

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Jerome, Keating, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Rose, Smith, Tossy, Weibel, Weiler, Wieber, Zink and the President—30.  
Nays—None.

#### FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Streets to whom was referred the petition of the Cleveland Silex Stone Co. for permission to construct spur track, respectfully report that we have had the matter under consideration and find that petitioners are the owners of 240 feet of frontage situated on the S. E. corner of Second and Baltimore avenues: that they desire permission to construct a side track from the Grand Trunk right-of-way into the above property which necessitates crossing the twelve-foot alley which lies between the property and railroad right-of-way. Your committee can see no possible objection to the granting of petitioners' request and therefore recommend the adoption of the following resolution.

Respectfully submitted,

WM. W. MAGEE,  
WM. F. MOELLER,  
C. A. BLACK,  
FRED MOHN,  
JOHN WEIBEL.

Accepted and on leave the following resolution was offered.  
By Ald. Magee:

Resolved, Subject to the conditions, provisions and limitations contained in the ordinance entitled, "An ordinance to provide for the construction, maintenance and operation of side tracks and spur tracks upon or across any of the streets or highways in the City of Detroit, approved Feb. 13, 1902," consent, permission and authority is hereby given to the Cleveland Silex Stone Co. to construct, maintain and operate a spur track upon and across alley lying S. of and parallel to Baltimore Ave. E. of Second ave., in accordance with the map and survey thereof on file in the office of the Commissioner of Public Works. Said grantee by the acceptance thereof waives any and all claims for damages which he or his grantees may sustain by reason of any change that may be made in the grades of said alley.

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Jerome, Keating, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Rose, Smith, Tossy, Weibel, Weiler, Wieber, Zink and the President—30.  
Nays—None.

Ald. Jerome was called to the chair.

Ald. Rose was excused.

#### Street Openings.

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings to whom was referred back the report submitted at a ses-

sion held on Dec. 8, 1903, recommending the opening of Charlevoix street from McDougall avenue to the Ely city limits where not already opened, respectfully report that we have again given this matter our careful consideration, have re-advertised the tentative assessment district as laid out by the committee and after a thorough investigation feel satisfied that a public necessity exists for the opening of the street as petitioned for. We therefore recommend that the report above referred to, presented at a session held on Dec. 8, 1903, (J. C. C. p. 1229), be re-adopted.

Respectfully submitted,

MAURICE J. KEATING,  
DAVID E. HEINEMAN,  
ALBERT T. ALLAN,  
CHAS. H. WIEBER.

Laid on the table.

#### FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the resolution presented by Ald. Burns at a session held on the 1st inst., vacating the northerly 5.9 feet of the public alley, 20 feet wide, which lies south of Forest avenue, between Fourth and Greenwood avenues, respectfully report that we have had the same under consideration and find that the abutting property owners have deeded to the city certain property to be used for street purposes, and the strip above referred to should be vacated in order to make a proper thoroughfare of the alley above referred to, which is now known as Prentiss street. We therefore recommend that the resolution above referred to, presented at a session held on the 1st ult. (J. C. C., page 1193), be adopted.

Respectfully submitted,

MAURICE J. KEATING,  
DAVID E. HEINEMAN,  
ALBERT T. ALLAN,  
CHAS. H. WIEBER,  
E. J. JEFFRIES.

Accepted and adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Elack, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Keating, Koch, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Smith, Tossy, Weibel, Weiler, Wieber, Zink, and the President Pro Tem.—23.  
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 Detroit Cabinet Co. for vacation of alley between Hancock, Warren, Riopelle and Orleans streets, respectfully report that we have had the matter under consideration and upon examination find that said company has a large manufacturing plant occupying all the lots located on the east side of Riopelle street between Warren and Hancock avenues; that said concern has recently purchased a strip 50 feet in width, lying in the rear of said lots and extending between the streets above mentioned; that they desire the alley lying between the strip recently purchased and lots 90 to 101, both inclusive, adjoining said alley, to be vacated in lieu of their deeding to the city an alley of equal width off the



easterly side of the strip recently purchased. Your committee, after a personal investigation can see no objection to the request of petitioners and therefore recommend the adoption of the following resolution.

Respectfully submitted,  
MAURICE J. KEATING.  
ALBERT T. ALLAN.  
CHAS. H. WIEBER.  
E. J. JEFFRIES.

Accepted and on leave the following resolution was offered:

By Ald. Keating:

Resolved, That the public alley 15 feet wide, first easterly of and parallel to Riopelle street, extending from the northerly line of Hancock avenue to the southerly line of Warren avenue, be and the same is hereby vacated, provided the Detroit Cabinet Co. deeds unto the city the easterly 15 feet of the westerly 50 feet of all that part of outlot 2, Dequindre farm, extending from the northerly line of Hancock avenue to the southerly line of Warren avenue, and further

Provided, they pay into the City Treasury any expense that may have been incurred by the city in the construction of crosswalks, sidewalks, etc., as may be certified to by the City Engineer.

