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—  
CITY OF SEATTLE  
—

December 1, 1918,  
to  
November 30, 1919.

ON FILE

WALTER F. MEIER,  
Corporation Counsel.

**FILED**

At \_\_\_\_\_ o'clock \_\_\_\_\_ M.

DEC 22 1919

H. W. CARROLL  
CITY COMPTROLLER  
AND EX-OFFICIO CITY CLERK

2

ANNUAL REPORT OF THE LAW DEPARTMENT

CITY OF SEATTLE

To the MAYOR AND CITY COUNCIL OF THE CITY OF SEATTLE:

Gentlemen:

Pursuant to what appears to have become an established custom, I submit herewith the following report of the Law Department of the City of Seattle, from December 1, 1918 to November 30, 1919, both inclusive:

I.

GENERAL STATEMENT OF LITIGATION

1. TABULATION OF CASES.

	<u>Pending Dec. 1, 1918.</u>	<u>Commenced Dec. 1, 1918.</u>	<u>Ended since Dec. 1, 1918.</u>	<u>Pending Dec. 1, 1919.</u>
Condemnation suits . .	18	17	12	23
Condemnation suits, supplementary proceedings	7	7	8	6
Damages for personal injuries . . . . .	20	52	20	52
Damages to property . .	45	25	14	56
Damages other than damages to property and personal injuries . .	2	2	1	3
Actions to set aside and restrain collection of assessments . . . . .	2	0	0	2
Appeals from assessments levied by City Council	2	0	1	1
Injunction suits . . . .	21	15	15	21
Mandamus proceedings . .	4	5	4	5
Miscellaneous proceedings	85	31	36	80
Suits to quiet title	3	2	0	5

Tabulation of Cases (cont'd)

	Pending Dec 1, 1918.	Commenced Dec. 1, 1918.	Ended since Dec. 1, 1918.	Pending Dec. 1, 1919.
Public Service Commission proceedings . . . . .	6	3	2	7
Suits to recover over against contractors, owners of property or franchises on account of personal injury judgments paid by City. . .	1	0	0	1
Actions against police, health and other officers	<u>10</u>	<u>8</u>	<u>3</u>	<u>15</u>
Total -----	226	167	116	277

Total actions pending during  
period of this report - - - - - 393.

2. <u>PERSONAL INJURY ACTIONS.</u>	<u>Number</u>	<u>Amount Involved</u>
Pending November 30, 1918 . . . . .	20	\$108,271.95
Commenced since November 30, 1918	<u>52</u>	<u>297,051.75</u>
Total -----	72	\$405,323.70
Tried and concluded since December 1, 1918 . . . . .	<u>20</u>	<u>101,141.25</u>
Actions pending November 30, 1919 -	52	\$304,182.45

It appears from the foregoing tabulation that twenty personal injury cases involving \$101,141.25 were tried since November 30, 1918. Twelve of such cases resulted in judgments in favor of the city, and in the remaining eight cases there were recoveries aggregating \$14,934.00, a decrease in amount recovered of \$5,400.50 when compared with the recoveries of the preceding year. There were fifty-two cases pending in the Superior Court on November 30, 1919. Of the fifty-one cases begun since November 30, 1918, twenty-eight cases involving \$163,989.00 were occasioned by accidents occurring in connection with the operation of the municipal street railway.

3. <u>DAMAGE TO PROPERTY SUITS.</u>	<u>Number</u>	<u>Amount Involved</u>
Suits pending November 30, 1918,	45	\$259,771.23
Commenced since November 30, 1918,	<u>25</u>	<u>598,443.30</u>
Total covering period of this report,	70	858,214.53
Tried and concluded since Dec.1,1918,	<u>14</u>	<u>67,919.90</u>
Pending November 30, 1919,	56	\$790,294.63

In the fourteen cases involving damage to property which were disposed of between November 30, 1918, and November 30, 1919, judgments were sought in the sum of \$67,919.90. In ten of these cases there were judgments entered in favor of the city, and in the remaining four cases judgments against the city were entered to the aggregate amount of \$9,581.31, which is less than the recoveries during the preceding year.

