MUNICIPAL MATTERS.

An Appropriation of $31,001.35 to the Gravity Sewer Contractors.

THEIR OWN BOND APPROVED.

Stewart Opposes the Action and Supports the City Attorney—Matters of General Importance.

Promptly at 7:30 last night President Newell of the City Council rapped for order, a roll-call showing a quorum present. The most important matters of the evening were the reading of the Mayor's message and the awarding the gravity sewer contractors the sum of $31,001.35 as allowed by the city engineer in his final estimate.

The proceedings were as follows:

PETITIONS AND COMMUNICATIONS.

The Citizen's Electric Light company, as assignees of a certain franchise granted to E. F. Walker, notified the Council that they were now prepared and ready to furnish light to the city in accordance with specifications of the franchise. Committee on improvements.

J. D. Wilson petitioned for an exclusive privilege to sell refreshments in Liberty Park. Committee on public grounds.

Louisa King asked for the replacing of an irrigating ditch in front of her property, near the corner of Fourth South and First West streets, which was destroyed by the building of the gravity sewer. Committee on streets.

The Wasatch Mineral Springs company and the Great Salt Lake and Hot Springs Railway company asked for permission to construct a railway switch into the bottling works of the Wasatch Mineral Springs company. Committee on streets.

Thomas E. Jeremy and fifty-one others asked that certain portions of North Temple and ninth West streets, now in an impassable condition, be repaired. Committee on streets.

Fred J. Leonard and eighteen others asked that the crossings on Fifth South and Ninth East streets be repaired. Committee on streets.

Thomas Hall, residing at No. 10 Green street petitioned for a free license. License committee.

Francis Wheelhouse, who in 1885 was injured by being run over by the horse and cart of the assistant fire chief and has received no redress from the city, asked employment, the duties of which he, in his feeble condition, would be able to perform. Committee on claims.

J. H. Zenger, son of Mrs. Susannah Zenger, who was injured by falling on the sidewalk, asked for employment in full compensation for his mother's claim of $3,500, against the city. Committee on claims.

Hannah E. Miller asked that the city refund $17.25, which was paid by her for a sprinkling tax. Referred to city attorney.

Powers, Straup and Lippman presented amended statements of the claims of John McMullen, E. P. Bowers, William Gilbert and J. J. Clark, the statements submitted at the last meeting being erroneous, in that their services from May 1, 1895, to May 31, 1895, were omitted, as were also certain claims for medical examinations which had also been added. The claim now stands as follows: E. P. Bowers, $1,017; William Gilbert, $1,360; J. J. Clark, $1,140; John McMullen, $933.75.

REPORTS OF CITY OFFICERS.

The Mayor's message was the first under this heading, his honor being escorted in the Council chamber by Councilmen Diehl and O'Meara, after which he read to the council his communication, a synopsis of which will be found elsewhere in this issue.

Recorder Emery asked for an appropriation of $21.80 for needed stamped envelopes. Granted.

The city treasurer asked that he be allowed shelving and fixtures for his vault that it might be made suitable for the filing of the books and papers belonging to his department. Granted.

The city attorney on reporting on the petition of William T. Couper, wherein he asks permission to redeem certain property from tax sale, recommended that the prayer of the petitioner be granted. Adopted.

The health commissioner asked for an appropriation of $200 for the purpose of having analyzed certain ice, upon which there is a suspicion of impurity. Granted.

The street supervisor and the janitor of the city hall submitted six-month requisitions for supplies.

The committee on finance recommended that the monthly appropriation of $60, made by the former Council to the Womans' Home association, be continued during the pleasure of the Council. Adopted.

INTENTION TO PAVE.

The street committee in reporting on the petition of R. Mackintosh et al, wherein they asked that Second South between West Temple and First West be paved, recommended that the city recorder be instructed to publish a notice of intention to make said improvement. Adopted.

The committee on streets recommended the payment of $852.60 to Frank Harrigan and $274.10 to Watson & Miller; also in reporting on the petition of Mr. Bowman et al, wherein the grading of Grant street is asked for, it was recommended that the petition be not granted, as the gravel referred to in the petition was not now available. Adopted.

MAY LOSE THEIR FRANCHISE.

Upon the recommendation of the committee on streets, the city attorney was instructed to notify the West Side Rapid Transit company that unless they rendered more efficient service, steps would be taken to annul their franchise.

