Council Chamber, Ann Arbor, Michigan, Jan. 2, 1905. Regular Session.

Meeting called to order by Deputy Clerk.

In the absence of Pres. Walz, Ald. Fischer was called to the chair.

Present-Ald. Fischer.

Absent-Ald. Gill. Douglas, Hutzel, Schlenker, Miller, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Coon, Robinson, Pres. Walz. 14.

There being no quorum present, council adjourned to Monday, Jan. 9, 1905, 7:30 o'clock p. m.

> GEO. W. WEEKS, Deputy Clerk.

Council Chamber. Ann Arbor, Mich., Jan. 9, 1905. Adjourned Regular Session

Meeting called to order by Pres.

Present-Ald. Gill, Douglas, Hutzel, Schlenker, Miller, Kearns, Bangs, Sherk, Goodyear, Coon. Robinson. Fischer, Pres. Walz-13.

Absent - Ald. Schumacher and Markey.

Communications from the Mayor. To the Common Council of the City of Ann Arbor.

Gentlemen:—At the request of the business men of the State street diswho have signed a written agreement to pay William Walsh the sum of thirty dollars per month to act as night watchman of that district, provided further that the city will pay Mr. Walsh a like sum, and provided further that Mr. Walsh be appointed policeman to serve in that district only, I hereby recommend that the sum of thirty dollars per month be appropriated for that purpose and upon such apropriation being made that he be appointed policeman to serve in that district at a salary of thirty dollars per month to be paid by the city.

At the last meeting of the council our City Clerk, Mr. Granger, was allowed twenty-five dollars per lowance was made upon my recommendation and in making the same I did not intend to violate, or induce the council to violate, either the spirit or the letter of our charter. If. however, the action of the council had that effect, which I am unwilling to admit, I wish to assume the entire responsibility, for the recommendation was made by me and was neither solicited by Mr. Granger nor any member of the council.

The charter provides that the city clerk shall receive one thousand dollars per year.

The work in the city clerk's office has doubled since the charter was adopted. At that time the compensation allowed the city clerk was sufficient because he could easily do the work of the office alone. With the growth of the city the work in the clerk's office has increased to the extent that it is impossible for the clerk to do the work alone and it is necessary for him to employ a stenographer and other help. If he is required to pay this help out of his salary he has little left for himself.

To avoid any question of a violation of the charter, I would suggest that it be amended so that the salary of the city clerk shall be increased or the council authorized to pay the necessary clerk hire to properly pertorm the business of the city.

I recommended a similar amendment two years ago to increase the salary of our city assessor to a sufficient sum to insure the retention in that office of a competent official.

I would also recommend that such action be taken as is necessary to change our charter so as to enable the city to do such work as the building of sewers, the laying of pavements, the grading of streets the building of culverts, etc., without being obliged to wholly rely upon the tender mercies of such contractors as may desire to bid on work.

I would also recommend that the matter of charter amendments above month for extra clerk hire. This all referred to, and such other amend-

ments as the council think reces- and that warrants be drawn for the sary, be referred to a committee consisting of our representative in the legislatur, the Hon. J. E. Beal, and our city attorney.

> Respectfully submitted. ARTHUR BROWN,

Mayor. Adopted as follows: Yeas-Ald. Gill, Douglas, Hutzel, Schlenker, Bangs, Sherk, Goodyear, Coon, Robinson, Pres. Walz.-10. Nays-Ald. Miller, Kearns, Fischer-3. By Ald. Fischer-Resolved that three members of the council be added to the committee on revision of charter as named by the mayor—additional members to be named by the chair. Adopted and Ald. Fischer, Gill and Schlenker named to act with Hon. J. E. Beal and the city attorney as such committee. Communications and Petitions. the Honorable the Common Council of the City of Ann Arbor. Gentlemen:—On December I received a letter from Hon. Fred. M. Warner acknowledging receipt of the petition of the business men to correct the census of the City of Ann Arbor as taken by the state, and containing the following statement: "I believe that a statement should be made by a foot note to the effect that the census of Ann Arbor as taken by the state included only a small percentage of the students, and I am glad to assure you that such a statement will appear in the census volume on population." Very respectfully,

THOS. D. KEARNEY, City Attorney.

