

Office of the Board of Trustees
of the City of San Diego.

San Diego, 7 December 1874.

Regular Meeting.

The Board met at 2 o'C. P. M.

Present: Messrs. Boyd, Begole & Keating.

The Minutes of the last two meetings were read and approved.

The President being absent Mr. Begole on motion took the chair as President pro tem.

REPORTS OF OFFICERS.

The City Attorney reported that not having authority from the Board he could not act in the Tax suit against the R. R. Lands.

The Clerk reported the amount of Tax for the year ending December 1874 to be \$11,131.25, as handed over and charged against the City Tax Collector.

The Marshal reported tax collections to the amount of \$963.45 and deducting his commission 47.35 leaving a Net balance of \$916.10 which he deposited with the City Treasurer whose voucher he exhibited for that amount.

The Committee for the selection of a site for City Magazine asked further time which was granted.

The Marshal informed the Board that the Mission grade needed repairs. It was ordered that the Marshal have the same repaired.

MISCE OUS BUSINESS.

The Report of Justice Wilson was read and ordered to be placed on file.

A communication from the District Attorney asking if the Trustees were going to pay the Tax delinquent for the years 1870 and 1871 on the R. R. Co. Lands. It was moved and seconded that a Committee be appointed to settle with the District Attorney and pay up the amount claimed being some 2400 dollars.

Mr. Begole and the Clerk were appointed such committee.

Judge Louis Branson protested as a Citizen and taxpayer that "this action was illegal and void as there is no cloud on these lands and the City has no present claim to them."

Mr. Boyd moved that the President pro tem be empowered to negotiate for 3000 dollars of the City Bonds for the purpose of settling with the district attorney in the case above refered to; and in case the amount was insufficient, then to draw on the City Treasurer for the balance needed for a final settlement.

The Fire Department asked to have fire plugs as their apparatus was useless without them. Referred to Fire Committee.

A Petition from G. P. Marston and others asking that the Merchandise (lumber) obstructing K & L and 6th & 7th streets be removed was on motion laid over until next regular meeting, and the Clerk was instructed to notify the parties causing the obstruction and advise the removal of same.

No other business coming before the Board they on motion adjourned.

Approved 4 January 1875.

M. Keating, Clk.

W. A. Begole, Prest. Pro Tem.

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San Diego, 18 December 1874.

Office of the Board of Trustees  
of the City of San Diego.

Special Meeting.

The Board met at 5 o'clock P. M.

Present: Messrs. Begole, Boyd, Estudillo & Keating.

Mr. Begole, President pro tem stated the object of the meeting was to take some action respecting the death of Mr. E. A. Veazie, the late President of this Board.

Mr. Boyd moved that a committee of two, namely the President pro tem, and the Clerk be appointed a committee to draft suitable resolutions regarding the demise of our late President, Mr. Veazie, and report at the next general meeting,

The motion was seconded and passed unanimously.

No other business coming before the Board they on motion adjourned.

Approved 4 Jany, 1875.

M. Keating, Clk.

W.A. Begole, Prest. Pro Tem.

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Office of the Board of Trustees
of the City of San Diego.

San Diego, 26th December.

Special Meeting.

Present: Messrs. Begole, Boyd, Estudillo & Keating.

Mr. Begole, President Pro tem, stated the object of calling this meeting was to consider some resolutions that would come before them regarding the Railroad bill now pending in Congress.

The following preamble and resolutions were unanimously adopted.

Whereas: The Congress of the United States, in all laws and Supplementary acts passed up to this time, has invariably recognized the City San Diego, California, as the Western terminus of the Texas & Pacific Railway and

Whereas, The Citizens of San Diego having faith in the promises and action of Congress have invested their means in improving property therein, never doubting but that when the time arrived for completing a Transcontinental Railway on the 32nd parallel of latitude the City would be the terminus of such line of Railway, and

Whereas, The City of San Diego has in pursuance of an agreement heretofore entered into with the President of the Texas & Pacific Railway Company granted and conveyed to the said company certain valuable franchises, to-wit: Eight thousand eight hundred acres of the City lands, together with additional lands for Depot purposes, tide lands in the Bay of San Diego, and large privileges upon the water front of said City: and has further agreed to purchase and has already purchased a large portion of the right of way through the City and County of San Diego for said railway and has further purchased and conveyed to the said Texas & Pacific Railway Company the franchises, rights and privileges of the "San Diego and Gila Southern Pacific and Atlantic Railroad Company": and the City of San Diego has, in good faith, in carrying out the terms of the agreement aforesaid, incurred a bonded indebtedness of one hundred & fifty thousand dollars bearing ten per cent per annum interest, and is liable to still further indebtedness in this behalf, and

Whereas, The Citizens of San Diego have ratified and authorised the action of the Municipal authorities in making the grants and concessions, and in creating the indebtedness herein set forth by an almost unanimous vote at an election heretofore held, and said Citizens have hitherto reposed full confidence in the fullfilment in good faith of the promises heretofore made by Congress and by the President of the Texas & Pacific Railway Company, and

Whereas, The bill amendatory to former acts as introduced and now in the Committee of the House of Representatives does not in our opinion carry out the original intention of building east from San Diego but in contrast with previous legislation leaves it optional with The Texas Pacific Railway Co. as to the time of doing work at San Diego if it does not relieve them altogether.

Resolved that we are opposed to the passage of the bill in its present form, for the reason that while additional aid to a large amount is asked for, the chances upon which the people of this City have heretofore relied, are stricken out and not replaced by any conditions imposed upon the Texas Pacific R. R. Co. compelling them to keep faith with the Citizens of San Diego.

Resolved, That having faith in our Representative in Congress the Hon. S. O. Houghton we rely upon him to have such changes made in the bill as to the commencement of work at this end of the road as will carry out the intention of laws heretofore passed, and also compensate for the delay of the past year.

Resolved, That in case aid is provided by the Government to build the road no hardship can result to the Texas & Pacific Railway Co. by reason of their Building easterly from San Diego as Labour is abundant, material of Construction cheaper and the road would sooner reach a remunerative business than if built exclusively from its present western terminus.

Resolved, That a copy of these Resolutions be immediately forwarded to the Representative in Congress from the Southern District of California, the Honbl. S. O. Houghton and that a copy be also forwarded to the President of the Texas & Pacific Railway Company.

Signed

Wm. A. Begole, Prest.

M. Keating, Clerk.

No other business coming before the board they on motion adjourned.

Note. A copy of the above resolutions was addressed to and posted on the 27 instant to the parties named in the final resolution.

Approved 4 January 1875.

Wm. A. Begole, Prest. Pro Tem.

M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 4th January 1874 (5)

Regular Meeting.

The Board met at two o'clock P. M.

Present: Messrs. Begole, Boyd, Estudillo & Keating.

Minutes of the last meeting read and approved.

REPORTS OF COMMITTEES.

Mr. Boyd from Committee on site for City Magazine asked further time which was granted.

Mr. Begole from Committee for Sale of Bonds was also granted further time.

The following resolutions of respect was read and on motion unanimously adopted.

Whereas. The Almighty God has been pleased to take from our midst our esteemed President, E. A. Veazie Esqr.

Resolved. That in the death of Mr. Veazie we have to deplore the loss of an efficient and dignified presiding officer, a wise councillor, an upright Trustee, Citizen & friend.

Resolved. That we tender to his bereaved widow and family our sincere sympathy and condolence, and beg leave to assure them that we shall long remember with sorrow the demise of our valued President.

Resolved. That a copy of these resolutions be sent to the family of our late President, and that they be spread on the Minutes of this Board.

Signed W. A. Begole, Prest. pro tem.  
M. Keating, Clerk.

The Marshal's report was read giving a Statement of taxes collected for the past month and Ending on the 4th day of January, 1875 as follows:

|                                   |               |
|-----------------------------------|---------------|
| City taxes                        | 8707.23       |
| Road poll tax                     | <u>204.00</u> |
|                                   | 8911.23       |
| Less 5 p. Ct. Commission deducted | <u>445.56</u> |
|                                   | 8465.67       |
| Impounding Stock                  | <u>13.50</u>  |
| Nett total                        | \$8479.17     |

The Marshal's report was accepted and ordered filed.

Regarding the obstruction on sixth street deferred over from last regular meeting, On motion 90 days was given to Clear the street and no more lumber be placed on that street.

A communication from the City Attorney was read in which he stated there was no ordinance authorising him to prosecute cases and that such was necessary before he could act, and asking the Board permission to prosecute cases. He then stated verbally that as he was paid a salary by the City he did not ask or expect any more compensation than the salary allowed him. On motion the matter was laid over until next general meeting.

City Engineer Fox reported that his predecessor had turned over to him all property belonging to the City and advised the obtaining by purchase or otherwise a profile of the City grade. A committee of Mess. Estudillo & Boyd was appointed to attend to this business. The City Engineer also recommend the purchase of a Bench grade book made by Mr. Lockling of New Town and Horton's addition which was agreed to.

#### CLAIMS AGAINST THE CITY.

The bill for Janitor was considered and on motion the Janitor was allowed four dollars p. month.

|                                                                               |       |
|-------------------------------------------------------------------------------|-------|
| G. H. Warring, 7 months services as Janitor in lieu of 70.00 charged was made | 28.00 |
| J. J. Lyons copying resolutions                                               | 5.00  |
| Arnold & Choat 2 months Rent, Nov. & Decr.                                    | 30.00 |
| T. Larson, 1 cord oakwood                                                     | 11.00 |
| A. E. Horton, 1 months rent 31st Decr.                                        | 25.00 |
| G. W. Treanor, Carriage & Driver                                              | 10.00 |
| Victor Frank, Road work                                                       | 6.00  |
| Juan Silva do                                                                 | 6.00  |
| Louis Lopez do                                                                | 6.00  |
| E. Pierson do                                                                 | 8.00  |
| I. C. Marron do                                                               | 10.00 |
| H. Medlin do                                                                  | 6.00  |
| A. P. Knowles, Marshal (purchase of safe 50)                                  | 80.00 |

|                                |              |
|--------------------------------|--------------|
| L. B. Wilson, Justice of Peace | 4.00         |
| L. L. Lockling, (Bench Book)   | 8.00         |
| L. Branson, Qty. Salary        | <u>50.00</u> |
| total                          | 293.00       |

handed over to Finance Committee who reported favourably on same and order them paid.

The following ordinance was adopted and ordered published.

ORDINANCE NO. 69.

69

Whereas, a vacancy has occurred in said Board by the death of E. A. Veazie, Esq. a Trustee of said City heretofore elected in and for the Fourth Ward of said City;

Therefore be it ordained by the Board of City Trustees of the City of San Diego as follows:

Section 1. That a special election be held in the Fourth Ward of the said City of San Diego on the 16th day of January A. D. 1875 between the hours of ten o'clock A. M. and seven o'clock P. M. for the purpose of electing a Trustee of said City of San Diego to fill the said vacancy in said Board, occasioned by the death of said E. A. Veazie, Trustee as aforesaid.

Section 2. The polling place and officers of said election shall be as follows:

Polling place at Justice Porter's office on Horton Plaza.

Inspector: A. Hiscock.

Judges: G. G. Bradt and S. Statler.

Section 3. The said election shall be conducted and the officers thereof shall make due return of the same, in accordance with the requirements of an Act of the Legislature of the State of California entitled an Act to reincorporate the City of San Diego, approved 7th March, 1872.

Passed and approved by the Board of Trustees of the City of San Diego this 4th day of January, 1875.

Attest: W. A. Begole, Pres. Pro tem  
(SEAL) M. Keating, Clerk.

Notice is hereby given by the Board of Trustees of the City of San Diego that in accordance with the provisions of the foregoing ordinance a Special Election will be held on the 16th day of January A. D. 1875 for the purpose and at the time and in the place therein specified.

Dated at San Diego 4th January 1875.

(SEAL) W. A. Begole, Pres. pro tem.  
M. Keating, Clerk.

No other business coming before the Board they on motion adjourned.

Approved 1st Feby. 1875. W. A. Begole, President  
M. Keating, Clerk.

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San Diego, 18th January, 1875. Office of the Board of Trustees  
of the City of San Diego.

The Board met at 7 o'clock P. M.

Present: Mess. Begole, Boyd & Keating.

The President Pro tem stated the object of the meeting was to canvass the votes cast for Trustee of the 4th Ward on Saturday the 16th instant.

On the returns been opened and read D. W. Briant had 52 votes, G. Gaddes had 3 votes and five Scattering. Making in all sixty votes cast.

On motion, D. W. Briant was declared elected Trustee for the 4th Ward and the

Clerk was directed to issue certificate to him.

On motion the Election bills were ordered paid amounting to \$17.00.

Mr. Wells from the Chamber of Commerce asked the Board to buy some of the Pamphlets published by the Chamber of Commerce as they had been at considerable expense and suggesting that the Board would find to the benefit of the City to distribute some of the Pamphlets.

On motion Mr. Begole and the Clerk were appointed a Committee to confer with the Committee from the Chamber of Commerce.

The Board then adjourned.

Approved 1 st. Feby. 1875.

W. A. Begole, President  
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 29 January 1875.

Special Meeting. The Board met at half past four o'clock.

Present: Messrs. Briant, Begole, Boyd & Keating.

Mr. Begole, President Pro tem stated the object of the meeting was to hear the clerk's report of settlement with the Collector and the amount of taxes delinquent.

The Clerk read his report as follows:

To the Honorable Board of City Trustees.

I have to report that on the 21st day of January according with sections 11 & 12 of Charter Ordinance No. 49 I have made a settlement with the Collector. That I have compared the delinquent list with the assessment book and find it contains a full & true statement of all taxes due and unpaid; that I have footed up the amount of taxes so remaining unpaid and made a settlement on the assessment book and credited the collector with the amount paid, and charged him with the delinquent list adding 5 p. ct. thereon.

The amounts delinquent are as follows:

|                               |               |
|-------------------------------|---------------|
| Unknown tax list for 1873     | 84.62         |
| Known tax list for 1873       | 108.68        |
| Unknown tax list for 1874     | 111.19        |
| Known tax list for 1874       | <u>876.99</u> |
|                               | 1181.48       |
| Add 5 p. Cent.                | <u>59.07</u>  |
| Delinquent on 4 January 1875. | \$1240.55     |

Attest: M. Keating, City Clerk.

21vJanuary 1875.

On motion the report was accepted and ordered filed and to be spread on the minutes.

No other business coming before the Board they on motion adjourned.

Approved 1st. Feby. 1875.

W. A. Begole, President  
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 1st February, 1875.

Regular Meeting. The Board met at two o'clock.

Present: Messrs. Begole, Boyd, Estudillo, Briant and Keating.

The Minutes of the last meeting was read and approved.

The City Treasurer's Report for the quarter ending on the first day of February 1875 was read showing cash on hand \$8977.77 as follows:

|                              |                |
|------------------------------|----------------|
| City general fund            | 5907.16        |
| Road "                       | 190.44         |
| Bond interest "              | <u>2880.17</u> |
| Cash on hand 31 January 1875 | \$8977.77      |

The report was on motion approved and ordered filed.

The Marshal read his report stating the amount of delinquent tax collected since his last report was \$410.75 deposited in the City Treasury.

The Committee appointed to meet and confer with Committee from Chamber of Commerce reported, recommending the purchase of some of their pamphlets to the consideration of the Board; was accepted and the Committee discharged. On motion 100 copies of these pamphlets were ordered to be purchased by the Clerk and he was instructed to draw on the City Treasurer for the sum of Twenty five dollars to pay for same.

Mr. Begole from Committee for sale of Bonds reported that 77 cents was the highest figure and recommended the sale of \$3500 which will give the amount required to meet the delinquent tax on the railroad lands for which the City hold themselves responsible. The report was accepted and the Committee discharged and the Clerk directed to fill out Bonds to that amount.

Mr. Boyd presented a Communication from Mr. Lockling offering to take the sum of seventy five dollars for a copy (on cloth) of a profile of City grades, which was on motion agreed to. Mr. Boyd from Committee for site of City Magazine recommended that the Committee be discharged as there was no immediate use for a City Magazine, the Committee was on motion discharged.

Mr. W. W. Bowers came before the Board and stated that the interest of the City required the use of the telegraph lines for the next 31 or 32 days during the sitting of Congress for the purpose of counteracting the misrepresentations of other communities regarding our commercial and railroad interests, and that up to the present this expense had been born by private individuals and asked the Board to set apart the sum of 100 dollars for this purpose. On motion the sum of \$100.00 was accordingly set apart for the purpose mentioned by Mr. Bowers. The money to be at the disposal of Mr. Begole the President of the Board.

The Election for President was next proceeded with.

First Ballot. Begole 2, Boyd 2, Briant 1.

Second Ballot. Begole 3, Boyd 1, Keating 1.

Mr. Begole having a majority of the votes was on motion declared unanimously Elected President of the Board.

On motion the office of City Attorney was declared vacant. Carried.

On motion the City Attorney was requested to removed from this office. Carried.

The following ordinance was adopted.

70  
CHARTER ORDINANCE NO. 70.

Fixing Salary of City Attorney.

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

Section 1. The Compensation of the City Attorney is hereby fixed at the sum of one dollar per annum.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance be and is hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this first day of February 1875.

(SEAL) Attest:

M. Keating, Clerk.

W. A. Begole, President

On motion, the following claims against the City were handed over to the Finance Committee who reported favourably on same and were ordered paid.

|                                                          |               |
|----------------------------------------------------------|---------------|
| L. L. Lockling for Copy of Map City grade                | 75.00         |
| Schnider & Abegg, Stationery                             | 15.00         |
| A. E. Horton, Rent of Hall                               | 25.00         |
| A. P. Knowles, copy delinquent tax Roll                  | 50.00         |
| M. Keating, 2 mo. Salery & 4 days delat. tax Decr & Jany | 70.00         |
| A. P. Knowles, City Marshal's costs                      | 5.50          |
| Gordon & Hazzard, oil & Lamp chimneys                    | 3.25          |
| W. A. Begole, oil for Fire Department                    | 14.00         |
| W. A. Begole for Telegraphing                            | <u>100.00</u> |
|                                                          | \$357.75.     |

No other business coming before the Board they on motion adjourned.

Approved 1st March 1875

W. A. Begole, Pres.

M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 1st March, 1875.

The Board met at 2 o'clock.

Present: Messrs. Boyd, Begole, Briant & Keating.

The minutes of the last meeting was read and approved.

The Marshal read his Report showing collections Amounting to \$647.52 placed in the City Treasury.

The President read his Semi-annual Report, showing the amount now in the City Treasury to be \$9140.12 apportioned as follows:

|              |               |
|--------------|---------------|
| General Fund | 5641.55       |
| Interest "   | 3308.08       |
| Road "       | <u>190.49</u> |
|              | \$9140.12     |

The report was approved and ordered to be placed on file & published.

Mr. Bowers & Mr. Thompson came before the Board and explained that the amt. appropriated for Telegraphing was not sufficient and that a balance was still due of 153.00 and presented the account asking the favourable consideration of the Board.

Mr. Begole from Committee on sale of City Bonds Reported having negotiated for 3500 dollars worth at 77 cents and paid off the delinquent taxes against the Texas Pacific Lands and deposited the Balance \$111.30 in the City Treasury.

Report received and Committee discharged.

A communication from Justice Wilson was laid over for one month.

A communication from the Clerk of the Board of Supervisors was also laid over for one month.

Henry Bayly was unanimously Elected Chief Engineer for the remainder of the term vice, Nottage who removed from the City.

Claims against the City amounting to \$284.90 handed to finance committee as follows:

|                                                                                                        |               |
|--------------------------------------------------------------------------------------------------------|---------------|
| Arnold & Choat, 2 months Rent for the months of January<br>& Feb. being an abatement of 2.50 per month | 25.00         |
| M. Keating, filling Bonds                                                                              | 5.00          |
| A. P. Knowles                                                                                          | 27.00         |
| Justice Wilson                                                                                         | 8.00          |
| Union Printing &c                                                                                      | 66.90         |
| Western Union Telegraph Co.                                                                            | <u>153.00</u> |
|                                                                                                        | \$284.90      |

On motion a Committee of two were appointed and the President added to revise the order of business. The President named Mr. Bryant & M. Keating as such committee.

On motion the Clerk was directed to procure a suitable book to keep an account of the money in the different funds, and a Treasury account.

On motion the Board adjourned.

Approved 5th April 1875.

W. A. Begole, President

M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 5 April 1875.

At the hour of two o'clock P. M. there being only two members present, Messrs. Begole & Keating, they adjourned until half past six o'clock this evening.

Pursuant to adjournment the Board met at half past six o'clock P. M.

Present: Messrs. Briant, Boyd, Begole & Keating.

The minutes of the last meeting was read and approved.

The Clerk read the Report of a final settlement with the Tax Collector showing a balance of all taxes still delinquent for the years 1873 & 74 & 74 & 75 of \$222.50/100.

The Report was on motion accepted and ordered filed.

The Committee on revision of order of business reported as follows:

First. Reading and disposing of the Minutes.

Second. Reports of Committees.

Third. Petitions, memorial & communications.

Fourth. Reports of Officers.

Fifth. Claims against the City.

Sixth. Miscellaneous & unfinished business,

The report was on motion accepted as the Rules of the Board.

The communication from the Board of Supervisors laid over from last meeting was taken up. On motion a committee of two with the President added thereto appointed.

Messrs. Boyd & Keating to confer with the Supervisors and to view the place needing repairs and they are empowered to act definitely in the matter.

Justice Wilson's Report was Read, accepted and order to be placed on file.

Cemetery Commissioner Bradt handed in a communication from the Board of Supervisors asking the Cemetery Commissioners, Messrs. Bradt & Young to have ground set apart for a County Cemetery. Also a communication from the Cemetery commissioners Messrs. B & Y Recommending the setting apart ten acres for County Cemetery purposes and exhibiting a Map of the Cemetery showing the ten acres needed as Surveyed by L. L. Lockling, the communication also provides that all improvements and expenses shall be at the expense of the County.

The communications were accepted and ordered filed and the request granted and

ordinance No. 71 donating the Land adopted.

ORDINANCE NO. 71.

Setting apart certain lands for County Cemetery.

Office of the Board of Trustees  
of the City of San Diego.

Be it ordained By the Board of Trustees of the City of San Diego as follows.

Section 1. There is hereby set apart, dedicated, donated and reserved to the County Supervisors of San Diego County and State of California, in trust for County Cemetery purposes only, all that certain lot, tract or parcel of land, lying and being in the City and County of San Diego and State of California, bounded and described as follows: Commencing at a mound of Stones in the East line of the Pueblo and bearing N. 17°.00 W. 23.79 chains from the South East corner of the original Cemetery reservation. Thence S 78°.56 W. (True Meridian) along a fence 11.78 chains to a mound of stones. Thence North 10.76 chains to a mound of stones. Thence East 8.93 chains to Pueblo line at a mound of stones. Thence S. 17°.00 East along East line of Pueblo 8.89 chains to place of beginning containing ten acres more or less, as surveyed by L. L. Lockling a copy of which is now on file in the County Recorder's office of San Diego County.

Section 2. The said County Supervisors of San Diego County shall have the free and exclusive use and control of said tract of land forever for County Cemetery purposes only. Subject however to such general supervision as may be vested in the corporate Authorities of said City by the Laws of the State.

Passed and approved by the Board of Trustees of the City of San Diego this fifth day of April A. D. 1875.

(SEAL) Attest:

W. A. Begole, President  
M. Keating, Clerk.

The following Claims against the City were handed over to the Finance Committee

|                                                          |             |
|----------------------------------------------------------|-------------|
| A. P. Knowles, Marshal                                   | 30.25       |
| L. B. Wilson, Justice of the Peace                       | 15.50       |
| Delaney- World Printing Office                           | 27.50       |
| A. E. Horton's, two months rent                          | 50.00       |
| M. Keating, 2 months services as Clerk                   | 50.00       |
| M. Keating 2 days on final settlement with Tax Collector | 10.00       |
| D. Wallock, Blankets for City Jail                       | <u>5.50</u> |
|                                                          | \$188.50    |

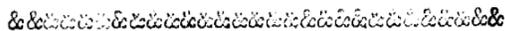
A communication from the Board of Delegates of the Fire Department recommending J. V. Mumfor as first assistant was complied with and J. V. Mumford appointed accordingly.

On motion the President & Clerk were a committee to cancel Redeemed Bonds numbered consecutively from No. 112 to 134 inclusive, being twenty-three in number and of the denomination of one thousand dollars each, now in the Commercial Bank.

On motion the Board adjourned.

Approved 3rd May 1875.

W. A. Begole, President  
M. Keating, Clerk.



Office of the Board of Trustees  
of the City of San Diego.

San Diego 3rd May 1875.

Regular Meeting.

The Board met at two o'clock P. M.

Present: Trustees Begole, Boyd, Bryant and Keating.

The Minutes of the last Meeting were read and approved.

REPORTS OF COMMITTEES.

Trustee Boyd from Committee to confer with the County Supervisors on road matters. Reported not having come to any definite agreement, and recommended that as the City Road fund was small, the repairs on roads should be confined to the Roads near the City. This recommendation was on motion, the rules being suspended, agreed to and passed.

Trustee Keating from Committee on the Cancellation of Bonds reported having canceled 23- 1000 dollars Bonds Nos. 112 to 134 inclusive and exhibited same which was approved of.

COMMUNICATIONS.

A communication from the San Diego Water Company was Read proposing to bring into the City from the San Diego river water to supply the City provided the City would purchase from them one hundred dollars worth of Water per month for the term of five years, the rate being one dollar p. one thousand gallons.

On motion a committee of two viz: Trustees Boyd & Keating, to which the President was added by unanimous consent, to report at next meeting or any called meeting of the Board.

REPORTS OF OFFICERS.

The City Treasurers Report was read showing a balance in the Treasury of \$8103.66 apportioned as follows:

|              |                |                 |
|--------------|----------------|-----------------|
| General fund | 5397.57        |                 |
| Road "       | 230.34         |                 |
| Interest "   | <u>2475.75</u> | making as above |
| the amount   | \$8103.66      |                 |

The Report was received and ordered filed.

City Assessor Shaffer informed the Board that it was time to order the Books and Stationary for the City, which on motion was agreed to.

CLAIMS AGAINST THE CITY

to the amount of 103.75 were presented and handed over to the Finance Committee.

|                                            |       |
|--------------------------------------------|-------|
| Arnold & Choat, 2 months rent Engine house | 25.00 |
| A. E. Horton 1 " " City Hall               | 25.00 |
| L. Branson, Qtrs. Salary as City Attorney  | 50.00 |
| B. F. Parsons, Blacksmithing               | 3.75  |

Louis Branson's account was reduced to one month's services and it was ordered that a warrant for that Amount \$16.67 be drawn in his favour and on payment thereof, the Clerk was direct to get his receipt in full to date. The other accounts were approved and ordered paid.

On motion the President was empowered to employ an Attorney to draft a Road Poll Tax ordinance so as to Enforce the collection of this tax.

On motion the Board adjourned.

Passed and approved 7 June 1875.

W. A. Begole, President  
M. Keating, Clerk.

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San Diego, 7 June 1875.

Office of the Board of Trustees  
of the City of San Diego.

The Board met at two o'clock P. M. A full Board present.

The minutes of the last meeting were read and approved.

REPORTS OF COMMITTEES.

The Committee on the S. D. Water Company's proposition reported favourably and recommended the following resolution which on motion was adopted.

Resolved: That the Board of Trustees of the City of San Diego do agree to and

with the San Diego Water Company or any other Water Company who will first deliver on the mesa, on or near the Park grounds a sufficient supply of pure and wholesome water to use and consume of said water to an amount not to exceed 200,000 gallons in any one month, and for compensation thereof the said Board of Trustees do agree on behalf of said City to pay for the same in warrants drawn on the General fund of the City Treasury the sum of one hundred dollars per month for the term of five years from the date of the delivery of the first water and the continuance of same; provided the Board of Trustees on behalf of the City shall have the privilege to tap and receive the water from the Company's works (on giving five days notice) at any and all points which they may deem most convenient for the public use and benefit. **signed &c**

On the adoption of this resolution the report was ordered filed.

The President reported having obtained the draft of a Charter ordinance for the collection of road poll tax which was on motion adopted being Charter Ordinance No. 72 as follows:

Giving the Marshal Charge of the Highways in the City Limits,  
Authorising and regulating the proceedings in the Collection  
of Road Poll taxes within the City limits etc.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. The Marshal of said City under the direction and supervision and pursuant to the orders of the Board of Trustees is hereby authorized and required-

1. To take charge of the public highways within the limits of said City, keep them clear from obstructions and in good repair;
2. Cause banks to be graded, bridges and causways to be made where necessary, keep the same in good repair and renew them when destroyed.
3. Give two days notice, printed or written, to each inhabitant of said City liable to do work on the roads when, where, with what implements and under whose direction to work, and superintend the same, and to keep a copy of the aforesaid notice on file with certificate of service endorsed thereon.
4. To collect from each inhabitant notified to and who fails to work or prefers to pay it, a commutation fee of four dollars, or such smaller amount as may be fixed as the commutation fee by the Board of Supervisors of San Diego County, and all other road taxes therein ordered to be collected by said Board of Supervisors, in the mode provided by law for the collection of Road Poll taxes and other road taxes and pay the same to the City Treasurer.
5. Give receipts for road labour performed and for commutation fees, and all road taxes collected; and certify to the correctness of all claims for labour performed under his direction, to be paid out of the Road fund of the City.

6. Make to the Board of Trustees semi-annually sworn statements, showing the names of all persons by him listed to work, the days worked by each person who has worked, the names of all who have commuted, and the amount received from them, the names of delinquents and the amount collected from them, the items of labour performed at each separate point, the manner in which, and the time when the same was done, the number of poll tax receipts sold and those returned unsold, and an account of every day he himself was employed and the nature and items of his services rendered.

Section 2. On the performance of the duties required of him by this ordinance, the Marshal must be governed by the laws of the State which prescribe the duties of Road Overseers when the same are applicable except as herein otherwise provided; and for each days' services performed under authority of this ordinance he shall be entitled to receive

the sum of three dollars, which must be paid out of the Road fund of the City.

Section 3. Every male inhabitant of the City over twenty-one years of age, except exempts must perform two days labour annually upon the highways in said City under the demand and direction of the Marshal thereof, or pay to such officer the commutation fee fixed as provided by law, any person may work by substitute, and any person who does not so labour or commute, after receiving due notice is delinquent.

Section 4. The City Marshal must on or before the first day of March of each year, except for the year 1875 and on or before the first day of July of that year, make out a list of the inhabitants of said City liable for road poll tax therein and deliver the same to the Clerk of the Board, of Supervisors of San Diego County, a duplicate of which he shall retain and require of each person on the list the performance of the labour or the payment of the commutation fee as fixed by the Board of Supervisors, and must from time to time add to the list the names of persons liable for road poll tax who were omitted or who have become inhabitants of the City since the original list was made, and enforce the road poll tax or collect the commutation fee therefor and apply the same as hereinbefore provided.

Section 5. Poll Road taxes must be collected by the Marshal between the first Monday in March and the second Monday of January of the Ensuing year. The City Treasurer must before the first Monday in March and the first Monday in July of each year cause to be printed blank road poll tax receipts a sufficient number for the use of the Marshal, the Treasurer will sign the same, make an entry of the whole number thereof on his books, deliver all such blanks to the Marshal and charge him therewith and credit him with the amount of unsold blanks returned by him.

Section 6. The Marshal must demand payment of the road poll tax of every person liable therefor who has had due notice, and on the neglect or refusal of such person to pay the same, he must collect it by seizure and sale of any personal property owned by such person.

The sale may be made after three hours verbal notice of time and place, and the provisions of Sections 3791, 3793, 3794, 3795 and 3796 of the Politicle Code apply to such seizure and sale and are made a part of this section and ordinance.

Section 7. The Marshal must keep a roll of the names and local residences or place of business of all persons subject to or liable for road poll tax, and if paid, date and amount of each payment and if not paid, causes of non-payment, provided, that no person shall be returned as delinquent on such roll unless a personal demand has been made upon him.

Section 8. On the second Monday in January of each year the Marshal must deliver to the City Clerk the Roll so made up, with the certificate of the Marshal attached thereto, that it is a complete and true list of delinquents, and that personal demand has been made on each one of them for payment thereof; and the Clerk must add to the total road poll tax delinquent on such roll thirty three and one third percentum additional and without delay deliver such list to the City Tax Collector, and charge the Collector therewith.

Section 9. If any person assessed for a property tax has not paid to the Marshal the road poll tax due from him or for which he is liable, it, with thirty three and one third per cent in addition thereto constitutes a lien upon the property assessed, to attach from the first Monday in March in each year and must be collected in the same manner and at the same time as other delinquent taxes are collected.

Passed and approved this Seventh day of June A. D. 1875.

(SEAL) ATTEST:

W. A. Begole, President,  
M. Keating, Clerk.

The President was solicited to request the County Supervisors to appoint by resolution at their next regular meeting, the City Marshal a road overseer, subject to the instructions of the Board of City Trustees.

Justice Wilson's report was read and ordered filed.

The City Marshal read his report which was also ordered filed.

The application of Manassa & Shiller for an extension of Wharf franchise for two years was on motion agreed to.

A Petition numerously signed asking the Board for an appropriation to fence the ten acre tract set apart for a Protestant and Catholic burial ground, was on motion laid over for one month.

Claims against the City amtg. to \$217.75 were handed over to the Finance Committee who reported favourably and ordered them paid. They are as follows:

|                                |                 |
|--------------------------------|-----------------|
| Schnider & Abegg               | 18.85           |
| L. B. Wilson, Justice of Peace | 4.00            |
| Luce & Porter, attorneys       | 25.00           |
| A. E. Horton, Rent of Hall     | 25.00           |
| Waring & Russell, Janitors     | 20.00           |
| M. Keating, 2 mo. City Clerk   | 50.00           |
| A. P. Knowles, City Marshal    | 25.50           |
| D. Gunn, Printing              | 49.40           |
|                                | <u>\$217.75</u> |

#### MISCELLANEOUS.

The City Treasurer asked the action of the Board in the matter of transferring from the General to the Interest fund in order to meet the July interest on City bonds then due, the amount in the interest fund at present not being sufficient. On motion the Treasurer's application was agreed to for the purpose named.

On motion a warrant for \$16.67 was drawn in favour of W. A. Begole for the purpose of making a final settlement with the late City Attorney, the former warrant drawn in favour of that ex-officer being cancelled.

#### CHARTER ORDINANCE NO. 73.

Extending time for constructing a Wharf at Manasse & Shiller's Addition to New San Diego, being Pueblo lot No. 1157.

Office of the Board of Trustees  
of the City of San Diego.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. There is hereby granted unto Joseph S. Manasse and Marcus Schiller, their heirs and assigns two years more time from the first day of July A. D. 1875 in which to commence and complete the wharf to be constructed in front of Pueblo lot 1175, and extending into the Bay of San Diego in accordance with Ordinance No. 18 approved June 30 A. D. 1871 passed by this Board, and renewed by said Board on the 12th day of May A. D. 1873 by ordinance No. 36 approved by said Board on the 12th day of May 1873, reference being hereby made to such ordinances.

Section 2. There is hereby granted and continued in full force and effect unto the said Joseph S. Manasse and Marcus Schiller and their assigns all the rights and privileges which were granted in said ordinances No. 18 and 36, unto Joseph S. Manasse and Marcus Schiller, and renewed confirmed and extended to the said Joseph S. Manasse and Marcus Schiller, and assigns in said ordinance No. 36 as aforesaid so far as the right to build, construct and maintain a wharf in front of Pueblo lot 1157, and out into said Bay, is concerned, said original ordinance No. 18, as therein set forth and as renewed, con-

firmed and extended in said Ordinance No. 36, Except there is given two years more time by the first Section of this ordinance in which to commence and complete the said wharf structure.

Section 3. This ordinance is passed and approved this 7th day of June A. D. 1875.

(SEAL) ATTEST:

W. A. Begole, President  
M. Keating, Clerk.

On motion the Board adjourned,

Approved 6 July 1875.

W. A. Begole, Prest.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 6th July 1875.

At the hour of two o'clock P. M. there being only two Trustees present, Begole & Keating, the meeting was adjourned until half past seven o'clock this P. M.

Pursuant to adjournment the Board met at half past seven o'clock P. M.

Present: Trustees Begole, Briant and Keating.

The Minutes of the last meeting were read and approved.

REPORTS OF OFFICERS.

The Marshal's report was read and on motion laid over for one month.

CLAIMS AGAINST THE CITY,

amounting to \$673.25 were handed over to the Finance Committee: they are as follows:

|                                                    |              |
|----------------------------------------------------|--------------|
| M. P. Shaffer, Assessor                            | 109.00       |
| A. L. Bancroft, Book fillers (S.F.Co.)             | 129.50       |
| A. S. Grant, costs &c in San Bernardino R. R. suit | 299.85       |
| Arnold & Choat, 2 months Rent May & June           | 25.00        |
| R. Shiller, Binding 3 Poll Tax Books               | 3.00         |
| A. P. Knowles, City Marshal                        | 31.90        |
| A. E. Horton, 1 month's Rent of Hall               | 25.00        |
| Louis Branson (1/4 Sal as City Attorney)           | <u>50.00</u> |
|                                                    | \$673.25     |

All of which were approved except the late City Attorney's a/c for 50.00 which was withheld.

UNFINISHED BUSINESS.

The Petition for an appropriation to fence the Burial ground was on motion again laid over for one month.

No other business coming before the Board they on motion adjourned.

Approved 2nd August 1875.

W. A. Begole, President  
M. Keating

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 2nd August 1875.

Regular Meeting. The Board met at two o'clock.

Present: Trustees Boyd, Begole & Keating.

The Minutes of the last Meeting were read and approved.

Mr. Begole from Committee to settle with the late City Attorney, reported not having made a final settlement with that ex-officer.

A report from the Cemetery Commissioners was read showing cash on hand at last report

|                       |                |
|-----------------------|----------------|
|                       | \$35.79        |
| Receipts for the year | 280.00         |
| total                 | <u>315.79</u>  |
| disbursements         | 285.15         |
| leaving balance of    | <u>\$30.64</u> |

in their hands, was on motion adopted and ordered filed.

The Marshal's Report was Read and ordered filed.

Claims against the City amounting to \$111.35 were handed over to the Finance Committee. They are as follows:

|                                       |             |
|---------------------------------------|-------------|
| A. P. Knowles, Marshal                | 20.35       |
| Jas. Russell, 2 months Janitor        | 8.00        |
| M. Keating, 2 months services as clk. | 50.00       |
| A. E. Horton, Rent of Hall            | 25.00       |
| Schnider & Abegg, Stationery          | <u>8.00</u> |
|                                       | \$111.35    |

The petition laid over from a previous meeting for an appropriation to fence a graveyard was on motion denied.

The Marshal's report concerning "Exempts" laid over from last meeting was indefinitely postponed.

On motion the Board adjourned until seven o'clock.

At seven o'clock the Board resumed its sitting, Present: Trustees Begole, Boyd, Bryant & Keating.

Mr. N. H. Conkling came before the Board and stated that he and some others wished to lease certain lands for the purpose of Mining for Coal.

It appearing that other parties had leased land for a similar purpose over five years ago and they having utterly failed to comply with the terms of their lease made on the second day of May 1870 to D. B. Kurtz, Geo. Lyons, Andrew Cassidy, Geo. A. Pendleton, T. G. Battaille, Edward Hueck, Hyman Soloman, Joshua Sloan, James W. Connors and J. S. Manasse their lease was on motion declared forfeited.

The following was then presented and on motion adopted.

It is hereby ordered by the Board of Trustees of the City of San Diego that a lease for the term of fifteen years be and the same is hereby entered into by and between the said City of San Diego party of the first part and C. Delaval, Joseph Faiver and N. H. Conklin parties of the second part of the City aforesaid wherein and whereby the party of the first part leases to the party of the second part the following numbered Pueblo lots, to-wit: Lots No. 1323, 1324, 1325, 1326, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337 & 1340 in accordance with a lease to be hereafter prepared in accordance herewith, and the President of the Board of Trustees is hereby directed to sign said lease and have the same attested by the Secretary. Provided that the lessees expend annually in prospecting said lands and working any mines found thereon the sum of five hundred dollars yearly.

The rental therefor to be \$25.00 p. year to be paid at the Expiration of each year; the City reserving the right of way over said lands for Railway and road purposes.

The City Treasurer's quarterly report was read showing a balance in the Treasury of \$3,495.84 apportioned as follows:

|                   |               |
|-------------------|---------------|
| City General fund | 2192.30       |
| Bond Interest "   | 925.75        |
| Road "            | <u>377.79</u> |
| total             | \$3495.84     |

This report came in its regular order but by an omission was not entered in its proper place on these minutes.

On motion the Board then adjourned.

Approved 6th Sep. 1875.

W.A.Begole, President,  
M.Keating, Clerk.

Office of the Board of Trustees  
of the City of San Diego.

San Diego, 6 September 1875.

Regular Meeting. The Board met at two o'clock P. M.

Present: Trustees Begole, Briant, Boyd & Keating.

The Minutes of the last meeting were read & approved.

The President read his semi-annual report which was ordered filed and published.

Claims against the City were presented as follows:

|                                              |              |
|----------------------------------------------|--------------|
| Arnold & Choate, 2 months Rent Engine House  | 25.00        |
| M. P. Shaffer, 2 months services as Assessor | 212.00       |
| McDonald & Co., Lumber & Spikes              | 2.35         |
| City Marshal Knowles                         | <u>35.75</u> |
| Amounting to                                 | \$275.10     |

Which were handed over to the Finance Committee who approved of same and ordered them paid.

J. S. Mannasse's petition to lease certain city lands was on motion refered to a Committee of two, Trustees Boyd & Briant were appointed.

The Clerk was ordered to notify the Fire Company that an Election would be held on Monday the 20th instant for the office of Chief Engineer.

Anticipating the early introduction of Water on the Mesa, a committee of two were appointed to view out ground for improvement: Trustees Boyd & Briant were named and the President was added to this Committee.

On motion the Board adjourned.

Approved 4th Octr. 1875.

W. A. Begole, Pres.  
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 20 Septr. 1875.

Special Meeting. The Board met at two o'clock.

Present: Trustees Boyd, Briant, Begole & Keating.

The President stated the object of the meeting was to Elect a Chief Engineer of the Fire Department. The Board of Delegates who were present handed in a communication recommending Joseph Faivre as Chief Engineer of the Fire Department.

A Report from Chief Baily was read and was on motion ordered to be placed on file. The Board then in conjunction with the Board of Delegates proceed to Ballot for Chief Engineer for the Ensuing year. Joseph Faivre getting all the votes cast, eight in number, was declared Chief Engineer of the Fire Department.

A petition numerously signed was read asking the Board to establish fifteen fire plugs throughout the City, was on motion laid over until the next regular meeting.

On motion the Board adjourned.

Approved 4th Octr. 1875.

W. A. Begole, Pres.  
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego, 4th Octr. 1875.

Regular Meeting. The Board met at two o'clock P. M. A full Board Present.

The Minutes of the last two meetings were read and approved.

REPORTS OF COMMITTEES.

Mr. Boyd from Committee for leasing some City Lands asked further time which was granted.

Mr. Boyd from Committee on Selection of ground on the Mesa for improvements also

asked time for this Committee which was likewise granted.

#### MEMORIALS AND COMMUNICATIONS.

Mr. W. W. Bowers came forward and asked to be allowed to read a petition. On the Board consenting Mr. B. read the petition which was numerously signed asking the Board to appropriate Bonds to the Amt. of \$4,000 for the purpose of defraying all expenses of David Felsenheld to Washington as an Agent from this City to attend to our Railroad interests, which were threatened with serious opposition.

On motion to adopt the petition an amendment was offered asking that Bonds to the Amount of 5,000 be issued in order that two might be sent as it was deemed essential to have a representative at the Railroad convention at St. Louis, Mr. Estudillo remarked that if only one person was sent Bonds to the amt. of 2000 would be sufficient. This not being seconded the first amendment was urged, but the President ruled that as the petition for the amount 4000 was now fairly before the Board it would not be well to augment it. On the motion being put it was carried by four ayes against one no.

The Marshal's report was read and ordered to be filed.

Justice Porter's report was also read and ordered filed.

Assessor Shaffer reported having turned over the Books and stated the amount of taxable property would be about 1,250,000 dollars the footing being not yet completed.

A Petition for a Bridge between 14th and 15th Street and on H Street was on motion agreed to on the terms following: that a committee of two be appointed to buy bridge timber to the amount of Seventy five dollars, and that the parties petitioning build the bridge, without further expense to the City than the Amount named: The President appointed Trustees Boyd & Briant to supervise the work.

The petition to establish fire plugs was laid on the table.

#### CLAIMS AGAINST THE CITY

were presented as follows:

|                                    |              |
|------------------------------------|--------------|
| M. P. Shaffer, Assessor            | 116.00       |
| C. H. Shepard "                    | 120.00       |
| W. Bennet, work on streets         | 38.25        |
| A. E. Horton, rent of Hall (2 mos) | 50.00        |
| A. P. Knowles, Marshal             | 25.50        |
| D. Gunn, printing &c.              | 10.65        |
| W. A. Begole, Road work            | 2.50         |
| J. R. Porter, Justice of the Peace | 9.00         |
| James Russell, 2 month a Janitor   | 8.00         |
| M. Keating, 2 month as City Clerk  | <u>50.00</u> |
| total                              | \$429.90     |

The Marshal produced the Treasurer's receipt for \$23.50/100 which was duly debited to the Treasurer.

#### MISCELLANEOUS

The Clerk was directed to give public notice that the Board of Equalization would meet on Monday the 18th instant and continue in session for one week and no longer.

It was moved and seconded that the Bonds be made and signed: and that Mr. Felsenheld be furnished with a letter showing him to be duly appointed as the accredited Agent of this City, so as to enable him to act with confidence and as much as lies in his power to fully and fairly protect the Railroad and Land interests of San Diego.

The City Treasurer asked that the Clerk be directed to take up and receipt for the Vouchers in his possession, agreed to.

The Side Walk on the East corner of Fifth and K Streets was reported in bad condition. The Marshal was authorised to repair same.

The claims against the City having been allowed and no other business coming before the Board they on motion adjourned.

Approved as Corrected 6 Decr. 1875.

W. A. Begole, Prest.  
M. Keating, Clerk.

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San Diego 8th Octr. 1875.

Office of the Board of Trustees.

Informal Meeting. The Board met at 7 o'c. P. M.

Present: Trustees Boyd, Briant & Keating.

Mr. Briant being voted President pro tem. took the chair and stated the object of the meeting was for the purpose of agreeing as to the employment of an Attorney to attend to the suit now pending against the Board. On motion Mr. Briant was empowered to employ an attorney for the purpose named.

On motion they Board adjourned.

¹
Approved/Novr. 1875

D. W. Briant, Pres Prot.
M. Keating, Clerk.

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San Diego 25 October 1875.

Office of the Board of Trustees  
of the City of San Diego.

Special Meeting. The Board met immediately after the adjournment of the Board of Equalization at five o'clock P. M.

Present: Trustees Begole, Briant, Boyd & Keating.

On motion the following ordinance was adopted and ordered published.

CHARTER ORDINANCE NO. 74.

Fixing the rate of taxation for the fiscal year ending 31st December 1875.

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

The rate of taxation for revenue purposes in the City of San Diego for the fiscal year ending 31st day of December A. D. 1875 is hereby fixed and levied at the sum of 25 cents on every one hundred dollars of the assessed value of all real and personal property within the corporate limits of said City made taxable by law for state purposes, and the rate of taxation for the purpose of raising tax for said fiscal year for the payment of all interest monies hereby fixed and levied at the sum of 75 cents on every 100 dollars of the assessed value of all the real and personal property within the limits of said City and made Taxable as aforesaid.

Pass and approved this 25 day of Oct. A. D. 1875.

Signed W. A. Begole, President.  
M. Keating, Clerk.

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San Diego 1 November 1875.

Office of the Board of Trustees
of the City of San Diego.

Regular Meeting. At two o'clock, only two Trustees being present, Begole & Keating, the meeting was adjourned to 7 o'clock P. M.

The Board met at 7 o'clock pursuant to adjournment.

meetings were read, and the minutes of the last

Trustees present: Begole, Boyd, Briant & Keating. The minutes of the last/ general meeting on the 4th ultimo were ordered corrected so as to read in regard to the President's ruling relative to the petition for issuing \$4000.00 in Bonds, that the Amendment was not in order and that the Motion should be put for the adoption of the petition as presented, And the minutes of the 4th ult are so corrected.

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The Minutes of the other meeting were approved.

The Clerk asked further time to receive and receipt for vouchers from the City Treasurer which was granted.

Mr. Boyd from Committee to supervise the Bridge building on H Street reported the work complete and asked to be discharged which was agreed to.

A communication from Trustee Estudillo tendering his resignation as City Trustee to take effect immediately was on motion adopted.

A communication also from Mr. Estudillo tendering his resignation as City Treasurer to take effect on the 15th instant was on motion likewise adopted.

The City Marshal's Report and Justice Porter's report were read and approved.

The Clerk reported having turned over the assessment Roll to the City Marshal, the footings being not yet completed.

Claims against the City.

McDonald & Co., Lumber	.62) 36.55)	37.17
A. H. Gilbert & Bros. Lumber		35.30
G. W. Treanor, Livery team		5.00
A. P. Knowles, City Marshal		15.50
J. R. Porter, Justice of Peace		6.00
M. P. Shaffer, Board of Equalization		15.00
C. H. Shepard, Asst. Assessor		80.00
A. E. Horton, Rent of Hall		25.00
Arnold & Choat, 2 months rent engine house		25.00
D. W. Briant, 6 days Board of Equalization		30.00
J. M. Boyd, " " "		30.00
M. Keating, " " "		30.00
W. A. Begole, 4 " " "		20.00
D. W. Briant, Cash advanced Col. Gatewood		<u>50.00</u>
		404.97
C. H. Shepard's Claim not allowed		<u>80.00</u>
Making a total ordered paid		\$324.97

Mr. C. B. Culver was on motion appointed City Treasurer to take effect on the 15th instant. One p. Cent was the compensation agreed on, this being Mr. Culver's own offer.

The Clerk was authorised to exchange the ten acre tract for Cemetery purposes with Mannasse & Co.

The Clerk was instructed to write to the Secretary of War to ascertain the cause of the delay in the turning of the River at North San Diego for which the last congress made an appropriation.

On motion the Board adjourned to Monday the 8 instant.

Approved 6 Decr. 1875

W. A. Begole, Prest.
M. Keating, Clerk.

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San Diego 5th, November 1875.

Office of the Board of Trustees  
of the City of San Diego.

Called meeting. The Board met at five o'clock P. M.

Present: Trustees Begole, Briant, Boyd and Keating.

The President stated the object of the meeting was to nominate some person to represent this City at the Saint Louis R. R. Convention to be held on the 23rd instant.

The Clerk read the following preamble and resolutions, which were on motion unanimously adopted.

Whereas, The Executive committee of the Citizens of St. Louis have extended an invitation to Municiple Corporations, Board of Trade and Chambers of Commerce to send representatives to a National Railroad Convention, to be held in the City of St. Louis on the 23rd instant, and wherbas we appreciate the ability and devotion to the best interests of this state, that have ever been manifested by the Hon. Geo. C. Gorham of California, and believing him to be an earnest friend of the great Southern Transcontinental competing railway, and one in whose hands the interests of San Diego and southern California would be ably represented,

Therefore, be it resolved, that the Hon. Geo. C. Gorham be requested to act as a representative of the interests of the City of San Diego at the said convention, and he is hereby appointed a Delegate on behalf of the Board of Trustees of the City of San Diego, to the said National Railroad Convention, to be held in the City of St. Louis on Tuesday the 23rd day of November A. D. 1875.

Resolved, that David Felsenheld of this City who has been heretofore appointed a delegate to the said convention by the Governor of California, is hereby appointed an alternate delegate, on the part of said Board of Trustees to act in the stead of the Hon. Geo. C. Gorham in the event that the latter shall be prevented from attending said convention.

Passed and approved in open Board this 5th day of November A. D. 1875.

(SEAL) M. Keating, Secty. Signed W. A. Begole, President

On motion a copy of the foregoing preamble and resolutions be forwarded to the Hon. Geo. C. Gorham and David Felsenheld.

On motion the Board adjourned.

Approved 6 Decr. 1875.

W. A. Begole, Prest.  
M. Keating, Clerk.

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San Diego 8 Novr. 1875. Office of the Board of Trustees of the City of San Diego.

The Board met pursuant to adjournment of the meeting of the first instant.

Present: Trustees Begole, Boyd and Briant.

The President stated the object of the meeting was to receive the New City Treasurer's Bond and if found satisfactory to approve of same. Mr. C. B. Culver the newly appointed City Treasurer presented a bond for the sum of \$10,000 with the following persons as sureties in the sums set opposite their names

A. Klauber in the sum of \$3,000
E. W. Morse in the sum of 4,000
George Geddis in the sum of 3,000
Making 10,000

which being satisfactory was on motion approved.

No other business coming before the Board they on motion adjourned.

Approved 6 Decr. 1875.

W. A. Begole, Prest.
M. Keating, Clerk.

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San Diego 6th December 1875. Office of the Board of Trustees of the City of San Diego.

Regular Meeting. The Board met at two o'clock P. M.

Trustees present: Begole, Briant, Boyd and Keating.

The Minutes of the last Meetings were read and approved.

REPORTS OF COMMITTEES.

M. Keating from Committee to receive and receipt for vouchers from City Treasurer reported having receipted for City Warrants from No. 1 dated 5th June 1872 to No. 525 dated 5th October 1875, and Bond Coupons from No. 1 to 5 from July 1873 to July 1875. The report was received and ordered filed.

Petitions, Memorial and Communications.

Captain Weeden of the U. S. Engineers came before the Board and stated he was ready to proceed with the work of turning the river at North San Diego as soon as the City Trustees could give title to the lands, that the Government would not make any expenditure unless they had a good and sufficient title to the ground. He laid before the Board a copy of an Enabling Act, as follows:

"An Act to Authorise the President and Trustees of the City of San Diego to convey certain real estate to the United States.

The People of the State of California represented in the Senate and Assembly do enact as follows:

Sec. 1. The President and Trustees of the City of San Diego are hereby authorised and empowered to convey to the United States such Pueblo or City Lands of said City as the United States or the Authorities thereof may require for Civil purposes.

Sect. 2. This act shall take effect from and after its passage."

The lots or parcels of land required are as follows: Pueblo lots No. 219, 243, 259, 276, 275, 274, 260, 279, 280, 281, 304, 305, 348, 349, 347, 360, 361, 362, 383, 382, 391, 392, 414, 413, making 24 lots in all.

On motion Captain Weeden's suggestions were adopted and the Clerk was directed to send the copy of the enabling act to our Representative in Sacramento and request him to urge its passage as soon as possible.

In the matter of a petition to Congress asking the aid required for the Texas Pacific Railway, on motion of Mr. Boyd, Mr. Begole & Mr. Briant were appointed a Committee to act and circulate petitions as they might think advisable.

On motion the Marshal was instructed to grade and construct a new road on the West side of Soladad hill not to exceed \$250.00 expenditure.

On motion a communication from the Fire Department asking the appointment of an assistant Engineer was laid over for one month.

A Communication from the Board of Delegates of the Fire Department asking that Members of Fire Engine Co. No. 1 of San Diego be made exempt from Poll tax. On motion all Members of the Fire Department were made exempt from Road Poll Tax provided they are not delinquent to the Department for more than three months.

The City Treasurer's quarterly Report for the quarter ending first day of November 1875 was read, showing a balance in the Treasury of \$2313.09, apportioned as follows:

|                         |               |
|-------------------------|---------------|
| City General Fund       | 1475.15       |
| " Road "                | 337.19        |
| " Bond interest Fund    | <u>500.75</u> |
| Making a total as above | \$2313.09     |

The Report was received and ordered filed.

The Marshal's report was read showing a deposit in the City Treasury of \$730.00. Report received and ordered filed.

Justice J. R. Porter's Report was also (after being read) ordered filed.

CLAIMS AGAINST THE CITY.

|                                                  |                                        |              |
|--------------------------------------------------|----------------------------------------|--------------|
| Justice J. R. Porter                             |                                        | 12.00        |
| C. H. Shepard, Copying                           |                                        | 28.00        |
| M. Keating, City Assessment Roll                 |                                        | 185.00       |
| A. E. Horton, Rent of Hall                       |                                        | 25.00        |
| W. J. Gatewood, Professional Services, a balance |                                        | 50.00        |
| M. Keating, 3 days Receiving Vouchers            |                                        | 15.00        |
| Marshal Knowles                                  |                                        | 51.63        |
| J. C. Marron, road work                          |                                        | 6.00         |
| Walter Bennet do                                 |                                        | <u>3.50</u>  |
|                                                  |                                        | 376.13       |
| C. H. Shepard's bill for                         | 28.00                                  |              |
| and M. Keating's bill for                        | <u>15.00</u> making 43.00 was rejected | <u>43.00</u> |
| and the remainder                                |                                        | \$333.13     |

ordered paid.

MISCELLANEOUS

It was ordered that the property assessed to W. H. Davis under a valuation of \$25.00 be cancelled.

Ordered that the City Clerk publish a notice of election in the first ward made vacant by the resignation of J. G. Estudillo. The House of Louis Rose on the Plaza was designated as the polling place. Louis Rose Inspector and George Lyons and Thomas Whaley as Judges compose the board of Election, to be held on Monday the 20th instant.

On motion the Board adjourned.

Passed and approved 3 January 1876.

W. A. Begole, President  
M. Keating, Clerk.

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Office of the Board of Trustees
of the City of San Diego.

San Diego 21st December 1875.

Special Meeting. The Board met at 7 o'clock P. M.

Trustees present: Begole, Briant, Boyd and Keating.

The President stated the object of the meeting was to canvass the vote polled in the First Ward Election on the 20th instant. The Clerk read the returns. There was twenty four votes cast and Patrick O'Neil being the only candidate he received all the votes polled. He was on motion declared City Trustee for the First Ward.

On motion the Clerk was directed to send Patrick O'Neil a notification of his Election.

On motion the Clerk was directed to collect all maps belonging to the City and keep them in his possession.

On motion certain parties were exempted from Road Poll tax the present year in consideration of work done on the H Street Bridge and roadway; provided the parties referred to required the exemption named.

On motion the Board adjourned.

Passed and approved 3rd January 1876.

W. A. Begole, President
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 3 January 1876.

Regular Meeting. At two o'clock P. M. only two Trustees being present, the meeting was defered until seven o'clock.

The Board met at seven o'clock; a full Board present.

The Minutes of the last general meeting and the minutes of a special meeting of

the 21st Ult. were read and approved.

#### REPORTS OF COMMITTEES.

Mr. Begole from Committee to circulate petitions to Congress for Railway purposes reported having forwarded most of the petition to Mr. Erringer at San Francisco and would forward the remainder as soon as they came in.

M. Keating from Committee to collect maps belonging to the City, asked further time which was granted.

#### PETITIONS, MEMORIALS & COMMUNICATIONS.

A petition from the property owners on H Street between 5th and 6th Street asking for the privilege of laying down a sidewalk, and signed by three parties owning 300 feet front on H Street. The Board consented to the construction of a sidewalk on the South side of that street only as the property owners were not fully represented on the North side. On motion the President and Clerk were authorized to attend to this matter, and have the survey made in case this arrangement is acceptable to the parties interested.

A petition numerously signed by residents of the Fifth Ward asking to keep stock from pasturing or running at large within the City and bounded as follows, on the East by the Cemetery, on the south by National Ranch and on the North by the Cajon road, was on motion adopted.

A petition from the residents of Old town asking for an Ordinance to prevent Sheep from grazing within three miles of the flag staff was on motion agreed to.

#### REPORTS OF OFFICERS.

The Marshal's report was read, showing a deposit in the City Treasury of \$9527.40 with the Treasurer's receipt for this amount attached was ordered filed.

City Engineer Fox reported the road on the Mission grade in bad order and advised its repair. On motion the Marshal was authorized to expend fifty dollars in repairing this part of the road.

#### CLAIMS AGAINST THE CITY.

|                                           |             |
|-------------------------------------------|-------------|
| Larson & Wescott, Drayage                 | 6.00        |
| T. G. Battaile, Election services         | 3.00        |
| Thomas Whalley do                         | 3.00        |
| George Lyons do                           | 3.00        |
| Louis Rose do                             | 3.00        |
| James W. Connors do                       | 3.00        |
| Arnold & Choat 2 mos. rent Engine House   | 25.00       |
| T. Larson, 1 cord of Wood                 | 10.00       |
| J. C. Marron, Road work                   | 2.50        |
| A. E. Horton, 1 mos. Rent of Hall         | 25.00       |
| M. Keating, 3 month Salary as Clerk       | 75.00       |
| W. A. Begole, Map, Express & Telegraphing | 9.25        |
| R. Schiller, Bookbinding                  | 6.25        |
| San Diego Union, printing &c.             | 34.65       |
| James Russell, Janitor & Jailor           | 14.50       |
| A. P. Knowles, City Marshal               | 58.35       |
| C. J. Fox, City Engineer                  | <u>5.00</u> |
| total                                     | \$286.50    |

were handed over to the Finance Committee who approved of same and ordered them paid.

#### UNFINISHED BUSINESS.

The petition from the Board of Delegates laid over since last regular Meeting

was on motion agreed to and E. Gregory appointed assistant Engineer of the Fire Department.

It was on motion agreed that when this Board adjourns, it adjourns to meet again on tomorrow the 4 inst. at six o'clock P. M.

On motion the Clerk was instructed to have two ordinances drawn by an attorney to comply with the trespass petitions which the Board has just approved of.

On motion a meeting of the Board was agreed to for Monday the 10th instant at two o'clock P. M. to consider the new charter and the propriety of having it sent to the Legislature during its present session.

On motion the Board adjourned.

Approved 7th February 1876.

W. A. Begole, President  
M. Keating, Clerk.

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San Diego Tuesday 4th, January 1876.

Adjourned Meeting. The Board met at six o'clock.

Present: Trustees Briant, Boyd, Begole & Keating.

The President stated the object of the Meeting was to consider ordinances in compliance with the action of the Board on the day previous. The ordinances not being complete the Board adjourned over to tomorrow the 5 instant at six o'clock P. M.

On motion the Board adjourned.

Approved 7th February 1876.

W. A. Begole, Prest.  
M. Keating, Clerk.

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San Diego Wednesday 5th, January, 1876.

The Board met at six o'clock.

Trustees present: Boyd, Begole & Keating.

The Clerk read Charter Ordinance No. 75 as follows:

CHARTER ORDINANCE NO. 75.

Restraining the pasturing and running at large of Cattle within certain City limits.

Be it ordained by the Board of Trustees of the City of San Diego, as follows:

Section 1. All hog, pigs, goats, sheep, horses, mules, Jackasses, horned or other cattle, grazing, pasturing or running at large within the limits of the City of San Diego hereinafter specified are hereby declared a nuisance.

Section 2. Hereafter it shall be unlawful for any person or persons owning or having the control of any such hogs, pigs, goats, sheep, horses, mules, Jackasses, horned or other cattle, to permit them or any of them to graze, pasture or run at large, within the following described limits of and within said City, to-wit: any and all that portion of the City of San Diego lying south of the "Fourth Standard South" as established by the United States Government Survey. Being all that portion of said City included within the following boundaries to-wit: Commencing on the east shore of San Diego Bay where the North line of Juniper Street extended west, intersects said shore (being near the Bridge on the old town road) thence directly east along said line extended eastward to the eastern boundary of said City; thence southeasterly along said Eastern boundary line to northern line of the Rancho de la Nation, Thence Southwesterly along said boundary line between said Rancho de la Nation and said City to eastern shore of San Diego Bay. Thence Northwesterly and northerly along the meanderings of said Bay to the place of commencement. Provided however, that the provisions of this ordinance shall in no-wise effect the use and occupation of any lands within said limits by the legal owners thereof or their lessees.

75

Section 3. Whenever the Marshal of the City shall discover or be notified by any person therein that any animals above enumerated are grazing, pasturing or running at large in violation of the provisions of this ordinance it shall be his duty immediately to cause them to be taken in charge and placed in the City Pound, and within twenty-four hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the Post office door therein, describing said animal so impounded, giving their marks and brands when practicable, with the date of the posting of such notices, and unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said Notices, and prove the ownership of said property and pay all lawful charges thereon, as hereinafter provided, said City Marshal is hereby authorized and it is made his duty, to expose such animal or animals for sale at public Auction to the highest and best bidder for cash; and the proceeds of said sale shall be applied first to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City Treasury for the benefit of the owner or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid with the sum deposited to the account of the owner thereof, including a full statement showing the charges, costs and all expenses incurred about or concerning said animal.

Section 4. The following fines and charges are hereby imposed for any violation of the provisions of this ordinance.

For every horse, Mule, Jackass, horned or other cattle impounded, one dollar, and also fifty cents per day for keeping, one dollar additional if advertised, five per cent commission if sold and one dollar for taking up and driving to the pound: for every hog, pig, goat or sheep impounded, fifty cents, and in addition twenty five cents per day for keeping, one dollar additional if advertised, five p. Ct. commission if sold and fifty cents for taking up and driving to the pound. All to be collected in gold coin, all of which is hereby made a lawful charge against the owner of said animal and a lien upon said animal for the payment thereof.

Section 5. The Marshal shall deliver to the purchaser of any such animal at any sale made by him as aforesaid a bill of sale therefor, which shall be evidence of his title thereto.

Section 6. Charter Ordinances Nos. 30, 60 and 65 are hereby repealed.

Section 7. This ordinance shall take effect and be in force from and after the 15th instant.

Passed and approved by the Board of Trustees this 5th day of January 1876.

(SEAL) ATTEST:

Signed

W. A. Begole, President  
M. Keating, Clerk.

CHARTER ORDINANCE NO. 76.

To restrain the pasturing and Running at large of Sheep at Old San Diego.

Office of the Board of Trustees  
of the City of San Diego.

Be it ordained by the Board of Trustees of the City of San Diego, as follows:

Section 1. All Sheep grazing, pasturing or running at large within the limits of the City of San Diego hereinafter specified are hereby declared to be a nuisance.

Section 2. Hereafter it shall be unlawful for any person or persons owning or having the care or control of any sheep, to permit them or any of them to graze, pasture or run at large within the following described limits of and within said City to-wit: All that portion of said City lying and being within the distance of three miles from the flag Staff on the Plaza at Old San Diego. Provided however that the provisions of this

ordinance shall in nowise affect the use and occupation of any lands within said limits by the legal owners thereof or their lessees.

Section 3. The same fines, penalties and proceedings shall be had and attach to the Committing of said foregoing nuisance, and the breaking of the provisions of this Ordinance as those described and enumerated in sections 3, 4 and 5 of Charter Ordinance No. 75 for the commission of the nuisance therein specified, as far as the same applies to hogs, pigs, goats and sheep.

Section 4. This ordinance shall take effect and be in force from and after the 15th instant.

Passed and approved by the Board of Trustees of the City of San Diego this 5th day of January 1876.

(SEAL) ATTEST: Signed W. A. Begole, President  
M. Keating, Clerk.

A bill for \$100.00 from the San Diego Water Company was presented and on motion the rules were suspended and this the first Bill of the New Water Company ordered paid.  
(Page 11 of this record)  
For particulars see page 26 in this Journal.

On motion the Board adjourned.

Approved 7 February 1876. W. A. Begole, Prest.  
M. Keating, Clerk.

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San Diego 11th January 1875 (6) Office of the Board of Trustees
of the City of San Diego.

Called Meeting. The Board met at six o'clock P. M.

Present: Trustees Begole, Briant, Boyd and Keating.

The President stated the object of the meeting was to lay before the Board a letter he received from our Representative J. M. Pierce and also one from Lieut Weeden both of which he read. He then read a preamble and resolution to the Assembly and Senate of the Legislature of the State, which was on motion adopted.

To the Members of the Assembly and Senate of the Legislature of the State of California.

Whereas on the 3rd day of March A. D. 1875, the Congress of the United States made an appropriation in the Sum of 80,000 dollars for the improvement of the harbour of San Diego, said improvement consisting in turning the San Diego river from its present channel into False Bay, and Whereas the Surveys having been completed by the proper officer of the General Government appointed for that purpose, and as it becomes necessary for the possession of said land through which said improvement is to pass and therefore for that purpose the officer of the General Government to-wit: John A. Weeden Lt. U. S.A. appeared before the Board of Trustees of the City of San Diego on the Sixth day of December A. D. 1875, while in open session and did then and there request said Board to forward to our Representatives in the Legislature of the State of California an Enabling act in the words as follows:

"The people of the State of California, represented in the Senate and Assembly do Enact as follows:

Section 1. The President and Trustees of the City of San Diego are hereby authorised and empowered to convey to the United States, such Pueblo or City lands of said City as the United States Authorities thereof may require for Civil purposes.

Section 2. This Act shall take effect from and after its passage."

And whereas said act is intended to apply only to such lands as the alleys and highways of the City through which said work is to pass.

Now therefore be it resolved by the Board of Trustees of the City of San Diego that the Legislature of the State of California be requested to pass said enabling act for the purpose set forth in this preamble.

Done in open Board this 11th day of January A. D. 1876.

In Witness whereof we have hereunto set our names and caused the Seal of the City to be hereunto affixed.

(SEAL) Signed W. A. Begole, President
M. Keating, Clerk.

On motion the Board adjourned.

Approved 7 February 1876. W. A. Begole, Prest.
M. Keating, Clerk.

San Diego 12 January 1876. Office of the Board of Trustees
of the City of San Diego.

Called meeting. The Board met at half past six o'clock P. M.

Present: Trustees Briant, O'Neill, Begole, Boyd & Keating.

The President stated the object of the meeting was to hear the intended Charter read. The Clerk read the Charter, when on motion the Board adjourned.

Approved 7th February 1876 M. Keating, Clerk. W. A. Begole, Prest.

San Diego 25 January 1876. Office of the Board of Trustees
of the City of San Diego.

Called Meeting. The Board met at six o'clock.

Present: Trustees Begole, Briant, Boyd & Keating.

The President stated the object of the meeting was in order to see if the Board would think it advisable to lease some city property to the Military authorities as they required some suitable location for the erection of officers quarters.

The Plaza in Newtown being named, Mr. Boyd suggested it would be well to have the opinion of Council as to the legality of leasing the Plaza.

On motion Mr. G. N. Hitchcock's opinion was solicited and the Board adjourned to meet tomorrow evening at seven o'clock.

Approved 7 February 1876. W. A. Begole, Prest.
M. Keating, Clerk.

San Diego 26 January 1876. Office of the Board of Trustees
of the City of San Diego.

The Board met at seven o'clock.

Present: Trustees, Begole, Briant, Boyd & Keating.

The President said Mr. Hitchcock would make a statement as to the power of the Board to lease the Plaza as suggested on the evening previous. Mr. Hitchcock read an abstract from the original deed by Sutherland to the purchasers of Newtown proper setting forth that the Plaza was granted for public use and to the effect that it was not to be otherwise used, but owing to some provisions not complied with by the grantees the Board were of opinion that they could lease the ground.

On motion the following resolution was adopted.

Be it resolved by the Board of Trustees of the City of San Diego that Trustees Begole, Briant & Keating be and are hereby authorised to submit to the U. S. officer in command of the Post in this City the following proposition.

The Trustees of the City do hereby grant to the U. S. Military authorities for

a term of five years the Plaza ground situated in Newtown for the purpose of erecting of-
ficers' quarters, parade ground &c and in consideration for this privilege the parties
that may so occupy are required to set out shade or ornamental trees say twenty feet
apart on each every side of the Plaza and maintain the same during the time they occupy
the ground.

On motion the Board adjourned.

Approved 7th February 1876.

M. Keating, Clerk.

W. A. Begole, Prest.

San Diego 29 January 1876.

A minority of the Board met at 7 o'clock, Trustees Boyd & Keating only, being
present and waited until 8 o'clock when they adjourned the meeting until the next general
meeting on the 7th day of February next, the object of this present meeting was to received
the Clerk's report of settlement with the tax collector.

Approved 7th February 1876

M. Keating, Clerk.

W. A. Begole, Prest.

Office of the Board of Trustees

San Diego, 7 February 1876.

of the City of San Diego.

Regular Meeting. The Board met at two o'clock.

Present: Trustees Begole, O'Neill, Boyd and Keating.

The minutes of the last meetings were read and approved.

REPORTS OF COMMITTEES.

The Clerk from Committee to collect Maps belonging to the City asked further
time which was granted.

A report from Committee regarding a sidewalk on H street between 5th and 6th
streets reported that the parties interested were satisfied to forego improvement for the
present, action postponed.

From Committee to confer with Commanding Officer here regarding the leasing of
the Plaza in Newtown, reported that they had an interview with Captain Barnard on the
subject, the report was received and ordered filed and the Committee discharged.

Petitions, Memorials and Communications.

A Petition numerously signed asking the Board to lease the Plaza in Newtown to
the Military authorities was on motion adopted; and the Secretary was directed to commun-
icate with Captain Barnard making a proposal for the leasing of the Plaza.

A Petition from the Citizens of the Fifth Ward asking the Board to so amend
Charter Ordinance No. 75 as to allow Cattle to graze under the Charge of a responsible
herder was on motion adopted and the following ordinance ordered published.

CHARTER ORDINANCE NO. 77.

Exempting Pueblo Lots 1149, 1150, 1154, 1158, 1162, 1163 and
1164 from the operation of Ordinance No. 75.

Office of the Board of Trustees
of the City of San Diego.

The Board of Trustees of the City of San Diego do Ordain as follows:

Section 1. That part of the City of San Diego described as follows to-wit:

Pueblo Lots No. Eleven hundred and forty nine, Eleven hundred and fifty, Eleven hundred
and fifty four, Eleven hundred and fifty eight (1158) Eleven hundred and sixty two, Eleven
hundred and sixty three and Eleven hundred and sixty four are hereby exempted and released
from the operation of Charter Ordinance Number Seventyfive,

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Provided however that all animals specified in said ordinance shall be under the care and control of a herder to receive the benefits and exemptions of this ordinance.

Passed and approved by the Board this 7th day of February 1876.

(SEAL) ATTEST:

Signed

W. A. Begole, President
M. Keating, Clerk.

A Communication from C. B. Richards to the City Marshal was laid over.

A Communication from A. Cowles asking to refund tax paid twice was on motion agreed to.

The President stated he had received a Summons from the 18th Judicial District making the City a party to the condemnation suit but did not consider any action necessary.

A petition for sidewalk on Fifth St. laid over for one Month.

REPORTS OF OFFICERS.

The City Treasurer's Report for the quarter ending 31 January 1876 was read showing a balance in Treasury of \$7444.24 apportioned as follows:

General Fund	3050.46
Road "	568.04
Bond Interest Fund	3822.87
Balance from Sale of Impounded Stock	<u>2.87</u>
Making a total as above	\$7444.24

The Report received and ordered filed.

The Marshal's report was read showing a deposit receipt from the Treasurer of \$62.30 on the 21 ult. also his report to date with Treasurer's Receipt for \$1759.66, both reports were ordered filed.

The Report of J. R. Porter's, Justice of the peace was also ordered filed.

The Marshal's report of Stock impounded and sold was ordered filed.

The City Clerk's report of settlement with the Marshal on the 21st of January and showing the amount of Taxes delinquent was also ordered filed.

Three items of Expenditure in making and repairing Roads were likewise ordered filed.

CLAIMS AGAINST THE CITY.

James Russell, Road supplies	6.95)	
John Hyand, Road work	3.75)	
Frank Durand "	16.50)	
Antone Sumonano "	17.25)	
J. B. Boyd "	19.50)	Jas. Russell
Geo. Selwyn "	24.00)	Warrant No.584
Jake Harris "	7.50)	
Alfred Monje "	6.00)	
W. A. Begole, Mdse.	6.05	
G. N. Hitchcock, Attorney	25.00	
San Diego Water Compy	100.00	
J. R. Porter, Justice of Peace	6.00	
G. Ginnocchio & Co., Mdse	4.00	
C. J. Fox, City Engineer	5.00	
B. F. Parsons, Blacksmithing	2.00	
L. Winter & Bro., Bread	5.50	
J. B. Boyd, Road work	4.00	
Lowell & Cassady, Horse feed	17.25	
Gassen & Brown, Meat	6.15	
	101.45	

Stiner & Klauber, Mdse	16.40
Schnider & Kneppers, Stationery	14.20
A. P. Knowles, delinquent list	65.20
A. E. Horton, Rent of Hall	25.00
M. Keating, 1 month Salary	25.00
D. L. Lockling, survey of Grave Yard	5.00
Louis Rose, 1 Road scraper	3.50
A. P. Knowles, Impounding & Board prisoners	62.25
A. P. Knowles, Road Work	<u>143.25</u>
	642.20

were handed over to Finance Committee who ordered the same paid. The Clerk's bill for delinquent list settlement was reserved for consideration.

Trustees Boyd & Begole were appointed a committee to arrange the tax suit with the Dist. Attorney amt. \$184.25.

The City Engineer was on motion instructed to communicate with Assembly man Pierce with a map describing the need of a City front line and requesting him to have a bill passed so that the tide land on the City front can be conveyed by the Board of Trustees for that purpose.

On motion the Marshal was authorised to expend \$250.00 on the road to Old town, the improvement to be made on California Avenue.

On motion a new deed was executed to Gov. R. C. McCormack in lieu of an imperfect deed previously made.

On motion the City taxes on lot 134 and Block 155 situated in Middletown, lot 134 being in right of way Middletown, were cancelled, (this property belonging to the City) and that the tax collector be credited with the amount.

On motion the Board then adjourned.

Approved 6th March 1876.

W. A. Begole, Prest.
M. Keating, Clerk.

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San Diego 6 March 1876.

Office of the Board of Trustees  
of the City of San Diego.

Regular Meeting. The Board met at two o'clock.

The minutes of the last meeting was read and approved.

REPORTS OF COMMITTEES.

M. Keating from Committee to collect maps reported having obtained only one Map through the City Engineer. He also read a communication from that officer stating there should be several other maps belonging to the City beside those on file with the City Clerk.

The Committee was required to continue his search for any Maps that may belong to the City.

REPORTS OF OFFICERS.

Note:  
Ordered  
published  
and was  
published  
in the Union  
8th inst.  
M.Keating  
Clerk

The President read his semi-annual report showing the amount in the Treasury to be \$8370.74.

|                             |         |
|-----------------------------|---------|
| Apportioned to General fund | 2878.14 |
| " " Interest "              | 4758.11 |
| " " Road "                  | 734.49  |

The Report was on motion adopted and ordered filed.

The Marshal's report was read showing a deposit in the City treasury of \$519.84 with Treasurer's Receipt for same.

Justice Porter's report was also read in which he states that 20 dollars was

deposited by him in the City Treasury.

Both of these reports were received and ordered filed.

CLAIMS AGAINST THE CITY.

|                                               |               |
|-----------------------------------------------|---------------|
| G. H. Waring, 1 Water Bbl for use of Hall     | 1.50          |
| West. Union Telegraph Co.                     | 8.75          |
| San Diego Water Company                       | 100.00        |
| J. R. Porter, Justice of the Peace            | 9.00          |
| M. Keating, 1 Month's salary                  | 25.00         |
| " Settlement delinquent taxes                 | 20.00         |
| Larson & Wescott, Drayage                     | 11.50         |
| Arnold & Choat, 2 months rent of Engine house | 25.00         |
| A. P. Knowles, City Marshal                   | 93.25         |
| A. E. Horton, 1 month's Rent of Hall          | 25.00         |
| W. A. Begole, 5000 Brick                      | 62.50         |
| W. W. Stewart and Co., 3 Bbls Lime            | 12.75         |
| Isaac Spencer, 1 Road Scraper                 | 14.00-        |
| A. H. Gilbert & Bro., Lumber                  | 3.10          |
| James Russell, 6 Bills, road labour           | 127.75        |
| James Russell, 2 mos as Janitor & Jailor      | 8.00          |
| San Diego Water Co. Entr. twice               | <u>100.00</u> |
| Amounting to the sum of                       | 547.10        |

were handed over to the Finance Committee who ordered them paid.

M. Keating bill held over from last meeting was on motion allowed and is included in the above.

President Begole from Committee to arrange with the District Attorney, the Tax Suit, reported having paid amount as per account rendered.

Note: This item should have been stated in its proper place but was overlooked.

MISCELLANEOUS AND UNFINISHED &C.

The petition laid over from last meeting for a sidewalk on Fifth was on motion agreed to.

The petition for a sidewalk on the South side of H street between 5th and 6th postponed on the 7th ult. was taken up and passed and it was ordered that the City Engineer make the surveys and specifications for these sidewalks.

The following Memorial to the Assembly was on motion agreed to.

Whereas, It appearing to this Board that bills have been introduced in the Legislature, one to incorporate the City of San Diego and one to create a Board of Harbour Commissioners and a Survey of the Harbour, and

Whereas the people of San Diego have not been consulted with reference of the object of said bills,

Therefore be it resolved that we have the fullest confidence in the integrity and ability of the Hon. J. M. Pierce our representative in the Assembly who is a resident of this City of San Diego and thoroughly identified with its interests and familiar with the wants of the people and prepared to present in his representative capacity, measures which are desired by them and that we earnestly pray the Members of the Legislature to entertain no measure which is desired by them, and that we earnestly pray the Members of the Legislature effecting the interests of this City not presented and advocated by their chosen representative.

Passed and approved in open Board this sixth day of March A. D. 1876.

M. Keating, Clerk. Signed W. A. Begole, President

On motion 100 dollars was appropriated to help to finish the New Road to Old Town the amount 250 dollars previously appropriated not being sufficient.

On Motion, Trustee O'Neill was appointed to view the Road near a spring beyond Old town accompanied by the Marshal who was to have it repaired.

On motion the Marshal was instructed to repair certain places on Fifth Street and such other of the principle traveled streets as needed repairs.

On motion the Board then adjourned.

Approved as amended in Margin page 71, 3rd April 1876.

W. A. Begole, Prest.  
M. Keating, Clerk.

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On the first day of November 1875 the Clerk was authorized to exchange the ten acre tract set apart for Cemetery purposes, the land being found impractical for such purposes, with J. S. Mannasse. The following Ordinance is adopted.

CHARTER ORDINANCE NO. 78.

Repealing ordinance No. 46 and setting apart certain other lands for Cemetery purposes.

Office of the Board of Trustees  
of the City of San Diego.

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

Section 1. The real estate in the City of San Diego, State and County aforesaid being purchased by said City from J. S. Mannasse by an Exchange deed dated 11th day of March 1876 for Cemetery purposes and described as follows: Commencing at a stake marked Cemetery at the south east corner of a tract of land deeded to J. S. Mannasse on the 18th day of February A. D. 1869 by the Trustees of said City, said initial point being common to Pueblo lots 1119, 1120, 1121 and 1122 as per Chas. H. Pools official map of the Pueblo lands of said city thence West 9.25 chains to a stake, thence North one degree (N 1.00 E) 10.94 chains to a stake on side hill, thence east 9.04 chains to a stake, thence south 10.94 chains to point of commencement, containing ten acres and more fully described by a plat of the Survey made by L. L. Lockling, Civil Engineer accompanying the deed, hereby set apart, dedicated, donated and reserved for a Cemetery.

Section 2. The west half containing five acres of the real Estate described in the preceeding section is hereby placed under the free and Exclusive control of the Parish of the "Imaculate Conception of the City of San Diego" State of California in the Diocese of Los Angeles and Monterey, Right Revd T. Amat Bishop, to be held in trust and to be used and controled exclusively by said Parish forever, for Cemetery purposes only, subject however to such general supervision of the Corporate authorities of said City as is now or may be vested in them by law.

Section 3. Charter Ordinance No. 46 is hereby repealed and annulled and the real estate therein described reconveyed to J. S. Mannasse being unsuitable and impractical for cemetery purposes, the Pastor of the above named parish, A. D. Ubach, having served notice on the Clerk of this Board relinquishing all claim to the real estate described in ordinance No. 46, which notice is now on file in this office.

Passed and approved this 11th March 19 day of February A. D. 1876.

(SEAL) ATTEST:

Signed, W. A. Begole, President  
M. Keating, Clerk.

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 3rd April 1876.

Regular Meeting. The Board met at 2 o'clock.

Present: Trustees Begole, O'Neill and Keating.

Messrs. Boyd & Briant being absent the Board adjourned to 7 o'clock this evening.

The Board met at 7 o'clock pursuant to adjournment, a full Board present.

The minutes of the last meeting were read and after being corrected, which consisted in noting the publication of the President's half yearly report, were approved.

REPORTS OF COMMITTEES.

M. Keating from Committee to collect maps belonging to the City asked further time which was granted.

Trustee O'Neill from Committee to inspect the Road near False Bay reported having examined the place that needed repairs and had the Marshal to repair it. The report was received and the Committee discharged.

Petitions, Memorials and Communications.

A communication from the Cemetary Commissioners was read asking the Board to appoint some one to fill the vacancy occasioned by the demise of Mr. Dunham. On motion A. H. Gilbert was appointed to fill the vacancy.

The Chief Engineer of the Fire Department Memorialled the Board to appropriate the sum of ten dollars for the purpose of buying a cupboard to keep oil and some other small articles in, which was on motion agreed to.

H. A. Branch and W. R. Porter presented a petition for a Gass franchise which was on motion laid over for one month.

A Communication from G. W. Trainor calling the attention of the Board to the condition of the road between here and Soladad. On motion the Marshal was ordered to put the Road in a passable condition, but not to exceed an outlay of fifty dollars.

REPORTS OF OFFICERS.

The Clerk reported a final settlement with the Tax Collector leaving taxes delinquent to the amount of 182.30 and recommending the cancellation of delinquent taxes for 1873. The Report was ordered filed.

The Tax Collector's report was read showing a deposit in the City Treasury on the 23rd of March of \$339.44.

The Marshal's monthly report was read showing a deposit in the City Treasury of \$56.00, on account of stock impounded up to the 3rd day of April.

Report received and ordered filed.

The City Engineer Reported surveys and specifications for side walk on the east side of Fifth Street between G and H streets and on the South side of H street between Fifth and Sixth streets. On motion this work was ordered to be done within seventy days.

CLAIMS AGAINST THE CITY.

|                                            |        |       |
|--------------------------------------------|--------|-------|
| Schnider & Kuppers, Stationery             | 4.85   |       |
| John N. Young (Per Smith) work on Road     | 5.00   |       |
| H. B. Hershey, Horse & Waggon, Road        | 6.00)  |       |
| Wm. Conner                                 | 4.50)  |       |
| P. Bishop                                  | 3.00)  |       |
| J. H. Kilgore                              | 17.00) |       |
| Ignacio Ferlin                             | 8.00)  |       |
| J. B. Boyde                                | 8.00)  |       |
| Jake Harris                                | 8.00)  |       |
| C. Hueck                                   | 4.50)  |       |
| James Russell                              |        | 59.00 |
| Walter Bennet, work on Street Horse & Cart |        | 47.50 |
| A. E. Horton, Rent of Hall (1 month)       |        | 25.00 |



Second Ward. Inspector E. W. Nottage. Judges S. S. Dunnells & M. Keating.

Voting place. New San Diego Hotel.

Third Ward. Inspector E. W. Morse. Judges John N. Young & P. Burns.

Voting Place. City Hall.

Fourth Ward. Inspector A. Hiscock. Judges G. G. Bradt & L. L. Lockling.

Voting Place. Hiscock's building.

Fifth Ward. Inspector Olcott Pierce. Judges A. J. Chase and I. S. Freeborn.

Voting Place. Bay View Hotel.

By order of the Board of Trustees of the City of San Diego.

Signed M. Keating, Clerk. W. A. Begole, President

On motion the Clerk was directed to furnish the necessary Blank forms and ballot Boxes at the different polling places in each Ward.

On motion the Board then adjourned.

Approved 1 May 1876.

M. Keating, Clerk.

W. A. Begole, Prest.

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Office of the Board of Trustees
of the City of San Diego.

San Diego 1st. May 1876.

Regular Meeting. The Board met at two o'clock.

Present: Trustees Begole, Boyd & Keating.

The minutes of the last regular meeting and of the two subsequent meetings were read and approved.

REPORTS OF COMMITTEES.

M. Keating from Committee to collect Maps belonging to the City, reported having obtained the original map of the Canada de las Lleguas surveyed by Clayton & Hesse in 1851. The Report was approved.

PETITIONS, MEMORIAL & COMMUNICATIONS.

A Communication was read from Cemetery Commissioner Bradt resigning the appointment of Cemetery Commissioner to take effect on the first instant, which was on motion accepted.

REPORTS OF OFFICERS.

The City Treasurer's Report was read showing a Balance in the City Treasury for the quarter ending 30th April 1876 of \$7846.64, was ordered filed.

The City Marshal's report to the first of May 1876 showing a deposit in the City Treasury of \$47.00 was also ordered filed.

The City Clerk reported having telegraphed for necessary information concerning the New Charter in order to issue the regular Biannual Election Proclamation which takes place on the Eleventh instant at a cost of some 4.50. The City Clerk also reported having received the New Charter per Express and paying the expense of same which was collected on delivery. Amount \$20.15.

CLAIMS AGAINST THE CITY.

G. W. Hitchcock, Attorney's & Notary's fees	37.00
San Diego Water Co.	100.00
M. Keating, 1 mo. Sal. as Clerk	25.00
A. P. Knowles, City Marshal	38.25
H. C. Skinner, desk for Fire Dpt.	10.00
McDonald & Co., oil, lumber & spikes	10.00
G. H. Waring, Janitor & Jailer (2 months)	8.00
M. Keating, Cash pd Express charges	20.15

Jas. Russell, 5 bills work on Soladad Road 22.00
 A. E. Horton, Rent of Hall 25.00
 Amounting to \$295.40

were handed over to the Finance Committee who reported favourable and ordered them paid.

The City Clerk was directed to notify the parties that petitioned for sidewalks that under the New Charter they cannot order the work done.

On motion the Board adjourned.

Approved 15th May 1876.

W. A. Begole, Prest.

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Office of the Board of Trustees  
 of the City of San Diego.

San Diego 15th May 1876.

Special Meeting. The Board met at Seven o'clock.

Present: Trustees Boyd, O'Neill, Begole & Keating.

The minutes of the last meeting were read and approved.

The President stated the object of the Meeting was to canvass the votes of the recent Election held on the 11th instant resulting as follows:

|                                      | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Totals | Majorities |
|--------------------------------------|----------|----------|----------|----------|----------|--------|------------|
| For Trustee First Ward, Patk O'Neill | 20       |          |          |          |          | 20     | 20         |
| " " 2nd Ward, J. R. Porter           |          | 17       |          |          |          | 17     |            |
| " " " " D. O. McCarthy               |          | 31       |          |          |          | 31     | 14         |
| " " 3rd " W. A. Begole               |          |          | 114      |          |          | 114    | 114        |
| " " 4th " D. W. Briant               |          |          |          | 129      |          | 129    | 104        |
| " " " " F. Snider                    |          |          |          | 25       |          | 25     |            |
| " " 5th " J. M. Boyd                 |          |          |          |          | 51       | 51     | 51         |
| " City Assessor, D. Burroughs        | 4        | 8        | 61       | 93       | 41       | 207    | 8          |
| " " " T. J. Daley                    | 16       | 41       | 60       | 63       | 19       | 199    |            |
| " Tax Collector, H. T. Christian     | 4        | 14       | 39       | 33       | 23       | 113    | 6          |
| " " " H. H. Dougherty                | 13       | 22       | 20       | 38       | 14       | 107    |            |
| " " " James Russell                  | 3        | 9        | 45       | 36       | 14       | 107    |            |
| " " " S. Statler                     |          | 4        | 24       | 54       | 10       | 92     |            |
| Total number of votes Polled 420     | 20       | 49       | 129      | 161      | 61       |        |            |

On motion the following persons were declared duly Elected to the places and offices named.

Patrick O'Neill City Trustee of the First Ward  
 D. O. McCarthy " " " " 2nd Ward  
 W. A. Begole " " " " 3rd Ward  
 D. W. Briant " " " " 4th Ward  
 J. M. Boyd " " " " 5th Ward  
 D. Burroughs City Assessor  
 H. T. Christian City Tax Collector.

The City Clerk was instructed to notify the parties elected.

On motion the Board adjourned sine die.

M. Keating, Clerk.

W. A. Begole, Prest.

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Office of the Board of Trustees
 of the City of San Diego.

San Diego 20th May 1876.

The City Clerk called the meeting to order at seven o'clock P. M. and upon calling

the roll of the New City Trustees, the following Members having qualified answered to their names.

First Ward	Patrick O'Neill,	Present
Second Ward	D. V. McCarthy,	Present
Third Ward	W. A. Begole,	Present
Fifth Ward	J. M. Boyd,	Present
Fourth Ward	D. W. Briant,	Absent

On motion the Board adjourned to Monday the 22nd instant at seven o'clock P. M.

on sixth line the words "at seven O'Clock P. M." interlined
on Eight line the words "having qualified" interlined.

M. Keating, Clerk.

Office of the Board of Trustees
of the City of San Diego.

San Diego 22nd May 1876.

Adjourned Meeting. The Trustees met pursuant to adjournment at seven o'clock P.M.
The City Clerk called the meeting to order.

On the Roll being called the Trustees of the several Wards answered to their names as follows:

Patrick O'Neill	First Ward
D. O. McCarthy	Second Ward
W. A. Begole,	Third Ward
D. W. Briant,	Fourth Ward
J. M. Boyd	Fifth Ward

All of whom having been duly elected and qualified now proceeded on motion to ballot for a Chairman which resulted in the Election of Trustee J. M. Boyd, who received three votes and Trustee Begole two votes. Whereupon Mr. Boyd was declared the Chairman of the Board of Trustees.

Mr. Boyd thanked the Board and took the Chair.

The Board then proceeded to ballot for a Clerk. S. Statler received three votes and M. Keating 2 votes. Mr. Statler was declared the City Clerk.

On balloting for City Treasurer, Phillip Morse received three votes and C. B. Culver two votes. Mr. Morse was declared the City Treasurer.

For City Attorney, Wm. Jeff Gatewood received three votes and G. N. Hitchcock and A. C. Baker one each. Colonel Gatewood was declared the City Attorney.

On motion to appoint a City Engineer, the motion was withdrawn that office not being enumerated in the New City Charter.

Mr. G. N. Hitchcock suggested to the Board that it would be well to nominate an Orator and Poet for the coming fourth of July, this being centennial year. After some conversation on the subject there was no action taken.

Mr. Begole moved that a standing committee of three be appointed to draw up an order of business and rules for the Board and such other business as is now necessary and report to the Board at the next Meeting on Monday the 29th inst. which was agreed to. The President named Trustee McCarthy, Begole & Briant as such committee.

On motion the City Treasurer's Bond was fixed at fifteen thousand (15,000) dollars, the City Tax Collector's at ten thousand (10,000) dollars and the bonds of the City Clerk, City Attorney and City Assessor at five thousand (5,000) dollars each.

Mr. Begole returned the sum of \$16.70 money drawn by him in July last to pay the late City Attorney Louis Branson, as Mr. Branson refused to receive the amount Mr. Begole now returned it to the Board. The money was handed over to the City Clerk who was in-

structed to deposit it with the City Treasurer and take his receipt therefor and the memorandum and blank receipt accompanying the money was ordered filed.

On motion the Clerk was directed to draw warrants for Election services rendered in the late City Election being the five wards at fifteen dollars each or three dollars each for persons engaged as board of Election and Clerks.

On motion the Board adjourned to Monday the 29th instant at half past seven o'clock P. M.

Approved 29 May 1876.

M. Keating, Clerk.

J. M. Boyd, President

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Office of the Board of Trustees  
of the City of San Diego.

San Diego 29th May 1876.

A full board present. Adjourned Meeting.

The Board met pursuant to adjournment.

The Minutes of the last meeting were read and approved.

From some remarks by Trustee McCarthy this present meeting was declared by the Board to be a general meeting.

REPORTS OF COMMITTEES.

The Standing Committee of three reported back to the Board the following Rules of Order.

Rule No. 1. The Meetings of the Board shall be held on the first Monday in each month at half past seven o'clock in the evening.

Rule No. 2. The President shall take the chair and call the Board to order promptly at the time specified, and in the absence of the President the Board shall appoint a President pro tem.

Rule 3. The Standing Committees, consisting of two persons each shall be as follows:

Committee on Finance whose duties shall be to examine all claims against the City and report to the Board their recommendations.

Committee on Sidewalks, Streets and Highways whose duty shall be to determine all action relating thereto and report at the next regular meeting of the Board.

Committee on Fire whose duty shall be to examine all Stove pipes, chimneys, furnaces and combustible materials and all matters relating to the Fire Department of the City and report to the Board at the next regular Meeting.

Rule 4. When a question is under debate, no motion shall be received unless to amend.

Rule 5. A motion to adjourn shall always be in order and shall be decided without debate.

Rule 6. The Yeas and Nays on any and all questions on every ordinance or resolution shall be recorded at the request of any member.

Rule 7. After a motion is stated or read by the chair it shall be deemed to be in possession of the Board and shall be disposed of by vote, but the Mover may withdraw it at any time before a discussion or amendment.

Rule 8. No member speaking shall be interrupted by another, except by using the Call for an explanation.

Rule 9. A motion to refer to Committee or lay on the Table, shall, if seconded, preclude all amendments to the main question, until such motion is decided.

Rule 10. When an amendment to a resolution is moved and seconded, the vote shall in all cases be first upon the amendment, unless the mover of the resolution shall accept the amendment.

Rule 11. To Suspend the Rules, a vote of the Majority of the members present shall be necessary.

Rule 12. When a question has been put and decided it shall be in order for any Member who voted in the majority, and no other, to move a reconsideration of the vote.

Rule 13. No bill, order or resolution shall be deemed in possession of, or before the Board for consideration until the same shall have been signed by the member offering it, and read, after which remarks thereon shall be in order.

Rule 14. The President shall appoint all Committees not otherwise provided for by the Board.

Rule 15. No question or Motion shall be debated or put unless the same be seconded. When a motion is seconded it shall be stated by the President before debate.

Rule 16. Reports of Committees to the Board must be made in writing.

The Standing Committee also reported the following order of business.

First. Read<sup>ing</sup> and disposing of the Minutes.

Second. Reports of Committees.

Third. Petitions, Memorials and Communications.

Fourth. Reports of Officers.

Fifth. Claims Against the City

Sixth. Miscellaneous and Unfinished Business.

The report was on motion adopted.

On motion the amount of bonds for City Attorney and City Clerk was reconsidered and fixed at 2,000\$ each.

The Bonds of D. Burroughs as City Assessor, H. T. Christian, City Tax Collector, Wm. Jeff Gatewood, City Attorney, Phillip Morse, City Treasurer and S. Statler, City Clerk were each severally read and on motion approved and declared the incumbents of their respective offices.

Charter Ordinance No. 1 of the New City Charter was read and approved and ordered published.

On motion the Board proceeded to Ballot for a City Physician, Dr. P. C. Remondino receiving the full vote of the Board was declared City Physician.

The Clerk was requested to write to Mr. Estudillo asking him to ascertain the cost of fifty copies of the New City Charter by getting them from the State Printer at the time that official may have the Charter in press.

#### NEW CHARTER ORDINANCE NO. 1.

An Ordinance fixing the amount of bonds to be given by Certain Officers of the City of San Diego, and setting the time and place of regular Meetings of the Board of Trustees of said City.

Section 1. Be it ordained by the Board of Trustees of the City of San Diego that the following named officers of said City are hereby required to give bonds for the faithful performance of their duties as such officers in the amounts following to-wit: City Treasurer in the Sum of Fifteen thousand dollars; Tax Collector, Ten thousand dollars; Assessor, Five thousand dollars; City Attorney, two thousand dollars and City Clerk, two thousand dollars.

Section 2. Be it also ordained that the first regular meeting of the Board of Trustees of the City of San Diego shall be held on Monday the fifth day of June 1876 at half past seven o'clock P. M. in the City Hall, and its subsequent regular meetings shall be held the first Monday in every month thereafter, at the same hour and place until otherwise ordained.

Passed and approved this 29th day of May 1876 at the office of the Board of the City of San Diego.

Signed

J. M. Boyd, President

S. Statler, Clerk.

No other business coming before the Board they on motion adjourned.

S. Statler, Clerk

J. M. Boyd, President.

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Office of the Board of Trustees
of the City of San Diego.

Monday Evening, June 5th, 1876.

Regular Meeting. The full board met at 7½ o'clock P. M. and called to order by J. M. Boyd, President.

The Minutes of the last meeting were read and approved.

The President appointed the following Committees, to-wit: W. A. Begole and P. O'Neil on Streets and Roads. D. W. Briant and D. O. McCarthy on Fire Department. D. O. McCarthy and W. A. Begole, on Finance.

The following Claims against the City were presented.

Peter Rothernel (J. Arnold, Agent) rent of Engine House from Mch 1st to May 1st, 1876	\$25.00
J. R. Porter, Justice Court fees	3.00
S. S. Dunnells, Rent of Room on Election day May 11/16	2.00
Western Union Telegraph Co., Messages to & from Sacramento Apl 29th	4.50
M. Keating, City Clerk for May 1876	25.00
A. E. Horton, Hall rent for May 1876	<u>25.00</u>
Total Amt.	\$84.50

On Motion they were all refered to the Finance Committee.

MISCELLANEOUS AND UNFINISHED BUSINESS.

Charter Ordinances No. 2, No. 3, No. 4, No. 5, and No. 6 were read by the City Attorney, and on Motion there were Each adopted as herein set forth, to-wit:

CHARTER ORDINANCE NO. 2. (New Charter).

An Ordinance creating a Board of Health for the City of San Diego, Also establishing the Quarantine Grounds in the Bay and Harbor of San Diego.

The Board of Trustees of the City of San Diego, State of California, do ordain as follows:

Section 1. The quarantine grounds of the Bay and Harbor of San Diego are, and shall be at the anchorage of the La Playa.

Section 2. The Board of Trustees shall with the Health Officer appointed by them, constitute a Board of Health, for the City of San Diego. The Health Officer shall be President of the Board. The regular Meetings shall be on the second Monday of each Month, and at such other time as the President shall direct. In the Absence of the President, the Board may elect a chairman who is clothed with the same powers as the President.

Section 3. The Health Officer of the City of San Diego shall be Elected by the Board of Trustees and hold his Office for the term of two years, he must be a physician in good Standing, residing in the City, and a graduate of some Medical College.

Section 4. The Health officer may perform all acts which quarantine officers are usually authorized to perform, and he shall be the executive officer of the Board of Health.

Section 5. The Board of Health shall have general supervision of all matters appertaining to the Sanitary condition of the City and also of all Hospitals, prisons, alms houses, and all other public institutions within the limits of the City. The Board may adopt such orders, and regulations and appoint or discharge such Medical attendants, and employees, as to them may seem best to promote the public welfare, and may appoint as many Health Inspectors as they deem necessary in time of epidemics.

Section 6. Shipmasters bringing vessels into the harbor of San Diego, and Masters,

Owners or consignees having Vessels in the harbor which have on board any cases of Asiatic Cholera, small pox, yellow, typhus or ship fever, Must report the same, in writing to the Health officer before landing any passengers, casting anchor, or coming to any wharf, as soon thereafter as they or either of them become aware of the existance of either of these diseases on board of their vessels.

Section 7. No Captain or other Officer in command of vessel sailing under a register arriving at the port of San Diego, nor owner, consignee, Agent or other person having charge of such vessel must under a penalty of no less than one hundred dollars nor more than one thousand dollars, land or permit to be landed any freight, passengers or other persons from such vessel until he has reported to the health officer, presented his bill of Health, and received a permit from that officer to land freight, passengers, or other persons.

Section 8. Every Pilot who conducts into the port of San Diego, any vessel subject to quarantine or examination by the Health officer must:

1st. Bring the Vessel no nearer than allowed by law.

2nd. Prevent any person from leaving and any communication being made with the vessel under his charge until the Health Officer has boarded her and given necessary orders and directions.

3rd. Be vigilant in preventing any violation of the quarantine laws; and report without delay all such violations that come to his knowledge to the health officers.

4th. Present the Master of the vessel with a printed copy of the Quarantine laws unless he has one.

5th. If the vessel is subject to quarantine by reason of infection, place at the Mast head a yellow flag.

Section 9. Every Master of a Vessel subject to quarantine or Visitation by the Health Officer, arriving ⁱⁿ the Port of San Diego, who refuses or neglects, either:

1st. To proceed with and anchor his vessel at the place assigned for quarantine when legally directed so to do, or

2nd. To submit his vessel, cargo, and passengers to the Health Officer, and furnish all necessary information to enable that Officer to determine what Quarantine or other regulations they ought respectively to be subjected, or

3rd. To report all cases of disease, and of deaths occurring on his vessel, and to comply with all the sanitary regulations of the Bay and Harbor,

Is liable in the sum of Five hundred dollars for every such neglect or refusal.

Section 10. All vessels arriving off the Port of San Diego, from ports which have been legally declared infected ports, and all vessels arriving from ports where there is prevailing at the time of their departure, any contagious or infectious or pestilential diseases, or vessels with decaying cargoes, or which have unusually foul or offensive holds, are subject to quarantine and must be by the master, owner, pilot or consignee, reported to the Health Officer without delay. No such vessel must cross a right line drawn from Roses wharf to the Peninsula of San Diego untill the Health Officer has boarded her and given the order required by law.

Section 11. The Health Officer must Board every vessel subject to quarantine or visitation by him immediately on her arrival, make such examination and inspection of vessel, books, papers, or cargo, or of persons on board under Oath, as he may Judge expedient, and determine whether the vessel is subject to quarantine, if so the period of quarantine.

Section 12. No Captain or other Officer in command of any passenger carrying vessel of more than one hundred and fifty tons burden, nor of any vessel of more than one

hundred and fifty tons burden having any passengers on board, nor any owner, consignee, Agent, or other person having charge of such vessel or vessels must under a penalty of no less than one hundred dollars nor more than One Thousand dollars, land, or permit to be landed, any passenger, from any vessel until he has presented his bill of health to the Health Officer, and received a permit from that Officer to land such passengers: except in such cases as the Health Officer deem it safe to grant the permit before seeing the bill of Health.

Section 13. The following fees may be collected by the Health Officer. For giving a permit to land freight or passengers, or both from any vessel of less than One Thousand tons burden, from any port out of this State, two and a half dollars; from any port in this state, one dollar, and a quarter; from any passenger carrying vessel of more than One thousand tons burden, three dollars and seventy five cents; for Vessels of more than one thousand tons burden carrying no passengers, two dollars and fifty cents; for vaccination from each person, one dollar.

Section 14. The Board of Health may enforce compulsory vaccination on passengers in infected ships coming from infective ports.

Section 15. The Board of Health may provide suitable Hospitals to be situated near to the southeastern boundary of the City limits, in the Vicinity of the Ex-Mission Lands, and furnish and supply the same with nurses and attaches, and remove thereto all persons afflicted with Cholera, Small pox, yellow fever, Typhus or Ship fever.

Section 16. The Health Officer must keep a record of all births, deaths, and interments, occurring in the City of San Diego, such records when filled must be deposited in the office of the County Recorder and produced when required for public inspection.

Section 17. Physicians and Midwives must on or before the fourth day of each month make a return to the Health Officer, of all births, deaths and number of Still born children occurring in their practice during the preceeding month. In the absence of such attendants, the parents must make such report within thirty days after the birth of the child, such returns must be made in accordance with rules adopted, and upon blanks furnished by the Board of Health.

Section 18. No person must inter in the City of San Diego any human body without having first obtained a physician or Coroners certificate setting forth as near as possible the name, age, color, sex, place of birth, date, locality and cause of death of the deceased, and Physicians, when deaths occur in their practice must give such certificate.

Section 19. Superintendants of Cemeteries within the boundaries of the City of San Diego must return to the Health Officer on each Monday the names of all persons interred in their respective cemeteries, for the preceeding week, together with the Certificates mentioned in the preceeding section.

Section 20. No Superintendant of a Cemetery can remove or cause to be removed, disinter or cause to be disintered any corps that has been deposited in the Cemetery, without a permit from the Health Officer or by order of the Coroner.

Section 21. The Health Officer must keep in his Office a Book in which he must make an entry of all fees collected by him, he must pay all fees collected to the City Treasurer weekly, to the credit of the General Fund.

Section 22. Whenever a nuisance exists on property of a non-resident of the City, the Board of Trustees may on the recommendation of the Board of Health cause the nuisance to be abated, and may allow and order to be paid out of the General Fund all proper charges and expenses incurred in abating such nuisance and all sums so allowed and paid become a charge upon the property on which the nuisance existed, and may be recovered by an action

against such property.

Section 23. Any Member of the Board of Health, Deputy Health Officer or Secretary of the Board of Health is empowered to administer oaths on business connected with that Department.

Section 24. Whenever any cause of action arises under any of the provisions of this ordinance suit may be maintained therein in the name of the Health Officer in any District Court of this State.

Section 25. The Board of Trustees of the City of San Diego must by Ordinance or otherwise provide for enforcing such orders and regulations as the Board of Health may from time ^{to time} adopt; and in times of epidemics, or when deemed necessary by the Board of Health, an Officer may be employed to enforce the Laws in relation to the Sanitary Condition of the City.

Section 26. All expenses necessarily incurred in carrying out the provisions of this Ordinance must be provided for by the Board of Trustees of the City of San Diego, who may make appropriations therefor out of the General Funds, if the same is sufficient, if not they may by Taxation provide a fund therefor.

Section 27. The Board of Trustees must fix the compensation of the Board of Health and the Health Officer.

Passed and approved this 5th day of June A. D. 1876.

(SEAL) S. Statler, Clerk. Signed J. M. Boyd, President.

CHARTER ORDINANCE NO. 3, (New Charter) 3

An ordinance fixing the Compensation of the Clerk of the Board of Trustees of the City of San Diego.

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

Section 1. The Compensation to be paid to the Clerk of the Board of Trustees of said City shall be as follows and not otherwise, to-wit:

The sum of Fifteen dollars per month for attending to the ordinary duties of said office, and the further sum of one hundred dollars for making the Duplicate Assessment Roll, of said City, all in U. S. Gold Coin, which shall be in full compensation for all services rendered by said Clerk.

Passed and approved this 5th day of June A. D. 1876.

(SEAL) S. Statler, Clerk Signed J. M. Boyd, President.

CHARTER ORDINANCE NO. 4. (New Charter) 4

Regulating the Storage of Powder, ect.

The Board of Trustees of the City of San Diego, State of California, do ordain as follows:

Section 1. It shall be unlawful, after the first day of July A. D. 1876, for any person or persons to keep at any place in the City of San Diego within not less than one half mile of any inhabited building or place frequented by the public, except as in this Ordinance otherwise provided, a quantity of Gunpowder or blasting powder exceeding fifty pounds, or a quantity of any other explosive equal in destructive power to such quantity of Gunpowder, such powders when kept for sale in any building other than a Magazine for the Storage of Explosives in larger quantities than fifty pounds, must be kept in lead, zinc or copper lined chest with a close fitting cover, fastened with brass hinges and hasps, and furnished with two strong and convenient handles, which chest must always be locked with a Padlock, except when opened to put in or take out such powders or other

explosives; and such chest must be placed on the floor nearest on a level with the street in front of the principal front entrance of the building where kept, at the right side of, and within eight feet of such principal Entrance, and must not be kept in any other part of the building, except by permission of the Board of Trustees of the City.

Section 2. Any person who violates any of the provisions of this Ordinance, shall upon conviction thereof be fined in any sum not exceeding one hundred dollars for the first offence, and five hundred dollars for the second offence.

Passed and approved this 5th day of June A. D. 1876.

(SEAL) S. Statler, Clerk Signed J. M. Boyd, President.

CHARTER ORDINANCE NO. 5. (New Charter)

An Ordinance Creating the Offices of City Engineer and Superintendant of Streets and highways in the City of San Diego.

The Board of Trustees of the City of San Diego, State of California do Ordain as follows:

Section 1. The Offices of City Surveyor and Superintendant of Public Streets, and highways, are hereby created in and for the City of San Diego, said officers to be appointed by said Board of City Trustees.

Section 2. It shall be the duty of the City Surveyor, under the orders and directions of the City Trustees to establish the grades of the Streets and alleys of said City; to lay out, extend, alter and survey all streets and alleys, parks or public improvements, under the direction of said Board, and his compensation and fees shall at all times depend upon a vote of said Board of City Trustees, and then only for such special services as the Board may direct and authorize, except when the property holders and citizens are alone liable for such charges and services.

Section 3. It shall be the duty of the Superintendant of Public Streets and highways, under the direction and supervision and pursuant to the order of the Board of Trustees, 1st. To take charge of the Public highways within the limits of said City, keep them clear of obstructions and in good repair.

2nd. Cause banks to be graded, bridges and causways to be made when necessary, keep the same in good repair, and renew them when destroyed.

3d. Give two days notice printed or written to each inhabitant of said City liable to do work on the roads, when, where, with what Implements, and Superintend the same, and to keep a copy of all the aforesaid notices on file, with certificate of service endorsed thereon.

4th. Make to the Board of Trustees, semi-annually, sworn statements, showing the names of all persons by him listed to work, the days worked by each person, who has worked, the items of labor performed at each separate point, the manner in which, and the time when the same was done, and an account of every day he himself was employed, and the nature and items of his services rendered.

Section 5. In the performance of the duties required of him by this Ordinance the Superintendant of Streets and highways must be Governed by the laws of the State which prescribe the duties of road overseers, when the same are applicable, except as herein otherwise provided, and for each days services performed under authority of this Ordinance, he shall be entitled to receive the sum of three dollars, which must be paid out of the road fund of the City.

Passed and approved this 5th day of June A. D. 1876.

(SEAL) S. Statler, Clerk Signed J. M. Boyd, President.

CHARTER ORDINANCE NO. 6 (New Charter) 6

An Ordinance Creating a Board of Police of the City of San Diego.

The Board of Trustees of the City of San Diego, State of California, do ordain as follows:

Section 1. A Board of Police of said City of San Diego is hereby created, which shall consist of three persons, to be chosen by the Board of Trustees of said City as early as practicable after each regular City Election, one of whom shall be known and appointed as the Chief of Police of the City, said Chief shall be chosen by the Board of City Trustees of said City, the Members of the Board of Police shall serve until their successors are chosen and qualified.

Section 2. Before entering upon their duties the Members of the Board of Police shall each take and subscribe to the oath of office, set forth in section 904 of the Political Code of the State of California, and file the same in the office of the City Clerk of the City of San Diego.

Section 3. Before entering upon the duties of his office the Chief of Police shall execute a good and sufficient Bond in the sum of One thousand dollars, to be approved by the Board of Trustees for the faithful performance of his duties.

Section 4. The Chief of Police shall have power to serve all civil process within the limits of the City of San Diego aforesaid and to do and perform all duties imposed by law criminally or otherwise, upon the Constables and other executive officers of said City; also to execute such orders as may be made by the Board of City Trustees of said City, to apprehend any violator of any ordinance passed by the Board of Trustees of said City, either in the day or at night time, to take charge of the City Prison, and to attend every regular meeting of the Board of City Trustees, provided that neither the Chief of Police, nor any police officer shall charge or receive from the City any fees or compensation for services rendered, except by an unanimous Vote of the Board of City Trustees, and then only for extraordinary services. He shall be entitled to charge and receive from other persons the like fees for services as constables charge and receive for like services.

Section 5. The other members of the Board shall be known as the Deputies of the Chief and shall be under his control and directions.

Passed and approved this 5th day of June A. D. 1876.

(SEAL) S. Statler, Clerk Signed J. M. Boyd, President

Charter Ordinance No. 7 Creating the Office of Water Commissioners and to regulate the price of Water to be sold to the Inhabitants of the City of San Diego was read, and on Motion action was deferred until the next regular meeting of the Board.

Resolution No. 1 relating to the Unhealthy condition of Water of the San Diego Water Co. was read, and is as follows, to-wit:

RESOLUTION NO. 1.

Whereas complaints have been made that the Water furnished to the Citizens of San Diego by the San Diego Water Company is impure and unhealthy, and calculated to cause disease, it is therefor,

Resolved, That the City Physician and Doctor Robereit J. Gregg be requested to carefully examine and chemically test the said water and report the properties thereof, and what, if anything is necessary to be done to the Board at their earliest convenience.

Mr. P. Arnold, Agent for the old National Hotel appeared and proposed to rent said building to the City Trustees for the use of the City officials at a Nominal rent, the Board declined to accept his offer as the same was considered an unsafe building.

On Motion the Clerk was instructed to give the proper heading to all ordinances before they are given to the Printer for Publication.

"Road Matters."

Mr. G. W. Treanor, Contractor to build the Road between Old Town and New Town now come forward and stated that there was due to Mr. Edward Wescott, the sum of Twenty five 50/100 Dollars by reason of their Contract and that Mr. Wescott was holding him personally responsible for that amount, and for cause shown Mr. Treanor, asked the Board to liquidate the indebtedness.

It was then moved & seconded that an Order be drawn on the Treasurer in favor of Mr. Ed. Wescott, in accordance with the above request for the sum of Twenty five 50/100 dollars, the motion was carried.

On motion a Special Committee of Three be appointed by the President to draft a suitable ordinance permitting Mess. Stewart & Capron to construct a Powder Magazine for the use of merchants of this City for the Storage of Powder and other combustibles.

The President appointed Trustees W. A. Begole, D. O. McCarthy and D. W. Briant on said Committee, to report at the next regular meeting of the Board.

On motion the Clerk was instructed to furnish Stationary for the City officers with appropriate printed headings &c.

Appointing Cemetery Commissioners.

Moved and seconded that Mess. H. H. Dougherty, A. Pauly and Thos. L. Nesmith be appointed the Cemetery Commissioners, they having previously signified that they would accept the position. The motion was voted for and carried, and the President declared them duly elected.

Ballotting for City Engineer.

On motion the Board now proceed to the Election of a City Engineer.

A ballot was then taken and Mr. L. L. Lockling received the entire vote of the Board was declared by the President duly elected to the said office and the Clerk instructed to notify him of the same.

In the matter of appointing a Chief of Police and Street Superintendant was deferred until the next regular Meeting of the Board.

On motion the Clerk was instructed to keep a list of all Unfinished Business to come up before the Board, and also of all Committees to report &c.

No further Business coming before the Board they on motion adjourned.

Approved July 6th, 1876.

S. Statler, Clerk.

J. M. Boyd, President.

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"SPECIAL MEETING"

Office of the Board of City Trustees, Tuesday Eve., June 13th, 1876.

The Board of Trustees met pursuant to a Notice Published in the San Diego Union.

The Board was called to order by J. M. Boyd, President, all the members were present, except D. W. Briant and P. O'Neil.

The President stated to the Board that the Meeting was called for the purpose of hearing the Report of Drs. Remondino & Gregg, the Special Committee that were appointed on Monday Evening June 5th 1876, to Investigate the quality of the Water that was being delivered by the San Diego Water Company to the Citizens of this City.

Dr. P. C. Remondino, now presented and read a written report, setting forth in detail the Investigation made by himself and Dr. Gregg, regarding the Quality of the Water that was being delivered to the Citizens of this City by said Water Company.

On motion the Report was received, placed on file and the committee discharged.

It was then moved and seconded that a Committee of Three (3) be appointed by the President for the purpose of conferring with the Directors of the San Diego Water Company with a View to the removing of their water works from the present location to a convenient point above the Slaughter House. The motion was carried, and the President appointed D. O. McCarthy, W. A. Begole and P. O'Neil as the Committee.

On motion the Board adjourned until Saturday Evening June 17th 1876 at 7½ P. M. for the purpose of hearing the report of said committee.

Approved July 6th 1876.

S. Statler, Clerk.

J. M. Boyd, President.

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"ADJOURNED MEETING"

Office of the Board of Trustees of the City of San Diego,

San Diego, Cal., June 17th, 1876.

The Board met pursuant to Adjournment and called to order by J. M. Boyd, President. Members of the Board were all present except D. W. Briant & W. A. Begole.

The President now stated that the object of the Meeting was for the purpose of hearing the report of the Special Committee that were appointed on Tuesday Eve. June 13th 1876 to confer with the Directors of the San Diego Water Company regarding the removing of their water works above the Slaughter House. Mr. McCarthy "chairman" of said committee now stated that they were unable to make any report as a Committee, but the Physicians whome he had invited to go and examine the Water Works and the Slaughter House would present a written report, made from their personal Examination of said Water Works and Slaughter House.

Dr. R. J. Gregg, being present now presented and read a written report signed by Drs. P. C. Remondino, G. Witfeld, Thos. C. Stockton, W. W. W. Shearer and R. J. Gregg, condemning the Water of said San Diego Water Company as unfit for use, by reason of its proximity to the Slaughter House.

On motion the Report of the Physicians be received and placed on file.

Moved and Seconded that the Committee of Three be granted until Saturday Evening June 24th 1876, at 7½ P. M. to present their report, the motion was carried.

On Motion the Board adjourned until Saturday Evening June 24th 1876 at 7½ P. M.

Approved July 6th, 1876.

S. Statler, Clerk

J. M. Boyd, President.

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"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego,

Saturday Evening, June 24th, 1876.

The Board met pursuant to adjournment, and called to order by J. M. Boyd, President. Members of the Board were all present.

The President stated that the object of the Meeting was for the purpose of hearing the report of the Water Committee that was appointed June 13th to confer with the Directors of the San Diego Water for purpose heretofore stated.

Mr. McCarthy stated that Mr. O'Neil and himself had called on Mr. J. S. Gordon, one of the Directors of said Water Co. and was informed by him that the Company was not yet ready to submit any report to this Board.

Mr. McCarthy now presented and read a resolution authorizing the physicians of this City to have a survey and Map made of the San Diego Water Co's Works and the Slaughter house, and have the same submitted to the Medical Board of San Francisco for their opinion.

The following is the Resolution as amended.

Resolved. That the physicians who made the examination and the last report in regard to the character of the Water now furnished the Citizens of San Diego by the San Diego Water Co. together with all other practising Physicians of this City be authorized to have a survey and Map made of the Water Company's Well, the Slaughter House and Hog pens, and forward the same together with a description of the locality and soil, and an explanation of the map to the Medical Board of San Francisco for their opinion, and report the same to this Board at their earliest convenience.

On motion the Resolution as presented and read was adopted.

On Motion the Water Committee together with the Directors of the Water Company have until the next regular meeting of this Board in which to submit their report.

On Motion the Board now adjourned until the next regular time for Meeting July 3d, 1876.

Approved July 6th, 1876.

S. Statler, Clerk

J. M. Boyd, President

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Office of the Board of Trustees of the City of San Diego.

Thursday Evening, July 6th, 1876.

The Board met in regular Session and called to Order by J. M. Boyd, President.

All members were present, except D. W. Briant.

The Minutes of the last regular meeting and the three Special Meetings were read and approved.

REPORT OF FINANCE COMMITTEE.

The Committee reported favorable on the following bills.

|                                        |             |
|----------------------------------------|-------------|
| J. R. Porter, Justice Fees             | \$3.00      |
| A. E. Horton, Rent                     | 25.00       |
| M. Keating, Clerk                      | 25.00       |
| J. W. Thompson, (Agt. W. U. Tel Co.)   | 4.50        |
| S. S. Dunnells, rent room Election day | <u>2.00</u> |
| Total                                  | \$59.50     |

On Motion the Bills were ordered paid.

