

Lichtenberg, O'Keefe, Parsons, Ruehle, Stange, Welch, Woolley and the President—1.
Nays—None.

TENTH WARD

By Ald. O'Keefe:

Resolved, That the Street Commissioner of the Eastern District be, and he is hereby directed to cause the following crosswalks to be constructed on the east and west sides of McDougal avenue; across Mullett street; across Catharine street; across Sberman street; across Maple street.

Adopted as follows:

Yeas—Ald. Botsford, Broeg, Christian, Paly, Dullea, Flower, Garrison, Grelling, Hinchman, Hough, Lichtenberg, O'Keefe, Parsons, Ruehle, Stange, Welch, Woolley, and the President—18.

Nays—None.

By Ald. O'Keefe:

Resolved, That the Street Commissioner of the Eastern District cause the sidewalk in the street on the west side of the Withersed farm, from Jefferson avenue to Woodbridge street, to be repaired and that the Controller draw his warrant on the contingent fund therefor.

Objected to and laid over.

The Council then adjourned.

CHAS. H. BORGMAN,
City Clerk.

AN ORDINANCE to repeal "An Ordinance to amend Chapter 54 of the Revised Ordinances of 1871, by adding thereto a new section, to stand as section 12," approved February 25, 1873.

It is hereby ordained by the Common Council of the city of Detroit:

SECTION 1. That "An Ordinance to amend Chapter 54 of the Revised Ordinances of 1871, by adding thereto a new section, to stand as section 12," approved February 25, 1873, be, and the same is hereby repealed.

SEC. 2. This ordinance shall take immediate effect.

Approved July 11, 1873.

HUGH MOFFAT, Mayor.

Attest: CHAS. H. BORGMAN, City Clerk.
5649 93-96

ALLEY IN THE FIFTH WARD.

CITY ATTORNEY'S OFFICE.

Notice is hereby given that the Recorder's Court of the city of Detroit has appointed the 16th day of July, A. D. 1873, at 9 o'clock A. M., as the day when it will consider the report and verdict of the jury heretofore rendered in the matter of opening an alley in the Fifth Ward, in the block bounded by Peterboro and Stimpson streets and Cass and Woodward avenues, and also to consider any objections against the confirmation of said report and verdict, on the part of all persons interested therein.

F. G. RUSSELL,
City Attorney.

Detroit, July 10, A. D. 1873. 91-96

AN ORDINANCE Authorizing the "St. Aubin Avenue Street Railway" to construct and operate its railway.

It is hereby ordained by the Common Council of the City of Detroit:

SECTION 1. An ordinance authorizing the "St. Aubin Avenue Street Railway Co." a corporation organized under the laws of the State of Michigan in regard to tram railway companies, to construct and operate its railway from Gratiot street to the northerly limits of the city, on St. Aubin avenue. A diagram of the route of said railway, within two months of the passage hereof, shall be filed with the City Clerk and Surveyor. *Provided*, That should any part of the territory north of the city limits and through which the track of said road shall be laid, be added to the corporation, then the rights hereby granted shall include and cover so much of the said track as shall be in such territory, and be subject to all the provisos and conditions of this ordinance.

SEC. 2. Said company is authorized to lay, use

and maintain a single track, with necessary and convenient turn-outs, side tracks and switches in and along the course of said avenue mentioned in the preceding section, and to operate thereon street railway cars during the term hereinafter prescribed, subject to all the conditions and restrictions of this ordinance.

Such track shall be laid with the inside of each rail two feet four and one-fourth inches from the center of the street. Said rail shall be of the same style and shape as those now in use by the city and street railways, and shall be laid four feet eight and one-half inches apart, with the upper surface of the rail flush with the surface of the street, and in such a manner as not to interfere with ordinary travel, and particularly of wheeled vehicles, and shall conform to the grade of the streets as existing or hereafter altered.

SEC. 3. If it shall become necessary to relay said rails, the same shall be done at the expense of the grantee, and in all streets or parts of streets which are not paved, the rails shall be laid in such manner as shall least interfere with the public travel thereon, and as shall be authorized and approved by the Common Council. The grantee and its assigns shall keep the surface of the streets, from curb to curb, in good order and repair, and all snow, ice, dirt and filth cleaned and removed from such portion of the streets at the expense of the grantee, in such manner as not to obstruct travel in any part of the street. And said company shall fully indemnify and save harmless the city from any and all claims and damages for which it might be made or become liable to pay by reason of the construction, making or operating of said railway, or the giving and allowing of the license, right and privileges hereby granted.

SEC. 4. Said railway shall be laid down subject to the right of the city, or of any gas company, or the Water or Sewer Commissioners, to lay down, take up, change or remove any works of any kind on or beneath the surface of the streets without any claim for damages on the part of said railway.

SEC. 5. The cars to be used on said railway shall be run and drawn by animals only, at a speed not exceeding six miles an hour, and as often as the Common Council shall by resolution prescribe. *Provided*, The cars and carriages used by said grantee shall be of the best style in use on street railways in the city of Detroit, and they shall not be used for any other purpose than to transport passengers and their ordinary baggage. *Provided*, That other cars may be used for cleaning said railway track from obstructions by snow or otherwise.

SEC. 6. The trains on said railway shall at all times be entitled to the track, and vehicles on the track shall turn out when any car comes up, so as to leave the track unobstructed, and the driver of any vehicle refusing so to do shall be liable to a fine as provided in section 16 of this ordinance.

SEC. 7. Cars drawn in the same direction shall not approach each other within a distance of 100 feet, except in cases of accident, or at stations, or for the purpose of connecting cars together. All cars used upon said railroad after sunset shall be provided with signal lights, red in front and green in rear.

SEC. 8. No car, or the horses thereto attached, shall be allowed to stop on a crosswalk or in front of any intersecting street, except to avoid collisions and to prevent danger to persons or property in the street; and drivers shall not allow any person to enter or leave the cars while in motion. Nor shall any car be allowed to remain or stop at the intersection of any street so as to obstruct the free and ordinary use of it. When any car is required to be stopped at the intersection of any street to receive or leave passengers it shall be so stopped as to leave the rear platform slightly over the crossing.

SEC. 9. The grantee and its assigns shall employ careful, sober and prudent agents and drivers to take charge of the cars while on the road, and it shall be the duty of all such agents and drivers to keep vigilant watch for all trains, carriages and persons on foot, especially children, either upon the track or moving toward it. At the first appearance of danger to such teams, carriages, footmen, children or other obstructions, the cars shall be stopped in the shortest time and space possible,