Received, read and ordered on file. Report of Committees. FINANCE.

Ann Arbor, Mich., Jan. 9, 1905. To the Honorable the Common Council.

Gentlemen:-Your committee on finance have had the following bills consideration under careful would recommend their allowance same.

H. W. DOUGLAS. GEO. H. FISCHER, EMMETT COON,

Committee.

Geo. H. Pond, supplies \$38.16
Christian Schlenker, supplies .45
Sid. W. Millard, supplies 14.00
E. G. Hoag, supplies 1.35
Geo. W. Weeks, supplies 4.00
M. Staebler & Son, supplies. 36.25
Mrs. W. F. Lodholz, supplies25
Henry G. Pipp, supplies 1.85
Ross Granger, supplies 3.00
Mrs. M. E. Easterly supplies 2.00
Eugene B. Hall, supplies, 36.25
Wm. Herz, supplies 2.98
Ann Arbor Gas Co., supplies. 5.20
Clifford R. Huston, recording
deeds 3.00
Glen V. Mills. services 5.00
John J. West, dray 2.00
L. C. Gillette, posting bills 3.00
Parker & Smith, supplies 2.25
Parker & Snyder, supplies 7.50
Ann Arbor Argus, printing 28.08
Ann Arbor Times, printing 26.07
Michigan State Telephone
Co., phone 1.63
Richmond & Backus Co., sup-
plies 18.25
Dr. E K. Herdman, fee for
Dr. E K. Herdman, fee for vaccination 122.50
Dr. E K. Herdman, fee for vaccination 122.50
Dr. E K. Herdman, fee for vaccination 122.50
Dr. E K. Herdman, fee for vaccination 122.50  \$365.02
Dr. E. K. Herdman, fee for vaccination
Dr. E. K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., sup-
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02       \$365.02         Pcor Fund.       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02       \$365.02         Pcor Fund.       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98         D., Y., A. A. & J. R. R., sup-
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98         D., Y., A. A. & J. R. R., supplies       45
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98         D., Y., A. A. & J. R. R., supplies       45         Mrs. J. Goetz, supplies       11.50
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98         D., Y., A. A. & J. R. R., supplies       45         Mrs. J. Goetz, supplies       11.50         Wm. Goetz, supplies       6.59
Dr. E K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination       122.50         \$365.02         Pcor Fund.         E. L. Brown, supplies       504.00         L. C. Weinman, supplies       25         Eugene B. Hall, supplies       2.75         Dawson Bros. Drug Co., supplies       34.95         Luick Brothers, supplies       1.98         D., Y., A. A. & J. R. R., supplies       45         Mrs. J. Goetz, supplies       11.50         Wm. Goetz, supplies       9.85         Fred Hoelzle, supplies       2.95         A. G. Kock, supplies       4.09
Dr. E K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination
Dr. E K. Herdman, fee for vaccination

