

Municipal Building, Lodi, California, Oct. 21, 1912.

In regular session of the Board of Trustees of the City of Lodi, the following trustees being present: C.A. Black, J.M. Blodgett, F.C. Hale and C.A. Rich. Absent: President Lawrence. Atty. Jones present.

C.A. Rich was unanimously chosen President Pro Tem.

The minutes of the meeting of Oct. 14, 1912, were read and approved.

The following applications for building permits were read and granted:

- Miss A. Brack, dwelling on lots 16&17 block 26;
- M.H. Rodacker, woodshed on lot 23 block 2 Barnhart Tract;
- W.A. Brown, woodshed on lot 11 block 1 Burr's Add.;
- C.L. Van Buskirk, removal of bldg. fr. lot 4 to lot 3 block 9.

The following resolution was read:

WHEREAS, an action is now pending in the Superior Court of the County of San Joaquin, State of California, in which ETHEL WILLIAMS, as administratrix of the estate of HARRY B. WILLIAMS, deceased, is plaintiff, and this CITY OF LODI, is defendant; in which action plaintiff seeks to recover from this City the sum of TWENTY THOUSAND DOLLARS (\$20000.00) as damages alleged in the complaint in said action to have been caused to the heirs-at-law of said Harry B. Williams, namely said Ethel Williams, his widow and Dorothy Williams, his minor daughter, because of an injury suffered by said Harry B. Williams while in the employ of this City on the 5th day of July, 1911, resulting in his death, on the 6th day of July, 1911, and,

WHEREAS, it appears to be to the best interests of the City of Lodi that said action and all claims of the plaintiff set forth in the complaint therein be adjusted and compromised.

NOW THEREFORE, BE IT AND IT IS RESOLVED BY

THE BOARD OF TRUSTEES OF THE CITY OF LODI

AS FOLLOWS:

1. That this City do pay to ETHEL WILLIAMS as administratrix of the estate of Harry B. Williams, deceased, in full and complete payment and satisfaction of all claims on behalf of herself, as administratrix, as well as said heirs-at-law and next-of-kin of said Harry B. Williams, deceased, growing out of or in any way connected with the death of said deceased, or any matter or matters set forth or claimed by plaintiff in her complaint on file in the Superior Court of the County of San Joaquin, State of California, in said action aforesaid, the sum of TWENTY FIVE HUNDRED DOLLARS (\$2500.00) in the manner and at the time and times following, to-wit: FIVE HUNDRED DOLLARS (\$500.00) upon the execution of the proper contract in accordance with this Resolution, and ONE HUNDRED DOLLARS (\$100.00) a month thereafter, commencing with the first day of December, 1912, until the remaining TWO THOUSAND DOLLARS (\$2000.00) shall have been thus paid.

11. The President of the Board of Trustees and City Clerk of this City of Lodi are hereby authorized, empowered and directed with said Ethel Williams, administratrix of the estate of Harry B. Williams, deceased, to enter into and execute the necessary contract to carry out the purposes of this Resolution and to affix to said Contract the corporate name and seal of this City, which said Contract may in form and shall in substance be as follows, to-wit:

THIS AGREEMENT, Made this _____ day of October, 1912, between CITY OF LODI, a municipal corporation in the State of California, duly organized, incorporated and existing, party of the first part, and ETHEL WILLIAMS, as administratrix of the estate of HARRY B. WILLIAMS, deceased, party of the second part, WITNESSETH:

That, WHEREAS, the party of the first part during all the times herein mentioned did, and now does, own and operate an electric lighting plant for the purpose of furnishing electric lighting to the inhabitants, residents and householders in the said City of Lodi, and,

WHEREAS, on the 5th day of July, 1911, HARRY B. WILLIAMS, while in the employ of the party of the first part working upon said electric lighting plant, fell from a ladder meeting with injuries which caused his death on the following day, namely, on the 6th day of July, 1911, and,

WHEREAS, thereafter by an order duly made by the Superior Court of the County of Sacramento, State of California, on the 25th day of September, 1911, said party of the second part was duly appointed the administratrix of the estate of said Harry B. Williams, deceased, and thereafter on the 28th day of November, 1911, she duly qualified as such administratrix, and she ever since has been, and now is, the duly appointed, qualified and acting administratrix of the estate of said Harry B. Williams, deceased, and,

WHEREAS, said Harry B. Williams left surviving him as his only heirs-at-law and next-of-kin said Ethel Williams, his widow, and Dorothy Williams, his daughter, of the age approximately two years, and,

WHEREAS, on the 29th day of December, 1911, said party of the second part as administratrix of the estate of said Harry B. Williams, deceased, and for and on behalf of his said heirs-at-law and next-of-kin, did commence in the Superior Court of the County of San Joaquin, State of California, an action against the party of the first part for damages in the sum of TWENTY THOUSAND DOLLARS (\$20000.00), upon the ground of alleged negligence on the part of the party of the first part in causing the death of said Harry B. Williams, as will more fully appear from the complaint on file in said action, and,