4. <u>ACTIONS FOR DAMAGES OTHER THAN DAMAGES TO PROPERTY AND PERSONAL INJURIES</u>	<u>Number.</u>	<u>Amount Involved</u>
Pending November 30, 1918,	2	\$26,500.00
Commenced since November 30, 1918,	<u>2</u>	<u>27,700.00</u>
Total covering period of this report,	4	54,200.00
Tried and concluded to November 30, 1919,	<u>1</u>	<u>15,000.00</u>
Pending November 30, 1919,	3	39,200.00

5. MISCELLANEOUS CASES.

Of thirty-six miscellaneous actions tried and concluded during the period of this report, thirteen were habeas corpus proceedings, and in all of these cases the city prevailed.

Six cases involved hearings before the Civil Service Commission, in five of which decisions were rendered sustaining dismissal of employees from service. The other proceeding resulted in a

reinstatement of the civil service employee.

The remaining cases involved condemnations by the Port of Seattle, Seattle School District No. 1, replevins, and numerous other causes not involving monetary recoveries against the city or its officers.

6.	<u>STATEMENT AND INVESTIGATION OF DAMAGE CLAIMS FILED AGAINST CITY.</u>	<u>Number</u>	<u>Amount Involved</u>
	Claims for damages under investigation November 30, 1918,	31	\$71,626.00
	Claims for damages referred to this department for investigation, Nov. 30, 1918, to Nov. 30, 1919,	<u>748</u>	<u>1,762,885.00</u>
	Total, -----	779	\$1,834,511.00

Claims disposed of as follows:

	<u>Number</u>	<u>Amount Claimed</u>	<u>Amount Paid</u>
Settled,	182	\$224,282.00	\$57,893.00
Rejected,	367	1,216,803.00	
Claims pending Nov. 30, 1919,	<u>230</u>	<u>393,426.00</u>	<u>                    </u>
Total, -----	779	\$1,834,511.00	\$57,893.00

Number of street railway accident reports received from Department of Public Utilities and investigated, April 1, 1919, to November 30, 1919, .... 4,870

Number of circulars and letters mailed in connection with the investigation of foregoing claims and reports,..... 16,000

Since the purchase of the street railway system of the Puget Sound Traction, Light & Power Company, and operation thereof by the city, there has been a marked increase in the work of this department, as may be judged from the foregoing statement regarding claims and ac-

cident reports investigated. Whereas, prior to April 1, 1919, one claim agent was able to investigate and report on claims filed against the city, it now requires the time of the claim agent and five assistant claim agents to handle this work. As to settlements, before a recommendation is made to the City Council, the matter has been passed upon and approved by the Corporation Counsel himself in each instance.

7. GARNISHMENTS.

During the period of this report, eighty-four writs of garnishment which were served on the city were answered. Seventy-one of these writs were against the wages of city employees and thirteen were for miscellaneous subjects.

8. PENDING CASES.

Of the various cases pending, on December 30, 1919, eight were pending in the State Supreme Court on appeals from judgments of the Superior Court.

A large number of the remaining cases reported as pending are cases instituted against the city and which have never been energetically pushed by the plaintiffs. Since these cases can in time be dismissed for want of prosecution, it is deemed the best policy to let them lie dormant until the court will entertain the city's motion to dismiss the same.

## II.

### PUBLIC UTILITIES, MUNICIPALLY OWNED.

#### 1. LIGHT AND POWER.

During the year, at the request of the City Council, this department drafted an ordinance providing for a bond issue of \$1,250,000 for the purpose of constructing an additional unit to the steam plant on Lake Union. In connection with the sale of this bond issue and one of \$790,000 authorized for the making of certain additions and betterments to the municipal street railway system, to which reference is hereinafter made, the Bureau of Inspection and Supervision of Public Offices raised a question as to the authority of the city to sell its utility bonds below par. It was the opinion of this department that the city had the right to sell its utility bonds below par so long as the prohibition against exceeding the six per cent. rate of interest was not thereby violated. The Attorney General of the State, who is the legal adviser of the Bureau of Inspection and Supervision of Public Offices, however, advised to the contrary. Those who were interested in obtaining a construction of the statute upon this question by the Supreme Court secured the institution of a suit against the city wherein an injunction was sought to prevent the acceptance of a bid for said bonds at such a discount which, together with the specified rate of interest, did not require the city to pay more than six per cent. upon the actual money received from the sale. The trial of the issue in the Superior Court resulted in the denial of an injunction and a dismissal of the action. Upon appeal to the

