

Council Chamber,
Ann Arbor, Mich., Jan. 25, 1926.
Adjourned Regular Session. . .

Meeting called to order by
President Woodbury.

Present: Ald. Slauson, Lucas,
Sweet, Dwyer, Ware, Moore, Free-
man, Young, Lutz, Pres. Wood-
bury, 10.

Absent: Ald. Jocelyn, Graf,
Maulbetsch, Bursley, 4.

Communications.

From Board of Public Works.

Moved by Mr. Atwell, that Board
requests Council for permission to
purchase season's supply of all
material required by this depart-
ment.

(Council action.)

Moved by Ald. Lutz, that re-
quest be granted.

Adopted by following vote:
Yeas, Ald. Slauson, Lucas, Sweet,
Dwyer, Ware, Moore, Freeman,
Young, Lutz, Pres. Woodbury, 10.
Nays, none.

Order of Michigan Public Utili-
ties Commission, relative to regu-
lation of the gas rates and audit of
books and records of the Washten-
aw Gas Company, received and
ordered on file.

Communication from State
Highway Dept. relative proposed
grade separation for Federal Aid
Road No. 74, received and referred
to Street Committee.

Bond for Pawnbroker's license
received and referred to City At-
torney.

Committee Reports.

Finance Committee.

Ald. Slauson presented City En-
gineer's estimates, approved by
Board of Public Works Jan. 20,
1926, as follows:

Sanitary Sewer Dist. 149—Final
estimate, John Baker, contractor,
amount due, \$301.82.

Sanitary Sewer Dist. 153—Fifth
estimate, John Baker, contractor,
amount due, \$1,413.75.

Sanitary Sewer Dist. 154—Final
estimate, John Baker, contractor,
amount due, \$173.25.

Fuller Street Bridge—Seventh
estimate, Price Brothers Co., Inc.,
contractors, amount due, \$2,515.10.

Storm Sewer—S. University-ave.
and Elm-st., 5 per cent retained,
Frank J. Ryan, contractor
amount due, \$351.43.

Moved by Ald. Slauson, that esti-
mates be allowed and City Clerk
instructed to draw warrants for
amounts due.

Adopted by following vote:
Yeas, Ald. Slauson, Lucas, Sweet,

Dwyer, Ware, Moore, Freeman,
Young, Lutz, Pres. Woodbury, 10.
Nays, none.

Railway Committee.

Ald. Ware presented a commu-
nication from F. J. Bishop, Acting
Chief Engineer of the Ann Arbor
Railroad, which stated that the
present gate operator at Hoover-
ave. works from 7 a. m. to 7 p. m.,
twelve hours per day, and in case
of removal of the gates the cross-
ing watchman would work the
same hours each day.

Moved by Ald. Ware, that the
request of the Ann Arbor Railroad
Company, to remove gates at
Hoover-ave. crossing and place a
watchman at said crossing, be
granted.

Adopted by following vote:
Yeas, Ald. Slauson, Lucas, Sweet,
Dwyer, Ware, Moore, Freeman,
Young, Lutz, Pres. Woodbury, 10.
Nays, none.

Bond Committee Report.

To the Honorable, the Common
Council:

Gentlemen: Your Bond Commit-
tee has had the following plumb-
er's bond under consideration and
respectfully recommends its ap-
proval: Joseph Dawson, principal;
American Surety Company of
New York, surety.

Respectfully submitted,

E. E. LUCAS,

H. M. SLAUSON,

Bond Committee.

Ald. Lucas moved the adoption
of report, which was adopted by
following vote: Yeas, Ald. Slaus-
on, Lucas, Sweet, Dwyer, Ware,
Moore, Freeman, Young, Lutz,
Pres. Woodbury, 10. Nays, none.

Moved by Ald. Young, that mat-
ter of removal of curb pumps be
referred to a special committee to
investigate and report back to
Council in March.

Lost by following vote: Yeas,
Ald. Sweet, Dwyer, Ware, Moore,
Young, Pres. Woodbury, 6. Nays,
Ald. Slauson, Lucas, Freeman,
Lutz, 4.

Charter Amendments.

By Alderman Freeman:

Resolved, that Section 34 of the
charter of the City of Ann Arbor
be and the same is hereby amended
to read as follows:

Section 34. The supervisors and
constables shall hold their offices
for the term of one year from the
second Monday in April of the
year when elected, and until their
successors qualify and enter upon
the duties of their offices.

