

COMMON COUNCIL.

TUESDAY, Nov. 22, 1859.

The Council was called to order at the regular hour by the President, Hon. W. H. Craig.

Present—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Williams, 1st, Williams, 3d, Woodbridge, Yerkes.

The proceedings of the last Council were approved of as printed.

PETITIONS.

Of Union Co. No. 7, with a plan of their proposed new engine house, and asking the adoption of the same. Referred to the Committee on Fire Department.

Of Aaron Roberts, calling the attention of the Council to a new method of extinguishing fires. Referred to the Committee on Fire Department.

Of J. W. Thompson and others, asking for several lamp posts on Randolph and other streets. Referred to the Committee on Gas Lights.

Of Eugene Watson, for reimbursement for injury done his water pipes by paving Jefferson avenue. Referred to the Committee on Claims and Accounts.

Of James Martin, for pay for building a lateral sewer between Cass and First streets, in 1858. Referred to the Committee on Claims and Accounts.

Of John W. Soper, to be refunded road tax of 1858-59, paid on lot 5, block 46, Jones' farm. Referred to the Committee on Taxes.

Of Solomon Gardiner, to be exempt from tax on personal property, as he is not now a resident of the city.—Referred to the Committee on Taxes.

Of Max Herberger and others, for a sidewalk on North street, south side, from St. Aubin avenue to Dequindre street. Referred to the Street Commissioner of the Eastern District.

Of the Trustees of the First Presbyterian Church, for the appointment of Wm. E. Bartholemew as City Watchman in said church. Laid on the table.

Of Phillip Hart, complaining of a nuisance in the shape of a ditch, in the 10th Ward, on the west side of St. Aubin street, and asking that the same may be properly guarded so as to prevent injury to passengers. Granted, and the Street Commissioner ordered to have the proper guards placed thereon, the same to be paid out of the 10th Ward road fund, as follows:

Yeas—Ald. Barlage, Dudgeon, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Williams 3d, Woodbridge, President—13.

Nays—None.

Of Judge Witherell, asking the Council to rescind the order for building a sidewalk on the West side of Duquindre street, from Jefferson avenue to Woodbridge street. Granted, and the resolution rescinded, as follows:

Yeas—Ald. Barlage, Dudgeon, Gordon, Miller, 7th, Williams, 3d, Woodbridge, President—7.

Nays—Ald. Flanigan, Gibbings, Jacobs, Sutton, Swinscoe—5.

REPORTS, COMMUNICATIONS, &C.

CONTROLLER'S OFFICE, }
Detroit, Nov. 22, 1859. }

To the Hon. the Common Council:

Gentlemen—The Controller, to whom was referred so much of the communication of the Chief Engineer as relates to painting the building prepared for Hook and Ladder Company No. 1, and laying a platform in front of the same, reports, that the cost of laying suitable platform will be about \$20 00

Painting outside and inside of building complete, two coats, about 45 00

Total \$65 00

The platform is essential as the building cannot be used without it.

The painting is important to the preservation of the building, and will add much to its appearance.

Respectfully submitted,

J. M. EDMUNDS, Controller.

Accepted, and the Controller ordered to contract with the lowest responsible bidder, provided the price does not exceed the above sum, as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

Nays—None.

From the Controller, the following accounts audited by him, viz:

From Thos. Quinlan, collections on sewer assessments.....	\$ 38 22
From Tim Hanrahan, collections on crosswalk assessments.....	116 00
From Nicholas Vandesand, use of tables for election.....	2 00
From Geo. N. Kuhnle, use of house for election.....	8 00
From J. Lucker, use of house for election, Seventh Ward.....	6 00
From Martin Tray, use of house for election, First Ward.....	6 00
From Geo. Dobson, fitting up engine houses for election.....	3 00
From B. G. Stimson, 48 bbls. water lime for Franklin street sewer.....	52 32
From B. G. Stimson, 8 bbls. water lime for Rivard street sewer.....	8 72
From B. G. Stimson, 168 bbls. water lime for Woodward avenue sewer.....	183 12
From B. G. Stimson, 144 bbls. water lime for Orleans street sewer.....	156 96
From O. Halloran & Devereux, balance on contract on engine house No. 10.....	93 00
From O. Halloran & Devereux, extra work done on engine house No. 10.....	24 00
From J. H. Leroy, preparing room for election in First Ward.....	2 07
From Fire Company No. 1, care of hose three months.....	18 00
From Hook & Ladder Co. No. 2, care of hose three months.....	9 00
From Richard Hopson, collections on special assessments.....	100 00
From John Collison, removing refuse from the markets.....	82 31
From Williams & Beddow, painting, &c., Hook & Ladder house No. 1.....	14 06
From Thompson & Adams, glazing in engine houses.....	28 78
From Thomas Hurst, repairing culverts in the Eighth Ward.....	1 70
From C. Maxhausen, publishing notices of election.....	15 00
From Thos. Hurst, repairing crosswalks in the First Ward.....	15 21
From Geo. W. Knowles, fitting house for Hook & Ladder Co.....	162 26
From Eugene St. Amour, final estimate on May's Creek outlet.....	366 36
From Pat Shanahab, superintending sewers forty two days.....	126 00
From C. Monayhan, extra lumber on crosswalks.....	20 96
From H. M. Candler, repairing crosswalks and bridges, Sixth Ward.....	6 57
Accepted and referred to the Committee on Claims and Accounts, with power.	
Of James Hanmer, Collector, First Ward.....	\$1,793 78
Of Chas. O'Neil, Collector, Second Ward.....	600 19
Of Thomas J. Barry, Collector, Fifth Ward.....	255 00
Of Earl E. Plantz, Collector, Sixth Ward.....	235 00
Of Thos. Hally, Collector, Eighth Ward.....	125 05
Of William Cook, City Collector, collections on special assessments.....	772 66
Accepted and referred to the Committee on Ways and Means, with power.	

