

Council Chamber, May 27, 1901.

(Adjourned Session.)

Called to order by Pres. Haarer.

Roll Call: Present—Ald. Richards, Hamilton, Schlenker, Koch, Kearns, Clancy, Brown, Schumacher, Weeks, Roberts, Jenney, Coon, Fischer, Burg, Pres. Haarer—15. Absent—none.

Pres. Haarer announced that the Council was ready to consider the Boland ordinance and any other business that might come before it.

PETITIONS AND COMMUNICATIONS.

The Clerk presented four separate petitions from the Third and Fifth wards relative to the location of the Boland electric railway—which were received and ordered filed.

A petition for an electric light was received and referred to the Lighting Committee.

City Clerk Harkins announced the appointment of Osband Clark as deputy city clerk, and on motion of Ald. Hamilton the appointment was confirmed.

Ald. Hamilton moved that rule 16 of the Common Council be suspended. Carried.

Ald. Hamilton then moved that the Boland franchise be given its third and final reading. Carried.

Ald. Fischer then introduced

Granting to William A. Boland, his successors or assigns, permission and authority to construct, maintain, own and operate an electric street railway in the city of Ann Arbor.

The Common Council of the City of Ann Arbor ordains,

Section 1. That permission and authority are hereby given and granted to William A. Boland, of the Village of Grass Lake, and to his associates and assigns, to construct, maintain, and operate street railways in, through and upon the streets, avenues and bridges of the City of Ann Arbor, with all necessary turnouts, single tracks

and sidetracks, such turnouts and sidetracks as to length and location to be under the direction of the Common Council of the City of Ann Arbor, and to operate an electric street railway with first-class equipment along the following route, to-wit—

Commencing at a point on the west corporation line of the city of Ann Arbor, near the northwest corner of Section 29, of the Township of Ann Arbor, thence southeasterly along a private right of way to a point on Seventh street, near the west branch of Mill Creek, thence across Seventh street at grade, thence southeasterly along a private right of way to a point on Chapin street, near the south side of said Mill creek, thence across Chapin street on a bridge or trestle, giving a clear headway of at least eleven feet above the present roadway, thence easterly along a private right of way to the southwest corner of First and Ann streets, thence easterly along Ann street to Ashley street, thence southerly along Ashley street to Huron street, thence easterly along Huron street to Fourth avenue, crossing the tracks of the Detroit, Ypsilanti & Ann Arbor Railway at Main street, thence northerly along Fourth avenue to Beakes street, crossing the tracks of the Detroit & Ypsilanti Railway Company at Catherine street, thence easterly on Beakes street to Broadway, crossing the Michigan Central railway on an iron bridge, to be constructed by said grantee for his own use and benefit, to be located immediately southeasterly of the overhead bridge now crossing the Michigan Central railway tracks, and of the same style of construction, and widening the approach to said overhead bridge on the easterly side thereof, and from bridge to bridge, and over the Huron river on a suitable bridge for that purpose, to be constructed immediately southeasterly of the highway bridge now constructed

thereat, thence with a northerly turn to the center of Broadway, crossing the steam railway switch track at that point, and thence northeasterly on Broadway to the easterly city limits.

For the transportation of passengers, baggage, express matter and light freight, and for such other purposes as hereinafter specified, and not inconsistent with the laws of this state, during the time hereinafter specified, and in the manner and upon the conditions set forth in this ordinance, and subject to all the limitations, specifications and agreements herein contained.

By Ald. Hamilton:

Resolved, That Section 1 be amended to read "Fifth ave." instead of "Fourth Ave." and "Detroit street" instead of "Catherine street."

Carried.

Section 2. All lines of tracks laid by said grantee or his assigns within the corporate limits of the city of Ann Arbor, shall be laid in such a manner as will not unnecessarily hinder or interfere with the ordinary or public use of the streets or alleys at any point. The rails shall be Tram rail point, the rails shall be T-shaped and weigh not less than 70 pounds per yard; on that portion of the route of the said street railway within the city limits where the streets are paved, said rails shall be of the pattern known as "girder grooved," and at least 7 inches high, and on other portions of the route the rails shall be of standard cross section.

