

COMMON COUNCIL.

TUESDAY, March 22, 1859.

The Council was called to order at the regular hour by the President, Hon. W. H. Craig.
Present—Ald. Barlage, Fairbanks, Flanigan, Gibbings, Gordon, Hale, Jacobs, Marx, Miller, 3d, Miller, 7th, Sutton, Swinscoe, Williams, 1st, Woodbridge, Zender—15.
The proceedings of last Council were approved as printed.

PETITIONS.

Of William Hopkins, Foreman, on behalf of Fire Co. No. 5, for assistance to finish their house. Referred to the Committee on Fire Department.

Of John Kendall, Foreman of Engine Co. No. 9, asking for an appropriation to assist in plastering their engine house. Referred to the Committee on Fire Department.

Of Patrick Shanahan, Foreman Fire Co. No. 10, in behalf of the company, asking an appropriation to plaster their engine house. Referred to the Committee on Fire Department.

Of William Phelps, asking permission to remove his building back on his lot on Griswold street. Referred to the Committee on Fire Department and Chief Engineer, with power.

Of William Chapaton and two others, to have a nuisance abated on the corner of Madison avenue and Grand Circus, &c., &c. Referred to the Committee on Sewers.

Of Ashley Pond, to connect a drain with a private drain from east half lot 25, section 11, Governor and Judges' plan. Referred to the Board of Sewer Commissioners.

Of James Craig and others, asking that Congress street be opened from Fifth to Sixth street. Referred to the Committee on Street Openings.

Of George Brooks and others, asking that Howard street be opened through to Thompson street. Referred to the Street Opening Committee.

Of L. P. Kneeland and others, for the same purpose. Referred to same committee.

Of George Crabb and others, to have the fences on Elizabeth street, west side of Macomb avenue, moved back to the line of lots; also, for repairing of sidewalks from Woodward avenue to Grand River street, and new walks be laid from Grand River street to Grand Circus; also, on Park street, above Elizabeth street. Granted.

That portion relative to fences, referred to the Street Commissioner to notify the owners or occupants to remove their fences forthwith. Relative to sidewalks, referred to the Committee on Streets.

Of Ashley Pond and others, to have the sidewalk in front of lot 23, section 11, Governor and Judges' plan raised. Referred to the Street Commissioner Eastern District.

Of Joseph Law, Jr., to have a nuisance abated on Atwater street, between Randolph and Brush street, in front of the plaster mill. Referred to the Street Commissioner Eastern District.

Of A. and C. Marxhausen, to print the Council proceedings in German at \$150 per annum. Referred to the Committee on Printing.

Of D. M. Freeman and D. K. Sullivan, asking the reward for the apprehension of Goury. Referred to the Committee on Claims and City Attorney.

Of Horace S. Roberts and two others, asking to have the alley between Adams avenue and Elizabeth street planked, and that an assessment be ordered for same. Referred to the Committee on Streets.

Of A. Burrell and J. H. Farwell, calling the attention of the Council to the dangerous state of Jefferson avenue, above the railroad bridge. Accepted.

Ald. Jacobs offered the following:
Resolved, That the Street Commissioner of the Eastern District be instructed to notify the Plank Road Company to place said road in good condition forthwith, from the Pontiac Railroad bridge to the east line of the city. Adopted.

The President being about to vacate the chair for a short time, called Ald. Jacobs thereto.

COMMUNICATIONS.

MAYOR'S OFFICE, DETROIT, }
March 22, 1859. }

To the Hon. the Common Council:
Gentlemen—I return, without approval, a motion made by Ald. Gibbings and passed at your last session, allowing certain claims, amounting to \$93, and to be paid out of the general road fund.

The labor having been done on the streets of the Second Ward, those claims should be paid out of the Second District road fund.

Yours respectfully,
JOHN PATTON, Mayor.

Accepted.
Ald. Miller, 7th, moved a reconsideration of the vote

by which the resolution of Ald. Gibbings was adopted, Carried, as follows:

Yeas—Ald. Flanigan, Gibbings, Hale, Jacobs, Sutton, Swinscoe, Williams, 1st, Woodbridge, President—9.

Nays—Ald. Barlage, Fairbanks, Gordon, Marx, Miller, 3d, Miller, 7th, Zender—7.

The resolution was then put on its passage, over the Mayor's veto, and was lost by the following vote:

Yeas—Ald. Barlage, Flanigan, Gibbings, Hale, Jacobs, Sutton, Swinscoe, Williams, 1st, Woodbridge, President—10.

Nays—Ald. Fairbanks, Gordon, Marx, Miller, 3d, Miller, 7th, Zender—6.

To the Hon. the Common Council:

At the last sitting the following resolution was adopted, to wit:

By Ald. Jacobs,
Resolved, That the Controller be instructed to report to this Council the amounts, if any, that have been paid from the several ward funds for work justly chargeable to the general road fund. Adopted.

In reply, I would beg leave to report that, I am not aware that any "amounts have been paid out of the several ward funds for work justly chargeable to the general road fund."