Resolved further that Section 56 of the Charter of the City of Ann Arbor be and the same is hereby amended to read as follows:

Section 56. There shall be one Justice of the Peace and one Associate Justice of the Peace for the City of Ann Arbor. Said Justices of the Peace shall be attorneys-at-law in good standing who have been admitted to practice before the Supreme Court of the State of Michigan for at least one year prior to their election. Such Justices of the Peace shall possess such other qualifications as are prescribed in this charter for elective officers.

(a) Except as in this charter otherwise provided, the provisions of the general laws applying to the election and qualifications of Justices of the Peace in townships shall apply to the Justices of the Peace of said City.

(b) Said Justices of the Peace shall have and exercise the same jurisdiction and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of Justices of the Peace under the general laws of the State: provided, however, that in all civil matters, causes, suits and proceedings, ex contractu and ex delicto, said Justices of the Peace shall have concurrent jurisdiction to the amount of Five Hundred (\$500) Dollars with such exceptions and restrictions as are provided by law.

Provided, further, That all actions within the jurisdiction of Justices of the Peace may be commenced and prosecuted in said Justices' Court when the plaintiff or defendant or one of the plaintiffs or defendants reside in the City of Ann Arbor, in the township of Ann Arbor, in any township next adjoining the township of Ann Arbor, or in the city or village formed from any township next adjoining the township of Ann Arbor: Provided, That the township of Ypsilanti shall be deemed to be a township adjoining the township of Ann Arbor within the meaning of this act.

(c) Said Justices of the Peace shall also have authority and it shall be their duty to hear, try and determine all suits and prosecutions for the recovery and en-

feitures imposed by the charter and ordinances of the City of Ann Arbor to punish offenders for the violation of said charter and ordinances as therein prescribed and directed.

(d) The proceedings in all suits and actions before the said Justices of the Peace and in the exercise of the powers and duties conferred upon and required of them, shall be according to and governed by the general laws applicable to justice courts and to proceedings before such courts.

(e) Said Justices of the Peace shall enter or cause to be entered in the docket kept by them the title of all suits and prosecutions commenced or prosecuted before them for violations of the charter and ordinances of the City and all the proceedings and the judgment rendered in such cause and shall itemize all costs taxed or allowed therein. They shall also enter or cause to be entered the amounts and dates of payment of all fines, penalties and forfeitures, moneys and costs received by them or the clerk of the court, on account of said suit or proceeding. Such docket shall be submitted by the Justices at all reasonable times to the examination of any person desiring to examine the same, and shall be produced by the Justices to the Council of the City whenever required.

(f) The Justice of the Peace shall be required to devote his entire time during office hours to the duties of this office and the Associate Justice of the Peace shall be required to devote not more than fifty full days or one hundred half days per year to the duties of his office; provided, however, that if the work of the Justice Court shall require, the Council may provide that he shall sit any number of additional days for which he shall be paid at the rate to be fixed by the Common Council. The Associate Justice of the Peace shall hear all cases in which the Justice of the Peace is disqualified and shall hold court in the absence or disability of the Justice of the Peace.

The Justice of the Peace and Associate Justice of the Peace shall be entitled to receive out of the City Treasury such compensation as the Common Council shall provide by ordinance and such compensation so provided shall be

charges to which the said Justice would be entitled but for the provisions of this section, except fees for the performance of marriage ceremonies and for administering oaths in matters not in connection with suits or proceedings in justice courts in the said City.

The Common Council may by ordinance change the provisions as to the time required of each to be devoted to the duties of his office.

(g) All the provisions of the general laws of the State of Michigan in relation to the fees chargeable in the several proceedings in the justice courts in townships shall apply to the justice courts for said City and shall be collected for the use and benefit of the City of Ann Arbor.

(h) Each Justice of the Peace in addition to any security required by law to be given for the performance of his official duties, shall, before entering upon the duties of his office, give a bond to the City in a penalty of Two Thousand (\$2,000) Dollars with sufficient sureties to be approved by the Council, conditioned for the faithful performance of the duties of the Justice of the Peace within and for the City and for the payment to the City of all moneys collected or received by such Justice which, by the provisions of the general laws of the State or of this charter he shall be required to pay into the Treasury of the said City.

(i) The Justices of the Peace shall not practice law in the justice courts of the City of Ann Arbor.

(j) Whenever in this charter the term "Justices of the Peace" is used it shall include both the Justice of the Peace and Associate Justice of the Peace. In all his official acts and in all court proceedings, the Associate Justice of the Peace shall be designated as "Justice of the Peace," the word "Associate" being herein used to distinguish between the Justice of the Peace required to devote full time and the one required to devote partial time to the duties of his office.

