DESERET EVENING NEWS.

Wednesday, April 1, 1896.

MUNICIPAL MATTERS

Franchise for the Utah and Pacific Improvement Company.

PROTEST FROM HOLT & SONS.

Office of Police Clerk Re-Created—Omaha Exposition Resolutions—The Sewerage Circus.

The City Council met at 8 o'clock last evening, with all members present with the exception of Le Fevre. The most important business that came before the city fathers was that of granting the Fort Square franchise. The ordinance granting the franchise states that the Utah and Pacific Improvement company shall construct an 18-ft. way and pavement to consist of sprinkle by cable, electric, steam or other power, a single track standard gauge railroad on the following streets: Commencing on South Temple street one point about 200 feet west of the west side of Fourth West street, running southeasterly on about an eighteen-degree curve to the center of Fourth West street, thence south to Third South street, thence east on Third South street to Third West street, thence southeasterly on to about G, per A, Salt Lake City survey, said track and wire may cross Jordan River in Salt Lake City and county, state of Utah, subject to the usual conditions, among which are the following: "The right whatever shall be acquired by said Utah & Pacific Improvement company, in consideration of said franchise, which it shall have and enjoy under this ordinance, shall be the same as a resolution of the City Council of said city, approved March 12, 1890, entitled, 'A resolution granting Power to the Utah & Pacific Improvement company to exercise eminent domain.'"

The franchise was granted, Allen being the only member voting against it.

CLAIM AGAINST SEWER CONTRACTORS.

Holt & Sons, sub-contractors on the to gravity sewer, presented a claim for $2,905.13 against the contract contractors and said it had been paid on the $11,000 owed to them. Referred.

THE OMAHA EXPOSITION.

The Mayor's two communications on the gravity sewer was then read and overruled by the following vote:

Ayes—Allen, Bender, Calder, Fitzpatrick, Hayward, Morris, Murray, O'Hara, Rooney, Stewart, Wagener and Sewell—12.

Nays—Dickson and Dobbs—2.

Absent—Le Fevre.

HOLT AND SONS PROTEST.

The following communication from Holt and Sons upon the same subject was referred to the committee on ways and

To the Honorable, the Mayor and City Council of Salt Lake City:

Gentlemen—The undersigned, sub-contractors on the gravity outlet sewer, respectfully submit for your consideration the following facts:

That on the 11th day of December, 1895, the City Council, in pursuance of an agreement to settle and compromise with the contractors, Henderson, Little, Mayne, Hudson and Williams, passed a resolution to that effect and providing for the payment of the contractors in settlement for the work done or so amount to be determined by the city engineer.

That on the 16th of December, 1895, the said contractors consented in writing to said resolution, the terms thereof, and the proposed settlement, a copy of which writing is between said parties as per hereof, and marked Exhibit "A."

That on the 8th day of January, A. D. 1896, the undersigned, sub-contractors, agreed in writing with the said contractors, under the name of the "Gravity Sewer Company," to accept in full satisfaction and payment of all claims for work and material by them furnished, $2,000, a copy of which writing is between aforesaid parties hereof, and marked Exhibit "B."

That said work was paid for under Exhibit and in reliance thereon, and for all demands given. But the undersigned say, that in making the settlement aforesaid, they were induced to sign the said Exhibit "B" in reliance on the fact that it was intended, and acted upon by the understanding that no further sum or sums should be paid for than those contemplated by the said resolution and agreement accepting the same, were to be made or would be made by the City Council, that in agreeing to accept said sum of $2,000, thereby waiving and in part waiving their just claims, they relied on the fact that it was but fair that they should be paid a portion of a few which, it was to be seen, and was to be understood by them, would be necessarily be undertaken by the contractor.

And they further aver that afterwards the matter was opened, and the said contractor undertook the work.

That on the 21st day of December, 1895, another and final settlement in favor of the contractor was made by the city engineer for $11,000.