I would further beg leave to say that, the resolution having designated no particular kind or class of "work," I am necessarily compelled to report accordingly. Should any specific charge be made against me for diverting the moneys of any fund for the payment of what might be deemed chargeable to any other fund, I shall very readily, and I trust satisfactorily, meet any such charge.

Respectfully submitted.

March 22, 1859.

CHAS. PELTIER, Controller.

Accepted.

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

From John Slater, stationery for city officers...	\$ 97 16
From R. H. Finley, amount paid for sign for office.....	1 25
From F. E. Eldred, rent of lot for use of City Scavengers.....	50 00
From W. F. Storey, printing, advertising, &c., in February, '59.....	105 20
From Solomon Davis, repairing ballot boxes, &c., &c.....	4 90
From Fire Co. No. 1, taking care of hose four months, &c.....	24 40
From Wright and Hatch, watching fire at Tribune office.....	4 00
From John M. Davis, building basin and repairs of culvert, corner of Orleans and Franklin streets.....	11 03
From John M. Davis, repairing sewers and culverts for Sewer Commissioners.....	55 07
From Thomas Mayberry, assignee of Samuel Hulse, collected for building lateral sewer in alley between Howard and Abbott streets.....	71 75
Pay roll of jurors in Recorder's Court for offences against ordinances.....	12 00
From John Ulrich, care of city offices till March 22, '59.....	45 00
Accepted, and referred to the Committee on Claims and Accounts, with power.	

REPORTS OF WARD COLLECTORS.

From Thomas Hally, collected since last report to 22d.....	\$ 80 30
From George W Burchell, 9th Ward, since last report to 22d.....	381 58
Accepted and referred to the Committee on Ways and Means, with power.	
From the several ward collectors, amount of uncollected city taxes of 1858, in the several wards.	
John Collins, Collector 1st Ward.....	\$2,434 13
J. Calnon, Collector 2d Ward.....	1,988 04
James Sherlock, Collector 3d Ward.....	799 17
Charles Lotz, Collector 4th Ward.....	533 81
Thomas J. Barry, Collector 5th Ward.....	552 54
E. F. Plantz, Collector 6th Ward.....	4,229 21
John Reno, Collector 7th Ward.....	1,394 56
Thomas Hally, Collector 8th Ward.....	1,110 96
Geo. W. Burchell, Collector 9th Ward.....	1,923 88
James Dubois, Collector 10th Ward.....	1,526 34
Accepted, and ordered filed.	

CITY ATTORNEY'S OFFICE, CITY OF DETROIT, }

March 22, 1859. }

To the Hon. the Common Council:

Gentlemen—I have the honor herewith to report that, the verdict of the Jury, deciding that it is necessary to open Larned street, from Benjamin B. Kerchevals subdivision of lot eight of the Mullett Farm to the western line of the Gouin Farm has been confirmed by the

Recorder's Court. The amount of damages awarded are \$248. I therefore recommend the following resolution for your adoption:

Resolved, That the Controller be, and he hereby is, directed to draw his warrant in favor of persons to whom damages have been awarded by the verdict of the Jury drawn in the Recorder's Court, to ascertain the necessity of opening and extending Larned street, from Benjamin B. Kercheval's subdivision of lot 8 of the Mullett Farm to the westerly line of Russell street, upon presentation by said persons of the certificates of the Clerk of the Recorder's Court, of the amount of damages said persons are respectively entitled to.

I am, respectfully,

Your obedient servant,

J. LOGAN CHIPMAN, City Attorney.

Report accepted and adopted, as follows:

Yeas—Ald. Barlage, Fairbanks, Flanigan, Gibbings, Gordon, Hale, Jacobs, Marx, Miller, 3d, Miller, 7th, Sutton, Swinscoe, Woodbridge, Zender, President—15.

Nays—None.

CITY ATTORNEY'S OFFICE, }
March 22, 1859. }

To the Hon. Common Council:

Gentlemen—I herewith transmit to your honorable body the proper resolution for the widening of Russell street, as directed by you at your last meeting.

I am, respectfully,

Your obedient servant.

J. LOGAN CHIPMAN, City Attorney.

Accepted and referred to the Committee on Street Openings.