Supreme Court, it was held that the proposed sale did not violate any prohibition contained in the statute, thus sustaining the right of the city to dispose of utility bonds in the manner that it deemed for the best interests of the city, so long as the city was not thereby compelled to pay more than six per cent. upon the money actually received from the sale of such bonds.

During the year, this department, acting in conjunction with the City Engineer, completed the city's application for a final permit on the Skagit River for the development of an hydroelectric plant. The final documents required by the District Forester, at Portland, were filed with that official on or about November 18th, 1919. The District Forester is preparing his recommendations to be forwarded to the United States Secretary of Agriculture, and, unless this latter official requires additional data upon receipt of such recommendations, the final permit ought to issue within a short period of time.

Twenty-three actions were commenced for the lighting department of the city involving unpaid light and power bills in which recoveries aggregating \$5,393.67 were sought. Judgments, including costs, were entered in the sum of \$5,798.71, and of this amount \$5,237.86 has been collected. One case remains on appeal, and one in the hands of the sheriff for execution, in the sum of \$507.55. Five claims were filed for the lighting department in either bankruptcy or probate proceedings. Two actions for damages or the return of money paid were instituted against the city in connection with matters of the lighting department, which actions resulted favorably to the city.

2. STREET RAILWAY.

At the end of the period covered by the last annual report of this department, there were still pending the negotiations between the city and the Puget Sound Traction, Light & Power Company looking toward the acquisition by the city of the street railway system of that company. Thereafter, this department, at the request of the City Council, drew four ordinances to accomplish such acquisition. The first of such ordinances specified and adopted a plan for the acquisition of such system as an addition and betterment to, and extension of, the then existing street railway system owned and operated by the city, and authorized the issuance of utility bonds in the sum of \$15,000,000 for said purpose. The second ordinance provided for the making of a contract between the city and the Puget Sound Traction, Light & Power Company, pursuant to which it was proposed to accomplish the purchase of said system, and also provided a second agreement between the same parties whereby the Puget Sound Traction, Light & Power Company agreed to furnish to the city, in the event that the company's street railway system was purchased by the city, all the electric power necessary or required for the operation of the municipal street railway system and for the operation of future extensions thereto. The third and fourth ordinances made provision for the operation of the Puget Sound Electric Railway, (commonly known as the Tacoma Interurban), and the Pacific Northwest Traction Company, (commonly known as the Everett Interurban), respectively, over the tracks of the municipal street railway system, in the event that the negotiations between the city and the Puget Sound Traction, Light &

Power Company were consummated. These ordinances were passed by the City Council on December 31, 1918, and thereafter duly approved by the mayor.

Because of the proposed purchase of the traction company's street railway system, one F. A. Twichell instituted a suit against the city to enjoin it from a consummation of such purpose in the manner provided by said ordinances. The Superior Court sustained the legality of the ordinances and this holding was thereafter affirmed by the Supreme Court.

Subsequent to the taking over of the street railway system of the Puget Sound Traction, Light & Power Company, upon request of the City Council this department drew an ordinance providing for certain other additions and betterments to the municipal street railway system and authorizing a bond issue in the sum of \$790,000. It was in connection with the sale of this latter issue that the question as to the authority of the city to dispose of its utility bonds below par was raised, to which reference has heretofore been made.

### 5. PUBLIC MARKET.

In the last annual report mention was made of the establishment of the Municipal Fish Market through the issuance and sale of utility warrants in the sum of \$16,000, pursuant to an ordinance drawn by this department. During the past year, at the request of the City Council, this department drew an ordinance providing for certain additions and betterments to, and extensions of, such market and authorizing the issuance of utility warrants in the further sum of \$50,000.