The Bill of Peter Rothermel (P. Arnold Agt.) for the sum of \$25.00 was rejected.

Special Committee appointed to Draft Ordinance governing the Powder Magazine reported progress, and on Motion they were granted further time.

Committee on Streets and roads, presented a written report, regarding the newly laid side walk on the East side of 5th Street between "G" & "H" Streets, and the new walk laid on the South side of "H" Street between 5th and 6th Streets, Also that the Citizens of Mission Valley complained of the bad condition of the Mission Grade and that the Committee had made an examination of the same and ordered that the sum of Twenty five dollars be expended to repair the said Grade.

On Motion the report was received and placed on file.

Special Committee on Water having no report ready was on motion granted further time.

On Motion the Street Committee were instructed to examine the south side of Mission Valley and take in consideration the propriety of constructing a road along the same.

PETITIONS &C.

Albert Stowe, presented a petition asking The Board to appoint him a Police Officer for this City. The petition was placed on file, and action was postponed until

the next regular meeting of the Board.

CLAIMS AGAINST THE CITY.

The following bills were presented and read.

|                                                                                      |              |
|--------------------------------------------------------------------------------------|--------------|
| George Warring, Janitor &c                                                           | \$8.00       |
| A. E. Horton, Rent for June                                                          | 25.00        |
| P. Rothemel (E.M.Skinner Agt.) 4 months rent of Engine house<br>from Mch 1 to July 1 | 50.00        |
| Larson & Wescott, cleaning & watering streets                                        | 23.00        |
| A. Bennette, repairing streets                                                       | 14.75        |
| S. Statler, Clerk for June                                                           | 15.00        |
| H. Dievendorff, 35# Spikes                                                           | 2.50         |
| Hinton & Gordon, Buggy hire Board of Health                                          | 14.50        |
| G. W. Treanor " " " " "                                                              | 14.50        |
| San Diego Water Co. for Water, May & June                                            | 200.00       |
| San Diego Union, Printing                                                            | 67.25        |
| H. T. Christian (for the City) 1 Ream letter paper                                   | 4.75         |
| C. H. Shepard & Co., Stationery                                                      | <u>31.20</u> |
| Total                                                                                | \$470.45     |

The bills were all refered to the Finance Committee.

UNFINISHED BUSINESS.

Charter Ordinance regulating the price water was now brot up, but for cause shown, action on the same was defered until the next regular meeting.

Appointing Police Officers and Street Superintendant was defered until the next regular Meeting.

NEW BUSINESS.

On motion the sidewalks on Lots A, B, and N.  $\frac{1}{2}$  of D, in Block No. 87 Horton's Addition and on South side of "H" street between 5th and 6th Streets be accepted as the same appears by the report of Street Committee to have been constructed in accordance with the survey and established grades of the City.

On motion the Street Committee were instructed to confer with City Attorney in relation to enforceing the construction of sidewalk on East side of 5th Street between G & H Streets, and if in the opinion of the City Attorney that the City can maintain a suit to enforce the construction of the said side walk, that immediate steps be taken to that effect.

The Street Committee, were authorized to expend the sum previously appropriated to Repair "H" and "I" Streets.

On Motion a Committee of 2 be appointed to confer with the Board of Supervisors of San Diego County, and see on what terms a room can be secured in the Court House for the Use of the Board of city Trustees of San Diego, and to see if the City prisoners could not be imprisoned in the County Jail, providing that the City pay expense of keeping them. Also that the Committee confer with Mr. Horton, and see on what terms he would rent the present room of the Board for the unexpired term of this Board.

The President appointed D. O. McCarthy and W. A. Begole as said Committee.

On Motion the Clerk was instructed to call on the Late City Engineer, Mr. Fox, and request him to deliver all Maps and papers that are in his possession belonging to the City to his Successor, Mr. Lockling.

Mr. C. B. Richards being present and stated that he was authorized to offer the City \$500.00 gold coin for some land belonging to the City near the La Jolla.

On Motion a Committee of one (1) be appointed to confer with Mr. Richards regarding

the sale of said Lands, to report on Monday evening July 10th 1876 at an adjourned Meeting of this Board.

The President appointed Trustee D. O. McCarthy as said Committee.

On Motion the Board adjourned until Monday Evening July 10th to hear the report of said Committee and to determine any other business that may properly come before the Board.

Approved Augst. 7th, 1876.

S. Statler, Clerk

John M. Boyd, President.

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"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego.

Monday Eve. July 10th, 1876.

The Board met pursuant to adjournment, all the Members were present.

The President stated that the meeting was for the purpose of disposing of all Unfinished business that might come before the Board, and asked to hear reports of the various committees.

REPORT OF FINANCE COMMITTEE.

The Committee reported favorable on the following Claims, to-wit:

|                                                |             |
|------------------------------------------------|-------------|
| Larson & Wescott, Labor &c on streets          | \$23.00     |
| C. H. Shepard & Co., Stationery (3 bills)      | 31.20       |
| San Diego Water Co., 2 mths water              | 200.00      |
| George Warring, Janitor &c 2 mths              | 8.00        |
| G. W. Treanor, Horse hire                      | 14.50       |
| S. Statler, Clerk for June                     | 15.00       |
| Hinton & Gordon, horse hire                    | 14.50       |
| San Diego Union, Printing                      | 67.25       |
| W. Bennett, Labor on streets                   | 14.75       |
| A. E. Horton, rent for June                    | 25.00       |
| J. M. Julian, printing health notice           | .50         |
| H. Dievendorff, "Spikes",                      | 2.50        |
| E. M. Skinner, rent Engine house (4 mths.)     | 50.00       |
| Schneider & Kueppers, for Mr. Christians paper | <u>4.75</u> |
| Total                                          | \$470.75    |

On Motion the Clerk was Instructed to Draw Warrants on the Treasurer for the respective amounts in favor of the Claimants.

The Special Committee that were appointed to Wait on the Board of Supervisors reported that they had made a request of the Board of Supervisors to allow the Board of Trustees, free of charge. The Supervisors declined to grant the request. The Committee also stated that they had consulted with Mr. Horton and that he was willing to Lease the present room of the Board for the sum of \$20 per month. On motion the Committee were granted further time to find a suitable room for the use of this Board, to report at the next regular meeting.

"PETITIONS."

T. A. Judd, presented a petition requesting to be appointed Chief of Police for the City. On motion the same was received and placed on file.

Charles Pohl presented a petition numerously signed by Citizens of this City asking to be appointed on the Board of City Police. On motion the same was received and placed on file.

Special Committee appointed to confer with Mr. C. B. Richards regarding the sale

of Land belonging to the City near La Jolla reported that no definite understanding had been arrived at.

On motion a Committee of three (3) be appointed to confer with Mr. Richards regarding the sale of City Lands near La Jolla to report at a Special Meeting as soon as they had come to some conclusion in the Matter.

The President appointed Trustees McCarthy, Begole and O'Neil.

On Motion the appointing of Chief of Police and Street Superintendant be postponed until the next regular meeting of this Board.

No further business coming before the Board, on motion they adjourned.

Approved Augst. 7th, 1876.

S. Statler, Clerk

John M. Boyd, President.

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Office of the Board of Trustees of the City of San Diego,

Monday Evening Augst. 7th 1876.

The Board met in regular session and called to order by the President.

All Members of the Board were present.

The Minutes of the last regular Meeting and the Minutes of the adjourned Meeting were read and approved.

REPORTS OF COMMITTEES.

The Special Committee on sale of Lands reported that no definite conclusion had been arrived at with Mr. Richards and asked to be discharged. On Motion the Committee on sale of Land were discharged.

The Water Committee stated that they had no report ready.

Street Committee were instructed to confer with the City Attorney regarding the construction of Side Walk where the owners of the property had failed to construct the same.

Trustee McCarthy, one of the Special Committee appointed to procure a less expensive room for the use of the Board of Trustees, reported that a Room could be procured from Mr. A. Hicock on the Plaza at the Monthly Rent of Fifteen (15\$) dollars per month.

It was then moved and seconded that the Board Lease a room of Mr. Hicock for the Unexpired term of the Board at the rate of Fifteen (\$15.00) dollars per month. The Ayes and Nays were called for by Trustee McCarthy with the following result.

Trustees Boyd, Brient & Begole voted No, and Trustees McCarthy & O'Neil voted Yes. The President then declared the motion Lost.

PETITIONS, MEMORIALS & COMMUNICATIONS.

The Petition of G. Warring asking to be appointed a Police Officer was read and ordered on file. Also, the Petition of Albert Stow, numerously signed by Citizens of the City, asking the Board of Trustees to appoint him Chief of Police was read and ordered on file.

COMMUNICATIONS.

Dr. R. J. Gregg, read a lengthy communication that he had received from the State Board of Health in which said Board condemned the use of the Water from the San Diego Water Company's Works. On Motion the same was received and placed on file.

A Communication was received and read from the 4th of July Finance Committee showing a Memorandum of account in which the Committee were deficient in the sum of \$64.95 and asked that the Board appropriate the amount asked for out of the City Treasury in order to pay said deficiency. Moved and Seconded that the Clerk be instructed to draw a Warrant for \$64.95 in favor of the Chairman of said 4th of July Finance Committee. Trustee McCarthy called for the Ayes and Noes with the following result.

Trustees Boyd, Briant and Begole voted Yes and Trustees McCarthy and O'Neil voted No. The President then declared the Motion carried.

The Finance Committee reported favorable on Bill of City Eng. Lockling for \$15.00. On motion the bill was ordered paid.

CLAIMS AGAINST THE CITY.

The following bills were presented to-wit:

C. H. Sheperd & Co., Stationery and assessment Rolls &c.	\$170.02
San Diego Water Co., Water for July	100.00
Jewell & McLellan, Painting Board of Health Sign	5.00
Robt. W. Price, Work on Street	15.00
A. E. Horton, Rent of Room for July	25.00
S. Statler, Clerk for July	15.00
John Murphy, Work on Mission Grade	<u>25.00</u>
Total	\$355.02

The Claims were all referred to the Finance Committee.

NEW BUSINESS.

City Attorney Gatewood stated that he had ordered the Statutes for 1875 & 6 also the Amendments to the Codes for the Use of the City, and that the charges on the same amounted to \$6.75 and asked the Board to pay said charges. On Motion the Clerk was instructed to draw a warrant on the City Treasurer for \$6.75 to pay charges on Books that were ordered by the City Attorney.

Dr. P. C. Remondino, City Physician, presented to the Board a Resolution regarding the social evil as follows:

Whereas there exist in our City a System of prostitution at once offensive, degrading and unsanitary, and

Whereas, The social evil is a recognized, unextinguishable fact which may be modified in its evil results by legislation, whereby the rising Generation are secured as much as possible against the consequences arising from its moral and physical impairments.

Resolved, 1st. That the Chief of Police shall have full surveillance of houses of prostitution.

2nd. That the Board of Health shall be and is hereby empowered to pass such rules and regulations as they may see fit for the restriction of the evil, Provided that all expenses attending such acts be paid by the persons to whom such acts and rules apply.

On Motion the Resolution of the City Physician was adopted.

MISCELLANEOUS AND UNFINISHED BUSINESS.

CHARTER ORDINANCE NO. 7.

Regulating the rules of Storage of Powder and other Combustibles and fixing the charges for Storage on same was read and adopted, it being as follows:

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

Section 1. From and after the passage of this Ordinance it shall be unlawful for the Owners of any Magazine situated within the limits of the City of San Diego kept for the Storage of Gunpowder or other Explosives, to charge more than the following rates for storage.

Section 2. Twenty-five pounds of powder or other explosives shall be and is hereby declared to be one package.

Section 3. The storage on five or less packages shall be ten cents per package per month.

Section 4. The storage on six or ten packages shall be nine cents per package per month.

Section 5. The storage on eleven or more packages shall be eight cents per package per month.

Any person or persons owning a magazine or magazines for the storage of explosives within the limits of the City of San Diego who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars for the first offence, and Five hundred dollars for the second offence.

Passed and approved by the Board of Trustees of the City of San Diego this 7th day of August A. D. 1876.

(SEAL) ATTEST: S. Statler, Clerk Signed John M. Boyd, President.

On motion the street Committee were instructed to have 6th street repaired between "H" and "K" streets.

On motion the Board now proceeded to Elect a Chief of Police. The following ballot was then had.

Albert Stow received 3 votes

James Russell " 1 "

Blank " 1 "

Total 5

Albert Stow having received a majority of the Votes cast was by the President declared duly elected to said office of Chief of Police.

On motion the Board now proceeded to Elect a Street Superintendant with the following result.

Chas. O. Ferris, received 3 votes

Blank " 1 "

Total 4

Chas. O. Ferris having received a majority of the Votes cast was declared by the President duly Elected to the office of said Street Superintendant.

There being no further business coming before the Board, they on motion adjourned.

Approved Sept. 4th, 1876.

S. Statler, Clerk John M. Boyd, President.

"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego,

Wednesday Evening, Augst 16th 1876.

The Board met pursuant to a published notice. The Members present were J. M. Boyd, D. W. Briant and P. O'Neil. Absent, W. A. Begole & D. O. McCarthy.

The President stated that the object of the Meeting was to consider the Matter of fixing the rate of City Tax for the year 1876.

The City Attorney being absent and the Board not being able to determine the matter satisfactorily, it was then moved and seconded that the matter of fixing the rate of City tax for the year of 1876 be laid on the table. The motion was carried.

No further business coming before the Board they on motion adjourned.

Approved Sept. 4th, 1876.

S. Statler, Clerk John M. Boyd, President.

Office of the Board of Trustees of the City of San Diego,

Monday Evening, Sept. 4th 1876.

Board met in regular session and called to order by the President.

The Members being all present.

The Minutes of the last regular and Special Meetings were read and approved.

"REPORT OF COMMITTEES."

The Finance Committee Reported favorable on the following Bills.

C. H. Shepard & Co.	\$140.52
Jewell & McLellan	-5.00 PAID
John Murphy	25.00
A. E. Horton,	20.00
San Diego Water Co.	100.00
S. Statler	15.00
W. Bennett	18.00
Robt. W. Price	<u>15.00</u>
Total	\$333.52

On motion the bills were ordered paid.

The Finance Committee failed to report favorable on the bills of C. H. Shepard & Co. for \$29.50 and of Jewell & McLellan for \$5.00. They were then referred to the Board for disposal.

It was then moved & seconded that the bills of C. H. Shepard & Co. for \$29.50 and Jewell & McLellan for \$5.00 be allowed and warrants be drawn on the Treasurer to pay the same.

Trustee W. A. Begole called for the Ayes and Nays and that the Board Vote on each bill separately. The vote was as follows to-wit:

Vote on C. H. Shepard & Co's Bill were Briant, McCarthy and O'Neil voting in the affirmative. Boyd & Begole in the negative.

Vote on Jewell & McLellans bill were Boyd, Briant, McCarthy and O'Neil in the affirmative and Begole in the negative.

The President then declared the motion carried and ordered the bills to be paid.

Street Committee reported that 6th Street had been repaired according to the instructions received at the last regular meeting. The Committee also stated that they were advised by the City Attorney that the Board could enforce the Construction of the sidewalk on 5th Street under the provisions of the Old ordinance.

The Committee stated that complaint had been made of the bad condition of 3d street between the Plaza & "E" Street and recommended that the same be repaired.

Water Committee was unable to submit a report and was granted further time.

C OMMUNICATIONS & C.

The resignation of Chas. O. Ferris as Street Superintendant was read. On motion the same accepted and placed on file.

A Petition numerously signed by the Citizens was presented asking the Board of Trustees to pass an Ordinance to remove the Bees from the Populated portion of the City.

On Motion the request of the petitioners were granted and the City Attorney was instructed to draw an ordinance to that effect.

A Petition numerously signed by Citizens of this City was presented to the Board of Trustees asking them to reconsider their action in appointing A. Stow, Chief of Police of this City, and that he be removed from the office as being unfit to hold the same.

The City Attorney now asked the privilege to make a few remarks regarding said

petition before the Board take action on the same.

On Motion the request was granted.

The City Attorney then made some remarks protesting against the removal of A. Stow as Chief of Police.

On Motion the Petition regarding the removal of A. Stow as Chief of Police was laid on the Table.

A Communication was received from B. F. Lowell, asking the Board to secure some other Correll for Impounding stock.

On motion the request of Mr. Lowell was granted and the Chief of Police was authorized to select such place as he may deem proper for the purpose of impounding stock.

"OFFICIAL BONDS."

The Chief of Police, A. Stow, submitted his Bond for approval with E. O. Rogers, J. W. Wescott & D. C. Herrmann as sureties.

On Motion said Bond was approved.

Mr. Chas. J. Fox and John N. Young appeared as a Committee from San Diego Lodge No. 28 Knight of Pythias and requested the Board of Trustees to set off a certain portion of the City Cemetery for the use of said Lodge.

On Motion a Committee of two be appointed with Superintendent of the City Cemetery for the purpose of taking into consideration the application of San Diego Lodge No. 28 Knights of Pythias for a portion of said Cemetery and to report to this Board at their earliest convenience.

The President appointed Trustees McCarthy and Begole on said committee.

On Motion the Board adjourned until Saturday Evening Sept. 9th, 1876.

Approved Oct. 2d, 1876.

S. Statler, Clerk

John M. Boyd, President.

"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego.

Saturday Evening, Sept 9th, 1876.

Board met pursuant to adjournment, all Members were present except J. M. Boyd.

On Motion Mr. D. W. Briant was Elected Chairman protem.

Mr. Begole, a member of the Finance Committee stated that an error had been made regarding the payment of Mr. Horton's bill for July rent of the City Hall, as the Lease had not expired until Augst 1st and that there were still due a balance of \$5.00 for the July rent according to the terms of said Lease. On motion the Clerk was instructed to draw a warrant in favor of Mr. Horton for \$5.00 additional for July Rent of City Hall.

Mr. J. M. Boyd now appeared and took the chair.

REPORT OF OFFICERS.

P. Mores, Esq., City Treasurer presented his quarterly report ending July 31st 1876 showing receipts, disbursements and balance on hand at said date. On Motion the report was received and placed on file.

J. M. Boyd, President of the Board presented his semi-annual report for the term ending Sept. 1st 1876, showing the condition of City's Finances up to said date.

On Motion said report was received and placed on file.

On Motion the Clerk was requested to have the President's and Treasurer's Reports published in the daily Newspapers of this City, providing it could be done free of expense.

On Motion the City Treasurer was requested to furnish the Board a Monthly report showing the condition of the City funds, said report to be furnished on the last Saturday

of each month.

City Tax Collector made a verbal report regarding the Collection of Road Poll Tax for the City. On Motion the City Tax Collector was authorized to take such steps as the City Attorney may advise to collect said Poll Tax and all persons that appeared for the purpose of working on the Roads could do so under the supervision of the Street Superintendent.

On Motion the Clerk was instructed to get the Statute, Letter Press and all other property belonging to the City and keep the same at the City Hall.

Special Committee on Cemetery reported that they were unable to attend to the duties required of them as yet, and they were granted further time.

CLAIMS AGAINST THE CITY.

The following claims against the city were presented.

D. Burroughs, Assessor &c	\$401.00
San Diego Water Co., water for Augst.	100.00
A. Stowe, Board of Prisoners &c	9.60
S. Statler, Clerk for Augst.	15.00
R. Schiller, Binding Tax Recpt Books	2.25
A. E. Horton, Rent for Augst.	20.00
W. U. Telegraph Co.	4.75
P. C. Remondino, Vaccination	<u>100.00</u>
Total	\$652.60

On Motion the Claims were all referred to the Finance Committee.

UNFINISHED BUSINESS.

On Motion the time for the completion of the sidewalk on 5th street was extended until October 20th 1876.

On Motion the Street Superintendent was instructed to repair 3d Street near the Plaza under the Supervision of the Street Committee.

On Motion the Board now proceed to Elect a St. Superintendent, and the following vote was had.

Mr. Wm. Jorres received the full vote of the Board for said Office was by the President declared unanimously elected.

Mr. J. B. Wells appeared before the Board and complained against the Slaughter house which was located near his residence and asked the Board to have the same removed. On Motion the matter regarding the Slaughter house be referred to the Board of Health for disposal.

ORDINANCE NO. 8.

Prohibiting the Keeping of Bees within certain limits in the City of San Diego was passed and approved as follows:

CHARTER ORDINANCE NO. 8.

"New Charter."

The Board of Trustees of the City of San Diego, State of California do ordain as follows:

Section 1. It shall be unlawful from and after the 1st day of January A. D. 1877 for any person or persons to keep bees in said City within the following limits, to-wit: all that portion of said City south of San Diego River.

Section 2. Any person who violates any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not exceeding \$100.00 for the first offense, and not exceeding ^{ing} \$500.00 for the second offense.

Passed and approved this 9th day of September A. D. 1876.

(SEAL) Signed S. Statler, Clerk. J. M. Boyd, President

The President having received a Telegraph from Mr. D. Felsenheld, regarding Railway Matters read the same to the Board.

On Motion the Clerk was instructed to furnish a copy of said message to the Newspapers for publication.

An Ordinance fixing the tax levy for 1876 was read and on motion action on the same was postponed until the next regular meeting of this Board.

On Motion the Clerk was instructed to request the City Attorney to furnish this Board a written Opinion regarding the Levy of City taxes for the year 1876.

C O M M U N I C A T I O N S .

The President presented to the Board a lengthy report from Mr. D. Felsenheld which was on motion read and placed on file, also a printed report of the President of the T. and P. R. R. Co. which was also ordered on file.

Moved and seconded that the Clerk be instructed to request the Proprietors of the Newspapers of this City to publish the communication just read to the Board of Trustees from Mr. Felsenheld in regard to the affairs of the T & P. R. R. Co. and of his Stewardship as the representative of this city, providing they desired to do so.

Trustee Begole called for the Ayes and Nays with the following result. Trustees Boyd, Begole & Briant voted in the negative and McCarthy and O'Neil voted in the affirmative. The President then declared the Motion lost.

On Motion the Clerks bill for Salary and Rent bill of Mr. Horton, be paid hereafter on presentation on the 1st of each Month for the respective amounts due for the preceeding month.

An Ordinance regulating the sale of Poison was presented and read by the City Physician. On Motion action on the same was deferred until the next regular meeting, and that the same be referred to the City Attorney.

A Communication was received from Mr. M. Keating and on motion the same was placed on file until the next regular Meeting when the matter would be disposed of.

On Motion the Street Committee were authorized to proceed to open "N" street through to the City Cemetery.

No further business coming before the Board they on motion adjourned.

Approved Oct. 2d, 1876.

S. Statler, Clerk

John M. Boyd, President.

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Office of the Board of Trustees of the City of San Diego.

Monday Evening, Oct. 2d, 1876.

Board met in regular session and called to order by the President, all Members of the Board were present.

The Minutes of the last regular and adjourned meeting were read and approved.

#### COMMITTEE REPORTS.

The Cemetery Committee had no report as yet and were granted further time.

Street Committee had no report to make.

The Water Committee was unable to make any report and they were granted further time.

#### OFFICERS REPORTS.

The City Assessor reported that the City Assessment was completed except the Unknown List and delivered the Books to the Board.

#### PETITIONS

J. B. Boyd, and G. W. B. McDonald, presented a petition asking the Board to ex-

tend the time of commencing & completing the Wharf at the foot of 6th Street.

On motion the prayer of the petitioners were granted and the City Attorney requested to draw an Ordinance to comply therewith and report the same at the next meeting.

A. G. Gassen, presented a petition asking the Board to Lease him certain Pueblo Land named therein for the term of 5 years or less. On Motion the matter of leasing lands to Mr. Gassen be referred to a committee of 2 to report at the next meeting. The President appointed Trustees McCarthy and Briant on said Committee.

Petition of Jean Koop and Selwyn protesting against the removal of their Slaughter House was presented & read. The same was deferred to come up under the head of Miscellaneous business.

#### COMMUNICATIONS.

Justice L. Scott, presented a report showing the collection of Fines during the months of Augst & September 1876, also showing a balance in his hands of \$23.60.

On Motion the report was received, placed on file, and he was instructed to pay the balance of 23.60\$ into the City Treasury.

The San Diego Water Co. presented a communication notifying this Board that they had complied with the resolution passed by the Board regarding the removal of their works.

On Motion the communication from the San Diego Water Co. was referred back to them with instruction to confer with the Water Committee previously appointed by this Board.

Resignation of A. Stowe, as Chief of Police, was read and accepted.

#### "CLAIMS AGAINST THE CITY."

The following claims were presented as follows:

|                                                 |              |
|-------------------------------------------------|--------------|
| San Diego Union, printing                       | \$22.50      |
| S. Statler, Clerk & writing dupl Assmt. Roll    | 115.00       |
| C. H. Shepard & Co., Justice Docket             | 4.50         |
| W. Bennett, Cleaning Pest House                 | 12.00        |
| L. L. Lockling, setting stakes on "N" st.       | 2.50         |
| A. E. Horton, Rent for Sept.                    | 20.00        |
| J. W. Connors, Filling Cess Pools &c            | 7.00         |
| Tweed & Campbell, work on streets               | 8.00         |
| " " feeding Impounded Stock                     | 24.60        |
| Wescott & Hattleberg, assigned a/c of Mr. Lyons | <u>10.50</u> |
|                                                 | \$226.60     |

On Motion the above claims were all referred to the Finance Committee.

Moved and seconded that the Bill of San Diego Water Co. be paid on presentation for the Water furnished the preceeding month. The Motion was lost.

#### REPORT OF FINANCE COMMITTEE.

The Committee reported favorable on the following bills.

|                     |               |
|---------------------|---------------|
| S. Statler          | \$15.00       |
| A. E. Horton        | 20.00         |
| R. Schiller         | 2.25          |
| San Diego Water Co. | 100.00        |
| W. U. Telegraph Co. | 4.75          |
| A. Stowe            | 9.60          |
| D. Burroughs        | <u>401.00</u> |
| Total               | \$552.60      |

On motion the bills were ordered paid.

The Finance Committee having failed to report on the Bill of Dr. Remondino, for \$100.00 the same was referred to the Board for disposal.

On Motion the bill of Dr. Remondino for the sum of \$100.00 was ordered paid.

UNFINISHED BUSINESS.

Charter Ordinance No. 9 substituting Ordinances No. 62 and 66 regarding the fees of Chief of Police and others was read, passed and approved as follows:

The Board of City Trustees of the City of San Diego do ordain as follows:

Sec. 1. Hereafter all fees and charges for services rendered by the Chief of Police of the City of San Diego or his subordinates, or any Justice of the Peace, or peace officer, for any and all services rendered under the provisions of any City ordinance; shall be a charge against the City of San Diego, to be audited and paid as other claims.

Provided, That when fees and charges are entered up against a defendant convicted of any breach of City ordinance, and included in the Judgment of fine or forfeiture, and actually collected of the defendant, such fees and charges shall not become a charge against the City of San Diego.

Sec. 2. All fines and forfeitures actually collected as provided in section one of this Ordinance, by any Justice of the Peace within the Corporate limits of the City of San Diego, shall be paid into the City Treasury, after first paying to the officers legally entitled thereto, all fees allowed by law or ordinance, in prosecuting and collecting such fines or forfeitures.

Sec. 3. It shall be the duty of each of said Officers mentioned in section one of this Ordinance to make a monthly report to the Board of City Trustees, of all moneys collected as fees or otherwise under the provisions of any ordinance of said City of San Diego which report shall be in writing and filed with the Clerk of the Board on or before the first Monday of each month.

Sec. 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved this 2d day of October 1876.

(SEAL) S. Statler, Clerk

Signed

John M. Boyd, President.

Communication was read from the Board of Health complaining that the Slaughter House occupied by Messrs. Jean Koop and Selwyn was a Public Nuisance and asked that the Board have the same removed.

On Motion a committee of 3 be selected from this Board, and that the City Physician with two other Physicians of this City be connected with said Committee to examine the premises of said Jean Koop and Selwyn with the understanding that no charges are to be made, and that said Committee report at a special meeting of this Board. The President Trustees McCarthy, Briant and O'Neil were appointed on said Committee.

Charter Ordinance No. 10 fixing the rate of Taxes for the fiscal year ending December 31st 1876 was read, passed and approved as follows, to-wit:

C HARTER ORDINANCE NO. 10 "New Charter"

Fixing the rate of taxation for the fiscal year ending 31st December 1876.

The rate of taxation for revenue purposes of the City of San Diego for the fiscal year ending 31st December 1876 is hereby fixed and levied at the sum of thirty (30) Cents on every one hundred dollars of the assessed value of all the real and personal property within the Corporate limits of said City, made taxable by law for State purposes; and the rate of taxation for the purpose of raising a tax for said fiscal year for the payment of all interest moneys is hereby fixed and levied at the sum of Eighty Cents on every one hundred dollars of the assessed value of all the real and personal property within the limits of said City, and made taxable as aforesaid.

Passed and approved this 2d day of October A. D. 1876.

(SEAL) S. Statler, Clerk Signed John M. Boyd, President.

On Motion the Assessor was instructed to complete the Assessment Roll and that he proceed to assess the Peninsula of San Diego.

On Motion the sum of (80) Eighty Cents be levied on the Taxable property of the City of San Diego to pay Interest on the City's Indebtedness.

On Motion the Clerk was instructed to give public Notice that the Board of Trustees will meet on October 16th 1876 at 10 A. M. as a Board of Equalization for the purpose of Equalizing the City Assessment Roll for the year 1876, and that they will continue in session from day to day until all of said Business is disposed of.

Moved and Secended that a vote of thanks be tendered to Dr. Remondino, City Physician, for the prompt action which he had taken in the Case of Small Pox at Old Town, and that this Board has full confidence in his ability as a Physician and integrity as a Gentleman. The Ayes and Nays were called for, with the following result. Trustees Boyd, Briant, McCarthy and O'Neil voted in the affirmative, and Trustee Begole voted in the Negative. The President then declared the motion carried.

A delegation from the Fire Department consisting of Henry Bagly, M. J. McCarthy, A. Jolly & Jos. Winter appeared before the Board and stated that they desired to Elect a Chief Engineer in connection with the Board of Trustees.

On Motion the delegates from the Fire department, and the Board of City Trustees now proceed to the Election of a Chief Engineer for the Fire Department of this City.

Henry Bagly and P. Koster were selected as Candidates for the said position and the following ballot was then had. Henry Bagly received 6 votes and P. Koster received 2 votes. The President of the Board then declared Henry Bagly duly Elected as Chief Engineer of said fire Department for the ensuing term.

On Motion the Board of Trustees now proceed to Elect a Chief of Police to fill the Vacancy caused by the resignation of A. Stow, late Chief of Police. A vote was then had with the following result: T. M. Turner received 3 votes and Blank, 2 votes. The President then declared Mr. T. M. Turner elected Chief of Police in and for the City of San Diego.

On Motion the Clerk was instructed to notify the owners or agents of all land situate on line of the Proposed extension of "N" that the same was desired for street purposes.

On Motion the City Engineer be instructed to report to the Chief of Police all encroachments made by persons in constructing Buildings, fences, &c on the Public Streets, Plazas, or Parks of this City.

On Motion the Board adjourned until Saturday Evening Oct. 7th, 1876 at 7 1/2 o'clock.

Approved Nov. 9th, 1876.

S. Statler, Clerk

J. M. Boyd, President.

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"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego.

Saturday Evening, Oct. 7th 1876.

Board met pursuant to adjournment, all Members of the Board were present except Trustee Begole.

REPORT OF COMMITTEES.

The Finance Committee reported favorable on the following Bills.

W. Bennett

\$12.00

|                     |               |
|---------------------|---------------|
| Tweed & Campbell    | 24.60         |
| do do               | 8.00          |
| L. L. Lockling      | 2.50          |
| J. W. Connors       | 7.00          |
| San Diego Union     | 22.50         |
| C. H. Shepard & Co. | 4.50          |
| S. Statler          | <u>115.00</u> |
| Total               | \$196.10      |

On Motion the Claims as reported by the Finance Committee were ordered paid.

The Finance Committee failed to report on the assigned account of Wescott and Hatleberg for \$10.50. It was on motion referred back to them for further information regarding the same.

The Committee appointed to examine the Slaughter House of Jean Koop and Selwyn submitted a report in writing which was read and placed on file and Committee discharged.

Water Committee reported that they had examined the new Location of the San Diego Water Co's Works from which water was now being supplied to this City and was of the Opinion that same was satisfactory. On Motion the report was received and the Committee discharged.

The Bond of T. M. Turner, as Chief of Police, with C. Doblner and C. Deleval as sureties in the penal sum of One Thousand Dollars was read and on motion approved.

#### COMMUNICATIONS.

Jos. Faivre presented a communication asking the Board not to take any action regarding the opening of "N" Street through the Estate of S. S. Clark until he could communicate with the Administrator of said Estate. On motion the request of Mr. Faivre was granted.

Mr. H. Willey appeared before the Board and presented a plan for a proposed road way or crossing of the San Diego River at Old Town. On Motion the matter presented by Mr. Willey for a crossing of the river at Old Town be referred to a committee of 3 to report at a Special Meeting as soon as practicable. Trustees McCarthy, O'Neil and Briant were appointed on said Committee. On Motion the City Engineer and Superintendent of Streets were added to said Committee.

The following Resolution was presented and read as follows:

Resolved, That it is hereby made the duty of the Chief of Police, and he is hereby instructed to Notify all owners and agents of lands or lots within the Corporate limits of the City of San Diego to immediately fill up or cause to be filled up all wells not in use, and all holes that may in his Judgment be dangerous; and also to compel those, who have wells in use to have them safely covered over, and securely fastened, and if in ten days after the notice is given the order is not complied with that the Chief of Police cause the same to be done at the expense of the owners of said property.

#### CLAIMS AGAINST THE CITY.

Dr. M. M. Shearer presented a bill for 25\$ for services rendered in making a visit to La Playa to Examine the Case of Small Pox which was quarantined at said place. After some discussion regarding the same the matter was disposed of as follows: It was moved and seconded that Dr. Shearer be allowed the sum of \$5.00 for his services as above stated and that the Clerk draw a warrant in accordance herewith. The motion was carried.

On Motion the Street Superintendent in connection with the City Engineer be instructed to remove the obstructions on the road leading from Old Town up the Mission Valley to where the same intersects the San Diego and Poway road.

On Motion the City Engineer be instructed to establish the Grade on the Mission

Valley road near Old Town, and that the Street Superintendant be instructed open the same sufficiently to make it passable.

On Motion the Correll of Mess. Tweed and Campbell be selected as a City pound until otherwise ordered by this Board.

Communication from M. Keating regarding the purchase of some land belonging to the Estate of his Brother, and asked the Board to refund to him the purchase money with legal Interest thereon to date. On Motion a Committee of 2 be appointed to examine the City Records regarding the Claim of Mr. Keating, and to report at the next regular meeting. Trustees McCarthy and O'Neil were appointed on said Committee.

Water Commissioners Moved and Seconded that G. W. B. McDonald and James McCoy be appointed Water Commissioners on behalf of the City and that their names be inserted in the Ordinance prescribing the Duties of Water Commissioners. The Motion was carried.

Charter Ordinance No. 11 appointing Water Commissioners for the City of San Diego and prescribing their duties was read, passed and approved as follows:

CHARTER ORDINANCE NO. 11 New Charter.

The Board of Trustees of the City of San Diego, California do ordain as follows:

Sec. 1. G. W. B. McDonald and James McCoy are appointed and declared the Water Commissioners in and for the City of San Diego, California.

Sec. 2. It shall be the duty of said Water Commissioners to regulate the price of Water to be sold to the Inhabitants of the City of San Diego; and to that end and for that purpose to do and perform such duties as by law required.

Passed and approved this 7th day of October A. D. 1876.

(SEAL) S. Statler, Clerk (Signed) John M. Boyd, President

NEW BUSINESS.

On Motion a Committee of 3 be appointed to confer with the San Diego Water Co. and ascertain whether or not they are willing to Dispose of their Water Works to the City, and if so, on what terms, and if willing to sell, the Committee to report to this Board the Receipts and Expenditures, Condition and Character of the Water Works at this present time. The President appointed Trustees Briant, McCarthy and O'Neil on said Committee.

On Motion the Clerk was authorized to purchase one pair of hand cuffs and a badge for the Chief of Police.

No further business coming before the Board they on motion adjourned.

Approved Nov. 9th, 1876.

S. Statler, Clerk

J. M. Boyd, Presdt.

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Office of the Board of Trustees of the City of San Diego.

Monday Evening, Nov. 6th 1876.

The Board met in regular session. Members present: J. M. Boyd, W. A. Begole, and D. O. McCarthy. Absent: D. W. Briant and P. O'Neil.

There being no urgent business to come before the Board, they on motion adjourned until Thursday Evening Nov. 9th 1876 at 7½ o'clock P. M.

Approved Nov. 9th 1876.

S. Statler, Clerk.

J. M. Boyd, Presdt.

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"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego.

Thursday Evening Nov. 9th, 1876.

The Board met pursuant to adjournment and called to order by the President.

Members present: J. M. Boyd, W. A. Begole, D. O. McCarthy and P. O'Neil. Absent: D. W. Briant.

The Minutes of the last regular and two adjourned Meetings were read and approved.

#### REPORTS OF COMMITTEES.

The Street Committee reported that the sidewalk on East side of 5th St. between "G" and "H" Streets had been completed in accordance with plans and specifications. On Motion the same was accepted.

The Committee were authorized to instruct the Street Superintendent to repair 5th Street under the direction of said Committee.

The Cemetery Committee were unable to make any report regarding the application of the Knights of Pythias, and they were granted further time.

The Committee on purchase of the San Diego Water Works had no report ready and they were granted further time.

The Committee appointed to examine the City Records regarding the title to a certain piece of Land sold to J. P. Keating, deceased, by the City Authorities in Feby. 1857 reported that they had examined the records and found the same satisfactory and recommended that M. Keating, the Administrator, be allowed \$29.85 in full payment therefor. On Motion M. Keating Claim for \$29.85 be allowed, and the Committee discharged.

The Committee on Leasing City lands were unable to report and they were granted further time.

The Committee to examine the proposed Crossing of San Diego river were unable to make any report and they were granted further time.

Moved and seconded that the City Attorney be instructed to take the legal steps necessary to open "N" from the east line of Frary's Addition to the City Cemetery. Carried.

#### PETITIONS.

Mr. George Neal presented a Petition asking the Board to grant Samuel Green, Joseph Mesmer and himself a Franchise for the purpose of Manufacturing Gas in the City of San Diego. On Motion the Petition of George Neal was granted and placed on file.

T. F. Miller, having filed a certificate of sale, together with a statement of taxes paid on Pueblo Lot No. 1239 which he purchased at a city delinquent tax sale, in 1873, and it appearing to the Board that the said Pueblo Lot No. 1239 was at that time the property of the City of San Diego. It was now moved and seconded that the Clerk examine the records as to the amount of taxes paid by T. F. Miller on said Pueblo Lot No. 1239, and if found correct to pay the necessary amount to redeem the same, and that he assign said certificate to the City of San Diego.

Gas Ordinance No. 12 granting to George Neal, Samuel Green and Joseph Mesmer a Gas Franchise was read, passed, and approved as follows:

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. The right is hereby given and granted to George Neale, Samuel Green and Joseph Mesmer, their associates, successors and assigns to build, erect and maintain gas works and to manufacture gas in the City of San Diego in the County of San Diego and State of California and to lay down gas pipes and mains in and through the streets, alleys, public grounds, plazas and buildings of said City, and through said pipes and mains to supply and sell gas for lighting the streets, alleys, public grounds, plazas and buildings of said City for the use of the inhabitants thereof for the term of Thirty four years from and after the passage of this ordinance.

Section 2. It shall be the duty of the said George Neale, Samuel Green and Joseph Mesmer, their associates, successors and assigns in laying their mains and pipes and erecting their gas works in pursuance of this ordinance to restore the streets and side-

walks to the same good condition and order in which they shall find them.

Section 3. That the said George Neale, Samuel Green and Joseph Mesmer, their associates and assigns shall commence to build and erect said Gas Works within six months from the passage of this Ordinance and have said works in full operation within six months thereafter otherwise this ordinance shall be void, anything herein contained to the contrary notwithstanding.

Passed and approved by the Board of Trustees of the City of San Diego this 9th day of November A. D. 1876.

S. Statler, Clerk signed J. M. Boyd, President.

REPORT OF OFFICERS.

The City Treasurer presented his report for the quarter ending Oct. 31st 1876 showing a balance in the City Treasury of \$1176.30. On Motion the report was received and placed on file.

CLAIMS AGAINST THE CITY.

The following bills was presented to-wit:

|                               |              |
|-------------------------------|--------------|
| Schneider & Kneppers          | \$8.75       |
| V. Lucia                      | 28.70        |
| Steiner & Klauber             | 5.20         |
| R. Schiller                   | 7.00         |
| S. Statler, Clerk & Sunds.    | 25.60        |
| D. Burrougs                   | 24.00        |
| San Diego Water Co.           | 200.00       |
| L. L. Lockling                | 6.00         |
| A. E. Horton                  | 20.00        |
| J. E. Morgan                  | 117.00       |
| Jesus Lebares, Hospital Nurse | 58.00        |
| Hinton & Gordon               | 15.00        |
| G. W. Treanor                 | 6.00         |
| Chas. McShaffeny              | 6.00         |
| San Diego World               | 15.00        |
| Board of Equalization         | 198.00       |
| J. H. Rickey                  | 5.00         |
| Chas. Hastings                | 5.00         |
| Gordon & Hazzard              | 47.50        |
| T. M. Turner                  | <u>26.40</u> |
| Total                         | 824.15       |

On Motion the above claims were referred to the Finance Committee. There being no further business coming before the Board they on motion adjourned. Approved Dec. 4th, 1876.

S. Statler, Clerk. J. M. Boyd, President.

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"REGULAR MEETING."

Office of the Board of Trustees of the City of San Diego.

Monday Evening, Dec. 4th 1876.

The Board met in regular session at 7 1/2 o'clock P. M. All Members were present. The Minutes of the adjourned Meeting were read and approved.

REPORTS OF COMMIT .

The Finance Committee reported favorable on the following Claims, to-wit:

|             |        |
|-------------|--------|
| L. Lockling | \$6.00 |
|-------------|--------|

|                                                 |             |
|-------------------------------------------------|-------------|
| S. Statler                                      | 15.00       |
| Board of Equalization                           | 198.00      |
| D. Bourroughs                                   | 24.00       |
| San Diego Water Co.                             | 200.00      |
| J. E. Morgan (assigned to<br>Coml. Bank)        | 117.00      |
| Gordon & Hazzard                                | 47.50       |
| G. W. Treanor                                   | 6.00        |
| World Publishing Co. (assigned<br>to E. Parker) | 15.00       |
| T. M. Turner                                    | 24.40       |
| Hinton & Gordon                                 | 15.00       |
| Jesus Levares (assigned to<br>Dr. Remondino)    | 58.00       |
| Chas. Hastings                                  | 5.00        |
| Chas. McShaffery                                | 6.00        |
| R. Schiller                                     | 7.00        |
| Schneider & Kneppers                            | 8.75        |
| Steiner, Klanber & Co.                          | 5.20        |
| V. Lucia, Claim for \$28.70<br>allowed for      | 15.40       |
| J. H. Rickey                                    | <u>5.00</u> |
| Total                                           | \$778.25    |

On Motion the claims reported by the Finance Committee as being correct were ordered paid.

The Committee on Lease of Pueblo Lands were not ready to report and asked for further time. The request was granted.

The Cemetery Committee were unable to make any report and they were granted further time.

The Water Committee presented a written report stating that they had discharged the duties assigned them and recommended that the City purchase the Water Works of the San Diego Water Co. for the use and benefit of the Citizens of San Diego. On Motion the Report was received, placed on file and the Committee discharged.

The Street Committee reported that the work of repairing 5th Street was progressing.

#### COMMUNICATIONS.

W. W. Stewart called the attention of the Board to the reported dangerous condition of Horton's Hall and asked the Board to have the matter investigated. On Motion a Committee of 3 be appointed to examine the condition of said Hall, and that the President of the Board be one of said Committee. Trustees W. A. Begole, D. O. McCarthy and J. M. Boyd were then appointed to report at the next regular meeting.

#### REPORT OF OFFICERS.

Justice L. Scott presented a written report showing the business transacted in his Court for the City during the Months of October and November.

The report was on motion received and placed on file.

The City Tax Collector presented a report showing the amount of taxes collected and paid into the City Treasury during the Month of November 1876. The report was received and placed on file.

The Chief of Police presented a lengthy report showing the business of his Office during the Month of November. On motion the report was received and placed on file.

The Chief of Police presented a report from the City Engineer regarding the encroachments made by persons on the streets in constructing Buildings and fences. After

some discussion regarding this matter it was moved and seconded that a Committee of 4 be appointed to include the City Engineer and Street Superintendant for the purpose of examining the encroachments on the Streets and to report the result of their examination and recommendation to this Board as soon as practible. The Motion was carried. The President appointed Trustees McCarthy and Briant also L. L. Lockling, City Engineer and Wm. Jorris, St. Superintendant on said Committee.

CLAIMS AGAINST THE CITY.

The following claims were presented and referred to the Finance Committee for action.

|                                 |               |
|---------------------------------|---------------|
| San Diego Union                 | \$27.90       |
| Hinton & Gordon                 | 10.00         |
| T. C. Stockton                  | 10.00         |
| San Diego Water Co.             | 100.00        |
| P. C. Remondino M. D.           | 70.00         |
| W. Bennett                      | 13.50         |
| P. Koster                       | 5.00          |
| World Publishing Co.            | 8.00          |
| C. A. Chase                     | 6.00          |
| W. J. Gatewood (No amt. stated) |               |
| Hamilton & Marston              | 2.35          |
| H. T. Christian                 | 1.00          |
| L. Scott                        | 3.00          |
| S. Statler                      | 15.00         |
| T. M. Turner                    | 60.50         |
| S. S. Dunnells                  | 11.20         |
| Chas. Blackman                  | 55.50         |
| T. M. Turner (No amt. stated)   |               |
| Wm. Jorres                      | <u>102.75</u> |
| Total                           | \$501.70      |

On Motion the rules regarding the payment of Claims were suspended for the Evening and the bills of Wm. Jorres for \$102.75 and San Diego Water Co. for \$100.00 were considered by the Finance Committee and recommended that they be paid. On Motion the bills above referred to were ordered paid.

MISCELLANEOUS BUSINESS.

On Motion the Clerk was instructed to procure a Lease from Mr. Horton for the office now used by the City Trustees for the term of 2 years at 20\$ per month to begin from the Expiration of the Old Lease.

On Motion the City Attorney be instructed to draw an ordinance for the purpose of submitting to the Citizens of San Diego the question of voting funds for the Purchase of the San Diego Water Co's Works for the use of the Citizens of this City, also that he furnish briefs to this Board as to the authority of this Board to make such a purchase.

NEW BUSINESS.

In the Matter of providing a redemption funds. The City Atty was instructed to prepare an ordinance providing for the redemption of City Bonds to be submitted to this Board at the next regular meeting.

On Motion the City Attorney be requested to examine the authority in regard to City Prisoners working out fines on the Streets when they were unable to pay the same, and if he was satisfied that the Board can enforce an Ordinance to that effect, that he be requested to prepare and submit the same at the next regular meeting of this Board.

There being no other business coming before the Board they on Motion adjourned.

Approve Janry. 2d, 1877.

S. Statler, Clerk.

J. M. Boyd, President.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Saturday Evening, Dec. 16th 1876.

In pursuance to a published notice given, the Board met at 6 $\frac{1}{2}$  o'clock P. M. all Members were present.

The President stated that the object of the Meeting was for the purpose of discussing the propriety of submitting the proposition to purchase the property of the San Diego Water Company by the City to a Vote of the People. Also for the further purpose of Leasing Certain City Lands for grazing purposes.

W. Jeff Gatewood, City Attorney now submitted a written Opinion together with legal authorities to the Board, setting forth that the City has the right to purchase said San Diego Water Co's Works.

On Motion the Opinion and briefs submitted and read by the City Attorney be received and placed on file. Carried.

On Motion it was ordered that if there were any Citizens present that wished to discuss the City's right to purchase the said Water Works could now have the privilege of presenting their views on the subject. No person appearing.

It was Moved and Seconded that the City Attorney now read the Ordinance which he had prepared submitting the question of Purchasing the Works of the San Diego Water Company to a vote of the people, the motion was carried.

Moved and Seconded that the Ordinance just read by the City Attorney relating to purchase of San Diego Water Co's Works be filled up and that the same be adopted.

Trustee W. A. Begole called for the Ayes and Nays with the following Result.

Trustees D. W. Briant, D. O. McCarthy and P. O'Neale voted in the affirmative and Trustees J. M. Boyd and W. A. Begole voted in the Negative.

The President now declared the motion carried.

On Motion that the day for holding Election to vote on proposition to purchase said Water Works be fixed for Saturday, December 30th 1876.

The Ordinance now being filled up the same was read by the Clerk and on Motion the same was adopted, being as following to-wit:

CHARTER ORDINANCE NO. 13 New Charter.

Be it ordained by the Board of Trustees of the City of San Diego. That an Election be held on the 30th day of December A. D. 1876, in the City of San Diego in the manner and at the places hereinafter specified to determine whether or not said Board of Trustees shall issue Bonds of the said City of San Diego to the amount of One Hundred and fifty six thousand two hundred and fifty (\$156,250.00) Dollars, said Bonds to bear date on the day of issuance, and made payable 20 years after date, and redeemable at the option of said Board of Trustees of said City of San Diego or their successors in office at any time after Five Years from the date of issuance, said Bonds to bear interest at the rate of ten per cent per annum, payable semiannually on the first day of January and July of each year thereafter from the date of issuance, and to be issued in denominations of not less than Five hundred dollars, nor more than One Thousand Dollars, U. S. gold Coin at such times and in such manner as said Board of Trustees may direct.

And to determine also whether or not the said Board of Trustees of said City of

San Diego shall contract for the purchase of the property of the San Diego Water Company for the use of said City.

All the qualified voters of said City of San Diego who desire to vote for the issuance of said Bonds shall be entitled so to vote by placing a ballot in the ballot box of the Ward in which he is entitled to vote with the words "For the Bonds-- Yes." written or printed thereon, and those who desire to vote against the issuance of said bonds shall in like manner place a ballot in such ballot box with the words "For the Bond-- No." written or printed thereon.

And those who desire to vote for said Board of Trustees to Contract for the purchase of the Water Works for the use of the said City of San Diego shall in like manner be entitled to vote by placing a ballot in the ballot box with the words "Purchase of Water Works--Yes," and those who desire to vote against such Contract being made shall in like manner vote by placing a ballot in the ballot box with the words "Purchase of Water Works-- No," written or printed on it. The vote of each elector for these propositions shall be upon one ballot, said Election shall be held on said 30th day of December A. D. 1876 between the hours of 10 o'clock A. M. & sun-set of said day in the several Wards of said City of San Diego.

The Polling places and the Officers thereof shall be as follows, to-wit:

- First Ward polling place at the School House.  
Inspector, James McCoy, Judges Louis Rose and Andrew Cassidy.
- 2d Ward polling place, San Diego Hotel.  
Inspector, N. Hunsaker. Judges, Wm. X. Gardner and M. Keating.
- 3rd Ward polling place at City Hall.  
Inspector, G. N. Hitchcock. Judges, A. H. Julian & W. L. Williams.
- 4th Ward polling place, Hiscocks Building.  
Inspector, G. G. Bradt. Judges, L. L. Lockling and C. P. Noell.
- 5th Ward polling place, Bay View Hotel.  
Inspector, Olcott Pierce. Judges, H. Bagly and E. O. Rogers.

Passed and approved at a Special Meeting of the Board of Trustees of the City of San Diego, this 16th day of December 1876.

(SEAL) S. Statler, Clerk. (Signed) J. M. Boyd, President.

In accordance with the provisions of the above Ordinance an election will be held on the 30th day of Dec. 1876 at the time and in the places specified.

S. Statler, Clerk (signed) J. M. Boyd, President.

The Matter of Leasing lands was now brot up for disposal.

A. G. Gassen proposed to lease the following Pueblo Lands belonging to the City, to-wit: Lots Nos. 1228, 1227, 1226, 1225, 1240, 1241, 1242, 1243, 1271, 1272, 1293, 1294, 1/2 of 1295, 1254 and 1266, and pay at the rate of \$10.00 for each 160 acres of land per year making in the aggregate \$125.00 gold coin, the Lease to be for One Year.

Mark P. Shaffer and E. H. Wirth proposed to Lease for one year the following Pueblo Lands belonging to the City, to-wit: Lots Nos. 1203, 1232, 1333, 1244, 1245, 1255, 1256, 1257, E 1/2 1258, tract 1260, 1262, 1263, 1264, 1279, E 1/2 1280, S 1/2 1284, 1287, W 1/2 1296, E 1/2 1297, 1298 W 1/2 1299, 1300, W 1/2 1304, 1305, 1306, 1309, 1310, 1311, 1314, 1/2 1315, 1316, 1317, 1318, 1319, W 1/2 1780, 1781 and W 1/2 1785 paying for the whole of said Lots of Land the sum of \$50.00 for said One Year.

On Motion the Clerk was instructed to call on the Secretary of the San Diego Coal Mining Co. and Collect the rent due on the Lands leased from the City for Coal Mining purposes in accordance with the terms of said Lease.

Moved and seconded that the propositions made by A. G. Gassen, and Shaffer & Wirth to Lease certain Lands belonging to the City be accepted. The Motion was carried.

On Motion the Clerk was instructed to draw leases in favor of A. G. Gassen and Shaffer & Wirth for the Lands applied for, for the term of One year, and collect the respective sums due on the same in advance, and deposit the money so collected with the City Treasurer.

Moved and seconded that when the Board adjourned, that it adjourn to meet on Tuesday Evening Dec. 19th 1876 at 6 1/2 o'clock P. M. for the purpose of hearing the report of the Committee that were appointed to examine in regard to the Safety of Horton's Hall.

The Board now on motion adjourned until the time above stated.

Approved Janry 2d, 1877.

S. Stattler, Clerk

J. M. Boyd, President.

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"ADJOURNED SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Tuesday Evening, Dec. 19th, 1876.

The Board met pursuant to adjournment. Members present: J. M. Boyd, W. A. Begole and D. O. McCarthy. Absent: D. W. Briant & P. O'Neile.

The President stated the object of the Meeting was for the purpose of hearing the report of Special Committee that was previously appointed to Examine the condition of Horton's Hall regarding the safety of the same.

The Chairman of said Committee now presented a written report as follows:

To the Honorable Board of Trustees of the City of San Diego.

Gentlemen. Your Committee to whom was referred the Matter of examining the condition of Horton's Hall as a place for public assemblies beg leave to report:

That on a careful examination of the timbers, foundations, and brick work of the building we found them to be in a good state of preservation, without any signs of decay, fracture or giving away in any particular. We also find the frame work is well put together, and deem it capable of sustaining all the people that can be got into the Hall, without giving away, even under the most trying circumstances.

Your Committee also find that the doors to the entrance of the Hall are made to swing inside which should not be allowed under any circumstances, and for the further security of the audience and especially the occupants of the stage, there should be stairs built on the south side of the building leading down to Sixth Street with doorway not less than six feet in width, thus giving more ready exit in case of accident by fire or panic.

Your Committee are also of the opinion that more care should be taken in stowing of rubbish and inflammable material behind the scenes, which are liable to increase the chances of fire.

All of which is respectfully submitted.

San Diego, Dec. 19th 1876

(signed)

J. M. Boyd, )  
W. A. Begole ) Committee  
D. O. McCarthy )

There being no further business coming before the Board, they on motion adjourned.

Approved Janry 2d, 1877.

S. Statler, Clerk

J. M. Boyd, President.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Friday Evening, Dec. 22d, 1876.

The Board met pursuant to notice. Members present: J. M. Boyd, W. A. Begole, D. O. McCarthy and P. O'Neil. Absent: D. W. Briant.

The President stated that the object of the Meeting was for the purpose of considering Railroad Matters now pending in Congress. Also to approve of some other business that was transacted at an Informal Meeting of the Board held on the previous Evening.

A telegram having been received from Mr. D. Felsenheld at Washington, stating that General Sedgwick had been retained by him to assist in presenting the interest of San Diego before the Rail Road Committee and asked the Board to appropriate the sum of Three Hundred Dollars for the payment of Genl. Sedgwick's expenses.

Moved and Seconded that the appointment of Genl. Sedgwick be confirmed and that he represent San Diego before the Rail Road Committee in Congress. Carried.

On Motion a Committee of 2 Citizens and the City Attorney be appointed to prepare a suitable Telegram and letter addressed to Mr. Lemar, Chairman of the Rail Road Committee of Congress, showing the advantage of the direct route and why the same should be adopted between San Diego & Yuma, and to submit the same to this board for approval on Saturday Evening Dec. 23d, 1876.

The President appointed Dr. L. C. Gunn, H. H. Dougherty, and W. G. Gatewood, City Atty. as said Committee.

On Motion the Clerk was instructed to notify said Committee to prepare said Letter and telegram and submit the same for approval by this Board at an adjourned meeting to be held on Saturday Eve. Dec. 23d 1876.

Moved and seconded that the sum of Three Hundred (\$300) Dollars be appropriated out of the General Fund to defray the expenses of General Sedgwick. The motion was carried.

The Board now on motion adjourned until Saturday Eve. Dec. 23 at 7 o'clock P.M.

Approved Janry 2d, 1877.

S. Statler, Clerk

J. M. Boyd, President.

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"ADJOURNED SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Saturday Evening Dec. 23d 1876.

The Board met pursuant to adjournment. Members present were Trustees Boyd, Begole and McCarthy. Absent: Trustees Briant and O'Neil.

The President stated the object of the meeting was for the purpose of hearing the report of the Citizens Committee that were appointed the previous evening by this Board to prepare a Telegram and Letter to be forwarded to the Hon. L. Q. C. Lamar, Chairman of House Committee on Pacific Rail Roads in Congress, regarding the interests of San Diego in the matter relating to the Texas and Pacific Railway bill now pending in Congress.

Dr. L. C. Gunn, stated that owing to the shortness of the time allowed to the Committee to report, they could not prepare the letter, but that they had prepared a lengthy telegram which he now read and submitted the same to the Board for their consideration.

Moved and seconded that the report of the Committee together with telegram be adopted as presented, and the Committee discharged. The motion was carried.

On Motion the Clerk was instructed to have the same signed and sent forward to Hon. L. Q. C. Lamar.

There being no further business before the Board they on motion adjourned.

Approved Janry 2d, 1877.

S. Statler, Clerk

J. M. Boyd, President

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Office of the Board of Trustees of the City of San Diego.

Tuesday Evening, Janry 2d, 1877.

The Board met in regular session at 7½ o'clock P. M. Members present were Trustees Boyd, Begole & Briant. Absent Trustees McCarthy and O'Neil.

The Minutes of the last regular and four Special Meetings were read and approved.

COMMITTEE REPORTS.

The Finance Committee reported favorable on the following Claims to-wit:

|                 |             |
|-----------------|-------------|
| T. M. Turner    | \$60.50     |
| San Diego Union | 27.90       |
| H. T. Christian | 1.00        |
| P. Koster       | 5.00        |
| W. Bennett      | 13.50       |
| S. S. Dunnells  | 11.20       |
| Hinton & Gordon | 10.00       |
| L. Scott        | <u>3.00</u> |
| Total           | \$132.10    |

On Motion the bills as reported as correct by the Finance Committee be paid.

The Finance Committee having failed to make a report on Bills of P. C. Remondino for \$70.00, W. J. Gatewood for \$150.00 and Chas. Blackmer for \$55.50 they were on motion laid over until the next regular meeting to be disposed of by the Board.

The Cemetry Committee had no report to make and were granted further time.

The Committee on Street Encroachments had no report ready and asked for further time, granted.

REPORTS OF OFFICERS.

The City Tax Collector presented his report showing amount of taxes collected and paid to City Treasurer for the Month of December 1876. On Motion the report was received and placed on file.

The Chief of Police presented his report for Dec. 1876 which was read and ordered on file.

The Street Superintendant made a verbal report in regard to repairing some of the principal streets in the City, also to the bad condition of the New road leading to National City.

PETITION.

Mr. Wm. E. Rowe, and others presented a petition to the Board asking that "K" Street be repaired from 12th to 14th Streets. On Motion the prayer of petitioners be granted, and that the Street Superintendant expend not to exceed the sum of \$25.00 in opening "K" Street, and that he notify the Citizens in that vicinity who have not paid their Road Tax to work the same out in opening said street.

CLAIMS AGAINST THE CITY.

The following bills were presented against the City to-wit:

|                                  |         |
|----------------------------------|---------|
| 1st Ward Election Board          | \$15.00 |
| 2 " " "                          | 15.00   |
| 3 " " "                          | 15.00   |
| 4 " " "                          | 15.00   |
| 5 " " "                          | 15.00   |
| A. E. Horton, 2 months Hall rent | 40.00   |
| R. Schiller                      | 3.00    |
| S. Statler, Clerk                | 15.00   |
| Western Union Tel. Co.           | 122.80  |

|                                            |             |
|--------------------------------------------|-------------|
| W. Bennett, (assigned to Gordon & Hazzard) | 67.50       |
| World Publishing Co.                       | 9.50        |
| San Diego Union                            | 53.50       |
| C. H. Shepard & Co.                        | 7.00        |
| E. M. Skinner                              | 75.00       |
| Schneider & Kneppers                       | 3.40        |
| F. Lindenfeldt                             | 37.50       |
| Joseph Morrison                            | 11.25       |
| Wm. Jorres                                 | 69.25       |
| T. M. Turner                               | 17.00       |
| B. A. Fickas                               | 25.00       |
| L. L. Lockling                             | <u>3.00</u> |
| Total                                      | \$634.70    |

On Motion the claims were referred to the Finance Committee for approval.

On Motion the bills of the several Election Boards amount in the aggregate to \$75.00 and the bill of Schneider & Kneppers for \$3.40 be paid without being referred to the Finance Committee for approval, the Motion was carried and the Clerk instructed to draw warrants for the same.

UNFINISHED BUSINESS.

The Ordinance previously granted for the Commencement and Completion of 6th Street Wharf for 2 years was now read, passed and approved, as follows:

CHARTER ORDINANCE NO. 14.

(New Charter)

Extending time for Constructing a Wharf at the foot of Sixth Street.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. There is hereby granted unto Simona Martinez, G. W. B. McDonald, J. B. Boyd and their associates and assigns, the assignees of Oliver Eldridge and his associates and assigns two years more time from the 1st day of October 1876, in which to commence and complete the wharf to be constructed at the foot of Sixth Street in Horton's Addition to San Diego and extending into the Bay of San Diego in accordance with ordinance No. 10 passed by this Board on the 14th day of October 1872 and renewed by said Board to Oliver Eldridge, his associates and assigns by Ordinance No. 42 passed and approved by this Board on the 29th day of September 1873; and again renewed by said Board to Simona Martinez, G. W. B. McDonald and J. B. Boyd, their associates and assigns, by ordinance No. 64 passed and approved by this Board on the 29th day of September 1874, reference being hereby had to such ordinances.

Section 2. There is hereby granted and continued in full force and effect unto the said G. W. B. McDonald and J. B. Boyd, their associates and assigns all the rights and privileges, which were granted in said ordinance No. 10 unto Thomas L. Nesmith, G. W. B. McDonald and Oliver Eldridge, and his associates and assigns in said ordinance No. 42 and renewed, confirmed and extended to the said Simona Martinez, G. W. B. McDonald and J. B. Boyd, and their associates and assigns in said ordinance No. 64 as aforesaid so far as the right to build, construct and maintain a wharf at the foot of Sixth Street, and out into said Bay is concerned upon the same terms and conditions as in the said Ordinance No. 10 as therein set forth and as renewed, confirmed and extended in said Ordinance No. 42 and No. 64 except there is given two years more time by the first section of this ordinance in which to commence and complete the said wharf structure.

Passed and approved at a regular session of the Board January 2d 1877.

S. Statler, Clerk

signed

J. M. Boyd, Presdt.

An Ordinance providing for a redemption fund was read, and on motion laid over until next regular meeting.

MISCELLANEOUS BUSINESS.

Mr. A. E. Horton presented a Lease to the Board for the present Trustees office for the term of 2 years from Augst 1st, 1876, at the rent of \$20.00 per month in advance. On Motion the President and Clerk of this Board sign the Lease and place the same on file.

Moved and seconded that the Board now proceed to canvass the returns of Special Election held Dec. 30th 1876 wherein it was proposed to purchase the San Diego Water Co. Works and issue Bonds to the amount of \$156,250.00 to pay for the same. The Motion was carried and the Board then canvassed the returns with the following result

| Precincts | Against the Bonds No. | For the Bonds Yes. | Against Purchase Water W. No. | Purchase of Water W. Yes. | Maj. agst Bonds | Maj. agst. Purchase of Water Works |
|-----------|-----------------------|--------------------|-------------------------------|---------------------------|-----------------|------------------------------------|
| 1st Ward  | 47                    | 4                  | 47                            | 4                         | 43              | 43                                 |
| 2d Ward   | 25                    | 13                 | 25                            | 13                        | 12              | 12                                 |
| 3d Ward   | 109                   | 40                 | 109                           | 45                        | 69              | 64                                 |
| 4th Ward  | 157                   | 26                 | 155                           | 28                        | 131             | 127                                |
| 5th Ward  | 67                    | 13                 | 67                            | 13                        | 54              | 54                                 |
|           | 405                   | 96                 | 403                           | 103                       | 309             | 300                                |

Total Number Votes cast 506

The President now declared the propositions to issue Bonds and purchase the Works of San Diego Water Co. by the City was rejected.

Moved and seconded that when the Board adjourn that they adjourn to meet on Monday Evening Janry 8th 1877 at 7½ O'Clock P. M. to consider the propriety of Cancelling back taxes, also to consider the Matter of repairing the New road leading to National City. Motion carried.

On Motion the Board adjourned until the time previously stated.

Approved Feby. 5th 1877.

S. Statler, Clerk

J. M. Boyd, President.

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"SPECIAL MEETING."

Office of Board of Trustees of the City of San Diego

Saturday Evening, Jany 6th 1877.

The Board met pursuant to call, and the following named Members were present. Trustees Boyd, Briant, Begole and McCarthy. Absent: O'Neil.

The President stated the object of the Meeting was for the purpose of considering the matter of sending Mr. A. E. Horton to Washington and to defray his expense to assist our agents now there in representing the interest of San Diego in Railroad matters now pending before Congress in accordance with the expressed desire and wishes of Citizens assembled this Evening in mass meeting.

It was then moved and seconded that the Clerk draw a warrant on City Treasurer in favor of Mr. A. E. Horton, for the sum of Five hundred (500) dollars to pay his expense to & from Washington in accordance with the expressed wishes and directions of Citizens assembled this evening in mass meeting. The motion was then voted an and declared carried by the President.

There being no further business, the Board on motion adjourned.

Approved Feby 5th 1877

S. Statler, Clerk

President.

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"ADJOURNED MEETING."

Office of Board of Trustees of the City of San Diego.

Monday Evening Jany 8th, 1876.

The Board met pursuant to adjournment at 7½ o'clock P. M. Members present were Trustees Boyd, Begole, Briant & McCarthy. Absent: O'Neil.

The President stated that the object of the Meeting was for the Special purpose of considering the propriety of Cancelling all delinquent back taxes previous to the year 1876, also to hear report of St. Committee as to the Condition of the New Road leading to National City.

On Motion the matter of repairing the new road to Natl. City now be disposed of.

The Chairman of St. Committee now stated that the St. Superintendant and himself had examined the road as requested by this Board, and that they had estimated the cost to repair the same would be about \$500.00. On Motion the sum of \$200 be appropriated from the General Fund and applied to the repairing of said road leading to National City, provided however that the Board of Supervisors of San Diego County appropriate a like sum for the same purpose.

The Matter of disposing of Back taxes was taken up.

Moved and seconded that the Tax Collector of the City of San Diego advertise all delinquent property. Except that which has heretofore been offered for sale and no bidders were had for tax due for years 1873, 4 & 5. Motion carried.

There being no further business, the Board on motion adjourned, and were then called together by request for Special business.

Approved Feby 5th, 1877.

S. Statler, Clerk

President.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Monday Evening, Jany 8th, 1877.

The Board met in Special Session at 9 o'clk P. M.

Members present same as were present at adjourned meeting.

The President stated the object of the Meeting was for the purpose of considering the Matter of commencing Suit in Dist. Court by the City against the T. P. R. R. Co. to recover the lands previously deeded to said Railway Co. for railroad purposes, also send written instructions to our Agents in Washington regarding railroad matters now pending before Congress.

Moved and seconded that the City Attorney be and he is hereby instructed to Intervene for the City of San Diego in the Suit now pending between Thos. H. Bush and J. A. Evans and the Texas Pacific Railway Company for the recovery of the lands conveyed to said Corporation for railroad purposes, the motion was carried unanimous.

The written instructions to Agents of the City in Washington was now read and on Motion adopted as read, and the Clerk instructed to forward the same forthwith.

There being no further business, the Board on motion adjourned.

Approved Feby. 5th 1877.

S. Statler, Clerk

J. M. Boyd, President.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Thursday Evening, Jany 26th 1877.

The Board met in Special Session as called by Trustees J. M. Boyd, W. A. Begole, & D. O. McCarthy for the purpose of considering the Telegrams just received from the Agents of the City in Washington regarding Railroad matters.

Members present were Trustees Boyd, Begole, and McCarthy. Absent Trustees Briant and O'Neil.

The President called the Board to order and stated that the object of the meeting was for purposes as above stated in the Call.

On Motion the Telegrams received be read and spread on the records of this Board.

The following telegrams were now read by the Clerk to-wit:

"Cipher Message"

Washington, D. C. Jany 25th 1877.

Received at San Diego Jany 26th 1877 at 1:20 P. M.

To City Trustees.

Send Telegraph order for five hundred dollars immediately for Special printing, and Circular Statements. Scott.

"Signed." Horton, Sedgwich and Felsenheld.

Washing, D. C. Jan. 25, 1877.

To the City Trustees;

Lander's substitute recognizes Texas Pacific through line from Fort Worth to San Diego by direct route; the work to begin at San Diego, as in the Atkins' bill. It leaves out the Atlantic and Pacific and all other branches. It loans Treasury notes at two per cent. to build the road at actual cost not exceeding \$30,000 per mile, providing any issue of Treasury notes for that purpose. The bonds are the same as with the Atkins' bill. This will take with the inflationists. Give it all the help you can.

Sedgwick, Horton & Felsenheld.

Moved and seconded that an order be drawn on the General fund for the sum of Four hundred and Seventy-five (475) Dollars "Gold" in compliance with the request of Messrs. Felsenheld, Sedgwick & Horton, as per their Telegram. The motion was voted on and unanimously carried.

There being no further business coming before the Board they on motion adjourned.

Approved Feby 5th, 1877.

S. Statler, Clerk.

J. M. Boyd, Presdt.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Tuesday Evening, Jany 30th, 1877.

The Board met at 7½ o'clock P. M. for the purpose of considering a petition numerously signed by Citizens urging the Board of Trustees to call a Special session of the Board and take such action that was necessary to prevent the spread of small pox in this City, also to abate nuisances and compel the vaccination of all Chinese and Indian inhabitants.

Members present were Boyd, Begole, McCarthy and O'Neil. Absent: Briant.

The President called the Board to order and stated that the object of the Meeting was for the purpose as previously stated.

Moved and seconded that the Petition as read by the Clerk, and all subject matter relating thereto be referred to the Board of Health for disposal. The Motion was carried.

There being no further business the Board on motion adjourned.

Approved Feby. 5th 1877.

S. Statler, Clerk.

J. M. Boyd, President.

REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Evening, Feby. 5th 1877.

The Board met in regular session at 7 1/2 P. M.. Members present were Trustees Boyd, Begole, O'Neil and McCarthy. Absent: Briant.

The Minutes of last regular meeting and five Special Meetings were read and approved.

COMMITTEE REPORTS.

The Finance Committee reported favorable on the following bills, to-wit:

Wm. Jorres, Road Work	\$69.25
San Diego Union	53.50
C. H. Shepard & Co.	6.25
C. A. Chase	6.
Thos. H. Bush (Assigned to J.L.Rowe)	8.
T. M. Turner	17.
W. Bennett (assigned to Gordon & Hazzard)	67.50
Thos. H. Bush (assigned to D. Wallach)	9.50
F. Lindenfeld, Road work	37.50
Joseph Morrison " "	11.25
R. Schiller	3.00
B. A. Fickas, Abstract	25.
L. L. Lockling	3.
E. M. Skinner, Agt. Rent Engine House 6 mths.	75.
Jos. Faivre (Assigned by J. F. Gleisner)	13.75
A. E. Horton , Hall Rent for Jan.	20.
Dan Hagerty, road work	16.25
Chas. Blackner (Mr. P. Shaffer, Agt.)	<u>55.50</u>
Total	\$441.75

On Motion the bills reported by the Finance Committee as being correct were ordered paid.

Erased before approval S. Statler, Clk.

The Bills of T. C. Stockton for \$10.00 and ~~Charles Blackman for \$55.50~~ not being fully approved by the Finance Committee was referred back to the Board for disposal.

Moved and seconded that the bills of T. C. Stockton for \$10.00 & ~~Chas. Black for \$55.50~~ be allowed and that the Clerk draw warrants on Treasurer for the respective amounts. The Motion was carried.

The Committee on Street encroachments were granted further time to make their report.

The Street Committee in connection with the St. Superintendant reported verbally that the National City Road had been repaired according to previous instructions, also the completion of K St. between 12 & 14th Streets.

PETITIONS AND C O M M U N I C A T I O N S .

Mr. G. W. Granniss presented a petition to the Board asking them to cancel the tax levied by the City for the year 1876 on the tract of Land known as the Peninsula of San Diego. On Motion the petition of Mr. Granniss and the subject matter relating thereto be referred to the City Atty. for advice, he to report at next regular meeting.

A C O M M U N I C A T I O N was recd from the Board of Health urging this Board the necessity of providing a suitable building for a City Hospital.

Moved and seconded that the President of this Board appoint two City Trustees to act in conjunction with the Health officer for the purpose of purchasing or Leasing suitable grounds with Building thereon for a "Pest House", and if a building cannot be obtained in a desirable locality, then the said Committee are hereby authorized to purchase or lease a piece of Land and cause to be erected thereon without delay a house according to the plans of the Health officer, to be known as the Pest House of San Diego, and report to the Board of City Trustees at the next regular meeting. The motion was carried.

The President then appointed Trustees McCarthy and Begole on said Committee.

Mr. W. S. Gregg Jr. presented a petition on behalf of V. Lucia requesting this Board to grant him a deed for a certain piece of Land situate in Old San Diego as described in his petition. The prayer of petitioner was on motion granted a Quit Claim deed for said tract of Land as described in said petition.

"REPORT OF OFFICERS."

The City Tax Collector submitted his report for January 1877, the same was on motion received and placed on file.

The City Clerk submitted his report relating to the amount of taxes collected from Nov. 6th 1876 to Jany. 16th 1877 also showing amount due on Delinquent assessment roll and the assessed value of all property on said delinquent roll. On Motion the report of City Clerk was received and filed.

The City Treasurer presented his report for Quarter ending Jany 31st 1877 showing Cash received & disbursed also the amount remaining on hand. The same was on motion received and placed on file.

The Chief of Police presented his report for month of January 1877 which was on motion received and placed on file.

CLAIMS AGAINST THE CITY.

The following bills against the City was presented, to-wit:

Andrew Farley	\$8.00
Western Union Tel. Co.	397.80
A. S. Grant, Co. recorder	14.75
San Diego Water Co.	200.
J. F. Gleisner	13.75
S. Statler, Clerk &c	62.
L. Scott	3.
H. T. Christian	60.
A. E. Horton	20.
W. J. Gatewood	250.
W. Bennett	12.37
Wm. Jorres	116.56
Jas. Morrison	28.75
P. Koster	5.50
Larson & Wescott	127.00
David Hagerty	16.25
Thos. Carroll	21.87
John Donohoe	17.50
Steiner, Klauber & Co.	9.55
Frank Lindenfeld	36.25
W. A. Begole	4.75
A. Little	9.37

T. M. Turner	33.40
W. J. Gatewood	25.00
A. H. Julian	46.63
Gordon & Hazzard	61.09
do do	18.10
World Publishing Co.	50.00
T. M. Turner Amt. Blank	
Total	\$1669.24

On motion the bills as presented and read were referred to the Finance Committee.

On Motion the Rules were suspended and the bills of Western Union Telegraph Co. for \$397.80, Andrew Farley for \$8.00 and San Diego Water Co. for \$200.00 were ordered paid as soon as the Finance Committee had approved the same.

UNFINISHED BUSINESS.

The Bill of Chas. Blockman for \$55.50 having been laid over from last regular meeting was now on motion ordered paid.

The bills of Dr. Remondino for \$70.00 and W. J. Gatewood for \$150.00 having been laid over from last regular meeting was withdrawn by consent of the Board.

The Bill of T. M. Turner for 26 days work in superintending the filling up of holes & wells on Vacant Lots was referred to the finance Committee to fix the amount necessary to pay the same and when said Committee fixed the compensation the Clerk draw a warrant on the Treasurer for the respective amounts.

NEW BUSINESS.

On Motion Mr. Hogue, Nurse at Pest house be allowed \$6.00 for each 24 hours that he is employed as such Nurse.

On Motion all expense incurred and paid by the Health Officer be referred to the Finance Committee, and when approved by them the Clerk to draw warrants on Treasurer to pay the same, and that the Rules of this Board stand suspended regarding this matter.

On Motion the City Attorney be instructed to draw an ordinance to abate the Chinese Wash House Nuisance.

Charter Ordinance No. 15 levying a License tax on Dogs was presented and read, and on motion was adopted as follows:

DOG LICENSE.

CHARTER ORDINANCE NO. 15.

(New Charter)

Be it Ordained by the Board of City Trustees of the City of San Diego as follows:

Section 1. There is hereby levied upon every male dog in the City of San Diego, a license tax of three dollars per year, and upon every female dog in said city a license tax of four dollars per year, payable to the City Tax Collector, whose duty it shall be to collect said tax from the owner or owners of said dogs, and pay the same to the City Treasurer, less three per cent to be retained by said collector for collection. The City Treasurer shall put all moneys so collected and paid over to him into the general fund of the city.

Section 2. Whenever the Tax Collector shall collect any license tax from the owner or owners of any dogs, he shall furnish the owner with a metallic number to correspond with the number of the license of said dog to be kept in a book for that purpose; the metallic number shall be fastened and worn upon the neck of said dogs.

Section 3. Any dog found in the City of San Diego at large without having paid its proper license tax, or without being numbered by the City Tax Collector in accordance

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with the provisions of this ordinance, shall be taken up by the Chief of Police of said City and impounded for the space of five days, and unless redeemed by the owner or owners within said time it shall be the duty of said officer to kill, or cause to be killed, said dog and bury the carcass thereof.

Section 4. The owner or owners of any dog so taken up may redeem the same at any time within five days from the day of impounding, on payment of the license tax to the Tax Collector, together with twenty-five cents per day for feeding and keeping each of said dogs, and fifty cents for taking up and impounding each of said dogs, which shall be paid to the Chief of Police and retained by him as compensation for feeding and impounding.

Section 5. This ordinance shall take effect from and after the first day of March, A. D. 1877.

Passed and approved at a regular meeting of the Board of Trustees of San Diego, February 5th, A. D. 1877.

(SEAL) S. Statler, Clerk.

J. M. Boyd, President.

Dr. P. C. Remondino now requested the Board to fix his salary as Health Officer of the City. On Motion the matter of fixing Salary of Dr. Remondino as health officer be referred to the Finance Committee to report at Special Meeting.

H. T. Christian filed New Bond as City Tax Collector in the penal sum of Ten Thousand Dollars with D. G. Christian, Louis Rose, Arnold Schneider, Jacob Hake and E. W. Hendrich as sureties. The same was read and on motion referred to the City Attorney for Examination to report at next regular meeting.

Moved and seconded that the St. Superintendant view the road from this City to Soledad and see what repairs are necessary to be made, and report at the Special Meeting of this Board. Motion carried.

There being no further business the Board on motion adjourned.

Approved Mch 5th, 1877.

S. Statler, Clerk.

D. W. Briant, President pro tem.

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"SPECIAL MEETING. "

Office Board of Trustees of the City of San Diego.

Thursday Evening, Feby 8th 1877.

Board met in Special Session at 7½ P. M. Members present were Trustees Boyd, O'Neil and McCarthy. Absent: Begole & Briant.

The President stated that the object of the meeting was for the purpose of receiving report of Finance Committee in relation to fixing the Salary of Dr. P. C. Remondino as Health Officer of the City.

The Chairman of said Committee reported verbally that the Committee were unable to agree as to the Salary to be allowed Dr. Remondino for attending the Small Pox patients now in the City Hospital and that the matter was referred back to the Board for disposal.

After some discussion regarding the matter the following resolution was presented.

Moved and seconded that Dr. Remondino be employed as City Physician to attend all Small Pox Cases now at the Pest house, or all cases that may be taken there in the future at the Expense of the City of San Diego for the sum of Three hundred and fifty dollars per month until the Board of Health reports to the Board of Trustees that the City is entirely free from Small Pox. The motion was then voted on and unanimously carried.

There being no further business the Board on motion adjourned.

Approved Mch 5, 1877.

S. Statler, Clerk

D. W. Briant, Presdt pro tem.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Monday Evening, Febry 19th, 1877.

The Board met in Special Session in accordance to published notice. Members present were Trustees Boyd, Briant, O'Neil and McCarthy. Absent: Trustee Begole.

The President called the Board to order at 7½ o'clock P. M. and stated that the object of the meeting was for the purpose of considering matters pertaining to the Texas and Pacific Railroad.

There being a large number of Citizens present the Clerk was instructed to read a Telegram from Mr. D. Felsenheld, in which he stated that it was to the interest of San Diego to have Mr. Horton remain in Washington until close of Congress.

Mr. H. H. Dougherty now moved that the Board of Trustees be requested to appropriate the sum of \$250.00 to pay the expense of Mr. Horton while he remains in Washington in the interest of this City. The motion was then voted for by the Citizens and carried.

Moved and seconded that the Clerk be authorized to draw a Warrant for the sum of \$250.00 and forward the same by Telegraph to Mr. A. E. Horton at Washington as requested by the Citizens. The motion was voted for by the Board and declared carried.

There being no further business the Board on motion adjourned.

Approved Mch 5th, 1877.

S. Statler, Clerk.

D. W. Briant, President pro tem.

"REGULAR MEETING."

Office of Board of Trustees of the City of San Diego.

Monday Evening Mch 5, 1877.

The Board met at 7½ o'clock P. M. Members present were D. W. Briant and D. O. McCarthy.

There being no quorum present the Board adjourned until Wednesday Evening March 7th at 7½ P. M.

Approved Mch 7th, 1877.

S. Statler, Clerk

D. W. Briant, Presdt. pro tem.

ADJOURNED MEETING.

Office of the Board of Trustees of the City of San Diego.

Wednesday Eve. Mch 7th 1877.

Board met pursuant to adjournment at 7½ o'clock P. M. the full Board were present.

The President called the Board to order and stated that he desired to resign the Office of President of the Board. The Clerk then read the resignation of J. M. Boyd as President of the Board. The same was on motion accepted.

On Motion, Trustee D. W. Briant was elected President of the Board for the Evening.

The minutes of the last regular and two Special Meetings were read and approved.

COMMITTEE REPORTS.

The Committee on Street Encroachments were unable to report and were granted further time.

The Finance Committee reported favorable on the following Claims:

S. Statler, 2 mths salary & extra services	\$77.00
W. A. Begole	4.75
L. Scott,	3.
Gordon and Hazzard	103.19

A. H. Julian (assigned)	36.63
A. E. Horton	20.
T. M. Turner	33.40
Steiner, Klauber & Co.	9.55
H. T. Christian	60.
Wm. Jorres	116.56
Thos. Carroll	21.87
Jos. Morrison	28.75
Jos. Faivre (assignee)	17.50
W. J. Gatewood (assignee)	25.00
Wm. Bennett	12.37
A. Spear	22.50
A. Little	9.37
A. S. Grant	10.
World Publishing Co.	50.
Larson & Wescott	127.
P. Koster	5.50
F. Lindenfeld	<u>36.25</u>
Total	\$831.19

On Motion the bills as reported on by the Finance Committee were ordered paid.

On Motion the Clerk was instructed to furnish the Board of Supervisors of San Diego County with a Statement and Vouchers as to the amount expended by the City of San Diego in repairing the new road leading to National City, and request the said Board of Supervisors to refund the half of the amount so expended by this City on said road.

COMMUNICATIONS.

The City Engineer presented a communication asking the Board to have a correct copy of Horton's official map of Hortons Addition made also that durable Monument be fixed at the S. E. & S. W. Corners of the Pueblo, the same was received and placed on file.

Dr. P. C. Remondino presented a communication in regard to his claims against the City for services rendered in Small pox matters. The same was received and placed on file.

Mr. E. W. Hendrick presented a Communication giving Notice to the Board that he wished to be released from the Official Bond of the City Tax Collector of this City.

On Motion the same was recd. and placed on file.

"OFFICERS REPORTS."

The City Tax Collector presented his report showing amount of Delinquent taxes collected by him from delinquency to Mch 3d 1877. The same was on motion received and placed on file.

L. Scott, Justice of the Peace, presented his report for months of January & February showing amt. of fines collected by him in city business. The same was on motion received and placed on file.

J. M. Boyd, Presdt. of the Board submitted his Semi-annual report for 6 months ending Mch 1st, 1877, showing amount of Receipts and Disbursement during that time, also showing amount in Treasurer's hands on March 1st 1877. The same was recd and placed on file.

CLAIMS AGAINST THE CITY.

The following claims against the City was presented as follows:

R. Schiller	\$3.00
San Diego Water Co. (2 bills)	218.35

S. Statler, Clerk	15.
P. Koster	8.90
Western Union Tel. Co.	80.80
L. Scott,	18.00
D. Choate	4.47
Chas. Gassen	9.95
Wm. Jorres	30.
Gordon & Hazzard	44.78
San Diego Foundary	25.
J. H. Connors, assigned	24.
H. Dievendorff	7.20
Gilbert & Bro.	299.13
World Publishing Co.	15.
T. M. Turner	94.
W. J. Gatewood	225.
A. E. Horton	20.
John Betson	15.
Larson & Wescott	8.75
W. H. Jones	42.
J. S. Mannasse & Co.	13.
P. C. Remondino M. D.	101.24
do "	48.00
T. C. Stockton	30.00
P. C. Remondino M. D.	350.
A. H. Julian	49.
Hamilton & Marston	9.52
P. C. Remondino M.D.	70.
T. C. Stookton	256.50
Steiner, Klauber & Co.	56.18
C. A. Chase	34.65
Larson & Wescott	40.00
W. X. Gardner	<u>27.00</u>
Total	\$2293.42

On Motion the Claims of Dr. P. C. Remondino for all money expended by him in the Matters of Small Pox be paid immediately. It was so ordered.

The Rules was on motion suspended and the following bills were ordered paid:

A. E. Horton \$20.00, S. Statler \$15.00 as clerk, John Betson \$15.00, J. O. Connors \$24.00, Wm. X. Gardner \$27.00, all as Quarantine guards, W. J. Gatewood \$200.00 for 8 months salary as City Attorney, and Dr. P. C. Remondino \$70.00 for services rendered in Small pox case at La Playa. The Clerk was instructed to draw warrants for the respective amounts. On Motion the remainder of the bills were referred to the Finance Committee.

UNFINISHED BUSINESS.

The City Attorney referred back the New Bond of City Tax Collector and reported the same drawn up in due form and properly executed. Moved and seconded the Old Bond of the City Tax Collector stand as his official Bond, and that the New Bond be returned to the Tax Collector. The motion was carried.

On Motion a Committee of three (3) be appointed to ascertain the amount of money expended out of the General Fund for Railroad purposes and as soon as ascertained they to

to Elect a permanent President.

On Motion the Board proceeded to Elect a President.

A Vote was then had by the Members present with the following result:

Mr. D. O. McCarthy received three votes and J. M. Boyd one vote.

The Presdt pro tem then declared Mr. D. O. McCarthy elected permanent President.

COMMITTEE REPORTS.

The Street Superintendant then reported that he had repaired the Soledad road in accordance with previous instructions. The report was accepted.

The finance Committee reported favorable on the following bills, to-wit:

T. C. Stockton (2 bills)	\$286.50
Gordon & Hazzard	44.78
W. H. Swain	14.00
Larson & Wescott	8.75
San Diego Water Co. 2 bills	218.33
H. Dievendorff 2 bills (H. Bagly \$25.00)	32.20
D. Choate	4.47
L. Scott	18.
P. Koster	8.90
Wm. Jorres	30.
Joseph Faivre (assigned by Jones)	42.
World Publishing Co.	15.
Gilbert & Bro.	299.13
R. Schiller	3.
A. H. Julian	49.
Chas. Gassen	9.95
Steiner, Klauber & Co.	56.18
T. M. Turner	94.
Larson & Wescott	40.
J. W. Thompson, W. U. Tel. Co.	80.80
P. C. Remondino	350.
W. J. Gatewood, assigned to Gardner	25.
Hamilton & Marston	9.52
Mannasse & Co.	13.
S. Statler	15.
A. E. Horton	<u>20.</u>
Total Amt.	\$1787.51

On Motion the bills as approved by the finance Committee were ordered paid.

The bill of C. A. Chase for \$34.65 was not approved by all members of the Finance Committee was referred back to the Board for final disposal. On Motion the Claim of C. A. Chase, for \$34.65 be allowed, and that a warrant be drawn on the Treasurer for the amount. The Motion was carried.

The Committee on Street Encroachments had not report ready and were on motion granted further time.

The Chairman of the finance Committee presented Communications from two Banking houses in San Francisco regarding the Sale of City Bonds. One of the Corporations offered 75¢ on the Dollar for \$3000 of said Bonds. The Board after considering the bid as offered declined to accept the same at present, and suggested that a loan be negotiated for \$2000 from our City banks if possible. On Motion a Committee of two be appointed to

negotiate a loan of \$2000. for 30 days from the Banks of this City for the purpose of paying the City debt. The President appointed Trustees Briant and O'Neill on said Committee.

A Communication with affidavit attached was filed by J. G. Capron, J. B. Boyd and E. W. Hendrick asking the Board to relieve them from all liabilities on the Bond of H. T. Christian as City Tax Collector, with their reasons for asking to be relieved from said Bond of the Tax Collector. On motion the whole matter was referred to the City Atty. to report at next regular meeting.

PETITIONS AND MEMORIALS.

A Petition was presented by D. Choate and others, asking the Board to appoint a Committee for the purpose of Drafting a Memorial, and to have 2000 copy's of the same printed and distributed throughout the Southern States and to members of Congress, setting forth the advantage of building the T. & P. R. R. to San Diego on the Direct route. On Motion a Committee of Three be appointed to draft the Memorial as asked for in the Petition just presented by Mr. Choate, and that the Committee have the authority to employ a competent person or persons to assist them in drafting the same. The President appointed Trustees Begole, Briant and O'Neill on said Committee.

"REPORTS OF OFFICERS."

The Clerk presented his report showing a final settlement with the City Tax Collector. The same was on motion read and placed on file.

The City Tax Collector presented his report for Month of March 1877, showing the amount of Delinquent Taxes collected and amount of Dog License tax collected, the same was on motion received and placed on file.

The Chief of Police presented a report showing the business of his office during Month of March 1877, which was on motion received and placed on file.

Dr. Remondino, City Physician, reported verbally that he had discharged all patients that had the Small pox from the pest house several days ago. The report was on motion accepted.

The City Attorney reported that he had received an Opinion from the District Judge of the 18th Judicial District setting forth that the City had no authority to levy a Tax on what is known as the Peninsula of San Diego for City purposes.

On Motion the City Attorney be instructed to have the Complaint in the Case of the City of San Diego vs The Texas & Pacific Railroad Company published before the time expires for publication, and that Copies of same be forwarded to the President and Secretary of said Corporation.

On Motion the Chinamen living on the lower end of 6th Street be allowed to construct a sewer on 6th Street from their premises to the Bay under the direction and supervision of the Street Superintendent.

CLAIMS AGAINST THE CITY."

The following Claims were presented to-wit:

A. E. J. Gregg	\$96.00
S. Statler	15.
L. Scott	6.
R. Schiller	1.
C. J. Fox	16.50
W. S. Jewell	61.90
W. U. Tel. Co.	34.10
Gilbert & Bro.	26.
Stewart & Co.	49.

McDonald & Co.	196.12
Jos. Coyne, Sheriff	11.80
Balcom & Co.	13.40
San Diego Water Co.	100.
W. J. Gatewood	25.
Wm. Jorres	66.
Steiner, Klauber & Co.	4.97
Shepard & Co.	17.20
San Diego Union	49.50
A. E. Horton	20.
T. M. Turner	76.50
Gordon & Hazzard	53.65
G. Caravia	10.87
G. Witfeld	8.
Thos. Hogue	6.
Dr. Remondino (2 bills)	243.88
F. Theodore	5.
Jos. Morrison	3.75
J. P. Christenson	204.16
C. R. McLellan	125.84
Dr. R. J. Gregg	<u>311.50</u>
Total	\$1858.54

The Claims were referred to the Finance Committee.

Moved and seconded that a Committee of two be appointed for the purpose of presenting to the Board of Supervisors of San Diego County a Statement showing the expense incurred by the City of San Diego in Small Pox Matters, and that they request said Board to refund one half of the amount so expended and that the Clerk of this Board is hereby instructed to furnish said Committee with said statement. The motion was carried.

The President appointed Trustees O'Neill and Begole, on said Committee.

Mr. Begole declined to serve on said Committee and suggested that the President be substituted in his place. It was then ordered that the President of this Board be one of said Committee.

The Street Superintendant reported that the Mission Grade was in need of repairs. On Motion the St. Superintendant was instructed to repair said grade.

Mr. D. W. Briant reported that the Board of Supervisors had allowed the City one half the expense incurred in repairing the National City Road. On Motion the Clerk was instructed to collect the money appropriated by the County for the City for repairing said road and deposit the same with the City Treasurer.

There being no further business the Board adjourned until Saturday Eve. Apl. 7th 1877 at 7½ o'clock P. M.

Approved 1877.

S. Statler, Clerk

D. O. McCarthy, President.

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"ADJOURNED MEETING."

Office of the Board of Trustees of the City of San Diego.

Saturday Evening, April 7th, 1877.

The Board met pursuant to adjournment. Members present were Trustees McCarthy, Begole, Briant and O'Neill, Absent: J. M. Boyd.

The President called the Board to order at 7½ o'clk P. M. and stated that this was an adjourned regular meeting for the purpose of disposing of the remaining business of the previous meeting.

"REPORTS OF COMMITTEES."

The Special Committee that were previously appointed to negotiate a loan of \$2000.00 on behalf of the City reported that they were unable to secure the loan. On Motion the report was received and the Committee discharged.

C O M M U N I C A T I O N S .

A Communication was received from the City Treasurer asking for instructions in regard to paying Interest on City Warrants when there were no funds to pay the same when presented. Moved and seconded that the City Treasurer be instructed to endorse all warrants when presented and he was unable to pay the same as follows. "Presented and not Paid for want of funds" with date of presentment, and that the City Attorney be requested to file a written opinion as to the City being liable to pay Interest on same.

The Special Committee that were appointed to present the statement of expense incurred in Small Pox matters to the Board of Supervisors reported that they had done as they were directed, but as yet they had not been notified as to the action of said Board in the matter.

An Ordinance levying a License on the Several branches of business of the City was presented and read, the amounts being left blank.

On Motion the Board resolved itself into a Committee of the whole for the purpose of fixing the rates of license to be paid per month by the several branches of business carried on in the City of San Diego. The Motion was carried.

On Motion Mr. D. W. Briant was Elected Chairman of the Committee.

The Committee after examining the ordinance and fixing the rates of licenses was by the Chairman of said Committee reported back to the Board and recommended its passage. On Motion the Report of the Committee of the Whole be received and Committee discharged.

Moved and seconded that the Ordinance as prepared for the purpose of levying a license tax on the different Branches of business within the City of San Diego be adopted and approved. Mr. Begole called for the Ayes and Nays with the following result. Trustees McCarthy, Briant and O'Neill voted in the affirmative and Trustee Begole voted in the negative.

The President then declared the Motion carried and the ordinance passed.

CHARTER ORDINANCE NO. 17.

(New Charter)

In order to raise a revenue for the purpose of defraying a part of the Expense incurred by the City in consequence of the small pox, The Board of Trustees of the City of San Diego and State of California do ordain as follows:

Section 1. There is hereby assessed and levied upon all persons doing business within the City of San Diego the following charges as a License, and the owner or owners, proprietor or proprietors, managers or agents of all places of business herein enumerated shall pay the license specified to the City tax Collector for the Benefit and use of the City of San Diego.

Section 2. It shall be the duty of the City Tax Collector to collect all licenses assessed and levied by virtue of this ordinance and pay the same to the City Treasurer, less three per cent. to be retained by said Collector for collecting. The City Treasurer shall place all moneys so collected and paid to him into the General Fund of

the City of San Diego.

Sec. 3. All wholesale and retail establishments, stores and places of trade of every kind and description within the Corporate limits of the City of San Diego where articles of personal property are sold as a business shall be and are hereby divided into the following classes, to-wit:

First Class. All whose monthly sales average ten thousand dollars or over shall pay a Monthly license of ten Dollars.

Second Class. All those whose monthly sales average seven thousand dollars and less than ten thousand dollars shall pay a Monthly license of Seven dollars and fifty cents.

Third Class. All those whose monthly sales average Five Thousand dollars and less than seven thousand dollars shall pay a Monthly license of five dollars.

Fourth Class. All those whose monthly sales average three thousand dollars and less than five thousand dollars shall pay a Monthly license of four dollars.

Fifth Class. All those whose monthly sales average two thousand dollars and less than three thousand dollars shall pay a Monthly license of three dollars.

Sixth Class. All those whose monthly sales average One thousand dollars and less than two thousand dollars shall pay a monthly license of two dollars.

Seventh Class. All those whose monthly sales are under one thousand dollars shall pay a Monthly license of one dollar and fifty cents.

Section 4. Every Saloon or Bar within the Corporate limits of the City of San Diego, where spiritous liquors, vinous or malt liquors are sold or given away in less quantities than one gallon, whose monthly sales average two hundred dollars or more shall pay a monthly license of seven dollars and fifty cents.

All other Saloons, Bars, or places where Spiritous liquors, vinous or mixed liquors are sold or given away at retail, and in quantities of one quart or less whether the same be domestic or foreign manufacture shall compose the Second Class, and shall pay a Monthly license of five dollars.

Every Brewery within the Corporate limits of the City of San Diego shall pay a Monthly license of three dollars.

Every Distiller or Manufacturer of Spiritous and vinous liquors who do not sell in less quantities than one gallon shall pay a Monthly license of Seven dollars and fifty Cents.

Every Gas Company, or person Manufacturing or selling gas within the Corporate limits of the City shall pay a monthly license of Seven dollars and fifty cents.

All persons engaged in manufacturing Ice within the City shall pay a monthly license of Seven dollars and fifty cents.

Every Pedler of goods, wares and merchandise shall pay a Monthly license of five dollars.

Every Railroad Company having a depot within the City limits shall pay a monthly license of twenty dollars.

Every Lumber Merchant doing business in the City shall pay a monthly license of three dollars and fifty cents.

All Wagon, Buggy and Carriage Manufactories shall pay a monthly license of three dollars and fifty cents.

All Commission Merchants selling County<sup>2</sup> or foreign produce shall pay a monthly license of two dollars.

Every Bakery shall pay a monthly license of one dollar and fifty cents.

Every Flouring Mill shall pay a monthly license of two dollars and fifty cents.

Every Plaining Mill shall pay a monthly license of one dollar & fifty cents.

Section 5. Every Banking Company or person doing a banking business within the Corporate limits of the City of San Diego shall pay a monthly license of twenty dollars.

Every Broker doing business in the Corporate limits of the City of San Diego shall pay a monthly license of ten dollars.

Every foreign or domestic Insurance Company doing business in the City of San Diego shall pay a monthly license of one dollar and fifty cents.

Every Pawn Broker establishment doing business in the City shall pay a monthly license of five dollars.

All Auctioneer Establishments, or persons engaged in selling real or personal property at auction shall pay a monthly license of three dollars.

Every Permanent Photographic Gallery, or persons steadily and regularly engaged in taking Photographs within the Corporate limits of the City of San Diego shall pay a monthly license of two dollars.

All Transient, or travelling Photograph Galleries or persons so engaged in taking Photographs within the Corporate limits of the City of San Diego shall pay a monthly license of ten dollars.

Every Person, or persons engaged in keeping a Skating Rink shall pay a monthly license of five dollars.

Every Person keeping a Pin Alley shall pay a monthly license of five dollars.

All persons engaged in Keeping a Shooting Gallery shall pay a monthly license of three dollars.

The owner or owners or keepers of Billiard Tables in use shall pay for each table a Monthly license of two dollars.

Every Person or Company engaged in keeping a Butcher Shop or Stall for the sale of Meats within the Corporate limits of the City of San Diego shall pay a monthly license of two dollars.

Every Hotel, or person engaged in keeping a Hotel whose receipts amount to Five Hundred dollars or more per month within the Corporate limits of the City of San Diego shall pay a monthly license of five Dollars.

Every Hotel, or person engaged in the Hotel business within the Corporate limits of the City of San Diego whose receipts amount to three hundred dollars and less than five hundred dollars per month shall pay a monthly license of three dollars.

Every Hotel, or person engaged in the Hotel business within the Corporate limits of the City of San Diego whose receipts amounts to less than three hundred dollars per month shall pay a monthly license of one dollar and fifty cents.

All persons engaged in Keeping a Restaurant or Chop house charging fifty cents or more per meal shall pay a monthly license of two dollars.

All persons engaged in Keeping a Restaurant or Chop House charging less than fifty cents per meal shall pay a monthly license of one dollar and fifty cents.

All persons engaged in keeping a Livery Stable with four or more Buggy wagons shall pay a monthly license of three dollars.

All persons engaged in keeping a Livery Stable with less than four Buggy Wagons shall pay a monthly license of two dollars.

Every person engaged in keeping a Wagon Yard or Feed Stable shall pay a monthly license of one dollar and fifty cents.

All persons carrying passengers for hire on public days, or for races shall pay

a daily license of one dollar.

The Owner or owners of every dray, cart, wagon or vehicle used for hire for the delivery of freight or goods within the Corporate limits of the City of San Diego shall pay a monthly license of fifty cents for each vehicle.

All persons keeping a Laundry or engaged in the Laundry business shall pay a monthly license of two dollars.

All Travelling Theaters, Musical, rope or wire dancing, or magic entertainments shall pay for each exhibition a license of three dollars.

All persons engaged in keeping Dance Houses shall pay for each night a license of five dollars.

All Circuses for each exhibition shall pay a license of twenty five dollars.

All persons engaged in running a Hoc or Hocks, Coach or Coaches, Omnibus or Omnibuses shall pay a monthly license for each Vehicle of one dollar and fifty cents.

Section 6. All persons engaged in any of the businesses enumerated in this Ordinance who may refuse or neglect to pay any license herein specified when due and demanded by the City Tax Collector, or who shall violate any of the provisions of this Ordinance shall for each offense or violation upon Conviction thereof before a Competent Court be fined in a sum of not less than twenty-five dollars nor more than fifty dollars, together with the Costs of prosecution, and such fine and costs shall be paid in United States gold Coin; and in default of the payment of such and costs shall be imprisoned in the City prison one day for each two dollars, constituting the sum total of the said fine and costs in such case.

Section 7. This Ordinance shall take effect and be in full force from and after the first day of May A. D. 1877.

Passed and approved at a adjourned regular meeting of the Board of Trustees of the City of San Diego this 7th day of April A. D. 1877.

(SEAL) S. Statler, Clerk Signed D. O. McCarthy, President.

The Matter of Selling City Bonds was now brought up for consideration. It was then Moved and seconded that Committee sell Bonds to the amount of Three Thousand (3000) dollars for the sum of (75 cents) seventy Cents on the dollar unless a better price could be obtained. The Motion was carried.

There being no further business the Board adjourned.

Approved May 7th 1877.

S. Statler, Clk. D. O. McCarthy, President.

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SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Thursday, April 12th 1877.

The Board met in Special Session at 1 o'clock P. M. pursuant to a published call. Members present were Trustees McCarthy, Briant and O'Neill. Absent: Trustees Boyd and Begole.

The President called the Board to order and stated that the meeting was called for the purpose of taking such action as required by law in regard to the Official Bond of the City Tax Collector.

H. T. Christian having presented his resignation as City Tax Collector was now read by the Clerk. It was then moved and seconded that the resignation of H. T. Christian as City Tax Collector be accepted and that said office of City Tax Collector be declared vacant. The motion was voted on and declared carried.

On Motion the Clerk was instructed to settle accounts with Late City Tax Collector

as requested by him and report at next regular meeting.

Moved and seconded that a Special Election be held in the several Wards of the City of San Diego on Saturday, April 28th A. D. 1877, for the purpose of Electing a City Tax Collector for the unexpired term of said office which was caused to be vacant by the Resignation of H. T. Christian as City Tax Collector. The motion was voted on and carried.

On Motion the following named polling places were established and the following persons were appointed Inspectors and Judges for the Special Election to be held on Saturday April 28th 1877, for the purpose of Electing a City Tax Collector to fill the vacancy as aforesaid, to-wit:

- 1st. Ward. Polling Place at School House
  - Inspector George Lyons
  - Judges J. W. Connors and Louis Rose
- 2nd Ward. Polling Place at San Diego Hotel
  - Inspector S. S. Dunnells
  - Judges M. Keating and E. W. Nottage
- 3rd Ward. Polling Place at City Hall
  - Inspector G. N. Hitchcock
  - Judges A. H. Julian and W. L. Williams
- 4th Ward. Polling Place, at Hiscock's Building
  - Inspector G. G. Bradt
  - Judges L. L. Lockling and C. P. Noell
- 5th Ward. Polling place at Bay View Hotel.
  - Inspector Olcott Pierce
  - Judges H. Bayly & E. O. Rogers.

Polls to be open from 10 o'clock A. M. until sun-set of said day.  
There being no further business the Board adjourned.  
Approved May 7th 1877.

S. Statler, Clerk D. O. McCarthy, President.

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"SPECIAL MEETING."

Office of the Board of Trustees of the City of San Diego.

Thursday, April 12th 1877.

The Board met at 2 o'clock P. M. in Special Session. Members present were the same that were present at the previous Special Meeting.

The President stated that the object of the Meeting was for the purpose of authorizing the Clerk to have published the Petition that was presented to the Board of Trustees on Janry. 30th 1877 requesting said Board to take the necessary precaution against the Spread of Small Pox in this City.

On Motion the Clerk be instructed to publish the Petition above referred to, also publish the resolutions of the Board of Trustees and Board of Health that were passed in reference to said petition, and that the President be authorized to prepare the same for publication.

There being no further business before the Board they on motion adjourned.  
Approved May 7th 1877.

S. Statler, Clk. D. O. McCarthy, Presdt.

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"SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Saturday, Apl. 14th 1877.

The Board met pursuant to a published Notice. Members present were Trustees McCarthy, Begole, Briant and O'Neill. Absent: Trustee Boyd.

The President called the Board to order at 2 o'clock P. M. and stated that the purpose of the meeting was to consider certain propositions from a Committee of Citizens and Chamber of Commerce in regard to the License Ordinance, also for the further purpose of accepting the resignation of Mr. J. M. Boyd, a Trustee of the fifth (5th) Ward, and ordering an election to fill the vacancy caused by his resignation.

Trustee J. M. Boyd's resignation was now read by the Clerk. It was then moved and seconded that the resignation of J. M. Boyd, as Trustee of the 5th Ward be now accepted, and that his office be declared vacant. The motion was voted for and declared carried.

On Motion an Election for a City Trustee be held in the 5th Ward at the same time that the Election for City Tax Collector takes place, viz: on Saturday, April 28th 1877.

A Communication from the Citizens & Chamber of Commerce Committee was now presented and read by the Clerk in which a plan was presented whereby the City could pay the present incurred debt occasioned by Small pox, and asked that the Board rescind Charter Ordinance No. 17 whereby a License tax was levied upon the business carried on this City.

After discussing the matter above referred to, by the Board and the Committee for some time in which no definite conclusions were arrived at the Board on motion adjourned without taking action in the matter.

Approved May 7th A. D. 1877.

S. Statler, Clerk.

D. O. McCarthy, Presdt.



SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Friday, May 4th 1877.

The Board met at 2 o'clock P. M. pursuant to a published Call. Members present were D. O. McCarthy, W. A. Begole & P. O'Neill. Absent, D. W. Briant.

The President called the Board to order and stated that the meeting was called for the purpose of canvassing the vote of the Special Election held on Apr. 28th 1877 to Elect a City Tax Collector for the unexpired term, also to Elect a Trustee of the 5th Ward for the unexpired term.

The Board then proceeded to canvas the returns of the several wards with the following result.

| Precincts | Total Vote | A. Pauly | H. Bayly | Rogers |
|-----------|------------|----------|----------|--------|
| 1st Ward  | 22         | 7        | 15       |        |
| 2d Ward   | 28         | 12       | 16       |        |
| 3d Ward   | 121        | 86       | 35       |        |
| 4th Ward  | 115        | 94       | 21       |        |
| 5th Ward  | 58         | 42       | 16       | 51     |
|           | 344        | 241      | 103      | 51     |

Mr. A. Pauly having received 138 Majority over Mr. H. Bayly for City Tax Collector, and Mr. E. O. Rogers having received 51 votes for Trustee of the 5th Ward were then declared by the President duly Elected as City Tax Collector & City Trustee for the Unexpired terms of said offices.

On Motion the Clerk was instructed to issue to A. Pauly a certificate of Election

as Tax Collector and a Certificate of Election to E. O. Rogers as Trustee of the 5th Ward.

There being no further business the Board on motion adjourned.

Approved May 7th 1877.

S. Statler, Clerk

D. O. McCarthy, President

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REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Evening May 7th 1877.

The Board met in regular session at 7½ o'clock P. M. Members were all present.

Mr. E. O. Rogers was now sworn in as a Member of the Board of Trustees from the 5th Ward.

The Minutes of the last regular and several Special Meetings were read and approved.

COMMITTEE REPORTS.

The Finance Committee reported favorably on the following claims to-wit:

|                                |              |
|--------------------------------|--------------|
| C. R. McLellan                 | \$125.84     |
| F. Theodore                    | 5.           |
| L. Scott                       | 6.           |
| T. M. Turner                   | 65.          |
| Dr. R. J. Gregg                | 311.50       |
| G. Caravia                     | 10.87        |
| Jos. Morrison                  | 3.75         |
| J. W. Thompson (W. U. Tel Co.) | 34.10        |
| Steiner, Klauber & Co.         | 4.97         |
| Gilbert Bro.                   | 26.73        |
| San Diego Water Co.            | 100.00       |
| Thos. Hogue                    | 6.           |
| J. P. Christianson             | 204.16       |
| J. L. Rowe (assigned a/c)      | 16.50        |
| Wm. Jorres                     | 66.          |
| Shepard & Co.                  | 17.10        |
| Dr. Remondino                  | 34.          |
| San Diego Union                | 49.50        |
| McDonald & Co.                 | 196.12       |
| A. E. J. Gregg                 | 96.          |
| Jos. Coyne                     | 11.80        |
| R. G. Balcon & Co.             | 13.40        |
| Gordon & Hazzard               | 53.65        |
| G. Witfeld                     | 8.           |
| R. Schiller                    | 1.           |
| W. W. Stewart & Co.            | 4.25         |
| W. S. Jewell                   | <u>61.90</u> |
| Total                          | \$1533.14    |

On Motion it was ordered that the bills as approved by the finance Committee be paid. The bill of Dr. Remondino for \$209.78 not being approved by the Finance Committee was on motion referred back to him, he to take such action as he wished in the premises.

Special Committee on Street Encroachments had no report ready, and they were on motion discharged.

Street Committee had no report to make.

PETITIONS & COMMUNICATIONS.

J. S. Mannasse & Co. presented a petition requesting the Board to Grant them 2 years further time in which to commence and complete their wharf from June 30th 1877.

On Motion the request of Mannasse & Co. was granted, provided they pay all costs for advertising the ordinance relating thereto.

G. G. Bradt, Agent for owners of the Peninsula of San Diego requested by petition that the Board cancel the Tax from the City Assessment Roll of 1876. On Motion the request of Mr. Bradt was granted.

Mr. H. H. Dougherty, Agt. for the State Investment Ins. Co. presented an Ins. policy covering the New City Hospital for 1000\$ with premium due on the same for 25\$ with the understanding that the Ins. Co. would cancel the policy unless some person occupied the premises. On Motion the Ins. Policy stand 30 days and that a Committee be appointed for the purpose of ascertaining whether a suitable person could be induced to occupy the City Hospital without expense to the City.

REPORTS OF OFFICERS.

H. T. Christian, Late Tax Collector reported the amount of Dog Tax collected by him during month of April, the same was on motion read and placed on file.

P. Morse, City Treasurer presented his Quarterly report for term ending Apl. 30th 1877 showing the condition of his office also the amount of funds on hand. The report was on motion read. and placed on file.

The Chief of Police filed his report for the Month of Apl. 1877.

CLAIMS AGAINST THE CITY.

The following Claims were presented to-wit:

|                                       |       |
|---------------------------------------|-------|
| 1st Ward Election Board               | \$15. |
| 2d " " "                              | 18.   |
| 3d " " "                              | 15.   |
| 4th " " "                             | 15.   |
| 5th " " "                             | 15.   |
| E. Stewart                            | 3.45  |
| C. R. McLellan                        | 17.00 |
| W. U. Tel. Co.                        | 35.60 |
| J. Christman                          | 2.    |
| Hinton & Gordon                       | 15.   |
| Wm. Tweed (assigned to C. J. Edwards) | 15.   |
| Wm. S. Jewell                         | 3.25  |
| J. W. Leamy (assigned to Till Burns)  | 15.   |
| G. Ginocchia                          | 2.15  |
| S. Statler                            | 15.   |
| Julian & Fickas                       | 94.   |
| L. Scott                              | 24.   |
| D. Wallach                            | 28.35 |
| Gilbert Bros.                         | 39.95 |
| A. E. Horton                          | 20.   |
| W. X. Gardner                         | 258.  |
| A. Buckman                            | 12.   |
| C. L. Halloway                        | 4.50  |
| R. Kerren                             | 2.50  |
| Wm. Jorres                            | 37.   |

|                              |              |
|------------------------------|--------------|
| W. J. Gatewood               | 25.          |
| Shepard & Co.                | 12.50        |
| J. R. Porter                 | 12.          |
| T. M. Turner                 | 106.35       |
| J. S. Mannasse & Co. 2 bills | 8.           |
| San Diego Union              | <u>21.60</u> |
| Total                        | \$907.20     |

On Motion the Claims as read were referred to the Finance Committee for approval.

"NEW AND UNFINISHED BUSINESS."

Mr. A. Pauly filed his official Bond in the penal sum of \$10,000 as City Tax Collector with W. L. Williams, A. Schneider, A. G. Gassen, J. M. Asher, L. Scott, J. G. Capron, J. D. Mantania, J. L. Rowe, R. G. Clark, A. Lithgow, A. Klauber & A.P. Knowles as Sureties. On Motion the Bond of A. Pauly as City Tax Collector be accepted and approved.

The President now appointed Trustees Rogers and O'Neill as the Committee to secure a person to occupy the City Hospital to report at next regular meeting.

In the Matter of Disposing of City Lands was now brought up for disposal.

After some discussion on the Matter it was moved and seconded that the President appoint a Committee of 2, with power to select and advertise City lands for sale according to law for the purpose of raising sufficient funds to pay the City debt incurred by means of Small pox. The President appointed Trustees O'Neill and Begole on said Committee.

The Matter of selling City Bonds was now taken up for action by the Board.

After discussing the Matter, the Committee were authorized to accept the offer of 75¢ for \$3000 of the City Bonds with Interest at the rate of 10% per annum from date of the Bonds, and that the Clerk be instructed to communicate with N. Luning of San Francisco to that effect, and if accepted by him the Bonds to be issued and forwarded by Express.

On Motion Charter Ordinance No. 17 Levying a License Tax on the Business houses of this City be repealed. The motion was voted on and carried.

Moved & seconded that the Board of Trustees change the hour of meeting from 7½ o'clock in the evening to 1 o'clock in the afternoon until further notice. The motion was carried.

On Motion the Clerk was instructed to advertise for sealed proposals to do the City printing 10 days previous to the next regular meeting for the term of one year.

On Motion it was ordered that no City offices be allowed to order any printing to be done on account of the City, except by order of this Board.

There being no further business the Board on motion adjourned.

Approved June 4th 1877.

S. Statler, Clk.

D. O. McCarthy, President

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REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday, June 4th 1877.

The Board met in regular session at one o'clock P. M. Members present were Trustees McCarthy, Begole & O'Neill. Absent: Briant & Rogers.

The Minutes of last regular meeting was read and approved.

COMMITTEE REPORTS.

The finance Committee reported favorable on the following bills to-wit:

|                                  |       |
|----------------------------------|-------|
| San Diego Union                  | 21.60 |
| 2 Ward Election Board J. Ulsaver | 15.   |

|                               |            |
|-------------------------------|------------|
| M. Keating                    | 3.         |
| C. R. McLellan                | 17.        |
| J. Christman                  | 2.         |
| 3d Ward Election Board        | 15.        |
| 4th " " "                     | 15.        |
| D. Walloch                    | 28.35      |
| E. Stewart                    | 3.45       |
| Shepard & Co.                 | 12.50      |
| 1st Ward Election Board       | 15.        |
| 5th " " "                     | 15.        |
| Jno. R. Porter                | 12.        |
| Jos. Faivre (assignee)        | 4.50       |
| Hinton & Gordon               | 15.        |
| A. Buckman                    | 12.        |
| W. S. Jewell                  | 3.25       |
| G. Ginocchio                  | 2.15       |
| C. J. Edward (assignee)       | 15.        |
| Till A. Burns "               | 15.        |
| Wm. Jorres                    | 37.        |
| W. X. Gardner                 | 258.       |
| Gilbert Bro.                  | 39.94      |
| L. Scott                      | 12.        |
| R. Kerren                     | 2.50       |
| T. M. Turner                  | 105.35     |
| J. W. Thompson W. U. Tel. Co. | 35.60      |
| J. S. Mannasse                | <u>20.</u> |
| Total                         | \$752.19   |

On Motion the Claims reported favorable on by the finance Committee were ordered paid.

Special Committee appointed to secure an occupant for the City Hospital reported progress and asked for further time which was granted.

Special Committee on Sale of Pueblo Lands belonging to City reported that they had discharged the duties required of them.

Street Committee report. Mr. Begole reported that Complaint had been made to him by a Mr. Farley regarding an old building standing in the Street in Chollas Valley and wanted the City to have the same removed. The matter was on motion referred to the St. Superintendent for Examination & report.

#### PETITIONS.

A Petition was presented, signed by a Tax Payer asking the Board to cancel the Contract with San Diego Water Co. whereby the City was paying \$100 per month for Water provided the same could be legally cancelled. On Motion the Petition was laid over until next regular meeting.

President McCarthy presented his resignation as the Chairman and member of the Finance Committee which was read and on motion accepted.

An Ordinance was read asking the Board to Grant to Mannasse and Schiller two years further time from July 1st 1877 in which to commence and complete their wharf.

The ordinance was as follows:

CHARTER ORDINANCE NO. 18 "New Charter".

Wharf Franchise of Mannasse & Schiller Time Extended.

Whereas, the time for the Completion of the Wharf heretofore authorized by the President and Board of Trustees of the City of San Diego to be erected by Joseph S. Mannasse and Marcus Schiller, their heirs, executors, administrators and assigns in front of their lands in Pueblo Lot Number 1157 will expire June 30th A. D. 1877, and where<sup>as</sup> it appears to the satisfaction of the Board of Trustees that it will be impossible for such Wharf to be completed within the time heretofore limited, Now Therefore

The Board of Trustees of the City of San Diego do ordain as follows:

Section 1. There is hereby granted unto Joseph S. Mannasse and Marcus Schiller, their heirs, administrators and assigns, two years more time from and after the 1st day of July A. D. 1877 in which to Commence and Complete the Wharf to be constructed in front of Pueblo Lot No. 1157, and extending into the Bay of San Diego, in accordance with Ordinance No. 18 approved June 30th A. D. 1871, passed by this Board, and renewed by this Board by ordinance No. 36 approved May 12th 1873, and again renewed by ordinance No. 73 approved June 7th A. D. 1875, reference being hereby made to such ordinances.

Section 2. There is hereby granted and continued in full force and effect unto the said Joseph S. Mannasse and Marcus Schiller, their assigns all the rights and privileges which were granted in said ordinances Nos. 18-36 and 73, to said Joseph S. Mannasse and Marcus Schiller and assigns, so far as the right to build, construct and maintain a Wharf in front of Pueblo Lot No. 1157, and out into said Bay is concerned, except there is given two years further time by the first section of this ordinance in which to commence and complete the said wharf structure.

Section 3. This ordinance is passed and approved this 4th day of June A. D. 1877.

(CITY SEAL) S. Statler, Clerk signed D. O. McCarthy, President.

On Motion Charter Ordinance No. 18 as read was passed and approved.

OFFICERS REPORT.

The Chief of Police presented his report for Month of May which was read and on motion filed.

The President of the Board presented a Communication written by himself drawing the attention of the Board to the financial condition of the City which was read and on motion read and placed on file.

Mr. E. O. Rogers member of the Board now appeared and took his seat.

The matter of disposing of Pueblo Lands was now taken up for disposal. After some discussion regarding the matter it was moved & seconded that a Committee of 3 be appointed for the purpose of examining the land belonging to the City and ascertain whether it would be best to sell the Land at auction or to lease the lands to Mr. A. G. Gassen, and that the Committee report at a Special Meeting. The motion was carried.

BILLS AGAINST THE CITY.

The following bills was presented and read as follows:

|                              |          |
|------------------------------|----------|
| San Diego Water Co (3 bills) | \$204.32 |
| Chas. Gassen                 | 4.35     |
| San Diego Mill Co.           | 8.50     |
| S. Statler                   | 15.      |
| A. E. Horton                 | 20.      |
| W. S. Gregg Jr. (Agt.)       | 75.      |
| S. J. Gatewood               | 25.      |
| Jos. Faivre                  | 1.75     |
| Jno. R. Porter               | 3.00     |
| Total                        | \$356.92 |

On Motion the Claims were referred to the Finance Committee.

The President now appointed Trustee Rogers as Chairman of the Finance Committee.

NEW BUSINESS.

J. L. Row & Jos. Faivre presented Claims against the City for taxes paid by them on property belonging to the City, that had been sold for Delinquent taxes. On Motion the matter was referred to the finance Committee for examination.