Be it Resolved, by the Common Council of the city of Detroit, that it is hereby declared necessary to widen Russell street, in said city, between Jefferson avenue and an alley which bisects the block, in said city, which lies between Larned street and Congress street, and between Russell street and Rivard street, to the width of fifty feet, so that said street, when so widened between said avenue and said alley, shall be of uniform course and width with the portion of said street which lies north of said alley; and the said Common Council intend to take the following private property for the purpose of so, as aforesaid, widening said Russell street, to wit: All that certain piece and parcel of land situated, lying and being in the city of Detroit, county of Wayne, and State of Michigan, and belonging to Patrick Tregent, Esq., of said city, and described as all that portion of lot 12, on the Mullett farm, in said city, bounded as follows, to wit: Commencing at the corner of Russell street and Jefferson avenue, in said city, and running thence along the northern line of said avenue in a westerly direction thirty feet; thence in a northerly direction through said lot 12 and parallel with the line of said Russell street two hundred feet and forty-eight hundredths of a foot; thence easterly through said lot 12 parallel with said Jefferson avenue to the westerly line of Russell street to the place of beginning; also all that piece and parcel of land belonging to some person or persons unknown, situated in the city, county and State aforesaid, described as all that portion of lot 12 on the Mullett farm (so called) bounded as follows, to wit: Commencing at a point on Russell street, in said city, where the southerly line of Larned street, in said city, if extended across said Russell street, would strike the easterly line of said lot 12, and running thence westerly through said lot 12 on said course and direction of said line of Larned street would follow if extended and continued through said lot 12, thirty feet; thence at right angles through said lot 12 in a northerly direction and parallel with said Russell street sixty feet; thence at right angles to the westerly line of said Russell street to the place of beginning; also, that certain piece or parcel of land situated in the city, county and State aforesaid, belonging to Patrick Tregent, Esq., of said city, described as all that part of lot 12 on the Mullett farm (so called) in the said city, bounded as follows, to wit: Commencing at the north-easterly corner of said lot 12, at a point where said corner touches upon the westerly line of said Russell street, and running thence in a westerly direction along the line of said lot 12 to a point where the westerly line of said Russell street crosses an alley and touches upon the northern line of said lot thirty feet; thence through said lot 12 in a southerly direction and parallel with said Russell street one hundred and twenty feet and thirty-two hundredths of a foot; thence parallel with the northern line of said lot 12 to the westerly line of said Russell street thirty feet; thence along the westerly line of said Russell street to the place of beginning.

And it is further declared that the said Common Council will, upon the first Monday in the month of June, A. D., 1858, 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 widening said Russell street; to ascertain the just damages and compensation which any person may be entitled to, if such intended widening be made, and to apportion and assess such damages and compensation to and upon all lots and subdivisions and premises thereof which will be benefited by said widening.

The City Clerk of said city is hereby directed immediately upon the approval of this resolution by the Mayor of said city to publish a certified copy thereof for four successive weeks, in the official daily newspaper of said city and in one other daily newspaper published in said city.

From the City Clerk—That the Mayor had approved of the proceedings of last Council except as noted. Accepted and ordered filed.

The official bonds of James M. Edmunds, Esq., City Controller elect.

Referred to the Committee on Ways and Means. Also, that the Clerk of the Recorder's Court has filed in my office the report of the jury in the matter of opening and extending Larned street, and of the order of the Recorder's Court, of March 21st, confirming the same.—Accepted and ordered filed.

DETROIT CITY SURVEYOR'S OFFICE, }
March 22d, 1859. }

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

I herewith submit to your honorable body assessment rolls for building the following plank sidewalks, to wit:

On the east side of John R. street, from Elizabeth to Winder street.

On the west side of John R. street, from Elizabeth to Winder street.

On the north side of Gratiot street, from Riopelle to Dequindre street.

On the south side of St. Lawrence street, from Prospect to Hastings street.

On the south side of Chestnut street, from Riopelle to Russell street.

On the south side of Columbia street, from Woodward avenue to Beach street.

On the north side of Columbia street, from Woodward avenue to Beach street.

On the east side of Riopelle street, from Railroad street to Mary street.

On the north side of High street, from St. Aubin avenue to Dubois farm.

On the north side of Mullett street, from St. Aubin avenue to Dubois farm.

On the west side of Second street, from Fort to Woodbridge street.

On the west side of Second street, from Fort to Lafayette street.

On the west side of Wayne street, from an alley south of Jefferson avenue, to Woodbridge street.

On the west side of Larned street, from Griswold to Shelby street.

On the west side of Wing street, from Fort to Henry street.

PLANK CROSS-WALKS.

Across Waterloo street, east of St. Aubin avenue.

Across Catherine street, south of Gratiot street.

Across Catherine street, east of St. Aubin avenue.

Across Randolph street, north of Gratiot street.

Across Marian street, west of Hastings street.

Across Maple street, south of Gratiot street.

Across Cherry street, east of Riopelle street.

Across Croghan street, east of Beaubien street.

Across Beaubien street, north of Gratiot street.

Across Franklin street, east of Dequindre street.

Across Cross street, east of John R. street.

Across Columbia street, west of Clifford street.

Across an alley between Catherine and Mullett streets, east of St. Aubin avenue.

Across an alley between George and Duffield streets, west of Clifford street.

Respectfully submitted,

Accepted. NICHOLAS THELEN, City Surveyor.

Sidewalk assessments ordered filed, and crosswalks confirmed as follows:

Yeas—Ald. Barlage, Fairbanks, Flanigan, Gibbings, Gordon, Hale, Jacobs, Marx, Miller, 3d, Miller, 7th, Sutton, Swinscoe, Williams, 1st, Woodbridge, Zender, President—16.

OFFICE OF SEWER COMMISSIONERS, }
DETROIT, March 21, 1859. }

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

Gentlemen—In reply to the several resolutions of your