(k) The Council shall have power and authority by ordinance or resolution to regulate the office hours of said Justices of the Peace, and to make all other necessary and proper rules for the regulation of the Justice Courts in

the City of Ann Arbor and to make any other provisions for the operation and practice of said court which are not inconsistent with the provisions of this charter and the general laws of this State.

(l) The Council shall furnish a suitable place for a Justice Court room and shall provide for all necessary expenses in connection with the establishment and maintenance of the Justice Courts of said City.

Resolved, further, that Section 57 of the charter of the City of Ann Arbor be and the same is hereby amended to read as follows:

Section 57. The Council shall provide a Clerk for said Justices of the Peace. Said Clerk shall be appointed by the Council on the nomination of said Justices of the Peace acting jointly, and after his appointment he shall be under the control and direction of said Justices of the Peace and subject to their orders.

(a) Before said Clerk shall enter upon the duties of his office, he shall take and subscribe to the constitutional oath of office and furnish to the City a bond with such penalty as shall be fixed by the Council, with sufficient sureties to be approved by the Council, conditioned on the faithful performance of his duties, and for the paying over and accounting for all moneys received by him as such Clerk, which bond after its approval shall be filed with the City Clerk. He shall receive such salary as shall be fixed by the Council.

(b) Said Clerk is hereby empowered to take complaints in criminal causes and swear the complaining witness thereto. He shall also, by virtue of his office, be empowered to administer oaths to persons making affidavits for writs in civil causes, and issue all civil process, and attest the same in the name of either of the Justices of the Peace of the City, which attest shall be in the following form:

JOHN DOE, Justice of the Peace.
By Richard Roe, Clerk (or
Deputy Clerk).

(c) All fees in civil causes and all fines imposed in criminal causes shall be collected by said Clerk, and all such fees and fines received by him shall be entered in a book kept by him for that purpose, and by him paid over to

the City Treasurer at least once in each week, and at the close of each fiscal year the Council shall cause an audit of the books of said Clerk to be made for the purpose of ascertaining the correctness of the books kept and the payment to the City Treasurer of the moneys collected by him.

(d) The Council may provide for the appointment of such deputy clerks and assistant clerks as it shall deem necessary.

Resolved, further, that Section 104 of the Charter of the City of Ann Arbor be and the same is hereby amended to read as follows:

Section 104. All fines, penalties or forfeitures recovered before any of the said Justices of the Peace for violations of the ordinances of the City, or otherwise, shall when collected be paid into the City Treasury in manner and form as herein designated.

Resolved, further, that a special election be and the same is hereby called and will be held on Monday, the 5th day of April, A. D., 1926, in pursuance of the state law and charter of this city to vote upon the question of amendments to Sections 34, 56, 57 and 104 of the charter of the city of Ann Arbor as aforesaid; and the polls of said election shall open at 7:00 o'clock, a. m. and remain open until 8:00 o'clock p. m., Eastern Standard Time.

Resolved further, that said election be held in the several wards of the City of Ann Arbor as follows: First ward, voting room, basement of City hall; Second ward, ward building on South Ashley street; Third ward, ward building on Miller avenue; Fourth ward, voting room basement of Armory, North Fifth avenue; Fifth ward, ward building on Pontiac street; Sixth ward, voting room in old engine house, East University avenue; Seventh ward first precinct, city building on Mary street; Seventh ward, second precinct, voting room in Eberbach school, corner Wells street and Forest avenue.

Resolved, further, that the city clerk of said city be and is hereby authorized to issue the usual call for said special election pursuant to the state law and charter of the city of Ann Arbor and to cause to be printed ballots for the use of the elections at said election, which

paper of equal width and length and shall read:

Section 34. The supervisors and constables shall hold their offices for the term of one year from the second Monday in April of the year when elected, and until their successors qualify and enter upon the duties of their offices.

For amendment to Section 34 of the Charter, Yes ()

For amendment to Section 34, of the Charter, No ()

Section 56. There shall be one Justice of the Peace and one Associate Justice of the Peace for the city of Ann Arbor. Said Justices of the Peace shall be attorneys-at-law in good standing who have been admitted to practice before the Supreme Court of the State of Michigan for at least one year prior to their election. Such Justices of the Peace shall possess such other qualifications as are prescribed in this charter for elective officers.

(a) Except as in this charter otherwise provided, the provisions of the general laws applying to the election and qualification of Justices of the Peace in townships shall apply to the Justices of the Peace of said city.

