OFFICIAL PROCEEDINGS.

Council Chamber,
Duluth, Minn., April 2, 1906.

Regular meeting.

Roll call:

Present—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Absent—Aldermen McEwen, Moore—2.

On motion of Alderman Lyle the minutes of the meeting of March 26 were approved as printed in pamphlet form upon a vote by acclamation.

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS.

West Duluth Commercial club, communication addressed to Mr. L. A. Barnes, chairman of the Committee on Harbors, Parks and Roads, relative to site for dock—Harbors, Parks and Roads; Panton & White Co., et al., for paving of Tenth avenue East, from London Road to Fourth street—Board of Public Works; George E. MacComber, for permission to erect wooden sign over sidewalk—Streets, Alleys and Sidewalks; bond of S. M. Kelley as building inspector—Finance.

L. A. Gunderson, application for permit to conduct pavilion, etc., on Block 55, Lester Park—Harbors, Parks and Roads; Duluth Van & Storage Co., application and bond for license to move buildings; applications and bonds for liquor license as follows: Dolph Butler, at No. 1223 West Michigan street; J. P. Smith, at No. 214 Central avenue; Ed. Madden, at No. 131 South Central avenue; R. C. Hauser, at No. 324 Central avenue; M. Hanson, at No. 612 West Superior street; John P. Peterson, at No. 1813 West Superior street—Police and License.

Pay rolls and contract bills, and bills of D. D. Murray, D. J. McDonald and John T. McKenzie—Claims; applications for license to sell milk, approved by the health commissioner—Police and License; requisitions Nos. 9555 to 9615 inclusive—Purchasing and Supplies.

REPORTS OF OFFICERS.

The mayor, reporting the appointment of Mr. Samuel I. Levin as a member of the Board of Health for a term of three years—Offices and Elections; monthly reports of treasurer, comptroller and sealer of weights and measures—Auditing and County Commerce; chief of police, asking that the city purchase the cloth necessary for uniform suits and overcoats, and fall overcoats, for members of the police department—Police and License; reporting lights out during the month of March—Claims; Employment Bureau, for appropriation for electric sign—Finance; clerk of municipal court, reporting convictions of John Wickham and John Holleran of selling liquor to a minor—Police and License.

City clerk, transmitting certificate of title to the westerly ten feet of Lot 419, and the easterly ten feet of Lot 429 in Block 79, Duluth Proper, Second Division—Streets, Alleys and Sidewalks; city clerk, submitting bond of N. J. Upham Co., qualifying as a bidder for the issue of $295,000.00 of water and light bonds, bid of N. J. Upham Co. for $275,000.00 of water and light bonds—Finance; city engineer, reporting location of proposed new street below London Road, from Thirtieth to Fortieth avenues East; report relative to sprinkling London Road, from Portland to Sixteenth avenues East—Streets, Alleys and Sidewalks; estimate of cost of repairing northern approach to the ferry bridge—Bridges, Viaducts and Ferries.

Board of Public Works, relative to the repair of country roads within the city limits—Harbors, Parks and Roads; reporting permissions granted for placing of poles—Streets, Alleys and Sidewalks. The city clerk was directed to notify the Board of Public Works that action was postponed for one week, Report on petition of Lakeside Land Co., et al., for the construction of a sanitary sewer in Robinson avenue, from Forty-first avenue East to a connection with the Robinson street sewer at Forty-seventh avenue East; and report on petition of Lakeside Land Co., et al., for the improvement of Robinson street, from Forty-first avenue East to the intersection of said street with Forty-sixth avenue East and Superior street—Streets, Alleys and Sidewalks; report on petition of Angus C. McDermott, for the construction of a sanitary sewer in Sixth street, from Seventh avenue East to a connection with the sewer at Ninth avenue East—Drains, Sewers and Sanitation.

Board of Fire Commissioners, submitting report on charges against Chief Black; and transcript of testimony taken under said charges—Referred to the joint committee on Fire Department, and Offices and Elections, and city attorney.

On request of Alderman Barnes the city attorney was requested in connection with the consideration of said report to investigate the question as to whether the Board of Fire Commissioners, or the council, has the power to provide a purchasing agent for said department.

