

adopted as if in the foregoing report repeated word by word; that the agreement of A. Y. Malcomson to which reference is made be accepted and by the City Clerk placed on record in final disposition of the matter.

Ald. Freiwald moved the adoption of the Majority Report and Resolution.

Ald. Thompson moved as an amendment that the Minority Report be adopted, which motion was lost as follows:

Yeas—Ald. Allan, Bleil, Dill, Ellis, Field, Jakel, Nowc, Robinson, Schemansky, Thompson, A. E. Wilson, Zink, Zoeller—13.

Nays—Ald. Ashe, Barnett, Cranshaw, Freiwald, Guthard, Hindle, Keating, Kocher, Krimmel, Kronk, Kunz, Lempke, Lodge, Owen, Richert, Rollo, Rutter, Schultz, Starkey, Stefanowski, Vernor, Wartell, Wenzel, W. J. Wilson and the President—25.

The vote was then taken on the adoption of the majority report, which was adopted as follows:

Yeas—Ald. Ashe, Barnett, Cranshaw, Ellis, Freiwald, Guthard, Hindle, Keating, Kocher, Krimmel, Kronk, Kunz, Lempke, Lodge, Owen, Richert, Rollo, Rutter, Schultz, Starkey, Stefanowski, Vernor, Wartell, Wenzel, W. J. Willson, Zoeller and the President—27.

Nays—Ald. Allan, Bleil, Dill, Field, Jakel, Nowc, Robinson, Schemansky, Thompson, A. E. Wilson, Zink—11.

**Street Openings.**

To the Honorable the Common Council: Gentlemen—Your Committee on Street Openings, to whom was referred the petition of the Detroit Trust Co. (6423) for the acceptance of deed conveying property for alley purposes lying between Fort street west and Clark park, respectfully report we have had same under consideration and seeing no objection thereto as said deed has been approved by the City Engineer and the Corporation Counsel, we recommend that it be accepted and the following resolution adopted.

Respectfully submitted,

GODFREY FREIWALD,  
JAMES VERNOR,  
HERMAN F. ZINK,  
F. W. WENZEL,  
JOHN A. KRONK,  
JOSEPH ROLLO.

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

Resolved, That the deed of the Detroit Trust Co. as Trustee for the estate of John H. Brown to the City of Detroit of all that certain piece or parcel of land "beginning at a point in the east line of Clark avenue distant north 28 degrees west 100 feet from the southwest corner of lot 20 of John P. Clark subn. of that part of P. C. 583 lying between Fort street and John P. Clark park, Detroit, Wayne County, Michigan; thence north 59 degrees 49 minutes east, 362.29 feet; thence north 28 degrees west 98.46 feet to the southerly line of public alley; thence south 62 degrees west 18 feet along the southerly line of public alley; thence south 28 degrees east 81.14 feet; thence south 59 de-

grees 49 minutes west 344.27 feet to the east line of Clark avenue; thence south 28 degrees east 18.01 feet along the east line of Clark avenue to the point of beginning, being part of lots 7 to 20," be and the same is hereby accepted and approved, and the Controller be and is hereby directed to cause the same to be recorded in the office of the City of Deeds for the County of Wayne, Michigan.

Adopted as follows:

Yeas—Ald. Allan, Ashe, Barnett, Bleil, Cranshaw, Dill, Ellis, Field, Freiwald, Guthard, Hindle, Jakel, Keating, Kocher, Krimmel, Kronk, Kunz, Lempke, Lodge, Nowc, Owen, Richert, Robinson, Rollo, Rutter, Schemansky, Schultz, Starkey, Stefanowski, Thompson, Vernor, Wenzel, A. E. Wilson, W. J. Willson, Zink, Zoeller and the President—38.

Nays—None.

**Street Openings.**

To the Honorable the Common Council: Gentlemen—Your Committee on Street Openings, to whom was referred the petition of George J. Gies et al. (6505) for the vacation of alley in rear of Lots A and B, northwest corner of Pennsylvania and Jefferson avenues, respectfully report we had same under consideration and as petitioners are the owners of all the abutting property, we can see no objection to the vacation and, therefore, recommend that said petition be granted and the following resolution adopted.

Respectfully submitted,  
GODFREY FREIWALD,  
JAMES VERNOR,  
HERMAN F. ZINK,  
F. W. WENZEL,  
JOHN A. KRONK,  
JOSEPH ROLLO.

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

Resolved, That "the easterly 99.69 feet of that part of the public alley, 20 feet wide, lying first north of and parallel to Jefferson avenue and west of the west line of Pennsylvania avenue," be and the same is hereby vacated, to become a part and parcel of the adjoining land;

Provided, That by reason of the vacation of said aforementioned alley the City of Detroit does not waive any rights in the sewer located therein and said city shall have access to the said sewer whenever it shall become necessary;

Provided, That petitioner deeds to the City of Detroit "all that part of lot 'A' described as follows: Commencing at the northwest corner of said lot; thence south 31 degrees east 75 feet; thence n. 40 degrees 30 minutes e. 21.09 feet, more or less; thence n. 31 degrees w. 75 feet; thence s. 40 degrees 30 minutes w. 21.09 feet, more or less, to the place of beginning; of Brandon's subn. of that part of Private Claims 337 and 257 back of Jefferson avenue and Mack between Jefferson avenue and Mack street and west of the east line of street and west of the south 34 Cadillac boulevard, also the south 34 feet of that part of P. C. 257 between Jefferson avenue and Mack street, according to the plat recorded in liber 9 of plats on page 32, Wayne County Records." for alley purposes.