The said grantee and his assigns shall at all principal street and highway crossings on improved streets and at such other streets and highway crossings as the Common Council may from time to time order, pave with cobblestones inside the rails and for a distance of at least 18 inches outside the rails, so as to make an even and safe driveway thereon.

At all other points along said track, except upon paved streets, the said grantee or his assigns shall gravel the inside of and outside of tracks in such manner that the surface of the street shall be even and safe for travel. The said grantee or his assigns shall at all times keep the space used for tracks, and two feet each side of the rails, free from rubbish, and if at any time the city shall pave any of its streets, upon which tracks are laid under this ordinance, said grantee or his assigns shall pay to the city the cost of paving and repaving between the rails, and a strip one foot and six inches wide outside of each rail, or at the option of said grantee, or his assigns, they may do said paving according to the plans and specifications, and of material adopted by the Common Council for the balance of the street, and with like material except asphalt, and within such reasonable time as the Common Council may by resolution direct. In case said grantee shall fail or neglect to do such paving or repaving within the time fixed by the Common Council, then and in such case the city may do such paving and repaving, and in all cases where paving or repaving is done by the city, the said grantee or his assigns agree to pay the cost thereof on demand, and such costs shall be a first lien upon the railway property within the limits of said city of Ann Arbor for the payment of the same. Such lien may be foreclosed in a court of equity, or said city may recover such cost in an action of assumpsit in any court of competent jurisdiction.

By Ald Koch:

Resolved that Section 2 be changed to read "Tram-rail" instead of "T-shaped rail."

Carried.

Ald. Hamilton moved that Section 2 be amended so as to read as follows: "Also that in traversing any street or portion of street already paved said

grantee shall, before disturbing any pavement, pay said grantor the first cost of so much of said pavement as the street railway from end to end of ties shall occupy."

Carried.

Ald. Brown moved to amend Section 2 by striking out the following: "for the pavement of the same. Such lien may be foreclosed in a court of equity, or said city may recover such cost in action of assumpsit in any court of competent jurisdiction."

Carried.

Section 3. Whenever the rails of such railway shall project above the surface of the street so as to interfere or impede public travel thereon, or render such street unfit or dangerous for public travel, the same shall be immediately put in repair by said grantee or his assigns, and on failure so to do after written notice from the Common Council of the city of Ann Arbor, or other duly authorized agent of said city, the work may be done at the expense of said grantee or his assigns, and the said grantee or his assigns agree to pay the same on demand. Such expense shall also be a first lien upon all the railway property within the limits of said city for its payment, and in case of non-payment on demand, such lien may be foreclosed in a court of equity or at the option of said city, such expense may be recovered in an action of assumpsit in any court of competent jurisdiction.

Ald. Brown moved that Section 3 be amended by striking out the following words after city: "for its payment, and in case of non-payment on demand, such lien may be foreclosed in a court of equity, or at the option of said city, such expense may be recovered in an action of assumpsit in any court of competent jurisdiction."

Carried.

Section 4. The tracks of said railway, constructed under the ordinance, shall

be laid on the streets as they are now fixed, or as they may be hereafter fixed by resolution or ordinance of the city, and shall be laid under the supervision of the Common Council or its authorized representative, the city engineer or street commissioner, and shall be laid along or as near as possible to the center of the street, or at such place in the street as the Common Council may direct.

Section 5. Said grantee or his assigns shall by means of careful bonding and other approved and established means, provide against electrolysis of gas, water and other pipes laid beneath the surface of the street.

Ald. Brown moved that Section 5 be amended to read after the word street, "and in case any damage is done to the pipes of the gas company, water company, or to the pipes of any other company, which shall be destroyed by electrolysis, that said grantee, or his assigns, shall pay the damage thereto."

Carried.