CITY ATTORNEY'S OFFICE, }
Detroit, Nov. 23, 1859. }

To the Hon. Common Council:

Gentlemen—I have the honor herewith to transmit to your Honorable body the proper resolution for opening and extending Eighth street, through the Baber farm, to Woodbridge street, which I have drawn in conformity to your instructions.

I have the honor to be, respectfully, &c.,
Accepted.

J. LOGAN CHIPMAN, City Attorney.

Be it Resolved by the Common Council of the city of Detroit, That it is hereby declared necessary to open and extend Eighth street, in said city, from where said street, as now open ends, at the alley south of Fort street, of an equal course and width with the course and width of said street in the parts thereof now open, to wit: Of the course of S. 30 degrees east, and of the width of fifty feet through that part of the Baker farm in said city, (so called,) between said alley and Woodbridge street, in said city, to the northerly line of said Woodbridge street.

And the said Common Council do further declare that they intend to take for the purpose of so, as aforesaid, opening and extending said Eighth street, the following described piece or parcel of land, the property of Ann Hewet, situated in the city of Detroit, county of Wayne and State of Michigan, to wit: So much of that certain piece or parcel bounded on the east by the westerly line

of the La Brosse farm, being two hundred and fifty-five feet and twelve hundredths of a foot, more or less, on said westerly line; on the west by the easterly line of the Woodbridge farm, being two hundred and thirty-eight feet, more or less, on said easterly line; on the north by an alley south of Fort street, being three hundred and ninety-one feet and thirty-eight hundredths of a foot, more or less, on said alley; and on the south by Woodbridge street, being three hundred and eighty-nine feet, more or less, on said street, as would be included between the easterly and westerly lines of Eighth street, if opened and continued from said alley to Woodbridge street, upon the same course and of the same width the parts of that street now open have.

And the said Common Council do further declare that they will, upon the second Monday in January, A. D., 1860, apply to the Recorder's Court of said city for the drawing of a jury to ascertain the necessity for using the property intended to be taken for the purpose of opening and extending said street to ascertain the just damages and compensation which any person may be entitled to and compensation and opening be made, and to apporportion, if such extension and opening and compensation to and upon all lots, premises and sub-divisions thereof, which will be benefited by such improvement.

And the City Clerk, of said city, is hereby directed to cause a copy of this resolution to be published daily for three successive weeks before said second Monday in January, in the *Detroit Free Press*, the daily official newspaper of the city, and in the *Detroit Tribune*, another daily paper published in said city.

J. LOGAN CHIPMAN, City Attorney.

Adopted as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

Nays—None.

CITY ATTORNEY'S OFFICE, }
Detroit Nov. 23, 1859. }

To the Hon. the Common Council:

Gentlemen—The City Attorney, to whom was referred the petition and protest of William Woodbridge against the constituting of a walk and making an assessment therefor, on the north side of Woodbridge street, on the ground that the advertisement of the confirmation of the assessment describes the place for the building of the walk as the "south," instead of the north side of said street, reports that if said confirmation is so advertised it is insufficient and the confirmation must be advertised over.

I am, respectfully, &c.

Accepted.