TO CONSTRUCT A SEWER LATERAL.

Upon recommendation of the committee on sewerage the recorder was instructed to publish a notice of intention to construct a sewer lateral on the north side of First South street, between Sixth and Twelfth East streets, as petitioned for by John E. Dooly et al.

The following resolution offered by O'Meara was adopted:

Resolved, That the superintendent of streets is hereby instructed to place a stone crossing at the intersection of E and South Temple streets.

WILL SHUT OFF WATER.

Diehl submitted the following, which was adopted:

Resolved, That the treasurer is hereby directed to shut the water off by March 1, 1896, on all premises where the water rates for the current year have not been paid.

Upon motion of Stewart, the president of the Council was given the work of segregating the mayor's message and referring it to proper committees.

MUST SIGN THEIR DOCUMENTS.

O'Meara offered a resolution directing that all city officials sign their documents in their own handwriting, rather than with the rubber stamp. Adopted.

BIDS FOR MOVING CATCH BASINS.

The following resolution offered by Diehl, was adopted:

Be it resolved, That the board of public works is hereby instructed to advertise for bids for removing the catch basins in the paved district and constructing in place thereof gutters similar to those in use at the intersection of Second South and West Temple streets; and when said bids are received the board of public works shall report same to this Council before further action is taken.

Another resolution by Diehl was adopted and is as follows:

Resolved, That the city treasurer be directed to report to this Council at its next meeting the following: The amount of water rates unpaid for the fiscal year ending June 30, 1895; the amount of water rates unpaid for the fiscal year ending June 30, 1896; the amount of water certificates standing out January 31, 1896; the amount of water certificates issued and not called for by the respective owners.

AGAINST THE FIRE LAW.

Elliott submitted a resolution setting forth that inasmuch as the present fire and police bill was "vicious and obnoxious, that it be the sense of the Council to suggest to the Legislature its repeal, with also the downfall of the bill now pending before the lawmakers."

The resolution fell flat on the following vote:

Yeas—Diehl, Elliott, Hayward, Mulvey, Stewart, Wiscomb, Newell, 7.

Nays—Allen, Buckle, Callister, Dale, Morris, Omeara, Romney, 7.

IN BEHALF OF THE PRESS.

In all kindness to the press O'Meara offered the following, but it was rejected:

Resolved, That all resolutions introduced by members of the Council, be in writing and that the introducer be requested to furnish extra copies of the same to the representatives of the press.

FROM THE SEWER CONTRACTORS.

A communication was read from the gravity sewer contractors, asking that the bond which they had prepared in accordance with the exactions of the City Council, but which was rejected by City Attorney McKay, be accepted. It was as follows:

To the Mayor and City Council:

Gentlemen—The undersigned, sewer contractors, respectfully request that you approve the bond, in the form and with the sureties whose signatures are appended herewith presented as being in compliance with the requirements heretofore made by the Council as a condition to the payment of the final estimate of the engineer, of $31,001.35.

They further represent that the said bond in form is not satisfactory and has not been approved by the city attorney, to whom the same was referred for approval in form. Said petitioners submit herewith a form of bond prepared by the city attorney and which he requested to be executed as a compliance with the requirements of your honorable body. Your petitioners insist that the bond as submitted by the city attorney contains numerous conditions and burdens not exacted by you, and invite your attention particularly to the provisions that the undersigned shall receive and accept said sum of $31,001.35 as final payment and by its acceptance making settlement in full on account of the said contract, and, second, that the receipt of the same shall obligate them to protect and indemnify the said city from and against all manner of damages for loss or injuries it may suffer for or on account of any actions, suits for damages growing out of the construction of said sewer, now pending, or which may hereafter be brought, and irrespective of the question of liability of your petitioners under their said contracts; third, said bond requires your petitioners to assume and defray the expenses of the defense of all actions and suits in whatever court or courts the same may be brought, until finally disposed of, or that may grow out of the said contract, and to save the city harmless from all damages whatever in connection with the construction of said sewer, and wholly irrespective of the liability of your petitioners under their said contracts.

We respectfully submit that these are burdens never assumed by your petitioners, not exacted by your honorable body, and that the same are arbitrary and unreasonable burdens, and that they cannot assent to assume them.

