

Council Chambers,  
March 2, 1903.

Regular meeting.

Called to order by Pres. Haarer.

Roll call. Present—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer.—12.

Absent—Ald. Jenney, Grose—2.

Minutes of previous meeting read and approved.

Ann Arbor, Mich., March 2, 1903.  
To the Honorable the Common Council:

Gentlemen—There are three matters of municipal importance to which I desire to call the attention of your honorable body. The condition of our funds is such that the effect of any decision on your part must in all probability be postponed until the tax levy is made. However, each proposition is one for which there is a popular demand.

#### STREET SIGNS.

The question of street signs has already received some attention. In order that it may not be overlooked when next year's budget is made up, I suggest the appointment of a committee consisting of the junior aldermen, with Alderman Johnson as chairman. This committee can investigate the various schemes used for designating streets and make its report after the reorganization of the council.

#### PUBLIC SCALES.

The charter contemplates and provides for an official scaler of weights and measures. While it designates the city clerk as this official, to my mind the proper place for the public scales is the fire engine house corner, where one of the firemen could be deputized to preside over it. The city engineer estimates the entire expense of installation at \$350. This amount of money can be invested in no other way to bring more direct benefit to every citizen. I suggest a committee consisting of the junior aldermen, with Ald. Grose as chairman, to investigate and report on this matter.

#### THE LIGHTING SYSTEM.

The Electric Light company has indicated its willingness and desire to spend a large sum of money in improving the lighting service. I have taken pains to get from about twenty cities, representing both public and private contracts, copies of their franchises, hours of lighting, expense to the city, etc. These papers I will turn over to the committee raised by your order.

In the hours of lighting and efficiency of the service our system needs improvement. To consider this matter I suggest a committee consisting of the junior aldermen, with Alderman Schlenker as chairman.

I have no desire to usurp the functions of the next mayor or for you to impose upon the next council, but these matters will require action very early in order to be cared for in the next budget. Each will require the study of the committee and cannot be settled except after careful consideration of systems used in other cities.

I respectfully suggest the appointment of these committees. Undoubtedly the next council will hear their reports and take proper action thereon.

Respectfully,

R. S. COPELAND,

Mayor.

Ald. Koch moved that the communication be laid on the table. Ald. Hamilton moved as a substitute that the communication be received and placed on file. Carried.

The mayor also sent in the following message:

Mayor's Office, March 2, 1903.

To the Honorable the Common Council:

Gentlemen—As predicted by the city officials, March finds the account at the bank absolutely exhausted, fourteen thousand dollars in unpaid bills outstanding, paving bonds repudiated and no satisfactory solution in sight.

Our citizens misunderstood the situation and exparte evidence has not added to their good nature. The mayor and other officials of the city are

receiving a great deal of censure. Public office being a public trust this is to be expected, but for my part I have the satisfaction of a clear conscience and am undismayed by the storm of general criticism. When our citizens see the situation as it is and not as our critics would have it, I know they will approve. The people are right when they are rightfully and fully informed.

My interpretation of the charter, gained by the advice of as good lawyers as the bar of Michigan possesses, leads me to take the stand that I cannot legally sign warrants on exhausted funds. Because other mayors have done so may be excuse enough for many good people who tell me to do it for that reason, but I cannot and will not do what I have sworn not to do. When I took the oath of my office I swore before God that I would support the laws of the state and the charter of the city, and so long as I know what the laws are I will abide by them in the face of all opposition.

If I am mistaken and my legal advice wrong, if the courts decide adversely, in other words if the law is not as I think it is, then I will readily, cheerfully sign the warrants. Until then I cannot.

Granting there is room for doubt, by the way that is more than our critics have ever done, suppose we have a friendly contest to settle this question for all time. Let the proper legal action be taken to determine whether or not an overdraft is lawful under our charter, whether the mayor and clerk may sign warrants on exhausted funds, whether or not the Common Council has a right to vote money for interests on overdrafts. Let some bill, like that of the Ann Arbor Argus, for instance, be presented to the officials for their signature. Upon their refusal to sign have them taken into court to show cause why they do not.

The city has interest enough in this matter so that it can well afford to pay counsel in prosecuting such a suit,

while our own attorney is abundantly able to defend it.

Respectfully submitted,

R. S. COPELAND.

Received and placed on file.

Ann Arbor, Mich., Feb. 20, 1903.

Undoubtedly it was the intention of the Common Council, by its adoption of the Finance Committee's report, to have no warrants drawn until actual funds are on hand to pay the same. Yet there is opportunity for a different interpretation and in order that there may be no question on this score I return with my disapproval those portions of the proceedings which relate to the payment of accounts. I do this because the Treasurer has on hand an insufficient sum of money to pay the trust accounts. After the first of March we will be better prepared to appreciate the condition of our finances and will then, I trust make some provision to pay the current expenses of the city.

