

fixing and determining assessment district for opening alley in block bounded by Eighteenth street and Lawton avenue, north of Wreford avenue, etc., was adopted at the last session, which motion prevailed as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Hillger, Houghton, Jerome, Joy, Keating, Koch, Koenig, Lemke, Liphardt, McGuire, Magee, Moeller, Mohn, Nevermann, Reinhardt, Rutter Tossy, Weber, Weibel, Weller, Wildman and the President.—31.

Nays—None.  
The resolution was then referred back to the Committee on Street Openings.  
Ald. Wildman was excused.

**Street Openings.**

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the petition of Susan Hance, et al., requesting the verdict in the matter of opening Hancock avenue, from Fourteenth to Grand River avenues, be set aside, beg leave to report that we have given the same our careful consideration and after listening to the reasons presented by the petitioners and after consultation with the Corporation Counsel, have come to the conclusion that this is not a matter for the Common Council to determine. It lies solely within the jurisdiction of the court officers to decide the matter, and the interested parties have therefore arranged to take the matter up Thursday next in the Recorder's Court, at which time Judge Phelan has set the same for a hearing.

We therefore recommend that the petition be placed on file.

Respectfully submitted,  
MAURICE J. KEATING.  
JOHN J. STEIGER.  
EDWIN JEROME,  
M. W. M'GUIRE.

Accepted and recommendation concurred in.

**FROM THE SAME.**

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the resolution of Ald. Reinhardt, instructing the Corporation Counsel to discontinue proceedings in the matter of opening Randall street, from Twenty-second to Twenty-third streets, beg leave to report that we have given the same careful consideration, and after consultation with a majority of those interested in said opening, have come to the conclusion that there is no public demand or necessity for the opening of said thoroughfare as originally petitioned for, and we therefore recommend that the resolution above referred to, presented by Ald. Reinhardt at a session held on Aug. 16 last (J. C. C., p. 873), be adopted.

Respectfully submitted,  
MAURICE J. KEATING.  
JOHN J. STEIGER.  
EDWIN JEROME,  
M. W. M'GUIRE.

Accepted and recommendation concurred in as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel,

Freda, Haarer, Hillger, Houghton, Jerome, Joy, Keating, Koch, Koenig, Lemke, Liphardt, McGuire, Magee, Moeller, Mohn, Nevermann, Reinhardt, Rutter, Tossy, Weber, Weibel, Weller and the President—30.  
Nays—None.

**FROM THE SAME.**

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the petition of the Art Stove Co. for vacation of alleys in block bounded by Rivard and Russell streets, Milwaukee avenue and Grand Trunk Railroad, beg leave to report that we have carefully investigated the matter, and upers are the owners of nine-tenths of the property in said block; that they desire the alleys now located in said block vacated so that they can enlarge their plant, to which your committee can see no objection, provided, they pay for the paving of Russell street in front of alley intersection, and also the expense of paving alley return, in 1900, and we therefore offer the following resolution.

Respectfully submitted,  
MAURICE J. KEATING.  
JOHN J. STEIGER.  
EDWIN JEROME,  
M. W. M'GUIRE.

Accepted, and on leave the following resolution was offered:

By Ald. Keating:

Resolved, That the easterly 256 feet of the public alley, 16 feet wide, north of and parallel with Milwaukee avenue, between Rivard and Russell streets; also the public alley, 16 feet wide, north of Milwaukee avenue, between lot 5 and the westerly 14 feet of lot 4, of Frisbies and Foxen's sub. of lots 151 to 160 inclusive, lots 182 to 194 inclusive, and lot 299 and vacated alleys of the subdivision of lot 18, frac. sections 29 and 32, n. s. Milwaukee avenue, be and the same are hereby vacated.

Provided, the above mentioned petitioners, the Art Stove Co., pay into the city treasury the expense of paving Russell street in front of alley intersection, amounting to \$38 79, and also expense of paving alley return, with brick, amounting to \$57 45, making a total of \$96 24.

Adopted as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Hillger, Houghton, Jerome, Joy, Keating, Koch, Koenig, Lemke, Liphardt, McGuire, Magee, Moeller, Mohn, Nevermann, Reinhardt, Rutter, Tossy, Weber, Weibel, Weller and the President—30.  
Nays—None.

**FROM THE SAME.**

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the petition of the United States Heater Company for the vacation of that portion of Lauderdale avenue extending from Campbell avenue west and the alley extending from Lauderdale avenue north to the intersection of the alley south of Anthon street, beg leave to report:

That we have given this matter careful consideration; have visited the premises, and believe that the petition should be granted.

Lauderdale avenue, west of Campbell, is a cul-de-sac, not running through to Cavalry, and opening upon no street or alley. There is no prospect of the street ever being opened further west, for the reason that Hussar avenue is opened west from Cavalry avenue, and is less than 150 feet north of what would be the north line of Lauderdale avenue if extended west. Hussar avenue practically connects with Anthon street on the north of Lauderdale avenue and makes a through connection east and west.

