

GROSSE POINTE CIVIC NEWS

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OF GROSSE POINTE TOWNSHIP

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RELICTED LANDS

The Michigan Supreme Court in a recent opinion which is of great importance to Grosse Pointe has at last settled the title to lands in Michigan bordering upon the Great Lakes. Prior to 1840 the Federal Government in making its survey of lands in the Northwest Territory ran what is known as a meander line around all waters of any consequence. In many cases this line did not even approximate the water's edge, but lay back several yards upon the shore. This discrepancy was further increased by the subsequent gradual recession of the water. Under a well established rule of law, land lying under the waters of the Great Lakes belongs to the various states in trust for all the people, and is not subject to private ownership, although this is not true of land under connecting streams such as the Detroit River.

In 1923 in the case of *Kavanaugh vs. Rabior* 222 Mich. 64, the question was presented as to the ownership of land between the meander line and the water's edge. Our Supreme Court held that the meander line fixed the status of land on its lakeward side as submerged land, and that the recession of the waters could not affect the title of the State thereto. Five years later this rule was again set forth at great length in *Kavanaugh vs. Baird*, 241 Mich. 240, although the Court recognized that it was contrary to that of practically every other jurisdiction. In the recent case of *Hilt vs. Webber*, the majority of the Court overruled the two Kavanaugh cases and held that the meander line was run primarily for the purpose of ascertaining the acreage in the fractional sections bordering the lake, and is not the boundary line; that the true boundary is the water's edge; and that any dry land formed by the gradual recession of the waters (otherwise known as relict lands) belongs to the owner of the dry land to which it is added.

MACK AVENUE WIDENING

Urging, among other defects, that Grover C. Dillman, State Highway Commissioner, in increasing the proposed cost of widening Mack Avenue to a width of 110 feet from Cadieux Road to approximately Fisher Road, and from that point into Macomb County to a width of 204 feet, is exceeding his authority, due to the fact that the proposed cost of the project is to be \$1,248,000 more than the anticipated cost of \$4,698,000, and that 66% of the owners of lineal frontage of the proposed project did not sign petitions requesting the improvement, attorneys for Grosse Pointe and Clinton Townships and for the villages of Grosse Pointe and Grosse Pointe Park in suits pending in Detroit and Macomb County have succeeded for the time being at least in stopping the entire project.

The improvement is being attempted under the so-called Covert Act. It provides, among other matters, that the first step is the filing of petitions with the State Highway Commissioner of 66% of the owners of lineal frontage of the proposed project; that when the necessity is determined by the State Highway Commissioner, he will at that time state the proposed cost, and that that cost cannot be increased by more than 10%; and that the entire cost must be borne by the property holders of townships and municipalities benefited. The state pays no part of the cost.

When the necessity of the project was determined at a meeting held at the South Lake High School in Macomb County on February 28, 1929, it was announced that the estimated cost was \$4,698,000. However, the tax roll recently completed by the State Highway Commissioner's Department provided for the collection of \$5,946,000 taxes, or an increase of approximately 26%.

Wayne and Macomb Counties and Grosse Pointe, Lake and Clinton Townships are assessed for 79% of the amount, and those owning property claimed to be benefited, which, as a matter of fact, are property owners within a radius of about a half mile of Mack Avenue, are assessed the other 21%. Grosse Pointe Township's share is \$513,722.51.

An objection is also made by those opposing the widening for the reason that while the smallest part of the improvement to be made is in Grosse Pointe Township, it has been assessed approximately 8% of the total proposed cost, while Lake and Clinton Townships together are assessed approximately 10%, even though the larger part of the improvement is to be in those townships.

Also, because the special assessment district on the Grosse Pointe Village side of Mack Avenue extends for a much greater distance from Mack Avenue than it does on the other, or Detroit, side of Mack Avenue.

The Grosse Pointe Village case has been chosen as the one to be tried, and it is proposed to either proceed in the very near future with the trial, or to have the state agree to setting aside all the procedure that has been had back to the meeting at which necessity was determined and then only to proceed from that point if there is a sufficient demand for the improvement.

A RESOLUTION

The Board of Directors of the Citizens' Association at their last regular meeting adopted a resolution of sympathy to be sent to the family of the late Richard P. Joy.