By request of Alderman Burgess said request for consideration by the city attorney was enlarged to consider the consideration of the appointment of a purchasing agent for all of the departments of the city.

UNFINISHED BUSINESS.

By Alderman Moore:

Resolved, that the Board of Public Works is hereby directed to cause to be constructed a four foot sidewalk on the northerly side of Water street, from Twenty-third avenue East to Twenty-third and one-half avenue East; and on the easterly side of Twenty-third avenue East, from Water street to the southerly side of Lot 12 in Block 1 of Langelier's rearrangement of Lot 17, Endion Division; and a two plank walk on the northerly side of St. Marie street, from Woodland avenue to Montrose avenue.

Resolved further, that said board is hereby directed to proceed in accordance with the provisions of the city charter to levy assessments upon the property benefited to defray the cost of said sidewalks, together with such other expenses as under the provisions of said charter may be assessed.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

The resolution directing the payment of bill of P. McDonnell was read, and the city attorney not being prepared to report thereon, action on the same was postponed for one week.

The resolution by Alderman Haven, directing the condemnation of an extension of Second street, etc., through portions of West Park Division, etc., was read, and by request of the mover of the resolution, action on the same was postponed for one week.

MOTIONS AND RESOLUTIONS.

By Alderman Wilson:

Resolved, that the Board of Public Works is hereby directed to advertise for bids for rebuilding the bridge on London Road or Delaware street over Lester river, in accordance with plans and specifications to be prepared by the city engineer; and bids to be received on the proposition of constructing a steel bridge, and also on the proposition of constructing a concrete bridge; the cost of said work to be paid out of the permanent improvement fund.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

By Alderman Wilson:

Resolved, that the city engineer is hereby directed to establish the permanent grade of Third street, from Twenty-first avenue East to Twenty-second avenue East.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

By Alderman Staples:

Resolved, that the Board of Public Works is hereby directed to cause to be constructed a sidewalk on the south side of Sixth street, from Tenth avenue East to Eleventh avenue East.

Resolved further, that said board is hereby directed to proceed in accordance with the provisions of the city charter to levy assessments against the property benefited to defray the cost of said sidewalk, together with such other expenses as under the provisions of said charter may be assessed.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

By Alderman Schaffer:

Resolved, that the city engineer is hereby directed to investigate the question of providing a feasible method of direct communication between the West End and the incinerator on Railroad street, and report his findings and recommendations thereon to this council.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

By Alderman Staples:

Whereas, this council has heretofore directed the issuance of an order to H. C. Withrow, Humane Officer, in the sum of $40.00, to pay his railroad fare to Portland, Oregon, for the purpose of attending the national convention of charities and corrections held in said city; and

Whereas, said humane officer did not attend said convention, but is desirous of attending the meeting of the same convention to be held in Philadelphia in May of the present year; therefore

Resolved, that said humane officer is authorized to use the proceeds of said order for the purpose of assisting in defraying his expenses in attending said convention at Philadelphia.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

By Alderman Burgess:

Resolved, that C. H. Lawrence is hereby granted permission to move the one story frame building now located on Block 19, Duluth Proper, Lower Duluth across Montana street and on to Lot 81, Minnesota avenue, Lower Duluth, provided such moving shall be done under a permit to be issued by the building inspector of the city of Duluth.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

REPORTS OF STANDING COMMITTEES.

To the President and Common Council:

Your Committee on Claims, to whom was referred contract bills, having considered the same, recommend the adoption of the following resolution:

S. F. STAPLES,
J. E. FOUBISTER,
FRANK JORDAN,
Committee.

Resolved, that contract bills be and hereby are allowed, and it is hereby directed that orders be drawn on the light fund for the same as follows:

Duluth Edison Electric Co., $2,218.75; Herman Bros., Becklinger & Reindl, $278.63.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Claims, to whom was referred pay rolls for the month of March, 1906, having considered the same, recommend the adoption of the following resolution:

S. F. STAPLES,
J. E. FOUBISTER,
FRANK JORDAN,
Committee.

Resolved, that pay rolls of the several departments for the month of March, 1906, as follows, hereby are allowed, and it is hereby directed that orders be drawn on the city treasurer to pay the same, as follows:

GENERAL FUND.