(b) Said Justices of the Peace shall have and exercise the same jurisdiction and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of Justices of the Peace under the general laws of the State; provided, however, that in all civil matters, causes, suits and proceedings, ex contractu and ex delicto, said Justices of the Peace shall have concurrent jurisdiction to the amount of Five Hundred (\$500) dollars with such exceptions and restrictions as are provided by law.

Provided, further, That all actions within the jurisdiction of justices of the peace may be commenced and prosecuted in said justices' court when the plaintiff or defendant or one of the plaintiffs or defendants reside in the City of Ann Arbor, in the township of Ann Arbor, in any township next adjoining the township of Ann Arbor, or in any city or village formed from any township next adjoin-

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Provided, That the township of Ypsilanti shall be deemed to be a township adjoining the township of Ann Arbor within the meaning of this act.

(c) Said Justices of the Peace shall also have authority and it shall be their duty to hear, try and determine all suits and prosecutions for the recovery and enforcing of fines penalties and forfeitures imposed by the charter and ordinances of the City of Ann Arbor to punish offenders for the violation of said charter and ordinances as therein prescribed and directed.

(d) The proceedings in all suits and actions before the said Justices of the Peace and in the exercise of the powers and duties conferred upon and required of them, shall be according to and governed by the general laws applicable to justice courts and to proceedings before such courts.

(e) Said Justices of the Peace shall enter or cause to be entered in the docket kept by them the title of all suits and prosecutions commenced or prosecuted before them for violations of the charter and ordinances of the City and all the proceedings and the judgment rendered in such cause and shall itemize all costs taxed or allowed therein. They shall also enter or cause to be entered the amounts and dates of payment of all fines, penalties and forfeitures, moneys and costs received by them or the clerk of the court, on account of said suit or proceedings. Such docket shall be submitted by the Justices at all reasonable times to the examination of any person desiring to examine the same, and shall be produced by the Justices to the Council of the City whenever required.

(f) The Justice of the Peace shall be required to devote his entire time during office hours to the duties of his office and the Associate Justice of the Peace shall be required to devote not more than fifty full days or one hundred half days per year to the duties of his office: Provided, however, that if the work of the Justice Court shall require the Council may provide that he shall sit any number of additional days for which he shall be paid at the rate to be fixed by the Common Council. The Associate Justice of the Peace shall

hear all cases in which the Justice of the Peace is disqualified and shall hold court in the absence or disability of the Justice of the Peace.

The Justice of the Peace and Associate Justice of the Peace shall be entitled to receive out of the City Treasury such compensation as the Common Council shall provide by ordinance and such compensation so provided shall be in lieu of all fees, costs and charges to which the said Justice would be entitled but for the provisions of this section, except fees for the performance of marriage ceremonies and for administering oaths in matters not in connection with suits or proceedings in justice courts in the said city.

The Common Council may by ordinance change the provisions as to the time required of each to be devoted to the duties of his office.

(g) All the provisions of the general laws of the State of Michigan in relation to the fees chargeable in the several proceedings in the justice courts in townships shall apply to the justice courts for said City and shall be collected for the use and benefit of the City of Ann Arbor.

(h) Each Justice of the Peace in addition to any security required by law to be given for the performance of his official duties, shall before entering upon the duties of his office give a bond to the City in a penalty of Two Thousand (\$2,000) dollars with sufficient sureties to be approved by the Council, conditioned for the faithful performance of the duties of the Justice of the Peace within and for the City and for the payment to the City of all moneys collected or received by such Justice which, by the provisions of the general laws of the State or of this charter, he shall be required to pay into the Treasury of the said City.

(i) The Justice of the Peace shall not practice law in the justice courts of the City of Ann Arbor.

(j) Whenever in this charter the term "Justices of the Peace" is used it shall include both the Justice of the Peace and Associate Justice of the Peace. In all his official acts and in all court proceedings, the Associate Justice of the Peace shall be designated as

"Justice of the Peace," the word "Associate" being herein used to distinguish between the Justice of the Peace required to devote full time and the one required to devote partial time to the duties of his office.

(k) The Council shall have power and authority by ordinance or resolution to regulate the office hours of said Justices of the Peace, and to make all other necessary and proper rules for the regulation of the Justice Courts in the City of Ann Arbor and to make any other provisions for the operation and practice of said court which are not inconsistent with the provisions of this charter and the general laws of this State.

(l) The Council shall furnish a suitable place for a Justice Court room and shall provide for all necessary expenses in connection with the establishment and maintenance of the Justice Courts of said City.

