

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

would so act, as expressed by you in repeated solemn acts of trust, will be to me always a source of pleasure and satisfaction.

Respectfully submitted this first day of July, 1901.

FRANK A. STIVERS.

Received and ordered printed.

County Clerk Blum submitted a certified copy of the court's decision in the case of the People ex rel Ezra B. Norris vs. the Common Council and of the City of Ann Arbor, which was received and placed on file.

Office of the Housefriend and Post,

Ann Arbor, Mich., July 1, 1901.

To the Members of the Common Council,
Ann Arbor, Mich.:

Gentlemen—We will publish the proceedings of the Common Council, Board of Works, etc., in the Housefriend and Post, a weekly English newspaper, published in this city, for forty cents per hundred words, and fifty pamphlets at twenty-five cents a page.

Respectfully yours,

HOUSEFRIEND PUB. CO.

By F. H. Belser.

July 1, 1901.

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

Gentlemen—We will print the proceedings of the Common Council, Board of Public Works, etc., in the Washtenaw Republican, a weekly newspaper published in the city of Ann Arbor, for fifty cents (50c.) per folio and fifty pamphlets of the proceedings for twenty cents (20c.) a pamphlet page.

We can guarantee a growing circulation of from five to six hundred in the city of Ann Arbor, our paper and office are run by union labor, and we do not belong to the trust. If you give us the job we will give the work every attention in our power, and will try to please your honorable body and the people whom you represent.

Respectfully yours,

THE WASHTEAW REPUBLICAN.

Per Alvick A. Pearson.

Ann Arbor, Mich., July 1, 1901.

To the Common Council:

Gentlemen—The Washtenaw Times, a daily newspaper published in Ann Arbor, will print the Council proceedings, ordinances, proceedings of the Board of Public Works, etc., for fifty cents per 100 words. It will furnish these proceedings in pamphlet form

for 25 cents per page, if the proceedings are printed in the paper.

If it is desired to have the proceedings published in all the daily papers of Ann Arbor, we will print the proceedings in the Washtenaw Times and the Ann Arbor Daily Argus for 32 cents per 100 words each.

Yours truly,

ANN ARBOR PRINTING O.

S. W. Beakes, Newspaper Manager.

Enter Ald. Burg.

Ald. Clancy moved that the above bids be referred to the finance committee.

Ald. Hamilton moved as a substitute that the Housefriend and Post be awarded the contract, it being the lowest bidder.

Lost as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Koch, Clancy, Burg—6.

Nays—Ald. Kearns, Brown, Roberts, Jenney, Coon, Fischer, Pres. Haarer—7.

Ald. Brown moved that the contract be awarded to the highest bidder.

Lost.

Ald. Richards moved to readvertise for bids.

Lost.

Ald. Brown moved that the contract be given to the Ann Arbor Argus, according to bids submitted by Washtenaw Times.

Adopted as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy, Brown, Roberts, Jenney, Coon, Fischer, Pres. Haarer—12.

Nays—Ald. Burg—1.

The report of Prof. D. W. Springer, stating the correctness of the treasurer's and clerk's books, and complimenting Mr. Luick on the neat manner in which the treasurer's books were kept, along with some other changes suggested, was received, read and ordered placed on file.

Enter Ald. Schumacher.

Mayor's Office,

Ann Arbor, Mich., July 1, 1901.

To the Honorable the Common Council:

Gentlemen—Permit me to announce the appointment of Hon. Andrew J. Sawyer to the office of city attorney. I hope the experience of the past two months may be overlooked by all concerned and the appointment confirmed.

Very respectfully,

R. S. COPELAND,

Mayor.

Ald. Hamilton moved that the name of A. J. Sawyer for city attorney be confirmed.

Ald. Schlenker moved as a substitute that the matter be deferred until the several intricate problems, such as the grade separations, etc., of which the present attorney is familiar with, be settled.

Lost.

The original motion was then put and lost as follows:

Yeas—Ald. Hamilton, Schumacher, Roberts, Jenney, Fischer, Burg, Pres. Haarer—7.

Nays—Ald. Richards, Schlenker, Koch, Kearns, Clancy, Brown, Coon—7.

Ann Arbor, Mich., June 28, 1901.

To the Common Council:

Gentlemen—Your Committee on Finance have had the following bills under consideration, and would recommend their allowance and that warrants be drawn for the same.

Respectfully submitted,
F. M. HAMILTON,
JOHN BURG,
 Committee.

CONTINGENT FUND.

