OFFICIAL PROCEEDINGS.

Council Chamber,
Duluth, Minn., Mar. 11, 1900.

Regular meeting.

Roll call:

Present—Alderman Cromwell, Haven, Johnson, Krumsieg, Moore, Neff, Olson, Rothermel, Schaffer, Swenson, Tessman, Tischer, Trevillion, Wing, Mr. President—15.

Absent—Alderman Cochrane—1.

On motion of Alderman Johnson the minutes of the meeting of March 4, 1901 were approved upon a vote by acclamation.

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS.

R. W. Luxon, et al., protest against construction of sanitary sewer in Ninth street—Drains, sewers and parks; Duluth-Superior Bill Posting Co., relative to posting of election notices—Police and license; J. O. Rodney, et al., petition against granting of liquor license at No. 413 East Superior street—Police and license.

Douglas A. Pierce, claim for personal injury—Board of public works with instructions to investigate and report to the city attorney; Duluth Transfer Co., asking for continuation of appropriation; Charles G. Traphagen, asking for compromise of claim against C. G. Traphagen—Finance; S. F. Snively, relative to right of way for road through east half of section 22, township 51 North, of range 13 West; Milie Bunnell, for permission to erect sign over sidewalk—Grounds; Besser, protest against using asphalt for paving Superior street—Streets, alleys and sidewalks; Frank Sucher, for permission to remove frame building inside of fire limits—Fire department; S. A. Stalker, et al., petition for construction of sanitary sewer in Gladstone street from a point two hundred feet easterly of the easterly side of Forty-seventh avenue East to and including a connection with the sanitary sewer in Superior street in Gladstone street at Forty-eighth avenue East—Drains, sewers and parks; M. J. Jeffers, Alexander Safferel, Hunter Delayla, C. F. W. Korth, Ed Woolway, Peter Olen, Gust Levin, and Eric Anderson, applications and bonds for liquor license—Police and license.

REPORTS OF OFFICERS.

City attorney, recommending compromise of assessment against the northwest quarter of the northwest quarter of section 31, township 51 north, of range 13 west—Finance; treasurer, comptroller and building inspector, reports for the month of February—Auditing; city comptroller, reporting examination of books of Zenith Telephone company—Finance;

Report of special committee appointed to investigate the operations and expenditures of the health department.

Alderman Cromwell moved that the report be received and filed, and that the thanks of the council be extended to the committee for its careful investigation of the question referred to it. The motion was declared adopted upon a vote by acclamation.

City comptroller, reporting examination of receipts and disbursements of city officers—Auditing; clerk of the municipal court, submitting draft of proposed act, fixing salaries and compensation of certain officers of municipal courts—Offices and elections; board of public works, report on petition of D. H. Bacon, et al., for grading of Thirteenth avenue East from London road to Superior street—Received; city clerk, relative to printing of annual reports—Purchasing and supplies; board of public works, submitting estimates of cost of repairing and relaying Lake avenue viaduct—Streets, alleys and sidewalks; annual report of city engineer—Auditing; requisitions No. 2733 of the building inspector, 2734 and 2735 of the city clerk, 2716 to 2728 inclusive of the health department, 2910 and 2011 of the city attorney, 2306 to 2313 inclusive of the fire department, 3114 to 3118 inclusive of the board of public works, and 3121 to 3128 inclusive of the police department—Purchasing and supplies.

MOTIONS AND RESOLUTIONS.

Alderman Cromwell submitted a resolution amending the standing rules of the council, and adopting same, for the ensuing year, and moved that the same be referred to the committee on ordinances and resolutions for a report on Tuesday evening, March 12 if convenient for them to do so. The motion to refer was declared adopted upon a vote by acclamation.

