

thereafter, "and shall be under the direction of the Mayor in maintaining the peace and good order of the city," and by striking out lines five, six, seven, eight, nine and ten, beginning with the words "to the" in line five, and ending with the word "city," in line ten, and by inserting in section 3 the word "Mayor" in place of "City Council."

That portion of section 4, chapter 2, which seeks to abridge the powers of the Mayor in the appointment of special police is void, because that power was conferred by the Territorial legislature and cannot be impaired by the City Council.

After some unimportant discussion Evans moved that action be deferred until Monday night next and that a meeting be held at that time to consider the veto message.

Wantland opposed the motion and thought it should be referred to a committee of three for examination and correction.

Rich said that he wanted time to consider the question and was in favor of the motion. Every member should be provided with a copy of the veto that they might act intelligently.

The motion was lost and another to postpone until Tuesday night carried. THE WATER PIPE PURCHASE AGAIN.

Kelly offered a resolution providing that the Mayor be associated with the committee on waterworks in the matter of purchasing water pipes.

Horn said the resolution was in direct contradiction of one offered by Mr. Evans on the same subject a few evenings ago and which was adopted.

Simondi denied it and said the resolution was just the proper thing; the Mayor, he thought, should be associated.

Rich—(warmly)—I want to ask Mr. Simondi if he is afraid of the committee. Are they dishonest, incapable or careless, or have they betrayed any trust ever committed to them? If they are dishonest discharge them, but don't slap them in the face unless they merit it. I oppose these thrusts and insinuations. They are wrong as is this thing of cramming the mayor down this particular committee's throats. Why should they be compelled more than any other committee to swallow a dose that nauseates and sickens them? The committee on fire department has not been asked to take such medicine, neither has the committee on prisons, both of which have taken steps which will cost the city many times the amount of money that the purchase of this pipe will reach. It is just as foolish for the Council to associate the mayor with every committee as it would be for the Legislature to associate Governor Thomas with all of its committees.

Moran—I would like the report from the committee read instead of the resolution which I deem premature.

The chair—Instead of the resolution being premature I think your report is late.

MORAN WINS.

The following communications were then read notwithstanding:

PAYMENT WOULD BE RESISTED.

To the Hon. Mayor and City Council:

Gentlemen—We, your committee on waterworks, beg leave to report as follows: In the matter of purchasing six and eight-inch pipe, we notified Messrs. Rhodes Brothers that their bid had been accepted by the City Council at the meet-

ing held on the 13th inst., and requested them to have pipe shipped without delay. We submit herewith their reply, declining to furnish the pipe, stating as their reason that they have received a notice from the Mayor of the city that payment for the pipe would be resisted.

THE PIPE ORDERED.

Messrs. Rhodes Bros., Denver:

Gentlemen—At a meeting of the City Council held on the 13th inst., it was decided to accept your proposition of the 8th inst. to furnish f. o. b. in this city, for \$35 per ton, the following pipe: 163 tons 8-inch cast iron pipe, to weigh 15 pounds to the foot, and 50 tons of 6-inch cast iron pipe, to weigh 33 pounds to the foot. Please have this pipe shipped at the earliest possible moment, all to be delivered within thirty days from date.

Yours truly, P. J. MORAN,
Chairman Committee on waterworks.

RHODES BROS. DECLINE.

In reply to this communication Rhodes Bros. answer as follows:

P. J. Moran, Chairman Waterworks Committee:

Dear Sir—Your communication of the 10th inst. notifying us that our proposition to furnish the city 160 tons of 8-inch pipe and 50 tons of 6-inch pipe, has been accepted, and requesting us to ship at once, has been received. As we have been notified by the Mayor of the city that payment of the pipe would be resisted if we furnish the same, we most respectfully decline to do so.

Respectfully, RHODES BROS.

Horn—I am glad this thing has come up. It might just as well be settled now as later on. The Mayor should either be associated with all the committees or none of them. If he is on any to which he does not belong let us put him out. That individual seems to make it his special business to harass, kick at and trouble the committee on waterworks. For one I can't understand it. Either let the Mayor or the committee do the work singlehanded and alone.

Wantland—Generally speaking I think the Mayor should be associated with committees where the expenditure of money is involved, but I am ready to stand by the committee in this proposition and will do so.

Bell (emphatically)—I think the Mayor is unqualifiedly in error, and I am with the committee from this time out whether it goes into the courts or not.

Moran—A majority of the council authorized the committee to do just as it has done. They did nothing but what was right and proper. The Mayor has been making a vigorous and illegitimate fight. What did he do? Why, on the morning following the night on which the committee was given its power, he sent for Mr. Rhodes and tried to intimidate him, but I want him to understand he can't intimidate me. I am getting tired of enduring this agony.

Simondi—There is nothing but a legal point involved in this question after all.

Lawson—The trouble is simply this: There are three or four members on that committee who do not walk arm in arm with his honor the Mayor.

The chair—I want to say just this in regard to the question under discussion: In the first place, the Mayor was right. In the second place, the bidders were right. In the third place, the

committee and the City Council intended to be right, but were not. I want to read the following from the law passed at the last Territorial legislature:

Every ordinance passed and every resolution adopted or contract approved by the City Council appropriating or involving the expenditure of money shall, within twenty-four hours after the action of the City Council, be presented to the Mayor for his approval; if he approve the ordinance, resolution or contract, as the case may be, he shall sign the same; if not, he shall return it with his objections in writing to city recorder, who shall present the same to the City Council at the next regular meeting thereof.

The council authorized the committee on waterworks to get bids; that was right; they reported recommending that the bid of the lowest responsible firm be accepted; that was also right. The council authorized the committee to buy the pipe; that was wrong. It should have instructed the committee to enter into a contract with Rhodes' Bros., with instructions to report it back to the council which body should have sent it to the Mayor for his approval or rejection.

Folland—The committee on waterworks is the only committee that has ever had any trouble with the Mayor and I take it that the reason is that it is the only committee that has brought in reports which conflicted with the Mayor's ideas. I remained with and supported the committee until I found that it humiliated itself by going before the Mayor and thereby admitting that it had omitted certain preliminary work.

Rich—The gentleman says we omitted necessary preliminary work and acknowledged it by going before the Mayor in humiliation. I want to tell him that he is wrong; we did not humiliate ourselves, neither did we omit any preliminary work. We did not go before the Mayor with our shoes off although we did remove our hats, but we were not humiliated in any sense of the word.

The matter was temporarily disposed of by authorizing the committee to enter into a contract with Rhodes Bros., as per the chair's suggestion.

The chair then stated that it was not necessary to associate the Mayor with any committee whatever, but before any contract could be finally completed it must go before the mayor. That was the long and the short of it.

The mayor's veto of the sewer pump purchase, which was published in these columns several weeks ago, was again taken up and discussed pro and con for nearly an hour, after which the chair said: "Shall the resolution pass, notwithstanding the objections of the mayor thereto?"

The veto was sustained on the following vote:

Ayes—Beardsley, Horn, Lawson, Moran, Rich, Wantland—6.

Noes—Bell, Evans, Folland, Hardy, Karriek, Kelly, Loofboureau, Simondi—8.

WANTS THE PUMP SHUT DOWN.

Lawson offered the following, which was referred to the committee on sewerage:

Whereas, The present system of pumping the sewage of the city is deficient, inasmuch as the pump is handling only about one-half of the sewage during the