Council Pr	ROCEEDINGS. 141
Rinsey & Kyer, supplies       14.53         C. Rinsey, supplies       11.63         L. Rhode, supplies       32.80         W. F. Stimson, supplies       3.00         Geo. Spathelf, supplies       1.00         L. C. Weinman, supplies       .55         John Wahr, supplies       3.25         C. Zuern, supplies       .78	Poor Fund       680.97         Fire Fund       349.72         Dog Fund       1.00         St. Lighting Fund       924.70         Water Fund       3,588.62         Street Fund       339.64         Bridge, Cul. and Crosswalk       73.06
\$680 97 Fire Fund.	Total\$6,322.73
Ann Arbor Gas Co., gas 129.30 Robison & Co., supplies 146.57 Mrs. Ream, supplies 8.00 L. Rhode, supplies 91 Henry Richards, supplies 32.63 Ed. Hiscock, supplies 14.50 Sauer & Co., supplies 4.23 H. Otto & Son, supplies 5.70 Wm. Herz, supplies 7.88	By Ald. Robinson— Resolved that report of Finance Committee—with exception of Ann Arbor Water Company bill—be concurred in. Adopted as follows: Yeas: Ald. Gill, Douglas, Schlenker, Miller, Kearns, Bangs, Sherk, Good- year, Coon, Robinson, Fischer, Pres. Walz—12.
\$349.72	NaysAld. Hutzel. By Ald. Douglas
Dog Fund. Emmit McMahon, bur. dog 1.00 Street Lighting Fund. Washtenaw Light & Power Co., lights 924.70 Water Fund. Ann Arbor Water Co., water 3588.62	Resolved that the Fire Commissioners be requested to make an investigation as to water supply and report at next meeting of the council—the Ann Arbor Water Company bill to then be considered.  Adopted.
Street Fund.           Geo. Zeifle, labor         5.32           Thomas O'Neil, labor         1.65           J. C. Fischer, supplies         24.00           Ann Arbor Water Co., supplies         1.25           Koch Bros., supplies         95.85           Michael Finkbeiner, supplies         5.30           Chas. A. Sauer & Co., supplies         12.47           Luick Bros., supplies         5.75           Wm. J. Clancy, sprinkling         124.00           J. W. Brokaw, oats         22.96           Wm. Bolgas, hay         16.90           Silas Elsifor, hay         18.59           Geo. W. Sweet, oats         5.10	Adolph Feinkbiner presented bill for \$80 representing two months' disability from accident in gravel vit. Ald. Douglas moved that bill be laid on the table. Ald. Schlenker offered a substitute motion that matter be referred to City Attorney.  Substitute motion adopted.  Ordinance Committee Report.  Ald. Fischer presented the cemetery ordinance for its third reading. AN ORDINANCE RELATIVE TO THE MANAGEMENT AND CONTROL OR FAIRVIEW CEMETERY.
\$339.64 Bridge, Culvert & Crosswalk Fund.  John P. Drake, painting bridge	The Common Council of the City of Ann Arbor Ordain: Section I—That the Cemetery Committee of the Council shall have the management and control of Fairview Cemetery. Said Committee shall have power to employ a sexton to take charge of said cemetery and to remove and discharge him at will, but the salary of the sexton, so ap-

pointed, shall be fixed by resolution of the Common Council. The work of the sexton shall, at all times, be done under the direction of said committee. Said committee shall have power to change, fix, and establish the price of the sale and care of graves and lots, and remove, subject to the approval of the Common Council, all unknown bodies to some certain place in said cemetery set aside for that purpose.

Section 2—Any person, or sons, desiring to purchase a grave or lot in Fairview cemetery, after selecting and before using same. shall pay to the City Clerk not less than one-half the price of said grave or lot and give an endorsed note satisfactory to said Clerk, for the balance, payable to the City of Ann Arbor, and due within one year, with interest at the rate of six per cent And upon the full payper annum. ment of the purchase price of such lot the Mayor and City Clerk shall execute, in the name of the City of Ann Arbor, a deed of such lot and deliver same to the purchaser thereof.

Section 3—Any person who shall pay not less than twenty-five dollars for the care of his lot, or fraction of not less than one half of a lot, will be entitled to a voucher, signed by the City Clerk, that the City will assume the care of such lot, keeping the same clean and in good order, and the monuments thereon in repair without further charge. Ordinary unavoidable accidents and damage by the elements excepted.

Section 4—All persons desiring to bury friends or relatives in Fairview cemetery must file an application with the City Clerk for a burial permit, such application to be accompanied by a fee of five dollars for an adult, three dollars for a child from the age of five to twelve years, and two dollars for a child under five years of age, to cover the expense of digging, and filling and sodding the grave.

Section 5 — Assessments of one

dollar shall be made annually on the 15th day of May for the care of each lot and notices of such assessment shall be given all lot owners by the City Clerk. Each lot owner, paying such assessment shall be entitled to have his lot mowed and cleaned off four times in that year, if necessary, and for each additional mowing and raking twenty-five cents, for filling with good soil and watering each vase during the summer and reversing the same during the winter, fifty cents.

Section 6—All foundations for monuments and markers erected in said cemetery shall be made of concrete consisting of eight parts good, clean gravel and one part Portland cement not less than five reet deep for monuments and three feet deep for markers, the work to be done under the supervision of the sexton, and to be paid for by the lot owner or the person erecting the monument.

This ordinance shall take effect and be in force on and after legal publication.

