

right of the City of Detroit to be indemnified and saved harmless from any and all such damages or expense and which agreement shall contain a stipulation that the privilege hereby granted shall be automatically terminated by any change of grade which may affect the relative physical situation obtaining at the date hereof; the City Clerk shall not accept this agreement unless it is accompanied by or has in it incorporated a good and sufficient bond in the sum of \$5,000.00, guaranteeing to the City of Detroit the performance by the grantee herein of the conditions herein imposed, and shall also contain a waiver of all grade separation damages that may be suffered by said grantee in connection with said side-track or spur-track herein granted and a waiver of such other or further grade separation damages as the Common Council may require.

Sec. 5. It shall be the duty of any person, firm or corporation shipping or receiving freight cars over any railroad siding or spur-track in the City of Detroit, which crosses a public street or alley, either within or without the lines of the right of way of any railroad, and is not a public team track in the judgment of the Commissioner of Public Works, whether such spur or side-track is extended by or owned, controlled or operated by a railroad company or other person, firm or corporation, to file an application with the Department of Public Works for a permit to transfer freight cars across such street or alley; and the Department of Public Works is hereby authorized to issue a permit upon such application, conditioned upon the payment of an annual rental of \$25.00, to be paid to the Permit Clerk of said Department, in advance, on or before the 31st day of May of each and every year unless permit is revoked by the Department of Public Works or the Common Council for failure of grantee to comply with the provisions hereof or other good and sufficient reason; also file with the Department of Public Works a bond in the amount of \$1,000.00 conditioned on the payment of said rental and to indemnify and save the City of Detroit harmless from any damages through accidents or otherwise from the use of such street or alley

by the grantee for the purpose hereinbefore described.

Sec. 6. Any person, firm or corporation occupying or using any street, alley or other public place in the City of Detroit, by reason of such permit or otherwise, by acceptance of such permit expressly agrees that said permit shall be revocable at the will of the Common Council, and that any revocation thereof by the Common Council shall not be contested in any suit or other proceeding.

Sec. 7. Any person, firm or corporation occupying any street, alley or other public place in the City of Detroit under the permit herein provided for, shall upon the revocation thereof, remove all installations of every kind, nature and description, at its or their own expense, and in accordance with the provisions of Chapter 213, Compiled Ordinances of the City of Detroit of 1920. Any person, firm or corporation occupying any street, alley or other public place for the purposes herein provided by the acceptance of such permit expressly agrees to save the City harmless from any and all damages or expense incidental to replacing pavements, etc., which may be incurred by reason of the granting of such permit or its revocation.

Sec. 8. Receipts from said permits are to be placed to the credit of the General Fund and a record of their issuance shall be kept by the Commissioner of Public Works.

Sec. 9. Any person, firm or corporation found guilty of the violation or neglect of any of the provisions hereof shall be punished by a fine of not to exceed One Hundred (\$100.00) Dollars or by imprisonment in the Detroit House of Correction for a period not to exceed ninety days, or both such fine and imprisonment in the discretion of the Court.

Approved Aug. 1st, 1922.

JAMES COUZENS,
Mayor.

Attest:

RICHARD LINDSAY,
City Clerk.

The above ordinance will take effect on the first day of September, 1922.

RICHARD LINDSAY,
City Clerk.

COMMON COUNCIL

(OFFICIAL).

Detroit, Tuesday, July 24, 1923.

The Council met and was called to order by the President Pro Tem, Hon. John C. Nagel.

Present — Councilmen Bradley, Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem —7.

There being a quorum present the Council was declared to be in session.

The journal of the preceding session was approved.

Councilman Bradley was called to the chair.

Councilman Nagel was excused.

Taken From the Table.

Councilman Watson moved to take from the table an ordinance changing the names of certain streets and avenues in the City of Detroit, Lenox avenue, etc., laid on the table June 26, 1923 (J. C. C., p. 1484), which motion prevailed.

The ordinance was then placed on the order of third reading.

Third Reading of Ordinance.

The title to the ordinance was read a third time.

The ordinance was then read.

The question being "Shall this ordinance now pass?" the ordinance was passed, a majority of the Councilmen present voting therefor as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—6.

Nays—None.

The title to ordinance was confirmed.

Taken From the Table.

Councilman Ewald moved to take from the table an ordinance changing the name of Detloff court to Thompson court, laid on the table June 26, 1923 (J. C. C., p. 1484), which motion prevailed.

The ordinance was then placed on the order of third reading.

Third Reading of Ordinance.

The title to the ordinance was read a third time.

The ordinance was then read.

The question being "Shall this ordinance now pass?" the ordinance was passed, a majority of the Councilmen present voting therefor as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—6.

Nays—None.

The title to ordinance was confirmed.

COMMUNICATIONS.

From the Mayor.

To the Honorable the Common Council:

Gentlemen—I beg to advise that the resignation of Mr. William T. Skrzycki, as a member of the City Plan Commission has been received, and I have this day appointed Mr. Skrzycki to succeed John B. Sosnowski, resigned, as a member of the Board of Water Commissioners.

Very truly yours,
FRANK E. DOREMUS,
Mayor.

Accepted and placed on file.

From the Controller.

To the Honorable, the Common Council:

Gentlemen: The following claims have been examined, audited and found to be correct by this Department. I, therefore, recommend that they be approved and payment be made.

Respectfully submitted,
WM. J. NAGEL,
Controller.

ART FUND.

36 Miami Book Co.....\$	12 50
37 Metropolitan Museum of Art	4 05

BUILDING AND SAFETY ENGINEERING FUND.

35 Heitman-Garand Co. \$	30 38
38 Schober Ptg. Co....	3 92
37 Detroit Rub. Stp. Co.	12 24
38 Mich. State Tel. Co..	70 24
39-40 Vaughan Roofing Co.	19 00

CITY PLAN FUND.

5 Commer. Rep. Co....\$	12 00
6 McCauley & Madison Inc.	6 42
7 Western U. Tel. Co..	3 61

CONTINGENT FUND.

31 E. C. Coughlin, custodian of petty cash, city controller's office	\$ 3 62
32 Geo. Donaldson & Co.	19 50
33 Ernest P. Lajoie and Fred W. Smith.....	225 30
34 John W. Smith, P. M.	25 00

FIRE FUND.

133 Guy L. Ingalls, City Treas.	\$
139 American Bosch Magneto Corp.	\$
140 Bd. of Water Com..	
141 Max Bartholomaei Son & Co.	8,
142 Buhl Sons Co.....	
143-144 Beecher Peck & Lewis Co.	