THE CITY CIRCUS

Another Seance in the Municipal Council Chamber.

POLICE JUSTICE KESLER REBUKED.

Charges That the "Doll Baby" Take Pleasure in Ignoring the Mayor. Indignantly Denied.

A MEETING MADE UP OF ACRIMONIOUS DISCUSSION AND PERSONALITIES.

An Exhibitionist O. W. Powers' Solitude Gall.—Railway Franchise Debate.—Saloon License Reduced.—Miscellaneous.

The City Council met in regular session last night. The councilmen in attendance were: Rich, Folland, Moran, Evans, Lawson, Donnelly, Wantland, Heine, Hardy, Bell.

In the absence of President Lorenzo W. Scandrett was called to the chair.

The minutes of the previous meeting were read, amended and approved, after which

PETITIONS

were read and referred as follows:

J. W. Jenkins asks to be protected against the payment of a double assessment for construction of waterpipes. Committee on waterworks.

O. Williams asked to be appointed to a position on the police force. Committee on police.

J. E. Lively made a similar request. Same reference.

John Kenna asked for a rebate on sprinkling tax. Committee on sprinkling.

S. U. Watson sent in a communication saying that he had never refused to pay warrants for services rendered. Committee on claims.

The Eureka Gas company ask the council to investigate the operations of a patent gas saver owned by them. Committee on improvements.

J. D. Schaffer and others asked that Seventh East street be improved. Committee of streets.

O. Granger and others asked for an extension of watermains. Committee on waterworks.

Willard Young asked permission to construct his own sidewalk. Committee on streets.

A communication from Auerbach Brothers and Henry Cohn calling attention to a petition which it is alleged had been pigeonholed was received by the recorder.

John H. Reed and others asked that City Creek between Fourth and Seventh West streets be cleaned out and put in good condition for conveying the high waters of next spring to a point where it will do no injury to property owners residing in that locality. Committee on irrigation.

CITY GAS STOCK.

Thomas L. Kane made an offer for the city's stock in the Salt Lake City Gas company. His offered $12,000 cash upon the execution of the contract of sale, $12,000 in one month thereafter, $15,000 in one, three, four and five months respectively thereafter, and the balance of $13,775 in six months after said date, a total of $68,775. The city owes 187 shares of the stock. Committee on ways and means.

STREET OBSTRUCTION.

The Salt Lake and Los Angeles Railway company, by George Q. Cannon, president, sent in a communication in regard to the obstruction of West South Temple street. They claimed that they supposed that they had a right to the street, but since it had been discovered that such was not the case, they expressed their willingness to comply with the wishes of the Council and remove the obstruction. On motion, it was ordered that the time for the removal of the obstruction be extended to twenty days.

REVOKED LIQUOR LICENSE.

The Mayor sent in the following:

Gentlemen—William Moore of the firm of Carney & Moore, while that firm was engaged in selling a liquor to minor liquor in violation of the law, was on the 13th of July last arrested for violating the Sunday liquor law and on the 15th of July he was duly adjudged guilty in the charge. He was again arrested on the 16th of the same month for a similar violation. The evidence in his trial on the 1st charge was published in the newspapers and to which I call your attention. The license of the firm expired July 7th and by the action of the City Council a short time since revoked, of course, to this firm was not granted. I have not yet approved of the applicant's bond and the renewal license has not been issued. In consideration of the fact that the applicants have suffered in having violated the Sunday law, and the city saving the expense and costs of their arrest, trials and imprisonment, I suggest that the City Council, by appropriate action, remit the fine imposed upon the firm of Carney & Moore, and that the license be issued to the firm upon the payment of the costs and the usual license fee. Respectfully,

E. M. HAGGIN, Mayor.

Committee on license.

A VENGEFUL

The Utah Pipe Line Company asked the Council to notify it who was the successful bidder for the line of pipe to be purchased by the city.

This caused a good deal of sentiment to be spoken and charges were made that the pipe had been ignored in the consideration of bids.

Wantland—Heretofore the mayor has always been associated in the bidding. Why he should be ignored now can only be guessed at.

