

said bonds have been approved as correct in form and execution by the Corporation Counsel, and I recommend their reference to the Committee on Ways and Means.

Respectfully,
RICHARD P. JOY,
Controller.

Accepted and recommendation concurred in.

FROM THE SAME.

To the Honorable the Common Council: Gentlemen—In compliance with the terms of a resolution of your honorable body adopted on the 19th ult., providing for the vacation of the alley in the block bounded by McGraw, Linwood, Stanton and Milwaukee avenues, the Board of Education have presented a deed of the easterly 18 feet of lot 6 on the north side of McGraw avenue between Linwood and Stanton, which deed is submitted herewith for your acceptance, the same being approved by the Corporation Counsel and the City Engineer.

Respectfully,
RICHARD P. JOY,
Controller.

Accepted and referred to Committee on Ways and Means.

Ald. Zink entered and took his seat.

FROM THE SAME.

To the Honorable the Common Council: Gentlemen—Referring to a resolution of your honorable body adopted on the 3rd inst. providing for the vacation of Shipherd avenue upon the condition of the City being reimbursed for such expenses as it may have incurred in the matter of paving Kercheval avenue, etc., in front of the vacated strip, I have to report that there was paid into the City Treasury on the 17th inst. the sum of \$61.18, being the expense incurred as above as certified by the City Engineer.

Respectfully,
RICHARD P. JOY,
Controller.

Accepted and placed on file.

From the Corporation Counsel.

To the Honorable the Common Council: Gentlemen—On the 17th of July, 1903, Mrs. Anna M. Taft claims that she fell on the sidewalk on the north side of Piquette avenue in front of house No. 846. She claims that one Myron Wilkinson, who was walking with her, stepped upon a plank unsupported at one end on account of the stringer being rotted away and the other end of the plank raising up caught her foot and threw her down upon the sidewalk. On September 29, 1903, she filed a petition with the City Clerk for compensation for the injuries sustained, and a notice to this Department on October 9, 1903, in which she alleged that she received various injuries to nearly every part of her body, and some of her physicians in court testified that she suffered an incomplete fracture of the right condyle of the right femur.

The Committee on Claims and Accounts, after hearing testimony on May 24th, 1904, allowed the sum of \$125.00 in full settlement, which petitioner refused and begun suit against the City of Detroit for \$5,000.00 damages on July 15th of the same year.

The case came on for trial on April 21, 1905, before Judge Frazer and a

jury, which jury rendered a verdict at the end of the trial in favor of the plaintiff in the sum of \$1,500. A motion for new trial was made by this Department, which was granted on December 20, 1905, by the Hon. Robert E. Frazer, Circuit Judge.

The case came on again for trial on February 28, 1906, before the Hon. Joseph W. Donovan, Circuit Judge, and a jury, and after a trial lasting two weeks the jury, after being out 31 hours, returned a verdict in favor of plaintiff in the sum of \$475.00. Costs were finally taxed, after motion for re-taxation made to the Circuit Judge, at the sum of \$152.35. This includes the costs of both trials, which the plaintiff is entitled to on the final recovery of judgment.

A motion for new trial was made in this case on various grounds, which was denied by Judge Donovan on June 12, 1906.

I know of no advantage that could be gained in further prosecuting this case, and I know of no error in the trial upon which the Supreme Court would reverse the case. I recommend that the verdict and costs be paid.

Very respectfully,
J. WALTER DOHANY,
Assistant Corporation Counsel.

Accepted and referred to Committee on Claims and Accounts.

FROM THE SAME.

To the Honorable the Common Council: Gentlemen—Pursuant to your instructions, I have prepared and transmit herewith an ordinance changing the triangle formed by the junction of Randolph street, Miami and Gratiot avenues to Pingree Square.

Yours very respectfully,
TIMOTHY E. TARSNEY,
Corporation Counsel.

Accepted.
The following is the ordinance:

Ordinance.

AN ORDINANCE to change the name of a portion of Miami avenue, Gratiot avenue and Randolph street to Pingree Square.

It is hereby ordained by the people of the City of Detroit.

Section 1. That all that part of
2 Randolph street lying north of the
3 north line of Monroe avenue and
4 the triangle formed by the junction
5 of Randolph street and Miami
6 and Gratiot avenues be and the
7 same is hereby changed, and shall
8 hereafter be known and designated
9 as "Pingree Square."

Sec. 2. This ordinance shall take immediate effect.

Read twice by title, ordered printed and unanimous consent being granted, placed on the order of third reading.

Third Reading of Ordinance.

The title to the ordinance was read a third time.

The ordinance was then read.

Ald. Heineman moved to amend Section 1 by inserting after the word "avenue" in the third line, the words "and south of the north line of Gratiot avenue," which motion prevailed.

The question being "Shall this ordinance as amended now pass?" The ordinance as amended was passed, a majority of the Aldermen present voting therefor as follows:

Yeas—Ald. Allan, Burton, Ellis, Fisher, Freiwald, Gadde, Gibbons,

FROM THE SAME.