Mr. Joy was a charter member of the Association and at one time a member of its Board of Directors.

Grosse Pointe Civic News

Grosse Pointe, Mich.

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Printed once a month as the official publication of the Citizens Association of Grosse Pointe Township, under the authority of the following board of directors: Lincoln Maire, President.

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SPECIAL MEETING SCHOOL BOARD

At a special meeting Thursday, December 4th, a number of things transpired of interest to the public at this time.

Intermediate School Site No. 1—Audubon and St. Paul—was officially abandoned.

The Board discontinued the use of numbers to designate sites and decided to use the term Intermediate in place of Junior High.

Next it was decided to sell at a suitable time the Kercheval business frontage of the Cadieux-Kercheval Elementary site.

Arrangement was made to take the necessary precaution towards closing any dedicated streets that might be within the bounds of this site.

O'Dell and Diehl were appointed architects of the proposed new Cadieux-Kercheval Elementary School. A petition signed by 100 electors and stating some 400 names would follow, requested the Board to designate property adjacent to the Defer School for the first Intermediate School. The petition was read and placed on file. The Board has obtained options on the property for the proposed site.

The Superintendent read a report relative to the building situation and probable building needs. This report had been in the hands of the trustees since their previous meeting and was prepared to assist them in a study of the building situation. One of the suggestions called for the temporary use of the present Cadieux School as an Intermediate, when the proposed new Cadieux-Kercheval elementary is built. The study is based upon the probable increase of 400 pupils per year and covers a period of ten years.

COTTAGE HOSPITAL

The Cottage Hospital of Grosse Pointe is located on Kercheval Avenue at the head of Mapleton Road, on a large tract of land extending through to Ridge Road. This land, which was a gift, is extensive enough to admit of future enlargement of the hospital, and the building itself was erected by voluntary contributions from its Board and interested friends in the community.

In its architecture its builders have tried to keep to a type suitable to its name which was selected at the time of its founding in a small cottage on Oak Street, eleven years ago. The name has been retained because it was felt that it was so well known in the community and because it was suggestive of the home-like atmosphere which it has always been the aim of the Board and Staff to maintain. The property on Oak Street and Mapleton is still owned by the organization and it is hoped may be sold sometime in the near future.

The hospital has a capacity of 58 beds, 14 of which are private rooms, 31 ward beds and 13 basinettes. A unique feature in the plan of the hospital is its ward bed arrangement. A partition extending part way up to the ceiling between each two beds insures privacy and at the same time allows more space, with light and fresh air, than is usual in hospital wards.

A surprisingly large group of doctors, composed for the most part of those who reside and work in the immediate locality, use the hospital. The Medical Advisory Committee, who have jurisdiction over its medical affairs, are Dr. C. G. Jennings, Dr. J. Stewart Hudson, Dr. F. Marion Barker, Dr. Frederick C. Kidner, Dr. George Kamperman, Dr. John MacKenzie, Dr. J. W. Vaughan and Dr. Arthur B. McGraw. Many other prominent medical men are also most actively associated in the activities of the hospital. The nurses' residence, located on the rear of the hospital property and facing Ridge Road, also a gift, is a most attractive and artistic building and furnishes an atmosphere of refinement and comfort as well as beauty. It has accommodations for the entire nursing staff as well as the domestic employees of the hospital.

Due to the fact that as yet the hospital has no endowment fund, it has an arrangement with the Detroit Com-

munity Fund whereby any operating deficit is guaranteed by them, and in addition to this the Fund maintains a free bed. There is also a relief fund established by the Board of Trustees, and the Sales Fund donated for the care of needy patients.

The officers and members of the Board of Trustees are as follows: Mesdames Murray W. Sales, J. W. Staley, H. F. Wardwell, E. L. Ford, John S. Newberry, R. P. Joy, H. N. Atterbury, Ledyard Mitchell, James S. Holden, C. B. Waterman, B. S. Warren, W. P. Stevens, E. S. Barbour, H. B. Joy, J. G. Rumney, H. S. Finkenstaedt, Percival Dodge, Howard Bonbright, F. W. Brooks, Jr., F. C. Kidner, W. H. Muir, E. B. Whitcomb, W. J. Peabody, Fred T. Murphy.