That on the same day a report was made by the finance committee, which recommended the suggestion that there were of $11,000.00 to be paid, and recommended an estimate of $28,000 as yet to be made, and that there would remain $11,000, which sum was afterward paid by the contractor. By resolution of March 23, 1896, the Council has allowed $11,000 to the contractor, providing that contractor should give a bond for the work, and

The Water Cost Us.

Sold only by the week, $10 or refined. Visit the Wasatch and Utah Soda Water at Lowney's, belonging to the Utah Soda Water Mining company, Soda Springs, Cache Mine, Crescent Valley and Antelope is a soda water specially by warranty and chemical analysis. Have our soda water sold weight guaranteed. Office 36 Main Street. W. A. Montgomery, Agent. Tel. 30-1-24.

Bedding Lowest Rates.

For new or second hand bedding, see Hyde the Bedding and Upholstery Man, Hyde Co. 45 East First South street.

city credits that paid out of this sum. As a consideration for the Board of Aldermen for further allowance made by the contractor at this time, and we do not, that they are, by reason of receipts, $2,000, and for another sum in the work, $2,000, and "credits only," $2,000; and $2,000 for a total gross of $6,000, and for a total of the notes that they were in connection with the claim of the first allowance, that "in many cases would not further receipts at our own risk only for this expense," leaving the expense of clearing out the ditch.

We are respectfully show that there is due us as follows:

[illegible]

Total [illegible]

Then we claim, were and remaining, and the same representing the same, are embodied in the final estimate of the engineer, 1895, and the claim of the Board of March, 1896, we notice that the engineer's estimate and receipts of 1895, leave unpaid, are a charging up to us, and that the city is equally and good considered, which we find to be close on to some unexpected expenses to the contractors, having performing them to finish the work of four or of seasons. Without these extraordinary would require more contractor to be some, at least, compensate us for our services and money which is part is made the loss of work done for an additional and extra allowance.

We, therefore, respectfully request that the matter be referred to the appropriate committee for investigation, and a determination of contractor and terms of our claim, and that the same be allowed and ordered paid out of the amount so to be awarded to the contractors, and further, that we be authorized to appear in person and by counsel before said committee.

Very respectfully,

A. HOLT & SONS.

C. E. VARIAN, Counsel.

AN ELEVATED STREET.

The ordinance increasing the office of clerk of police court was taken up and passed with but very few amendments.

FOR ARE QUARTS RENT.

H. S. Worthington and his others from the Fourth precinct sent in a protest against the establishment of Wilford Hall as a station.

A petition was read from Hope Park and 162 others asking for the establishment of Hall.

The communications were referred to the committee on cemetery.

THE OMAHA EXPOSITION.

The special committee appointed to draft resolutions concerning the Omaha Exposition reported as follows, the report committee:

Whereas, it is most fitting that the people whose interests are the first and after the region to be benefited by the exposition, and first surveyed and utilized, are assured of its success, have undertaken and worthily achieved the task of building the exposition; and

Whereas, The State of Utah contains within its borders not only the best illustrations of the efficiency of irrigation in the world, but also lands, one as well, where of almost every other I know to be more fitting for the work, which, if commemorated to the world, will result in attracting to the state vast capital and a large additional population, therefore, be it

Resolved, By the City Council of Salt Lake City, that we are in hearty accord with the plan of holding at Omaha the said exposition; that we applaud the progressive spirit shown by the citizens of said city in entering into the work of bringing it to a success; that we will lend our aid and encouragement to all efforts made by Utah citizens to carry the State's credit, who exhibit of the resources of this State at said exposition, and be it further

Resolved, That our sub-table Brandon, Shown Brown and Clark, and our other representatives, Mr. Allen, be hereby requested to assist and do all in their power to aid the city of Omaha in carrying the work of the exposition into effect.

Bender introduced the following, which was adopted:

Resolved, that the city committee on [illegible] of the city be hereby authorized to [illegible] the building of a new [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] for the same [illegible] and [illegible] for the same [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the