Dale and O'Meara were of the opinion that the bond should be approved as it was in accordance with the report of the special committee.

SOLONS MIGHT BE "WORKED."

City Attorney McKay, in speaking to the question, said that the bond furnished by the contractors furnished the city no protection whatever. "I submitted a new bond to Mr. Williams," said he, "and he stated that he would see me later about the matter. He hasn't come around yet, but one of the contractors came to see me and promised that he and his attorneys would meet me on Monday. They didn't come, however, notwithstanding the fact that I was here waiting for their appearance. I suppose they thought it would be best to consult with members of the Council, thinking, perhaps, that they could 'work' them much easier than they could 'work' me. As you well know, several of the contractors are non-residents and as soon as they get their money they will skip out, and leave us in the lurch, if the bond is not up to requirements. We would have to commence suit against the contractors to determine their liability under the contract, and the chances are that they would be off where services could not be made on them, thus necessitating proceedings against the bondsmen."

Romney said that as a member of the special committee to which the matter had been referred, he had given it full and thorough consideration. The claims, in his opinion, were legitimate, and if his opinion as a business man was worth anything, he believed the bond was ample security to protect the city from all loss.

O'Meara took exceptions to a portion of Judge McKay's statement, wherein he intimated that counsel for the contractors might be able to "work" the Council, but couldn't "work" him. He thought the bond was sufficient and should be approved.

Stewart, in supporting the city attorney, thought that official's views on the matter were worthy of consideration, and should be given some weight by the Council.

WILLIAMS REPLIES TO M'KAY.

Attorney Parley L. Williams then recited that the bond had been drawn up in accordance with the exactions of the Council, and had only been referred to Judge McKay for his approval as to form. "But he wants to go further than that," said Mr. Williams. He has drawn up a bond which he, himself thinks would be about the right thing and asks us to sign that. In doing so he has usurped the power of the Council."

Mr. Williams then referred to Judge McKay's "working" remarks. He regarded the statement of the city attorney as an insult to the intelligence of the Council, and resented it as such as far as it had reference to himself.

Attorney Williams then asked that the Council approve the bond, and suggested that the receipt which they would be asked to sign, be as follows:

"Received on the foregoing account the sum of $31,001.35 errors and omissions excepted; it being expressly understood that the undersigned are not hereby precluded from claiming and prosecuting in the courts or otherwise any further claims they may have on account of the construction of the gravity sewer or the work done and supplies and material furnished in connection therewith."

BOND APPROVED.

Dale moved that the bond as furnished by the contractors be approved and the amount paid. Carried, all members voting aye except Stewart, who voted no; Le Prohon absent.

THE RECEIPT.

O'Meara offered the following as to the receipt:

Resolved, That the auditor is hereby instructed to accept a receipt for the amount paid, but this receipt is not intended to bar the contractors from any claim they may have in the way of extras not yet presented.

Stewart offered an amendment, providing that the receipt be as follows, which carried: "Received $31,001.35 as per final estimate."

Appropriations aggregating $4,102.36 were allowed, and an adjournment taken for one week.

THE VETO OVERRULED.

Governor Wells's Objections to the Salary Bill Availeth Not—New House Bills.

Business in the House after the News report closed yesterday was as follows, commencing with the introduction of bills:

By Bolitho—An act to establish a uniform system of county governments.

By Murdock—An act to prevent deception in the sale of dairy products and to regulate the sale and manufacture of oleomargarine, filled cheese and similar products.

By Thorne—An act to provide for the protection of fish and game; for the appointment of State and county commissioners, and to provide penalties for the violation of this act.

By Raddatz—An act for the relief of school districts that have failed to levy a special school tax.

By Nye—An insurance bill, duplicating that which was introduced in the Senate on Monday.

By Ferguson, of Salt Lake—An act to amend section 1, chapter lxx, of the laws of 1894.

By Ferguson, of Salt Lake, by request—An act providing for the amendment of section 2837 of the compiled laws.

By Condon—An act to prevent the use of any portrait or caricature of any person as an advertisement for goods.

By Critchlow—An act amending sections of laws relating to the compensation of members of boards of education.

By Bolitho—An act to provide for the punishment of persons, co-partnerships or corporations forming pools, combines or exchanges, and mode of procedure in such cases.

