would have considerable trouble in making the Railway company lengthen out these curves at this time.

We believe that if the curves are kept well greased that it would to a considerable extent do away with much of the noise. The past season being such a wet one it was almost impossible to get grease to stick on these curves. We would therefore recommend that the City Clerk be instructed to call the attention of the railway officials to this complaint and ask them to keep these curves well greased.

Respectfully submitted, E. B. Manwaring, C. C. Freeman, Railway committee.

Ald. Manwaring moved the adoption of the report, which was adopted by unanimous vote of those present, 12.

#### Police Committee

To the Council: Gentlemen—Your Police committee have had the matter of police car under consideration, and recommend that the city discontinue the use of present car, and hire the Marshal's car at one dollar per day until there is a new car provided for the police department, the city to furnish gasoline and Mr. Pardon to keep car in repair.

Respectfully submitted, Julius H. Koernke, J. W. Markey, Albert S. Lutz, Police Committee.

Ald. A. Lutz moved the adoption

of the report, which was adopted by unanimous vote of those present, 12.

#### Lighting Committee

To the Honorable, the Common Council: Gentlemen—Your Lighting committee has considered the petitions referred to us and respectfully recommend:

That Tungsten lights be placed as follows: On northwest corner of Sybil and Benjamin streets on the northwest corner of Sybil and Edwin streets; on the north side of East University ave. at intersection of Michigan ave.; on southeast corner of Lincoln and Brown sts.; on the northwest corner of Brown and Phillip sts.; on east side of Detroit st. between Division and Kingsley sts.; on east side of Pontiac st. at intersection of Apple st.; on east side of Pontiac st. at intersection of Plum st.

That Tungsten lights be discontinued and arc lights substituted as follows: On corner of Washington and First sts. and on Main st. between Jefferson and Madison sts., at about same location of present light but in center of street.

That Tungsten light now on Wells st. near Michigan ave. be moved to the corner of said street.

Respectfully submitted, John McGregor, Albert Fiegel, Geo. Lutz, Lighting Committee.

Ald. McGregor moved the adoption of the report, which was adopted by unanimous vote of those present, 12.

#### Officers' Reports

##### City Engineer's Report

Ann Arbor, Michigan, Oct. 11, 1915.

To the Board of Public Works, Ann Arbor, Michigan: Sirs—I present herewith the following report of expenditures for work done under my direction during the month of September, 1915:

Employe	Amount	Chargeable to	Amount
Engineering and Clerical—		General work of department.....	\$ 74.26
Manley Osgood .....	\$150.00	Office records .....	31.10
W. C. Russell .....	86.33	Sidewalk, curbs and street grades,	118.67
A. L. Sloman .....	85.00	Sickness and vacations .....	20.75
F. E. Williams .....	79.50	Glen ave. storm end sanitary sewer,	36.44
H. H. Person .....	68.70	Edwin and McKinley storm sewer,	20.04
C. J. Rash .....	60.90	Hamilton, Rose and Sheehan sani-	
A. H. Niles .....	58.00	tary sewer .....	21.37
Division and Jefferson st. pavement—		Seventh st. sanitary sewer .....	9.37
F. R. Finch .....	104.00	Roosevelt ave. sanitary sewer.....	4.14
H. A. Miles .....	98.00	Moseley st. sanitary sewer .....	4.88
		West st. sanitary sewer .....	4.14
		Roadway bridge repairs .....	8.34
		Geddes ave. storm sewer .....	5.51
		Stere farm maintenance .....	6.15
		Care of storm water .....	4.31
		Automobile repairs .....	2.40
		Total .....	\$371.87

