

May 14

of the State Highway Department as to their participation, said agreement to be approved by the Supervisors at their next session.

The County Road Commission was notified by letter, May 10th, at noon, of receipt of the State's portion and as the next regular session of the Supervisors will not be held until sometime in June Mr. Gross, Secretary, telephoned the writer that at Tuesday's session of their board approval will be granted, for an advance of \$500,000.00 on our Weight and Gas Tax revenues, and check will be forwarded to the City on Wednesday.

The State Highway Department is ready to proceed at once with the widening of these two sections on Gratiot Avenue and in order to expedite this work it is recommended and approved by the Corporation Counsel that transfer be made from our County Road Suspense, to which account the \$500,000.00 from the County Road will be credited, to our Street Opening Fund so that payment of Condemnation Awards can be made in order to proceed with the physical widening.

The following resolution is recommended for your approval.

Respectfully submitted,

D. V. ADDY,  
Budget Director.

Approved:

DONALD SLUTZ,  
City Controller.

By Councilman Hamilton:

Resolved, that the City Controller be, and he is, hereby authorized and directed to transfer \$516,276.35 from County Road Suspense to Street Opening Fund account No. 526 Randolph to Brush \$253,750.45 and account No. 525 Boulevard to Townsend \$262,525.90 covering fifty per cent of Condemnation Awards, and be it further resolved, that amount of interest on Gratiot, "Boulevard to Townsend" be also transferred from County Road Suspense to Street Opening Fund account No. 525.

Approved:

PAUL E. KRAUSE,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Dingeman, Dorais, Ewald, Garlick, Hamilton, Lodge, Sweeny, Van Antwerp and the President—9.

Nays—None.

#### Reconsideration

Councilman Ewald moved to reconsider the vote by which the resolution was adopted.

Councilman Dingeman moved to suspend Rule 23, except amendment as adopted May 3, 1938, for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Dingeman, Dorais, Ewald, Garlick, Hamilton, Lodge, Sweeny, Van Antwerp and the President—9.

Nays—None.

Councilman Sweeny then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

#### From the Corporation Counsel

May 14, 1940

To the Honorable, the Common Council:

Gentlemen—The following employees of the City of Detroit were injured while in the course of their employment:

Meta Harris, Mary Eckberg, Howard Whipple and Frances Light, employees Board of Health;

May Hoffman, employee Public Welfare Commission;

Anthony Nowinski and John Diccico, employees Department of Public Works.

Under the terms of the Michigan Workmen's Compensation Law, the employer shall pay the injured employees at the rate of 66 2-3 per cent of their average weekly wages, not to exceed \$18 per week, nor more than 500 weeks from the date of injury. To the end that the above be paid, we suggest the adoption of the following resolution.

Respectfully submitted,

WILLIAM J. KENT,

Assistant Corporation Counsel.

By Councilman Hamilton:

Resolved, That the Controller be and he is hereby instructed to draw his warrant upon the proper fund in favor of Meta Harris, Mary Eckberg, Howard Whipple and Frances Light, employees Board of Health; May Hoffman, employee Public Welfare Commission; Anthony Nowinski and John Diccico, employees Department of Public Works, at the rate of 66 2-3 per cent of their average weekly wages not to exceed \$18 per week, said sum to be paid during the period of disability not to exceed 500 weeks from the date of the injury.

Adopted as follows:

Yeas—Councilmen Dingeman, Dorais, Ewald, Garlick, Hamilton, Lodge, Sweeny, Van Antwerp, and the President—9.

Nays—None.

#### From the Corporation Counsel

May 14, 1940

To the Honorable, the Common Council:

Gentlemen—You transmitted to this Department a petition filed by Marion Inc., (9264) offering to dedicate property for the extension of Carlin Avenue and for alley purposes.

We wrote you respecting this petition on March 25th last, at which time you wished a report respecting the identity of the petitioner.