III.

PUBLIC UTILITIES, PRIVATELY OWNED.

1. PUGET SOUND TRACTION, LIGHT & POWER COMPANY.

There were pending on appeal at the time of the last annual report certain cases involving questions arising under the franchises of the Puget Sound Traction, Light & Power Company, viz:

(a) Fremont Bridge Case.

This case was a suit instituted to compel the company to pay its just proportion of the cost and expense of the Fremont Bridge, and in which the city obtained judgment in the sum of \$60,197.00. In compliance with the terms of the Street Railway Purchase Contract, executed pursuant to Ordinance No. 39069, the traction company dismissed its appeal and, on the 28th day of May, 1919, filed a remittitur in the Superior Court. Said Purchase Contract provided for the payment of a proportion of said judgment, (which has been done), and for the satisfaction of said judgment by the city as to the balance thereof. We called to the attention of the City Council, by communication bearing date the 19th day of June, 1919, (Comptroller's File No. 73486), that all covenants under said contract had been performed in so far as the contract related to transactions had with this department, but that this office had not satisfied said judgment, pending notice from the City Council that all other covenants of the traction company had been by it performed. We have not as yet received such notice and have not, therefore, satisfied said judgment.

(b) Mandamus to Compel Paving.

In the Superior Court for King County, in causes Numbers 120762 and 124828, the city had secured judgment and writs of mandate directing the traction company to do certain paving under its franchise obligations. Pursuant to the purchase contract above referred to, the traction company dismissed these appeals and, on the 28th day of May, 1919, filed remittiturs in the Superior Court.

(c) Ticket Sale Case.

The traction company had taken an appeal to the Supreme Court of the United States, in Cause No. 2046 of the United States District Court for the Western District of Washington, Northern Division, the same being an action arising out of an attempt, by ordinance, to compel the traction company to sell tickets on its street cars. In this case the company claimed damages in the sum of \$70,000.00. This appeal was dismissed pursuant to the purchase contract above referred to, and the mandate of dismissal filed with the Clerk of the District Court on the 17th day of July, 1919.

2. SEATTLE & RAINIER VALLEY RAILWAY COMPANY.

During the year there has been one proceeding before the Public Service Commission, involving proposed increases in rates for the Seattle & Rainier Valley Railway Company, viz:

(a) 6-cent Fare Case.

This proceeding arose out of the filing of a tariff by the company involving a straight 6-cent fare, with an additional fare where a transfer was accepted or issued. Pursuant to direc-

tion of the City Council, a complaint was filed and a hearing had on May 14th and 15th, 1919, at the Chamber of Commerce rooms in the City of Seattle. The evidence established that the street railway company, which had recently passed through a receivership proceeding, was losing money. The commission, subsequent to the hearing, entered an order approving the tariff as filed. The street railway company thereafter filed another tariff providing for further increases and eliminating free transportation of policemen and firemen. As yet, no action has been taken in respect to this later tariff.

3. STATE WIDE CONFERENCE ON STREET RAILWAY RATES.

Section 8626-25 of Remington's Code, being that section of the public service commission law limiting street railway fares to not to exceed five cents, was amended by the 1919 Legislature to permit a higher rate of fare after hearing had before the Public Service Commission. The amendatory act -- Chapter 33, Laws of 1919 -- was an emergency measure and became effective forthwith, upon approval by the Governor on February 15th, 1919. The Public Service Commission immediately called a state wide conference of the representatives of the various street railway lines and of the city officials in cities of the first and second classes. This conference was held at the Commercial Club in the City of Tacoma on the 28th day of February, 1919, and resulted in a general showing to the effect that street railway lines were not making money. The attitude of the Commission, as expressed at that time, seemed to be that it would grant any raises requested by the street rail-

way lines if the tariffs indicated that an increase in revenue would result.

4. SEATTLE LIGHTING COMPANY.

During the year one case has been disposed of on appeal to the Supreme Court and two new cases have been filed before the Public Service Commission, involving rates and service of the Seattle Lighting Company.

(a) First Gas Case.