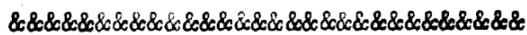
On Motion the Clerk was authorized to procure the necessary assessments rolls for use of the assessor.

There being no further business the Board on motion adjourned.

Approved July 2d 1877.

S. Statler, Clerk.

D. O. McCarthy, President



REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday July 2d 1877.

The Board met in regular session at 1 o'clock P. M. with a full Board present.

The Minutes of the last regular Meeting were read and on motion approved.

COMMITTEE REPORTS.

The finance Committee reported favorable on the following claims to-wit:

|                        |                 |
|------------------------|-----------------|
| <b>Pr-Gr-Remediate</b> | <b>\$335.63</b> |
| J. R. Porter           | 3.              |
| L. Scott               | 3.              |
| J. S. Mannasse         | 3.              |
| Chas. Gassen           | 4.35            |
| Joe Faivre             | 1.75            |
| San Diego Water Co.    | 204.32          |
| San Diego Mill Co.     | 8.50            |
| W. S. Gregg Jr.        | 75.             |
| T. M. Turner           | <u>65.40</u>    |
| Total                  | <b>\$368.32</b> |

On Motion the Claims as reported to be correct by the finance Committee were ordered paid.

The Special Committee that was previously appointed to examine the Pueblo Land belonging to the City with a view of selling or leasing the same reported in writing that they did not think it advisable to sell or lease the said Lands at present.

On Motion the report was received, placed on file & Committee discharged.

Street Committee report. The Chairman of said Committee reported that he had examined the Cajon road leading up Chollas Valley at the point where the same run angling across the property of Mr. Francisco at which point Mr. Francisco desired the Board to change the location of said road so as to conform with his boundary lines. No recommendations were made by the Committee as the wished to further examine the matter. On Motion the report of the St. Committee was accepted.

PETITIONS &C.

A Petition numerously signed by Citizens was presented asking the Board to repeal Charter Ordinances Nos. 2 & 6 relating to the Board of Health & Chief of Police. On Motion the Petition was received and placed on file. Moved & seconded that the Prayers of the petitioners just read by the Clerk be granted. After some discussion on the matter a vote was taken and the motion was declared lost.

P. C. Remondino presented a petition asking the Board to refund to him the sum of \$39.00 being amount paid by him for a piece of City land bought at a Public sale on May 26th 1877. On motion the prayer of the petitioner be granted, and that the Clerk draw a warrant on City Treasurer for the sum of \$39.00 Dollars in his favor.

The City Atty. filed Brief in Case of Jas. McCoy vs D. Felsenheld et als. Also Brief in reference to bridging Navigable Streams, with a bill against the City for 100\$ in favor of Mr. Hotchkiss for services rendered in drawing said briefs and asked that the same be allowed.

Moved & seconded that the Claim of Mr. Hotchkiss be referred to the finance Committee. The Motion was Lost.

Moved & seconded that the Claim of Mr. Hotchkiss for \$100 be paid. The President called for the Ayes & Naves with the following result.

Trustees McCarthy, Briant & O'Neill voted in the affirmative and Trustees Begole and Rogers voted in the negative. The President then declared the motion carried.

#### CLAIMS FILED AGAINST THE CITY.

The following bills was presented to-wit:

|                                              |            |
|----------------------------------------------|------------|
| W. J. Gatewood                               | \$25.      |
| A. E. Horton                                 | 20.        |
| S. Statler                                   | 15.        |
| San Diego Water Co.                          | 100.       |
| San Diego Fire Co. (for Dievendorffs Estate) | 3.40       |
| San Diego Union                              | 53.30      |
| T. M. Turner                                 | <u>37.</u> |
| Total                                        | \$253.70   |

On Motion the Claims be referred to the finance Committee except Salary bills & rent bill.

#### MISCELLANEOUS & UNFINISHED BUSINESS.

Dr. P. C. Remondino presented a request in writing asking the Board to issue a Warrant for the sum of \$335.63 in his favor, it being the amount of his Judgment against the City & Cost of suit. On Motion the Clerk was directed to issue a warrant on City Treasurer for amount asked by P. C. Remondino.

Moved & seconded that the City Attorney draft an Ordinance preventing any person from Cutting wood from the Lands of the Pueblo belonging to the City, to report the same at the next meeting of this Board. Carried.

In Matter of leasing City lands was now taken up after discussing the matter it was moved & seconded that a Committee of 2 be appointed to select certain lands in the Pueblo belonging to the City and lease the same, reserving the timber & wood on same. Also the Right of Way for public roads and railways. The motion was carried. The President appointed Trustees Briant & O'Neill on said Committee.

The Special Committee appointed to secure a person to occupy the Pest house reported that they were unable to secure any person and asked to be discharged. The Committee was then on motion discharged.

The City printing matter was now taken up for disposal. After discussing the matter, the Clerk was on motion directed to make a contract with Mr. Douglas Gunn to do the City printing for balance of the term of this Board at prices heretofore allowed for printing.

The petition of Tax payer regarding the matter of cancelling the Contract with San Diego Water Co. was now taken up for a final disposal. On Motion the same was

indefinitely postponed.

Mr. H. H. Dougherty presented a bill for \$2.00 being Notary fees. The same was on Motion ordered paid.

On Motion the Board now adjourned until Thursday Eve. July 5th 1877 at 8 o'clock P.M.

Approved 13th August 1877.

S. Statler, Clerk

D. O. McCarthy, President.

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ADJOURNED MEETING.

Office of the Board of Trustees of the City of San Diego.

Thursday, Evening, July 5th 1877.

The Board pursuant to adjournment. All of the Members were present except Mr. Begole.

The President stated that the business to come before the Board was to take the necessary steps to prevent any person from cutting the wood from lands that belonged to the City. Also take action in the Matter of leasing Certain City lands for the term of 10 years.

An Ordinance was now presented and read relating to persons cutting wood from the City lands. The ordinance was found to be defective and was on motion laid over until the next regular meeting.

Charter ordinance No. 19 regarding the Matter of Leasing lands belonging to the City was now presented and read as follows:

CHARTER ORDINANCE NO. 19.

19

(New Charter)

Be it ordained by the Board of City Trustees of the City of San Diego as follows:

Sec. 1. It is hereby ordered and directed that the real Estate, not otherwise disposed of, belonging to the City of San Diego, be leased for and during the term of ten years next ensuing after the execution of a lease therefor to any person or persons desirous of leasing the same, and upon the best terms that can be obtained.

Sec. 2. That in all leases executed for said lands, or any part thereof, there shall be reserved the right of way over and across said lands for public roads and railway purposes, with the right to enter thereon and construct, excavate and build said public roads or railways without let or hinderance from any lessee: and no lease shall be executed whereby any lessee is given the right to cut or carry away any timber or trees growing or being on said lands.

Section 3. That for the purpose of carrying this ordinance into effect the President and the Clerk of the Board of Trustees are hereby directed to execute and deliver to any person or persons, desirous of leasing said lands, or any portion thereof, for and on behalf of the City of San Diego, a good and sufficient Lease in accordance herewith.

This Ordinance is passed and approved this the 5th day of July A. D. 1877.

(SEAL) S. Statler, Clerk. Signed D. O. McCarthy, President.

Moved & seconded that Charter ordinance No. 19 as read regarding the Matter of Leasing City lands be passed and approved. The motion was carried.

A Communication from Mr. D. Felsenheld relating to Railroad Matters was now read and on Motion the same was ordered to be published in the daily papers of this City.

There being no further business the Board on motion adjourned.

Approved 13th August, A. D. 1877.

S. Statler, Clerk

D. O. McCarthy, President.

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## SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Tuesday, July 17th 1877. At 1 o'clock P. M.

The Board met pursuant to the published Call. Members present were Trustees McCarthy, Begole, Briant & O'Neill. Absent: Trustee Rogers.

The President stated that the object of the Meeting was for the purpose of inquiring into the condition of the bonded indebtedness of the City and the payment of interest thereon.

The Clerk now read a Communication from Mr. Chas. Hubbell, Agent for owners of City Bonds No. 146, 147, 148 & 149 stating that P. Morse, City Treasurer had refused to pay the Interest due July 1st, 1877 on said Bonds and wished to know the reasons for such refusal and when the same would probably be paid.

By Consent the Clerk was instructed to Notify Mr. P. Morse, City Treasurer to appear immediately before the Board and state his reasons for not paying the interest due on Bonds stated in Mr. Hubbells Letter to this Board.

Mr. P. Morse was then verbally notified by the Clerk to immediately appear before the Board for the purposes above stated, but he declined to appear for the reasons that he could not leave his office until 3 o'clock P. M. or after Banking hours.

On Motion the Board adjourned until 8 o'clock P. M. this day, and that the Clerk notify the City Treasurer to appear before the Board at that hour.

Approved August 13th 1877.

S. Statler, Clerk.

D. O. McCarthy, President.

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"ADJOURNED SPECIAL MEETING."

Office of the Board of City Trustees of the City of San Diego.

Tuesday Eve. July 17th 1877.

The Board met at 8 o'clock P. M. pursuant to adjournment. Members present were Trustees Begole, Briant, O'Neill & Rogers. Absent Trustee McCarthy.

The President being absent, on Motion W. A. Begole was elected President Protem. and stated that the Board would now further consider the matter relating to the refusal of the City Treasurer for not paying Interest due on certain City Bonds due July 1st 1877.

Mr. P. Morse, City Treasurer, being present was called on for an explanation regarding his refusal to pay said Interest and stated that he had consulted Messrs. Chase and Leach and other attorneys in regard to paying Interest due on certain Bonds issued by the City of San Diego and was advised not to pay the same, as they were illegally issued and that a suit was now pending regarding that matter and if he paid the interest he considered that he would be responsible on his Official Bond, therefore he could not pay the Interest unless he was secured against any loss or damage that may arise therefrom.

Moved & seconded that the City Treasurer be instructed to pay the Interest due on the Coupons presented on July 2nd 1877 for payment, on which payment was refused, and if not paid then this Board to take such action as they may deem best in the premises. Motion carried.

On Motion the Clerk was instructed to draw a Certified Copy of the foregoing resolution relating to the payment of Interest due on City Bonds and serve the same on the City Treasurer.

There being no further business before the Board they on motion adjourned.

Approved August 13th 1877.

S. Statler, Clerk

D. O. McCarthy, President.

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## SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Friday Evening July 20th 1877.

The Board Met at 8 o'clock P. M. pursuant to the Published Call. Full Board being present.

The Clerk was instructed to read the Call for the Meeting which set forth the object of the Meeting as follows:

Whereas the City Treasurer of the City of San Diego has refused to perform the duties of his office as required by law, and by a resolution adopted by the Board of City Trustees, July 17th 1877, directing him to pay certain interest coupons due upon bonds of said City. Therefore a special meeting of the Board of City Trustees is ordered to convene at the City Hall at 8 o'clock Friday evening the 20th day of July, for the purpose of taking into Consideration the propriety of suspending and removing the said City Treasurer from Office and declaring his official bonds forfeited.

A Communication was now read from Mr. Charles Hubbell, dated July 18th 1877 referring to his Letter of July 12th 1877 stating that he had again presented the Coupons to P. Morse (City Treasurer) and was refused payment, the Treasurer stating that he had legal advise not pay the same.

The following resolution and order was now read by the Clerk, to-wit:

Whereas in a Certain Communication made to the Board of City Trustees of the City of San Diego at a Special Meeting of said Board held this 20th day of July 1877, duly called for the purpose of taking into consideration the propriety of suspending and removing the City Treasurer of the City of San Diego from his said office. It is charged that Philip Morse, the duly appointed and acting Treasurer of the City of San Diego, did in Violation and neglect of the duties of his said office refuse and neglect to pay on presentation to him for payment at his office in the City of San Diego, County of San Diego, and State of California on the 18th day of July A. D. 1877, and still does refuse and neglects to pay to Charles Hubbell, Agent for the owners in San Francisco, four certain interest Coupons due upon the Bonds of the City of San Diego, July 1, 1877, Bonds numbered 146, 147, 148, 149 said coupons for fifty dollars each of the series of bonds of said City bearing date Oct. 4, 1875, all of said bonds & coupons being duly executed by the proper Corporate authorities of the City of San Diego.

Therefore be it resolved by the Board of City Trustees that the said Philip Morse, City Treasurer, be cited to appear before this Board at a Special Meeting to be held by said Board on the 30th day of July 1877, at 8 P. M. to answer said charge, and to show cause if any he have why he shall not be removed from said office.

That this resolution be spread upon the Minutes of this Board, and that a copy thereof duly certified under the Corporate Seal of the City of San Diego be personally served upon the said Philip Morse by the City Clerk.

Moved & seconded that the resolution & order as read by the Clerk be adopted. The motion was unanimously carried.

There being no further business the Board on motion adjourned.

Approved August 13th 1877.

S. Statler, Clerk.

D. O. McCarthy, Presdt.

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## SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Eve. July 30th 1877.

The Board Convened in Special Session at 8 o'clock P. M. in pursuance to the published call. All members of the Board were present.

The Clerk now read the Call which stated that the purpose of the meeting was to investigate the Charges against P. Morse, City Treasurer, for refusing and neglecting to pay certain interest coupons due on certain Bonds of the City, also to show cause if any he have why he should not be removed from office in pursuance to Citation issued by this Board on July 20, 1877.

The Clerk now read the Citation of the Board of July 20, 1877 and affidavit that the same had been personally served upon the City Treasurer on July 21st 1877.

The following persons were sworn to testify on behalf of the City. O. S. Hubbell, S. Statler, City Clerk, E. O. Rogers, and W. A. Begole.

Mr. P. Morse, not appearing in person or by Counsel, the City Attorney presented the following findings & resolutions to the Board, to-wit:

The Board of City Trustees of the City of San Diego being duly Convened according to law in Special Meeting in pursuance of Call duly published and made for the purpose of investigating the Charges made against Philip Morse, Treasurer of said City, and of hearing Cause if any he have why he be not removed from said office, having duly deliberated upon the testimony of the witnesses produced, sworn and examined before them, and due proof of service of the order of this Board of July 17th 1877, and of the Citation and resolution of July 20th 1877, having been made upon the said Philip Morse, City Treasurer aforesaid, and the said Philip Morse not appearing either by himself or by counsel to show cause as required by the Order and Citation of said Board of Trustees, Now July 30th 1877 at 8 o'clock P. M. the said Board being session, present D. O. McCarthy, President, W. A. Begole, David W. Briant, P. O'Neill & E. O. Rogers,

The said Board of Trustees make the following findings, to-wit:

That on the 18th day of July 1877 the said Philip Morse was the duly elected and acting Treasurer of said City of San Diego and that he had funds in his hands sufficient to pay the July Coupons upon all the outstanding bonds of said City, and that it was his absolute and imperative duty to pay the same on presentation.

That on the said 18th day of July 1877, during business hours, and at the office of said City Treasurer, Charles Hubbell, Cashier of the Bank of San Diego, agent for holders of Bonds of said City of San Diego, dated Oct. 4, 1875 Numbered 146, 147, 148, 149, presented to the said Philip Morse and demanded payment which was due July 1st 1877, of four certain interest Coupons upon said Bonds for fifty dollars each, that said Coupons were duly and regularly signed by the proper Corporate officers of the City of San Diego according to law, that at the time of said presentation for payment as aforesaid, the said Philip Morse, had due and legal notice of the Resolution of the Board of Trustees of the said City of San Diego of July 17, 1877, ordering him, the said Treasurer, to pay said Coupons as required by law, but that the said Philip Morse, City Treasurer, as aforesaid then and there in contempt of the said order of said Board of City Trustees, and in Violation of his duty and of the law regulating the duties of the City Treasurer, of said City, wilfully neglected and refused to pay the said Coupons or any of them and to pay the same or any portion thereof, still wilfully refuses and neglects.

Wherefore, in view of the law and of the Conclusions and findings so made by the said Board of City Trustees as aforesaid,

Be it resolved by the said Board that the City Attorney of said City of San Diego is hereby instructed to prepare <sup>a</sup> information in writing against the said Philip Morse, Treasurer, aforesaid, charging him with refusal and neglect to perform the official duties

of the Board of Trustees be authorized to of said office and that the President/verify the same, and that the same be presented to the District Court of San Diego County with instructions to ask said Court for the Removal of said officer and for such Judgment as is provided by law in such cases.

It is hereby ordered that these proceedings be spread at length upon the City records and that a copy thereof be furnished the said Philip Morse.

Moved & seconded that the findings and resolutions as read by the Clerk be adopted. The motion was unanimously carried.

There being no further business the Board on motion adjourned.

Approved 13th August 1877.

S. Statler, Clk.

D. O. McCarthy, President.

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Office of the Board of Trustees of the City of San Diego.

Monday, Aug. 6th 1877. 1 o'clk P. M.

This Being the time for the regular Meeting of the Board and there being no quorum present they on motion adjourned until Monday Aug. 13th 1877 at 1 o'clock P. M.

Approved 13 August 1877.

S. Statler, Clerk.

D. O. McCarthy, President.

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Office of the Board of Trustees of the City of San Diego.

San Diego 13th August 1877.

ADJO REGULAR MEETING.

The Board met pursuant to adjournment at one o'clock P. M. Present: Trustees D. O. McCarthy, W. A. Begole and Rodgers.

The Minutes of the preceding meetings held respectively on the 2nd, 5th, 17th (two meetings) 20th and 30th days of July last and on the 6th day of August instant, were each severally read and approved.

REPORTS OF COMMITTEES.

The Finance Committee reported favourably on the following bills.

|                                              |               |
|----------------------------------------------|---------------|
| Dievendorf Estate Fire Dpmt.                 | 3.40          |
| San Diego Union                              | 53.30         |
| T. M. Turner                                 | 21.00         |
| San Diego Water Compy.                       | 100.00        |
| J. G. Hodge & Co. S. Fco. Office Books       |               |
| 117.70 Add freight                           | <u>119.50</u> |
|                                              | 197.20        |
| Hodge & Co's acct was on motion ordered paid |               |
| W. J. Gatewoods bill as City Attorney        | 25.00         |
| A. E. Horton's bill Rent of Hall             | 20.00         |
| and S. Statler's bill as City Clerk          | <u>15.00</u>  |
| were also presented.                         | 257.20        |

The Clerk was on motion ordered to draw warrants for the amounts.

COMMUNICATIONS &C.

A Communication from the U. S. Coast Survey service dated from the Sub office S. Fco. 21st April 1877, Sent by mistake to the Supervisors, signed G. M. Davidson, was read and on motion ordered on file.

REPORTS OF OFFICERS.

The Treasurer's report for the quarter ending 31st ultimo was read and on motion ordered on file.

CLAIMS AGAINST THE CITY.

|                      |        |
|----------------------|--------|
| Hamilton & Marston   | 22.23  |
| Schnider & Koppers   | 17.71  |
| Julian & Fickas      |        |
| W. U. Telegraph Co.  | 93.18  |
| T. M. Turner         | 35.15  |
| Justice J. R. Porter | 6.00   |
| D. Gunn              | 109.05 |

were on motion handed over to the Finance Committee.

MISCELLANEOUS & UNFINISHED.

The ordinance to prevent cutting wood on City lands was on motion indefinitely postponed.

The claims of Mess. Favre and Rowe were laid over in consequence of the temporary absence of the Clerk.

The Communication from Miltry Headquarter of California relating to the lending of Arms, was read and on motion ordered filed.

On Motion the Board adjourned.

Approved Sept. 13th, 1877.

S. Statler, Clerk.

D. O. McCarthy, Presdt.

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Office of the Board of Trustees of the City of San Diego.

Monday Sept. 3rd, 1877.

The Board met in regular session at 1 o'clock P. M. Members present were Trustees D. O. McCarthy and P. O'Neill. There being no quorum present the Board on motion adjourned until Monday Sept. 10th 1877 at 1 o'clock.

Approved Sept. 13th, 1877.

S. Statler, Clerk.

D. O. McCarthy, President.

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Office of the Board of Trustees of the City of San Diego,

Monday, Sept. 10th 1877.

The Board met pursuant to adjournment at one o'clock. Members present were Trustee O'Neill. There being no quorum present the Board adjourned until Thursday Evening Sept. 13th 1877 at 7½ P. M.

Approved Sept. 13th, 1877.

S. Statler, Clerk.

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Thursday Eve. Sept. 13th, 1877.

The Board met pursuant to adjournment at 7½ O'clock, a full board being present. The minutes of the three previous meetings were read and on motion approved as read.

COMMITTEE REPORTS.

The Finance Committee reported favorably on the following bills to-wit:

|                        |          |
|------------------------|----------|
| Julian & Fickas        | 139.40   |
| T. M. Turner           | 35.15    |
| San Diego Union        | 109.05   |
| Western Union Tel. Co. | 15.50    |
| San Diego Water Co.    | 100.00   |
| Schneider & Keuppers   | 17.71    |
| J. R. Porter, J. P.    | 6.00     |
| Hamilton & Marston     | 22.23    |
| Total                  | \$445.04 |

On motion the claims as approved by Finance as being correct were ordered paid.

Mr. Begole, Member of Committee on Streets and highways, reported that complaint had been made to him that the road leading from Old San Diego up the Mission Valley was kept closed by some parties residing on the line of said road.

On motion the matter was referred to the Street Committee for investigation and to report at the next regular meeting.

#### PETITIONS & MEMORIALS.

The Fire Department presented a petition asking the Board of City Trustees to furnish the Department with a Fire bell to be placed upon the Hook and Ladder House. On Motion the Petition was received placed on file and the matter relating thereto was referred to a Special Committee of two, to report at next regular meeting.

The President appointed Trustees Rogers and Begole on said Committee.

E. W. Nottage presented a petition asking the Board to grant him a Bath House Franchise for a period of 25 years to be located at the foot of 6th Street in New San Diego on Block No. 25. On Motion the petition was received placed on file, and the matter referred to a Special Committee of two to report at next regular meeting.

The President appointed Trustees O'Neil and Rogers on said Committee.

A c iation was received from Mr. G. W. B. McDonald, asking the Board to release him from the Official Bond of W. Jeff Gatewood as City Atty. On motion the Clerk was instructed to notify Mr. Gatewood the desires of Mr. McDonald.

#### CLAIMS AGAINST THE CITY.

The following claims against the City were filed to-wit:

|                      |          |
|----------------------|----------|
| San Diego Water Co.  | \$100.   |
| THOs. Hogue          | 15.00    |
| Gordon & Hazzard     | 12.65    |
| E. A. Harper         | 9.       |
| W. W. Pierce         | 4.25     |
| S. Statler           | 15.      |
| E. W. Horton         | 20.      |
| W. S. Gregg, Jr.     | 37.50    |
| G. Ginocchio         | 2.50     |
| W. J. Gatewood       | 25.      |
| Geo. Neal            | 110.     |
| M. Keating           | 3.50     |
| W. Union Tel. Co.    | 12.75    |
| D. Burtoughs         | 400.     |
| T. M. Turner         | 16.      |
| Geo.-Journey         | 39.      |
| C. E. May            | 2.       |
| J. R. Porter         | 3.       |
| J. S. Mannasse       | 9.       |
| C. H. Shephard & Co. | 13.      |
| Total                | \$849.15 |
|                      | 39.00    |
|                      | 1 .      |

On motion the Claims as just read by the Clerk were referred to the Finance Committee.

#### UNFINISHED BUSINESS.

The Clerk presented a contract made with Douglas Gunn of the San Diego Union for City printing which was read and on motion approved.

The Matter of refunding Tax Money to Messrs. Faivre & Rowe was now taken up, and referred back to the finance Committee for explanation as to their former report. After some discussion on the matter it was moved and seconded that the whole subject matter be postponed until the District Judge had rendered his decision as to whom was responsible for the sale of City lands at tax sales.

#### NEW BUSINESS.

The following resolution was now read by the Clerk to-wit:

Whereas on the 4th day of October A. D. 1875 four certain bonds of the City of San Diego, Numbered 146-147-148-149 for \$1000 each, were issued by the Board of City Trustees of the City of San Diego to W. W. Bowers, and

Whereas some questions have arisen as to the regularity and the purposes of said issue of said Bonds,

Now therefore the Board of Trustees of said City of San Diego having fully investigated and examined said matter do declare and resolve.

1st. That the purpose for which said bonds were issued was for the effectually carrying out the agreements made by the Citizen's Committee of forty with Colonel Thomas A. Scott.

2d. That the City of San Diego has had the benefit of the labors of David Felsenheld Esq. as an agent at Washington in the presentation of arguments and facts to the Congress of the United States and its Committees in enlightening them as to the rights and claims of San Diego under the agreement made with Col. Thos. A. Scott, aforesaid, & for the purpose of making the said City of San Diego the Pacific terminus of the Texas & Pacific railway, and that said Felsenheld has acted faithfully under the directions of said City of San Diego in said behalf at the last two sessions of Congress and that said \$4000, in City Bonds were the Consideration of and were applied for the payment of the expenses of said David Felsenheld as said agent.

3d. The Board of City Trustees declare & resolve that the said issue of said \$4000 bonds as aforesaid made to said W. W. Bowers is hereby legalized, ratified and made valid, and the faith of the said City of San Diego is pledged to the faithful payment of the same and the interest thereof.

On Motion the resolution as read by the Clerk be adopted, and spread upon the Minutes of this Board. It was so ordered unanimously.

The following resolution was presented and read by the Clerk proposing to Employ Jos. U. Crawford to represent this City in Washington during the next session of Congress as follows:

Whereas, it appears to the Board of City Trustees of the City of San Diego that in order to fully carry into effect the agreement heretofore made by the Citizens Committee of forty with Colonel Thomas A. Scott, & in order to fully protect the interest of said City and to save the benefits expected to accrue to said City from her previous obligations & indebtedness accrued in the endeavor to faithfully comply with the terms of said agreement, that it will be necessary that an agent of said City be employed as Civil Engineer & authorized to proceed to the City of Washington, D. C. and at the next session of Congress submit a statement or statements of facts and arguments to said Congress, or the proper Committees thereof for the purpose of enlightening the legislative mind as to the rights of said City of San Diego under said agreement & for the purpose of fully executing the duties and aims of the said City under said agreement and in the Construction of the Texas & Pacific Railway as an Independant competing railway upon the line of the 32d parallel to the Pacific Ocean with said City of San Diego as its terminus.

Therefore be it resolved by the Board of City Trustees of the said City of San Diego, in regular meeting assembled:

That Joseph U. Crawford, be, & he is hereby appointed to act as the agent & Civil Engineer of the City of San Diego for the purposes hereinbefore specified, the said Crawford to act entirely under the direction of said Board of City Trustees from the 20th day of July 1877 to the 20th day of January 1878, for the salary & sum of Three thousand dollars (\$3000) gold coin of the U. S. & his actual travelling Expenses to include only transportation.

That a written Contract between the said City of San Diego, and said Joseph U. Crawford, embodying the agreement hereinbefore recited be signed, sealed, acknowledged, &

delivered by the Trustees of said City, as the act & deed of said City, and by said Joseph U. Crawford.

On Motion the resolution as read by the Clerk regarding the matter of Employing Jos. U. Crawford, be adopted and spread upon the Records of this Board. The Motion was unanimously carried.

The Agreement between the City of San Diego was now presented and read as follows, to-wit:

Agreement between the City of San Diego and Joseph U. Crawford.

This Agreement made this 13th day of September A. D. 1877, between the City of San Diego, (a Corporation of the State of California), created & incorporated under & by virtue of the laws of said state, acting herein by the Board of Trustees of said City in accordance with a resolution of said Board of Trustees adopted September 13th A. D. 1877, which said resolution is hereby made a part of this agreement, and of Ordinances No. 7 and No. 22 of the said party of the first part, and for the purpose of fully carrying into effect the agreement heretofore made by the Citizens Committee of Forty of said City of San Diego with Col. Thomas A. Scott, the party of the first part and Col. Joseph U. Crawford, of said City the party of the second part, Witnesseth.

First.- That said City has employed & now employs said Crawford, as a Consulting Civil Engineer to act under the instructions of the Board of Trustees of said City for the term of Six Months, commencing July 20th 1877 & ending January 20th 1878, & agrees to pay to said Crawford, for his services the sum of three thousand dollars in U. S. gold coin, One thousand dollars (\$1000), thereof having been paid on the 20th of July 1877, One thousand dollars (\$1000), to be paid at said City upon the 20th of October A. D. 1877, and One thousand dollars (\$1000) to be paid at said City January 20th 1878, and further to pay all of his actual travelling expenses to include only transportation.

Second.- That the said Joseph U. Crawford, agrees to labor as a Consulting Civil Engineer in the service of said City, and under the instructions of the Board of Trustees thereof for the said term of six months from July 20th 1877 to January 20th 1878, for the compensation hereinbefore provided.

In Witness Whereof the said parties hereunto sign their names (the said City being represented by the Trustees thereof), the day and year first above written.

(Signed)

D. O. McCarthy, President

D. W. Briant, Trustee

W. A. Begole, Trustee

P. O'Neill, Trustee

E. O. Rogers, Trustee.

Jos. U. Crawford, Civil Engineer.

Attest: S. Statler

City Clerk

(CITY SEAL)

Moved & seconded that the Agreement as read by the Clerk made between the City of San Diego and Jos. U. Crawford, be adopted, and spread upon the Minutes, and that the members of the Board of Trustees of this City sign the same and attested by the City Clerk with the Corporate Seal.

The Motion was unanimously carried.

A Resolution was presented and read by the Clerk proposing to employ Mr. David Felsenheld, as an agent to represent the City of San Diego at the coming Session of Congress, said resolution after being read was on motion adopted and ordered to spread upon the Minutes of this Board as follows:

RESOLUTION.

Whereas it appears to the Board of City Trustees of the City of San Diego, that

in order to fully carry into effect the agreement heretofore made by the Citizens Committee of Forty with Colonel Thomas A. Scott, and in order to fully protect the interests of said City, and to save the benefits expected to accrue to said City from her previous obligations and indebtedness accrued in the endeavors to faithfully comply with the terms of said agreement, that it will be necessary that an agent of said City be employed and authorized to proceed to the City of Washington and at the next session of Congress submit a statement or statements of facts and arguments to said Congress or the proper Committee thereof for the purpose of enlightening the legislative mind as to the rights of said City of San Diego under said agreement and for the purpose of fully executing the duties and aims of the said City under said agreement and in the Construction of the Texas and Pacific Railway as an independant competing railway to the Pacific Ocean with said City of San Diego as its terminus.

Therefore be it resolved by the Board of City Trustees of said City of San Diego in regular meeting assembled,

That David Felsenheld, be and he is hereby appointed as the agent of said City of San Diego, for the purposes hereinbefore specified, the said Felsenheld to act entirely under the direction of said Board of City Trustees from the 13th day of Septr. 1877 to 13th March 1878.

That a written Contract be made and signed by the said Board of Trustees embodying the hereinbefore recited facts and arguments with said Felsenheld, to act as said agent for the purposes and at the direction of said Board of Trustees, in consideration of the sum of \$3000. U. S. gold coin to be paid him by said City as a full consideration for his services as said agent.

The written agreement between the City of San Diego and David Felsenheld was now presented and read as follows:

Agreement between the City of San Diego and David Felsenheld.

This Agreement made this 13th day of September A. D. 1877, between the City of San Diego; (a Corporation of the State of California) created and incorporated under and by virtue of the laws of said State, acting herein by the Board of Trustees of said City, in accordance with a resolution of said Board of Trustees adopted September 13th A. D. 1877, of which resolution is hereby made a part of this agreement, and of Ordinance No. 7 and 22 of the said party of the first part, and for the purpose of fully carrying into effect the agreement heretofore made by the Citizens Committee of Forty of said City of San Diego with Col. Thomas A. Scott, the party of the first part, and David Felsenheld, of said City, the party of the second part, Witnesseth.

First.- That said City has employed and now employs David Felsenheld, as an Agent to act under the instructions of the Board of Trustees of said City for the term of Six months commencing 13th day of September A. D. 1877, and ending 13th March 1878,

And said City agrees to pay to said David Felsenheld, for his services the sum of Three thousand dollars in U. S. gold coin as follows, to-wit: \$1000. on the 13th Nov. 1877 \$1000. 13th Jany 1878, \$1000. 13th March 1878.

2d. Said David Felsenheld agrees to labor as agent, for said City of San Diego, and under the instructions of the Board of Trustees thereof for the term of six months from Sept. 13th 1877, for the compensation hereinbefore provided.

In Witness Whereof the said parties hereunto sign their names, (the said City being represented by the Trustees thereof,) the day and year first above written.

D. O. McCarthy, President

D. W. Briant, Trustee

W. A. Begole, Trustee

ATTEST: S. Statler, City Clerk.

(CITY SEAL)

P. O'Neill, Trustee  
E. O. Rogers, Trustee  
D. Felsenheld, by his Attorney in fact Max Felsenheld.

Moved & seconded that the Contract between the City of San Diego and D. Felsenheld as read by the Clerk be adopted, and the Trustees sign the same, attested by the Clerk, and that they be spread upon the Records of this Board, the motion was unanimously carried.

A Resolution was now read by the Clerk whereby it was proposed to create a City Bond redemption Fund, also, a Railroad fund, said resolution is as follows:

Be it resolved that there be hereby created for the purpose of providing for the redemption of the Bonds of the City of San Diego a fund to be known as the City bond redemption fund in accordance with the provisions of Sec. 5 of the Act of 1873 & 4, entitled an act to legalize certain bonds of the City of San Diego approved Feby. 24, 1874.

Also, a fund to be known as the Railroad fund into which shall be paid such moneys as may be raised from the sale of railroad bonds of said City by order of the said Board under the authority conferred upon them by Virtue of Ordinances 7 & 22 of said City, the act approved Feby 24, 1874 above cited.

The City Treasurer & Clerk are hereby ordered to open the necessary books to carry out said resolutions, the moneys in said funds shall not be paid out thereof for any other purposes than those specified, without the express order of the Board of Trustees, authorizing such payment.

The Board now adjourned until Wednesday Evening Sept. 19th 1877 at 7½ O'Clock.

Approved Oct. 1st, A. D. 1877.

S. Statler, Clk.

D. O. McCarthy, President.

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SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Evening Sept. 17th 1877.

The Board met in Special session at 7½ o'clock pursuant to notice.

Members all present, except Trustee O'Neill.

The President stated that the object of the Meeting was for the purpose of Electing a Chief Engineer of the Fire Department in conjunction with the Board of Delegates from said fire Department in accordance with the provisions of Charter Ordinance No. 4.

The Board on motion now proceed to Elect a Chief of Fire Department.

A. G. Gassen was nominated, there being no other nominations made the same were declared closed.

The Board of Trustees and fire Delegates now balloted with following result. A. G. Gassen received the entire vote cast was by the President declared duly Elected as Chief of the Fire Department for the ensuing Year.

The Board on motion adjourned.

Approved Oct. 1st, A. D. 1877.

S. Statler, Clerk.

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Wednesday Eve. Sept. 19th 1877.

The Board met pursuant to the adjournment made on 13th Inst. at 7½ o'clock. The members of the Board were all present.

The President stated the object of the meeting was for the purpose of finishing up the business of the previous meeting held on Sept. 13th 1877.

The following resolution was now read by the Clerk, to-wit:

Whereas the Board of City Trustees through their agent at Washington did extend an invitation to John C. Brown, 1st Vice President of the Texas & Pacific Railway Company to visit the City of San Diego, and examine the routes as surveyed by Col. J. U. Crawford for the purpose of having the road located and constructed on the shortest & most direct route along the 32d parallel of latitude, making the City of San Diego the terminus as guaranteed in the original bill, and to carry out the agreement made between Col. Thos. A. Scott, & the Citizens Committee of Forty, and

Whereas in making said examination certain expenses have accrued which said Board deem properly chargeable to the Railroad fund of said City, amounting in the aggregate to the sum of Four hundred and sixty nine dollars & fifty cents (469.50).

It is hereby ordered that the Clerk of the Board draw his warrant upon the railroad fund of said City for said sum of Four hundred & sixty nine 50/100 dollars in liquidation and settlement of said expense.

Moved & seconded that the Resolution as read by the Clerk be adopted and spread upon the Records. The motion was carried.

#### REPORT OF OFFICERS.

The President submitted his semi-annual report for the six months ending Sept. 1st. 1877, showing the condition of the City Finances for that period.

On Motion the same was received and placed on file.

Charter Ordinance No. 20 relating to the Matter of Removing P. Morse from the office of City Treasurer was presented and read as follows:

#### ORDINANCE REMOVING CITY TREASURER

##### CHARTER ORDINANCE NO. 20

(New Charter)

Be it ordained by the Board of City Trustees of the City of San Diego, as follows:

Section 1. Whereas at a Special meeting of the Board of Trustees of the City of San Diego, held at the City Hall of said City on July 30th 1877, duly called and noticed according to law, for the purpose of investigating certain charges made against Philip Morse, City Treasurer of said City for refusing and neglecting to pay certain interest Coupons due on certain bonds of said City and also for hearing cause, if the said Treasurer should have any, why he should not be removed from office, &c.-- due proof of service of Citation to said Philip Morse, having been made & he not appearing to answer, the said Board of Trustees proceeded to hear sworn testimony upon said Charges, and to make their findings thereon according to law, and spread the same upon their official records.

And Whereas, it appears from said records and findings, that on the 18th day of July 1877, the said Philip Morse, was the fully elected and acting Treasurer of said City of San Diego, and that he had funds in his hands sufficient to pay the July Coupons upon all the outstanding bonds of said City, and that it was his absolute and imperative duty to pay the same on presentation.

That on the said 18 day of July 1877 during business hours and at the office of said City Treasurer, Charles Hubbell, Cashier of the Bank of San Diego, agent for holders of the Bonds of said City of San Diego, dated October 4th 1875, Numbered 146, 147, 148, 149, presented to the said Philip Morse, and demanded payment which was due July 1, 1877, of four certain interest coupons upon said Bonds for Fifty dollars each; that said coupons were duly and regularly signed by the proper Corporate officers of the City of San Diego,

according to law; that at the time of said presentation for payment as aforesaid, the said Philip Morse, had due and legal notice of the resolution of the Board of Trustees of the said City of San Diego of July 17th 1877, ordering him, the said Treasurer to pay said Coupons as required by law, but that the said Philip Morse, City Treasurer, as aforesaid, then and there in Contempt of the said order of said Board of City Trustees and in Violation of his duty and of the law regulating the duties of the City Treasurer of said City, wilfully neglected and contumaciously refused to pay the said coupons or any of them, and to pay the same or any portion thereof still wilfully, and contumaciously refuses and neglects.

Sect. 2. Be it ordained therefore, in view of the aforesaid premises & facts that the office of said Treasurer of the City of San Diego, be, and is hereby declared vacant, and that said Philip Morse, be and is hereby removed from said office for wilfully neglecting and contumaciously refusing to obey the orders of the Board of City Trustees and to perform the duties required of him by law.

Sec. 3. And be it further ordained, in consequence of the wilful violation of law and the obstinate refusal of said Philip Morse, to obey the orders of the Board of City Trustees, the City of San Diego has sustained an irreparable damage to her credit at home and abroad, therefore, in order to reimburse the City in part for said damages the official Bond of said Philip Morse, of right ought to be, and is hereby declared forfeited to the City of San Diego.

Passed and approved September 19th A. D. 1877.

(signed)

S. Statler, Clerk

D. O. McCarthy, President

(SEAL)

Moved and seconded that Ordinance No. 20 as read by the Clerk be passed, approved and published according to law. The motion was carried unanimously.

There being no further business the Board on Motion adjourned.

Approved Oct. 1st, A D. 1877.

S. Statler, Clk.

D. O. McCarthy, Presdt.

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#### REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday, Oct. 1st, 1877.

The Board meet at 1 P. M. Members present were Trustees McCarthy, Briant, & O'Neill. Absent Trustees Begole & Rogers.

The President stated that owing to the absence of the Finance Committee the Board would be unable to proceed with its regular order of business and suggested that the Board adjourn until <sup>this</sup> evening.

On Motion the Board now adjourned until 7½ P.M. Oct 1st, 1877.

Apprvd.

1877.

S. Statler, Clk.

D. O. McCarthy, President.

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#### ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Monday Evening Oct. 1st. 1877.

The Board met pursuant to adjournment at 7½ o'clock P. M. a full board being present.

The Minutes of Sept. 13th, 17th and 19th were read and approved.

#### REPORTS OF COMMITTEES.

The Special Committees appointed to investigate the propriety of granting to

E. W. Nottage a Bath House franchise for 25 years and the purchase of a Fire Alarm bell had no report ready and asked for further time. On Motion said Committes were granted further time.

The Finance Committee reported favorable on the following claims to-wit:

|                      |             |
|----------------------|-------------|
| D. Burroughs         | 400.        |
| J. W. Thompson       | 12.75       |
| C. E. May            | 2.          |
| C. H. Shepherd & Co. | 13.         |
| Gordon & Hazzard     | 12.65       |
| E. A. Harper         | 9.          |
| W. S. Gregg, Jr.     | 37.50       |
| San Diego Water Co.  | 100.        |
| Thos. Hogue          | 15.         |
| M. Keating           | 3.50        |
| J. S. Mannasse       | 9.          |
| G. Ginnochio         | 2.50        |
| W. W. Pierce         | 4.25        |
| T. M. Turner,        | 24.         |
| J. K. Porter         | 3.          |
| Geo. Neale           | <u>110.</u> |
| Total                | \$758.15    |

On Motion the bills reported by the finance Committee as being correct were order paid by Warrants drawn on the Treasurer.

Street Committee reported that the Road leading from Old Town up Mission Valley was still closed up.

Committee on Lease of City Lands reported that they had attended to the duties required of them and had the sum of \$700.00 on deposit.

#### PETITIONS, COMMUNICATIONS &C.

A communication was received from Sergeant Donovan in charge of the U. S. barracks directing him to Request the payment from the Board of City Trustees of \$17.40 for a lost saber. On Motion it was ordered that the Clerk draw a Warrant for the amount providing the saber could not be returned to the Government within two weeks.

Mr. Henry Bayly, Late Chief of the Fire Department, presented his annual report for term ending Sept. 30th 1877, showing amount of property in the hands of the Fire Department, also the total amount of expense incurred and paid by the City during said term.

On Motion the report was received and placed on file.

A Petition signed by about 275 persons requesting the Board to issue ten thousand (10,000) Dollars in City railroad bonds for the purpose of paying for the Services of D. Felsenheld & J. U. Crawford as agents of this City during the coming session of the U. S. Congress in Washington D. C., also to pay all contingent expenses of Telegraphing &c for the same period, was read and on motion the same was received and placed on file.

The City Assessor reported that he had completed the City Assessment roll for 1877, and that the same was ready to be equalized.

On Motion the Clerk was instructed to publish a notice as is required by law that the Board of Trustees would meet on Monday October 15th 1877, as a Board of Equalization, to Equalize the assessment Roll of the City for the year 1877.

#### CLAIMS AGAINST THE CITY.

The following claims were now filed against the City, to-wit:

|                                                           |            |
|-----------------------------------------------------------|------------|
| George Journey                                            | 4.         |
| A. E. Horton                                              | 20.        |
| S. Statler, Clerk                                         | 15.        |
| mark P. Shaffer, for writing duplicate<br>assessment roll | 100.       |
| Jos. Coyne, Sheriffs fees                                 | 12.20      |
| T. M. Turner                                              | 46.50      |
| C. H. Shepard & Co.                                       | 11.55      |
| G. Raffi                                                  | 19.        |
| Gate, W. J. (assigned)                                    | <u>25.</u> |
| Total                                                     | \$253.25   |

#### NEW BUSINESS.

The President stated that under this head, the Board would now proceed to Elect

a New Treasurer. On Motion the Board now proceed to ballot for a Treasurer.

The ballot was now taken by the Board with the following result.

W. L. Williams received the entire Vote of the Board, was by the President declared duly elected Treasurer of the City of San Diego for the unexpired term of said office caused to be made vacant by the Removal of Philip Morse therefrom.

On Motion the Clerk was directed to issue a Certificate of Election to W. L. Williams and also the amount of his Official Bond which was to be filed within 10 days from date of his Certificate of Election.

The following resolution was now read by the Clerk as follows:

Whereas upon due investigation and deliberation it appears to the City of San Diego acting herein by its Board of Trustees;

That in order to fully carry out the agreement made on behalf of said City in 1872 by the Citizens Committee of Forty with Col. Thomas A. Scott, the President of the Texas & Pacific railway Company; it is necessary that said City issue its Bonds to the amount of \$10,000. Therefore believing that said action will inure to the great benefit of said City, and by virtue of the discretionary powers vested in said City and its Trustees by ordinances No. 7 & 22 of said City, and the election thereunder and the act of the Legislature of the State of California approved Febry 24th 1874 legalizing and ratifying said ordinances and Election & the bonds issued, or that might be issued thereunder and Sect. 11 of the Act of Apl. 1. 1876, entitled an act to reincorporate the City of San Diego, and for the sale purpose of carrying into full effect the aforesaid agreement made by the Committee of 40 with Col. Thos. A. Scott,

Be it resolved that the City of San Diego immediately issue ten bonds of the denomination of \$1000, each for the purpose aforesaid, that the same be issued to W. L. Williams, the Treasurer of said City in trust to the credit of the railroad fund of said City, to be disposed of by him as hereinafter he may be directed by the Board of Trustees of said City in pursuance of the objects herein specified, and the President and Clerk of the Board of Trustees of the City of San Diego are hereby ordered to properly sign and seal said Bonds according to law and deliver them to said W. L. Williams in trust as aforesaid, and this resolution is ordered to be spread upon the records of the City of San Diego as evidence of its Corporate acts in this behalf.

On Motion the Resolution directing the issuance of \$10,000. in City Bonds as read by the Clerk was unanimously adopted.

The Clerk was on motion directed to notify the person or persons that were obstructing the Road leading up Mission Valley to open the same within 10 days otherwise the St. Commissioners would be directed to open the road.

The Board now adjourned until Saturday Oct. 6th 1877 at 7½ P. M.

Approved

1877.

Clerk.

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Saturday Evening Oct. 6th 1877.

The Board met pursuant to adjournment of (Oct. 1st) at 7½ o'clock P. M.

Members of the Board present were Trustees McCarthy, Begole and Rogers. Absent, Briant and O'Neil.

TAX ORDINANCE.

CHARTER ORDINANCE NO. 21.

(New Charter)

Fixing the rate of Taxation for the fiscal year ending December 31st, 1877.

The rate of taxation for revenue purposes for the City of San Diego for the fiscal year ending December 31st 1877 is hereby fixed and levied at the sum of Thirty (30) cents on every one hundred dollars of the assessed value of all the real and personal property within the Corporate limits of said City made taxable by law for State purposes; and the rate of taxation for the purpose of raising a tax for said fiscal year for the payment of all interest moneys is hereby fixed and levied at the sum of one hundred (100) cents on every one hundred Dollars of the assessed value of all the real and personal property within the limits of said City and made taxable as aforesaid; and the rate of taxation for the purposes of providing a fund for the payment on or before the expiration of the year 1892 of the principal of the Bonds issued by the City of San Diego under the provisions of ordinance 22 of said City to be known as the "City Bond Redemption Fund" is hereby fixed and levied for said year at the sum of twenty (20) cents on every one hundred Dollars of the assessed value of all the real and personal property within the limits of said City and made taxable as aforesaid.

Passed and approved this sixth day of October A. D. 1877.

(SEAL) Mark P. Shaffer, Clerk D. O. McCarthy, President.

On Motion the ordinance was passed and approved.

Resignation of S. Statler as Clerk read and on motion accepted.

Election of Clerk.

The Board proceeded to ballot for Clerk with the following result.

Mark P. Shaffer III declared elected by the President as City Clerk for unexpired term.

Bond of Mark P. Shaffer City Clerk read and on motion approved.

On Motion the Board now adjourn until Wednesday Oct. 10th 7½ P. M. A. D. 1877.

Approved

Mark P. Shaffer, Clerk.

ADJOU REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Wednesday, Oct. 10th 1877.

Member of the Board present Trustee Rogers, who adjourned the meeting until Monday Oct. 15th 1877 at 7½ P. M.

Approved

Mark P. Shaffer, Clerk D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Monday, Oct. 15th 1877.

Board met at 7½ o'clock P. M.

Members of the Board Present: Trustees McCarthy and Briant. Shaffer, Clerk.

Not being a quorum present, Board adjourned until Thursday Oct. 18th 1877 10½ o'clock A.M.

Approved

Mark P. Shaffer, Clerk D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees, City of San Diego.

Thursday Oct. 18th, 1877.

Board met 10½ o'clock A. M.

Members of the Board Present: Trustees McCarthy, Briant, O'Neil and Rogers, and Shaffer, Clerk.

A communication was received from W. L. Williams Esq. declining to accept the office of City Treasurer to which he had been elected. On Motion the Communication was received and ordered on file also to be published in The San Diego Union.

In the Matter of a Suit to recover damages for Assault upon the Credit of the City.

On Motion the following preamble and resolution was carried unanimously.

Whereas at an Election held in the City of San Diego, State of California on the 27th day of September, A. D. 1872 for the purpose of determining whether or not the Board of Trustees of said City and their successors in office should issue bonds of the said City of San Diego for the purpose of carrying out the agreement made by the Citizens Committee of Forty with Col. Thomas A. Scott, the President of the Texas and Pacific Railway Company, not to exceed the amount of \$150,000 in gold coin of the United States of America; said bonds to bear date of the day of issuance, and to be made payable twenty years after date, and to be redeemable at the option of the said Board of Trustees, or their successors in office; at any time after the expiration of three years from the date of issuance, said bonds to bear interest at the rate of ten per cent. per annum, payable in like gold coin semi-annually from the date of issuance, and to be issued in denominations of not less than five hundred nor more than one thousand dollars, at such times and in such manner as said Board of Trustees may direct; said election being held by virtue of Charter Ordinance No. 7 of said City passed September 16th 1872.

A large majority of qualified electors of said City voted in favor of said proposition to issue said bonds; and whereas, by virtue of Charter Ordinance of said City No. 22, regularly passed and approved by the Board of Trustees aforesaid February 3d, 1873, it was ordained; "That the said Board of Trustees issue bonds of the said City of San Diego for the purpose of carrying out the agreement of the Citizens Committee of Forty with Colonel Thomas A. Scott, as hereinbefore recited, not to exceed the amount of \$150,000 payable in gold coin of the United States of America; said bonds to be issued and bear date as of the first of January 1873, and payable in manner as hereinbefore stated; and Whereas, by virtue of an act of the Legislature of the State of California, approved February 24th 1874, entitled 'An Act to legalize certain bonds of the City of San Diego and to provide for the payment of the interest thereon and for the redemption thereof; the aforesaid Charter Ordinances Numbers 7 and 22, and the election held thereunder, were "legalized, ratified, confirmed and declared valid to all intents and purposes; and all "bonds already issued, or that might be "hereafter issued, under and in accordance with "the provisions of said Ordinance 22 were declared to be legal and valid obligations of "and against said City; and the faith and credit of said City was thereby pledged to the "prompt payment of the same annual interest of said bonds so issued, or to be issued, under "the provisions of said Ordinance No. 22, and for the redemption thereof, according to the "tenor and effect of said bonds and the coupons thereto attached."

And Whereas, in pursuance of the powers so as aforesaid vested in the said Board of City Trustees as aforesaid, the said Board did on the 1st day of October A. D. 1877 at a regular meeting of said Board, on said day at the City Hall, in the City of San Diego, after due deliberation and consultation, order and adjudge that for the purpose of carrying out the said agreement so as aforesaid made with Col. Thomas A. Scott, President of the Texas and Pacific Railway Company it would be necessary and proper to issue ten bonds of the said City of San Diego of the denomination of \$1000 each, and did thereupon order the proper officers of said City to sign and properly seal the said bonds with the Corpor-

ate seal of said City and did, by resolution spread upon the minutes of the Official records of said City, fix the denomination of said bonds so to be issued, and direct that the same should be issued and delivered to W. L. Williams of said City in trust for the purpose of carrying out said agreement hereinbefore specified with Col. Thomas A. Scott and the said Citizens Committee of Forty and to be disposed of by said W. L. Williams, as aforesaid, as thereafter, he should be directed by said Board of Trustees.

And Whereas, including the said \$10,000 so ordered to be issued, the total amount of bonds outstanding against said City issued under Ordinances 7 and 22 authorizing the issue of \$150,000. is but \$104,500.

And Whereas, certain evil disposed persons have conspired to weaken and injure the credit of the City of San Diego by publishing in the "San Diego News" the "Los Angeles Herald" and "Alta California" of San Francisco, and circulating the same abroad, the following notice, to-wit:

SAN DIEGO CITY BONDS.

Warning to All whom it may concern.

By recent decision of the District Court of the Eighteenth Judicial District of the State of California, certain bonds of the City of San Diego, numbered in the order of their issue 146, 147, 148 and 149 and issued for the purpose of paying agents to go to the City of Washington, have been declared illegal and void.

Now we, the undersigned Citizens and taxpayers of said City of San Diego having learned that the Trustees of said City intend to issue more of said bonds for similar purposes, do warn all persons against purchasing or negotiating any such bonds of said City, or any bonds of said City of higher number in the order of issue than 145.

James McCoy

J. M. Spencer

A. T. Henchman

M. J. McCarthy

Wm. Jorres

H. J. Keuppers

Robt. Bailey

Andrew Cassidy

T. Verlaque

Robt. J. Gregg

C. L. Carr

Chas. J. Fox, C. E.

Jos. Faivre

J. M. Julian, S. P. Jones.

San Diego,

Oct. 1, 1877.

Therefore, Be it resolved by the Board of City Trustees of the City of San Diego, in regular meeting assembled, that it is the firm conviction of this Board that, judging the aforesaid persons by their conduct in this behalf, they are acting in collusion and by preconcert with the enemies of the Texas and Pacific Railway Company and of the City of San Diego.

That the City Attorney of the said City of San Diego is hereby directed to institute a suit in the name and on behalf of the City of San Diego against the conspirators above named to recover the damage done to the said City and its credit, by the malicious acts of the aforesaid persons.

Resolved, That this preamble and resolutions be spread upon the records of the City of San Diego, and that the same be published in the San Diego Union, the "Los Angeles Express" and "Alta California" of San Francisco for one Month.

Passed and approved this 18th October 1877.

Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

On Motion the warrants in favor of D. Burrough, City Assessor for \$400. be can-

celled. carried.

In the matter of the public road up the Mission Valley. Referred to the City Attorney, Dist. Attorney, Street Committee and Street Commissioner, with power to employ the necessary surveyors to establish the lines and open the road. Carried.

On motion Board adjourned until Thursday Oct. 19th 1877 at 10 o'clock A. M.

Approved.

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Thursday, Oct. 19th 1877.

Board met pursuant to adjournment.

Members of the Board of Trustees present: Messrs. McCarthy, Briant, O'Neil and Rogers. Shaffer, Clerk.

Moved and seconded that the matter of Rent in regard to the Engine House for the San Diego Fire Company be referred to the Finance Committee. Carried.

Moved and seconded that the City Attorney be requested to inform the U. S. Engineer Corps (Genl Alexander) that the Breakwater in the San Diego River was in an unsafe condition. Carried.

Moved and seconded that the City Attorney and Superintendant of Public Streets confer with the Board of Supervisors concerning the building of a Bridge across the San Diego River at Old Town. Carried.

Moved and seconded the superintendant of Public Streets be instructed to repair the bridge near the half way house. Also to repair the Grade beyond Old Town up the hill leading to Poway. Also make such repairs at any time in his judgement it may be necessary to keep the public streets and roads in good repair. Carried.

Moved and seconded that Mr. Wm. Jorres make a suitable desk for the Assessment Rolls and records of the City.

There being no further business Board on motion adjourned until Saturday Oct. 20, at 10 o'clock A. M.

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Saturday Oct. 20th 1877.

Board met pursuant to adjournment. Members of the Board present: Messrs. McCarthy, Briant, O'Neil and Rogers. Shaffer, Clerk.

No business appearing the Board on motion adjourned until Wednesday evening at 7½ o'clock P. M. Oct. 24th 1877.

Approved.

Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Wednesday Oct. 24th 1877, 7½ o'clock P. M.

Board met pursuant to adjournment. Members of the Board present: Messrs. McCarthy, Briant, Begole and Rogers. Shaffer, Clerk.

No business appearing the Board on motion adjourned until Saturday Oct. 27th 1877 at 7½ o'clock P. M.

Approved.

Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJOURN REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Saturday, Oct. 27th 1877.

Board met at 7½ o'clock P. M. pursuant to adjournment. Members of the Board present: Messrs. McCarthy & Briant. Shaffer, Clerk.

No quorum being present the Board adjourn to sine die.

Approved.

Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

REGULAR MEETING.

Office of the Board of City Trustees, City of San Diego.

Monday, Nov. 5th 1877.

The Board met at 1 P. M. Members present were Trustees McCarthy, Briant, Begole, O'Neil and Rogers.

The minutes of Oct. 1st, 6th, 10th, 18th, 19th, 20th, 24th and 27th were read and approved.

REPORTS OF COMMITTEES.

Committee on fire Bell reported that a bell could be procured weighing 350 lbs and 32 inch face for \$65.00

The Finance Committee reported favorably on the following claims to-wit:

T. M. Turner	46.58
Mark P. Shaffer	\$100.00
Joseph Coyne	12.50
Geo. Journeay	4.00
C. H. Shepard & Co.	<u>11.55</u>
	\$174.63

On motion the Bills reported by the Finance Committee as being correct were ordered paid by warrants drawn on the Treasurer.

Committee on Bath house franchise of E. W. Nottage report not favorable. On Motion the application of E. W. Nottage for a Bath House franchise be not granted.

Report of the Chief of Police was read by the Clerk and on motion was ordered on file.

Claims against the City. The following claims were now filed against the City to-wit:

Wallace Leach, Costs of Court	\$195.55
Mark P. Shaffer	25.00
T. M. Turner	51.70
San Diego Union	54.28
Charles H. Robinson	50.00
John R. Porter	9.00
D. Choate	25.85
W. Jeff Gatewood	25.00
San Diego Water Co.	200.00
Walter Bennett	14.00
F. Schmidt	18.00
Wm. Jorres	<u>85.83</u>
	\$764.11

On motion the Claims as read by the Clerk were refered to the Finance Committee.

NEW BUSINESS.

The following resolution was now read by the Clerk to-wit:

The President of the Board of City Trustees is hereby directed to pay the \$700 received from the Leases of Lands to A. G. Gassen under Charter Ordinance No. 19 to the City Treasurer and the said Treasurer is hereby instructed to place the said money in the

Railroad Fund of said City.

Moved and seconded that the resolution as read by the Clerk be adopted and spread upon the records. The Motion was carried.

Resolution creating Salary and Rent fund and a Printing, Stationary and Telegraph fund.

Be it resolved, by the Board of City Trustees of the City of San Diego in regular Session assembled that there be and is hereby created a fund to be known as the "Salary and Rent Fund" and a fund to be known as the "Printing" Stationary and Telegraph Fund". The Treasurer of the City of San Diego is hereby ordered and directed to place fifty percent of all the money collected for current expenses and revenue purposes for said City into "Salary and Rent Fund" and Forty percent of all the money collected for current expenses and revenue purposes for said City into said "Printing Stationary and Telegraph Fund" and retain the same only to be paid out on Warrants drawn specially on said funds.

Moved and seconded that the resolution as read by the Clerk be adopted and spread upon the records. The motion was unanimously carried.

RESOLUTION.

Whereas after a full investigation and due deliberation of the matters therein involved it appears to the Board of Trustees of the City of San Diego in Regular session met that the late Board of Trustees of said City defendants in the District Court of San Diego County in a suit therein prosecuted against them individually by James McCoy on account of the issue of \$4000, City Bonds for the purpose of defraying the expenses of David Felshenheld an agent of said City at Washington for the protection of the interests of said City and incidentally to carry out the agreement of said City made in 1872 with Col. Thos. A. Scott. That said Trustees acted in good faith in all of said matters complained of in said suit and upon petition of a large number of the leading Taxpayers of said City. That it seems proper that the expenses of the litigation forced upon said City on account of said action of said Board of Trustees should not be borne by said individuals.

Be it resolved, that the necessary and reasonable expenses of said suit be borne by the City of San Diego.

That the warrant of the City be drawn upon the Railroad fund for payment of the Court costs in said case taxed at one Hundred and Ninetyfive 55/100 (\$195.55/100) Dollars.

Moved and seconded that the resolution as read by the Clerk be adopted and spread upon the records. The motion was unanimously carried.

RESOLUTION.

Be it resolved that the Chief of Police be ordered and is hereby directed not to impound any more dogs until further orders from this Board, and shall not be allowed anything for keeping a prisoner except for the Board of said Prisoner. And must have a certificate from the Justice of the peace when necessary to attend on the Court.

Moved and seconded that the resolution as read by the Clerk be adopted and spread upon the records. The motion was carried.

On motion the Clerk is hereby instructed to notify James McCoy and G. W. B. McDonald, Water Commissioners, to act as required by Law, and to act immediately or pass in their resignations and return to the Clerk of the Board of City Trustees all the papers entrusted to their care. Carried unanimously.

On Motion the Chief Engineer of the fire department circulate a petition to purchase a fire Bell as reported by Committee on the same. And that the City would appropriate the balance if any to pay for the same. Carried.

On Motion Board adjourned until Saturday Nov. 10th 1877 at 1½ o'clock P. M.

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Board met at 1 1/2 o'clock Saturday Nov. 10th 1877 pursuant to adjournment.

Members of the Board present were Messrs McCarthy, Briant, Rogers and O'Neill.

Shaffer, Clerk.

No business appearing the Board on motion adjourned until Monday 12th inst. at 7 1/2 o'clock P. M.

Approved

Mark P. Shaffer

D. O. McCarthy, President

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Nov. 12th 1877.

Board met pursuant to adjournment of Nov. 10 at 7 1/2 o'clock.

Members of the Board present were Messrs. McCarthy, Briant, Begole, Rogers.

Shaffer, Clerk.

The finance Committee reported favorable on bill of C. H. Robinson Amt. \$50.00

On motion a warrant for the same was ordered drawn upon the Treasurer.

Petition was now read from Messrs. Hatchkiss and Farley concerning the opening of the Street on the Spring valley road near the Brewery, which was on motion refered to the Street Committee and City Engineer.

On Motion permission was granted the Citizens living on 15th St. between E and G Sts. to make an excavation under the supervision of the Street Superintendent so as to turn the flow of water through the street consequent upon heavy rains.

CLAIMS AGAINST THE CITY.

The following claims were filed.

C. H. Shepard & Co.	\$26.50
R. Schiller	10.00
L. L. Lockling	5.00
W. Norris	8.00

NEW BUSINESS.

The following resolution was now read by the Clerk to-wit:

Whereas by virtue of the Judgment of Impeachment of the Board of Trustees of the City of San Diego against Phillip Morse, Late Treasurer of said City; and of the failure of W. L. Williams to qualify as Treasurer of said City, as required by law; and other good sufficient and lawful reasons appearing to said Board of Trustees and under and by virtue of the powers vested in said Board by Sections 16 and 17 of the Act of the Legislature of the State of California approved April 1st 1876, entitled "An Act to reincorporate the City of San Diego, It is adjudged, that the Office of City Treasurer of said City of San Diego is vacant. Be it resolved that said Board do now proceed to the election of a City Treasurer to fill the vacancy aforesaid.

On motion the Resolution as read was unanimously adopted.

On Motion the Board now proceed to Ballot for Treasurer.

William X. Gardner having received all the votes, was declared duly elected City Treasurer, in and for said City of San Diego.

CHARTER ORDINANCE NO. 22.

(New Charter)

92

22

An Ordinance fixing the amount of Bonds to be given by the Treasurer of the City of San Diego.

Section 1. Be it ordained by the Board of Trustees of the City of San Diego that the Treasurer of said City be and is hereby required to give a bond in the sum of Eight Thousand Dollars for the faithful performance of his duty as Treasurer of the City of San Diego.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved this 12th day of November A. D. 1877 at the City Hall of the City of San Diego.

Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, Pres.

RESOLUTION.

The following resolution was now submitted.

The Resolution of the Board of Trustees of the City of San Diego passed on the 1st day of October A. D. 1877, directing the issuance of ten Bonds of the City of San Diego of the denomination of \$1,000. each to W. L. Williams "Treasurer in Trust" etc. is hereby rescinded and annulled and, Whereas upon due investigation and deliberation, it appears to the City of San Diego, acting herein by its Board of Trustees that, in order to fully carry out the agreement made on behalf of said City in 1872 by the Citizens Committee of Forty with Thomas A. Scott, President of the Texas and Pacific Railway Company, it is necessary that said City issue its Bonds to the amount of \$4,000. Four Thousand Dollars.

Therefore adjudging that said action will innure to the great benefit of said City, and by virtue of the discretionary powers vested in said City and its Trustees by Ordinances No. 7 and No. 22 of said City and the election thereunder and the act of the Legislature of the State of California approved February 24th 1874 legalizing and ratifying said Ordinances and election, and the Bonds issued, or that might be issued thereunder, and Section 11 of the Act of April 1st, 1876 entitled "An Act to reincorporate the City of San Diego and for the purpose of carrying into full effect the aforesaid agreement made by the said Committee of Forty with Thomas A. Scott; and also to fulfil an agreement incidental thereto made by the City of San Diego with David Felshenheld in September 13th 1877 and of record in the archives of said City,

Be it resolved, that the City of San Diego immediately issue four Bonds of the denomination of \$1,000, One Thousand Dollars each, for the purposes aforesaid; and that the same be issued to Frankenthal and Company; and the President and Clerk of the Board of Trustees of the City of San Diego are ordered to properly sign and seal said Bonds, according to Law, and deliver them to said Frankenthal and Company in pursuance of the objects herein specified.

And this Resolution is ordered to be spread upon the records of the City of San Diego as evidence of its corporate acts in this behalf.

On Motion the resolution was adopted unanimously.

On Motion the Board now adjourn until Saturday Nov. 17th 1877 at 4 o'clock P. M.

Approved

Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJO D. REGULAR MEETING.

Saturday, Nov. 17th 1877.

Office of the Board of Trustees of the City of San Diego.

Board met pursuant to Adjournment at 4 o'clock P. M.

Members present were Messrs. McCarthy , Briant, O'Neill and Rogers. Shaffer, Clerk.

CLAIMS AGAINST THE CITY.

The following bills were presented and on motion refered to Finance Committee.

Wm. S. Jewell \$3.50

On motion an order was made for Clerk to draw a warrant on the Treasurer for \$5.41, being for additional Costs of suit in lease of McCoy vs Felshenheld.

Bond of Wm. X. Gardner of \$8,000, as City Treasurer was now read by the Clerk, and on motion was approved and ordered placed on file.

No further business appearing the Board on motion adjourned to sine die.

Approved.

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

"SPECIAL MEETING."

Monday Nov. 26th 1877.

Office of the Board of Trustees of the City of San Diego.

Board met in Special Session at 1 o'clock P. M. pursuant of Messrs McCarthy, Briant and O'Neill. A writen notice having been served on Trustees Begole and Rogers.

The President stated that this was a special meeting of the Trustees of the City of San Diego for the purpose of passing an ordinance to more particularly define the duties of the Tax Collector of the City of San Diego and the Assessor of the City of San Diego and fixing the amount of the Bond required and to be given by said Tax Collector.

The following ordinance was now read by the Clerk.

CHARTER ORDINANCE NO. 23.

(New Charter)

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. The Tax Collector of the City of San Diego is hereby directed and he shall settle with the City Clerk for all moneys collected by him for said City and pay the same to the City Treasurer on Monday of each week. Taking his receipt therefor retaining his percentage thereon, which shall not exceed three percent on the amount collected; and on the same day he must deliver to and file in the office of the City Clerk a statement under oath showing,

1st. An account of all his transactions and receipts since his last settlement.

2. That all money collected by him as Tax Collector, has been paid to Wm. X. Gardner, Treasurer of said City, or his successor in office.

Section 2. The Assessor of the City of San Diego shall and he is hereby directed to settle with the City Clerk for all moneys collected by him for said City, and pay the same to Wm. X. Gardner, The City Treasurer or his successor in office, on Monday of each week, taking his receipt therefor, retaining his per cent on the amount collected, and the same day he shall deliver to and file in the office of the City Clerk a statement under oath, showing that all money collected by him as City Assessor has been paid to Wm. X. Gardner, Treasurer of the City of San Diego or his successor in office.

Section 3. The Bond required to be given by the Tax Collector of the City of San Diego is hereby fixed at the sum of Twenty five hundred dollars for the faithful performance of his duty as City Tax Collector, and he is hereby required to file said bond with the City Clerk, within Ten days from the passage of this ordinance.

Section 4. Any officer who may refuse or neglect to make the settlement with the City Clerk and pay all moneys collected by him to Wm. X. Gardner, City Treasurer, or his successor in office, as required in this ordinance, or who shall violate any of the provi-

sions of this Ordinance shall forfeit to and for the use and benefit of said City double the amount so collected and retained by him belonging to the said City of San Diego, and it is hereby made the duty of the City Attorney of the City of San Diego to commence suit against said defaulting officer and his Bondsmen for the amount forfeited by reason of the violation of this ordinance.

Sect. 5. All Ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this 26th day of November A. D. 1877.

ATTEST: Mark P. Shaffer, Clerk D. O. McCarthy, Pres.

No further business appearing the Board on motion adjourned.

Approved

Mark P. Shaffer, Clerk D. O. McCarthy, President.

REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego,

Monday, December 3rd, 1877.

Board met at 1 o'clock P. M. Members present were Trustees McCarthy, Briant, Begole, O'Neill and Rogers. Shaffer, Clerk.

The Minutes of November 5th, 10th, 12th, 13th, 17th and 26th were read by the Clerk and on motion were approved.

REPORT OF FINANCE COMMITTEE.

The Finance Committee reported favorably on the following bills to-wit:

T. M. Turner	Bill	\$42.70
F. Schmidt	"	15.00
W. Norris	"	6.00
D. Choate	"	25.85
Wm. Jorres	"	85.83
San Diego Union	"	54.28
L. L. Lockling		5.00
R. Schiller		6.50
John R. Porter		9.00
Walter Bennett		14.00
Wm. S. Jewell		3.50
San Diego Water Co.		200.00
C. H. Shepard & Co.		22.75
		<hr/>
		\$490.41

On motion the claims as reported by the finance Committee to be correct were ordered paid.

Committee on Fire Bell reported that \$40 had been collected.

Report of Surveyor M. G. Wheeler and L. L. Lockling, City Engr. was next read and on motion placed on file.

Also Certificate of John Murray and George Lyons concerning corners and line of survey in Mission Valley were read by the Clerk and on motion placed on file.

In the Matter of the Mission road survey, Statements were made by M. G. Wheeler, L. L. Lockling, C. J. Fox and John Murray. After hearing the evidence and remarks of different parties until 4 1/2 o'clock the Board on motion adjourn until Tuesday evening, December 4th 7 o'clock P. M.

Approved.

Mark P. Shaffer, Clerk D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Tuesday, December 4th 1877.

Board met pursuant to adjournment. Members of the Board present were Trustees McCarthy, Briant, Begole, Rogers and O'Neil. Shaffer, Clerk.

C OMMUNICATIONS.

Affidavit of John R. Porter that City warrant Number 930 had been destroyed in the late fire on 5th St. said warrant having been drawn for \$6.00 on the General Fund.

On Motion a duplicate warrant was ordered drawn for the same.

Petition from J. N. Young, M. G. Wheeler, Wm. M. Evans and A. Overbaugh to Lease the following described Lands to-wit: Pueblo Lots Numbered 1323, 1324, 1325, 1326, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337 and 1340 according to survey and map made by James Pascoe for the sum of Twenty five dollars per year. On Motion the matter was referred to a Committee of two consisting of Messrs. Begole and O'Neill.

CLAIMS AGAINST THE CITY.

The following claims were filed.

D. W. Briant	Bill	\$102.00
D. O. McCarthy	"	102.00
P. O'Neill	"	105.00
E. O. Rogers	"	96.00
Mark P. Shaffer	"	105.00
D. Burroughs	"	105.00
Mark P. Shaffer	"	25.00
Western Union Telegraph Co.		23.35
John O. Hattlebery		15.00
Wm. Jorres		70.00
Alta California		176.00
Los Angeles Express		74.31
W. Jeff Gatewood (assigned)		25.00
T. M. Turner		31.00
Wm. Jorres		8.50
M. G. Wheeler		99.00
San Diego Union		53.22
Thomas Hogue		14.00
J. M. Ramos (Telegraph)		7.20
A. E. Horton		40.00
C. H. Shepard & Co.		20.90
H. H. Dougherty		21.00
J. S. Mammasse		3.00
John Murray		3.00
Schneider and Koppers		1.75

\$1326.23

On motion a warrant was ordered drawn in favor of John O. Hattlebury for \$15.00 also in favor of Wm. Jorres for \$70.00 ballance of the bills to take their regular course.

Amendments to the Texas and Pacific R. R. Bill was then read by the Clerk, and on motion ordered forwarded with the instructions to Messrs. Crawford and Felshenheld the City's Agts at Washington, D. C.

Bond of A. Pauly as City Tax Collector was read by the Clerk and on motion was approved and ordered placed on file.

In the matter of changing the Location of the engine House and repairs to Truck, New Hooks &c, It was on motion referred to Committee of three to report at the adjourned meeting of Saturday Dec. 8th 1877. Committee Messrs. Begole, Briant and Rogers.

A. G. Gassen, Chief Engineer of the fire department requested the Board appoint an assistant. On motion H. Bayley was appointed Assistant Engineer and the Clerk was ordered to make out a Certificate for the same.

In the matter of the accounts of D. Burroughs, City Assessor, Charges of official neglect &c ordered that said Burroughs be cited to appear before the Board on Saturday 8th inst. to answer said charges in said complaint.

In the matter of the Mission road survey, after taking evidence and receiving reports of M. G. Wheeler, C. J. Fox, L. L. Lockling, John Murry, George Lyons, Henry Clayton and others, Ordered that upon the application of Citizens resident in Mission Valley the case be submitted to Hon. W. T. McNealy, District Judge for his decision.

No further business appearing the Board on motion adjourned until Saturday Dec. 8th, 1877 at 7 o'clock P.M.

APPROVED.

ATTEST: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of City Trustess of the City of San Diego,

Saturday, December 8th 1877.

Board met pursuant to adjournment. Members present were Messrs. McCarthy, O'Neil and Begole. Shaffer, Clerk.

D. Burroughs, City Assessor, appeared in answer to a compalint filed by W. Jeff Gatewood, City Attorney, and presented the following answer.

San Diego, Cal. Dec. 6th 1877.

To the President and Board of Trustees

of the City of San Diego, Cal.

I hereby dismiss and withdraw from any further consideration by your Body all claims in my favor for my personal service of any and all sums whatsoever.

Please dismiss any such claim now pending before you and oblige.

Yours very truly

D. Burroughs

Assessor San Diego City.

At the request of the City Attorney the case was on motion defered until next regular meeting.

In the Matter of renting certain Pueblo Lands belonging to the City of San Diego for mining purposes to Messrs. Young, Wheeler, Evans and A. Overbaugh it was on motion laid over until next meeting of Thursday 13th inst.

H. H. Dougherty presented the bill for Insurance of City Hospital at short rates of \$21.00 which was on motion ordered paid and the Policy of Insurance cancelled.

CLAIMS AGAINST THE CITY.

|                                    |                |
|------------------------------------|----------------|
| A. S. Grant                        | \$94.30        |
| Wm. S. Gregg, Agt for P. Ruthermel | 37.50          |
| C. H. Robinson                     | <u>10.00</u>   |
|                                    | \$141.80 Total |

On motion it was ordered that the change of quarters of Engine House be made providing the tower for the fire Bell, can be attached to the Market House and that a lease of two years be taken, terms as follows. Twelve Dollars (\$12) per month, providing that in case of the passage of the Texas and Pacific Railroad bill, then the rent for the second year shall be Twenty five Dollars per month (\$25.) The room required for said engine House shall be equal to three stalls in said Market building.

No further business appearing the Board on motion adjourned until Thursday December 13th 1877 at 7 o'clock P. M.

Attest:

Approved.

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Thursday December 13th 1877.

Board met pursuant to adjournment. Members present were Messrs. McCarthy, Begole, O'Neill and Rogers. Shaffer, Clerk.

The President stated that this was an adjourned meeting more particularly for the purpose of inquiring in the matter of Leasing certain Pueblo Lands belonging to the City

of San Diego for mining purposes.

On motion the Lease of Messrs. C. Deleval, Joe Faivre and N. H. Conklin be forfeited for not complying with the terms of the Lease. The following are the numbers and description of the Lands described in the lease of the aforesaid parties. Pueblo Lots Nos 1323, 1324, 1325, 1326, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337 and 1340.

The Motion was carried.

An Application was then read by the Clerk from J. N. Young, Wm. Evans, M. G. Wheeler and A. Overbaugh to rent the following described Lands for the term of fifteen years for mining purposes only, and the aforesaid parties shall have the privilege to sublet the said Lands for the same purpose should they wish to do so. Pueblo Lots Nos. 1323, 1324, 1325, 1326, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337 and 1340. The aforesaid parties shall expend annually the sum of Five Hundred Dollars in prospecting said lands the rent of the aforesaid lands shall be twenty five dollars per year payable in U. S. Gold Coin in advance each year.

The Trustees of said City shall have the right to let the said Lands should they desire so to do for grazing purposes.

The Clerk of the Board of Trustees is hereby instructed to draw a lease and submit the same to the Board at the next regular meeting for their approval.

On Motion the foregoing was carried.

Mr. B. Sargent was present and made complaint of the public Road leading out to the Cajon Valley. That the same was being fenced near the Chollas Valley and that the Grade up the hill as now made was very bad, which was on motion referred to the Street Commissioner.

No further business appearing the Board on motion adjourned.

Attest:

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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Office of the Board of Trustees of the City of San Diego.

SPECIAL MEETING.

Wednesday Dec. 28th 1877.

The Board met pursuant to a published Call in the San Diego Union Signed by Trustees McCarthy, Begole, O'Neill and Rogers.

The President stated that this was a special meeting called for the purpose of taking into consideration the propriety of changing the time when City Taxes should be delinquent.

A Petition was now presented by A. E. Horton signed by one Hundred and Thirty-three taxpayers of the City, praying for the time when City Taxes shall become delinquent to be extended until the first day of May A. D. 1878.

On Motion of Mr. O'Neill the petition was received and ordered placed on file.

On Motion of Mr. Rogers that the prayer of the Petitioners be granted, It was carried by the following votes. Yeas. McCarthy, O'Neill and Rogers. Nays Trustee Begole.

The following Ordinance was now read by the Clerk and on motion adopted by the following votes. Yeas. McCarthy, O'Neill and Rogers. Nays, Trustee Begole.

CHARTER ORD CE NO. 24.

(New Charter)

Fixing the time and manner of Collecting City Taxes for the year 1877  
and the time and manner of selling property for unpaid taxes.

The Board of Trustees of the City of San Diego, State of California, do ordain as follows:

Section 1. Within Six days after the passage and approval of this ordinance the Tax Collector of the City of San Diego must publish a notice.

First. That City Taxes for the fiscal year 1877 will become delinquent on the first Monday in May 1878 and that unless paid prior thereto five per cent will be added thereto.

Second. The time and place at which payment of said taxes may be made.

Said notice must be published for two weeks in some weekly or daily newspaper published in said City.

Section 2. On the first Monday in May 1878 all unpaid taxes shall be delinquent and thereafter the City Tax Collector must collect thereon for the use of said City an addition of five per cent.

Section 3. On the third Monday in May 1878 the City Tax Collector must attend at the office of the City Clerk and carefully compare the duplicate with the original assessment roll and every item marked "Paid" in the former must be marked "Paid" in the latter.

Section 4. On the third Monday in May 1878 the City Tax Collector must deliver to the City Clerk a complete "Delinquent list" of all persons and property then owing taxes to said City and in the list so delivered must be set down in numerical order all matters and things contained in the assessment book and relating to delinquent persons or property.

Section 5. On or before the first Monday in June 1878 the City Tax Collector must publish the delinquent list which must contain the names of the persons and a description of the property delinquent and the amount of taxes and costs due opposite each name and description with the taxes due on personal property added to taxes on real estate when the estate is liable therefor or the several taxes are due from the same person and the said tax collector must append and publish with the delinquent list a notice that unless the taxes delinquent, together with the costs and percentage are paid the real property upon which such taxes are a lien will be sold at public auction.

Section 6. The City Tax Collector may after the first Monday in June 1878 collect the taxes due on personal property except when real estate is liable therefor, by seizure and sale of any personal property owned by delinquent. The sale must be made at public auction and of a sufficient amount of the property to pay the taxes, percentages and costs, and must be made after one weeks notice of the time and place thereof given by publication in a newspaper published in said city. For seizing or selling personal property said tax collector may charge in each case the sum of Three Dollars and the same mileage as is allowed by law to the Sheriff of San Diego County.

Section 7. The City Tax Collector must on the third Monday in July 1878 attend at the office of the City Clerk with the delinquent Book and said Clerk must then carefully compare the list with the assessments of persons and property not marked paid on the assessment book, and when taxes have been paid must note the fact in the appropriate column of the Assessment Book. There must be administered to said Tax Collector an oath to be written and subscribed in the delinquent List that every person and all property assessed in the delinquent list in which taxes have been paid has been credited in the list with such payment. The City Clerk must then foot up the amount of Taxes remaining unpaid and credit the Tax Collector with the amount and have a final settlement with him and the delinquent list must remain on file in the office of said Clerk.

Section 8. All ordinances and parts of ordinances and all resolutions and parts of resolutions of the Board of Trustees of the City of San Diego in conflict with this

Ordinance is hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this 28th day of December A. D. 1877.

Attest:

Mark P. Shaffer, Clerk

D. O. McCarthy, President

No further business before the Board they on motion adjourned.

Attest:

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday January 7th 1878.

Board met at one o'clock P. M. Members of the Board present were Trustees McCarthy, Briant, Begole, O'Neill and Rogers. Shaffer, Clerk.

The minutes of Dec. 3rd, 13th and 28th were read by the Clerk and on motion was approved.

REPORTS OF COMMITTEES.

Street Committee reported progress in the matter of the Cajon Road in the Chellas Valley and on motion the City Engineer and Superintendent of Public Streets were appointed to locate said road and open the same.

Complaint was made against Mr. Wm. Llewellyn as the sidewalk on 5 and I Sts. was in a dangerous condition. On Motion it was ordered that the Clerk must give Mr. Llewellyn a written notice at once that he must immediately remove the old sidewalk and build a new one in two months from such notice.

REPORT OF FINANCE COMMITTEE.

The Finance Committee reported favorable on the following bills or claims against the City, to-wit:

|                          |              |
|--------------------------|--------------|
| M. G. Wheller            | \$99.00      |
| A. S. Grant              | 94.30        |
| T. M. Turner             | 31.00        |
| John Murray              | 3.00         |
| Thomas Hogue             | 14.00        |
| C. H. Shepard and Co.    | 20.90        |
| A. E. Horton             | 40.00        |
| C. H. Robinson           | 10.00        |
| J. S. Mannasse           | 3.00         |
| San Diego Union          | 53.22        |
| Wm. Jorres               | 8.50         |
| L. Henrich               | 8.25         |
| W. U. Telegraph Co.      | 23.35        |
| Schneider and Kneppers   | 1.75         |
| Wm. S. Gregg             | 37.50        |
| J. M. Ramos              | 7.20         |
| Fred'k MacCrellish & Co. | 176.00       |
| Express printing Co.     | <u>74.31</u> |

\$705.28

On motion the claims as reported by the Finance Committee as being correct were ordered paid by a warrant drawn on the City Treasurer.

In the matter of the Change of the location of Engine House it was on motion indefinitely postponed.

Report of the City Tax Collector was now read by the Clerk and was on motion of Mr. Rogers rejected by the following vote. Yeas. Mr. Begole, Nays. McCarthy, Briant, Rogers & O'Neill.

RESOLUTION.

It is hereby ordered that the Treasurer of the City of San Diego shall pay the warrants of the said City in the order of their numbers upon the respective funds. That all warrants when presented to said Treasurer if not paid for want of funds in the proper fund upon which they are drawn shall be endorsed by said Treasurer with the date of said

presentation not paid for want of funds, and said warrants shall draw legal interest from the date of said presentation and non-payment until paid.

The foregoing resolution was on motion adopted.

The Board on motion now adjourn until Saturday Jan 12th 1878 at 7 o'clock P. M.

Attest: Mark P. Shaffer, D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday Jan 12th 1878.

The Board met at 7 o'clock P. M. Members present were Trustees McCarthy, Rogers and Begole.

CLAIMS AGAINST THE CITY.

The following Bills were filed and read by the Clerk, to-wit:

|                     |        |
|---------------------|--------|
| San Diego Water Co. | \$200. |
| Mark P. Shaffer     | 100.   |
| Joseph Lenard       | 3.     |
| J. S. Mannasse      | 9.     |
| J. S. Mannasse      | 3.     |
| Mark P. Shaffer     | 25.    |
| Larson and Wescott  | 8.     |
| Bayley Bros.        | 45.    |
| T. M. Turner        | 51.90  |
| W. U. Telegraph     | 1.50   |
| Joe Morrison        | 10.00  |
| Wm. Jorris          | 30.00  |
| W. J. Gatewood      | 25.00  |
| F. Schmidt          | 15.00  |
| Godfry Eckhard      | 10.00  |
| C. H. Shepard & Co. | 13.95  |
| Hamilton & Marston  | 17.60  |
| John R. Porter      | 9.00   |

On Motion the bill of Mark P. Shaffer of one Hundred Dollars a warrant be drawn at once also the bill of A. S. Grant, County Clerk for costs of Transcripts be drawn for sufficient amount to pay the same and the President of the Board of Trustees is hereby instructed to negotiate the same and pay said bill.

MISCELLANEOUS AND UNFINISHED BUSINESS.

Whereas a request has been made to the City Trustees of the City of San Diego by Louis Marks, Inventor of an improvement in Compound for producing Illuminating Gas" That he be allowed the use of certain streets in the City of San Diego for the purpose of demonstrating the merits of said invention for lighting streets and houses.

Be it resolved that said Louis Marks is authorized to lay a pipe across 5th St. at Wolfsheimers Store and to have the privilege of digging a ditch for that purpose to be done as expeditiously and with as little interruption to travel on said sts. as possible that he may use said fifth street and H Street for pipes temporarily for the purpose of said test running said pipe up H Street to Gordon and Hazzards Store and down 5th St. to Steiner, Klaubers & Co. Store and crossing 5th St. to Baily and Julians places of business. This privilege to continue only Three months from this date and unless further privilege be given after said time the said Louis Marks is to remove said pipes and put the street used in as good condition as they now are or the said City will remove the same at the expense of said Louis Marks. On Motion the foregoing preamble and resolution was adopted.

CHARTER ORDINANCE NO. 25.

New Charter.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. The Tax Collector of the City of San Diego under the direction and supervision and pursuant to the order of the Board of City Trustees is hereby authorized and required to Collect from each inhabitant notified by the Superintendant of Public Streets to, and who fails to work or prefers to pay it, a commutation fee of Three Dollars

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or such smaller amount as may be fixed as the commutation fee by the Board of Supervisors of San Diego County, and all other road taxes therein ordered to be collected by said Board of Supervisors, in the mode provided by law for the collection of road poll Taxes and other road taxes and pay the same to the City Treasurer. He must give receipts for road labor and for commutation fees, and all road Taxes Collected, and certify to the correctness of all claims for Labor performed.

Section 2. Every male inhabitant of the City of San Diego over twenty-one and under fifty years of age, except exempts, must perform two days labor annually upon the Highways in the City of San Diego, under the demand and direction of the Superintendent of public streets, or pay to the City Tax Collector the commutation fee fixed by the Board of Supervisors of the County of San Diego. Any person who does not so labor or commute after receiving due notice is delinquent.

Section 3. The City Tax Collector must on or before the first day of February of each year make out a list of the inhabitants of said City liable for the road Poll Tax therein, and deliver a copy to the Clerk of the Board of Supervisors of San Diego County, and the City Clerk a duplicate copy of which he shall retain, and require of each person on the list the performance of the labor, or the payment of the commutation fee as fixed by the Board of Supervisors and must from time to time add to the list the names of persons liable for road poll tax who were omitted; or who have become inhabitants of the City since the original list was made, and enforce the road Poll Tax or Collect the commutation therefor, and apply the same as herein provided.

Section 4. Road Poll Taxes must be collected by the City Tax Collector between the first Monday of February and the first Monday in May of each year. The City Treasurer must before the first Monday in February of each year cause to be printed blank road poll Tax receipts a sufficient number for the use of the Tax Collector. The Treasurer must sign the same, make an entry of the whole number thereof on his Books, deliver all such blanks to the Tax Collector and charge him therewith and credit him with the amount of unsold blanks returned by him.

Section 5. The Tax Collector must demand payment of the road Poll Tax of every person liable therefor who has had due notice, and on the neglect or refusal of such person to pay the same he must and he is hereby directed to collect by seizure and sale of any personal property owned by such person. The sale must be made after one weeks notice of the time and place thereof, given by publication in a newspaper in the City or by posting in three public places. The sale must be at public auction and of a sufficient amount of Property to pay the Taxes, percentage and costs. For seizure, or selling personal property the Tax Collector may charge in each case the sum of Three Dollars and the same mileage as is allowed by Law to the Sheriff of the County, on the payment of the price bill for any property sold, the delivery thereof with a bill of sale, vests the title thereto in the purchaser. All excess, over the taxes, percent and costs of the proceeds of any such sale must be returned to the owner of the property sold and until claimed must be deposited with the City Treasurer subject to the order of the owner, heirs or assigns. The unsold portion of any property may be left at the place of sale at the risk of the owner.

Section 6. The Tax Collector must keep a roll of the names and local residences or place of business of all persons subject to or liable for Road Poll Tax, and if paid date and amount of each payment; and if not paid enter on the Assessment book of each succeeding year until paid, and causes of non-payment. On the third Monday of May of each year the Tax Collector must deliver to the City Clerk the Roll so made up with the certificate of the Tax Collector attached thereto, that it is a complete and true list of road

poll tax delinquents, and that personal demand has been made on each one of them for payment thereof; and the Clerk must add to the total road poll tax delinquent on such roll thirty three and one third per cent<sup>um</sup>/additional, and without delay deliver such list to the City Tax Collector, and charge the Collector therewith. Interest at the rate of two per cent per month additional to the thirty three and one third per centum must be collected on all such delinquent taxes from the time the delinquent list is delivered to the Collector, if from any cause the Collector is unable to collect said tax within one year from the date of the delivery of said delinquent list. The City Assessor is hereby directed, and it is made a part of his duty, to enter all uncollected road poll taxes, together with the thirty three & one third percent. and the interest added thereto, upon the assessment book of the next succeeding year, to be collected as required by this ordinance.

Section 7. If any person assessed for a property tax has not paid to the Collector all road poll taxes due from him, and for which he is liable, together with the thirty three and one third per cent. and interest in addition thereto, it shall constitute a lien upon the property assessed, to attach from the third Monday in May in each year, and must be collected as required by this ordinance or in the same manner and at the same time as other delinquent taxes are collected.

Passed and approved by the Board of Trustees of the City of San Diego this 12th day of January A. D. 1878.

(SEAL) Mark P. Shaffer, Clerk

D. O. McCarthy, President

No further business appearing the Board on motion adjourn until Saturday, January 19th A. D. 1878 at 7 o'clock P. M.

Attest:

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the City Trustees of the City of San Diego,

Saturday, January 19th 1878.

Board met at 7 o'clock P. M. pursuant to Adjournment. Members present were Trustees McCarthy, Briant, O'Neill and Rogers. Shaffer, Clerk.

Report of City Engineer L. L. Lockling on the road leading out to the Cajone in the Chollas Valley. The Plat of the survey was presented to the Board, and on Motion the survey of said road was accepted and the Street Commissioner instructed to open said road according to said map on file.

In the matter of the accounts of D. Burroughs, Assessor of City Taxes for the year 1877.

Now January 19th 1878 at a regular session of the Board of Trustees of the City of San Diego this being the time to which the hearing of said matter had been continued upon investigation and due deliberation it is adjudged that through the neglect of said D. Burroughs in making his assessment for 1877 certain extra expenses have accrued which are not properly chargeable to said City it is ordered that the same be charged to said D. Burroughs as follows to-wit: Twenty (20) days of expenses of Board of Equalization being at \$18.00 per day \$360.00

In the Matter of the suit in District Court.

P. Morse )  
 vs )  
 A. Pauly, Tax )  
 Collector )

D. O. McCarthy, President

The City of San Diego and W. X. Gardner, Treasurer of said City being parties

aggrieved by the Judgement entered in the above case it is ordered that the City Attorney take the necessary steps and at once appeal from said judgment to the Supreme Court of the State of California on the part of said City and City Treasurer.

On Motion the Superintendent of Public Streets and Trustee Rogers will put up a suitable Tower and erect the fire Bell thereon.

On Motion the City Engineer and Superintendant of Public Streets will examine and report in the matter of the road leading to Spring Valley at the Brewery in Cholbas Valley.

INSTRUCTIONS TO CITY OFFICERS.

P. Morse

vs

A. Pauly, Tax Collector of the City of San Diego.

Whereas: By certain unauthorized and extra Judicial findings and proceedings of W. T. McNealy, District Judge of the Eighteenth Judicial District, made in a certain proceeding in said Court in a certain case therein pending, wherein one Philip Morse obtained a peremptory mandate against A. Pauly, Tax Collector of the City of San Diego, commanding said Tax Collector to pay over the sum of \$350. to said P. Morse; and

Whereas a misapprehension exists in the minds of some of the officers of the City of San Diego whereby they suppose that the title to the office of City Treasurer has been passed upon and settled in said action,

Whereas in truth and fact the rights of the acting and de jure officer and Treasurer of said City of San Diego were not before said Court, nor the rights of the Board of City Trustees, or of the people of said City of San Diego; and

Whereas, if the said attempted findings and extra judicial determination in said case were to be accepted by this Board of Trustees, the safety of the public funds would be jeopardized, the pretended Treasurer and usurper Philip Morse having deposited said public funds, in violation of Section 424 of the Penal Code, with a banking corporation of doubtful solvency, doing business upon and representing a fictitious capital, as admitted under oath by its own officers when undergoing a financial investigation before the City Board of Equalization; and never having filed a bond-- or if what is termed a bond can be so considered in any sense it is only for one thousand dollars, which is not in compliance with any statutory law or ordinance in regard to said Treasurership of said City in force at the time of his appointment, or that has since been passed by the Board of City Trustees; and

Whereas, the Board of City Trustees of the City of San Diego representing the people of said City, and with a desire to guarã and safely protect the tax funds and public moneys of said City, amounting to over Seventeen thousand Dollars, with no political or financial friends to serve or enemies to punish; with malice toward none, with charity for all, and with firmness in the right, deem it necessary and an official duty to repudiate the unauthorized acts of said Court, and have ordered that the City Attorney of said City at once appeal from the judgment rendered in said case of P. Morse vs. A. Pauly, Tax Collector, to the Supreme Court of the State of California,--

Now therefore, in consideration of the premises, and in behalf of the security of the public moneys of the City of San Diego, all officers of said City are notified and directed, that the pretensions of said Philip Morse to be the Treasurer of said City are utterly without foundation, void and fraudulent, and that no officer of said City shall recognize his said claims in any manner whatever, and the Tax Collector and all other officers of said City are warned that they give heed and obey this resolution and abide by the Ordinances and Resolutions of this Board heretofore passed relative to public moneys

and said Treasury, on penalty of suit on their official bonds in case of disobedience.

Passed and approved by the Board of Trustees of the City of San Diego this 19th day of January A. D. 1878.

(SEAL) ATTEST:

D. O. McCarthy, President.

Mark P. Shaffer, Clerk.

On Motion the City Attorney be requested to draw up an Ordinance to compel Indians to work on streets when found guilty crime.

No further business appearing the Board on motion adjourned until Saturday Jan. 26th 1878 at one o'clock P. M.

Attest:

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Saturday Jan 26th 1878.

Board met at 1 o'clock P. M. pursuant to adjournment. Members present were Trustees McCarthy, O'Neill, Begole and Rogers. Shaffer, Clerk.

CHARTER ORDINANCE 26.

New Charter.

The Board of Trustees of the City of San Diego do ordain as follows:

Sect. 1. In all cases of Conviction of any person or persons for the violation of any City Ordinance of the City of San Diego it shall be the duty of the Magistrate before whom said conviction may be had on default of payment of the fine or fines imposed on said person to order the said person or persons so convicted to labor on the public streets and Highways of said City until the fine or fines are worked out and the same shall be at the rate of Two Dollars per day under the supervision and direction of the Superintendent of Streets and Highways of said City.

Sect. 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this 26th day of January A. D. 1878.

(SEAL) ATTEST: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

City Engineer Lockling and Street Superintendent reported in the matter of the Spring Valley road in the Chollas Valley near the Brewery, and on Motion the matter was referred to the Property holders interested, and that the City Engineer confer with the property owners on said line of road.

On Motion the City Attorney was instructed to draw up an ordinance to protect the Sheep from grazing within certain limits of the City.

On Motion the Board adjourned.

Attest:

Approved

Mark P. Shaffer, Clerk

D. O. McCarthy, President

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REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday Feb. 4th 1878.

Board met at one o'clock P. M. Members of the Board present were Trustees McCarthy, Begole, O'Neill and Rogers. Shaffer, Clerk.

The minutes of January 7th, 12th, 19th and 26th were read by the Clerk and on

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motion were approved.

#### REPORTS OF COMMITTEES.

The finance Committee reported favorable on the following bills or claims against the City to-wit:

|                             |             |
|-----------------------------|-------------|
| San Diego Water Co.         | \$200.00    |
| Joseph Leonard              | 3.00        |
| Western Union Telegraph Co. | 19.65       |
| Wm. Jorres                  | 30.00       |
| T. M. Turner                | 51.90       |
| F. Schmidt                  | 15.00       |
| Larson & Wescott            | 8.00        |
| Joseph Morrison             | 10.00       |
| Godfert Eckhardt            | 10.00       |
| Bayly and Bidwell           | 39.50       |
| C. H. Shepard & Co.         | 13.95       |
| J. S. Mannasse              | 9.00        |
| Hamilton and Marston        | 17.60       |
| John R. Porter              | 9.00        |
| J. S. Mannasse              | <u>3.00</u> |
|                             | \$439.60    |

On Motion the claims as reported by the finance Committee as being correct were ordered paid by a warrant drawn on the City Treasurer.

#### PETITIONS AND COMMUNICATIONS.

Petition of Louis Rose for a renewal of Wharf Franchise at La Playa was now read by the Clerk and on motion granted & ordered on file.

Petition of Louis Marks and Emanuel Blochman for a Gas Franchise was also read by the Clerk and on motion it was granted and orded on file.

Also a Petition from Citizens praying the Firemen in the City of San Diego be exempt from Road Poll Tax, which was on motion received and order placed on file. The City Attorney was requested to furnish a written opinion as to the legality of exempting the aforesaid Firemen and present it to the Board at their next regular meeting.

Mr. E. McGirk was on motion granted permission to remove some earth from the crossing at 5th and H Sts. also on 5th St. near H for the purpose of letting the water off from the sidewalk and make it conform nearer to the grade of said st. which must be done under the supervision of the Street committee and Superintendent of Sts. and Highways.

#### CLAIMS AGAINST THE CITY.

The following Bills or claims against the City were now presented to-wit:

|                  |             |
|------------------|-------------|
| W. Jeff Gatewood | \$25.00     |
| Mark P. Shaffer  | 25.00       |
| A. Pauly         | 25.00       |
| T. M. Turner     | 35.70       |
| L. L. Lohking    | 12.00       |
| Wm. Jorres       | 66.00       |
| San Diego Union  | 26.50       |
| M. Schiller      | <u>9.00</u> |
|                  | \$224.20    |

On Motion the Bill of A. Pauly for Twenty five Dollars be paid by warrant drawn on the City Treasurer. The remainder of the Claims to take the regular course.

Charter Ordinance Number 27, 28 and 29 were now read by the Clerk and on motion passed and approved.

#### CHARTER ORDINANCE NO. 27.

(New Charter)

Granting unto Louis Rose an extention of his Wharf Franchise.

Whereas heretofore, to-wit: September 8th 1869 the Board of Supervisors of the County of San Diego, California, acting under and by virtue of the law of this State, duly granted unto Louis Rose a wharf franchise for the construction and maintainance of a wharf in front of La Playa in the Bay of San Diego as will more fully appear by reference to the petition of said Rose to said Board of Supervisors, and the map and plan of said wharf &c now on file in the office of the County Recorder of said County, and to the

order and records of said Board of Supervisors, and to a certain indenture executed by J. S. Mannasse and J. Divilbliss, Supervisors of said County, to said Louis Rose, dated September 8th 1869, and recorded in the office of the said County Recorder in Book No. 6 of Deeds, on page 401, et seq. to all of which reference is hereby made.

And whereas said Louis Rose has filed his Petition with the Board of Trustees praying that said Wharf Franchise be extended and continued for a further term,

And whereas it appears to this Board that the Public Interests will be best subserved by granting said Petition:

Therefore the Board of Trustees of the City of San Diego, in the state of California, do ordain as follows:

Section 1. The said Wharf franchise Granted to Louis Rose, September 8th 1869, as hereinbefore recited is hereby extended and continued in full force and effect for the additional term of Twenty years from the 8th day of September A. D. 1879.

Section 2. This ordinance shall take effect at once.

Passed and approved at San Diego, California February 4th A. D. 1878.

(SEAL) ATTEST: Mark P. Shaffer, Clerk D. O. McCarthy, President.

CHARTER ORDINANCE NO. 28.

(New Charter)

Authorizing Louis Mark and Emanuel Blochman to build and erect Gas Works in the City of San Diego.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. The right is hereby given and granted to Louis Marks and Emanuel Blochman, their associates, successors and assigns, to build, erect and maintain Gas works and to manufacture gas in the City of San Diego in County of San Diego and State of California and to lay down Gas pipes and mains in and through the streets, alleys, public grounds, Plazas and buildings of said City, under the supervision of the City Engineer in accordance with the established regulations of the Board of City Trustees and through said pipes and mains to supply and sell Gas for lighting the Streets, Alleys, Public grounds, Plazas and buildings of said City for the use of the Inhabitants thereof, for the term of Twenty five years from and after the passage of this ordinance.

Section 2. It shall be the duty of the said Louis Marks and Emanuel Blochman, their associates, successors and assigns, in laying their mains and pipes and erecting their gas works in pursuance of this ordinance, to restore the streets and sidewalks to the same good condition and order in which they shall find them.

Section 3. That the said Louis Marks and Emanuel Blochman, their associates and assigns shall commence to build and erect said Gas works within six months from the passage of this ordinance and have the same in full operation within six months thereafter, otherwise this ordinance shall be void.

Section 4. The Board of City Trustees reserves the right to control the location and construction of works so that they may be erected in suitable localities to give the least discomfort or annoyance to the public.

Passed and approved by the Board of Trustees of the City of San Diego, this 4th day of February A. D. 1878.

(SEAL) ATTEST: Mark P. Shaffer, Clerk D. O. McCarthy, President.

CHARTER ORDINANCE NO. 29.

(New Charter.)

Be it ordained by the Board of Trustees of the City of San Diego as follows:

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Section 1. All hogs, pigs, goats and sheep grazing, pasturing or running at large within the limits of the City of San Diego hereinafter specified are hereby declared a nuisance.

Section 2. Hereafter it shall be unlawful for any person or persons owning or having the control of any such hogs, pigs, goats and sheep, to permit them, or any of them to graze, pasture or run at large within the following described limits of and within said City to-wit: Any and all that portion of the City of San Diego lying south of the San Diego river and south of the Dam turning the said river.

Section 3. Whenever the Chief of Police of the City of San Diego shall discover or be notified by any person therein that any animals above enumerated are grazing, pasturing or running at large in violation of the Provisions of this Ordinance it shall be his duty, and he is hereby directed to immediately cause them to be taken in charge and placed in the City Pound, and within twenty four hours thereafter to cause three notices to be posted in Public Places and one to be Published in the Official Newspaper of the City, describing said animal or animals so impounded, giving their marks and brands, with the date of the posting such notice and unless the owner or owners thereof come and claim said animal or animals so impounded within five days from and after the date of said notices and prove the ownership of said property and pay all lawful charges thereon, as hereinafter provided, said Chief of Police is hereby authorized, and it is made his duty, to expose such animal or animals for sale at public Auction to the highest and best bidder for cash, and the proceeds of said sale shall be applied first to the payment of the fines and charges hereinafter specified and the residue thereof, if any there be, shall be paid into the City Treasurer for the benefit of the owner<sup>or</sup>/owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal or animals sold as aforesaid, with the sum deposited to the account of the owner after deducting the cost and expenses of keeping and sale, including a full statement showing the charges, costs and all expenses incurred about or concerning the impounding and sale of said animals.

Section 4. The following fines and charges are hereby imposed for any violation of the provisions of this ordinance. For every hog, pig, goat, or sheep impounded, fifty cts. and in addition twenty five cts. per day for keeping, one Dollar if advertised, five per cent commission if sold and fifty cts. for taking up and driving to the pound. All to be collected in United States Gold Coin, all of which is hereby made a lawful charge against the owner or owners of said animal or animals so impounded and shall be a lien upon the said animals for the payment thereof.

Section 5. The Chief of Police shall deliver to the purchaser of any animal sold as aforesaid a bill of sale thereof which shall vest the title in the purchaser.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this the 4th day of February A. D. 1878.

(SEAL) ATTEST: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

No farther business appearing the Board on motion adjourned.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

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REGULAR MEETING.

Office of the Board of City Trustees, City of San Diego.

Monday, March 4th 1878.

Board met at 1 o'clock P. M. Members of the Board present were Trustees McCarthy,

Briant, Begole, O'Neill and Rogers. Shaffer, Clerk.

The minutes of Feb. 4th, 1878 were read by the Clerk and on motion approved as read.

REPORTS OF COMMITTEES.

The finance Committee reported favorable on the following Bills to-wit:

|                 |         |
|-----------------|---------|
| L. L. Lockling  | \$12.00 |
| Marcus Schiller | 9.00    |
| San Diego Union | 26.50   |
| T. M. Turner    | 32.50   |
| Wm. Jorres      | 66.00   |

Committee on Engine House reported that a lease could be obtained from Wm. S. Gregg Agt. for P. Rothermul and the place now occupied by the Fire Company for \$15. per month in City Scrip to date from Jan. 1st 1878. On Motion the Report was received and committee discharged.

Committee on Fire Bell and Bell Tower reported and asked for 30 days more time which was on motion granted.

On Motion the Clerk was ordered to draw a warrant for a sufficient amount to pay the Balance on fire bell now due.

Committee on road to Spring Valley reported progress and on motion granted further time.

J. S. Mannasse presented a petition signed by 150 Citizens and Tax Payers, praying that Cows and Horses may be permitted to run at large within the City Limits. On Motion the petition was received and placed on file.

Mr. Schutte was present in opposition to the petition and much discussion passed on the subject, when on motion each Citizen of San Diego be allowed not to exceed two work Horses and Two Milch Cows each to graze at large until the middle of May next.

Petition for a Wharf Franchise from the foot of Commercial Street was presented to the Board signed C. Deleval, J. M. Clark and H. Pily, which on motion ordered Published at the expense of petitioners and time of hearing why said Wharf franchise be not granted set for the next Regular Meeting of the Board.

On Motion the Bills of the Western Union Telegraph Company of \$135.08/100 and \$99.30/100 be allowed and the Clerk is hereby instructed to draw the warrants for the same at once.

The following Claims or bills against the City were on motion referred to the Finance Committee, to-wit:

|                     |        |
|---------------------|--------|
| Mark P. Shaffer     | \$25.  |
| W. Jeff Gatewood    | 25.    |
| San Diego Union     | 289.93 |
| Joseph Leonard      | 18.00  |
| L. L. Lockling      | 2.00   |
| C. H. Shepard & Co. | 24.25  |
| M. Schiller         | 3.00   |
| J. S. Mannasse      | 6.00   |
| Geo. N. Barrett     | 4.00   |
| C. O. Pierce        | 10.00  |
| San Diego Water Co. | 100.00 |
| Thomas Daily        | 10.00  |
| Wm. Jorres          | 21.00  |
| T. M. Turner        | 39.40  |
| T. M. Turner        | 12.00  |

In the matter of the new Road to National City being reported in a bad condition also the Bridge was in an unsafe condition, It was on motion referred to the Street Committee to take such action as they may see fit.

Trustee Briant reported the Soledad road in a very bad condition which was on motion referred to St. Committee to have repaired at once.

No further business appearing the Board on motion adjourned until Saturday March 9th 1878 at 1 o'clock P. M.

ATTEST: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday, March 9th 1878.

Board met at 1 o'clock P. M. pursuant to adjournment. Present: Trustees McCarthy and O'Neill. Shaffer, Clerk.

No quorum present the Board adjourned until Saturday March 16, 1878 at 1 o'clock P.M.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday, March 16th 1878.

Board met at 1 o'clock P. M. pursuant to Adjournment.

Members Present were Trustee McCarthy. Shaffer, Clerk.

No quorum present, Board was adjourned by the President until Saturday March 23rd at 1 o'clock P. M. 1878.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday, March 23rd 1878.

Board met at 1 o'clock P. M. pursuant to adjournment.

Members of the Board present were Trustees McCarthy, Begole, O'Neill and Rogers.

O. E. Hopperstraw, Clerk Pro tem.

Bill of A. S. Grant for Clerk fees for \$56.45/100 was presented and on motion the rules were suspended and a warrant ordered drawn on the City Treasurer in payment for same.

Bill of Marcus Schiller of \$9.00 and J. S. Mannasse \$6.00 was presented and on motion it was referred to the Finance Committee.

A Petition was also presented by Citizens of Old Town in regard to the Grave yard of the soldiers killed at San Pasqual was read and on motion ordered placed on file.

The President now submitted his semi-annual report for the term ending March 1st 1878 which was read and on motion ordered placed on file. On Motion of Mr. Begole was ordered published.

After some discussion of the matter of paying the R. R. Agents at Washington, the Board on motion adjourned.

O. E. Hopperstraw, Clerk pro tem

D. O. McCarthy, President.

REGULAR MEETING.

Monday April 1st, 1878.

Office of the Board of City Trustees of the City of San Diego.

Board met at 1 o'clock P. M. Members of the Board present were Trustees McCarthy, Briant, Begole, O'Neill and Rogers. Shaffer, Clerk.

Minutes of March 4th, 9th and 16th, 23rd were read by the Clerk and on motion were approved.

Mr. Evans requested the Board that he might be allowed to appear for Messrs. Deleval and others in regard to the granting of Wharf Franchise, which was granted. He then requested the Board to postpone the hearing of the said application for a Wharf Franchise indefinitely which was on motion granted.

A Resolution was now presented by Mr. W. W. Bowers from the Chamber of Commerce

which was read and on motion placed on file.

REPORTS OF COMMITTEES.

The Finance Committee reported favorable on the following bills against the City which was accepted and the Clerk ordered to draw warrants on the City Treasurer for the respective amounts in payment for the same.

Chas. O. Pierce	\$10.00
Thomas Daley	10.00
San Diego Water Co.	100.00
T. M. Turner	12.00
L. L. Lockling	2.00
Wm. Jorres,	21.00
T. M. Turner	39.40
Joseph Leonard	18.00
J. S. Mannasse	6.00
Marcus Schiller	9.00
C. H. Shepard and Co.	24.25
Geo. N. Barrett	4.00
Marcus Schiller	3.00
J. S. Mannasse	6.00
San Diego Union	<u>289.93</u>

554.58

The Street Committee reported the sidewalk completed on 5th St. bet. H and I St. on motion the report was accepted.

In regard to the Bridge accrost the Slough at the mouth of Chollas Valley, National City road, the Committee report the Bridge unsafe and in a very bad condition.

Mr. O'Neill reported that he had let the Job to A. L. Lilly to repair the Sole-dad Road for \$150.00 and that he was now at work on said road. On Motion it was ordered that the Board do now ratify said contract.

Mr. Begole reported that he had let the Job to repair the Mission Grade to Charles Gassen for \$20. and that said Job had been completed which was on motion accepted.

Mr. Rogers reported for the Committee on Bell Tower that he could get no bids to do the same and that he had employed Mr. Jorres to build said tower which Job had been completed according to contract.

Mr. Begole suggested some change to be made and after some discussion the report was received and on motion the Committee discharged.

Petition was now read by the Clerk presented by Citizens in Old San Diego requesting that the Nuisance of the Slaughter House in Old Town be removed at once which was on motion placed on file. On motion a Committee of Two and the Health Officer be appointed to investigate and should the removal be necessary the Chief of Police should be notified to do the same at once. Committee O'Neill and Rogers.

A Petition was now read by the Clerk from the Citizens of San Diego concerning the Indians praying that they should be excluded from the Town or public streets for certain hours, which was on motion placed on file.

On Motion the City Attorney was requested to draw up such an ordinance should he find it in conformity with the law to exclude the same.

A Remonstrance against the granting of any Wharf Franchises was now read by the Clerk signed by a large number of the citizens of the City which was on motion placed on file.

A Remonstrance against Stock running at Large until the middle of May was presented by Mr. Schutte and read by the Clerk, which was on motion placed on file. After a long and spirited discussion it was on motion lost and the prayer of the petitioners not granted.

Petition from A. B. Hotchkiss and others for road to be opened through by the Brewery to intersect the Spring Valley County Road and be declared a Public Highway which was on motion received & placed on file. On Motion the prayer of the Petitioners was

granted and the sum of \$50. appropriated to put the same in good repair.

In the matter of the Cajon Road at Franciscos place in Chollas Valley it was referred to the Street Committee and City Engineer.

Bath House Petition from E. W. Nottage and A. E. Wall was read by the Clerk and on motion placed on file.

On Motion it was referred to Committee of the Whole, City Trustees and Chamber of Commerce.

On Motion it was carried that the Chamber of Commerce meet with the City Trustees as a Committee of the Whole to take into consideration the best mode or action concerning the granting or disposing of Wharf or Bath House privileges, and that such Committee should meet at the City Hall on Saturday Evening April 13th 1878 at 7 o'clock P. M.

On Motion a Committee of Two, Mr. O'Neill and Begole, to investigate as to who the title to the land where the Officers and Soldiers of the San Pasqual Battle are buried is in and that the City Attorney examine the Law concerning the removing of dead bodies.

CLAIMS AGAINST THE CITY.

The following Claims or bills were now presented to-wit:

Wm. Jorres	\$135.00
Wm. Jorres	15.00
L. L. Lockling	1.50
W. U. Telegraph Co.	86.08
Mark P. Shaffer	25.00
W. Jeff Gatewood	25.00
A. L. Seeley	50.00
San Diego Water Co.	200.00
W. S. Gregg Jr.	60.00
C. H. Shepard	11.50
San Diego Union	68.00
Joseph Leonard	21.00
M. Schiller	3.00
J. S. Mannasse	3.00
T. M. Turner	36.00
T. M. Turner	45.00
T. M. Turner	45.00

On motion Bill of Al Seely be allowed and warrant drawn for \$50. in payment of same and the balance of the bills take the usual course.

On Motion Board do now adjourn until Saturday April 13th 1878 at 1 o'clock P.M.

ATTEST: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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Monday, April 1st, 1878, 4 o'clock P. M.

#### SPECIAL MEETING.

Board called together. Members present full Board.

The President stated that this was a special meeting called for the purpose of drawing a warrant on the City Treasurer for \$250. in favor of H. E. Heighton for the attendance of the City's business in the Supreme Court of the State of California.

On Motion the Clerk was ordered to draw the warrant for \$250. in favor of H. E. Highton.

On Motion Board adjourned.

Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday April 13th 1878.

Board met at 1 o'clock P. M. pursuant to Adjournment. Members of the Board present were Trustees McCarthy, Begole, Briant, O'Neill and Rogers. Shaffer, Clerk.

Mr. Begole stated the meeting was for the purpose of Calling the City Charter Election and that as he understood that material changes had been made in the Election

Law and the President of the Board had Telegraphed to Sacramento for a certified Copy of the New Law. He thought it best for the Board to adjourn until Saturday, April 27th to await the arrival of said copy as it might be necessary to incorporate some changes under the New Law in their Election Proclamation and on motion of Mr. Begole the Board adjourned until Saturday April 27th 1878 at 1 o'clock P. M.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Saturday, April 27th 1878.

Board met at 1 o'clock P. M. pursuant to adjournment.

Members of the Board present were Trustees McCarthy, Briant, Begole and Rogers. Shaffer, Clerk.

The President stated the meeting was for the purpose of Issueing the City Charter Election proclamation, which was on motion Proclaimed as follows:

CITY ELECTION PROCLAMATION.

Office of the Board of City Trustees of the City of San Diego, Cal."

April 27th, 1878.

Notice is hereby given that pursuant to law a Charter Election will be held in the City of San Diego, State of California on Thursday the ninth day of May 1878 for the Election by the qualified voters thereof of certain City Officers to-wit: Five Trustees (one from each ward), a Tax Collector and a City Assessor.

That the Polls will be opened at ten o'clock A. M. and continue open until seven o'clock P. M. of said day. The Inspectors and judges are hereby appointed and voting places fixed as follows:

First Ward: Inspector, Robert D. Israel,

Judges, George Lyons and Thomas Lush

Voting Place. Rose's Hall.

Second Ward: Inspector, W. Jeff Gatewood,

Judges, H. T. Christian and E. G. Haight,

Voting Place, Rosario Hall.

Third Ward: Inspector, W. W. Terrey,

Judges, J. B. Levett and W. J. Walsh

Voting Place, City Hall.

Fourth Ward: Inspector, L. L. Lockling,

Judges, E. A. Harper and F. H. Huton.

Voting Place, Hiscock's Building, Cor. room Plaza.

Fifth Ward: Inspector, O. Pierce,

Judges, G. H. Thompson and J. S. Wright,

Voting Place, Bayview Hotel.

By order of the Board of Trustees of the City of San Diego the 27th day of April A. D. 1878.

(SEAL) Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

CLAIMS AGAINST THE CITY.

The following Bills were on motion refered to the finance Committee.

L.L. Lockling for	\$7.00
A. E. Horton	80.00
Charles Gassen	20.00
J. R. Porter	10.00
	<u>117.00</u>
	\$117.

The Committee on complaint of Slaughter House at Old San Diego made their report which was on motion received and placed on file and Committee discharged.

A Petition was presented by Citizens of the 5th Ward praying that the Indians be removed from the vicinity of the School House which was on motion received and placed on file. The Chief of Police stated that they were about removing from that locality to a place near the Brick yard in Mannasse & Schillers Addition. On Motion It was resolved that the Chief of Police be directed to request them to remove immediately.

The Board on motion now adjourned.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

REGULAR MEETING.

Office of the Board of City Trustees, City of San Diego.

Monday, May 6th, 1878.

Board met at one o'clock P. M. Members of the Board present were Trustees McCarthy, Briant, Begole and Rogers. Shaffer, Clerk.

Minutes of April 1st, 13th and 27th was read by the Clerk and on motion approved.

REPORT OF COMMITTEES.

The finance Committee reported favorable on the following claims or bills against the City, to-wit:

M. Schiller,	\$3.00
W. Jeff Gatewood	25.00
Mark P. Shaffer	25.00
T. M. Turner	45.10
T. M. Turner	36.00
Wm. Jorres	15.00
J. S. Mannasse	3.00
J. Leonard	21.00
A. L. Seeley	150.00
C. H. Shepard	11.50
Wm. S. Gregg, Jr.	60.00
A. E. Horton	80.00
L. L. Lockling	7.00
Charles Gassen	20.00
T. M. Turner	45.00
J. R. Porter	10.00
W. U. Telegraph Co.	86.08
San Diego Water Co.	200.00
San Diego Union	68.00
Wm. Jorres	135.00

Report of City Treasurer, W. X. Gardner, was read by the Clerk and on motion placed on file.

CLAIMS AGAINST THE CITY.

The following Bills were presented to-wit:

M. Schiller	\$12.00
W. Jeff Gatewood	25.00
Mark P. Shaffer	25.00
T. M. Turner	50.10
T. M. Turner	30.00
Wm. Jorres	111.00
J. S. Mannasse	3.00
Joseph Leonard	9.00
J. H. Guion	25.00

On Motion the bill of J. H. Guion for twenty five Dollars was ordered paid by a warrant drawn on the City Treasurer for the Amt. The balance of the Bills was on motion referred to the Finance Committee.

No farther business appearing the Board on motion adjourned.

Attest; Mark P. Shaffer, Clerk

D. O. McCarthy, President.

SPECIAL MEETING

Office of the Board of City Trustees of the City of San Diego.

Monday, May 20th 1878.

Board met pursuant to a published call in the San Diego Union to Canvass the

Election returns. Members present were Trustees McCarthy, Briant, Begole, O'Neill and Rogers. Shaffer, Clerk.

The President called the meeting to order and stated that the meeting was called for the purpose of Canvassing the Votes of the Election held on the 9th day of May A. D. 1878 for the purpose of Electing the City Trustees, Tax Collector and Assessor, which result was as follows:

	1st Ward	2nd Ward	3rd Ward	4th Ward	5th Ward	Majority
Trustee of 1st Ward, James McCoy	33					17
" of 1st " P. O'Neill	16					
" of 2nd " D. O. McCarthy		25				4
" of 2nd " M. Keating		21				
" of 3rd " A. H. Julian			77			17
" of 3rd " W. A. Begole			60			
" of 4th " D. W. Briant				93		32
" of 4th " R. G. Clark				61		
" of 5th " E. O. Rogers					46	11
" of 5th " Geo. M Dannals					35	
Assessor, H. M. Bentzel	15	27	86	100	55	81
" D. Burroughs	32	20	57	58	25	
Tax Collector, A. Pauly	47	45	134	145	77	
Total number votes cast	467.					

In the matter of the returns of the City Election held in the City of San Diego May 9th 1878 for City officers.

The Board of City Trustees being duly met in Special Session this 20th day of May A. D. 1878 in pursuance of a call duly made and published for five days in the San Diego Union a newspaper published in the City of San Diego, for the purpose of counting the vote, Judging of the return and declaring the result of said election as provided by law, having duly inspected said returns in public meeting as provided by Law and having received protests from M. Keating as to the election in the second Ward for Trustee and from P. O'Neill as to the election of Trustee in the first ward which said protests were duly filed, and no evidence being produced in support thereof, the said Board of Trustees to Judge from inspection of the returns and determine the said Election as follows:

For City Trustee

1st. Ward, James McCoy had 33 votes

P. O'Neill " 16 "

2nd. Ward, D. O. McCarthy "25 "

M. Keating " 21 "

3rd. Ward, A. H. Julian " 77 "

W. A. Begole " 60 "

4th Ward, D. W. Briant " 93 "

R. G. Clark " 61 "

5th E. O. Rogers " 46 "

Geo. M. Dannals "35 "

For Tax Collector, A. Pauly had 448 "

City Assessor, H. M. Bentzel " 278 "

D. Burroughs " 191 "

And it is ordered that Certificate of Election issue in accordance therewith as follows, to-wit:

For Trustee 1st, Ward, James McCoy

2nd Ward, D. O. McCarthy

3rd Ward, A. H. Julian

4th Ward, D. W. Briant

5th Ward, E. O. Rogers

For City Assessor, H. M. Bentzel

For Tax Collector, A. Pauly

The Board now on motion adjourned.

Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President

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SPECIAL MEETING.

Office of the Board of City Trustees, City of San Diego.

Saturday, May 25th 1878.

The President called the meeting together at 2 o'clock P. M. and stated that the object of the meeting was to organize the new Board of Trustees. Members present, the full Board.

On Motion of Mr. Briant it was ordered that the Certificates of the newly elected members together with the Oath of Office be presented and Recorded.

The following Members presented the Certificate of Election with the Oath of Office attached.

- 1st. Ward, James McCoy
- 2nd Ward, D. O. McCarthy
- 3rd Ward, A. H. Julian
- 4th Ward, D. W. Briant
- 5th Ward, E. O. Rogers

Members present the first Board was interlined before the approval of the minutes.

State of California) ) SS.  
County of San Diego)

I, Mark P. Shaffer, City Clerk of the City of San Diego do hereby Certify that at an Election held in said City on the ninth day of May A. D. 1878, James McCoy was elected City Trustee from the 1st Ward in and for the City of San Diego.

Witness my hand and the seal of the City of San Diego this the 20th day of May A. D. 1878.

(SEAL)

Mark P. Shaffer, City Clerk.

State of California) ) SS.  
County of San Diego)

I, James McCoy, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California and that I will faithfully perform the duties of Trustee of the City of San Diego according to law and to the best of my ability, So help me God!

Subscribed and sworn to before me this 22nd day of May A. D. 1878.

N. H. Conklin, Court Commissioner, San Diego Co.

James McCoy

State of California) ) SS.  
County of San Diego)

I, Mark P. Shaffer, City Clerk of the City of San Diego do hereby certify that at an Election held in said City on the 9th day of May A. D. 1878, D. O. McCarthy, was elected City Trustee from the 2nd Ward in and for said City of San Diego.

Witness my hand and the seal of the City of San Diego this the 20th day of May A. D. 1878.

(SEAL)

Mark P. Shaffer, City Clerk.

State of California)  
County of San Diego) SS.

I, D. O. McCarthy, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully perform the duties of Trustee of the City of San Diego according to Law and to the best of my ability, So help me God!

Subscribed and sworn to before me this 25th day of May, A. D. 1878.

H. H. Dougherty, Notary Public

D. O. McCarthy.

State of California)  
County of San Diego) SS.

I, Mark P. Shaffer, City Clerk of the City of San Diego do hereby certify that at an Election held in said City on the 9th day of May A. D. 1878, A. H. Julian, was elected City Trustee from the 3rd Ward in and for the City of San Diego.

Witness my hand and the seal of the City of San Diego this the 20th day of May A. D. 1878.

(SEAL)

Mark P. Shaffer, City Clerk.

State of California)  
County of San Diego)

I, A. H. Julian, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California and that I will faithfully perform the duties of Trustees of the City of San Diego according to law, and to the best of my Ability, so help me God!

Subscribed and sworn to before me,  
this 24th day of May, A. D. 1878.

A. H. Julian

N. H. Conklin, Court Commissioner,  
San Diego County

State of California)  
County of San Diego) SS.

I, Mark P. Shaffer, City Clerk of the City of San Diego do hereby certify that at an Election held in said City on the 9th day of May A. D. 1878, E. O. Rogers, was elected City Trustee from the 5th ward in and for said City of San Diego.

Witness my hand and the seal of the City of San Diego, this the 20th day of May A. D. 1878.

(SEAL)

Mark P. Shaffer, City Clerk.

State of California)  
County of San Diego) SS.

I, E. O. Rogers, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully perform the duties of Trustee of the City of San Diego according to law and to the best of my ability. So Help me God!

Subscribed and sworn to before me  
this 25th day of May, A. D. 1878.

E. O. Rogers

H. H. Dougherty, Notary Public

State of California)  
County of San Diego) SS.

I, Mark P. Shaffer, City Clerk of the City of San Diego do hereby certify that at

an Election held in said City on the 9th day of May A. D. 1878, D. W. Briant was elected City Trustee from the 4th Ward in and for the said City of San Diego.

Witness my hand and the seal of the City of San Diego this the 20th day of May A. D. 1878.

(SEAL)

Mark P. Shaffer, City Clerk.

State of California)  
                                  ) SS.  
County of San Diego)

I, D. W. Briant, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully perform the duties of Trustee of the City of San Diego according to law and the best of my ability. So help me God.

Subscribed and sworn to before me

D. W. Briant,

this 25th day of May A. D. 1878.

H. H. Dougherty, Notary Public

Trustee McCarthy stated that the next in order was the Election of a President of the Board, whereupon they proceeded to Ballot with the following result.

For President of the Board of Trustees

D. O. McCarthy received 3 votes

E. O. Rogers           "       2       "

D. O. McCarthy receiving the majority of votes was declared President of the Board for the next two years.

The Board now on motion take a recess until 7½ o'clock P. M.

Evening Session, 7½ o'clock P. M.

Members Present were Trustees McCarthy, Briant, Rogers, McCoy and Julian.

The Board proceeded to the Election of Officers for the ensuing term with the following result.

For City Clerk 5 votes.

Mark P. Shaffer 3 votes

Blank                   2       "

Mark P. Shaffer having received the majority of votes cast was declared elected City Clerk for the next two years.

For City Treasurer 5 votes

E. W. Morse           3 votes

A. J. Schneider       2       "

E. W. Morse having received the majority of the votes was declared elected City Treasurer for the next two years.

For City Attorney 5 votes

A. B. Hotchkiss 3 votes

Blank                   2       "

A. B. Hotchkiss having received the majority of the votes cast was declared Elected City Attorney for the ensuing two years.

For Health Officer, 5 votes

T. C. Stockton       3 votes

Blank                   2       "

T. C. Stockton having received the majority of votes cast was declared elected Health Officer for the ensuing two years.

For Street Commissioner 5 votes

Walter Bennett       3 votes

Wm. Jorres           2       "

Walter Bennett having received the majority of votes was declared Elected Street Commissioner for the next two years.

On motion a Committee of two was appointed to investigate and set a time for hearing the contest as to the 1st and 2nd wards.

Trustees Briant and Rogers were appointed such committee.

On Motion a Committee of three was appointed to draft rules and regulations for the hearing of the Contests and Messrs. Julian, Briant and Rogers were appointed.

CHARTER ORDINANCE NO. 39.30

30

New Charter

An Ordinance fixing the time and place of Regular Meetings of the Board of Trustees of the City of San Diego.

Section 1. Be it ordained that the first regular meeting of the Board of Trustees of the City of San Diego shall be held on Monday the 3rd day of June 1878 at 7.30 o'clock P. M. in the City Hall, and its subsequent regular meetings shall be held on the first Monday in every month thereafter at the same hour and place until otherwise ordained.

Passed and approved this 25th day of May A. D. 1878 at the office of the Board of Trustees of the City of San Diego

Attest: (SEAL) Mark P. Shaffer, Clerk D. O. McCarthy, President.

The Board now on motion adjourned until Friday Evening May 31st at 7½ o'clock P. M. for the special purpose of approving the Bonds of the Officers.

Attest: Mark P. Shaffer, Clerk D. O. McCarthy, President.

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ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Friday, May 31st 1878.

Board met at 7½ o'clock P. M. pursuant to adjournment.

Members of the Board present were Trustees McCarthy, Briant, Rogers and Julian.

The President stated this was an adjourned meeting for the purpose of approving the Bonds of the City Officers.

Bond of Mark P. Shaffer, City Clerk was presented and on motion approved.

Bond of E. W. Morse as City Treasurer was read by the Clerk and on motion approved.

Bond of A. Pauly, City Tax Collector was read by the Clerk and on motion approved.

Bond of H. M. Bentzel, City Assessor was read by the Clerk and on motion approved.

Oath of Office of T. C. Stockton as Health Officer was filed with Clerk of the Board.

Bond of A. B. Hotchkiss as City Attorney was read by the Clerk and on motion approved.

No farther business before the Board they on motion adjourned.

Attest: Mark P. Shaffer, Clerk D. O. McCarthy, President.

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Office of the Board of Trustees of the City of San Diego,

San Diego, June 3rd, 1878.

REGULAR MEETING.

Members of the Board present were Trustees McCarthy, Briant, Rogers, Julian and McCoy. Shaffer, Clerk.

Minutes of May 6th, 20th, 25th and 31st was read by the Clerk and on motion approved.

Rules of the Board of Trustees of the City of San Diego was now read by the Clerk

and on motion adopted, and ordered spread upon the City records.

CHARTER ORDINANCE NO. 31.

New Charter was now read by the Clerk and on motion approved.

A Communication from D. B. Hoffman M. D. was read by the Clerk and on motion ordered placed on file.

The following bills or claims against the City were now presented as follows to-wit:

|                          |               |
|--------------------------|---------------|
| W. Jeff Gatewood         | \$25.00       |
| Mark P. Shaffer          | 25.00         |
| Election Bills 1st Ward  | 15.00         |
| " " 2nd "                | 15.00         |
| " " 3rd "                | 15.00         |
| " " 4th "                | 15.00         |
| " " 5th "                | 15.00         |
| A. Pauly                 | 80.00         |
| Mark P. Shaffer          | 100.00        |
| Western U. Telegraph Co. | 116.04        |
| T. M. Turner             | 41.50         |
| Hamilton and Co.         | 10.03         |
| J. S. Rickey             | 7.50          |
| San Diego Union          | 59.82         |
| W. A. Begole             | 30.36         |
| Joseph Farly             | 53.00         |
| Hinton and Gordon        | 10.00         |
| Schneider and Kneppers   | 39.55         |
| C. H. Shepard and Co.    | 37.45         |
| P. Koster                | 11.00         |
| J. Leonard               | 12.00         |
| San Diego Water Co.      | 200.00        |
| M. Felshenheld           | 35.00         |
| Geo. N. Barrett          | 6.00          |
|                          | <u>974.25</u> |

On motion the Election Bills for the several wards, the rules be suspended and the Clerk ordered to draw warrant for the several amounts immediately.

On motion a Committee of two be appointed to Investigate the accounts of P. Morse, late Treasurer of said City and that the Committee be allowed to employ an expert accountant if necessary. A. H. Julian and D. W. Briant was appointed such Committee.

In the matter of Camp fires within the City limits, It was refered to a Committee of fire department, consisting of A. H. Julian, E. O. Rogers and A. G. Gassen, Chief Engineer to take such means as to prevent danger from camp fires left burning.

In the matter of Rules for the Government of the Board of Trustees of the City of San Diego, the following Rules having first been read, on motion were adopted, to-wit:

Rules of the Board of Trustees of the City of San Diego  
adopted June 3rd, 1878.

Rule 1st.

It shall be the duty of the President to preside and open all Meetings of the Board of City Trustees, by taking the chair and calling the Members to order, to announce the business before the Board in the order in which it is to be acted upon, to receive and submit in the proper manner, all motions and propositions presented by the Members, to put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result; to restrain the members, when engaged in debate within the rules of order; to enforce on all occasions the observance of order and decorum among the members; to receive all messages and other communications and announce them to the Board; to authenticate by his signature, when necessary, all the acts, orders and proceedings of the Board, to inform the Board when necessary or when refered to for the purpose, a point of order or practice; to name the Members who are to serve on all Committees, and in general to represent and stand for the Board, declaring its will and in all things obeying implicitly its commands.

In the absence of the President, the Board shall appoint a President pro tempore. The President may read sitting, but it shall be his duty to rise to state a motion, or put a question to the Board. It shall be the duty of the Clerk to make true entries in the Journal of Records of all things done and passed by the Board of City Trustees, and

to read all papers presented before the Board for consideration; to call the Roll of the Board, and to take note of those who are absent; to call the roll and record the answers of the Members when a question is taken by yeas and nays; to notify Committees of their appointment, and of the business referred to them, and to authenticate by his signature all the acts, orders and proceedings of the Board. He shall have the custody of all the papers, Journal of Records, Books and Documents of every description belonging to the City of San Diego, and shall let none of them be taken from the City Hall, or the table by any Member, or other person without the consent of the Board. In the absence of the Clerk the Board shall appoint a Clerk pro tempore.

Rule 2nd.

The Standing Committees consisting of two members shall be as follows: A Committee on Finance whose duty it shall be to examine the Books and Accounts of the Treasurer, Collector and Clerk, and make quarterly reports of the condition of their books and accounts to the Board; to examine all claims and demands against the City when referred to them, and report the same at the first regular or adjourned Meeting after the reference of said claims.

A Committee on Sidewalks, Streets and Highways, whose duty it shall be to examine and report the condition of all Streets, Highways and Sidewalks, and make such recommendations at each regular meeting in regard thereto as the public good and the necessities of the travelling public may require.

A Committee on Fire and Fire Department, whose duty it shall be to examine all Fire Engines, Trucks, Hooks and Ladders, Hose Carriages and Hose belonging to the fire Department, and all Stove-pipes, Chimneys, Furnaces and all combustible material within the limits of the City, and make such recommendations as may in their judgment seem best for the protection of all property and the public welfare.

Rule 3rd.

When a Member desires to address the Board on any subject before it, he shall stand up in his place and address himself to the President, who on hearing him shall recognize him by the Ward he represents, in order that the Board shall take notice who it is that speaks, and give their attention accordingly, should two or more Members rise and address themselves to the presiding officer at the same time, or nearly so, he shall give the floor to the Member whose voice he first heard, provided after a motion has been made, seconded and proposed, the mover shall be entitled to the floor in preference to others if he rises to speak. No Member in speaking shall mention a member by his name, but to describe him by the Ward he represents in the Board. If the presiding officer arises to speak, any other member who has risen for the same purpose shall sit down, in order that the former may be first heard; but this Rule shall not authorize the presiding officer to interrupt a Member whilst speaking, or to cut off one to whom he has given the floor; he must wait like other members until such member has done speaking. A Member whilst speaking must remain standing in his place, and when he has finished his speech, he shall resume his seat, but if unable to stand without pain or inconvenience in consequence of age, sickness or other infirmity he may be indulged to speak sitting.

Rule 4th.

No Member in speaking shall use indecent language against the proceedings of the Board, or, to reflect upon any of its prior determinations, unless he means to conclude his remarks with a motion to rescind such determination. No Member in speaking shall be allowed to digress from the matter of the question under debate, or fall upon the person of another, and to speak reviling, unmannerly or disrespectful words of, or to him.

The nature or consequences of a measure may be reprobated in strong terms, but to

arraign the motives of those who advocate it is indecorous and a personality which shall not be permitted. Every Member of the Board having the right to be heard, it shall be the duty of every other member to so conduct himself in such a manner as to effectually secure this right, therefore no Member shall be allowed to distrust another in his speech, by hissing, coughing, spitting, talking, or whispering, or by passing between the presiding officer and the Member speaking, by going across the room, or by walking up and down the Hall, or by any other disorderly deportment which tends to disturb or disconcert a Member speaking.

Rule 5th.

If a Member of the Board in speaking makes use of language which is personally offensive to another, or insulting to the Board, and the Member offended, or any other thinks proper to complain of it to the Board, the course of proceeding shall be as follows: If a Member of the Board speaking is interrupted in the course of his speech and called to order for offensive and disrespectful language by another or several members, the member who objects or complains of the words, shall state the words which he complains of, repeating them exactly as he conceives them to have been spoken, the presiding officer shall then direct the Clerk to <sup>take</sup> them down in form and manner in which they are stated by the Member who objects, the words objected to being thus written down shall form a part of the minutes in the Clerks books; they shall next be read to the Member who was charged with the use of the offensive language, who may deny that they were the words which he spoke, in which case the Board must decide by a vote, whether they are the words or not. If he does not deny that he spoke those words, or when the Board itself has determined what the words are, then the Member may either justify them, or explain the sense in which he used them, so as to remove the objection of their being disorderly; or he may make an apology for them. If the justification, or explanation, or apology of the member is thought sufficient by the Board no further proceeding shall be necessary, and the member may resume and go on with his speech; but if any two members (one to make the motion and the other to second the motion) think it necessary to take the sense of the Board upon the words, whether the member in using them has been guilty of an offense towards the Board, or any individual Member thereof, the Member charged with the offense must withdraw from the Hall before the question is stated, and then the sense of the Board must be taken, and such further proceedings had in relation to punishing the Member as may be thought necessary, legal, and proper.

Rule 6th.

The Yeas and Nays on any and all questions shall be recorded when demanded by any Member of the Board, In order to take the sense of the Board upon any question when the Yeas and Nays are demanded, it shall be the duty of the presiding officer to state both sides as follows: As many as are of the opinion that &c. will, when their names are called answer Yes; And, As many as are of a different opinion will, when their names are called, answer No; the Roll of the Board shall then be called over by the Clerk, and each Member as his name is called, shall rise in his place and answer Yes, or No., and the Clerk shall note the answer as the roll is called. When the roll has been gone through with, the Clerk shall read over first the names of those who have answered in the affirmative, and then the names of those who have answered in the negative; the names having thus been read over, and the mistakes, if any, corrected, the Clerk must count the numbers on each side and report the same to the presiding officer, who shall declare the result to the Board.

Rule 7th.

The report of all Committees to the Board shall be in writing and signed by the Committee, and under no circumstances shall a report be received from a Committee without

it is in writing and signed by a majority of the Committee.

Rule 8th.

Cushings Manual shall be the parliamentary law for the government of the proceedings of the Board of City Trustees, in reference to all points to which it relates when it does not in any manner conflict with these Special Rules, or Ordinances of the City now in force, or that may hereafter be passed by the Board of City Trustees.

The Order of Business shall be as follows:

First: Reading and Disposing of the Minutes.

Second: Reports of Committees.

Third: Petitions, Memorials and Communications.

Fourth: Reports of Officers.

Fifth: Claims against the City.

Sixth: Unfinished Business.

Seventh: New Business.

CHARTER ORDINANCE NO. 31.

(New Charter)

An Ordinance prescribing the mode of trial of contested elections of City Officers of the City of San Diego and establishing rules of procedure therein.

Be it ordained by the Board of City Trustees of the City of San Diego as follows:

Section 1. Any elector of the City of San Diego may contest the right of any person declared elected to any of the offices of Trustee in any Ward of said City, or City Tax Collector, or Assessor of said City for any of the following causes:

1. For Malconduct on the part of the Board of Election or any member thereof.
2. When the person whose right to the office is contested was not at the time of the election eligible to such office.
3. When the person whose right is contested has given to any elector or Inspector, Judge or Clerk of the election any bribe or reward or has offered any such bribe or reward for the purpose of securing his election, or has committed any other offense against the elective franchise defined in Title IV, Part 1 of the Penal Code of the State of California.

4. On account of illegal votes.

Sec. 2. No irregularity or improper conduct in the proceedings of the Election Board or any of them is such malconduct as avoids an election unless the irregularity or improper conduct is such as to procure the person whose right to the office is contested, to be declared elected when he had not received the highest number of legal votes, and the burden of showing such fact by preponderance of evidence shall devolve upon the contestant.

Sec. 3. No election shall be set aside on account of illegal votes unless it appear affirmatively that a number of illegal votes has been given to the person whose right to the office is contested which, if taken from him, would reduce the number of his legal votes below the number of votes given to some other person for the same office, after deducting therefrom the illegal votes which may be shown to have been given to such other person.

Sec. 4. In determining the qualifications of electors, the Board of City Trustees sitting for the purpose of determining contested elections shall be guided by the provisions of Section 485 of the City Charter, and by the Political Code of the State of California so far as the same may be applicable to the case at issue, and in judging of the admissibility or pertinence of evidence offered before them, the provisions of the Code of Civil Procedure of the State of California shall be the guide, together with the deci-

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sions of the Supreme Court of California and other States upon kindred subjects; and in judging of alleged violations of duty by election officers, the provisions of the Penal Code of California as far as applicable, shall be the guide.

Sec. 5. When an elector contests the right of any person declared elected to such office he must within forty days after the official declaration of the result of said election file with the City Clerk, a written statement first duly served by copy upon the person declared to be elected, setting forth specifically.

1. The name of the party contesting such election, and that he is an elector of the district in which such election was held.
2. The name of the person whose right to the office is contested.
3. The office.
4. The particular ground of such contest.

If the reception of illegal votes is alleged as a cause of contest the Statement shall contain a written list of the number of illegal votes, and by whom given and to whom, and that said illegal votes if taken from the person whose election is contested will reduce the number of his legal votes below the number of legal votes given to some other person for the same office after deducting therefrom the illegal votes which may be shown to have been given to such other person, and in default of such specification no testimony can be received of such alleged illegal votes on the trial of the contest. Which statement must be verified by the affidavit of the contesting party, that the matter and things therein contained are true.

Sec. 6. No statement of the grounds of contest will be rejected, nor the proceedings dismissed for want of form, if the grounds of contest are alleged as hereinbefore provided with such certainty as will advise the defendant of the particular proceeding, or cause for which such election is contested.

Sec. 7. Upon the statement being filed with proof of service as hereinbefore specified upon the defendant with the City Clerk, the said Clerk must inform the President of the Board of City Trustees thereof, who must give notice to the Board of City Trustees who must give public notice and order a Special Meeting of the Board of City Trustees to be held at the City Hall in the City of San Diego, on some day to be named by them, not less than ten nor more than twenty days from the date of such notice, to hear and determine such contested election.

Sec. 8. The Clerk must also at the same time issue a citation for the person whose right to the office is contested to appear at the time and place specified in the notice, which citation must be delivered to the Sheriff and be served upon the party in person, or if he cannot be found by leaving a copy thereof at the house where he last resided.

Sec. 9. The Clerk must issue subpoenas for witnesses at the request of either party, which must be served as other subpoenas, and the Board of City Trustees sitting as a Court to determine contested elections of City Officers, has full power to issue attachments to compel the attendance of witnesses who have been subpoenaed to attend.

Sec. 10. The Board of Trustees must meet at the time and place designated to determine such contested election, and shall proceed with all reasonable diligence to a final conclusion thereof; it may adjourn from time to time as may seem proper to its convenience, and with due regard to the dispatch of the business, and may also continue the trial for any time not exceeding thirty days, for good cause shown by either party upon affidavit, and may make such order with costs to the party applying, at the discretion of said Board.

Sec. 11. The Board must be governed in the trial and determination of such con-

tested election by the rules of law and evidence governing the determination of questions of law and fact, so far as the same may be applicable, and may dismiss the proceedings if the statement of the cause or causes of the contest is insufficient or for want of prosecution. After hearing the proof and allegations of the parties, the Board must pronounce judgment in the premises, either confirming, or annulling and setting aside such election.

Sec. 12. If in any such case it appears that another duly qualified person than the one returned has the highest number of legal votes the Board must declare such person elected.

Sec. 13. The Clerk, Sheriff, Short-hand Reporter and witnesses shall receive respectively the same fees from the party against whom judgment is given, as are allowed for similar services in the District Court; and the Board of Trustees shall have power at any stage of the proceedings to order and direct that the party contesting file with said Board an undertaking duly executed, with two good and sufficient sureties, to be approved by said Board, conditioned that said contest be prosecuted with effect and without delay, and that if the said contestant be cast therein and judgment of said Board be rendered against him for the costs of said contest, or if said contest be dismissed for want of prosecution or on account of insufficiency of the Statement of the cause of action, he will pay the costs adjudged against him, or his sureties will do so for him, said undertaking not to exceed \$1000. and in default of said undertaking, upon the expiration of three days from the requirement thereof, the proceedings may be dismissed at the cost of the party contesting and in default.

Sec. 14. If the proceedings are dismissed for insufficiency of statement or want of prosecution, or the election is by the Board confirmed, judgment must be rendered against the party contesting such election for costs in favor of the party whose election is contested: But if the election is annulled and set aside, judgment for costs must be rendered against the party whose election was contested in favor of the party contesting the same, Primarily each party is liable for the costs created by himself to the officers and witnesses entitled thereto which may be collected in the same manner as similar costs are collected in the District Court.

Sec. 15. The President of the Board shall first rule upon points of order and law in the course of the trial, either party dissatisfied therewith may appeal to the Board from said ruling, and a majority of the votes present shall govern.

Sec. 16. The Board has full power to preserve order and enforce obedience to lawful orders by fine, or fine and commitment for contempt or disorderly behavior of any person present at the time of trial.

Passed and approved at San Diego this 3rd day of June, A. D. 1878, by the Board of City Trustees.

(SEAL) Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

No further business before the Board, on motion they adjourned until Saturday June 8th, 1878 at 7½ o'clock P. M.

Attest: Mark P. Shaffer, Clrk.

D. O. McCarthy, President.

the  
Office of Board of City Trustees,

June 8th, 1878, 7½ o'clock P. M.

Regular Adjourned Meeting.

Present: full Board, Trustees McCoy, McCarthy, Julian, Briant and Rogers.

D. O. McCarthy, President, H. T. Christian, Clerk pro tempore.

Reports of Committees being in order, the fire Committee reported, and on motion their Report was received and placed on file.

The Report of Finance Committee was read by the Clerk and pending discussion thereon, the Board on motion adjourned until Tuesday evening at 7½ o'clock P. M. June 11th, 1878.

H. T. Christian, Clerk Pro tem.

D. O. McCarthy, President.

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Office of Board City Trustees,

June 11th, 1878 at 7½ h. P. M.

Adjourned Meeting.

Pursuant to adjournment the Board met.

Present: Trustees McCoy, McCarthy, Briant and Rogers, D. O. McCarthy, President, Mark P. Shaffer, Clerk.

Absent: Trustee Julian.

The Report of Finance Committee being under consideration, on motion the Clerk is ordered and proceeded to read the Bills by item which said Committee have reported on favorably in this Report, and action be taken on the <sup>same</sup> /separately, as to whether said Bills shall be paid.

The Clerk then Read First: the bill of T. M. Turner and the Yeas and Nays being called the vote stood, Bill for \$30.00

|           |          |
|-----------|----------|
| 1st. Ward | No.      |
| 2nd.      | " Yes    |
| 3rd.      | " Absent |
| 4th.      | " Yes.   |
| 5th.      | " Yes.   |

The result being announced the Bill is ordered paid.

The Clerk then read Bill of T. M. Turner for \$50.10 and on Yeas and Nays the vote stood.

|          |          |
|----------|----------|
| 1st Ward | No.      |
| 2nd      | " Yes    |
| 3rd      | " Absent |
| 4th      | " Yes    |
| 5th      | " Yes    |

The Bill is ordered paid.

The next Bill read was Bill of T. M. Turner for \$41.50 and on Yeas and Nays called the Vote stood:

|          |          |
|----------|----------|
| 1st Ward | No       |
| 2nd      | " Yes    |
| 3rd      | " Absent |
| 4th      | " Yes    |
| 5th      | " Yes    |

The Bill is ordered paid.

The Bill of San Diego Union for \$59.84 was then read and the vote stood:

|          |          |
|----------|----------|
| 1st Ward | No       |
| 2nd      | " Yes    |
| 3rd      | " Absent |
| 4th      | " Yes    |
| 5th      | " Yes    |

The Bill is ordered paid.

The Clerk then read the Bill of D. Felsenheld for \$35.00 and on Yeas and Nays being called the vote stood:

|          |          |
|----------|----------|
| 1st Ward | No.      |
| 2nd      | " Yes    |
| 3rd      | " Absent |
| 4th      | " Yes    |
| 5th      | " Yes    |

And the Bill is ordered paid.

The Bill of W. A. Begole is read and vote stood: Bill for \$30.36.

|          |       |
|----------|-------|
| 1st Ward | Yes   |
| 2nd      | " Yes |

3rd Ward Absent  
 4th " Yes  
 5th " Yes

And the Bill is ordered paid.

~~The Bill of W. A. Begele is read and vote stood:--Bill for \$50.56.~~

~~1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes~~

~~The Bill is ordered paid.~~

The Bill of J. S. Rickey for \$7.50 was read and ordered paid by the following vote.

1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The next Bill read was that of P. Koster for \$7.50 and ordered paid by the following vote.

1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

Bill of Schneider & Keuppers was read and ordered paid by the following vote,  
 for \$39.55.

1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

Bill of Mark P. Shaffer for \$100.00 was read and ordered paid by the following vote:

1st Ward No  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of Hamilton & Co. for \$10.03 was read and ordered paid by the following vote:

1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of George N. Barrett for \$6.00 was read and ordered paid by the following vote.

1st Ward No  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of Joseph Leonard for \$12.00 was read and ordered paid by the following vote.

1st Ward Yes  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of Joseph Farley for \$50.00 was read and ordered paid by the following vote.

1st Ward Excused from voting  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of A. Pauly for \$80.00 was read and ordered paid by the following vote:  
 1st Ward No.

2nd Ward Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bill of W. U. Tel. Co. was then read for \$116.04, and ordered paid by following vote:

1st Ward No  
 2nd " Yes  
 3rd "" Absent  
 4th " Yes  
 5th " Yes

The Bill of San Diego Water Co. for \$200.00 was read and ordered paid by the following vote.

1st Ward No.  
 2nd " Yes  
 3rd " Absent  
 4th " Yes  
 5th " Yes

The Bills of Marcus Schiller for \$12.00, Shepard & Co. for \$37.45, Wm. Jorres \$111.00 and Joseph Leonard for \$9.00 were read by the Clerk and the Yeas and Nays not being called for they were passed upon by the Board and ordered paid.

On motion the Clerk is instructed to order the Assessment Roll, Lot Book and Delinquent List Book for the fiscal year 1878.

It was also resolved to dispense with Duplicate Assessment Rolls for said year.

On Motion it was resolved that money collected for Costs and the 5 per cent. on Delinquent City Taxes, be paid into the General Fund of the City of San Diego.

A Communication in writing from Mess. Evans and Wildy was received and read, and on motion it was ordered received and placed on file.

A Petition from a number of citizens in relation to Houses known as Dance Houses or Stingarees, and asking the Board to adopt some speedy means for their abatement, was received and placed on file.

Report of City Tax Collector was received and placed on file.

Bill of P. M. Spinelli of \$12.00 for two blank books to be used by Clerk and Treasurer, on motion the rules were suspended and the Clerk ordered to draw warrant on the City Treasurer for said amount.

There appearing to the Board that there was no further business, they on motion adjourned.

Attest: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

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Office of Board of City Trustees of City of San Diego,

July 1st, 1878.

Regular Meeting of the Board.

Present: McCoy, McCarthy, Julian, Briant and Rogers, the full Board, McCarthy, President, H. T. Christian Clerk pro tem.

The Minutes of the Board of June 3rd, 8th and 11th 1878, were read and on motion approved, with exception of so much of the minutes of meeting of June 11th, which have reference to the Bill of Mark P. Shaffer for \$100.00 and Bill of Wm. Jorres for \$111.00. The gentleman of the 1st Ward, here offered the following protest, which was ordered spread upon the record, to-wit:

"City of San Diego, July 1st, 1878.

"In the matter of approving the minutes of the Transaction of the last Board of Trustees of this City, I desire to enter my solemn protest against the approval, My reasons for doing so, are because in my opinion the record shows that many unlawful, unjust and exorbitant claims have been allowed against the City by the last Board, when the financial

condition of the City and its citizens demanded the strictest economy, I therefore do withhold my approval and hope that in doing so I will be justified by the citizens and taxpayers of the City,

Respectfully &c.

James McCoy.

On call of Committees, the Committee appointed to examine accounts of P. Morse as City Treasurer asked and were granted further time.

The Resignation of T. M. Turner, Esq. as Chief of Police of the City of San Diego, was read and on motion accepted.

The Report of Officers being in order, the report of Chief of Police was read and placed on file, the same disposition being made of the report of A. Pauly, Tax Collector and of T. L. Nesmith's Report on condition of Mount Hope Cemetery.

In Matter of Bill for Assessment Roll, Delinquent List and Lot Book of the City for the year 1878, On Motion the rules were suspended and the Clerk instructed to draw a Warrant in amount sufficient to pay the same.

The following bills were read and refered to the finance committee.

San Diego Union	\$374.76
Walter Bennett	54.50
Western Union Telegraph Co.	125.13
Joseph Leonard	12.00
R. Schiller	4.00
M. Schiller	6.00
W. A. Begole	100.00
T. M. Turner	34.50
T. M. Turner	90.00
D. Burroughs	400.00
C. E. May	3.00
J. S. Mannasse	6.00

Total \$1209.89

The President here announced the next order of business would be the election of a City Surveyor. On Motion the Board proceeded to ballot, and L. L. Lockling receiving the full vote of the Board, five votes, he was by the President declared duly elected to said office for the term of two years.

In the matter of the election of three persons a Cemetery Commission, on motion the Board proceeded to ballott, and T. L. Nesmith, A. Pauly and H. H. Dougherty having received the full vote of the Board, they were by the President declared duly elected as such Commissioners for the term of two years.

There being no further business the Board on motion adjourned.

H. T. Christian, Clerk pro tem

D. O. McCarthy, President.

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Office of the Board of City Trustees,

San Diego, Cal. August 5th 1878.

Board met in regular session, present, McCoy, McCarthy, Julian, Briant and Rogers, the full Board, Pres. D. O. McCarthy in the chair. H. T. Christian, Clerk pro tem.

Minutes of the last Regular Meeting were read and on motion approved.

On call of Committees, the Finance Committee reported favorably on the following bills against the City:

|                      |     |        |
|----------------------|-----|--------|
| Bill of M. Schiller  | for | \$6.00 |
| " " J. S. Mannasse   | "   | 6.00   |
| " " W. Bennett       | "   | 54.50  |
| " " R. Schiller      | "   | 4.00   |
| " " T. M. Turner     | "   | 34.50  |
| " " T. M. Turner     | "   | 84.00  |
| " " Jos. Leonard     | "   | 12.00  |
| " " W. A. Begole     | "   | 100.00 |
| " " San Diego Union  | "   | 360.76 |
| " " W.U.Telegraph Co | "   | 125.13 |
| " " C. E. May        | "   | 3.00   |

Total \$789.89

S-5-1878

On Motion the Bills as reported on by Committee were read per item, acted upon separately and ordered paid.

The Committee appointed to examine the accounts of Phil. Morse late Treasurer, reported and on motion the matter was referred back to Committee with instruction to report at the next meeting of the Board.

A petition to abate Stingaree and Lava Bed Dance Houses signed by 259 ladies was read and ordered placed on file.

A petition from H. H. Brown representing himself the Proprietor of one of the Dance Houses and asking permission or power of the Board to keep open and maintain said House, was on motion denied.

A petition from Hamilton & Co. calling attention of the Board to the inconvenience and loss occasioned to business men in the City, by Bees and asking Board to have bees moved from business center at least two miles, was read and ordered placed on file, and petitioners attention was called to Charter Ordinance No. 8 which makes it unlawful to keep bees within the City limits South of the San Diego River.

A petition from V. Lluacia asking the Board to give title to him of a certain portion of land in Old San Diego, known as Lluacias Bakery, was read and ordered placed on file. The City Attorney is instructed to enter for the City a disclaimer in any suit brought to quiet title to above property.

A petition from A. E. Horton asking a new lease contract between himself and the Board for City Hall, and asking the Board to issue warrant in sufficient amount to comply with contract of lease heretofore made between them, was on motion referred to the Finance Committee.

A petition from A. E. Wall and E. W. Nottage, asking a grant of franchise to establish a Bath House and build bridge to same from and opposite 6th Street in what is known as New San Diego, was on motion referred to a Committee of three, and the President appointed Jas. McCoy, A. H. Julian and D. W. Briant such Committee to confer with Chamber of Commerce in the matter and report.

Reports of Officers being called, the Tax Collector reported \$88.65 collected since last report and paid to Treasurer, which report was received and ordered placed on file.

L. L. Lockling, City Surveyor, reported to the Board, the decision in, and settlement of the matter of the survey of the boundaries of the Mission Valley lots, Wheeler's survey having been declared correct; over Foxe's survey of the same, and suggested to the Board the propriety of the erection of durable monuments of stone, one at Wheeler's initial point the N. W. Corner of Pueblo Lot 1103; one at the angle in the Pueblo line near the Slaughter House (Mission Valley) and one at the S. W. and S. E. Corner of the Pueblo, which would prevent future trouble and litigation, the report and suggestions were ordered placed on file, and the City Surveyor ordered to establish such monuments as suggested and in his judgment of necessity.

The following Bills of claim against the City were read and referred to the finance Committee.

|         |            |                    |          |
|---------|------------|--------------------|----------|
| Bill of | W. Bennett | for                | \$54.50  |
| "       | "          | J. O. Hattleberg " | 12.00    |
| "       | "          | M. P. Shaffer "    | 30.00    |
| "       | "          | P. Koster "        | 3.50     |
| "       | "          | W. U. Telegraph "  | 32.24    |
| "       | "          | S. D. Water Co. "  | 200.00   |
| "       | "          | Hamilton & Co. "   | 7.00     |
|         |            | Total              | \$339.24 |

In the matter of the suit of "City of San Diego vs. Texas and Pacific R. R. Co. et al." the City Attorney is instructed to stipulate for Plaintiff with the Attorney for

Defendants to postpone the issue in said case, and final adjudication thereof until after the adjournment 46th Congress of U. S. A.

In the matter of paying for the assessment Roll and Lot Book for year 1878, Messrs. Shepard & Co. surrender Warrant No. 1142 for \$142.50 and ask instead thereof the Board ascertain amount of Warrant sufficient to pay for said Books and draw their Warrant in accordance therewith. Referred to a Committee of two A. H. Julian & Jas. McCoy.

In the matter of M. G. Wheeler asking relief on services rendered heretofore, it was referred to the Finance Committee.

In the matter of the Bill of Wm. Jorres for \$111.00 which was ordered paid by the Board on June 11th last and Warrant drawn in accordance therewith, it is ordered that the Finance Committee re-examine and report thereon as to its correctness.

Bills of City Attorney and City Clerk for Salaries for month of July were read and warrants ordered drawn for the amounts (of \$25.00 each) under standing order.

In the matter of the Bill of D. Burroughs, late Assessor, for \$400.00, the Finance Committee was called upon for their report on same, and said Committee beg lief to report unfavorably thereon, and that the same be not paid. On Motion of Mr. Jas. McCoy to pay said bill of D. Burroughs for \$400.00 the vote stood.  
Yeas, McCoy and Julian.  
Nees, McCarthy, Briant and Rogers, ordered not paid.

On motion the Board adjourned until Thursday evening the 8th inst. at 7½ h. P.M.  
H. T. Christian, Clerk pro tem. D. O. McCarthy, President.

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Office of Board City Trustees,

Thursday evening, Aug. 8th, 1878.

The Board met pursuant to adjournment. Present: Trustees McCarthy, Julian, Briant and Rogers. President D. O. McCarthy in the Chair. Mark P. Shaffer, Clerk.

On call of Committees the Committee (Julian and Briant) appointed to examine accounts of P. Morse, late Treasurer of the City beg to report thereon as follows:

That they have examined carefully the accounts and statements of said late Treasurer, P. Morse, and find that he has accounted for all monies received as such Treasurer, but has neglected to appropriate said monies to their proper "funds" that is to say, he has placed the sum of \$1158.11 which properly belongs in and to the "City Bond Redemption Fund", in the "Interest" and "General" "Funds" of said City to-wit:

The sum of \$526.41 in the Interest Fund and

The sum of \$631.70 in the General Fund.

We therefore recommend that the Board authorize the present Treasurer to take and transfer said amounts from the Interest and General Funds back and into the "City Bond Redemption Fund" where they properly belong, and in order to properly carry into effect the said transfer, respectfully submit the following:

Resolution.

Be it resolved by the Board of Trustees of the City of San Diego, that E. W. Morse, the Treasurer of the City of San Diego, be and he is hereby authorized and directed to place in the "City Bond Redemption Fund" of said City, the sum of \$631.70 by transfer from the "General Fund" of said City, and the further sum of \$526.41 by transfer from the "Interest Fund of said City, making in all the sum of \$1158.11, the same having been improperly placed in said Funds by P. Morse, the late acting Treasurer.

On Motion the report was received, and the Resolution unanimously adopted, and Com. discharged.

Reports of other Committees laid over to next Regular meeting.

On motion the Board adjourned.

Mark P. Shaffer, Clerk

D. O. McCarthy, President.

Office of Board of City Trustees, San Diego,

September 2nd 1878.

Regular Meeting of the Board. Present: Trustees Jas. McCoy and D. W. Briant, and Mark P. Shaffer, Clerk.

There appearing no quorum present, the Board adjourned until Monday evening September 16th A. D. 1878 at 7 1/2 h. P. M.

Mark P. Shaffer, Clerk.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees, San Diego,

Sept. 16th 1878.

Pursuant to adjournment the Board met in regular session, present, Trustees McCarthy, Briant, Rogers, McCoy and Julian. Shaffer, Clerk.

Minutes of Aug. 5th and 8th were read by the Clerk and on motion were approved.

REPORTS OF COMMITTEES.

The finance Committee reported favorable on the following bills or claims against the City to-wit:

Mark P. Shaffer	\$30.00
Mark P. Shaffer	25.00
A. B. Hotchkiss	25.00
Walter Bennett	54.50
San Diego Water Co.	200.00
J. O. Hattlebury	12.00
W. U. Telegraph	34.24
P. Koster	3.50
D. Choate	4.85
Hamilton and Co.	<u>7.00</u>
	\$396.09

Mr. Rogers reported in the Matter of the Claims of A. E. Horton and M. G. Wheeler that the Committee had not been able to ascertain what could be done in the matter and would like further time which was granted.

Mr. Julian reported the bill for the City Assessment Roll and Lot Book be reported back without action, which was on motion received and Committee be discharged.

Mr. McCoy reported on the Nottage franchise for Bath House. The Committee was appointed to meet with the Committee from the Chamber of Commerce, and as no quorum was present no action was taken. Further time was granted.

Report of the Finance Committee was on motion accepted except Telegraph bill for \$32.24/100 which bill was on motion ordered paid.

City Engineer Lockling's report was on motion received and placed on file and Clerk instructed to record the same in full on the records of the City.

City Treasurer Morse report was on motion received and ordered placed on file.

City Attorney Hotchkiss reported against the payment of certain tax certificates by the City, said bill having been presented by the San Diego Union, which was on motion received and ordered placed on file.

Report of James Russell, Constable was received and on motion ordered placed on file.

Communication from D. B. Bush was received and ordered placed on file.

On motion of Mr. Briant it was ordered that the City Attorney be requested to frame an ordinance to prevent the storing of Hay &c in vacant lots and yards.

Charter Ordinance No. 32, New Charter was on motion repealed.

Charter Ordinance No. 33 New Charter was read by the Clerk and on motion adopted.

In the matter of repairs on the Cajone road by Mrs. Taggarts it was on motion referred to the Street Committee.

Board of Delegates from San Diego Fire department met with the Board and presented their Credentials or certificates of Election, M. J. McCarthy, J. Koop, P. Koster, J. B. Boyd. The President stated that they would now prepare their Ballots to vote for a Chief Engineer of the Fire department. There were nine votes cast of which A. G. Gassen received five votes and Charles Gassen four votes. Whereupon the President declared A. G. Gassen duly elected Chief Engineer of the San Diego Fire Department for the ensuing year.

On Motion a Committee of the Whole board was appointed to meet with the Board of Supervisors in reference to the Sale to the County of the City Pest House and the leasing of some land to the County.

Claims against the City. The following Claims against the City was read by the Clerk and on motion referred to the finance Committee.

J. A. Rohark	\$15.00
J. O. Hattleberg	11.62
Wm. Hoar	1.00
Thomas Hogue	12.00
Wm. S. Gregg Jr. Agt for P. Rothermuel	75.00
Joseph Leonard	15.00
J. B. Levett	2.50
L. L. Lockling	24.00
Chas. Pohl	12.00
Walter Bennett	37.50
James Russell	35.05
J. Leonard	34.75
Mark P. Shaffer	25.00
A. B. Hotchkiss	25.00

CHARTER ORDINANCE NO. 32.

(New Charter)

An Ordinance Repealing Charter Ordinance No. 8, New Charter.

Be it ordained by the Board of Trustees of the City of San Diego, as follows:

Section 1. Charter Ordinance No. 8, New Charter, of said City entitled "An Ordinance prohibiting the Keeping of bees within certain limits in the City of San Diego, be and the same is hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this the 16th day of September A. D. 1878.

(SEAL) ATTEST: Mark P. Shaffer, Clerk.

D. O. McCarthy, President.

BEE ORDINANCE.

CHARTER ORDINANCE NO. 33.

New Charter.

An Ordinance Prohibiting the Keeping of Bees within the limits of the City of San Diego.

The Board of Trustees of the City of San Diego do ordain as follows.

Section 1. It shall be unlawful for any person to keep Bees within the limits of the City of San Diego.

Section 2. Any person who violates any of the provisions of this ordinance shall upon conviction thereof be fined not exceeding fifty Dollars.

Passed and approved by the Board of Trustees of the City of San Diego this 16th day of September A. D. 1878.

(Seal) Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

To the Honorable the Board of City Trustees.

Gentlemen: I have set the four monumental stones as directed by you as follows to-wit:

One at the angle in the Pueblo line a little south of the Slaughter House in Mission Valley

at the foot of the bluff. This was a sand stone about two feet long set endwise in the ground and marked "M" with a cold chisle near the top on its eastern side and "P" on its western side and also marked "4" that being the number of the post of the original Hays survey, set August 21st 1878. Witness, Charles Gassen.

Another a large smooth round drab colored stone of quartz weighing 160 to 180 lbs was set in the mound which had been substantiated as having been there upwards of twenty (20) Years and as being the North West corner of Pueblo Lot No. Seven (7) (Clayton and Hess. Survey) or 1103 Pool. The said mound was the initial point of Wheelers survey of the Mission lots which has been decided to be correct by Judge McNealy in a suit brought to determine which of two surveys, Foxe's and Wheelers, was the correct one. The stone was set Aug. 9th 1878 and marked thus "┌" on Top and N. W. on its south east side. George T. Story and M. Roncolyolo an Italian gardner witness.

I also set a granite stone nearly 2 feet long 9 by 6 inches on top in the south line of the Pueblo fifty (50) feet distant from the original mound now standing made by J. C. Hays at the southwest corner of the pueblo in his Original survey of the same. Stone set Aug. 8th, 1878. Witness David Lamb.

On August 21st, 1878 set a granite stone two (2) feet long and about 8 by 10 inches square at the southeast corner of the pueblo as determined by M. G. Wheeler, County Surveyor. The Stone was marked ^{S.E.C.} P. (S. E. Cor pueblo) on its North side and N. R. (National Ranch) on south side. Witness, M. G. Wheeler and helped set the stone.

Respectfully submitted,

L. L. Lockling,

City Surr.

Board on motion adjourned until Tuesday 17th inst. at 3 o'clock P. M.

Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Tuesday, Sept. 17th 1878.

Board met at 3 o'clock P. M. pursuant to adjournment. Members of the Board present: McCarthy, McCoy, Briant, Julian and Rogers. Shaffer, Clerk.

The President stated that the object of the meeting was to hear the report of the Committee for the sale of the Pest House.

Mr. Julian stated he would be willing to rent the ground for 20 years if the County would buy the Improvement which was unanimous with the Board.

On Motion of Mr. Briant it was carried that a Committee be appointed to confer with the Board of Supervisors to lease to the County for 20 years the land not to exceed one hundred and sixty acres. Committee Messrs. Briant, Julian and Rogers. On Motion the president was added to the Committee.

On Motion it was resolved that the Committee have full power to act and close the sale of the Hospital and leasing of the land.

Messrs. McCoy and Briant, Street Committee, reported on the ridge road to the Cajon by Mrs. Taggarts, That the road was not in much need of repairs and that it was much better than the road to Old Town. On motion the report of the Street Committee was received and placed on file.

Bill of Charles Hollan for \$5. was refered to the finance Committee.

On Motion Board now adjourned until Wednesday Sept. 18th 1878 at 4 o'clock P. M.

Attest: Mark P. Shaffer, Clerk.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Wednesday Sept. 18th 1878. 4 o'clock P. M.

Members present: Trustees McCarthy and Julian. Shaffer, Clerk.

No quorum present the Board on motion adjourned.

Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday, Oct. 7th 1878.

Board met at 7 1/2 o'clock P. M.

Members present were Trustees McCarthy, McCoy, Briant and Rogers. Shaffer, Clerk.

The minutes of Sept. 2nd, 16th, 17th and 18th were read by the Clerk and on motion approved as read.

The finance Committee reported favorable on the following Bills & claims against the City to-wit:

A. B. Hotchkiss	\$25.00
Mark P. Shaffer	25.00
James Russell	35.05
Wm. Hoar	1.00
Thomas Hogue	12.00
L. L. Lockling	24.00
J. O. Hattleberg	11.62
Walter Bennett	35.50
Charles Pohl	12.00
Wm. S. Gregg Jr. Agt for P.	
Ruthermul	75.00
Joseph Leonard	15.00
J. A. Roark	15.00
J. B. Levett	2.50
	<hr/>
	\$288.67

On Motion warrants were ordered drawn on the Treasurer for the several amounts in payment of the same.

Committee on Bills of Messrs. A. E. Horton and M. G. Wheeler was granted further time.

Committee on Bath House Franchise was granted further time.

Communication from Richd. Marron was read by the Clerk and on motion ordered placed on file.

Report of A. Pauly, City Tax Collector was read by the Clerk stating he had collected \$254.42/100 on Personal property and paid the same in the City Treasury which was on motion received and ordered placed on file.

City Assessor, Henry M. Bentzel made a verbal report, stating that the assessment Roll for the present year was completed according to Law, which report was received and on motion ordered recorded.

On Motion the City Attorney was requested to draw up an ordinance to license Saloons.

The semi-annual Report of the President of the Board of City Trustees was read by the Clerk and on motion it was received and ordered placed on file and ordered Printed or Published, carried. McCoy voting No.

The following Claims or bills against the City was read by the Clerk and on motion referred to the finance Committee.

Schneider and Keuppers	\$25.90
San Diego Union	60.82
Mark P. Shaffer	25.00
A. B. Hotchkiss	25.00
	<hr/>
	\$136.72

Communication was received Mr. J. B. Lafitte Chairman Committee on Invitations from New Orleans, L. A. calling a Convention for the promotion of American Commerce.

On Motion it was received and ordered placed on file and that both papers should be furnished with a copy to publish without expense to the City.

On motion Board now adjourned until Saturday Oct. 12 at 7½ o'clock P. M.

Attest: Mark P. Shaffer, Clerk.

ADJOURNED REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Saturday, Oct. 12th 1878.

Board met at 7½ o'clock P. M. Present: Trustees McCarthy, McCoy and Rogers.

The report of the City Assessor was on motion received and ordered placed on file.

Report of Committee appointed to confer with Board of Supervisors was made but no action taken.

Bill of L. L. Lockling, City Eng. was on motion refered to the Finance Committee \$12.06/100.

TAX ORDINANCE.

CHARTER ORDINANCE NO. 34.

New Charter.

Fixing the rate of taxation for the fiscal year ending December 31st

A. D. 1878.

Be it ordained by the Board of Trustees of the City of San Diego as follows:

Section 1. That the rate of taxation for revenue purposes for the City of San Diego for the fiscal year ending 31st of December A. D. 1878 is hereby fixed and levied at the sum of thirty (30) Cents on every one hundred Dollars of the assessed value of all the real and personal property within the corporate limits of said City made taxable by law for State purposes; and the rate of taxation for the purpose of raising a tax for said fiscal year for the payment of all interest moneys is hereby fixed and levied at the sum of ninety-five (95) cents on every one hundred dollars of the assessed value of all the real and personal property within the limits of said city, and made taxable as aforesaid: And the rate of taxation for the purpose of providing a fund for the payment on or before the expiration of the year 1892 of the principal of the Bonds issued by the City of San Diego under the provisions of Ordinance 22 of said City to be known as the "City Bond Redemption Fund" is hereby fixed and levied for said year at the sum of Twenty five (25) Cents on every one hundred Dollars of the assessed value of all the real and personal property within the limits of said City and made Taxable as aforesaid.

Passed and approved by the Board of Trustees of the City of San Diego, this 12th day of October A. D. 1878.

(SEAL) Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President

On Motion the Clerk was instructed to publish the notice of the meeting of the Board of Equalization as is required by Law.

On Motion Board adjourned.

Attest: Mark P. Shaffer, Clerk.

REGULAR MEETING.

Office of the Board of City Trustees of the City of San Diego.

Monday, Nov. 4th 1878.

Board met at 7½ o'clock P. M. Members of the Board present were Trustees McCarthy, Briant and Rogers. Shaffer, Clerk.

34

The minutes of Oct. 7th and 12th were read by the Clerk and on motion approved as read.

The Finance Committee reported favorable on the following bills or claims against the City to-wit:

San Diego Union	60.82
Hinton and Gordon	10.00
Charles Hollan	5.00
L. L. Lockling	12.00
Schneider and Kneppers	<u>25.90</u>

\$113.72

On motion it was ordered that an order be drawn on the Treasurer in payment of the aforesaid bills for the several amounts.

A Communication was read by the Clerk. Mrs. Gates and Mrs. Guion of the Womens Temperance Association which was on motion received and placed on file.

CLAIMS AGAINST THE CITY

The following bills were presented to-wit:

H. M. Bentzel	\$300.00
H. M. Bentzel	30.00
Mark P. Shaffer	25.00
A. B. Hotchkiss	25.00
Frank Canal	500.00
D. O. McCarthy	30.00
E. O. Rogers	30.00
H. T. Christian	30.00
J. O. Parsons	20.00
J. S. Pitcher	16.00
A. E. Horton	<u>140.00</u>

\$1146.00

On Motion the Bills of A. B. Hotchkiss, Mark P. Shaffer, D. O. McCarthy, E. O. Rogers, H. T. Christian, A. E. Horton and H. M. Bentzel of \$30, rules be suspended and warrant ordered drawn on the Treasurer in payment of the same.

W. W. Bowers presented a written protest against the payment of any and all outstanding Bonds of the City and also against the payment of any interest on said Bonds or for the tax for the redemption of said Bonds, which was on motion received and placed on file.

On motion a Committee was appointed consisting of Messrs. Rogers, Julian and Clerk to examine the records of the City of San Diego and investigate the order in which said Bonds were issued and report the same to the adjourned meeting of the 23rd inst. On Motion of Mr. Briant, The President of the Board of Trustees be added to said Committee and act as Chairman. So ordered.

On Motion the following named gentlemen were appointed. Messrs. L. C. Gunn, W. L. Williams, David Felshenheld, W. A. Begole and A. B. Hotchkiss,

On Motion Board adjourned until Saturday the 23rd inst. at ten (10) o'clock A.M.
Attest: Mark P. Shaffer, Clerk.

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Office of Board of City Trustees, City of San Diego,

Nov. 23rd 1878, 10 h. A. M.

Pursuant to adjournment the Board came to order, Present: Trustees McCarthy, Briant and Rogers, President D. O. McCarthy in the chair, Mark P. Shaffer, Clerk not being present, on motion H. T. Christian was elected Clerk pro tem of the Board,

President McCarthy in appropriate remarks alluding to the non-attendance of the other members of the Board, said he would like a full Board present at this meeting to hear report of their Committee on investigation of the City Bonded indebtedness, and at his suggestions on motion the Board took a recess to 2 o'clock this afternoon.

At 2 o'clock P. M. the Board standing at recess came regularly to order, present

Trustees McCarthy, Briant and Rogers, President McCarthy in the chair, H. T. Christian, Clerk Pro tempore.

The President stated the Business in Order the report of Committee appointed to investigate the manner in which Bonds of the City of San Diego had been issued. Trustee E. O. Rogers of said Committee presented the report of the Committee consisting of about sixty pages of legal cap signed by McCarthy, Julian, Rogers and Shaffer the full committee, which was read by the Clerk, showing all proceedings had by the Board of City Trustees in the issuance of all Bonds of the City of San Diego and all receipts on file from parties receiving the same, the Committee submitting their report without recommendation, and on motion the report was ordered received, placed on file and the City Attorney A. B. Hotchkiss Esq. instructed to file with this Board, at his earliest convenience his written legal opinion as to the legality of outstanding Bonds of the City of San Diego.

The next business in order being the opening by City Treasurer of bids or proposals for the surrender and redemption of a portion of the Bonds of the City, the Treasurer E. W. Morse, Esq. read the following printed Notice, to-wit:

PROPOSALS  
FOR  
THE SURRENDER AND REDEMPTION OF BONDS OF THE  
CITY OF SAN DIEGO.

Office of City Treasurer, )  
San Diego, Cal., October 10th, 1878.)

NOTICE IS HEREBY GIVEN THAT THE undersigned is prepared to receive at his office in the City of San Diego, sealed proposals for the surrender of a portion of the Municipal bonds of said city, issued under and by virtue of Charter Ordinance number 22, and the act of the Legislature entitled "An Act to legalize certain bonds of the city of San Diego, and to provide for the payment of interest thereon and for the payment thereof," approved February 24, 1874, and that there is now in the City Treasury the sum of \$2098.20 applicable to the redemption of said bonds.

Said proposals must be accompanied by the bonds and will be opened publicly by me in the presence of the Board of Trustees of said city, at their office in said city on Saturday, the 23d day of November, 1878, at 10 o'clock A. M.

E. W. Morse,

Treasurer of the City of San Diego.

And stated that he had received one sealed proposal which he read in the words and figures following, to-wit:

"To E. W. Morse, Treasurer of the City of San Diego,

Sir, In accordance with your published notice for the surrender and redemption of bonds of the City of San Diego, I propose to surrender at their par value, Bonds number forty-six (46) forty seven (47), forty eight (48) and fifty (50) of five hundred dollars each, with all unpaid coupons attached, said Bonds are herewith enclosed, By par value I mean principal and interest to date, San Diego, Nov. 22d, 1878.

Chas. Hubbell"

The above Proposal being opened in presence of the Board and the said Bonds Nos. 46, 47, 48 and 50 being found, with unpaid coupons thereto attached, to accompany the Proposal of Mr. Hubbell, on motion the City Treasurer is instructed to hold said Bonds in his safe keeping without redeeming them or accepting the said Proposal until after the filing of the opinion of the City Attorney as to the legality of the Bonded indebtedness of the City of San Diego, and await further instructions of the Board of City Trustees.

The following claims against the City were read and referred to the Finance Committee.

|                 |             |
|-----------------|-------------|
| L. Vollers      | 20.00       |
| E. G. Haight    | 30.00       |
| H. T. Christian | 180.00      |
| Josiah Shaffer  | <u>5.00</u> |
| Total           | \$295.19    |

A bill of \$196.00 presented by C. P. Gerichten for rent of City Hall for seven months rent ending Nov. 1st 1878 was read and on motion, the Clerk was ordered to deliver to Mr. Gerichten Warrant No. 1186 on City Treasurer in favor of A. E. Horton for \$140. and to draw a warrant for \$56.00 on the Treasurer in favor of said Gerichten, that making the full amount of \$196.00 and to take a receipt from Mr. Gerichten for same.

Charter Ordinance No. 35 was now read and on motion adopted in words and figures as follows, to-wit:

CHARTER ORDINANCE NO. 35.

35

(New Charter)

An Ordinance to compel the attendance of absent members of the Board of Trustees of the City of San Diego.

Be it ordained by the Board of Trustees of the City of San Diego.

Sec. 1. If any member or members of the Board of Trustees of the City of San Diego shall fail to attend any stated meeting; or any Special or adjourned meeting of said Board of which said member or members shall have received due notice, for the period of one hour from the time at which said meetings have been fixed, It shall be lawful for the member or members of said Board who may be in attendance at said meeting or meetings to issue a citation to said non-attending member or members to attend said meeting forthwith and cause the same to be served on said non-attending member or members, and if said non-attending member or members shall not appear at the place of meeting of said Board of Trustees for the space of one hour, then it shall be lawful for the member or members of said Board of Trustees, who are in attendance to make a record upon the minutes of said Board of Trustees of the facts and default of the member or members aforesaid and to cause a fine to be entered against said non-attending member or members not exceeding \$25. for the first offense, and for a second offense as herein stated not exceeding \$50. said fines to be collected as provided by law. And for a third offense it shall be lawful on conviction thereof, after notice and hearing to expel the member found guilty.

Passed and approved at an adjourned regular meeting of the Board of Trustees of the City of San Diego, this 23rd day of November A. D. 1878.

(SEAL) Attest: Mark P. Shaffer, Clerk

D. O. McCarthy, President.

"The Clerk now read the following Resolution, which on motion was unanimously adopted.

Be it Resolved by the Board of Trustees of the City of San Diego, that Leave of Absence from the City of San Diego, be and the same is hereby granted to Trustee D. O. McCarthy for the period of sixty days from 1st day of December 1878, San Diego Nov. 23rd 1878."

There appearing no further business, on motion the Board adjourned.

H. T. Christian, Clerk pro tem

President.

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REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday, Dec. 2nd, 1878.

Board met at 7½ o'clock P. M. Members present were Trustees McCarthy, Rogers and Julian. Shaffer, Clerk.

Minutes of Nov. 4th and 23rd were read by the Clerk and on motion approved.

Report of finance committee. The Finance Committee reported favorable on Bill of J. O. Parsons for \$20, and Josiah Shaffer for \$5. D. W. Briant being absent & member of finance Committee, the Bills of H. M. Bentzel for \$300. H. T. Christian for 180, San Diego Union for \$60.19 and E. G. Haight for \$30.00 was laid over until next meeting.

Report of City Tax Collector was read by the Clerk and on motion placed on file.

Report of E. W. Morse, City Treasurer was read by the Clerk and on motion ordered placed on file.

CLAIMS AGAINST THE CITY.

|                     |         |
|---------------------|---------|
| A. B. Hotchkiss     | \$25.00 |
| Mark P. Shaffer     | 25.00   |
| Hamilton & Co.      | 25.20   |
| J. A. Herman        | 8.00    |
| San Diego Water Co. | 400.00  |

City Attorney, Hotchkiss, requested further time in which to make his report on the Bond question.

The following Resolution was on motion passed.

Whereas it appears proper to the Board of Trustees of the City of San Diego that the Interests of the City should be represented at Washington at the ensuing session of Congress And whereas at previous sessions the same have been ably and generally guarded and represented by David Felshenheld Esqr. who is thoroughly familiar with the same,

Therefore, Be it Resolved by the Board of Trustees of the City of San Diego that the said David Felshenheld be and he is hereby appointed as the Agent of the said City of San Diego to represent and look after her interests in Washington at the ensuing session of Congress, and particularly to look after and guard her interests in the proposed legislation in and of the Construction of the Texas and Pacific Railroad and the City Clerk is hereby instructed to spread this Preamble and resolution upon the records of the City, and to forward a certified copy of the same without delay to the address of David Felshenheld Esqr. at Washington.

CHARTER ORDINANCE NO. 36.

(New CHARTER)

An Ordinance in regard to the Public Health.

The Board of Trustees of the City of San Diego do ordain as follows:

Section 1. The Board of Health of the City of San Diego shall have power to adopt such measures, as will in their judgment, best promote the health of the city and prevent the spread of disease; to enter into and examine, in the day time, all vessels in port, buildings, lots, and places in the City; to prevent or forbid communication with infected families or houses, and by and with the consent of the City Trustees, to establish a pest house or hospital, and provide the necessary supplies therefor, and generally exercise supervision over hospitals, prisons, school houses, and public buildings so far as in their judgment may be necessary for the promotion of health.

Section 2. It shall be the duty of the Board of Health to recommend to the Board of Trustees, in writing, whenever they shall deem necessary, such sanitary measures as they may consider advisable, and to co-operate with them in carrying the same into effect.

Section 3. It shall be the duty of the Health Officer under the direction and control of the Board of Health, to enforce all laws, ordinances and regulations, relating to cause of sickness, nuisance, and source of filth existing within said city.

Section 4. He may under the direction of the Board of Health, remove any person, who is not a resident of the City, and who is known to be infected with dangerous, contagious, or infectious disease to the pest house, where such action shall be deemed necessary to prevent the spread of such disease, and when such removal can be made without danger to the life of such person.

Section 5. Whenever a nuisance endangering, in the opinion of the Health Officer, the public health, shall be ascertained to exist on any premises, or in any house, or other place in said City, he shall, with the approval of the Board of Health, notify in writing any person or persons owning or having control of or acting as agent for such premises, house or other place to abate or remove such nuisance within a reasonable time, to be stated in such notice.

Section 6. Upon the neglect or refusal of any owner, occupant or agent or other person having control of such house, or other place within said City, to comply with such notice the Health Officer may abate such nuisance, and the owner, agent or occupant or other person having control of such house or place, in addition to the penalty provided by this ordinance, shall be liable to said city for the costs of such abatement, to be recovered in a civil action brought in the name of the "City of San Diego," in any Court of competent jurisdiction within said city.

Section 7. It shall be the duty of any member of the Board of Health, or the Health Officer, when necessary to secure the public health, to enter upon the premises, or in the house, or other place of any person within said City to ascertain any nuisance that may there exist, to inspect drains, vaults, cellars, cesspools, water-closets, privies or sewers, or the yards of such premises, to examine into their condition, and when satisfied that apartments used for lodgings or other purposes are improperly constructed, or liable from over crowding or filth to become dangerous to the public health, or to disseminate contagious or infectious disease, or are not properly provided with privies, water-closets, or with sewers, drains, or cesspools properly trapped, the Health Officer shall serve a written notice upon the owner, or other person in charge of such premises, to remove the nuisance therein named and if such owner or other person in charge neglect to obey such notice, said Board may put the same in proper order at the expense of the owner or other person in charge thereof.

Section 8. The Health Officer shall keep an office in some convenient location, and shall give his personal attention and services to the work of gratuitous vaccination, selecting and preserving the vaccine virus with his utmost care and skill, and shall so perform his duties as to promote the physical well-being of all who shall apply at his office.

Section 9. It shall be the duty of the Health Officer in every practical way to impress upon the citizens of the City of San Diego, the importance and duty of re-vaccination in the case of all persons who have passed a period of more than seven years since the time of their first vaccination.

The Health Officer in addition to the duties specifically mentioned in this order, shall be prompt and active in seeing that all orders concerning the public health are properly executed, and shall be vigilant and active in detecting and removing all causes of disease, and shall see that all persons violating said orders, in relation to the preservation of the public health, are duly prosecuted.

Section 10. Whenever any person shall die in the City of San Diego, it shall be the duty of the attending physician, or of the coroner, as the case may be to furnish within twenty hours after the death to the undertaker or other person superintending the burial, a certificate, setting forth as far as can be ascertained, the usual information as required in the death certificates, to be kept and issued by the health officer upon application. In case of a death without an attending physician or coroner, then the Health Officer, or in his absence or inability, some member of the Board of Health must cause the certificate to be filled out and furnished to the undertaker, or person superintending the burials.

Section 11. It shall be the duty of all persons having in charge the digging of graves and burial of the dead to see that the body of no human being, who has reached the age of ten years, shall be interred in a grave less than six feet deep, or if under the age of ten years, the grave to be not less than five feet deep.

Section 12. No person shall deposit in any cemetery or inter in the City of San Diego, any human body without first having obtained and filed with the Health Officer the certificate as provided for in Section ten of this Ordinance and obtain from said Health Officer a permit of burial: nor shall any human body be removed or disinterred without the permit of the Health Officer, or by order of the Coroner.

Section 13. Every undertaker, or other person or persons before removing a dead body from the City of San Diego, to any other place beyond the jurisdiction of the City Board of Health, shall first procure from the Health Officer a written permit granting such removal, and said permit shall in all cases accompany the body to its final destination.

Section 14. No privy vault, privy, cess-pool or water closet, shall be allowed by the owner, or other person in charge of the premises upon which the same may be situated, to become foul or offensive, and when in the opinion of the Board of Health any such privy vault or closet, or cess-pool, shall need cleaning or disinfecting it shall be their duty to notify such owner, or other person having control, to abate the same, by disinfecting or cleaning as in the judgment of the Board may be prudent.

Section 15. No butcher's offal or garbage, nor any dead animal, or any putrid or offensive animal or vegetable matter, shall be allowed to remain upon the premises of any person, or be deposited upon any street, alley, or vacant lot, or into any standing water or excavation.

Section 16. No person shall feed or cause to be fed to any milch cow any still slops or other food calculated to render the milk of such cow unwholesome or unsuitable for human food: nor sell, deliver, supply or furnish to any person any milk from any cow fed in whole or in part upon still slops, or other food calculated to render the milk of such cow unwholesome or unsuitable for human food; nor sell, deliver or supply to any person any milk from any sick or diseased cow.

Section 17. No person shall use or drive any of the vehicles commonly known as "Night Carts" in any portion of the city between the hours of twelve o'clock midnight and five o'clock in the morning; use any night cart, or swill cart, at any time, unless the same be staunch, tight, and closely covered, so as to wholly prevent leakage or smell; use any cart for the conveyance or removal of rubbish, garbage, filth or manure, unless the same is so constructed and has a cover securely fastened over the top of said cart, to prevent the deposit of such rubbish, garbage, filth or manure in whole or in part, in or upon the streets through which said cart may be driven.

Section 18. No person shall remove the deposit from any privy, vault or cesspool or use any night cart without first having obtained from the Superintendent of Public Streets, Highways, and Squares a permit, authorizing the removal of such deposit, and designating a place where the same may be discharged or the use of such night cart designating the location where such cart may be loaded and discharged. Every such permit shall be carried if for a vault or cesspool, at the work if for a cart, with the cart, and exhibited on the demand of any police officer, and be returned within thirty days from issue to the said Superintendent. No person shall load or discharge any night cart at a different place from that designated in said permit, or alter any permit granted under this section. All "night carts" shall be under the control of the Superintendent of Streets and Highways, and the said Superintendent may, for good cause revoke any permit granted by him.

Section 19. Any person who shall keep or have in his possession within this city

any horse afflicted with the disease known as the glanders, shall within twenty-four hours after having knowledge or being notified thereof by any person, kill and bury the same, or remove it without the limits of this city.

Section 20. No person shall, without the permit of the Health Officer carry or remove from one building to the other, or from any railroad depot to any house, or through the public streets, or from any boat to the shore, any person sick of any contagious disease.

Section 21. No butcher's offal, garbage or any dead animal nor any putrid or stinking animal or vegetable matter shall be allowed to remain on the premises of any person, or to be thrown into any street or alley, place or receiving basin, or in any standing water or excavation, or upon the grounds or premises of any person; nor shall any animals dying of disease, accident, or old age, be skinned, nor shall any dead animal be buried or thrown into any of the tide waters, lakes, streams or reservoirs of water within the limits of this city.

Section 22. No person shall be permitted to pursue any business or occupation in the city that is dangerous or detrimental to life or health, and every such business or pursuit shall be promptly discontinued.

Section 23. No person shall expose or offer for sale, or sell for human food, any

1. Blown, meagre, diseased or bad meat, poultry or game; or
2. Unsound, diseased or unwholesome fish, fruit, vegetables or other market produce.

Section 24. No person shall bring into, expose or offer for sale, or sell,

1. Any sick or diseased animal; or
2. The flesh of any animal which, when killed was sick or diseased, or that died a natural or accidental death.

Section 25. No person shall slaughter, expose for sale, or sell, or bring for sale, for human food, any calf unless it is in good healthy condition, and four weeks of age.

Section 26. Any Article or animal that shall be offered or exhibited for sale in any market or elsewhere as though it was intended for sale, shall be deemed offered and exposed for sale within the intent and meaning of this Ordinance.

Section 27. Any person who, in violation of the preceding Sections of this Ordinance, shall bring within the city, slaughter or sell, or expose for sale any article or animal (herein prohibited from sale) or which is unfit or unsafe for human food shall forfeit the same to the city; and the Market Inspector shall seize and forthwith remove the same at the expense of the owner, in such manner under the direction of the Health Officer, as will insure safety and protection to the public health.

Section 28. Any person who shall resist or obstruct the Market Inspector or who shall resist or obstruct the Health Officer in the legal exercise of their respective duties, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished accordingly.

Section 29. Every owner or occupant of a market stall, shall use due care and attention to maintain cleanliness thereat, by the prompt removal of all rubbish or other matter tending to create a stench or generate disease.

Section 30. No person, master, captain or conductor, in charge of any boat, vessel, railroad car or public or private conveyance, shall receive for transportation, or shall transport, the body of any person who has died within the limits of the City of San Diego, without obtaining a permit for the same from the Health Officer which permit shall accompany the body to its destination; and no person, master, captain or conductor, as aforesaid, shall bring into or transport through the said city the dead body of any person, unless it be accompanied with a certificate from some proper authority of the place whence

it came, stating name, age, sex, and cause of death, which certificate shall be filed at the Health Office, provided that in no case shall the body of any person who died of a contagious disease be brought to the city within one year of the day of death.

Section 31. Any person or persons who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of any sum not exceeding fifty (\$50.) dollars, and the costs of prosecution.

Passed and approved at a regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 2nd day of December A. D. 1878.

San Diego, Dec. 2, 1878.

(SEAL)

D. O. McCarthy, President.

Attest:

Mark P. Shaffer, Clerk.

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Office of the Board of City Trustees of the City of San Diego.

Thursday, Dec. 5th 1878.

Board met at 7½ o'clock P. M. Members present full Board.

Charter Ordinance No. 37 was considered regarding the license of Saloons & Business houses.

City Attorney's opinion was requested and ordinance withdrawn for future consideration and City Attorney requested to submit a written opinion at the next regular meeting of the Board.

The bills of H. M. Bentzel for \$300. was ordered paid, also E. G. Haight for \$30. San Diego Union for \$60.19, Trustees McCoy and Julian voting against the payment of the same.

Bill of Arnold Schneider for \$11.65 was referred to the finance Committee.

No farther business before the Board, on Motion Board adjourned.

Attest: Mark P. Shaffer, Clerk.

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#### REGULAR MEETING.

Office of the Board of Trustees of the City of San Diego.

Monday, Jan. 6th 1879.

Board met at 7½ o'clock P. M. Members present full Board.

Minutes of Dec. 2nd and 5th were read by the Clerk and on motion approved.

#### REPORT OF COMMITTEES.

The finance Committee reported favorable on the following bills to-wit:

|                 |        |
|-----------------|--------|
| J. A. Thoman    | \$8.00 |
| J. S. Pitcher   | 16.00  |
| Mark P. Shaffer | 25.00  |
| A. B. Hotchkiss | 25.00  |

On motion the foregoing bills were ordered paid by an order drawn on the Treasurer.

Bill of San Diego Water Co. for \$400 was referred back to the finance Committee, and the City Attorney requested to give a written opinion as to the legality of the resolution by which the City pays the Water Co. one hundred Dollars per month, and by what authority the City had to make such a contract.

Bill of Hamilton and Co. for \$25.20 was referred back to the finance Committee.

A petition was presented to the Board by Mr. A. E. Horton, signed by some two hundred of the Citizens and Tax payers, requesting the Board to extend the time for the final payment of City taxes which was on motion received and ordered placed on file.

#### REPORTS OF OFFICERS.

Report of the City Attorney in the matter of the Bonded Indebtedness of the City

of San Diego was read and on motion ordered placed on file. On motion it was ordered that the written opinion of the City Attorney be published.

The opinion of the City Attorney regarding license tax ordinance was requested placed on file, when the matter was on motion indefinitely postponed.

Report of A. Pauly, City Tax Collector was read by the Clerk, and on motion received and ordered placed on file.

CLAIMS AGAINST THE CITY.

The following claims were presented to-wit:

|                                   |         |
|-----------------------------------|---------|
| San Diego Union                   | \$55.65 |
| Mark P. Shaffer,                  | 25.00   |
| A. B. Hotchkiss                   | 25.00   |
| San Diego Water Co.               | 100.00  |
| Henry Cook                        | 5.40    |
| Wm. S. Gregg Jr.                  | 45.00   |
| H. A. Perry                       | 2.50    |
| J. A. Thoman                      | 8.00    |
| Gordon and Hazzard                | 3.43    |
| A. B. Hotchkiss amount not stated |         |

The foregoing bills were on motion refered to the finance Committee.

A Communication from E. H. Adler was read by the Clerk requesting the Board of City Trustees to sit off some portion of the City Cemetery lands for the burial of the Chinese, which was on motion received and placed on file. On Motion the matter was refered to the Cemetery Commissioners.

In the matter of Bonds presented to the Treasurer of the City of San Diego for Redemption under and by virtue of the provisions of Sec. 6 of the Act of the Legislature of California of Feby. 24th 1874, the following resolution was read by the Clerk and on motion was adopted by a unanimous vote.

RESOLUTION.

It appearing to the Board of City Trustees by the opinion of the City Attorney of said City this day filed that the Bonds presented for redemption and making the lowest proposals, Nos. 46, 47, 48, 50 are not a legal charge against the City of San Diego, the offer of said Bonds is not accepted and the Treasurer is directed to return them to the owner thereof and is directed to readvertize for proposals as provided for in said act.

On Motion adopted this 6th day of January 1879.

CHARTER ORDINANCE NO. 37.

(New Charter)

The Board of City Trustees of the City of San Diego do ordain as follows:

Sect. 8 of Charter Ordinance No. 49 of said City passed and approved Nov. 10th 1873 is amended to read as follows: On the first Monday in April 1879 all unpaid taxes for the fiscal year ending Dec. 31st 1878 levied for city purposes are delinquent.

Sect. 13 of said ordinance is amended by striking out the words "February in each year" in the second line of said section and inserting in lieu thereof the words first Monday in May in the year 1879.

Sec. 28 of said ordinance is amended by striking out the words March annually at the end of the second line thereof and insert in lieu thereof the words 3rd Monday in June 1879.

The above amendments shall apply only to the taxes levied for City purposes, Interest and redemption for the fiscal year ending Dec. 31st 1878.

Passed and approved this the 6th day of January A. D. 1879.

(SEAL) Mark P. Shaffer, Clerk

D. O. McCarthy, President.

On Motion of Mr. McCoy it was ordered that the Health officer appear before the County Board of Supervisors and also the next Grand Jury and report to them the facts regarding the burial of County dead Bodys by E. H. Adler.

37

No further business appearing the Board on motion adjourned.

Attest: Mark P. Shaffer, Clerk.

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SPECIAL MEETING.

Office of Board of Trustees,

San Diego, Jan. 23rd, 1879.

By virtue of and in accordance with the following Notice, the Board of City Trustees met in Special Session, the said notice was in words & figures as follows, to-wit: To D. O. McCarthy, E. O. Rogers, Jas. McCoy, A. H. Julian, D. W. Briant, Trustees of the City of San Diego.

You are hereby notified that a Special Meeting of the Board of City Trustees of the City of San Diego, is hereby called to meet at the City Hall in said City this Thursday evening Jany. 23rd 1879 at 7 o'clock P. M. for the purpose of taking such action as shall secure the removal of the obstruction of the road in said City near the Chollas Valley leading to the Cemetery.

D. O. McCarthy

E. O. Rogers

A. H. Julian

And the said notice having been served, D. O. McCarthy, President of the Board called the Board to order at the time therein stated, Present, Trustees McCarthy, Rogers and Julian, and M. P. Shaffer, Clerk not being present, on motion H. T. Christian was elected Clerk pro tem. The Clerk pro tem having read Charter Ordinance No. 38, it was on motion adopted in the words and figures following, to-wit:

CHARTER ORDINANCE No. 38.

New Charter.

An Ordinance declaring the road in the City of San Diego leading from the Eastern line of "Sherman's Addition to the City of San Diego" to the Cemetery of said City a public highway.

The Board of City Trustees of the City of San Diego, State of California do ordain as follows, to-wit:

Section I. The old road in the said City of San Diego, beginning at a point on the Eastern line of Sherman's Addition to said City, leading thence in an easterly direction across the southerly portion of lots 1152 and 1153 according to Pooles' Map of said City to Mount Hope Cemetery as traveled and used by the public as a Highway from the year 1869 to and including the year 1875 is hereby declared a public Highway of the City of San Diego.

Section II. It is the duty of the Superintendent of Public Streets and Highways of said City to open said Highway to travel and to keep the same open and free from obstruction.

Passed and approved by the Board of Trustees of the City of San Diego, California this 23d day of January A. D. 1879.

Attest: Mark P. Shaffer, Clerk  
SEAL

D. O. McCarthy, President.

The Clerk then read the following Resolution which on motion was unanimously adopted.

RESOLUTION.

Office of the Board of Trustees of the City of San Diego,  
City Hall, San Diego, Jan. 23rd 1879.

Whereas, by virtue of the Provisions of the Act of the Legislature of the State of California, approved January 25th 1878, the Roads in the Pueblo of San Diego City were

placed under the control of the Trustees of the City of San Diego, and

Whereas, the road in the City of San Diego beginning at a point in the eastern line of Sherman's Addition to said City leading thence in an easterly direction across the Southerly portion of lots 1152 and 1153 according to Pooles' Map of said City, to Mount Hope Cemetery as travelled and used by the public as a highway from the year 1869 to and including the year 1875 is now so obstructed as to prevent access or travel from said City to said Cemetery by the people of said City, greatly to the annoyance and distress of all the people of said City, and

Whereas, the said Board of Trustees are empowered by Section 10 Clause 8 of the Charter of said City to prevent and remove nuisances, and

Whereas, by virtue of Sec. 3 Clause 1 of Ordinance No. 5 (New Charter) of said City it is made the duty of the Superintendent of Streets and Highways of said City to keep the highways of said City clear of obstruction and in good repair.

Be it resolved by the Board of City Trustees of the said City of San Diego, that the obstructions to said road are hereby declared a public nuisance. That the Superintendent of Streets aforesaid is hereby ordered to abate said nuisance, and remove said obstruction and that he keep said road open and clear of obstruction for public travel on the route declared a public Highway by Ordinance of said Trustees this day adopted and according to the route of the old road as traveled aforesaid from 1869 to 1875 inclusive.

Adopted by the Board of Trustees of the City of San Diego this 23rd day of January A. D. 1879.

Attest: (SEAL) M. P. Shaffer, Clerk.

D. O. McCarthy, President.

There appearing no further business the Board on motion adjourned.

H. T. Christian, Clerk pro tem.

President.

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Office of Board of City Trustees,

City of San Diego, Feby. 3rd, 1879.

Board met in regular session, present Trustees McCoy, McCarthy, Briant and Rogers. D. O. McCarthy, President in the chair. M. P. Shaffer, Clerk.

Minutes of last regular meeting of Jan. 6th 1879 and of Jan. 23rd 1879 at Special Meeting, were read and on motion approved.

On call of Committees, the Finance Committee presented their report approving the following Bills

|                                       |         |
|---------------------------------------|---------|
| W. S. Gregg Jr. Agt. for P. Rothermel | \$45.00 |
| Hamilton and Co.                      | 25.20   |
| A. Schneider,                         | 11.65   |
| San Diego Union                       | 55.65   |
| H. A. Perry                           | 2.50    |
| John A. Thoman                        | 8.00    |
| Gordon & Hazzard                      | 3.43    |

The Ayes and Nays having been called on the motion to accept the report and draw warrants for several amounts, it was so ordered by the following vote:

|                 |        |
|-----------------|--------|
| 1st Ward, McCoy | No     |
| 2nd " McCarthy  | Yes    |
| 3rd " Julian    | Absent |
| 4th " Briant    | Yes    |
| 5th " Rogers    | Yes    |

A communication from L. L. Lockling, City Engineer, read concerning roads from City to Cajon and to Poway contemplating to be built by the County, the communication was on motion received, and the matter postponed to next regular meeting.

The resignation of Mark P. Shaffer as Clerk of the Board and City was read and on motion accepted. On Motion M. P. Shaffer is elected to act as Clerk pro tem. On Motion the Rules are suspended and Board proceed to election of Clerk carried. H. T. Christian was by Mr. Rogers nominated for the office of Clerk. On the Board going into Ballot, the

vote as declared by the clerk pro tem. stood:

For City Clerk, H. T. Christian 3

For City Clerk, M. P. Shaffer, 1.

The President then declared H. T. Christian duly elected Clerk of the City and Board of Trustees of the City of San Diego for the unexpired term of M. P. Shaffer.

The Bond of H. T. Christian as City Clerk for the sum of \$2000, with C. S. Hamilton, A. Schneider, A. G. Gassen and P. Arnold as sureties in the sum of \$1000.00 each, was read and on motion approved, and taking the oath of office assumed the duties of such Clerk. The Board now tendered a vote of thanks to M. P. Shaffer the retiring Clerk in appreciation of the efficient manner in which he has conducted the business of his office.

A petition from the citizens generally of the 1st Ward complaining of large bands of sheep grazing promiscuously in that portion of the City, read and on motion is received and placed on file, and the City Attorney is instructed to draft an ordinance for the relief of the petitioners, and present the same to the Board at its next adjourned meeting.

A petition from property owners on Fifth St. asking that the City put down or cause to be put down a sidewalk in front of the Burnt District was on motion received and placed on file.

A Communication from Health Officer giving Trustees notice of a called meeting of the Board of Health to convene at City Hall tomorrow evening at 6½ o'clock read and ordered placed of file.

Report of City Tax Collector showing amount of Tax collected & paid over since his last report read and on motion ordered filed.

Report and Opinion of City Attorney in matter of City's contract with San Diego Water Co. read giving his opinion that City is not legally bound to pay the \$100 per month, ordered placed on file.

The following claims against the City were read.

|                                     |        |
|-------------------------------------|--------|
| John A. Thoman, Janitor             | \$8.00 |
| L. L. Lockling, City Engineer       | 3.00   |
| T. Larson, Wood                     | 27.00  |
| A. Pauly, Tax Collector             | 35.00  |
| H. T. Christian, Secy. Bd of Health | 15.00  |
| San Diego Water Co.                 | 100.00 |
| H. Cook, Constable                  | 5.40   |
| H. Cook "                           | 3.50   |

The following resolution was now offered by Mr. Rogers, Trustee from 5th Ward and on being read was adopted, to-wit:

Office of Board of City Trustees,  
City Hall, San Diego, Feby. 3rd, 1879.

Resolution. Be it resolved by the Board of Trustees in Regular Meeting assembled that on, and after this date, that all bills against the City shall be for Scrip on a coin basis.

The following Resolution was now read by the Clerk and on motion adopted, as follows:

Office of Board of City Trustees,  
San Diego, City Hall, Feby. 3rd 1879.

Resolution. Be it resolved by the Board of Trustees of the City of San Diego, that the Superintendent of Streets of the City of San Diego is hereby instructed to notify the owners and agents in charge of the lots on 5th Street in said City in front of the "burnt district" of the late fire, that they immediately rebuild and put in order the Sidewalk in front of said District, or that in default thereof the City of San Diego will take the proper measures to have the same done at the expense of said owners.

Adopted and approved this 3rd day of Feby. 1879 by the Board of Trustees of the City of San Diego in Regular Meeting assembled.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

On Motion it is ordered that the City Attorney see to the matter of the Roads

referred to in City Engineer's communication of this date, and report to this Board his opinion thereon as to the legality of the City to act in the matter.

There appearing no further or other business, the Board now on motion adjourned until tomorrow evening the 4th inst. at 7½ o'clock P. M.

H. T. Christian, City Clerk

President.

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Office of Board of City Trustees,

City Hall, San Diego, Feby. 4th 1879 7½ h. P. M.

REGULAR ADJOURNED MEETING.

Board met pursuant to adjournment, present Trustees McCoy, McCarthy and Rogers. D. O. McCarthy, President in the Chair, H. T. Christian, Clerk.

The President stated that the business in order was the consideration of an Ordinance ordered prepared by this Board, and asked the City Attorney if he had prepared the same, upon which the City Attorney read an Ordinance prohibiting the running at large of certain stock within the City, and the same being discussed by the Members of the Board, the Clerk asked to be excused for balance of the evening as he wished to attend meeting of his Lodge, he being excused by the President, Dr. T. C. Stockton was elected to act as Clerk pro tempore.

On Motion the Ordinance under consideration was referred back to the City Attorney for him to report at next adjourned meeting of the Board.

On Motion the Board now adjourns until Thursday evening next the 6th inst. at 7½ h. P. M.

H. T. Christian, City Clerk

President.

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Office of Board of City Trustees

City Hall, San Diego, Feby 6th 1879, 7 h. P. M.

REGULAR ADJOURNED MEETING.

Board met in pursuance of adjournment, Present, Trustees McCoy, McCarthy and Rogers, and H. T. Christian, Clerk, D. O. McCarthy, President in the Chair presiding.

The City Attorney, A. B. Hotchkiss Esq. now presented to the Board, as per their request of last meeting, an ordinance or ordinances Nos. respectively 39 and 40, being in his judgment what the Board desired in their effort to prohibit certain live stock from running at large within the City. The President calling for the reading of the same, they were read by the Clerk and on motion Ordinance No. 39 was adopted in words and figures following, to-wit:

CHARTER ORDINANCE, No. 39.

(New Charter)

An Ordinance authorizing the Sheriff of San Diego County and his Deputies, and the Constables of the City of San Diego to act in enforcing all Ordinances of the City of San Diego.

Sec. 1. Be it Ordained by the Board of City Trustees of the City of San Diego, that from and after the passage of this Ordinance, it shall be the duty of the Sheriff of San Diego County and his Deputies, and of the Constable of the City of San Diego to act as Officers of said City in enforcing all Ordinances thereof.

Sec. 2. All Ordinances and parts of Ordinances of said City in conflict herewith are hereby repealed.

Passed and approved by the Board of City Trustees of the City of San Diego, this February 6th, 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

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And the Clerk further reading Charter Ordinance No. 40 it was on motion adopted in the words and figures as follows, to-wit:

CHARTER ORDINANCE NO. 40.

(New Charter)

An Ordinance to prevent Hogs, Pigs, Goats or Sheep from running at large in the City of San Diego.

Be it ordained by the Board of City Trustees of the City of San Diego;

Sec. 1. The owner or owners of any hog, pig, goat or sheep found astray or running at large in the City of San Diego upon lands not of the owner or lawful lessee thereof shall be deemed guilty of maintaining a nuisance and on conviction thereof shall be fined in any sum not exceeding Fifty Dollars to be recovered as provided by law.

Sec. 2. This remedy is cumulative to the Ordinances now in force.

Passed and adopted by the Board of City Trustees of the City of San Diego, California, this February 6th 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

The President stating that no further business appearing a motion to adjourn would be in order, and on motion to that effect the Board adjourned.

H. T. Christian, City Clerk

President.

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Office of Board of City Trustees,

City Hall, San Diego, Mch 3rd 1879.

Board met in Regular Session. Present Trustees, McCoy, McCarthy, Julian, Briant and Rogers, and Christian, Clerk. President D. O. McCarthy in the Chair.

Minutes of Regular Meeting of February 3rd 1879 and Minutes of two Special Meetings of February 4th and 6th were read and on motion stand approved as read.

On call of Committees, the Finance Committee make their report, to-wit, reporting favorably on following Bills to-wit:

Bill of T. Larson, wood	27.00
" " H. T. Christian, Clerk Bd of Health	15.00
" " H. Cook, Constable Fees	4.20
" " J. A. Thoman, Janitor	4.00
" " L. L. Lockling, Engineer	3.00

And wholly rejecting the following Bills to-wit:

Bill of San Diego Water Co. for Months of Aug. Sept. Oct. & Nov.	1878	1878	1878	1878	\$400.00
" " " " " " " " Month " Dec. 1878	"	"	"	"	100.00
" " " " " " " " " " Jan. 1879	"	"	"	"	100.00

On motion Warrants were ordered drawn for following Bills. H. Cook's Bill \$4.20, J. A. Thoman's Bill \$4.00 and L. L. Lockling's Bill \$3.00.

Bill of T. Larsen ordered paid by warrant for \$27.00 by the following vote,

1st Ward, Jas. McCoy	No
2nd Ward, D. O. McCarthy	No
3rd Ward, A. H. Julian	Yes
4th Ward, D. W. Briant	Yes
5th Ward, E. O. Rogers	Yes

The Bill of H. T. Christian ordered paid by Warrant of \$15.00 by following vote,

to-wit:

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd Ward, Julian	No
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

The Bills of San Diego Water Co. for Months of Aug. Sept. Oct. Nov. and Dec. 1878 and for month of January 1879 amounting to \$600.00 as reported unfavorably on by Finance Committee, were now taken up and rejected by following vote, the Yeas and Nays having been called, and the Question stated by the President to be, "those in favor of rejecting the said water Bills, will when their names are called vote Yes, those in favor of not re-

jecting the same, will when their names are called vote Nay" to-wit:

1st Ward, McCoy	Yes
2nd Ward, McCarthy	Yes
3rd Ward, Julian	Yes
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

The Finance Committee were granted further time on the Bills of A. Pauly, Tax Collector and A. B. Hotchkiss, City Attorney for Extra Services.

A communication from W. S. Gregg Jr., Agt etc. for Engine House, offering to rent the Engine House to the City for one or two years at \$20.00 per month, was read and referred to Fire Committee.

The opinion of City Attorney on petition of L. L. Lockling referred to him at last regular meeting was read, giving his opinion that Board of City Trustees have no power to grant such a petition, and that the County Board of Supervisors have power to condemn land for right of way, and that they must pursue that course to get their County Roads across the Public Park of the City, ordered placed of file.

A Communication in shape of a Resolution, was handed in by D. W. Briant, Trustee, granting the request of Board of Supervisors of San Diego to pass over certain lands controlled by the City, with roads from Cajon and Poway, now read, and no action taken, as in the opinion of City Atty. just read, it seems this Board has not that power.

The Report of the President, D. O. McCarthy was now read, it being the Semi-Annual Report ending March 1st, 1879, as required by law, and on Motion the same is ordered placed of file and be published.

The Quarterly Report of City Treasurer, E. W. Morse, showing amount to be on hand Mch. 1st, 1879 to be:

Cash in "City Bond Interest Fund"	\$7969.78
" " "City Bond Redemption Fund"	4177.11
" " "City General Fund"	194.68
" " "City Road Fund"	<u>5.50</u>
Total	\$12347.07

was read and ordered placed on file.

The following claims against the City were read and referred to Finance Committee

Theo. Keuppers, Stationery	\$22.40
J. Farley, Work on Streets	10.00
John A. Thoman, Janitor	8.00
San Diego Union, Printing	121.10
Walter Bennett, work on Streets	55.00

The Salary Bill of A. B. Hotchkiss, City Atty., for Salary for month of February for \$25.00 and Salary of H. T. Christian, City Clerk, for month of February 1879 for \$25.00 were read, and warrants drawn for same under rule of the Board.

Charter Ordinance No. 41 was now read, and on motion, the Yeas and Nays being called, was adopted by following vote: 1st Ward, McCoy- No. 2nd Ward, McCarthy, Yes. 3rd Ward, Julian- No. 4th Ward, Briant- Yes. 5th Ward, Rogers- Yes.

The said Ordinance being in the words and figures following, to-wit:
CHARTER ORDINANCE NO. 41.

(New Charter)

Be it ordained by the Board of City Trustees of the City of San Diego.

Sec. 1. That from and after the passage of this ordinance it shall be the duty of the Finance Committee of the Board of City Trustees to meet on the first Monday of each month at 9 A. M. at City Hall, for the purpose of examining and auditing claims against the City, placed in their hands for examination.

Passed and approved by the Board of Trustees of the City of San Diego, this March 3rd 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

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There appearing no further business the Board on motion now adjourned.

H. T. Christian, City Clerk

President.

Office of Board of City Trustees

City Hall, San Diego, April 7th 1879.

Board of City Trustees of City of San Diego met in regular monthly session, present: Trustees McCoy, McCarthy, Julian, Briant and Rogers and Clerk Christian, President D. O. McCarthy presiding.

The Finance Committee now present their report, reporting favorably on the following claims to-wit:

Bill of A. B. Hotchkiss, Esq. Extra services as City Atty	\$1300.00
" " Theo. Kneppers, Stationery	22.40
" " A. Pauly, Road Poll Tax List	25.00
" " Bennett W. for Road Work	55.00
" " J. Farley " do	10.00
" " J. A. Thoman as Janitor	4.00

On Motion the Clerk is directed to read each of the foregoing Bills separately, and call the roll for the Yeas and Nays, the President stating the question to be, those in favor of Warrants drawn for amount of bill as reported favorably on by Finance Committee will when their name is called answer Yes, those of a contrary opinion will answer No. The Bills were allowed and warrants ordered drawn for the several amounts by the following votes; to-wit:

The Bill of A. B. Hotchkiss for \$1300.00 being read the vote stood:

1st Ward, McCoy	No
2nd " McCarthy	Yes
3rd " Julian	No
4th " Briant	Yes
5th " Rogers	Yes

The Bill of Kneppers for \$22.40 being read the vote stood:

1st Ward, McCoy	No
2nd " McCarthy	Yes
3rd " Julian	No
4th " Briant	Yes
5th " Rogers	Yes

The Bill of A. Pauly allowed by following vote:

1st Ward, McCoy.	No
2nd " McCarthy	Yes
3rd " Julian	No
4th " Briant	Yes
5th " Rogers	Yes

The Bill of W. Bennett for \$55.00 being read the vote stood

1st Ward, McCoy	Yes
2nd " McCarthy	Yes
3rd " Julian	Yes
4th " Briant	Yes
5th " Rogers	Yes

The Bill of J. Farley for \$10.00 being read the vote stood;

1st Ward, McCoy	Yes
2nd " McCarthy	Yes
3rd " Julian	Yes
4th " Briant	Yes
5th " Rogess	Yes

The Bill of J. A. Thoman for \$4.00 being read the vote stood:

1st Ward, McCoy	Yes
2nd " McCarthy	Yes
3rd " Julian	Yes
4th " Briant	Yes
5th " Rogers	Yes

The Fire Committee report and recommend that the City lease the present house used as the Engine House at \$17.00 per month, for One Year from the 1st day of April 1879. On Motion the report is accepted and the Clerk is ordered to draw up a contract of Lease with W. S. Gregg, Jr. as Agent for P. Rothermel in accordance with this report and recommendation.

Report of City Tax Collector read and ordered placed on file.

The Clerk read bids or proposition from A. Schneider and C. H. Shepard to furnish Assessment Rolls, known and unknown, Lot Book and Delinquent List for the fiscal year 1879. Mr. Schneider offering to furnish them for \$140.00 in City Warrant and Mr. Shepard at 178.75 in City Warrant. On Motion the bid of A. Schneider is accepted and the Clerk is instructed to draw a Warrant for \$140.00 in favor of Mr. Schneider and contract with him for the said Assessment Rolls etc.

The Clerk now read the following Resolution which on motion was adopted, to-wit:

Resolved that the President of this Board be and he is hereby directed to appoint a Committee of two of the Trustees whose duty it shall be to purchase all necessary supplies for this City, and that the City will not be responsible for any supplies, contracts, purchases or obligations of any kind incurred or authorized by any other persons.

The Clerk also read the following Resolution which on motion was adopted, as follows: Resolution. Resolved by the Board of City Trustees of the City of San Diego, that permission be and is hereby granted to D. O. McCarthy, Trustee of the said City, to be absent from said City and from the State of California for the period of Sixty days from the 15th day of April A. D. 1879.

The following claims against the City were now read and refered to Finance Committee.

San Diego Water Co. for February 1879	\$100.00
San Diego Water Co. " March, 1879	100.00
Joseph Coyne, Sheriff	9.00
W. Bennett, St. Supt.	55.00
San Diego Union	97.00
John A. Thoman	8.00
Jos. Leonard	3.00

Under standing order of the Board Warrants are drawn for Salary of City Attorney and City Clerk of \$25.00 each for Salary of Month of March A. D. 1879.

On Motion the Rules are suspended and a Warrant is ordered drawn to pay the Bill of Joseph Farley just read for the sum of ten dollars.

The President announced as Committee to purchase Supplies for City, as provided for in Resolution passed this meeting, Messrs. Trustees McCoy and Julian.

No further business appearing the Board on motion adjourned.

H. T. Christian, City Clerk

Preident.

SPECIAL MEETING.

City Hall, Office of the Board of City Trustees,

April 10th 1879 2 h. p. m.

This being the time and place for the Board of City Trustees to meet in regularly called Special Meeting for the purpose of opening bids for the redemption of City Bonds, and no member appearing for the transaction of business, this meeting is hereby adjourned until this Thursday evening at 7½ o'clock P. M.

H. T. Christian, City Clerk.

Office of Board of City Trustees,

City Hall, April 10th, 1879, 7½ P. M.

Adjourned Special Meeting. Present: Trustees Briant and Rogers, there not appearing a quorum the Board adjourned to meet on Monday next the 14th inst. at 1 o'clock P. M.

H. T. Christian, City Clerk.

ADJOURNED SPECIAL MEETING.

Office of the Board of Trustees,
City Hall, San Diego April 14th , 1879.

The Board was called to order at 1 h. P. M. by the President D. O. McCarthy,
Present: Trustees McCoy, McCarthy, Briant and Rogers, and Clerk Christian. The President stated the object of the meeting to be the opening and receiving or rejecting the bids for the surrender and redemption of City Bonds under the regularly published notice of the City Treasurer for Redemption of City Bonds of date March 1st, 1879. Said notice being read by the Clerk and the Treasurer, E. W. Morse being present the Board proceeded to open said bids. The Clerk now opened and read the following bid in the words and figures as follows, to-wit: To E. W. Morse, Treasurer of City of San Diego.

Sir, In accordance with your notice for the surrender and redemption of City bonds, I propose to surrender bonds number ninety-four (94) ninety five (5) ninety six (96) of \$1000, each with all unmatured coupons attached, at their par value, less one dollar, said bonds are herewith enclosed.

San Diego, April 9th 1879.

M. C. Morse.

The following communication was now opened and read by the Clerk, to-wit:
To the Trustees of the City of San Diego,
Gentlemen, I claim a right to the redemption of the four bonds of \$500 each under my proposal for the surrender and redemption of the same dated Nov. 22d 1878, made under the Treasurer's advertisement of Oct. 10th, A. D. 1878. I protest against the appropriation of the money in the Redemption Fund to the payment of any other bonds until mine are first paid.

Respectfully Yours,

San Diego, April 10th A. D. 1879

Chas. Hubbell.

On Motion the communication from C. H. Hubbell is ordered placed of file.

The acceptance of the bid of M. C. Morse for surrender of Bonds Nos. 94, 95 and 96 being objected to on the grounds of the illegality of said Bonds, It was on motion ordered that said bid be rejected, by the following vote, the President stating that as the Roll was called the members who were in favor of rejecting said bid as their names are called would answer Yes, those of the contrary opinion would answer when their names are called, No. The vote on rejection stood.

1st Ward, McCoy	Yes
2nd " McCarthy	Yes
3rd " Julian	Absent
4th " Briant	Yes
5th " Rogers	Yes

The following Resolution was now offered and adopted in the words as follows,
to-wit:

Resolved, that the City Attorney be instructed to give his opinion in regard to city bonds issued for other purposes than to carry out the contract made between the Committee of Forty and T. A. Scott, as to their validity.

There coming no further business before the Board, on motion the Board adjourned.

H. T. Christian, City Clerk

President.

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Office of Board of Trustees,

San Diego, May 5th 1879 , 7½ P. M.

This being the time and place for the Board of Trustees of the City of San Diego to convene in Regular Meeting, and A. H. Julian being the only member of the Board appearing for said meeting, the Board is adjourned to meet on Saturday evening next the 10th inst. at 7 o'clock P. M.

H. T. Christian, City Clerk.

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Office of Board of City Trustees,

San Diego, May 10th, 1879, 7 h. P. M.

Board met pursuant to adjournment. Trustee D. W. Briant elected President pro tem.
Present: Trustees McCoy, Briant, Julian and Rogers, and Christian, Clerk.

Minutes of last regular meeting of April 7th and the Special Meetings of April 10th and Special Meeting of April 14th read, and on motion the minutes of April 14th are amended by inserting the following words, to come in and appear after the resolution passed that day requesting the City Attorney to give his opinion on certain bonds, to-wit: "On the adoption of the foregoing resolution the City Attorney stated that he could not give his opinion at that time, but would at the next regular meeting of the board, which time was accepted by the board" with the foregoing amendment the minutes of the aforesaid meetings were on motion approved.

The Finance Committee now offer their report, reporting favorably on the following bills against the City, to-wit:

Jones & Kampling	\$3.00
H. T. Christian, footing Asst. Roll	25.00
A. Pauly, making Delq. & Sale Lists	150.00
W. Bennett, Work on Sts.	90.00
S. D. Union, printing	121.00
Do "	83.00
J. A. Thoman, Janitor	4.00
W. Bennett, Work on Sts.	55.00
P. Rothermel, Rent of Engine House	68.00
Jas. H. Guion, St. Work	5.00
Joseph Coyne, Shff. Fees	9.00

And the Committee further report disallowing the following bills, to-wit:

San Diego Water Co. Water for February	\$100.00
San Diego Water Co. Water for March	100.00
Joseph Leonard, Justice of Peace costs	3.00

On Motion the Clerk is ordered to draw warrants for the amounts of following bills:

J. A. Thoman, Janitor for March	\$4.00
W. Bennett, Work on Sts.	55.00
P. Rothermel, Rent Engine House	68.00
J. H. Guion, work on Bridge or sts.	5.00
Joseph Coyne, Shff. Fees	9.00

On motion the Board reject the payment of the following bills, to-wit:

San Diego Water Co. for February	\$100.00
San Diego Water Co. " March	100.00
Joseph Leonard, for Fees	3.00

The following bills were now read separately and the vote for rejection being called on each bill separately, and during the discussion which followed, E. O. Rogers Esq. Trustee, stated that as Messrs. McCoy and Julian were determined to vote against payment of these bills and consequently delay the business of the board, he would vote with the two gentlemen for the motion to reject, but wished it emphatically understood that he simply voted to reject for the purpose of forwarding business, and that he thought the bills were proper and just and should be paid. The bills were as follows:

San Diego Union, printing to Mch 8th	\$121.00
San Diego Union " " Apr. 7th	83.00
W. Bennett, Street work	90.00
A. Pauly, making, Delinquent & Sale List	150.00
H. T. Christian, footing Delq. List etc.	25.00
Jones & Kampling	3.00

And on the call of Wards on motion to reject, the vote stood on each bill to-wit:

1st Ward, McCoy	Yes
2nd " Absent	---
3rd " Julian	Yes
4th " Briant	No
5th " Rogers	Yes with the understanding that he votes "Yes"

simply to forward and dispose of the business before the Board.

The report of Tax Collector now read, and on motion is ordered placed of file.

The Clerk reports having drawn up, and having had the Lease for Engine House executed as per order of the Board, the Lease being now read it is on motion approved and

placed on file.

The following claims against the City were now read and referred to the Finance Committee.

A. Schneider	18.15
M. Schiller	4.50
J. A. Thoman	8.00

The bill of A. B. Hotchkiss, City Attorney, Salary for month of April, and Bill of H. T. Christian as Clerk of the Board for April 1879 are read and Warrants drawn for the same understanding order of the Board.

On motion to allow J. A. Thoman Four dollars balance due him as Janitor for month of January 1879 in addition to Four dollar Warrant already drawn, the vote stood two for and two against, the chair declared no action taken.

On motion work is ordered suspended on the Streets in the City until ordered by Street Committee,

On motion the Board now adjourned.

H. T. Christian, Clerk

President pro tem.

Office of Board of Trustees,

San Diego, June 2d, 1879, 7½ P. M.

Board met in regular session, present; Trustees McCoy, McCarthy, Julian, Briant and Rogers, Clerk Christian, President D. O. McCarthy in the chair.

Minutes of the last regular meeting of May 10th read and approved.

The Finance Committee submit their report, reporting favorably on the following bills.

John A. Thoman, Janitor April and May	\$8.00
M. Schiller	4.50

On motion the reports received and warrants ordered drawn for said bills, Trustee McCoy voting "No".

The Petition of M. Rankin asking permission to grade State St. between A and B Streets, said Rankin to pay all expenses in so doing, and further asking that he be permitted to place his mud mills on B Street near Arctic Street, was read and petition granted, Trustee McCoy voting "No".

A petition from J. S. Mannasse and Marcus Schiller was read asking that the time for commencing and completing their Wharf be extended, and on motion the petition was granted and ordered placed of file.

The Clerk then read Charter Ordinance No. 42 extending the time as prayed for in said petition. The said Ordinance being passed and approved, Trustee Rogers voting "No" and is in words and figures as follows, to-wit:

CHARTER ORDINANCE NO. 42.

(New Charter)

An Ordinance extending the time for the completion of a certain Wharf, under a Wharf Franchise granted Mannasse and Schiller.

Whereas the time for the completion of the Wharf heretofore authorized by the President and Board of Trustees of the City of San Diego, to be erected by Joseph S. Mannasse and Marcus Schiller, their heirs, executors, administrators or assigns, in front of their lands in Pueblo Lot No. 1157, will expire July 1st. A. D. 1879; and whereas it appears to the satisfaction of the Board of Trustees that it will be impossible for such Wharf to be commenced or completed within the time heretofore limited,

Now Therefore, the Board of Trustees of the City of San Diego do ordain as follows:

Sec. 1. There is hereby granted unto Joseph S. Mannasse and Marcus Schiller,

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their executors, administrators and assigns, two years more time, from and after the 1st day of July A. D. 1879 in which to commence and complete the wharf to be constructed in front of Pueblo Lot 1157 and extending into the Bay of San Diego in accordance with Ordinance No. 18 approved June 30th A. D. 1871 passed by this Board and renewed by this Board by Ordinance No. 36 approved May 12th 1873, and again renewed by Ordinance No. 73 approved June 30th 1875, and subsequently renewed by Charter Ordinance No. 18 (New Charter) passed and approved by this Board June 4th 1877, reference being hereby made to such Ordinances.

Sec. 2. There is hereby granted and continued in full force and effect unto the said Joseph S. Mannasse and Marcus Schiller and their assigns, all the rights and privileges which were granted in said Ordinances Nos. 18, 36, 73 and 18 (New Charter) to said Joseph S. Mannasse and Marcus Schiller and assigns, so far as the right to build, construct and maintain a Wharf in front of Pueblo Lot 1157 and out into said Bay, is concerned, except there is given two years further time by the first section of this Ordinance in which to commence and complete the said Wharf Structure.

Passed and approved by the Board of Trustees of the City of San Diego, State of California this 2nd day of June A. D. 1879.

(SEAL) ATTEST: H. T. Christian, City Clerk.

D. O. McCarthy, President.

The resignation of A. H. Julian as Trustee was now read and on motion the Board refused to accept the same.

The opinion of A. B. Hotchkiss Esq., City Attorney, on matter of City Bonds, read and placed on file,

L. L. Lockling asked and was granted four months leave of absence.

Treasurer's Report for the Quarter read and ordered placed of file.

E. O. Rogers, Trustee, called up the Bill of W. Bennett rejected at last meeting and on motion a Warrant was ordered drawn for the amount \$90.00, the vote on Yeas and Nays being

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd " Julian	No
4th " Briant	Yes
5th " Rogers	Yes

The Bill of A. Pauly for \$150.00 rejected at last meeting called up and on motion a Warrant was ordered drawn for the amount, the vote standing

1st Ward, McCoy	Excused from voting
2nd " McCarthy	Yes
3rd " Julian	Yes
4th " Briant	Yes
5th " Rogers	Yes

The Bill of Jones and Kampling rejected at last meeting for \$3.00 called up, and a Warrant ordered drawn for the amount, the vote standing

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd Ward, Julian	No
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

The Bill of H. T. Christian for work in footing Delinquent List taken up and on motion a Warrant for \$25.00 ordered drawn, the vote being

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd Ward, Julian	No
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

The Bill of San Diego Union rejected at last meeting for \$121.00 taken up and on motion a Warrant is ordered drawn for the amount, the vote standing.

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd Ward, Julian	No
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

The Bill of San Diego Union for \$83.00 rejected at last meeting called up, and on motion a Warrant is ordered drawn for the amount, the vote being.

1st Ward, McCoy	No
2nd Ward, McCarthy	Yes
3rd Ward, Julian	No
4th Ward, Briant	Yes
5th Ward, Rogers	Yes

Under standing order of the Board, Warrants are drawn for the Salary of Clerk of the Board and City Attorney for the month of May 1879 for the sum of \$25.00 each.

There appearing no further business the Board adjourned to meet on the 14th inst. at 7½ h. P. M.

H. T. Christian, City Clerk

President

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Office of Board of Trustees

City Hall, San Diego, June 14th 1879

Board met at 7½ h. p. m. pursuant to adjournment. Present: Trustees McCoy, McCarthy, Julian, Briant, and Rogers. President D. O. McCarthy presiding.

The Clerk, H. T. Christian being absent, on motion Wm. S. Gregg Jr. is elected as Clerk of the Board pro tem.

The President stated that the object of the meeting was principally for the purpose of appointing a City Janitor and an Executive Officer of the Board of Trustees, and had the Clerk read an Ordinance prepared which appointed such Officer. On reading of the Ordinance, on motion it was passed and approved by the following vote:

|                    |     |
|--------------------|-----|
| 1st Ward, McCoy    | No  |
| 2nd Ward, McCarthy | Yes |
| 3rd Ward, Julian   | No  |
| 4th Ward, Briant   | Yes |
| 5th Ward, Rogers   | Yes |

The said Ordinance being in words and figures following, to-wit:

CHARTER ORDINANCE NO. 43.

(New Charter)

An Ordinance creating the office of, and appointing a City Janitor, and defining his duties.

Be it ordained by the Board of City Trustees of the City of San Diego:

Sec. 1st. That for the purpose of caring for the Books, Maps and other City Property of the said City: and for the purpose of furnishing an Executive Officer to said Board of Trustees, the office of City Janitor is hereby created.

Sec. 2. That it shall be the duty of said Janitor to keep the City Hall in order and light the same for all meetings of the Board; to see that the Books and personal property of said City are safely kept, to attend all meetings of said Board and act as its Executive Officer.

Sec. 3. John A. Thoman is hereby appointed Janitor.

Passed and Approved by the Board of Trustees of the City of San Diego, State of California, this 14th day of June A. D. 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

The Board on Motion adjourned.

H. T. Christian, City Clerk.

President.

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Office of the Board of City Trustees

City Hall, July 7th A. D. 1879, 7½ P. M.

Board met in regular meeting, present Trustees McCarthy, Briant And Rogers. Clerk, Christian. D. O. McCarthy, President in the Chair.

Minutes of regular meeting of June 2d 1879 and of Special Meeting of June 14th 1879 read and approved.

The Finance Committee ask and are granted further time in which to report.

The Report of Tax Collector ordered placed of file.

The following claims against the City were read and referred to the Finance Committee, to-wit:

San Diego Union, Adv. Delinquent List	\$478.00
Chas. E. May	4.00
Hamilton & Co.	21.80
S. D. Water Co., water for April & May	200.00
John D. Bass	12.37
John A. Thoman	4.00
W. S. Gregg, Jr. for P. Rothermel	51.00
Hamilton & Co.	7.50
C. H. Poole	10.00

The Clerk now read the following Ordinance which on motion was approved and adopted, in words and figures following, to-wit:

CHARTER ORDINANCE NO. 44.

(New Charter)

An Ordinance regulating the storage of powder &c.

Sec. 1. No person shall keep within the City of San Diego at any place within one half mile of any inhabited building or place frequented by the public a quantity of powder or other equally destructive explosive material exceeding fifty pounds in weight.

Sec. 2. Merchants and traders may keep powder or other explosives on sale at their stores or warehouses at any place in said City in quantities not exceeding fifty pounds subject to the following regulations to-wit: The same must be kept in a lead, zinc or copper lined chest with a close fitting cover fastened with metal hinges and hasps and furnished with two strong and convenient handles, which chest must always be locked except when opened to take out such powder or explosive: Such chest must be placed on the floor nearest on a level with the Street in front of the principal front entrance of the building where kept, at the right side of and within eight feet of such principal entrance, and not otherwise, except by special permit of the Board of City Trustees.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be guilty of public nuisance and on conviction shall be fined the sum of Fifty Dollars to be recovered as provided by law.

Sec. 4. Charter Ordinance No. 4 (New Charter) and all ordinances and parts thereof in conflict herewith are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego, State of California this July 7th 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

There appearing no further business on motion the Board adjourned.

H. T. Christian, Clerk

President.

REGULARLY CALLED SPECIAL MEETING.

Office of Board of City Trustees,

City Hall, July 19th 1879, 7½ P. M.

Pursuant to a regularly published call for a Special meeting the Board met, Present Trustees McCarthy, Julian and Rogers. President D. O. McCarthy in the chair. Christian, Clerk.

The President stated the object of the meeting to be for the purpose of calling a Special Election to fill the vacancy caused by the death of Mr. H. M. Bentzel, City Assessor.

The Clerk now read the following order for an Election which on motion was adopted

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in words and figures as follows, to-wit:

Office of Board of Trustees of the City of San Diego,
City Hall, Huly 19th., 1879.

Whereas a vacancy has occurred by the death of H. M. Bentzel, City Assessor, in
and for the City of San Diego.

Therefore be it ordained by the Board of Trustees of the City of San Diego that
a Special Election be held on Saturday the 2d day of August A. D. 1879 for the purpose of
electing an Assessor in and for the City of San Diego, State of California to fill the
unexpired term of said office, caused by the death of H. M. Bentzel as aforesaid.

That the polling places and officers of said Special Election be as follows:

First Ward. Inspector, George Lyons. Judges, Thomas Lush and L. Rose. Voting
place, Rose's Hall.

Second Ward. Inspector, E. W. Nottage. Judges, Josiah Shaffer and T. M. Turner.
Polling Place, San Diego Hotel.

Third Ward. Inspector, W. W. Terry. Judges, M. Peyser and J. S. Lyons. Polling
Place, City Hall.

Fourth Ward. Inspector, L. L. Lockling. Judges, H. H. Dougherty and T. Hogue.
Polling Place, Hodge's Building Cor. D and 5th Sts.

Fifth Ward. Inspector, A. J. Chase. Judges, H. A. Perry, and H. Bailey. Polling
Place, Bay View Hotel.

That the Polls be open from 10 o'clock A. M. until sunset.

Passed and approved by the Board of Trustees of the City of San Diego, State of
California, this 19th day of July A. D. 1879.

(SEAL) H. T. Christian, City Clerk

D. O. McCarthy, President.

On Motion a committee was appointed to draw up and present to the Board at its
next regular meeting a set of resolutions appropriate of respect for the late City Assess-
or, the President appointed E. O. Rogers and A. H. Julian such Committee. On Motion the
President, D. O. McCarthy was added to that Committee.

There appearing no further business the Board on motion adjourned.

H. T. Christian, City Clerk

President.

Office of Board of City Trustees,

San Diego, August 4th 1879. 7 $\frac{1}{2}$ P. M.

Board met in regular monthly session, present Trustees McCarthy, Julian and
Rogers, and Clerk, Christian. D. O. McCarthy, President in the Chair.

Minutes of the meetings of the Board of July 7th and 19th, 1879 read and approved.

The Finance Committee reported favorably on the following bills, and on motion
Orders are drawn on the Treasurer for the several amounts, to-wit:

Bill of John D. Bass	\$12.37
" " Hamilton & Co.	14.40
" " P. Rothermel (Rent Engine House)	51.00
" " John A. Thoman (Janitor)	4.00
" " C. P. Gerichten (Rent City Hall)	140.00

The Finance Committee asked and were granted further time on various bills.

The Special Committee appointed July 19th, 1879 by this Board for the purpose of
submitting to the Board for their adoption Resolutions of Respect and Condolence for the
late H. M. Bentzel, City Assessor, beg to report the following, which on motion is unani-
mously adopted, in words to-wit:

RESOLUTION OF RESPECT AND CONDOLENCE.

Whereas, It has pleased Almighty God, in his providence, to remove from among us

by death our worthy friend and brother officer, H. M. Bentzel, Esq., in the vigor of manhood and in the height of his usefulness; and

Whereas, It is proper and in accordance with the wishes of the Board of City Trustees to place on record our estimate of him in the various relations of life which he so honorably filled, to express our respect for his noble character, and our regret at his untimely death; therefore, be it

Resolved, That in the death of H. M. Bentzel, Esq., the Board of City Trustees deplores the cutting off of one who was an honor to the city, and the state the loss of an useful and worthy citizen. We mourn him as a warm hearted friend, a courteous Christian gentleman, and an able and efficient officer, as a man just, honest and upright, whose pure character attracted and commanded the admiration and esteem of all who knew him.

Resolved, That from intimate acquaintance with our deceased friend, we can testify to his qualifications and ability as City Assessor, to his persevering industry in the discharge of its duties, to his fidelity to its obligations, to his kindness and courtesy to this Board, to his honesty and integrity as a man, and to his unexceptional demeanor in his intercourse with his fellow men. Upright, true, kind and affectionate, he has gone down to the grave with a name unspotted, and has bequeathed to those near and dear to him a reputation ever to be prized as an inheritance priceless and peerless. The possession of such elements of character as were combined in our friend and brother officer gives assurance that he faithfully and conscientiously discharged all the duties of husband, father, and friend.

Resolved, That we tender our heartfelt sympathy to the family of the deceased in this heavy affliction, and may He who is the God of the widow and the fatherless administer to them all needful comfort and consolation under this sore bereavement.

Resolved, That the Clerk of this Board is hereby directed to spread these resolutions upon our minute book as an expression of the opinions and feelings of the members of the Board of Trustees of the city of San Diego.

Resolved, That a copy of these resolutions signed by the President and Clerk of this Board with the official seal affixed, be sent to the widow of our deceased brother officer, and published in THE SAN DIEGO UNION.

Adopted and approved by the Board of Trustees of the City of San Diego, State of California, in regular session this 4th day of August, A. D. 1879.

Witness our hands and the corporate seal of said city.

(SEAL)

D. O. McCarthy, President.

H. T. Christian, City Clerk.

A Petition numerously signed by citizens asking the Board to instruct the Attorney of the City in the case now pending in the 18th Dist. Court for the recovery of certain lands deeded by the City to the Texas Pacific R. R. Co. to stipulate a postponement of said suit to the next term of said Court, now read, and on motion the prayer of said petitioners is granted, and the City's Attorneys therein so instructed.

The Returns from the several Wards of the late Special City Election for the purpose of electing an Assessor in and for said City, held August 2d 1879, were now opened, and the result of said Election declared as follows, to-wit:

First Ward, for City Assessor

H. T. Christian had Ten Votes 10

Chas. Whipple had Twenty two " 22

Second Ward, for City Assessor

H. T. Christian had Fifteen votes 15

Chas. Whipple " Six 6

Third Ward, for City Assessor

H. T. Christian had Seventy votes 70
 Chas. Whipple " Twenty " 20

Fourth Ward, for City Assessor

H. T. Christian had Fifty seven votes 57
 Chas. Whipple " Seven 7

Fifth Ward

H. T. Christian had Twenty six votes 26
 Chas. Whipple " Fourteen " 14

Making Total votes for H.T.Christian 178
 " " " " Chas. Whipple 69

On motion the Board declared the election of H. T. Christian as Assessor in and for said City by a majority of One hundred and nine (109) Votes.

The President thereupon declared H. T. Christian the duly elected Assessor of said City of San Diego to fill the unexpired term of said office caused by the death of H. M. Bentzel Esq. and until his successor is elected and qualified. The Official Bond of H. T. Christian as City Assessor was now read for the sum of Five Thousand Dollars, with the following sureties:

A. P. Knowles, for the sum of Two thousand Dollars
 E. W. Morse " " " " Two thousand "
 J. M. Pierce " " " " Two thousand "
 A. Schneider " " " " Two thousand "
 J. D. Mantania " " " " One thousand "
 Jos. Coyne " " " " One thousand "

On motion the Bond of H. T. Christian as City Assessor just read is approved and ordered placed of file.