By Alderman Cromwell:

Whereas, the city of Duluth has heretofore petitioned for preliminary proceedings for the opening of 59th avenue west in the city of Duluth across the right-of-way of the St. Paul & Duluth railroad company, all of the property owned by said company has since been acquired by the Northern Pacific railway company, in which proceedings it awarded $75.00 was made to the St. Paul & Duluth railroad company, from which award said company appealed to the District court of the Seventh Judicial district of Minnesota; and

Whereas, it is deemed advisable that an amicable adjustment of said matter be made,

Now, therefore, be it resolved, by the common council of the city of Duluth, that the city attorney be and he is hereby authorized to settle said appeal by stipulating that judgment be entered awarding the said sum of $75.00 for the opening of said avenue across said right of way and requiring the city of Duluth to grade and maintain the approaches on said avenue up to the railway tracks and relieving said railway companies from all liability for the grading and maintaining of said approaches up to the said tracks and requiring the said companies to plank said crossing between the rails and keep the same in good repair, said railway companies, however, the right to build such other railway tracks within the right of way now reserved by the said St. Paul & Duluth railroad company and now owned by the said Northern Pacific railway company as may be found necessary; provided, however, that said companies shall likewise plank the crossing between the rails of such tracks and keep the same in repair; that the mayor and comptroller of said city shall be authorized to sign such agreement as may be necessary in furtherance of the purposes of said settlement of said this resolution. Alderman Cromwell moved the adoption of the resolution, and it was declared adopted upon the following vote:

Yeas—Aldermen Cromwell, Haven, Johnson, Krumsieg, Moore, Neff, Olson, Rothermel, Schaffer, Swenson, Tessman, Tischer, Trevillion, Wing, Mr. President—15.

Nays—None.

Passed March 11, 1901.

Approved March 13, 1901.

By Alderman Cromwell:

Whereas, there is now pending before the state legislature a bill by Representative Alford, providing for the hanging by cities of the first class of all people convicted of drunkenness or of being vagrants; and

Whereas, under the schedule as fixed by law for board of prisoners at the county jail is in the opinion of this council excessive; and whereas, it is advisable to make it an object for this class of offenders to keep away from Duluth; therefore, be it

Resolved, that the city attorney is hereby instructed to prepare an amendment to the bill by Representative Alford, providing for the construction by cities of 50,000 inhabitants or over of workhouses, and that the maximum amount allowed per day for board of each prisoner be fixed at twenty-five cents, and that when the bill is so amended the city attorney shall send a copy of the same to the members of the St. Louis county delegation in the house and senate.

Alderman Cromwell moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

By Alderman Tischer:

Whereas, the city of Duluth is paying the laborers employed in its employ on a schedule of prices fixed when there was much less demand for labor than when the cost of living was much less than at present; therefore

Resolved, that the board of public works is hereby requested to report to this council their opinion as to the prices which should be paid by the city for labor and team work for the ensuing year.

Alderman Rothermel moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

By Alderman Rothermel:

Resolved, that the board of public works is hereby directed to go over London Road from Eighth avenue East to Sixteenth avenue East with the steam roller, using picks thereon, for the purpose of loosening the surface, and cause such a top dressing composed of gravel, cinders, screenings and clay to be placed thereon as is necessary, and to roll the same into place so as to put said road in first-class condition.

Alderman Rothermel moved the adoption of the resolution, and

Alderman Cromwell moved that the resolution be referred to the board of public works for investigation and report as to the advisability of such improvement and for an estimate of the cost thereof. The motion to refer was declared adopted upon a vote by acclamation.

Alderman Rothermel moved the adoption of the resolution.

By Alderman Trevillion:

Resolved, that all of the several officers and board of the city except the library board, the park board, the light board, and the park board, be and they hereby are required to submit to the city clerk a full and complete inventory of all the miscellaneous office supplies, including stationery, printed blanks, blank books, printed books, typewriter ribbons, etc., on hand during the ensuing year, on or before March 21st, and the city clerk is hereby required to submit the same to this council for its approval, and upon being so approved the city clerk is hereby directed to advertise for bids for furnishing such supplies.

Resolved further, that the city clerk, as storekeeper, is required to keep accurate account of such supplies and to deliver them to the several departments only upon written receipts, and on or before the 10th of each month to certify to the city comptroller an itemized statement of all supplies furnished each department and the cost thereof, and upon receipt of such certificate the comptroller is directed to credit the storekeeper with the amount of the cost of such supplies and to debit each department with the cost of supplies received by it.