This case was pending on the city's appeal to the Supreme Court at the time of the last report. It involved the approval of an increase in rates granted the company. This matter was argued before the Supreme Court on the 25th day of February, 1919, and a decision subsequently rendered approving the order of the Public Service Commission. A petition for rehearing was filed, and denied, thus closing the case. The decision of the Supreme Court, like the decision rendered in other cases involving orders of the Public Service Commission, was rendered strictly on a question of law, the courts refusing to enter into the merits of the controversy on the facts.

(b) Second Gas Case.

There was pending at the time of last report our complaint before the Public Service Commission directed against a tariff of the gas company, filed for the purpose of eliminating discounts on gas bills. This case was continued from time to time and eventually abandoned by the gas company, and an order

entered by the Public Service Commission sustaining the complaint and disapproving the tariff.

(c) Third Gas Case.

A strike was called on the 6th day of September, 1919, involving the employees of the Seattle Lighting Company. Gas production immediately deteriorated in quality and quantity, the pressure becoming so low as to make the gas useless for domestic purposes. Complaints were filed by the City of Seattle and by the Public Service Commission, concerning the character of service, and the cases were consolidated for trial. A hearing was had before the Public Service Commission on October 3rd and 4th, 1919. The gas company had in the interim improved its service, and an order was entered directing the company to maintain standard service according to the rules of the Public Service Commission. The Commission has under advisement the question of ordering reparations to customers by reason of the inefficient service during the low pressure period.

5. PACIFIC TELEPHONE & TELEGRAPH COMPANY.

One case against the telephone company was pending before the Public Service Commission at the time of last report, and a new case was filed during the current year, viz:

(a) First Telephone Case.

This case involved a tariff filed by the Postmaster General at the time Mr. Burleson effected a nation wide increase in telephone rates. The case was pending before the Commission

at the time of last report, on complaint of the City of Seattle directed against said tariff in so far as it affected the City of Seattle. Many other cities filed complaints, all of which were consolidated for the purpose of hearing. A state wide hearing was held before the Commission, commencing January 15th, 1919, covering a period of three days and three nights. Subsequent to the filing of the city's complaint, (on December 6th, 1918), the United States, by virtue of a contract, became the party in interest and entitled to all revenues of the telephone company. None of the cities participating in the hearing had been advised of this change of status, and learned of it for the first time at the commencement of the hearing before the Commission. All of the complaining cities forthwith attacked the jurisdiction of the Commission to pass on rates involving the interests of the United States. The objections were overruled by the Commission, which subsequently entered an order approving the rates provided for by the Postmaster General's tariff, and further ordered that all contracts inconsistent therewith be cancelled. The cities of Seattle and Tacoma sued out writs of review in the Superior Court for Thurston County, which were consolidated for hearing and argued on the 10th day of April, 1919. From an order of the Thurston County Court, affirming the order of the Public Service Commission, both cities have taken appeals which are now pending in the Supreme Court, and which will probably be set down for argument at the January, 1920, term.

(b) Second Telephone Case.

The exchange service of the Pacific Telephone & Telegraph Company became so poor during the fall of 1919 that, pursuant to direction of the City Council, a complaint was filed by this department with the Public Service Commission. The Commission filed

a complaint on its own motion. Both complaints were consolidated for trial and hearing was had on October 6th and 7th, 1919, which established the poor character of the service complained of. The company agreed to use its best endeavors to improve the service. An order was entered continuing the case for further hearing on December 9th, 1919, pending which time the telephone company was ordered to make bi-weekly reports to the Commission concerning progress made. The company was also directed to bring its service up to normal in the intervening period.

