VILLAGE COMMISSION PROCEEDINGS

Official proceedings of a regular meeting of the Village Commission held Monday, Sept. 16th, 1929 at 8 P. M.

Present: President Ellerby; Commissioners White, R. Allen, H. Allen, Hersey, Hulbert and Halgren.

Absent: None.

Minutes of meeting held Sept. 9th, 1929 approved as printed.

559—A hearing was held on the installation of curb and gutter, sewer and water mains in Ruby "N" Subdivision and Pleasant Meadow Subdivision.

560—Moved by Commissioner R. Allen that a hearing having been held on the confirmation of Rolls No. 190, 191, 192, 193, 194 and 195, the matter be laid on the table.

Yeas: 7; Nays: 0.

561—A hearing was held on the removal of trees.

562—Moved by Commissioner Hulbert that the following trees be removed; east side of Pierce St. between Maple and Brown, two trees in the right of way for Merrill St. extension; 3 trees on Lincoln Ave. between Pierce and Southfield; 1 tree at southwest corner of Pierce and Extend; 1 tree at 2459 E. Maple Ave.; 1 tree at 439 Merrill St.; 1 tree at Palm Forest; 1 tree at 711 Forest Ave.; 1 tree at corner of Forest and Elm; 1 tree at 183 Oakland Ave.; and 1 tree at 436 Park St.

Yeas: 7; Nays: 0.

563—Moved by Commissioner Halgren that the sign ordinance be tabled for a period of three weeks.

Yeas: 7; Nays: 0.

564—Moved by Commissioner Hersey that the President and Clerk be authorized to enter into a contract with Taylor Construction Co. for the paving of Lincoln Ave. from Pierce to Southfield, at their bid of $12,068.00 and that checks of unsuccessful bidders be returned.

Yeas: 7; Nays: 0.

565—Moved by Commissioner H. Allen that the President and Clerk be authorized to enter into a contract with Otja Cement Construction Co. for the construction of curb and gutter in Birmingham Hills Sub. at their bid of $12,987.00 and that checks of unsuccessful bidders be returned.

Yeas: 7; Nays: 0.

566—Moved by Commissioner Hulbert that the clause of the building code which refers to the distance that the building line shall be back from the street in unrestricted areas be waived in reference to the building now being constructed on Lots 4 and 5, Bloomfield Court.

Yeas: R. Allen, Ellerby, Halgren, Hulbert; Nays: H. Allen, Hersey, White.

567—Moved by President Ellerby that Provision B of Section 2, Article 6 of the building code be referred to Commissioner Hersey and the committee studying the revision of the building code, for revision.

Yeas: 7; Nays: 0.

568—Moved by Commissioner Hulbert that the following bills and payroll be paid:

The Barrett Co., $1,144.00; Birmingham Public Schools, $277.52; Birmingham Sign Co., $9.50; Bockstans Bros. Co., $24.00; City of Pontiac, $12.00; Conjector Publishing Co., $16.25; Detroit Edison Co., $366.80; First National Bank, $150.00; Graybar Electric Co., $157.00; Gregory, Mayer & Thom, $163.68; Von Norman Griffith, $13.00; Thomas H. Jackson, $24.75; W. S. Malone Mfg. Co., $9.00; Orum & Co., $221.00; Sinclair Refining Co., $500.95; Village of B'ham Sinking Fund, $220.00; F. E. Sherral, $70.60; Terminal Sales Corp., $112.95; Weibert & Pelz, $2.00; Payroll 9-1 to 9-16-29, $7,091.62.

Yeas: 7; Nays: 0.

569—A communication was received from W. F. Ward Co.

570—Moved by Commissioner White that WHEREAS the contract between the Village of Birmingham and W. F. Ward Co., for the drilling of a well was executed and delivered on the 18th day of June, 1928, and

Whereas no well was drilled, tested and submitted for acceptance within 1 year from that date as required by the contract,

Therefor, be it hereby resolved that the said contract be and the same is hereby declared terminated and of no further force and effect.

Yeas: 7; Nays: 0.

571—Moved by Commissioner Hulbert that, Whereas, the Village Commission authorized the establishment of a special assessment district for the construction of concrete curb and gutter and gravel surface on Buckingham, Windemere, Manchester and Pembroke between Eton and Monnier in the "Pembrook Manor Subdivision by resolution No. 349 dated June 17, 1929, and

Whereas, the Pembrook Land Company is under obligation to construct such improvement, or part thereof, at its own proper cost and expense;

Now, be it resolved, that the President and Clerk be authorized to execute the agreement with the Pembrook Land Company for the payment of such cost and expense, the said agreement being that submitted to the Commission herewith and approved by the Village Attorney, being File No. 2235.

Yeas: 7; Nays: 0.

572—Moved by Commissioner Hersey, that Whereas, the Village Commission authorized the establishment of special assessment districts for the construction of water mains, storm sewers, grading and graveling of Kimberly Road in the Ruby "N" Subdivision by resolution No. 480, No. 481 and No. 482, dated August 12, 1929, and

Whereas W. C. Smith is under obligation to construct such improvement, or part thereof, at his own proper cost and expense;

Now be it resolved, that the President and Clerk be authorized to execute the agreement with W. C. Smith for the payment of such cost and expense, the said agreement being that submitted to the Commission herewith and approved by the Village Attorney, being File No. 2236.

Yeas: 7; Nays: 0.

573—Moved by Commissioner R. Allen that, Whereas, the Village Commission authorized the establishment of special assessment districts for the construction of water mains, storm sewers, grading and graveling of Chesterfield Road From West Maple to the south limits of Pleasant Meadow Subdivision by resolution No. 483, No. 484 and No. 485 dated August 12, 1929, and

Whereas, William D. Cavan, Frank L. Cavan and William A. Gray are under obligation to construct such improvement, or part thereof, at their own proper cost and expense;

Now be it resolved that the President and Clerk be authorized to execute the agreement with William D. Cavan, Frank L. Cavan and William A. Gray for the payment of such cost and expense, the said agreement being that submitted to the Commission herewith and approved by the Village Attorney, being file No. 2238.

Yeas: 7; Nays: 0.

574—Moved by Commissioner H. Allen that this second and fourth paragraphs of resolution No. 486 passed by this Commission Aug. 19th, 1929 be corrected to read as follows:

"Be it further resolved that Special Assessment District No. 188 is hereby established to consist of all abutting lots and parcels of land upon which shall be levied and spread according to benefits, the sum of $4,452.82, being 83 1/3% of the cost of the project, according to an estimate heretofore prepared by Village Manager and now on file with the Village Clerk, and

"Be it further resolved that the Village Assessor of the Village of Birmingham be hereby directed, in pursuance hereof, to make a special assessment according to benefits as herein provided on all taxable lands and premises constituting Special Assessment District No. 188 for the sum of $4,452.82 aforementioned, and report the same to this Commission with all due haste."

Yeas: 7; Nays: 0.

Moved by Commissioner Halgren that the meeting adjourn.

Yeas: 7; Nays: 0.

MYRTLE E. CARSON,
Village Clerk.

STATE OF MICHIGAN—The Probate Court for the County of Oakland.

At a session of said Court, held at the Probate Office in the City of Pontiac, in said County, on the 6th day of September, A. D. 1929.

Present: Hon. Dan A. McGaffey, Judge of Probate.

In the Matter of the Estate of John Harty, Deceased.

Ella Harty, administratrix of said estate, having filed in said court a petition praying that the time for the presentation of claims against said estate be limited and that a time and place be appointed to receive, examine and adjust all claims and demands against said deceased by and before said court.

It is Ordered, that four months from this date be allowed for creditors to present claims against said estate.

It is Further Ordered, that the third day of February, 1930, at nine o'clock in the forenoon, at said probate office, be and is hereby appointed for the examination and adjustment of all claims against said deceased.

And for the examination and allowance her final account, determination of the heirs of said deceased, assignment of the residue of said estate, and the discharge of said administratrix.

DAN A. McGAFFEY,
Judge of Probate.

A True Copy.
RUTH IMMICK HARBOLDT,
Probate Register. 22-24

STATE OF MICHIGAN—The Probate Court for the County of Oakland.

At a session of said Court, held at the Probate Office in the City of Pontiac, in said County, on the 30th day of August, A. D. 1929.

Present: Hon. Dan A. McGaffey, Judge of Probate.

In the Matter of the Estate of Celia Donaldson, Deceased.

James G. Donaldson, administrator of said estate, having filed in said court a petition praying that the time for the presentation of claims against said estate be limited and that a time and place be appointed to receive, examine and adjust all claims and demands against said deceased by and before said court.

It is Ordered, that four months from this date be allowed for creditors to present claims against said estate.

It is Further Ordered, that the sixth day of January, 1930, at nine o'clock in the forenoon, at said probate office, be and is hereby appointed for the examination and adjustment of all claims against said deceased.

And for the examination and allowance of his final account, determination of the heirs of said deceased, assignment of the residue of said estate, and the discharge of said administrator.

DAN A. McGAFFEY,
Judge of Probate.

A True Copy.
FLORENCE DOTY,
Deputy Probate Register. 21-23

SPECIAL MEETING

A Special Meeting of the Stockholders of the First National Bank, will be held at the Bank in the Village of Birmingham, Michigan,

OCTOBER 19TH, 1929

from 12 M to 2 P. M. Central Standard Time, for the purpose of voting to adopt the following RESOLUTION.

Resolution

Resolved, that under the provision of Section 5139, U. S. R. S., as amended Feb. 25, 1927, the Capital Stock of this Association be divided into shares of Twenty ($20) dollars each.

T. R. DONOVAN,
President. 21-26

STATE OF MICHIGAN—The Probate Court for the County of Oakland.

In the Matter of the petition for the Locating, Establishing and Constructing of the Birmingham Gardens Drain.

A petition having been filed in said Court by the County Drain Commissioner of said County for the appointment of a Board of Determination to ascertain and determine the necessity of the said drain, and Harry I. Curtis of Addison Township, William Lance of Brandon Township, Harry N. McCracken of Farmington Township, R. J. Wardlow of Highland Township, William K. Smith of Lyon Township, Charles P. Gamble of Milford Township, and Spencer C. Howarth of Orion Township, Supervisors of the said County of Oakland, having been appointed as such Board of Determination:

Notice is Hereby Given, That on the first day of October, A. D. 1929, at ten o'clock in the forenoon, Eastern Standard Time, said Board will meet at the S. E. corner of the S. W. ¼ Sec. 30, Troy Twp., at Maple and Eton Roads for the purpose of determining whether said proposed drain is necessary and conducive to public health, convenience and welfare, at which meeting all persons and all municipalities interested may appear for or against said drain proceedings.

DAN A. McGAFFEY,
Judge of Probate.

A True Copy.
RUTH IMMICK HARBOLDT,
Register of Probate. 23-24

STATE OF MICHIGAN—The Probate Court for the County of Oakland.

At a session of said Court, held at the Probate Office in the City of Pontiac, in said County, on the 11th day of September, A. D. 1929.

Present: Hon. Dan A. McGaffey, Judge of Probate.

In the Matter of the Estate of Calvin M. Thompson, Deceased.

Thomas H. Cobb, executor of said estate, having filed in said court a petition praying that the time for the presentation of claims against said estate be limited and that a time and place be appointed to receive, examine and adjust all claims and demands against said deceased by and before said court.

It is Ordered, that four months from this date be allowed for creditors to present claims against said estate.

It is Further Ordered, that the third day of February, 1930, at nine o'clock in the forenoon, at said probate office, be and is hereby appointed for the examination and adjustment of all claims against said deceased.

DAN A. McGAFFEY,
Judge of Probate.

A True Copy.
FLORENCE DOTY,
Deputy Probate Register. 23-25

Resolution 545
Second Publication
Second Resolution
CURB, GUTTER, GRAVEL AND TARVIA
HARROWGATE SUBDIVISION

545—Moved by Commissioner White that Whereas Sept. 9th, 1929, was fixed by this Commission as the time for the meeting to hear suggestions and objections to the installation of curb and gutter, gravel surface and tarvia treatment on Westwood Drive; Glenhurst Drive; Lyonhurst Road; Brookwood Lane; Brookwood Court; Kenwood Court in Harrowgate Sub. and that part of Oak St. between the limits of Harrowgate Subdivision and the existing pavement on Oak Street, in the Village of Birmingham, and due notice of the meeting given in the manner required by law to each person owning property liable for special assessment and the Commission duly met on this 9th day of Sept., A. D. 1929, at 8 o'clock P. M. for the purpose aforesaid, and due hearing given to all persons making suggestions and objections to the proposed improvement, therefore

Be it further resolved that Special Assessment District No. 196 is hereby established to consist of all abutting lots and parcels of land upon which shall be levied and spread according to benefits, the sum of $46,525.20, being approximately 78% of the cost of the project, according to an estimate heretofore prepared by the Village Manager and now on file with the Village Clerk, and

Be it further resolved that the Village of Birmingham shall pay from the general funds the amount of $13,217.26, being approximately 22% of the cost of the improvement, and

Be it further resolved that the Village Assessor of the Village of Birmingham be hereby directed, in pursuance hereof, to make a special assessment according to benefits as herein provided on all taxable lands and premises constituting Special Assessment District No. 196 for the sum of $46,525.20 aforementioned, and report the same to this Commission with all due haste.

Yeas: 6; nays: 0.

H. T. ELLERBY,
Village President.
MYRTLE E. CARSON,
Village Clerk.

STATE OF MICHIGAN—
Order of the Conservation Commission.
PHEASANTS—Regulating Season.

The Director of Conservation, having made a thorough investigation of hunting conditions in regard to pheasants, recommends certain regulations.

THEREFORE, the Conservation Commission by authority of Act 230, P. A. 1925, hereby orders that the open season for hunting pheasants (male) shall extend from 12 o'clock Noon, Central Standard Time, on October 25 to and including October 31, 1929.

Signed, sealed, and ordered published this 6th day of September, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation
Conservation Commission by:
WM. H. LOUTIT,
Chairman.
RAY E. COTTON,
Secretary. 23-25

STATE OF MICHIGAN—
Rescinding Order of the Conservation Commission.
TROLLING—

The order issued by the Conservation Commission on the 5th day of April, 1929, making it unlawful for any person to troll for any kind of fish from a boat propelled by gas, naphtha, or any other motive power, excepting sail, on inland lakes of the State, excepting certain lakes, for a period of one year from the first day of May, 1929, is hereby rescinded, by authority of Act 230, P. A. 1925.

Dated at Lansing, Michigan, August 16, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation.
Conservation Commission by:
WM. H. LOUTIT,
Chairman,
RAY E. COTTON,
Secretary. 23-25

STATE OF MICHIGAN—
Rescinding Order.
RUFFED GROUSE (PARTRIDGE) and PRAIRIE CHICKEN.

The order issued by the Conservation Commission on the thirty-first day of July, 1929, making a closed season on ruffed grouse (partridge) and prairie chicken in the State of Michigan for a period of one year from the 25th day of October, 1928, is hereby rescinded, by authority of Act 230, P. A. 1925.

Dated at Lansing, Michigan, September 6, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation.
Conservation Commission by:
WM. H. LOUTIT,
Chairman,
RAY E. COTTON,
Secretary. 23-25

STATE OF MICHIGAN—
Order of the Conservation Commission.
MUSKRATS—

The Director of Conservation, having made a thorough investigation of conditions relative to muskrats in the State, recommends certain regulations.

THEREFORE, the Conservation Commission by authority of Act 230, P. A. 1925, hereby orders that for a period of one year it shall be unlawful to hunt, take or kill, or attempt to hunt, take, or kill any muskrats in the State of Michigan, excepting that it shall be lawful to trap muskrats in the Upper Peninsula of Michigan during the period from November 1st to November 30th, inclusive; and in the Lower Peninsula North of the North line of Township 16 North and West of Saginaw Bay from November 15th to December 15th, inclusive; and in the Lower Peninsula south of the north line of Township 16 North and east of Saginaw Bay from December 1st to December 31st.

Signed, sealed, and ordered published this 16th day of August, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation.
Conservation Commission by:
WM. H. LOUTIT,
Chairman.
RAY E. COTTON,
Secretary. 23-25

STATE OF MICHIGAN—
Order of the Conservation Commission.
RACCOON—

The Director of Conservation, having made a thorough investigation of conditions relative to raccoon in the State, recommends certain regulations.

THEREFORE, the Conservation Commission by authority of Act 230, P. A. 1925, hereby orders that for a period of one year it shall be unlawful to hunt, take or kill or attempt to hunt, take, or kill any raccoon in the Upper Peninsula of Michigan; and to hunt, take, or kill or attempt to hunt, take or kill any raccoon in the Lower Peninsula of Michigan, excepting that it shall be lawful to hunt raccoon in the Lower Peninsula of Michigan from November 1st to November 30th; and it shall be lawful to trap raccoon in the lower Peninsula north of the north line of Township 16 north and west of Saginaw Bay from November 15th to December 15th; and South of the north line of Township 16 North and east of Saginaw Bay from December 1st to December 15th.

Signed, sealed, and ordered published this 16th day of August, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation.
Conservation Commission by:
WM. H. LOUTIT,
Chairman.
RAY E. COTTON,
Secretary. 23-25

STATE OF MICHIGAN—
Order of the Conservation Commission.
RUFFED GROUSE (PARTRIDGE) and PRAIRIE CHICKEN.

The Director of Conservation, having made a thorough investigation of conditions relative to ruffed grouse (partridge) and prairie chicken, in the State, recommends certain regulations.

THEREFORE, the Conservation Commission by authority of Act 230, P. A. 1925, hereby orders that for a period of one year it shall be unlawful to hunt, take or kill, or attempt to hunt, take, or kill any ruffed grouse (partridge) and prairie chicken in the Upper Peninsula of Michigan; or to hunt, take, or kill, or attempt to hunt, take, or kill any ruffed grouse (partridge) or prairie chicken in the Lower Peninsula of Michigan, excepting from October 16th to October 20th.

Signed, sealed, and ordered published this 16th day of August, 1929.

GEORGE R. HOGARTH,
Director,
Department of Conservation.
Conservation Commission by:
WM. H. LOUTIT,
Chairman.
RAY E. COTTON,
Secretary. 23-25

BILL BOOSTER SAYS:

MAC — Mac Gets a Tough Break — By Irving

Two aviators whose plane fell into the Irish sea were rescued by a British warship.

James Benson of Chicago was arrested for pulling the ears of several women shoppers on State street.

Henry Welden, a dog collar maker of Willesden, Eng., was fined for allowing his dog to run at large without a collar.

Four Per Cent Tax Penalty After September 1st

NOTICE is hereby given that Village Taxes for the fiscal year 1929 were due and payable at the office of the Village Treasurer July 1, 1929.

Payable without penalty up to and including July 31, 1929.

One per cent penalty from August 1 to September 1, 1929, inclusive. Four per cent penalty from September 1 to October 31, 1929, inclusive. No taxes accepted by Village Treasurer after October 31, 1929, as the tax roll will be in the hands of the County Treasurer at Pontiac for collection. All taxes unpaid after October 31, 1929, will bear the four per cent penalty plus three-quarters of one per cent for each additional month or fraction thereof..

Charles E. Plumstead
Treasurer, Village of Birmingham

Notice Is Hereby Given

that the Registration Books of the Village of Bloomfield Hills will be open for the registration of any and all qualified electors of said Village at the

OFFICE OF THE CLERK

IN

THE BARBOUR BLDG.
Cor. Woodward Ave. and Long Lake Rd.

ON

Saturday, September 21, 1929

AND

Saturday, September 28, 1929

and at any other time previous to the regular election of Monday, October 7, 1929, when a qualified voter shall request registration.

Saturday, October 5th, is hereby designated the date on which any objections may be filed to any registrations appearing upon the books.

WM. STORY
Village Clerk.

NOTICE
To Contractors

Sealed proposals will be received at the office of the Village Clerk, Municipal Building, Birmingham, Michigan, until two (2) o'clock P. M., Eastern Standard Time on Friday, Sept. 27th, 1929 at which time the bids will be publicly opened and read, for the construction of the pump house for the Derby Well.

Plans and specifications for the work may be obtained at the office of the Village Engineer, Birmingham, Michigan.

A certified check for a sum not less than 5% of the amount of the proposal will be required with each proposal as a guarantee of good faith and the same to be subject to the conditions stipulated in the instructions to bidders.

The right to accept any proposal, to reject any or all proposals, and to waive defects in proposals is reserved by the Village.

MYRTLE E. CARSON,
Village Clerk.

Election Notice!

Notice is hereby given, that at the general election to be held in the Village of Bloomfield Hills, at the Barbour Building, corner of Woodward Avenue and Long Lake Road,

Monday, the Seventh Day of October,

Nineteen Hundred and Twenty-nine, A. D.

between the hours of 8 A. M. and 9 P. M. (Eastern Standard Time) the qualified electors shall vote upon the following candidates for Village Offices of the Village of Bloomfield Hills:

BALLOT

Candidates for Village Offices of the Village of Bloomfield Hills at the Regular Election

(Place a cross "X" in the square opposite the names of the persons for whom you desire to vote for the respective offices.)

For President
Vote for One
☐ LUTHER D. ALLEN

For Commissioner
(For 2-Year Term)
(Vote for Two)
☐ J. H. HUNTER
☐ H. A. O'DELL
☐ M. B. WHITTLESEY

For Village Clerk
Vote for One
☐ WILLIAM M. STORY

Take further notice that the date of registration of the qualified electors of the Village of Bloomfield Hills is hereby set for—

SATURDAY, SEPTEMBER 21 and 28, 1929,

between the hours of 9 A. M. and 9 o'clock P. M. (Eastern Standard Time) and the place of holding such registration shall be at—

Village Offices, Barbour Bldg., corner Woodward Avenue and Long Lake Road

WILLIAM M. STORY,
Clerk, Bloomfield Hills Village.