

Council Chambers, June 28, 1901.

(Special Session.)

Called to order by clerk.

On motion Ald. Coon was elected president pro tempore for the evening.

Roll call. Present—Ald. Richards, Hamilton, Schlenker, Koch, Clancy, Brown, Roberts, Jenney, Coon, Fischer, Burg—11. Absent—Ald. Kearns, Schumacher, Weeks, Pres. Haarer—4.

Mayor's Office,

Ann Arbor, Mich., June 28, 1901.

Mr. Jas. E. Harkins:

Dear Sir—Please issue the usual call and notice for a special meeting of the Common Council at the Council Chamber at 8:30 p. m., Friday, June 28th, for the purpose of considering grade separations.

R. S. COPELAND, Mayor.

A communication from the manager of the Ann Arbor Railway relative to grade separation was received and ordered filed.

Ald. Hamilton moved that when the Council adjourn it adjourn to Saturday afternoon, June 29, at 1:30 o'clock.

Carried.

On motion the Council adjourned.

JAS. E. HARKINS, Clerk.

Council Chambers, July 1st, 1901.

(Regular Session.)

Called to order by Pres. Haarer.

Roll call. Present—Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy, Brown, Roberts, Jenney, Coon, Fischer, Pres. Haarer—12. Absent—Ald. Schumacher, Weeks, Burg—3.

Minutes of previous meeting read and approved.

PETITIONS AND COMMUNICATIONS.

Petition of Conrad Buehlo et al., for light on Miner and Felch; of T. Collier et al., for grading of Fourteenth street; Mrs. Mozart Clark, for extension of time on sidewalk, were received and referred to their respective committees.

Office of Board of Public Works,

Ann Arbor, Mich., June 26, 1901.

To the Common Council:

Gentlemen—The Board of Public Works would respectfully request your honorable body that the sidewalk committee be directed to meet with this board, to confer in regard to walks

diagonally and on the north side of Felch park.

Very respectfully,

WM. McINTYRE, President.

JAS. E. HARKINS, Clerk.

Referred to sidewalk committee.

To the Honorable the Common Council of the City of Ann Arbor:

Gentlemen—The case of the People, ex rel. Ezra B. Norris, petitioner, vs. the Common Council of the City of Ann Arbor, respondent, referred to me by your honorable body, came on for hearing before Judge Hosmer in Detroit on Thursday, June 27. The decision was adverse to the Council and in favor of Mr. Norris.

I do not accede to the proposition that the decision in this mandamus proceeding, to which I was not made a party, could or did dispose of the question to my title to the office of city attorney. It must be said, however, that the practical result is to impose upon the Council or upon myself the burden of further litigation to determine the question—either by appeal to the supreme court in the mandamus case, or by new proceedings by quo warranto on my part.

Both the supreme court and the circuit court have now adjourned for the summer, and a final determination of the question must therefore be deferred for some months, unless an early hearing can be obtained by special order of the court, which seems not likely.

The situation thus presented is one which in my judgment is bound to be unpleasant in some respects to the Council and surely embarrassing to myself during the pendency of the litigation. For these reasons, and for the further reason that a continuing agitation over the matter may possibly prove detrimental to the public welfare, I hereby resign such rights as I may have in and to this office.

I came to the office absolutely free-handed and with a purpose single to the best interests of the city so far as the same might be affected within the sphere of the duties of the office. No interest adverse to the city—no corporation, no individual—has had, or could have, the slightest influence to cause me to deviate from the strict performance of those duties in accordance with my own judgment of right. The confidences of the Council that I