Adopted as follows:

Yeas—Ald. Allan, Ashe, Barnett, Bleil, Cranshaw, Dill, Ellis, Field, Freiwald, Guthard, Hindle, Jakel, Keating, Kocher, Krimmel, Kronk, Kunz, Lempke, Lodge, Nowc, Owen, Richert, Robinson, Rollo, Rutter, Schemansky, Schultz, Starkey, Stefanowski, Thompson, Vernor, Wartell, Wenzel, A. E. Wilson, W. J. Willson, Zink, Zoeller and the President—38.  
Nays—None.

### Parks and Boulevards.

To the Honorable the Common Council:  
Gentlemen—Your Committee on Parks and Boulevards to whom was referred the communication from the Department of Parks and Boulevards transmitting communication and bill from Culbertson & Kelly, the contractors for building the addition to Belle Isle bathhouse, covering extra expense to which the contractors were put in the construction of said building caused by the destruction of the Belle Isle bridge and making it necessary to hire tugs and barges to get material to the island and employ extra men to load and unload same, respectfully report we have had the same under consideration, have referred the matter to the Corporation Counsel and are by him advised that the City of Detroit is in no way legally liable for the claim of Culbertson & Kelly for extra expense in the construction of the addition to Belle Isle bathhouse by reason of the destruction of the bridge, and therefore recommend that payment of the bill submitted, amounting to \$495.12, be denied.

Respectfully submitted,  
ALEXANDER DILL,  
GEO. H. ELLIS,  
A. G. KUNZ,  
HERMAN SCHULTZ,  
R. W. RUTTER,

Accepted and adopted.

### Health and City Hospitals.

To the Honorable the Common Council:  
Gentlemen—Your Committee on Health and City Hospitals beg leave to report that the petition of W. L. Mouser et al (4880), protesting against the emission of smoke from the Detroit Asphalt Plant was referred to the Board of Health. The following is a letter from the Smoke Inspector who made the investigation to the Board of Health:

"I herewith submit my final report on petition received from the Common Council on which I made a report September 2nd but desired to wait a reasonable time to see if the devices installed on the boilers would prove satisfactory in abating the smoke nuisance from the Detroit Asphalt Paving Company's plant, located at Warren W. and the P. M. railroad.

Both Mr. J. S. Keating and myself have watched this plant at intervals and the results shown are satisfactory to us. We have taken the matter up with the petitioners in the immediate neighborhood of said plant, and they are satisfied with the work accomplished in eliminating the smoke nuisance. The proprietors of said plant have already made a saving in their fuel account, and are equipping their east side plant with the same device on the boilers.

I wish to thank the Detroit Asphalt Paving Company for their willing co-operation in abating said smoke nuisance in their plant, and also the petitioners for keeping us posted from time to time as to conditions regarding said smoke nuisance.

I have told the petitioners that if at any time in the future they were annoyed with said plant to immediately notify this department.

Respectfully yours,  
WALTER G. HOGAN,  
Chief Smoke Inspector.

Inasmuch as the smoke nuisance is abated, your Committee, therefore, recommends that further consideration of the above petition be indefinitely postponed.

Respectfully submitted,  
EDWARD BARNETT,  
MAUPICE J. KEATING,  
ANTHONY NOWC.

Accepted and adopted.

### Liquor Regulation.

To the Honorable the Common Council:  
Gentlemen—Your Committee on Liquor Regulation to whom was referred the application of David McKnight for transfer from 169½ Grand River avenue to 255 Michigan avenue, and the petition of M. J. Lahey, et al., (6327), protesting against the establishment of a saloon at 255 Michigan avenue, beg leave to report that request for the withdrawal of said application has been made and recommend that the request be granted. Your committee also recommends the approval of bond of Vincent W. Prochaska, Jr., covering transfer of license from 1060 to 1076 Rivard street, the application for which was approved on the 14th inst.

Respectfully submitted,  
JACOB GUTHARD,  
ANTHONY NOWC,  
A. G. KUNZ,  
W. H. C. HINDLE.

Accepted and adopted as follows:

Yeas—Ald. Allan, Ashe, Barnett, Bleil, Cranshaw, Dill, Ellis, Field, Freiwald, Guthard, Hindle, Jakel, Keating, Kocher, Krimmel, Kronk, Kunz, Lempke, Lodge, Nowc, Owen, Richert, Robinson, Rollo, Rutter, Schemansky, Schultz, Starkey, Stefanowski, Thompson, Vernor, Wartell, Wenzel, A. E. Wilson, W. J. Willson, Zink, Zoeller and the President—38.  
Nays—None.

Consent being granted the Council returned to the order of Unfinished Business.

### Street Railway Resolution.

#### Taken From the Table.

Ald. Vernor moved to take from the table a resolution by Ald. Vernor, laid on the table August 23, 1915, (J. C. C. p. 1443, 44, 45), proposing an amendment to the charter entitled:

A Bill to amend Section 21 and repeal sections 9, 10, 11 and 12 of an Act entitled "A Bill to amend the Charter of the City of Detroit so as to provide for the municipal ownership and maintenance and operation of street railways beneath, upon and above the surface of the streets of the City of Detroit and within a distance of 1½ miles from any portion of its limits, and to issue bonds to defray the cost thereof, in accordance with Act No. 279 of the Public Acts of 1909, as amended.

The motion prevailed.