

June 16

north of Pembroke Avenue, said amount to apply on the removal and/or reconstruction of said return, and further

Provided, Petitioners deposit an additional \$43.92 to cover any cost that may accrue over and above the reimbursement deposit. Any cost in excess of \$194.87 shall be deducted from the \$43.92 deposit and the balance shall be refunded to petitioners, and further

Provided, All taxes are paid on all of abutting property, and further

Resolved, That upon compliance with the above provisos, the City Controller be and is hereby directed to issue Quit Claim Deeds to Thomas B. Morgan and Pauline N. Morgan, his wife; Winifred Y. Palmer; William Beverly and Mary Beverley, his wife; N. Clare MacNaughton and Ruth A. MacNaughton, his wife, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

#### Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Nottingham Land Co., et al. (1139), to convert alley into easement in the block bounded by Meyers Road, Manor, Norfolk Aves. and Eight Mile Road. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

By Councilman Garlick:

Resolved, That all of north and south public alley in block bounded by Meyers Road, Manor, Norfolk Avenues and 8 Mile Road as platted in Blackstone Park Subdivision No. 6 of part of N.  $\frac{1}{2}$  of Sec. 5, T. 1 S. R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 52, Page 91 of Plats of Wayne County Records more particularly described as the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide lying east of and adjoining the easterly line of Lots 3921 to 3924 both inclusive; the easterly line of Lots 3926 to 3932 both inclusive; the easterly line of Lots 3935 to 3952 both inclusive all of last mentioned Subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide, lying east of and adjoining the easterly line of Lots 3925, 3933 and 3934 all of last mentioned Subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide,

lying west of and adjoining the westerly line of Lot 3953; the westerly line of Lots 3955 to 3968 both inclusive all of last mentioned Subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lot 3954 of last mentioned Subdivision.

Be and the same is hereby vacated to become part and parcel of the adjoining property

Provided, Owners in fee grant to the use of the public as public easement the rear 6 feet adjoining the center line of north and south public alley herein vacated, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of all lots heretofore mentioned and by their grantees and assigns and their heirs, executors, administrators and assigns forever, to wit:

First said owners hereby grant to and for the use of the public an easement or right-of-way over said rear 6 feet adjoining the center line of said vacated alleys herein described for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit with the right of ingress and egress at any time to and over said easement for the purposes above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any kind whatsoever (except the necessary line fences dividing said lots) shall be built or placed upon said 12-foot easement or any part thereof so that said easement shall be forever of easy access for the purposes named above.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit except that same shall not be opened for the passage of vehicles therein, and further

Provided, That existing sewers are to remain in their same location and further,

Provided, That by reason of the vacation of the above described alley the city of Detroit does not waive any rights in the lateral sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair same, and further

Provided, all taxes shall be paid on all abutting property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$51.84, said amount being the esti-

mate cost of building concrete sidewalks on Norfolk Avenue within the lines of the alley herein vacated, and further

Provided, that all provisos shall be complied with within 30 days from the date of this resolution, and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim deeds to Nottingham Land Company, a Michigan Corporation; Budget Homes, Incorporated, a Michigan Corporation; State of Michigan; Louis J. Kanitz as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

Vacation Pay

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of Roy L. Clark (1474), requesting the allowance of vacation pay, and Mrs. Alger Wilmot (1477), for vacation pay of deceased husband. After consultation with the Department of Public Works, and careful consideration of the requests, your committee recommends that same be denied.

Respectfully submitted,

JAMES H. GARLICK, Chairman.

Accepted and adopted.

RESOLUTIONS

By Councilman Van Antwerp:

Whereas, The State Legislature passed "An Act to prevent and punish the desecration, mutilation or improper use of the flag of the United States of America, and of this state, and of any flag, standard, color, ensign or shield authorized by law \* \* \*, and

Whereas, said Act appears on pages 5955 and 5956 of the Compiled Laws of Michigan, 1929, reading in part, as follows:

"Desecration. Sec. 2. No person shall, after January 1st, 1924, in any manner, for exhibition or display:

(a) Place or cause to be placed any word, figure, mark, picture, design, drawing or advertisement of any nature upon any flag, standard, color, ensign or shield of the United States or of this state, or authorized by any law of the United States or of this state; or

(b) Expose to public view any such flag, standard, color, ensign or shield upon which shall have been printed, painted or otherwise produced, or to which shall have been attached, appended, affixed or annexed any such

word, figure, mark, picture, design, drawing or advertisement; or (c) Expose to public view for manufacture, or otherwise, or to give or have in possession, or to sell for gift or for use for any purpose, any substance, being an article of merchandise, or receptacle, or thing upon or to which shall have been produced or attached any such flag, standard, color, ensign or shield, in order to advertise, call attention to, decorate, mark or distinguish such article or substance.

Mutilation, defilement, contempt, mutilate, deface, defile, defy, publicly upon or by word or act cast contempt upon any such flag, standard, color, ensign or shield.

Exceptions. Sec. 4. This statute shall not apply to any act permitted by the statutes of the United States army and navy regulations, nor shall it apply to any printed or written document or production, stationery, ornament, picture or jewelry whereon shall be depicted said flag, standard, color, ensign or shield with no design or words thereon and disconnected with any advertisement.

Penalty. Sec. 5. Any violation of section two of this Act shall be a misdemeanor and punishable by a fine or not more than twenty-five (25) dollars. Any violation of section three of this act shall be punishable by a fine or not more than twenty-five (25) dollars, or by imprisonment for not more than thirty (30) days, or both fine and imprisonment in the discretion of the court," and

Whereas violations are now being committed, no doubt through a lack of knowledge of this act, therefore be it

Resolved, that the Department of Police be and is herewith requested to see that all of its officers are properly informed of this act so that these violations will be eliminated.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

And the Council then adjourned.

JOHN C. LODGE, President Pro Tem.

THOMAS D. LEADBETTER, City Clerk.