

LOCAL ACTS
OF
THE LEGISLATURE

OF THE
STATE OF MICHIGAN,

PASSED AT THE
REGULAR SESSION OF 1879,

WITH AN APPENDIX.



BY AUTHORITY.

LANSING:
W. S. GEORGE & CO., STATE PRINTERS AND BINDERS.
1879.

thereof, and cause it to be delivered to the county clerk, in the same manner as is required of township clerks, and in case two or more shall receive for the same office, an equal number and not a plurality of votes given at such elections, the common council shall immediately proceed to determine by lot between the persons receiving the highest number of votes, which shall be considered elected to such office. In case any of the officers elected shall neglect for the term of ten days to qualify as aforesaid, the office shall thereby become vacant. The registration of electors shall be the same as is provided by general laws of this state, relative to cities, except as hereinafter provided: *Provided*, That at the annual spring election in the year eighteen hundred and eighty, and every five years thereafter, a general registration of all the electors in each of the wards of said city shall take place, and the common council shall make the necessary provisions for carrying out such general registration. Proviso.

Approved May 28, 1879.

[No. 400.]

AN ACT to authorize the city of Alpena to purchase and to raise money for the purchase and maintenance when completed, of the water works now in process of construction in said city by the Alpena City Water Company.

SECTION 1. *The People of the State of Michigan enact*, That when the water-works now in process of construction in the city of Alpena, by the Alpena City Water Company, shall have been completed and put in readiness for operation, and the common council of said city shall by resolution declare that it is expedient and desirable, and for the best interests of said city to purchase said works, it shall be lawful for the common council of said city, and they are hereby authorized and empowered to borrow money on the faith and credit of said city, and to issue bonds therefor to an amount not to exceed seventy-five thousand dollars for the purpose of purchasing said works, and acquiring the entire rights of said company in said works. Council may borrow money to buy water-works.

SEC. 2. Said bonds may be issued in sums of not more than one thousand dollars each and payable at such times and with such rate of interest not exceeding seven per cent per annum as the common council of said city may direct. Said bonds shall mature within twenty-five years from the date thereof, and shall be signed by the recorder and countersigned by the mayor of said city, with the seal of the city attached, and shall be negotiated by and under the direction of the common council of said city, but at not less than their par value. Bonds. Interest.

SEC. 3. The common council of said city shall have power and it shall be their duty in the event of said water-works being purchased under the provisions of this act, to raise by tax upon the taxable property of said city, such sum or sums as shall be sufficient Tax to pay bonds.

to pay the amount of said bonds and the interest thereon, whenever the same shall become due; and said common council shall also have the power and it shall be their duty to raise by tax upon the taxable property of said city such sum or sums, not exceeding five thousand dollars in any one year as shall be sufficient to keep said water-works in repair and meet the running expenses thereof.

Question of issuing bonds to be submitted to electors.

SEC. 4. Before any bonds shall be issued under the provisions of this act, the common council of said city shall submit to the qualified electors of said city at a special election called for that purpose the question of the proposed issuing of bonds, and if a majority of the electors voting at such meeting shall be in favor of such proposition, the common council of said city may at any time thereafter, issue said bonds and purchase said water-works. The voting at such special election shall be by ballot, and all persons voting in favor of issuing bonds for the purchase of said water-works, shall have written or printed upon their ballots, "For issuing bonds for purchase of water-works,—Yes." And those opposed shall have written or printed upon their ballots, "For issuing bonds for purchase of water-works,—No." The said election shall be called by posting notices in five of the most conspicuous places of said city at least ten days previous thereto, stating the time of holding said election, the amount of bonds proposed to be issued, the rate of interest and the object for which it is proposed to issue them. The polls of said election shall be open from nine o'clock A. M. to twelve M., and from one o'clock P. M. to four o'clock P. M. The mayor, or in his absence, the recorder shall open such election and the electors present shall choose *viva voce* from among their number two persons, who together with the mayor or recorder shall be the inspectors of said election, and such inspectors when so chosen, shall choose from among those present, some competent person to act as clerk of said election. Said inspectors and clerk shall, before proceeding to the discharge of their duties, make an oath or affirmation, faithfully to discharge the duties of their respective offices at said election, which oath or affirmation may be administered by any person authorized to administer oaths. Said election shall be conducted in the same manner and the canvass of votes made as near as may be as other elections in said city under the charter thereof. At the close of such election the inspectors shall make two certificates of the number of votes given for and against such issue of bonds for the purpose aforesaid, one of which shall be forthwith deposited with the recorder of said city and the other filed in the office of the county clerk for the county of Alpena.

Form of ballot.

Notice of election.

Opening and closing polls, etc.

Inspectors of election.

How election conducted.

Board of management.

SEC. 5. When said water-works are purchased as aforesaid, the common council of said city may enact and enforce such ordinances as may be considered necessary for the maintenance and protection of said water-works, the protection thereof from injury or molestation by wrong doers, the enforcement of rules and regulations concerning the use of water hydrants and pipes, the payment and collection of water rates, the fixing and determining such rates, and to provide for the appointment of a commission or board, the term of at least one member of which commission or board shall

expire yearly, to take the charge and management of such water-works, in the manner and to the extent which shall be provided in such ordinance or ordinances; to fix the compensation of such commissioners, and adopt such further rules and regulations as may be considered necessary to secure and protect the supply of water, and the source of said supply.

Approved May 28, 1879.

[No. 401.]

AN ACT to amend an act entitled "An act to incorporate the city of Marshall," approved February fifteen, eighteen hundred and fifty-nine, and the act amendatory thereof, approved April one, eighteen hundred and seventy-three.

SECTION 1. *The People of the State of Michigan enact, That* sections seventeen and twenty-two of an act entitled "An act to incorporate the city of Marshall," approved February fourteen, eighteen hundred and fifty-nine, be and the same are hereby amended so as to read as follows:

SEC. 17. The common council shall have full power and authority to construct, repair, and preserve sewers, drains and reservoirs, and to provide for supplying such reservoirs with water; to cause bridges to be built or repaired; to make by-laws and ordinances to regulate the weighing of hay and the measuring of fire-wood, and for that purpose may appoint some proper person to measure all fire-wood brought into the city for the purpose of sale in the street [streets] or public grounds; and also relative to drays, carts, hacks, and other vehicles kept for the transportation of persons and property in said city, and prescribe the amount of charges for their services, and to designate the stands for the sale of hay, wood, produce, and other things exposed for sale in the streets or public grounds, and also for the regulation of a city market; also relative to the powers, duties and compensation of the officers of said corporation, subject to the restrictions contained in this act; relative to the calling of meetings of the electors of the city; and also to provide for taking a census of the inhabitants of said city, whenever the common council may see fit, and to direct and regulate the same; also relative to the licensing of showmen and other exhibitions, where money or other consideration is demanded or received for admission, and to fix the amount of said license; to direct the number of, and license innkeepers and common victualers; to provide for the collection of and disposition of all fines and penalties, which may be incurred under the by-laws and ordinances of said city; to regulate the setting of awning and other posts, and shade trees in the streets and other public places in said city; they may also fix and establish the grades of all streets and sidewalks; and also establish lines upon which buildings may be erected, and beyond which such buildings shall not extend, and to make

Sections amended.

General powers of council.