Alderman Trevillion moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

By Alderman Johnson:

Whereas, this council, by resolution passed February 18, 1901, endorsed a proposed bill, entitled "A Bill to Provide for the Construction or Purchase of Bridges by Cities Having a Population in Excess of 50,000"; and

Whereas, it is the opinion of this council that the citizens of the city of Duluth are overwhelmingly in favor of the passage of said bill, and in the opinion of this council the passage thereof is desirable and for the best interests of the city at large, therefore, be it

Resolved, that the representatives of the city of Duluth in the state legislature are hereby requested to give their best services to secure the passage of said bill.

Resolved further, that the city clerk is hereby directed to certify a copy of this resolution to each of the representatives and senators from this city.

Alderman Johnson moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

By Alderman Moore:

That a committee of three be named of which the present president of the council shall be chairman, and other two aldermen shall be appointed to consider the report of the citizens' committee in reference to the conduct of the board of health and report to the council.

Alderman Moore moved the adoption of the resolution and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

REPORTS OF STANDING COMMITTEES.

To the President and Common Council:

Your committee on auditing, to whom was referred the annual report of the board of public works, with instructions to distribute the several subjects therein contained to the proper committees of this council for consideration and report, would respectfully report as follows:

That the questions of altering and extending Jefferson street eastwardly to Forty-fourth avenue east; the paving of First alley from Second avenue east to Sixth avenue west; the question of sidewalk construction; and the improvement of Swan Lake cut-off are hereby referred to the committee on streets, alleys and sidewalks.

That the questions of lighting Park Point, and of providing supervision and inspection of electric wires, are referred to the committee on light and water.

That the question of making re-assessment to cover the cost of construction of sanitary sewer in the alley between Fifty-fourth and Fifty-fifth avenue west, is referred to the committee on finance; and

That the question of providing for proper outlet for said sewer is referred to the committee on drains, sewers and parks.

GEORGE TISCHER,
W. W. MOORE,
THEO. M. KRUMSIEG,
Committee.

Alderman Tischer moved that the references made by the committee be approved and the motion was declared adopted upon a vote by acclamation.

To the President and Common Council:

Your committee on city property, buildings and grounds, to whom was referred the proposition of St. John's Mission to purchase the building located on 16 Lake avenue north-east, having considered the same, would respectfully report that in the opinion of your committee the price offered is not commensurate with the value of said building, and do recommend that said proposition be rejected.

E. A. TESSMAN,
THOS. F. TREVILLION,
E. OLSON,
Committee.

Alderman Tessman moved that the proposition to purchase said building be rejected and the motion was declared adopted upon a vote by acclamation.

The committee on claims submitted resolutions paying water and light, and fire department bills for the month of February, miscellaneous bills for the month of February, and health department bills for the month of January, which were laid over under rule 18. The chairman of the committee announcing that he would call the said resolutions up on Tuesday evening March 12, and ask to have the rules suspended in order to pass the same.

To the President and Common Council:

Your committee on drains, sewers and parks, to whom was referred the report of the board of public works, dated January 28th 1901, relative to the advisability of the adoption of the construction of a sanitary sewer, having considered the same, recommend the adoption of the following resolution:

E. OLSON,
S. H. ROTHERMEL,
GEO. TISCHER,
Committee.

Be it resolved by the common council of the city of Duluth, that the board of public works of the city of Duluth is hereby ordered to cause the following improvement to be made, to-wit:

That a sanitary sewer with necessary appurtenances be constructed in the sewer right of way between First and Second streets from Fifteenth avenue East to Sixteenth avenue East; and

Resolved further, that said board of public works be and hereby instructed to cause said improvement to be made by contract; and it is further ordered

That said board of public works proceed in accordance with the provisions of the city charter to levy assessments upon the property benefited by said improvement according to benefits received to defray the cost of such improvement, with the other expenses as under the provisions of said charter may be assessed.

