

firm of Carney & Menott, while that firm held and were enjoying a license to retail liquor in the city, was on the 18th of July last arrested for violating the Sunday liquor law, and on the following day pleaded guilty to the charge. He was again arrested on the 24th of the same month for a similar violation. The evidence in his trial on the last charge was published in the newspapers and to which I call your attention. The license of the firm expired July 27th and by the action of the City Council a short time since renewal of license to this firm was authorized. I have not yet approved of the applicant's bonds and the renewal license has not yet been issued. In consideration of the fact that the applicants have confessed to having violated the Sunday ordinances of the city while enjoying the benefit of their former license and upon supposition that the City Council, when the applicants' license was removed were not aware of the fact that the Sunday ordinances had been violated. I therefore call the attention of the council to the matter and respectfully ask that the previous action in the premises be reconsidered, the authority for doing which is contained in Section 2 of an "act relating to liquor licenses." Revised ordinances 1892, page 57:

Respectfully

R. M. BASKIN, Mayor.

Committee on license.

A TEMPEST.

The Ohio Pipe Line Company asked the Council to notify it who was the successful bidder for 580 tons of pipe to be purchased by the city.

This caused a good deal of acrimonious discussion and charges were made that the mayor had been ignored in the solicitation of bids.

Wantland—Heretofore the mayor has always been associated in these matters. 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 Baskin as to 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 bare their heads and with hats in hand go and wait upon that official 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 or compels us to take any other course. The members of the committee are gentlemen and have as much right as Mr. Baskin.

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 council tonight. 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.

Heiss—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 compilation of the revision of the 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 sessions to be commenced tonight (Wednesday).

#### WHILE SERVING AS PAYMASTER.

City Treasurer Duke sent in a communication stating that prior to the time of the appointment of the deputy auditor the work of paymaster was performed by his office assistants. Such service was worth \$100, and he asked an appropriation of that amount. Committee on claims.

#### WATERMASTER'S ESTIMATES.

The watermaster submitted estimates of the expenses of his department for the quarter ending September 30th as follows: Supplies, \$2500; labor, \$6500; total, \$9000. Committee on irrigation.

#### EMIGRATION 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.

#### KESLER 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, find that no excuse 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. BEARDSLEY,  
J. L. LAWSON,  
ELI A. FOLLAND,  
P. J. MORAN.

The report was adopted on the following vote:

Ayes—Beardsley, Bell, Evans, Ewing, Folland, Hardy, Heiss, Lawson, Moran, Rich, Simondt, Wantland.  
No—Horn.

#### KESLER STILL SMILES.

Heiss offered the following:

Resolved, That W. W. Gee, the justice of the peace for the Fifteenth precinct, is hereby selected police judge until further notice, and that the city marshal and chief of police are hereby requested to bring parties arrested for violation of the city ordinances before said Gee at his office in the city hall for trial.

Further, That the city auditor is hereby instructed to not pay Fred Kesler, jr., any salary or money for acting 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. HEISS,  
C. F. LOOFBOUROW,  
C. E. WANTLAND,  
S. C. EWING,  
A. L. SIMONDI.

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 centre 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—

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

Beardsley—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 without a regular hearing as he was an appointive officer.

After Bell had finished Powers had the brazen audacity to take the floor and speak notwithstanding the strenuous objections of the members of the Council. He wound up by saying, as attorney for Mr. Kesler, I warn 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 is all.

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

Heiss—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 here 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 justice 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 know—we all 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 to refer 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, recom-