For amendment to Section 56 of the Charter, Yes ()

For amendment to Section 56 of the Charter, No ()

Section 57. The Council shall provide a Clerk for said Justices of the Peace. Said Clerk shall be appointed by the Council on the nomination of said Justices of the Peace acting jointly, and after his appointment he shall be under the control and direction of said Justices of the Peace and subject to their orders.

(a) Before said Clerk shall enter upon the duties of his office, he shall take and subscribe to the constitutional oath of office and furnish to the City a bond with such penalty as shall be fixed by the Council with sufficient sureties to be approved by the Council, conditioned on the faithful performance of his duties, and for the paying over and accounting for all moneys received by him as such Clerk, which bond after its approval shall be filed with the City Clerk. He shall receive such salary as shall be fixed by the Council.

(b) Said Clerk is hereby empowered to take complaints in criminal causes and swear the complaining witness thereto. He shall also, by virtue of his office, be empowered to administer oaths to persons making affidavits for writs in civil causes and issue all civil process, and attest the same in the name

of either of the Justices of the Peace of the City, which attest shall be in the following form:

JOHN DOE, Justice of the Peace
By Richard Roe, Clerk (or Deputy Clerk).

(c) All fees in civil causes and all fines imposed in criminal causes shall be collected by said Clerk, and all such fees and fines received by him shall be entered in a book kept by him for that purpose, and by him paid over to the City Treasurer at least once in each week, and at the close of each fiscal year the Council shall cause an audit of the books of said Clerk to be made for the purpose of ascertaining the correctness of the books kept and the payment to the City Treasurer of the moneys collected by him.

(d) The Council may provide for the appointment of such deputy clerks and assistant clerks as it shall deem necessary.

For amendment to Section 57 of the Charter. Yes ()

For amendment to Section 57 of the Charter. No ()

Section 104. All fines, penalties or forfeitures recovered before any of the said Justices of the Peace for violations of the ordinances of the City, or otherwise, shall when collected, be paid into the City Treasury in manner and form as herein designated.

For amendment to Section 104 of the Charter. Yes ()

For amendment to Section 104 of the Charter. No ()

Resolved, further, that the City Clerk is hereby directed to cause to be printed all of the proposed amendments obtained in this resolution on one ballot.

Adopted by following vote:
Yeas, Ald. Slauson, Lucas, Sweet, Dwyer, Ware, Moore, Freeman, Young, Lutz, Pres. Woodbury, 10.
Nays, none.

By Alderman Lucas,

Resolved, that Section 31 of the Charter of the City of Ann Arbor be and the same is hereby amended to read as follows:

Sec. 31. The following officers shall be appointed by the mayor, subject to the approval of a majority of the members-elect from the common council, viz.: A city treasurer, a city attorney, members of the board of public works and members of the board of health.

The common council may also, from time to time provide by ordinance for the appointment, and appoint for such term as may be provided in any such ordinance, such other officers whose election or appointment is not herein specially provided for, as the common council shall deem necessary for the execution of the powers granted by this act, and may remove the same at pleasure. The powers and duties of all such officers shall be prescribed by ordinance.

Resolved, that Section 88 of the Charter of the City of Ann Arbor, be amended by adding thereto a paragraph to be known as Thirty-Eighth and that said Section 88 of the Charter of the City of Ann Arbor be and the same is hereby amended to read as follows:

Sec. 88. The Common Council, in addition to the powers and duties specially conferred upon them by this act, shall have the management and control of the finances, rights, interests, buildings and all property, real and personal, belonging to the city, and make such orders and by-laws relating to the same as they shall deem proper and necessary; and further, they shall have power, within said city, to enact, make, continue, modify, establish, amend and repeal such ordinances, by-laws and regulations as they may deem desirable, within said city, for the following purposes:

Thirty-Eighth. To organize, maintain and regulate a police and fire department and to consolidate these and such other departments of public service as the municipal needs may require and to pass ordinances for the management, regulation and control of the same.

Resolved, further, that the Sections 145, 146, 147, 148, 149, 150, 151, 61, 62, 63, 83, 107, 108, 109, 110, 111 of the Charter of the City of Ann Arbor be and the same are hereby repealed.

Resolved, that a special election be and the same is hereby called and will be held on Monday, the fifth day of April, A. D. 1926, in pursuance of the state law and charter of this city, to vote upon the question of amendments to the sections of the charter of the city of Ann Arbor, as aforesaid, and the polls of said election shall open

at 7:00 o'clock a. m. and remain open until 8:00 o'clock p. m., Eastern Standard Time.

