

five dollars, nor more than fifty dollars; and each day in which such smoke is so permitted or allowed to issue or be emitted shall constitute a separate offense. Provided, however, that the penalty herein provided shall not apply in any case where the fireman, engineer, owner, lessee or occupant has supplied such building with and shall have in use a sufficient device for the consumption or prevention of smoke. And provided further that this ordinance shall be held to apply only to such buildings in which may be used or operated a boiler or boilers which either singly or in batteries are of the capacity of fifty-five horse power or over.

Section 2.—This ordinance shall take effect six months from and after its passage.

TO REFUND.

The resolution relating to the collection, suspension and refunding of certain sidewalk taxes was adopted.

APPROPRIATIONS.

The following appropriations were made:

Mount & Griffin.....	\$ 700 00
Mayor's contingent fund....	312 92
Total.....	\$1,012 92

The Council then adjourned until next Friday night at 7:30.

A special session of the City Council was held Sept. 25th, to consider the joint City and County building proposition. A long and wearisome delay took place before the transaction of business was commenced, it being 8:30 o'clock when Mayor Scott's gavel fell on the table. Nearly thirty minutes were consumed in reading the minutes of the previous meeting. The members present were Spafford, Pendleton, Pickard, Heath, Folland, Hardy, Hyde, Young, Tuddenham, Anderson, Lynn and Parsons.

Absent—Smith, Karrick and James.

THE JOINT BUILDING.

The following communications were read by Recorder Jack:

To the Hon. Mayor and the City Council of Salt Lake City:

Gentlemen—Under date of September 23, 1891, the minutes of a meeting of the joint city and county building committee contain the following:

Motion of W. H. H. Spafford laid over from September 22, 1891, was taken up and read as follows: That the joint city and county committee recommend to the City Council and the County Court that the contract for the erection of the joint city and county building be awarded to J. H. Bowman, provided that he will sign the contract for the same prepared by the city and county. The question was discussed at some length, all the members present participating, and at the conclusion of the debate the chairman put the question. The roll call was as follows: Ayes: G. W. Barch, J. P. Cahoon, W. H. H. Spafford, Harvey Hardy, W. P. Lynn, George M. Scott. Very respectfully,
 GEORGE M. SCOTT, President.
 C. E. STANTON, Secretary.

SALT LAKE CITY, Utah,
 Sept. 25, 1891.

Gentlemen—The following is an extract from the minutes of a meeting of the joint city and county building committee, held at the office of the Hon. W. C. Hall, Sept. 24, 1891:

Motion by G. W. Barch—That in the event of the City Council and County court approving the recommendations of the committee as to awarding the contract for the erection of a joint city and county building to J. H. Bowman, and also endorsing the contract with him,

submitted by the committee, and that both the City Council and County court authorize the committee to reject all other bids and all certified checks.

Motion seconded by W. H. Spafford and carried.

Respectfully submitted.

C. E. STANTON, Secretary.

G. M. SCOTT, Mayor and Chairman.

Councilman Parsons—I move that the communications be received and filed and that the recommendations contained therein be adopted.

Councilman Hardy—I should like to enquire if Mr. Bowman's bid was the lowest one received?

Mayor Scott—No, sir; it was not.

Councilman Hardy—I should then like to know why the contract was awarded to him. It may be that some of the other bidders are just as responsible as he, and if such is the case I am at a loss to understand why their bids were not favorably considered.

Mayor Scott—The contract involves the expenditure of a large amount of money, and the committee thought the most responsible bidder should be employed. Mr. Bowman is, I believe, such a man. The lowest bidder, Barber & Co., does not appear to be a responsible contracting firm. Mr. Barber is not in good standing with the Trades Union, being designated a "scab." This would probably be used against him in the erection of the building and cause delay, for which we are not prepared.

Councilman Hyde—I should like to hear the bids read.

Recorder Jack then read the bids, which were as follows:

Heesh & Ellerbeck, plumbing.....	\$ 20,500
P. J. Moran, steam heating.....	11,275
A. P. Elliott.....	374,000
Probst Construction Company.....	482,575
Thomas H. O'Neil.....	419,500
John D. McGilvary & Company.....	400,000
W. E. Barber & Company.....	389,950
J. H. Bowman.....	377,987

Mayor Scott—Mr. Bowman is an old and respected resident here and I believe will be a responsible contractor. As to Mr. Barber, it seems that certain work under his supervision has been the source of considerable trouble and in a manner to cause doubt as to his being a responsible person.

Councilman Hardy—I should like to inquire if you now make reference to work done on a church?

Mayor Scott—I do.

Councilman Hardy—I don't think that statement should go out that way. Mr. Barber let the contract for the stonework on the building to one McDonald and paid him \$6,100 on agreement. Subsequently a bill for stone, which Barber had guaranteed payment on for \$2,000, making a total of \$8,100, thus paying \$600 in excess of his contract with McDonald. You certainly don't think him dishonest on that account, do you Mr. President?

Mayor Scott—I don't exactly say that the man is dishonest, but in conversation with parties connected with the contract, there were both moral and legal objections which were of such weight as to cause the committee to consider Mr. Bowman the lowest responsible bidder.

Councilman Hardy—I should now like to know if Mr. Bowman may not have had some similar difficulty in the construction of buildings?

Mayor Scott—I cannot say as to that.

Councilman Hardy—Did Mr. Barber

have a chance to defend himself before the committee?

Mayor Scott—In a general way only.

Councilman Young—I should like very much to see a joint public building erected as soon as practicable, but I want to know how the necessary funds are to be obtained.

Mayor Scott—The city has some more property which can be disposed of. There is the old site on the corner near the present city hall and a considerable amount of gas stock that can be disposed of. In addition to these means of income we can raise some money from the issuance of more bonds, as there is a margin left. Besides, the erection of the building covers a period of two years.

Councilman Young—I should like to know if the city engineer has examined the ground or has it been left to the discretion of the architect?

Mayor Scott—So far as it has gone it has been carefully examined.

Councilman Young—Is it not true that the character of the ground is such as to prevent it from sustaining a large building?

Councilman Lynn—Experts say that it is all right.

Councilman Young—I am not thoroughly satisfied about the bids; besides, having been in the Council but a short time, I have not had sufficient time to discuss the merits of the case. I therefore move that further consideration of the matter be deferred until Tuesday evening next, at the regular meeting of the Council.

Councilman Folland—I second the motion, for the reason that I do not think the true character of the site is known. I am told that piling will have to be resorted to in order to make the foundation strong enough to sustain the weight of the structure. That is problematical, of course, but I think requires investigation.

Councilman Hyde—I, too, am in favor of deferring further action until Tuesday next. I am in favor of building a City Hall, but the site chosen is, in my mind, an improper one. I favor the old site. I think it, Popperton Place, or any other location is preferable to the proposed site. I am afraid it will cost too much money to put in a foundation on Washington Square.

Councilman Pendleton—I am aware that the place is swampy, but my experience has been that, when excavations are made to a depth of eight or ten feet, a strata of hard clay is found which is nearly thirty feet in thickness beneath which is quicksand. I do not anticipate any trouble with the foundation.

The motion to adjourn was put and lost.

The following /

RESOLUTION

was then read and adopted, Councilman Young only voting against it:

Be it and it is hereby resolved by the City Council of Salt Lake City, that the proposed contract between said city and Salt Lake County, as parties of the first part, and John H. Bowman as party of second part, for the construction and erection of the joint city and county building (upon the Eighth ward square in said city) for said city and county as aged upon and reported by the joint city and county committee of said city and county be, and the same is hereby, approved and adopted as and made the