

mission has considered the petition of Matthew J. Lennon, et al (2482) referred to us by your Honorable Body, requesting that Lawton Avenue be widened from Puritan Avenue to Florence Avenue.

At a recent meeting of our Commission a tentative-final plat of the Schlenker, Bull & Company's Puritan-Lawton Subdivision of part of the S. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  of Section 15, T. 1 S. R. 11 E., City of Detroit, Wayne County, Michigan, was submitted and approved.

The plat as presented shows Lawton Avenue at the desired width, and the land will have been dedicated to the City when the plat is recorded.

In view of the above, we recommend that the petition be indefinitely postponed.

Respectfully submitted,  
WALTER H. BLUCHER,

Secretary.

General order for Friday, Aug. 29

**From the City Plan Commission.**

August 25, 1924.

To the Honorable, the Common Council:

Gentlemen: In accordance with the request of your Honorable Body we have prepared a map showing the location and area of the suggested aviation field sites on the east side of the City. This plan, together with a map of the City, showing the location of all proposed sites is enclosed, herewith.

Respectfully submitted,  
WALTER H. BLUCHER,  
Secretary.

Accepted and placed on file.

**From the Clerk.**

That he presented such portion of the proceedings of the last regular session as is required by the Charter to be so presented, to His Honor the Acting Mayor for approval, on the 22, inst. and that they were approved the 26 inst.

Placed on file.

Also, That he has been served with plaintiffs' declaration issued out of the Circuit Court for the County of Wayne, Michigan, in a cause wherein Mary Thrall is plaintiff and the City of Detroit defendant and that he has referred the same to the Corporation Counsel.

**From the Clerk.**

To the Honorable the Common Council:

Gentlemen—I beg to inform you that druggist's liquor bond of J. A. Stewart, bonds, waivers and agreements of the Hudson Coal Co. and C. H. McCurdy Coal & Supply Co. have been filed in my office. Said papers having been approved by the Corporation Counsel and City

Engineer, resolution accepting same is attached.

Respectfully submitted,  
RICHARD LINDSAY,  
City Clerk.

By Councilman Broderick:

Resolved, that the druggist's liquor bond of J. A. Stewart; bond, waiver and agreement of Hudson Coal Co. covering spurtrack across South st., and bond, waiver and agreement of C. H. McCurdy Coal & Supply Co. covering spurtrack across American Ave., be and the same are hereby accepted and approved.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Nagel and the President Pro Tem—

7.

Nays—None.

**From the Clerk.**

To the Honorable the Common Council:

Gentlemen—I beg to inform you that the quit-claim deed of Smart Farm Co. to the City of Detroit covering property dedicated for street purposes has been filed in my office. Said deed having been approved by the Corporation Counsel and City Engineer, resolution accepting same is attached.

Respectfully submitted,  
RICHARD LINDSAY,  
City Clerk.

By Councilman Broderick:

Resolved, that quit-claim deed of Smart Farm Co. to the City of Detroit, covering property for street purposes described as: "Part of Lot A of the Smart Farm sub. of Frac. Sec. 9 and part of P. Cs. 41 and 36, City of Detroit, described as beginning at a point on the westerly line of said Lot A, distant South 31 deg. East 1190.04 ft. from the northwest corner of Lot A; thence North 59 deg. 05' East 140 ft.; thence South 31 deg. East 50 ft.; thence South 59 deg. 05' West 140 ft.; thence North 31 deg. West 50 ft. to the point of beginning, which will be known as the southerly 6.48 ft. of lot 1954, Lot 1955 and the Northerly 8.52 ft. of Lot 1956 of Smart Farm Sub. No. 2, when same is recorded." Part of Lot C of Smart Farm Subdivision of Frac. Sec. 9 and part of P. Cs. 41 and 36, City of Detroit, described as beginning at a point on the westerly line of said Lot C, distant South 31 deg. West 880.95 ft. from the northwest corner of Lot C; thence North 59 deg. 05' East 126.71 ft.; thence south 31 deg. East 55 ft.; thence south 59 deg. 05' West 126.71 ft.; thence North 31 deg. West 55 ft. to the point of beginning, which will be known as the southerly 33.71 ft. of Lot 2032 and the northerly 21.29 ft. of Lot 2031 of Smart Farm. Sub. No. 2, when the same is recorded."