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Keating, Koch, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Smith, Tossy, Weibel, Weiler, Wieber, Zink, and the President Pro Tem.—29.

Nays—None.

#### FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the communication from the Corporation Counsel relative to certain street opening assessment levied against Edward E. Kane, which was set aside by the Circuit Court in case of Kane vs. City of Detroit, respectfully report that we have had the matter under consideration, and after consultation with the Corporation Counsel are by him advised to make a settlement upon the best terms possible, and thereby avoid the expense of making out a new assessment roll and avoid possible litigation that may follow. Your committee therefore recommend that Mr. Kane be allowed to pay the sum of \$100.00 in full settlement of the street opening assessment levied against certain property owned by him, in the matter of opening Campbell avenue, from Michigan avenue to Buchanan street, and therefore offer the following resolution.

Respectfully submitted,

MAURICE J. KEATING,  
DAVID E. HEINEMAN,  
ALBERT T. ALLAN,  
CHARLES H. WIEBER,  
E. J. JEFFRIES.

Accepted and on leave the following resolution was offered.

By Ald. Keating:

Resolved, That the City Treasurer be and he is hereby authorized and instructed to receive from E. E. Kane the sum of \$100.00 in full settlement of a street opening assessment levied against lots 20, 28, 30, 32, 34, 36, 38 and

170, all in the sub. of part of P. C. 171, lying north of Michigan avenue, in the matter of opening Campbell avenue from Michigan avenue to Buchanan street, provided said amount is paid with 30 days; and be it further

Resolved, That the City Controller be and he is hereby authorized and instructed to draw a warrant upon the proper fund in favor of the City Treasurer for the sum of \$159.47, being the difference between the amount of city bid of the street opening assessment levied against said lots and the sum hereintofore referred to, which is done for the purpose of balancing the books of the City Treasurer.

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Keating, Koch, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Smith, Tossy, Weibel, Weiler, Wieber, Zink and the President Pro Tem.—29.

Nays—None.

#### FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—Your Committee on Street Openings, to whom was referred the verdict of the jury of the Recorders' court in the matter of opening and extending Canton avenue from Sylvester street to Harper avenue, where not already opened, as a public street and highway, respectfully report that the property in the vicinity of the improvement is largely benefited by the same and should bear a portion of the expense.

The award of the jury was \$12,427.02 and we recommend that \$3,284.68 of the amount be assessed on a local assessment district, and that the remaining \$4,142.34 be paid by the city of Detroit out of the street opening fund, in accordance with the following resolution.

Respectfully submitted,

MAURICE J. KEATING,  
DAVID E. HEINEMAN,  
ALBERT T. ALLAN,  
CHAS. H. WIEBER,  
E. J. JEFFRIES.

Accepted and leave being granted, the following resolution was offered:

By Ald. Keating:

Resolved, That the Common Council of the City of Detroit do hereby fix and determine that the following described district and portion of the said City of Detroit, to wit:

The w. 90.67 feet of e. 145 feet of the w. 54.33 feet of all that part of back concession P. C. 573, lying e. of and adjoining Canton avenue and s. of and adjoining Gratiot avenue.

Lots 1 to 51 both inclusive, lots 58 to 111, both inclusive, Schwartz sub. of part of P. C. 573 between Gratiot and Mack avenues.

The e. 100 feet of lot 3, the w. 32.45 feet of lot 4, the w. 65 feet of lot 6 lying s. of and adjoining Hancock avenue, sub. of that part of P. C. 573 n. w. of the Gratiot road.

The e. 80 feet of lot 1, the s. 118.70 feet of O. L. 3, lying s. of s. line of Hancock avenue extended, plat of sub. of lot 5, P. C. 573.

Lots 1 to 4, both inclusive, lots "B" and "C," lots 26 to 61, both inclusive, James Gamble's sub. of part of lots 9 and 10, P. C. 573 n. of Gratiot avenue.

The s. 32 feet of w. 257.11 feet of O.



L. 10 except Concord avenue as opened, the n. 78 feet of w. 257.11 feet of O. L. 9 except Concord avenue as opened, the e. 30 feet of w. 193 feet of s. 140 feet of O. L. 10, the e. 30 feet of w. 223 feet of s. 140 feet of O. L. 10, the w. 163 feet of e. 356 feet of s. 140 feet of O. L. 10 except Canton avenue as opened, the w. 80 feet of e. 193 feet of s. 140 feet of O. L. 10, P. C. 573, north of Gratiot avenue of the A. Damnito's farm.

Lot 74, Galloway & Butterfield's sub. of part of frac. sec. 28, T. 1, S., R. 12 E.

Lots 21 to 51, both inclusive, A. T. Fischer's sub. of part of frac. sec. 28, T. 1, S., R. 12 E.