By Nebeker, of Rich—An act limiting the liability of publishers in certain actions for libel.

By Sevy—An act to repeal section 2067, chapter xiii, of the Compiled Laws of 1888 in relation to highways.

GOVERNOR'S VETO OVERRULED.

The substitute for the district court bill was then taken up and passed to the committee of the whole, after which H. B. No. 5, the bill vetoed by the Governor, and which relates to salaries, was taken up for consideration.

The judiciary committee to which the Governor's veto had been referred recommended that the bill should pass notwithstanding his Excellency's objections. They argued that an emergency existed which demanded immediate action and stated that the Constitution of the State provides that the several officers affected by the bill should be paid fixed and definite salaries, which they construed to be an inhibition against the appropriation to them of any fees or emoluments by way of salary. The only law on the statute book regulating or in any manner authorizing the collection of fees was contained in chapters 2 and 3 of part 15 of the Laws of 1888 and this law was rendered inoperative by the provision of the Constitution relating to salaries, above referred to, inasmuch as it permitted the fees to be collected as compensation to the officer, and not for the public. Accordingly the committee was of the opinion that these officers were not and are not empowered by any existing statute to collect or receive any fees whatever for services which may be required by them in an official capacity, and that the public treasury was the sufferer thereby.

In the committee's report the objections of the Governor were carefully considered.

Condon was afraid that turmoil and strife would be stirred up between the chief executive and the legislature and he moved to defer action until Thursday afternoon. His motion was lost on a vote of 23 to 11, and the bill was put on its final passage and passed on the following vote:

Ayes—Andrus, Beard, Bolitho, Bernhisel, Curtis, Critchlow, Cushing, Cazier, Evans, Ferguson, of Salt Lake, Gibson, Hainer, Howard, Lewis, Larsen, Lemmon, Morrison, Morrill, Munson, Maughan, Murdock, Mansfield, Nebeker, of Salt Lake, Nebeker, of Rich, Nye, Raddatz, Robinson, Shafer, Sevy, Smoot, Sorensen, Thompson, of Sanpete, Wilson, Mr. Speaker—34.

Nays—Condon, Clark, Ferguson, of Carbon, Gibbs, Stevens, Snedaker, Taylor, Thorne, Thompson, of Millard—9.

Absent—Harris, Lowrey—2.

New Search Light Officers.

As announced in the News a short time ago The Searchlight Gold Mining company's property situated in the Camp Floyd district was sold to Mr. C. W. Miles, an English syndicate, and for that reason new officers were elected yesterday as follows: Mr. R. C. Chambers, president; John Dern, vice-president; J. J. Daly, manager and treasurer, and Simon Bamberger, secretary.

Too Much Morphine.

D. W. Barricklow, a railway man, who is out of employment and who at such periods grows despondent and who has a penchant for morphine, endeavored to shuffle off this mortal coil at his room in the Richelieu block yesterday afternoon, about 4 o'clock. By 6 o'clock a physician had restored him to his former self and he is now reported to be out of danger.

The Free Coinage.

Articles of incorporation were filed with the county clerk yesterday afternoon by the Free Coinage Gold Mining & Milling company. The capital stock is fixed at $500,000 divided into 250,000 shares of the par value of $2 each. The incorporators are J. W. Wilson, J. H. Hedges, William Turton, S. P. Armstrong, Harry H. Wilson, Charles Van Dyke and W. H. Woodward, with the following officers: J. H. Wilson, president; J. H. Hedges, vice president; and William Turton, secretary and treasurer. The company owns four claims situated in the Free Coinage mining district in Tooele county.

Horticultural Meeting.

The Salt Lake County Horticultural society will hold their annual meeting next Saturday at two p. m., at the city and county building, room 64, to elect officers for the ensuing year and transact other business of importance. One of the subjects before that meeting will be to take under consideration the importance of a spraying law, and the best possible methods to enforce it. All fruit growers are invited to attend.

N. D. JENSEN, Secy.

Y. L. M. I. A. Notice.

The Y. L. M. I. A. officers' meeting will be held in the Fourteenth Ward Relief Society hall on next Saturday, Feb. 1, 1896, at 11 a.m. A full attendance is desired. A cordial invitation is extended to all interested.

MARY A. FREEZE, Stake Supt.

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