#### IV.

##### MISCELLANEOUS BOARD HEARINGS.

###### 1. STREET RAILWAY TAX.

By the terms of the Street Railway Purchase Contract, provided for by Ordinance No. 39069, the city and company agreed to apportion among themselves, on the basis of length of time each was in possession of the property during the year 1919, any taxes that might be assessed for the year 1919 against the street railway property purchased pursuant to said contract. In an attempt to burden the property with a tax before the city took possession, the State Tax Commissioner, before taxing any other properties in the State, on the 15th day of March, 1919, undertook to list the said street railway property in the sum of \$12,000,000 for the purpose of taxation. Protests were filed with the State Tax Commissioner by the city and the traction company, which protests were argued before him on the 28th day of April, 1919. The State Tax

Commissioner refused to recede from his position, and the city and company again entered a protest before the State Board of Equalization, which was presented and argued on the 15th day of September, 1919. The State Board upheld the State Tax Commissioner, and certified the figures to the Assessor of King County, to be entered upon the rolls. The traction company has commenced a suit to test the validity of this tax, naming the city as a party defendant.

2. PORTLAND RATE DIFFERENTIAL.

The City of Portland has been seeking for years a rate differential in its favor and against Puget Sound cities, in respect to railway transportation between the Inland Empire and northwest ports. Complaints were filed with the Interstate Commerce Commission by the Inland Empire Shippers' League and Portland parties, including the City and Port of Portland, the Portland Commission of Public Docks and the Portland Chamber of Commerce, and in addition by the City of Warrenton. Pursuant to direction of the City Council, this department intervened on behalf of the City of Seattle, acting in conjunction with the Seattle Chamber of Commerce and Commercial Club and the Port of Seattle. The City of Tacoma, the Port of Tacoma and the Tacoma Commercial Club, the City of Everett and the Everett Chamber of Commerce, the City of Kennewick, the City of Vancouver, the City of Spokane and Spokane Chamber of Commerce, and the City of Astoria likewise intervened. The railway companies operating in the northwest, which were made parties defendant by the original complainants, also appeared in the var-

ious cases, which were consolidated for purpose of trial, and heard by Commissioners Daniels, Hall and Eastman. The hearing commenced in the City of Portland on the 21st day of July, 1919, and covered a period of two weeks, closing in the City of Seattle on Saturday the 2nd day of August, 1919. Briefs have been filed and the matter is now under advisement before the Interstate Commerce Commission.

3. DRAWBRIDGE REGULATIONS.

Considerable complaint being made by reason of small craft causing the opening of drawbridges on the Lake Washington Canal and on the West Waterway during rush hours, a hearing was ordered by the War Department in respect to same. Pursuant to direction of the City Council, this department appeared on behalf of the City of Seattle before Lieut. Col. Woodruff, District Engineer representing the War Department, on November 19th, 1919. Various shipping concerns and improvement clubs also appeared at said time. The regulations contended for by the City of Seattle met with the approval of the District Engineer, who has prepared proposed regulations recognizing our contentions and forwarded the same to the War Department for approval. Upon such approval and promulgation thereof, the same will be effective forthwith.

V.

WORK OF CITY ATTORNEY.

1. PROSECUTIONS FOR VIOLATIONS OF CITY ORDINANCES.

During the year the city attorney has disposed of 17784 cases in the police court, resulting in the imposition and collection of fines and forfeitures to the amount of \$151,889.90, which is a gain in receipts over the previous year of \$45,866.56. The total here shown is of cash receipts and does not include fines imposed in cases where defendants were confined in the city jail in lieu of payment of the fine. In the cases involved, 2239 were prosecutions for violation of the liquor ordinances and proceedings upon search warrants. Sixteen cases have been appealed to the Superior Court and tried and disposed of therein, resulting in the collection of fines in the sum of \$630.00 No appeals were taken from the Superior Court to the Supreme Court.

VI.

OPINIONS

During the year, in addition to innumerable conferences concerning municipal affairs, with city officials, of which no formal record is kept, this department has rendered 151 written legal opinions upon various questions submitted by the several departments of the city government.

VII.

ORDINANCES AND RESOLUTIONS

The members of the City Council, and other municipal officials, have, from time to time, requested this department to prepare ordinances and resolutions. Complying with such requests, the department has drawn during the period from December 1, 1918, to November 30, 1919, 210 ordinances and resolutions.

VIII.

MISCELLANEOUS WORK.