<table border="0"> <tr> <td>Total .....</td> <td style="text-align: right;">\$790.43</td> </tr> <tr> <td>Julius Loehrke .....</td> <td style="text-align: right;">\$ 80.00</td> </tr> <tr> <td>St. Com. roll, 9-15 .....</td> <td style="text-align: right;">25.50</td> </tr> <tr> <td>St. Com. roll, 9-29 .....</td> <td style="text-align: right;">26.00</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Total .....</td> <td style="text-align: right;">\$131.50</td> </tr> <tr> <td colspan="2">*Recharged to the Good Roads Construction Co.</td> </tr> <tr> <td>Total expenditures .....</td> <td style="text-align: right;">\$921.93</td> </tr> </table>	Total .....	\$790.43	Julius Loehrke .....	\$ 80.00	St. Com. roll, 9-15 .....	25.50	St. Com. roll, 9-29 .....	26.00			Total .....	\$131.50	*Recharged to the Good Roads Construction Co.		Total expenditures .....	\$921.93	<table border="0"> <tr> <td>Division st. pavement .....</td> <td style="text-align: right;">\$194.10</td> </tr> <tr> <td>Jefferson st. pavement .....</td> <td style="text-align: right;">115.21</td> </tr> <tr> <td>Geddes ave. pavement .....</td> <td style="text-align: right;">48.75</td> </tr> <tr> <td>Ann st. pavement .....</td> <td style="text-align: right;">34.82</td> </tr> <tr> <td>Miller ave. pavement .....</td> <td style="text-align: right;">25.68</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Total .....</td> <td style="text-align: right;">\$418.56</td> </tr> <tr> <td>Grand total .....</td> <td style="text-align: right;">\$790.43</td> </tr> <tr> <td>Care of storm water .....</td> <td style="text-align: right;">\$ 13.96</td> </tr> <tr> <td>Storm sewer maintenance .....</td> <td style="text-align: right;">1.05</td> </tr> <tr> <td>Sanitary sewer maintenance .....</td> <td style="text-align: right;">13.64</td> </tr> <tr> <td>Geddes ave. storm sewer .....</td> <td style="text-align: right;">19.68</td> </tr> <tr> <td>Street grades .....</td> <td style="text-align: right;">4.18</td> </tr> <tr> <td>Tapping sanitary sewers .....</td> <td style="text-align: right;">2.08</td> </tr> <tr> <td>Automobile .....</td> <td style="text-align: right;">1.99</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Total .....</td> <td style="text-align: right;">\$ 56.58</td> </tr> <tr> <td>*Division st. pavement .....</td> <td style="text-align: right;">\$ 71.09</td> </tr> <tr> <td>*Jefferson st. pavement .....</td> <td style="text-align: right;">3.83</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Total .....</td> <td style="text-align: right;">\$ 74.92</td> </tr> <tr> <td>Grand total .....</td> <td style="text-align: right;">\$131.50</td> </tr> <tr> <td colspan="2">struction Co.</td> </tr> </table>	Division st. pavement .....	\$194.10	Jefferson st. pavement .....	115.21	Geddes ave. pavement .....	48.75	Ann st. pavement .....	34.82	Miller ave. pavement .....	25.68			Total .....	\$418.56	Grand total .....	\$790.43	Care of storm water .....	\$ 13.96	Storm sewer maintenance .....	1.05	Sanitary sewer maintenance .....	13.64	Geddes ave. storm sewer .....	19.68	Street grades .....	4.18	Tapping sanitary sewers .....	2.08	Automobile .....	1.99			Total .....	\$ 56.58	*Division st. pavement .....	\$ 71.09	*Jefferson st. pavement .....	3.83			Total .....	\$ 74.92	Grand total .....	\$131.50	struction Co.	
Total .....	\$790.43																																																														
Julius Loehrke .....	\$ 80.00																																																														
St. Com. roll, 9-15 .....	25.50																																																														
St. Com. roll, 9-29 .....	26.00																																																														
Total .....	\$131.50																																																														
*Recharged to the Good Roads Construction Co.																																																															
Total expenditures .....	\$921.93																																																														
Division st. pavement .....	\$194.10																																																														
Jefferson st. pavement .....	115.21																																																														
Geddes ave. pavement .....	48.75																																																														
Ann st. pavement .....	34.82																																																														
Miller ave. pavement .....	25.68																																																														
Total .....	\$418.56																																																														
Grand total .....	\$790.43																																																														
Care of storm water .....	\$ 13.96																																																														
Storm sewer maintenance .....	1.05																																																														
Sanitary sewer maintenance .....	13.64																																																														
Geddes ave. storm sewer .....	19.68																																																														
Street grades .....	4.18																																																														
Tapping sanitary sewers .....	2.08																																																														
Automobile .....	1.99																																																														
Total .....	\$ 56.58																																																														
*Division st. pavement .....	\$ 71.09																																																														
*Jefferson st. pavement .....	3.83																																																														
Total .....	\$ 74.92																																																														
Grand total .....	\$131.50																																																														
struction Co.																																																															

Respectfully submitted, MANLEY OSGOOD, City Engineer.

Ann Arbor, Mich., Nov. 1st, 1915.