Resolved, further, that said election be held in the several wards of the City of Ann Arbor, as follows: First ward, voting room, basement of City Hall; Second ward, ward building on South Ashley street; Third ward, ward building on Miller Avenue; Fourth ward, voting room, basement of Armory, North Fifth Avenue; Fifth ward, ward building on Pontiac Street; Sixth ward, voting room in old engine house, E. University Avenue; Seventh ward, First precinct, city building on Mary Street; Seventh ward, Second precinct, voting room in Eberbach school, corner Wells Street and Forest Avenue.

Resolved, further, that the City Clerk of said City be and is hereby authorized to issue the usual call for said special election pursuant to the state law and Charter of the City of Ann Arbor, and to cause to be printed ballots for the use of the electors at said election, which ballots shall be printed upon white paper of equal width and length, and shall read:

Sec. 31. The following officers shall be appointed by the mayor, subject to the approval of a majority of the members-elect from the Common Council, viz.: A city treasurer, a city attorney, members of the board of public works and members of the board of health. The Common Council may also, from time to time provide by ordinance for the appointment, and appoint for such term as may be provided in any such ordinance, such other officers whose election or appointment is not herein specially provided for, as the Common Council shall deem necessary for the execution of the powers granted by this act, and may remove the same at pleasure. The powers and duties of all such officers shall be prescribed by ordinance.

For amendment of Section 31 of the Charter. Yes ()

For amendment of Section 31 of the Charter. No ().

Sec. 88. The Common Council, in addition to the powers and duties specially conferred upon them by this act, shall have the

management and control of the finances, rights, interests, buildings and all property, real and personal, belonging to the city and make such orders and by-laws relating to the same as they shall deem proper and necessary; and further, they shall have power, within said city, to enact, make, continue, modify, establish amend and repeal such ordinances, by-laws and regulations as they may deem desirable, within said city, for the following purposes:

Thirty-eight: To organize, maintain and regulate a police and fire department and to consolidate these and such other departments of public service as the municipal needs may require and to pass ordinances for the management, regulation and control of the same.

For amendment of Section 88 of the Charter. Yes ().

For amendment of Section 88 of the Charter. No ().

Sec. 61. There shall be a Board of Police Commissioners in said city which shall consist of three good and competent men who are electors therein. They shall be appointed by the Mayor, subject to the approval of the majority of all the aldermen-elect. The full term of a member shall be three years, but the members first appointed shall be subject to classification in such a manner that one term shall expire in each year. The said Commission shall make a monthly report of the work of the Commission to the Common Council, which shall contain a detailed statement of the arrests, the amount of the fines and costs collected and such other information as the Common Council shall prescribe. Any member of the commission may be removed by a three-fourths vote of the members-elect of the Common Council for malfeasance of duties of the office or for any other cause wherein elective or appointive officers may be removed under the terms of this charter or state law, for failure to perform their duties. The members of the said Board of Police Commissioners shall receive such compensation as the Common Council may allow.

The Board of Police Commissioners shall have and possess all

the powers given by the charter and ordinances of the city and other governmental laws, to establish and enforce such police regulations as they shall deem necessary to prevent vice and immorality, to preserve public peace and good order, to prevent and quell riots and disturbances and disorderly assemblages, to prevent the violation of the Sabbath and disturbances of any religious congregations or any other public meeting assembled for any lawful purpose and shall possess such other powers as shall be incident to the public welfare and usually conferred upon such commissions.

The Board of Police Commissioners shall appoint a City Marshal as Chief of Police of the city, who shall be subject to the direction of the said Board of Police Commissioners. It shall be his duty to see that all the ordinances and regulations of the Common Council made for the preservation of quiet and good order, and for the safety and protection of the inhabitants of the city, are promptly enforced, and when he shall know or learn of the violation of any ordinance of the city or penal statute of the state, it shall be his duty to enter complaint before one of the justices of the peace of the said city and to do whatever shall be necessary to bring the offender to justice. He shall have the same power to serve and execute all process issued by any justice of the peace of said city, in behalf of said city, or of the people of the state, for offences committed within said city as sheriffs or constables have by law to serve and execute similar process, and shall suppress all riots, disturbances and breaches of the peace, and for that purpose may command the aid of all citizens in the performances of such duty. He shall arrest all disorderly persons in the city, and pursue and arrest any person fleeing from justice in any part of the state. He may arrest upon view, and with or without process, any person found in the act of committing any offense against the laws of the state or the ordinances of the city, and forthwith take such person before the proper magistrate or court for examination or trial.

For repeal of Section 61 of the Charter. Yes ().

For repeal of Section 61 of the Charter. No ().