1. REVISION OF CITY CHARTER.

In my last annual report I recommended the submission of amendments which would eliminate from the City Charter certain provisions declared invalid or inoperative by court decisions, and certain other provisions rendered obsolete by enactment of state laws. Pursuant to this recommendation, I was requested by the City Council to draft all such proposed amendments. The proposed amendments submitted to the electors on March 4th, 1919, to accomplish this purpose, were all ratified. Thereafter, pursuant to the request of the City Council, I undertook the revision of the City Charter to make the same conform to the amendments that had been adopted subsequent to March 2nd, 1915, the last preceding revision having been made immediately following the adoption of cer-

tain amendments on said date. This work of revision was completed and a new publication of the Charter made as of May 1st, 1919.

### 3. LEGISLATION AFFECTING THE CITY.

While there does not appear to be any necessity of reviewing all the legislation affecting the city passed by the 1919 Legislature, I deem it proper to call your attention to several matters that were before that legislature, some of which were fostered, and others opposed, by the city. During the legislative session, or immediately prior thereto, I was requested to draft certain bills for introduction. Pursuant to this request, I prepared and secured the introduction of bills pertaining to the following matters:

(a) The levy of local improvement assessments upon all State lands.

(b) The operation of municipal street railways beyond the corporate limits of any city of the first class to the extent of five miles.

(c) The issuance of serial bonds maturing over a period not to exceed the life of the improvement for which the same were issued in any event not to exceed fifty years.

(d) The making of inter-fund loans, which constituted a modification of the so-called Rennick Law.

(e) The sale of surplus electric energy produced by cities of the first class.

(f) The levy of assessments for the filling of streets in connection with sanitary fills.

The city especially desired the passage of the first four measures. The first two of said measures were duly passed and approved by the Governor; the one relating to the operation of municipal street car lines outside the corporate limits, however, being modified before such passage and approval to authorize such operation to the extent of eight miles beyond the corporate limits. The other two bills the city was particularly interested in, viz, that authorizing the issuance of fifty year serial bonds, and the making of inter-fund loans, passed in the Senate but were defeated in the House.

There was another matter before the Legislature that vitally affected the interest of the city, viz, a bill which, if passed, would have authorized the establishment of a county road through the Cedar River watershed. This bill, which was fostered by private interests, was hastily passed by the Senate under the leadership of Senator Howard Taylor of the Thirtieth District, and Senator William Wray, of the Thirty-third District. When the bill reached the House, it was recommended for passage, but Councilman Moore and I, representing the city, secured a re-reference of the bill to the appropriate House Committee and a public hearing thereon. As a result, this vicious piece of legislation was defeated, although there was an attempt to resurrect the same during the closing hours of the session. There were other bills before the Legislature, which, if passed, would have detrimentally affected the interests of the city, as, for instance, the measures providing for the modification of the Public Service Commission law to increase the powers of the Public Service Commission; the state regulation of jitneys and the elimination of municipal regulation of employment agen-

cies, but these measures were defeated.

I shall refrain at this time from making any recommendations relative to state legislation, since another annual report will be rendered prior to the meeting of the 1921 Legislature.

In closing my annual report, I desire to take advantage of this opportunity to publicly express my appreciation of the painstaking and efficient service being rendered by the employees in the Municipal Law Department. During the past few years there has been a marked increase in the number of propositions submitted to this department, many of which presented questions that were either new in this state, or upon which there had been but few decisions by courts of last resort in any jurisdiction. All matters coming to the department have received the same careful consideration that would be bestowed upon like matters reaching a private law office, and every care has been taken to protect the city in the exercise of its lawful rights and in the conservation of public funds. Contrary to a practice that prevailed under some former administrations, all members of the Law Department now devote their time exclusively to the service of the public, which, in a large measure, accounts for the fact that, while there has been a marked increase in the volume of business transacted in the department, there has been but a comparatively small increase in the force.

I also desire to express my appreciation of the courteous consideration and ready co-operation shown the Law Department by all the other departments of the City Government. By reason of the harmony existing, all departments feel a greater freedom in seeking the counsel and advice of the Law Department, resulting in

a more efficient and economical administration of the affairs of  
the city.

December 1, 1919.

Respectfully submitted,

*Walter J. Meier*

Corporation Counsel.