The Chair put the question, "Shall the ordinance pass?" Adopted as follows:

Yeas—Ald. Gill, Douglas, Hutzel, Schlenker, Miller, Kearns, Bangs, Sherk, Goodyear, Coon, Robinson, Fischer, Pres. Walz—13.

Nays-None.

Ald. Fischer presented an ordinance entitled, "An ordinance authorizing the Toledo, Ann Arbor & Detroit Railroad Company to construct, maintain and operate a street railway in and through the City of Ann Arbor, and defining the powers, privileges and restrictions of the said Railroad Company," which was given its first reading by title.

Ald Fischer moved that it be passed to its second reading. Ald. Coon moved as a substitute that the ordinance be read in full for its first reading. The substitute motion was adopted and ordinance read as follows:

AN ORDINANCE authorizing the Toledo, Ann Arbor & Detroit Rail-

road Company to construct, maintain and operate a street railway in and through the City of Ann Arbor, and defining the powers, privileges and restrictions of the said railroad company.

## The Common Council of the City of Ann Arbor ordain:

Section 1. That consent, permission and authority be and is hereby given and granted to the Toledo. Ann Arbor & Detroit Railroad Company, a corporation organized existing under the train or street railway laws of the State of Michigan, and to its successors and assigns, to construct, maintain, use and operate for a period of thirty years from and after the date of approval of this ordinance a street railway. the motive power of which shall be compressed air, direct current system of electricity, multiphase or alternating current system of electricity, storage batteries, or other modern rapid motive power, excepting steam, at the option of said grantees, with from time to time, the necessary switches, turnouts, poles, feeders, wires and other wires and appliances to operate the same through the City of Ann Arbor, and towards, or to the City of Toledo, Ohio, upon and along the following streets in the City of Ann Arbor, namely:-

Commencing at a point on the west side of South State street, near corporation line of the south of the City of Ann Arbor, north the Ann Arbor Railway tracks of Company; thence north along west side of South State street to Edwin street; thence to the center of South State street to Packard street; with the right to make a proper connection with the D., Y., A. A. & J. Ry. Co. at the intersection of Packard and State streets.

Provided that nothing herein contained shall give the grantees here in any right to operate its said line of railway on Packard and Main streets over the tracks of the D., Y., A. A. & J. Ry. Co., except such rights as they may have acquired bonds thereof, shall be purch or otherwise acquired, by any steam railway, or by a direct other principal officer; or other son acting on behalf of any steam railway, this franchise from thence be null and void.

by contract with said D., Y., A. A. & J. Ry. Co. and provided further that nothing herein contained shall give said D., Y., A. A. & J. Ry. Co. any greater rights in said streets than it now possesses.

Section 2. The said street railway shall be constructed and consist of a standard guage track with, from time to time, all necessary switches, and turnouts, and, together with all of its cars, appliances and equipments. shall constructed and be maintained in the most approved modern manner and in all respects or firstclass material, and so as to interfere and interrupt as little as possible the ordinary traffic on and along the said streets and highways.

Section 3. This grant is made upon the express condition that said
proposed street railway be constructed, built and in operation from Toledo, Ohio, to Ann Arbor, Michigan,
within eighteen months from the
date of this ordinance; in the event
of a failure so to complete said
street railway, within the time above
limited, then this ordinance shall be
in all things null and void.

In case a part of said railway is constructed and for good and sufficient reasons, beyond the control of said company, the same cannot be fully completed and in operation as above provided, then it is agreed that a reasonable extension shall be granted.

And this franchise is granted upon the further express condition that if the said grantees, their heirs, successors or assigns, shall sell, assign or consolidate, or attempt to sell, assign or consolidate the electric railway to be constructed under this franchise, with any steam railway; or if the said electric railway so to constructed. or the stocks bends thereof, shall be purchased, or otherwise acquired, by any such steam railway, or by a director, or other principal officer; or other person acting on behalf of any such steam railway, this franchise shall

And upon the further condition the said grantees, their successors and assigns, and the corporation operating the street railway under this franchise, shall sprinkle, wet down and lay the dust on all that part of every street occupied by their tracks, or upon which their said cars run, by virtue of this franchise or under contract arrangement with any other company, and for a space or distance of two feet on either side of their said tracks, to the extent and so that the dust shall be at all times well and sufficiently And the said Common Council shall have power and authority at all times to make such further rules, orders, ordinances or regulaconcerning the construction and operation of said street railway and cars, as may, from time to time, be deemed necessary to protect the interests, safety and welfare of the inhabitants of the said city, and to accommodate the public in its relation to the said street railway system.