be and the same is hereby accepted, and the City Controller be and is hereby directed to record same in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Nagel and the President Pro Tem—

7. Nays—None.

**From the Clerk**

To the Honorable the Common Council:

Gentlemen—There has been some question as to whether Subdivision i, Sec. 5 of the Home Rule Bill is applicable to the so-called Gas Ordinance to be submitted to the electors at the election of September 9th.

As you know, the regular federal, state and county officials are to be voted on at this time, as well as two city officers, and there is, in addition, several propositions and amendments going on the ballot. There are four charter amendments on the same ballot carrying the Gas Ordinance, and it seems to me, in view of the fact that a special primary and election is being held in Detroit on that date, and September 9th is the date of the state and county primary, the only additional expense involved in submitting the Gas Ordinance would be approximately one-fifth the cost of printing the amendment ballot, plus an extra line of type in the notices, tally books and returns. As we are calling for 360,000 of these amendment ballots at \$2.75 per thousand, the fifth chargeable to the gas ordinance would be \$198.00.

I am transmitting this data to your Honorable Body in order that you may take such action as you deem advisable in connection with this matter before the date of election.

Respectfully yours,  
RICHARD LINDSAY,

City Clerk.

Referred to Corporation Counsel.

August 26, 1924.

To the Honorable the Common Council:

Gentlemen—In reply to your request as to whether Section 5, Subdivision "I", of the Home Rule Bill is applicable to the so-called gas ordinance to be submitted to the electors at the election on September 9, 1924; we respectfully submit that the Common Council, under the power granted to it by the charter, may at any general or special election submit, in accordance with the Constitution and the laws of the State, to the electors of the city for their approval or dis-approval any franchise for any public utility or proposition in connection with the regulation or control thereof.

Under Section 5, Sub-division "I", of the Home Rule Bill it is ordained that "no city shall have the power to submit a franchise to the electors at a special election unless the expense of holding the election is, as determined by the legislative body, paid by the grantee in said franchise to the City Treasurer."

Under the resolution adopted by your Honorable Body on the 8th day of July, A. D. 1924, it was directed that the gas ordinance or franchise shall be submitted to the qualified electors of the City of Detroit at a special election held on the 9th day of September, 1924, concurrent with the general primary election occurring on that date.

The Gas Company has never formally notified the city that they would accept said franchise in the event of its passage. From careful reading of the Act, I do not believe it was the intent of the legislature to charge a public utility under these circumstances with the cost of said election before the question goes to a vote. It is my opinion, therefore, that until the said franchise is voted upon and passed by a three-fifths vote of the people, that the Gas Company could not be required to pay the \$198.00, the expense of the said special election, but, that in the event of the passage of said franchise, the Gas Company should be billed in that amount.

Very respectfully yours,  
GEORGE A. KELLY,  
Corporation Counsel.

Accepted and placed on file.

**From the Clerk.**

To the Honorable the Common Council:

Gentlemen—I beg to advise your Honorable Body that I am in receipt of the following communication from 16th Engineers' Reunion Committee.

Respectfully submitted,  
RICHARD LINDSAY,  
City Clerk.

Following is the communication referred to.

**From the 16th Engineers Reunion Committee.**

August 20, 1924.

To the Honorable, the Common Council:

Gentlemen—The former members of the Sixteenth Regiment of Engineers would highly appreciate the honor of your presence at their Regimental Banquet, which will take place at the Hotel Tuller, Detroit, at seven o'clock in the evening of Sunday, August 31st.

Very sincerely yours,  
ALAN B. LEONARD,  
General Chairman.

Invitation accepted.