The United States Heater company owns the entire south half of the block between the railroad tracks, Anthon street, Cavalry and Campbell avenues, and the portion of Lauderdale avenue under consideration cuts their property in half for a distance of about 343 feet. The present factory extends along the railroad tracks and as far north as the south line of Lauderdale. The company is desirous of increasing its plant, and the only chance they have is towards the north, where they are stopped by the street for a distance, as above stated, of 343 feet, leaving simply the rear end of their strip to build upon. This factory appears to be a growing one and the prospect of a larger plant and the employment of more men has largely influenced your committee in giving favorable consideration to the petition. The street is absolutely useless in its present condition, to any one, and is simply serving to stand in the way of proposed improvements.

This portion of the street proposed to be vacated was originally dedicated, and has never cost anything for the opening. If the street is vacated the land reserved as a street will go to the abutting owner, and the abutting owner in this case is the United States Heater company.

While your committee does not feel that it would be proper to demand a money consideration for the vacation of this street, it is eminently proper that certain conditions should be prescribed. First, the assessment for paving paid by the city for the intersection of Campbell avenue and Lauderdale avenue should be paid by the company, and conditions should be made for the protection of a portion of the sewer lying in Lauderdale avenue, in case it should ever be necessary. The committee believe it should also be stipulated that the portion of the street vacated should be used for manufacturing purposes and not be acquired for speculation. The committee further believe that in consideration of this vacation the United States Heater company should agree to forego all claims for damages as abutting owner along the railroad tracks in the event of the separation of grades at Campbell avenue or Cavalry avenue.

Your committee, therefore, recommend the adoption of the following resolution:

MAURICE J. KEATING,  
JOHN J. STEIGER,  
EDWIN JEROME.

Accepted. The following is the resolution referred to.

By Ald. Keating:

Resolved, That Lauderdale avenue, extending west from the west line of Campbell avenue, and also that portion of the alley lying between Lauderdale avenue, Anthon street, Camp-

bell avenue and Cavalry avenue, lying between the north line of Lauderdale avenue and the south line of the alley south of Anthon street, be and the same are hereby vacated.

Provided, That the United States Heater Co., owner of the property abutting on the street and alley hereby vacated, shall pay unto the City of Detroit the sum of \$201.91, being the cost of the pavement and sidewalk at the intersection of Lauderdale and Campbell avenues; that the United States Heater Co. further agrees that if the sewer located in the portion of Lauderdale avenue and the alley vacated shall ever become blocked, obstructed, or otherwise disabled from service, it shall deed to the City of Detroit a right of way over its property for a sewer from the alley south of Anthon street, between Campbell and Cavalry avenues, eastward to Campbell avenue, and also pay for the construction of said sewer.

And provided, Further, That in the event of a grade separation of the railway tracks at Campbell and Cavalry avenues, south of Lauderdale, the said United States Heater Co. will waive all claims for damages as abutting owner; and

Provided, further, That the United States Heater Co. guarantees that the portion of the street and alley hereby vacated shall be used for manufacturing purposes only.

Provided, further, That the United States Heater Co. shall file with the Controller a written acceptance of these conditions within sixty days.

Adopted as follows:

Yeas—Ald. Atkinson, Beamer, Burns, Campbell, Codd, Dederich, Deimel, Freda, Haarer, Hillger, Houghton, Jerome, Joy, Keating, Koch, Koenig, Lemke, Liphardt, McGuire, Magee, Moeller, Mohn, Nevermann, Reinhardt, Rutter, Tossy, Weber, Weibel, Weiler, and the President—30.

Nays—None.

#### Resolution.

Consent being granted, the following was offered out of order.

By Ald. Keating:

Resolved, That the resolution adopted by this body at a session held on Sept. 23 last (J. C. C. p. 1048), vacating the plat of E. W. Voigt's sub. of Voigt Park farm, part of  $\frac{1}{4}$  sec. 36, 10,000 acre tract, except lots 1, 2, 96, 340 and 341, and accepting in lieu thereof the plat of the Voigt Park sub. of E. W. Voigt's sub. of Voigt Park farm, etc., be and the same is hereby rescinded.

Referred to the Committee on Street Openings.

Ald. Keating was called to the chair.

#### Liquor Bonds.

To the Honorable the Common Council:

Gentlemen—Your Committee on Liquor Bonds, to whom was referred the various liquor bonds, respectively report that we have carefully examined the same and find that the bonds have been certified as correct in form by the Corporation Counsel; we, therefore, recommend that the bonds as reported by the City Clerk on the 7th day of October, 1902, be and are hereby accepted and approved.

Respectfully submitted,

WILLIAM KOENIG,  
H. C. NEVERMANN, JR.,  
FRED MOHN.