We are returning the petition herewith with the recommendation that it be accepted. We are also transmitting a deed from the petitioner to the City of Detroit, covering the property designated, which deed has been approved as correct as to description by the City Engineer's Department, and correct as to form and execution by this Department. We are also transmitting a communication from the City Treasurer showing that all taxes have been paid upon the property proposed to be dedicated; also we are returning the communication of the City Plan Commission.

The original petition was predicated upon cancellation of taxes in return for dedication of the property. This feature of the petition is now disregarded, the taxes having been paid.

We recommend the adoption of the attached resolution.

Respectfully submitted,

JAMES H. LEE,

Assistant Corporation Counsel.

Approved:

PAUL E. KRAUSE,

Corporation Counsel.

By Councilman Hamilton:

Whereas, Petition was filed by Marion, Inc. (9264), offering to dedicate certain property for the extension of Carlin Avenue and for alley purposes; and

Whereas, Said petition was referred to the Corporation Counsel for report thereon; and

Whereas, This body is advised that the taxes have been paid upon the property involved; that a deed for the property to be dedicated has been approved by the City Engineer and by the Corporation Counsel. Now, Therefore, Be It

Resolved, That said petition be granted and said property be accepted, as dedicated, in accordance with said deed and petition.

Adopted as follows:

Yeas—Councilmen Dingeman, Dorais, Ewald, Garlick, Hamilton, Lodge, Sweeny, Van Antwerp, and the President—9.

Nays—None.

From the Corporation Counsel

May 13, 1940

To the Honorable, the Common Council:

Gentlemen—By resolution of your Honorable Body, on October 12, 1939 the City Controller was authorized to enter into a contract with B. J. Mabarak of the Mabarak Real Estate Exchange for the purchase from the City of Detroit of property at 3358-64 E. Larned Street, Detroit. This prop-

erty was acquired by the City through tax foreclosure proceedings.

The purchaser requested that the contract call for a title policy on the property. The abstract and title companies declined to issue a policy pending the decision of the Circuit Court in which the Collateral Liquidation, Inc., a Michigan corporation, challenged the validity of the City's tax foreclosure procedure. That lawsuit was decided in favor of the City on May 8, 1940. In view of the fact that the Collateral Liquidation Corporation intends to appeal the case to our Supreme Court, the title companies still decline to issue a policy.

In order, therefore, to carry out the terms of your resolution of October 12, 1939 a quit claim deed from the record owner of the premises in question is necessary to meet the requests of the title companies. Such a deed has been tendered by the original owner of the premises at no cost to the City and we recommend to your Honorable Body that the City Controller be authorized to accept the said quit claim deed so that the contract may be drawn in accordance with the instructions of your Honorable Body.

Respectfully submitted,

JOHN G. DUNN,

Assistant Corporation Counsel.

Approved:

JOHN H. WITHERSPOON,

Acting Corporation Counsel.

By Councilman Hamilton:

Resolved that the City Controller be and he is hereby authorized and directed to accept a quit claim deed from the H & G Investment Company covering the premises at 3358-64 E. Larned Street, City of Detroit described as the Westerly 45 feet of the Northerly 83 feet of Lot 3 and the Easterly 10 feet of the Northerly 83 feet of Lot 4 of L. C. Elbert's Subdivision of Lots 6, 7 and 8, George Hunt Farm, according to the plat thereof recorded in Liber 3 of Plats, page 14, of the records in the office of the Register of Deeds for the County of Wayne.

Adopted as follows:

Yeas—Councilmen Dingeman, Dorais, Ewald, Garlick, Hamilton, Lodge, Sweeny, Van Antwerp and the President—9.

Nays—None.

From the Corporation Counsel

May 14, 1940

To the Honorable, the Common Council:

Gentlemen—Your Honorable Body did on March 26, 1940 (J.C.C. p. 842) order condemnation proceedings for additional land for the Western Market and other public purposes.

The land affected by this condemnation is also in the widening of