The following Claims against the City were now read and referred to the Finance Committee.

Election Board 1st Ward, Spcl Election Aug. 2d.	\$18.00
" " 2nd " " " "	18.00
" " 3rd " " " "	15.00
" " 4th " " " "	18.00
" " 5th " " " "	18.00
Bill of John A. Thoman, Janitor &c	25.00
" " A. Schneider	16.20

On Motion the Finance Committee is instructed to report immediately upon the Bills of the Election Board of the several Wards. The Finance Committee now presented their report, reporting favorably on the several Bills of the said Election Board, on motion the Clerk is instructed to draw Warrants for the several amounts and in favor of the several officers of each Election Board of the several Wards on the City Treasurer.

Under standing Rule of the Board, Warrants are drawn in favor of A. B. Hotchkiss, City Attorney Salary of \$25.00 for month of July 1879 and \$25.00 in favor of H. T. Christian as Clerk of the Board for said month.

On motion the adjourn until Wednesday evening next the 6th inst. at 7½ o'clock.

H. T. Christian, City Clerk

President.

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Office of Board of City Trustees,

San Diego, Aug. 6th, 1879. 7½ P. M.

Pursuant to adjournment, this being the time for the convening of the Board, Messrs. Trustees Julian and Rogers and Clerk Christian appearing for that purpose, and there appearing no quorum of the Board, on motion the Board stands adjourned until the next regular meeting, Sept. 1st, 1879 at 7½ h. P. M.

H. T. Christian, Clerk.

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Office of Board of City Trustees,

September 1st, 1879, 7 $\frac{1}{2}$ H. P. M.

There appearing no quorum of the Board for the transaction of business, the meeting goes over until the next regular meeting on Oct. 6th A. D. 1879.

H. T. Christian, Clerk.

REGULARLY CALLED SPECIAL MEETING.

Office of Board of Trustees of City of San Diego,

Cal. Sept. 19th, 1879, 4 h. P. M.

Pursuant to the following Notice of a Special Meeting, the Board of Trustees convene in a Special Session, to-wit:

"Notice" "San Diego, Sept. 19th 1879.

A Special Meeting of the Board of City Trustees, of the City of San Diego is hereby called to meet at the City Hall in said City, on Friday Sept. 19th 1879 at Four o'clock P. M. for the purpose of taking into consideration the propriety of the sale of City lands, and for the passage of an Ordinance authorizing said sale, if the same shall be deemed proper and advisable by said Trustees for the best interest of said City.

D. O. McCarthy, Trustee
E. O. Rogers, Trustee
D. W. Briant, Trustee
James McCoy, Trustee

Present: Trustees McCoy, McCarthy, Briant and Rogers, and Christian, Clerk.

D. O. McCarthy, President of the Board, called the meeting to order and stated the object of the meeting to be for the purpose of consideration of a sale, and if advisable, to pass an Ordinance for the Sale of City lands.

The Clerk then read Charter Ordinance No. 45 which on motion was unanimously passed and adopted, in words and figures following, to-wit:

CHARTER ORDINANCE NO. 45. 45

(New Charter)

Ordering Sale of City Lands.

The City of San Diego acting herein through its Board of City Trustees, does ordain as follows, to-wit:

Sec. 1. That there be sold at public Auction in the manner provided by law, the following described land, the property of said City: and the Clerk of said City is hereby ordered, on the expiration of the legal period of publication of this Ordinance, to give the notice of sale of said lands by publication, as required by clause 12 of Section 10 of the Charter of said City and of the law.

Sec. 2. Description of lands ordered to be sold by this Ordinance, to-wit:
All the right, title, interest and estate of the City of San Diego in and to all those certain lots, pieces, parcels or tracts of land situate, lying and being within the limits of the Pueblo of the City of San Diego, in the County of San Diego and State of California, and more particularly numbered and described according to the Official Map of said City, made by James Pascoe, City Engineer of said City in May, 1870, as follows, to-wit:
East $\frac{1}{2}$ of Pueblo Lot number Eleven hundred and seventy nine (1179), and whole of Pueblo Lots number 1203, 1225, 1226, 1227, 1228, 1232, 1233, 1239, 1241, 1242, 1243, 1244, 1245, 1254, 1255, 1256, 1257, the E $\frac{1}{2}$ of Pueblo Lot 1258 and the whole of Pueblo Lots 1259, 1260, 1262, 1263, 1264, 1270, 1271, 1272, 1273, 1274, 1275, 1279, the W. $\frac{1}{2}$ of Pueblo Lot 1295, the whole of Pueblo Lot 1296, the E. $\frac{1}{2}$ of Pueblo Lot 1297, the whole of Pueblo Lot 1298, the W. $\frac{1}{2}$ of Pueblo Lot 1299, the W. $\frac{1}{2}$ of Pueblo Lot 1300, the whole of Pueblo Lots 1304, 1305, 1213, 253, 249, 322, 323, 1268, 1306, 1309, 1310, 1284, 1311, 1293, 1294 and the

E. 1/2 of Pueblo Lot 1280.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this the 19th day of September A. D. 1879.

(SEAL) Attest: H. T. Christian, City Clerk D. O. McCarthy, President.

The business for which the meeting was called having been disposed of, on motion the Board now adjourned.

H. T. Christian, Clerk President.

Office of Board City Trustees

San Diego, Oct. 6th, A. D. 1879.

The Board met in regular monthly session, present Trustees, McCoy, McCarthy, Julian, Briant and Rogers, President D. O. McCarthy in the Chair, H. T. Christian, Clerk.

Minutes of the meeting of Aug. 4th, 1879 and of Aug. 6th and Sept 1st and of the Special Meeting of Sept. 19th 1879 read and approved.

The Finance Committee reported favorably on the following bills, to-wit:

A. Schneider, 2 Bills	\$34.35
Chas. E. May, repairing Fire Hose	4.00
San Diego Union, printing Delq. list 1878	478.00

On motion the report is approved and the Clerk ordered to draw warrants for the several amounts.

A petition from residents of the 1st Ward asking that the well and pump in the Plaza, Old Town should be put in running order, was read and referred to the Street Committee with instructions to that Committee to report on same at next regular meeting of the Board, and the petition ordered filed.

A petition numerously signed by citizens asking that A. G. Clark be elected Chief of the Fire Department was read and ordered placed of file.

A communication from Jos. Mangrane asking pay for work on St. on D St. referred to the Street Committee.

The matter of repairs needed on the road and Bridge near Salt Works and on the road to Old Town referred to Street Committee.

The report of City Treasurer for Quarter ending August 31st 1879 read and ordered filed.

The report of the President of the Board for six months ending August 31st 1879 read and on motion ordered published and placed of file.

The following claims against the City were now read, to-wit:

H. T. Christian, City Assessor	\$300.00
Hamilton & Co.	1.00
San Diego Water Co., Water for June & July 1879	200.00
Do " " Aug & Sept	200.00
Hogue & Pohl, Cleaning & Oiling Fire Hose	24.00
John A. Thoman, Janitor etc. for Aug.	25.00
" " " Sept.	25.00
C. P. Gerichten, Rent for June, July, Aug, & Sept.	80.00
S. Statler, Dist. Court Clerk costs	18.60

On motion the rules are suspended and the Clerk is ordered to draw warrants for the Bills of C. P. Gerichten rent \$80.00 and S. Statler, Clerks Costs \$18.60.

On motion the remainder of the Bills as read were referred to the Finance Committee.

On motion the rate of taxation for the City was fixed and levied at for General Revenue purposes thirty cents; and for City Bond Redemption Fund purposes at twenty cents on the \$100 of taxable assessed property in the City for the year 1879.

The Clerk then read Charter Ordinance No. 46 (New Charter) levying the Tax for 1879 and providing for its collection which on motion was passed and adopted in the words

and figures following, to-wit:

CHARTER ORDINANCE NO. 46.

(New Charter)

Levying City Tax for the year 1879 and providing for the collection of Taxes.

The City of San Diego, through its Board of Trustees, does ordain as follows:

Section 1. The rate of taxation for revenue purposes of the City of San Diego for the fiscal year ending December 31st 1879 is hereby fixed and levied at the sum of thirty cents on every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of said City made taxable by law: and the rate of taxation for the purposes of the "City Bond Redemption Fund" of the City of San Diego, is hereby fixed and levied at the sum of twenty cents on every one hundred dollars of the assessed value of all the real and personal property within the limits of said City made taxable by law.

Sec. 2. As soon as the Board of Equalization of said City of San Diego shall have adjourned their annual meeting, held to equalize the assessment of property made by the City Assessor for the fiscal year ending December 31st 1879, the assessment books of property made by said officer as a "true list of all the taxable property within the limits of the City of San Diego" must be delivered to the City Clerk of said City, and thereupon said Clerk must compute and enter in a separate money column in said assessment book of property, the respective sums in dollars and cents, to be paid as a tax or taxes on the property therein enumerated, and must foot up the column showing the total amount of such taxes, and the columns showing the value of the property assessed in said City as corrected under direction of said Board of Equalization.

Sec. 3. On or before the first Monday in December 1879, the said Clerk must deliver the said Assessment book of property so footed up, and taxes computed thereon by him, to the Tax Collector of said City, with an affidavit thereto attached, and by him subscribed in effect, to-wit:

I, Clerk of the City of San Diego, State of California, do swear that I received the assessment book of all the taxable property of the City of San Diego, for the fiscal year ending December 31st, 1879; that I have reckoned the respective sums due as taxes upon said property, and have added up the columns of valuations as taxes as required by law, and that the foregoing is a true computation of the same.

Sec. 4. On delivering the said Assessment book to the Tax Collector as provided, the City Clerk must charge said Tax Collector with the full amount of the taxes levied for the fiscal year 1879, and report at the next regular meeting of the Board of Trustees of said City the amount so charged.

Sec. 5. On the first Monday in February A. D. 1880, or within three days thereafter, the City Tax Collector must cause to be published a notice specifying

1st. That City Taxes for the fiscal year ending December 31st, 1879 are due and payable .

2nd. That said City Taxes will become delinquent on the first Monday in April A. D. 1880 at 6 o'clock P: M.

3rd. The time and place at which payment may be made. Said notice must be published for two weeks in some weekly or daily newspaper published in said City.

Sec. 6. The City Tax Collector must mark the date of payment of any tax, in said assessment book opposite the name of the person for whom payment is made, or opposite the item of property so paid on, and he must give a receipt to the person or persons paying

any tax, specifying the amount of the assessment, and the tax paid, with a description of the property so paid on.

Sec. 7. On the first Monday of each month the City Tax Collector must settle with the City Clerk for all monies collected for said City and pay the same to the City Treasurer, retaining his percentage thereon, not to exceed three per centum, and file his report of such payments, under oath, with the Treasurer's receipt attached thereto, with the City Clerk of said City. If the City Tax Collector refuses or neglects to make the payments and settlements herein required for a period of five days, he will be liable to said City for the full amount of the taxes charged upon the Assessment Books.

Sec. 8. On the third Monday in April, 1880, the City Tax Collector must deliver to the City Clerk a complete "delinquent list" of all persons and property then owing City Taxes in said City to the City of San Diego, and the City Clerk must carefully compare the list with the assessment book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the total amount of taxes so remaining unpaid and credit the Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against him on the assessment book, and in case any deficiency exists, require from him an immediate account of the same.

Sec. 9. After settlement with the City Tax Collector as prescribed in the preceding section, the City Clerk must charge said Tax Collector then acting with the amount of taxes due on the delinquent list, and within three days thereafter deliver the list, duly certified, to such Tax Collector, and within ten days thereafter, the City Clerk must present a statement to the Board of Trustees of said City of each kind of property assessed and delinquent, and the total amount of delinquent taxes.

Sec. 10. On or before the first Monday in May 1880 the City Tax Collector must publish the delinquent list which must contain the names of the persons and a description of the property delinquent, and the amount of taxes due opposite each name and description, with taxes due on personal property added to the taxes on real estate when the estate is liable therefor, or the several taxes are due from the same person; and the said Tax Collector must append and publish with the delinquent list a notice, that unless the taxes delinquent are paid the real property upon which such taxes are a lien will be sold at public auction.

Sec. 11. The said publication must be made once a week for three successive weeks, in some newspaper published in said City of San Diego, (in the official paper of said City when practicable) and must designate the time and place of sale, which time must not be less than twenty-one nor more than twenty-eight days from the first publication, and the place must be in front of the City Hall, the same being the rooms occupied by the Board of Trustees of said City.

Sec. 12. The City Tax Collector as soon as he has made the publications required in the preceding sections, must file with the City Clerk and County Recorder respectively, a copy of the publication with an affidavit attached thereto that it is a true copy of the same, that the publication was made, and the date of each appearance.

Sec. 13. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, the City Tax Collector, between the hours of 10 o'clock A. M. and 3 o'clock P. M. must commence the sale of property advertised, commencing at the head of the list and continuing alphabetically or in the numerical order of lots and blocks until completed. He may postpone the day of sale from day to day, but the sale must be completed within three weeks from the day first fixed, and the said sale must be conducted in the manner and spirit of the law providing for the sale of property delinquent for State and

County Taxes; provided however, when there is no bidder at such sale for any piece or parcel of property offered, the unpaid taxes shall be carried on to the succeeding years assessment book, against the person or persons and against the property.

Sec. 14. On receiving the amount of the taxes, the City Tax Collector must make out in duplicate a certificate dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor; that it was sold for taxes, naming the year, signed by said Tax Collector, and one copy delivered to the purchaser, and the other filed in the office of the County Recorder.

Sec. 15. A redemption of the property may be made within twelve months from the date of the purchase.

Sec. 16. If the property is not redeemed within twelve months from the date of sale, the Tax Collector must, on request, make to the purchaser, or his assignee, a deed of the property, reciting in the deed substantially the matters contained in the certificate of sale, and that no person has redeemed the property in the time allowed by law for its redemption.

Sec. 17. The City Tax Collector must on the third Monday in June, 1880, attend at the office of the City Clerk with the delinquent list, and said Clerk must carefully compare the list with the assessments of persons and property not marked "paid" on the Assessment book, and when taxes have been paid must note the fact in the appropriate column of the assessment book. There must be administered to said Tax Collector an oath, to be written and subscribed in the delinquent list, that every person and all property assessed in the delinquent list on which taxes have been paid, has been credited in the list with such payment. The City Clerk must then foot up the amount of taxes remaining unpaid and credit the City Tax Collector with the amount, and have a final settlement with him; and the delinquent list must remain on file in the office of said Clerk.

Sec. 18. All Ordinances of the City of San Diego, and all parts of Ordinances of said City in conflict with this Ordinance, are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this 6th day of October, A. D. 1879.

(SEAL) Attest: H. T. Christian, City Clerk.

D. O. McCarthy, President.

On Motion the City Clerk is ordered to give due public notice, that the Board of City Trustees would convene on October 20th, 1879 at 10 o'clock A. M. as the City Board of Equalization to equalize the assessment of the City of San Diego for the year 1879 and that said Board will continue in session until said business is all disposed of.

It appearing that the Board of Delegates of the Fire Department of the City of San Diego, being in attendance for the purpose of balloting in joint ballott with the Board of City Trustees for the election of a Chief Engineer of the said Fire Department, on Motion it is ordered that the election be gone into, and that the Clerk call the names of the persons constituting said Board of Delegates and Board of Trustees and as their names are called for said members to advance and cast their ballots for Chief Engineer. The Clerk then proceeded and called the roll in the following order. C. Dobbin, Delegate, John Koop, Delegate, B. F. Snyder, Delegate, Jacob Mühner, Delegate, Jas. McCoy, Trustee, D. O. McCarthy, Trustee, A. H. Julian, Trustee, D. W. Briant, Trustee and E. O. Rogers, Trustee, there being nine ballots cast, and on counting the same the vote stood, for Chief Engineer, P. Koster seven (7) votes, for Chief Engineer, A. G. Clark Two (2) votes, the President of the Board of Trustees thereupon declared P. Koster duly elected Chief Engineer of the Fire Department of the City of San Diego for the ensuing term of one year.

On motion the City Clerk is directed to advertise for bids for all City printing

required by the City, for the term of office of the present Board, the Board retaining the right to reject any and all bids, said bids to be opened and considered at the regular November meeting of the Board.

There appearing no further business on motion the Board adjourned.

H. T. Christian, Clerk.

President.

Office of Board of City Trustees, San Diego,

Nov. 3rd, 1879, 7½ h. P. M.

The Board of Trustees of the City of San Diego at this time met in regular monthly session, present Trustees, McCoy, McCarthy, Julian, Briant and Rogers being the full Board, and Christian, Clerk. D. O. McCarthy, President, in the chair.

The minutes of the Board of October session Oct. 6th, 1879, read and on motion approved as read by the Clerk.

The Finance now submit their report the full committee approving the following bills, to-wit:

H. T. Christian's bill making Assessment	\$300.00
John A. Thoman 3 bills \$8.00 each (Janitor)	24.00
Hamilton & Co. 2 bills Mdse.	8.50

On motion the Clerk is ordered to draw warrants on the Treasurer for the same.

The Committee by a majority report approve the following bills, to-wit:

F. Ganahl, Professional Services in Supreme Court	\$500.00
Hogue & Pohl, Cleaning Fire Hose	18.00
Chas. Pohl, " " "	7.00

On Motion that warrants be drawn for the respective amounts of said bills, and the "ayes" and "nays" being called the vote stood.

On Bill of F. Ganahl, McCoy "No", McCarthy "Yes", Julian "No", Briant "Yes", Rogers "Yes". On Bill of Hogue and Pohl, McCoy "No", McCarthy "Yes", Julian "No", Briant "Yes", Rogers "Yes" and on Bill of Chas. Pohl, McCoy "No", McCarthy "Yes", Julian "No", Briant "Yes", Rogers "Yes", the President thereupon declared the motion carried and warrants ordered drawn.

The petition of John Desmond read asking the Board to lease him for the term of twenty-five years a certain strip off the S. W. Cor. of the City Park containing 21x43½ feet of land, and on motion the petition is ordered placed of file.

A petition of property owners & tenants of 5th St. in the matter of certain parties raising the grade of "F" Street at its intersection with 5th St. so as to change the drainage of water, was read and ordered placed of file.

A petition from Messrs. Jos. S. Mannasse and E. M. Rankin asking permission to use the soil on certain streets in Middletown in said City of San Diego, for the purpose of making brick, in said petition agreeing to refill all excavations made by them in said Streets with hard clay and brickbats full up to the established grade of said streets, was read and on motion ordered placed of file.

Charter Ordinance No. 47 now read, and on motion passed and approved in words and figures, as follows, to-wit:

CHARTER ORDINANCE NO. 47.

(New Charter)

Fixing the time of meetings of the Board of City Trustees.

The City of San Diego, acting herein through its Board of Trustees, does ordain as follows:

Sec. 1. That hereafter the regular monthly meetings of the Board of Trustees shall be held at 1 o'clock P. M. on the first Monday of each month.

Sec. 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego this Nov. 3rd, 1879.

(SEAL) Attest: H. T. Christian, City Clerk

D. O. McCarthy, President.

The Bids of Julian & Baker and of Douglas Gunn for City Printing were now opened, the bids were as follows:

Julian & Baker advertising etc. 1st. insertion 20 cts. per square each subsequent insertion 10 cts. per square, and for publishing the Delinquent List for 1st insertion 30 cts. per square, each subsequent insertion 10 cts. per square, all in Warrants on the funds of the City.

Douglas Gunn advertising etc. 1st. insertion 6 cts. per square, each subsequent insertion 5 cts. per square, and for publishing the Delinquent List 20 cts. per square for first insertion and 10 cts. per square for each subsequent insertion.

On motion the City printing is awarded to Douglas Gunn of the San Diego Union.

A question arising as to what the rates of advertising were to be paid in per Mr. Gunn's bid, on motion the award is reconsidered, Mr. Gunn now stating to the Board that he meant his rates to be paid in City Scrip and he so inserting it in his bid.

On motion the City Printing is awarded to Douglas Gunn.

On motion in the matter of petition of John Desmond read at this meeting, the same is referred to a Special Committee of two, to report at next regular meeting, the President appointed Trustees Julian & McCoy as such Committee.

In the matter of the petition of 5th Street parties as to grade of "F" Street the same is on motion referred to Street Committee.

In the matter of the petition of J. S. Mannasse and E. M. Rankin, on motion the prayer of the petitioners is granted, and the following Resolution being read in relation thereto on motion the same is adopted in words & figures, to-wit:

RESOLUTION.

Be it resolved, by the Board of Trustees of the City of San Diego, that the privilege of excavating and removing the soil to the depth of two feet from "B" Street, between Union Avenue and the Depot Grounds in Middletown; and from Columbia Avenue between "B" Street and Spring Avenue; and from India Avenue between "B" Street and Spring Avenue and from Arctic Avenue between "B" Street and Spring Avenue, is hereby granted and conceded to E. M. Rankin and Joseph S. Mannasse or their assigns; Provided, the said grantees re-fill without unnecessary delay all excavations made in said Streets and Avenues with hard clay and brickbats, and level the same up to the grade as established by the City Engineer without impeding or hindering in any manner whatsoever the public travel, and provided, further that the excavations in said Streets and Avenues shall not exceed in width forty eight, and the soil so removed shall be taken from the centre of said Streets and Avenues.

Passed and approved by the Board of Trustees of the City of San Diego, this November 3rd, 1879.

(SEAL) Attest: H. T. Christian, Clerk.

D. O. McCarthy, President.

The Finance Committee in their Report rendered to the Board this meeting, report unfavorably and they reject the Bills of the San Diego Water Company for water for the months of June, July, August and September 1879, being two Bills and amounting to four hundred dollars (\$400).

The following Claims were now read and referred to the Finance Committee.

H. T. Christian, making Lot Book etc.	\$300.00
Do Clerk of Bd. of Equalization	21.00
D. W. Briant, Member " " " "	21.00
D. O. McCarthy " " " "	21.00
E. O. Rogers " " " "	6.00
P. Rothermel, Rent of Engine House	51.00
John A. Thoman (Janitor)	8.00
San Diego Union, printing	50.64
C. W. Sandrock, Moving dead horse	4.00

Under standing order of the Board, warrants are drawn for the Salaries of Clerk of the Board & City Attorney for month of Oct. 1879 for \$25. each.

On Motion the Board adjourned.

H. T. Christian, Clerk

President.

Office of Board of Trustees,
City Hall, San Diego, Dec. 1st, 1879.

The Board of Trustees of the City of San Diego met at 1 o'clock P. M. in regular monthly session, present Trustees McCoy, McCarthy, Julian, Briant and Rogers, and Christian, Clerk. D. O. McCarthy, President, in the chair.

Minutes of last regular meeting Nov. 3rd read and on motion approved.

The Finance Committee report favorably on the following bills, and on motion Warrants are ordered drawn for the amounts, as follows, to-wit:

P. Rothermel, rent of Engine House for Aug. Sept. & Oct.	\$51.00
C. W. Sandrock, moving dead horse from road	4.00
E. O. Rogers, Member Bd. of Equalization	6.00
D. O. McCarthy " " " "	21.00
D. W. Briant " " " "	21.00
H. T. Christian, Clerk " " "	21.00

The Finance Committee by a majority report approve the following bills, to-wit:

San Diego Union, printing etc.	\$50.64
John A. Thoman, Janitor for Oct.	8.00

And on motion to draw warrants for the same and the "Ayes" and "Nays" being called the vote was recorded to-wit: 1st. Ward, McCoy "No", 2 Ward, McCarthy "Yes", 3rd Ward, Julian "No", 4th Ward, Briant "Yes", 5th Ward, Rogers "Yes", the President thereupon declared the motion carried and warrants ordered drawn.

On motion the rules are suspended and the Finance Committee report favorably on the following bills, and warrants are ordered drawn for the amounts, to-wit:

Thos. Hogue, Bill work on road	\$12.00
George Farwell " " " "	12.00
C. P. Gerichten " Rent of City Hall for Oct. and Nov.	40.00

The Special Committee, McCoy and Julian appointed in the matter of application of John Desmond to rent a certain portion of City Park report adverse and unfavorable on the application, and on motion the Committee is discharged.

The Street Committee asks and is granted further time in the matter of grade of "F" Street.

A petition signed by A. G. Gassen is read asking the Board to take proper steps to ascertain the validity of the election of P. Koster as Chief Engineer of the Fire Department, on motion the petition is placed of file, and after discussion of the matter, on motion a Committee of three is appointed to investigate the matter of said election and report to the Board at its next regular meeting, the President appointed as such committee Messrs. Trustees Julian, Rogers and Briant.

The following Bills or claims against the City, on motion are referred to the Finance Comm.

Bill of Larson & Wescott	\$16.00
" " A. Schneider	17.00
" " Henry Cook	14.50
" " J. A. Thoman	8.00

Bill of "Scotty"	12.00
" " San Diego Union	25.52
" " San Diego Water Co.	200.00

On motion the following Resolution is passed and adopted in words and figures to-wit:

Whereas a Railroad Committee of Citizens and Tax Payers of the City of San Diego now actively engaged in perfecting negotiations with the Atchison, Topeka and Santa Fee R. R. Co. with the view of inducing them to extend their Railroad to the Bay of San Diego, and of making the City of San Diego their terminus, have by resolution requested the City of San Diego, to employ Wallace Leach Esq. to assist the City Attorney and Col. Gatewood in the prosecution of the suit Bush, City of San Diego Intervenor vs. Thomas A. Scott & Texas & Pacific Railway Company, therefore,

Be it resolved that the said Wallace Leach be and he is hereby authorized to appear and act as one of the Attorneys of said City in said Cause, and his acts already done in this behalf are approved.

San Diego Dec. 1st, 1879.

On motion the following Resolution as read by the Clerk was adopted in words and figures, to-wit:

RESOLUTION.

It appearing that there is not less than \$2000 in the Redemption Fund of the City of San Diego which should be applied to the redemption of the outstanding bonds of said City, it is ordered that the City Treasurer advertize in accordance with the provisions of Sec. 6 of the Act approved Feby. 24, 1874, entitled, "An Act to legalize certain bonds of the City of San Diego, and to provide for the payment of the interest thereon and for the redemption thereof", stating that he is prepared to receive sealed proposals for the surrender of a portion of said bonds issued under said Ordinance number 22 naming the amount of money he has on hand for the purpose of redemption; said proposals to be accompanied by the bonds and to be opened publicly in ten days after the expiration of such publication by the said Treasurer in the presence of the said Board of Trustees at their office in said City, according to law.

Passed and approved by the Board of Trustees of the City of San Diego this Dec. 1st, 1879.

(SEAL) H. T. Christian, City Clerk

D. O. McCarthy, President.

On Motion a Committee of three is ordered appointed for the purpose of conferring with the R. R. Committee of Citizens as to the necessity of sending Attorneys to San Francisco in relation to the argument of motion in the U. S. Circuit Court to have the case of Thos. H. Bush and City of San Diego, Pliffs. vs. The Texas & Pacific Railway Co. et al. remanded back for trial in the 18th Dist. Court and to further report the means by which money can be raised to defray the expenses of said Attorneys to San Francisco and back, said Committee to report to this Board at its next regular adjourned meeting.

The President thereupon appointed as such Committee, Messrs. Trustees, Briant, Julian and McCoy.

On motion a Committee of two is appointed consisting of Trustees Julian & Briant to confer with the City Attorney as to how the City can further remunerate and pay the City Tax Collector for his work in collecting the City Taxes for year 1879, outside of and in addition to the percentage allowed said officer by the City Charter said Committee to report to this Board at its next regular adjourned meeting.

Under standing order of the Board, warrants are drawn for the Salaries of Clerk of the Board and City Attorney for the month of November 1879 for \$25.00 each.

There appearing no further business the Board on motion adjourned to meet on Friday afternoon next the 5th inst. at 1 o'clock.

H. T. Christian, Clerk.

President.

Office Board City Trustees, City Hall,
San Diego, Dec. 5th 1879.

The Board met pursuant to adjournment at 7 o'clock P. M. present, Trustees McCoy, McCarthy, Julian, Briant and Rogers, and Christian, Clerk, D. O. McCarthy, President, presiding.

On the call of Committees, the Special Committee appointed at last meeting for the purpose of reporting the necessity of attorneys being sent to San Francisco to argue the motion to remand to the 18th District Court for trial, the case of Bush, City of San Diego vs The Texas & Pacific Railway Company, in the U. S. Circuit Court, and to further report how and on what terms money could be raised for the expenses of said Attorneys, now unanimously report, that after due conference with the Citizens R. R. Com. it is decided necessary for the Attorney to make and argue the said motion to remand, and that for the purpose of defraying expenses of the Attorneys, this Board have drawn a warrant for the sum of nine hundred dollars on the City Treasurer in favor of the Committee said warrant not to be sold but merely deposited as collateral security for the sum of Three hundred dollars the amount agreed to as sufficient to defray the expenses of said attorneys.

On Motion the report of the said Special Committee is approved and the Clerk is ordered to draw the said \$900.00 Warrant in favor of Trustees Briant, Julian and McCoy as such Committee.

The Special Committee appointed to report in the matter of further compensation to City Tax collector asks and is granted further time.

On motion the following resolution is passed in words and figures to-wit:
Resolution. The lands in the City of San Diego, known as the "Railroad Lands" having been erroneously assessed to private persons, and the same being the property of the Corporation of the City of San Diego, and by law exempt from taxation, the assessment of said lands is hereby cancelled and the Tax Collector of said City will govern himself in accordance with this order and resolution.

On motion the following resolution is passed and adopted, in words and figures following, to-wit:

Resolution.

The City Attorney is instructed to take the proper steps to obtain from N. H. Conklin Esq. Atty. for the Estate of the late S. S. Sanborn former City Attorney of San Diego City, certain deeds deposited with said Sanborn in his official capacity as City Atty. of said City during the year 1873, the same being part of the official papers of said City, particularly deeds of W. Jeff. Gatewood, E. W. Morse, A. E. Horton, S. S. Sanborn, I. Hartman, S. S. Culverwell, Wm. Jorres, H. C. Rolfe, Benj.-Hayes, G. W. B. McDonald, Wm. X. Gardner, J. G. Estudillo, W. H. Emory, Wm. E. Rust and any other and all deeds and papers in his possession the custody of which properly belongs to the City.

The petition of John Heerandner asking for a Wharf Franchise at foot of Sixth street, said petition being numerously signed by citizens, is read and on motion is placed of file, and on further motion the same is referred to a Committee of two Trustees and City Atty. with request that the Chamber of Commerce appoint a like committee and the two committees report to this Board at earliest convenience in the matter. The President appointed as such Committee, Trustees Julian and Rogers.

The Bill of Geo. Journey of \$2.50 for Saddle horse & boy now read and referred

to the Finance Committee.

There appearing no further business the Board on motion adjourned to meet on Wednesday next the 10th inst. at 1 o'clock P. M.

H. T. Christian, Clerk

President.

Office of Board of City Trustees,

City Hall, Dec. 10th 1879, 1 h. P. M.

This being the time and place for the Board to convene in regular adjourned session, Trustees McCarthy and Briant, and Clerk Christian being in attendance and there appearing no quorum for the transaction of business, on motion the Board adjourned to meet on Saturday evening next the 13th inst. at 7 o'clock, and the Clerk requested to inform members of the Board of such adjournment.

H. T. Christian, Clerk.

President.

Office of Board of City Trustees,

City Hall, San Diego, Dec. 13th, 1879.

This being the time and place for the Board of Trustees of the City of San Diego to convene in regular adjourned session, the Board was called to order at 7 o'clock P. M. by D. O. McCarthy, President, present, Trustees McCarthy, Briant and Rogers.

The Bill of H. McKinnon for \$62.50 for ploughing on Railroad Lands now read and on motion the rules of the Board are suspended and a Warrant is ordered drawn for the amount.

The bill of City Engineer, L. L. Lockling read and on motion referred to the Finance Committee said bill being for \$6.00 for services in pointing out corners of certain Pueblo Lots known as Railroad Lands.

An Ordinance granting a franchise, right of way etc. for a street car railroad through certain streets and highways of the City, to Joseph S. Mannasse, Chas. Deleval, Joseph Coyne, Adolph G. Gassen and Patrick O'Neill was now read and after considerable discussion, on motion the said Ordinance and the whole matter was laid over to be called up at the next regular adjourned meeting of the Board.

There appearing no further business on motion the Board adjourned to meet on Monday evening next the 15th inst. at 7 o'clock.

H. T. Christian, Clerk.

President.

Office of Board City Trustees,

City Hall, San Diego, Dec. 15th 1879.

The Board was called to order by D. O. McCarthy, President at 7 o'clock P. M., present, Trustees, McCoy, McCarthy, Julian, Briant and Rogers, and Christian, Clerk, the President stated this to be a regular adjourned meeting of the Board, and also a Specially called meeting objects of which are set forth in the following call for the meeting, in words to-wit:

A Special called meeting of the Board of Trustees of the City of San Diego is hereby called for the purpose of taking into consideration the propriety of ordering a Sale of City Lands, and for the consideration and passage of, if thought proper, an Ordinance granting the right of way over certain streets in the City of San Diego to Charles Deleval and others for a street railroad, said meeting to be held at the City Hall in said City Dec. 15th, 1879 at 7 P. M. at the time of the regular adjourned meeting of said Board of Trustees, San Diego, Dec. 15th 1879.

D. O. McCarthy, Trustee
 D. W. Briant, Trustee
 E. O. Rogers, Trustee.

The Board now took under consideration an Ordinance providing for the sale of certain lands the property of said City of San Diego, and the Clerk having read the Ordinance, on motion the ayes and nays having been called, the Ordinance was passed and adopted by the following vote, to-wit:

1st Ward, Trustee	Jas. McCoy	Yes
2nd "	" D. O. McCarthy	Yes
3rd "	" A. H. Julian	Yes
4th "	" D. W. Briant	Yes
5th "	" E. O. Rogers	Yes

The said Ordinance as passed being in words and figures following, to-wit:

CHARTER ORDINANCE NO. 48.

(New Charter.)

Ordering Sale of City Lands in the name and by the authority of the
 City of San Diego.

The City of San Diego acting herein by and through its Board of Trustees, does ordain as follows, to-wit:

Section 1. That there be sold at public auction, in the manner provided by law, the following described land, the property of said City; and the Clerk of said City is hereby ordered on the expiration of the legal period of publication of this Ordinance, to give the notice of sale of said lands by publication, as required by clause 12 of Section 10 of the Charter of said City, and of the law.

Section 2. Description of lands ordered to be sold by this Ordinance, to-wit: all the right, title, interest and estate of the City of San Diego, in and to all those certain lots, pieces, parcels or tracts of land situate, lying and being within the limits of the Pueblo of the City of San Diego, in the County of San Diego and State of California, and more particularly numbered and described according to the official map of said City made by Charles H. Poole in 1856, as follows, to-wit: Lots numbered 28, 29, 30, 31, 33, 34, 47, 50, 65, 66, 67, 69, 87, 100, 101, 130, lot 5 in Block numbered 135, lots numbered 141, 143, 144, 147, Lots 1 & 2 in Block numbered 151, lot 8 in Block 157, lots 2 & 3 in Block 158, lot 4 in Block 159, Blocks numbered 162 and 167, Lots numbered 169, 173, 178, 180, 182, 184, 187, 189, 192, 193, 201, 210, 211, 215, 217, 218, 220, 231, 238, 242, 244, 246, 257, 265, 267, 268, 269, 270, 288, 290, 292, 293, 294, 309, 319, 320, lot 1 in Block numbered 353, Blocks numbered 355, 356, 358, 361, 381, 383, 386, 389, 391, 413, 414, lot 3 in Block numbered 420, Blocks numbered 421, 437, 438, 440, 445, 447, 456, 466, 468, 470, 473, 475, 477, 479, 492, 494, 496, 498, 500, 502, 504, 506, 508, 519, 521, 523, 525, 527, 529, 531, 533, 535, 545, 547, 549, 551, 553, 555, Lots numbered 1163, 1164, 1169, 1176, 1177, 1178, 1180, 1181, 1187, 1190, 1191, 1192, 1195, 1196, 1198, 1199, 1200, 1201, 1205, 1206, 1207, 1211, 1212, 1218, 1219, 1220, 1221, 1222, 1773, 1774, 1775, 1782, 1789, 1791, 1792, 1794, 1795, 1796, 1799, 1158, 1159, 1162, 1800, Also the following described blocks of land known as the Tremaine and Summer Tracts in what is known as the Reservation in said City.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this 15th December, 1879, being a specially called and regularly adjourned meeting of said Board, Five members of said Board voting for the adoption of said Ordinance.

(SEAL) Attest: H. T. Christian

D. O. McCarthy, President

Clerk of the City of San Diego and Clerk of said Board of Trustees.

The Clerk now read an Ordinance granting a franchise for a Street car railroad to Messrs. Deleval, Mannasse, Coyne, Gassen and O'Neill, after some discussion of the same,

on motion to adopt the Ordinance as read, and the Ayes and Nays being called the vote stood:

1st Ward, Trustee	James McCoy	No
2nd Ward	" D. O. McCarthy	Yes
3rd Ward	" A. H. Julian	No
4th Ward	" D. W. Briant	Yes
5th Ward	" E. O. Rogers	Yes

The President thereupon declared the motion carried and the Ordinance as read adopted and approved.

The said Ordinance granting said franchise being in the words and figures as follows, to-wit:

CHARTER ORDINANCE NO. 49.

(New Charter)

STREET RAILROAD FRANCHISE.

In the name and by the authority of the City of San Diego, The City of San Diego, acting herein by its Board of Trustees, does ordain as follows, to-wit:

Section 1. The right of way and authority to lay railroad track through the streets and public highways of the City of San Diego, State of California, hereinafter designated, for the term of fifty years, with the right to equip, construct and maintain a street railroad, and to run cars thereon, as provided, by law is hereby granted to Joseph S. Mannasse, Charles Deleval, Joseph Coyne, Adolph G. Gassen and Patrick O'Neill, and their associates or assigns, over and through the following highways and streets, to-wit: commencing at a point on the southerly boundary line of the Pueblo Lands of the City of San Diego, being the boundary line between said Pueblo Lands and the Rancho de la Nacion, or National Ranch, where the public road or highway to National City intersects the said boundary line between said Pueblo Lands and said Rancho, (said public road or highway being the road which is now traveled between the City of San Diego and National City, and running west of what is known as the San Diego Brewery in Chollas Valley, and crossing a bridge over a salt marsh bottom land southwesterly from the Salt Works, and particularly known as the straight direct traveled road or highway between the two Cities), thence running along said public road in a northwesterly direction practically parallel with the centre of I Avenue to a point where said public road or highway intersects with Keat Street in what is known as the Railroad Lands; thence along said Keat Street in a southwesterly direction to a point where Keat Street intersects with "N" Avenue; thence along said "N" Avenue in a northwesterly direction over and through said Railroad Lands to a point where said "N" Avenue runs into, intersects and connects with "N" Street in Mannasse and Schiller's Addition; thence following the same course and along said "N" Street over and through said Mannasse and Schiller's Addition and over and through what is known as Cleveland's Addition to a point where said "N" Street intersects with "N" Street in what is known as Horton's Addition to San Diego; thence along said "N" Street to the intersection of Twelfth Street in said Horton's Addition; thence northerly along said Twelfth Street to a point where Twelfth Street intersects with "K" Street; thence westerly along "K" Street to a point where "K" Street intersects with Fifth Street; thence in a northerly direction along said Fifth Street to a point where Fifth Street intersects with "D" Street in said Horton's Addition; thence in a westerly direction along said "D" Street to a point on the westerly boundary of said Horton's Addition where said "D" street connects into what is known as Spring Avenue in New San Diego; thence along said Spring Avenue in the same westerly direction to a point where said Spring Avenue intersects with what is known as California Avenue; thence in a northerly direction along said California Avenue through what is known as Middletown to a point where Third Street in said Middletown intersects said California Avenue; thence in a northwesterly direction along said Third Street to a point where said Third Street intersects with Witherby Street between said

Middletown and Old San Diego; thence in a northerly direction along said Witherby street to a point where Moore street of said Old San Diego intersects with Witherby Street, thence in a northerly direction along said Moore Street in said Old San Diego to a point where said Moore Street intersects with Ampudia Street; thence in an Easterly direction along Ampudia Street to a point where said Ampudia Street intersects with San Diego Avenue; thence in a northerly direction along the said San Diego Avenue to Washington Square, known as the Plaza in Old San Diego and to the centre of said Washington Square; thence commencing at a point where Mason Street in said Old San Diego runs into and intersects the aforesaid San Diego Avenue; thence in a westerly direction along said Mason Street to a point on the western boundary of Old San Diego and present western terminus of said Mason Street; thence in a westerly direction along the public traveled highway to a point on the eastern boundary line of Roseville where said highway intersects and connects with Main Street in Roseville; thence in a westerly direction from said point on said eastern boundary, along said Main Street through said Roseville to the public traveled highway between Roseville and La Playa to a point where said public highway intersects with the eastern end of San Antonio Avenue in the said La Playa; thence along said San Antonio Avenue in a westerly direction to the western terminus of said San Antonio Avenue and the western boundary line of said La Playa.

Sec. II. The said Railroad tracks shall be constructed on those portions of streets and highways designated in this Ordinance as nearly as possible in the middle thereof; that portion of Fifth and D Streets used by said track shall be planked, paved or macadamized the entire length of the said streets used by said track between the rails and for two feet on each side thereof, and between the tracks if there be more than one, and to be kept constantly in repair flush with the street and with good crossings; that the track must not be more than five feet wide within the rails, and must have a space between them sufficient to allow the cars to pass each other freely.

Sec. III. Work to construct said Railroad must be commenced within one year from the time this Ordinance acquires legal force and the filing of articles of incorporation by said grantees herein, their associates or assigns, and the same must be completed within three years thereafter; failure to comply with these provisions works a forfeiture of the right of way as well as of the franchise, unless the uncompleted portion is abandoned by the Corporation in writing.

Sec. IV. The sum of ten dollars per annum is hereby fixed as a license fee to be paid upon each car run on said road for the carrying of passengers.

Sec. V. The limitations, conditions and provisions of Sections 5499, 5500, 5501, 5503, 5504, 5505, 5506, 5507 and 5511 of the Civil Code of the State of California are made applicable to the grantees of the foregoing franchise, and the same is granted subject thereto and made by the authority of Title IV of the Civil Code aforesaid, "Street Railroad Corporation" and of Clause 1st of Section 10 of the Charter of said City of San Diego.

Sec. VI. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed, and all franchises in said City heretofore granted for street railroad purposes upon which actual work has not been done as required by law are hereby declared forfeited.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this the 15th day of December A. D. 1879.

(SEAL) Attest: H. T. Christian

D. O. McCarthy, President.

Clerk of the City of San Diego and Clerk of said Board.

The following bill was read and referred to Finance Committee

Bill of H. C. Scheutta, 2 cords wood

\$50.00

There appearing no further business the Board on motion adjourned to Tuesday,

Dec. 30th, 1879 at 10 o'clock A. M.

H. T. Christian, Clerk.

President.

Office of Board of Trustees, City Hall,
San Diego, Dec. 30th 1879.

The Board standing adjourned was called to order at 1 o'clock P. M. by D. O. McCarthy, President, present, Trustees McCoy, McCarthy, Julian, Briant and Rogers, the Clerk, H. T. Christian not being present, on motion Mr. F. M. Carroll is elected Clerk pro tem. of the Board.

In the matter of the sale of City Lands known as the Railroad Lands, as advertized to be sold on the 31st inst. by this Board, on motion it is ordered that such sale be postponed until the 18th day of February 1880, and the City Clerk directed to give notice of such postponement, this said motion being unanimously carried with the exception of the President, D. O. McCarthy, who is opposed to the said postponement.

On motion the Street Committee is directed to have the road to Soledad and all streets and highways in the City put in repair.

There appearing no further business the Board adjourned to Jan. 5th 1880 at 1 o'clock P. M. being time of the next regular meeting.

H. T. Christian, City Clerk

President.

Office of Board City Trustees, City Hall,
San Diego, Jan. 5th 1880, 1 h. P. M.

The Board of Trustees met in regular monthly session at 1 o'clock P. M., present Trustees McCoy, McCarthy, Julian, Briant and Rogers, and Clerk, Christian,

Minutes of meetings of the Board of dates December 1st, 5th, 10th, 15th and 30th read, and on motion unanimously approved.

On Motion a recess of fifteen minutes was had in order to give the Finance Committee time to prepare its report.

On re-convening, full Board present.

Carl J. Everhart is elected Clerk pro tem of the Board, Clerk Christian being excused.

The Finance Committee now present their report, reporting favorably on the following bills, and on motion Warrants are ordered drawn for the several amounts as follows, to-wit:

Bill of "Scotty" Boarding Hogue & Farwell	\$6.00
" " Larsen & Wescott	16.00
" " John A. Thoman for November	8.00
" " L. L. Lockling	6.00
" " A. Schneider	17.00
" " H. Cook, Constable	14.50
" " San Diego Union, Printing	25.52

The Com. also disapproved the Bill of Water Company for water months of Nov. and Dec. for \$200.00.

Finance Com. ask and are granted further time in which to report on Bills of H. C. Scheutta, and George Journeyay.

The Committee heretofore appointed to report as to further compensation for Tax Collector, report that there is no legal way in which to increase the per centage of that officer, on motion the report is received and Committee discharged.

The Committee appointed to enquire into the legality of the Election of Chief Engineer of the Fire Department, on Oct. 6th, 1879, report that the election of P. Koster as such Officer to all intents and purposes is valid and the matter of such election

settled as between the City and its Fire Department, On motion the report is received and the Committee discharged.

The report of the Tax Collector showing a collection of \$1151.61/100 of City Taxes for fiscal year 1879 and Treasurer's receipt attached thereto for that amount less 3% com. read and on motion ordered placed of file.

The Quarterly report of City Treasurer, E. W. Morse, read and on motion ordered placed on file.

The following Bills or claims against the City were read and referred to the Finance Committee, to-wit:

John A. Thoman Janitor for Dec.	\$8.00
W. Bennett, Road work	14.75
H. T. Christian, copying	77.80

Mr. Bennett, Street Supt. now stated to the Board that he could not work for Scrip at former rates.

There appearing no further business the Board on motion adjourned to the 8th inst. at 2 o'clock P. M.

H. T. Christian, Clerk

President.

Office Board of Trustees,
City Hall, Jan. 8th, 1880 2 h. P. M.

Full Board met in adjourned meeting,

There appearing no business the Board on motion adjourned to the 10th inst. at 2 h. P. M.

H. T. Christian, Clerk

President

Office of Board City Trustees,
San Diego, Jan. 10th 1880, 2 h. P. M.

The full Board met in regular adjourned meeting, and there appearing no business on motion the Board adjourned to Jan. 12th inst. at 3h. P. M.

H. T. Christian, Clerk.

President.

Office of Board City Trustees,
San Diego, Jan. 12th 1880, 3 h. P. M.

Board met pursuant to adjournment, present, full Board and Clerk Christian,

There being no business before the Board on motion adjournment was had to the 14th inst. 10 h. A. M.

H. T. Christian, Clerk

President.

Office of Board of Trustees,
San Diego, Jan. 14th, 1880, 10 h. A. M.

Full Board met in adjourned session, the Clerk Christian being absent on motion Mr. W. H. Story is appointed as Clerk pro tem. of the Board.

There appearing no business the Board on motion adjourned to tomorrow the 15th inst. at 10 o'clock A. M.

H. T. Christian, Clerk

President.

Office of Board of Trustees
City Hall, San Diego, Jan. 15th 1880, 10 h. A.M.

Board met, present Trustees, McCoy, McCarthy, Julian and Rogers, being regular

adjourned meeting. Christian, Clerk, being absent, on motion J. S. Gordon is appointed to act as Clerk pro tem.

There coming no business before the Board, on motion an adjournment is had to 2 o'clock P. M. this day.

Jan. 15th, 2 o'clock P. M.

Board met pursuant to adjournment of this morning, full Board present, and Clerk pro tem, Gordon,

There appearing no business on motion the Board adjourned to the Seventeenth (17th) inst. 10 h. A. M.

H. T. Christian, Clerk.

President.

Office of Board of City Trustees,
City Hall, San Diego, Jan. 17th 1880.

Board met in regularly adjourned meeting, present, Trustees, McCoy, McCarthy, Julian, Briant and Rogers, and Clerk Christian, President D. O. McCarthy, presiding.

The Resignation of W. Bennett, Street Superintendent, read and on motion accepted and placed of file.

Mr. M. G. Wheeler presented an Affidavit to the effect that a certain City Warrant No. 1000, issued to him on Jan. 7th 1878, had been lost, that said Warrant was for the sum of \$99.00/100 and asked the Board to have a duplicate warrant drawn, on motion a duplicate Warrant No. 1000, for \$99.00 is ordered drawn in favor of M. G. Wheeler, and the Clerk instructed to notify the Treasurer that payment of Original Warrant No. 1000 is stopped.

There appearing no further business, on motion the Board adjourned.

H. T. Christian, Clerk

President.

Office of Board City Trustees,
San Diego, Feby. 2nd, 1880, 1 h. P. M.

Board met in regular monthly session, present, Trustees McCoy, McCarthy, Julian, Briant and Rogers, and Christian, Clerk.

The Minutes of Meetings of Jan. 5th, 8th, 10th, 12th, 14th, 15th and 17th read, and on motion were unanimously approved.

The Finance Committee presented their report reporting favorably on the following bills to-wit:

John Thoman, Bill for December	\$8.00
W. Bennett " Work on Sts.	14.75
H. T. Christian " Copying	77.80
H. C. Scheutta " Wood	40.00

On motion Warrants were ordered drawn for Bills of Thoman and Bennett, on motion the Ayes and Nays being called the Bill of Scheutta was ordered paid by the following vote 1st. W. McCoy, Yes. 2d Ward, McCarthy Yes, 3rd Ward, Julian No, 4th Ward, Briant Yes, 5th Ward, Rogers No. On motion the Yeas and Nays called the Bill of H. T. Christian ordered paid by following vote, 1st Ward, McCoy No, 2d Ward, McCarthy Yes, 3 Ward, Julian Yes, 4th Ward, Briant Yes, 5th Ward, Rogers Yes. Previously however, to the foregoing votes being taken on said Bills of Scheutta and Christian, the Resolution heretofore passed by this Board to-wit: on Feby. 3rd 1879 which Resolution declared that all bills against the City should be for Scrip on coin basis, was on motion rescinded by the following vote to-wit: 1st. Ward, McCoy Yes, 2d Ward, McCarthy Yes, 3rd Ward, Julian Yes, 4th Ward, Briant Yes, 5th Ward, Rogers No.

Communication from the Janitor asking for needed articles at City Hall referred

to the Purchasing Committee.

Report of Tax Collector read showing a collection of \$542.52 (542.52) and on motion placed of file.

The following bills or Claims against the City read and referred to the Finance Committee, to-wit:

A. Schneider, stationery	\$18.15
Hamilton & Co., Picks etc.	13.60
James Young	1.50
John Thoman, Janitor for Jan.	8.00

Bill of Francisco Reise for 26 $\frac{1}{2}$ days work on Road for \$106, read and on motion the rules are suspended and Warrant ordered drawn for the amount.

The Chief of the Fire Department stated to the Board that he had appointed E. Gregory Esq. as 1st. Assistant. On motion the Clerk is ordered to issue a certificate to E. Gregory in due form of law.

On motion the City Attorney is requested to do in his power all that is necessary to enable the Tax Collector to collect the City Road Poll Tax.

On motion a Committee of three consisting of Trustees Briant, Rogers and McCoy for the purpose of reporting as early as possible to this Board a Schedule of rates for water, as provided in New Constitution.

On motion the Board adjourned.

H. T. Christian, Clerk

President.

Office Board City Trustees,

San Diego, Feby. 5th 1880, 2 h. P. M.

Board of Trustees met in regularly called Special Meeting, present Trustees McCoy, Julian, Briant & Rogers. Mr. Briant elected President pro tem.

There coming no business before the Board on motion the Board adjourned to Feby. 6th A. D. 1880 at 10 h. A. M.

H. T. Christian, Clerk

President.

Office of Board of Trustees

San Diego, Feby. 6th, 1880 10 h. A. M.

Board met pursuant to adjournment, present full Board.

There being no business on motion the Board adjourned to Feby. 7th 11 h. A. M.

H. T. Christian, Clerk.

President.

Office of Board City Trustees

San Diego, Feby. 7th, 1880, 11 h. A. M.

Board meet in adjourned Special Meeting, present full Board.

There being no business the Board adjourned to 2 o'clock P. M.

On being called to order at 2 o'clock, a full Board was present.

There still appearing no business the Board adjourned to 5 o'clock P. M., and on the Board being called to order at 5 h. P. M. full Board present, and still no business appearing the Board on motion adjourned to Feby. 9th, 1880 at 12 M.

H. T. Christian, Clerk.

Office of Board of Trustees

February 9th, 1880, 12 M.

Board met in adjourned Special Meeting, present full Board.

On motion a Committee of three, Trustees, Julian, Rogers and McCoy were appointed

as a Committee to confer with Citizens Com. to report in matter of instructing attorneys in Suit City vs. T. & P. R. R. Co.

On motion the Board adjourned to 5 o'clock P. M.

On coming to order there not being a quorum at 5 o'clock P. M. on motion the minority (Trustees Briant and McCarthy) adjourned.

H. T. Christian, Clerk

President.

Office of Board of City Trustees

San Diego, Feby. 11th, A. D. 1880.

The Board met pursuant to a regular call, in words and figures to-wit: " A Special Meeting of the Board of City Trustees of the City of San Diego is hereby called to meet at the City Hall in said City this 11th day of February A. D. 1880 at 11 A. M. for the purpose of hearing the report of the Special Committee appointed heretofore by the Board of Trustees to act in conjunction with a Committee of the Citizens R. R. Committee as to the manner of conducting the pending litigation by the City of San Diego vs. The Texas & P. Railway Co. for lands known as the R. R. lands,"

D. O. McCarthy
E. O. Rogers
D. W. Briant
A. H. Julian
James McCoy,
Trustees.

The Board was called to order at 11 A. M. by President D. O. McCarthy, present full Board. The Clerk Christian being absent, T. J. Higgins was on motion elected Clerk of the Board pro tempore.

The Report of the Joint Committee was read in words and figures as follows, to-wit:

"To the Honorable Board of Trustees of the City of San Diego.

The undersigned Committee, consisting of three members of your Honorable Body and three members of the Citizens Railroad Committee appointed for the purpose of devising means and suggesting methods for the purpose of bringing the pending negotiations for settlement between the City of San Diego & The Texas Pacific Railway Co. to a speedy close make the following report. That they have given the matter their most earnest attention, and have consulted very fully with the Attorneys upon each side, and also with other able legal talent and have come to the unanimous conclusion that in order to finally settle in the most speedy manner this controversy, the City should commence a new suit against the Texas Pacific Railway Co., Jas. A. Evans & Chas. S. Hamilton, decree obtained to confirm on half of lands in dispute to Chas. S. Hamilton & one half to Texas Pacific Railway Co. and generally to conform with stipulations agreed upon between Counsel for City of San Diego & Counsel for Texas Pacific Co. All of which is respectfully submitted.

"San Diego, Feby. 10th, 1880"

E. W. Morse
John G. Capron
J. S. Gordon
Citizens R. R. Com

James McCoy, Chm.
A. H. Julian
E. O. Rogers
Com. of Board of Trustees."

On Motion the report as read is ordered placed of file.

On Motion the Board adjourned to this afternoon at 5½ o'clock P. M.

The Board was called to order at 5½ P. M. as per adjournment, present full Board.

D. O. McCarthy, President in the Chair. T. J. Higgins acting Clerk pro tempore.

A Resolution prepared by Attys. for T. & P. R. R. Co. instructing City's Attys. in pending litigation read and on motion laid on the table.

The following Resolution was read and adopted in words and figures, to-wit:

D. O. McCarthy voting No, the other members voting Yes.

Resolved by the Board of Trustees of the City of San Diego that A. B. Hotchkiss, City Atty. and W. Jeff Gatewood and Wallace Leach as Attorneys for the City of San Diego are hereby authorized and directed to immediately commence a suit in the name of the City of San Diego, plaintiff against the Texas and Pacific Railway Company, Jas. A. Evans and Chas. S. Hamilton, defendants to recover of and from defendants all that real estate which is described and set forth in plaintiff's Amended Complaint in the suit of Thomas H. Bush & City of San Diego vs. Texas & Pacific Railway Company now pending in the Superior Court of the County of San Diego, State of California.

Feby. 11, 1880.

On motion the Board adjourned.

H. T. Christian, Clerk.

President.

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Office of Board City Trustees

City Hall, San Diego, Feb. 12th 1880, 1 h. P. M.

Board met in pursuance of a Special Call, in words and figures, to-wit:

"Special Meeting of the Board of City Trustees of the City of San Diego.

A Special Meeting of the Board of City Trustees of the City of San Diego is hereby called to meet at the City Hall in said City on Thursday, Feby. 12th 1880 at 1 P. M. for the purpose of passing a resolution of said Board authorizing the attorneys of said City to commence a suit against the Texas and Pacific Railway Company, and designating said Attorneys and authorizing them to stipulate for said City in said suit for the lands claimed by said City, also to pass an ordinance repealing Charter Ordinance No. 48 of said City providing for the sale of City Lands."

D. O. McCarthy  
A. H. Julian  
James McCoy  
D. W. Briant  
E. O. Rogers,  
Trustees.

present the full Board and Christian, Clerk, D. O. McCarthy presiding.

The Clerk read the following resolution to-wit: which was adopted as follows:

RESOLUTION.

Be it Resolved by the Board of Trustees of the City of San Diego, That W. Jeff Gatewood, A. B. Hotchkiss and Wallace Leach Esquires, are hereby authorized to act as the Attorneys for the City of San Diego, and to conduct as the Attorneys of this City, the suit of Thos. H. Bush and the City of San Diego intevenor, plaintiffs vs. The Texas and Pacific Railway Company, now pending in the Superior Court of this County, and to make such stipulations in writing in such action and take such action therein, both before and after judgment as our said attorneys may think proper.

Said Attorneys are further authorized to institute a suit in said Superior Court in the name of this City as plaintiff, and against the Texas and Pacific Railway Company and Chas. S. Hamilton as defendants for the recovery of all the lands claimed by said defendants or any of them as grantees of this City, and to take such action and to enter into such stipulations in writing in said suit, both before and after Judgment therein as our said Attorneys may deem for the interests of this City.

Passed and approved by the Board of Trustees in Special Meeting assembled this 12th day of February A. D. 1880.

(SEAL) Attest: H. T. Christian, Clerk

D. O. McCarthy, President.

After reading of the above resolution, and on motion for its adoption, the Ayes and Nays being called for the vote stood, 1st Ward, Jas. McCoy Yes, 2d Ward, D. O. McCarthy No, 3rd Ward, A. H. Julian Yes, 4th Ward, D. W. Briant Yes, 5th Ward, E. O. Rogers Yes.

The President thereupon declared the Resolution adopted.

Trustee McCarthy on casting his vote on the foregoing Resolution, No, explained his reasons therefor and wished them spread upon the minutes of the Board which were given as follows, to-wit: "In casting my vote against the adoption of this (foregoing) resolution I wish the Board to know and understand my reasons therefor and state them to be: for the reason that this Board, for the City of San Diego, has employed able attorneys, W. Jeff Gatewood, Wallace Leach and City Atty. A. B. Hotchkiss to prosecute the suit of Thos. H. Bush and City of San Diego intervenor plffs, vs. the Texas & Pacific Railway Co. and they have in one accord advised this Board against any such action, as detrimental to the City's interest, that this matter and cause can be settled lawfully and right in the present pending action, without the commencement of any other or further proceedings; that this resolution had by this Board on the 11th inst. yesterday been laid on the table, that it the said resolution, is prepared by the attorney of the T. & P. R. R. Co. and as Trustee of this City he could not act in the double capacity of Trustee, and of voting for the T. & P. R. R. Co's Atty's resolution, especially when he knew, and was so advised by the City's Attys. that such proceeding as contemplated in the resolution was unsafe to this City's interest, therefore I vote against the Resolution."

The following Ordinance was read and on motion adopted, in words and figures following, to-wit:

CHARTER ORDINANCE NO. 50.

58

(New Charter)

The City of San Diego acting herein by its Board of City Trustees, does ordain, Sec. 1. Charter Ordinance No. 48 entitled "An Ordinance ordering Sale of City Lands" passed and approved Dec. 15th 1879 is hereby repealed.

Sec. II. This Ordinance shall take effect from its passage.

Passed and approved by the Board of City Trustees of the City of San Diego, this 12th day of Feby. 1880.

ATTEST: (SEAL) H. T. Christian, City Clerk D. O. McCarthy, President.

And the "Yeas" and "Nays" being called on the passage of said Ordinance No. 50, the vote stood, 1st Ward, McCoy "Yes", 2nd Ward, McCarthy "No", 3rd Ward, Julian "Yes" 4th Ward, Briant "Yes", 5th Ward, Rogers "Yes".

There appearing no further business, on motion, the Board adjourned.

H. T. Christian, Clerk President.

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Office Board of City Trustees,  
City Hall, Feby. 18th, 1880, 2 h. P. M.

Board met pursuant to "Special Call" in words as follows, to-wit:

"Special Meeting of the Board of City Trustees,"

"A Special Meeting of the Board of City Trustees of the City of San Diego is hereby called to meet at the City Hall in the City of San Diego this 18th Feby. 1880 at 2 P. M. for the purpose of consulting with the Attorneys of the City of San Diego, in the pending litigation with the Texas & Pacific Railroad Company, also to take action upon the Resolution heretofore introduced for the appointment of a Committee to report a basis of settlement of matters connected with the efforts of said City to obtain railroad communication."

D. O. McCarthy  
D. W. Briant,  
E. O. Rogers  
James McCoy,  
Trustees.

present, Trustees McCoy, McCarthy, Briant and Rogers, and Christian, Clerk. D. O. McCarthy

Pres. in the chair.

The following Resolution was read and on motion adopted, the vote for its adoption being unanimous, in words and figures, following to-wit:

"RESOLUTION"

Whereas, it is believed that the People of the City of San Diego are opposed to any repudiation of the Debt of said City: having in view the reestablishment and perpetuation of the good faith and credit of said City, and in the interests of exact justice, and for the purpose of quieting all issues heretofore growing out of the efforts to place the City of San Diego in Railroad communication with the East:

Resolved that a Committee of three members of the Board of Trustees be appointed to meet a like committee to be appointed by the Citizen's Railroad Committee of this City, who shall ascertain and report a basis for settlement and payment of the outstanding Bonds of said City upon which the payment of interest was suspended by virtue of the opinion of the City Attorney of said City: the claim of D. Felsenheld, and the reimbursement of the subscribers to the Crawford Fund: to ascertain and report the Attorney's fees to be paid to Counsel for the City in the matter of the Suit for the Texas Pacific Lands: the amount to be paid to cover the costs of all litigation in which the City has been concerned in relation to said railroad matters, and to suggest the manner of settlement of said matters.

On the adoption of the Resolution, the President announced the following as the Committee to act in the matters required by said Resolution, to-wit: Trustees Briant, Rogers and McCoy.

Wallace Leach Esq. now presented to the Board a Petition on behalf of Messrs. Sutro & Co., Joseph Rosenberg, N. Luning et al. asking the Board to ratify and confirm the outstanding Bonds of City of San Diego, Nos. from 1 to 145 heretofore issued by this Board. On Motion the petition as read is ordered placed of file.

There appearing no further business, on motion the Board adjourned.

H. T. Christian, Clerk.

President.

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Office of Board City Trustees,

City Hall, Feby. 20th 1880, 9½ h. P. M.

The Board met in regular called Special Meeting, the said Call being in words, following to-wit:

"Call for Special Meeting of the Board of City Trustees.

"A Special Meeting of the Board of City Trustees of the City of San Diego is hereby called to meet at the City Hall, in said City, on Friday February 20th 1880, at 9½ o'clock P.M. for the purpose of consultation with the Attorneys of said City in the pending litigation with the Texas and Pacific Railway Company.

D. O. McCarthy
A. H. Julian
E. O. Rogers
E. W. Briant
James McCoy

Trustees."

Present: full Board. Clerk Christian not being present, on motion A. G. Gassen is appointed Clerk Pro Tem.

The following resolution being read, was on motion adopted in words and figures, to-wit:

"RESOLUTION."

Be it Resolved by the Board of Trustees of the City of San Diego that the Attorneys of said City are instructed to sign the Stipulations presented to them by the Counsel for the Texas & Pacific Railway Company as agreed upon before this Board and for the purpose

of disposing of said litigation in accordance with the understanding between this Board and the Counsel for said Railway Co."

San Diego, Feby. 20th 1880.

On Motion City Attorney is instructed to draw deed to be submitted to Board, for Charles S. Hamilton to sign, providing in said deed for the proper disposition of the Lands, held by said Hamilton under deed from Texas & Pacific Railway Company.

The Board adjourned.

H. T. Christian, Clerk.

President.

Office of Board of City Trustees,

City Hall, San Diego, Feby. 25th 1880, 2 P. M.

The Board in pursuance of a Special Call, met in Special Session, said Call being in words & figures, to-wit:

"Call for Special Meeting of the Board of City Trustees."

"A Special Meeting of the Board of City Trustees of the City of San Diego is hereby called to meet at the City Hall, in said City, on Wednesday Feby. 25th. 1880 at 2 o'clock P. M. for the purpose of passing an Ordinance fixing the rates to be collected by any person or Water Company, for the use of water supplied to the Inhabitants of the City of San Diego, in accordance with the provisions of Article XIV of the New Constitution of the State of California.

D. O. McCarthy, Trustee,
D. W. Briant, Trustee
James McCoy, Trustee."

Present: Trustees McCoy, McCarthy, Briant and Rogers, and Clerk Christian, D. O. McCarthy president, presiding.

The written report of the Special Committee on water rates, received, read and ordered placed of file and com. discharged.

The following Ordinance was read and on motion passed and adopted, in words and figures, to-wit:

CHARTER ORDINANCE NO. 51.

(New Charter)

An Ordinance fixing the rates to be collected by any person or Water Company for the use of water supplied to the Inhabitants of the City of San Diego.

In the name and by the authority of the City of San Diego, The City San Diego acting herein by its Board of Trustees does ordain as follows, to-wit:

Sec. 1. On and after the 1st day of July 1880, it shall be lawful for any person or water Company supplying water to the inhabitants of the City of San Diego, to charge and receive therefor as follows, to-wit:

- 1st. Tenements occupied by a family of not more than three persons, per month \$2.00.
- 2nd. Tenements occupied by five persons, \$2.50 per month, and for each additional person 25¢ per month,
- 3rd. Large Stores and Warehouses \$2. to \$3. per mon.
- 4th. Small Shops and Stores \$1. to \$2. per mon.
- 5th. Saloons, \$2. to \$3. per mon.
- 6th. Coffee Houses open day and night \$6. to \$8. per mon.
- 7th. Rooms in 2d Stories \$1. to \$2. per mon.
- 8th. Dentists Rooms \$2. per month.
- 9th. Bakeries for monthly use of flour, each 25 barrells \$3. per mon.
- 10th. Blacksmith Shops from \$2. to \$3.50 per mon.

11th. Livery Stables, including water for washing carriages for each horse \$1. per month.

12th. Feed yards from \$8. to \$20. per month.

13th. Horse and carriage per month 75¢.

14th. Slacking lime, per Barrell 25¢.

15th. Barber Shops, per single chair \$1.50 per month, and for each additional chair 50¢ per month.

16th. Hotels, Small \$5. to \$8. per month.

17th. Hotels, medium \$10. to \$12. per month.

18th. Hotels, Large by meter \$1.50 per 1000 gals.

19th. Irrigation, where prices cannot be agreed upon, \$1.50 per 1000 gals. by meter, the consumer to pay the Water Company a fair price for the meter and the expense of setting it, and consumer to stand expenses of repairing same twice only, per annum, if needed.

20th. Water Troughs, for each on sidewalk \$3. to \$5. per month.

21st. Water Closets, private \$1. per month.

22d. Water Closets, public, from \$3. to \$4. per month.

23d. Street sprinkling, where prices cannot be agreed upon, \$1. per 1000 gals. per meter.

24th. Refectories, \$2. to \$3. per month.

25th. Steam Engines, where prices cannot be agreed upon, per meter per 1000 gals. \$1.50.

26th. Bath Tubs, public, in Barber Shops and Boarding Houses, each \$3. per month.

27th. Bath Tubs, private in one family, \$1. per month.

28th. Gas Machines, from \$3. to \$10 per month.

29th. Wash Houses, chinamen, or otherwise, \$8. to \$12. per month.

30th. Horse or Cow per month 50¢.

31st. Wagon Shops, \$2.50 per month.

32nd. For Water required for purposes not specified in the above tariff, the rates shall be in accordance with above rates.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this 25th day of February A. D. 1880.

(SEAL) Attest: H. T. Christian, Clerk of said City D. O. McCarthy, President.
and Clerk of said Board of Trustees

There appearing no further business, on motion the Board adjourned.

H. T. Christian, Clerk.

President.

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Office Board City Trustees, City Hall,

San Diego, March 1st, 1880, 1 h. P. M.

Board met in regular monthly session, present full Board. D.O. McCarthy, President, in the Chair, and Christian, Clerk.

Minutes of meetings of Feby. 2d, 5th, 6th, 7th, 9th, 11th, 12th, 18th, 20th and 25th read and on motion approved.

The Finance Committee make their report, reporting favorably on the following bills and on motion warrants are ordered drawn for the respective amounts, to-wit:  
Hamilton and Co. \$13.60/100, James Young \$1.50/100, John Thoman \$8.00/100, A. Schneider \$18.15/100, Manuel Stewart \$8.00/100 and Francisco Roif \$134.00/100.

The Committee further report the Bill of H. T. Christian without recommendation

back to the Board for action, being his bill for \$300. for making Lot Book for City. On motion the Bill was rejected.

The Committee appointed on settlement of basis for settlement in R. R. matters given until Wednesday next.

In the matter of repairs on Bridge & road near Salt-works, it was referred to Street Committee,

Communication from John Hernandner in reference to the Building Bath House at foot of 6th St. read, ordered placed of file and referred to Street Committee.

Report of Tax Collector showing \$230.99 collected by him since last report read & ordered placed of file.

Report of President read for the 6 mons. ending to date and ordered filed and published.

The following bills read and referred to Finance Committee:

|                                                                     |           |
|---------------------------------------------------------------------|-----------|
| Clerk's & Sheriff's Fees in case Bush v. Evans, Scott & T.P.R.R.Co. | \$54.60   |
| " " " Fees " " City v. T.P.R.R. Co. Evans & Hamilton                | 46.80     |
| W. J. Gatewood for Professional services                            | 20,000.00 |
| John A. Thoman, Janitor Feby.                                       | 8.00      |
| H. T. Christian, footing up Assmt. Roll &c. for 1879                | 150.00    |
| C. H. Shephard, copying papers in Suits                             | 20.00     |
| L. L. Lockling, 2 days services as surveyor Amt. Blank              |           |

In matter of suit of J. D. Myers vs. City of San Diego, the same was referred to City Attorney.

On motion the Board adjourn to Wednesday the 3rd inst. at 2 h. P. M.

H. T. Christian, Clerk.

President.

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Office of Board City Trustees, City Hall,

San Diego, March 3rd 1880, 2 h. P. M.

Board met pursuant to adjournment, present full Board. D. O. McCarthy, President in the chair, H. T. Christian, Clerk.

On motion the Committee heretofore appointed for the purpose of ascertaining basis of settlement of the costs, attorney fees &c. was discharged.

On motion, the "Ayes" and "Nays" being called, the two following Resolutions were passed and adopted by following vote, 1st. Ward, McCoy "Yes" 2d Ward, McCarthy "Yes" 3rd Ward, Julian "Yes" 4th Ward, Briant "Yes" 5th Ward, Rogers "Yes", the said Resolutions in words & figures to wit:

"Whereas there is now in the "City Bond Redemption Fund" of the City of San Diego more than four thousand dollars and

Whereas by Section 6 of an Act of the Legislature of the State of California, entitled, "An Act to legalize certain Bonds of the City of San Diego, and to provide for the payment of the interest thereon and for the redemption thereof" the Treasurer of this City is required to advertise for sealed proposals for the surrender of a portion of the bonds of said City on the first day of March of every year after A. D. 1877, and

Whereas E. W. Morse, the present Treasurer of said City has failed to so advertise on the first day of March of this year, therefore

Be it Resolved by the Board of Trustees of the City of San Diego that the Treasurer of said City is hereby directed and commanded to cause the advertisement mentioned in Sec. 6 of said Act to be published at once and generally to comply with the provisions of said Act.  
San Diego, Mch. 3rd, 1880."

"Whereas, it is believed that the Bonds of the City of San Diego, heretofore issued and numbered from One (1) to One hundred and forty five (145) inclusive, were issued in

good faith and for the purpose of carrying out the contract mentioned in Ordinance No. 22 (Ratified by an Act of the Legislature of this State) and that there are no objections to the validity of said Bonds except such as are of a technical nature resulting from Clerical errors, and a failure on the part of the Board of Trustees to pass proper resolutions:

Therefore in order to comply with the conditions of said Bonds and in consideration of the money advanced by the holders of said bonds, and for the purpose of re-establishing and maintaining the credit of the City of San Diego:

Be it Resolved by the Board of Trustees of the City of San Diego, that the Bonds of said City heretofore issued and numbered from one (1) to one hundred and forty five (145) inclusive, are hereby ratified and confirmed and deemed to have been in all respects regularly and lawfully issued, and the Treasurer of the City of San Diego is hereby authorized and directed to pay the interest on the same.

San Diego, 3rd Mch. 1880."

On motion the Clerk is instructed to serve certified copies of said Resolutions on the Treasurer, E. W. Morse.

On motion the Clerk is ordered and directed to draw and sign all Warrants ordered drawn by the Board and report at next adjourned meeting.

On motion the Board then adjourned to tomorrow the 4th inst. at 2 h. P. M.

H. T. Christian, Clerk

President.

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City Hall, Office of Board City Trustees,  
San Diego, Mch. 4th, 1880, 2 h. P. M.

Board met in regular adjourned meeting, present, Trustees McCoy, McCarthy, Julian & Briant, Absent Trustee Rogers. President D. O. McCarthy presiding, Christian, Clerk.

The Clerk reported all warrants ordered drawn by the Board had been drawn.

The City Atty is requested to prepare an Ordinance to prevent Hogs from running at large and present the same to the Board at its next meeting.

On motion the Board adjourned to Monday the 8th inst. at 10 h. A. M.

H. T. Christian, Clerk.

President.

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Office of Board City Trustees, City Hall,  
San Diego, Mch 8th, 1880. 10 h. A. M.

Board met in pursuance of adjournment, present, Trustees McCoy, McCarthy, & Briant. President D. O. McCarthy in the chair. H. T. Christian, Clerk.

Charter Ordinance No. 52 read and on motion adopted in words and figures following to-wit:

CHARTER ORDINANCE NO. 52.

(New Charter)

An Ordinance amending Charter Ordinance No. 29 (New Charter)

The City of San Diego acting herein by and through its Board of City Trustees, does ordain as follows, to-wit:

Sec. 1. Sec. 2 of Charter Ordinance No. 29 (new charter) is amended by adding thereto the following words, to-wit: And it shall be unlawful for any person or persons owning or having control of such animals to graze or pasture or cause or allow them to graze or pasture on any lands within the limits aforesaid, other than lands owned by or in the lawful occupancy of said person or persons.

Passed and approved by Board of City Trustees of City of San Diego, this 8th Mch, 1880.

(SEAL) ATTEST: H. T. Christian, Clerk of said City and Clerk of said Board of Trustees.

D. O. McCarthy, President.

A. B. Hotchkiss now presented his bill for legal services in what is known as the Railroad land case for \$5,000.00 gold coin of U. S. or its equivalent in City Bonds @ 75¢ or City Scrip @ 25¢ on the one dollar.

On motion the Bill is referred to the Finance Committee.

There appearing no further business on motion the Board adjourned.

H. T. Christian, Clerk

President.

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Office Board City Trustees, City Hall,

San Diego, April 5th 1880, 1 h. P. M.

Board met in regular monthly session, present Trustees McCoy, McCarthy, Julian and Briant, and Clerk Christian, the President D. O. McCarthy presiding.

The Minutes of meetings of March 1st, 3rd, 4th, and 8th read and on motion approved.

The Finance Committee present their report approving the following bills, to-wit:

H. T. Christian, Clerk, Footing up Assessment Roll &c. for 1879 \$150., John A. Thoman, Janitor &c. for Feby. 1880 \$8.00, L. L. Lockling services as City Engineer 2 days \$10.00, C. H. Shepherd, copying \$20.00 and make a reduction in following Bills to-wit:

W. Jeff Gatewood's bill for \$20,000 for legal services in Railroad Land cases reduced to and approved for \$1000 and Bill of A. B. Hotchkiss legal services in same case of \$5000, coin, or in Bonds @ 75¢ or Scrip @ 25¢ reduced to and approved for \$1000.

On motion the report is adopted and Warrants ordered drawn for the several amounts.

The Street Committee to whom was refered the petition of John Herrandner asking permission to put up Marine way from foot of 6th St. to connect his bath house with shore, report favorably on said petition with understanding that the structure is to be of temporary character and to not interfere with navigation or shipping in the Bay.

On motion the report is received, prayer of petitioner granted and City Atty. requested to draw resolution granting the privilege asked.

A communication from G. S. Pidgeon in relation to his Assessment for 1879, address to "Board of Supervisors" read and on motion ordered returned to author with request that if he wished to communicate with the Board in said matter to address the Board in proper official manner.

Report of City Attorney read and ordered placed of file.

Report of City Tax Collector showing a collection of \$1000.26 since last report, read and ordered placed on file.

Report of City Treasurer read and ordered placed of file.

The following claims against the City were read and on motion refered to the Finance Committee to-wit: Bill of San Diego Union for \$66.94, Bill of John Thoman, Janitor for March \$8.00, Bill of S. Statler Clk. Dist. Court, costs in case "McCoy vs Briant" Bush & City vs T. & P. R. R. Co." "Burroughs vs City" "City vs. T. & P. R. R. Co." for \$43.60 in coin or equivalent in Scrip.

On motion the following Resolution was adopted, to-wit:

"Resolution". The City of San Diego acting herein by and through its Board of City Trustees does ordain and Resolve,

That permission be and is hereby granted to John Herrandner to put up a "marine way" or foot path from the foot of 6th Street in said City in "Horton's Addition" so as to connect his bath house with the shore, the same to be of a temporary character and not to be so constructed so as to obstruct the navigation of the waters of the Bay of San Diego; the same to be subject to all reasonable orders of the Board of City Trustees as to

removal of, at any time they should adjudge the same to be proper or necessary for the purposes of commerce or trade or for the preservation of the harbor of the City of San Diego.

On motion the following Ordinance was passed and adopted in words & figures, to-wit:

CHARTER ORDINANCE NO. 53.

(New Charter)

Repealing and Amending certain portion of Charter Ordinance No. 25.  
(New Charter)

The City of San Diego, acting herein by and through its Board of City Trustees, does ordain as follows, to-wit:

Section 1. Section 1st of Charter Ordinance No. 25, passed and approved by the Board of City Trustees of the City of San Diego Jan. 12, 1878, is hereby amended by striking out from the same as appears in the printed copy thereof in the Book of Ordinances of said City kept by the Clerk thereof, the words in the 6th line thereof "Superintendent of Public Streets" and inserting in the place thereof the words "said Tax Collector".

Sec. 2. Section third of said Ordinance is amended by striking out therefrom from the second line thereof in the printed copy aforesaid, the word "February" and insert therein in place thereof the words "third Monday in April. Section 4 of said Ordinance is amended by striking out therefrom in the fifth line thereof the word "February" and inserting in the place thereof the words "third Monday in April.

Passed and approved by the Board of Trustees of the City of San Diego, this April 5th, 1880.

(SEAL) ATTEST: H. T. Christian,

D. O. McCarthy, President.

Clerk of said City and Clerk of said Board of Trustees

There appearing no further business on motion the Board adjourned.

H. T. Christian, Clerk

President

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Office of Board of City Trustees, City Hall,

San Diego, April 21st, 1880. 2 h. P. M.

The Board met in regular called Special Session, in pursuance of the following call, to-wit:

"Special Meeting of the Board City Trustees.

Notice is hereby given that a Special Meeting of the Board of City Trustees is hereby ordered to convene at the City Hall this Wednesday the 21st day of April at 2 o'clock P. M. for the purpose of ordering an Election for five Trustees, a City Tax Collector and a City Assessor, to take place on Thursday the 13th day of May A. D. 1880.

D. O. McCarthy, Trustee

D. W. Briant, Trustee

James McCoy, Trustee

, A. H. Julian, Trustee."

In pursuance of said "call" the following Trustees were present McCoy, McCarthy, Julian & Briant and Clerk Christian, Absent Trustee, E. O. Rogers.

The following call or Proclamation was then read and on motion adopted in words and figures, to-wit:

"CITY ELECTION PROCLAMATION.

Office of Board of Trustees of City of San Diego,

San Diego, Cal., April 21st, 1880.

Notice is hereby given that pursuant to law, a Charter Election will be held in the City of San Diego, State of California, on Thursday, the thirteenth day of May, 1880, for the election by the qualified voters thereof, of certain City Officers of said City, to-wit: Five Trustees (one from each of the Wards of said City); a Tax Collector and a

City Assessor. That the Polls will be opened at 10 o'clock A. M. and continue open until 7 o'clock P. M. of said day. The Inspectors and Judges are hereby appointed and voting places fixed as follows:

First Ward. Inspector, R. D. Israel; Judges, L. Rose and Thomas Whaley, voting place, Rose's Store.

Second Ward. Inspector, E. W. Nottage; Judges, J. S. Mannasse and John R. Porter, voting place San Diego Hotel.

Third Ward. Inspector, W. A. Begole; Judges, I. L. Palmer and C. A. Dievendorff, Voting place City Hall.

Fourth Ward. Inspector, H. H. Dougherty; Judges, A. E. Horton and Ed. Gregory, Voting place Hiscock building.

Fifth Ward. Inspector, W. J. Walker, Judges, H. A. Perry and A. Lithgow, Voting place Bay View Hotel.

By order of the Board of Trustees of the City of San Diego, this April 21st A.D. 1880.

(SEAL) ATTEST: H. T. Christian,

D. O. McCarthy, President.

City Clerk and Clerk of said Board of City Trustees.

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Office of Board City Trustees, City Hall,

San Diego, April 23rd, 1880, 2 h. P. M.

Board met in Regular Called Special Session, in pursuance of the following "Call" to-wit:

San Diego, April 23rd, 1880.

Notice, A Special meeting of the Board of Trustees of City of San Diego, is hereby called to meet at the office of said Board (City Hall) in said City, at the hour of one o'clock P. M. this April 23rd 1880, for the purpose of taking into consideration, and take such action as said Board may deem best, in the matter of answering the Complaint in the case of W. Jeff. Gatewood vs. City of San Diego" and employing counsel for said City in said case.

D. O. McCarthy, Trustee  
D. W. Briant, Trustee  
A. H. Julian "  
James McCoy "

Present at said Meeting Trustees McCoy, McCarthy, Julian, & Briant, and Clerk Christian, Absent Trustee Rogers.

The Clerk then read the following telegram from Levi Chase Dated, Los Angeles, April 22, 1880. Received at San Diego, Cal. April 22.

To Trustees of City of San Diego, care F. W. Galbraite, Will defend Gatewood case if you desire. Trustees to fix compensation when case is decided. Explanatory letter by mail. Levi Chase.

After some discussion the following telegram was prepared and sent to said Levi Chase, to-wit:

San Diego, Cal. Apr. 23rd, 1880.

To Levi Chase,

Board Trustees accept your proposition in dispatch of 22d to defend Gatewood case, your compensation to be fixed as proposed.

D. W. Briant  
A. H. Julian  
James McCoy  
D. O. McCarthy  
Board of Trustees.

On motion the Clerk is ordered to spread the full text of the dispatch from Chase and dispatch to Chase from the Board, on the Minutes of the proceedings of this Board, and in accordance with said motion I, H. T. Christian, City Clerk & Clerk of said Board do

hereby certify the foregoing two disptaches, one from Levi Chase of Date Apr. 22, 1880 and one from Board of Trustees of date April 23rd, 1880 to Levi Chase as incorporated in the minutes on the page preceeding (No. 558) are full true and verbatim copies of said two dispatches as appear from the originals now of file in my office. Witness my hand this April 23rd A. D. 1880. H. T. Christian, Clerk.

There appearing no further business and all business for which this Special Call was made being transacted on motion the Board adjourned.

H. T. Christian, Clerk.

President.

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Office Board of City Trustees,

San Diego, May 3rd, A. D. 1880, 1 h. P. M.

The Board of Trustees met in regular monthly session, present Trustees McCoy, McCarthy, Julian and Briant, absent Trustee Rogers. D. O. McCarthy, President, in the chair. H. T. Christian, Clerk.

Minutes of the meetings of the Board of April 5th, 21st and 23rd read and on motion approved.

The Finance Committee presented their report approving the following bills and on motion Warrants were ordered drawn for the several amounts, to-wit:

|                           |         |
|---------------------------|---------|
| John A. Thoman, Janitor   | \$8.00  |
| S. Diego Union, Printing, | \$66.94 |

The Finance Committee also disapprove the Bill of San Diego Water Co. for water for February, March, and April \$300.00.

The Report of Tax Collector showing a collection of \$1012.06 since last report read and ordered placed of file.

The Report of City Clerk showing total amount of City Taxes charged to Collector for year 1879 to be \$4142.56, total amount collected and paid over by the Collector to be \$3937.44, amount of Double Assessments \$18.46 and amount due and unpaid as per Delinquent List for year 1879 \$186.66 was read and ordered filed, it being a statement of a final settlement with the Collector.

The following Bills against the City read and refered to Finance Committee.

|                                                                                                        |          |
|--------------------------------------------------------------------------------------------------------|----------|
| P. Rothermel, rent of Engine House for Nov. Dec. 79 and Jan. Feby. Mch and April 1880 @ \$17 per month | \$102.00 |
| C.P. Gerichten rent of City Hall for De. 79 Jan. Feby. Mch. & April                                    | 80       |
| S. Statler, Clerk of Court, costs                                                                      | 43.60    |
| San Diego Union, Printing                                                                              | 96.54    |
| John V. Mumford, Work on Road                                                                          | 30.00    |
| T. Larson, $\frac{1}{2}$ Cord wood                                                                     | 5.00     |
| John A. Thoman, Janitor for April 80.                                                                  | 8.00     |
| A. Pauly, Tax Col. Delq. and Sale Lists                                                                | 200.00   |
| A. Pauly " " List of persons liable to Road Tax                                                        | 30.00    |

On motion the rules are suspended and the Bills of P. Rothermel rent \$102. and C. P. Gerichten rent for \$100 are ordered paid by Warrants on the Treasurer.

On motion the following Resolution was adopted to wit:

"Resolution" The City of San Diego acting herein by and through its Board of Trustees does Resolve that James McCoy, a member of said Board is hereby appointed by this Board a Committee of one to conduct the defense, for the defendant, the City of San Diego in the action now pending in the Superior Court in and for the City of San Francisco, wherein Wm. Jeff Gatewood is plaintiff and said City of San Diego is defendant, with full authority to consult with the attorney or attorneys of the City employed in said action, to make and verify all affidavits of merit or other affidavits therein, and to render the said Attorney or Attorneys such other assistance in the defense of said action as may be necessary in conducting the same.

Passed and approved by Board of Trustees of City of San Diego, State of Cali-

fornia, in regular meeting assembled this 3rd day of May A. D. 1880.

(SEAL) ATTEST: H. T. Christian, Clerk

D. O. McCarthy, President.

There appearing no further business the Board on motion adjourned.

H. T. Christian, Clerk.

President.

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Office of Board City Trustees,

San Diego, May 27th 1880.

The Board met in Special Session, pursuant to the following "call" or notice, to-wit:

Office Board City Trustees, San Diego, May 27th, 1880.

Notice is hereby given that the Board of Trustees of City of San Diego will convene in Special Session at the City, this afternoon at one o'clock P. M. for the purpose of canvassing the returns and declaring the result of the Election held in said City on the 13th inst. and for the further purpose of passing upon or auditing the bills or claims against the City now accrued and presented, and we hereby call such Special Meeting to meet at the time and place and for the purposes mentioned.

D. W. Briant, Trustee  
James McCoy, Trustee  
A. H. Julian, Trustee.

The Board came to order at one o'clock P. M. in accordance with said "call", Present: Trustees McCoy, Briant and Julian and Clerk Christian). Absent: Trustee and President D. O. McCarthy and Trustee Rogers.

On motion Trustee Briant was called to the chair to preside as temporary President.

The Clerk delivered the Returns of the Election held in said City on May 13th, 1880 as returned to him by the officers of the different Election Precincts or Wards, and on said Returns being opened by said Board, the following result of said Election was found to-wit:

|           |                                  |          |
|-----------|----------------------------------|----------|
| 1st Ward: | for Trustee James McCoy had      | 21 votes |
| " "       | for Tax Collector, A. Pauly had  | 21 "     |
| " "       | for Assessor, M. D. Hamilton had | 21 "     |
| 2nd Ward; | for Trustee, Sam'l Slade had     | 20 "     |
| " "       | for Tax Collector, A. Pauly had  | 20 "     |
| " "       | for Assessor, M. D. Hamilton had | 20 "     |
| 3rd Ward: | for Trustee, Jas. M. Pierce had  | 89 "     |
| " "       | for Trustee, E. M. Rankin had    | 3 "      |
| " "       | for Tax Collector, A. Pauly had  | 90 "     |
| " "       | for Assessor, M. D. Hamilton had | 88 "     |
| 4th Ward: | for Trustee, Jno. H. Snyder had  | 63 "     |
| " "       | for Trustee, A. E. Horton had    | 54 "     |
| " "       | for Tax Collector, A. Pauly had  | 116 "    |
| " "       | for Assessor, M. D. Hamilton had | 119 "    |
| 5th Ward: | S. P. Jones for Trustee had      | 30 "     |
| " "       | A. Pauly for Tax Collector had   | 31 "     |
| " "       | M. D. Hamilton for Assessor had  | 31 "     |

On motion the Board declared the result of said City Election in accordance with above Returns and declared the following named persons elected to the following offices to-wit:

|     |                          |                 |
|-----|--------------------------|-----------------|
|     | For Trustee of 1st Ward, | James McCoy     |
|     | " Trustee of 2nd "       | Samuel Slade    |
|     | " Trustee of 3rd "       | James M. Pierce |
|     | " Trustee of 4th "       | John H. Snyder  |
|     | " Trustee of 5th "       | S. P. Jones     |
| and | for City Tax Collector,  | A. Pauly        |
| and | for City Assessor,       | M. D. Hamilton  |

and on further motion the Clerk is instructed to issue Certificates of Election to said Officers elect.

The Finance Committee now report favorably on the following Bills and on motion Warrants are ordered drawn for the several amounts, to-wit:

|                                                           |         |
|-----------------------------------------------------------|---------|
| A. Pauly, Tax Collector, making list persons for Road Tax | \$30.   |
| A. Pauly, Tax. Col. making Delq. and Sale Lists for 1879  | \$150.  |
| John A. Thoman, Janitor for April 80                      | \$8.    |
| T. Larson, 1/2 cord of Wood                               | \$5.    |
| John V. Mumford, Road Work                                | \$30.   |
| San Diego Union, Printing                                 | \$96.54 |
| S. Statler, Court Clerk                                   | \$43.60 |

There appearing no further business the Board on motion adjourned.

H. T. Christian, Clerk

President

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MEETING OF NEW BOARD OF TRUSTEES.

Office of Board of City Trustees

San Diego, June 1st, A. D. 1880.

The newly elected Board of Trustees met at 2 o'clock P. M. June 1st, 1880 for the purpose of organizing as by law required, the following newly elected members of the Board were present and presented their oaths of office which were placed of file, to-wit:

- James McCoy, Trustee elect from 1st Ward
- Samuel Slade, Trustee elect from 2nd Ward
- James M. Pierce, Trustee Elect from 3rd Ward
- John H. Snyder, Trustee elect from 4th Ward
- S. P. Jones, Trustee elect from 5th Ward.

On motion Trustee S. P. Jones is made President Pro tempore. The President pro tem. stated the first business in order was the election of a President of the Board,

On motion the Board went into ballot for President with following result.

For President of Board of Trustees, S. P. Jones had 3 votes  
 " " " " " " " Saml Slade " 1 vote  
 " " " " " " " one Blank vote.

H. T. Christian, City Clerk thereupon declared S. P. Jones the duly elected President of the Board of Trustees of the City of San Diego for the ensuing two years.

The next business in order was the Election of City Clerk, the Board going into ballot with following result, For Clerk, Thos. Whaley had 3 votes and A. H. Donohoe had 2 votes for Clerk, thereupon the President declared Thomas Whaley duly elected City Clerk for ensuing two years.

The next business the Election of City Treasurer declared in order, and the Board going into Ballot duly elected Bryant Howard Treasurer for said City he receiving the full vote (5 votes) of the Board for that office.

On discussion the Board concluded to allow Charter Ordinance No. 1 to remain in force (with its amendments) as to the amounts of Bonds to be given by the Officers.

On motion the Board adjourned to Saturday the 5th instant at 10 o'clock A. M. On motion of McCoy, the vote for adjournment was re-considered, and the Board proceeded to consider the adoption of an ordinance for the levy of City Tax for year 1880, and on motion the following Ordinance was adopted in words and figures following, to-wit:

CHARTER ORDINANCE NO. 54.  
 (New Charter)

An Ordinance Levying and Fixing the rate of Taxation for the year 1880.

The City of San Diego acting herein by and through its Board of Trustees, does ordain as follows:

Sec. 1. The rate of taxation for revenue purposes of the City of San Diego for the fiscal year ending December 31st, 1880, is hereby fixed and levied at the sum of thirty cents on every one hundred dollars of the assessed value of all the real and personal property within the Corporate limits of said City, made taxable by law, and the rate of tax-

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ation for the purpose of raising a tax for said fiscal year for the payment of all interest monies is hereby fixed and levied at the sum of ninety-five cents on every one hundred dollars of the assessed value of said property made taxable as aforesaid.

Passed and approved by the Board of Trustees of the City of San Diego this June 1st, A. D. 1880.

(SEAL) ATTEST: H. T. Christian, City Clerk and S. P. Jones, President. Clerk of said Board of Trustees

There appearing no further business, on motion the Board adjourn to Thursday the 3rd inst. at 2 o'clock P. M.

H. T. Christian, Clerk. S. P. Jones, Pres.

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San Diego, June 3rd 1880 2 h. P. M. Office of Board of City Trustees

Board met pursuant to adjournment, present, Trustees, McCoy, Pierce, Snyder & Jones. President S. P. Jones presiding. Christian, Clerk.

City Attorney's opinion in relation to Charter Ordinance No. 54 filed.

On motion the vote passing Ordinance No. 54 is reconsidered.

On motion Charter Ordinance No. 54 is rescinded and abrogated and the Clerk is instructed to have the publication of said Ordinance 54 stopped.

On motion the Board adjourned to its next regular meeting June 7th at 1 h. P. M. H. T. Christian, Clerk. S. P. Jones, President.

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Office of Board City Trustees, San Diego, June 7th, 1880 1 H. P. M.

The Board of Trustees of the City of San Diego met in regular monthly session. Present: Trustees McCoy, Slade, Pierce, Snyder and Jones, and Clerk Christian.

The President S. P. Jones in the Chair.

Minutes of Meetings of the Old Board of Trustees of dates May 3rd and 27th, 1880 read and on motion approved as recorded. The Minutes of the Meetings of this Board of dates June 1st, and 3rd read, and on motion approved.

The report of Tax Collector showing the amount of Road Poll Tax collected for year ending April 30th, 1880 to be \$147.00 and number of Road Poll Taxes worked out to be 60 was read and ordered placed of file.

On motion the Clerk is instructed to draw Warrants in favor of the officers of the late City Election Boards, to-wit:

|                                                     |         |
|-----------------------------------------------------|---------|
| R. D. Israel, Inspector 1st Ward                    | \$3.00  |
| Thos. Whaley, Judge " "                             | 3.00    |
| Louis Rose, Judge " " and Rent of Room              | 6.00    |
| T. G. Battaile, Clerk " "                           | 3.00    |
| Jas. W. Connors, Clerk " "                          | 3.00    |
| E. W. Nottage, Inspector 2d Ward                    | 3.00    |
| Chas. McSheffney, Judge " "                         | 3.00    |
| J. S. Mannasse, Judge " "                           | 3.00    |
| H. M. Schiller, Clerk " "                           | 3.00    |
| E. B. Dunnells, Clerk " "                           | 3.00    |
| S. S. Dunnells, use of Room for Election Board      | 3.00    |
| W. A. Begole, Inspector 3rd Ward                    | 3.00    |
| I. S. Palmer, Judge " "                             | 3.00    |
| T. M. Turner, Judge " "                             | 3.00    |
| Chas. F. Murphy, Clerk " "                          | 3.00    |
| Jeff A. Verlaque, Clerk " "                         | 3.00    |
| H. H. Dougherty, Inspector 4th Ward and use of Room | 6.00    |
| E. Gregory, Judge " "                               | 3.00    |
| P. Arnold, Judge " "                                | 3.00    |
| F. M. Carroll, Clerk " "                            | 3.00    |
| John Desmond, Clerk " "                             | 3.00    |
| F. N. Pauly, Inspector 5th Ward                     | 3.00    |
| J. W. McClain, Judge 5th Ward                       | 3.00    |
| A. Lithgow, Judge 5th Ward                          | 3.00    |
| Geo. Farwell, Clerk 5th Ward                        | 3.00    |
| A. H. Donohoe, Clerk 5th Ward                       | 3.00    |
| S. P. Jones use of room for election board 5th ward | 3.00    |
| Total                                               | \$87.00 |

The President now appointed Trustees Pierce and Slade as the Finance Committee.

The following Bills against the City read and on motion referred to the Finance Committee, to-wit:

|                                                        |          |
|--------------------------------------------------------|----------|
| San Diego Water Co., water for May 1880                | \$100.00 |
| A. Pauly, Supt. of Streets                             | 100.00   |
| John A. Thoman, Janitor for May                        | 8.00     |
| H. T. Christian, City Clerk footing Delq. List of 1879 | 50.00    |

The Official Bond of the newly elected City Treasurer (Bryant Howard) read showing the following named gentlemen as sureties in the sum of \$5000.00 each, to-wit: O. S. Witherby, Levi Chase, Geo. A. Cowles, George Geddes, E. W. Morse and Jas. M. Pierce. Trustee Pierce here explained to the Board why he appeared as a surety in the Treasurer's Bond, being because the Directors of the Consolidated Bank had by a Resolution, resolved that the Directors of that Bank should constitute the Sureties of the City Treasurer Howard, and as he, Pierce, was one of the Directors his name appeared as surety. On Motion the Bond of the Treasurer just read was approved and ordered filed.

The Bond of M. D. Hamilton, City Assessor read and on motion approved, the following being the sureties in amounts, to-wit: Francis Stone \$2000, O. S. Witherby \$2000, S. Levi \$2000, A. P. Knowles \$2000, Geo. W. Hazzard \$1000, Chas. S. Hamilton \$1000.

The Bond of Thos. Whaley as City Clerk read and on motion duly approved, the following being the sureties to-wit: E. W. Morse and John G. Capron in the sum of \$2000 each.

The Bond of A. Pauly as City Tax Collector read and on motion approved, the following being the sureties to wit: W. L. Williams in sum of \$1000.00 and C. J. Edwards, J. H. Simpson, A. Schneider and A. Lithgow in the sum of \$1000 each.

On motion the Clerk is instructed to request the Stationers of the City to bid for the supplying of Assessment Roll, Delinquent List and Lot Book for year 1880, and also request the printers to bid on the furnishing of Assessment List Blanks required by the Assessor.

On motion Charter Ordinance No. 55 was adopted in words and figures, to-wit:

CHARTER ORDINANCE NO. 55.

(New Charter)

Fixing the time of Meeting of the Board of City Trustees.

The City of San Diego acting herein through its Board of City Trustees does ordain as follows:

Sec. 1. That hereafter the regular monthly meeting of the Board of City Trustees shall be held at one o'clock P. M. on the last Saturday of each month.

Sec. 2. Said meetings and all official meetings of said Board hereafter, shall be held at the room of the Board of Supervisors, in the Court House in the City and County of San Diego, State of California.

Sec. 3. Charter Ordinance No. 47 (New Charter) and all ordinances in conflict herewith are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, this 7th day of June A. D. 1880.

(SEAL) ATTEST: H. T. Christian, City Clerk and S. P. Jones, President. Clerk of said Board of Trustees

There appearing no further business, on motion the Board adjourned to Friday the 11th inst. at 1 h. P. M.

H. T. Christian, Clerk. S. P. Jones, President.



## Office of the Board of City Trustees

San Diego, June 11th, 1880, 1 P. M.

The Board of Trustees of the City of San Diego met in adjourned regular monthly session. Present, Trustees McCoy, Slade, Pierce, Snyder and Jones, and Whaley, Clerk. The President, S. P. Jones in the Chair.

Minutes of Regular Monthly Session, June 7th, 1880 read, and on motion approved as recorded.

By permission of the Board, Maj. Levi Chase, Atty for the City, in the action of Wm. Jeff. Gatewood vs: the City of San Diego, for Counsel Fees, now pending in the Superior Court, 3d Dept. of San Francisco, addressed the Board, to the effect, that should McCoy, (the Committee of One, to conduct the defense for the defendants) resign, it would be necessary to appoint some other member of the Board to act in this matter, and to notify the Clerk of the Court of such appointment.

No written resignation of Mr. McCoy appearing of file with the Clerk of the Board, and he consenting longer to act on such Committee, no action was required.

~~Maj. Chase informed the Board, that the motion for a change of venue, in the forementioned Cause, would come up for a hearing on the 9th day of July next, and the importance of having an Attorney present to meet any immergency that may possibly arise. That he had offered to defend the suit to a final adjudication in the present Court or Courts to which it may be carried for such reasonable compensation as might to the Board seem meet to allow, according to his telegram to the former Board, on file with the Clerk, but, as to disbursements in the suit, and means to enable him to proceed to San Francisco, (which had to be paid in Cash) it would be for their consideration to make provision, as referred to in his communication, forming a part of his Telegram.~~

~~The Clerk ascertained that no such letter had ever come to hand.~~

~~Maj. Chase said that it must then be in the hands of Mr. Galbraith, to whom he directed it, to be delivered, and that he would procure the same to be placed on file with his telegram.~~

~~No necessity for immediate action existing, the consideration of this matter was deferred to the next regular monthly session.~~

No Reports of Committees.

Communication of S. P. Jones received and ordered read:

"Whereas the present amount of indebtedness of the City seems quite indefinite, and Whereas with a view to a proper adjustment of its liabilities:

Resolved, That the Clerk of the Board be required to examine the accounts of the several departments or funds and submit to the Board so soon as possible:

1st. The outstanding Bonds of the City, and for what purpose issued.

2nd. A condensed statement of unredeemed Warrants against the General Fund, and for what purpose issued.

3rd. A general synopsis of the Status of the Road Fund.

Accompanied with such general remarks as the nature of his investigation may require.

Resolved, That the Board of City Trustees constitute themselves a Committee to severally assist the Clerk in his investigations so far as possible.

(Signed) S. P. Jones.

Ordered placed on file, for consideration at next regular monthly session.

On motion, The Clerk of this Board is ordered to ascertain the exact number of all Blank Bonds, with the coupons attached thereto, and of all Bonds, with the Coupons

"Stricken out  
and Expunged".  
See minutes  
of the Board.  
June 26th 1880.  
Thos. Whaley  
Clerk of Board  
Trustees

attached thereto, which have been partly filled in and otherwise written upon, in his office, and to deposit the same with the Treasurer of the City of San Diego for safe keeping, taking a receipt therefor, subject to the order of this Board of Trustees" Passed by full vote of the Board.

The President now appointed Trustees Snyder and Slade as the "Committee on Fire and Fire Department."

The Report of Tax Collector, Pauly showing the final settlement with City Clerk, Christian, for Delinquent Taxes for the year 1879, Amount Collected \$31.79

Less Commss. on \$31.79 3% .95

Amount paid Treasurer as appears by receipt \$30.84

Report read, approved and ordered on file.

The Report of City Clerk, Christian, of Final Settlement with Tax Collector, Pauly for Delinquent Taxes for 1879, showing the Balance of Taxes remaining unpaid on the Delinquent List of 1879 to be \$154.35.

The Report read, approved and ordered on file.

The Report of Thos. L. Nesmith, President Cemetery Commission was read.

"To The President and Board of City Trustees:

As our term of office is about to expire I make my usual report without having anything very important to communicate.

I think the affairs of the Cemetery have been prudently managed as we have made considerable improvements during the last two years and now have some money in the Treasury and owe nothing.

New Pipe has been laid in some of the principal avenues, which has enabled owners to improve their lots materially.

If the City water could be introduced it would be of incalculable advantage to the Grounds.

In my last Report I alluded to the circuitous character of the Route leading from the City to the Cemetery.

Owners of land in Cholla Valley now offer to sell a strip for a Road through their property, and we advise immediate action in regard to this proposition.

We look for greater improvements in Mount Hope Cemetery in the near future.

San Diego, May 1, 1880.

Respectfully submitted,

(Signed) Thos. L. Nesmith,

President Cemetery Commission"

Ordered received and placed on file, to be acted upon at next regular monthly session.

Claim of A. E. Horton for Rent of City Hall for Months of May & June 1880 \$20. per mo: \$40.00, read and on motion referred to Finance Committee.

Bid of A. Schneider to furnish Assessment Books required by City Assessor for \$189.00 in City Scrip. On motion was rejected. No Bids for Assessor's Blanks.

On motion moved that the services of John A. Thurman, at present acting Janitor, are no longer needed and that he will no longer be employed by the Board. Passed by a full vote.

There appearing no further business, on motion the Board adjourned Sine die.

Thos. Thaley, Clerk.

S. P. Jones, President.

Supplementary thereto, and forming a part of the foregoing minutes of the Adjourned Monthly session of June 11th, 1880, are the following additional minutes, which were omitted.

The Clerk asks for instructions from the Board:-

1st. In reference to the removal of the Records, furniture and other property belonging to the City, in and about the City Hall.

2nd. In reference to Warrant No. 1342, for \$1,000 drawn to the order of Wm. Jeff. Gatewood, in his keeping, receipted for by him to H. T. Christian, late City Clerk.

The Board direct the Clerk to remove the Records, furniture &c, to the Board of Supervisors Room in the County Court House, and the Iron Jail, in the City Hall Yard, to the County Court House Yard, leaving the time and manner of doing so to his discretion to arrange with someone for this purpose, all to be done previous to the 25th of the present month, and in readiness for holding the next regular meeting of the Board.

Respecting the safe keeping of Warrant No. 1342, the Board suppose it would be well for the protection of the Clerk to deposit the same with the City Treasurer, taking his receipt therefor.

Thos. Whaley, Clerk

S. P. Jones, President.

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Office of the Board of City Trustees,

San Diego, June 26th 1880.

The Board of Trustees of the City of San Diego met in regular monthly session, in the Board of Supervisors' Room, County Court House.

Present: Trustees McCoy, Slade, Pierce, Snyder and Jones, and Clerk Whaley.

The President, S. P. Jones, in the Chair.

Minutes of meeting of the Board of Trustees of the date June 11th read, and on motion approved as recorded. On motion the approval of the minutes reconsidered. Carried. Moved that the minutes of the date, June 11th, in reference to remarks made by Levi Chase, Esq. be corrected to conform with his telegram of April 22nd 1880. Carried.

On motion the last motion, correcting the minutes was reconsidered and then: Moved that, that portion of the minutes of the date of June 11th 1880, on page 570, commencing with the 20th line, and ending at the bottom of said page 570, be stricken out and expunged, and so noted in the margin, the same forming no portion of the action of this Board. Carried.

The Minutes were then, on motion, approved.

Finance Committee requiring further time to report, it was granted to them.

Notice of A. E. Horton not to pay amt. to C. P. Gerichten,

Notice of C. P. Gerichten not to pay rent to A. E. Horton, were read, Ordered received and placed on file.

Petition of Joseph Faivre, agent of S. S. Clark, to construct sewer. Ordered received and referred to Committee on Streets.

There being no such Committee, the President now appointed Trustees, McCoy and Snyder as the Committee on "Sidewalks, Streets and Highways", to which Committee, the Petition of Joseph Faivre was referred.

Petition of Wm. J. Lyons, to lease certain lands, at Soledad, for the purpose of exploring for Coals for a term of years. Ordered received and referred to a Special Committee, consisting of Trustees McCoy, Snyder, Slade and Pierce, appointed by the Chair. Moved that the President of the Board be added to said Committee. Carried.

Communication from D. O. McCarthy, respecting taking his testimony before his departure from the State. Referred to Special Committee McCoy, having in charge suit, Gatewood vs City of San Diego.

Communication from Census Bureau, Washington, D. C. concerning the "Health, Debt and Taxation of the City of San Diego", referred to Finance Committee, and Clerk instructed

to acknowledge the receipt of the Blanks as requested.

Bid of A. Schneider for furnishing Assessment Rolls for use of City Assessor received and placed on file.

Report of A. Pauly, Treasurer of Cemetery Commission, as to the amount(\$370.75) paid H. H. Dougherty, Superintendant of Cemetery, for 48 months ending June 1, 1880, received & placed on file.

Report of E. W. Morse, late City Treasurer, ending June 1st, 1880, with communication requesting that a committee be appointed to examine the same and to receive the redeemed warrants, bonds and coupons. Received and referred to Finance Committee.

Report of Thomas Whaley, Clerk of the Board, respecting Blank Bonds deposited with City Treasurer, the destruction or further mutilation of the redeemed paper of the City, and other matters of importance. Received and referred to Finance Committee.

Bills against the City, as follows; were read and referred to Finance Committee.

John A. Thoman, Janitor for June, 1880	\$8.00
A. Schneider, Stationery	26.95

Two Bills of Costs in Superior Court, respectively, for \$54.60 and \$46.80, referred to in the Clerk's Report, are ordered to accompany the same & referred to Finance Com.

All unfinished business ordered to lie over to the next meeting.

On motion, Trustees Snyder, Pierce and Slade are appointed a Special Committee to confer with Citizens Committee, on special business.

The signing of Warrants No. 1357 and 1358, for \$25.00 each, issued to Christian & Hotchkiss for services in May, signed by the President and former Clerk, which the President conceives to have been informally done, is, on motion, referred at his request to the Finance Committee for their approval.

Moved that the Clerk be instructed to make out a list of Stationery required for the use of the Office of the Board of City Trustees, and hand the same to the Finance Committee, Carried.

There appearing no further business, on motion, the Board adjourned to Wednesday, the 30th inst. at 10 A. M.

Thos. Whaley, Clerk

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, June 30th, 1880, 10 h. A. M.

The Board of Trustees of the City of San Diego, met in adjourned regular monthly session. Present: Trustee McCoy, Slade, Pierce and Jones. Absent: Trustee Snyder. S. P. Jones, President in the Chair. Thomas Whaley, Clerk.

Minutes of the meeting June 26th read, and on motion, approved as recorded.

The Finance Committee presented their report, approving the following Bills, and on motion Warrants were ordered drawn for the several amounts, to-wit:

John A. Thoman, Janitor for May	\$8.00
John A. Thoman, Janitor for June	8.00
A. Schneider, Stationery	26.95
on the General Fund.	
A. Pauly, Supt. of Streets, 25 days @ \$4.00	100.00
on the Road Fund	
	<hr/>
	\$142.95

Respecting claim of A. E. Horton, rent of City Hall, for May and June, 1880, \$40.00, Finance Committee report:- "Approved as a correct and proper claim against the City, which should be paid, when the parties in interest decide who is entitled to receive it." On motion Bill ordered on file, and warrant to be drawn whenever the parties

in interest decide who is entitled to receive it.

Finance Committee request further time to report on other Bills, which is allowed.

Committee on Fire & Fire Department, report, verbally that they have no report to make.

Committee on Sidewalks, Streets and Highways report favorably on the Petition of Joseph Faivre, agent of Est. of S. S. Clark. Moved that Joseph Faivre, Agent of Est. of S. S. Clark have permission to run a sewer to 3d Street, and continue the same to the Bay. The top of said sewer to be at least one foot under the surface of the ground. The work to be done subject to the approval of the Committee on Sidewalks, Streets and Highways, and to removal on the order of the Board of City Trustees. Carried.

The Finance Committee reporting favorably on the issue of Warrants No. 1357 & No. 1358, for \$25.00, each, on the General Fund, to Christian and Hotchkiss for Salaries in May: Moved that the Board approve of the drawing of the same, as reported by the Finance Committee, Carried.

Trustee Snyder now enters and takes his seat.

Trustee, Snyder, Chairman of the Special Committee, appointed at the last meeting reports: That arrangements can be made with Col. Wm. Jeff. Gatewood for the settlement of his claim, for \$2,500.00/100 in City Warrants, in full of all his demands against the City. Said Warrants to be drawn to the order of certain parties as per list to be furnished. Col. Gatewood will give any form of receipt required of him, and dismiss the Suit, paying his own costs. On motion report received.

Resolved, that the Board now proceed to settle with Col. Wm. Jeff Gatewood, in accordance with the Report received. The Clerk is authorized and directed to deliver warrant No. 1342 for \$1,000 favor of Wm. Jeff. Gatewood, now in his keeping to the order of Wm. Jeff. Gatewood; and to draw such warrants for such sums, and to the order of such parties, in conformity to a list to be furnished, to the amount of \$1500.00/100, on the General Fund, and to deliver the same to the order of Wm. Jeff. Gatewood, making in all the sum total of \$2,500.00/100, on receiving from him, the said Gatewood, his receipt in full of all demands which he has against the City of San Diego, and his written stipulation for the dismissal of any and all suits..

Moved and seconded that the foregoing Resolution be adopted. Carried.

On motion the Board took a recess till 2 p. m.

Continuation of the Session.

The Board met after Recess at 2 p. m. All the members and Clerk present.

Moved that the President and Clerk be instructed to sign the Warrants on settlement with Wm. Jeff. Gatewood and deliver the same to Trustee Snyder, for the purpose of settlement with Wm. Jeff. Gatewood, in conformity with the Resolution passed at the morning session of this Board. Carried.

Whereupon the President and Clerk, in the presence of the Board, signed the following Warrants, on the General Fund, to-wit:

Warrant No.	1386	favor	A. Schneider,	\$500.
"	1387	"	Chas. Hubbell	450.
"	1388	"	Wm. Perigo	223.50
"	1389	"	S. Levi	85.
"	1390	"	E. W. Bushyhead	40.
"	1391	"	E. W. Morse	50.
"	1392	"	G. Raffi	50.
"	1393	"	J. S. Gordon	50.
"	1394	"	M. A. Luce	25.
"	1395	"	M. C. Gatewood	26.50

Amounting to \$1500.00

and delivered the same to Trustee Snyder, which together with the Clerk's order on the City Treasurer, for Warrant No. 1342, for

makes the sum total of

1000.00
\$2500.00

Trustee Snyder then withdrew to carry into effect the arrangement, as above proposed.

The Board remained in recess during his absence.

Trustee Snyder returns, produces the Receipt of Wm. Jeff. Gatewood, in words following, to-wit:-

Received June 30th 1880 from the City of San Diego, Twenty five hundred dollars in full for all demands against said City of every nature and kind whatever, it being in full settlement to this date.

Wm. Jeff. Gatewood.

And the Stipulation of Wm. Jeff. Gatewood, in words following, to-wit:

In the Superior Court of the
City and County of San Francisco.

Department No. 3.

Wm. Jeff. Gatewood)
v.)
The City of San Diego)

The above case having been settled and I having this day received full satisfaction from the Deft. for all the matters in controversy therein, I hereby request that said suit be dismissed each party to pay their own costs and my attorneys Mess. Cope & Boyd of San Francisco are requested to dismiss said suit.

San Diego, June 30, 1880.

Wm. Jeff. Gatewood.

On reading of Receipt and Stipulation, ordered spread upon the minutes and duplicate copy of Stipulation to be obtained from Col. Gatewood for the purpose of filing together with his Bill and Receipt, and the original stipulation to be handed to Levi Chase, Esq. Trustee Snyder withdraws for the purpose of procuring Duplicate Stipulation of Gatewood.

Bill Thomas Whaley for services as Clerk of the Board for the month of June \$25.00
Bill A. B. Hotchkiss for services as City Attorney for the month of June \$25.00
Referred to Finance Committee.

Trustee Snyder returns with Duplicate Stipulation of Gatewood, which the Clerk, on comparing, finds to be the same as the original.

The original is delivered to Trustee Snyder for the purpose of handing to Levi Chase, Esq. and the Duplicate retained by the Clerk for the purpose of filing.

Bill of San Diego Water Co. for June, 1880 \$100.00 referred to Finance Committee.

Finance Committee report favorably upon

Bill Thomas Whaley, Salary for June, 1880	\$25.00
" A. B. Hotchkiss " " " "	25.00

On motion warrants were ordered drawn for the same on the General Fund.

Moved that T. L. Nesmith, A. Pauly and H. H. Dougherty, the present City Cemetery Commissioners of the City of San Diego, be reappointed to fill said offices of City Cemetery Commissioners, for the ensuing two years, dating from July 1st, 1880. Carried.

On motion the Clerk is ordered to issue a certificate to T. L. Nesmith, A. Pauly and H. H. Dougherty in due form of Law.

Respecting the purchase of private property for the purpose of a road to Mount Hope Cemetery, as recommended in the annual report of the President of Cemetery Commissioners, on motion, referred to Committee on Sidewalks, Streets & Highways.

Moved that the Bid of A. Schneider to furnish Assessment Rolls and Lot Book, be referred to Finance Committee to ascertain the cost of the same, with additional printing, as suggested by the Ass: Carried.

Moved that the said Committee have power to purchase the Rolls and Lot Book at the lowest of the Bids offered by A. Schneider, Carried.

Moved that Trustee McCoy be appointed a Committee of One, to confer with Wallace Leach, Esq. to ascertain the amount of his claim, if any, against the City of San Diego. Carried.

Moved that a Committee of One be appointed to ascertain the cost of 1,200 Assessment Blanks, inviting sealed proposals from the Printing Offices. The Committee to confer with City Assessor Hamilton, and to report at next meeting. Carried.

The Chair appoints Trustee Snyder as such committee.

There appearing no further business, on motion the Board adjourned to Saturday, July 3d, 1880 at 10 A. M.

Thos. Whaley, Clerk

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, July 3d, 1880, 10 A. M.

The Board of Trustees of the City of San Diego met in regular adjourned monthly session. Present: Trustees McCoy, Pierce, Snyder and Jones. Trustee Slade absent. S. P. Jones, President, in the Chair. Whaley, Clerk.

Reading of the minutes June 30th postponed.

Committee on Finance request further time for the examination of Bills &c. Granted.

Regarding information for Census Bureau, Committee report with the request that the Clerk be instructed to give the information. Moved that the Clerk fill out the Census Blanks, and submit them to the Board. Carried.

Bill of C. P. Gerichten for Rent of City Hall for month of May and June, 1880, \$40.00. This being for rent for the same premises, as claimed by A. E. Horton, the Bill is ordered on file, to await settlement of dispute between the parties.

Moved that a Special Committee of one be appointed to confer with Levi Chase, Esq to ascertain from him the amount of his claim against the City for all professional legal services. Carried. Trustee McCoy is appointed by the Chair to act as such Committee.

Trustee Snyder reports having delivered to Levi Chase Esq. the original stipulation of Col. Wm. Jeff. Gatewood.

Moved that Trustee McCoy be appointed a special Committee of One to wait on Mrs. Mary Ann Taylor, to inform her that a portion of the land she occupies within the limits of the City Park, is the property of the City of San Diego, and to obtain from her an acknowledgement of the City's right thereto, subject to removal by order of the Board of Trustees. Carried.

Bond of Moses Perin placed in the hands of such Committee.

Moved that Trustee Snyder be added to the Finance Committee. Carried.

There being no further business, the Board, on motion adjourned to Wednesday, July 7th 1880 at 1 p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, July 7th 1880, 1 P. M.

The Board of Trustees of the City of San Diego, met in regular adjourned monthly session. Present: Trustees McCoy, Slade, Pierce and Jones. Trustee Snyder absent. S. P. Jones, President, in the Chair. Whaley, Clerk.

Minutes of Session July 3d, 1880 read and on motion approval deferred.

Trustee Snyder takes his seat in the Board.

Special Committee, Trustee McCoy, to confer with Wallace Leach Esq. says he has

no report to make. Wallace Leach, Esq., being present, makes statement respecting his claim against the City, wishes to defer the presentation of any bill till such time as the City is in the position to pay. Refuses to furnish a bill. States he will accept \$1,800 in gold coin for his services.

Trustee Pierce retires.

Trustee McCoy asks to be discharged from acting further on such Special Committee.

On motion Trustee McCoy is discharged from such Com.

Finance Committee request further time to report on all matters referred to them.

Granted.

Special Committee McCoy, to wait on Mrs. Mary Ann Taylor, returns Bond of Moses Perin, and reports the following disclaimer of Mrs. Mary Ann Taylor, which is read by the Clerk:-

To the President of Board of Trustees,
of the City of San Diego.

Gentlemen:

That part of the City Park within my enclosure I have no claim to whatever: My property, real estate, being fraction block number 186, Horton's addition, and fractional block number 21, Caruthers or Bay View Homestead Addition: both of which additions are described on the City Official Maps on file in the County Recorder's Office of San Diego County, to which maps I hereby refer.

The City Authorities are hereby authorized to take possession of any portion of the City Park within my enclosure without let or hindrance or any cost or expense to me whatsoever.

Dated San Diego 6th day
of July, A. D. 1880.

State of California,)
) SS.
City & County of San Diego.)

her
X
Mary Anne Taylor
mark.

On the sixth day of July, A. D. One thousand eight hundred and eighty, before me, M. Keating a Notary Public, in and for said San Diego County, residing therein, duly commissioned and sworn, personally appeared Mrs. Mary Anne Taylor, known to me to be the person described in, whose name is subscribed to and who executed the within instrument, and she duly acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, at my office in the City and County of San Diego the day and year last above written.

M. Keating,

Notary Public.

On motion report received, disclaimer ordered spread upon the minutes and to be filed. Committee discharged.

Committee on Sidewalks, Streets and Highways report that they see no way in the present financial condition of the City to open a road to Mount Hope Cemetery. Recommend to refer the matter to the Cemetery Commissioners. On Motion received. No further action taken.

Communication from California State Mining Bureau, dated San Francisco, July 1st 1880, addressed to Jos. Coyne Esq. Sheriff San Diego Co: was read by the Clerk to obtain an ancient Bronze Cannon which they are informed is now in this City.

Communication ordered on file.