WHEREAS, said action is still pending in said Court upon the complaint of plaintiff and the answer thereto of the party of the first part, as defendant in said action, and,

WHEREAS, it appears to be to the mutual advantage and benefit of both the parties hereto that said action should be adjusted and compromised in the manner following:

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that in consideration of the release and discharge of the part of the first part by the party of the second part of and from all claims and demands of herself, as such Administratrix, and said heirs-at-law and next-of-kin of said Harry B. Williams, deceased, occasioned by, connected with or in any way growing out of the said death of said Harry B. Williams, deceased, or in any way connected with any of the matters alleged, set forth and referred to in said complaint now on file in said Superior Court of said County of San Joaquin, aforesaid, the party of the first part hereby agrees to pay to the party of the second part the sum of TWENTY FIVE HUNDRED DOLLARS (\$2500.00), Gold Coin of the United States, in the manner following:
 FIVE HUNDRED DOLLARS (\$500.00) at the date of the making of these presents, receipt whereof by the party of the second part is hereby acknowledged; and ONE HUNDRED DOLLARS (\$100.00) on the first day of each and every month hereafter, commencing with the first day of December, 1912, until the remaining TWO THOUSAND DOLLARS (\$2000.00) shall thus be paid, namely, for a period of twenty (20) months.

And the party of the second part for herself as such administratrix and for said heirs-at-law and next-of-kin of said Harry B. Williams, deceased, whom she herein and in said complaint on file as aforesaid, represents, hereby agrees to accept said sums of money as, when, and to be paid in the manner aforesaid from month to month in payment of her said claims and demands hereinbefore referred to, and upon the making of the final payment or last installment thereof, the same shall be in full and complete payment, satisfaction and discharge of all the said claims, demands and charges of the party of the second part and all said heirs-at-law and next-of-kin of said Harry B. Williams, deceased, growing out of or in any way connected with his said death, the causes thereof, as well as all matters set forth, claimed and referred to in the complaint on file in said Court as aforesaid.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate the day and year first above written, the party of the first part signing by the President of its Board of Trustees and Clerk duly authorized by Resolution on the part of the party of the first part duly passed and adopted.

BY _____
 PRESIDENT BOARD OF TRUSTEES OF
 SAID CITY.

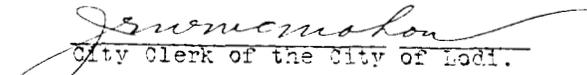
BY _____
 CLERK OF SAID CITY.

ADMINISTRATRIX OF THE ESTATE OF
 HARRY B. WILLIAMS, DECEASED.

The foregoing Resolution was duly adopted and passed at a regular meeting of the Board of Trustees of the City of Lodi, held on the 21st day of October, 1912, by the following vote:

Ayes: Trustees Black, Blodgett, Hale and Rich.
 Noes: None.
 Absent: G. E. Lawrence

Attest:


 City Clerk of the City of Lodi.

I hereby sign, approve and attest the foregoing Resolution this 21st day of October.

President of the Board of Trustees
 of the City of Lodi.

The report of St. Superintendent H. B. Coleman, stating that W. Pine Street from Church to Hutchins had been improved according to specifications, and that he had accepted the same, was read; and, on motion of Blodgett, seconded by Hale, the report was accepted.

City Engineer J. W. McAfee, also made a report, stating that the work was done according to specifications, which report was ~~xxx~~ accepted, on motion of Black, seconded by Blodgett.

The opinion of City Attorney Percival, opining that certain sections of Ordinance No. 52 were in conflict with the State Law and hence void, was read.

Foreman Valentine of the Gas Company discussed Ordinance No. 63, stating the opinion that it was a good ordinance.

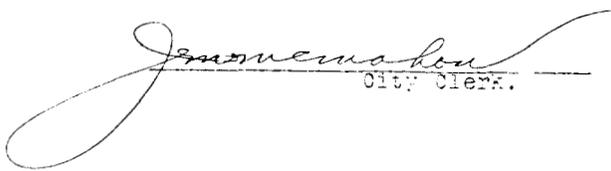
On motion of Black, seconded by Blodgett, it was ordered that the house committee install a stove in the assembly room and build a fire in it ~~ex~~ next Monday evening.

On motion of Black, seconded by Blodgett, it was ordered that street lights be placed as follows:

Two on E. Lockesford Street; Two on S. Sacramento Street; Two in the alley between Main and Stockton, Elm and Oak; One at corner of Pleasant and First.

On motion, the Board adjourned until Oct. 28, 1912, at the usual hour and place.

Attest:


 City Clerk.