Lawson—When the purchase of this pipe was discussed in this council before the matter was referred to the committee on waterworks, the committee at once through its chairman proceeded to do its duty. I do not know that it is absolutely necessary that the committee shall consult with Mayor Hagin at all in everything they do simply because he happens to be the chief executive of this city. The committee is not made of that kind of stuff that will bow their heads and with hats in hand go and ask some one else every time they wish to do anything. When their work is over they can report to him through the council. There is no law nor method that guarantees companies or to take any other course. The members of the committee are gentlemen who have as much right as Mr. Hagin.

Bell (sarcastically)—It is the height of indecency for this committee and especially this man Lawson to pursue this course and then talk in the manner that he has before this moment this night. The whole affair is simply an effort to get even, a piece of spite work against the Mayor. It is retaliation—

Moran (rising quickly)—I call the gentleman to order.

Bell (indignantly)—I want you to understand, Mr. Moran that I am strictly in order and I want you to mind your business.

Hardy—Mr. President I call the gentleman to order.

Bell—Never MIND Mr. Hardy.

Moran—I insist that Mr. Bell is out of order. He is becoming personal.

Heine—He has a right to be personal in this case.

Bell—Yes, I have a right to be personal in this case.

On motion of Wantland the matter was temporarily laid on the table.

REVISED ORDINANCES.

The city recorder reported that the revised ordinances, made by Mr. Joseph Lippman under his direction, was now ready for submission.

On motion, it was ordered that they be considered in special session to be commenced tonight (Wednesday).

WORK SERVING AS PAYMASTER.

City Treasurer Dilke sent in a communication stating that prior to the commencement of the deputy auditor the work of paymaster was performed by his office assistants. Such service was worth $50, and he asked an appropriation of that amount. Committee on claims.

WATERMASTER'S REPORT.

The watermaster submitted estimates of the expenses of his department for the quarter ending September 30th as follows: Supplies, $[illegible]; labor, $[illegible]; total, $[illegible]. Committee on appropriation.

RESERVING WATER RIGHTS.

The superintendent of waterworks called the attention of the Council to the water rights purchased by the city in Emigration canyon, stating that parties had since jumped them and the matter should be given immediate attention. Referred.

FILTHY GUTTERS.

The health commissioner recommended the removal of filth along the gutters on Second South between Main and West Temple streets. Superintendent of streets and health commissioner associated.

JOSLIN REBUKED.

The recorder read the following from the police committee:

We your committee on police submit the following for your action in the matter of Police Justice Kesler, that no warrants can be given for his conduct on the evening of June 17th, 1892 and that his conduct was against the honor and dignity of his high and responsible position and was open to censure.

M. H. BRANDLEY,
J. L. LAWSON,
EDWARD L. FOLLAND,
F. J. MORAN.

The report was adopted on the following vote:

Aye—Donnelly, Bell, Evans, Heine, Folland, Hardy, Heine, Lawson, Moran, Rich, Stimmel, Wantland.

No—None.

CESLER BILL SPLITS.

Heine offered the following:

Resolved, That W. W. Cox, the justice of the peace for the Fourth precinct, is hereby authorized to appoint police constables, and that the city marshal and chief of police are hereby requested to bring persons arrested for violation of the city ordinances before said Cox at his office in the city and county.

Further, That the city auditor is hereby instructed to see pay Fred Kesler, jr., any orders or money for serving as police judge after the adoption of this resolution, and that the said Kesler is hereby instructed to vacate the office he has occupied in the city hall.

J. A. HEINE,
C. F. LOOFBOURROW,
C. E. WANTLAND,
R. C. EVANS,
A. L. SCHANDS.

Moran—I move that the report be tabled indefinitely. Lost.

Moran again took the floor and said Kesler could not be removed except for cause.

Wantland took the floor and proceeded to speak in favor of the resolution.

Mr. O. W. Powers, who had been occupying a seat near Kesler, his client, suddenly stepped to the center of the floor and without invitation or permission commenced to address the members of the Council.

Hardy—I object—

Powers (interrupting)—I am here—

Rich—I protest—

Powers—I am here to—

Heine—This is the first time that I ever objected to hearing Judge Powers speak. But he is out of place on the floor tonight. I protest against him speaking.

Donnelly—You can only speak, Judge Powers, by unanimous consent of the Council.

Powers—I—

Bell here succeeded in getting the floor and made a pitiable plea for Kesler, whom he said could not be deposed or claim a right to hearing as he was an appointive officer.