Respectfully,

R. S. COPELAND,

Mayor.

By Ald. Clancy:

Resolved, That the accounts referred to in the communications of the mayor be allowed, the mayor's veto notwithstanding.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer—12. Nays—0.

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

The undersigned would respectfully represent that they are residents and freeholders of the said city of Ann Arbor. That they would respectfully request that your Honorable Body establish and open a street over, along and upon the following described lands, to-wit:

Beginning at the intersection of the southerly line of west Liberty street with the westerly line of the right of way of the Ann Arbor Railway Company, thence westerly along the southerly line of west Liberty street sixty-

six feet; thence southeasterly parallel to the westerly line of right of way of said railway to the west line of First street; thence northerly along the westerly line of First street to the westerly line of the above Railway Company's right of way; thence northwesterly along the right of way of the above Railway Company to the place of beginning, being in block three, south, range one east, according to the recorded plat of the village (now city) of Ann Arbor, and which lands are more particularly described in and by the plat hereto attached marked exhibit "A."

And also that First street be diverted over the grounds hereinbefore mentioned so as to intersect Liberty street west of the present right of way of said company.

And the undersigned will ever pray.  
etc.

Eugene Oesterlin,  
Titus F. Hutzel,  
Wm. Herz,  
M. Brenner,  
W. E. Howe,  
Fred Besimer,  
Geo. M. Clarcken,  
John H. Ortman,  
Victor Benz,  
J. F. Schaeberle,  
M. Grossman.

By Ald. Schlenker.

WHEREAS, the common council of the city of Ann Arbor has been applied to in writing by ten or more freeholders of said city to lay out, establish, open and alter First street between William street on the south and Liberty street on the north so that the altered portion of said street shall pass over, upon and along the following described property, to wit:

Beginning at the intersection of the southerly line of west Liberty street with the westerly line of the right of way of the Ann Arbor Railway Company, thence westerly along the southerly line of west Liberty street sixty-six feet; thence southeasterly parallel to the westerly line of the right of way of said railway to the west line of

First street; thence northerly along the westerly line of First street to the westerly line of the above Railway Company's right of way; thence northwesterly along the right of way of the above Railway Company to the place of beginning; being in block three south range one east according to the recorded plat of the village (now city) of Ann Arbor.

RESOLVED, that it is hereby determined by this common council that the proposed change of said First street is a necessary improvement, and it is advisable to lay out, open, establish and alter said First street so that the same shall pass over and upon that piece or parcel of land described as follows, to wit:

Beginning at the intersection of the southerly line of west Liberty street with the westerly line of the right of way of the Ann Arbor Railway Company; thence westerly along the southerly line of west Liberty street sixty-six feet; thence southeasterly parallel to the westerly line of the right of way of said railway to the west line of First street; thence northerly along the westerly line of First street to the westerly line of the above Railway Company's right of way; thence northwesterly along the right of way of the above Railway Company to the place of beginning; being in block three south range one east according to the recorded plat of the village (now city) of Ann Arbor.

RESOLVED, that Monday the 16th day of March A. D. 1903, at the hour of two o'clock p. m. at the council chambers in the city of Ann Arbor be and is hereby fixed as the time and place when and where this council will meet to consider the proposed improvement and to hear the parties interested therein, and

RESOLVED, that notice of this meeting be given to the persons interested in said proposed improvement in accordance with section 127 of the charter of the city of Ann Arbor.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schuma-

cher, Johnson, Roberts, Coon, Fischer, Pres. Haarer.—12.

Nays—None.

By Ald. Fischer—

Resolved, that the chair appoint a committee of three to confer with the owners of the Fritz property relative to getting a portion of same for street purposes. Carried.

The chair then appointed the following committee: Ald. Hamilton, Schlenker, Fischer.

Office of Board of Public Works,  
Feb. 25, 1903.

To the Common Council:

Gentlemen—In compliance with a resolution passed by your honorable body and referred to this board, the following resolution was passed:

By Mr. Sauer:—

Resolved, that the estimate, plans and specifications relating to the paving of Liberty street be referred to the Common Council. Carried.

Resolved, further, that in the opinion of this Board Liberty street should be paved with asphalt block. Carried.

Mr. Cady moved that the Board recommend that all wires on Liberty street be placed under ground and all poles removed, and that the matter be referred to the Council for action. Carried.

JAS. E. HARKINS, Clerk.

per E. H. Andrews, deputy.

Ann Arbor, Feb. 25, 1903.