Section 6. Said grantee or his assigns, are authorized to erect and maintain all necessary poles, arms and wires for the full overhead electrical equipment for the propulsion of its cars; the poles shall be placed under the supervision of the Common Council and inside the curb line. On all streets or portions of streets where pavement is laid, or shall be laid, the poles shall be of iron; on all other streets, the poles shall be of straight, smooth cedar, and kept painted.

If said grantee shall make use of the high tension system for the distribution of its power, the poles for said high tension feed wires shall be erected on some convenient street other than Main or Huron streets in the business portion of said city where the Common Council shall designate.

Ald. Jenney moved that Section 6 be amended by inserting the words "or steel" after "iron," and the word

"may" in place of the word "shall."
Carried.

Section 7. Said poles shall be set in such manner as not unnecessarily impede public travel, and so as not to impede the flow of waters in the gutters, and to such depth in the ground as to make their support substantial and adequate, and the cross arms and brackets, as the case may be, for the support of the trolley wire, shall be attached to said poles at such height as to maintain said trolley wire at every point not less than twenty feet above the surface of the street. Said trolley wires shall be supported by horizontal cross wires across the street, except that brackets may be used at such places as the Common Council shall by resolution direct.

Section 8. The method of construction and maintenance of said railway's tracks mentioned in Section 2 of this act may be changed by the consent of the Council of said city, expressed by resolution at any regular meeting.

Section 9. During the construction and laying of said tracks and railways, and in relaying and repairing of said tracks or any portion thereof, said grantee or his assigns, shall not unnecessarily impede public travel on any of the streets where such work is done, and shall not in any one locality have said street torn up for a space greater than thirty-two (32) rods, nor a time longer than fifteen days, and shall leave said streets and highways upon which said grantee or his assigns may enter for the purpose herein authorized or for the purpose of repairing its tracks, in as good condition as they were at the date of said entry, and in case of failure to do so, it may be done by the city at signs, and the amount thereof shall be a first lien upon said road and its equipment. All the crosswalks shall be construed to be a part of the street through or over which the tracks of

any railway constructed under this ordinance may pass.

Ald. Jenney moved that Section 9 be amended by striking out the word "fifteen" and inserting the word "ten."
Carried.

Section 10. Whenever any paving, grading or other work upon the streets and highways occupied by said tracks, the construction or repairing of any sewer or water pipe, or any other public improvement or necessity connected with said streets or highways is done or made, said grantee or his assigns shall upon receiving notice from the Common Council of the city of Ann Arbor so to do, and at his own cost and expense, accommodate the tracks to such improvement or necessity so far as taking up or relaying the same are concerned, and upon failure promptly so to do, such work shall be done by the city's agent and employes, but at the sole cost and expense of said grantee or his assigns, and the amount thereof shall be a first lien upon the road and its equipment for payment.

Section 11. The tracks of the said railway must be laid down and maintained subject to the rights of the city to take up and remove and repair water pipes or sewers, gas pipes or telephone or electric light conduits in such manner as not necessarily to damage or injure said railway or its use, without claim or right to damages against the city, and the Common Council of the city of Ann Arbor expressly reserves the right to lay down and repair in said streets, water pipes or sewers, gas pipes, telephone or electric light conduits and to pave or repave said streets whenever it shall deem the same necessary or convenient, and to permit buildings to be removed across said tracks under such rules and regulations as shall be adopted by said Council.

Section 12. Said grantee and his as-

signs shall at all times keep the surface of the street between the rails clear of all snow, ice or drift. Such ice or snow may be spread evenly over the streets through which said railway shall pass, in a manner that shall least obstruct public travel thereon. Salt may be sprinkled upon the rails in such moderate quantity and in such manner as to least impair the use of such streets for public travel.

Section 13. No car shall be left or allowed to remain standing idle upon any street at any time except as the Common Council of said city shall hereafter provide by ordinance or resolution. No car shall be permitted to stop on any crosswalk or any street crossing except in case of accident or collision, or injury to persons, or to take on or discharge passengers, and then only without obstruction to crosswalks. The cars shall be stopped to receive and discharge passengers so as to leave the rear platform slightly over the crossing. And if said grantee or his assigns or any person in his or others' employ shall violate this action he shall, upon conviction thereof, be punished by a fine of not less than two dollars and not more than ten dollars, and costs of prosecution for each offense.

