up to the passage on the act of the legislature of February 27, 1892, under the city charter either "on removal at any time by vote at discretion of two-thirds of the Council." It follows from the doctrine laid down by the Supreme Court that the appointive power conferred by the third section of the Territorial act spared carries with it the power to remove and that section 1 of chapter 2 of the proposed revised ordinances is in conflict with it. As under the decision before quoted it is not a mooted question that the power to remove is incidental to the power to appoint. I suggest that section one be amended by inserting the words "by the mayor" after the word "removed" in the seven followed by the words "by and with the advice and consent of the City Council."

Section 27, chapter 22, should be amended by adding the following words after the word "provided" in line 3, on-"Nor any bartender, agent or other employee," for the reason: An agent was some time since, arrested by the police in this city, the last of a saloon on Sunday, on the act of furnishing whiskey to customers he was discharged by the police in this section, the proviso that none but the person holding the license mentioned in said section, was amenable under the provision of the section that the servants employed by the person holding the license, in violating the provisions of this section, should be punished, is a proposition too manifest for argument. This section should be amended by adding the following at the end of the same, to-wit: "Any person violating any of the provisions of this section, in addition to the punishment provided herein, shall, at the discretion of the City Council, forfeit his license for the unexpired term, and, ex officio, at the discretion of the said Council, be refused a renewal of such license." The reason for this are as follows: Over twenty persons holding licenses have been arrested and fined in sums ranging from $15 to $25 for violating this ordinance. In some instances the violations have been persistent and defiant.

Such persons are not entitled to enjoy the license they now hold or to have their licenses renewed.

There is no question but what the Council has the power to revoke the licenses of such persons and refuse any renewal of the same. See statute on page 58 of session laws of the Legislature of 1892. The enactment of this section with the amendments suggested, and its execution by the City Council in the construction cases referred to will, in my opinion, secure the observance of its most salutary provisions in a manner that will meet the approbation of the better class of the community at large as well as the better class of those engaged in selling intoxicating liquors.

Chapter 29 is objectionable because there is no necessity for it. Besides, it creates five new officers, which will add to the taxes of the community, which is already heavily burdened by taxation.

Section 1, chapter 30, is objectionable because it seeks to take away from the Mayor powers which properly belong to the chief executive from the very nature of that office. The police force certainly should be under the ministerial direction of the Mayor. The City Council clearly have the right to make a general rule for the government of the police department, but if the efficiency of the police is kept in sight the Mayor should be entrusted with the enforcement of all such rules as well as all other things pertaining to the police force of a purely executive character. I therefore recommend that section 2, of chapter 29, be changed by inserting after the word "Northwest" in line five the words "in the Mayor," and inserting thereafter, "and shall be under the direction of the Mayor in maintaining the peace and good order of the city," and by striking out the words five, six, seven, eight, nine and ten, beginning with the words "in the" in line five, and ending with the word "only," 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.

Wallace 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 doubted 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 them; thrusts and insinuations. They are wrong as is the 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? Ever committee of this 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 this 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.

ROBAN WINS.

The following communications were then read and filed:

PAYMENT WOULD BE REQUIRED.

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 meeting held on the 12th inst., and requested them to have pipe shipped without delay. We submit herewith their reply, declining to furnish the pipe, stating in their reason that they have received a notice from the Mayor of the city that payment for the pipe would be required.

THE PIPE ORDERED.

Messrs. Rhodes Bros., Denver:

Gentlemen—At a meeting of the City Council held on the 12th inst., it was decided to accept your proposition of the 8th inst., to furnish f.o.b. in this city, for $42 per ton, the following pipe: 325 lineal inch and less size, to weigh 15 pounds to the foot, and 50 lineal inch and less to weigh 20 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, F. J. MORAN,
Chairman Committee on Waterworks.

RHODES BROS. REPLIED.

In reply to the communication Rhodes Bros. wrote as follows:

F. J. Moran, Chairman Waterworks Committee:

Dear Sir—Your communication of the 12th inst., notifying us that our proposition to furnish the city 100 tons of 6 and 8 inch pipe, which pipe has been accepted, and requesting us to ship same, has been received. As we have been notified by Mr. Mayor of the city that payment of the pipe would be required if we furnish the same, we must respectfully decline to do so.

Respectfully, RHODES BROS.

Horn—I am glad that 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 in any to which he does not belong, let us put him out. That individual seems to make his special business the harass, hick at and trouble the committee on waterworks. For one I can't understand it. Either let the Mayor of the committee do its work singlehanded and alone.

Wallace—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 unjustifiably 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 legitimate 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 work arm in arm with the 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 approves 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 Rhodes Brothers of Denver 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 ring 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, Wohlbach.

Noes—Bell, Evans, Folland, Hardy, Kerrick, Kelly, Leuhbourg, 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, and thousands of people in Salt Lake are almost ashamed of the sewage during the time of the greatest flow, and after midnight the volume of the sewage is so small that dividing the sewage and allowing one-half to run into the Jordan river and the other half into a pond located in the section lines one mile west of the city, will consume two waterways instead of one, and at the cost of running the present pump is between $400 and $500 per year, and further, as it is the sense of the people and this Council that additional utility for increasing and pumping power to such an extent that it may handle all the sewage is deemed inadvisable (necessary, be it)

Resolved, That the present pumping plant be shut down, thus saving the city between $400 and $500, and lessening from two sections of the country instead of one.

TO HAVE IT INSPECTED.

Folland offered the following which was referred to the committee on sewerage:

Resolved, That the sewer committee employ the engineer who erected said sewer pump—Mr. Wm. J. Rees—to inspect and report to the City Council as to its condition.

Adjourned until Tuesday night next.

His Face and Last Time.

Remonelli, having heard wonders told of the skating rink, determined to go there. The sight of so many young ladies and gentlemen gliding around in all directions so gracefully and in such apparent ease, led him to believe that skating was the easiest and most natural thing in the world. He suddenly made up his mind, and after ordering a pair of roller skates he took a step forward and—slung—he dropped full length on the floor. The manager ran to pick him up.

"Is this the first time you have got on the skates?"

"No, sir; the last!" groaned Remonelli.—Notre Dame.

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