After Bell had finished Powers had the temerity to rise to his feet and again notwithstanding the unanimous objections of the members of the Council. He would up by saying, addressing Mr. Rich, "I want you not to remove him as your action will be illegal and we will contest the matter in the courts. I just want to enter a protest, that's all."

Rich—Kesler can't be removed. The resolution is not worth the paper it is written on.

Heine—Yes, it is. It will stick all right.

Lawson—I am glad some of these gentlemen have changed their minds.

Moran moved that the resolution be referred back to the city attorney to see whether or not it was legal.

The city attorney late took the floor and said: "Five justices of the peace are elected in this city—one from each precinct. The Council can designate any one of them to hold court at the City Hall. The office of police judge is not appointive. The resolution is good law and Kesler can be removed as it provides."

Moran—I move that it go back to the city attorney for a written opinion.

The city attorney—I have just given my opinion. If you want it in writing the stenographer can take it down. My opinion will not change.

Wantland—I made up my mind in this matter four weeks ago. I have well know what public sentiment is in this city against this man. He should be removed and I will vote in favor of so doing.

The motion is then carried.

THE POLE TROUBLE.

The committee on streets recommended the adoption of the report from the city engineer in regard to the difficulty between the Telephone company and the Salt Lake City Street Railway company in regard to certain poles on second East street, recommending that the Street Railway company be ordered to remove said poles and also recommending that the bracket function granted said Street Railway Company in regard to the telephone of the stations with their poles be repealed, and that the matter be referred to the city attorney and city engineer for the consideration of the Council.

After more acrimonious discussion the matter was laid on the table for one week.

THAT GRAND OPERA HOUSE NUISANCE.

The recovery committee in the matter of the complaint against the White Dolphin brewery reported that the complaint was in the main well founded. The committee had recommended that he make certain improvements, and in view of the fact that he contemplated moving the whole plant very soon, though this would be sufficient. Adopted.

PAVING ORDERS.

Heine then offered the following, which was referred to the city attorney for an opinion as to its legality:

Resolved, That all public and private alleys of the following blocks shall be paved with wood block to the center:

Both sides of West street from South Temple to Third South.

Both sides of Richards street from South Temple to Third South.

Both sides of State street from South Temple to Third South.

Both sides of West Temple street from South Temple to Third South.

Both sides of West Temple street from West Temple to State.

Both sides of Second South street from West Temple to State.

Both sides of Third South street from West Temple to State.

And that all of said alleys shall be paved for a distance of ten feet back from the property line on street into which they open.

PAVING DITCH CROSSINGS.

Heine offered the following, which was referred to the committee on public grounds:

Resolved, That the committee on public grounds investigate at once the cases of the young trees, etc., dying around the English walk square, and report to the Council their findings with recommendations.

AFTER THE MARSHAL.

Bell offered the following:

Resolved, That the city marshal report to this Council reasons for his failure to remove street stands, house blocks and other obstructions from the public streets and sidewalks as per resolution passed by this Council July 5th, 1892.

Adopted.

RENT FOR WATER PIPES.

The committee on waterworks reported the following bills for 8.00 tons of Detroit pipe:

Detroit Pipe and Foundry Co.	$[illegible] per ton
Francis Talbot	[illegible] "
Detroit Stamping Manufacturing Co.	[illegible] "
Lacour Pipe and Foundry Co.	[illegible] "
Detroit Stamping Iron Works	[illegible] "
Hunter Bros.	[illegible] "

They recommend that the bid of Hunter Bros. be accepted.

Bell again made a personal speech and said the committee had treated the Mayor shabbily.

Lawson—There is a constant bluster in this Council about the committee on waterworks trying to treat the mayor's head and keeping up a petty fight. It may be true that some of the mayor's trusted councilmen are keeping up a petty fight but so far as I am concerned I personally repudiate it.

C. E. Bell—Has not the committee purchased pipe without consultation?

Lawson—No, sir.

Bell—No contracts entered into?

Lawson—No, sir.

Bell—No papers signed?

Lawson—No, sir.

Bell—You are sure of that?

Lawson (warmly)—Yes, sir. I am sure of that. I have tried to be fair and keep my temper within bounds while the gentleman was speaking, for instead of asking a question he has been making a speech to the members of the Council in undeserved censure of all the men on the waterworks committee.