Board of Public Works,

Wm. H. McIntyre, Pres.,

Gentlemen:—I herewith submit approximate estimate of the cost of paving Liberty street from the west line of Ashley to the west line of State street with asphalt blocks, the pavement to be 42 feet wide from Ashley to Fourth avenue and 30 feet wide from Fourth avenue to State street.

9,500 square yards paving	
at \$2.20 .....	\$20,900 00
1,200 lin. ft. Medina curb	
at 80c .....	960 00
3,550 lin. ft. Berea curb at	
.50c .....	1,775 00
500 lin. ft. Headers at .50c.	250 00

3,000 cu. yds. excavation at	
.40c .....	1,200 00
Engineering, inspection, etc.	500 00

Total cost.....\$25,585 00  
City to pay:

Street and alley inter-	
sections .....	\$5,256 00
Engineering, inspec-	
tion, etc. ....	500 00
20 per cent of the re-	
mainder .....	3,965 80

Total for city to pay.....\$9,721 80  
Total for property to pay.\$15,863 20

E. W. GROVE,  
City Engineer.

Ald. Johnson moved that the report and estimate of Liberty street paving be referred to the street committee.

Ald. Hamilton offered as a substitute the following:

Resolved, and it is hereby ordered, that the plans and specifications and estimates of the value, of the Board of Public Works, relating to the construction of the Liberty street pavement, be approved and adopted; that such plans and specifications and estimates be and the same is hereby certified to the Board of Public Works with directions, and the Board of Public Works is hereby required to advertise for tenders for the construction of such pavement according to the plans and specifications.

Resolved, second, that the said pavement is a necessary public improvement.

Resolved, third, that the matter shall be and is hereby referred to said Board of Public Works.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Schumacher, Roberts, Coon, Fischer, Pres. Haarer.—9.

Nays—Ald. Clancy, Kearns, Johnson.—3.

FEBRUARY BILLS, 1903.

Ann Arbor, Mich., March 2, 1903.

To the Common Council:

Gentlemen—Your committee on finance have had the following bills under consideration and recommend



their allowance, and that warrants be drawn for the same, payable when the funds are in the treasury:

Respectfully submitted,  
 F. M. HAMILTON,  
 H. W. DOUGLAS.  
 EMMETT COON.

Contingent Fund—

H. Wirt Newkirk, salary.....\$	8 34
M. E. Easterly, salary.....	20 00
Marvin Davenport, salary...	6 25
A. J. Sawyer, salary.....	50 00
E. W. Groves, salary.....	100 00
Jas. E. Harkins, salary.....	83 34
E. L. Seyler, salary.....	83 34
Mrs. C. A. Green, rent.....	29 17
The Ann Arbor Argus, printing .....	22 80
Gertrude Fuller, typewriting for Seyler.....	1 50
Jas. H. Freeman, draying...	1 00
Mack & Co., table felt.....	60
Schumacher's Hardware, supplies .....	2 00
Richmond & Backus Co., record book.....	10 00
Chas. F. Meyers, printing...	21 80
Martin F. Schaller, supplies..	5 70
Mann Brothers, supplies.....	25
E. D. Hiscock, coal.....	20 00
Eberbach Pharmacy, supplies	7 00
Michigan Telephone Co., telephone .....	35
Frank A. Stivers, services...	286 35
Washtenaw Light & Power Co., lighting.....	744 39
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	\$1504 18

Street Fund—

Dan Ross, salary.....\$	83 00
Hutzel & Co., labor.....	10 93
Michael Hession, labor.....	4 03
C. M. Thompson, labor.....	4 00
Bennett French, labor.....	2 00
M. M. Wheelock, labor.....	4 00
John Kettle, labor.....	2 78
Lewis Nowland, labor.....	2 00
Harvey Robinson, labor.....	2 00
C. J. Snyder, labor.....	4 00
Julius Wienberg, labor.....	4 00
Michael Heary, labor.....	4 00
William Byrns, labor.....	1 26
William Clancy, labor.....	5 06
William Rhode, labor.....	10 89

E. D. Kelly, gravel.....	21 00
Ann Arbor Savings Bank, accounts assigned.....	3 66
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	\$ 168 61

Fire Fund—

Fred Siple, salary.....\$	60 00
C. A. Edwards, salary.....	55 00
W. H. McLaren, salary.....	50 00
Max Whitlinger, salary.....	50 00
Albert West, salary.....	50 00
Eugene Williams, salary....	50 00
Herman Kern, salary.....	50 00
Samuel McLaren, salary.....	50 00
Chas. Andrews, salary.....	50 00
Fred Nordman, salary.....	45 00
Chas. Carroll, salary.....	25 00
Ed. Hill, salary.....	8 00
Ralph Edwards, salary.....	8 00
Casper Rinsey, supplies.....	60
E. D. Hiscock, hay.....	5 20
Heinzmann & Laubengayer, supplies .....	12 35
C. B. Dixon, services.....	10 00
Henne & Stanger, chairs.....	3 75
Moses Seabolt, fire team.....	112 50
Geo. W. Sweat, hay.....	5 42
Schumacher's hardware, supplies .....	1 75
Mrs. Ream, washing.....	6 00
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	\$ 708 57