The members of the Committees outside of those on the regular Board are: Mesdames J. V. Redfield, S. Livingstone, Howard Smith, F. C. Walker, W. K. Muir, W. C. Mundy, E. K. Butler, J. W. Dyar, H. N. Jewett, Edwin Henry, L. D. Buhl, Alger Shelden, H. N. Torrey, J. T. McMillan, Douglas Campbell and Miss Sarah Hendrie.

COMPARING COSTS

In comparing the per student cost of schools, either in the same or in separate communities, it would be well to keep in mind the following points:

1. The time of construction.
2. The neighborhood. While this should not necessarily affect the general plan of a school it would have bearing on the architecture.
3. The number of pupils per standard class room.
4. The probable life of the buildings under comparison.
6. The probable upkeep of buildings.
7. Whether a school is a first unit or a completed school. For example, while the completed Trombly School has been given a per student cost of \$416, which would be lower than the Richard first unit of \$476, still the completed Richard would be a great deal lower than the completed Trombly. The per student capacity of the Trombly was doubled at the expense of an addition that cost 25.8% of the complete total.

A LETTER AND COMMENT

The following communication was received from Mr. Kaufman, of the office of statistics of the Detroit School Board. We are printing it here with comments on it paragraph by paragraph to assist the reader to a clearer analysis of the situation. It seems that to sum it all up the only correction we must make to our readers for statements in our last issue is the one regarding the per student cost of the Richard School. Our figure of \$441.00 was for the actual cost of the building as contracted for and did not include the equipment and architect's fee.

THE LETTER FOLLOWS:

In response to your request I am giving you below a statement of the inaccuracies in the article, "The Cadi-eux-Kercheval School Site," appearing in "Grosse Pointe Civic News" in November, 1930. Since these mis-statements are based on information said to be emanating from this office I like to correct them merely for the sake of truth.

Mr. Kaufman has erred in quoting the title of the article in question. He no doubt refers to the November Civic News article termed "Cost of Gabriel Richard School."

Mr. Olson of this department did not give the figure accredited to him as being \$441 building cost per pupil. The correct figure is \$476 as compared with \$280 for ten elementary schools built in Detroit in the same year as the Richard, or, as compared with \$339 per pupil of all elementary school buildings built since 1920.

Civic News wishes to thank the writer for the corrected figure of \$476 per student cost of the Richard School. It seems fitting that a department of the Detroit School System should point out to the taxpayers of Grosse Pointe that the per student cost of the building was not \$620 as given out at the open meeting of September 30th, but was \$476, a difference of \$144 per student.

While it is true that the average per cubic foot of all elementary school buildings built during 1928-1929 was \$0.42, yet this is a poor index of comparison. The per pupil cost, after all, is a sounder basis of comparison since two buildings may have identical cubical contents yet one accommodate twice the number of pupils. This leads to the logical conclusion that the building with a smaller pupil capacity is not as carefully planned from an educational point of view as the larger.

Here Mr. Kaufman advances a theory that the per cubic foot cost "is a poor index of comparison."

Are we to assume that he thinks comparing a school on Russell Street (Marshall School is on Russell at State Fair) to a school located in the center of the State of Michigan's most exclusive school district is a good index of comparison?

Are we to assume that he thinks comparing a first unit school of 760 capacity to a standard school of 1320 is a good "index of comparison"?

Are we to assume that Mr. Kaufman thinks comparing a structure with a flat roof, whose interior walls are unplastered cinder blocks, to a building with all interiors completely finished is "a good index of comparison."

Your investigator of the John Marshall School states that by crowding 1320 students into that building a student cost of \$272 was achieved. This is not the case since the standard capacity of that building is 1320, while actually at the present time 1608 pupils are housed in it. Also, while the standard capacity is only 1320, there are more than 1500 seats in this building.

The writer's objection to the term "crowded" in connection with the John Marshall School is readily answered by the reader understanding that at the present time over 50 pupils sit in standard class rooms (22 x 30) and when the attendance is reduced to 1320 (standard capacity given for the Marshall) there will be 40 or better pupils per room. A letter from the Highland Park Board of Education office, on file with Civic News states that their average class room size this year is 32 pupils for elementary schools. It has been less in previous years.