Bid J. M. Julian to print 1,250 Ass: Blanks for \$15.00 gold coin or its equivalent.

Moved that the same be accepted. Carried.

Bill of Julian & Baker, for Printing
Referred to Finance Committee.

\$18.00

Report of the Clerk, that he has filled in the Census Blanks. The same is read. On motion Report is received. Clerk instructed to mail one of said blanks and file the other.

Moved that Trustee Slade be appointed a special committee of one to confer with Wallace Leach Esq. to obtain from him an itemized bill of his claim against the City. Carried.

Trustee McCoy, Special Committee of One, reports having seen Levi Chase Esq.-- that about \$30. is the amount of his claim against the City, besides the amount which the Board may allow for services. Mr. Chase has promised him to furnish an itemized bill. Committee asks for time to report further. Granted.

There being no further business, on motion the Board adjourned to Thursday, July 8th 1880. 10 A. M.

Thos. Whaley, Clerk.

S.P. Jones, President.

Office of the Board of City Trustees,
San Diego, July 8th 1880, 10 A. M.

The Board of Trustees of the City of San Diego met in adjourned regular session. Present: Trustees Slade, Pierce, Snyder & Jones. Absent: Trustee McCoy. Whaley, Clerk.

Minutes of meetings of the Board held June 30th, July 3d and July 7th 1880. On motion approved.

Trustee Pierce retires.

The Clerk is instructed to hand the accepted Bid of J. M. Julian to print 1250 Assessment Blanks to City Assessor, Hamilton to procure the same.

Trustees McCoy & Pierce take their seats.

Trustee Slade, Special Committee of One, reports being unable to get anything more definite from Wallace Leach Esq. than stated by that gentleman before the Board yesterday on his first interview with him. Subsequently seeing him, he thinks from his conversation, by waiting a few days, the matter of his claim against the City may be settled for a reasonable sum.

Report accepted, and further time given the Com.

Trustee McCoy, Special Committee of One, to confer with Levi Chase Esq. presents a letter from this gentleman, dated San Diego, July 8th, 1880, which is read by the Clerk. Report received. Communication and the matter of settlement with Levi Chase, Esq. on motion, referred to Committee of the Whole.

Minutes of this meeting read subject to approval at next meeting.

There being no further business, on motion, the Board adjourned to Thursday, July 15th 1880 at 9 A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,
San Diego, July 15th 1880, 9 A. M.

The Board of Trustees of the City of San Diego, met in adjourned regular Session. Present: Trustees McCoy, Slade, Pierce, Snyder & Jones. Whaley, Clerk.

Minutes of meeting July 8th 1880, read, and on motion approved as recorded.

Trustee Slade states he has not yet seen Wallace Leach Esq. therefore has no report to make.

Trustee McCoy states he has not yet seen Levi Chase, Esq. therefore has no report to make.

Finance Committee ask for further time. Granted.

There being no further business, on motion the Board adjourned, Sine die.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board City Trustees,

San Diego, July 31st 1880.

The Board of Trustees of the City of San Diego met in regular monthly session.

Present: Pierce, Snyder and Jones, Trustees.

Whaley, Clerk. S. P. Jones, President in the chair.

Absent: Trustees McCoy and Slade.

Minutes of meeting July 15th 1880 read and on motion the approval of the same deferred.

Trustee Slade takes his seat in the Board.

Bill A. Schneider for Stationery \$13.42 gold, or \$33.56 warrants, referred to Finance Committee.

On motion, Bills T. Whaley, Salary Clerk of the Board of City Trustees for July 1880 \$25.00 and A. B. Hotchkiss, Salary as Attorney for the City for July, 1880 \$25.00 were allowed and warrants ordered drawn for the respective amounts upon the General Fund.

There being no further business, on motion the Board adjourned to Wednesday 11th August at 2 p. m.

Thos. Whaley, Clerk

S. P. Jones, President.

Office of the Board City Trustees,

San Diego, Augst 11th, 1880, 2 P. M.

The Board of Trustees of the City of San Diego met in adjourned regular monthly session.

Present: Trustees McCoy, Slade, Pierce, Snyder and Jones.

Whaley, Clerk. S. P. Jones, President in the chair.

Minutes of meetings July 15th and July 31 read, and on motion approved as recorded.

Finance Committee report favorably upon the following bills approved of by the Finance Committee of the former board, April 5th 1880.

Costs of Court in Suit T. H. Bush vs. T.P.R.R.Co. et al	\$54.60
" " " " " City S. D. Vs. T.P.R.R.Co. et al	46.80

It appearing to the satisfaction of the Board that these amounts were paid by D. Cleveland Esq. On motion ordered that warrants for the respective amounts be drawn in favor of D. Cleveland.

Finance Committee approve of Bill of Arnold Schneider for Stationery \$33.56.

On motion ordered that a warrant be drawn for amount.

Bills of Larson & Wescott, hauling records, furniture &c from Old City Hall to Court House \$55.00, of A. Schneider, furnishing Ass: Rolls &c and Printing headings 115.55 of J. M. Julian for printing 1250 Ass: Blanks 15.00 gold coin or its equivalent.

Referred to Finance Committee as was that also of the San Diego Union, Publishing ordinances &c 16.11.

Moved that the office of City Attorney be declared vacant. Roll called. Passed by the full vote of the Board.

Moved that the offices of City Surveyor and City Physician be declared vacant. Roll called. Passed by the full vote of the Board.

Moved that a Committee of Three, of which Trustee McCoy, shall be the chairman, be appointed to inspect the Pest House, and report at the next regular meeting of this

Board, with the view of determining what disposition can be made of the property for the best interest of the City. Carried.

The Chair appoints Trustee Snyder & Pierce to cooperate with Trustee McCoy, as such Committee.

Trustee Slade retires.

There being no further business, on motion, the Board adjourns sine die.
Thos. Whaley, Clerk. S. P. Jones, President.

Office of the Board of City Trustees,
San Diego, August 18th 1880.

The Board met in Special Session, pursuant to the following "Call" or notice, to-wit:

San Diego, Aug. 18th 1880.

A Special Meeting of the Trustees of the City of San Diego, San Diego County, California, is called to convene at their rooms in the Court House, on Wednesday the 18th day of August 1880 at 10½ o'clock A. M.:-

To take action in the matter of said City with the Texas Pacific Railroad Co. as to the time for delivery of the deed by said R. R. Co.

Also to arrange the date of taking the assessment of said City of San Diego.

S. P. Jones,	Trustee
	Trustee
Saml Slade	"
James McCoy	"
J. H. Snyder	"
J. M. Pierce	"

The Board came to order at 10½ o'clock A. M. in accordance with said Call. Meeting called to order. Present: Trustees McCoy, Slade, Pierce, Snyder and Jones, and Clerk, Whaley. Trustee Jones, President of the Board in the chair.

Dan'l Cleveland Esq. Attorney of the Texas and Pacific Railroad Company, by leave of the Board, represented the necessity of granting further time for the delivery of the Escrow Deed from the Texas and Pacific Railroad Company, that he had received notice by telegraph that said deed is now on the way here but might not arrive before the time stipulated, August 25, 1880.

The following resolution was offered:-

Be it Resolved, by the Board of City Trustees of the City of San Diego:-

That it is hereby stipulated by and on the part and behalf of the City of San Diego, with the Texas and Pacific Railway Company:-

That the time for delivering the Quit-Claim deed by the Texas and Pacific Railway Company to Charles S. Hamilton under written stipulation in the two suits in the Superior Court of the County of San Diego, State of California, the one of said suits wherein Thomas H. Bush and the City of San Diego intervenor are Plaintiffs, and the Texas and Pacific Railway Company is defendant, and the other of said suits wherein the City of San Diego is Plaintiff and the Texas and Pacific Railway Company and Charles S. Hamilton are defendants, which stipulations were filed in said suits respectively on February 24th 1880, be, and the same hereby is, extended until September 25th A. D. 1880.

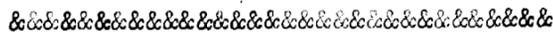
And it is further Resolved that the Attorneys for the City of San Diego, Plaintiff, in said suits respectively, be and they hereby are instructed and directed to enter into a written Stipulation with the Attorneys for said Railway Company, defendant, in each of said suits, extending the time for the delivery by said defendant of the said Quit Claim deed under said stipulations of February 24th 1880, until September Twenty fifth 1880.

On Motion the said resolution was unanimously adopted.

As to the other matter, for which this Special Meeting was called "fixing the date of taking the assessment of the City, it is postponed for consideration at the next meeting of the Board, which stands adjourned for this purpose on motion, till Saturday August 21, at 10 A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.



Office of the Board of City Trustees, San Diego, August 21st, 1880.

Board met in adjourned Special Session at 10 A. M. in accordance with the motion passed at the Special called meeting August 18th 1880.

Meeting called to order.

Present; Trustees Slade, Pierce and Jones, and Whaley, Clerk. Trustee S. P. Jones in the Chair. Trustees Snyder and Jones take their seats in the Board after calling of the Roll.

In the matter of fixing the time on making the assessment of property within the limits of the City of San Diego, the following preamble and resolution was read in words following to-wit:

Office of the Board of City Trustees of San Diego, August 21st, 1880.

Whereas: At an adjourned meeting this day held, called Specially on the 18th day of August 1880, to arrange the date of taking the assessment of said City of San Diego.

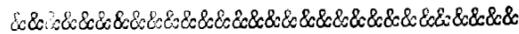
Be it Resolved: That we, the Board of Trustees of the said City, do adopt and "take the assessment made by the County Assessor" of the County of San Diego, California in the year 1880, as the basis of taxation for the City of San Diego, being in the County aforesaid for the fiscal year 1880, and, that the "City Assessor" of the City of San Diego be authorized and he is hereby required to make his assessment book (or roll) in conformity with this Resolution upon all the real estate and personal property within the corporate limits of said City of San Diego, and return the same to the Clerk of the Board of City Trustees, on or before the First Monday of October 1880.

Which said Preamble and Resolution, on motion, was passed by the full vote of the Board.

There being no further business, on motion the Board adjourned.

Thos. Whaley, Clerk.

S. P. Jones, President.



Office of the Board of City Trustees, San Diego, August 28th, 1880, 1 P. M.

The Board of Trustees of the City of San Diego met in regular monthly session. Roll called. Present: Trustees Slade, Pierce, Snyder & Jones, and Whaley, Clerk. Absent: Trustee McCoy. Trustee Jones, President in the Chair.

Minutes of meeting of the Board held August 11th & 18th, 1880, read and on motion approved.

Under suspension of the rules, D. Cleveland Esq., attorney of the Texas & Pacific Railway Company, gave notice that the deed from this company was received here August 26th 1880, which deed conforms with the Stipulations, and asks that the Attorneys in the Suits be instructed to dismiss the motions for new trials in the two suits.

Mr. Cleveland, one of the Attorneys for the Texas & Pacific RailWay Company informs the Board that the Mortgage heretofore executed by said Company, June 1, 1872, to J. Edgar Thompson and Samuel M. Felton of Philadelphia and recorded in the office of the

Recorder of San Diego County in Mortgage Book 5, page 409 et sq. has been cancelled, and the article of cancellation is on file in the Department of the Interior at Washington, and he promises to procure and deliver to the Secretary of the Board of City Trustees a Certified copy of such instrument of cancellation.

Mr. Cleveland read extracts from a letter from John C. Brown, Vice President of the Texas & Pacific Railway Company, dated May 17, 1880 to the effect that the mortgage referred to above is cancelled, as stated by him.

The following Resolution was read by the Clerk:

"Be it Resolved by the Board of Trustees of the City of San Diego:-

That Whereas the Texas and Pacific Railway Company, defendant in two suits in the Superior Court of the County of San Diego, the one suit wherein Thomas H. Bush and the City of San Diego intervenor are plaintiffs, and said Railway Company is defendant, and the other suit wherein the City of San Diego is plaintiff and said Railway Company, Charles S. Hamilton and James A. Evans are defendants, has fully complied with the stipulations made February 24th 1880, by said defendant Railway Company in each of said suits, wherein said Rail Way Company defendant stipulated to deliver a certain quit-claim deed to Charles S. Hamilton.

Now Therefore:

Be it Resolved:- That said Railway Company defendant has fully complied with its stipulations in the said two suits as hereinbefore set forth, and, further, that the motion for a new trial heretofore made by the attorneys for the plaintiff in each of said suits be forthwith dismissed and withdrawn, and said stipulations be surrendered to said defendant Railway Company or its attorneys.

Be it further Resolved: That the attorneys of Record for this City, plaintiff in the two Suits hereinbefore recited, and each or either of said attorney^s be, and they hereby are instructed to carry the foregoing Resolution into effect, and to forthwith dismiss and withdraw the motion for a new trial heretofore made by them on behalf of the plaintiff in each of said suits, and to deliver and surrender up to said Railway Company, defendant, or its attorneys, the Stipulations in each of said suits, for a quit-claim deed, as hereinbefore recited."

Which said Resolution, on motion duly seconded, was carried by a full vote of the Board present: Clerk instructed to make copy of same and deliver it to atty, A. B. Hotchkiss.

Minutes of session August 21, 1880 were read and approved as recorded.

Trustee Pierce, Chairman Finance Committee, asks for further time to report on bills referred to Committee, which is granted.

Moved that the adjournment of the present session be to Monday August 30th 1880 at 9½ A. M. Carried.

Certified copy made by Clerk Whaley of the claim of Wallace Leach Esq. was read "for services in the cases, The City of San Diego et al. vs. The Texas & Pacific Railway Co. et al. and general advice to date," (August 20th 1880). Assigned to Levi Chase, August 20, 1880, \$10,000.00. Ordered filed, subject to order of the Board.

Bill of T. H. Christian, footing up delinquent list &c \$50.

(referred back by the Finance Committee, without any report Aug. 11, 1880) was read.

The same is held over till a full Board is in session.

Bill John Hattleburg, Steeling picks &c \$5.25 in coin or 13.10 in Warrants.

This was for work claimed to have been done under the Old Board. On motion referred to Finance Com:-

Bill Thomas Whaley, services as Clerk of the Board for the month of August, 1880, \$25.00. On motion allowed, and warrant ordered drawn on Gen'l Fund.

Committee to report on Pest House, ask for further time owing to the absence of Trustee McCoy, their Chairman, which is granted.

Report having been made to the Board that Mr. Ware complains of a nuisance to his annoyance in his vicinity, on motion the matter is referred to the Street Committee for investigation.

Trustee Slade spoke of some necessary action being taken by the Board to abate improper houses in the City more particularly at the lower end of 5th Street.

No further business being before the Board, adjourned to the time, as fixed upon by motion, August 30th 1880.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, August 30th 1880, 9½ A. M.

The Board of Trustees of the City of San Diego, met in adjourned regular monthly session. Roll called. Present: Trustees Slade, Pierce, Snyder and Jones. Absent, Trustee McCoy. Trustee S. P. Jones, President in the Chair. Whaley, Clerk.

Board takes a recess for 30 minutes.

Board met after recess, the same Trustees being present as before.

Bills of San Diego Water Company were read,

For the month of July 1880,	\$100.
" " " " August 1880	100.

which on motion were referred to Finance Com:-

Mr. Gordon, on behalf of the S. D. Water Co., stated that he wished the Board to take some action upon the payment of these bills and others previously rendered by the Company, remaining unpaid. Matter deferred till a meeting of the full Board.

On motion, board adjourned till Saturday, September 4th, at 9 o'clock A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, September 4th 1880, 9 A. M.

The Board of Trustees met in regular adjourned session. Roll called. Present: Trustees McCoy, Pierce, Snyder & Jones. Absent: Trustee Slade. Trustee S. P. Jones, President in the Chair. Whaley, Clerk.

Minutes of meetings August 28th and 30th read, and approved as recorded.

Semi-annual report of the President of the Board of City Trustees in words and figures following, to-wit: was read by the Clerk.

San Diego, Sept. 1, 1880.

To my colleagues of the Board of Trustees of the city of San Diego:

In conformity with a provision in our charter, I now hand you a semi-annual report, it being a statement taken from the books of the treasurer, showing the amount of money on hand in the several funds of the city, on the first day of March, 1880, together with the deposits and expenditures since that time; also the cash now on hand in each fund, viz:

GENERAL FUND.

Cash balance, March 1, 1880	\$192.32
Cash deposited since that date,	<u>1,350.67</u>
Total	<u>\$1,542.99</u>
Cash paid out since that date	<u>\$1,382.05</u>
Cash now on hand	\$160.94

BOND REDEMPTION FUND.

Cash balance, March 1, 1880	\$5,106.28
Cash deposited since that date	<u>882.74</u>
	\$5 989.02
Cash paid out since that date	\$4,999.00
Balance now on hand	\$ 990.02

BOND INTEREST FUND.

Cash balance, March 1, 1880	\$5 152.85
Paid out since that date	\$5,150.00
Balance now on hand	2.85

ROAD FUND.

Cash balance, March 1, 1880	\$ 99.10
Cash deposited since that date	<u>142.59</u>
	\$241.69
Cash paid out since that date	215.00
Balance now on hand	\$ 26.69

(Signed) S. P. Jones,

President Board Trustees

Not being required to present to you the present amount of outstanding claims against the city, I shall not attempt it, as all deductions in that regard, would, for the present, be vague and unreliable.

That right has been assumed by my predecessor, irrespective of charter obligations, seemingly, for the purpose of attempting to establish the validity of certain questionable claims, which I feel that the people ought to have the right to accept or reject. For myself, as your president, I ignore the right as being extra-judicial.

For the last few years our city seems to have "run riot" with regard to its increasing indebtedness. Loud clamorings were heard from those who were just ready to pass under the wheels of bankruptcy. Among them were those who had learned to live on excitement, with whom sedate prosperity was only insipid. Their combined cry could not be disregarded. The Moloch railroad was continuously importuned, and woe be to him who dared attempt to assuage the ample stream of its revenue, while the ill-fated ones were ready to drag down with them every floating straw of reality.

Was it any wonder that, while the finger of seeming destiny was pointing away to its phantom of forlorn hope, sleeping beneath the rubbish of impending ruin, were found elements of corruption ready to take advantage of the city's financial chaos, and twine itself around the last vestige.

On December 6th, 1875, there remained unredeemed, only the warrants from October 5, (two months). This was just prior to the collection of taxes for the then current year. So I cannot forego the evidence that, when collected, the cash in the treasury would by far exceed the outstanding warrants.

On the 2d day of April, 1877, a committee appointed for that purpose, reported, in effect, that they could not obtain money in San Francisco at satisfactory rates for city bonds-- \$3,000 to pay the city debt. A committee was then instructed to negotiate with our city banks, but without success. Then we ought to have stopped; but, maddening still, the wheels rolled on, a lucid verification of the proverb "whom the gods would destroy, they first make mad."

I hand you, herewith, a statement of the expenditures from general fund of 1875 to 1879, inclusive. In this table there may be some inaccuracies, and undoubtedly are, as the items of which these totals are composed were, with much labor, gleaned from the journal of business record, and not subsequently checked with the stubs of warrants issued.

There was expended as follows:

For	1875	1876	1877	1878	1879
Print'ng	189.70	272.78	1018.10	1158.41	717.64
St'tn'ry	343.55	210.17	284.81	158.15	69.50
Marshal	456.98	175.90	716.68	118.50	-----
Attorn'y	187.00	250.00	680.00	2100.00	2600.00
T'l'gr'ph	<u>123.75</u>	<u>445.65</u>	<u>358.25</u>	<u>159.87</u>	<u>-----</u>
Total Ex.	4549.50	8629.27	9918.08	6719.11	3799.93

There are other seemingly unreasonable allowances, as for instance, the pest house, and attending physicians on smallpox patients, but that was continued only for a limited time. It would be indeed tedious to tabulate all the objects for which warrants were drawn during the preceeding five years. You will notice, that during two years warrants were drawn for nearly three times the amount of the city's income for that purpose. Warrants were issued sometimes for a much larger sum than that allowed by the Board. A former assessor was allowed \$300 and a warrant drawn for \$600, with other similar irregularities, as shown by the books.

When Trustee McCoy came into the Board, over two years ago, I find recorded this

"PROTEST"

"City of San Diego, July 1st, 1878. In the matter of approving the minutes of the transactions of last Board of Trustees of this city, I desire to enter my solemn protest against the approval.

My reasons for doing so are, because in my opinion, the record shows that many unlawful, unjust and exorbitant claims have been allowed against the city by the last Board, when the financial condition of the city and the citizens demanded the strictest economy. I therefore do withhold my approval and hope that in doing so I will be justified by the citizens and taxpayers of the city.

"Respectfully,

(Signed)

JAMES MCCOY."

Notwithstanding this protest, the same extravagance was continued for a while, Trustees McCoy and Julian voting steadily in the negative when such bills were allowed. I would suggest that the minutes ought to be examined, indexed on the margin for reference, and carefully compared with stubs of vouchers.

There are some leases granted by the city, which I would recommend to your immediate attention.

As I have before submitted to you, many of our city ordinances seem inoperative, and should be repealed or amended, as prosecutions under their provisions would only subject those who attempt their enforcement to costs, as for instance, to declare an act unlawful,-- as the keeping of bees within certain prescribed limits, would seem to me irregular. To declare it a nuisance by proper ordinance, would come within the provisions of a special law recognized in our charter. Of course I do not attempt to speak as an expert, hence quite liable to be mistaken.

Lengthy ordinances have been passed, informations and proceedings entered, the publication of which have been used seemingly to elicit patronage.

I find an editorial in one of our journals of May 8, 1878, just prior to our city election, from which I copy:

"The hospital building, for which warrants were drawn, amounting to \$1,800 is properly placed among the city's assets, it being bone fide property so that while the city will owe on warrants \$4,450, it has a building worth \$1,800, leaving a net debt of only \$2,400." If that statement is true, from whence has arisen the \$18,000 to \$19,00 addi-

tional debt? Have the city's expenditures reached that amount during the past two years?

A railroad fund was created with the view of selling city bonds for its basis. As yet I have not found that any bonds have been hypothecated for that purpose. Seven hundred dollars, the proceeds of a lease of pueblo lands, after remaining deposited in bank for about three months, was placed to that fund. The money appears never to have been covered into the treasury, as the treasurer has no account with such fund. The money seems to have been checked from bank by order of the Board, and account kept by the city clerk, which mode of disbursement seems to me quite irregular.

I submit all the foregoing suggestions to your careful consideration, as required by act of incorporation.

Respectfully,

S. P. JONES,

President Board Trustees.

Which Report on motion was received, ordered filed, and to be spread upon the minutes.

Committee on finance ask for further time, which is granted.

Bill of H. T. Christian for \$50. was read. There not being a full Board, the order passed at the session August 28th in regard to this Bill was, on motion, rescinded. Moved that the sum of \$30. be allowed H. T. Christian for his services in Footing up Delinquent List &c, and that a warrant for this amount be drawn. Carried.

The matter of consideration of the Claim of the San Diego Water Company coming up, the order made in reference thereto at the last session of the Board, the same was rescinded. Moved that the Chair appoint a committee of Three, of which Trustee McCoy shall be the Chairman, to examine into the matter of the claim of the San Diego Water Company. Chair appoints trustees McCoy, Slade & Snyder as such Committee.

Trustee Slade takes his seat in the Board.

The Chair having explained to Trustee Slade the action taken in regard to the Claim of Christian and appointing committee for examination of claim of S. D. Water Co., Trustee Slade approves of the same.

On motion Board adjourned to Sat. Sept. 11, 1880, 1 P. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees

San Diego, September 11th 1880, 1 P. M.

The Board of City Trustees met in regular adjourned Session. Roll Called.
Present: Trustees McCoy, Slade, Pierce, Snyder & Jones. Trustee S. P. Jones, President, in the Chair. Whaley, Clerk.

Minutes of meeting September 4th 1880, read and approved as recorded.

Finance Committee report favorably on the following bills against the City.

Julian & Baker, advertising	\$18.00
Larson & Wescott, hauling \$55.00 allowed for	45.00
San Diego Union, printing & advertising	16.11
J. M. Julian, printing 1250 Assessment Lists	33.33
A. Schneider, Assessment Books & extra printing	115.55

On motion the Bills as reported on by Committee were read per item, acted upon separately and warrants ordered drawn upon the General Fund for their payment.

Finance Committee report having examined the Report of Ex. Treasurer Morse for June 1st, 1880, and find the same correct as per their endorsement thereon. Moved that the Report be received and placed on file.

Moved that a Committee of One be appointed to report the best mode of cancellation of redeemed Bonds, Coupons and warrants. Carried. Chair appoints Trustee Snyder

as such Committee.

Report of Treasurer Howard for Sept. 1, 1880 was read. On motion ordered received and placed on file.

There being no further business, on motion the Board adjourned sine die.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, September 25th 1880, 1 P. M.

The Board of City Trustees met in regular monthly session. Roll Called. Present: Trustees McCoy, Slade and Snyder. Absent: Trustees Pierce and Jones. Whaley, Clerk.

On motion, put by the Clerk, Trustee McCoy was chosen President Pro Tem.

Moved that the salary of the Clerk for the month of September, 1880, be allowed and that a warrant for \$25.00 therefore be drawn upon the General Fund. Carried.

On motion the Board adjourned till Tuesday, September 28th, 1880, at One o'clock P.M.

Thos. Whaley, Clerk.

James McCoy, President Pro Tem.

Office of the Board of City Trustees,

San Diego, Sept. 28th 1880.

The Board of City Trustees met in regular adjourned Session. Roll called. Present: Trustees McCoy, Slade, Pierce, Snyder & Jones. Trustee S. P. Jones, President, in the Chair. Whaley, Clerk.

Minutes of meetings September 11 & 25th 1880, read and approved as recorded.

Under Suspension of the Rules, D. Cleveland Esq. one of the Attorneys of the Texas Pacific Rail Road Company appears and states having received a certified copy from Secretary of Department of the Interior that a certain mortgage dated June, 1872 upon the lands of said R. R. Company had been satisfied of record as appears by Certificate, which said Certificate is delivered to the Clerk of the Board in compliance with the promise of said Counsel, made to this Board, August 28th 1880.

On motion the matter of the Certificate was referred to a Select Committee consisting of Pierce & Slade.

James Russell, Chairman Board of Fire Delegates duly elected by the San Diego Engine Co. No. 1, on the 14th September 1880 and duly qualified for the purpose of electing a Chief Engineer, shows by their Certificate that P. Koster was unanimously elected Chief Engineer of the Fire Department of San Diego, and recommend said P. Koster to the Board for appointment to said position. James Russell, Chairman &c as aforesaid, also produces certificate of H. P. Koster, Secty of S. D. Engine Co. No. 1, showing that at a regular meeting of S. D. Engine Co. No. 1, James Russell, Wm. Winter, J. A. Cohen and H. P. Koster were elected as a Board of delegates for the ensuing year, commencing Sept. 14th 1880, and their deposition as such sworn to before C. P. Noell, notary public, Sept. 27th 1880. Certificates ordered on file.

Moved that the City Clerk casts the concurring vote of this Board ratifying the action of the Delegates of the San Diego Fire Department in casting their vote for the election of P. Koster as the Chief Engineer of the Fire Department of the City of San Diego, for the ensuing year, commencing Sept. 14, 1880, and ending September 14, 1881. Carried, which said motion was carried into effect by Thomas Whaley the duly elected City Clerk.

Finance Committee report favorably on bill of J. O. Hattleberg, sharpening & steeling picks for \$13.10 as per bill rendered allowed for \$10.50 a new bill for this

amount having been rendered. On motion the bill as reported on by the Com: was ordered paid and warrant drawn on Road Fund.

Trustee McCoy, Committee on claim Levi Chase Esq. reports that said Chase will accept for his legal services the amount they may think proper. Report accepted. Moved that a warrant upon the City Treasurer for \$200.00 be drawn and tendered Maj. Chase for any and all legal services and all claims to date against the City. Carried.

Trustee Slade reports owing to the absence of Wallace Leach Esq. being unable to effect any arrangement towards a settlement with him.

On motion, Resolved, as a proposed compromise with Wallace Leach, that a warrant be drawn on the General Fund for Twelve Hundred Dollars in full of all claims of Wallace Leach which he may have against the City to this date, and in settlement of his bill, of Aug. 20, 1880 for \$10,000, assigned by said Leach to Maj. Levi Chase. Carried unanimously. The Clerk is instructed to see Wallace Leach, inform him of the drawing of a warrant for \$1,200, and to request him to authorize Levi Chase to settle on that basis.

Committee on Claim of San Diego Water Company, report finding no contract, but a resolution to allow \$100. per month for five years, not published, recommend that an amicable suit be commenced to determine the same. Further consideration of the matter laid over till tomorrow.

Moved that when this Board adjourns, they adjourn to 10 A. M. tomorrow, Sept. 29th, 1880.

Mr. Fox, C. E. represents that certain property owners request that a map be made to be called the official map of South San Diego, fixing permanently the plan of streets, south of the line of N Street, and to the City line.

M. G. Wheeler, C. E. endorsed the remarks made by Mr. Fox in recommendation of this project.

Trustee Slade retires.

Further consideration of the matter laid over till tomorrow.

On motion the Board adjourned till tomorrow, Wednesday Sept. 29th 1880, at 10 o'clock A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, Sept. 29th 1880, 10 A. M.

The Board of City Trustees met in regular adjourned Session. Roll called. Present: Trustees McCoy, Slade, Pierce, Snyder & Jones. Trustee S. P. Jones, President, in the Chair. Whaley, Clerk.

Minutes of last meeting read and approved.

Under Suspension of the Rules:- Mr. Grundyke, on behalf of the S. Diego Water Co. states that the City agreed to pay \$100. per month for 5 years, and that the company relying upon this, then introduced the water, that the City had paid the sum of \$100. per month for about 3 years. Mr. Gordon also made a statement to about the same effect.

On motion the Board take a recess to 2 p. m.

Board met after recess at 2 p. m. Roll called, all the members and clerk present.

Trustee McCoy, Chairman of Committee on Water Co's. bills, finds nothing of record to warrant their payment, recommends that the Water Company institute an amicable suit for the settlement of the same before the proper legal tribunal. Report accepted.

D. Cleveland Esq. Counsel for the Texas and Pacific Railway Company, appeared before the Board and delivered to the Clerk a certified copy of the instrument of Cancell-

tion of the Mortgage executed by said Railway Company to J. Edgar Thompson and Samuel M. Felton, June 1872, on file in the Department of the Interior, Washington, D. C.

Being a full compliance by said Counsel with his promise made to this Board, Aug. 28, 1880. Trustees Pierce and Slade, committee to whom was referred the certified copy from the Secretary of the Department of the Interior, concerning the satisfaction of Mortgage upon the R. R. Lands of the T. P. R. W. Co. report that same is sufficient and satisfactory, and recommend that the same be recorded, in Recorder's Office of San Diego County with the request to the Recorder to insert on the margin of the mortgage the book and page where the Cancellation is recorded, and that the printed copy of mortgage and the written cancellation of the mortgage received from Dept. of Interior, be placed in the hands of the City Treasurer and that the City Clerk receive a receipt therefor. Moved that the Report and Recommendation of the Com: be adopted. Carried.

Report of A. B. Hotchkiss in relation to dismissal of suits of T. & P. R. W. Co. ordered placed on file.

Second Petition of Wm. Lyons for lease of certain Coal lands was read. On Motion referred to Com: of One, consisting of Trustee Snyder.

The following Resolution, presented by C. J. Fox, was read:-

Resolved: That the System of Surveys made by C. J. Fox, of the Southern portion of the Pueblo of San Diego, meets the approbation of this Board; that we believe it to be for the benefit of our growing City that a uniform system of street lines should be fixed upon; and we therefore recommend to C. J. Fox, that he present for our consideration without any expense to the City, a map of his surveys and plan in that portion of the City lying South of N Street, and N Street line, projected to the Eastern boundary of the Pueblo.

On motion the foregoing Resolution was adopted.

Thos. Whaley, City Clerk, reports having seen Wallace Leach who had referred him to L. Chase Esq. Board instructs the Clerk to see L. Chase, Esq.

|                                              |          |
|----------------------------------------------|----------|
| Bill San Diego Water Company for September   | \$100.00 |
| " A. B. Hotchkiss, Salary for August & Sept. | 50.00    |

Read and referred to Finance Committee.

On motion the Board adjourned to tomorrow, Sept. 30th 1880, 10 o'clock A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees

San Diego, September 30, 1880, 10 A. M.

Board of City Trustees met in regular adjourned session. Roll called. Present: Trustees McCoy, Snyder & Jones. Absent: Trustees Pierce and Slade. Trustee S. P. Jones, President, in the Chair. Whaley, Clerk.

On motion board takes a recess till 11 o'clock.

After Recess Board met. Present: McCoy, Pierce, Snyder & Jones. Absent Slade. Whaley, Clerk.

The Board then proceeded to the Election of City Attorney by ballot, the Clerk acting as teller, with the following result:-

Trustee Slade here takes his seat in the Board.

Upon reading the Ballots cast, it was found that Will M. Smith, Esq. had received five votes, and he was declared by President Jones, the Chairman of the Board, duly elected City Attorney.

The Clerk gave Will M. Smith Esq. official notice of his election to the office of City Attorney.

The Bond of Will M. Smith as City Attorney read and on motion duly approved, the

following being the Sureties, to-wit: John G. Capron, M. A. Luce, D. Cave and A. Overbough, in the penal sum of \$1,000 each. On motion bond ordered approved by the President of the Board and to be filed by the Clerk of the Board.

The Clerk reports being able to settle with Levi Chase Esq. providing a slight change is made in the motion of the Board of the 28th September.

On motion ordered that in the motion of September 28th, 1880 of the proceedings of this Board, ordering warrant for \$200, to be drawn in favor of Levi Chase, that the words, "and all claims" be stricken out and the warrant already drawn be changed to conform herewith. Carried.

Moved that a Committee be appointed to submit forms and invite bids for City printing. Carried.

On motion the President of the Board is appointed such committee.

The being no further business, the Board adjourned sine die.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Regularly Called Special Meeting.

Office of the Board of Trustees of the City of San Diego, Cal., Wednesday, Oct. 6, 1880.

Pursuant to the following notice of a Special Meeting, The Board of Trustees convene in a Special Session, to-wit:-

A Special meeting of the Board of Trustees of the City of San Diego, is hereby called to convene at the City Hall on Wednesday, Oct. 6th 1880 to take action relative to the returned tax roll of City Assessor and to fix the time and place for sitting as a board of equalization and designating the members who shall constitute said equalization Board.

Also as further business of said meeting to consider the propriety of leasing certain privileges on City realty, known as the "City Coal lands" agreeable to a petition to this Board by Wm. J. Lyons.

San Diego, Oct. 5, 1880

S. P. Jones, Trustee  
Sam'l Slade Trustee  
J. H. Snyder  
J. M. Pierce.

Board called to order by S. P. Jones, President in the Chair. Roll Called. Members Present: Slade, Pierce, Snyder & Jones. Absent: Trustee McCoy. Whaley, Clerk.

The Clerk reports having received the Assessment Roll from the City Assessor on the first Monday in October, being the 4th, the time as set by this Board.

The following Resolution was read:-

Resolved that we do hereby appoint Trustees Slade, Snyder and Pierce, being members of the Board of Trustees of the City of San Diego, a Committee who shall sit as a Board of Equalization to hear and determine complaints respecting the valuation of property as fixed by the Assessor for the year 1880: And the Clerk is hereby authorized and directed to give notice by publication of at least ten days that said Committee will sit as such Board of Equalization at the Court House in the City and County of San Diego, Cal. from 10 o'clock A. M. Monday, October 18th 1880, and continue in session from day to day to hear and determine complaints as to such assessment and to equalize the same until the work of said Board <sup>of</sup> Equalization is concluded.

Which said Resolution on motion, was adopted, and ordered spread upon the minutes.

The Clerk submitted the following:-

Form of:- Notice.

Is Hereby Given that the Board of Trustees of the City of San Diego will convene

as a Board of Equalization on Monday Oct. 18, 1880, at 10 o'clock A. M. to equalize the City Assessment for the year 1880, and that said Board will continue in Session from day to day until the said business is all disposed of.

San Diego, October 6, 1880.

Thos. Whaley,  
City Clerk.

Which form of notice having met the approval of the Board, on motion the same is ordered to be published in both of the papers of the City.

Trustee Snyder, Committee, reports favorably on leasing coal lands to Wm. J. Lyons, and submits a lease drawn by City Attorney, with blanks for inserting time, compensation &c, which was read by the Clerk. Said lease was on motion referred back to the Committee.

Special Meeting on motion adjourned till Wednesday.

President Jones asks to be excused from the meetings of the Board for a reasonable time, which on motion he is allowed to do.

This Special meeting, was on motion adjourned till Wednesday, October 13th 1880 at 10 o'clock A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, October 13th 1880, 10 A. M.

Adjourned Special Meeting of the Board of City Trustees. Roll Called. Present: Trustees McCoy, Slade, Pierce, Snyder & Jones. S. P. Jones, President of the Board, Chairman. Whaley, Clerk.

Minutes of Special meeting October 6th 1880 read and approved.

Proposed form of Lease to Wm. J. Lyons for certain Coal Lands read by the Clerk. Moved that the report of Special Committee, Snyder, on leasing Coal Lands be received. Carried.

Moved that the Board sit as a Committee of the Whole to consider the contract submitted. Carried. Trustee Pierce, Chairman of the Committee of the Whole reports, that the matter be referred back to the Board without definite action of the Committee.

On motion Trustee Pierce is added to committee to act with Trustee Snyder to draft resolution relative to leasing Coal Lands to submit to this Board at its next meeting.

On motion Board adjourned to Friday, Oct. 15, 80. 2 p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, Oct. 15th 1880, 2 p. m.

Adjourned Special meeting of the Board of City Trustees. Roll Called. Present: Trustees McCoy, Slade, Snyder & Pierce. Absent: Trustee Jones by permission of the Board.

On motion Trustee Slade was appointed and chosen President pro tem.

Minutes of Adjourned Special Meeting of October 13th 1880 read and approved as recorded.

Trustee Snyder, Chairman of Committee submits resolution relative to leasing Coal Lands also written form of a proposed lease as the report of said Committee. Same read by the Clerk. Moved that the same be received. Proposed Lease reread item by item.

together with the First Condition, on motion  
On rereading the same from the beginning/ the same is adopted.

On reading the 2nd Condition, on motion, the same is adopted.

On reading the 3d condition, on motion, the same is adopted.

On reading the 4th condition, on motion, the same is adopted.

The Clerk is instructed to request the City Atty to draw up a 5th condition to said lease, relative to keeping an a/c of the money required to be expended and the amount of coal &c taken from the mine, and verifying the same. Also, in case of abandonment of the mine or any shaft, requiring the party to fill up the same to the satisfaction of the Board. Moved that the general tenor of the Lease is satisfactory to this Board, and whenever a lease is drawn up in conformity with the present understanding of the Board, they will act favorably thereon. Carried.

There being no further business, the Board adjourned sine die.

Thos. Whaley, Clerk.

Sam'l Slade, President pro tem.

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Office of the Board of City Trustees,

San Diego, October 30th 1880, 1 p. m.

Regular meeting of the Board of City Trustees of the City of San Diego. Roll called. Present: Trustees McCoy, Slade, Pierce, Snyder and Jones. Trustee Jones, President in the Chair, and Whaley, Clerk.

Minutes adjourned Special Meeting Oct. 15th 1880, read and approved as recorded.

Committee on Finance report back bill of A. B. Hotchkiss for Salary for Aug. & Sept. \$50.

Bill of A. B. Hotchkiss for legal services in dismissing Suits against Texas & Pacific R. R. Co: &c for \$1,500, having been taken up, out of the order of regular business, the same is referred, together with the \$50 bill of A. B. Hotchkiss, to Wm. M. Smith, City Attorney.

Benjamin Kimball, Esq. Atty. of the California Southern Rail Road Company, by permission, submits the form of an ordinance relative to the right of way of that Company through the City which he read to the Board. Moved that the same be received, subject to the action of the Board. Carried.

City Atty. explained the nature and effect of the same. Further consideration of the matter postponed.

Moved that when the Board adjourns it be till 9 o'clock, Monday morning and that its first business then be the consideration of this proposed Ordinance. Carried.

Under Suspension of the Rules the bill of Thomas Whaley for Salary as Clerk of the Board for the month of October, 1880 for \$25.00 is allowed and a warrant for this amount ordered drawn upon the General Fund.

The Clerk then read Charter Ordinance Number 56, New Charter in reference to the leasing of what is known as the Coal Lands, which on motion was passed and approved in words and figures, following to-wit:-

CHARTER ORDINANCE NO. 56.

(NEW CHARTER)

THE CITY OF SAN DIEGO, ACTING herein through its Board of Trustees, does ordain as follows:

Section 1. That the said City lease unto John Caperton, of the City of San Francisco, California, the hereinafter described lands on the hereinafter specified terms, to-wit: Pueblo Lots 1298, 1311, 1314, 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1336 and 1337, for one year for the purpose only of prospecting said lands for coal and other valuable mineral deposits; on condition that said Caperton will in good faith expend in ~~the~~ prospecting said lands for said minerals \$2000, within six months from date, and the further sum of \$2000 within nine months from date, and the still further sum of \$3000 within twelve months from date; provided always that said lease shall be of no effect unless

the said Caperton shall within 60 days from date sign said lease obligating himself or assigns to so prospect said lands; and provided, further, that in case of the failure of said Caperton or assigns to expend the sums aforesaid within the times aforesaid for the purposes aforesaid, then said lease shall be null and void; provided further, that if said Caperton or assigns should discover minerals on said lands and locate in good faith mines thereon, the said City further covenants to lease 640 acres of said lands to said parties for twenty years for mining purposes only, on condition that said parties pay a royalty to said City of five per cent ad valorem on all <sup>coal mineral, and three per cent ad valorem on all</sup> other mineral taken from said mines, payable monthly; the said parties to expend not less than \$5,000 per annum in working said mines, and to forfeit the same on a failure so to do, and the President of the Board of Trustees of said City together with the Clerk of said City are hereby authorized and instructed to execute said lease.

Sec. 2. This Ordinance shall be in full force and effect from and after its passage and publication five times in some newspaper in said city.

San Diego, Cal., October 30th, 1880.

Passed and approved by the Board of Trustees of the city of San Diego, this 30th day of October, A. D. 1880.

(SEAL) ATTEST: Thos. Whaley, Clerk

S. P. Jones, President.

Clerk instructed to hand the same to the parties interested for publication, at their own expense if so they desire.

Moved and seconded:- "That the plan of Streets and Alleys, presented by Chas. J. Fox, Civil Engineer, be adopted by the Board of City Trustees, and the map of the same be placed on record, and called the Map of South San Diego; and, that, within the limits of Pueblo Lots, as follows, to-wit:- Lots 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1166, 1167, 1168, 1341, 1342, 1343, 1344, 1345, 1346 and the tract known as Cleveland's Addition, as shown on Pascoe's Map. All owners of property who shall lay out Streets and Alleys for the purpose of Subdividing their lands for sale, shall be required to conform to said Map. Provided that no expense shall be incurred by the City for opening said streets and alleys, unless, by resolution of the Board of City Trustees."

On calling for the vote on the above motion, Trustees McCoy, Slade, Pierce and Jones, answer, Aye, and Trustee Snyder, Nay. Motion carried.

On motion Board adjourned till Monday morning, November 1st, 1880, 9 o'clock.  
Thos. Whaley, Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,

San Diego, November 1st, 1880. 9 A. M.

Adjourned Regular Meeting. Roll Called. All the Trustees present. Jones, President in the Chair. Whaley, Clerk.

Minutes of October 30, 1880. read & approved.

Proposed Charter Ordinance No. 57, granting the right of way through the Pueblo to the California Southern R. R. Company was read that the Citizens might have an opportunity of expressing their views thereon, which took up the time of the Board till nearly twelve o'clock, noon.

On motion, a Committee of Three is appointed to confer with the R. R. Co. to report at a meeting of the Board this afternoon. Chair appoints Trustees Pierce, Snyder and McCoy as such Committee.

Board, on motion take a recess till 4 p. m.

Nov. 1st, 1880 - At 4 p. m.

The Board met again. All present. Jones in the Chair. Whaley, Clerk.

Pierce, Chairman of Com: to confer with R. R. Co: reports progress, favorably, except as to locating depots, the Company saying they have no authority. Committee submits a form of a proposed ordinance which is read by the Clerk. The Citizens give further expression to their views thereon, which occupied considerable of the time of the Board.

Moved that the further consideration of the matter be laid over till Wednesday, Nov. 3d, 1880 at 10 a. m. Carried.

Moved that Chas. J. Fox be appointed Engineer of the City of San Diego. Trustee Pierce states that Mr. Fox will render assistance and consultation free of expense, except when employed in actual work. On calling the Roll, Trustees McCoy, Slade, Pierce Snyder and Jones answer aye. President declares Chas. J. Fox elected engineer of the City of San Diego and the Clerk is instructed to issue the Certificate of his election.

Moved that Trustee Slade be added to the present R. R. Committee and that the Committee be instructed to draw up an ordinance and submit the same to the R. R. Company and to this Board. Carried. Moved that the President of the Board be added to this R. R. Committee. Carried.

On motion the Board adjourned to Wednesday, November 3d, 1880 at 10 o'clock A.M. Thos. Whaley, Clerk. S. P. Jones, President.

Office of the Board of City Trustees,
San Diego, November 3d, 1880. 10 A. M.

Regular Adjourned Meeting. Roll Called. All the members of the Board of Trustees present. Jones, President, in the Chair. Whaley, Clerk.

Minutes of morning and afternoon meeting of the Board, November 1st, 1880, read & approved.

Trustee Pierce Chairman of Com: to confer with R. R. Co:, and draw up an ordinance, reports having consulted with citizens to get expressions of their views and having drawn up some form of an ordinance, to be referred to the Special Committee of all the members and suggests the immediate meeting of such Committee for the purpose of considering the same, and drawing up an ordinance, to be submitted to the Board of Trustees this afternoon.

On motion the Board take a recess till 2 p. m.

The Board reassembles at 2 p. m.

All the members are present. Jones in the Chair, Whaley, Clerk.

Pierce, Chairman of R. R. Com: reports that the Com: have decided to have the City Atty with the aid of the City Engineer, to draw up an ordinance to be submitted to the Board and the representatives of the R. R. Company, and for the further remarks of the Citizens. Committee granted further time, their report to be taken up any time during the Session of the Board.

The Clerk states having withheld the delivery of Ordinance No. 56 to the parties interested, for publication for the reason that he finds that Pueblo Lots 1311, 1314 and 1323, contained therein, were leased July 23, 1877 to A. G. Gassen for 10 years from Jany. 1, 1878. Recorded in Book 1 of Leases, page 104.

On motion, Ordinance No. 56 is referred to a Committee of One, Trustee Snyder, to see A. G. Gassen in reference to said Pueblo Lots 1311, 1314 and 1323, and to report thereon.

Report of P. Koster, Chief Engineer of San Diego Fire Department, as to the number of fires, &c, was read. Ordered received and referred to Com: on Fire.

Petition of P. Koster, C. E. of S. D. FireDept., relative to requiring brick flues to be built within certain limits was read, ordered received and referred to Com: on Fire.

Communication from the Board of Trustees of Petaluma, dated Oct. 11th 1880, was read in reference to sending two Representative Delegates to meet in San Francisco, Nov. 17, 1880, for the purpose of drafting Charters for Cities having less than 10,000 inhabitants better than those at present existing. Some action of this kind being necessary, as our Constitution does not permit of Special Legislation &c. Ordered on file.

The following bills were read by the Clerk.

San Diego Water Company for October \$100.

M. D. Hamilton, City Assessor from July 1 to Oct. 1, 75 days 300.

Referred to Finance Committee.

Will M. Smith, City Atty. for October	\$25.
S. Statler, Clerks costs in R. R. Suits	2.80
Gilbert Rennie, Recording Release of R. R. Mtg.	4.
F. H. Whaley, Clerk pro tem. B'd Equalization, 5 days	15.
T. Whaley, Clerk of the " "	1 1/2 "
Trustee Slade, Com: on " "	5 1/2 "
" Snyder " " " "	5 1/2 "
" Pierce " " " "	5 1/2 "

Under Suspension of the Rules these bills were approved and warrants ordered drawn upon the General Fund for their payment.

Clerk reads withdrawal of the protest of C. P. Gerichten against paying \$40. rent of Old City Hall for May & June, 1880, and he is instructed to draw a warrant for the amount of \$40 in favor of A. E. Horton who also claimed the same.

The Clerk reports having received from Gilbert Rennie, County Recorder, the printed copy of mortgage and the written cancellation of the mortgage received from the Department of the Interior, recorded in Book 1 of Satisfaction of Mortgages, page 149 et seq of San Diego Co. and that under instruction of the Board, Sept. 29, 1880, he will place these documents with the City Treasurer, and take his receipt for the same.

The President of the Board, S. P. Jones, notifies the Board that he has been served with a Notice of Garnishee, to amount of \$279.06, under execution, in Suit of Frank Stone vs. A. B. Hotchkiss et al. Ordered on file & attached to the bills of Hotchkiss.

Trustee Slade, Chairman of Committee Sitting as a Board of Equalization presents the proceedings of the Board of Equalization as the report of the Committee and refers the Board of Trustees thereto, as contained in the Record Book for this purpose, which report on motion is received and adopted.

The Clerk presents the Assessment Roll for the year 1880, shewing the amount of assessable property within the City Limits to be \$1,056,642.00/100.

The question of fixing the rate of City Tax for the year 1880, coming up, on motion the matter is referred to the City Attorney, to furnish a verbal opinion.

The Board on motion adjourned till tomorrow, November 4th 1880, at 2 o'clock P. M.
Thos. Whaley, Clerk. S. P. Jones, President.

Office of the Board of City Trustees,
San Diego, November 4th, 1880. 2 p. m.

Adjourned regular meeting. Roll called. All the members present. Jones, Chairman of the Board. Whaley, Clerk.

Trustee Pierce, Chairman of the R. R. Committee to draw ordinance has nothing to report. Requests further time which on motion is granted.

On motion the Board adjourns till 10 o'clock tomorrow morning, November 5th 1880.
Thos. Whaley, Clerk. S. P. Jones, President.

Office of the Board of City Trustees,

November 5th, 1880, 10 o'clock A. M.

In the City of San Diego.

Adjourned regular meeting of the Board of City Trustees.

Roll Called. All the members present. Jones, President in the Chair. Whaley, Clerk.

Moved to postpone the matter of the consideration of the Map of South San Diego, subject to the call of the Board. Carried.

Report of Trustee Pierce, Chairman of R. R. Committee, not yet complete. Reports progress-- such items they have prepared-- subject to the criticism of the public.

Moved that the report of an ordinance, so far as ready, be read for the consideration of citizens. Carried.

Proposed Charter Ordinance No.----- granting the Right of Way &c, to the California Southern R. R. Company, through the City of San Diego, as prepared in part and submitted to the Board, is read by the Clerk, also the minority report of the Committee by S. P. Jones.

Several of the Citizens expressed their views pro and con in relation thereto and made such suggestions to the Board as they thought proper.

On motion the Board adjourned till tomorrow, November 6th, 1880 at 10 o'clock A.M.
Thos. Whaley, Clerk S. P. Jones, President.

Office of the Board of City Trustees,

November 6th, 1880, 10 o'clock A. M

in the City of San Diego, Calif.

Adjourned regular meeting of the Board of City Trustees. Roll Called. All the members present. Jones, President in the Chair. Whaley, Clerk.

Minutes of meetings of Nov. 3d, Nov. 4th and Nov. 5th, 1880, were read and approved.

Moved that the Board take a recess till this 2 p.m. Carried.

At 2 pm. Same day Nov. 6th, 1880.

Board reconvened. Present full Board. Trustee Jones, President in the Chair.

On motion, S. Statler was elected Clerk pro tem.

Thomas Whaley appearing at this time, S. Statler, Clerk pro tem, was on motion relieved, and then he took his seat as Clerk of the Board.

The question of determining the correctness of the Surveys of Old Town, San Diego coming up before the Board, Chas. J. Fox and M. G. Wheeler presented each, their arguments, the former, representing that the tier of Blocks between San Diego Avenue and Congress Street, is 250 feet, as per Cout's original Survey and map of Old Town, in 1849, and the latter representing that the same should be 300 feet as per Poole's Map, fixing the Base Line of Scott Street in 1855. This latter map being on file with the City Clerk was produced, but none other than reduced copies of Cout's could be found with the City Clerk, and a reduced copy of Cout's, made by Cout's, produced by Fox. It was stated that the original Cout's map was once in the possession of the City, and that possibly it might be in the hands of the Cout's family at the present time. Proceedings of the Board of Trustees Nov. 21, 1854 and March 3, 1855, in reference to ordering Poole to make a map fixing the base line of Scott Street and the payment therefore, were read.

On motion the further consideration of the matter was postponed.

The Matter of proposed ordinance No.----- granting Right of Way to California

Southern R. R. Company coming up:

The Changes proposed were on motion made and noted upon the ordinance.

On motion adjourned till Monday, November 8th, 1880, at 10 o'clock A. M.

Thos. Whaley, City Clerk.

S. P. Jones, President.

Office of the Board of City Trustees, San Diego,

November 8th, 1880, 10 A. M.

Adjourned regular meeting. Roll call. All the members present. Jones, Chairman. Whaley, Clerk.

The matter of the Old Town Survey coming up:-

Moved and seconded, as the sense of this Board, that there has not been sufficient evidence furnished this Board in any way to invalidate, in their judgment, the correctness of the Map made by Chas. H. Poole at the request of a former Board of Trustees of this city, (November 21st, 1854), and ordered paid for by them, March 3d, 1855. Said Map being entitled, "Plan of the Base Line on the South East side of Scott Street, Surveyed and Established by order of the Board of Trustees of the City of San Diego. San Diego, March 1st, 1855. Chas. H. Poole, County Surveyor." Which said Motion was carried.

The matter of the Tax Levy coming up: Moved to defer the Same, in order to consider the matter of proposed Rail Road Ordinance in Committee.

On motion the Board take a recess till 1½ p. m. this day.

Board met after recess, at 1½ p. m. All the members present except Slade & Pierce. Jones, Chairman. Whaley, Clerk.

Board take a recess for ten minutes, and again assemble, when all the members are present. Jones, Chairman. Whaley, Clerk.

The matter of Tax Levy again coming up, the opinion of the City Attorney was read, and ordered on file.

Moved that the Clerk be instructed to request the City Treasurer to furnish this Board with a statement of the amount of unpaid interest outstanding for last year and also for this year that is considered legal, and to request the City Attorney to give his opinions as to levying tax for the payment of interest for last year. Carried.

On motion the Board adjourned till November 9th, 1880 at 10 o'clock A. M.

Thos. Whaley, City Clerk.

S. P. Jones, President.

Office of the Board of City Trustees, San Diego,

November 9th, 1880. 10 A. M.

Adjourned regular meeting. Roll called. All the members present. Jones, Chairman. Whaley, Clerk.

Pierce, chairman of R. R. Committee, reports the Committee having drawn up an ordinance granting the right of way through the City to the California Southern Rail Road Company. The same is ordered read by the Clerk, Section by Section. While reading, L. G. Pratt and Benjamin Kimball present themselves before the Board, and by permission, the former represents that the passage of an ordinance restricting the placing of Depots within the limits of 22nd Street will not be satisfactory to the Rail Road Company, though unrestricted, they may do so; and names 26th Street, as within the limit to place Depots.

On motion the Board take recess till 12 o'clock, noon.

Board met after recess, at 12 o'clock, noon. All the members present, Jones,

Chairman. Whaley, Clerk.

On motion the Board take a further recess till 3 p.m. this afternoon.

Board met after recess, at 3 p. m. All the members present. Jones, Chairman and Whaley, Clerk.

Communication from Bryant Howard, City Treasurer, in reference to amount of interest due on Bonds, and amount of Bonds outstanding. Also the Opinion of City Attorney as to levying 1% for redemption of Bonds and levying tax for interest on Bonds. Communication and opinion ordered received and placed on file

Moved and seconded that a levy of one hundred cents on every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of this City be levied for the purpose of paying the interest on the debt of the City, and thirty cents on every one hundred dollars of the real and personal property within said City's limits for Revenue purposes, and the further sum of twenty cents on every one hundred Dollars valuation of said property for the sinking fund for the redemption of Bonds of said City, all of said levies being for the year 1880, and that the first Monday in March 1881, be the day fixed as the date, at which time the taxes for the City for the year 1880, shall be delinquent. Carried unanimously.

The Clerk is instructed to request the City Attorney to draw up an Ordinance in conformity to the foregoing resolution.

On motion the Board adjourned till tomorrow, Wednesday, November 10th, 1880, at 9 o'clock A. M.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees, San Diego,
November 10th, 1880, 9 A. M.

Adjourned regular meeting. Roll called. Present, Trustees Jones and Snyder. Absent, Trustees McCoy, Slade and Pierce. Trustee Jones, President, in the chair. Whaley, Clerk. Trustees McCoy, Slade and Pierce take their seats.

Committee Snyder reports having obtained a release from A. G. Gassen to Pueblo Lots 1311, 1314 and 1323 to the City of San Diego, for the purpose of having said lands prospected for coal and other mineral, as contemplated by said City, and submits the same to the Board. The Board receiving information that A. G. Gassen has released his interest to said lands to George Selwyn, the Release from Gassen is handed to the Clerk for the purpose of obtaining the Release of said Selwyn to said lands.

Charter Ordinance No. 57, new Charter, relative to Tax Levy, for the year 1880, being read, the same was adopted and ordered published, by the unanimous vote of the Board in words and figures following to-wit:-

CHARTER ORDINANCE NO. 57.

New Charter.

The City of San Diego acting herein by and through its Board of Trustees, does ordain as follows:-

Sec. 1. The sum of Thirty cents on every one hundred dollars of the assessed value of all real and personal property within the corporate limits of said City is hereby levied for Revenue purposes for the fiscal year ending December 31st, 1880, and the sum of One Dollar on every one hundred dollars valuation of said property is hereby levied for the purpose of paying interest on the debt of said City for said year, and the further sum of Twenty cents on every one hundred dollars valuation of said property is hereby levied for the sinking fund for the payment of the principal of the Bonds of said City

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for said year.

Sec. 2. It is further ordained that if said taxes are not paid on or before the hour of Six o'clock p. m. on the first Monday of March, 1881, the same shall be thereafter delinquent, and in all other respects said tax list shall be prepared and said taxes collected as provided in Charter Ordinance No. 46 (New Charter) except where the date 1879 occurs in said Ordinance No. 46 it is hereby made to read 1880, and where the date 1880 occurs in said Ordinance No. 46, it is hereby changed to read 1881, and as thus changed, the said ordinance No. 46 is hereby declared in force as to the collection of said tax levied by this ordinance.

Passed and approved at a regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 10th day of November, A. D. 1880.

CORPORATE San Diego, November 10th, 1880.
(SEAL) ATTEST;

Thos. Whaley, Clerk.

S. P. Jones, President.

Trustee Slade here withdraws.

Moved to adjourn till tomorrow, 3 o'clock p. m. the 11th day of November, 1880.

Trustees McCoy, Pierce and Jones, answer, aye. Trustee Snyder answers, no.

Which motion being carried in the affirmative, the President declares the Board adjourned till November the 11th, 1880, at 3 o'clock p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of Trustees of the City of San Diego, November 11th, 1880. 3 p. m.

Adjourned regular meeting of the Board of Trustees of the City of San Diego held this 11th day of November, A. D. 1880, at 3 o'clock in the afternoon. Roll called. Present, Trustees McCoy, Slade, Pierce, Snyder & Jones. Trustee S. P. Jones, President of the Board in the Chair, and Thomas Whaley, City Clerk.

Finance Committee report favorably on the bill of M. D. Hamilton for Services as City Assessor from July 1st 1880 to Oct. 1st, 1880- 75 days \$300.00

On motion said Bill is allowed and warrant ordered drawn on the general fund.

Finance Committee disapprove of the following bills presented by the

|                                          |             |
|------------------------------------------|-------------|
| San Diego Water Co. for the month of May | \$100.      |
| " " " " " " " " June                     | 100.        |
| " " " " " " " " July                     | 100.        |
| " " " " " " " " August                   | 100.        |
| " " " " " " " " September                | 100.        |
| " " " " " " " " October                  | <u>100.</u> |

Amounting to \$600.

No action taken thereon by the Board. The Clerk file the same with the other unpaid bills of the Co.

Finance Committee approve of the Bill of A. B. Hotchkiss for Salary, as Atty. for the months of Aug. & Sept. \$50.00

On motion said Bill is allowed and warrant ordered drawn on general fund, and to be attached to the garnishee under execution for \$279.06 in the Suit Frank Stone vs. A. B. Hotchkiss et al, subject to the further order of this Board.

Trustee Pierce, Chairman of Rail Road Committee to whom was referred the drawing up of an ordinance granting the right of way through the City to the California Southern Rail Road Company, submits to the Board the form of an ordinance, which on motion is agreed

cepted and ordered read by the Clerk in words and figures following to-wit:

CHARTER ORDINANCE NO. 58.

New Charter.

The City of San Diego acting herein by and through its Board of Trustees ordains as follows:

Section 1. The California Southern Rail Road Company is hereby granted one continuous right of way one hundred feet in width, and no more, upon which it may construct, maintain and operate its main tracks, side tracks, branches, switches and turnouts for all purposes necessary and incident to railroad construction, maintainance, and operation within the limit hereinafter described, through, over, across and along any and all the public avenues, streets, alleys, highways and Plazas in the City of San Diego: and through, over, across and along any and all the tide, submerged, overflowed and other lands belonging to said City so far as said City has any right, title or interest therein,

Provided however that all rights granted herein over other lands besides those upon which said Company shall have located and constructed its road by the first day of January, A. D. 1882, shall determine and be thenceforth null and void:

Provided further that this right shall not apply to any part of the City northeasterly of a line commencing at the intersection of the South West line of "L" Avenue with the line of National Ranch, thence following the Southwesterly line of said "L" Avenue, according to the Map of South San Diego, to its intersection with the Southeasterly line of 24th Street in Mannasse & Schiller's Addition to said City, thence to the southeasterly line of said 24th Street to its intersection with the northeasterly line of "N" Avenue, thence following the Southwesterly line of "N" Avenue to the south line of Horton's Addition to said City, thence, by a line parallel with the general direction of the line of high water in the Bay of San Diego, and distant therefrom, two hundred feet, to the West line of State Street in New San Diego: thence by a line parallel with the located line of the Texas and Pacific Railway, distant therefrom, four hundred feet, in a northeasterly direction, to the north line of said Spring Avenue thence by the north line of said Spring Avenue to its intersection with the West line of Arctic Street, thence by the West line of Arctic Street to its intersection with the northeastern boundary of Middletown, thence by a straight line to the intersection of the Southwesterly line of San Diego Avenue with the Southeast line of Old Town, thence by the Southwesterly line of San Diego Avenue and Garden Street to the east bank of the Old San Diego river:

Provided further, and this right of way is granted upon the following express conditions, to-wit:-

1. Said Company shall by the first day of January, A. D. 1882 construct and thereafter continuously maintain a railroad over the right of way above described leading from National Ranch via Old Town to the northeasterly boundary of the Pueblo of San Diego and afford reasonable facilities for public travel and traffic thereon until January 1st 1884, after which said Company shall fully operate said road over said right of way.

2. Said Company shall establish on or before the first day of January 1882, and thereafter continuously maintain on said line of road between the northwest line of 22nd Street in Mannasse & Schiller's Addition to said City and the South line of Ash Street in said Middletown at least one passenger depot with all the necessary conveniences for the ordinary and usual accommodation of public travel and on or before January 1st, 1882, shall also establish and thereafter continuously maintain on said line, between the foot of Ash Street in Middletown as aforesaid and the west line of 26th Street in what is usually known as the Texas & Pacific Railway lands and as said 26th Street is designated on the Map

of South San Diego a freight Depot with all the necessary conveniences for the ordinary and usual accommodation of public traffic.

3. Whenever said road shall cross or pass along any street, highway, sidewalk or alley in said City now or hereafter used for travel said Company shall put and maintain such street, highway, sidewalk or alley at such crossings in good condition for public convenience and travel.

4. Said Company shall be liable for all damages which may be adjudged in favor of owners of property or to other persons because of the granting of this Ordinance.

Section 2. Said Rail Road Company may, and it is hereby empowered to lay and use temporary tracks, for purposes of construction, through, over, across and along any all public avenues, streets, alleys, highways and plazas in said City-- with the same exception as set forth in Section One of this Ordinance-- and through, over, across and along any and all tide, submerged, overflowed and other lands belonging to said City, with a like exception as aforesaid, in which said City has any right, title, or interest:

Provided however that such tracks shall be laid and the trains on them operated in such a manner as to interfere as little as possible with the convenience of public travel, and shall not be maintained or operated for a longer time than is reasonably necessary for purposes of Construction of their said road, and in no event beyond January 1st, 1882:

And provided further that on or before January 1st, 1882, or when said construction shall be completed, if sooner, said Company shall remove said temporary tracks and restore said premises so occupied to the same condition as regards fitness for travel and public use as they were in prior to such occupancy.

Section 3. Said Company shall have no rights, powers or license under and by virtue of this ordinance, or any part thereof, unless it shall within 30 days after the passage hereof file with the City Clerk of this City its written notice that said Company accepts this Ordinance, nor unless on or before September the 1st, 1881, the said Company shall locate said line of railroad through this City as aforesaid, and shall file in the office of the Recorder of San Diego County, California, a true and correct map and profile of said line as located; and thereafter the right granted by this ordinance shall be restricted to the One Hundred feet in width as designated on said map for all purposes except temporary construction tracks aforesaid.

Section 4. A failure of said Company to comply with any and all the requirements of this ordinance shall work a forfeiture of all rights, powers and privileges granted hereby and thereafter the whole of said Ordinance shall be null and void.

Section 5. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego, this Eleventh day of November, A. D. 1880.

(CORPORATE SEAL) ATTEST:

Thos. Whaley, City Clerk.

S. P. Jones, President.

Moved that Ordinance No. 58, as read be adopted, Motion was seconded.

Here, Chas. Hubbell Esq. on behalf of the Citizens presents a petition praying the Board to give the California Southern Railroad Co. the right of way prayed for and fixing the Depot limits between Ash and 26th streets, Said petition being signed by 143 persons purporting to be citizens and property owners.

On motion said Petition was read by the Clerk, and ordered on file by the President, & there being no objection thereto, the same was placed on file.

On calling the Roll on adopting Ordinance No. 58, as per motion above made & seconded, the following was the vote taken thereon:-

|                |        |   |       |
|----------------|--------|---|-------|
| Trustee McCoy, | voted  |   | aye   |
| "              | Slade  | " | aye   |
| "              | Pierce | " | aye   |
| "              | Snyder | " | aye   |
| "              | Jones  | " | naye. |

there being four votes in the affirmative and one vote in the negative.

The President of the Board declares that the Ordinance, as voted upon, has been adopted and thereupon the President of the Board affixes his name thereto and the City Clerk attests to the Corporate Seal of the City as shown above.

Moved that the Clerk furnish the California Southern Railroad Company with a certified Copy of Ordinance No. 58, as just passed by the board, which motion is carried.

The Clerk calls the attention of the Board to what he believes to be an irregularity in the document purporting to be a certified copy of the Cancellation of the mortgage by the Texas & Pacific Railway Company to J. Edgar Thompson and Samuel M. Telton, June 1, 1872, and offers this as the reason for not having complied with the order of the Board, September 29, 1880, to deposit said Cancellation with the City Treasurer.

The documents are referred to Trustee Pierce, for the purpose of investigating the irregularity & of obtaining the opinion of the City Atty thereon.

The Communication from the Board of Trustees of Petaluma coming up, the Clerk is instructed, informally to reply to the same, expressing the sympathy of the Board in their proposed movement but owing to the limited time before the Convention meets it will be impossible to send any delegates.

On motion the Board of Trustees then adjourned Sine die.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of Trustees of the City of  
San Diego, San Diego, November 24, 1880, 3 o'clock  
P. M.

Regularly Called Special Meeting.

Pursuant to the following notice of a Special meeting, the Board of Trustees convene in a Special Meeting:-

"Special Meeting, Board City Trustees of the City of San Diego, California.

A Special meeting of the Board of City Trustees is hereby called to convene at the City Hall, this Twenty fourth day of November, 1880, at Three (3) o'clock in the afternoon, for the purpose of extending the privileges heretofore granted to the California Southern Rail Road Company and to grant the uses of the Streets and alleys in said City for side tracks depot and terminal facilities including warehouses, elevators etc. and to pass an ordinance granting the same.

San Diego, Nov. 24, 1880.

Attest;

Thos. Whaley, City Clerk.

S. P. Jones, Trustee

James McCoy "

J. M. Pierce "

Saml Slade "

J. H. Snyder "

"

Board called to order by S. P. Jones, President, in the Chair. Roll called.  
Present, Slade, McCoy, Pierce, Snyder & Jones. Whaley, Clerk.

The following Charter Ordinance No. 59, New Charter, was read by the Clerk, which

on motion was unanimously adopted in words and figures following, to-wit:

CHARTER ORDINANCE NO. 59.

New Charter.

The City of San Diego, acting herein by and through its Board of Trustees, ordains as follows:-

Section 1. The California Southern Rail Road Company is hereby granted the use and occupancy, for all uses and purposes necessary and reasonably incident to Depot and Terminal facilities including warehouses, elevators &c of all the streets and alleys within the following prescribed limits:- Beginning at the N.W. corner of Block forty Seven (47) in Cleveland's addition to said City, thence easterly along the south line of "P" Street to the east line of twenty fifth (25) Street, thence Southerly along said line to the line of average high water in San Diego Bay, thence westerly along said line to the East line of twentieth (20) Street thence northerly along said line to the place of beginning:-

Provided said Company shall pay all damages which may be adjudged in favor of owners of property or other persons because of the granting of this ordinance or the use and occupancy of said streets and alleys hereunder.

Section 2. The rights granted hereby are in addition to those granted in Ordinance number fifty eight (58) passed November the 11th, 1880.

Passed and approved by the Board of Trustees of the City of San Diego at a Special meeting called and held this Twenty fourth day of November A. D. 1880.

(CORPORATE SEAL) ATTEST:

Thos. Whaley, City Clerk.

S. P. Jones, President.

On calling the Roll on the passage and adoption of the foregoing ordinance, No. 59, the following trustees, answered, as their names were called.

|               |      |
|---------------|------|
| James McCoy   | Aye  |
| Samuel Slade  | Aye  |
| J. M. Pierce  | Aye  |
| J. H. Snyder- | Aye  |
| S. P. Jones   | Aye. |

The President declared that the ordinance, as read, had passed unanimously.

The Clerk is instructed to have Ordinance No. 58, passed November 11th, 1880, whenever the same is accepted by the California Southern R. R. Co. as also Ordinance No. 59, published, together with the notice of acceptance.

There being no further business, on motion, the Board adjourned Sine die.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees, San Diego,  
November 27th 1880. 1 P. M.

Regular monthly meeting of the Board of Trustees of the City of San Diego. Roll called. Present Trustees McCoy, Slade, Pierce, Snyder & Jones. Trustee Jones, President of the Board in the chair, and Whaley, Clerk.

Minutes of meetings of the Board held November 6th, November 8th, November 9th, November 10th, November 11th, and November 24th, 1880, were read and approved as recorded.

Opinion of City Attorney disapproving of the payment of the claim of A. B. Hotchkiss Esq. for \$1500, against the City for legal services, was read and ordered on file.

Moved by Trustee McCoy that the claim of A. B. Hotchkiss Esq. for \$1500. against the City for legal services be rejected. Seconded by Trustee Pierce. The motion being put and the ayes and nays being demanded, on calling the Roll the following trustees answer as their names were called.

|               |     |
|---------------|-----|
| Trustee McCoy | Aye |
| " Slade       | Aye |

Aye  
Aye

|                |     |
|----------------|-----|
| Trustee Pierce | Aye |
| " Snyder       | Aye |
| " Jones        | Aye |

The President declared that the motion was unanimously carried in the affirmative.

Moved that when the Board adjourns it be till Tuesday next December 30th 1880, at 2 o'clock p. m. which motion was carried.

Trustee McCoy, here withdraws from the meeting of the Board.

Trustee Snyder, Chairman of Committee on Fire, reports, approving of the report of P. Koster, Chief Engineer of the Fire Department. The same is read by the Clerk and ordered on file.

The Fire Committee also report favorably on the petition of P. Koster, Chief Engineer of the Fire Department, asking for the passage of an Ordinance requiring brick flues to be built within certain limits. Petition ordered received and to be placed on file.

The acceptance of Ordinance No. 58, new charter, by the California Southern Rail Road Company, was read, ordered spread upon the minutes and to be placed on file.

Bill of Thomas Whaley, Salary for Nov. 1880, \$25. allowed and warrant ordered drawn on general fund.

Bill of Will M. Smith, Salary City Atty for Nov. 1880, \$25.

for extra Services drawing up ordinances 50. \$75.

Warrant ordered drawn on general fund for \$25. for the payment of his Salary as City Attorney, and the other item for the payment of \$50, refered to the Finance Committee.

The Clerk reports having answered the communication from the Board of Trustees of Petaluma, a copy of which is read and ordered filed.

The Clerk also reads the receipt of B. Kimball, President of California Southern R. R. Company, of a certified copy of Ordinance No. 58, new charter, which he was instructed to furnish said Company by the board of Trustees at their meeting Nov. 11th, 1880. Said Receipt is ordered received and to be filed.

Moved that the President of the Board be appointed a Committee of one to confer with the City Tax Collector and solicit bids from the printing offices for furnishing 1500 blank tax receipts. Carried.

#### NOTICE OF ACCEPTANCE

of Charter Ordinance No. 58, New Charter.

"To the Honorable Board of Trustees of the City of San Diego.

You are hereby notified that the California Southern Rail Road Company accepts Ordinance No. 58, New Charter, passed November 11th, 1880, as is more fully shown by the annexed resolution, which is referred to herewith, and made part of this notice of acceptance.

Moses A. Luce,

Vice President & Attorney for the California,

Southern Rail Road Company.

November 26th, 1880.

Resolved that the Board of Directors of the California Southern Railroad Company in regular meeting assembled acting for and in behalf of said Corporation do hereby accept the ordinance passed by the Board of Trustees of the City of San Diego, on November 11th A. D. 1880 and numbered 58, New Charter, in relation to granting to the California Southern Rail Road Company, the right of way through the streets of said City for its railway, switches etc. And we hereby designate and authorize the Vice President and attorney of the Company, Moses A. Luce, to notify said Board of Trustees of our acceptance of said ordinance, and to execute and file in the City Clerk's and County Recorder's offices such



investigate and report to this Board at its next meeting, together with certain obstructions to streets in Old Town. Said Committee to consist of Trustees Slade, Pierce and McCoy. Carried.

Moved that a Committee of Four be appointed to investigate the matter of the location of Slaughter houses, said Committee consisting of Trustees Slade, Snyder, McCoy and Pierce. Carried. On motion the President of the Board, Trustee Jones, is added to such Com.

Bids of the "News" and "Union" for printing Tax Collectors receipts were read. Trustee Slade here takes his seat in the Board.

Moved that the bids for furnishing Tax Receipts be rejected. Carried.

Moved that the question of furnishing Tax Receipts to the Tax Collector, and the proposition of Mr. Pauley for the removal of the Office of the Tax Collector from the City Hall to his office on 5th Street, be indefinitely postponed. Carried.

There appearing no further business, the Board, on motion, adjourned to Friday, December 3d, at 10 o'clock, A. M.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees, San Diego,  
Dec. 3d, 1880. 10 o'clock A. M.

Adjourned regular meeting of the Board of City Trustees of the City of San Diego. Roll Called. All the members of the Board present. Trustee Jones, President of the Board, Chairman. Whaley, Clerk.

Minutes of meeting Nov. 30th read and approved.

Finance Com: refer back item of \$50, in bill of Will M. Smith, City Atty. for extra services, which, on motion is allowed, and warrant ordered drawn on General Fund.

Bill of P. Rutherford for rent of Engine House from May 1st to Dec. 1st, 7 mos. at \$17, \$119.00, referred to Finance Committee.

Com: on Fire report, having consulted with the City Attorney, who is of the opinion that the Board may pass an ordinance requiring brick flues to be built in buildings hereafter erected within certain limits, but is not certain that they may require flues to be built where stove pipes are now used.

Matter referred to City Atty. to draw up an ordinance.

Special Com: on nuisance at Old Town report that a nuisance exists, and ask for further time, believing that arrangements may be made to abate it.

Special Com: on locating Slaughter houses, report having seen A. Gassen who proposes to select some suitable place subject to the approval of the Board.

Moved that Trustee Pierce confer with the City Atty relative to the validity of certain ordinances No. 23 & Carried.

On motion the Board adjourned to Wednesday, December 8th at 1 p. m.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees, San Diego,  
December 8th 1880, 1 p. m.

Adjourned Regular Meeting of the Board of Trustees of the City of San Diego. Roll called. Present, Trustees McCoy, Slade, Pierce & Snyder. Absent, Trustee Jones. On motion Trustee Pierce chosen President pro tem. Whaley, Clerk.

Minutes of meeting December 3d, 1880, read & approved.

Committee on Fire ask for further time to draw up Fire Ordinance, which is granted.

Under Suspension of the Rules, Mr. Burgland addresses the Board in relation to the line of K Street and parallel Streets in Sherman's Addition, which are some four or five feet out of line with the corresponding streets in Horton's Addition. Mr. B. submits a plan for the examination of the Board. Matter referred to City Atty, to give his opinion as to what the City may do in the premises.

Petition of John Heerander asking for the removal of obstructions at the foot of 6th St. referring to Resolution pages 554 & 555 of the City Record, April 5th, 1880. Referred to Com: on Streets.

Report of City Clerk read, showing that he had turned over the Assessment Roll for 1880 to A. Pauly, City Tax Collector.

|                                                                              |                     |
|------------------------------------------------------------------------------|---------------------|
| Value of Property assessed to Known Owners                                   | \$1,002,636         |
| " " " " Unknown "                                                            | 54 006.             |
| Total Valuation of City Proper for the fiscal year ending December 31, 1880. | \$1 056 642         |
| Tax on amount assessed to Known Owners                                       | \$ 15,039.54        |
| " " " " " Unknown "                                                          | 810.09              |
| Total Taxation of City Property for the fiscal year Dec. 31, 1880.           | \$ <u>15,849.63</u> |

which amount is charged to the a/c of A. Pauly, Tax Collector.

On motion Report received and placed on file.

The Clerk reports having taken a receipt from A. Pauly, Tax Collector for the Assessment Roll of 1880, and further that said Tax Collector has removed said assessment Roll from the Office of the City Clerk to his office on Fifth Street and is now receiving the City Taxes there.

Resolved that the Bond of A. Pauly, City Tax Collector, be increased from \$2,500 to \$10,000, and that an ordinance be drawn up to that effect, and that the Clerk notify said Tax Collector of such increase of his Bond. Carried.

Ordinance No. 60, New Charter read and on motion adopted in words and figures following, to-wit:

CHARTER ORDINANCE NO. 60,

New Charter.  
the

Increasing the amount of the Bond of Tax Collector.

The City of San Diego, acting herein, by and through its Board of Trustees does ordain as follows:

Section 1. That the Bond of the City Tax Collector is hereby increased from Twenty five hundred Dollars to Ten Thousand Dollars.

Section 2. All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.

Passed and approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the Eighth day of December, A. D. 1880.

(CORPORATE SEAL) Attest:

James M. Pierce, President pro tem.

Thos. Whaley, City Clerk.

Ordinance No. 60, New Charter ordered published.

Bill Thomas Whaley, foot up Ass. Roll 1880 &c \$150.00

Bill of San Diego Water Co. for Nov. 1880 \$100.00

Referred to Finance Committee, who under suspension of the Rules, report on Water Company Bill, rejecting the same. Said bill ordered filed.

On motion Board adjourned till Thursday, December 16th at 10 o'clock A. M.

Thos. Whaley, City Clerk

James M. Pierce, President pro tem.

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Office of the Board of City Trustees, San Diego,  
Dec. 16th 1880. 10 A. M.

Adjourned regular meeting of the Board of Trustees of the City of San Diego.  
Roll called. Present, Trustees Slade, Snyder and Pierce. Absent, Trustees McCoy and Jones.  
Trustee Pierce, President pro tem in the chair. Whaley, Clerk.

On motion board take a recess till 1 p. m.

Board met after recess, all the members present except Trustee Jones. Pierce,  
President pro-tem in the chair. Whaley, Clerk.

Minutes of meeting Dec. 8th 1880, read and approved.

Finance Com: approve of Bill of P. Rothermul, Rent of Engine House, 7 mos. to  
Dec. 1, 80 @ \$17. \$119.00. On motion warrant ordered drawn on General Fund for the  
payment of the amount.

Committee on Petition of John Herrandner, report in writing, that foot 6th St.  
is obstructed by piles of lumber and recommend the removal of the same; also that the Bath  
House of Heerandner does not occupy the position designated in the Resolution of the Board  
April 5, 1880, and recommend that Heerandner be made to strictly comply with the terms of  
the Resolution. Report on motion ordered received and placed on file.

New Bond of A. Pauly, City Tax Collector, read and on motion approved, the fol-  
lowing being the surities in amounts to: A. P. Knowles \$1,500. W. L. Williams, \$2,000.  
J. H. Simpson \$2,000. E. W. Morse, \$5,000. John G. Capron \$2,500. A. Klauber \$2,000.  
A. Schneider \$2,000. D. Choate, \$1,000. C. J. Edwards \$1,000 & P. Arnold, \$1,000.  
On motion Clerk instructed to file the Official Bond just approved.

On motion the Old Bond of A. Pauly, Tax Collector for \$2500 was ordered cancelled  
and an endorsement to that effect made by the President pro tem.

Petition from Engine Co. No. 1, asking the Board to furnish facilities for  
Storing fire apparatus of the Company and necessary expenditures for mounting Fire Alarm  
Bell. Report ordered received and placed on file.

On motion the following proposal was ordered published.

PROPOSALS.

Office of the Clerk of the City of San Diego,  
San Diego, December 16th, 1880.

Board of Trustees of the City of San Diego will receive sealed proposals for the  
leasing to the City for one year, with the privilege of two years, a building suitable  
for the housing of its fire apparatus. Said Proposals to be endorsed "Proposal for leas-  
ing building to the City of San Diego."

Also sealed proposals for the selling to the City one or two lots whereon to  
erect a building suitable for such purpose. Said Proposals to be endorsed "Proposal  
for selling a lot, (and of more than one) lots to the City of San Diego."

If two lots are offered, they must adjoin, forming a square 100 x 100 feet.

The buildings or lots offered, to be within the limits bounded by 3d, 9th, B and  
H Streets.

The bids to be opened at the next regular meeting of the Board, Monday, Dec. 27th  
1880, the Trustees reserving the right to reject any and all bids.

By Order of the Board.

Thos. Whaley, City Clerk.

Draft of proposed Fire Ordinance read, referred back to Committee to complete  
the same.

On motion the Board adjourned till Friday, December 17th 1880 at 10 o'clock A.M.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board City Trustees, San Diego,

Dec. 17th, 1880. 10 A. M.

Board met. Roll Call. Present, McCoy, Slade, Snyder & Pierce. Absent, Jones. Pierce, President pro tem, in the Chair. Whaley, Clerk.

On motion Board take recess till 1 p. m.

Board met at 1 p. m. Present, full Board. Trustee Jones, President, in the Chair. Whaley, Clerk.

Minutes of meeting Dec. 16th, 1880, read and approved.

On motion Board adjourned till Tuesday, December 21st, 1 o'clock p. m.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees, San Diego,

Dec. 21st, 1880, 1 p. m.

Board of Trustees met. All the members present. Jones, Chairman, Whaley, Clerk.

Minutes of meeting Dec. 17th, 1880, read and approved.

Bill of Dr. Stockton, health officer, \$54.75 referred to Finance Committee.

Moved that the matter of Street obstruction of San Diego Avenue, at the South West Corner of the Plaza, Old Town, be referred to the City Attorney to take proper legal steps for the removal of the same. Carried.

Committee on Fire report an ordinance, Ordinance No. 61, new Charter, read, and on motion, adopted in words and figures following:-

CHARTER ORDINANCE NO. 61.

(New Charter)  
TO PREVENT FIRES.

The City of San Diego by and through its Board of Trustees ordains as follows:

Section 1. The fire limits in said City are hereby established so as to contain all those parts of the City within the following boundaries, to-wit:

1. All that part of the First Ward bounded by Webster, Hancock, Taylor and Conde streets in said First Ward.

2. All that part of the Second, Third, Fourth and Fifth Wards, bounded by Date street and the Park on the north, and by the Park and Twenty-fourth street on the east, and by the Bay on the south and west.

Sec. 2. Every person who shall, within the fire limits of said city, put or cause to be put any stove-pipe, range-pipe, or pipe from any furnace, or other fire apparatus, through the walls, ceilings, partitions, floors, roofs, or other parts of any wooden buildings; or through the wooden part of any building constructed in part with other material without protecting the walls, ceilings, partitions, floors, roofs, or other wooden parts of said buildings from said pipes by good and sufficient chimneys or flues constructed of brick or stone, laid up and cemented together with good lime mortar; and every person who shall within said fire limits build, cause or permit to be built, any fire in any stove, range, furnace, or other fire apparatus, which shall hereafter be put up in violation of the above requirements shall be deemed guilty of maintaining a nuisance.

Sec. 3. Whenever the Chief of the Fire Department of said City, or any member of the Board of Trustees are, in good faith, informed that any building, apartment or premises within said fire limits are unsafe, because the fire apparatus therein are not in proper condition, it shall be lawful, at all reasonable times, for them or any two of them, to examine said premises, and if any two of them agree in condemning said premises

as unsafe, they shall so notify the owner, agent or occupant of said premises in writing, and thereafter any person who, having received such notice, shall build, cause or permit to be built, any fire in said stove or other fire apparatus so condemned before the same shall have been repaired and rendered safe to the satisfaction of at least one of the officers who condemned the same, shall be deemed guilty of maintaining a nuisance.

Sec. 4. Every person who shall remove any ashes or cinders from any fire-place, stove, range, grate or other fire apparatus, and leave the same within the fire limits of said city, in any box, barrel, bucket or other vessel composed in whole or in part of wood or other combustible material, shall be deemed guilty of maintaining a nuisance.

Sec. 5. Every person convicted of violating any of the provisions of this Ordinance shall be fined in any sum not exceeding Fifty Dollars, nor less than the costs of prosecution, unless the costs exceed Fifty Dollars, and if said fine is not paid, the judgment shall be that the party so convicted be confined in the County Jail until the same is paid, not to exceed one day for each dollar of said fine.

Sec. 6. The City Attorney, upon proper complaint made to him, shall institute proceedings for violations of this Ordinance, and for every conviction thereunder, shall have taxed as costs a fee of Seven Dollars and a Half.

Sec. 7. This Ordinance shall be in full force and effect from and after its passage.

Passed and approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the Twenty-first day of December, A. D. 1880.  
(SEAL) ATTEST: Thomas Whaley, City Clerk. S. P. Jones, President.

Ordinance ordered published.

Moved that a Committee of two be appointed to advise with the California Southern R. R. Company for the purpose of selecting some Street between New Town and Old Town, to be graded for travel. Carried.

Chair appoints McCoy and Slade.

S. P. Jones, President of the Board of City Trustees, notifies the Board having been served by the Sheriff of San Diego County with a summons in the suit brought by the California Southern R. R. Co., for the condemnation of lands for the right of way for said Company. The same referred to City Attorney.

Bill of T. Whaley, City Clerk for footing up assessment Roll, 1880, referred back by finance committee, without report for the action of the Board. Bill laid over till next regular meeting.

On motion, Board adjourned till Thursday, December 23d, 1880 at 10 o'clock A. M.  
Thos. Whaley, City Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, Dec. 23d, 1880, 10 p. m.

Board met. Present full board. Trustee Jones, Chairman. Whaley, Clerk.

No business transacted.

On motion board adjourned.

Thos. Whaley, City Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, December 27th 1880, 1 p. m.

Regular monthly meeting of the Board of Trustees of the City of San Diego. Roll called. Present, McCoy, Pierce, Snyder and Jones. Absent, Slade. Jones, Chairman.

Whaley, Clerk.

Minutes of meetings, December 21 & 23d 1880, read & approved.

Bill of Thos. Whaley, Salary December, 80 \$25.

" of Wm. M. Smith " " 80 25.

Warrants ordered drawn on General Fund.

Bill of Thos. Whaley footing up delinquent list \$150. referred to Finance Com: to report on at some future meeting.

Consolidated bill of S. D. Water Co. for amount due ending November 30, 1880, \$2,800 referred to Finance Com:

Notice A. B. Hotchkiss to pay Warrants for Salary to Hamilton & Co. \$50, the same being garnisheed by F. Stone. Referred to Finance Com:

Proposal to lease building on 5th St. between C & D St. at \$20 per month.

Proposal to sell Lot D, Block 43 for \$1700, and Lot J, Block 35 for \$1200.

Referred to Committee on Fire.

Committee appointed to confer with R. R. Co. report having selected Arctic Ave. to be graded for travel between New Town and Old Town.

Report of City Tax Collector, showing the amount tax collected \$2,562.92 for fiscal year 1880, and Treasurer's receipt attached thereto for that amount, less 3% commss. \$76.80 being \$2,486.04. On motion referred to Finance Committee.

Moved that the City Attorney be instructed to draw up an ordinance creating a Board of Health, and that Trustee Pierce confer with him in reference to the same. Carried.

Moved that the Bond of City Engineer be fixed at \$5,000. Carried.

Moved that the Clerk advertise for sealed proposals to do the City printing and advertising during the unexpired term of this Board. Bidders to state the price per one thousand m's. Carried.

On motion Board adjourned to Thursday, December 30th 1880 at 1 o'clock p. m.  
Thos. Whaley, Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,

San Diego, December 30th, '80, 1 p. m.

Adjourned meeting of the Board of Trustees. Present all the members upon calling Roll. Trustee Jones, President, in the Chair. Whaley, Clerk.

Minutes meeting Dec. 27th 1880 read & approved.

Finance Com: report on consolidated bill of San Diego Water Company, \$2,800, rejecting the same. Moved that the recommendation of the Com: rejecting the same be approved. Carried.

Finance Com: return Report of Tax Collector, Pauley. Ordered on file.

Finance Com: report on bill of Dr. Stockton, Health Officer. Referred back to Finance Com:

Moved that the matter of regulating wharf charges, be referred to City Attorney, Carried.

Com: on Highways &c report progress and are granted further time.

Com: on Fire report recommending lease of building on 5th Street for Engine House and to solicit bids for erecting a Fire Bell.

Finance Com: refer Bill of Thos. Whaley, City Clerk for footing up Ass: Roll and computing Tax for the year 1880, back to the Board for action. Moved that \$150 be allowed for the payment of the same. Amendment offered substituting \$100 instead of \$150. Carried. The motion as amended then passed, allowing \$100, and that warrant for that amount be drawn

on the General Fund.

On motion board adjourned till Friday Dec. 31, 1880 at 1½ p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, December 31st, 1880. 1½ p. m.

Adjourned meeting. Roll called. Present full Board. Trustee Jones, President, in the Chair. Whaley, Clerk.

Finance Com: refer back notice of A. B. Hotchkiss to pay salary warrants for \$50.00 to Hamilton & Co. without action. Same ordered on file.

Finance Com: refer back bill Dr. T. C. Stockton, Health Officer, \$54.75, without action. Same ordered on file.

Committee on Health Ordinance report progress, and ask further time, which is granted.

Com: on Fire, report that the Fire Company are satisfied with building on 5th St. between C & D Streets. Report accepted.

Moved that the proposal to lease at \$20.00 per month by Mr. Mumford, of building on 5th St. between C & D Streets be accepted, and that Fire Com: procure lease drawn in accordance with proposal of Mr. Mumford.

Moved that the matter relating to the erection of Fire Bell be referred to Fire Com: to obtain plans therefore. Carried.

Fire Com: return proposals to sell lots to the City for Fire Department.

On motion said proposals are referred to City Attorney for the purpose of ascertaining if the City has the right to purchase.

Bond of Chas. J. Fox, Engineer of the City of San Diego, read and approved with E. W. Morse and Fred J. Huses sureties, \$5,000 each.

On motion Board adjourned to Saturday, January 8th 1881, at 1 o'clock, p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

Office of the Board of City Trustees,

San Diego, January 8th 1881, 1 p. m.

Adjourned meeting of the Board of Trustees. Present, Jones, Snyder and McCoy. Absent, Pierce and Slade. Jones, President, in the Chair. Whaley, Clerk.

Minutes Dec. 31, 1880 read and approved.

D. Cleveland, on behalf of San Diego Society of Natural History represents that the Pioneer Residents of Old Town, San Diego, with the exception of two, as far as seen, have donated the old brass cannon "El Jupiter", recently bursted, to said Society and ask for the passage of a Resolution to enable them, by authority, to take possession of the scattered pieces. On motion the following Preamble and Resolution was passed:-

Resolution entrusting the Custody of the Spanish Cannon, "El Jupiter", to the "San Diego Society of Natural History."

Whereas the old Spanish cannon, "El Jupiter", cast in 1783, which has been in San Diego almost from the date of its settlement, and has become a most interesting and valuable historical relic, has, within a few days, been burst into fragments from being improperly discharged:

And whereas, the fragments of this cannon, now scattered, should be collected and preserved as an historical relic, and this can be accomplished only by entrusting their custody to some responsible party willing and able to guard the same for the public

benefit; and

Whereas the "San Diego Society of Natural History has presented its petition to this Board for the custody of said gun: and

Whereas said gun has been donated to said Society by the Old Residents of San Diego, by a written instrument; now

Therefore, Be it Resolved by the Board of Trustees of the City of San Diego,

That the San Diego Society of Natural History be, and the said Society is authorized and empowered to take possession of said cannon, and of all fragments and portions thereof, wherever the same may be, and to retain and preserve the same as an historical relic:

And all persons having possession of any portion or portions of said cannon are hereby requested and directed to deliver the same to said Society.

Certified Copy of the above Resolution as passed by the Board, made by the Clerk and given to D. Cleveland Esq. for the S. D. Society of Natural History.

Bids of the "Union" & "News" for advertising & printing were opened and read.

Ordered on file.

Trustees Slade & Pierce enter and take their seats in the Board.

Written opinion of City Attorney in regard to Wharfage was read and ordered received.

Moved that the matter of Wharfage, Dockage & Carriage be referred to a Committee of three, to be appointed by the Chair, to investigate the same. Carried. Chair appoints Snyder, Slade & McCoy.

Proposed Charter Ordinance repealing any and all ordinances heretofore passed by the City on behalf of the Texas & Pacific Rail Road Company and the Street Rail Road Company, was read.

Moved that the same be referred to City Attorney, together with other ordinances relating to gas franchises &c for his opinion. Carried.

Proposed Health Ordinance was then read, and further time given Committee to complete the same.

Under Suspension of the Rules:- Mr. Russell appears on behalf of Mr. John Stanwich asking for lease of portions of pueblo lots 1354 and 1355, represented as belonging to the City, containing about 40 acres. Moved that the consideration of the matter be postponed till next meeting. Carried.

The matter of Bids for printing being called up, the same is referred to the President of the Board to get an explanation of the Bids by the "News" and "Union."

Report of City Treasurer, Jany. 1, 1881, read. Ordered received and placed on file.

Plan of Bell Tower made by Russell, received and placed on file.

On motion Board adjourned to Thursday, January 13th 1881 at 1 p. m.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees, San Diego,  
January 13th, 1881, at 1 p. m.

Adjourned meeting of the Board of Trustees. Roll called. Present, Trustees McCoy, Snyder, Pierce, Slade & Jones. Trustee Jones in the Chair. Whaley, Clerk. Minutes January 8th, 1881, read and approved.

Trustee Snyder, Chairman Com: on Wharfage, reports having seen some of the leading shippers of grain, and that there is no immediate necessity for a change of existing ordinance, and recommends taking time to get information. Report received and further

time granted.

Trustee Snyder, Chairman of Com: on Fire, reports that building for fire department will be ready by the First of February.

Moved and seconded that the matter of erecting Bell Tower and purchasing lot be continued in the hands of the Committee.

Pending this motion, J. Russell on behalf of Fire Dept. that they are anxious to have the Bell erected as soon as possible.

City Atty. gives his opinion that City has the right to purchase and to hold real estate for City purposes, but that there may be some question about the right of the Board authorizing the expenditure of money in excess of the City's income.

The pending motion was then carried.

Trustee Snyder asks City Atty if the Board can erect a Bell Tower without advertising for contracts to perform the work. City Atty answered that it is necessary to advertise all contracts for work to be done.

President Jones presents a summons served on him, as representing the City, by the California Southern R. R. Co. this day. Moved that the same be referred to City Attorney. Carried.

Explanation of the "Union's" bid for advertising and printing in writing. Received.

Moved that the printing of the Delinquent Tax Lists be awarded to J. M. Julian, and the printing of ordinances to Douglas Gunn. Carried.

Moved that the matter of John Stanwick asking for lease of City land, postponed from last meeting, be now taken up.

Trustee McCoy presents deed of City Trustees to Jose Machado, acknowledged Jany. 11, 1869 also "Map of the lands in the Soledad Valley, Surveyed by Eugene Hesse in "1851" showing that a portion of the land asked to be leased, being 16 55/100 acres in Soledad Valley, lying N. E. of the 80 acres granted to Andrew Cassidy, in lot No. 6 of said valley, according to survey of said Eugene Hesse, belongs to Andrew Cassidy.

Moved that whenever the party desiring to lease presents a plot of the land, made by the County Surveyor, and, it proving to be City Land, the Board will then take some action in the matter. Carried.

Trustee McCoy here retires.

Lease to John Caperton of certain lands known as the Coal lands, as mentioned in Ordinance No. 56, signed and acknowledged by him December 30th 1880, was read and the President and Clerk of the Board sign the same, as authorized in Ordinance No. 56.

Clerk instructed to retain said lease after the same is duly acknowledged, and if the same is recorded to be at the expense of Caperton.

On motion Board adjourned to Saturday Jany 15, 1881, at 1 p. m.

Thos. Whaley, Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees,

San Diego, Jany. 15th 1881, 1 p. m.

Adjourned general meeting of the Board. Roll called. All present. Jones, president, in the Chair. Whaley, Clerk.

Minutes of Jany. 13, 1881, read and approved.

Charter Ordinance No. 62, new charter, was read and adopted in words and figures following to-wit:-

CHARTER ORDINANCE NO. 62.

(NEW CHARTER)

Health Ordinance.

62

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62

The City of San Diego by and through the Board of Trustees ordains as follows:

Section 1. The quarantine grounds of the Bay and Harbor of San Diego are hereby established at anchorage at La Playa.

Sec. 2. The Board of Trustees, and Health Officer shall constitute the Board of Health of San Diego. They shall elect from their number a President and Secretary, hold regular meetings on the second Monday of each month and special meetings whenever two or more members unite in a written call therefor.

Sec. 3. The Board of Trustees shall appoint a Health Officer, who shall hold his office at the pleasure of said Board. He shall be resident, practicing physician and a regular graduate of some reputable school of medicine. He shall also be "ex-officio" Quarantine officer of the Bay and Harbor of San Diego and shall be the Executive Officer of the Board of Health.

Sec. 4. The following portions of articles III, and IV, title VII, part III of the Political Code of this State are hereby adopted for the period of five years for the regulation of Sanitary matters within the City of San Diego, to-wit:

SEC. 3013.-- Shipmasters bring^{ing}/vessels into the Harbor of San Diego, and masters, owners or consignees having vessels in the Harbor which have on board any cases of Asiatic cholera, smallpox, yellow typhus or ship fever, must report the same in writing, to the quarantine officer before landing any passengers, casting anchor, or coming to any wharf, or as soon thereafter as they, or either of them, become aware of the existence of either of the diseases on board of their vessels.

SEC. 3014-- No captain or other officer in command of any vessel sailing under a register, arriving at the port of San Diego; nor any owner, consignee, agent or other person having charge of such vessel, must, under a penalty of not less than one hundred dollars nor more than one thousand dollars, land or permit to be landed, any freight, passengers, or other persons from such vessel until he has reported to the quarantine officer, presented his bill of health, and received a permit from that officer to land freight, passengers, or other persons.

SEC. 3015--Every pilot who conducts into the Port of San Diego any vessel subject to quarantine or examination by the quarantine officer must:

One-- Bring the vessel no nearer the City than is allowed by law.

Two-- Prevent any person from leaving, and any communication being made with the vessel under his charge, until the quarantine officer has boarded her and given the necessary orders and directions.

Three-- Be vigilant in preventing any violation of the quarantine laws, and report, without delay, all such violations as come to his knowledge to the quarantine officer.

Four-- Present the master of the vessel with a printed copy of the quarantine laws unless he has one.

Five-- If the vessel is subject to quarantine, by reason of infection, place at the masthead a small yellow flag.

SEC. 3016-- Every master of a vessel subject to quarantine, or visitation by the officer, arriving in the Port of San Diego who refuses or neglects either:

One-- To proceed with and anchor his vessel at the place assigned for quarantine, when legally directed so to do, or

Two-- To submit his vessel, cargo, and passengers to the quarantine officer, and furnish all necessary information to enable that officer to determine what quarantine or other regulations they ought respectively to be subject; or

Three-- To report all cases of disease and of deaths occurring on his vessel,

and to comply with all the sanitary regulations of the bay and harbor,-- is liable in the sum of five hundred dollars for every such neglect or refusal.

SEC. 3017.-- All vessels arriving off the Port of San Diego from ports which have been legally declared infected ports, and all vessels arriving from ports when there is prevailing at the time of their departure, any contagious, infectious or pestilential disease, or vessels with diseased cargoes, or which have foul or offensive holds, are subject to quarantine, and must be, by the master, owner, pilot, owner or consignee reported to the quarantine officer without delay. No such vessel shall cross a right line drawn due west from the north west point of the peninsula until the quarantine officer has boarded her and given the order required by law.

SEC. 3018.-- The quarantine officer must board every vessel, subject to quarantine or visitation by him, immediately on her arrival, make such examination and inspection of vessels, books, papers, of cargo, or of persons on board, under oath, as he may judge expedient, and determine whether the vessel should be ordered to quarantine, and if so, the period of quarantine.

SEC. 3019.-- No captain or other officer in command of any passenger carrying vessel of more than one hundred and fifty tons burden, nor of any vessel of more than one hundred and fifty tons burden, having passengers on board, nor any owner, consignee, agent or person having charge of such vessel or vessels must, under a penalty of not less than one hundred dollars, nor more than one thousand dollars land or permit to be landed, any passenger from the vessel until he has presented his bill of health to the quarantine officer and received a permit from that officer to land such passenger, except in such cases as the quarantine officer deems it safe to give the permit before seeing the bill of health.

SEC. 3020.-- The following fees may be collected by the quarantine officer; for giving a permit to land freight or passengers or both, from any sailing vessel of less than five hundred tons burden, from any port out of this State, two dollars and fifty cents; over five hundred and under one thousand tons burden, five dollars; each additional one thousand tons burden or fraction thereof, an additional two dollars and fifty cents; for steam vessels propelled in whole or in part by steam, of one thousand tons burden, or less, five dollars and two dollars and fifty cents for each additional one thousand tons burden or fraction thereof; but vessels not propelled in whole or in part by steam, sailing to and from any port or ports of the Pacific States, of the United States, or Territories and whaling vessels entering the harbor of San Diego are excepted from the provisions of this section.

SEC. 3021.-- The Board of Health may enforce compulsory vaccination on passengers in infected ships or coming from infected ports.

SEC. 3022.-- The Board of Health may provide suitable hospitals, to be situated ^{where} they may deem most proper and furnish and supply the same with nurses and attendants and remove thereto, all persons afflicted with cholera, smallpox, yellow typhus, or ship fever.

SEC. 3025.-- No person shall deposit in any cemetery, or inter within the City of San Diego, any human body without first having obtained and filed with the Health Officer a certificate signed by a physician or midwife, or a coroner setting forth as near as possible the name, age, color, sex, place of birth, occupation, date, locality and the cause of death of the deceased, and obtain from such Health Officer a permit; nor shall any human body be removed or disinterred without the permit of the health officer, or by order of the coroner. Physicians when deaths occur in their practice, must give the certificate herein mentioned. It shall be the duty of the Health Officer to see that the dead body of a human

being is not allowed to remain in any public receiving vault for a longer period than five days. At the expiration of that time he shall cause the body to be placed in a vault or niche constructed of brick, stone or iron, and hermetically sealed. It shall also be his duty to require all persons having in charge the digging of graves, and burial of the dead to see that the body of no human being who had reached ten years of age shall be interred in a grave less than six feet deep, or if under the age of ten years the grave to be not less than five feet deep.

SEC. 3026.-- Superintendents of cemeteries within the boundaries of the City of San Diego must return to the Health Officer on each Monday, the names of all persons interred or deposited within their respective cemeteries for the preceding week.

SEC. 3027.-- No superintendent of a cemetery can remove, or cause to be removed, disinter, or cause to be disinterred, any corpse that has been deposited in the cemetery, without a permit from the Health Officer or by order of the coroner.

SEC. 3028.-- Whenever a nuisance shall exist on the property of a non-resident, or any property the owner or owners of which cannot be found by the Health Officer, after diligent search, or on the property of any owner or owners upon whom due notice may have been served and who shall for three days refuse or neglect to abate the same, or on any City property it shall be the duty of the Board of Health to cause the said nuisance to be at once removed or abated, and to draw upon the general fund for such sums as may be required for its removal or abatement, not to exceed twenty-five dollars; provided that whenever a large expenditure is found necessary to be made for the removal or suppression of a nuisance, the Board of Trustees of said City shall upon the written application of the Board of Health, by Ordinance, appropriate allow and order paid out of the general fund such sum or sums as may be necessary for that purpose, and the treasurer shall pay all appropriations of money made in pursuance of this section in the same manner as is now provided by law for paying demands upon the treasury. Said sum or sums so paid shall become a lien on the property from which said nuisance has been removed or abated in pursuance of this section and may be recovered by an action against said property. And it shall be the duty of the City Attorney to foreclose all such liens in the proper court, in the name of, and for the benefit of said City and when the property is sold, enough of the proceeds shall be paid into the City Treasury to satisfy the lien, and costs, and the over plus, if any there be shall be paid to the owner of the property, if he be known, and if not, then into the Court for his use when ascertained. The Board of Health is hereby vested with power to act upon, define, determine and adjudge what shall constitute a nuisance in said City, and to require the same to be abated in a summary manner. Any person who maintains, permits, or allows a nuisance to exist upon his or her property or ^e premises after the same has been determined by said Board to be a nuisance, and after notice to remove the same has been served upon such person, is guilty of a misdemeanor and shall be punished accordingly; and each day of such existence after notice shall be deemed a separate and distinct offense and it is the duty of the Health Officer to prosecute all persons guilty of violating this law by continuous prosecutions until the same is abated or removed.

SEC. 3029.-- The Health Officer must keep in his office a book in which he must make an entry of all fees collected by him. He must pay all fees collected to the City Treasurer weekly, to the credit of the general fund.

SEC. 3030.-- The Health Officer must execute an official bond, to be approved by the Board of Health, in the sum of Two Thousand Dollars.

SEC. 3031.-- Any member of the Board of Health is empowered to administer oaths on business connected with that department.

SEC. 3032.-- Whenever any cause of action arises under any of the provisions of this chapter, suit may be maintained therein in any Court having jurisdiction thereof.

SEC. 3033.-- Whenever it shall be certified to the Board of Health, by the Health Officer, that any building or part thereof, is unfit for human habitation, by reason of its being so infected with disease as to be likely to cause sickness among the occupants, or by reason of its want of repair, has become dangerous to life, said Board may issue an order, and cause the same to be affixed conspicuously on the building, or part thereof, and to be personally served upon the owner, agent or lessee if the same can be found in this State, requiring all persons therein to vacate such building, for the reasons to be stated therein as aforesaid. Such building or part thereof, shall, within ten days thereafter, be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified; but said Board, if it shall become satisfied that the danger from said house, or part thereof, has ceased to exist, may revoke said order and it shall thence forward become inoperative.

SEC. 3034.-- One-- Every physician in the City shall report to the Health Officer, in writing, every patient he shall have laboring under Asiatic cholera, variola, diphtheria, or scarlatina immediately thereafter, and report to the same officer every case of death from such disease, immediately after it shall have occurred.

Two-- Every household in said City shall forthwith report, in writing to the Health Officer, the name of every person boarding or an inmate at his or her house, whom he or she shall have reason to believe sick of cholera or small-pox, and any deaths occurring at his or her house from such disease.

SEC. 3049.-- The Board of Trustees must fix the compensation of the Board of Health and the Health Officer.

Sec. 5.-- Whenever a case of small-pox or cholera shall exist in any house or tenement and it shall be deemed inexpedient to remove the person or persons so affected to the proper hospital it shall be the duty of the Health Officer to require all such persons to be kept closely confined in their respective dwellings or places of abode, and shall immediately cause to be erected in a conspicuous place in front of such dwelling or place of abode a yellow flag or other suitable notice, setting forth the fact; and it shall be unlawful for the occupants thereof, or any other person to remove such flag or notice, so long as in the opinion of the Health Officer, or Board of Health the same ought to remain on the premises.

Sec. 6.-- No persons except the physician, clergyman or undertaker, and those having a written permit from the Board of Health or Health Officer shall enter or depart from any house when small-pox or cholera exists or while the corpse of any person who shall have died of such disease remains within the house, nor within ten days thereafter or, until said building and its contents shall have been disinfected or otherwise disposed of to the satisfaction of the Board of Health, or the Health Officer.

Sec. 7.-- Any person who shall violate any of the provisions of this Ordinance, except in cases where a different punishment is prescribed by this Ordinance, shall be fined in any sum not exceeding fifty dollars, nor less than the costs of prosecution, including a fee of seven dollars and fifty cents, which shall be taxed as costs for the City Attorney, unless said costs exceed fifty dollars.

Sec. 8.-- A Judgment that the Defendant pay a fine shall also direct that he be imprisoned in the County Jail until the fine is satisfied, specifying the extent of the imprisonment which must not exceed one day for every dollar of the fine.

Sec. 9.-- Charter Ordinance numbered two (2). (New Charter), passed and approved June 5th, A. D. 1876, and all Ordinances and parts of Ordinances in conflict with this

Ordinance are hereby repealed.

Sec. 10.-- This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the 15th day of January, A. D. 1881.

S. P. Jones,

(SEAL) ATTEST:

President

Thomas Whaley, City Clerk.

Proposed Ordinance appointing Superintendent of Streets and highways was read and laid over till the next meeting of the Board.

On motion Board adjourned to Monday, Jany 17th 1881, 10 A.M.

Thos. Whaley, Clerk

S. P. Jones, President.

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Office of the Board of City Trustees,

San Diego, January 17th, 1881, 10 A.M.

Adjourned meeting of the Board. Roll Called. All present, Jones in the Chair. Whaley, Clerk.

Minutes Jany 15th read and approved.

Clerk reports that Douglas Gunn refuses to sign contract for advertising ordinances. Moved that when the Board adjourns for recess, this day it be to 1½ P.M. Carried.

Proposed Charter ordinance No. 63, New Charter, appointing Superintendent of Streets and Highways was read.

Board take recess till 1½ P. M.

Board met after recess at 1½ P.M. All present, same as above.

Proposed Ordinance No. 63, New Charter, as read was adopted and passed in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 63.

(NEW CHARTER)

Appointing Superintendent of Streets and Highways in the City for the year 1881.

THE CITY OF SAN DIEGO BY AND through its Board of Trustees ordains as follows:

SECTION 1. Edmund L. Jones is hereby appointed Superintendent of Streets and Highways in said City during the pleasure of this Board.

SEC. 2. It is and shall be his duty---

1. To take charge of the streets and highways within the Pueblo; keep them clear of obstruction and in good repair, under the instructions of this Board.

2. Give two days notice, printed or written, to each inhabitant of said city liable to do work on the roads, when, where, with what implements, and under whose direction to work; to superintend the same and to keep a copy of all the aforesaid notices on file with certificates of service endorsed thereon.

3. Make to the Board of Trustees on the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December, of each year his report, duly verified, showing the names of all persons by him listed to work; the days work performed by each person who has been by him notified and the names and amounts paid by persons who have paid commutation instead of performing work; the items of labor performed at each separate point where work has been done and amount thereof; the manner in which, and the time when the same was done; an account of every day he himself has been employed about said work, and the nature and items of his services rendered, the aggregate collected by

him for commutation money and the amount on hand.

SEC. 3. The Superintendent of Streets and highways shall warn out those subject to a road poll tax and work in each three months of the year enough of the road poll tax only to keep the streets and highways in such repair as is directed by the Board of Trustees; provided always that during the quarter ending December 31st he shall duly notify all persons to work on said streets and highways who are liable and who have not worked or paid their road poll taxes for the year; and if such work is not all needed during said last quarter to put and keep the roads and streets in such repair, he shall as early in the last quarter of the year as practical report that fact to the Board of Trustees, and also at the same time report to said Board the amount of unexpended labor he will have available more than is required to put and keep said streets and highways in such repair, which said excess he shall dispose of in the manner as by said Board directed.

SEC. 4. That said Superintendent of Streets and Highways shall have a compensation of Three Dollars per day for each and every day actually and necessarily employed in and about his said work; provided said Superintendent shall at no time expend on said streets or roads anything more than the amount directed by the Board.

SEC. 5. This Ordinance shall be in full force and effect from and after its passage.

SEC. 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Passed and approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the 17th day of January, A. D. 1881.

(SEAL)

S. P. Jones, President.

Attest: Thomas Whaley, City Clerk.

Clerk read acceptance of J. M. Julian of resolution of the Board passed Jany 13th 1881 awarding the printing of the Delinquent Tax lists to him. Ordered on file.

Moved that Fire Com: procure a plan for the Bell tower and the Clerk is instructed to advertise for proposals for erecting the Bell tower as he may be directed by the Committee. Carried.

Proposed Charter Ordinance No. 64, to repeal lapsed, illegal and unused franchises and grants, was read. Further consideration postponed to next meeting.

On motion, the Board adjourned sine die.

Thos. Whaley, Clerk

S. P. Jones, President.

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Office of the Board of City Trustees.

San Diego, January 25th, 1881 at 10 A. M.

Special Meeting of the Board as per following notice: "A Special meeting of the Board of Trustees is hereby called to convene at the City Hall on the Twenty-fifth day of January 1881, at 10 o'clock in the forenoon, for the purpose of reconsidering any action heretofore taken by the Board of Trustees in regard to city printing and also for amending Section 3 of Ordinance No. 63, New Charter, passed and approved by the Board of Trustees Jany 17th 1881.

San Diego, Jany 24th, 1881.

S. P. Jones,  
James M. Pierce, and  
J. H. Snyder, Trustees."

Roll Call. Present, Jones, Snyder and Slade. Absent, McCoy and Pierce.

Moved that Section 3 of Ordinance No. 63, New Charter, passed and approved by the Board of Trustees, Jany 17, 1881, be amended by inserting the words: "those subject to a

road poll tax", after the words, "worn out", and that said ordinance, No. 63, as amended be then published. Carried. No action taken in the matter of reconsidering the City printing. Board adjourned.

Tho. Whaley, Clerk.

S.P. Jones, President.

Office of the Board of City Trustees, San Diego, January 29th, 1881. 1 P.M.

Regular meeting of the Board of Trustees of the City of San Diego. Roll Call, all members present except Trustee Slade.

Trustee Jones, President in the Chair. Whaley Clerk.

Reading of minutes Jany 17 and of Special meeting January 25th read and approved.

Finance Com: Report no bills in their hands, therefore nothing to report.

Snyder, Chairman Bell Tower Committee submits plans for Bell Tower numbered 1 & 2.

Trustee Slade here takes his seat.

Moved to adopt plan No. 2 <sup>with</sup> certain modifications, understood by the Committee. Carried.

Moved that the Clerk advertise for proposals for erecting Bell Tower & New Bell as per plans No. 2, also for taking down Old Bell & Tower, carried.

Moved that the architect be allowed for drawing plan No. 2 and the working plan and specification to be furnished, the sum of \$10.00. Carried.

Report of A. Pauley, Tax Collector was read, showing the amt received since Dec. 27, 1880, \$1503.47. Less 3% Commission \$45.10. Amount paid Treasurer as per receipt \$1,458.37. Report ordered filed.

Bill of Geo. H. Greenleaf. Henderson, Agent. Rent of Engine House, 2 mos. rent, ending Jany. 31. \$56.00. Under suspension of the rules, bill allowed for \$34.00 and warrant ordered drawn on general fund.

Bill of Douglas Gunn for advertising from Oct. 7, 1880 to Jan. 27, 1881. \$9.48, referred to Finance Committee.

Bill Thomas Whaley, Salary for January \$25.00

" Will. M. Smith " " " 25.00

Allowed and warrants ordered drawn on General Fund.

Bill Dr. Stockton, Health Officer, \$54.75., laid over till Dr. S. can be present to explain it.

Under suspension of the rules, Charter Ordinance No. 65, as proposed, defining nuisances and providing for the maintenance of good order was read. Citizens Hamilton, Marston & Re'vd D. Cronyn advocated the passage thereof.

Moved to take a recess for 1/2 hour till 1/4 <sup>to 4</sup> hr pm.

Board met after recess at 1/4 to 4 pm. Present Trustees Jones Snyder and Slade.

Absent McCoy and Pierce. Jones in the chair. Whaley Clerk.

Complaint of W.J. Lyons of sewer nuisances on 3rd Street referred to Street Committee. Bond of Edward L. Jones, Superintendent of Streets & Highways of the City of San Diego, with E. W. Morse and Douglas Gunn, Sureties \$300. each, was read, approved and ordered filed. On motion the Board adjourned to Monday January 31st, 1881 at 10 o'clock a.m. and the first business in order to be the examination and cancellation of the redeemed Bonds, Warrants and Coupons.

Thos Whaley, City Clerk.

S.P. Jones. President.

Office of the Board of City Trustees,  
San Diego, January 31, 1881. 10 A.M.

Adjourned Meeting. Roll Called.

Present, Trustees: McCoy, Slade, Snyder & Pierce.

Absent, Jones. Trustee Snyder chose<sup>n</sup> President pro tem. in the chair. ✓

Minutes Jany. 29. read & approved.

The first business in order being the examination and cancellation of Warrants, Bonds and Coupons was postponed owing to the absence of President Jones.

Proposed Ordinance No. 65, re-read. Moved to consider the same by reading section by section. Carried. This was done.

Ordinance No. 65, as amended was read, passed and approved in words and figures following, to-wit:

CHARTER ORDINANCE NO. 65.

(New Charter)

Defining Nuisances and Providing for the  
Maintenance of Good Order.

The City of San Diego, by and through its Board of Trustees, Ordains:

Section 1. Every person who within the City limits keeps any Bar, Saloon, Brewery, Beer-garden, or Dance-house, open for the purpose of transacting business therein, or permits persons to congregate therein or thereabouts, between the hour of ten and a half o'clock P.M. and the hour of five o'clock A.M. is guilty of maintaining a nuisance, and shall upon conviction thereof be fined in a sum not less than the cost of prosecution, nor in any case more than fifty dollars.

Section 2. Every person who within the City of San Diego permits <sup>l</sup>idle, dissolute or disorderly persons to congregate in or about any Bar, Saloon, Beer-garden, Brewery or Dance-house owned by or in charge of such person is guilty of maintaining a nuisance and for every such offense shall be fined not less than the cost of prosecution, nor in any case more than fifty dollars. ✓

Section 3. Every person who within the City of San Diego keeps or permits women or girls other than members of his or her family and domestic servants reasonably required in and about his or her household for the proper care thereof, to stay in or about premises on which such person or any other person keeps vinous, malt or intoxicating liquors for sale to be drunk on such premises is guilty of maintaining a nuisance and on conviction thereof shall be fined not less than the costs of the prosecution, nor in any case more than fifty dollars.

Section 4. Whenever two or more Indians, or other persons, male or female, or both, get together on the streets or sidewalks, in public or private buildings, on public or private property within a public part or parts of said City, and stand or sit or lie about in an idle manner, without any employment, business or purpose which is lawful or proper, either in the day or night time, they and each of them shall be deemed guilty of maintaining a nuisance, and upon conviction each of them shall be fined not less than the cost of prosecution, nor in any case more than fifty dollars; and it shall be lawful for the Sheriff of San Diego County, his Deputies and Assistants, or any of the Constables of the Township of San Diego, in said County aforesaid, or their <sup>W</sup>deputies and assistants to disperse such persons and compel them to depart from such places; but when such persons persistently refuse to obey such orders, after having been duly warned to leave, then it shall be the duty of such officer to arrest the said parties and take them before the proper courts and prefer the proper charges against them therefor. ✓

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Section 5 . Every person who within the limits of said City wantonly or threaten-  
ingly draws any knife or pistol, except in his or her necessary and lawful defense, and  
every person who wantonly or carelessly shoots any pistol, or gun in said City limits,  
shall be deemed guilty of an act of disorder and upon conviction thereof shall be fined  
not less than the cost of prosecution nor in any case more than fifty dollars.

Section 6. Every person who shall appear upon the streets, sidewalks or other  
public place in said City, or upon private property in said City to the annoyance of any  
one in a state of intoxication, shall be deemed guilty of a nuisance, and shall be  
fined therefor not less than the cost of prosecution, nor in any case more than fifty  
dollars.

Section 7. The City Attorney shall prosecute all complaints for violations of the  
provisions of this Ordinance, and upon conviction thereunder shall have taxed as his  
costs for his use and benefit the sum of seven dollars and fifty cents, which costs  
shall be included in making up the amount of fine in every case of such conviction.

Section 8. When judgments are entered against persons for violation of this Ord-  
inance, or any of its provisions, the judgment shall be that if said fine is not paid,  
the defendant shall be confined in the County jail until the same is paid, not exceeding,  
however, one day for each dollar of the fine, and the Sheriff of the County of San Diego  
is hereby authorized to keep in such jail all of said prisoners, the City paying the  
necessary expense of such prisoners while so confined.

Section 9. All Ordinances and parts of ordinances in conflict with this Ordinance  
are hereby repealed, and this Ordinance is declared to be in full force from and after  
its passage.

Passed and approved at an adjourned meeting of the Board of City Trustees of the  
City of San Diego, State of California, held on the 31st day of January, A.D. 1881.

S.P. Jones, President.

(SEAL) Attest: Thomas Whaley, City Clerk.

On motion Board takes recess till 1-1/4 pm.

Board met at 1-1/4 pm. All members present. President Jones in the Chair. Whaley  
Clerk.

Moved that the matter of examination of redeemed Warrants, Bonds and Coupons be  
referred to a Committee consisting of President Jones, to report at some future meeting,  
and that in case of requiring assistance he may call upon any member of the Board. Carried.

Proposed Ordinance No. 64, read at a previous meeting, was called up and on motion  
re-read, section by section, and then as read Ordinance No. 64 was passed and approved  
in words and figures following, to-wit:

CHARTER ORDINANCE NO. 64

(New Charter)

To Repeal Lapsed, Illegal, and Unused Franchises  
and Grants.