To the Honorable the Common Council: Gentlemen—In the matter of closing Edwards street, which matter was referred to me by your honorable body under date of September 20th, 1915, beg leave to report as follows:

That section 127 of the Charter of the City of Ann Arbor provides that whenever the Common Council shall be applied to in writing, by ten or more freeholders of said city, to discontinue any street, said Common Council, if they determine the proposed improvement advisable, shall give notice of the pendency of the question of making such proposed improvement to the owner, occupant, or person interested, or his, her or their agent, or representative, by personal service, if they reside within the city, then said service shall be made by posting notices in five or more public places in the city, which notices shall set a time and place when and where the Common Council will meet to consider the same, and shall designate to a common certainty the street to be discontinued, or vacated, which notices shall be posted at least ten days before the time of the meeting. If, after hearing persons interested, the Common Council shall determine to discontinue any such streets, they shall proceed to obtain a release of the right-of-way for such proposed improvement, by gift or compromise.

It will be seen from this provision that the first requisite for closing the street is a petition to your honorable

body, signed by ten or more free holders of the city of Ann Arbor, requesting that such action be taken by your honorable body. It can also be readily seen from the section of the Charter above referred to, that the abutting property owner is entitled to damages for the closing of a street, damages being allowed because access to his property is impaired. However, I believe that in the case of Edwards street, that no special damages would arise to any of the abutting property owners, as this streets has never been used as a street, or been in a condition fit for public travel. If the abutting property owner is entitled to any damages in the case under consideration, it would seem that nominal damages would be the most that could be recovered.

Respectfully submitted, Frank B. De Vine, City Attorney.

Ann Arbor, Mich., Nov. 1st, 1915.

To the Honorable the Common Council: Gentlemen—On last Wednesday the case of Frederick Osborn and others vs. the City of Ann Arbor was argued in the supreme court. After the argument was concluded on the part of the counsel for the defendant the chief justice informed the counsel for the complainants that they did not care to hear from them on the matter. He later stated that they had decided not to pass upon the relative question involved, until the case was brought before them, with all the facts, that is after the evidence was taken before Judge Kinne in the local circuit, giving as his reason that the question was of too large importance

and its results would be too far reaching to have the matter decided without all the facts being before the court. This is a result which we have felt all along might arise on submitting this in the supreme court upon demur, and for that reason an answer was interposed to the case of Gustave A. Schenk against the city of Ann Arbor, which case is now on the October docket of the circuit court, and will be reached for trial some time during the latter part of the month of November. In the event that the injunction issued in that case is made permanent, the matter will then be brought before the supreme court for a final decision upon the question involved.

I do not feel that the action of the supreme court on the appeal on the demur is an indication of what the final outcome will be, as the remarks of the chief justice would indicate, as well as the remarks of the associate justices, some of which were made at the outset of the argument, that they had considered the matter and felt that in the appeal on the demur they would not be compelled to pass upon the relative rights in the waters in the Steere farm lands and the lands in that vicinity.

I make this report to you, so that you may be informed as to the status of the case, and that you may not become unduly alarmed because of any interviews which you may have read which have from time to time been printed in the papers. I feel that this body should be kept informed as to the status of those cases, and it is my desire to give you first-hand information relative to same.

I would also report that in the case of Emmanuel L. Schneider vs. the City

of Ann Arbor, that this case went over to the December term of the circuit court on the request of Mr. Arthur Brown, the attorney for Mr. Schneider. This request was consented to by me because of the fact that Mr. Schneider at the present time is doing some contract work outside of the city which made it impossible for him to be here at this time.

Respectfully submitted, Frank B. De Vine, City Attorney.

Report of Justice Thomas for quarter ending Sept. 30, 1915; City Marshal's report for month of October; City Engineer's report for month of September; and City Attorney's report in matter of Edward st. received and ordered to take usual course, Marshal's and Justice's reports to be filed and Engineer's and Attorney's reports to be printed with proceedings.

#### Resolutions

By Ald. Hanselmann: Resolved, that sidewalk extension and crosswalk be built across Jackson ave. at Allmand property and Grand View road. Adopted by unanimous vote of those present, 12.

By Ald. Heck: Resolved, that Tungsten light on N. Fourth ave. between Kingsley and Catherine sts. be moved south to intersection of Braun Court, also that Tungsten light in alley nearest to Catherine st. be moved to intersection of Braun court.

Adopted as follows: Yeas, Ald. Heusel, Fiegel, Hanselman, A. Lutz, Koernke, Heck, Manwaring, McGregor, G. Lutz, Freeman, Pres. Wurster, 11. Nays, Ald. Markey, 1.

The Council adjourned.

ROSS GRANGER, Clerk.