J. LOGAN CHIPMAN, City Attorney.

CITY ATTORNEY'S OFFICE, }
Detroit, Nov. 18, 1859. }

To the Hon. the Common Council:

Gentlemen—The City Attorney, to whom was referred the resolution of Alderman Swinscoe, declaring the side and crosswalk contract for the year 1859 annulled, reports: That under the contract the Council may declare the contract annulled whenever, in their opinion, the contractor is failing to comply with the terms of it, provided that the contractor is notified to appear before the Council and show cause why it shall not be annulled.—Notice prepared at this office has been served upon the contractor and upon Richard Hopson, his assignee, requiring them to appear before your honorable body on the evening of the 22d November. It therefore remains with your honorable body to do as you please in the premises at your next regular session (that is on the 22d)

I am, respectfully, &c.

J. LOGAN CHIPMAN, City Attorney.

And the preamble and resolutions of Ald. Swinscoe, offered at the session of the Council Nov. 15, annulling the contract with the contractor of the Eastern District for 1859, were adopted, and the contract annulled by the following vote:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

Nays—None.

A communication was received from C. Monayhan, the contractor, stating that he had assigned his contract to Richard Hopson.

Also, one from Richard Hopson, stating that he had had his lumber driven ashore in Lake Huron; that he had built most of the side and crosswalks ordered in the several Wards, and was now prepared to build the balance with all diligence. Both communications accepted and tabled.

DETROIT, Nov. 22, 1859.

To the Hon. Common Council:

I would request your honorable body to call the attention of the Committee on Public Buildings to the present

condition of the roof of No. 5's Engine House, the rain is coming through the plaster, and if left in the present state will rot the timbers under the bell tower, which, being under a heavy weight, is very dangerous to the building, and should be repaired as soon as possible. Respectfully submitted,

WILLIAM LEE,

Chief Engineer of Fire Department.

Accepted, and referred to the Committee on Public Buildings and Controller, with power, as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

Nays—None.

DETROIT CITY SURVEYOR'S OFFICE, }
Nov. 22, 1859. }

To the Honorable the Common Council of the city of Detroit:

Gentlemen—I herewith submit to your honorable body the following assessment rolls to wit:

An assessment roll for repairing a plank sidewalk in front of lot No. 10, and the east half of lot No. 9, block 35, Baker farm.

An assessment roll for repairing a plank sidewalk on the north side of Fort street, Woodbridge farm.

An assessment roll for repairing a plank sidewalk in front of lot No. 13, block 35, Labrosse farm.

An assessment roll for repairing a plank sidewalk in front of lot No. 1 block 70, Cass farm.

An assessment roll for repairing a plank sidewalk in front of lot No. 10, block 31, Cass farm.

An assessment roll for grading a sidewalk on the west side of 4th street, from Lafayette street to Michigan avenue.

An assessment roll for grading a sidewalk on the east side of Woodward avenue, from the toll gate to the north line of the south half of Park lot No. 42.

An assessment roll for a lateral sewer built in the alley between Howard and Abbott streets, from the 4th street sewer to the eastern line of 5th street.

An assessment roll for a crosswalk built across an alley between St. Aubin avenue and the east line of St. Aubin farm, on the north side of High street.

An assessment roll for a crosswalk built across an alley between St. Aubin avenue and the east line of St. Aubin farm, on the south side of High street.

Respectfully submitted,

NICHOLAS THALEN, City Surveyor.

Accepted, crosswalk assessments confirmed, and the others ordered filed as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

REPORTS OF COMMITTEES.

The Committee of Claims and Accounts to whom was referred the resolution of Ald. Miller, of the 7th, that the constables of the different wards who were on duty during the State fair be paid the same as the special police, in favor thereof, providing that they have not already received pay whilst acting in another capacity at the same time.

N. P. JACOBS.

Report accepted and adopted, as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Truckey, Woodbridge, Yerkes, President—14.

Nays—None.

The Committee of Claims and Accounts, to whom was referred the resolution of Ald. Fairbanks, that the Captains of the special police and his two assistants who were on duty during the State fair be paid the same as last year, report in favor of allowing them four dollars and fifty cents per day whilst in service.

N. P. JACOBS.

Report accepted and adopted as follows:

Yeas—Ald. Barlage, Dudgeon, Fairbanks, Flanigan, Gibbings, Gordon, Jacobs, Miller, 7th, Sutton, Swinscoe, Woodbridge, President—12.

Nays—Ald. Truckey, Yerkes—2.

The Committee of Claims and Accounts, to whom was referred the communication of his Honor the Mayor in reference to the payment of the special police sworn by him on election day, report in favor of paying those who were so appointed and acted as policemen two dollars each, and that they have examined, and can certify to the following as having so acted:

1st Ward—Daniel Freely, Thomas Doran, M. R. Supple, A. Leadbetter.

4th Ward—John A. Sanger.

5th Ward—Wm. Champ, A. V. James.

6th Ward—Ben. Vanson, Thos. Lambert, H. W. Candler,

7th Ward—Wm. Smith, Peter Gadway, Dennis R. Sullivan.

van.