The City of San Diego, by and through its Board of Trustees, Ordains as follows,  
to-wit:

Section 1. Charter Ordinance numbered Twenty-four (24), passed and approved Feb-  
ruary 5th, A.D. 1873, authorizing and directing the President and Clerk of the Board  
of Trustees of the City of San Diego to execute in the name of and under the seal of  
said City and to deliver to the Texas and Pacific Railway Company a bond in the penal  
sum of One Hundred Thousand Dollars in gold coin, payable to said Company, conditioned that  
said City will procure for said Company a perfect title to such depot grounds within the

City limits and within limits selected by Col. Thomas A. Scott; also the right of way through said City and County of San Diego, for said Company's Railroad, at least one hundred feet wide from the Colorado River to said depot grounds; also that said City will procure for said Company such title as shall be acceptable to said Company for at least one hundred acres of tide and submerged lands on the Bay of San Diego, opposite and adjacent to the lands which may be selected for depot purposes, &c., &c., is hereby repealed.

Sec. 2--Charter Ordinance numbered Twenty-five (25), old Charter, not dated, granting to the Texas and Pacific Railway Company, its successors and assigns, the free right of way for its railroad track or tracks, switch or switches one hundred feet in width from the Wedge or Reservation of Middletown to the Southeasterly boundary line of said City, is hereby repealed.

Sec. 3. Charter Ordinance numbered Thirty-eight (38); passed and approved June 20th, A.D. 1873, granting right of way to the Texas and Pacific Railway Company for its railroad track and tracks; switch and switches and for other proper railroad uses, one hundred feet in width over, across and along all the public avenues, streets, alleys, highways, parks and plazas in the City of San Diego, and over, across and through any and all lands belonging to said City from the lands of the Texas and Pacific Railway Company adjoining Mannasse and Schiller's Addition to said City through said City, to and through Pueblo Lot numbered 1208 in said City, is hereby repealed.

Sec. 4. Charter Ordinance numbered Forty (40) old Charter, passed and approved August 4th, A.D. 1873, granting right of way to the Texas and Pacific Railway Company, a right of way one hundred feet wide for its railroad track and tracks, switch and switches, and all other usual and proper railroad uses, over and through any and all the lands belonging to said City of San Diego and all the public highways therein from the north line of Pueblo Lot numbered 1208; thence northerly to the northeastern boundary line of said City, is hereby repealed.

Section 5. Charter Ordinance Numbered Twenty-two (22); old Charter, passed and approved February 3d, A.D. 1873, providing for the issuance of Bonds of this City for the purpose of carrying out an agreement made by the Citizen's Committee of Forty with Co. Thomas A. Scott, President of the Texas and Pacific Railway Company not to exceed the amount of one hundred and fifty thousand dollars is hereby repealed as to any and all of said Bonds and the amount of said \$150,000 which has not been issued and negotiated and they the unissued bonds of said amount are hereby cancelled and rendered null and void for any and all purposes and all power or authority or pretended power or authority in any or all the officers of this City, agents, trustees or other persons to issue or negotiate any or all of said unused bonds is hereby revoked and rendered null and void, this repeal to apply to and cancel not only the body of said unissued bond, but all coupons or other evidences of debt pertaining thereto.

Sec. 6. Charter Ordinance numbered Nine (9) old Charter, passed and approved September the 30th A.D. 1872, granting a street railroad franchise and the right to construct, use and maintain a street railroad on certain streets of the City unto the Spring Avenue and City Railroad Company is hereby repealed.

Section 7. Charter Ordinance numbered Ten (10) old Charter, passed and approved on the 14th day of October, A.D. 1872, granting to Oliver Eldridge, Thomas L. Nesmith and G. W. B. McDonald the right to build, erect and maintain and use a wharf in the Bay of San Diego, at the foot of Sixth Street, is hereby repealed.

Section 8. Charter Ordinance numbered Thirty-three (33) old Charter passed and approved the 31st day of March 1873, granting to the Cosmopolitan Gas Company, its suc-

cessor and assigns the right to manufacture gas in the City of San Diego, to lay down pipes through the streets and alleys and supply Gas &c. is hereby repealed.

Sec. 9. Charter Ordinance numbered Thirty-six (36), Old Charter, passed and approved May the 12th, A.D. 1873, granting and extending to J. S. Mannasse and Marcus Schiler, their heirs, executors, administrators and assigns, a wharf franchise and the right to erect and use a wharf in front of Pueblo Lot numbered eleven hundred and fifty-seven; also, the franchise granted to the same parties for the same purpose by said Board of Trustees June 30th, A.D. 1871, are hereby repealed.

Sec 10. Charter Ordinance numbered Forty-two (42) old Charter passed and approved September 29th, A.D. 1873, granting and extending a wharf franchise to Oliver Eldridge and associates to build and maintain a wharf at the foot of Sixth Street in Horton's Addition, to the City of San Diego, is hereby repealed.

Sec. 11. Charter Ordinance numbered forty-three (43), old Charter, passed and approved October 13th, A.D. 1873, granting to the San Diego Gas Light Company a gas franchise in said City and the right to lay gas pipes in and through the streets, alleys, public grounds, plazas and buildings of said City and to supply gas &c. is hereby repealed.

Sec. 12. Charter Ordinance numbered sixty-four (64) Old Charter, passed and approved September 29th, 1874, granting and extending a wharf franchise to Semona Martinez and associates at the foot of Sixth Street in Horton's Addition to San Diego is hereby repealed.

Section 13. Charter Ordinance numbered seventy-three (73) Old Charter passed and approved the 7th day of June, A.D. 1875, granting and extending wharf franchise to Mannasse & Schiller at their Addition in Pueblo Lot numbered 1157, &c. is hereby repealed.

Sec. 14. Charter Ordinance numbered twelve (12) New Charter, passed and approved the 9th day of November, A.D. 1876, granting to George Neale and associates a gas franchise to build, erect and maintain gas-works and to manufacture gas, lay down gas pipes &c. in the City of San Diego is hereby repealed.

Sec. 15. Charter Ordinance numbered fourteen (14) New Charter passed and approved the 2nd day of January, A.D. 1877, granting and extending a wharf franchise to Simona Martinez and associates at the foot of Sixth Street in Horton's Addition to San Diego, is hereby repealed.

Sec. 16. Charter Ordinance numbered eighteen (18) New Charter, passed and approved the 4th day of June, A.D. 1877, granting and extending unto J.S. Mannasse and Marcus Schiller franchise for a wharf in front of Pueblo Lot numbered 1157 in the City of San Diego is hereby repealed.

Sec. 18. Charter Ordinance numbered twenty-eight (28) New Charter, passed and approved the 4th day of February, A.D. 1878, authorizing Louis Marks and Emanuel Blochman, their associates, successors and assigns to build and erect gas works in the City of San Diego, to lay down mains, gas-pipes, in the streets, &c. of said City is hereby repealed.

Sec. 17. Charter Ordinance numbered twenty-seven (27) New Charter passed and approved February 4th, 1878, granting and extending a wharf franchise unto Louis Rose for a wharf in front of La Playa in the Bay of San Diego is hereby repealed.

Sec. 19. Charter Ordinance numbered forty-two (42) New Charter, passed and approved June 2d, A.D. 1879, granting and extending unto Joseph S. Mannasse and Marcus Schiller, their executors, administrators and assigns, a wharf franchise for a wharf in front of Pueblo Lot numbered 1157 in the Bay of San Diego is hereby repealed.

Sec. 20. Charter Ordinance numbered forty-nine (49) New Charter, passed and approved the 15th day of December, A.D. 1879, granting unto Joseph Mannasse et als. their associates and assigns, a street railroad franchise to lay railroad tracks through the streets and highways of the City, with the right to construct, equip and maintain a street railroad and to run cars thereon is hereby repealed.

Sec 21. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Passed and approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the 31st day of January, A.D. 1881.

S. P. Jones, President.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

Finance Committee report favorably on Bill of Douglas Gunn, for advertising. \$9.48 which is allowed and warrant ordered drawn on the General Fund for the amount.

Clerk instructed to publish Ordinances Nos. 62, 64 and 65, in the "Union", at the old rates.

On motion Board adjourned to Tuesday, February 8th, 1881, at 1 P.M.

Thos Whaley, City Clerk,

S. P. Jones President.

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Office of the Board of City Trustees, San Diego,  
February 8th, 1881, 1 Pm.

Adjourned regular meeting. Roll Called.

Present: Trustees Slade, Snyder, and Jones. Absent Trustees McCoy and Pierce. Jones, President in the chair. Whaley Clerk.

Resolved that the Superintendent of Streets and Highways is hereby ordered to collect enough of the road poll tax to put the streets and highways of the City in such repair as directed by the Street Committee. Carried.

Petition of F. A. Kimball, L. G. Pratt, George R. Ghislin, J. A. Fairchild and L. A. Kelley, for a Gas Franchise, was read & referred to Street Committee.

On motion Board adjourned till Thursday, February 10th, 1881, at 10 1/2 o'clock A.M.

Thos Whaley, City Clerk.

President.

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Office of the Board of City Trustees, San Diego,  
February 10th, 1881, 10 1/2 A.M.

Adjourned regular meeting. Roll Called.

Present: Trustees Slade, Snyder and Jones. Absent, Trustees McCoy and Pierce. Jones, President in the Chair. Whaley, Clerk.

Resolved that the Superintendant of Streets and Highways is hereby ordered to collect enough of the road poll tax to put the Streets and highways of the City in such repair as directed by the Street Committee. Carried.

Petition of F. A. Kimball, L. G. Pratt, George R. Chiselin, J. A. Fairchild and L. A. Kelley, for a Gas Franchise was read & referred to Street Committee.

On motion Board adjourned till Thursday, February 10th, 1881 at 10 1/2 o'clock A. M.

Thos. Whaley,

City Clerk

President.

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Office of the Board of City Trustees,  
San Diego, February 10th 1881, 10 1/2 A.M.

Adjourned regular meeting. Roll Called.

Present: Trustees Slade, Snyder and Jones. Absent Trustees McCoy and Pierce. President Jones in the Chair. Whaley, Clerk.

Minutes Febry. 8th 1881, read and approved.

Bids for erecting Bell and Tower, opened & read:-

|                 |        |            |
|-----------------|--------|------------|
| W. M. Collier   | \$400. | Scrip      |
| Corum & Hoffman | 395.   | "          |
| Robinson        | 240.   | Coin       |
| Martin Cantlin  | 625.   | Not stated |
| P. C. Secor     | 210.   | Coin       |

Bids for Taking down Bell & Tower, opened & read:-  
 Parsons & Collins \$14 Coin \$28. Scrip.  
 Corum & Hoffman 25. "

Moved that when the Board adjourns it be till 10 o'clock tomorrow Friday, February 11th, 1881. Carried.

On motion all bids for taking down old bell and tower and erecting new bell and tower referred to Bell Tower Committee to report thereon at next meeting.

Street Committee, to whom was referred Gas petition ask for further time, which is granted.

Petition of W. W. Witham for Ship yard at intersection of G and Atlantic Streets was read, and on motion placed on file.

There being no further business, on motion the board adjourned to the time above stated.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees  
 San Diego, Febry 11th 1881. 10 A.M.

Adjourned regular meeting. Roll Called.

Present: Trustees Slade, Snyder & Jones. Absent: Trustees McCoy and Pierce.

President Jones in the chair. Whaley, Clerk.

Minutes of meeting Febry 10th, 1881 read & approved.

Bell Tower Committee report recommending that the Bids of Corum & Hoffman for taking down old bell & tower for \$25 in Scrip and erecting new bell & tower for \$395 in Scrip be accepted. On motion, the Bids as recommended by the Committee were accordingly awarded, and the matter of supervision of the work continued in the hands of said committee with authority to dispose of the material of the old tower as thought best by them.

Petition of E. W. Morse, J. S. Gordon, F. A. Kimball and M. A. Luce for a Gas franchise was read and on motion referred to Street Committee.

M. G. Elmore, by permission of the Board, stated that he represented the National Petroleum Gas Company of New York and furnished the Board information in relation to the use of the Company's apparatus in the City of Paterson, Palace Hotel, San Francisco, and other places.

Bill of S. M. Corum for drawing plan of Bell Tower, on motion allowed for \$10.00 and warrant ordered drawn on General Fund.

There being no further business, on motion the Board adjourned Sine die.

Thos. Whaley, City Clerk.

S. P. Jones, President.

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Office of the Board of City Trustees,  
 San Diego, February 26th 1881, 1 p. m.

Regular meeting of the Board of City Trustees, Roll Called.

Present: Trustees Slade, Snyder and Jones. Absent: Trustees McCoy and Pierce.

Jones, President of the Board, in the Chair. Whaley, Clerk.

Minutes of meetings Jany. 31 and Febry. 11 read & approved.

Bills J. P. Spillman for perforating "PAID."

|                                    |         |
|------------------------------------|---------|
| Stamp for Treasurer                | \$10.00 |
| Will M. Smith, Salary for February | 25.00   |
| Thomas Whaley, Salary for February | 25.00   |

allowed and warrants ordered drawn on General Fund.

Bill L. H. Plaistead, for Binding Road Poll Tax notices and receipts \$15.00

Ordered on file.

|                                                                                                        |           |
|--------------------------------------------------------------------------------------------------------|-----------|
| Report of A. Pauley, City Tax Collector shewing the amount collected from Jany 28, 81 to Febry. 26, 81 | \$2508.82 |
|--------------------------------------------------------------------------------------------------------|-----------|

|                             |       |
|-----------------------------|-------|
| Less 3% on amount collected | 75.26 |
|-----------------------------|-------|

|                                                                           |           |
|---------------------------------------------------------------------------|-----------|
| Shewing balance paid City Treasurer as appears by Receipt annexed thereto | \$2433.56 |
|---------------------------------------------------------------------------|-----------|

On motion board adjourned to Saturday, March 5th 1881, at 1 o'clock p. m.  
 Thos. Whaley, City Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,  
 San Diego, March 5th, 1881. 1 p.m.

Adjourned regular meeting. Roll Called.

All the members present. S. P. Jones, President of the Board, in the Chair.  
Whaley, Clerk.

Minutes of meeting February 26th 1881, read and on motion approved.

|                                                            |          |
|------------------------------------------------------------|----------|
| Bill of Corum & Hoffman for taking down Old Bell and Tower | \$25.00  |
| Erecting new bell & tower                                  | 395.00   |
|                                                            | \$ 2 .   |
| Deduction for old material used                            | 3.75     |
|                                                            | \$416.25 |

Allowed Corum & Hoffman for taking down Old Bell & Tower. \$25.00

Warrant ordered drawn on General Fund.

Balance of Bill, Corum & Hoffman referred to Bell Tower Committee to have corrections made.

Report of S. P. Jones, committee on examination of outstanding Bonds, Coupons & Warrants, was read by the Clerk. Ordered placed on file & committee given further time.

M. D. Hamilton, City Assessor, represents that J. Grundyke was assessed on mortgages and notes being a double assessment and is entitled to a deduction of \$10,250 from his assessed personal property.

The following preamble and resolution offered:-

Whereas it appears by the statement of M. D. Hamilton, City Assessor, that J. Grundyke has been doubly assessed on his personal property to the amount of \$10,250. the tax on which, at .015%, amounts to \$153.75:-

Be it therefore resolved in order to correct this error, that the City Tax Collector is hereby authorized to deduct from the sum total of the tax of said Grundyke, as shown by the City assessment Roll, the sum of \$153.75, and the Clerk in his settlement with the Tax Collector will credit him with said sum of \$153.75.

Which said preamble and resolution on motion was voted on as follows: McCoy, aye, Slade, aye, Pierce, aye, Snyder, aye, Jones, no, and declared carried.

In the matter of fixing the Rates for the ensuing year to be collected by any person or water company for the use of Water supplied to the inhabitants of the City of San Diego, deferred to next meeting of this Board.

Moved that when this board adjourns it be till Tuesday morning at 10 o'clock a. m.

Dr. T. C. Stockton, being present, and his bill as Health Officer for \$54.75 from Nov. 3, 78 to Dec. 20, 80 having been called up, he is allowed to amend the same, which he does, and as amended, on motion, the same is allowed for \$40.75 and warrant ordered drawn

on general fund. All the trustees vote aye, except trustee Snyder, who vote <sup>s</sup> aye.

On motion, Board then adjourned to March 8th 1881, at 10 o'clock a. m. as above provided for.

Thos. Whaley, City Clerk.

President.

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Office of the Board of City Trustees,

San Diego, March 8th 1881. 10 A. M.

Adjourned regular meeting of the Board of Trustees of the City of San Diego.

Roll call. All the members of the Board present. S. P. Jones, president of the Board in the Chair. Whaley, Clerk.

Minutes of March 5th 1881 read and approved.

Semi-annual Report of S. P. Jones, president of the Board of Trustees of the date March 7, 1881, was read. The same ordered received and placed on file.

The following Preamble and Resolution passed by the full vote of the Board.

Whereas, there are certain outstanding Bonds, issued by certain parties therein named to the several parties hereinafter named, and being of number and date herein given, that are believed by this Board to be irregularly issued: and that we do not hold that the same are a legal claim against the City, to-wit: Bonds numbered 139, 140, 141, 142, 143, 144, 145, issued to T. J. Higgins, and dated February 6th, 1875, for the purpose of paying the taxes on Texas Pacific lands; bonds numbered 146, 147, 148, 149, issued to W. W. Bowers, and dated October 4th, 1875, for the use and benefit of David Felsenheld; bonds numbered 150, 151, 152, 153, issued to Frankenthal & Co. and dated January 1st, 1878, for the use and benefit of the said Felsenheld and J. U. Crawford:-

Therefore Be it Resolved, That the City Treasurer is hereby directed to withhold the payment of any of the above named bonds or coupons belonging thereto until further instructions of this Board.

Bell Tower Committee reports the following corrected bill of Corum & Hoffman:-

|                                        |                 |
|----------------------------------------|-----------------|
| Building new bell tower & hanging bell | \$395.00        |
| By Lumber from old Tower &c.           | 3.75            |
|                                        | <u>\$391.25</u> |

Under Suspension of the Rules, bill allowed for this amount and warrant ordered drawn on the general fund.

Petition of J. A. Sheriff for removal of obstruction on L Street, between 5th & 6th Streets, he being the owner of Lot F, block 139, and contemplating to improve the same.

Petition of John Herrander for removal of obstruction foot of 6th Street, heretofore favorably reported upon by the Street Com.; being called up, both petitions, on motion, were referred to Street Committee, to report to the Board at next meeting.

On motion the Board adjourned to 2 o'clock p. m. this day.

Thos. Whaley, City Clerk.

President.

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Office of the Board of City Trustees,

San Diego, March 8th 1881. 2 P. M.

Adjourned regular meeting. Roll Called.

All the members of the Board present. S. P. Jones, President of the Board in the Chair. Whaley, Clerk.

Street Committee to whom was referred the matter of nuisances, by obstruction on L Street, and at the foot of 6th Street, report verbally that said nuisances do exist. Report received.

Resolved that L Street, between 5th Street and the East line of 6th Street, be cleared of all obstructions, the full width of said street, and that the City Attorney give the





removal, when in the opinion of this Board, the exigencies of the public may require it.  
Passed by the unanimous vote of the members present.

Finance Com: report favorably on Bill of Will M. Smith, for extra services, in suit  
S. D. Water Company against the City of San Diego. \$100.00. On motion bill allowed, and  
warrant ordered drawn on the general fund for amount \$100.00  
Will M. Smith, Salary for March 25.00  
Thomas Whaley " " " 25.00

Warrants ordered drawn on General fund for the respective amounts.

On motion, Clause 1st of Section 2, Charter Ordinance No. 66, passed March 21st,  
1881, is amended, to read as follows:- "That said Gas Works be located on Block No. 157  
in Hortons Addition", and the Clerk is authorized to make the ordinance conform with this  
motion.

Report of A. Pauly, Tax Collector, shewing the amount collected since last report,  
February 26th, 1881. \$8,161.95  
Less Com: on \$8,161.95 @ .03% 244.85  
Shewing amount paid City Treasurer \$7,917.10

as shown by receipt of Bryant Howard, City Treasurer.

Report ordered received and on file.

On motion, Board adjourned to Saturday, April 2nd, 1881, at 1 P. M.

Thos. Whaley, Clerk James McCoy, President Pro-tem.

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Office of the Board of City Trustees,  
San Diego, April 2, at 1 P. M.

Adjourned Regular meeting. Roll Called.

Present: Trustee, Pierce, Snyder & Jones. Absent, Trustee McCoy and Slade. Jones,  
President of the Board, in the Chair, and Whaley, Clerk.

Minutes of meeting March 26th, 1881 read and approved. During the reading of the  
minutes, Trustee McCoy takes his seat in the Board.

Report of H. I. Willey, Civil Engineer, that he has examined City lands and fails  
to discover that any parties have been cutting wood upon said property. Report in writing  
ordered received & filed.

Bill of H. I. Willey for services examining City lands 1 1/2 day \$21.00  
Bill of Journey, for carriage, 2 days, 8.00  
Read and ordered filed.

Petition of E. W. Morse & associates for change of grade of 6th St. and 9th St.  
read. Referred to Street Committee.

Trustee Pierce excused to attend funeral of Walter Bennett, a Brother Mason.

Trustee Slade takes his seat in the Board.

On motion Board adjourned to Tuesday, April 5th, 1881, at 1 P. M.

Thos. Whaley, City Clerk. S. P. Jones, President.

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Office of the Board of City Trustees,  
San Diego, April 5th, 1881, 1 P. M.

Adjourned regular meeting. Roll Called.

All the members present. Trustee Jones, President of the Board in the Chair.  
Whaley, Clerk.

Minutes of meeting April 2nd, 1881, read & approved.

Bill of H. I. Willey, examining City Lands \$21.00  
" of Journey, carriage hire 8.00

being called up, on motion, the same are referred to special com: consisting of Trustee  
Slade.

Petition of Golden Rule Lodge, No. 263, I.O.O.F. asking passage of an ordinance



necessary, and not done through malice to any party.

Motion made to grant the petition of Property owners for the change of grade on 6th St. between F and H Streets as asked for.

Motion to amend, changing the grade at the intersection of 6th and G Streets from 2 feet to eighteen inches.

On calling the roll, four members vote in the affirmative and Trustee Snyder in the negative.

On calling the roll on the motion as amended, four members vote in the affirmative and Trustee Snyder in the negative.

Moved that the City Attorney be instructed to draw up an ordinance in confirmity with the petition for the change of grade on 6th Street, between F and H Streets, as amended, with the advice and approval of the city engineer. Carried.

Mr. Fox was called upon to give his views upon the proper Sewerage of the City. He thought at the present time, a Sewer constructed of brick or tiles, sufficiently large, so as to be entered for cleaning, on Third Street from the Horton House to the Bay, with lateral sewers of a smaller dimension, would be sufficient.

Mr. Fox also recommended the removal of garbage in carts & thought that perhaps a single cart would be sufficient at the present time.

Moved that a Committee of two be appointed to confer with the City Engineer to determine upon some system of sewerage for the City, and to report at the next regular meeting. Carried. Chair appoints Trustee Pierce and Slade as such Com:-

In the matter of the Bonds of the City of San Diego, the opinion of the City Atty is read, and on motion the same is ordered received and published in both the City papers.

Trustee McCoy here retires from his seat in the Board.

Charter Ordinance No. 67, New Charter, as to Slaughter Houses and Yards, was read, and on motion unanimously adopted, by the members then present in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 67.  
NEW CHARTER.  
As to Slaughter Houses and Yards.

67

The City of San Diego, By and through her Board of Trustees ordains as follows:

Sec. 1. It is unlawful for any person to open or use within the Pueblo of San Diego any slaughter house of slaughter yard, without permission of the Board of Trustees.

Sec. 2. Every person who violates Section 1 of this Ordinance shall be fined not less than the costs of prosecution, including Ten Dollars for the City Attorney's costs, nor more than Fifty Dollars; provided each day such slaughter house shall be maintained without such permission from the Board of Trustees is hereby declared to be an infraction of Section 1, and for each and every day such slaughter house or yard is so used, the person or persons so using it shall upon conviction be fined as aforesaid.

Sec. 3. Persons convicted of violating this ordinance shall be confined in the county jail until such fine is paid not exceeding one day for each dollar of the fine.

Sec. 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved at a spacial meeting of the Board of Trustees of the city of San Diego, State of California, held on the 15th day of April, A. D., 1881.

(SEAL)  
Attest: THOS. WHALEY, City Clerk.

S. P. JONES, President.

Owing to the lateness of the hour, the Board finding it impossible to finish all the business for which this special meeting was called, on motion adjour<sup>n</sup> to Monday, April 18th, 1881, at 1 P.M. for the purpose of completing the same.

Thos. Whaley, City Clerk

President.

## ADJOURNED SPECIAL MEETING.

Office of the Board of City Trustees,  
San Diego, April 18th, 1881. 1 P. M.

Board met according to adjournment. Roll Called.

All the members of the Board present except Trustee Snyder. President Jones in the Chair. Whaley, Clerk.

Minutes of Special meeting April 15th, 1881 read and approved. Trustee Snyder takes his seat in the Board during the reading of the minutes.

Trustee Slade reports: he understands that the defective Sewer on 3d Street has been repaired. Trustee McCoy thinks that it was in bad order on the 15th inst. Further consideration of the matter postponed for the present.

On motion moved to take up the question of Bonds.

Moved that the City Treasurer be instructed to pay the interest Coupons belonging to Bonds issued to T. J. Higgins numbered from 139 to 145, inclusive. Carried.

Moved that the matter of payment of the Coupons of the Frankenthal & Co. Bonds, numbered from 150 to 153, inclusive be postponed for consideration till the next regular meeting of this Board. Carried.

Whereas, the Supreme Court of this State has decided that the Bonds issued to W. W. Bowers, numbered from 146 to 149, inclusive, were illegally issued: Moved that this Board has no control of them. Carried.

Trustee McCoy here withdraws from his seat in the Board.

In regard to passage of Ordinance in reference to control of Indians-- moved that ordinance proposed be deferred to next regular meeting. Carried.

There being no further business for this Special meeting, on motion the Board adjourned.

Thos. Whaley, Clerk.

President.

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## SPECIAL MEETING.

Office of the Board of City Trustees,  
San Diego, April 18th, 1881. 4½ P. M.

Special meeting of the Board of Trustees of the City of San Diego, pursuant to the following call, which was read.

San Diego, April 18th, 1881.

Special meeting of the Board of Trustees of the City of San Diego is hereby called to convene at the City Hall, this day, at 4½ P.M. for the purpose of advertising for proposals for advertising the City Delinquent Tax List for the fiscal year ending Dec. 31, 1880.

|             |                     |
|-------------|---------------------|
|             | Trustee James McCoy |
|             | " James M. Pierce   |
|             | " Sam'l Slade       |
| President & | " S. P. Jones       |
|             | " J. H. Snyder.     |

Roll called. All the members of the Board present except Trustee McCoy. S. P. Jones, President of the Board, Chairman. Whaley, Clerk.

Moved that the City Clerk be and he is hereby authorized to advertise for proposals for printing the Delinquent Tax List of the City of San Diego for the fiscal year ending December 31st, 1880. Which motion was carried, all the Trustees present voting for the same.

The Board having transacted the business for which the meeting was called, on motion, adjourned.

Thos. Whaley, Clerk.

President.

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## SPECIAL MEETING.

Office of the Board of City Trustees,  
San Diego, April 25th, 1881. 1 P. M.

Special meeting of the Board of Trustees of the city of San Diego, pursuant to the

following call, which was read.

San Diego, April 23d, 1881.

A Special Meeting of the Board of Trustees of the City of San Diego is hereby called to convene at the City Hall, Monday, April 25th, 1881, at one o'clock, in the afternoon, for the purpose of opening the bids for Advertising Delinquent Tax List for the fiscal year ending December 31st, 1880, and determining in which newspaper the same shall be advertised.

|                 |         |
|-----------------|---------|
| S. P. Jones,    | Trustee |
| J. H. Snyder    | "       |
| James McCoy     | "       |
| James M. Pierce | "       |
| Saml Slade      | "       |

All the members of the Board present, except Trustee McCoy, on calling the roll. President Jones, Chairman. Whaley, Clerk.

Moved that the Board proceed to open the bids received under the proposals, as advertised for advertising City Delinquent Tax List for the fiscal year ending December 31st, 1880, whereupon the Clerk proceeded to open the same.

J. M. Julian's bid being 50¢ per 1000 ems.  
Douglas Gunn's bid being 50¢ per 1000 ems.

There being a tie bid, and time not permitting the Board to advertise again for proposals, It was moved and seconded that the printing of the City Delinquent Tax List for the fiscal year ending December 31st, 1880, be awarded to J. M. Julian of the "San Diego News." On calling the roll, Trustee Slade votes aye, Trustee Pierce votes aye, Trustee Snyder votes aye, Trustee Jones votes aye. The Chair declares the vote, awarding the contract to J. M. Julian.

On motion J. M. Julian is required to enter into a written contract with the City for the advertising of the Delinquent City Tax List for the fiscal year ending Dec. 31st, 1881, and to file a bond with two or more Surities, in the penal sum of \$800 for the faithful performance of the same, said Bond and Contract to be handed to this Board for approval by 6 p. m. today. Carried.

On motion the Board take a recess till 6 P. M. this evening.

Board met after recess, in the evening at 6 P. M. Present: Slade, Jones and Pierce. Absent: McCoy and Snyder. President Jones in the Chair. Whaley, Clerk.

Contract and Bond of J. M. Julian for printing the City Delinquent Tax List for the fiscal year ending Dec. 31, 1880, with N. H. Conklin and C. P. Noell, Surities, in the penal sum of \$800. for the faithful performance of the same, were read.

Trustee Snyder takes his seat in the Board.

On motion the approval of the said Contract and Bond is postponed till tomorrow morning, the 26th day of April, 9 o'clock, to which time the Board on motion adjourns.

Thos. Whaley, Clerk.

President.

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ADJOURNED SPECIAL MEETING.

Office of the Board of City Trustees,  
San Diego, April 26th, 1881. 9 A. M.

Board met according to adjournment at 9 o'clock in the morning. On calling the roll, Trustees Slade, Snyder and Jones answered to their names. Absent: Trustees McCoy & Pierce. Trustee Jones, President of the Board, in the Chair. Whaley, Clerk.

The Contract and Bond of J. M. Julian for printing the City Delinquent Tax List for the fiscal year ending Dec. 31st, 1880, with N. H. Conklin and C. P. Noell, surities in the penal sum of \$800 for the faithful performance of the same were read, and on motion the same were ordered approved and on file, and the president and Clerk of the Board instructed to sign the Contract, with J. M. Julian, under corporate Seal of the City, which was accordingly done.

There being no further business at this Special Meeting, on motion the Board adjourned. Thos. Whaley, Clerk. President.

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Office of the Board of City Trustees,  
San Diego, April 30th, 1881. 1 P. M.

Regular meeting of the Board of Trustees of the City of San Diego. Roll Called.

All the members of the Board present except Trustee Pierce who takes his seat in the Board during the calling of the roll. Trustee Jones, President of the Board in the Chair. Whaley, Clerk.

Minutes of adjourned regular meeting April 5th, Special meeting, April 15th, adjourned special meeting, April 18th, Special meeting April 18th, Special meeting, April 25th, and adjourned Special meeting, April 26th, 1881, were read and approved as recorded.

Finance Com: have no report to make, there being no bills in their hands.

Trustee Slade, Special Com: to whom was referred the bill of H. I. Willey reports on the same, and presents an amended bill for \$27.90/100 to be substituted in the place of former bill which is allowed to be withdrawn. Report received, and action by the Board postponed.

Trustee Snyder, Chairman of Fire Com: recommends furnishing 200 to 300 feet additional hose for the use of Fire Dept. Report received and referred to Committee on Fire.

Trustee McCoy, Chairman of Street Com: reports that in the absence of any report from Ed L. Jones, Supt. of Street & Highways, the Committee on Streets have no report to make. Refers to the question of sewerage-- thinks that something should be done towards perfecting a system of sewerage. Report received.

Protest of Citizens against the change of grade of 6th Street, between F and H St. was read, and on motion referred to Street Committee to report at some future meeting when citizens generally may have opportunity of expressing their views upon the subject.

The Bill of H. O. Willey was then taken up and allowed for \$27.90/100, and warrant ordered drawn on general fund.

Bryant Howard, on behalf of the "San Diego Gas Company" presents and reads a communication from this company transmitting Petition of property owners and citizens for the erection of 25 lamp posts and arranging with the San Diego Gas Company for lighting the same till midnight or past that hour if deemed desirable. This gentleman also presents and reads a proposition from the San Diego Gas Co. to furnish said lamps post at \$25.00 each and to supply the gas lighting and keeping the lamps in order at the cost of \$2.92 per night, till midnight, for each light, in warrants on City Treasury. The matter is referred to the Committee of the Whole.

|                                                                                                                               |                |
|-------------------------------------------------------------------------------------------------------------------------------|----------------|
| Report of City Tax Collector, dated Apr. 20, 1881, read, shewing amt. collected for Mar. 7 to date not on the Delinquent Book | \$32.68        |
| Less Coms: 3%                                                                                                                 | .98            |
| Amount pd Bryant Howard, City Treas.                                                                                          | <u>\$31.70</u> |

as appears by his receipt appended to the Report. Ordered on file.

|                                                                                                |                                                 |                  |
|------------------------------------------------------------------------------------------------|-------------------------------------------------|------------------|
| Report of City Clerk, of final settlement with City Tax Collector, dated April 20, 1881, read, | Shewing amt. chg'd to Tax Collector Dec. 6, 80, | \$15,849.63      |
|                                                                                                | " " Collected by him \$14,769.84                | \$14,769         |
|                                                                                                | " " Collectors Comss. 443.07                    |                  |
|                                                                                                | " " Paid Treasurer as per receipts              | <u>14,326.77</u> |
|                                                                                                | " " Delinquent, as per Delq. List               | <u>\$ 920.35</u> |

Ordered on file.

C. J. Fox, City Eng. Committee to whom was referred the matter of devising some method of removing garbage and the better maintainance of sewers, reported that it is not practicable at present to build sewers, but that some method should be devised of removing filth and garbage, suggests that if the citizens were required to remove garbage some joint effort would be made to establish a swill cart, at the expense of private citizens. Report received for consideration.

|                                                                                    |         |
|------------------------------------------------------------------------------------|---------|
| Bill of Thomas Whaley, Salary for April 81, as Clerk of the Board of City Trustees | \$25.00 |
|------------------------------------------------------------------------------------|---------|

Bill of Will M. Smith, Salary for April 81, as City Attorney \$25.00  
Allowed and warrants ordered drawn on gen'l fund.

Bill Will M. Smith, extra services \$25.00 referred to Finance Committee.

Proposed Charter Ordinance No. \_\_\_\_\_ New Charter, in reference to Indians, was read, and on motion laid over for further consideration.

Petition of George Neal, read, representing the unsafe condition of the Flagg Staff and certain adobe walls and roofs at Old Town received and ordered on file.

Whereas, certain walls and roofs of buildings at Old Town are unsafe, endangering the lives of persons in the event of their falling:

Moved that the City Clerk be instructed to notify the owners or agents thereof either to repair or remove the same. Carried.

Moved that Trustee McCoy be appointed a Committee of One, and he is hereby authorized to have the flag staff at Old Town properly repaired, with the view of preserving the same, at a reasonable expense to the City. Carried.

On motion the Board adjourned to Thursday, May 5th 1881, at 1 P. M.

Thos. Whaley, City Clerk. President.

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Office of the Board of City Trustees,
San Diego, May 5th 1881. 1 P. M.

Adjourned regular meeting of the Board of Trustees of the City of San Diego. Roll Called. All of the members of the Board present. Jones, President of the Board, in the Chair. Whaley, Clerk.

Minutes of Regular meeting, April 30th read and approved.

Trustee Pierce, Chairman of Finance Com: has nothing to report.

Trustee McCoy, Chairman of Street Com: asks for further time to report on change of grade of 6th Street, which is granted.

Moved that when this Board adjourns, it be to Tuesday, May 10th, 1881 at 1 P. M. and the Clerk of this Board is hereby instructed to require Edmund L. Jones, Superintendent of Streets and Highways, to make out and present his report, due since March 31, to this Board at that time.

Trustee Snyder, Chairman of the Fire Com: reports, recommending the purchase of hose for the fire department and suggest putting in more fire plugs. Trustee McCoy endorses the same. The committee ask for further time which is granted.

Trustee Slade favors the employment or rather the feeing of Constables for the suppression of disorder at the lower end of 5th Street.

Petition of Citizens for a Bridge, on "K" Street at the intersection of 14th Street was read, and referred to Street Committee.

Proposed Indian Ordinance coming up for consideration, it was moved that Trustees Jones, Slade and Snyder be appointed a committee to confer with City Attorney in reference to drawing up an ordinance regulating and suppressing nuisances caused by Indians.

The Board then on motion resolved itself into a Committee of the Whole for the purpose of considering the proposition of the S. D. Gas Company, referred to it at its last meeting. The Committee of the Whole report adversely to making a contract, (as petitioned for) with the San Diego Gas Company, to erect lamp posts and furnishing gas for the same.

Report of the Committee received and petition and other papers ordered on file.

On motion the Board then adjourned to the time specified above, Tuesday May 10th 1881 at 1 p. m.

Thos. Whaley, Clerk. President.

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Office of the Board of City Trustees,  
San Diego, May 10th 1881, 1 p. m.

Adjourned regular meeting of the Board of City Trustees. Roll Called.

Present: Trustee Jones, Snyder, McCoy & Slade. Absent: Trustee Pierce. Jones, President of the Board in the chair. Whaley, Clerk.

Minutes of adjourned meeting, May 5, 1881, read and approved.

Committee to whom was referred the drawing up Ordinance regulating indians ask for further time, which is granted.

Street Committee to whom was referred change of grade of 6th St. and constructing bridge at the intersection of K and 14th Sts. ask for further time which is granted.

President Jones suggests that the committee take into consideration the construction of a bridge at the intersection of I and 14th Sts., the owners of property being willing to grade the streets in the vicinity.

Trustee Snyder is excused and withdraws from his seat in the Board.

Edmund L. Jones, Superintendent of Streets and Highways appears before the Board, and for good cause, asks for further time to prepare and present his report, which on motion is allowed till next meeting of the Board.

On motion, the Board then adjourned to Saturday, May 14th, 1881 at 1 p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of City Trustees,
San Diego, May 14, 1881. 1 p. m.

Adjourned regular meeting of the Board of Trustees of the City of San Diego. Roll Called. Present: Trustees McCoy, Slade, Snyder & Jones. Absent: Trustee Pierce. Trustee Jones, President of the Board in the Chair. Whaley, Clerk.

Minutes of meeting May 10, 1881, read and approved as recorded.

Henry E. Cooper Esq. Atty of California Southern Rail Road Company appears on behalf of the San Diego Town and Land Co. and asks permission to address the Board, which is granted, though postponed till all the members are present.

Edmund L. Jones, Superintendent of Streets and Highways, presents his report in person and tenders his resignation. Report and resignation were read. Ordered received & referred to Street Committee to report at next regular meeting.

Trustee Pierce takes his seat in the Board.

All the members being now present, C. J. Fox, C. E. on behalf of H. E. Cooper Esq. represents that the City of San Diego has heretofore conveyed 45 acres of Pueblo Lot 1168 to different parties-- that according to a correct and actual Survey of said Pueblo Lot 1168 there remains unconveyed belonging to the City of San Diego between 8 and 9 acres of land. The object of the S. D. Town & Land Company in appearing before the Board is to have the city join with the parties interested in making a partition of the land according to the map shown and joining in a partition deed thus securing to each of the parties their respective interests. On motion the matter is referred to a special committee with instruction to consult with City Attorney as to any authority the City may have in the premises and to pass upon the form of the deed necessary. Said Committee consisting of Trustees Pierce and McCoy and to report at next regular meeting of this Board.

Street Committee ask for further time to report on change of grade of 6th St. and the Bridges on 14th Streets.

Trustee Pierce asks to be excused which is granted.

Petition of J. S. Mannasse and Marcus Schiller for extension of wharf franchise at the foot of Twenty-second Street, read and referred to Street Committee.

Proposed ordinance to promote good order, public quietude, decency and decorum, was

read and referred to committee having in charge the drafting of the Indian Ordinance, of which President Jones is the Chairman.

Moved that Trustee Slade be appointed a Special Committee to invite Physicians and Citizens, generally, to present their views to this Board as to the best sanitary measures for the protection of the City of San Diego. Carried.

On motion the Board adjourned sine die.

Thos. Whaley, Clerk.

President.

Office of the Board of City Trustees,
San Diego, May 28th 1881. 1 p. m.

Regular meeting of the Board of Trustees of the City of San Diego. Roll Called.

Present: all the members of the Board. S. P. Jones, President in the Chair.

Whaley, Clerk.

Minutes of last adjourned meeting, May 14, 81 read and approved as recorded.

Under suspension of the Rules, Henry E. Cooper, Esq., Atty of the California Southern R. R. Co. asks for permission to erect telegraph wires and telephones and presents draft of a resolution for the consideration of the Board.

"Resolved that the California Southern Railroad Company be and it hereby is authorized to erect and maintain poles for telegraph and telephone purposes, and to attach thereto its wires in any of the highways, avenues, streets, alleys and plazas of this City."

Which Resolution as read, on motion, was adopted.

Report of Committee, to whom was referred the partition of land in Pueblo Lot No. 1168, was read and, on motion, the same was ordered received and referred to the City Attorney, with instruction to attend to the City's interest before the Court making the partition, to secure the title to the land belonging to the City. Committee continued till final settlement of the matter.

Moved that a warrant be drawn upon the general fund for the amount of the Judgment and interest due Dr. Burroughs, \$229.89/100, against the City of San Diego. Carried.

Warrants ordered drawn upon the general Fund for the following:-

Thomas Whaley, Salary, Clerk of the Board for May	\$25.00
Will M. Smith " City Attorney for May	25.00

Finance Committee report favorably on bill of Will M. Smith for extra Services in drawing up ordinances and giving written opinion on the outstanding bonds given by the City. On motion warrant is ordered drawn on general fund for \$25.00 in payment of the same.

Street Committee report and ask for further time as to the matter of the Report of Ed. L. Jones, Supt. of Streets and Highways which is granted.

Same Comm: ask for further time in regard to Change of grade of 6th St. for the purpose of procuring information.

Hon. S. A. Blanchard Esq. by permission, on behalf of property owners desiring a change of grade of 6th St. submits profile drawn by C. J. Fox C. E. also written questions propounded by him to Mr. Fox and his answers thereto, and requests the Board to submit the same to the Chairman of the Com: having the matter under investigation. The questions and answers were read and the profile examined by the Board, and then referred to the Street Committee, which is granted the time asked for.

The Clerk reports having made settlement with Wallace Leach Esq. for his claim against the City, and reads the following:-

"San Diego, May 12, 1881.

Received of the City of San Diego, warrant No. 1417, dated Sept. 28, 1880 for \$1,200.00/100 in full for all services and demands prior to Sept. 28th, 1880.

(Signed) Wallace Leach
Levi Chase, assigned.

Report received and papers in reference thereto ordered on file.

Report Tax Collector, A. Pauly, shewing back taxes collected	\$21.65
Less his Comss:-	<u>.65</u>
Amount paid City Treasurer as per his receipt annexed to report.	\$21.00

Also report of Tax Collector, A. Pauly, shewing amt. delinquent Taxes collected since last report, April 20, 1881 to and including April 25, 1881	\$60.64
Less his Comss:-	<u>1.81</u>
Amount paid City Treasurer as per his receipt annexed to report	\$58.83

Reports ordered received and on file.

Wallace Leach Esq. presents Petition of Citizens asking for a repeal or modification of the present Charter Ordinance for the impounding of stray animals. Same ordered received and on file.

Wallace Leach Esq. on behalf of Francis Stone Esq. asks that a warrant be drawn to James Russell, Constable for the amount of the Claim of A. B. Hotchkiss against the City of San Diego, allowed for \$50.00/100 and states that his client, Stone, will give an indemnifying bond to the City. Moved that the matter be referred to the Finance Committee to consult with the City Atty and to report at the next meeting of this Board. Carried.

In relation to the dismissal of the suit James McCoy vs the City of San Diego, D. Felsenheld and others:- Wallace Leach Esq. presents the following motion which is read and approved by the Board.

"Moved that the City Attorney appear for this City in the Case of James McCoy vs; the City of San Diego, D. Felsenheld and others, and consent to an order dismissing said suit without any judgment being taken in favor of the Defendants for Costs."

Hamilton, City Assessor, asks the Board to provide for Assessment Rolls and Blanks as per requisition furnished in writing. Clerk, on motion, is instructed to advertise for proposals to furnish the same in both the City papers.

Moved that Trustee Pierce be appointed a Committee of One to confer with the City Treasurer to devise the best method of paying City Coupons. Carried.

President Jones, Chairman of Special Committee to whom was referred the drawing up ordinance to promote good order, public quietude, decency & decorum, reports and submits the draft of an ordinance. Matter continued in the hands of the Com: with instruction to consult further with City Attorney.

On motion the Honorable Board of City Trustees then adjourned to Tuesday, the 31st day of May, A. D. 1881.

Thos. Whaley, Clerk.

President.

Office of the Board of City Trustees,
San Diego, May 31st, 1881. 1 p. m.

Adjourned Regular meeting of the Board of Trustees of the City of San Diego. Roll Called. All the members present. Jones, President of the Board, in the Chair. Whaley, Clerk.

Minutes of Regular meeting May 28th 1881, read and approved as recorded.

Henry E. Cooper Esq. Atty of the California Southern Rail Road Co. states that the Company wish to modify the resolution passed in their behalf at the last meeting of the Board and presents the following Resolution for the consideration of the Board:-

"Resolved that whereas the California Southern Railroad Company has been given the franchise to erect and maintain its poles for telegraph and telephone purposes in any of the streets, avenues, alleys and plazas of this City and the said Company having signified its intention to exercise its said franchise in and through Sixth St. only, it is therefore ordered that the said franchise be restricted accordingly."

Which Resolution as read, on motion passed by a majority vote.

Special Committee to whom was referred the matter of devising with the City Treasurer

the best method of paying City Coupons, present the following preamble & resolution:-

Whereas, it appears to this Board of Trustees that there is no rule established for the guidance of the City Treasurer in the payment of Coupons on the City Bonds when presented for payment, and whereas some inconvenience and loss has been suffered by some creditors of the City because no rule has been established, and Whereas the Treasurer is anxious to know the pleasure of this Board in that regard, Therefore, Resolved that it is the duty of the City Treasurer, and he is hereby instructed to pay the coupons when due in the order of the issuance of the Bonds, Provided that this resolution shall not apply to the coupons detached from Bonds numbered subsequent or of a greater number than 145. And the Secretary of this Board is hereby instructed to furnish the City Treasurer with a copy of this preamble and resolution."

Which Preamble & Resolution as read, on motion passed by a majority vote.

Street Com: report on extension of wharf franchise foot of 22nd St. Return the petition of J. S. Mannasse and Marcus Schiller, without recommendation one way or the other. In Connection herewith J. S. Mannasse presents opinion of Wm. Jeff Gatewood Esq. showing that the Board of City Trustees alone have the right to grant wharf franchises on the Bay of San Diego.

The following resolution offered & seconded. Moved that the wharf franchise heretofore granted to J. S. Mannasse & Marcus Schiller at the foot of 22nd St., Mannasse & Schillers Addition, be extended for the space of Two Years from and after the 1st day of July, 1881. After some discussion this motion was withdrawn and the further consideration of the matter deferred to next meeting.

Bill of John V. Mumford for rent of Engine House on 5th St. between "C" & "D" Sts. for the months of Febry, March, April and May- 4 mos. at \$20 per mo: \$80.00 was allowed and warrant ordered drawn upon the General Fund for this amount.

In the matter of the San Diego Water Co. vs: City San Diego, on appeal to the Supreme Court of the State of Cal. Moved that the same be referred to the City Attorney to take such action in regard thereto as is necessary to protect the City's interest. Carried.

Special Committee, through their Chairman, President Jones, to whom was referred the draft of ordinance to promote good order, decency, decorum & safety- report an ordinance for the consideration of the Board.

Matter still continued in the hands of Com:

Trustee McCoy being excused, retires.

On motion the Board of Trustees of the City of San Diego, adjourns till Tuesday the 7th day of June, 1881 at 1 p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, June 7, 1881. 1 p. m.

Adjourned regular meeting of the Board of Trustees of the City of San Diego. Roll called. All the members present. Trustee Jones, President in the Chair. Whaley, Clerk. Minutes of adjourned regular meeting May 31st, 1881, read and approved as recorded. In regard to the petition of Citizens for a Bridge on K Street at the intersection of 14th St. nothing done. Still remains in the hand of the Street Com:

The matter of extending the time of commencing wharf at the foot of 22nd St. to Joseph S. Mannasse and Marcus Schiller, as petitioned for, coming up:- N. H. Conklin Esq. Attorney on behalf of the Petitioners advocates granting the extension of the time as prayed for and H. E. Cooper Esq. Attorney on behalf of the California Southern R. R. Company objects to the granting of the same.

The following resolution offered:- Moved that the extension of the wharf franchise

asked for by J. S. Mannasse and Marcus Schiller at the foot of 22nd Street, Mannasse & Schiller's addition, be granted upon the condition that the same be commenced within 120 days and completed within one year from the date of said extension, July 1, 1881, and in default of such commencement within 120 days or such completion within one year, the extension hereby granted, to be declared null and void. No action taken. Moved to refer the matter back to the Street Committee, to which Trustee Pierce is added, to report at the next meeting of this Board. Carried.

Petition of Sarah A. Williams to abate nuisance of a Slaughter house on Block 180 Mannasse & Schiller's Addition, was read. On motion the same is referred to the City Atty to act conformably to ordinance No. 67.

Trustee McCoy, by permission, retires from his seat in the Board.

Charter Ordinance No. 68, New Charter, read, and on motion, adopted in words and figures following, to-wit:

68 CHARTER ORDINANCE NO. 68.  
(NEW CHARTER)

To prevent the explosion of Firecrackers, Torpedoes, &c, within certain limits of the City of San Diego.

The City of San Diego, by and through her Board of Trustees, ordains as follows:

SECTION 1. It shall be unlawful for any person or persons to explode any firecracker or torpedo, or other fireworks, or to discharge any pistol, gun or cannon, or to light any bonfire within the limits of Union street on the west, Thirteenth street on the east, A street on the north and the Bay of San Diego on the south.

SEC. 2. Any person or persons violating Section One of this Ordinance shall, upon conviction, be fined not less than the costs of prosecution, including \$5 costs of the City Attorney, and \$8 costs of the Constable, nor more than \$20, or, in default of payment shall be imprisoned in the County Jail one day for each dollar of the fine.

SEC. 3. This Ordinance shall take effect from and after its publication five days.

SEC. 4. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Passed and approved at an adjourned regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 7th day of June, A. D. 1881.

(SEAL)

Attest: Thomas Whaley, City Clerk.

S. P. JONES, President

President Jone, Chairman of the Board, asks leave of absence, urgent business requiring him to visit the northern part of the State, which is granted with the request, if possible, for him to defer his going till after the next meeting of this Board.

On motion the Board of Trustees then adjourned to Tuesday, June 14th 1881 at 1 p.m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, June 14th, 1881. 1 p. m.

Adjourned regular meeting. Roll Called. All the members present except Trustee Jones, President of the Board, absent on leave.

On motion Trustee Samuel Slade is appointed President pro tem and takes the Chair. Whaley, Clerk.

Minutes of adjourned meeting, June 7th read & approved.

The Board proceeded to consider the Proposals for furnishing assessment Rolls and Blanks as advertised for by the Clerk under instruction of the Board May 28th, 1881.

Moved to open all Bids received or mailed in time to be received as specified in the Proposals: Carried.

LeCount Bros. San Francisco, 2,200 Blanks \$25.  
L. H. Plaisted for S. D. Union, 2,200 " \$50. scrip  
J. M. Julian, S. D. News 2,200 " \$48.97  
Tribune Publishing Co. Oakland 2,200 " \$17.50 gold

|                                                  |                     |                     |
|--------------------------------------------------|---------------------|---------------------|
| Tribune Publishing Co., Oakland                  | 1 Ass: Roll Book )  |                     |
|                                                  | 1 " Unkn " )        | \$19.00             |
|                                                  | 1 Delinquent Book   | 8.75                |
|                                                  | 1 Lot Book          | 14.00               |
|                                                  |                     | <u>\$41.75</u> gold |
| Le Count Bros: San Francisco                     | 1 Ass: Roll Book )  |                     |
|                                                  | 1 " " " Unkn )      | \$36.00             |
|                                                  | 1 " " " Delinquent) |                     |
|                                                  | 1 Lot Book          | 5.50                |
|                                                  |                     | <u>\$41.50</u>      |
| A. Schneider, San Diego. The four Ass: Books for |                     | \$78.00 Scrip.      |

On motion the furnishing of the Ass: Books and Blanks is awarded to LeCount Bros. of San Francisco, and the Clerk is instructed to notify them and the City Assessor is instructed to furnish them with samples as specified in the Proposals.

Report of Physicians in regard to providing sanitary measures for the City was read, and on motion the same is referred to the Committee having the matter in charge, with Trustee Pierce added thereto.

Trustee Pierce, Chairman of the Com: having the matter of granting extension of wharf franchise at the foot of 22nd St. reports that under the new constitution of this State, no work having been done to secure said franchise, the Com: do not see that the extension can be granted. Report received. The further consideration of the matter by the Com: being deemed unnecessary they are discharged.

J. S. Mannasse, being present, gives notice that at the next meeting of the Honorable Board of Trustees, he will apply to them for the granting of a new wharf franchise at the foot of 22nd St. Mannasse & Schiller's addition to San Diego.

There being no further business for the consideration of the Board, on motion, they adjourn sine die.

Thos. Whaley, Clerk.

President pro tem.

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Office of the Board of Trustees of the City of San Diego, June 25th 1881. 1 p. m.

Regular meeting of the Board of Trustees of the City of San Diego. Roll Called.

Present: Trustees McCoy, Slade, Pierce and Snyder. Absent Trustee Jones by permission of the Board. President pro tem Slade in the Chair. Whaley, Clerk.

Minutes of adjourned regular meeting, June 14, 1881, read & approved.

Committee on Finance have no report.

" on Streets have no report.

Reports of Tax Collector, Pauly, were read, shewing the final settlement with City Clerk, Whaley, for Delinquent City Taxes for the year 1880.

|                                             |    |          |
|---------------------------------------------|----|----------|
| Amount Collected                            |    | \$569.70 |
| Less Commissions on \$                      | 3% | 17.08    |
| Amount paid Treasurer as appears by receipt |    | \$ .     |

Reports ordered on file.

Report of City Clerk, Whaley, was read, shewing the final Settlement with Tax Collector, Pauly, for Delinquent City Taxes for the year 1880: shewing the balance of Taxes remaining unpaid on the Delinquent List of 1880 to be \$290.01.

Report ordered on file.

Bill of Thomas Whaley for Salary, Clerk of the Board for the month of June \$25.00  
 Bill of Will M. Smith, for Salary, City Attorney for the month of June \$25.00

Both allowed and warrants ordered drawn on General fund for the respective amounts:

|                                   |         |
|-----------------------------------|---------|
| Bill San Diego Union, advertising | \$30.50 |
| " Thos. Whaley for extra services | 75.00   |

Referred to Finance Committee.

The Committee having in charge sanitary matters request further time which is granted.

There being no further business, on motion, the Board adjourned, sine dine.  
 Thos. Whaley, City Clerk President pro tem.

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Office of the Board of Trustees of the City of  
San Diego, July 30th, 1881. 1 p. m.

Regular meetinf of the Board of Trustees of the City of San Diego held this day.  
Roll Called. All of the members of the Board present. Trustee Jones, President of the  
Board in the chair. Whaley, Clerk.

Under Suspension of the rules Wallace Leach Esq. of the law firm of Leach & Parker  
presents the petition of A. Wentscher asking the Board to lease a portion of the City Park  
for the erection of a Powder Magazine. Upon reading the same: moved that the application  
be placed on file & that a committee be appointed to view the location asked for. The  
Chair appoints Trustee Pierce & Slade to report at next meeting.

Minutes of last regular meeting June 25, 1881, read and approved.

Finance Com: report favorably on the Bill of the San Diego Union for advertising  
\$30.54. Warrant ordered drawn on general fund for the amount.

Bill of Thos. Whaley, City Clerk, for extra services, referred back for the action  
of the Board, \$75.00, is again referred to Finance Committee.

Bill of Thos. Whaley, for services as Clerk of the Board for July, 1881, is allowed  
for \$35.00 and warrant ordered drawn upon the general fund for the payment of the same.

Mr. Koster, Chief Engineer of S. D. Fire Department, represents to the Board the  
necessity of procuring two hundred feet of hose for their use, and he is instructed to as-  
certain from manufacturers the cost of various kinds of hose and to report to this Board  
for further action.

Reports of City Treasurer, Bryant Howard, for the Quarters ending March 31st and  
June 30th, 1881, were read and then referred to Finance Com: for examination. President  
Jones asks to be added to such Com: for the purpose of participating in this examination,  
which on motion is done.

Moved that the City Treasurer proceed to advertise for proposals for the surrender  
and redemption of a portion of the Bonds of the City of San Diego, said proposals to be  
opened, Saturday the 3d day of September, 1881, at 1 p. m. Carried.

Street Com: return petition of J. S. Mannasse and M. Schiller, for extension of  
Wharf Franchise. On motion the further consideration of the same is indefinitely postponed.

Petition of Trustees of the New San Diego School District to make to said School  
Trustees such title to the land selected in the City Park for the Site for a new school  
house, as may be in the power of the Board to give. After the reading of the same, on motion,  
the matter is referred to a com; of three consisting of Trustee Jones, Pierce & Slade, with  
power to act.

Citizen Asher complains of a nuisance arising from a defective sewer in the rear  
of the Horton House, and asks the Board to take action to abate the same.

Resolved, That the whole system of the Horton House Sewerage be and the same is  
hereby declared a nuisance, and that unless steps are taken and work commenced to put the  
same in thorough repair, within ten days from the passage of this Resolution and completed  
within a reasonable time, rendering said sewers perfectly health- free from the emission of  
any stench or smell-- to the satisfaction of the Street Committee, the City Attorney shall,  
upon notice from the Street Committee, take such legal steps for the abatement of such  
nuisance, and against the parties causing and maintaining the same, as shall to him seem  
fit. Carried.

Moved that the Board now proceed to elect a Health Officer as provided for in Sec-  
tion 3, of Charter Ordinance No. 62, new charter, to hold office during the pleasure of  
this Board.

Clerk, acting as teller proceeded to open the ballots cast with the following result:

C. M. Fenn, 2 votes

Dr. Barnes 2 votes  
Dr. Gregg 1 "

There being no choice the Board proceeded to further balloting with the following result:-

Dr. Barnes 2 votes  
C. M. Fenn 2 "  
Dr. Stockton 1 "

There being no choice, the Board proceeded to further balloting with the following result:-

Dr. Barnes 2 votes  
C. M. Fenn 3 "

The President of the Board declared that Dr. C. M. Fenn, having received three votes, being a majority of the votes cast, was the duly elected Health Officer for the City of San Diego and the Clerk of this Board is instructed to notify him of his election.

Charter Ordinance No. 69, New Charter, read and on motion, adopted in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 69.  
NEW CHARTER  
DESIGNATING CITY POUND.

The City of San Diego by and through her Board of Trustees, ordains as follows:

Sec. 1. That the Corral situate at the corner of Fourth and "F" Streets, known as the Central Corral be and is hereby appointed and designated as the City Pound, for the City of San Diego until further ordered.

Passed and approved at a regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 30th day of July, A. D. 1881.

(SEAL) ATTEST: S. P. Jones, President.  
Thos. Whaley, City Clerk.

On motion the following was passed:-

Notice is hereby given, by order of the Trustees in and for the City of San Diego, that Stock running at large in the City in violation of the City Ordinances, will be impounded as by said ordinance provided:- the same to be advertised and signed by the Clerk of this Board.

There being no further business for the consideration of the Board, on motion, adjourned to Tuesday, August 2nd, 1881 at 10 o'clock A. M.

Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Aug. 2d, 81. at 10 o'clock A. M.

Adjourned regular meeting of the Board of Trustees of the City of San Diego. Roll called. All the members of the Board present except Trustee Snyder. Trustee Jones, president of the Board, in the Chair. Whaley, Clerk.

Minutes of meeting July 30th read and approved.

Wm. H. Mason petitions the Board to have "K" St. between 4th and 5th Streets, levelled that teams may pass. Referred to Street Com:

Moved that Chas. J. Fox, City Engineer, be added to the Committee having in charge the location of the New School House in the City Park.

Moved that when we do adjourn we adjourn till 4 o'clock this afternoon.

There being no further business the Board adjourned at the time above specified.

Thos. Whaley, City Clerk. President.

San Diego, August 2nd, 1881.

Afternoon Session of the Board of Trustees of the City of San Diego. Board met at 4 o'clock pursuant to call. Roll Called. Present: Trustees Jones, Pierce & Slade. Absent: Trustees McCoy & Snyder. President Jones in the Chair. Whaley, Clerk.

Some discussion about the location of Powder Magazine, asked for by A. Wentscher, through his Attorney, Wallace Leach Esq. pending which, on motion board adjourned to Thursday



70

CHARTER ORDINANCE NO. 70.

(NEW CHARTER)

Appointing an Officer to enforce City Ordinances.

BE IT ORDAINED By the City of San Diego, by and through the Board of Trustees:

SEC.1. That JAMES RUSSELL, a Constable in and for San Diego Townshipm residing in the City of San Diego, is hereby appointed for the purpose of, and it is hereby made his especial duty to enforce the City Ordinances of this City, for which services he shall receive the same mileage and fees as prescribed by law in this County for Constables in the criminal business under statutes of the state for his services.

SEC. 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved at an adjourned regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 6th day of August, A. D. 1881.

(SEAL) ATTEST:

S. P. Jones, President

Thos. Whaley, City Clerk.

On motion adjourned to the time above specified.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, Augst 8th 1881. 10 A. M.

Board met on this day pursuant to adjournment. All the members present except Trustee McCoy. Jones, President in the Chair. Whaley, Clerk.

Minutes August 6th 1881, read and approved.

In the matter of location of Powder Magazine, Com: report the following preamble & resolution which was read and on motion adopted.

Whereas, A. Wentscher, a merchant residing and doing business in the City of San Diego in the County of San Diego, State of Calfa, did on the 30th day of July 1881 by his Attys. Leach & Parker, petition the Board of Trustees of the City of San Diego to permit him to use a portion of the City Park, on which to construct a powder magazine, for the storage of gunpowder and other explosives:

And has filed with this Board of Trustees a description of a portion of the said Park land located and described by H. O. Willey, a civil engineer employed by him for that purpose-

And whereas the location as selected by said A. Wentscher and described by said H. O. Willey in his statement filed with this Board, appears to be so far removed from all improvements, both public and private, as not to endanger or threaten the safety of the same in case of explosion:

Therefore, Resolved that we hereby give permission to A. Wentscher, the petitioner, to construct a magazine for the storage of powder and other explosive materials in the southeast corner of Pueblo lot 1136 being a portion of the City Park, bounded and described, as follows, to-wit:- Starting at a point situated in the South East Corner of Pueblo Lot Eleven hundred and thirty six, and running thence north three hundred feet- thence west three hundred feet, thence south three hundred feet and thence east three hundred feet to the place of beginning.

The permission hereby given is for no definite length of time-- and the right is hereby reserved to remove said magazine at the owners cost for good and sufficient cause as may be determined by this or any future Board of Trustees or governing power or body of the City of San Diego.

Permission to use said Park is granted upon the foregoing and upon the following conditions:-

That said A. Wentscher will locate and construct said Magazine on the South East Corner of Pueblo Lot Eleven hundred and thirty six (1136) at a point more than a half english mile distant on an air line from the tract of land measuring six hundred and sixty feet square, now selected, located and set apart on the City Park for School purposes; and that he will hold himself and assigns liable for any and all adjudged damages sustained by persons and property that may be caused by the explosion of any substance in the said magazine or on said Park while the same is being carried to or from said magazine.

This grant or permission will be null and void whenever the said A. Wentscher fails to comply with any of the conditions thereof.

In the matter of location of Site for New San Diego Dist. School House, Com: report the following which was read:-

Whereas, a meeting of the electors of "New San Diego School District" in the City of San Diego was called to convene at Hortons Hall in said district on the 9th day of July, 1881;

And whereas at a regularly adjourned meeting of the same held July 14th, 1881, a large majority of the electors then present voted in favor of setting apart a portion of the City Park on which to erect the contemplated new school buildings, together with other necessary grounds to be used in connection therewith, and

Whereas in conformity with the then expressed wish of said constituency the Trustees of said New San Diego School District did on the 18th day of July, 1881 petition this Board "to make to said School District such title to the land selected as may be in your (our) power to give."

Now, therefore, in conformity with said vote and in accordance with said petition, Be it Resolved, that we set apart to the New San Diego School District for the purposes designated in the foregoing preamble, a certain portion of the City Park, a definite description of which being as follows, to-wit: Commencing at a point one hundred (100) feet north of the south line of the City Park, and ten (10) feet west of the west line of 12th Street in Hortons Addition to San Diego, running thence northerly from said point parallel with a continuation of the west line of said 12th St. five hundred and sixty (560) feet, thence at right angles easterly, six hundred and sixty (660) feet, thence at right angles, southerly, five hundred and sixty (560) feet to a point one hundred (100) feet North of the South line of the City Park, and ten (10) feet east of the east line of 14th Street in Hortons Addition to San Diego, and running thence westerly from said last named point, six hundred and sixty (660) feet to the point of beginning.

Signed by Committee
San Diego, Cal.
Aug. 8th, 1881.

(S. P. Jones
(Saml. Glade
(J. M. Pierce

Pending the discussion of the matter, the Board, at 1/4 past 11 o'clock A. M. on motion take a recess of twenty minutes, when they again met, the same members of the board being present, when, on motion, the Board took a further recess till 1 1/2 p. m. this afternoon.

After Recess.

At 1 1/2 p. m. this afternoon, the Board again met. All the members being present with the exception of Trustee McCoy.

The Preamble and Resolution reported by the Com; having in charge location of Site for New San Diego Dist. School House read at the morning session of this Board was again read and on motion received, adopted and ordered spread upon the minutes, being in words and figures the same as heretofore recorded.

Bill of LeCount Bros., San Francisco, for furnishing Assessment Rolls and Blanks for the Assessor was read and on motion referred to finance Com:

There being no further business, on motion, the Board adjourned sine die.
Thos. Whaley, Clerk. President.

SPECIAL MEETING.

Office of the Board of Trustees of the City of
San Diego, Aug 10th 1881, 2½ p. m.

The Board of Trustees of the City of San Diego, met in pursuance of the following
Call:-

A Special meeting of the Board of Trustees for the City of San Diego is hereby
called to convene at their room at the Court House at Half past 2 P. M. the 10th day of
August, 1881, to take action relative to repairs on road leading from the City proper to
Soladad.

(Signed) James M. Pierce
S. P. Jones,
Saml Slade
James McCoy.
J. H. Snyder

San Diego, Augst 10th, 1881.

On calling the Roll all the members of the Board were present except trustee Pierce.
Jones in the Chair. Whaley, Clerk.

Moved that the sum of \$50.00 be appropriated for the repair of the road to Soladad,
said work to be done under the Superintendance of the Chairman of Street Com: Trustee McCoy.
Carried.

There being no further business, the Board, on motion adjourned.

Thos. Whaley, Clerk

President.

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Office of the Board of Trustees of the City of  
San Diego, August 27th 1881. 1 p. m.

Regular meeting of the Board of Trustees of the City of San Diego. All the members  
present. Trustee Jones, president of the Board, in the Chair. Whaley, Clerk.

Minutes of adjourned meetings Aug 6th & 8th, 1881, and special meeting Aug 10th,  
1881, read and approved.

|                                                                      |         |
|----------------------------------------------------------------------|---------|
| Finance Com: report back bills of LeCount Bros. for Rolls and Blanks | \$66.50 |
| Thomas Whaley, extra services                                        | 75.00   |

without recommendation leaving the settlement thereof to the Board.

Under Suspension of the Rules, Judge M. A. Luce presents petition of citizens asking  
the Board to levy a tax of one mill on the Dollar, for the purpose of sustaining a Free  
Library and Reading Room. Read, ordered received and placed on file.

Street Com: report back petition of W. H. Mason for abatement of nuisance on "I"  
Street between 4th & 5th, that same has been abated.

Moved that \$85.00 be allowed Le Count Bros. in payment of their bill of \$66.50 gold  
coin for Rolls & Blanks and that a warrant be drawn upon the General fund for this amount,  
said LeCount Bros. being under a misapprehension regarding the value of our warrants at the  
time of making their bid and there not being time to renew the proposals, they having fur-  
nished said blanks & rolls at the solicitation of the Clerk of the Board leaving the matter  
of compensation to the option of the Board. (This allowance being lower than any of the bids  
offered, See page 713. Thos. Whaley, Clerk.)

Bill of Thomas Whaley is again referred to the finance committee, he to explain to  
the committee the nature of the work done.

Trustee McCoy, chairman of the Street Committee reports having expended \$27.00 coin  
on road to Soledad, and will require a further expenditure of \$6.00 coin to put the same in  
tolerable order. Moved that a warrant of \$50.00 be drawn upon the General fund in favor of  
L. A. Seeley in payment of the above work. Carried.

Moved that the Clerk draw orders upon the General Fund for the payment of himself  
and the City Atty, \$25.00 each, for services for the month of Augst. Carried.

Moved that a com: of the whole be appointed for selecting a place for the location  
of Slaughterhouses. Carried. On motion Trustee McCoy be appointed Chairman of said Committee.

Moved that City Atty draw up an ordinance providing that cess-pools or drains shall

not be dug below a certain depth. Carried.

Petition presented by Judge M. A. Luce for levy of a tax for a Reading Room and free library was re-read and again ordered on file.

Trustee Snyder thinks it advisable for the Board to appoint Com: to confer with citizens to devise the best method of sewerage with the view of having sewers constructed on the principal streets. Moved that the Board of Trustees request the Chamber of Commerce of this City to appoint a committee to confer with them, to devise a plan for the sewerage of the City of San Diego. Carried.

Trustee McCoy withdraws, being excused by the President of the Board.

CHARTER ORDINANCE NO. 71  
NEW CHARTER.

To Protect the Purity of Well Water in the City was read and on motion passed in words and figures following, to-wit:

CHARTER ORDINANCE NO. 71.  
(NEW CHARTER)  
To Protect the Purity of Well Water in the City.

The City of San Diego, by and through the Board of Trustees, hereby ordains as follows:

SEC. 1. All persons are hereby prohibited from using, without the written permission of the Board of Health, within the city limits any vault, well, or other opening in the earth as a receptacle for sewage, wash-water, or other filth, which has a greater depth than twelve feet from the surface of the ground.

SEC. 2. Persons violating this Ordinance shall be fined upon conviction a sum not less than the costs of prosecution, including ten dollars for City Attorney fees, nor more than Fifty Dollars, and for every day any such vault, well or other opening in the earth is so used, the party or parties so using shall be liable to such fine.

Passed and approved at a regular meeting of the Board of Trustees of the City of San Diego, State of California, held on the 27th day of August, A. D. 1881.

(SEAL) ATTEST: Thomas Whaley, City Clerk. J. P. Jones, President.

City Attorney instructed to draw up ordinance to prevent the throwing of paper &c and kindling fires or burning any things in the streets.

On motion the Board adjourned to Monday, August 29th, 1881 at 2 p. m.

Thos. Whaley, City Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Aug. 29, 1881. 2 p. m.

Adjourned regular meeting. Roll Call. All present except trustee Jones, the President of the Board. On motion, Trustee Slade is appointed President pro tem and takes his seat in the chair. Whaley, Clerk.

Reading of minutes last meeting dispensed with.

On motion Board adjourned to Tuesday, August 30th 1881, at 1 o'clock p. m.

Thos. Whaley, City Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Aug. 30th 81, 1 p. m.

Adjourned regular meeting of the Board of Trustees. Roll call. All the members of the Board present except Trustee Jones, the President of the Board. Trustee Slade, President of the Board pro tem, appointed at the last meeting in the chair. Whaley, Clerk.

Minutes of adjourned meeting Aug 29, 1881 read and approved.

Ordinance No. 72, New Charter, to promote Cleanliness of the Streets and Prevent Fires and accidents read and approved in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 72.  
(NEW CHARTER)  
To Promote Cleanliness of the Streets and Prevent Fires and Accidents.

The City of San Diego, by and through the Board of Trustees, ordains as follows: 72

SECTION 1. It is hereby made unlawful for any person to throw or put into the streets, alleys, plazas, or upon any unenclosed property in the City, (except at the dumping ground, by the City designated, any straw, rags, paper, hay, scrap-tin or other scrap-metal, glass, hoops, ashes, stable litter, feathers, shavings, shells, shell fish or any other litter; or, in said streets, alleys, plazas, or on any unenclosed property in the City, to burn in the open air, any straw, rags, paper, hay, stable litter, saw-dust, feathers, hair, wool, scraps of any kind, or shavings, or any other litter except upon the written permission of the Board of Health. And the streets, alleys and plazas in front of all dwellings, stores, shops and other improved property shall be kept clean by the occupants thereof.

SEC. 2. Every person violating this Ordinance shall be fined, for the first offense, not less than the costs of prosecution, nor over Fifty Dollars, and for each subsequent offense, not more nor less than Fifty Dollars.

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 30th day of August, A. D. 1881.

(SEAL) ATTEST: THOMAS Whaley, City Clerk. Samuel Slate, President Pro Tem.

Trustee Pierce presents the following communication to the Board, which was read to the President and Members of the Board of Trustees of the City of San Diego:-

"Whereas I did about four months ago give verbal notice to this Board that I would at some future meeting move that the necessary steps be taken to refund the outstanding Bonds of the City of San Diego, and believing as I now do that substantial prosperity is assured, and that the credit of this City is thereby improved, therefore: Resolved that this Board of Trustees now proceed to consider and to adopt the necessary measures to speedily accomplish this refunding of the Bonded indebtedness of the City of San Diego, at a lower rate of interest than said Bonds now bear."

San Diego, Aug. 29th, 1881. J. M. Pierce.

Upon the reading of the forgoing Preamble & Resolution, on motion the Resolution therein was passed by the Board, and the Clerk is instructed to furnish the City Attorney with a copy of the same, with instructions to get up the forms of advertisements &c necessary to carry the same into effect and to present the same at the next meeting of this Board.

Moved that when we adjourn it be to Thursday, Sept. 1st, 1881 at 1 p. m.

Trustee Snyder, appointed com: of one to confer with City Atty, in regard to the matter of slaughter houses. Moved that C. J. Fox, City Engineer be added to the Com: having in charge the matter of City Sewerage.

On motion the Board adjourned as above.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, September 1st, 81. 1 p. m.

Adjourned Regular meeting. Roll Called. All the members of the Board present. Jones in the Chair. Whaley, Clerk.

Minutes of Aug. 30th, 1881, read and approved. Trustee Snyder, Com:having in charge the matter of Slaughter houses, presents Charter Ordinance No. 73, New Charter, which is read and on motion passed in words and figures following, to-wit:

CHARTER ORDINANCE NO. 73.
(NEW CHARTER)
To Provide a Place for Slaughter Houses.

The City of San Diego, by and through the Board of Trustees, ordains as follows:

SECTION 1. Pueblo Lots numbered 211, 212, 213, 214, 215, 216, 217, 218, 245, 246, 73

247, 248, 249, 250, 251, 1792, 1793, 1794, 1800, 1802 and 1803 of the Pueblo Lots as designated on the map of said Pueblo made by James Pascoe, Civil Engineer, in 1870, are hereby set apart and designated as fit and proper places for the location of slaughter houses.

SEC. 2. No permission shall be granted for such houses south of San Diego River, nor on or along said river on either side thereof, except as designated in Section one of this Ordinance; but said slaughter houses may be located on other property north of said river, provided written permission to so occupy said property be obtained from the Board of Trustees or other governing body of said City.

SEC. 3. All Ordinances, parts of Ordinances, permits, or resolutions in conflict with this Ordinance are hereby repealed.

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 1st day of September, A. D. 1881.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

Under Suspension of the Rules, Mr. Bailey, acting as private night watchman, asks for hand cuffs, and some contribution on the part of the City, the sum now paid being insufficient. Reserved for consideration.

Trustee Pierce, appointed com: of one to confer with City Atty in regard to the matter of refunding the Bonded indebtedness of the City at a lower rate of interest.

On motion Board adjourned to Saturday, September 3d, 1881, at 10 o'clock A. M.
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of  
San Diego, Sept. 3d, 1881. 10 a. m.

Adjourned regular meeting. Roll called, except Trustee Jones President of the Board. On motion Trustee Pierce chosen President pro tem and takes the Chair. Whaley, Clerk.

Minutes of meeting Sept. 1st read and approved.

Bryant Howard, Treasurer of City of San Diego, through Trustee McCoy, reports that he has advertised for Proposals for the surrender and redemption of Bonds of the City of San Diego, as per the following advertisement in the San Diego Union:-

PROPOSALS  
FOR THE SURRENDER AND REDEMPTION OF BONDS OF THE CITY OF SAN DIEGO.  
Office of City Treasurer,  
San Diego, Cal., August 2nd, 1881)

NOTICE IS HEREBY GIVEN, that the undersigned is prepared to receive, at his office in the City of San Diego, sealed proposals for the surrender of a portion of the municipal bonds of said city, issued under and by virtue of Ordinance Number 22, and the Act of the Legislature entitled "An Act to Legalize Certain Bonds of the City of San Diego, and to Provide for the Payment of Interest thereon, and for the Payment of the Interest thereof," approved February 24, 1874, and that there is now in the City Treasury the sum of \$2988.12 applicable to the redemption of said bonds.

Said proposals must be accompanied by the bonds and will be opened publicly by me in the presence of the Board of Trustees of said City, on Saturday, the 3rd day of September, 1881, at 10 o'clock A. M.

Bryant Howard,  
Treasurer, City of San Diego.

and this being the day advertised for the opening of said proposals, reports to the Board that he has not received any proposals under said advertisement. Moved that the Treasurer of the City of San Diego proceed to redeem Bonds of the said City according to law. Carried.

Remonstrance against the Passage of an Ordinance against the burning of rubbish in the streets, read and placed on file. No action taken thereon, the ordinance referred to No. 72 having passed the Board, Aug. 30th 1881.

Resolved that the Bonded indebtedness of the City of San Diego, as it existed on

January 1st, 1880, which is still outstanding, shall be refunded up to and including Bond No. 145, at the option of this Board, as provided for in Section 4,445 of the Political Code of this State, and the Clerk of this Board is hereby instructed to prepare a form of a Bond in conformity to law suitable for the refunding of the Bonded indebtedness of this City, and to submit the same to this Board for its approval at its next meeting. Carried.

On motion the Board adjourned to Tuesday, Sept. 6th, 1881, at 1 o'clock p. m.  
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Sept. 6th 1881. 1 p. m.

Adjourned regular meeting. Roll Call. All the members of the Board present. Trustee Jones, President of the Board, in the chair. Whaley, Clerk.

Minutes of Regular meeting August 27th 1881, and of adjourned regular meeting September 3d 1881, read and approved.

Semi-annual report of Trustee S. P. Jones, President of the Board of Trustees of the City of San Diego, as required by law, was read, received and placed on file.

Finance Com: report bill of Thomas Whaley, City Clerk, for extra services \$75.00/100 allowing \$50.00/100 therefor. Report received. On motion the same is allowed for \$50.00/100 and warrant ordered drawn on general fund.

By Report of Treasurer it appearing that there is in the Bond Redemption Fund at the present time the sum of \$2,988.12, therefore, for the purpose of enabling the Treasurer to redeem \$3,000.00 of the Bonded indebtedness of the City, it is moved by this Board, that the Treasurer transfer, and he is hereby authorized to transfer from the Interest Fund to the Bond Redemption Fund the sum of \$11.88 $\frac{1}{2}$ . Carried. Bill of Jos. Coyne, Sheriff, fees in suit City San Diego, vs. L. Rose, \$3.40, read, allowed and warrant ordered drawn on general fund.

City Clerk reports from of a Bond to redeem the Bonded indebtedness of the City which is read. On motion the matter is referred to the City Attorney.

C. J. Fox, City Engineer asks for his information and guidance if the Board has yet passed an Ordinance Changing the grade of 6th St. Trustee McCoy answers that the papers in reference to this matter are in his hands as Chairman of the Street Com: and that he will produce the same next meeting.

On motion adjourned to Sept. 7, 1881. 1 p. m.  
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Sept. 7th 1881. 1 p. m.

Adjourned meeting of the Board of Trustees of the City of San Diego. Roll Called. All the members present except Trustee Slade. Trustee Jones, President of the Board in the Chair. Whaley, Clerk.

Trustee McCoy, Ch'm St. Com: reports concerning change of Grade 6th St. and returns papers relating thereto (without recommendation) for the consideration of the Board. Verbal report received & papers placed on file. Trustee Snyder of Street Com: reports in writing in reference to the same matter, adversely thereto, which report is read, received and placed on file. Further consideration of the matter is postponed.

The question of refunding the Bonded indebtedness of the City coming up, nothing done owing to the unavoidable absence of the City Atty.

Trustee McCoy, Ch'm of Com: on Streets reports back the Petition of Bridge at intersection of 14th & "K" Sts. Same placed on file.

Same Chairman returns report of Ed. L. Jones, Superintendant of Streets & highways

referred to Street Com: sometime ago, and gives it as his opinion that said Jones should be compelled to account more satisfactorily than he has done, and wishes the report of said Jones to be referred to City Atty to ascertain if the City has any redress against him. Which, on motion is done.

Petition of parties asking the Board to repair the road between Mission Grade & San Diego, read, received and placed on file.

The City Atty not yet having arrived to give his opinion in regard to the form of a Bond:- Moved that Trustee Jones be appointed Com: of One to confer with City Atty in regard to the form of a new City Bond and to report at next meeting. Carried.

On motion Board adjourned to Friday, Sept 9th 1881, at 10 o'clock A. M.  
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of  
San Diego, Sept. 9th 81, 10 a. m.

Board met. Roll Call. All present but Trustees Jones and Pierce.

Moved by Trustee Snyder & Seconded by Trustee McCoy to adjourn to 10 o'clock tomorrow morning September 10th, 1881. Carried.

Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of  
San Diego, Sept. 10th 81. 10 a. m.

Board met in adjourned regular meeting. Roll Called. All the members present but Slade. Trustee Jones, President of the Board in the Chair. Whaley, Clerk.

Minutes of adjourned meetings, September 6th, 7th & 9th, 1881, were read and approved.

President Jones, Special Com: appointed to confer with City Atty reports form of a Bond which is read and received. On motion the same is compared with the form prescribed by law and found to conform thereto, being substantially the same as reported by the Clerk of this Board, September 6th 1881.

Resolved that in Conformity with a Resolution passed by this Board at an adjourned regular meeting held September 3d, 1881; and the Clerk of this Board, having, as instructed in said resolution, reported to this Board the form of Bond in Conformity with an act passed by the Legislature of the State of California, approved March 4th 1881, which said form was submitted to the Atty of the City of San Diego, and approved by him, this Board now approves and adopts said form for the refunding of the Bonds, aforesaid, which said resolution, on motion is carried.

The Clerk is instructed to solicit Bids for the Printing or Lithographing of the Bonds and to report to this Board at its next meeting.

On motion the Board adjourned to Tuesday, September 20th 1881 at 1 p. m.  
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of  
San Diego, Sept. 20th, 1881. 1 p. m.

Board met in adjourned regular meeting. Roll Called. All the members present except Trustee Slade. Trustee Jones, President of the Board, in the Chair. Whaley, Clerk.

Trustee Jones, President of the Board, presents the following Memorial which was read and on motion approved:

September 20th 1881.

To my Colleagues, the Board of Trustees of the City of San Diego:

Sad news comes to us over the wires. A whole nation is in mourning, and that our dear beloved, over the recent death of our honored President. As we behold our City draped, and along our streets a downcast throng, it tells to us how dear to them was President Garfield.

I shall not attempt a Eulogy of the eminently good man, but leave that duty to those who knoen him personally. Mine only shall be the privilege to join at heart, though far away, in the last sad requiem.

A meeting of our Citizens is called to convene at the armory at 2 o'clock to-day "to concert some fitting method of giving public expression to their sorrow" on this occasion.

While our fellow citizens propose thus publicly to solemnize this sad event, it seems to me eminently fitting that we in memorial now adjourn, and that we repair in a body to that meeting as a token of our regards.

(Signed) S. P. Jones, President.

On motion the Board adjourned Sine die.

Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Sept. 24th 81. 1 p. m.

Regular monthly meeting of the Board of Trustees. Roll Call. All the members present. President Jones in the Chair. Whaley, Clerk.

Minutes of meetings Sept. 10th and 20th 1881, read and approved.

|                                                 |         |
|-------------------------------------------------|---------|
| Bill of T. Whaley, Clerk of the Board fof Sept. | \$25.00 |
| " of Will M. Smith, City Attorney for Sept.     | \$25.00 |

allowed and warrants ordered drawn on general fund for the respective amounts.

Bill of H. P. Koster for 20 galls Sluch to grease the hose of Fire Department \$13.50, referred to Finance Com:

Petition of G. W. B. McDonald, asking "to continue rail road track across the foot of 6th St. to enable him to take lumber to his yard," was read, and on motion referred to Street Committee.

The Board proceeded then to open bids for lithographing Bonds.

|                                  |  |               |
|----------------------------------|--|---------------|
| H. S. Crocker Co., San Francisco |  |               |
| 100 Black ink, one color         |  | \$165.)       |
| 100 " " and tint                 |  | 190.) Scrip   |
| Each additional 100 in Black     |  | 70.)          |
| " " 100 in Black & tint          |  | 90.)          |
| Geo. H. Baker, San Francisco     |  |               |
| 150 from Old Vignette            |  | \$100.) Coin  |
| 150 " New "                      |  | 150.)         |
| LeCount Bros.                    |  |               |
| 150 Bonds with Coupons           |  | \$192.) Scrip |
| 250 " " "                        |  | 210.)         |

Moved that 7% per annum be the rate of interest to be inserted in the New Bonds.

On calling the roll for the adoption of this motion each trustee answers in the affirmative. Moved that the Bonds be issued in the denomination of One Thousand Dollars, and to run for the term of Twenty years from January 1st, 1882. On calling the roll for the adoption of this motion each trustee answers in the affirmative.

Resolved that the Clerk of this Board be and he is hereby instructed to fill the blanks in the form of the Bond approved by this Board, in conformity with the foregoing resolutions, and to have one hundred Blank Bonds lithographed by Geo. H. Baker of San Francisco, from the old vignette of Bonds furnished by him in 1872, he being the lowest bidder as appears by the proposals opened this day. Carried.

On motion the Board then adjourned to Thursday, September 29th 1881, at 1 p. m.  
Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Sept. 29, 81, at 1 p. m.

Adjourned regular meeting. Roll Call. All present but trustee McCoy.

Minutes of meeting Sept 24th 1881, read and approved.

Trustee Snyder of Street Com: in the absence of Trustee McCoy, Chairman of said com:

reports in the matter of granting to G. W. B. McDonald the right to extend Rail Road track across 6th Street, that he is unable to make any report, the Chairman having all papers in relation thereto, and asks for further time which is allowed.

The Clerk submits the form of a Blank Bond and Coupon, for the purpose of lithographing and the same being satisfactory he is instructed to forward the same to Geo. H. Baker, San Francisco, to whom the lithographing of the Bonds and Coupons has been awarded.

On motion the Board adjourned to Monday, Oct. 3d, 1881, at 1 p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of
San Diego, Oct. 3d, 81. at 1 p. m.

Adjourned regular meeting. Roll called. All the members present but Trustee Pierce.

Minutes of meeting Sept. 29th read and approved.

Bill of John R. Porter, J. F. fees in suit City vs Maico Williams \$3.00 referred to finance committee.

Bill of John V. Mumford, rent of Engine House 4 mos. from June 1 to Oct 1, 1881 \$80.00 allowed and warrant ordered drawn on gen'l fund.

Fire Com: ask for further time to report which is granted.

Clerk is instructed to write to Cook & Ellis, and other dealers in S. F. for bids to furnish from 150 to 250 feet, 3½ inch leather hose, in sections of 50 feet with couplings and to report as early as possible.

Street Com: report Petition of G. W. B. McDonald, without recommendation and on motion the matter is postponed for future action.

Same Com: complain of the condition of the sewer at the foot of 3d St. President of the Board states having spoken to J. W. Thompson agent of owners of the Horton House, and he had promised to have the same fixed without the Board taking any action.

The Clerk reports having received this day, October 3d, from M. D. Hamilton, City Assessor, the City Assessment Roll for the fiscal year ending December 31st, 1881, as ordered by resolution of this Board August 6th 1881.

Resolved that we do hereby appoint Trustees Slade, Snyder and McCoy, being members of the Board of Trustees of the City of San Diego, a Committee who shall sit as a Board of Equalization to hear and determine complaints respecting the valuation of property as fixed by the Assessor for the year 1881: and the Clerk is hereby authorized and directed to give notice by publication of at least ten days that said Committee will sit as such Board of Equalization at the Court House in the City and County of San Diego, Cal. from 10 o'clock a. m. Monday Oct. 17th, 1881 and continue in session from day to day to hear and determine complaints as to such assessment and to equalize the same until the work of said Board of Equalization is concluded.

Which said Resolution, on motion was adopted and ordered spread upon the minutes.

The Clerk is instructed to publish a notice the same as last year making the dates to conform with the requirements of this.

BOARD OF EQUALIZATION

NOTICE IS HEREBY GIVEN, that the Board of Trustees of the City of San Diego will convene as a BOARD OF EQUALIZATION on Monday, October 17th, 1881, at 10 o'clock a. m., to equalize the City Assessment for the year 1881, and that said Board will continue in session from day to day until the said business is all disposed of.

San Diego, October 3d, 1881.

Thomas Whaley,

City Clerk.

C. J. Fox, City Engineer, informs the Board that H. E. Cooper, Atty of California

Southern R. R. Co. has been empowered by Thos. Nicherson the President of the Company to join with the City in a partition deed of Pueblo Lot No. 1168 in which the City is interested to the extent of some 8 or 9 acres. Clerk is instructed to ascertain from the City Attorney what, if anything, has been done in the Courts in regard to the matter & to report.

C. J. Fox, Esq. request the Board to take some action in establishing the grade on 6th St. between F and H Streets.

Trustee Pierce here takes his seat in the Board.

Present, E. W. Morse and J. S. Gordon who address the board, advocating the change of grade on 6th St. between F and H Streets.

Charter Ordinance No. 74, New Charter, was then read Changing Grade of 6th St. between F and H Streets. On calling the roll for its adoption:-

Trustee McCoy	answers	aye.
" Slade	"	aye.
" Pierce	"	aye.
" Snyder	"	no.
" Jones	"	aye.

The President of the Board declares that the Ordinance No. 74, as read by the Clerk, having four votes in the affirmative, passed and approved, and the same ordered published, which is in words and figures, following, to-wit:

CHARTER ORDINANCE NO. 74.
(NEW CHARTER)
Changing Grade of Sixth and G Streets.

74

The City of San Diego, By and through its Board of Trustees, ordains as follows:

SECTION 1. The grade at the crossing of Sixth street and G street is hereby changed and is raised to eighteen inches above that now fixed and established, and shall run on an even grade from such elevated grade to the old grade at the crossing of F street and H street with said Sixth street as heretofore established, and the Grade of G street is changed to run from said elevated grade hereby established to the old grade at the crossing of Fifth street and Seventh street with said G street on an even grade.

SEC. 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the third day of October, A. D. 1881.

(SEAL) ATTEST: Thomas Whaley, City Clerk. S. P. Jones, President.

There being no more business for the transaction of the Board on motion the Board adjourned sine die.

Thos. Whaley, Clerk. President.

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Office of the Board of Trustees of the City of San Diego, Oct. 29th, 1881. 1 p. m.

Regular meeting. Roll call. All members present except Trustees McCoy and Pierce. Trustee Jones, President, in the Chair. Whaley, Clerk.

Minutes of Meeting October 3d, 81 read and approved.

Under Suspension of the rules, J. V. Mumford presents petition, numerously signed, asking for his appointment as Superintendant of Streets and Highways, which is read. It appearing that Ed: L. Jones, occupying said position, had sent his resignation to the Board some time ago, and after reading ordinance No. 63, New Charter;

Resolved that the resignation of Ed: L. Jones, tendered this Board the \_\_\_ day of \_\_\_\_\_ 1881, be accepted, and that J. V. Mumford be, and he is hereby appointed by this Board to fill the vacancy thereby occasioned, as prayed for in the Petition just read, and to act in conformity with Ordinance No. 63, New Charter, passed Jany. 17th 1881. On calling the roll all members present, answer aye and the said resolution is declared carried. The petition is ordered placed on file.

Bill D. M. Hamilton, City Assessor for making City Assessment Roll for fiscal year ending Dec. 31, 1881 is allowed and warrant ordered drawn on general fund for \$300.00/100.

|                                                 |        |
|-------------------------------------------------|--------|
| Bill D. M. Hamilton, expressage & elastic banks | \$2.93 |
| " Thos. Whaley, Clerk of Board for October      | 25.00  |
| " Will M. Smith, City Atty for July & Oct.      | 50.00  |

were allowed and warrants ordered drawn on gen'l fund.

Bill J. J. Julian, printing delinquent list 1880 &c \$76.50 referred to finance committee.

Trustee Slade, Chairman of the Board of Equalization, reports having finished their labors and turned the Assessment Roll over to the Clerk for computation. Report received.

The following bills allowed the Board and their Clerk for services from Oct. 17th to Oct. 22nd six days each at \$3.00 per day:-

Samuel Slate \$18.00, John H. Snyder \$18.00, James McCoy, \$18.00 and T. G. Gattaile, Clerk \$18.00, and warrants were ordered drawn upon the general fund.

Petition of G. R. Dunham read asking for the adoption of some system of numbering houses of the Streets of the City. Referred to Street Committee.

|                                                                    |                 |
|--------------------------------------------------------------------|-----------------|
| Report of James Russell, Constable, read, impounding stray cattle, |                 |
| Amount received                                                    | \$102.50        |
| Expenses attending the same,                                       | 64.25           |
| Balance, paid Treasurer, as per his receipt                        | <u>\$ 37.25</u> |

Bill of James Russell, Constable, attending cases in suits brought under City Ordinances, for Costs, \$31.20. Referred to Finance Committee.

Report of Bryant Howard, City Treasurer, for Oct. 1st, 1881. Showing as follows:-

|                      |            |
|----------------------|------------|
| Balance General Fund | \$1,199.26 |
| " Road "             | 6.69       |
| " Interest "         | 1,803.99   |
| " Sinking "          | 2,000.00   |

Referred to Finance Committee.

Report of P. Koster, Chief Engineer of Fire Dept. showing apparatus to be in good order, that the Dept. requires more hose and that there was during the year ending Sept. 1, 1881, but one fire occasioning but trifling damage. Report ordered filed.

Several Bids for furnishing leather hose were opened and read, which were laid over till another meeting.

Communication from City Atty, in answer to enquiries made by the City Clerk, under instruction of the Board, in regard to partition of Pueblo Lot No. 1168, in which the City has some interest to the extent of 8 or 9 acres, to the effect that whenever a deed is prepared and in proper form, he will present the same to the Board. Ordered on file.

Moved that T. J. Arnold Esq. be allowed to place any surplus dirt from his well at intersection of "A" and 12th Streets, under and subject to the direction of Street Committee. Carried.

City Clerk reports that he will have computed the City Assessment Roll for the present year, and have the same ready for the action of the Board, Saturday, November the 5th next.

There being no further business, on motion, the Board of Trustees adjourns to Saturday, November the 5th, 1881 at 1 o'clock P. M.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of
San Diego, November 5, 81. 1 p. m.

Regular adjourned meeting. Roll Call. All the members of the Board present but Trustee McCoy. Trustee Jones, President of the Board, in the Chair. Whaley, Clerk.

Minutes of Regular meeting Oct. 29th 1881 read and approved.

Finance Com: report favorably on bill of J. M. Julian publishing Del: Tax list for 1880 &c.

\$76.50

Bill of H. Koster for sluch for Fire Dept. 20.62
" of J. R. Porter, J. P. for costs in suit vs M. Williams 3.00

which were allowed and warrants ordered drawn on the general fund for the respective amounts.

Clerk reports having computed the Assessment Roll for 1881, showing total amount Property within City limits subject to taxation \$1,937,377.00.

Moved that when we do adjourn we adjourn to Tuesday, November 8th 1881, at 1 o'clock p. m.

Moved that the matter of tax levy be laid over till next meeting.

P. Koster, Chief of Fire Dept. asks the Board to accept his resignation. Laid over till next meeting.

Petition of M. Washburn and W. W. Collier, for temporary occupancy of street at the foot of 8th and "N" Street read, and on motion the same is granted under supervision of Street Committee.

The Board then adjourned as above.

Thos. Whaley, Clerk. President.

Office of the Board of Trustees of the City of San Diego, Nov. 8th 1881. 1 p. m.

Adjourned regular meeting. Roll call. All the members present except Trustee McCoy. President Jones in the chair. Whaley, Clerk.

Minutes of adjourned regular meeting Nov. 5th, 1881, read and approved.

Messrs. Marston & Hamilton, on behalf of the Free Library and Reading Room address the Board favoring the levy of a tax for establishing and maintaining the same as asked for by Petition of Citizens.

Board take a recess for fifteen minutes.

After recess the Board again met.

The question of Tax Levy for the year 1881, coming up: It was moved that 50 cents on \$100.00 be levied, for the payment of interest on City's bonded indebtedness. Carried. Moved that 30 cents on \$100.00 be levied for General purposes. On calling the Roll, Trustee Slade, Snyder & Pierce vote aye. Trustee Jones votes No. President Jones declares the motion carried.

Further discussion or action on tax levy deferred.

Trustee Pierce gives notice that at the next meeting of the Board he will move to reconsider the action taken at this meeting in regard to tax levy.

On motion the Board adjourned to Wednesday, November 9th, 1881, at 1 o'clock p. m. Thos. Whaley, Clerk. President.

Office of the Board of Trustees of the City of San Diego, Nov. 9th 1881. 1 p. m.

Adjourned Regular meeting. Roll Call. All the members present but Trustee Snyder. Minutes of adjourned regular meeting Nov. 8th, 1881 read and approved.

Pending the reading of the same Trustee Snyder takes his seat.

Trustee Pierce in accordance with notice given at last meeting, moved to reconsider vote for Tax levy of 50 cents for Interest, and 30 cents for general purposes already passed by this Board. Carried. Trustee Snyder moved to levy 30 cents on \$100.00 for general purposes, Seconded by Trustee McCoy. Trustee McCoy moved to amend by striking out 30¢ and inserting 25¢ for general purposes. Seconded by Trustee Slade.

On calling the Roll on the amendment:
Trustee McCoy answers aye
" Slade " "
" Pierce " "
" Snyder "" no.
" Jones " aye

The motion as amended was then put:- Moved to levy 25¢ on \$100.00 for general purposes, with the following result:-

Trustee McCoy	answers	aye
" Slade	"	"
" Pierce	"	"
" Snyder	"	no
" Jones	"	aye

Moved and seconded that 55¢ on \$100.00 be raised for the payment of interest on Bonds. Carried.

Moved that 2½ cents on \$100.00 for the Redemption of Bonds. Carried.

Moved that 3½ Cents on \$100.00 for the Free Library Fund. Carried.

Charter Ordinance No. 75, New Charter, embracing the forgoing motions, Fixing the Rate of Tax Levy for Fiscal Year ending December 31st 1881 was then read, passed and approved, in words and figures as follows, to-wit:

CHARTER ORDINANCE NO. 75.
(NEW CHARTER)

The City of San Diego, by and through her Board of Trustees, ordains as follows:

SECTION 1. The following taxes are hereby levied on all the taxable property in the City for the fiscal year ending December 31st, 1881:

For general purposes, 25 cents on each \$100.

For Interest Fund, 55 cents on each \$100.

For Redemption Fund, 2½ cents on each \$100.

For Library Fund-- To establish a free Public Library and Reading Room under "An Act to establish free public libraries and reading rooms," approved April 26th, 1880, and amendments thereto, 3½ cents on each \$100.

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 9th day of November, A. D. 1881.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

Moved that a Committee consisting of Trustees Jones and Slade be appointed for the purpose of examining the draft of an Ordinance to provide for the Collection of City Taxes. Carried.

Moved that the minutes be read previous to adjournment of each meeting. Carried.

On motion the Board adjourned till Saturday, November 12th 1881, at 1 p. m.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, Nov. 12th, 81. 1 p. m.

Adjourned Regular meeting. Roll Call. All members present but Trustee McCoy.

Minutes of meeting November 9th 1881, read and approved.

Bill of Joseph Leonard J. P. for criminal costs in suits brought by City vs different parties \$18.00. Referred to Finance Committee.

Finance Committee return papers and report favorably on bill of James Russell, Constable, for fees in suits brought by City vs different parties \$31.20, which amount is allowed by the Board and warrant ordered drawn on General fund.

The Com: to whom was referred the draft of an Ordinance to provide for the Collection of City Taxes, at last meeting, ask for further time which is granted.

Moved that the Clerk be allowed to purchase the stationery necessary for his office. Carried.

Moved that City Attorney be instructed to draft an ordinance to be submitted to this Board at its next meeting authorizing the levying of a license upon the general business of the city for revenue purposes as in his opinion can be legally enforced and that Trustee Snyder be appointed a committee of One to confer with the City Attorney in reference thereto. Carried.

On motion the Board adjourned to Monday 21st 1881. at 1 p. m.

Thos. Whaley, Clerk

President.

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Office of the Board of Trustees of the City of  
San Diego, November 21, 1881. 1 p. m.

Adjourned regular meeting. Roll Call. All the members present except Trustee McCoy. S. P. Jones, President of the Board in the Chair. Whaley, Clerk.

Minutes of last adjourned meeting, Nov. 12, 1881, read and approved. Trustee McCoy takes his seat in the Board.

Finance Com: report back bill of Jos. Leonard, J. P. for costs in suits brought by the City against different parties for violation of Ordinances \$18.00 approved by the City Attorney, and themselves. Bill allowed and warrant ordered drawn on general fund for the amount.

The Com: to whom was referred the draft of an Ordinance to provide for the collection of City Taxes make their report. The draft of Ordinance is read. Levi Chase Esq., being present, is requested to give his opinion thereon, states his willingness to do so, provided the same is read section by section, though he came before the Board in regard to another matter which he will postpone for the present. He then, at length, gives his opinion in regard to the various sections of the contemplated ordinance. On motion the Committee is given further time to perfect draft of said ordinance which is referred back to them.

Levi Chase Esq. then presents to the Board the necessity of having a Passenger Depot at the foot of Spring Avenue. Mr. Thomas Nickerson, President of the California Southern Rail Road Company, having expressed his willingness to place one at that locality providing some advance is made by the City or its citizens for that object. He then referred to the pieces of land purchased by the City some years ago for the Texas & Pacific Railway Company, now held by C. S. Hamilton Esq. subject to the order and wishes of the Citizens of the City of San Diego, and advocated giving the same to the California Southern R. R. Company upon the express condition that they will establish and maintain a suitable Passenger Depot upon this land, stipulating that when no longer so occupied, the same shall revert to the citizens.

The following Resolution, offered by Trustee McCoy, and seconded by Trustee Slade was read:-

Resolved that Charles S. Hamilton Esq. be advised to convey to the California Southern Rail Road Company, the Blocks in the City of San Diego known as the Tremaine and Sumner Track, held by him under a deed from the Texas and Pacific Railway Company, upon conditions to be expressed in said deed, that said California Southern Rail Road Company shall erect, keep and maintain upon said property such passenger depots as may be necessary to accommodate the necessities of the people of this City.

Trustee Jones offers to amend the Resolution by inserting after the words, "California Southern Rail Road Company", in the first instance, the words "for a proper consideration in money." to which there is no second.

Trustee Snyder moved to defer the further consideration of the matter till Saturday next, the 26th inst. at 1 o'clock, and that the citizens be invited to attend.

On motion the Board then adjourned sine die, Saturday next being the day for the regular meeting of the Board.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, Nov. 26th 1881, 1 p. m.

Regular meeting of the Board of Trustees. Roll Call. All the members present.

Minutes of Meeting, Nov. 21, 1881 read and approved.

Finance Com: have no bills in hand therefore no report to make.

Bills of City City Clerk and City Attorney for \$25.00 each, allowed and warrants ordered drawn on the general fund.

Trustee McCoy of Street Com: reports that there is not proper attention paid to Ordinance regarding the keeping of the Streets clean and complains of nuisances arising from the exposure of putrid fish.

Trustee McCoy rises to a question of priveledge, and reads an article published in the "News," last evening reflecting upon his action as a member of this Board.

Moved to take a recess of half an hour that the Trustees may consult with the citizens, present, at the invitation given at the last session of this Board, in regard to the advisability of establishing a passenger depot at the foot of Spring Avenue.

The Board met after recess, the same members present.

Trustee Slade, Chairman of Com: having in charge the draft of an ordinance for the Collection of City Taxes, reports having only partially completed their labor thereon, and asks for further time which is granted.

Written opinion of City Atty. against the City passing an ordinance imposing a general license tax upon the business of the City, being, in his opinion, illegal. Ordered on file.

There being no further business, on motion the Board adjourned to Tuesday, November 29th 1881, at 1 p. m.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, Nov. 29th, 1881, 1 p. m.

Adjourned Regular Meeting of the Board of Trustees. Roll Call. All the members present except Trustee Pierce.

|                                                 |         |
|-------------------------------------------------|---------|
| Bill San Diego Union for advertising & printing | \$33.74 |
| " Arnold Schneider for Stationery               | 15.57   |

Under Suspension of the Rule, were allowed, and warrants ordered drawn upon the General Fund for the respective amounts.

Charter Ordinance No. 76, New Charter, "To Provide for the Collection of City Taxes", was then read, passed and approved in words and figures, as follows, to-wit:-

CHARTER ORDINANCE NO. 76.  
(New Charter.)

To Provide for the Collection of City Taxes.

The City of San Diego, by and through its Board of Trustees, ordains as follows:

SECTION 1. As soon each year as the Board of Equalization shall have completed its work as provided in Section Ten, Sub-division Fifteen of the City Charter, the Assessment Books shall be delivered to the City Clerk, who must compute and enter in a separate money column in said books, the respective sums in dollars and cents of the taxes levied on the property therein, and must foot up the columns, showing the total assessed value of the property in said City as corrected and equalized by the Board of Equalization, and the total amount of the taxes assessed thereon.

SEC. 2. On or before the first Monday in December, he must deliver said Assessment Book, so footed up and computed, to the Tax Collector of the City, with his affidavit thereto attached in effect as follows:

"County of San Diego,) ss.  
State of California.)

I, \_\_\_\_\_, Clerk of the City of San Diego, do swear that I received the annexed Assessment Book of said City for the fiscal year ending December 31st, A. D., (giving

the year); I have reckoned the respective sums due as taxes on the property listed herein for said year, according to the levy heretofore made by the Board of Trustees of said City, and have footed up the respective columns of valuations and taxes, as required by law, and that the annexed is a full and true computation of the same." Which affidavit must be signed by said Clerk, and sworn to before some officer authorized by law of this state to administer oaths.

SEC. 3. On delivery of said Assessment Book to said Tax Collector the Clerk shall charge said Tax Collector with the full amount of the taxes due on said Assessment Book, and must report said amount to the Board of Trustees at their next regular meeting.

SEC. 4. On or before the first Monday of February, after the receipt of said Assessment Book, said Tax Collector must publish a notice specifying:

1. That the City Taxes for the City of San Diego for the fiscal year A. D. (naming the year), are now due and payable.
2. The time and place when and where such taxes may be paid.
3. That all such taxes remaining unpaid at six o'clock P. M. on the first Monday of March following will become delinquent.

Said notice shall be signed by said Tax Collector, and shall be published two weeks; and all such taxes not paid on or before six o'clock P. M. of the said first Monday of March, shall become delinquent, and thereupon a penalty of five per centum on all such delinquent taxes shall be added and collected with such delinquent taxes.

SEC. 5. On the receipt of any taxes on said Assessment Book, the Tax Collector shall at once mark the word "paid" on said Book opposite the item of property paid on, and also the date of such payment, and must give to the person so paying, a receipt, specifying the amount of the assessment, and the tax paid, and description of the property paid on, which receipt shall bear date of the payment so made.

SEC. 6. On the first Monday of each month, while engaged in the collection of taxes, the Tax Collector must file with the City Treasurer his verified report, showing the amount of taxes and penalty collected by him since his last report, and also the whole amount so collected since the receipt of the Assessment Book, and at said time must pay said taxes and penalty, so collected since his last report, to the said City Treasurer, retaining his per centum for collecting the same, not exceeding three per centum on the amount collected, taking the Treasurer's receipt for the sum so paid in; which receipt he must at once file with the City Clerk, who shall then give the Tax Collector credit for the amount of said receipt, and also his per centum for collection, and shall at once charge the Treasurer with the amount named in his said receipt.

SEC. 7. On the third Monday in March the Tax Collector must deliver to the City Clerk a complete Delinquent List of all the persons and property then owing taxes on said Assessment Book, with a penalty of five per centum on said several amounts then due added thereto, and the Clerk must compare said Delinquent List with the Assessment Book, and when satisfied that it contains all taxes due and unpaid, he must foot up the total amount of taxes on said Delinquent List and credit the Tax Collector therewith, and make a final settlement with him for the taxes charged against him for that year, and, if not all accounted for, require of him an immediate account of the deficiency still due from him.

SEC. 8. After such settlement the Clerk must re-deliver said Delinquent List duly verified in substance as provided for verifying the Assessment Book to the Tax Collector and charge him with the amount of taxes and penalty due thereon as shown by the footings, which footings shall be made by the Clerk, like as provided for the Assessment Book.

SEC. 9. On or before the first Monday of April thereafter the Tax Collector must publish the Delinquent List, giving the names of the persons and the description of the

property delinquent and the amount of the taxes and penalty due therefrom opposite each name and description, with the amount due on personal property added to the amount due on real estate from the same person, to which he must append a notice that if the amount due is not paid, the real property on which such sums are a lien will be sold at public auction.

SEC. 10. Said publication must be made once a week for three successive weeks, in the newspaper having at that time a contract therefor with the Board of Trustees, if there is such a paper, and if there is no such contract then with any paper of the City the Board of Trustees may designate therefor. Such notice shall contain the time and place of such sale, which time shall not be less than twenty-one, nor more than twenty-eight days from the first publication; and the place must be in front of the building in which the Board of Trustees then hold their regular meetings, and in which they keep the City Records, naming specifically the building.

SEC. 11. As soon as such publication is completed the Tax Collector must file a copy thereof with the City Clerk, verified by his affidavit that it is a full, true and complete copy of such publication, the date of each appearance thereof, and the name of the paper in which such publication was made.

SEC. 12. After six o'clock P. M. on the first Monday in March the Collector must collect in addition to the taxes due, five per centum added thereto as penalty; and after he receives the delinquent list for collection on it, he must collect in addition to said taxes and five per cent. penalty, fifty cents on each lot, piece or tract of land separately assessed and on each assessment of personal property, one half of which shall go to the City and one half to the Tax Collector in full for preparing the Delinquent List.

SEC. 13. On the day fixed for the sale or such subsequent day to which he may have postponed it, of which he must give notice, the Tax Collector between the hours of ten o'clock A. M. and four o'clock P. M. must sell the property as advertised. He may postpone the day of sale from day to day, but such sale must be completed within three weeks from the time fixed in said original notice.

SEC. 14. Such sale shall be for the taxes, penalty and costs as above provided and shall be made to the person who will take the least part of said property advertised and pay the amount due thereon. On receiving from the purchaser the amount of taxes, penalty and costs as above provided, the Tax Collector shall make in duplicate a certificate, dated on the day of sale, stating when known, the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying when the purchaser will be entitled to a deed. Such certificate shall be signed by the Tax Collector, one copy delivered to the purchaser and the other filed in the office of the Recorder of San Diego County.

SEC. 15. In case there is no purchaser in good faith for any such property on the first day such property is offered for sale, it shall be offered again on some subsequent day of the sale, and if there is then no purchaser in good faith the said property and the whole amount thereof assessed, shall then be stuck off to the City as the purchaser and the duplicate certificate delivered to the City Treasurer, and filed by him in his office. If not redeemed within the year it shall be the duty of said Treasurer to demand from said Tax Collector a deed for said property to said City, who shall make and execute such deeds, without fee, the City furnishing blank deeds and paying for acknowledgment. When property is thus sold to the City, such fact must be indorsed on Delinquent List opposite the tax.

SEC. 16. A redemption of the property sold may be made by the owner, or any party in interest, within twelve months from the date of the sale by paying to the purchaser or City Treasurer for the use of the purchaser the purchase-money and fifty per cent. thereon. It shall be the duty of the Clerk on presentation to him of the receipt of the purchaser or

City Treasurer for the amount of redemption, to mark the Assessment Book for the year for which the property was sold opposite the description of said property the word "redeemed," in red ink.

SEC. 17. If the property is not so redeemed within twelve months from the day of sale, the Tax Collector must, on request made of him by the purchaser or the holder of his certificate duly assigned in writing, the files in the County Recorder's office, and when the property is not marked redeemed must, on the payment to him by the holder of the certificate of a fee of two dollars and fifty cents, make to such holder a deed to the land described in said certificate, said deed reciting substantially the matters contained in said certificate, that the time for redemption of such property has expired, and no person has redeemed the same.

SEC. 18. The City Tax Collector, on or before the first Monday in May, must attend at the office of the City Clerk with the delinquent list, and the Clerk must then compare the list with the assessment of persons and property not marked paid on the Assessment Book; and when taxes have been paid must note the fact in the appropriate column of the Assessment Book, distinguishing payments by sale by adding to the word "paid," on said Assessment Book, the words "by sale." There must then be administered to the Tax Collector an oath which shall be written and subscribed on the Delinquent List; that all assessments in said list which have been paid have been so marked thereon, and when such payment has been by sale that that fact appears so endorsed on said List and when paid without sale that the date of such payment is so endorsed on said List. The Clerk must then foot up the Taxes remaining unpaid and such as are sold to the City on said Delinquent List and credit the Tax Collector with the amounts and then and there have a final settlement with him, and require of him the receipts of the Treasurer for the amount of Taxes and penalty collected by him, and also a separate receipt from the Treasurer for one half the costs collected by him, which amount shall be computed by footing up the number of lots, pieces or tracts of land separately assessed, and of each assessment of personal property, shown to be collected on, on the Delinquent List, and multiplying such footings by twenty-five which shall give the amount in dollars and cents for which the Tax Collector shall be chargeable as costs collected and for which he shall produce the Treasurer's receipt. The Treasurer shall be charged with the amounts of said receipts.

SEC. 19. When the Tax Collector makes to the Treasurer his monthly reports of collections made on the Delinquent List, he shall report under oath the amount of costs collected by him on said Lists, computed as in preceding section, and shall pay said sum to the Treasurer, who shall give him a separate receipt for the same and at once turn such costs into the general fund.

SEC. 20. The Board of Trustees may make the Clerk such allowance for his services herein, and the Tax Collector such allowance for making such sales and issuing said certificates of sale as shall be just and equitable.

SEC. 21. For a failure on the part of any of the officers named herein to perform any of the duties required by them, such officer so failing shall be liable to said City on his official bond for all damages, loss and detriment, together with a penalty of One Hundred Dollars, which amount may be recovered in the proper court at once on such default.

SEC. 22. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in force from and after its passage and publication

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 29th day of November, A. D., 1881.

(SEAL) ATTEST: Thos. Whaley, City Clerk.

S. P. Jones, President.

Communication from Will M. Smith, City Atty, directing the attention of the Board

to Acts of the State Legislature, at its last Session, page 54, making it obligatory upon the Board of City Trustees to obtain information from the San Diego Water Company to enable them to fix equitable water rates.

Charter Ordinance No. 77, New Charter, "To obtain data and information from the San Diego Water Company, by which this Board may be able to fix equitable and fair rates, that shall be charged and collected by said Company for water furnished by it," was then read, passed and approved in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 77  
(NEW CHARTER)

To obtain data and information from the San Diego Water Company by which this Board may be able to fix equitable and fair rates, that shall be charged and collected by said Company for water furnished by it.

The Board of Trustees of the City of San Diego, California, by and through the authority vested in it by the laws of this State, and more especially by the Act approved March 7th, 1881, entitled: "An Act to enable the Board of Supervisors, Town Council, Board of Aldermen, or other legislative body of any City and County, City or Town to obtain data and information from any corporation, company or person supplying water to such City and County, City or Town, requiring such Boards, Town Council or other legislative body to perform the duties prescribed by Section 1, of Article 14, of the Constitution, and prescribing penalties for the non-performance of such duties," do hereby ordain as follows:

SECTION 1. The San Diego Water Company, its President and Secretary, are hereby required, on or before the thirty-first day of January, A. D. 1882, to furnish the Board of Trustees of this City at the office of the City Clerk, a detailed statement, verified by the oath of the President and Secretary of said San Diego Water Company, showing the name of each water-rate payer to said Company during the year preceding the date of such statement, the place of residence of each of such water-rate payers, the amount paid said Company for water during said year by each of such water-rate payers; and also showing all revenue derived from all sources by said Company during said year, and an itemized statement of expenditures made by said Company during said time, for supplying water to said City and the inhabitants thereof.

SEC. 2. By virtue of Section 3 of said Act of the Legislature aforesaid, approved March the 7th, 1881, said San Diego Water Company and its President and Secretary are hereby required further to furnish this Board of Trustees at said time and place a further statement, also verified by said President and Secretary of said Water Company, showing in detail the amount of money actually expended annually by said Company since commencing business in the purchase, construction and maintenance respectively of the property necessary to the carrying on of its business, and also the gross cash receipts annually, since commencing business, from all sources.

SEC. 3. All Ordinance or parts of Ordinances in conflict with this Ordinance are hereby repealed, and this Ordinance shall be in force from and after its publication.

Passed and approved at an adjourned meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 29th day of November, A. D. 1881.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

Partition deed of Pueblo Lot number 1168, in which the City has an interest to the extent of some 8 of 9 acres, was submitted by C. J. Fox, City Engineer, the same having been approved by the City Attorney. The instrument was read at length, reciting fully the particular blocks and fraction blocks, according to the map and survey of South San Diego made by C. J. Fox, C. E.

Resolved, that the President of this Board, S. P. Jones, and the Clerk of this City Thomas Whaley, be, and they are hereby authorized to sign and acknowledge a sufficient deed of Partition of Pueblo Lot No. 1168, between the several owners of said Lot, and the Clerk

to affix the official Seal of said City to said Deed. Carried.

Thereupon the President of the Board, S. P. Jones, and the Clerk of the City, Thomas Whaley, signed the aforementioned partition deed, the Clerk affixing the official Seal of the City thereto, in the presence of the Board.

Charles J. Fox, City Engineer, presented bill for Survey and Map of land in Pueblo lot 1168, \$50.00. Referred to Finance Committee.

There being no further business, on motion, the Board adjourned sine die.  
Thos. Whaley, Clerk. President.

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SPECIAL MEETING.

Office of the Board of Trustees of the City of  
San Diego, Dec. 17th 1881, 1 p. m.

Board met pursuant to the following call:-

San Diego, December 16th, 1881.

A Special meeting of the Board of City Trustees is called for Saturday the 17th day of December, 1881, at 1 o'clock p. m. for the purpose of opening bids to furnish hose for the use of the fire department and to make such disposition of the matter as the Board may seem fit, also to draw a warrant for the payment of lithographing the bonds which are daily expected, also to authorize the City Treasurer to issue proposals for the sale of City bonds at 7 per cent per annum to refund those outstanding drawing 10% per annum, in part or for such portion as the Board of Trustees may determine upon, also to take action on the bill of C. J. Fox for \$50.00, presented at last meeting of the board, also, for the purpost to take steps to obtain the original map of Old Town.

(Signed) Sam'l Slade )  
James McCoy ) Trustees  
James M. Pierce )  
J. H. Snyder )

On calling the Roll, Trustees McCoy, Slade, Pierce and Snyder answered to their names. Trustee McCoy was chosen President pro tem of the Board in the absence of President Jones, and takes the Chair. Whaley, Clerk. Call of the meeting was then read.

Trustee Snyder of the Fire Department Committee presents a bid from the "Gutta Percha Manuf'g Co." addressed to Hamilton & Co. December 12th 1881, which is read, offering to furnish

|                        |      |               |
|------------------------|------|---------------|
| 4 ply extra hose at    | 1.80 | Scrip per ft. |
| 4 ply Standard hose at | 1.66 | Scrip per ft. |
| 3 " " " " "            | 1.44 | " " " "       |

Moved to purchase from said Company, 200 feet, 4 ply "Standard" and 100 feet 3 ply "Standard" hose in section of 50 feet with the necessary couplings, also 1 nozzle to fit the same. Carried.

Moved that a warrant for \$164.30/100 be drawn to the order of Thomas Whaley, City Clerk, upon the general fund for the payment of 100 Blank Bonds which are daily expected by Wells Fargo & Co. Express, to be paid for on delivery. The said bonds to be in conformity with the order given to George H. Baker, lithographer, for their execution. Carried.

Resolved that the City Treasurer be and he is hereby authorized and directed to advertise for bids for the purchase and exchange of Bonds of the City of San Diego, to the extent of \$80,000, Said advertisement to be in conformity with law and the former resolutions of this Board of Trustees passed in reference thereto. Which Resolution was carried.

On motion the Bill of C. J. Fox is laid over to the next regular meeting, as is also the further consideration of obtaining the Coutts map of Old Town & La Playa.

There being no further business, on motion, the Board adjourned.  
Thos. Whaley, City Clerk. President pro tem.

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Office of the Board of Trustees of the City of  
San Diego, Jany 3d 82, 1. p.m.

Adjourned Regular meeting. Roll Call. All present except Trustee Pierce.  
Minutes Dec. 31st 1881, read & approved.

Trustee Snyder, Chairman of Fire Com: reports having examined the hose and nozzle with a committee of the fire department, and having found the same satisfactory, had turned the same over to the Department. Report accepted:

|                                      |  |          |
|--------------------------------------|--|----------|
| Bill of C. S. Hamilton & Co. for     |  |          |
| 200 ft. 4 ply Standard hose @ \$1.66 |  | \$332.00 |
| 100 " 3 " " " " 1.44                 |  | 144.00   |
| 1 Nozzle                             |  | 21.50    |
|                                      |  | 9 .      |

Moved that a warrant be drawn upon the general fund favor of C. S. Hamilton & Co. in payment of above bill for \$497.50 carried.

Clerk reports having deposited 100 Blank Bonds with the Treasurer and having taken his receipt for the same. Ordered on file.