Geo. Haller, two gold dollars..\$	4 00
Washtenaw Evening Times, printing	122 98
Ann Arbor Argus, printing....	4 06
Ralph D. Goodrich, work....	12 00
Wm. McIntyre, Jr., work....	36 00
Henne & Stanger, supplies..	7 75
Henry Richards, coal	2 50
Marion Davenport, salary....	6 25
J. E. Harkins, salary	83 34
E. L. Seyler, salary	83 34
M. E. Easterly, salary	12 00
Mrs. C. A. Green, rent.....	29 17
George Vandawarker, salary.	8 34
E. W. Groves, salary.....	100 00
J. R. Miner, services on board of review	18 00
E. Oesterlin, services on board of review	18 00
W. E. Howe, services on board of review	18 00
H. Krapf, services on board of review	18 00
J. Boylan, services on board of review	18 00
H. G. Prettyman, services on board of review	18 00
C. H. Cady, services on board of review	18 00
Ann Arbor Electric Co., lighting	705 46

D. W. Springer, auditing books	25 00
Oscar D. Luick, overdraft....	100 00
Ezra B. Norris, salary for May and June	100 00
Frank A. Stivers, legal services	100 00
Total	\$1,632 19
Michigan Telephone Co., quarter's rent	50 25

\$1,682 44

POLICE FUND.

Frank H. Warren, salary\$	75 00
Frank H. Warren, two days omitted in May	5 00
Harris Ball, salary	50 00
Harris Ball, one day omitted in May	1 65
George Isbell, salary	50 00
John O'Mara, salary	50 00
David Collins, salary	50 00
Chas. F. Meyers, printing....	1 75

Total\$ 283 40

FIRE DEPARTMENT FUND.

Fred Siple, salary	\$ 60 00
C. A. Edwards, salary	55 00
W. H. McLaren, salary	50 00
Max Witlinger, salary	50 00
Albert West, salary	50 00
Eugene Williams, salary	50 00
Herman Kirn, salary	50 00
Samuel McLaren, salary	50 00
Charles Andrews, salary	50 00
Charles Carroll, salary	25 00
George Hoelzle, salary	8 00
Ed Hill, salary	8 00
Ralph Edwards, salary	8 00
Fred Nordman, salary	8 00
Carl Schnierle, salary	8 00
Mrs. Ream, washing.....	11 00

Total\$ 541 00

BRIDGE, CULVERT AND CROSS-WALK FUND.

C. M. Thompson, gravel for street crossings	\$ 27 40
Louis Rohde, two cement approaches	9 96
Louis Rohde, cement approaches	16 20
Louis Rohde, cement approaches	28 32

Total\$ 81 88

POOR FUND.

F. Muehlig, ambulance calls...\$	3 00
A. B. Walker, hack	50
Geo. P. Wilder, prescriptions.	3 30

Fred Siple, salary	10 00
Goodale & Co., rent.....	25 00
J. Boyle, groceries	1 50
Wm. Goetz, groceries	5 36
J. Goetz, groceries	6 36
Fred Hoelzle, meat	1 15
G. Hoeffler, groceries	4 00
A. G. Koch, groceries	4 77
A. Kearney, groceries	3 00
W. F. Lodholz, groceries	6 59
Lindenschmitt & Apfel, cloth-	
ing	2 50
F. Muehlig, ambulance	1 50
C. Rinsey, groceries	3 98
Rinsey & Seabolt, groceries ..	7 00
George Spathelf, meat	1 00
John Wahr, shoes	50

Total\$ 91 01

CITY CEMETERY FUND.

N. Garlinghouse, labor\$ 17 00

Total\$ 17 00

DOG LICENSE FUND.

Emmet McMahon, burying one
cat\$ 50

Total\$ 50

RECAPITULATION.

Contingent Fund	\$1,682 44
Police Fund	283 40
Fire Department Fund	541 00
Bridge, Culvert & Crosswalk.	81 88
Poor Fund	91 01
City Cemetery Fund	17 00
Dog License Fund	50

Total\$2 697 23

Ald. Hamilton moved that the report be adopted as read, which was adopted as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy Schumacher, Roberts, Jenney, Coon, Brown, Fischer, Burg, Pres. Haarer—14.

Nays—None.

By Ald. Hamilton:

Resolved, That \$1,000 be, and the same is hereby transferred from the contingent fund to the fire fund, same to be paid back when the July taxes are collected.

Adopted as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy, Brown, Schumacher, Roberts, Jenney, Coon, Fischer, Burg, Pres. Haarer—14.

Nays—None.