Armory	$ 75.00
Canal ferry	290.00
Employment bureau	80.00
Health department	339.00
Circulating pavilions	95.75
HEALTH DEPARTMENT FUND.	
Health department	637.00
POLICE DEPARTMENT FUND.	
Police department	4641.02
PUBLIC WORKS FUND.	
Building inspector	196.67
Engineers	1005.00
Maintenance of streets, sewers, etc.	3447.34
Board of Public Works	555.02
SALARY FUND.	
Assessors	472.00
City officers	2482.50

Resolved further, that pay rolls of the fire department in the sum of $7544.96, and of the water and light department, in the sum of $4860.87, be and the same hereby are allowed, and said departments are hereby authorized to draw orders on the fire department fund, and the water and light plant fund, respectively, to pay the same.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Claims, to whom was referred bills, having considered the same, recommend the adoption of the following resolution:

S. F. STAPLES,
J. E. FOUBISTER,
FRANK JORDAN,
Committee.

Resolved, that bills against the city be and hereby are allowed, and it is hereby directed that orders be drawn on the city treasurer to pay the same as follows:

HEALTH DEPARTMENT FUND.

D. D. Murray, $24.95.

PUBLIC WORKS FUND.

D. J. McDonald, $167.76; John T. McKenzie, $164.00.

Alderman Staples moved to suspend Rule 18 of the standing rules in order to pass the resolution, and said rule was declared suspended upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Drains, Sewers and Sanitation, to whom was referred the report of the Board of Public Works, dated April 2, 1906, relative to the petition of Angus C. McDermott and others for the construction of a sanitary sewer in Sixth street, having considered the same, recommend the adoption of the following resolution:

A. J. LYLE,
CHAS. MORK,
L. A. BARNES,
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 towit:

That a sanitary sewer be constructed in Sixth street from Seventh avenue East to Ninth avenue East with the sewer at Ninth avenue East; and

Resolved further, that Board of Public Works are 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 such other expenses as under the provisions of said charter may be assessed.

Alderman Lyle moves the adoption of the resolution which was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Finance, to whom was referred bids for bonds, having considered the same, recommend the adoption of the following resolution:

R. D. HAVEN,
W. B. GETCHELL,
Committee.

Resolved, that the bid of N. J. Upham Co., offering par, and accrued interest to date of delivery, for the issue of $275,000.00 of Water and Light bonds, be and hereby is accepted, and the proper city officers are hereby directed to enter into a contract with said N. J. Upham Co., for the sale of said bonds, at the price mentioned in their bid.

Resolved further, that the bond of said N. J. Upham Co. in the sum of $2750.00 with K. W. Upham and W. S. Woodbridge as sureties, be and hereby is approved and accepted.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Finance, to whom was referred bids for bonds, having considered the same, recommend the adoption of the following resolution:

R. D. HAVEN,
W. B. GETCHELL,
Committee.

Resolved, that the bid of N. J. Upham Co., offering par, and accrued interest to date of delivery, for the issue of $275,000.00 of Water and Light bonds, be and hereby is accepted, and the proper city officers are hereby directed to enter into a contract with said N. J. Upham Co., for the sale of said bonds, at the price mentioned in their bid.

Resolved further, that the bond of said N. J. Upham Co. in the sum of $2750.00 with K. W. Upham and W. S. Woodbridge as sureties, be and hereby is approved and accepted.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Harbors, Parks and Roads, to whom was referred communication of Board of Public Works in reference to improvement of country roads within the city limits, having considered the same, recommend the adoption of the following resolution:

L. A. BARNES,
N. MUELLER,
Committee.

Resolved, that the city attorney, the Board of Public Works and the members of the Committee on Harbors, Parks and Roads be directed to appear before the board of county commissioners at its April meeting, and present the position of the city with reference to the repair of country roads within the city limits, and request joint action by the city and county in such cases, and an equitable division of the expense.