To the Honorable the Common Council: Gentlemen—The Department of Public Works respectfully reports that the paving of Oakland avenue under the contract confirmed the 5th day of July, 1905, is fully completed from the north line of Sidney avenue to the north line of Mott avenue.

The pavement is of cedar on concrete foundation and has been examined by the Department of Public Works, and found to be in accordance with the contract and specifications for the same.

There is due the contractors for paving said avenue as follows:

For intersections, etc. \$10,733 03
For cost of advertising, blanks
and inspector's salary 341 00

Total amount \$11,074 03
Respectfully, etc.

J. J. HAARER,
Commissioner.

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

By Ald. Allan:

Whereas, It appears from a communication from the Department of Public Works that the paving as per contract confirmed the 5th day of July, 1905, on Oakland avenue from the north line of Sidney avenue to the north line of Mott avenue, has been fully completed; and

Whereas, Said avenue has been examined by the Department of Public Works, and the paving of said avenue has been found to have been done in accordance with the contract and specifications for the same; therefore

Resolved, First, That the said paving within the limits above mentioned be, and is hereby accepted.

Resolved, Second, That the City Controller be, and is hereby authorized to draw his warrant on the City Treasurer in payment of the intersections, etc., of said avenue to the amount of \$10,733.03, the same being the full amount due the contractors from the city for paving said intersections, etc., and for the sum of \$341.00 the same being the cost of advertising, blanks, and inspector's salary.

Resolved, Third, That the City Controller be, and he is hereby directed to prepare street paving bonds for parts 1, 2, 3, and 4 of said assessment rolls, in accordance with the provisions of Secs. 42 and 43 of Chapter 11 of the Charter of the City of Detroit, as amended by an Act of the Legislature approved June 6th, 1901, such bonds to bear interest at the rate of four per cent. per annum.

Adopted as follows:

Yeas—Ald. Allan, Burton, Ellis, Fisher, Freiwald, Gadde, Gibbons, Goeschel, Grindley, Gutman, Heineman, Hillger, Jeffries, Keating, Kingsley, Korte, Moeller, Mohn, Ostrowski, Owen, Reinhardt, Rose, Vernor, Watson, Weibel, Weiler, Wieber, Wing, Zink and the President—30.

Nays—None.

FROM THE SAME.

To the Honorable the Common Council:

Gentlemen—The Department of Public Works respectfully reports that the paving of Vermont avenue under the contract confirmed the 8th day of May, 1906, is fully completed from the Brick at Grand River avenue to the south curb line of Merrick avenue.

The pavement is of Cedar on con-

Goeschel, Grindley, Gutman, Heineman, Hillger, Jeffries, Keating, Kingsley, Korte, Moeller, Mohn, Ostrowski, Owen, Reinhardt, Rose, Vernor, Watson, Weibel, Weiler, Wieber, Wing, Zink and the President—30.

Nays—None.
The title of the ordinance was confirmed.

From the Department of Public Works.

To the Honorable the Common Council: Gentlemen—The Department of Public Works respectfully reports that the paving of Josephine avenue under the contract confirmed the 8th day of May, 1906, is fully completed from the west line of John R. street to the west curb line of Oakland avenue.

The pavement is of cedar on concrete foundation and has been examined by the Department of Public Works, and found to be in accordance with the contract and specifications for the same.

There is due the contractors for paving said avenue as follows:

For intersections, etc. \$512 19
For cost of advertising, blanks
and inspector's salary 17 00

Total amount \$529 19
Respectfully, etc.

J. J. HAARER,
Commissioner.

Accepted and leave being granted, the following resolution was offered:
By Ald. Allan:

Whereas, It appears from a communication from the Department of Public Works that the paving as per contract confirmed on the 8th day of May, 1906, on Josephine avenue, from the west line of John R. street to the west curb line of Oakland avenue has been fully completed; and

Whereas, Said avenue has been examined by the Department of Public Works, and the paving of said avenue has been found to have been done in accordance with the contract and specifications for the same; therefore

Resolved, First, That the said paving within the limits above mentioned be, and is hereby accepted.

Resolved, Second, That the City Controller be, and is hereby authorized to draw his warrant on the City Treasurer in payment of the intersections, etc., of said avenue to the amount of \$512.19, the same being the full amount due the contractors from the city for paving said intersections, etc., and for the sum of \$17.00, the same being the cost of advertising, blanks, and inspector's salary.

Resolved, Third, That the City Controller be, and he is hereby directed to prepare street paving bonds for parts 1, 2, 3 and 4 of said assessment rolls, in accordance with the provisions of Secs. 12 and 13 of Chapter 11 of the Charter of the City of Detroit, as amended by an Act of the Legislature approved June 6th, 1901, such bonds to bear interest at the rate of four per cent. per annum.

Adopted as follows:

Yeas—Ald. Allan, Burton, Ellis, Fisher, Freiwald, Gadde, Gibbons, Goeschel, Grindley, Gutman, Heineman, Hillger, Jeffries, Keating, Kingsley, Korte, Moeller, Mohn, Ostrowski, Owen, Reinhardt, Rose, Vernor, Watson, Weibel, Weiler, Wieber, Wing, Zink and the President—30.

Nays—None.