The Section 4. said grantees. their successors and assigns, and the corporation operating the street railway under this franchise shall have the right, privilege, power and thority to carry passengers, baggage, express, United States mail, and package freight, and shall carry passengers—that is to say, local passengers meaning thereby all persons who shall or may apply for carriage and transportation within the corporate limits of the City of Ann Arbor over the said line of street railway, or any part thereof, for one continuous passage one way, for a single fare of five cents for such passenger.

The said grantees, their successors and assigns, shall continuously keep on every car devoted to passenger service a supply of tickets for sale at and for the price of twentyfive cents (25c) for six tickets, one which tickets shall entitle any οť person to one continuous ride from and to any part of the city on and

over said street railway, and each and every person so paying such fare or delivering any such licket shall on application be entitled to have and receive from the said grantees. their successors and assigns a transfer ticket, to the Detroit, Ypsilanti, Ann Arbor and Jackson Railway, or any other street railway that may hereafter be constructed within said city, within two hours from the time of issue, shall entitle any such passenger to one continuous ride over said Detroit, Ypsilanti, Ann Arbor and Jackson Railway or any other street railway that may hereafter be constructed within said city to any of the city: part and the grantees. their successors and signs, shall receive and accept in payment for single fares and continuous rides over the street railway constructed under this franchise within the corporate limits of the city, like transfer tickets issued and delivered by the Detroit, Ypsilanti, Ann Arbor and Jackson Railway, its successors andassigns, or street railway hereafter constructed within said city and the grantees shall make and maintain provision for the issue of such transfer tickets by the Detroit, Ypsilanti, Ann Arbor and Jackson Railway, its successors and assigns, or any other street railway that may hereafter be constructed within said city, and shall carry and transport children under age of five years, when accompanied by guardian or parent; and all the members of the Ann Arbor police force, fire department force, aldermen and engineering force, when on duty, free

The provisions of this section shall not apply to passengers or persons who begin and end their journey outside of the limits of the City of Ann Arbor, but shall be understood to apply strictly to local passenger traffic only, except that all persons who begin or end their journey within the corporate limits of the City of Ann Arbor, shall be entitled to receive, have and make use of such transfer tickets.

Section 5. This grant is made upon a further condition that all of the cars of said street railway shall at all times be propelled by electric power or such other rapid motive power, except steam, as the grantees shall, or may, from time to time, deem expedient. The said cars shall be of modern type and shall at all times be properly lighted and comfortably heated, and be propelled at a rate of speed not exceeding twelve miles per hour.

The said railway company, its successors and assigns shall operate cars over said line on a schedule of not less than one car per hour, but may operate its cars as much oftener as it may deem necessary.

In the paved, or hereafter to be paved portion of said street, the poles erected by the said grantees shall be of iron, all other poles may be of well shaped cedar and at all times maintained properly painted.

All the rails of the said railway, laid in said streets, shall be not less than 90 lb T or tram rail and the said grantees shall at all times keep and maintain the space between the rails and eighteen incress on the outside of the rails filled with fine crushed stone and packed down flush with the rails, subject to the approval of the Board of Public Works, so that the travel on the streets will be as little obstructed as possible.

The tracks and other appliances shall be laid and constructed in a careful and prudent maner and by careful bonding and other approved methods, provide against electrolyof gas, water and other pipes laid beneath the surface of the street; and the grantees, their successors and assigns, shall be liable for, and shall pay to any person, firm or corporation entitled thereto. any and all damage occasioned by electroloysis, coming from the said electric railway construction or operation.

No cars shall be allowed to remain standing idle upon any street within

the city limits, except by consent of the Common Council, nor shall any cars be permitted to stop on any crosswalk or any other street crossing except in case of accident, or to take on or to discharge passengers, and then only without obstructing the crosswalks.

All cars taken over said railway shall be in charge of sober, prudent and experienced employees, and it shall be the duty of every person in charge of any car, to keep a vigilant watch or lookout for all teams, persons on foot and especially children and all other obstructions, either upon the tracks or moving towards it, and at first appearance of danger, the car shall be stopped in the shortest time and space possible and all the cars shall be provided with sufficient air brakes for that purpose.

