

I have referred same to Corporation Counsel.

Very Respectfully,
JOHN A. SCHMID,
City Clerk.

Accepted and placed on file.

Ordinance.

Consent being granted the following was presented:

By Ald. Beamer:

An ordinance to amend section 1 of Chapter 127 of the Revised Ordinances of 1895.

Referred to Committee on Ordinances.

REPORTS OF COMMITTEES.

Ways and Means.

To the Honorable the Common Council:

Gentlemen—Your Committee on Ways and Means, to whom was referred the reports of the various city offices for the week ending Oct. 11, 1902, respectfully report that with the Chief Accountant we have examined the same, and believing them to be correct, recommend their approval.

Respectfully submitted,

RICHARD P. JOY.
OTTO REINHARDT.
H. F. LIPHARDT,
WM. HILLGER.
WM. C. HOUGHTON.

Accepted and adopted as follows:
Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Houghton, Jerome, Joy, Koch, Lemke, Liphardt, McGuire, Magee, Marx, Moeller, Mohn, Reinhardt, Rutter, Smith Tossy, Weber, Weibel, Weiler and the President Pro Tem.—28.

Nays—None.

FROM THE SAME.

To the Honorable the Common Council:

Gentlemen — Your Committee on Ways and Means, to whom was referred the communication from the Commissioner of Public Works, re matter of repairing the Twelfth and Howard street bridges over the M. C. Railroad tracks, beg leave to state that we had the matter under consideration and upon examination find that a contract was entered into by the Department of Public Works with Thomas J. Kennedy for the repairing of the aforesaid bridges, which was confirmed by this body at a session held on Aug. 26 last, but that the Commissioner notified the contractor, although the contracts have been confirmed, that work must not be commenced until notified by said Department; that we find according to a communication submitted to this body under date of Aug. 26 that there is only \$1,516 to the credit of the item "Repairs to Docks and Bridges" of the General Road fund, and the contracts for the repair of said bridges amount to \$2,812, which leaves a deficit to pay for the expense of repairing these bridges of \$1,296, and inasmuch as both of the aforesaid bridges are badly in need of repairs, we recommend that the last mentioned amount, viz., \$1,296, be paid out of the Contingent fund, and we therefore offer the following resolution.

Respectfully submitted,

RICHARD P. JOY,
OTTO REINHARDT,
H. F. LIPHARDT,
WM. HILLGER,
WM. C. HOUGHTON.

Accepted and on leave the following resolution was offered:

By Ald. Joy:

Resolved, That the City Controller be and he is hereby authorized and directed to pay such bills as may be presented by the Department of Public Works for repairs to the Twelfth and Howard street bridges over the M. C. tracks, provided, however, that the aggregate of such bills is not to exceed the sum of \$1,296, to be taken out of the Contingent fund, whenever the appropriation amounting to \$1,516 now to the credit of the General Road fund, is exhausted.

Adopted as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Houghton, Jerome, Joy, Koch, Lemke, Liphardt, McGuire, Magee, Marx, Moeller, Mohn, Reinhardt, Rutter, Smith, Tossy, Weber, Weibel, Weiler, and the President Pro Tem.—28.

Nays—None.

FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Ways and Means, to whom was referred the petition of Martin Malow, for acceptance of deed of land to be used for alley purposes, beg leave to report that we have carefully considered the same and upon examination find that said deed is certified to by the Corporation Counsel as being correct in form and execution, and title satisfactory, and by the City Engineer as being correct in description, and being so certified to, your committee recommend that said deed be accepted and approved, and the City Controller instructed to cause the same to be recorded, and we therefore offer the following resolution.

Respectfully submitted,

RICHARD P. JOY.
OTTO REINHARDT.
H. F. LIPHARDT.
WM. HILLGER.
WM. C. HOUGHTON.

Accepted and on leave the following resolution was offered:

By Ald. Joy:

Resolved, That the quit-claim deed of Martin Malow et al. to the City of Detroit, of all that certain piece or parcel of land situate in the City of Detroit, more particularly known and described as follows: All that part of outlot 30, Meldrum farm, described as beginning at the stake on the northerly line of said outlot 30, distant north sixty-five degrees, thirteen minutes (65 degrees, 13 minutes) east one hundred and ten and three-hundredths feet, from the easterly line of Mt. Elliott avenue, thence south twenty-six degrees (26 degrees) east, parallel to Mt. Elliott avenue, one hundred eighty-two and forty-eight-hundredths (182.48) feet to the northerly line of Garfield avenue as extended; thence north sixty-four degrees (64 degrees) east, eighteen feet to a stake, thence north twenty-six degrees (26 degrees) west, one hundred eighty-two and six-hundredths (182.06) feet to a stake, on the northerly line of said outlot 30, thence along the northerly

line of said outlet 30, south sixty-four degrees and thirteen minutes (64 degree, 13 minutes) west eighteen feet, to the point of beginning, be and the same is hereby accepted and the City Controller be and he is hereby authorized and instructed to cause the same to be recorded in the office of the Register of Deeds for the County of Wayne, Michigan.