Section 14. Every car taken over said railway shall be in charge of one or more sober, prudent, experienced conductors, drivers, or motorneers, and it shall be the duty of such person in charge to keep a vigilant watch for all carriages, teams or persons on foot, especially children, either upon the track or moving toward it, and at the appearance of danger to such carriages, teams, or footmen or children, or other obstructions, the car shall be stopped in the shortest time and space possible, and shall be provided with sufficient air brakes for that purpose, and the motorman and the conductor shall at all times use due care to prevent injury to persons or property, and

it shall be the duty of the motorman or conductor, as the car approaches any street crossing on the line of such railway, to inform the passengers on said cars of the name of said street so crossed.

Section 15. All cars of said street railway in use after sunset shall be provided with suitable white headlights in front, which shall be kept burning from sunset to sunrise the next morning, so long as the car shall be in use.

Section 16. The cars of said street railway company shall be entitled to the free and uninterrupted right of the track of said company, and whenever a team or vehicle shall meet or be overtaken by them, said team or vehicle shall give way upon notice to do so by the motorman or conductor of the car of such street railway by sounding a gong, nor shall any person unlawfully or maliciously obstruct, hinder, or in any manner interfere with any of the cars of said street railway company, by placing, driving or stopping, or causing to be driven at a slow pace, or stopping of a team or vehicle or other obstruction in, upon, across, along or near or on such track of said street railway company; any person violating any of the provisions of this section of this ordinance, shall, upon conviction thereof, be fined in any sum not less than three dollars, nor more than twenty-five dollars, and costs of prosecution, and the court before whom such conviction may be had may make further sentence that in default of the payment of such fine and costs within the time to be fixed by said court, the person so convicted shall be imprisoned in the county jail until the fine and costs shall be paid, not exceeding thirty days.

Ald. Fisher moved that Section 16 be amended by striking out the word "twenty-five" and inserting the word "ten;" also to strike out the word "thirty" and insert the word "ten."

Carried.

Section 17. It shall be the duty of any motorman or street car conductor or agent of said grantee or his assigns to eject any person acting in a rude, insolent, boisterous or drunken manner, from any of the cars or other property of said company, and may call to his aid any of the police officers of said city to arrest the parties so offending.

No smoking shall be permitted on any closed car of said company, except in a smoking compartment, nor upon any open observation car except upon the rear two seats thereof.

Section 18. The cars to be run on said railway shall be run at intervals of not more than one hour each way from 6 o'clock a. m. to 10 o'clock p. m., at the option of said grantee during the entire twenty-four hours.

All the cars shall be of modern kind, and embracing the usual modern improvements for convenience, comfort and safety, including a well-constructed closet, said closet to be locked while the car is passing through the city, and said cars shall be neatly and comfortably furnished, and provided with all necessary signals, and modern appliances for the operation of said cars, and shall be kept in first-class condition.

Ald. Fischer moved that Section 18 be amended by inserting the word "passenger" between the words "the cars," so as to have it read "the passenger cars." Carried.

Section 19. The officers of the fire department of said city shall have the right to cut, temporarily, any line of wires of said grantee, or his assigns used in and upon said electric railway, whenever deemed necessary for the protection of the city's interest during the prevalence of a fire or conflagration, and the said fire department shall have the right to use any of the poles of said railway when and whenever deemed desirable for the use of said department, and they shall have

the right in case of fire to stop the running of cars and place the hose across the tracks of said grantee or his assigns. The firemen, mail carriers and policemen of the city shall be carried free when in uniform, within the city limits and when on duty.

Ald. Brown moved that Section 19 be amended by striking out "when in uniform," and inserting "and members of the engineering force." Carried.

Section 20. The Common Council may from time to time require said grantee or his assigns to use such fixtures and appliances upon its said road as may be deemed necessary for public safety in the operation of said road.