The cars upon said railway shall be always entitled to the track except as against the fire department, when on duty, and buildings being moved under the direction of the Board of Public Works, and the driver of any vehicle obstructing same shall turn out and leave the track free upon the approach of any car, as soon as possible, and so as not to impede the car; and any person who shall refuse so to do, after having been warned by the motorman, or other person in charge of the car by the ringing of the car bell, or otherwise, shall upon conviction thereof, before any court of competent jurisdiction, be fined in any sum not exceeding twenty-five (\$25) dollars and the cost of prosecution, and the court upon the imposition of any such fine shall have the further power and authority, to sentence any such offender to confinement in the common county jail of the County of Washtenaw, until such fine and cost shall be paid, not exceeding thirty days.

Section 6. Whenever the Common Council of the City of Ann Arbor shall order any of the streets over which this franchise is granted,

to be paved, repaved, or otherwise improved, or any part or parts thereof, wherein the tracks of said street railway are laid, it shall be the duty of the said grantees, their successors and assigns, and they shall at their own cost and expense, grade, pave, repave, or otherwise improve all of the parts of said streets which lie between the outer rails of their said tracks, and one foot six inches distant therefrom on the outer side thereof, and also the space lying between the main tracks or track, and all side tracks, and all other places where there are side tracks, turnouts, or switches with like kind of material other than street asphalt, at the same time and in the same manner in which the other portions of said streets, or street, shall or may be paved, repaved or otherwise improved.

If the said street railway shall be constructed in any street already paved, then said grantees shall pay to the City of Ann Arbor the cost of all material which the said grantees would be required to furnish to pave any such street. If said grantees shall make use of the high tension system for providing current, the wires shall be safely insulated and subject to the approval of the Common Council, the poles for its high tension feeders shall be erected on some convenient street, which the Council shall Common designate, such designation to be made within sixty days after notice, or the said grantees shall have the rower and authority to select such convenient street or streets for them.

If possible, said railway company will not locate a rotary station within the city limits in order to avoid stringing high pressure wires within the limits of said city.

Section VII. The tracks of said railway shall be laid in the street at the points and on the lines designated by the Common Council, and in the event that the said Common Council shall, for any reason, fail to make such designation within sixty

days after receiving notice from the said grantees so to do, then the same shall be laid in and along the center of said street.

Section VIII. The said grantees, their successors and assigns, operating the street railway under this franchise shall, after completing the construction of said street railway, restore the streets and all portions thereof, occupied by said street railway and maintain the same in as good condition as the same were at the time such railway construction shall commence, and the said street railway shall be in all things constructed and operated in such a manner so as to interfere as little as may be with public travel and traffic in and along the streets and avenues of the City of Ann Arbor.

Section 9. The said grantees shall, within ten days after the passage of this ordinance, file with the City Clerk a written acceptance of the same and of all the terms and conditions thereof.

Section 10. Said Toledo, Ann Ar-& Detroit Railroad Company bor shall permit any other interurban railway company city railway or seeking admission to Ann Arbor to use its tracks and switches for the following compensation, viz.: applying company or road to pay one-half of the interest on the bonded value of such tracks so used and one-half the expense of maintenance of such portion of the track so used.

Section 11. The said grantees and their assigns shall be liable for all damages which the city may sustain by reason of any negligence on the part of the grantees, their agents, contractors or sub-contractors in the construction of said railroad and shall hold the city harmless therein, including all costs and expense incurred in defending any suit occasioned thereby, or which may arise out of or be based upon alleged negligence. The said grantees and their assigns shall file a bond before doing any work in said city other than surveying in the penal sum of ten

thousand dollars, conditioned to hold the city harmless as aforesaid.

Section 12. This ordinance shall take effect and be in force from and after the expiration of ten days from the legal publication thereof, and after filing with the City Clerk a written acceptance of the same as above provided.

Section 13 All ordinances of ordinances inconsistent parts with the provisions of this ordinance are, to the extent of such inconsistencies, hereby repealed.

## Report of City Officers.

TREASURER'S REPORT.