Sec. 62. The Chief of Police, shall report, in writing and on oath, to the Board of Police Commissioners at their first meeting in each month, all arrests made by him and the cause thereof, and all persons discharged from arrest during the month; also, the number remaining in confinement for breaches of the ordinances of the city; and the amount of all fines and fees collected by him. All money collected or received by the chief of police, for fines, fees or for any services performed by him in any official capacity, unless otherwise directed by this act, shall be paid into the city treasury during the same month when received, and the treasurer's receipt therefor shall be filed with the city clerk.

For repeal of Section 62 of the Charter. Yes ().

For repeal of Section 62 of the Charter. No ().

Sec. 63. The Chief of Police shall not leave the city without the consent of the Board of Police Commissioners, except in pursuit of fugitives from justice or for the arrest of persons charged with a violation of the city ordinances. In the absence of the Chief of Police or his inability to serve, the Board of Police Commissioners may designate any policeman or officer to perform his duty.

For repeal of Section 63 of the Charter. Yes ().

For repeal of Section 63 of the Charter. No ().

Sec. 83. The Chief of Police or any policeman or other officer appointed to office by the Board of Police Commissioners, may be suspended or removed by the said Board of Police Commissioners. Any person so suspended or removed shall have the right to a hearing before the said Board of Police Commissioners at a regular meeting of said board, provided that application therefore shall be made within ten days after said suspension or removal by the person so suspended or removed; and the said Board of Police Commissioners shall present to the Com-

mon Council at its next regular meeting, reasons for the suspension or removal, in writing, which shall become a part of the records of such meeting.

Any officer appointed by the Mayor may be suspended or removed by him, by and with the consent of the majority of the members elect of the council, and the council may expel any alderman or remove from office any person elected thereto, except justices of the peace, by a concurring vote of two-thirds of all the aldermen elect. In case of elective officers, provision shall be made by ordinance for preferring charges and trying the same, and no removal of any elective officer shall be made unless a charge in writing is preferred, and opportunity given him to make defense thereto.

For repeal of Section 83 of the Charter. Yes ().

For repeal of Section 83 of the Charter. No ().

Sec. 107. The Common Council of the said city may provide for the appointment by the Board of Police Commissioners for such numbers of policemen or employees as they may deem necessary for the good government of the city, and for the protection of the persons and property of the inhabitants; and may authorize the Board of Police Commissioners to appoint special policemen from time to time when, in the judgment of the Board of Police Commissioners, the emergency or necessity may so require, and may provide for and appoint subordinate officers for police and night watchmen.

For repeal of Section 107 of the Charter. Yes ().

For repeal of Section 107 of the Charter. No ().

Sec. 108. The Board of Police Commissioners may make and establish rules for the regulation and government of the police, prescribing and defining the powers and duties of policemen and employees, and shall prescribe and enforce such police regulations as will most effectually preserve the peace and order of the city, preserve the inhabitants from personal violence, and protect public and private property from destruction by fire

and unlawful depredation. And the Board of Police Commissioners may, whenever it shall deem it necessary for the preservation of peace and good order in the city, appoint and place on duty such number of temporary policemen as in its judgment the emergencies of the case may require but such appointments, unless made in accordance with some ordinance or resolution of the Common Council, shall not continue longer than five days.

For repeal of Section 108 of the Charter. Yes ().

For repeal of Section 108 of the Charter. No ().

Sec. 109. The Chief of Police, under the direction of the Board of Police Commissioners, shall have the superintendence and direction of the policemen and employees, subject to such regulations as may be prescribed by the Board of Police Commissioners.

For repeal of Section 109 of the Charter. Yes. ().

For repeal of Section 109 of the Charter. No ().

Sec. 110. It shall be the duty of the police and night watchmen and officers of the force, under the direction of the Board of Police Commissioners and the Chief of Police, and in conformity with the ordinances of the city, to suppress all riots, disturbances and breaches of the peace, to apprehend any and all persons in the act of committing any offense against the laws of the state or any ordinance of the city, and to take the offender forthwith before the proper court or magistrate to be dealt with for the offense; to make complaint to the proper officers and magistrates of any person believed to be guilty of the violation of the ordinances of the city or the penal laws of the state, and at all times diligently and faithfully to enforce all such laws, ordinances and regulations for the preservation of good order and the public welfare as the council may ordain, and to serve all process issued under any city ordinance and directed to them for service, and for such purposes the chief of police and every policeman and night watchman shall have all the powers of constables and may arrest upon view and without process any person in the

act of violating any ordinance of the city, or in the commission of any offense against the laws of the state.

For repeal of Section 110 of the Charter. Yes ().

For repeal of section 110 of the Charter. No ().