Section 21. Said Common Council of said city of Ann Arbor may, from time to time, by ordinance or resolution, establish and prescribe such rules and regulations in regard to said railway as may be required for the grading, paving and repairing of the streets and the construction of sewers, drains, reservoirs and crossings and the laying of water pipes and conduits upon, in and along the streets traversed by said track, and to prevent obstructions thereon.

Ald. Brown moved that Section 21 be amended by inserting after the word "paving" in the fourth line the words "cleaning between rails." Carried.

Section 22. The motorman or conductor in charge of any car shall bring said car to a full stop before crossing any other railway track at a grade, at least 30 feet distant from the tracks of said railway, and not more than sixty feet therefrom, and shall not cross said track until he has ascertained that there are no trains or car approaching thereon.

Section 23. Said Common Council hereby reserves the right to make such further rules, orders and requirements as it may from time to time deem necessary to protect the interest, wel-

the public in relation to said railway, not inconsistent with the provisions of this ordinance, but they shall not reduce the rate of fare herein provided for, or alter or repeal Section 1 of this act.

Ald. Brown moved that Section 23 be amended by inserting after the word "railway" "and the management and operation of its cars" and that the balance of such section be struck out. Carried.

Section 24. Said railway company may do a suburban express business and may carry farm produce, garden truck, milk, merchandise and other light freight and United States mail. Provided, however, that the Common Council may and it does hereby expressly reserve the right to establish by ordinance or otherwise, the place or places within the city limits at which such freight and express matter, merchandise and other goods, which the grantee or his assigns, are hereby authorized to carry on said railway shall be received and delivered.

Section 25. Cars to be used on such railway shall be run at a rate of speed not to exceed twelve miles per hour, between the junction of First and Ann streets and Cedar Bend avenue and Broadway, outside of these limits the speed may be at the rate of twenty miles per hour, within the limits of said city.

Ald. Fischer moved that Section 25 be amended by inserting after the word "hour" in the second line "crossing Seventh street and." Carried.

Section 26. This ordinance is granted upon the express condition that said grantee, or his assigns, shall commence work therein in the construction of its tracks within ten days after the enactment of this ordinance, and shall complete said construction and operate a direct through main line of electric railway from the city of Ann Arbor

through the villages of Dexter, Chelsea and Grass Lake to the City of Jackson, within one year after the passage of this ordinance, and on failure so to do this ordinance shall at the option of the Common Council be null and void, and all rights granted hereunder be forfeited and terminated; provided, that if the construction of said railway be restrained by injunction, or hindered by other legal proceedings without collusion of the part of the grantee or his assigns, they shall at the option of the Common Council be null and void, and all rights granted hereunder be forfeited and terminated; provided, that if the construction of said railway be restrained by injunction, or hindered by other legal proceedings without collusion of the part of the grantee or his assigns, they shall be entitled to the same time after the dissolution of said injunction or the removal of the hinderances of such legal proceedings as said railway had before the hinderance or restraint mentioned in which to complete the same. Provided, also, that riots, strikes or invasions, which actually stop the work of construction, shall excuse said grantee or his assigns so long as they actually stop work.

Ald. Brown moved that Section 26 be amended by striking out the words after "assigns" to the word "shall." Carried.

Ald. Brown moved that section 26 be amended by striking out everything after the first word "provided." Carried.

Ald. Brown moved that the following be inserted in Section 26 "provided, that before any work is done under this franchise within the city of Ann Arbor that its said grantee, or his assigns, shall have fully constructed at least five miles of this said railway on the west side of this city, measuring from the west line of the city limits; fare, safety and accommodations of

and five miles of said railway on the east side of said city, measuring from the Michigan Central Railroad; and said railway to be constructed from the east side of said city towards the west and through the Fifth ward first." Carried.

Section 27. The grant, powers and privileges conferred in this ordinance shall be limited to thirty years from the date of its adoption and passage by the Common Council of the city of Ann Arbor.