Alderman Olson moved the adoption of the resolution and it was declared adopted upon the following vote:

Yeas—Aldermen Cochrane, Cromwell, Haven, Johnson, Krumsieg, Moore, Neff, Olson, Rothermel, Schaffer, Swenson, Tessman, Tischer, Trevillion, Wing, Mr. President—15.

Nays—None.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your committee on offices and elections, to whom was referred the application from the clerk of the Municipal court, transmitting draft of proposed act, entitled "An Act Fixing the Salaries and Compensation of Certain Officers of Municipal Courts in This State in Cities Having a Population of Over Fifty Thousand Inhabitants and not Exceeding One Hundred and Fifty Thousand Inhabitants," having considered the same, would respectfully report said matter without recommendation.

EDWARD SWENSON,
J. L. CROMWELL,
W. S. MOORE,
Committee.

Alderman Neff moved that the bill be referred back to the committee and the clerk be instructed to forward a copy of same to the members of the St. Louis delegation in the state legislature.

The motion was declared adopted upon the following vote:

Yeas—Aldermen Cromwell, Haven, Johnson, Neff, Olson, Rothermel, Swenson, Trevillion, Wing—9.

Nays—Aldermen Krumsieg, Moore, Schaffer, Tessman, Tischer, Mr. President—6.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your committee on police and license, to whom was referred the petition of Samuel Levin for license to sell intoxicating liquors at No. 413 East Superior street, and the same hereby is denied.

Alderman Rothermel moved the adoption of the resolution. Alderman Shaffer moved to amend the resolution by adding thereto the following: "Resolved further, that for the period of one year this council will refuse to grant any liquor license on Fourth street east between Superior and First street, and the same hereby is denied."

The amendment was declared lost upon the following vote:

Yeas—Aldermen Haven, Johnson, Moore, Olson, Schaffer, Swenson, Tessman—7.

Nays—Aldermen Cromwell, Krumsieg, Neff, Rothermel, Tischer, Trevillion, Wing, Mr. President—8.

The question being upon the adoption of the resolution, it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your committee on police and license, to whom was referred application and bonds for liquor licenses, having considered the same, recommend the adoption of the following resolution:

S. H. ROTHERMEL,
FRANK SCHAFFER,
H. A. WING,
Committee.

Resolved, that applications for license to sell intoxicating liquors be and they hereby are granted, and the bonds accompanying same are hereby approved as follows:

A. S. Schmid at No. 722 West Superior street.

A. S. Schmid, at No. 513 West Michigan street.

A. S. Schmid, at No. 204 Lake avenue South.

A. S. Schmid, at No. 1131 West Michigan street.

Ed Woolway, at No. 632 West Superior street.

Ed Woolway, at No. 612 West Superior street, being a transfer from No. 720 West Superior street.

Alderman Rothermel moved the adoption of the resolution, and it was declared adopted upon the following vote:

Yeas—Aldermen Cromwell, Haven, Johnson, Krumsieg, Neff, Olson, Rothermel, Schaffer, Swenson, Tessman, Tischer, Trevillion, Wing, Mr. President—14.

Nays—Alderman Moore—1.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your Committee on Purchasing and Supplies, to whom was referred requisitions of city officers, having considered the same recommend the adoption of the following resolution:

THOS. F. TREVILLION,
VICTOR JOHNSON,
H. D. HAVEN,
Committee.

Resolved, that requisitions of the building inspector No. 2733, of the city clerk Nos. 2734 and 2735, of the health department Nos. 2716 to 2728 inclusive, of the city attorney Nos. 2910 and 2011, of the fire department Nos. 2306 to 2313 inclusive, of the board of public works Nos. 3114 to 3118 inclusive, of the police department Nos. 3121 to 3128 inclusive be and the same hereby are allowed.

Alderman Trevillion moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your committee on Streets, Alleys and Sidewalks, to whom was referred the petition of the Spalding Hotel Company, et al., having considered the same recommend the adoption of the following resolution:

J. L. CROMWELL,
FRANK SCHAFFER,
Committee.

Resolved, that permission is hereby granted to the Spalding Hotel Company, et al., to enter into a contract with the Superior Paving Company of Indianapolis, Indiana, to pave Superior street with creosoted paving blocks for a distance of one hundred and fifty feet easterly of Fifth avenue West.