Sec. 111.* The Board of Police Commissioners may suspend or remove from office the chief of police, policeman or night watchman or any employee for misconduct or other cause at any time, as provided in section eighty-three of this act, as amended. When employed in the performance of duty the policeman shall receive such compensation therefor from the city as the common council shall prescribe.

For repeal of Section 111 of the Charter. Yes ().

For repeal of Section 111 of the Charter. No ().

Sec. 145. There shall be a board of fire commissioners in said city. It shall consist of three good and competent men who are electors therein. They shall be appointed by the mayor, subject to the approval of the majority of all the aldermen elect. The full term of a member shall be three years, but the members shall be subject to classification in such a manner that one term shall expire in each year. They shall serve without compensation.

For repeal of Section 145 of the Charter. Yes ().

For repeal of Section 145 of the Charter. No ().

Sec. 146. The board of fire commissioner shall have power, subject to the charter and ordinances of said city, to establish and enforce such regulations as they shall deem necessary to guard against the occurrence of fires, and to protect the property and the persons of the citizens against damage and accident resulting therefrom; and for this purpose to establish and maintain a fire department; and said council is hereby required to make such ordinances as are required therefor. The board of fire commissioners shall have power to organize and maintain fire companies, to employ and appoint firemen, and to make and establish rules and regulations for the

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government of the department, the employees, firemen and officers thereof; and for the care and management of the engines, apparatus, property, and buildings pertaining to the department and prescribing the powers and duties of such employes, firemen and officers.

For repeal of Section 146 of the Charter. Yes ().

For repeal of Section 146 of the Charter. No ().

Sec. 147. The board of fire commissioners shall nominate and with the consent of the common council shall appoint a chief of the fire department. The city clerk shall be secretary of said board.

For repeal of Section 147 of the Charter. Yes ().

For repeal of Section 147 of the Charter. No ().

Sec. 148. The fire commissioners may, subject to the consent of the common council, purchase and provide suitable engines and such other apparatus, instruments and means for the use of the department as may be deemed necessary for the extinguishing of fires, and may sink wells and construct cisterns and reservoirs in the streets, public grounds and other suitable places in the city.

For repeal of Section 148 of the Charter. Yes ().

For repeal of Section 148 of the Charter. No ().

Sec. 149. The chief of the fire department shall be subject to the direction of the board of fire commissioners and have the supervision and direction of the department and the care and management of the fire engines, apparatus and property, subject to such rules and regulations as the board of fire commissioners may prescribe.

For repeal of Section 149 of the Charter. Yes ().

For repeal of Section 149 of the Charter. No ().

Sec. 150. The members of the board of fire commissioners, chief of the fire department, chief of police or any officer of the fire department may command any person present to a fire to aid in the extinguishment thereof, and assist in the protection of property thereat. If any person shall willfully disobey any such lawful requirement or other lawful order and direction of any such officer, the

officer giving the order may arrest or direct any policeman to arrest such person and confine him temporarily until the fire shall be extinguished, and in addition thereto he shall be punished in such manner as may be prescribed by the ordinance of the city.

For repeal of Section 150 of the Charter. Yes ().

For repeal of Section 150 of the Charter. No ().

Sec. 151. The board of fire commissioners may provide for the appointment of and may appoint such number of fire wardens as may be deemed necessary, and for the examination by them from time to time, of the stoves, furnaces and heating apparatus and devices in all the dwellings, buildings and structures within the city and in all places where combustible or explosive substances are kept; and to cause all such as are unsafe with respect to fire to be put in a safe condition.

For repeal of Section 151 of the Charter. Yes ().

For repeal of Section 151 of the Charter. No ().

Resolved, further, that the Clerk make all necessary arrangements for registration to precede said election and that registration shall be at the office of the City Clerk during regular office hours and that on the third and four Saturdays preceding said election the office of City Clerk shall be open from 8 o'clock a. m. until 8 o'clock p. m., Eastern Standard time, for the purpose of registration; and the City Clerk is hereby authorized to appoint such deputies as may be necessary for registration and to properly comply with absent voters' law, such deputies to receive such compensation as the Finance Committee may determine.

Resolved, further that the City Clerk is hereby directed to cause to be printed all of the proposed amendments contained in this resolution on one ballot.

Adopted by following vote: Yeas. Ald. Slauson, Lucas, Sweet, Dwyer, Ware, Moore, Freeman, Young, Lutz, Pres. Woodbury, 10. Nays none.

On motion of Ald. Sweet, Council adjourned.

ISAAC G. REYNOLDS,
City Clerk.