## For Mon!b Ending December 31 1904

MONEY RECEIVED. Contingent Fund.

Contingent rand,		
From City ClerkToledo, A. \$		
A. & Det. Ry 50 00		
City Scales, fees 5 70		
Peddler's licenses 1 00		
Milk licenses 2 00	58	70
Cemetery FundFrom City Clerk	15	00
Dog License Fund—From City Clerk		75
Police Fund		
From City Marshal—officer's		
fees November 12 60		
Justice Doty—fines for quar-		
ter 69 00	81	60
Sidewalk Fund—Building Subdivis	sion	
From City Clerk 92 25	51011.	
Tax collected in December 334 34	426	59
	120	90
Rejected Tax Fund		
From Washtenaw county 772 00 Tax collected in December 25 18	797	10
	191	10
Uncollected City Tax Fund		
City Tax collected in December	9,946	93
m-4-1	11 600	
TotalOn hand December 1	11,526	
On nand December 1	15,493	15
	26,820	50
Expenditures	8,728	
Expenditutes	0,120	02
On hand Jan. 1, 1905	18,092	48
MANAGER STATES AND		
DISBURSED, WARRANTS PAID	).	
Bridge, Culvert and Crosswalk Fund, .	456	72
Contingent Fund,	1,852	87
City Cemetery Fund,	6	
Dog License Fund,		00
Fire Fund,	1,407	
Poor Fund,	129	
Police Fund.	628	-
Police Fund,	459	
Main Sewer Bond Fund	2,500	
Park Fund,	235 912	
(1: 1 11- 1): 1 di 13 1	156	
Sidewark Building Fund,	199	40
Total,	8.728	02
CONDITION OF CITY FUNDS, JAN.		
	Oyer	•
() II I	1	

On Hand

\$5,314 63

6,984 34

Bridge, Culvert and Crosswalk Fund, . . .

walk Fund, . . . Contingent Fund, . .

drawn.

OCEEDINGS.	147
City Cemetery Fund,	. 102 65
Dog License Fund	75
State Dog Tax Fund, Delinquent Tax Fund,	. 100 00
Fire Fund	. 2,469 06 456 43
Fire Fund, Poor Fund,	. 1,022 61
Police Fund Street Fund,	
Uncollected City Tax Fu	. 2,839 94 nd, 7,730 50
Water Fund,	. 4,377 04
Water Fund, Storm Sewer Fund, Rejected Tax Fund,	. 15 45
Douls Francis	. 102 00
Street Lighting Fund,	. 4,028 54
Sidewalk Fund, Sidewalk Building Fund,	. 237 65 . 1,546 99
Balance on hand	\$28,455 59 \$10,363 11 18,092 48
PAVING	FUNDS.
Tax Account Paying Dist	trict No. 4. 333 65
Tax Account Paying Dist	crict No. 5, 422 04
Tax Account Paying Dist Tax Account Paying Dist Tax Account Paying Dist	crict No. 7, \$ 243 19
Tax Account Paving Dist	crict No. 8, 59 88
Total,	\$ 1.070 36
On hand December	\$ 1,070 36 1, 1904 . \$15,938 78
On hand Jan. 1, 190	5 . 17,009 14
Condition of Paving Fu	
Januar	y, 1905.
	On Over
Tax.Acc't Paving Dis. No	hand drawn 5. 3, \$ 81 70
Lab Ace't Paying Dis. No	0. 3. \$ 518 65
Tax Acc't Paving Dis. No Lab. Acc't Paving Dis. No	0. 4, 4,405 31 0. 4, 85 06
Tax Acc't Paving Dis. No	0. 5. 4.350 60
Lab. Acc't Paving Dis. No	0. 5, 50
Tax Ace't Paving Dis. No	0. 6, 807 66 7 50
Tax Acc't Paving Dis. No	0. 7, 5,148 24
Lab. Acc't Paving Dis. No Tax Acc't Paving Dis. No Lab. Acc't Paving Dis. No Tax Acc't Paving Dis. No Lab. Acc't Paving Dis. No Tax Acc't Paving Dis. No Tax Acc't Paving Dis. No	0. 7, 1,050 95
Tax Acc't Paving Dis. No Lab.Acc't Paving Dis. No	5. 8, 461 95 5. 8. 324 54
Balance on hand .	. \$17,175 90 \$ 166 76 . \$17,009 14
LATERAL SE	WER FUNDS.
Treasurer's Report Mon	
Tax Account Lateral Sev Tax Account Lateral Sev	ver No. 8\$ 32 03 ver No. 9 50 88
Tax Account Lateral Sev	ver No. 10 9 85
Tax Account Lateral Sev	ver No. 11 47 21
Tax Account Lateral Sev Tax Account Lateral Sev	ver No. 12 61 47 ver No. 13 909 77
Total	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
Overdraft Jan. 1	3,766 91
Condition of Sewer Fund	
uary,	1905.
	On Over Hand drawn
Tax Acc't Lat. S'r No. 8	\$ 22 85 150 10
Tax Acc't Lat. S'r No. 9.	. 179 10 . 458 47
Lab.Acc't Lat. S'r No. 9, Tax Acc't Lat. S'r No. 10	, \$ 75 53
Lab.Acc't Lat. S'r No. 10.	, 223 19
Tax Acc't Lat. S'r No. 11 Lab. Acc't Lat. S'r No. 11	624 23
Tax Acc't Lat. S'r No. 12.	1021 82
Lab. Ace't Lat. S'r No. 12 Tax Ace't Lat. S'r No. 13	
Lab. Acc't Lat. S'r No. 13	
120.1100 0 1200. 17 1 10. 10	951 67
Total	951 67
Total	951 67