Rich—I am in favor of dropping the rule out entirely and allowing the Mayor to advertise for new men. I believe in giving to a man what is his due.

The City Attorney—The committee's actions thus far are illegal.

Moran—I will be one of the first members to oppose interfering with the Mayor's prerogative. It may have been the custom heretofore, but it is not necessarily correct. However—

Hardy—I request that the report lay over for one week. Carried.

ROAD TO BONNEVILLE.

The special committee composed of Wantland, Rich and Folland reported as follows:

Your committee to report upon the feasibility of constructing a road from Mormon to Cut Creek and Bonneville canyons, report that we have examined the route and believe it to be a feasible proposition and one that will be of great benefit to the people of Salt Lake City. We recommend that the committee be instructed to open the road as far as the city lands extend. We will report as soon as possible concerning the portion of the work between the head of Cut Creek and the Morgan county settlement.

Laid over for one week.

AFTER THE WESTSIDE RAPID TRANSIT.

Horn offered the following resolution:

Resolved, That the Westside Rapid Transit company be compelled to repair Second West street, south of South Temple street, in accordance with its franchise, such repairs to be made at once and under the supervision of the street superintendent.

Adopted.

ANOTHER LONG DEBATE.

In the matter of the petition of the Great Salt Lake & Hot Springs Railway company, the committee on streets recommended that the city attorney be instructed to prepare an amended franchise, and therein to provide that the railway company shall, within four months, begin the actual construction of a terra-gauge line west of this city.

Hardy—I am unalterably opposed to the granting of this petition until I know just what it means. The people on the street along this line are grandly discommoded. If I had my way I would compel all railroads to enter and save the city on the same thoroughfare so far as it is possible. It is none elsewhere and should be here. The benefits accruing to this locality prompt against the manner in which this railroad company is squeezing the tax payers of the third precinct.

Rich concurred with Hardy and made a strong speech in favor of the petitioners and against the railroad company which he said had dealt badly with the city. When it received the original franchise it was granted for the operation of a horse railway and scarcely again that that document or contract had been violated by the operation of large engines and the hooking of freight cars in line into the heart of the city.

Horn—said that he was in favor of railroads; the company in question for instance had up to its completion served of freight and passenger traffic to an extent that was greatly appreciated by the people.

Folland—said he had been opposed to railroads for many years—that he had been opposed to the construction of any mine in the Western part of the city which would now completely splitted by rails. If they must be given this a smaller compass he would be willing to grant the railroad reasonable terms reasonable concessions. Otherwise not. Adjourned.

TO MANY TRACKS.

The committee on streets recommended that the Oregon Short Line and Utah Northern be allowed to construct a side track on Fourth West street.

Moran—How long is this track?

Wantland—Something over five hundred feet.

Hannaldt—There are now twenty-seven trains lying parallel with each other in that locality. That seems quite sufficient.

Folan—There are certainly a great number of tracks on that street now. I do not believe that the companies have more than they need. I am simply making an offhand investigation.

Evans—There are far too many railroad tracks on that street now. I shall vote against the proposition.

Moran—I move to reject the report.

Wantland—I ask that it lay over for one week. Carried.

TO ENTERTAIN VISITORS.

Ewing and Evans moved the appointment of a committee of three to entertain such visitors as may come here from day to day during the next two or three weeks, en route from the Knights Templar conclave at Denver.

The matter after some warm discussion was referred to the Mayor, giving him authority to appoint a committee of five and associate himself with them.

EIGHT HOUR SEASONS PASSED.

Moran's eight hour ordinance passed.

APPROPRIATIONS.

The appropriation list was then adopted as follows:

C. F. Gunder	$ 4 [illegible]
W. H. Hemmert	[illegible]
Moran Bros.	[illegible]
"Tribune" Job Co.	[illegible]
Edward A. Tullidge	[illegible]
"Herald" Publishing Co.	[illegible]
The Rich & Hammond Co.	[illegible]
Edward Stevenson	[illegible]
H. P. Lunt	[illegible]
H. G. Salisbury	[illegible]
A. J. Kirk	[illegible]
Mrs. Sarah Tanner	[illegible]
S. Lippman	[illegible]
Sarah Cobb	[illegible]

Paving and a dozen other matters came up and it was midnight when the members left the heated Council chamber and sought the open air.

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