Provided, said work shall be done under the direction and with the consent of the Board of Public Works, and further provided that the owners of the property in front of which said paving is to be done shall enter into an agreement, in form to be approved by the city attorney, to pay their portion of the cost of paving street intersections on Superior street when said street shall be paved.

Alderman Cromwell moved the adoption of the resolution.

Alderman Krumsieg moved that the resolution be set on the table, and the motion was declared adopted upon a vote by acclamation.

The Committee on Streets, Alleys and Sidewalks submitted a resolution approving bill of Western Creosoting Company for furnishing paving blocks for paving Sixth avenue West, which was laid over under the Standing Rules.

To the President and Common Council:

Your Committee on Streets, Alleys and Sidewalks, to whom was referred communication from Duluth Tent No. 1, K. O. T. M., asking for permission to erect electric lights in front of entrance to their hall, and of Millie Bunnell to erect electric light sign in front of office in the Temple Opera House, having considered the same, recommend the adoption of the following resolution:

J. L. CROMWELL,
EDWARD SWENSON,
FRANK SCHAFFER,
Committee.

Resolved, that permission is hereby granted to Duluth Tent No. 1, K. O. T. M., to erect electric lights on place above the entrance to Hunter's Hall, No. 29 West Superior street, and that permission is hereby granted to Millie Bunnell to erect an electric illuminated sign in front of the office of the News Tribune at No. 26 East Superior street; each of said signs to be erected with the consent and under the direction of the Board of Public Works of the City of Duluth, it being understood that this permission shall be considered as only temporary and subject to revocation by the council at any time.

Alderman Cromwell moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your Committee on Streets, Alleys and Sidewalks, to whom was referred communication from the Board of Public Works, relative to street sprinkling, having considered the same recommend the adoption of the following resolution:

J. L. CROMWELL,
EDWARD SWENSON,
FRANK SCHAFFER,
Committee.

Resolved, that the Board of Public Works is hereby directed to divide the city into such number of sprinkling districts as in its opinion will be for the best interests of the city, and to attend to this council such streets and avenues by districts as they consider it will be necessary to have sprinkled during the current year.

Alderman Cromwell moved the adoption of the resolution and it was declared adopted upon the following vote:

Yeas: Aldermen Cromwell, Haven, Johnson, Krumsieg, Moore, Neff, Olson, Rothermel, Schaffer, Swenson, Tessman, Tischer, Trevillion, Wing, Mr. President—14.

Nays—None.

Passed March 11, 1901.

Approved March 13, 1901.

To the President and Common Council:

Your Committee on Streets, Alleys and Sidewalks, to whom was referred the communication from the Minnesota Block Pavement Company, offering to pave fifty feet of that portion of Superior street lying in front of the City Hall from the curb line to the street car tracks, having considered the same, recommend the adoption of the following resolution:

J. L. CROMWELL,
EDWARD SWENSON,
FRANK SCHAFFER,
Committee.

Resolved, that the Minnesota Block Asphalt Company is hereby authorized to enter upon Superior street in front of lot 32, block 2, Central Division, and pave the same with Asphalt blocks from the curb line to the street car tracks; said work to be done without any expense to the city and to be done with the consent and under the direction of the Board of Public Works of the city.

Resolved further, that the city engineer is hereby directed to furnish such information and grade lines to said company as he shall consider necessary for the performance of said work.

Alderman Cromwell moved the adoption of the resolution, and it was declared adopted upon a vote by acclamation.

Passed March 11, 1901.

Approved March 13, 1901.

Alderman Rothermel moved that the Duluth Improvement Association be granted the use of the Council Chamber for Thursday afternoon. The motion was declared adopted upon a vote by acclamation.

On motion of Alderman Krumsieg the council adjourned.

H. W. CHEADLE,
City Clerk.