Clerk also reports having received from A. Pauly, Tax Collector, the Treasurer's receipt for \$3,063.94/100 making with his commissions, \$94.76/100, the total amount collected \$3158.70/100 to the credit of the Tax Collector. Ordered on file.

The following notice for the Refunding of City Bonds by the Treasurer ordered spread upon the minutes, as follows:-

CITY BOND NOTICE.

The Board of Trustees of the City of San Diego, County of San Diego, State of California, having at a regular session of said Board, on the 3d day of September, 1881, passed a resolution that the bonded indebtedness of the City of San Diego, as it existed on the first day of January, 1880, (which is still outstanding), shall be refunded up to and including Bond No. 145, at the option of the Board, as provided for in Section 4,445 of the Political Code of this State.

And said Board of Trustees having, at a subsequent meeting, further resolved to issue Bonds of the City of San Diego for said purpose, to the amount of Eighty Thousand Dollars, in sums of One Thousand Dollars each, having twenty years to run from the first day of January, 1882, and redeemable before that date at the pleasure of the City, bearing interest at the rate of seven per cent. per annum, payable semi-annually on the first day of July and the first day of January in each year. Said Bonds to be in form and substance in accordance with, and to be issued by and under the provisions of Chapter Six of Title Three of Part Four of the Political Code of California.

The Treasurer of the City of San Diego being authorized and directed to advertise for bids for the purchase of said Bonds or the exchange for them of the now outstanding City Bonds.

Notice is hereby given that the undersigned will, under the direction and subject to the approval of the Board of Trustees of said City, sell for gold coin, or exchange for legal Bond of said City which were outstanding on the first day of January, 1880, and which are still outstanding, up to and including Bond No. 145, with accrued interest, eighty thousand dollars in amount of said Bonds, each Bond dated January 1st, 1882, principal and interest payable in gold coin of the United States of America.

Said Bonds will be sold to the highest bidder; but in no case for a less sum than the face value of the Bonds, and all interest accrued on them at the date of such sale or exchange.

Sealed proposals for the purchase or exchange of any or all of said Bonds will be received by the undersigned at his office at the Consolidated Bank of San Diego, in the City of San Diego, County of San Diego, State of California, until 10 o'clock of January 28th, 1882.



Suit to the Supreme Court, upon a point affecting the authenticity of said map and field notes, and said Supreme Court sustains the decision of said Superior Court, then the said Bryant Howard shall deliver the said warrant for \$500. to the executrix of the estate of Cave J. Coutts, dec'd, upon delivery of said original map and field notes to the City Clerk, otherwise said warrant for \$500.00/100 shall be returned to this Board.

|                         |               |       |     |
|-------------------------|---------------|-------|-----|
| Upon calling the Roll:- | Trustee McCoy | votes | aye |
|                         | " Slade       | "     | aye |
|                         | " Pierce      | "     | aye |
|                         | " Snyder      | "     | no  |
|                         | " Jones       | "     | aye |

The passage of the Resolution is declared carried.

Moved that the matter of obtaining the map and field notes be referred to Trustee McCoy & the City Attorney. Carried.

On motion the Board adjourned to January 10th 1882 at 2 p. m.

Thos. Whaley, Clerk

President.

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Office of the Board of Trustees of the City of San Diego, Jany 10th 82. 2 p. m.

Adjourned regular meeting of the Board. Roll Called. All the members present except Trustees Pierce and Snyder. Jones, president of the Board in the Chair. Whaley, Clerk.

Clerk reports having made an official copy of the Resolution passed on the 9th inst. in reference to obtaining the original Coutts' map, and having presented the same to Bryant Howard, together with Warrant No. 1498 for \$500.00/100 payable to the order of the Executrix of the Estate of Cave J. Coutts, dec'd, taking his receipt for the same which is read and ordered on file.

Trustee McCoy, Committee having the matter of procuring map and field notes of Old Town and La Playa in charge, reports that the Suit of City of San Diego vs Louis Rose had been dismissed in the Superior Court of San Diego County, without prejudice to the City's interest, for the reason that five hundred dollars gold coin was not forthcoming to procure the original map now with the Estate of Cave J. Coutts dec'd, which said map was to have been used in the case.

Trustee Snyder here takes his seat in the Board, and shortly afterwards Trustee Pierce does the same.

Report of McCoy received, put on file & Committee discharged.

On motion Clerk is instructed to procure Warrant No. 1498 for \$500.00/100 from Bryant Howard, and present the same at next meeting of the Board.

On motion Board adjourned, Sine die.

Thos. Whaley, Clerk.

President

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SPECIAL MEETING.

Office of the Board of Trustees of the City of San Diego, Jany 16th 1882, 10 a. m.

The Board met pursuant to the following call:

A special meeting of the Board of Trustees of the City of San Diego, San Diego, California, is hereby called to convene at the Court House on Monday the Sixteenth day of January, at 10 o'clock A. M. to take measures relative to a proper disposition of road funds from this County due the San Diego Road District, San Diego, January 16th 1882.

|               |         |
|---------------|---------|
| S. P. Jones,  | Trustee |
| J. M. Pierce, | Trustee |
| J. H. Snyder, | Trustee |
| Sam'l Slade,  | Trustee |

On calling the Roll the following Trustees answered to their names. Jones, Snyder,

Slade and Pierce. Trustee McCoy, absent. President Jones in the Chair. Whaley, Clerk.

Trustee Pierce explains that according to law each road district is entitled to 80% of the amount paid into the road fund, and thinks the Board should take action to secure the amount due to the San Diego Road District, the Board of Supervisors being willing to do what is right in the matter.

The Board take a recess till 1 1/2 P. M.

The Board met after recess, the organization being the same as at the morning session.

The Board resolved itself into a Committee of the Whole. The Committee of the Whole report to the Board.

On motion the Matter of the San Diego Road District fund was referred to the City Atty for a written opinion to be presented at the next meeting of the Board.

On motion the Board adjourned to tomorrow, Tuesday morning, the 17th day of January 1882 at 10 1/2 o'clock, A. M.

The Board met, with the same organization as yesterday, at 10 1/2 o'clock A. M. on the 17th day of January, 1882, to consider the written opinion of the City Atty in the matter of procuring the Road Fund for the S. D. Road District.

It appearing from the reading of the opinion that the matter is more properly under the supervision of the Board of Supervisors, on motion the further consideration of the matter is indefinitely postponed.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, January 28, 1882. 1 p. m.

Regular meeting. Roll Call. All the Trustees present except Trustee Slade & Snyder. Minutes of meetings Jany. 9th & 10th read & approved.

Trustee Snyder takes his seat in the Board.

Finance Com: report favorably on bill of Henry Cook, constable fees for \$5.40 which is allowed and warrant ordered drawn.

Bill Thos. Whaley for \$175.00 for computing Assessment Roll for 1881 reported back for the action of the Board. Laid over till all the members of the Board are present.

Quarterly Reports of Bryant Howard, City Treasurer for March, June, Sept. and Dec. examined by finance Com: and found correct, but as President Jones specially appointed by the Board to examine these reports, and had not done so, at his request, they were referred back to the Committee, to give him the opportunity to do so.

Under Suspension of the Rules the following Bills were read; in Suit, The City of San Diego vs Louis Rose:-

|                |         |
|----------------|---------|
| Cave J. Coutts | \$32.40 |
| James McCoy    | 8.80    |
| E. A. Wall     | 8.00    |
| Thos. Whaley   | 8.00    |
| Jack Stewart   | 7.20    |

Trustee Slade takes his seat in the Board.

Here, Bryant Howard, City Treasurer, reports having advertised for Proposals for the Purchase or Exchange of Bonds of the City, without receiving any bids, for the reason, as he understands that objections have been made to the manner of their issuance, being by resolution instead of by published ordinance. Consideration of the matter postponed for the present.

On motion the bills taken up and read, under suspension of the rules, were referred to the finance committee.

Daniel Cleveland Esq. presents a petition of Real Estate owners on 6th Street for the construction of a sidewalk on said street between the cross streets "E" and "J", and

refers the Board to the Law governing them when a majority of the property owners ask for the construction of a Sidewalk, as in the present instance. M. J. Higgins asks for the reading of the names of the owners signing the petition in Blocks No. 112 & No. 113, showing only 225 ft. and further asks that the street between "K" and "J" streets crossing be relieved from the operation of the Petition. Mr. Cleveland takes the contrary view basing his opinion upon the law. On motion Petition referred to Street Com: with instruction to confer with City Attorney and report at next meeting.

|                                  |         |
|----------------------------------|---------|
| Bill of Thos. Whaley, City Clerk | \$25.00 |
| " " Will M. Smith, " Atty        | 25.00   |

for Salary for January, allowed and warrants ordered drawn on general fund.

|                                                |        |
|------------------------------------------------|--------|
| Bill Hamilton & Co. for Nozzle for engine co.  | \$3.00 |
| " "The Sun" for advertising                    | 28.00  |
| " S. Statler, Clerk's Costs, Suit City vs Rose | 15.40  |

Referred to Finance Committee.

Petition of Washburn & Co. for Boat House at foot "D" St. read and granted as asked for, "to vacate the same at any time the Board requests them to do so."

The Clerk informs the Board having obtained from Bryant Howard, City Treasurer, warrant No. 1498 for \$500.00/100 drawn to the order of the Executrix of Cave J. Coutts deceased, deposited with him in escrow for the purchase of the original map and field notes of Old Town and La Playa. On motion the same is ordered to be consumed by fire, which is accordingly done by the Clerk in the presence of the Board.

John V. Mumford, road overseer, represents that sidewalk N. E. Corner of 5th and D Streets fronting property owned by McCormick, also that in front of Herman's and Mrs. Evans' building in Block 122, are above the grade and asks that the same be lowered to conform with the grade. Referred to Street Committee.

Moved that the Road Overseer be instructed to see that the side walks already laid in the City be kept in good repair. Carried.

Trustee Snyder of the Fire Com: represents that the City Hose requires looking after. On motion J. V. Mumford is appointed Janitor of Engine Company No. 1, to take care of and to keep in proper condition the hose and other property belonging to the S. D. Fire Department, at ten (10) Dollars for the first month and \$5.00 thereafter during the pleasure of this Board.

The matter of paying the road poll tax of members of Engine Company No. 1, by the City referred to Fire Committee.

John Herrandner, being present, complains of obstructions of piles of lumber at the foot of 6th St. caused by G. W. B. McDonald and asks that said obstruction be removed. Referred to Street Committee together with Road Overseer.

Moved that the matter of informality, if any, in regard to advertising for Proposals for the Purchase or Exchange of Bonds of the City, be referred to Finance Committee to confer with City Atty. Carried.

Bids for painting Bell Tower;-

|               |         |
|---------------|---------|
| J. V. Mumford | \$37.00 |
| D. F. Jones   | 27.00   |
| E. A. Grant   | 27.00   |
| H. C. Wyman   | 30.00   |
| K. J. Ware    | 23.00   |
| Mills & Smith | 23.00   |
| J. W. Baxter  | 15.00   |

Referred to Finance Com:-

Resignation of P. Koster, Chief Engineer of the San Diego Fire Department, tendered to the Board of Trustees, Nov. 4, 1881, read at a meeting of the Board Nov. 5, 1881, and laid over to the next meeting, (upon which no action was taken,) being called up, at the present time, on motion, the said resignation is hereby accepted and ordered filed.

Notice from the Board of Delegates of San Diego Engine company No 1, duly elected

by said Company, and qualified that at a meeting held by them on the 27th day of January 1882, Ed Gregory was unanimously elected Chief Engineer of the San Diego Fire Department, and recommended said Ed: Gregory to the Board for appointment to said position. Certificate ordered on file.

Moved that the City Clerk cast the concurring vote of this Board ratifying the action of the Delegates of the San Diego Fire Department in casting their vote for the election of Ed Gregory as the Chief Engineer of the Fire Department of the City of San Diego, for the unexpired term, caused by the resignation of P. Koster, the former Chief. Carried. Which said motion was carried into effect and Ed Gregory was declared the duly elected Chief of the Fire Department of the City of San Diego, for the unexpired term ending September 14th, 1882.

Report of S. D. Water Company made in Conformity with Ordinance No. 77, New Charter, laid over to next adjourned meeting.

On motion the Board then adjourned to Wednesday, February 1st, 1882, at 1 p. m.  
Thos. Whaley, Clerk. President

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Office of the Board of Trustees of the City of  
San Diego, Feby. 1st, 1882. 1 o'clock p. m.

Adjourned regular meeting. Roll Call. All the members of the Board present except Trustee Slade. President Jones in the Chair. Whaley, Clerk.

Reading of minutes dispensed with.

Finance Com: report favorably on bills E. A. Wall, witness fees, City vs Rose \$8.00  
Jack Stewart " " " " 7.20

Bills allowed and warrants ordered drawn on general fund for the respective amounts.

Bill Thos. Hogue for Services as nurse at Small Pox Hospital for Jany. 21 to Jany. 31, 82- 11 days at \$6.00 per day \$66.00. Certified to by C. M. Fenn, M. D., Health Officer February 1st, 1882.

Trustee Slade takes his seat in the Board.

Bill Thos. Hogue referred to City Atty for his opinion as to the City's responsibility in the matter of incurring this and other attending expenses.

Moved that when we do adjourn it be to February 6th 1882 at 1 p. m. Carried.

Trustee Snyder of Fire Com: reports upon the Bids for Painting Bell Tower.

J. K. Ware \$23.00  
Mills & Smith 23.00

There being a tie bid, it was decided by lot, and on motion the Painting of the Bell Tower is awarded to Mills & Smith.

Report of San Diego Water Company came up for examination. Ordered received & placed on file.

Snyder of Street Com: reports upon grade of Sidewalk fronting property belonging to McCormick, corner of D and 5th St. Clerk is instructed to notify the agent of the property in writing, that 30 days will be allowed to put said sidewalk to the street grade.

On motion the Board adjourned to the time specified above, February 6th 1882, at 1 p.m.  
Thos. Whaley, Clerk President.

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Office of the Board of Trustees of the City of  
San Diego, Feby. 6th, 82. 1 p. m.

Adjourned regular meeting. Roll Call. All present except Trustee McCoy.

Minutes of Special meeting, Jany 16th and adjourned special meeting Jany 17, also of regular meeting Jany 28th and adjourned regular meeting Feby 1st were read and approved.

Trustee Jones represents that the open well on lot "J", Block 125, Horton's Addition,

as a nuisance, and thinks that the same should be abated. On motion the Clerk is instructed to notify the owner or owners or agent of Lot J, Block 125, Horton's Addition to abate the nuisance complained of, within five days from date of notice, otherwise action will be taken to abate the same as provided for in Ordinance No. 62, New Charter.

Moved that the Board of Health give notice or take such steps as may be necessary under the law, to abate the nuisance at the Ocean House, caused by the flow of stagnant water &c in and around said premises, to the detriment of the surrounding property, and the health of citizens generally. Carried.

Finance Committee report favorably on the following bills in suit, City San Diego

|              |                                        |       |
|--------------|----------------------------------------|-------|
| vs. L. Rose. | James McCoy                            | 8.80  |
|              | S. Statler                             | 10.85 |
|              | Cave J. Coutts                         | 24.00 |
|              | Clerk's memo. of Costs & Disbursements | 79.40 |

Bills received, placed on file, subject to action of Board at an early day.

Bill of Hamilton & Co. for 1 Hose Nozzle \$3.00 allowed and warrant ordered drawn on General fund.

Opinion of Will M. Smith, City Atty, as to whether the Case of patient in Small pox hospital was a charge against this City or against the County, says that:-

"If the patient is as is claimed, one of the indigent sick of the County, his case is a County Charge, without any regard to what is his disease." Received and ordered on file.

In the matter of informality, if any, in regard to advertising for the purchase or exchange of City Bonds, finance committee are allowed further time, as asked for.

Receipt of Bryant Howard, City Treasurer, for \$1493.83  
 Less Collectors Commissions 44.81  
 Amt paid by Tax Collector to City Treasurer \$ 44 .  
 Dated Feby 6th, 1882.  
 Ordered filed.

Report of S. D. Water Company referred to Street Committee.

On motion Board adjourned to Saturday, Feby 11, 82. 1 p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, Feby. 11th, 1882. 1 p. m.

Board met, adjourned Regular meeting. Roll Call. All the members of the Board present. President Jones in the Chair. Whaley, Clerk.

Finance Com: return, approved, Treasurer's quarterly reports for March, June, October and December. Received and ordered on file.

Redeemed Bond for \$1,000. Coupons and warrants accompanying the same, received and ordered placed in the archives of the City.

Street Com: report water rates as asked for by S. D. Water Company. Received and placed on file.

Trustee Slade, Com: on informality of issue in Bonds reports an ordinance to remedy the difficulty. Report of Com: received.

Charter Ordinance No. 78, New Charter, To refund outstanding indebtedness of the City due and owing January 1st, A. D. 1880, was read, and adopted, in words and figures following, to-wit:-

CHARTER ORDINANCE NO. 78.  
(NEW CHARTER.)

To Refund Outstanding Indebtedness of the City due and owing January 1st, A. D., 1880, as provided for in Section 4,445 of the Political Code of the State of California.

THE CITY OF SAN DIEGO, by and through its Board of Trustees, ordains as follows:

SECTION 1. The Bonded Indebtedness of the City of San Diego, State of California,

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as it existed on January 1st, 1880, which is still outstanding, is hereby refunded up to and including Bond No. 145, now outstanding; in all respects as provided for in Section 4,445 of the Political Code of this State, as amended March 4th, 1881; and the Clerk of this Board is hereby directed to provide blank Bonds in the sum of \$1,000 each, to run for twenty years from January 1st, 1882, with interest at 7 per cent per annum, payable semi-annually, on the first of July and January of each year, principal and interest to be paid in gold coin, and to be redeemable before maturity at the option of said City; and in form in all respects as prescribed in said Section 4,445 of the Political Code.

SEC. 2. The undersigned members of said Board of Trustees, being more than two-thirds of all the members of said Board, deem it for the public interest to refund said indebtedness and issue Bonds of the City therefor; and hence hereby refund the same as above set out.

SEC. 3. This Ordinance shall be in effect from and after its passage.

Passed and approved by the following vote of the Board this February 11th, A. D. 1882, to-wit: Affirmative-- Trustee James McCoy, First Ward; Trustee Samuel Slade, Second Ward; Trustee Jas. M. Pierce, Third Ward; Trustee John H. Snyder, Fourth Ward; and Trustee S. P. Jones, Fifth Ward. Negative, none. Absent and not voting, none.

(SEAL) ATTEST: Thomas Whaley, City Clerk

S. P. Jones, President.

Ordered Published 5 times, and the Clerk instructed to notify treasurer to advertise for proposals, according to law and resolution of this Board, passed Sept. 3d 1881, and Ordinance No. 78, just passed, for the Purchase or Exchange of City Bonds.

Other matters relating to said Bonds referred back to Committee with power to confer with City Atty.

Committee, representing Chamber of Commerce of the City of San Diego, ask the Board of Trustees to sign a memorial (which is read) to the Senate and House of Representatives of the United States in Congress Assembled, to restore the lands granted under acts of Congress, to the Texas & Pacific Rail Way Company, so far as it relates to the County of San Diego, again to the public domain. On motion the same is granted and the President of the Board is authorized to sign the same, and the Clerk to affix the City Seal thereto.

Charter Ordinance No. 79, New Charter, to amend Charter Ordinance No. 76, New Charter was read and adopted in words and figures following, to-wit:

CHARTER ORDINANCE NO. 79.

(NEW CHARTER)

To Amend Charter Ordinance No. 76, New Charter.

The City of San Diego, by and through its Board of Trustees, ordains as follows:

SECTION 1. That Section 17 of Charter Ordinance No. 76, New Charter, entitled, "To provide for the collection of City Taxes," passed and approved on the 29th day of November A. D. 1881, be, and the same is hereby amended so as to read as follows:

Sec. 17. If the property is not so redeemed within twelve months from the day of sale, the Tax Collector must, on request made to him by the purchaser, or the holder of the purchaser's certificate, duly assigned in writing, examine the files in the County Recorder's office, and when the property is not marked redeemed, must, on the payment to him by the holder of said certificate, of a fee of two dollars and fifty cents, make to such holder a deed to the land described in said certificate, said deed reciting substantially the matters contained in said certificate; that time for redemption of such property has expired, and no person has redeemed the same.

Passed and approved at an adjourned regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 11th day of February, A. D. 1882.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

Mumford, Road Overseer, represents that the Privy of McCrane is situated in the street. He also asks the Board to examine into road crossing from 18th St. to City Park.

Both of these matters referred to Street Committee.

C. S. Hamilton presents Petition, numberously signed, asking the Board to reduce the price of Gas to consumers to \$3.50 per one thousand feet. Referred to Special Committee, Trustee Jones, with right to confer with City Atty to examine into the matter.

C. S. Hamilton represents to the Board that the S. D. Water Company charge too much for water by the gallon, when regulated by meter, the price being \$1.50 per thousand gallons, and 40 cents per month for the use of the meter,-- thinks that the Company should not charge over \$1.00 per 1000 gallons, and nothing for the use of meter.

Moved that when we do adjourn, it be to Saturday the 18th day of February, 1882, at 1 o'clock p. m. and that at that time, parties interested in gas and water, be present and given an opportunity to express their views thereon. Carried.

Bill of City Clerk computing Ass. Roll for 1881 \$175.00 allowed for \$125.00 and warrant ordered drawn on General fund.

On motion the Board then adjourned as above.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, Febry 18, '82. 1 p. m.

Adjourned regular meeting. Roll Call. All the members present. Pres't Jones in the Chair. Whaley, Clerk.

|                                                        |        |
|--------------------------------------------------------|--------|
| Bills S. D. Engine Company, Cleaning and Blushing Hose | \$7.50 |
| and Miller & Smith, Painting Bell Tower                | 23.00  |

Under suspension of rules, both bills are allowed and warrants ordered drawn on general fund for the respective amounts.

The following Bills reported favorably on by the Finance Com: at last meeting were allowed and warrants ordered drawn therefore on the gen'l fund.

|                                       |         |
|---------------------------------------|---------|
| S. Statler, Costs City vs Rose        | \$10.85 |
| C. J. Coutts " " " "                  | 24.00   |
| Jas. McCoy " " " "                    | 8.80    |
| Defendants Disbursements City vs Rose | 79.40   |

The following Bills were read:-

|                                                       |       |
|-------------------------------------------------------|-------|
| Jos. Coyne, Sheriff, Board B. F. Good, Special Depty. | 26.50 |
| J. M. Julian, printing Bond notice \$20.00            |       |
| 5% off                                                | 5.00  |
| Union " " " "                                         | 15.00 |
| John V. Mumford, 4 mos. rent Engine House             | 27.00 |
|                                                       | 80.00 |

Referred to Finance Committee.

Trustee Snyder of Street Com: States that it will cost about \$50 to make road on 18th St. leading to the Park. Consideration of the matter postponed.

President Jones, Com: of one on regulating price of Gas for ensuing year, reports that it is the opinion of the City Attorney that the matter is entirely under the control of the Board of Trustees.

Petition of Citizens asking for a reduction of the price of Gas to \$3.50 per one thousand feet read.

J. S. Gordon on behalf of the Gas Company asks the Board to postpone action to another time, that they may be made acquainted with the affairs of the Company-- that they may act understandingly in fixing rates of gas without detriment to the company.

E. W. Morse also on behalf of the Gas Co. states that price of gas in other cities of about the same, showing that it is, with one or two exceptions, greater, and the quality generally is not as good.

On motion Chair adds trustees Snyder and Slade to the Committee having in charge the matter of fixing prices of gas, to report at next meeting of this Board.

Next was taken up the matter of fixing water rates of the S. D. Water Co.

Trustee Snyder of Committee having the matter in charge reports rates of water as asked for by said company, which are read.

After considerable discussion, in which representatives of the S. D. Water Company took part, the further consideration of fixing water rates was laid over till next meeting.

Petition of Citizens asking for modification of ordinance preventing stock from running at large, allowing milch cows to roam at their own sweet will among the luxuriant vegetation till about July 1st, 1882. Referred to Street Committee.

Petition of property owners to establish grade in that part of the City lying between 12th and 18th Streets and "A" Street and the Bay. Petition referred to Street Committee and the City Engineer.

Trustee Snyder of Street Committee represents having examined the Privy situated in the street, that it belongs to the Indian School, which will probably be discontinued soon, though the party will remove the privy at any time. No further action deemed necessary.

Moved that when we do adjourn it be to Monday 1 o'clock p. m.

On motion the Board then adjourned to the time above specified.

Thos. Whaley, Clerk.

President

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Office of the Board of Trustees of the City of  
San Diego, Feby. 20th, 82. 1 p. m.

Adjourned regular meeting. Board met. Roll Call. All the members present but Snyder. Jones, President of the Board, in the Chair. Whaley, Clerk.

Minutes of meetings February 6th and 11th, 1882, read and approved.

Clerk reports having notified H. T. Christian, agent of owner of Lot J, Block 125, in regard to closing of open well thereon and that he promised that he would attend to abating the nuisance caused thereby.

Petition of Property owners representing the disgraceful condition of 5th St. bet. H & I Sts. and asking the Board to abate the nuisance thereon. Referred to Street Com:

Petition of Citizens to be allowed the privilege of plowing and planting trees on the Public Plaza in New San Diego, numbered according to Poole's Map, 775. Petition granted as asked for under the control and direction of the Street Committee.

Bill of M. A. Luce Esq. services, Atty in the case of S. D. Water Company vs City of San Diego, on appeal to the Supreme Court, \$250.00. Referred to Finance Committee.

Trustee Jones, Ch'm of Com: to examine as to rates of gas, reports that Com: had examined the books of the S. D. Gas Co. and were satisfied said Co. were not getting rich in furnishing gas at present prices the demand being limited-- that as gas was a luxury-- not indispensable the same as water, the price thereof would regulate itself between the Gas Co. and the consumers. The company were willing to make some concession to consumers of large quantities of gas. Trustee Slade of same com: confirms the preceding report of Trustee Jones, with some additional statements, showing that it is impossible for the company to furnish Gas at a much less rate without loss, owing to the smallness of the number of consumers and the amount of gas pipe rendered necessary to supply them occasioned by their scattered condition. He thinks, to reduce the price materially, will force the Gas Company to suspend operation altogether. Trustee Jones reports the price asked for by the Gas Company, \$5.00 per thousand feet to consumers under 3,000 feet, and \$4.00 per thousand feet for any excess over 3,000 feet.

Draft of Ordinance fixing the rates of Gas to be charged by Gas Companies was read.

Moved to approve the same.

Amended by postponing to Saturday, Vote on amendment. McCoy, no, Slade, No, Pierce & Jones, aye. Snyder absent. Motion lost.

Vote on adoption of ordinance, McCoy & Slade, aye. Jones & Pierce no. Snyder Absent. Ordinance not adopted.

Further consideration of the matter of gas postponed for the present.

The matter of fixing rates to be charged and collected by Water Companies coming up, on motion, the rates for water and use of meters asked for by the S. D. Water Company, as amended by this Board are allowed and the City Atty. is instructed to draw up an ordinance embodying said rates and submit it at the next meeting of this Board. Carried.

Moved that when we adjourn it be to Tuesday the 21st day of February 1882, at 3 o'clock. Carried.

On motion the Board adjourned till the day above named.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, February 21st 1882. 1 o'clock p. m.

Adjourned regular meeting. Roll Call. All the members present except Trustee McCoy and Snyder. Jones in the Chair. Whaley, Clerk.

Charter Ordinance No. 80, New Charter, was read, passed and approved in words and figures following to-wit: by the following vote:-

|         |        |       |        |
|---------|--------|-------|--------|
| Trustee | Slade  | votes | Aye    |
| "       | Pierce | "     | "      |
| "       | Jones  | "     | "      |
| "       | Snyder | "     | Absent |
| "       | McCoy  | "     | "      |

There being 3 votes in the affirmative, Charter Ordinance No. 80, New Charter, was declared adopted in words & figures following to-wit:-

CHARTER ORDINANCE NO. 80.  
(NEW CHARTER.)

An Ordinance fixing the Rates to be Collected by any Person or Water Company for the use of Water supplied to the Inhabitants of the City of San Diego.

In the Name and by the Authority of the City of San Diego.

The City of San Diego, acting herein by its Board of Trustees, does ordain as follows, to-wit:

SECTION 1.

On and after the first day of July, 1882, it shall be lawful for any person or Water Company supplying water to the inhabitants of the City of San Diego to charge and receive therefor as follows, to-wit:

- 1st. Tenements occupied by a family of not more than three persons, per month, \$2.00.
- 2d. Tenements occupied by a family of not more than five persons, per month, \$2.50; and for each additional person, per month, 25 cents.
- 3d. Stores and Warehouses, per month, from \$2.00 to \$3.00
- 4th. Small Stores and Business Offices, per month, \$1.00 to \$1.50.
- 5th. Saloons, per month, \$2.00.
- 6th. Dentists' Rooms, per month, \$2.00.
- 7th. Bakeries, for monthly use of flour, each 25 barrels, \$3.00 per month.
- 8th. Blacksmiths' Shops, per month, from \$2.00 to \$3.50.
- 9th. Livery Stables, including carriage washing, for each horse per month, \$1.00.
- 10th. Feed Yards, per month, from \$6.00 to \$25.00.
- 11th. Slacking Lime, per barrel, 25 cents.
- 12th. Wetting Bricks, for each 1,000, 15 cents.
- 13th. Horse and Carriage, per month, \$1.00
- 14th. Barber Shops, per single chair, per month, \$1.50; and for each additional

chair, per month, 50 cents.

15th. Hotels, when prices cannot be agreed upon, at \$1.50 per thousand gallons by meter.

16th. Irrigation, when prices cannot be agreed upon, at \$1.50 per thousand gallons by meter.

17th. Water Troughs on sidewalks, per month, from \$2.00 to \$5.00.

18th. Water Closets, private, per month, \$1.00.

19th. Water Closets, public, per month, \$3.00.

20th. Steam Engines, where prices cannot be agreed upon, at \$1.50 per thousand gallons by meter.

21st. Street Sprinkling, at \$1.50 per thousand gallons by meter.

22d. Bath Tubs, private, in one family, per month, \$1.00.

23d. Bath Tubs, public, in barber shops and boarding houses, per month, \$3.00.

24th. Gas Machines, at \$1.50 per thousand gallons by meter.

25th. Wash Houses, Chinese or otherwise, when prices cannot be agreed upon, at \$1.50 per thousand gallons by meter.

26th. Horse or Cow, per month, 50 cents.

27th. Wagon Shops, per month, \$2.50.

28th. The San Diego Water Company shall have power in all cases to apply meters and collect at meter rates.

29th. All Water Rates, except Meter Rates, are due and payable monthly in advance; and if not so paid, shall be subject to an addition of 5 per cent.

30th. Coffee Houses, open day and night, per month, \$6.00.

31st. Meter Rates are payable monthly on presentation of bill, and, upon meter rates a deposit not exceeding three-fourths (3/4) of the value of the estimated quantity of water to be consumed, may be required.

32d. For water required for purposes not specified in the above tariff, the rates shall be in accordance with the above rates.

33d. In all cases where meters are used, consumers shall pay the Water Company Twenty-five Cents per month for the use, cleaning and repairing of each of said meters.

Passed and approved at an adjourned regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 21st day of February, A. D. 1882.  
(SEAL) ATTEST: Thomas Whaley, City Clerk. S. P. Jones, President.

Bill of Thomas Whaley, drawing up Ordinance No. 80, allowed and warrant ordered drawn on Gen'l fund \$5.00.

On motion Board then adjourned.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of
San Diego, Febry. 25, 1882. 1 p. m.

Regular meeting. Roll Call. All the members present. Minutes of meetings Febry 20th & 21st read and approved. Trustee Jones in the Chair. Whaley, Clerk.

Finance Com: refer back bill of Jos. Coyne for board of B. F. Good, Dept'y Sheriff for \$26.50 without action and approve of bill of J. V. Mumford, rent of Engine House from Oct. 1 to Febry. 1, 1882. 4 months at \$20 per month \$80.00.

Both Bills are allowed and warrants ordered drawn for the respective amounts on gen'l fund.

Other bills in hands of finance committee are retained for further consideration.

Committee on Streets report adversely to Petition of Real Estate owners on 6th St.

for the construction of a sidewalk on 6th St. between the cross streets "D" & "J" there not being a majority of property represented on all the blocks between said cross streets "D" & "J". Moved that the Petition having been reported on, adversely, the same be not granted, on the ground that it is not in conformity with the City Charter. Carried.

Same Com: on establishing grades between 12th and 18th Sts, and "A" Street and the Bay, report that there is a map of grades on file in the Clerk's office from Front to 14th Sts, and from "A" Street and the Bay, a portion of which from Front to 12th St. and from "B" St. to the Water Front has been adopted. The com: recommend the adoption of the balance of this map, outside of the heavy red line, and if the board think it expedient have a map & survey made beyond this to the extent asked for by the petitioners.

Mr. C. J. Fox, City Engineer, explains that the grades as shown on the map beyond 12th St. might have to be altered in order to conform more regularly with the grades to be made to 16th or 18th Sts.

Moved that the matter of extending City grades be postponed in order to give the City Engineer time to examine the map of grades and the ground, to enable him to make a proposition to this Board of the exact cost of the Survey and map of the same, and to report at next meeting of this Board. Carried.

Moved that when this Board adjourns, it be to Saturday Mar. 4, 1882 at 1 p. m. Carried.

Notice of Ed Gregory, Cheif Engineer of the San Diego Fire Department, of the appointment of Henry P. Koster as Assistant Engineer of the S. D. Fire Department was read & ordered filed.

On motion the Board confirm and ratify the appointment of Henry P. Koster, and the Clerk is instructed to issue to him a certificate of his appointment as Assistant Eng: of the S. D. Fire Dept.

Till A. Burns asks the priveledge of purchasing the old iron cage belonging to the City. Referred to Street Com: with power to confer with City Atty.

Bills of City Clerk and City Atty for Services for the month February allowed for \$25. each and warrants ordered drawn on gen'l fund.

Clerk instructed to make warrant No. 1510 (drawn for \$79.40) payable to Louis Rose the defendant in suit, City of San Diego vs Louis Rose, and deliver the same to S. Statler, County Clerk, to be given by him to said Rose on satisfying the judgment in said Suit.

Moved that the Clerk be instructed to notify City Treasurer to advertise for proposals for the purchase or exchange of City Bonds in time to report offers, if any received, at a meeting of this Board to be held Apl. 1st, 1882, at 1 o'clock p. m. Said advertisement to be inserted in the San Diego Union. Carried.

Moved that the Clerk be instructed to make an order upon the City Treasurer to deliver to Trustee Slade, one hundred blank bonds. Carried, and thereupon the Clerk proceeded to make the order upon the Treasurers Receipt for the 100 blank bonds and delivered the same to Trustee Slade.

Moved that ordinance fixing rates of Gas be taken up. Carried.

Charter ordinance No. 81, New Charter, was then read, passed and approved:-

On calling the Roll	Trustee McCoy	answers	Aye.
	" Slade	"	Aye.
	" Pierce	"	Aye.
	" Snyder	"	No.
	" Jones	"	No.

There being 3 votes in favor and 2 against, Charter Ordinance No. 81, New Charter was declared adopted, in words and figures, following, to-wit:

CHARTER ORDINANCE NO. 81.
(NEW CHARTER)

to take some steps to relieve him from this nuisance by proper repairs of this street.

Therefore, Resolved that Ordinance No. 37, Old Charter (which has never been repealed) containing a penalty of \$100.00/100 be enforced against all persons who shall dig, excavate, fill in or break up the ground, pavement, or surface of any public street without authority. Carried.

Moved that additional warrants be drawn upon the General fund in favor of the "Sun" the "News" and the Union for the full amounts of their bills rendered, for printing "City Bond Notice." To the "Sun" \$13.00 to the "Union" \$12.00 and to the "News" \$4.00. Carried.

The Clerk is instructed to advertise for Proposals for printing the City Delinquent Tax list for the fiscal year ending December 31st, 1882, using the same form as last year.

Trustee McCoy reports progress as to taking down flag staff and filling up well on the Plaza at Old Town.

The following Bills were read.

John S. Minter filling up well on the Plaza and taking down mainmast of flag staff at Old Town \$38.00.

Jas. McCoy, to refund him the amount expended in taking down topmast of flag staff, \$11.45.

Under Suspension of the Rule, on motion, said Bills were allowed and warrants ordered drawn upon the general fund for the respective amounts.

Bryant Howard Esq. of Citizens Committee on the question of sewerage, drainage &c reports progress-- that committee will be ready to report more fully soon.

Moved that Trustee Snyder be appointed a Special Committee to confer with the Health Officer and City Atty to frame an ordinance for sanitary regulations in the City and report the same at the next meeting of this Board. Carried.

Resolved that George B. Hensley, agent of N. W. Hensley, be ordered to cause to be filled up immediately the well on said N. W. Hensley's Addition, known as the Cowl's place, near the Cajon road, the same having caved in, and being dangerous to life and property. Carried.

Receipt from Bryant Howard, City Treas. for amount received from A. Pauly, City Tax Collector,		\$7,029.55
	Less Collector's Comss:	<u>210.88</u>
	Amount received	\$6,818.67

Receipt dated March 6th, 1882.

Trustee McCoy states, at the request of Wallace Leach Esq. Atty of Cave J. Coutts, that the original maps made by Cave J. Coutts deceased of Old Town and La Playa can be had for \$500 gold coin or its equivalent in scrip.

There being no further business, on motion the Board adjourned to Saturday March 18th 1882, at 1 o'clock p. m.

Thos. Whaley, Clerk.

President.

Office of the Board of Trustees of the City of
San Diego, March 18, 1882. 1 p. m.

Adjourned regular meeting. Roll Call. All the members of the Board present.

Minutes of meeting March 11th 1882 read and approved.

This being the day for opening proposals for advertising the Delinquent City Tax List, the Clerk proceeded to open the same, there being but a single bid, that of the "Sun" at \$3.00 per 1000 ems. On motion the printing of the Delinquent City Tax List is awarded to the "Sun Publishing Co. at \$3.00 per 1000 ems, and the Clerk is instructed to notify the City Atty to draw up Contract & bond in the penal sum of \$800.00.

Attorney Leach asks the Board to instruct City Assessor not to include in the assessment List produce raised in the County and stored in the City.

Resolved that all produce raised in this County, outside of the City limits, shall be exempt from taxation for City purposes. Carried.

Petition of Property owners for putting down sidewalks and grading on 6th St. between G & H. Referred to Street Committee.

Petition of Property owners for sidewalk on 6th St. between the cross streets E & G. Referred to Street Com.

Trustee Snyder, Committee to confer with the Health Officer and City Atty, to frame an ordinance for sanitary regulations in the City, reports draft of an ordinance. Report received.

Mr. Lockhart, gives his views at the request of the Board:- thinks that no cart should be allowed to haul offal, swill &c without first having been approved, as properly arranged for the purpose, by the Health Officer. This suggestion of Mr. L. is embodied in the draft. The matter was then continued in the hands of the Committee to confer further with the Health Officer and City Atty and to report at the next regular meeting of this Board.

Bill of A. N. Woods, removing dead dog from the Street of the City at the order of the Health Officer \$1.00 was read, and under suspension of the rule, allowed and warrant ordered drawn for the amount on general fund.

Trustee McCoy here withdraws.

Moved that the Clerk be instructed to request the Cemetery Commissioners to present their report at the next regular meeting. Carried.

Moved & Seconded that the Board now reconsider the vote taken at this meeting on the Resolution exempting all produce raised in this County from taxation for City purposes. Carried. The Resolution referred to was then on motion rescinded, and the following adopted by the full vote of the members of the board present:-

Resolved that all grain and farm produce stored in warehouses, elevators, ships, cars or other means of transportation, on its way to the markets of the world, shall be deemed property in transitu, and shall not be taxed for City purposes.

There being no further business, the Board on motion adjourned sine die.

Thos. Whaley, City Clerk.

President.

Office of the Board of Trustees of the City of
San Diego, March 25th, 1882. 1 p. m.

Regular meeting. Roll Call. All the members present except Trustee McCoy. President Jones in the Chair. Whaley, Clerk.

Minutes of adjourned meeting March 18, 1882, read and approved.

A. Pauly, City Tax Collector, submits Delinquent List of City Taxes for 1881 and represents that there are thereon Six hundred parcels of property marked as belonging to the United States and as tide lands, not taxed, which if advertised will entail expense without giving anything to the City. In view of which it was Resolved that the City Tax Collector in making out delinquent tax list for the fiscal year ending Dec. 31st, 1881, for publication, include in said list such parcels only, the tax on which, exceeds 15 cents. Carried.

Finance Com: report back without recommendation the bill of M. A. Luce Esq as Atty in case, San Diego Water Company vs City of San Diego, \$250.00. Ordered filed.

Street Com: report favorably on Petition for sidewalk on 6th St. between "E" and "G" Sts, and recommend that prayer of petitioners be granted in accordance with law.

Petition for grading and sidewalks on 6th Street, between "G" and "H" Streets, reported on favorably with same recommendation as previous petition.

Boty reports received and the matter still continued in the hands of Street Committee to confer with the City Atty.

Reports of the Secretary and Treasurer of the Mount Hope Cemetery Commission, shewing the receipts since May 1, 1880 to March 22, 1882. \$548.58.

Disbursements	<u>318.20</u>
Balance- Cash in hands Treasurer	\$230.38

Reports referred to Finance Committee.

Receipt of City Treasurer, showing amount received from City Tax Collector	\$4,295.95
Less Collector's Comss:	<u>128.87</u>
Amount Received March 2, 1882	\$4,167.08

Report of City Clerk, shewing Settlement with A. Pauly, City Tax Collector:-

Amount Taxes Collected, (as per Treas. Recpts)	\$15,978.03
" Doubly Taxed	6.45
" Delinquent	<u>685.65</u>
Amount of the Taxes for the year 1881	\$16,670.13

Report ordered on file.

Bills of City Clerk & City Atty for services for the month of March, each for \$25.00 were allowed and warrants ordered drawn on the general fund.

Bill of Joseph Coyne, Sheriff, Costs in suit City of San Diego vs L. Rose \$25.10

Bill of T. Whaley preparing form of New City Bond and coupon for lithographing \$10.00

Both referred to Finance Committee.

Charter Ordinance No. 82 (New Charter) "To promote Cleanliness in the City" was read and on motion approved in words and figures following, to-wit:

CHARTER ORDINANCE NO. 82.
(NEW CHARTER)
To Promote Cleanliness in the City.

The City of San Diego, by and through the Board of City Trustees thereof, ordains as follows:

SECTION 1. It is hereby made unlawful for any person or persons to throw or put into streets, alleys, plazas, or upon any unenclosed property in the City of San Diego, except at such place as has been, or may be by the Board of Trustees designated therefor, any straw, rags, paper, hay, scrap tin or other scrap metal, glass, hoops, ashes, stable litter, feathers, shavings, shells, shell fish, or any other litter, or to burn in said streets, alleys, plazas, or any unenclosed property in the City, in the open air, any such litter, or any rubbish of any kind, except upon written permission of the Board of Health of said City.

SEC. 2. It is hereby made the duty of all occupants of property in the City to keep the sidewalks, streets, alleys and plazas in front of and adjoining such property, clean and free from all manner of litter and filth; and also to keep the back yards and all parts of such premises, clean of filth, and all such premises and privies, water-closets, cess-pools, wash houses, laundries, stables, stock yards, and all parts of such premises occupied or used for any purpose whatever, free from noisome and offensive smells, or unnecessary accumulations of slops, offal, litter, manure, dirt or filth of any kind, and keep the same in a cleanly and wholesome condition.

SEC. 3. The owners of any and all animals that shall die on the streets, or any public or private property within the City shall remove the carcass of such animal within a reasonable time after having knowledge of such death, from such streets or property to such place as may be provided or designated by the Board of Health, or in lieu of such

removal bury or cause to be buried such carcass, at least three feet in the earth at a suitable place for such burial.

SEC. 4. The Health Officer of this City is hereby authorized to appoint an Inspector, and said Health Officer, or his Inspector, is hereby instructed, directed and authorized to peaceably enter any and all premises, on giving the occupant of such premises reasonable notice of his authority, and the purpose of his entry, and to thoroughly inspect and examine all such premises and every part thereof, between sunrise and sunset of any day except Sunday, for the purpose of enforcing the sanitary regulations of the City; and at such times to require of the occupants of such premises to in all things conform to the Ordinances and sanitary regulations of said City within three days after such officer shall notify them what is required of them to comply with such regulations.

SEC. 5. Every person violating any of the provisions of this Ordinance shall, on conviction, be fined in any sum not to exceed fifty dollars.

Passed and approved at a regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the twenty-fifth day of March, A. D. 1882.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

Moved that the Inspector appointed under Ordinance No. 82 (New Charter) passed this day, shall be allowed \$50.00/100 per month, payable by warrant on City Treasurer, for inspecting and enforcing the provisions of said Ordinance. Carried.

Trustee Slade retires.

On motion the Board adjourned to Monday, the 27th day of March, 1882.

Thos. Whaley, City Clerk.

President.

Office of the Board of Trustees of the City of
San Diego, March 27th, 1882, 1 p. m.

Adjourned regular meeting. Roll Call. All the members present except Trustee McCoy. Trustee Jones, President of the Board, in the Chair. Whaley, Clerk.

Reading of the minutes of meeting March 25th 1882, dispensed with.

Contract and Bond of "Sun Publishing Co." for printing Delinquent City taxes for the year ending Dec. 31st, 1881 were read.

The Contract ordered signed by the President of the Board, attested to by the Clerk, and the Bond with A. Wentscher and Roberty Kelly surities in the penal sum of \$800.00/100 was approved and ordered on file.

Moved that the Clerk is instructed to have all official maps of grades of the streets and surveys, belonging to the City which are drawn upon paper, mounted on cloth. Carried.

Whereas the Board of Health of this City have appointed Edmund O'Leary Inspector for the term of six months from the first day of April 1882, and this Board by Resolution have fixed the salary of said Inspector at \$50.00/100 per month payable by warrant on the city Treasurer, therefore, Be it resolved that the City Atty be instructed to draw up a contract in conformity with the provisions of this Resolution. Carried.

On motion the Board then adjourned to Saturday the 1st day of April, 1882. 1 p. m.
Thos. Whaley, City Clerk. President.

Office of the Board of Trustees of the City of
San Diego, April 1st, 1882. 1 p. m.

Adjourned regular meeting. Roll Call. All the members present except Trustee McCoy. Minutes of regular meeting Mar 25th 1882 and adjourned meeting March 27, 1882, read and approved.

Street Com: report that owners of property on both sides of 6th St. between the

cross streets "G" and "H", for constructing a sidewalk and for grading both sides of said 6th St. between "G" & "H" Streets, have appointed Geo: Geddes and T. M. Loup commissioners, to act in said matter as asked for by petition on file with the City Clerk. The same parties are appointed Commissioners on behalf of the property owners on 6th Street between the cross streets "D" and "G" for the construction of a sidewalk on East Side of 6th Street between "D" and "G" Streets as asked for by petition on file with City Clerk. The Commissioners above named, in both matters, set forth, are to act in accordance with subdivision 4, of Section 10 & Section 13, of the act to re-incorporate said City, approved April 1, 1876. Report received & ordered filed. Moved that A. Overbaugh be appointed Commissioner on the part of the City of San Diego, to act in concert with the above named commissioners, Geo: Geddes & T. M. Loup appointed by the property owners as above. Carried. Moved that the Surveyor report the cost of Survey for each separate block, named in the petitions. Carried.

Bryant Howard, City Treasurer is telephoned for.

Board take recess for 15 minutes.

On reconvening, Bryant Howard reports that he has received no proposals for the sale or exchange of City Bonds as advertised for.

On motion the Board adjourned to Monday April 10th, 1882.

Thos. Whaley, City Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, April 10th '82. 1 p. m.

Adjourned Regular meeting. Roll Call. All the members present except Trustee McCoy. President Jones in the Chair. Whaley, Clerk.

Minutes of Adjourned meeting April 1, 1882 read and approved.

M. A. Luce Esq. by permission explains to the Board his bill for legal services in suit S. D. Water Co. vs City of San Diego on appeal to the Supreme Court. \$250.00. Action deferred to next meeting.

Resolved that it is the sense of this Board that the width of the sidewalks on 6th St. should be changed from 16 feet to 14 feet, and the City Attorney is hereby instructed to draw up an ordinance to this effect, to be submitted at next meeting of this Board; and the citizens are hereby invited to be present at said meeting, to give expression of their views relating thereto. Carried.

John G. Capron asks the Board to be allowed the priveledge of occupying a portion of the City Park as a milk ranch, subject to removal at any time at option of the Board. Referred to Street Committee.

Bill allowed T. Whaley for preparing New City Bond and Coupon for Lithographer. \$10.00 and warrant ordered drawn on general fund.

Tax Collector Pauly allowed to have blank certificates printed for city delinquent tax sales.

On motion the Board adjourned to Wednesday, April 12th 1882 at 1 o'clock p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San
Diego, April 12th 1882, 1 p. m.

Adjourned Regular Meeting. Roll Call. All the members of the Board present except Trustees McCoy.

Minutes adjourned meeting April 10th 1882 read and approved.

Trustee Snyder, Chairman Street Committee reports that owners of property in the vicinity of the City Park object to any portion of the same near the Southern or Western

boundary thereof being used for the purpose of a milk ranch. Report received.

Bill of Dr. D. B. Hoffman for medical attendance at Pest House, as per agreement, 35 days, at \$10.00/100 per day \$350.00/100, to be paid as per agreement in cash or its equivalent in City Scrip. The account certified to as correct and according to agreement, by C. M. Fenn, M. D. Health Officer. The same being read, was postponed for the present, to be taken up at any time.

Finance Committee report back the bill of Joseph Coyne, Sheriff, for costs, City San Diego vs L. Rose \$25.10. On motion bill allowed and warrant ordered drawn for the amount named on the General Fund.

A. Pauly, Tax Collector, asks to have that part of ordinance No. 76, New Charter, referring to the selling of property advertised as delinquent for City taxes, amended, so far as relates to the City becoming the purchaser of any portion not sold. Moved that the Clerk of this Board be requested to notify the City Attorney to draw up an ordinance covering the suggestions of the Tax Collector and to submit the same to this meeting.

Trustee Pierce withdraws, to attend meeting of the Board of Supervisors in session,

The City Attorney submits draft of an Ordinance changing the width of sidewalks on 6th St. from 16 feet to 14 feet as requested to do at the last meeting of this Board, April 10th 1882.

The same is read by the Clerk, and on motion the same is passed and approved in words and figures following to-wit:-

The roll being called, the members present, Trustees Slade, Snyder and Jones answering Aye, the President declared Charter Ordinance No. 83, New Charter, carried:

CHARTER ORDINANCE NO. 83.
(NEW CHARTER)

To Establish the Width of the Sidewalks on each side of Sixth Street.

The City of San Diego, by and through the Board of City Trustees thereof, ordains as follows:

SECTION 1. The width of the Sidewalks on each side of Sixth Street in this city is hereby established and required to be constructed and maintained of the uniform width of fourteen feet.

SEC. 2. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed, and this Ordinance shall be in force from and after its passage and publication for five days.

Passed and approved at an adjourned regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 12th day of April, A. D. 1882.
(SEAL) ATTEST: Thomas Whaley, City Clerk. S. P. Jones, President.

Report of Bryant Howard, City Treasurer, for the Quarter ending March 31st, 1882, was read. The summary thereof, being:-

Balance General Fund	\$3,637.86
" Interest Fund	3,710.06
" City Bond Redemption Fd	450.54
" Road Fund	6.69
" Library Fund	<u>630.76</u>
Total Amt Cash on hand	\$8,435.91.

Report received and referred to Finance Com:

City Attorney submits draft of an Ordinance to amend Charter Ordinance No. 76, which is read and on calling the roll the members present, Trustees Slade, Snyder and Jones, answering Aye, the President declares charter ordinance No. 84, New Charter passed and approved in words and figures following to-wit:

CHARTER ORDINANCE NO. 84.
(NEW CHARTER)
To Amend Charter Ordinance No. 76 (New Charter)

Be it Ordained by the City, by and through its Board of Trustees, as follows:

SECTION 1. Section fifteen of Charter Ordinance No. 76 (New Charter) is hereby amended so as to read as follows:

SEC. 15. In case there is no purchaser in good faith for any such property on the first day such property is offered for sale, it shall be offered again on some subsequent day and if there is then no purchaser in good faith, the said property, with taxes, penalty, interest and costs, shall be by the Tax Collector returned, and marked "Not Sold" on said Delinquent List opposite such property.

SEC. 2. Section eighteen of Charter Ordinance No. 76 (New Charter) is hereby amended so as to read as follows:

Sec. 18. The City Tax Collector, on or before the first Monday in May, must attend at the office of the City Clerk with the Delinquent List, and the Clerk must then compare the List with the assessment of persons and property not marked paid on the Assessment Book, and when taxes have been paid, must note the fact in the appropriate column of the Assessment Book; distinguishing payments by sale by adding to the word "Paid," the words "By sale." There must then be administered to the Tax Collector an oath which shall be written and subscribed on the Delinquent List, that all assessments in said list which have been paid have been so marked thereon, and when such payment has been by sale, that that fact appears so endorsed on said List; and when paid without sale, that the date of such payment is so endorsed on said List, and that the words "Not paid" do not appear marked against any property on said List that the taxes for which have been collected by him either by sale or otherwise.

The Clerk must then foot up the taxes remaining unpaid on said List, and credit the Tax Collector with the amount of such footing, and then and there have a final settlement with him, and require of him the receipts of the Treasurer for the amount of taxes and penalty collected by him, and also a separate receipt from the Treasurer for one-half of the costs shown to be collected by him.

At the time the City Clerk foots up the Assessment Roll for the next succeeding year, he shall transfer from the previous year's Delinquent List all taxes, penalties and costs shown to be unpaid on said Delinquent List standing against any property, and the same shall be collected as the tax on such property is collected, and when not so paid, carried forward as before from year to year. The Treasurer shall be charged with such sums as his receipts in the Tax Collector's hands shall cover.

Passed and approved at an adjourned regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 12th day of April, A. D. 1882.
(SEAL) ATTEST: Thomas Whaley, City Clerk. S. P. Jones, President.

The attention of the Board being called to the New Brick Yard about being established in that part of Middletown which is known as the "Reservation" or the "Wedge", the same is referred to Trustee Slade of the 2nd Ward for his examination and to report thereon.

The S. D. Fire Department requiring torches the matter thereof is referred to Trustee Snyder of the Fire Committee, to ascertain the kind and probable cost.

The Clerk reports having come in possession of a blank City Bond of the present issue, the same is ordered destroyed which is done by the Clerk thereupon in the presence of the Board.

On motion the Board adjourned to Wednesday April 19th 1882, at 1 o'clock p. m.
Thos. Whaley, Clerk. President.

Office of the Board of Trustees of the City of
San Diego, April 19th, 1882. 1 p. m.

Adjourned Regular meeting. Roll Call. All of the members present except Trustee McCoy. President Jones in the Chair. Whaley, Clerk.

Minutes of April 12th 1882, read and approved.

Under Suspension of the Rules, Arnold Esq. of Chase, Arnold & Hunsacker presents bill of Thomas Hogue for attending to small Pox patient in the Pest House for \$279.00, Gold Coin, or its equivalent in warrants worth at the present time 70¢, \$398.60.

Dr. D. B. Hoffman asks to be allowed to withdraw bill for medical attendance on small pox patient at Pest House, heretofore presented this Board for \$350, coin, and to substitute therefore, another bill for \$500. Scrip upon the basis of 70 cents for city warrants.

On motion the substitution of bill is allowed.

Bill of Hamilton & Co. for supplies for Pest House \$171.54,

Bill of John Gray " " " " " \$30.16

All the above bills, referred to Finance Committee.

Bill of "The Sun", Ad: Tax Notice, 3 weeks \$3.00

" of " " Delinquent Tax List for 1881, 35,000 ems at \$3.00 \$105.00

Referred to Finance Committee.

Petition of Property Owners for the suppression of Brick Kilns in that portion of Middletown known as the "Wedge", was read.

Before any action is taken thereon, Trustee Snyder asks for the report of Trustee Slade, Special Committee to whom was referred the matter of the New Brick Yard in the "Wedge", Middletown. Trustee Slade reports having examined the Brick Yard about being opened, and reports that the well is within the boundaries of the lots leased by the parties, but that the pits and a portion of the Yard is upon the Street, as nearly as he is able to judge without the services of a Surveyor.

The Petition above read is then ordered filed.

The Clerk reports having received the qualifications of the Three Commissioners for the grading and planking of a portion of 6th Street. The same are referred to the City Attorney.

The following Call or Proclamation for a City Election was then read, and on motion adopted in words and figures following, to-wit:

CITY ELECTION PROCLAMATION.

Office of the Board of Trustees of the City of
San Diego, San Diego, California, April 19th, 1882.

NOTICE IS HEREBY GIVEN that pursuant to law, a Charter Election will be held in the City of San Diego, State of California, on THURSDAY, THE ELEVENTH DAY OF MAY, 1882, for the election, by the qualified voters thereof, of certain City Officers of said city, to-wit:

Five Trustees (one from each of the Wards of said City); a Tax Collector, a City Assessor, and five Library Trustees.

That the polls will be opened at 10 o'clock A. M. and continue open until 7 O'clock P. M. of said day.

The Inspectors and Judges are hereby appointed, and voting places fixed, as follows:

FIRST WARD-- Inspector, R. D. Israel; Judges, John Minter and James Connors. Voting place, Rose's Store.

SECOND WARD-- Inspector, G. E. Wentworth; Judges, A. Bowman and M. Keating. Voting place, on F street, in building rear of San Diego Hotel.

THIRD WARD-- Inspector, I. L. Palmer; Judges, Geo. S. Pidgeon and A. H. Julian.

Voting place, Ormerd's Building, Sixth street, near G street.

FOURTH WARD-- Inspector, Charles Hubbell; Judges, J. M. Spencer and John Callahan.

Voting place, Hiscock's Building, Plaza.

FIFTH WARD-- Inspector, A. J. Chase; Judges, J. W. McClain and E. D. Switzer.

Voting place, Bay View Hotel.

By order of the Board of Trustees of the City of San Diego, State of California, this April 19th, A. D. 1882.

(SEAL) ATTEST:

S. P. JONES, President

Thomas Whaley, City Clerk and Clerk of said Board of Trustees.

Clerk reports the cost of Mounting on cloth certain maps belonging to the City and is instructed to have the work done.

Fire Department allowed (on the report of Trustee Snyder, Chairman of Fire Com:) to purchase 4 Lamps at a cost of \$2.50 each gold coin in New York.

On motion the Board then adjourned to 1 o'clock p. m. tomorrow April 20th 1882.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, April 20, 82. 1 p. m.

Adjourned Regular Meeting. Roll Call. All the members of the Board present, except Trustee McCoy.

Reading of minutes last meeting, dispensed with.

Report of Commissioners, Geo: Geddes, T. M. Loup and A. Overbaugh, for improvements on 6th Street between E and H Streets was read, also the certificates of C. P. Noell, N. P. before whom they were sworn, and the certificate of the City Clerk specifying the work to be done as per order of this Board.

Moved that the Report be accepted, adopted and placed on file, together with the maps of surveys & specifications of Engineer L. L. Lockling. Carried.

Charter Ordinance No. 85 (New Charter) "To improve a part of Sixth Street, Horton's Addition, San Diego" was read, and on motion passed and approved in words and figures following, to-wit:

CHARTER ORDINANCE NO. 85. (NEW CHARTER)

To Improve a part of Sixth Street, Horton's Addition, San Diego.

WHEREAS, The Hereinafter mentioned improvements have been duly petitioned for; and L. L. Lockling, a competent engineer and surveyor, has duly made a survey of the proposed improvements; and three persons have been chosen to compute the cost of such improvements upon the real property situated upon either side of said street, according to the benefit to accrue therein to such property, two of said persons chosen by the tax-payers asking for such improvements and the other by the Board of Trustees; and said three persons having caused to be made the proper survey and specifications as required by law; now, therefore, The City of San Diego, by and through the Board of Trustees, ordains as follows:

SECTION 1. The Board of Trustees hereby approve the report of the aforesaid three persons or Commissioners, accompanied with the Survey and specifications of the said surveyor, and do hereby order the improvements petitioned for to be made as hereinafter set out.

SEC. 2. Said improvements shall be and consist of plank sidewalks on the proper grade, according to the specifications reported by said surveyor and Commissioners, fourteen feet wide, on the east side of said Sixth street in front of Blocks numbered 60, 71 and 86; also on the west side of said Sixth street in front of Block numbered 87, all in Horton's Addition to San Diego; also the grading to the established grade that part of said Sixth Street from the middle of G street to and including the middle of H street, as in said specifications set out and described.

SEC. 3. The costs of making said proposed improvements in said Sixth street, between said cross streets E and F, and on the east side of said Sixth street on and along Block No. 60 of Horton's Addition to San Diego, California, and also on said Sixth Street between said cross streets F and G, and on the east side of said Sixth street on and along Block No. 71 of said Addition; also on said Sixth Street between said cross streets G and H, and to the middle of said G and H streets, on both sides of said Sixth street on and along Blocks Nos. 86 and 87 of said Addition are hereby assessed, in United States Gold Coin, to each of the owners of the several lots and parts of lots and parcels of real estate fronting on said Sixth street where said improvements are ordered to be constructed, as in Section No. 2 set forth, as follows:

|                                                                                                                       |         |
|-----------------------------------------------------------------------------------------------------------------------|---------|
| D. Cleveland, Lot A, Block No. 60, (50 feet front)                                                                    | \$67.41 |
| J. W. Clark, Lot B, Block No. 60, (50 feet front)                                                                     | 67.41   |
| Dr. E. B. Henderson, N $\frac{1}{2}$ of Lot C, Block No. 60, (25 feet front)                                          | 33.71   |
| J. H. Snyder, S $\frac{1}{2}$ of Lot C, Block No. 60, (25 feet front)                                                 | 33.71   |
| W. S. Jewell, N $\frac{1}{8}$ of Lot D, Block 60, (25 feet front)                                                     | 33.71   |
| J. H. Snyder, S $\frac{1}{2}$ of Lot D, Block 60, (25 feet front)                                                     | 33.71   |
| Robt. Anglemire, N $\frac{1}{2}$ of Lot E, Block No. 60, (25 feet front)                                              | 33.71   |
| Estate of S.S. Clark, dec'd, J. Faivre, agent, S $\frac{1}{2}$ of Lot E, Block No. 60, (25 feet front)                | 33.71   |
| P. Remondino, Lot F, Block No. 60, (50 feet front)                                                                    | 67.41   |
| D. Felsenheld, Lot A and the N $\frac{1}{2}$ of Lot B, Block No. 71, (75 feet front)                                  | 101.12  |
| Douglas Gunn, S $\frac{1}{2}$ of Lot B and all of Lot C, Block No. 71, (75 feet front)                                | 101.12  |
| J. A. Smith, N $\frac{1}{2}$ of Lot D, Block 71, (25 feet front)                                                      | 34.15   |
| C. K. Smith, S $\frac{1}{2}$ of Lot D, Block 71, (25 feet front)                                                      | 34.15   |
| J. M. Pierce, Lot E, Block 71, (50 feet front)                                                                        | 73.41   |
| G. N. Hitchcock, Lot F, Block 71, (50 feet front)                                                                     | 82.41   |
| C. A. Dievendorff, Lot A, Block 86, (50 feet front)                                                                   | 101.45  |
| S. P. Jones, Lot B, Block 86, (50 feet front)                                                                         | 100.69  |
| E. W. Morse, Lot C, Block 86, (50 feet front)                                                                         | 101.49  |
| J. M. Pierce, Lot D and N $\frac{1}{2}$ of Lot E, Block 86, (75 feet front)                                           | 143.98  |
| San Diego Town and Land Company, S $\frac{1}{2}$ of Lot E and all of Lot F, Block 86, (75 feet front)                 | 138.42  |
| J. Ormerd, Lot I and N $\frac{1}{2}$ of Lot K, Block 87, (75 feet front)                                              | 130.22  |
| A. Schneider, S $\frac{1}{2}$ of Lot K, Block 87, (25 feet front)                                                     | 45.69   |
| J. M. Pierce, Lot J, Block 87, (50 feet front)                                                                        | 89.21   |
| Mrs. E. A. Landis, 70 feet deep from Sixth street back out of the N $\frac{1}{2}$ of Lot I, Block 87, (25 feet front) | 45.97   |
| G. H. Greenleaf, 70 feet deep from Sixth street back out of the S $\frac{1}{2}$ of I, Block 87, (25 feet front)       | 45.97   |
| Ed. McGurk, N $\frac{1}{2}$ of Lot H, Block 87, (25 feet front)                                                       | 42.13   |
| Masonic Building Association, S $\frac{1}{2}$ of Lot H and all of Lot G, Block 87, (75 feet front)                    | 116.98  |

Each of said sums above mentioned are hereby made and declared to be and constitute a lien on the real estate described, and immediately preceding each of said several sums, until each of said sums shall be paid or ratified.

Provided, that each of said owners shall have the privilege of making said proposed improvements in front of his or her said property, and his or her proportionate share of grading the cross-streets G and H, and paying the expense of the survey and Commissioners taxed at \$3.15 per lot in Blocks 60 and 71, and \$4.15 per lot in Blocks 86 and 87; if they make said improvements according to the plans and specifications now on file with the City Clerk, and pay said costs of surveyor and Commissioner within ninety days of the passage of this Ordinance.

SEC. 4. If said proposed improvements, or any portion thereof, shall not be made and completed as hereinafter set forth, then it shall be the duty of the City Treasurer forthwith to proceed and collect the amounts above set out from the owner or owners of the property in front of which said improvements have not been so made, and if necessary to bring suit to foreclose the lien on such delinquent property for the amount assessed thereon, in which case there shall be added as costs a reasonable attorney's fee for bringing and maintaining such action, said suit or suits to be brought in the name of the City of San Diego, and shall be conducted by the City Attorney; and when the moneys are so collected, the Board of Trustees shall at once let to a competent contractor such unfinished work, which contractor shall give to such City a sufficient bond to execute said work according to specifications; said letting shall be by sealed proposals, and to the lowest and best bidder, and after such work shall be completed and all costs and expenses paid there shall remain any of said moneys unexpended, it shall be returned to those who paid it.

Passed and approved at an adjourned regular meeting of the Board of City Trustees of the City of San Diego, State of California, held on the 20th day of April, A. D. 1882.

(SEAL) ATTEST: Thomas Whaley, City Clerk.

S. P. Jones, President.

The Bill of M. A. Luce Esq. heretofore submitted, having been amended so as to include Will M. Smith as attorney for services in this case of the San Diego Water Company vs the City of San Diego on appeal to the Supreme Court of this State for \$250.00; On motion the same is allowed for \$150.00 and warrant ordered drawn on general fund to the order of M. A. Luce and Will M. Smith, in payment in full for said bill.

Street Committee having viewed the new brick yard report that the pits and a portion of the yard are upon the street. Moved that Trustee Slade of 2nd Ward be appointed a Committee of One to confer with the Brick makers and the Petitioners asking for their removal and to report at next meeting of this Board. Carried.

On motion the Board then adjourned sine die.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, April 29th, 1882, 1 P. M.

Regular meeting, Roll call. All the members of the Board present, except Trustee McCoy. Trustee Jones, President of the Board in the chair. Whaley, Clerk.

Minutes of adjourned meetings, April 19th and 20th, 82, were read and approved.

Ordered that warrants for City Clerk and City Attorney for salary for April, be drawn on the General Fund for \$25 each.

Bill of "San Diego Union," for printing ordinances, etc. since November 30th '81, \$135.89. Referred to Finance Committee.

Finance Com. report:-

Bill, "The Sun", advertising tax notice, \$3.00 allowed, and warrant drawn on general fund.

Bill, "The Sun", advertising Delinquent Tax List, 35,000 ems at \$3.00 per 1,000 ems, \$105.00 allowed for 29,000 ems at \$3.00 per 1,000 ems, \$87.00 and warrant ordered drawn on general fund.

Finance Com: returned the following Bills without recommendation:-

|                |          |
|----------------|----------|
| D. B. Hoffman, | \$500.00 |
| Thos. Hogue,   | 398.60   |
| Hamilton & Co. | 171.54   |
| John Gray      | 30.16    |

Trustee Slade, Com: to whom the matter of paying the above bills was referred, to ascertain whether the City or County should pay them, reports, after consulting legal authority, the County should pay the same. Further consideration of the matter postponed till next meeting.

Moved that when we do adjourn, we adjourn to Tuesday next, May 2nd, 1882, at 1. P.M.

Trustee Slade, Com:, reports on brick kilns, that the pits and a portion of the yard, of the new brick yard, occupy the street, and that the parties under an Ordinance, are liable to a fine of \$100, for digging up the streets. Complaint may be made by any citizen, or this Board may take action thereon. The other yards in operation are occupying and digging up the streets under permit from the City; but no grade of streets has been established there. The yards and kilns are detrimental, injuring the value of surrounding property; but the burning of brick is not injurious to health. The brickmen have a large amount of wood on hand-- expect to have a great demand for brick, and would like to remain during the coming Summer and Fall, after which time they will remove voluntarily.

Report received and Com: discharged.

The Resolution passed Nov. 3rd, 1879, was read:- granting to E. M. Rankin and Joseph S. Manasse, the right to remove the soil in certain streets, under certain restrictions,

Further consideration of the matter laid over till next meeting.

Bill, Ed. O'Leary for wood and coal for Pest House, \$25.00 ordered on file with the other Pest House bills.

On motion, Resignation of Ed. O'Leary, Inspector to Health Officer, accepted; and the appointment of Daniel Stewart, to fill the vacancy for six months, from April 20th, 1882, confirmed, as per written notice of Dr. C. M. Fenn, Health Officer, which said notice ordered on file.

Moved that the resolution passed March 27th, 1882, in reference to the appointment of Ed. O'Leary, Inspector to the Board of Health, be rescinded so far as the same relates to the said Ed. O'Leary, and the time of his appointment; and that the name of Daniel Stewart, and the time extended for six months, from April 20th, 1882, be substituted therefor. Carried.

On motion the Board adjourned to the time specified as above.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, May 2d, 1882, 1 p. m.

The Board met according to adjournment.

The Clerk being unavoidably absent on account of illness, on motion, John C. Hoffman was elected temporary Clerk. All the members of the Board were present except Trustee McCoy.

On motion the Board adjourned till Thursday the 4th day of May, 1882 at 1 o'clock p. m..

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, May 4, 1882. 1 p. m.

Adjourned regular meeting of the Board of Trustees. Roll Call. All the members present except Trustee McCoy, Trustee Jones, President of the Board in the Chair. Whaley, Clerk.

Minutes of Regular meeting April 29, and adjourned regular meeting May 2d 1882 were read and approved.

Finance Committee return the Reports of Superintendent and Treasurer of the Mount Hope Cemetery. Ordered filed.

Same Committee report favorably on Bill of "Union" for Publishing Ordinances and advertising since Nov. 30, 1881 for \$135.89. On motion the same is allowed and warrant ordered drawn on general fund.

The Board then proceeded to the consideration of the Pest House Bills.

Trustee Snyder offers a preamble and resolution, seconded by Trustee Blade, which is read. No action taken thereon, postponed till next meeting.

On motion the Board adjourned till Tuesday, May 9th, 1882, at 1 p. m.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, May 9th 1882. 1 p. m.

Adjourned regular meeting. Roll Call. All the members present. Trustee Jones in the Chair. Whaley, Clerk.

Minutes of adjourned regular meeting May 4th, 1882, read and approved.

Trustee Snyder, Chairman Finance Committee asks for some rope and a pole for the





Office of the Board of Trustees of the City of  
San Diego, May 16th 1882. 10 a. m.

-- SPECIAL MEETING --

Pursuant to the following Call:

Office of the Board of Trustees, City of San Diego,  
San Diego, May 13th, 1882.

A Special meeting of the Board of Trustees of the City of San Diego is hereby called to meet at the Office of the Board of Trustees of the City of San Diego, Tuesday the 16th day of May, A. D. 1882, at 10 o'clock A. M. for the purpose of canvassing the vote of the City Charter Election held on the 11th day of May, A. D. 1882, and declaring the result thereof.

|                |                          |
|----------------|--------------------------|
| (SEAL) Attest: | James McCoy, Trustee     |
| Thos. Whaley,  | S. P. Jones, Trustee     |
| City Clerk.    | Samuel Slade, Trustee    |
|                | James M. Pierce, Trustee |
|                | J. H. Snyder, Trustee    |

All the members of the Board present except Trustee Jones. Trustee Pierce is called to the Chair as temporary chairman. Whaley, Clerk.

The object of the meeting being stated, the Board proceeded to open and canvass the Election Returns with the following result:

|                                        |                |          |
|----------------------------------------|----------------|----------|
| 1st Ward, for Trustee,                 | Jas. McCoy had | 33 votes |
| " Tax Collector, A. Pauly "            |                | 33 "     |
| " Assessor, M. D. Hamilton "           |                | 33 "     |
| " Library Trustee, Geo. W. Marston had |                | 33 "     |
| " " " R. M. Powers "                   |                | 33 "     |
| " " " Bryant Howard "                  |                | 33 "     |
| " " " E. W. Hendrick "                 |                | 32 "     |
| " " " G. N. Hitchcock "                |                | 25 "     |
| " " " D. Cave "                        |                | 9 "      |

Number of Ballots Cast for 1st Ward \_\_\_\_\_

Trustee Jones here takes his seat in the Board. Trustee Pierce, temporary chairman resigns & Jones takes his seat as Chairman.

Number of ballots cast for 2nd Ward- 29.

|                                    |     |          |
|------------------------------------|-----|----------|
| 2nd Ward, for Trustee Samuel Slade | had | 29 votes |
| " Tax Collector, A. Pauly "        |     | 29 "     |
| " Assessor, M. D. Hamilton "       |     | 29 "     |
| " Library Trustee, G. W. Marston " |     | 25 "     |
| " " " R. M. Powers "               |     | 23 "     |
| " " " B. Howard "                  |     | 25 "     |
| " " " E. W. Hendrick "             |     | 21 "     |
| " " " G. N. Hitchcock "            |     | 25 "     |
| " " " D. Cave "                    |     | 5 "      |

Number of votes cast for 3rd Ward- 85.

|                             |                  |          |
|-----------------------------|------------------|----------|
| 3d Ward, for Trustee,       | A. Schneider had | 75 votes |
| " " C. F. Francisco "       |                  | 1 "      |
| " " E. M. Rankin "          |                  | 2 "      |
| " " J. Herander "           |                  | 3 "      |
| " " T. M. Turner "          |                  | 1 "      |
| " Tax Collector, A. Pauly " |                  | 80 "     |

|                                  |     |         |
|----------------------------------|-----|---------|
| for Tax Collector, Col.Noel      | had | 1 votes |
| " " " Dave Briant                | "   | 1 "     |
| " " " Hop Lee                    | "   | 1 "     |
| " Assessor, M. D. Hamilton       | "   | 82 "    |
| " " Wah Sing                     | "   | 1 "     |
| " Library Trustee, G. W. Marston | "   | 75 "    |
| " " " R. M. Powers               | "   | 81 "    |
| " " " B. Howard                  | "   | 80 "    |
| " " " E. W. Hendrick             | "   | 75 "    |
| " " " G. N. Hitchcock            | "   | 56 "    |
| " " " D. Cave                    | "   | 30 "    |
| " " " C. H. Silliman             | "   | 1 "     |
| " " " Sing Lee                   | "   | 1 "     |
| " " " Mrs. Dr. Gildea            | "   | 1 "     |
| " " " Mrs. Seal                  | "   | 1 "     |
| " " " Miss Blanch Down           | "   | 1 "     |
| " " " Mrs. W. W. Stewart         | "   | 1 "     |
| " " " Mrs. E. W. Morris          | "   | 1 "     |
| " " " John Hernander             | "   | 1 "     |

## 4th Ward- Number of Ballots Cast- 150.

|                                  |     |          |
|----------------------------------|-----|----------|
| For Trustee, J. H. Snyder,       | had | 89 votes |
| " " E. F. Francisco              | "   | 60 "     |
| " Tax Collector, A. Pauly        | "   | 143 "    |
| " " Levi Chase                   | "   | 1 "      |
| " Assessor, M. D. Hamilton       | "   | 146 "    |
| " Library Trustee, G. W. Marston | "   | 138 "    |
| " " R. M. Powers                 | "   | 142 "    |
| " " B. Howard                    | "   | 145 "    |
| " " E. W. Hendrick               | "   | 137 "    |
| " " D. Cave                      | "   | 91 "     |
| " " G. N. Hitchcock              | "   | 70 "     |
| " " Mrs.G.W.Marston              | "   | 1 "      |
| " " T. D. North                  | "   | 1 "      |

## 5th Ward-- Number of ballots cast, 59.

|                                  |  |          |
|----------------------------------|--|----------|
| For Trustee, S. P. Jones         |  | 53 votes |
| " " H. A. Perry                  |  | 6 "      |
| " Tax Collector, A. Pauly        |  | 57 "     |
| " Assessor, M. D. Hamilton       |  | 56 "     |
| " Library Trustee, G. W. Marston |  | 53 "     |
| " " R. M. Powers                 |  | 57 "     |
| " " B. Howard                    |  | 57 "     |
| " " E. W. Hendrick               |  | 51 "     |
| " " D. Cave                      |  | 22 "     |
| " " G. N. Hitchcock              |  | 29 "     |

On motion the Board declared the result of said City Election in accordance with the above Returns and declared the following named persons elected to the following offices, to-wit:

For Trustee of 1st Ward, James McCoy.  
 " " " 2nd " Samuel Slade.

For Trustee of 3d Ward, Arnold Schneider.

" " " 4th " John H. Snyder.

" " " 5th " S. P. Jones.

" Tax Collector, A. Pauly.

" Assessor, M. D. Hamilton.

" Library Trustee, G. W. Marston.

" " " R. M. Powers.

" " " Bryant Howard.

" " " E. W. Hendrick.

" " " G. N. Hitchcock.

On motion the Clerk is instructed to issue Certificates of Election, as above.

There being no further business, on motion the Board adjourned.

Thos. Whaley, Clerk.

President.

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Office of the Board of Trustees of the City of San Diego, May 16th 1882, 2 p. m.

-- SPECIAL MEETING --

Pursuant to the following Call:-

Office of the Board of Trustees of the City of San Diego, Cal. May 16th, 1882.

Special Meeting of the Board of Trustees is hereby called to meet this day at 2 p. m. for the purpose of hearing the Report of the Finances of the City by Trustee Jones, President of the Board of Trustees.

James McCoy, Trustee.

S. P. Jones, Trustee.

J. M. Pierce, Trustee.

J. H. Snyder, Trustee.

Sam'l Slade, Trustee.

All the members of the Board present. Jones in the Chair. Whaley, Clerk.

At the request of the Chairman, Trustee Pierce takes the Chair.

President Jones make his report.

Moved that President Jones be requested to make a condensed statement of his report to be placed on file. Carried.

There being no further business, on motion the Board adjourned.

Thos. Whaley, Clerk.

President.

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Sic. Transit Gloria Mundi.

For proceedings of the New Board of Trustees, See New Record Book.

Thos. Whaley.

San Diego, May 16, 1882.

City Clerk.

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I HEREBY CERTIFY that the above and foregoing copy- pages 1 to 358 inclusive- has been by me compared with the original thereof, to-wit: Book No. 2, Record of the Proceedings of the Board of Trustees of the City of San Diego, California, Commencing December 7th, 1874, and up to and including May 16th, 1882, and that I know of my own knowledge, that the said foregoing copy is a full, true and correct copy of said Book No. 2 of Records.

Dated, San Diego, California, January 28th, 1920.

Allen H. Wright,
City Clerk of the City of San Diego, California.
Deputy.

MEETING OF NEW BOARD OF TRUSTEES

Office of the Board of Trustees of the City of San Diego, May 16th, 1882. 3 o'clock p. m.

The newly elected Board of Trustees met at 3 p. m. this May 16th, 1882, for the purpose of organizing as by law required.

The following newly elected members of the Board were present and presented their oaths of office which were placed of file, to-wit:

- James McCoy, Trustee elect from 1st Ward.
- Samuel Slade, " " " 2nd "
- Arnold Schneider " " " 3rd "
- J. H. Snyder " " " 4th "
- S. P. Jones " " " 5th "

On motion Samuel Slade is made President pro tempore.

President pro tempore stated the first business of the Board was the election of a President of the Board. On motion the Board went into ballot for President of the Board, Thomas Whaley, City Clerk acting as teller, with the following result:

1st Ballot Blank llll  
 S.P.Jones 1

There being no choice, the Board proceeded to

2nd Ballot- S. P. Jones, 1.1.1.  
 Jas. McCoy 1.  
 Blank 1.

S. P. Jones having received a majority of the votes, it was moved and seconded that he be declared unanimously elected the President of the Board of Trustees of the City of San Diego for the ensuing two years.

The next business in order was the election of City Clerk, the Board going into ballot with the following result:

Thomas Whaley 1.1.  
 H. T. Christian 1.1.1.

Thomas Whaley had two votes and H. T. Christian had three votes for City Clerk, thereupon the President declared H. T. Christian duly elected City Clerk for the ensuing two years.

The President states that Mr. Christian proposes to attend to any and all duties appertaining to the office of City Clerk and Clerk of the Board of Trustees of the City of San Diego for the sum of Twenty five dollars per month in warrants on City Treasurer, to which statement, Mr. Christian, being present, assents.

The next business in order, was the election of City Treasurer, the Board going into ballot with the following result:

Briant Howard lllll.

The President declared Briant Howard duly elected City Treasurer for the ensuing two years. Clerk instructed to issue certificates of election to the parties as above.

There appearing no further business, on motion the Board adjourned.

Thos. Whaley, City Clerk. President.

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Office of the Board of Trustees of the City of San Diego, May 27th 1882. 1 p. m.

Regular Meeting of the Board of Trustees of the City of San Diego. Roll Call.  
 Present, Trustees Slade, Schneider of the 3d, Snyder of the 4th and Jones. Absent, Trustee McCoy. Trustee Jones President of the Board in the Chair. Whaley, Clerk.  
 Minutes of adjourned meeting May 10th, 1882. Special meeting May 16th, 1882, at

10 a.m., Special meeting, May 16th, 1882, at 2 p.m. and meeting of New Board of Trustees, May 16th, 1882, at 3 p.m. were read and approved as recorded.

Bond of M. D. Hamilton, City Assessor, elect, for \$6,000. with M. A. Luce, for \$2,000; J. A. Fairchild for \$2,000; A. G. Gasson for \$2,000; B. C. Remondino for \$2,000; A. Schneider for \$2,000; and J. M. Allison for \$2,000. as surities, was read:-

Bond of A. Pauly, City Tax Collector, elect, for \$20,000. with the following surities:- E. W. Morse for \$5,000; W. W. Stewart for \$2,000; J. H. Simpson for \$2,000; D. A. Hollister for \$2,000; C. J. Edwards for \$1,000; J. G. Capron for \$2,500; Jas. M. Pierce for \$3,000 and L. Chase for \$3,000, was read;-

Bond H. T. Christian, City Clerk, elect for \$2,000, with the following surities:- E. W. Morse for \$2,000 and S. Levi for \$2,000, was read:-

Bond of Briant Howard, City Treasurer, elect, for \$25,000, with the following surities:- O. S. Witherby for \$5,000; Levi Chase for \$5,000; E. W. Morse for \$5,000; Geo. Geddes for \$5,000 and Jas. M. Pierce for \$5,000 was read:-

The several bonds, above specified, together with the qualifications, being found correct and satisfactory, on motion were approved and ordered on file.

Moved to allow the Inspectors, Judges and Clerks, and those furnishing places for holding City Charter Election, May 11th 1882, at the rate not exceeding \$3.00 each; and the City Clerk is authorized to draw warrants upon the general fund to the several parties entitled to receive the same. Carried.

Bill of S. W. Craigue for supplies furnished Pest House \$4.00/100 allowed and warrant ordered drawn on general fund.

Bill San Diego Union for 14 Great Registers, 1880, used at City Charter Election, May 11th 1882 \$20.00 allowed and warrant ordered drawn on general fund.

Bill A. Schneider, for Stationery \$6.10 allowed and warrant ordered drawn on general fund.

Bill of D. Stewart, interring dead dogs, cats &c \$6.00. Referred to Finance Committee.

warrants were ordered drawn to pay the following salaries: Thomas Whaley, City Clerk for the month of May 82, \$25.00. Will M. Smith, City Atty for the month of May, 82, \$25.00. Daniel Stewart, Inspector, 1 month ending May 20, 82, \$50.00. Said warrants to be drawn on the general fund.

Resignation of Will M. Smith, City Attorney, to take effect June 1st, 1882, was read and accepted. Resignation ordered on file.

Communication and Agreement of H. T. Christian, City Clerk elect, to perform the duties of City Clerk, for the sum of \$300. per annum, was read, as follows:- "payable for the months of June, July, Aug. Sept. Oct. Nov. the sum of Ninety Dollars, payable in monthly installments of \$15. on the last Saturday of each of said months, and the sum of Eighty-five Dollars, payable on the last Saturday of December, and for the months of Jan. Febr. March and April, Sixty Dollars, payable in monthly installments of \$15. on the last Saturday of each of said months, and the sum of Sixty-five dollars, payable on the last Saturday in May of each year. This agreement to take effect on and after June 1st, 1882, and remain in force during the encumbency of said Christian, as Clerk, and said Board agrees to pay said sums in warrants on the City Treasury, and not to make the duties of said office more arduous than at present required by Ordinance and Law."

Dated, San Diego, May 27th, 1882. Signed, H. T. Christian.

Agreement accepted and ordered on file.

Report of Citizens Sub-Committee on Sewerage under Suspension of the rules, was read by Briant Howard Esq. as follows:

To the Committee appointed by the Chamber of Commerce and the Board of Trustees of the city of San Diego:

The undersigned, appointed by you as a sub-committee to prepare a plan for disposing of the sewage and other refuse matter in this city, beg leave to offer the following report:

The natural drainage of the town site, including New Town and Horton's Addition, is threefold. First, the slope from B street southward, and from Twelfth street westward, into the bay direct; second, from the south line of the Park and east of Twelfth street, into the creek bed in Sherman's Addition, and thence south to the bay, third, north of B street and west of the Park, into the water courses running westward at the foot of the mesa slope and into the bay in New Town and Middletown.

To avoid too long lines of sewers, and follow the natural slopes, these drainage lines should be preserved.

As the territory south of B street and west of Twelfth is the present centre of population, and requires the earliest attention, the following plan of sewerage is recommended, to be applied to one street at a time, as may be needed.

First. Lines of sewers to follow the numbered streets south from B street; those east of and including Fifth street to empty into an intercepting sewer on L street, running west to Fifth street, thence down Fifth street to the shore and continued by a submerged pipe to deep water. The sewers west of Fifth street to empty in like manner into an intercepting pipe running west on H street to the shore and thence by submerged pipe to deep water. The short sewers south of the intercepting sewers to discharge by submerged pipes directly into the bay.

Second. The intercepting sewers should be twelve inches in diameter, those discharging into them six inches in diameter, with branches four inches in diameter opposite each lot on both sides of the street, or placed alternately twenty-five feet apart, to receive the drainage from the houses. All the pipes should be made of vitrified clay and should be laid with water tight joints, and at such a depth below the surface of the ground as to be below the gas and water pipes, and afford sufficient fall for the drainage.

Owing to the rainfall being concentrated in a small portion of the year in this locality, it is thought best to make no provision for carrying it in the sewers, but to rely on surface drains for its removal.

The pipe sewers recommended for the carriage of sewerage are intended to remove all liquids from sinks, bath-rooms and water closets.

They should be provided with frequent man-holes, and all house drain connections should be made at an acute angle with the sewers, and in such manner as not to impede the flow of the sewage.

Provisions should be made for flushing the whole length of each sewer from time to time.

As no system is found satisfactory in which the work is carelessly done, or done by incompetent workmen, it is essential that all details should be executed under the charge of a competent engineer, who should carefully arrange materials and methods with reference to the work in hand.

All sewers should be thoroughly ventilated by openings in the man-hole covers or otherwise. All house drains should be ventilated by extending the soil pipes several feet above the roofs.

A considerable portion of the city is too thinly populated at present to make sewers necessary, and where the lots are large there is little difficulty in disposing of all the liquid refuse. If thrown upon the ground where plants are growing, or where the ground is kept loosened to receive it the liquid is readily absorbed and rendered innocuous by the soil. Care should be taken, however, not to pour liquids on the same place two succeeding

days, but to spread them about so as not to clog the ground. Sink spouts emptying on the ground soon cause offense, as the earth when kept saturated with liquid is unable to purify it. The purification of sewage by filtration through the soil depends upon the air contained in the ground and there brought into immediate contact with the sewage.

In regard to the disposal of excrementitious matter, the earth closet is by far the best; but if this cannot be adopted, (and many people will not take the time or trouble necessary for it), the next best plan is to have a vault dug in solid ground, to be used till nearly full, but from which all liquids and other substances not excrementitious should be carefully excluded. Every time it is used a handful or two of dry earth, (not sand), should be thrown into it-- enough to prevent the necessity for any other deodorizer. Whenever such a vault is filled to within two or three feet of the surface of the ground, its contents can be removed without offense and spread on the land.

All vegetable and other refuse substances should be removed from about our houses before they commence to ferment and decay, giving off offensive and poisonous gases. Each family should be required by a law, rigidly enforced to have two boxes or cans of metal, with lids, in one of which every particle of refuse from the table or kitchen should be placed, and in the other all ashes or dry dirt which may accumulate about the house. These receptacles should be emptied frequently and the contents conveyed where they will do no harm. In some cities this refuse matter is removed without expense to the public, by parties who make use of it for various purposes. But if no one is willing to do this free of charge, every family should be glad to pay a small sum for the purpose to protect the community against epidemic and other diseases. Sensible people will do this voluntarily-- others should be compelled to do it. Stringent sanitary laws should be passed, and officers and other citizens should see that those laws are properly enforced.

A great deal of refuse matter liable to cause disease can easily and safely be disposed of by burning in the kitchen stove.

Beneath all buildings the ground should be somewhat raised so as to prevent water, or even dampness from collecting there; and a free circulation of air under every dwelling is essential to the protection of the health of its occupants.

Finally, to sum up briefly our conclusions, we would recommend:

First-- That as soon as practicable, sewers such as have been described be laid in two or three of the most popular streets.

Second-- That people be required by law to properly care for and remove all garbage and other waste solid matter.

Third-- That all privies not connected with sewers, be arranged on the earth closet plan, or that dry vaults, such as described, be used.

Fourth-- That all slops and liquids be removed from the premises of every family, or put into trenches which should be frequently filled with earth, or, when the area of the lot is sufficient, thrown broadcast over the ground.

Fifth-- No hogs should be allowed within or near the populated portions of the city; and where other animals are kept, great care should be taken to have their surroundings clean and wholesome.

Sixth-- There should be perfect ventilation and the prevention of any moisture or damp accumulations under all buildings.

Seventh-- Disinfectants should frequently be used in all places where there is danger of the collection or generation of poisonous gases, and it should be remembered that emanations and gases most deleterious to health are often entirely inodorous, and that all remedies for the prevention of noxious vapors are ineffectual where there is not a free circulation of pure air.

Chas. J. Fox, City Engineer  
 A. F. Hinchman,  
 Bryant Howard,  
 Jos. O. Osgood.

Moved that the Report be received, referred to a Committee, and that the thanks of this Board be given to the Sub-Committee on Sewerage, consisting of, as above, Chas. J. Fox, City Engineer, A. F. Hinchman, Bryant Howard and Jos. O. Osgood, for the able and efficient manner in which they have presented the subject submitted to their consideration. Carried.

Moved that the matter of Collection of the Road Tax, and the matter of transferring funds from the General Fund to the Road Fund, and the matter of the advertising for Proposals for the Sale or Exchange of outstanding City Bonds be referred to the City Attorney for his opinion in reference to these matters; and Trustee J. H. Snyder is hereby appointed a Committee of One to confer with him in relation thereto. Carried.

Moved to instruct the City Clerk to advertise for Proposals (for the use of the City Assessor for the year 1882) for Assessment Roll, known and unknown, Delinquent List, known and unknown, Lot Book, and 1,000 Assessment Lists or Statements-- the City Assessor to furnish samples and forms therefor. Proposals to be opened at next regular meeting. June 24th, 1882. Carried.

Moved that the Committees of this Board consist of the following viz:-

- Committee on Ways and Means.
- " " Claims.
- " " Streets, and
- " " Fire Department.

each consisting of two members. Carried.

The Chair appoints:-

- Trustee McCoy )
- " J.H.Snyder) Committee on Ways and Means.
- Trustee, Slade )
- " A.Schneider ) Committee on Claims.
- Trustee, J.H.Snyder)
- " McCoy ) Committee on Streets.
- Trustee, A.Schneider)
- " Slade ) Committee on Fire Department.

B. P. Jones, President of the Board asks for a leave of absence which on motion is granted.

Report of Citizens Sub-Committee on Sewerage is referred to Com: on Ways and Means.

The Board proceeded to the election of Cemetery Commissioners of the City Cemetery of the City of San Diego, and thereupon the Board went into an election with the following result:

- J. E. High 1111.
- F. B. Lowell 1111.
- A. Overbaugh 1111.

The Chair declared these gentlemen duly elected Cemetery Commissioners of the City Cemetery of the City of San Diego to take effect June 30th 1882, in pursuance of the provisions of part 13, Section 10, of the Charter, approved April 1st, 1876.

Moved to go into election of City Engineer. Carried, which was done by ballot, with the following result:

- L.L.Lockling 11.
- C. J. Fox 11.

On motion further balloting postponed.

Moved that the Committee on Ways and Means, the Health Officer and Trustee A. Schneider confer with the Board of Supervisors of San Diego concerning regulations in case of contagious diseases, where the City has to take immediate care of the sick. Carried.

There being no further business, on motion the Board adjourned.

Thos. Whaley, City Clerk.

President.

Office of the Board of Trustees of City of  
San Diego, Califa., June 24th, 1882, 1 h. P. M.

The Board of Trustees at this time convene in regular monthly session, present Trustees McCoy, Slade, Schneider and Snyder, and Clerk Christian: Absent Trustee Jones, Pres. of Board.

On motion Trustee Slade is elected President of the Board pro tem.

The minutes of the meeting of May 27th, 1882 read, and on motion of Trustee A. Schneider said minutes relating to the election of Cemetery Commissioners are corrected by changing the initials of Commissioner High elect, from J. E. to W. E. the Board having elected said W. E. High.

The minutes thus corrected are on motion approved.

On motion the following Bills against the City are ordered paid and Clerk instructed to draw Warrants on the General Fund for their several amounts as follows, to-wit:

|                                   |        |
|-----------------------------------|--------|
| Bill of D. Stewart for the sum of | \$6.50 |
| " " P. Koster " " " "             | 10.25  |
| " " S. D. Engine Co. " " "        | 22.30  |
| " " H. T. Christian " " "         | 10.00  |
| " " D. Stewart " " "              | 50.75  |

In the matter of Proposals to furnish Assessment Books and 1000 Assessment Lists, the Clerk reports having received a bid to furnish same by Cunningham, Curtiss and Welch of San Francisco in the form of sealed proposals, which are now opened, The proposal to furnish Assessment Books was found to be at the following figures:

|                                    |         |
|------------------------------------|---------|
| "1st Assessment Book for 1882 each | \$28.00 |
| 2d Delinquent do                   | 8.50    |
| 3d Lot Book                        | 18.50   |

above prices are for cash gold coin or (40%) forty per cent advance if payment is made in scrip."

And the proposal to furnish 1000 Assessment Lists was found to be at the following rate: "4th, 1 M. Assessment Lists per M, \$12.50 cash gold coin, forty per cent advance in scrip.

On motion the bids are accepted, and the Books and Lists are hereby ordered from Cunningham, Curtiss and Welch in accordance with their proposal.

On motion the following claims against the City are referred to Committee on Claims, to-wit:

|                                   |        |
|-----------------------------------|--------|
| Bill of Morse, Noell & Whaley for | \$2.50 |
| " " James Russell "               | 54.05  |
| " " L. C. Whaley "                | 10.00  |
| " " Joseph Leonard "              | 3.00   |
| " " J. S. Mannasse "              | 3.00   |
| " " Sun Publishing Co. "          | 10.00  |

The following Resolution is now read, and on motion adopted in words and figures following, to-wit:

Resolved by the Board of Trustees of the City of San Diego, That permission is hereby granted to J. W. Thompson, E. Parker and \_\_\_\_\_ Merritt, a Citizens Committee, for and on behalf and for the use and benefit of the Citizens of San Diego, to construct a fountain on, and otherwise improve the Horton House Plaza, said fountain and improvements to be erected and made upon that portion of said Plaza lying South of D St. and between 3rd and 4th Streets, extending not further South than Seventy-five (75) feet South of the south line of said D Street.

There appearing no further business, on motion the Board now adjourns.

H. T. Christian, Clerk.

President pro tempore.

&&&&&&&&&&&&&&&&&&&&&&&&

Office of the Board of Trustee of City of San Diego,  
July 29, 1882.

The Board met at one o'clock P. M. in regular monthly session.

Present: Trustees James McCoy, Samuel Slade, A. Schneider and John H. Snyder, and Clerk Christian.

ABSENT: Trustee and President of the Board, S. P. Jones.

On motion Trustee McCoy is elected President pro tempore of the Board.

The Minutes of the meeting of the Board of June 24th 1882 read and on motion approved as recorded.

In the Matter of Claims against the City.

On Motion the following Bills are allowed and ordered paid, to-wit:

|                                                      |        |
|------------------------------------------------------|--------|
| Morse, Noell and Whaley, Notarial Fees               | \$2.50 |
| J. S. Mannasse, Interpreter Fees                     | 3.00   |
| Sun Pub. Co., Printing                               | 7.00   |
| Jos. Leonard, Justice Fees                           | 3.00   |
| J. V. Mumford, Rent of Engine House and Janitor Fees | 75.00  |
| D. Stewart, Inspector Salary &c.                     | 53.00  |
| H. T. Christian, Clerk of Board, Salary              | 30.00  |
| Cunningham, Curtiss & Welch- Assessment Books &c     | 94.50  |

In the Matter of the Petition of A. Wentscher) for permission to construct and maintain a Side Track )

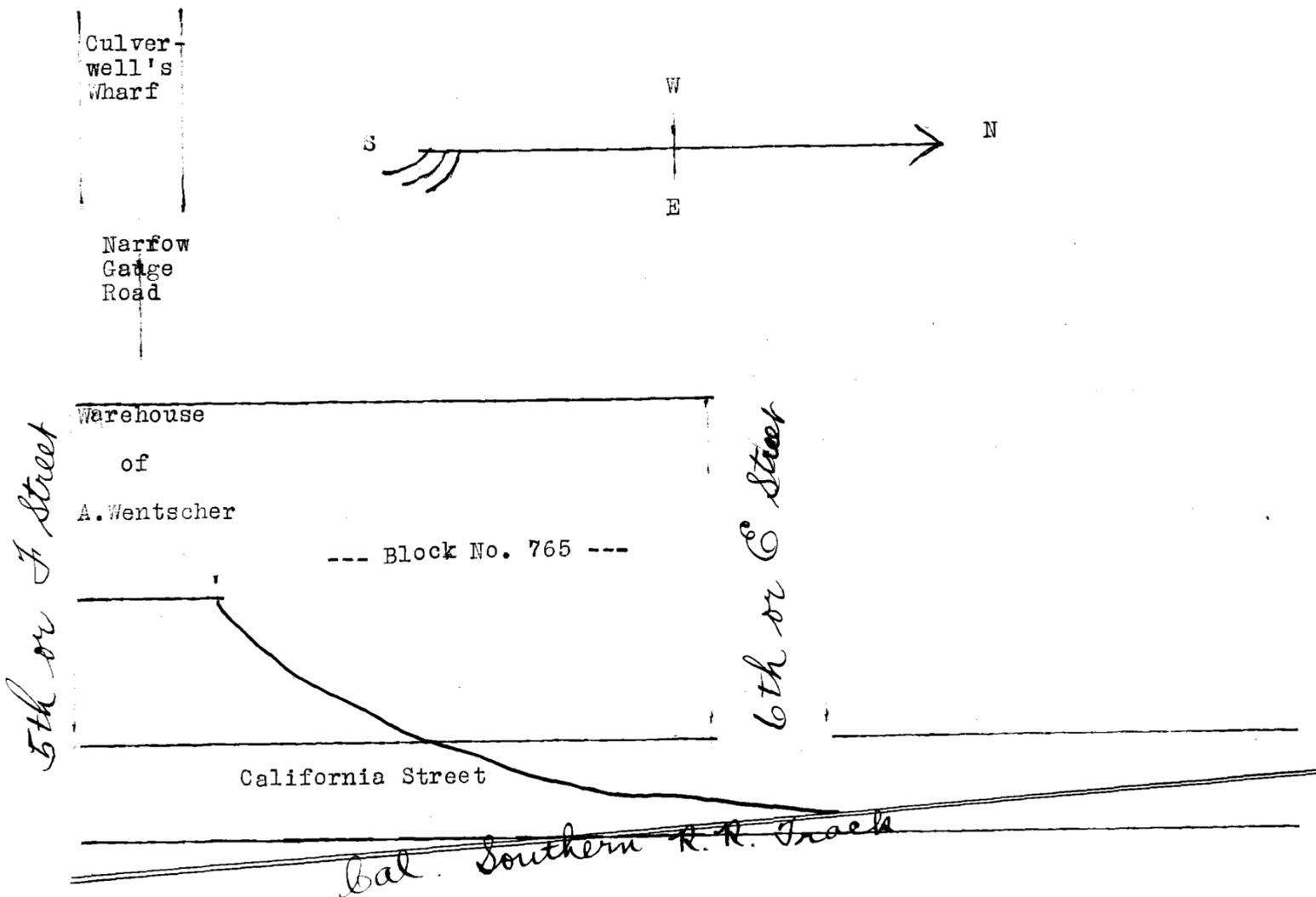
In this Matter A. Wentscher having duly presented his petition to this Board in words and figures as follows, to-wit:

"To the Hon. Board of Trustees of the City of San Diego.

Your petitioner A. Wentscher respectfully asks for permission to construct and maintain a side track from the California Southern Railroad Track across California Street, and from his Warehouse across Atlantic Street to the Culverwell Wharf all in New San Diego, in accordance with the plan as shown on the map hereto attached, and your petitioner will every pray."

A. Wentscher,

By Leach and Parker, his Attorneys.



And the Board having fully considered such petition and map and the same being understood by said Board, on motion the following Resolution is passed and unanimously adopted in words and figures to-wit:-

"Resolved by the Board of Trustees of the City of San Diego, that A. Wentscher be and he is hereby granted permission to construct and maintain a side track from the California Southern Railroad Track in New San Diego in this City along and across California Street, and also a track from his Warehouse located on Block 765 of New San Diego in said City, across Atlantic Street to a connection with wharf commonly known as the Culverwell or

Jones Wharf. Said tracks to be constructed and maintained substantially in accordance with the plan and map accompanying the petition in this matter, and to be so constructed as not to materially obstruct or interfere with the public travel on such or any other streets, nor shall this granted permission interfere with the right of the Board of Trustees or the right of said City to continue its full control of such streets or the power to change the grades thereof as may be deemed proper."

In the matter of Sale of City Bonds.

In this Matter on motion the City Treasurer is authorized and directed to advertise for Bids for the sale of City Bonds, such Bids to be opened in presence of the Board at its next regular monthly meeting, August 26th, 1882 at 1 o'clock P. M.

In the matter of the Reports of Officers of Cemetery Commission.

In this Matter the Report of H. H. Dougherty Supt. of Mt. Hope Cemetery and the Report of A. Pauly, Treasurer of Mt. Hope Cemetery are read, and on motion are ordered placed on file.

In the Matter of the expenditure of Appropriation made)  
by this Board of \$100.00 for repair of Roads. )

In this Matter J. V. Mumford presents his report of the sale of Warrant No. 1540 for \$100.00 for the sum of \$70.25 and of his expenditure of same in the repair of Streets and Bridges. On motion the report is approved and ordered placed on file.

There appearing no further business on motion the Board now adjourns.

H. T. Christian, Clerk.

President pro tempore.

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Office of Board of Trustees of  
City of San Diego, Aug. 26, 1882.

The Board of City Trustees met at one o'clock P. M. in regular monthly session.

Present: Trustees McCoy, Slade, Schneider and Snyder, and Clerk, Christian.

Absent: Trustee S. P. Jones.

On motion Trustee Slade is elected President pro tem. of the Board.

On motion the Committee on Claims is given further time on the bill of James Russell for \$

In the matter of the Report of City Treasurer.

In this matter Treasurer Bryant Howard presents his official report for the quarter ending June 30th, 1882, on motion the report is accepted and ordered placed on file.

In the matter of Claims against the City.

In this matter the following bills against the City are allowed and ordered paid, to-wit:

|                                                                                                                              |         |
|------------------------------------------------------------------------------------------------------------------------------|---------|
| Dan'l Stewart, Salary as Inspector for August & burying &c                                                                   | \$54.25 |
| H. T. Christian " " Clerk " "                                                                                                | 15.00   |
| James McCoy, Costs &c in McCoy vs Felsenheld                                                                                 | 4.00    |
| Order and Demand of Public Library Trustees as per orders and demands as drawn by the President & Secretary of said Trustees |         |
| Nos. 1- 2- 4- 5- 7- 8- 10 and No. blank (for \$1.00)                                                                         | 135.32. |

In the matter of opening bids or Proposals for Sale of City Bonds.

In this matter the City Treasurer reports having received one bid for the purchase of Bonds under last published notice: the clerk having opened the Bid, it was found to be in words and figures as follows: "San Diego, Cal. Aug. 26th, 1882" "Bryant Howard, City Treasurer." "I will take 3 City Bonds of \$1000.00 each at par". P. P. Carmes per B.H.

On motion the Bid of P. P. Carmes is accepted, and the City Treasurer is authorized and directed to sell and deliver to said P. P. Carmes, three \$1000. new 7 per cent. City Bonds in accordance with such bid.

In the matter of redemption of the 10 per cent. City Bonds.

On motion the City Treasurer is instructed so soon as he may receive the proceeds

of sale of new City 7 per cent. Bonds, that he advertise in accordance with law for the redemption of outstanding 10 per cent. City Bonds.

In the matter of advertising for sale of City Bonds.

On motion the advertisement for sale of new 7 per cent. City Bonds is ordered continued for another month, and Trustee Schneider is requested to make rates with the "Union" for such publication.

In the matter of organizing the Board of Health.

In this matter on motion Trustees A. Schneider, J. H. Snyder and S. Slade are appointed a Committee to take legal advice and report to this Board the steps necessary to be taken to legally organize the Board of Health of the City, and also report what health ordinances are necessary to be passed by the Board for the enforcement of health regulations in the City, and to make a general report of all things requisite to be done and acted on by the Board in this matter, and present their report to this Board at its next adjourned meeting to be held Sept. 5th, 1882 at 1 o'clock P. M.

On motion the Board now adjourns to September 5th, 1882 at 1 o'clock P. M.

H. T. Christian, Clerk.

President pro tempore.

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Office of the Board of Trustees, of City of  
San Diego, Sept. 5, 1882. 1 h. P. M.

The Board of Trustees met at one o'clock P. M. in regular adjourned meeting.

Present: Trustees Slade, Schneider, Snyder and Jones. Absent: Trustee McCoy, and Clerk Christian. President S. P. Jones in the Chair.

On motion T. G. Battaile is authorized to act as Clerk pro tem. of the Board.

In the matter of the organization of the Board of Health of the )  
City and passage of Health Ordinances &c. )

The Committee (Trustees Schneider, Snyder and Slade) heretofore, at the last meeting of the Board, appointed to report in this matter, reported that the committee had consulted E. B. Cushing Esq. Atty, &c, in this matter, and that Mr. Cushing would verbally report his legal views of the whole matter to the Board, and Mr. Cushing being present pointed out to the Board the legal steps to be taken and the manner in which the Board could according to law organize as the Board of Health of the City, and also stated to the Board the necessity of the passage of such health and other ordinances for the fully carrying into effect the necessary health regulations.

On motion the report is received, and final action of the Board in the matter continued.

On motion the Board now stand adjourned,

H. T. Christian, Clerk.

President

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#### SPECIAL MEETING

Office of Board of Trustees of City of  
San Diego, Sept. 11, 1882.

The Board of Trustees met at 2 o'clock P. M. pursuant to a regular called special meeting of the Board, which call is in words and figures to-wit:

"Meeting Notice."

Office of Board of Trustees of the City of San Diego.

A Special or called meeting of the Board of City Trustees is hereby called to meet at the usual place at two o'clock P. M. on Monday, September 11th, 1882. The object of said meeting is to transact all necessary business connected with the organization of a Board of Health, the appointment of a Health Officer, and the passage of all necessary ordinances connected therewith, and to pass an ordinance declaring what shall constitute

nuisances against the public health, and the means of enforcing the said ordinances."

San Diego, September 4th, 1882.

S. P. Jones, Trustee  
Samuel Slade, Trustee  
J. H. Snyder, Trustee  
A. Schneider, Trustee

Present full Board, and Clerk Christian. President Jones in the Chair.

The Clerk read the call for this Special Meeting and the President then stated that the Board had met for the purpose of transacting the business as set forth to be done in said call, and that the Board would now proceed to business:

On motion of Trustee J. H. Snyder, Mr. E. B. Cushing is allowed to read an Ordinance prepared by him for the consideration of the Board.

After the reading of the Ordinance, on motion the Board proceeded to separately consider each section of said ordinance, and after said ordinance had been read and considered section by section, on motion the Board further continue action on the same as a whole.

Mr. Cushing then stated that he had other ordinances in preparation for the fully carrying out the business for which this meeting had been called which fact necessitated an adjournment of this Special meeting, and asked the Board to adjourn this meeting to some day suitable to the Board.

On motion the Board now adjourn till Thursday the 14th inst. at one o'clock P. M. for the purpose of transacting the unfinished business of this called or Special Meeting.  
H. T. Christian, Clerk. President.

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ADJOURNED SPECIAL MEETING.

Office of Board of Trustees of City of  
San Diego, Sept. 14, 1882.

The Board met at one o'clock P. M. pursuant to adjournment. Present full Board.  
S. P. Jones President, in the Chair.

The Minutes of the Special Meeting of Sept. 11, 1882 read and on motion approved.

Mr. Cushing the attorney having in charge the drafting of Ordinances &c. to come before this meeting for action by the Board, stated that he was not, owing to certain cases in Superior Court requiring his whole attention, ready with the Ordinances.

It is therefore on motion ordered that the business properly to come before this meeting be now, and the same is hereby postponed and laid over until the regular monthly meeting of this Board to be held on the 30th day of September 1882 at 1 o'clock P. M.

On motion the Board now adjourns.

H. T. Christian, Clerk.

President

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Office of the Board of Trustees of the City of  
San Diego, September 30th, 1882.

The Board met at one o'clock P. M. in regular monthly session, Present the full Board and Clerk Christian. The President of the Board, S. P. Jones, in the chair.

The Minutes of the regular meeting of the Board of August 26, 1882, and the Minutes of the adjourned meeting of Sept. 5, 1882, and the Minutes of the Special Meeting of Sept. 11, 1882 and the Minutes of the adjourned Special Meeting of Sept. 14, 1882 read and on motion approved.

In the matter of the petition to grade 5th St. bet. G and H Streets.

In this matter the Street Committee reports favorably on the petition of property owners on 5th St. between G and H Streets to have 5th Street graded between two said streets,

on motion the Board directs that such petition be accepted and approved, and that the necessary steps to fully carry into effect the prayer of said petition be at once taken.  
In the matter of the complaint of Mrs. Taylor.

The Street Committee report having had complaint made to it by Mrs. Taylor relative to damage likely to occur to her property by the filling in of the street near her place turning the natural water course, on motion the matter is referred to the Street Com. for further investigation.

In the matter of the semi-annual statement and report of the President.

In this matter S. P. Jones, President of the Board, presents his first semi-annual report for this term, showing the balance in the Treasury as appears on the 1st day of Sept. 1882, to-wit:

In the General Fund \$2493.70- Redemption Fund \$462.99- Interest Fund \$1109.05, Road Fund \$6.69, Library Fund \$506.67. Total \$4579.10. On motion the Report is received and placed on file.

In the matter of bills against the City.

On motion the following bills are allowed and ordered paid, to-wit:

|                                                      |         |
|------------------------------------------------------|---------|
| Daniel Stewart, Salary &c as Inspector for September | \$51.75 |
| H. T. Christian, Salary as Clerk for September 1882  | 15.00   |

The following bills were referred to Committee on Claims,

|                                         |         |
|-----------------------------------------|---------|
| San Diego Union, Printing &c            | \$50.50 |
| San Diego Engine Co. No. 1- Supplies &c | 23.60   |

The Committee on Claims are given until next regular meeting to report on the bill of James Russell, by the following vote on the motion to extend the time on such bill, to-wit:

|                               |   |          |
|-------------------------------|---|----------|
| 1st Ward, Trustee McCoy, "No" | ) |          |
| 2nd " " Slade "Yes"           | ) | -3 yeas- |
| 3rd " " Schneider "Yes"       | ) | -2 noes- |
| 4th " " Snyder "Yes"          | ) |          |
| 5th " " Jones, "No"           | ) |          |

In the matter of the election of Chief Engineer of the Fire Department.

In this matter, the certificate of election of the Board of Delegates of San Diego Engine Co. No. 1 is filed with the Board of City Trustees, showing that Thomas Hogue, T. Verlaque, John Stanovich and John Ealy were on the 12th day of Sept. 1882 duly elected by San Diego Engine Co. No. 1 as the Board of Delegates for said Co.-- Whereupon the President of the Board of City Trustees declares the election of a Chief Engineer of the Fire Department now in order. On motion it is ordered that the Board of Delegates and Board of Trustees now on joint ballott proceed with the election, Whereupon, Till A. Burnes and Henry P. Koster are placed in nomination. The President of the Board of Trustees appointed City Clerk Christian as Teller. The ballot was proceeded with and closed with seven ballots cast, with the following result. Hency P. Koster had four (4) votes; Till A. Burnes two (2) votes, and Blank had one (1) vote, total seven votes.

Whereupon the President of the Board of Trustees declares Henry P. Koster duly elected as Chief Engineer of the Fire Department of the City of San Diego for the term ensuing-- and directs the Clerk to issue certificate of election.

In the matter of a petition for a Street Rail Road.

In this matter a petition signed by Messrs. John G. Capron, M. A. Luce, asking the Board to grant them a Franchise for a Street Railroad through certain streets, is on motion referred to the Street Committee.

In the matter of a certain suit against the City for Interest &c.

In this matter E. W. Morse Esq. states to the Board that he had received a Summons in a suit for interest on certain bonds of the City, commenced in the U. S. Circuit Court at San Francisco, with the request that it be served on the City Attorney for his acceptance of service to save costs, and asked the Board in in view there was no City Attorney, what was



shall be considered and treated the same as if drawn on the General Fund and payable in the regular order of their issuance and out of the said General Fund of the City. In the matter of the City Board of Equalization for 1882.

In this matter, on motion the President of the Board is authorized to appoint a Committee of the Board of three, to act as the Board of Equalization of the City for the year 1882, that such Committee meet as such Board on Monday October 16, 1882 at 9 o'clock A. M.

The President thereupon appointed Trustees Sam'l Slade, and J. H. Snyder; and now on motion of Trustee A. Schneider, S. P. Jones President, is named by the Board as the other Trustee to fill and complete such Committee.

The President then announced the Committe to be as follows:

Trustees Slade, Snyder and Jones. On motion the Clerk is instructed to give the usual ten days notice of the meeting of the Board of Equalization.

In the matter of the Complaint of Mrs. Taylor.

In this matter the Street Committee report that there is like damage to occur to the property of Mrs. Taylor by reason of certain filling of Street near her property tend- ing to throw the volume of a natural water course out of its natural channel, and refer the matter to the Board.

On motion the Board is constituted a Committee of the Whole to make examination of this matter and report at next regular meeting of the Board.

On motion the Board now adjourn.

H. T. Christian, Clerk

President.

REGULAR OCTOBER MEETING

Office of Board of Trustees of the City of San Diego, Oct. 28, 1882.

The Board met in regular monthly session at one o'clock P. M. Present, Trustees McCoy, Snyder and Jones, and Clerk Christian. The President S. P. Jones in the chair.

The Minutes of the Meetings of the Board of Sept. 30th, and Oct. 2nd 1882, read and approved.

In the matter of the Petition of M. A. Luce et al for St. R. R. Franchise.

The Street Committee, to whom this matter had been referred, report reccommending that the Franchise be granted under proper reasonable restrictions and conditions.

In the matter of Claims against the City.

In this matter the following bills are allowed and ordered paid, to-wit:

|                                          |          |
|------------------------------------------|----------|
| M. D. Hamilton, Assessor,                | \$300.00 |
| Dan'l Stewart, Inspector for October 82. | 52.00    |
| H. T. Christian, Clerk " " "             | 15.00    |
| San Diego Engine Co.- Supplies &c        | 23.60    |

Trustee A. Schneider now takes his seat in the Board.

On motion the bill of James Russell is continued in the hands of Com. on Claims.

In the matter of the Suit for Interest) on certain Bonds against the City )

In this matter the Special Committee, report reccommending that the Board elect a City Attorney for the City, so that this matter could have legal attention.

In the matter of the election of a City Attorney.

On motion it is ordered that the Board now go into the election of City Attorney, with the express understanding that whomsoever is by this Board elected shall receive the regular monthly salary of \$25.00 per month for all services rendered as such attorney, and no more. The President thereupon declared an election of City Attorney in order, and ap- pointed City Clerk Christian as teller. The Board going into ballott there were four ballots



## CHARTER ORDINANCE NO. 86.

The City of San Diego, by and through its Board of Trustees, ordain as follows:

Section 1. The following taxes are hereby levied on all taxable property in the City for the fiscal year ending December 31st, 1882, to-wit: For General Purposes, 30 cents on each \$100. For Interest Fund, 50 cents on each \$100. For Redemption Fund 42 cents on each \$100. For Library Fund, to maintain a Free Public Library and Reading Room, under "An Act to establish Free Public Libraries and Reading Rooms," approved April 26, 1880, and amendments thereto, 3 cents on each \$100.

Passed and Approved by the Board of Trustees of the City of San Diego, State of California, in regular adjourned meeting assembled this October 30, 1882.

(SEAL) ATTEST: H. T. Christian, City Clerk and Clerk of said Board. S. P. Jones, President.

On motion the Board now adjourn to October 11th, 1882 at one o'clock P. M.  
H. T. Christian, Clerk. President.

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## REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of City of  
San Diego, Nov. 11th, 1882.

The Board met at one o'clock P. M. pursuant to adjournment. Present full Board and Clerk Christian. S. P. Jones, President in the Chair.

The Minutes of the Regular Meeting of October 28th, 1882, and of the adjourned Meeting of October 30th, 1882, read and approved.

In the matter of Jos. Russell's Bill against the City.

In this matter, on motion this Bill is continued in the hands of the Committee on Claims until the next regular meeting Nov. 25th 1882.

In the matter of Claims against the City.

The Bill of J. V. Mumford for rent of Engine House for \$60.00 is referred to Com. on Claims.

In the matter of Amending Charter Ordinance No. 76.

In this matter, on motion the following Ordinance is passed approved and adopted in words and figures following, to-wit:

## CHARTER ORDINANCE NO. 87.

The City of San Diego by and through its Board of Trustees, ordains as follows:

Section 1. That Section numbered 4 of Charter Ordinance No. 76 "to provide for the Collection of City Taxes" be and the same is hereby amended by substituting and inserting the word "January" instead of the word "February" therein.

Sec. 2. That Sections 4, 7 and 12 of said Ordinance be amended by substituting and inserting the word "February" instead of the word "March" wherever said word "March" occurs therein.

Sec. 3. That Section 9 of said Ordinance be amended by substituting and inserting the word "March" instead of the word "April" therein.

Sec. 4. That Section 18 of said Ordinance be amended by substituting and inserting the word "April" instead of the word "May" therein.

Sec. 5. That Section 6 be amended by substituting and inserting the word "two" instead of the word "three" therein.

Sec. 6. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Passed and Approved at an adjourned meeting of the Board of Trustees of the City of San Diego, State of California, held on the 11th day of November A. D. 1882.

(SEAL) ATTEST: H. T. Christian,

S. P. Jones, President.

City Clerk and Clerk of said Board.

On motion the Board now adjourns till Saturday the 18th inst at 1 o'clock P. M.

H. T. Christian, Clerk.

President.

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REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of the City of  
San Diego, Nov. 18th, 1882.

Pursuant to adjournment, the Board met at 1 o'clock P. M. Present, Trustees McCoy, Slade and Jones and Clerk Christian. Absent Trustees J. H. Snyder and A. Schneider. President, S. P. Jones presiding.

In the matter of the Suit of Wallace vs. City of San Diego.

In this matter the following Resolution is read and on motion adopted in words and figures as follows, to-wit:

Whereas, there is now pending in the Circuit Court of the U. S. in and for the 9th Circuit & District of California a certain action in which one Wallace is the Plaintiff, and the City of San Diego, Cal. is the Defendant, and Whereas it is deemed desirable, for the best interests of said City that a continuance be had in said cause in order that a proper and full defense can be made to said action, and Whereas it is necessary to file an affidavit in said Court showing the grounds for asking said continuance, and Whereas there may arise a necessity for the signing of other affidavits and papers in said action.

Therefore be it resolved by the City of San Diego, acting by and through its Board of Trustees, that S. P. Jones the President of said Board be and he is hereby authorized and instructed to sign said affidavit for continuance, and such other affidavits and papers in said cause as it may become necessary to sign and verify or sign or verify, on behalf of and for and in the name of said City Defendant- to be prepared by the Atty. of said City and that the same be filed in the said U. S. Court.

In this matter on further motion, it is ordered, that the City Attorney be and he is hereby authorized to employ proper, competent Counsel in the City of San Francisco to present the motion and affidavit of said City for continuance in this cause.

In the matter of the complaint of Mrs. Taylor of Mrs. Taylor of the filling of St.

On motion it is ordered that the filling in and obstructing a certain water course in the vicinity of the Old School Houses, as complained of by Mrs. Taylor and heretofore referred to this Board as Com. of the Whole, be now referred to a Special Committee, consisting of Slade and A. Schneider, and that said Committee report to this Board at its next meeting Nov. 25th, 1882.

On motion the Board now stands adjourned.

H. T. Christian, Clerk.

President.

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REGULAR NOVEMBER MEETING.

Office of the Board of Trustees of City of  
San Diego, Nov. 25, 1882.

The Board met in regular monthly session at one o'clock P. M. Present Trustees McCoy, Slade and Jones and Clerk Christian. President S.P. Jones in the Chair.

The Minutes of the adjourned Meeting of the Board of November 18th, 1882, read and approved.

In the matter of Claims against the City.

On motion the following bills are allowed and ordered paid, to-wit:

J. V. Mumford, Rent of Engine House for Aug. