

125765

*Annual Report
Corporation Council
for 1929.*

FILED

MAR 28 1930

**H. W. CARROLL,
CITY COMPTROLLER,
INDEX-OFFICIO CITY CLERK**

A N N U A L R E P O R T
OF THE LAW DEPARTMENT OF THE CITY OF SEATTLE
FOR THE YEAR 1929.

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SEATTLE:

Gentlemen:

Pursuant to Section 16, Article XXIV, of the City Charter, I herewith submit the annual report of the Law Department for the year ending December 31st, 1929.

-I-

GENERAL STATEMENT OF LITIGATION.

1. Tabulation of Cases:

The following is a general tabulation of suits and other proceedings pending in the Superior, Federal and appellate courts and before the Department of Public Works of Washington during the year:

	<u>Pending Dec. 31 1928.</u>	<u>Commenced During Year 1929</u>	<u>Ended Dur- ing Year 1929</u>	<u>Pending Dec. 31 1929.</u>
Condemnation Suits.....	31	28	43	16
Condemnation Suits, Supple- mentary.....	13	17	25	5
Damages for Personal Injur- ies.....	94	114	85	123
Damages other than personal injuries.....	57	38	36	59
Actions relating to collec- tion of assessment rolls..	1	20	4	17

Tabulation of Cases Continued:

	<u>Pending Dec. 31 1928.</u>	<u>Commenced During Year 1929</u>	<u>Ended Dur- ing Year 1929.</u>	<u>Pending Dec. 31 1929.</u>
Injunction suits.....	26	14	17	23
Mandamus proceedings.....	11	7	6	12
Miscellaneous proceedings..	54	39	40	53
Public Service Proceedings.	<u>0</u>	<u>1</u>	<u>1</u>	<u>0</u>
	287	278	257	308

2. Personal Injury Actions:

	<u>Number</u>	<u>Amt. Involved</u>
Pending December 31, 1928.....	94	\$1,016,629.08
Commenced since December 31, 1928.....	<u>114</u>	<u>1,322,593.00</u>
Total.....	208	\$2,339,222.08
Tried and concluded since Dec.31,1928..	<u>85</u>	<u>947,094.00</u>
Actions pending December 31, 1929.....	123	\$1,392,128.08

Of the personal injury actions pending in the department during the year, eighty-five, involving \$947,094.00, were tried and finally disposed of, as against seventy-three for the preceding year. Forty-nine of these cases resulted in judgments in favor of the City, and in the remaining thirty-six cases, there were recoveries aggregating \$69,430.00, which is less than seven and one-half per cent. of the aggregate damages claimed.

Of the one hundred fourteen personal injury actions begun during the year, seventy-nine, involving \$846,113.00, are based on alleged accidents occurring in connection with the operation of the municipal street railway system.

3. Damages other than Personal Injuries:

	<u>Number</u>	<u>Amt. Involved</u>
Pending December 31, 1928.....	57	\$376,666.32
Commenced since December 31, 1928.....	<u>38</u>	<u>104,187.98</u>
Total.....	95	\$480,854.30
Tried and concluded since Dec.31,1928..	<u>36</u>	<u>118,595.00</u>
Pending December 31, 1929.....	59	\$362,259.30

Of the total of ninety-five cases involving damages other than personal injuries, thirty-six cases, involving \$118,595,00, were disposed of during the year. In twenty-nine cases, there were judgments entered in favor of the City, and in the remaining seven cases, judgments were entered against the City in the aggregate amount of \$2,344.00.

4. Condemnation Cases:

Forty-three condemnation cases were concluded during the year 1929, as against thirty-four concluded during the preceding year, and twenty-eight new cases were commenced during 1929. This class of litigation involves an enormous amount of detail work on the part of the Senior Law Clerk and requires considerable "trading" ability, as well as legal knowledge, on the part of the Assistant assigned to these cases. The vast majority of these cases are settled on the basis of recommendations made by appraisers retained by the City, whose ability to analyze complex questions of damage and whose loyalty to the public interest in these matters is highly commendable.

5. Injunction Suits:

Of the injunction suits maintained by or against,

or participated in by, the City, those classes particularly worthy of note relate to street railway financing, abandonment of street railway lines, levy of taxes, enforcement of "taxi" ordinance, unlawful occupation of streets, licenses, telephone rates, dance halls, and city zoning.

The Montlake Bridge injunction proceeding instituted by the Strauss Bascule Bridge Company in the Federal Court, and mentioned in previous reports, has been dismissed by the plaintiff.

Brennan, et al., v. Seattle, 151 Wash. 665.

Plaintiffs, Brennan and Leach, owners of automatic cigarette vending machines, sought to restrain the City and its officers from enforcing an ordinance making it unlawful to vend cigarettes by the use of such machines, or to install them for that purpose. The object of this legislation was primarily to prevent minor children from procuring tobacco products. The Supreme Court referred to the generally recognized detrimental effect upon minors of their use of cigarettes and tobacco, and held the ordinance to be a valid exercise of the City's police power.

Charles F. Clise, et al., v. Seattle, Vol. 53, Wash. Dec. (Advance Sheets) 463.

Clise and others, as taxpayers, sought to enjoin the City from spending tax moneys appropriated in the 1929 budget for the completion of the Beach Drive local improvement. During the progress of the improvement, slides oc-

curred, making it impossible to raise the entire cost of the improvement by special assessment. The contractor was given a release and the item above referred to placed in the budget for the completion of the work. The Superior Court (Frater, J.) enjoined the expenditure. The Supreme Court reversed Judge Frater, holding that it is inherently within the rights of the City to improve its streets, etc., by contributions from the General Fund; that the appropriations and expenditures were admittedly legal upon their face; and that, in the absence of fraud, the court cannot, and will not, inquire into the purposes to be served or the motives which actuated the City Council; and that it is neither the duty of the court, nor has the court the power, to assume the position of guardian for the City Council in inquiring into the wisdom of, or the purpose to be served by, the expenditure of money.

E. L. Brown, respondent, v. Seattle, appellant, 150 Wash. 203; Vol. 52 Wash. Dec. (Advance Sheets) 307, (on rehearing).

This case involved the constitutionality of Sec. 21 of Ordinance No. 48711, requiring meat markets to close at 6:00 o'clock P. M. Said Section 21 was held invalid as unreasonable, a conclusion which we forecasted in an opinion dated March 5th, 1925. The court, however, asserted that it was not holding that the municipality has no authority whatever to control, by ordinance, the hours during which a shop for the sale of meat products may remain open.

Seattle v. Cowell, instituted pursuant to Ordinance No. 54171, to restrain the further construction, and to compel

the dismantling, of an approach to the Tenth Avenue Northeast Bridge, creating a traffic hazard, is referred to in the 1928 report. After tentatively agreeing to voluntarily dismantle this approach, Mr. Cowell refused to proceed with the removal and it became necessary for this department to proceed with the case. Mr. Cowell contended that he had a right to construct this approach by virtue of a purported permit issued by the Board of Public Works. Upon the hearing, the Superior Court (Batchelor, J.) issued a temporary injunction restraining the defendants Cowell from further constructing, adding to or using said approach for vehicular traffic and further ordered them to restore guard rails and bull rails, which had been removed by them from the Tenth Avenue Northeast Bridge, permitting them, however, an overhead approach for pedestrian traffic. They gave notice of appeal to the Supreme Court but never perfected their appeal. In the meantime, it is our information that they have dismantled said vehicular approach, so that the matter is now probably a dead issue.

Kemp v. Seattle, 149 Wash. 197; 279 U.S. 825 (73 L.Ed. 978, an action to restrain the City from vacating a portion of John Street abutting Olive Way, on the theory, principally, that such vacation would enable another property owner to construct a building on the vacated street area and obstruct the view of the plaintiff, Kemp. The Supreme Court held that Mr. Kemp's property did not abut upon the portion of the street sought to be vacated and denied him any relief. He applied to the United States Supreme Court for a writ of certiorari, but that court declined to review the State Supreme Court decision.

Co-Operative Cab Company v. Seattle, mentioned in the 1928 report, decided adversely to the company in the Superior Court, was appealed by it to the Supreme Court (Co-Operative Cab Co. v. Seattle, 151 Wash. 150). The Superior Court decision that the taximeter flag must be displayed, whether the employment of the taxicab is upon either the distance or the zone basis, was affirmed.

Joe Marselle v. Forbes, Chief of Police, and Scribner v. Edwards, as Mayor, and Forbes, as Chief of Police, -- injunction proceedings to restrain the closing of the so-called "Ten-Cent" dance halls. The City prevailed in the Superior Court in both of these cases. The principle involved is that the City, in the exercise of its police power, has absolute control over the operation of public dance halls, and incidentally the same principle applies to pool rooms.

Several injunction suits were brought against the Board of Theatre Supervisors, acting pursuant to Ordinance No. 52969, relative to moving picture censorship. The action of the Board was uniformly upheld.

6. Mandamus Proceedings:

State ex rel. Beebe v. Seattle. Relator Beebe, after prevailing in the Supreme Court upon his contention that, being a veteran of the late war, he should be retained in the City's employ in preference to non-veterans -- a case to which we referred in the 1928 report -- was later dismissed from the City's employ for incompetency and for the good of

the service. The Civil Service Commission having sustained the department head, Beebe brought this action. The Superior Court (Batchelor, J.) sustained the City's demurrer, holding that the Civil Service Commission having acted, the court had no jurisdiction. Beebe gave notice of appeal to the Supreme Court. In passing, we think it is well to advert to the legal principle adhered to by Judge Batchelor in this case, which is that when the Civil Service Commission has given a civil service employee, who has been dismissed, a hearing, and has sustained the head of the department, the courts will not interfere. There seems to be a popular misconception that the courts do interfere in these dismissal cases and put the employee back on the job. The popular impression in this regard is incorrect.

Vandervoort v. Seattle, an action in mandamus by a general taxpayer to compel the Board of Public Works to remove market stalls from the sidewalks on Pike Place and from the bridge crossing Western Avenue, westerly from Pike Street. This case is on appeal to the Supreme Court and has not yet been decided. The case presents an interesting question with respect to the right of a mere taxpayer, without any beneficial interest, to invoke mandamus in aid of a public function.

Another mandamus proceeding, involving the Ray Street shuttle line, is referred to under Subdivision II.

7. Miscellaneous Cases:

Thirty pending actions against the City, aggregating \$137,713.85 in damages claimed, were dismissed for want of prosecution on our motion in the Superior Court.

The miscellaneous cases tried and concluded during the period of this report include numerous actions growing out of police regulations, condemnation proceedings, habeas corpus proceedings, abatement of fire hazards, and other matters not involving monetary recoveries.

Two actions were commenced against police officers for \$17,500.00 for false arrest. Three false arrest cases demanding \$24,050.00 damages were tried and won. In these actions, this department was authorized by ordinance to defend the said officers.

Of forty miscellaneous cases tried, all were won by the department.

Nine hearings were conducted by the Department before the Civil Service Commission, in which seven decisions were rendered by the Commission sustaining dismissal of the employees from service. Reinstatement was ordered in two cases.

One hundred one minor actions were commenced for the Lighting Department, involving unpaid light and power bills amounting to \$3,743.74. Judgments, including costs, were entered in fifty-three cases, and \$1,513.77 collected and paid to the Lighting Department. \$2,606.40 was collected in old judgments and accounts through supplementary proceedings. In addition thereto, the collection of accounts in the sum of \$1,600.00 was effected without litigation by means of writing letters advising the various users of electric current that their accounts had been turned over to this department for collection or that the removal of merchandise purchased on conditional sale from the City and out of the juris-

dictation of the court rendered them liable to both civil and criminal actions. The handling of this work of the Lighting Department requires about eighty per cent. of the time of one of the Law Clerks of this department.

\$140.45 was collected for other departments.

We mentioned in our previous report the case of In Re Taylor Avenue, et al. (Denny Hill Regrade No. 2), involving protests against the condemnation assessment roll, which protest the Supreme Court sustained. A very similar question arose during the year 1929 on the appeal of certain property owners in the enlarged district, and also owners of property abutting the regrade proper relative to assessment for the physical improvement. The contention of the appellant property owners was sustained in the Superior Court, the court being under the impression that the Eminent Domain Assessment Roll was controlling. Matter is now on appeal to the Supreme Court with respect to the physical improvement assessment. (The City prevailed in the Supreme Court on this appeal with respect to the property abutting the regrade proper. See "In re Sixth Avenue," 55 Wash. Dec. 355).

Third Avenue Paving Assessment Roll. About seventy per cent. of the property assessed for the Third Avenue paving appealed to the Superior Court from the confirmation of the roll by the City Council, on the ground that the contract for this improvement had been greatly altered to their detriment, and that the prices were exorbitant. Also, the street railway track work and paving had been so joined in the local improve-

ment as to compel property owners to pay a discount on the street railway bonds. The Superior Court reduced the total assessments \$12,500.00, principally on account of the street railway track paving issue which the property owners substantiated to a considerable extent.

In the case of City v. Hattie C. Conner, et al., the City commenced an action to abate certain buildings on Forty-fourth Avenue Southwest, for the reason that they constituted a fire and police hazard. This case was concluded and the buildings ordered destroyed, which has been consummated.

There are now pending in the department several other similar cases to accomplish the same purpose.

Gabrielsen v. Seattle, 150 Wash. 157, is a unique personal injury case. Gabrielsen suffered a fractured skull in a fall from a ladder upon which he was standing, painting a sign, at the southeast corner of Third Avenue and Seneca Street. He was knocked off the ladder by an automobile driven by one Perrine. He recovered damages against the City and Perrine, but Perrine having no funds, the City was compelled to pay the judgment in the sum of \$10,000.00 damages. The cause of action against the City was based on the theory that it was negligent in permitting the deposit of unusual quantities of grease and oil by automobiles on Seneca Street, where the City had closed part of the street on a steep grade between Third and Fourth Avenues while construction was going on on the north side of Seneca Street on the Telephone Building, and on the south side of Seneca Street on the Continental Hotel. Perrine claimed his automobile skidded

and he lost control thereof because of the presence of the alleged grease and oil. The Supreme Court held that if the City in the narrowed space on the street did cause an undue accumulation of oil and grease thereon, it was bound to anticipate that the hazards incident to the users of the street would be increased, and is bound to answer for an injury arising thereon of which the increased hazard was the proximate cause, or one of the proximate causes, if there were more than one. It was suggested in the instructions prepared by the Superior Court that the City should have closed the street entirely for traffic. Perhaps the safest course for the City to pursue is to exercise this privilege in cases where the use of the street is given in part to abutting property owners for construction purposes, or, in the alternative, the property owners so constructing should contract with the City to indemnify it and save it harmless from claims of this kind as a condition precedent to the issuance of any temporary permit for street use for construction purposes. This case was heard by the Supreme Court en banc, the decision being handed down on July 8th, 1929, three members of the Court, Holcomb, Beals and Tolman, JJ., dissenting.

8. Statement and Investigation of Damage Claims filed against the City:

	<u>Number</u>	<u>Amt. Involved</u>
Claims for damage under investigation December 31, 1928.....	844	\$1,992,985.73
Claims for damages referred to this department for investigation, Dec. 31, 1928, to Dec. 31, 1929.....	<u>1041</u>	<u>1,914,175.11</u>
	1885	\$3,907,160.84

Claims disposed of as follows:

	<u>Number</u>	<u>Amt. Claimed</u>	<u>Amount Paid</u>
Settled,	464	\$352,124.40	\$86,033.94
Rejected,	<u>298</u>	<u>878,098.54</u>	
	762	\$1,230,222.94	
Claims pending Dec.31,1929,	1123	2,676,937.90	

Fourteen of above settled claims were in suit and settled in conjunction with Claim Agent:

Amount Involved, \$175,100.39

Amount of Settlement, 26,525.00

Number of street railway accident reports from Department of Public Utilities and investigated, Dec. 31, 1928, to Dec. 31, 1929, 5754

Number of circulars and letters mailed in connection with the investigation of foregoing claims and reports, 12400

9. Garnishments:

During the period of this report, 314 writs of garnishment were served upon the City, all of which were answered. All of these writs were against the wages of city employees.

10. Supreme Court:

During the year, there were argued and submitted to the State Supreme Court twelve cases on appeal, the City being successful in seven of these cases.

11. United States Supreme Court:

Kemp v. Seattle, was submitted to the United States Supreme Court and won on briefs as to jurisdiction, as shown elsewhere in this report.

PUBLIC UTILITIES MUNICIPALLY OWNED

1. Light and Power:

This department has handled many matters connected with the affairs of the municipal light and power plant and system, particularly the drawing of plan and system ordinances of an extensive and complicated nature, condemnation ordinances, and ordinances providing for loans as advances to Capital Account, contracts, deeds, franchises, easements, permits and other instruments, rendered numerous opinions and attended numerous conferences pertaining to this phase of the City's business activities, and conducted considerable litigation involving small claims in its behalf.

2. Street Railway:

Numerous damage suits arising out of accidents in connection with the street railway system, the number and extent of which has been hereinbefore set forth, have been tried during the year.

A group of a dozen or more of these personal injury cases, involving large individual claims, arose as a result of a collision at Eleventh Avenue and East Jefferson Street between an oil truck owned by the Associated Oil Company and a city street car. Both the street car and the oil truck were badly damaged, and many passengers in the street car severely shaken up. After some half dozen cases had been tried, in which the jury found that both the operator of the street car and the operator of the oil truck were negligent, settlements were made with the

remaining claimants, except one. As a result of a conference and agreement between this department and the attorneys for the oil company, the oil company agreed to, and did, pay sixty per cent. of all judgments and claims, the City paying the remaining forty per cent. Even on this basis, this one accident cost the City Railway Fund nearly \$16,000.00.

An unusual number of decidedly "shady" claims for damages, arising out of alleged accidents, were filed during the year 1929. Investigation in many of these cases resulted in the conclusion that either no such accident as was claimed occurred at all or that the accident was of a trivial nature, so much so that no report was made by the street car operator. We suggest that operators be cautioned to report all accidents, no matter how trivial, so that the records of this department will be complete and these claims be estimated at their true value.

The case of J. G. Von Herberg, referred to in the 1928 report, was, after he had litigated his question in the Federal Courts, finally remanded to the State court and, after hearing before Judge Ronald in the Superior Court, was dismissed as having no foundation, Judge Ronald holding that many of the alleged points raised by Von Herberg were moot questions, and he also specifically found that the Railway Fund was solvent. Apparently undismayed, Mr. Von Herberg appealed to the Supreme Court of the State, where the case is now pending on his appeal.

The final hearing on the injunction suit brought by one Wylde and others to restrain the discontinuance of service on the Lake Burien line outside the city limits, in which a tem-

porary injunction was issued, is still pending. The decision of the Sureme Court in the Philo Howard case, hereinafter referred to, on which we were awaiting a decision, would seem to have considerable bearing on the final disposition of the Wylde case.

State ex rel. Howard v. Seattle, previously mentioned in the 1928 report, involving the discontinuance of the Ray Street shuttle line, was decided favorably to the City in the Superior Court, and was appealed to the Supreme Court by the parties interested. The decision is reported in 54 Wash. Dec., page 341, and sustains the right of the City to discontinue and abandon the shuttle line, which was operated at a loss.

We attended numerous conferences, drew numerous instruments and ordinances involving the Street Railway Department and its finances, particularly the so-called "Moratorium" Ordinance and a proposed purchase price refunding ordinance.

3. Water:

Jahn & Bressi v. Seattle, referred to in the 1928 report, in which plaintiffs seek to recover \$236,000.00 for alleged breach of contract in connection with the Lake Youngs Development, is still pending, the City having filed a cross-complaint against plaintiffs and the United States Fidelity & Guaranty Company for damages in the sum of more than \$225,000.00 on account of added cost to complete the contract abandoned by Jahn & Bressi. This case has been set for trial in the Federal Court for March 18th, 1930.

The case of Seattle v. Pacific States Lumber Company, for the recovery of fire damage in the Cedar River Watershed, referred to in the 1928 report, was settled for \$4,000.00 by express authority from the City Council.

An ordinance (No. 58303) authorizing and directing this department to institute action against the Pacific States Lumber Company with a view to the ejectment of said company from, and the recovery of treble damages for the cutting of timber in, the Cedar River Watershed was approved October 7th, 1929. Extensive surveys have been made by the City Engineer's office and the Health Department in connection with this proposed suit, which is of considerable public importance.

-III-

PUBLIC UTILITIES PRIVATELY OWNED.

1. The Pacific Telephone and Telegraph Company:

Shortly before the first of the year 1929, this department, pursuant to express request of the City Council, prepared a so-called "Model Franchise" containing conditions which we considered essential to the City's protection in the event a franchise was granted to the Telephone Company. After several conferences between members of the Franchise Committee of the City Council and officials of the company, one or two of which were attended by an Assistant from this department, Council Bill No. 48344 was, on August 14, 1929, transmitted to this department. Said council bill, which was not prepared by this department, was acceptable to the company, but was the subject of a vigorous attack and unfavorable comparison, as insuffi-

cient to protect the public interest, by former Corporation Counsel Thomas J. L. Kennedy. A complete file, including reference to practically all the telephone franchise negotiations and the analysis and comparison above referred to, was filed with the City Comptroller under date October 30, 1929.

-IV-

MISCELLANEOUS BOARD HEARINGS.

1. City Planning Commission:

An Assistant Corporation Counsel has been detailed as legal adviser to, and has occasionally sat in with, said Commission on hearings at which his attendance was desired.

2. Recodification:

As mentioned in the 1928 report, the City Council, with a view to recodification of the city penal ordinances, included an item therefor in the 1928 budget, provided for continuance of the work by subsequent appropriations, and detailed a council committee to sit in with the Corporation Counsel in connection with such work. Said council committee, together with a committee from the Chamber of Commerce and with this department, has continued throughout the year to hold hearings with a view to ironing out differences of opinion in respect to proposed changes in existing ordinances. The work of recodification has gone forward as speedily as possible, in view of its volume and many complex problems. On December 31st, 1929, the actual codification was about half complete. By far the greater portion of the problems with respect to the proposed

changes had been solved at the hearings, but an enormous amount of detail work remains to be done. Hearings are still in progress and it is hoped that the recodification will be finally completed in the next few months.

3. Railway Grade Separation Commission:

At the request of the City Engineer, this department has been represented at frequent conferences with the representatives of the various steam railways having in view grade separations in the south end trackage areas.

-V-

WORK OF THE CITY ATTORNEY

1. Prosecutions for violations of city ordinances:

During the year, the City Attorney disposed of 23,167 cases in the Police Court, resulting in the imposition and collection of fines and forfeitures in the amount of \$167,376.60. Appeals to the Superior Court were taken in 78 cases. During the year, 57 appealed cases were tried and disposed of, clearing the calendar of all pending appeals.

-VI-

O P I N I O N S

During the year, in addition to innumerable conferences with city officials concerning municipal affairs, of which no formal record is kept, this department rendered one hundred thirty written legal opinions upon various questions submitted by the several departments of city government.

-VII-

ORDINANCES, RESOLUTIONS AND BONDS

The members of the City Council and the Mayor have, from time to time, requested this department to prepare ordinances and resolutions. Complying with such requests, the department has drawn, during the period of this report, two hundred twenty-six ordinances and resolutions.

During the year, 1297 bonds of officials, bidders, depositaries and others were examined and approved.

-VIII-

SERVICE OF PROCESS

During the year, 2642 services of process were made by our witness clerk, who travelled 17,000 miles by the Ford automobile assigned to this department. The cost of operation of the service car was approximately two cents per mile for gas, oil and repairs. Services were made in twenty-five condemnation cases. A considerable amount of time and 3500 miles of travel were required in locating and serving subpoenas upon 245 witnesses in forty-seven damage cases.

-IX-

MISCELLANEOUS MATTERS

1. Charter Amendments:

At the request of the City Council, we have prepared three resolutions submitting charter amendments.

C O N C L U S I O N

TOTALS, 1929


535 civil cases commenced and disposed of.
30 civil cases dismissed.
130 opinions rendered.
226 ordinances and resolutions drawn.
1297 bonds approved.
5754 accident reports investigated.
2642 process served.
1041 claims filed and investigated.

11655 Total civil matters given attention.

This total, together with the work of the City Attorney and the vast amount of work connected with the recodification of city ordinances and over one hundred cases tried in the Justices Courts, collection of judgments in favor of the City aggregating more than \$2,600.00, and attention to 314 garnishments of salaries of city employees, gives some idea of the volume of the business of this department which is handled by a force of less than thirty permanent employees at a total cost of less than \$135,000.00 per annum.

In concluding this report, it is proper to express a high degree of appreciation of the industry, efficiency and loyalty of the personnel of this department. The measure of their devotion is not prescribed by the office hours designated in the City Charter. They have at all times been willing, during office hours and after office hours, to do anything necessary to the success of the cause and the interests of the City, notwithstanding the fact that they receive no compensation for overtime work.

Respectfully submitted,


A. C. Van Soelen,
Corporation Counsel.