COUNCIL SEANCE.

Scenes in the City Legislative Hall Last Night.

EXECUTIVE VETO MESSAGE.

It Precipitates a Tempest that Approaches Violence.

PAVING CONTRACT LET.

It Goes to the Culmer-Jennings Company.—Sewer Pipe Referred.—Other Business.

The City Council met in regular session last night, President Loofbourow in the chair. The councilmen in attendance were: Rich, Folland, Hardy, Harries, Moran, Horn, Bell, Lawson, Kelly, Evans, Wantland, Hein, Beardsley, Simondi.

Absent—None.

City Attorney Hoge not being present his assistant, Edward F. Coal acted as legal adviser for the municipal fathers.

PETITIONS

were read and referred as follows:

W. A. Needham and others asked for an extension of watermains. Committee on waterworks.

A communication from the Salt Lake Street Car company regarding the use of combination poles was referred to the city engineer.

Frederick Heath and others asked that certain streets be repaired. Committee on streets.

L. P. Kelly and others asked that a grade be established on certain streets for building purposes. City engineer.

Captain Greenman and others asked that G. D. Amos be appointed to the position of meat inspector. Committee on markets.

C. C. Wilson asked to be allowed to erect a fruit stand at the corner of second South and Main streets. The petition was denied.

H. F. Taylor asked for an electric light at the intersection of Fourth South and Seventh West streets. Committee on improvements.

ANOTHER EXECUTIVE VETO MESSAGE.

The following from the mayor was read:

G. S. Stanton, City Recorder:

Dear Sir—I hereby return disapproved the resolution granting a franchise to the Great Salt Lake and Hot Springs Railway company, passed by the City Council October 4, 1892, for the following reasons:

Section 2 states that "in consideration of this grant and franchise, said grantee shall within four months after the date of the passage of this resolution (unless granted further time by the City Council) begin the actual construction of a broad-gauge railway to the west from Salt Lake City."

The consideration thus stated is in point of fact no consideration at all. How far to the west or from what point a broad-gauge railway shall be commenced is not stated; whether it is to be extended west one inch or to Deep Creek is a matter of conjecture. Certainly it is not a matter of conjecture that the grading by the grantee of a few feet of broad-gauge railway roadbed within four months from any point to the west would fully meet the requirements of said section, and be a full performance of the consideration stated.

Franchises which injuriously affect the value and tenure of property in the vicinity should be granted only when the interests of the public imperatively require this to be done.

For speculative purposes they should in no case be granted. In cases where the granting of a franchise would be proper such conditions and requirements as are calculated to insure good faith should always be incorporate in the grant.

In the case under consideration this has not been done, and after the grantee shall have made a commencement, however slight, within four months, nothing further can be required towards constructing a road of utility to the city.

The grantee should have been required to do something the performance of which would show good faith and that the franchise was not for speculative purposes merely.

Section 2 provides that "if the grantee, its successors and assigns shall fail to perform all the stipulations of this resolution, the council, after sixty days' notice, may declare the privileges herein granted forfeited."

If it was intended by this provision that a failure to perform any one of the stipulations of the resolution should work a forfeiture of the grant at the election of the City Council, the language selected, to say the least, was not well chosen.

The language should be so explicit as to admit of but one construction. It, therefore, suggest the insertion of the words "any one of" between the words "perform" and "all" in the third line of section 2. As thus amended, there can be no question as to what is meant. Against the point at which the construction work shall commence is fixed, the language of the resolution on this subject being that the grantee shall "begin the actual construction of a broad-gauge railway to the west from Salt Lake City." This, by implication, gives the grantee the right to begin at any point it may select, and to construct west beyond the city limits.

A franchise so vague, indefinite and yet so broad and sweeping as the one in question, in my opinion, should not be granted.

A BRIEF TEMPEST.

Horn—This is not the first time that this Council has been chastised or reproved by this man Baskin. Now I want to ask the question, Are we fifteen authorized councilmen or are we fifteen dummies? It seems that we cannot pass a single resolution or ordinance but what this man returns it vetoed with insulting language. I am in favor of passing the ordinance over his head and with fifteen votes at that.

Moran—I call the gentleman to order.

The chair—State your point of order.