Ald. Hamilton moved that parties having two city phones, such as the clerk,

police officer, street commissioner, Ald. Jenney and the phones of Dr. Spitzley, be taken out, as one at present is sufficient.

Carried.

Exit Ald. Schumacher.

Ald. Hamilton presented the bill of the Michigan Telephone Co. of \$50.25.

Ald. Clancy moved that the bill be laid on the table until the company give us better service than we are getting at present.

Lost.

By Ald. Brown:

Resolved, That all public phones, except engine house phones, be ordered taken out.

Lost.

By Ald. Hamilton:

Resolved, That the bill as read be allowed.

Adopted as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Roberts, Jenney, Fischer, Burg, Pres. Haarer—8.

Nays—Ald. Koch, Kearns, Clancy, Brown, Coon—5.

By Ald. Jenney:

Resolved, That E. B. Norris' salary for May and June for \$100 be allowed.

Adopted as follows:

Yeas — Ald. Richards, Schlenker, Koch, Kearns, Brown, Roberts, Jenney, Coon, Fischer, Pres. Haarer—10.

Nays—Ald. Clancy, Burg—2. Ald. Hamilton not voting.

By Ald. Brown:

Resolved, That F. A. Stivers be allowed \$100 for services rendered the city during the months of May and June.

Adopted as follows:

Yeas — Ald. Richards, Schlenker, Koch, Kearns, Clancy, Brown, Roberts, Jenney, Coon, Fischer, Pres. Haarer—11.

Nays—Ald. Hamilton, Burg—2.

By Ald. Brown:

Resolved, That all ordinances in the committee's hands be referred to the city attorney.

Carried.

To the Common Council:

Your committee on sewers, to whom was referred the estimate and report of the city engineer relative to the construction of the lateral sewer in lateral sewer district No. 9, beg leave to report that we have had such estimate and report, and as well the resolution of this Common Council, under consideration and have made due inquiry re-

lating thereto, that we have patiently heard all persons desiring to be heard in the premises, and your committee is of the opinion that there is necessity for the construction of such lateral sewer, and that a special taxing or assessment district ought to be fixed by the Common Council upon and against which the cost of the construction of such sewer may be charged, street crossings excepted, pursuant to the ordinance in such case made and provided.

Your committee beg to submit herewith for consideration a resolution fixing the boundaries of such special assessment district.

All of which is respectfully submitted, and your committee beg to be discharged from the further consideration of the subject.

Dated July 1st, 1901.

HENRY RICHARDS.
JOHN KOCH.
RICHARD KEARNS.
ARTHUR BROWN.
R. A. JENNEY.
GEO. H. FISCHER.

Received and adopted.

By Ald. Richards:

Resolved, That this Common Council still deeming it expedient to cause to be constructed a lateral sewer in lateral sewer district No. 9, the construction of the same is therefore hereby ordered.

Resolved further, That each and all of the lands, tenements and premises hereinafter mentioned are deemed and declared to be benefited by the construction of such lateral sewer to the extent of the cost thereof, street crossings excepted, and all such lands shall constitute and all of the said lands hereinafter mentioned is fixed and determined as the district and special assessment district upon and against which shall be assessed and charged all of the cost and expense of the construction of such lateral sewer, that is to say.

All that part of the city of Ann Arbor and all the lands, tenements and premises situate in the city of Ann Arbor, State of Michigan, known, bounded and described as follows, to-wit:

All of Brown and Kearny's subdivision of block one north of Huron street, range fourteen east; also the south half of block two north of Huron street, range fourteen east; also the north half of block four of R. S. Smith's third addition to the city of Ann Arbor.

Resolved further, That this order, determination and resolution be and the same is hereby certified to the Board of Public Works and to the City Assessor respectively.

Adopted as follows:

Yeas — Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy, Brown, Roberts, Jenney, Coon, Fischer, Burg, Pres. Haarer—13.

Nays—None.

By Ald. Brown:

Resolved, That the grading of East Ann street between Ingalls and Thirteenth streets and the culvert on Eighth street be referred to the street committee and city engineer.

Carried.

Mr. Ashley, manager for the Ann Arbor road, addressed the council and, on conclusion, Ald. Koch moved that the city engineer be directed to accept Mr. Ashley's invitation and go to Toledo and look over the plans, plats and data of the A. A. R. R. and present a report of same to this Council at some subsequent meeting.

Carried.

By Ald. Koch:

Resolved, That the Michigan Telephone Co. be ordered to take out the stubs of poles on Washington street and have curbing and pavement replaced in proper condition.

Carried.

On motion the Council adjourned.

JAS. E. HARKINS,
Clerk.