Alderman Barnes moved the adoption of the resolution and it was declared adopted on the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Harbors, Parks and Roads, to whom was referred petition of L. A. Gunderson, having considered the same, recommend the adoption of the following resolution:

L. A. BARNES,
N. MUELLER,
Committee.

Resolved, that L. A. Gunderson is hereby granted permission to conduct a pavilion on Block 55, Lester Park, Fourth Division, said pavilion to be used for dancing, concerts and theatrical performances; and also permission is hereby granted to conduct a merry-go-round at the same location; provided that nothing in this resolution shall be construed to conflict with any of the ordinances of the city requiring a license for such purpose, but that it is issued under the provisions of the ordinance passed February 27, 1905, relative to such places adjacent to public parks.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Ordinances and Resolutions, to whom was referred an ordinance entitled "An ordinance regulating the collection and removal of garbage, offal, combustible refuse, ashes, manure, dead animals, night soil and other unhealthy material, and for the keeping of garbage vessels in the city of Duluth, Minnesota," having considered the same, recommend the adoption thereof.

CORYATE S. WILSON,
FRANK JORDAN,
Committee.

The report was received.

To the President and Common Council:

Your Committee on Ordinances and Resolutions, to whom was referred an ordinance amending an ordinance entitled "an ordinance regulating the running at large of certain animals," passed January 7, 1895, approved January 8, 1895, and published January 11, 1895, as amended," having considered the same, recommend the adoption thereof.

CORYATE S. WILSON,
FRANK JORDAN,
Committee.

The report was received.

To the President and Common Council:

Your Committee on Police and License, to whom was referred applications for license to sell milk, having considered the same, recommend the adoption of the following resolution:

N. MUELLER,
G. V. BURGESS,
A. J. LYLE,
Committee.

Resolved, that it is hereby adjudged and determined that the following named applicants for license to sell milk are entitled to obtain such a license for the sale or distribution of milk within the corporate limits of the city of Duluth, and licenses are hereby granted to such applicants as follows:

John C. Muehlberg, N. H. Maynard, T. H. Gude, A. G. Busha, Adam Mollnat, Saml Shearer, Otto Asker.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Police and License to whom was referred application and bond for license, having considered the same, recommend the adoption of the following resolution:

N. MUELLER,
G. V. BURGESS,
A. J. LYLE,
Committee.

Resolved, that the application of the Duluth Van & Storage company for license to move buildings, be and hereby is granted, and the bond accompanying same is hereby approved.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Police and License to whom was referred applications and bonds for liquor license, having considered the same, recommend the adoption of the following resolution:

N. MUELLER,
G. V. BURGESS,
A. J. LYLE,
Committee.

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

Ole Kolstad, at No. 632 West Superior street; W. E. Day, at No. 513 West Superior street.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

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

W. B. GETCHELL,
FRANK SCHAFFER,
Committee.

Resolved, that requisitions of city officers, Nos. 9514, 9552 and 9555 to 9615 inclusive be and hereby are approved.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

To the President and Common Council:

Your Committee on Streets, Alleys and Sidewalks, to whom was referred communication from the Board of Public Works, dated March 26, 1906, reporting the division of the city into sprinkling districts, having considered the same, recommend the adoption of the following resolution:

W. B. GETCHELL,
G. W. BURGESS,
Committee.

Resolved, that the Board of Public Works is hereby directed to advertise for bids for sprinkling the streets and avenues and other public grounds embraced in the several districts as established by the Board of Public Works as reported to this council by communication dated March 26, 1906, as shall be ordered sprinkled by this council; and it is hereby directed that all the streets and avenues included in Districts numbered 1, 2, 3, 4, 6, 7, 8, 10, 11 and 12 be sprinkled during the season of 1906, except such portion of said streets or avenues as said Board of Public Works deem it not advisable to have sprinkled on account of the work of paving or otherwise improving the same.

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

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Passed April 2, 1906.

Approved April 4, 1906.

INTRODUCTION AND CONSIDERATION OF ORDINANCES.

The ordinances entitled "An ordinance amending an ordinance entitled 'An ordinance to restrain the running at large of certain animals,' passed January 7, 1895, approved January 8, 1895, and published January 11, 1895, as amended," took its second reading.

Alderman Barnes moved that the ordinance be now placed upon its final passage, and the motion was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Alderman Barnes moved the adoption of the ordinance, and it was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

The ordinance entitled "An ordinance regulating the collection and removal of garbage, offal, combustible refuse, ashes, manure, dead animals, night soil, and other unhealthy material, and for the keeping of garbage vessels in the City of Duluth, Minnesota" took its second reading.

Alderman Haven moved that the ordinance be now placed upon its final passage, and the motion was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

Alderman Haven moved the adoption of the ordinance, and it was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

The following ordinance was submitted by Alderman Staples, which took its first reading, and was referred to the Committee on Ordinances and Resolutions:

Alderman Staples:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "PLUMBING ORDINANCE," PASSED AUGUST 19TH, 1903, AND APPROVED AUGUST 19TH, 1903."

The Common Council of the City of Duluth do Ordain as follows:

Section 1. That the Ordinance entitled "Plumbing Ordinance, passed August 17th, 1903, and approved August 19th, 1903," be and hereby is amended as follows:

1—By striking from Section 15 of said ordinance the words "peppermint test, at the discretion of the owner of the building in which such plumbing work is being done, and by inserting in lieu thereof the words "smoke test."

2—That Section 19 of said ordinance be amended by substituting therefor the following: "Section 19—There shall be a house trap immediately on the inside of the cellar wall with fresh air inlet and clean-out, and there shall be a clean-out at the end of each horizontal line of soil pipe and in the kitchen sink waste pipe. All clean-outs shall be closed by brass screw covers, and shall be accessible."

3—That Section 26 be amended by adding thereto at the end thereof the following: "The highest water closet when located within 18 inches of the main soil pipe need not be separately ventilated."

Sec. 2. This ordinance shall take effect and be in force from and after its passage and publication.

MISCELLANEOUS BUSINESS.

Alderman Haven moved that the council resolve itself into a committee of the whole. The motion was declared adopted upon the following vote:

Yeas—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Nays—None.

The committee arose, and the roll call showed:

Present—Aldermen Barnes, Burgess, Foubister, Getchell, Haven, Jordan, Lyle, Mork, Mueller, Ribnack, Schaffer, Staples, Wilson, President Tessman—14.

Absent—Aldermen McEwen, Moore—2.

On motion of Alderman Haven the council adjourned.

H. W. CHEADLE,
City Clerk.

By Alderman Barnes:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE TO RESTRAIN THE RUNNING AT LARGE OF CERTAIN ANIMALS."

Passed January 7th, 1895, approved January 8th, 1895, and published January 11th, 1895, as amended.'"

The Common Council of the City of Duluth do Ordain as follows:

Section 1. That Section 3 of an ordinance entitled "An Ordinance to restrain the running at large of certain animals, passed January 7th, 1895, approved January 8th, 1895, and published January 11th, 1895, as amended," and the same hereby is further amended by changing the limits of the Fourth Ward, mentioned in the second line of said ordinance, by striking out all of said description after the words "centre line of Twenty-fourth avenue West," inserting in lieu thereof the words "Twenty-sixth avenue West, and the same shall be and hereby is amended by inserting immediately after said amendment the following paragraph to be inserted:

"All that part of the Seventh Ward lying between the center line of Twenty-sixth avenue West, and the same produced to the city limits, and the center line of Forty-seventh avenue West, Norton avenue from Forty-first street West to Chicago avenue; and Chicago avenue from the Seventh ward to the city limits shall constitute the Fifth Pound District."

That the boundaries of the Fifth, Sixth and Seventh Pound Districts be changed to Sixth, Seventh and Eighth Pound Districts respectively; that Section 4 of said ordinance be amended by striking out the word "seven" and by inserting in lieu thereof the word "eight"; and by striking out the words "and Fifth" before the word "district," and by inserting in lieu thereof the words "Fifth and Sixth."

Sec. 2. This ordinance shall take effect and be in force from and after its passage and publication.

Passed April 2, 1906.

Approved April 4, 1906.

M. B. CULLUM,
Mayor.

Attest:
H. W. CHEADLE, City Clerk.

By Alderman Haven:

AN ORDINANCE REGULATING THE COLLECTION AND REMOVAL OF GARBAGE, OFFAL, COMBUSTIBLE REFUSE, ASHES, MANURE, DEAD ANIMALS, NIGHT SOIL, AND OTHER UNHEALTHY MATERIAL, AND FOR THE KEEPING OF GARBAGE VESSELS IN THE CITY OF DULUTH, MINNESOTA.

The Common Council of the City of Duluth do ordain as follows:

Section 1. Any person, company or corporation removing and hauling dead animals through any street, alley or high-way in the City of Duluth shall provide such vehicles as will receive such dead animals in a manner that they will be entirely covered during their transportation, satisfactorily to the Health Commissioner of the City of Duluth, Minnesota.

Sec. 2. Any person, company or corporation removing and hauling garbage through any street, alley or highways of the City of Duluth shall provide vehicles constructed in a manner that will prevent any garbage, such load from falling onto any street, avenues, alleys or highways, and said vehicles shall before being put into use be subject to the inspection and approval of the said Health Commissioner.

Sec. 3. Any person, company or corporation shall before receiving a license to collect and remove night soil, any portion of the City of Duluth, provide vehicles and appliances of such type, and such as are approved by said Health Commissioner.

Sec. 4. It shall be the duty of every owner, tenant, lessee or occupant of any and every house, dwelling or place of business in the City of Duluth, before the first day of June, to provide or cause to be provided, at all times thereafter, to provide and maintain, a suitable water-tight metallic-covered vessel, of sufficient to contain all the garbage, offal or other refuse matter which accumulates upon said premises. Such vessels shall be of such size and construction as can be handled easily by a man, and it shall be the duty of the owner, tenant, lessee or occupant to place, or cause to be placed, all garbage, offal and other refuse matter which accumulates upon said premises into such vessel as provided, that no sashes, night soil or other refuse matter, except garbage, or animal and vegetable matter which is liable to ferment, decay, putrify or compose, or become offensive or a menace to the public health, shall be put or placed in such vessel or vessels; nor shall any vessels be filled within nearer than three (3) inches of the top thereof. Such occupant or occupants shall, within the hours specified for the collection of garbage, appear upon the premises for the collection of garbage, keep or place such vessel or vessels in a convenient place, accessible to the collector, and during the cold weather, when the contents of such vessel or vessels will not freeze.

Sec. 5. Daily collections of garbage, offal and other refuse matter shall be made from all hotels, boarding houses, restaurants, hospitals, grocery and commission houses, butcher shops, public markets, fish markets, during the season from May 1st and June 31st, inclusive, of each year, collections of kitchen garbage and putrescible refuse shall be made from residences at least two times a week; and during the season between the 1st and April 30th, inclusive, such collections shall be made at least once each week; but in all cases sufficiently frequent collections shall be made to remove the accumulations. All collections shall be made at such intervals during each week, and at no circumstances shall the garbage be collected on Sundays unless otherwise provided by the said Health Commissioner.

Sec. 6. The occupant or occupants of every dwelling or other building shall be furnished by the collector with a schedule setting forth the hours within which the collector will call on the premises for the collection of garbage, offal and other refuse matter.

Sec. 7. All receptacles, carts, wagons or conveyances of whatever kind used for the collection and removal of garbage, offal, or other refuse matter, shall be constructed of metal, or of such design and construction, and so constructed of steel, and be fitted with a tight cover hung in a manner that it will prevent the contents of such being exposed to view or any part thereof or any falling on any of the highways of the City of Duluth, and shall be of easy and quick dumping. Said receptacles, carts, wagons or conveyances, and each of them, shall be kept in a clean and orderly sanitary condition and must have the name of the person, company or corporation, and the number of the wagon or conveyance painted on each side of the same in letters of a size to be easily read. The carts, wagons or conveyances shall be entirely covered, and while being loaded they shall be moved no more than one-half. All collections of such garbage, offal and other refuse matter shall be made between the hours of seven o'clock a. m. and five o'clock p. m.

Sec. 8. It shall be the duty of any person, company or corporation contracting with the City of Duluth or with private parties for the removal of garbage, offal or other refuse matter, to collect garbage, offal or other refuse matter, to comply with all the ordinances of the city.

Sec. 9. Such person, company or corporation will be required to give immediate attention to all calls from the Health Department of Health for the collection of garbage, offal and other refuse matter which has been overlooked or where the usual course; and if the same in the regular course; and if the same is necessary in the opinion of the Health Commissioner, such person, company or corporation shall be required to keep a horse and wagon at special times in readiness for such service as they may occur, and make special calls

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