Moran—I object to any such a declaration.

The chair—The point is not well taken.

Rich—I can tell the gentleman how long this thing will last. It will last as long as the present city attorney is allowed to draw up our ordinances.

Lawson—Mr. Horn is right. The actions of our mayor are becoming unbearable. For one I do not propose to swallow everything he makes up for us. I am a man who is not afraid to speak his sentiments. If a man is in the wrong I will tell him so; I don't care who he is. This autocrat is going a little too far.

Moran—O, you never mind, I am able to take care of myself.

Lawson (hotly)—Well, may be you can, but so can I, and—

The chair (striking the table with his gavel forcibly)—Come, come, gentlemen, this thing must cease. You must not indulge in this personality.

A vote to pass the measure of the mayor's veto was lost as follows:

Nays—Beardsley, Bell, Folland, Hardy, Loofbourow, Moran, Rich, Simondi, Wantland—8.

Ayes—Hein, Horn, Karnes, Kelly, Lawson—5.

Moran—I now move that we take up the franchise and amend it in accordance with the recommendations of the mayor.

The motion prevailed, another wrangle followed. After half an hour had been spent in a display of useless but entirely characteristic oratory, Hardy moved that further action be postponed until Tuesday night next. He gave as his reasons for so doing that he wished to consult with the members as to the advisability of taking the preliminary steps towards compelling all the railroads to come into and leave the city on one street. That was done in other large cities and must sooner or later be adopted here. Lost.

The ordinance was not only amended as recommended by the mayor but several minor amendments were made.

The mayor did not return the ordinance with his veto as called for by law, and it was read from a copy and passed on a vote of twelve to three, notwithstanding that Hardy sprung the point that the proceeding was irregular.

SEWER PIPE.

A communication was received from the mayor submitting the following bids received for two miles of sewer pipe for the action of the council.

Kansas City Sewer Pipe Co.	$ 5,576.00
Freeman Pipe Clay Co.	5,320.00
San Francisco Sewer Pipe Association	5,250.00
California Pottery and Terra Cotta Co.	5,200.00
Denver Sewer Pipe Co.	5,148.40
Hartshorne & Pitt	5,099.40
Lacoste Pipe Co.	5,040.00
Evans & Howard	5,040.00

Hardy—I cannot understand why this pipe has been entered. I am a member of the sewer committee and have never been consulted on the position. I want to know what it means. When the ordinances were passed excluding sewer districts it was with the distinct understanding there would be no more pipe laid until we were able to take care of the sewage we now have.

The bid of the Denver Sewerpipe company was accepted and the mayor authorized to make the purchase.

THE PAVING CONTRACT.

The board of public works sent in a communication reporting that they had entered into a contract with the Culmer-Jennings company to pave First and Second South streets, between State and West Temple, and Main, between South Temple and Third South streets.

PROTESTS.

Thomas W. Jennings and others and Mulloy & Paul and others protested against the giving of the contract to the Culmer-Jennings company, saying that the material they proposed to use was not thoroughly tested.

Horn moved to defer action saying that there was no hurry now; besides as the season was so far advanced towards winter that it was absolutely impossible to do the work before snow storms and frost would set in.

Rich, Wantland and Lawson said something should be done at once.

Horn maintained that the present was the time to urge delay and not haste.

Moran was opposed to postponement. He thought there was something wrong, however, with the board of public works. Formerly that body was very much in favor of giving the contract to the Barber company. It must have had a revelation. The contract was confirmed.

SURETIES.

The businessmen of the Culmer, Jennings company are F. W. Madsen, David James, Andrew Upthegrove and Alexander Rogers. Jointly the bonds are $50,000.

The contract calls for the completion of the work by June 30th, 1893.

PARK COMMISSIONERS.

Lawson moved to take up the ordinance relating to the creation of a public park commission.

Moran opposed the motion saying that there were many more important matters than the park ordinance.

Lawson's motion was lost after which he moved to adjourn. Also lost.

ANOTHER DRAUGHTSMAN.

City Engineer Dareaus applied for an additional draughtsman to be employed in his office for a period of not less than two months at a salary of $100 per month. His request was granted.

VACATION MONEY.