State, County and School Fund	ls	
State TaxCollected in December	\$12,693	59
County TaxCollected in December	8,632	50
School TaxCollected in December	34,034	15
Total	55 960	0.1

Paid County and School Treasurers ... 13,000 00

42,360 24

Condition of State, County and School Funds on the first day of January, 1905

	Amount	On hand
State Tax	\$4,500 00	\$ 8,193 59
County Tax		6,132 50
School Tax	6,000 00	28,034 15
		42,360 24

Ann Arbor, Mich., Jan. 3, 1905. To Whom It May Concern:

This is to certify that S. W. Beakes as Treasurer of the City of Ann Arbor, has on deposit this third day of January, 1905, the sum of seventy-three thousand, two hundred ninety-one dollars and fifty-two cents (\$73,291.52).

Signed, H. A. WILLIAMS, Assistant Cashier.

On Hand—City Funds, Paving Funds,	•		\$18,092 17,009	
raving runus,	•		17,000	17
Overdreye Cover Funds			\$.5,101	
Overdrawn—Sewer Funds,	•	•	3,766	91
E .	201		31,334	
On hand-State, Co. and Sci	hool	Funds	42,360	24
Total			73,694	
Cash & checks on hand nigh	t of .	Dec. 31	403	43
Bank Balance, Respectfully Submitte	1.		\$73,291	52

S. W. BEAKES, Treas.

Reports of Treasurer, Clerk, Marshal, and Justice Doty received and ordered on file.

## Resolutions.

By Ald. Coon:

Resolved, that a warrant be drawn on the contingent fund to the City Treasurer for \$14.75 for one-sixth of the personal tax assessed this year against the estate of John W. Beck, in pursuance of the settlement made with the administrator, as authorized by the Council.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Hutzel, Schlenker, Miller, Kearns, Bangs, Sherk, Goodyear, Coon, Robinson, Fischer, Pres. Walz—13.

Nays-None.

By Ald. Fischer:

Whereas the residents residing on and along and in the vicinity of Packard street are only hourly service over the D. Y. A. A. & Jackson R. R., and that their franchise with the city calls for cars to be run as often as the Common Council shall prescribe. provided that cars shall not be required to run' oftener than 15 minutes between the hours of 6 a. m. and 8 p. m. daily

Now, Therefore, be it resolved, that it is the sense of this Council, and the D. Y. A. A. & J. R. R. be, and are hereby ordered, to give half hour service over that portion of their road lying between the southeasterly end of Packard street and Huron street. The same to go into effect on and after the first day of February, 1905.

Resolved further, that the City Clerk is hereby instructed to furnish a certified copy of this resolution to Superintendent Merrill.

Adopted.

On motion the Council adjourned.

ROSS GRANGER,

City Clerk.