Section 28. Said grantee and his assigns shall make no greater charge than five cents for one continuous ride upon said railway from any point in the city to any point in the city limits and shall also sell six tickets for twenty-five cents, each ticket good for a like ride; such tickets to be sold at some office in the city of Ann Arbor and by the person in charge of the car. Children under five years of age shall be carried free when accompanied by parent or guardian.

Ald. Brown moved to amend Section 28 by striking out the words between "cents" and "car" and inserting the following: "one of which tickets shall entitle any 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 any such fare or delivering any such ticket shall, on application, be entitled to have and receive from the said grantee, his successors and assigns, a transfer ticket to the Detroit, Ypsilanti & Ann Arbor Street Railway, or any other street railway constructed in the city of Ann Arbor, which, on presentation to said Detroit, Ypsilanti & Ann Arbor Street Railway, or any other such railway, within two hours from the time of issue, shall entitle any such passenger to one continuous ride over the said Detroit, Ypsilanti & Ann Arbor Railway or any other street railway, to any part of the city, and the said gran-

tee, his successors or assigns, 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 Street Railway, its successors and assigns, or other street railway, and the said grantee shall make and maintain provision for the issue of such transfer tickets by the Detroit, Ypsilanti & Ann Arbor Street Railway, its successors and assigns, or other street railway." Carried.

Ald. Fischer moved to amend Section 28 as follows: There shall be no discrimination in rates of fare charged that shall in any way be detrimental to the interests of Ann Arbor. And no greater charge than 1½ cents per mile from any point in the city to any point outside the city, or from any point outside the city to any point inside the city; provided, however, no fare less than 5 cents shall be received. Carried.

Section 29. If the said grantee or his assigns shall at any time hereafter refuse, fail or neglect to run such railway in compliance with this ordinance or any section thereof, or fail to comply with, perform or fulfill any of the covenants, agreements or conditions on his or their part to be kept, fulfilled or performed, then after sixty days notice, said notice to be in writing, given by the Common Council of the city of Ann Arbor and to contain a clear and definite statement of the refusal, failure or neglect complained of, the rights, franchises, privileges, interests, commission of authority hereby granted shall henceforth cease and be forfeited unless said grantee or his assigns shall within the sixty days above mentioned comply with this ordinance in the particulars mentioned in said notice, and in the case of such forfei-

ture the said city of Ann Arbor shall be entitled to take possession of the streets over which said railway shall run and remove the said tracks.

Any notice required by this ordinance to be served upon said railway company may be served by leaving a copy thereof at the business office of said railway company with any person in charge thereof, or by leaving such copy with any director or officer of the company, or by delivering said copy to any conductor or motorman in charge of any car while in said city of Ann Arbor.

Ald. Fischer moved to amend Section 29 by striking out the word "remove" and insert the word "have." Carried.

Section 30. Said grantee, his successors or assigns, shall not sell, assign, transfer or set over any portion of said railway built under and by virtue of this franchise, between Ann Arbor and Chelsea, nor sell or transfer any rights secured or conferred thereby between said Ann Arbor and Chelsea, nor consolidate said railway or said franchise or any of the rights or privileges acquired thereunder between the points aforesaid to any steam railway running parallel to and competing with the railway built under this franchise between said points; and in case of such transfer or consolidation this franchise and all rights and privileges granted hereby shall become null and void.

Ald. Brown moved that Section 30 be amended as follows: "provided further, that this franchise shall become null and void if the said grantee or his assigns shall purchase the Detroit, Ypsilanti & Ann Arbor & Jackson Railway."

Lost as follows:

Yeas—Ald. Richards, Schlenker, Koch, Brown and Coon—5.

Nays—Ald. Hamilton, Kearns, Clancy, Schumacher, Weeks, Roberts,

Jenney, Fischer, Burg, Pres. Haarer—10.