Police Fund—

F. H. Warren, salary.....\$	75 00
Harris Ball, salary.....	50 00
Dave Collins, salary.....	50 00
John O'Mara, salary.....	50 00
Geo. Isbell, salary.....	50 00
Frank Cosgrove, hack.....	3 00
Fred Bierman, supplies.....	2 00
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	\$ 280 00

Poor Fund—

Fred Siple, salary.....\$	10 00
The Goodyear Drug Co., supplies .....	11 45
E. C. Stretch, coal.....	7 50
Ann Arbor Railroad, fare to Toledo .....	1 36
James Boyle, supplies.....	1 50
Wm. Goetz, supplies.....	5 80
Mrs. J. Goetz, supplies.....	5 16
Gruner & Lutz, supplies.....	2 65
E. D. Hiscock, supplies.....	7 00

G. Hoeffler, supplies.....	2 00
A. Kearney, supplies.....	6 00
A. Koch, supplies.....	3 22
Fred Hoezle, supplies.....	3 31
W. F. Ludholz, supplies.....	7 59
Miller & Pray, supplies.....	4 94
P. Purtell, supplies.....	2 76
C. Rinsey, supplies.....	5 67
Louis Rhode, supplies.....	13 00
Rinsey & Seabolt, supplies...	9 72
M. Staebler, supplies.....	4 25
Geo. Spathelf, supplies.....	2 00
M. M. Seabolt, supplies.....	8 92
W. F. Stimson, supplies.....	4 86
Geo. Weeks, supplies.....	4 25
Chas. Zuern, supplies.....	2 40
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	\$ 137 31

Dog Fund—

J. J. West, burying cat.....\$	0 50
J. W. Wilson, burying dog...	0 50
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	\$ 1 00

Recapitulation—

Contingent fund.....	\$1504 18
Street fund.....	168 61
Fire fund.....	708 57
Police fund.....	280 00
Poor fund.....	137 31
Dog fund .....	1 00
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	\$2799 17

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer—12. Nays—0.

By Ald. Clancy:

Resolved, that the board of public works be requested to clean off the paving in the business portion of the city as soon as the weather will permit. Carried.

By Ald. Coon:

Resolved, that the ordinance committee be requested to draw up an ordinance relative to the inspection of milk. Carried.

By Ald. Hamilton:

Resolved, and it is hereby ordered that the city clerk do give in all the wards the usual notice of the meeting of the board of registration, preceeding the next charter election.

That the said board of registration do meet in the several wards at the following places:

- First ward at O. M. Martin's office.
- Second ward at second ward public building.
- Third ward at 123 E. Ann street (Maynard's store.)
- Fourth ward at Fireman's Hall.
- Fifth ward at Engine House.
- Sixth ward at Engine House.
- Seventh ward at Weinburg's shop.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer—12. Nays—0.

By Ald. Schlenker:

Resolved, that the annual charter election in the city of Ann Arbor to be held on the first Monday of April next, be and is hereby appointed to be held in the several wards of the city at places as follows:

- First ward at Zion's school house.
- Second ward at second ward public building.
- Third ward at 123 E. Ann street (Maynard's store.)
- Fourth ward at Fireman's Hall.
- Fifth ward at Engine House.
- Sixth ward at Engine House.
- Seventh ward at Weinburg's shop.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer—12. Nays—0.

By Ald. Schumacher:

Whereas, the Ann Arbor R. R. has failed to show due regard for the convenience of the manufacturing plants doing business on side tracks connect-

ing with their main line, as promised when grade separation was granted; and

Whereas, this is not a sign that they will pay any attention to the city's rights not properly guarded; therefore be it

Resolved, that a committee of five, consisting of the mayor, city attorney and three aldermen be appointed by the chair to consider what steps are necessary for the city totake to avoid great expense while grade separation is being made, and to report to this council.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Schumacher, Johnson, Roberts, Coon, Fischer, Pres. Haarer—12. Nays—0.

By Ald. Koch:

Resolved, that the engineer be requested to examine the grade of the Ann Arbor railroad and report the same to the council. Carried.

The clerk submitted the city physician's and city clerk's reports, which were received and placed on file.

On motion the council adjourned.

JAS. E. HARKINS,

City Clerk.