Adopted as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Houghton, Jerome, Joy, Koch, Lemke, Liphardt, McGuire, Magee, Marx, Moeller, Mohn, Reinhardt, Rutter, Smith, Tossy, Weber, Weibel, Weiler, and the President Pro Tem—28.

Nays—None.

FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Ways and Means, to whom was referred the communication from the Commissioner of Public Works, also communication from the Controller, relative to an indebtedness incurred by the City for inspection, etc., against the People's Telephone Co., amounting to \$1,529, beg leave to report that we have given the matter our careful consideration and by him are informed that the certified check of \$5,000 was deposited by the People's Telephone Co. pursuant to the provisions of section 10 of the ordinance approved Jan. 2, 1901, as a guarantee for the construction of the telephone plant, and to be forfeited to the city "unless grantee or its assigns should procure 2,500 bona fide subscribers within four months from the acceptance thereof, and also that the plant should be in operation within fifteen (15) months from the date of the acceptance of said ordinance;" that by the ordinance approved Dec. 3, 1901, the time in which said plant should be in operation was extended 15 months from July 1, 1901, which time expired Oct. 1, 1902, after which period the Common Council, if it sees fit, may declare a forfeiture of the certified check referred to, but that the forfeiture of the check would not pay the indebtedness of the telephone company to the city through its Department of Public Works. The telephone company would still owe the amount claimed by the Commissioner, which may be collected in the usual manner.

In view of said opinion, your committee recommend that this body declare the certified check hereinbefore referred to forfeited, and that the City Controller be instructed to place the same to the credit of the General Fund.

As to the indebtedness incurred by the city for inspection, etc., against the People's Telephone Co., we beg leave to state that we see no reason why said indebtedness, so incurred, should not be collected, even though said corporation has been compelled to suspend its operation, and we therefore recommend that the Corporation Counsel be instructed to institute such legal proceedings as may be necessary to compel the People's Telephone Co. to pay into the General Road Fund the amount of said indebtedness, and we therefore offer the following resolution.

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Respectfully submitted,

RICHARD P. JOY,
OTTO REINHARDT,
H. F. LIPHARDT,
WM. HILLGER,
WM. C. HOUGHTON.

Accepted and on leave the following resolution was offered:

By Ald. Joy:

Resolved, That it is the sense of this body that the certified check of \$5,000 deposited by the People's Telephone Co. for the completion and operation of its plant by Oct. 1, 1902, be and the same is hereby declared to be forfeited, and the City Controller be and he is hereby authorized and directed to place the aforesaid sum to the credit of the General Fund, and be it further

Resolved, That the Corporation Counsel be and he is hereby authorized and instructed to institute such legal proceedings as may be necessary against the People's Telephone Co. to recover the indebtedness incurred by the city for inspection, etc., amounting to \$1,529, during the time the aforesaid company was carrying on its construction work in this city.

Laid on the table.

Ald. Marx was excused.

Claims and Accounts.

To the Honorable the Common Council:

Gentlemen—Your Committee on Claims and Accounts, to whom was referred the Controller's list of approved accounts of Oct. 14, 1902, respectfully report that we have examined the same, and believing the same to be correct, recommend that they be paid from the proper funds.

Respectfully submitted,

WM. W. MAGEE,
W. H. BEAMER,
GEO. P. CODD,
BASIL A. LEMKE,
M. W. M'GUIRE.

Accepted and adopted as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Houghton, Jerome, Joy, Koch, Lemke, Liphardt, McGuire, Magee, Moeller, Mohn, Reinhardt, Rutter, Smith, Tossy, Weber, Weibel, Weiler, and the President Pro Tem—27.

Nays—None.

Sewers.

To the Honorable the Common Council:

Gentlemen—Your Committee on Sewers, to whom was referred the communication from the Commissioner of Public Works, transmitting assessment rolls Nos. 6627, 6628, 6638 and 6639, for the construction of lateral sewers Nos. 1357, 1358, 1368 and 1369, beg leave to report that we had the same under consideration at a meeting held on Thursday, Oct. 9, 1902, at 11 o'clock a. m., city time, and no protests being filed and no person or persons appearing and objecting thereto, and being certified to by the Corporation Counsel that the proceedings taken in relation to the above mentioned sewers are in accordance with the ordinances your committee decided to recommend the confirmation of said rolls, and would therefore recommend that the resolution presented by Ald. Steiger at a session held on the 7th inst. (J. C. C.