Ald. Fisher moved that Section 30 be amended by adding the following: And said grantee his successors or assigns, shall not allow to J. D. Hawks and S. F. Angus, their associates, successors and assigns, builders and owners of the street railway known as the Detroit, Ypsilanti, Ann Arbor & Jackson Street Railway, the right to use his tracks within the limits of the city of Ann Arbor; and in case of such use of said tracks by said J. B. Hawks and S. F. Angus, their associates, successors and assigns operating said Detroit, Ypsilanti & Ann Arbor & Jackson Street Railway, this franchise and all rights and privileges granted hereby shall become null and void. Carried.

By Ald. Brown: That Section 30 be amended by adding the following: "And, upon further condition, and the Common Council of the city of Ann Arbor shall have power and authority by ordinance to require the said grantee, his successors and assigns, and the corporation operating the street railway under this franchise, to sprinkle, wet down and lay the dust on all that part of the street occupied by their tracks, or upon which their said cars are run and for the 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 laid.

Ald. Hamilton moved an amendment to the amendment that they be obliged to sprinkle where others sprinkled.

Adopted as follows:

Yeas—Ald. Hamilton, Kearns, Clancy, Schumacher, Weeks, Roberts, Jenney, Fischer, Burg, and Pres. Haarer—10.

Nays—Ald. Richards, Schlenker, Koch, Brown and Coon—5.

Section 31. Said grantee shall file his acceptance of this ordinance with the City Clerk within ten days after it takes effect.

Section 32. All ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance, are, to the extent of such inconsistencies, hereby repealed.

Ald. Richards moved that the ordinance be laid on the table.

Lost as follows:

Yeas—Ald. Richards, Schlenker, Koch, Brown, Coon—5.

Nays—Ald. Hamilton, Kearns, Clancy, Weeks, Roberts, Jenney, Fischer, Burg and Pres. Haarer—10.

Ald. Hamilton moved that we proceed with the passage of the ordinance. Carried. Whereupon Pres. Haarer put the following question: Shall the ordinance pass?

Adopted as follows:

Yeas—Ald. Hamilton, Kearns, Clancy, Schumacher, Weeks, Roberts, Jenney, Fischer, Burg and Pres. Haarer—10.

Nays—Ald. Richards, Schlenker, Koch, Brown and Coon—5.

On motion the Council adjourned.

JAS. E. HARKINS, Clerk.

Council Chamber, June 3, 1901.

Regular meeting, called to order by President Haarer.

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

Minutes of the previous meeting read and approved.

COMMUNICATIONS AND PETITIONS

Mayor's Office,

Ann Arbor, June 3, 1901.

To the Honorable the Common Council:

Gentlemen—On the 17th of last September, following Mr. Chas. A. Ward's report on water service, the Common Council considered an ordinance reducing the rate charged by the Ann Arbor Water Company. This ordinance passed to and received its second reading. Since that date the sub-

ject has been referred to occasionally, but, so far, no decisive action has been taken. In this matter of water rates, regardless of party lines, station or locality, our citizens pray for relief of some sort.

I hope your honorable body may settle the question tonight. If the matter demands more time than can be given it in connection with the business of a regular session, I will gladly call a special meeting at a very early date, and suggest Friday night of this week as a suitable time.

Respectfully,

R. S. COPELAND, Mayor.

Enter Ald. Richards and Schumacher.

A communication from the League of Michigan Municipalities was received and filed. The petition of M. B. Smith et al., for grade on Lincoln ave. from Hill st. to Well, received and referred to Street Committee.

Ald. Clancy moved that the engineer be instructed to give a grade on Miner street. On motion the matter was referred to the Street Committee.

The petition of H. S. Morton to have a grade established on the north side of South University avenue from Lincoln street to Oxford Road, was received and referred to the Street Committee.

Bids for doing city printing were received and read as follows:

The Hauesfreund Post, work in paper per 100 words, 40 cents, and 50 pages at 25c. per page.

The Washtenaw Republican, work in paper per 100 words 50c., and 50 pages at 20c. per page.

The Washtenaw Times, work in paper per 100 words 50c., and 50 pages at 25c. per page.

And to have Council and B. O. W. proceedings in both Washtenaw Times and Argus.

The Times bid is 32c. per 100 words for each.