The s. 100.80 ft. of outlot 3, lying s. of Hancock ave., plat of sub. of lot 5, P. C. 573;

Lots 8 to 29, both inclusive, Brewer & Damnito's sub. of a part of lot 6 of sub. of P. C. 573, n. w. of Gratiot ave., also lot 5, and part of lot 3 of the sub. of lot 5 of said sub.;

Lots 26 to 39, both inclusive, Chris. Damnito's sub. of part of lot 6, sub. of P. C. 573, n. w. of Gratiot ave., and lot 6, sub. of lot 5 of said sub.;

Lots 15 to 42, both inclusive, the Gratiot sub. of lot 7, L. Chapaton farm, P. C. 573;

Lots 23 to 66 both inclusive, John M. Brewer's Helen ave. sub. of lot 8, P. C. 573, L. Chapaton farm, n. of Gratiot ave.;

Lots 9 to 24 both inclusive, Shephard's sub. of the n. 4 acres of lot 10, P. C. 573, n. of Gratiot avenue;

Lots 45 to 138 both inclusive, Belt line sub. of the n. ly part of P. C. 573, known as L. Chapaton farm, and the n. ly part of P. C. 678;

The n. 7.09 feet of e. 24.40 feet of O. L. 4, the w. 180 feet of e. 24.40 feet of O. L. 4, the s. 152.81 feet of e. 24.40 feet of O. L. 4, sub. of P. C. 573, n. of Gratiot avenue, Catherine Damnito's sub. of lot 5;

The n. 180 feet of all that part of lot 3, lying w. of Canton ave., s. of lot 8 of Brewer & Damnito's sub., and n. of and adjoining s. line of Hancock ave., extended westerly, the s. 124.90 feet of all that part of lot 3, lying w. of Canton ave., s. of lot 8 of Brewer & Damnito's sub. and n. of and adjoining s. line of Hancock ave. extended w. ly, the e. 100 feet of lot 2, sub. of P. C. 573, n. of Gratiot ave., A. Damnito's farm, Catherine Damnito's sub. of lot 5;

The n. about 13 feet of w. 98 feet of e. 108 feet of O. L. 1, sub. of A. T. McReynold's purchase of the L. Chapaton farm, so-called, lying n. of Sylvester street.

is benefited by opening and extending Canton avenue, from Sylvester street to Harper avenue, where not already opened, 60 feet wide as a public street and highway.

And further resolved, It is hereby determined that the sum of \$8,284 68 is a just proportion of the compensation awarded by the jury for the property taken for said improvement, which should be paid by the owners or occupants of the pieces or parcels of real estate which will thus be benefited by said improvement.

And further resolved, That there be assessed and levied upon said several pieces and parcels of real estate included in the above description, the amount of \$8,284 68, in proportion, as near as may be, to the advantage

which each lot or parcel is deemed to acquire by such improvement.

And further resolved, That the Board of Assessors of the City of Detroit be, and they are hereby directed and instructed to proceed forthwith to prepare an assessment roll in conformity with the requirements of the charter of the City of Detroit relating to special assessments for collecting the expense of public improvements where a street is graded, comprising the property hereinbefore described, upon which they shall assess and levy the amount of \$8,284 68, each lot or parcel to be assessed at a ratable proportion, as near as may be, of said amount in accordance with the amount of benefit derived by such improvement.

And it is further resolved, That \$4,142 34 of the award of the jury be paid by the City of Detroit out of the Street Opening Fund.

And further resolved, That said assessment shall be made in one part, which shall become due and payable in 60 days after the first publication by the Receiver of Taxes of the notice of said assessment.

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Keating, Koch, Lemke, McClellan, Magee, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Smith, Tossy, Weibel, Weiler, Wieber, Zink, and the President Pro Tem.—23.

Nays—None.

Ald. Magee was excused.

### Ordinances

To the Honorable the Common Council:

Gentlemen—Your Committee on Ordinances to whom was referred the petitions of A. E. Horn et al., protesting against the change of route of Baker line by the Detroit United Railway, and of Hugh Haggerty et al. requesting said change, beg leave to report that we have had the same under consideration and inasmuch as there is a special committee appointed concerning all matters relative to street railway service, recommend that the aforesaid petitions be referred to said committee for its consideration.

Respectfull submitted,

FRED W. SMITH,

WM. GUTMAN,

H. C. NEVERMAN.

Accepted and recommendation concurred in.

### Resolutions.

#### SEVENTEENTH WARD.

By Ald. Smith:

Resolved That Louis Colquitt be and he is hereby appointed estimator of the Seventeenth Ward, in place of Henry Michels, who has resigned.

Adopted as follows:

Yeas—Ald. Allan, Atkinson, Balsley, Black, Burns, Gutman, Harpfer, Heineman, Hillger, Jeffries, Keating, Koch, Lemke, McClellan, Mahs, Moeller, Mohn, Nagel, Nevermann, O'Brien, Reinhardt, Smith, Tossy, Weibel, Weiler, Wieber, Zink and the President Pro Tem.—23.

Nays—None.

By Ald. Smith:

Resolved, That the Corporation Counsel be and he is hereby author-