The Board of Education has not found it necessary to make alterations in the "cheap" interior of the Marshall School due to the use of cinder blocks, nor has it considered this type of construction a mistake, nor ordered its discontinuance. This is evidenced by the resolution of the Board on October 28th, which says that after considering the reports submitted by seventeen architects your Committee recommends that the Board rely upon the judgment of the architects to specify cinder blocks where they consider it preferable in the construction of school buildings.

From Mr. Kaufman's account it is apparent that the question of cinder blocks for interior walls has been a subject of controversy and investigation on the part of the Board of Education. We venture the opinion that none of the seventeen architects will find it "preferable" to use unplastered cinder blocks for class room walls in any school other than the Marshall, after said October 28.

It is true that the Marshall school is crowded, but that is because there are 288 above the standard capacity in attendance now. To relieve this congestion the Board has ordered a 400 pupil addition to be constructed at once.

It is unnecessary for me to dwell upon the many accessory rooms which the Marshall School has, and which are not figured in the standard capacity. All these things are open to the public.

I trust you will understand the spirit in which this letter is written.

Sincerely yours,

H. J. Kaufman,
Director

We want our readers to realize the above comment has not been written to criticize any Detroit School. Directly in the last issue and indirectly in this article, our criticism has been aimed at the political unit in Grosse Pointe interested in discrediting the Grosse Pointe Board of Education by comparing the John Marshall School with the Richard on a per student cost basis taking the Detroit figures on the Marshall School and their own figures on the Richard.

It is to be regretted that so much time of our readers and so much space in Civic News should be used on a controversy that is neither current nor constructive. But because of the publicity given statements challenging the accuracy of this paper we find it necessary.

AUTO CLUB BRANCH

A new branch office of the Detroit Automobile Club has been established at 14944 East Jefferson (opposite the street car terminal).

Some 8,000 members of this organization will find added convenience in services rendered from the new office.

The Grosse Pointe membership of the Club is relatively large compared to other sections of the metropolitan area.

LAKE SHORE ROAD

At a meeting December 20 a group of property holders, residing on the Lake Shore Road in Grosse Pointe Farms, gave unanimous approval of a plan to widen the street.

As a result of this expression the Farms' Council passed a resolution adopting the same plan.

The present drive will be removed and the land thus vacated deeded back to the adjacent property holders on the assumption that the property holders will in turn dedicate a new stretch of land. The new and wider drive or boulevard will be constructed at a lower level nearer the water. It will be 120-foot right-of-way with two 27-foot pavements establishing one-way traffic. This, of course, will be a continuation of the road planned in Grosse Pointe Shores.

The work will be completed and paid for by the County, but it will be the task of the Farms to obtain the right-of-way for the County.

The problem of widening the road has been a subject of much debate extending over a long period. The need of a wider road was realized by all, but the contention was mainly one of whether the County or the Farms should make the improvement. It is working out to be a compromise of these two ideas. A difficulty existed in the "bottle neck" formation at the lower end of the road. Here rows of large trees and residences on both sides of the street gave limited opportunity to widen. There was much speculation as to how the County would handle this "stretch." The Farms solved the problem last summer with the construction of a 40-foot pavement between the trees from the Fisher Road to the "bend." The proposed County road will start at this point going east, and should encounter few natural obstacles. There are no homes on the lake side of the road from this point on and very few trees. In fact, a great deal of the road will be built on made land. It

is planned to have a strip of land between the road and the water edge. This land will belong to the property holders.

AUTO LICENSES

Automobile licenses may be secured from the Mack-Maryland Branch of the Jefferson Savings Bank, according to an announcement made by W. Lloyd Webster, vice-president and cashier. The bank has been named as agent by the Secretary of State to sell automobile licenses in Grosse Pointe.

"Don't forget to bring in the certificate of title to your car," Mr. Webster reminded those who are planning to come to the bank for their licenses. "The law does not allow us to issue a license without this certificate of title. As a branch of the Secretary of State's office, the bank will sell license plates at exactly the same price at which they are sold at the main office of the Secretary of State."

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One great, strong, unselfish soul in every community would actually redeem the world.

—Elbert Hubbard.

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