Chief of Police Paul sent in a communication stating that Officers Allright, Matthews and Sherman claimed fourteen days' pay each while they accompanied the Tuscaroro tribe to the Democratic convention at Chicago.

Harris said he did not believe the Council had a right to pay men for attending their own private business.

There was a considerable amount of bombastic talk on the matter, after which it was finally referred to the committee on police and city attorney associated.

AUDITOR'S REPORT.

The auditor submitted the following financial statement for the month of September.

RECEIPTS.

License revenue	$15,239.75
City tax	4,726.15
Splinking tax	1,000.00
General license	3,966.50
Waterworks collected tax	3,411.71
Liquor tax	5,250.00
Sidewalk tax	1,159.50
Dog taxes	1,000.00
Fines	1,831.10
Police contingent	3,000.00
Dog catcher	40.00
Poll tax	818.00
Sewer rental	1,000.00
Main street paving	337.51
Engineering department	194.15
Interest	1,000.00
Water rents	12,000.00
Waterworks	137.50
Rent	240.00
Side street paving	18.40
Copper coin	22.12
Advertising	12.00
Library fines	1.00
Total	$41,254.61

DISBURSEMENTS.

Waterworks	$18,107.15
Side street paving	11,002.40
Street department	1,000.00
City and county buildings	10,157.17
Salary	3,512.12
Police department	1,431.00
Street sprinkling	1,431.00
Engineering department	1,111.00
Fire department	2,111.00
Gas for lighting	1,917.00
Health department	1,000.00
Dairy cows	1,000.00
Pound	37.00
Electric lighting	1,000.00
Hospital	1,000.00
Jordan & Salt Lake Canal	1,000.00
Prisoners subsistence	1,000.00
Sidewalks	1,000.00
Sewerage	1,000.00
Library rent	1,000.00
Dog catcher	1,000.00
Dog pound	1,000.00
Print ag and advertising	1,000.00
Assessor and collector's office	1,000.00
Hospital	1,000.00
Gas	1,000.00
Contingent	1,000.00
Mayor's contingent fund	1,000.00
Publishing and printing	1,000.00
Sewers	1,000.00
Illinois Park	1,000.00
Sewer rents	1,000.00
Fence	1,000.00
Total	$[illegible]

SUMMARY.

Balance in treasury September 1st	$[illegible]
Add receipts	[illegible]
	$[illegible]
Deduct disbursements	[illegible]
Balance in treasury September 30th	$[illegible]

TELEPHONE COMPANY'S RIGHT.

City Attorney Hoge reported on the right of the Rocky Mountain Bell Telephone to occupy the streets of the city. He referred to the franchise as found on the city statute books, and also to two decisions by Judge Zane, in which he held that the telephone company occupied the streets of the city according to law. Referred to the committee on municipal laws.

APPOINTMENTS CONFIRMED.

The police committee recommended the confirmation of the following policemen: George Sheets, J. J. Duke, George C. Johnson, C. S. Hinchman, J. S. Peck, L. S. Larsen and James Saunders. Adopted.

APPROPRIATIONS.

W. C. Read	$ [illegible]
Chas. S. Meldrum Machinery Co.	[illegible]
S. H. Jones	[illegible]
Salt Lake Rapid Transit Co.	[illegible]
Mrs. William Colbert	[illegible]
A. J. Burt	[illegible]
W. C. Read	[illegible]
W. C. Read	[illegible]
W. C. Read	[illegible]
W. C. Read	[illegible]
A. Lewis	[illegible]
Salem & Cleland	[illegible]
E. Sells & Co.	[illegible]
A. M. Asch & Co.	[illegible]
Salt Lake Postal Light and Heat Co.	[illegible]
A. W. Carlton	[illegible]
A. G. Lewis & Co.	[illegible]
Wolverhampton & Morris	[illegible]
Independence Rock	[illegible]
Eagle Foundry & Machine Co.	[illegible]
E. A. Packard & Co.	[illegible]
W. F. Parrish	[illegible]
Tribune Job Printing Co.	[illegible]
Tribune Publishing Co.	[illegible]
Herald Publishing Co.	[illegible]
Frank Harrigan	[illegible]
G. R. Mott	[illegible]
Total	$[illegible]

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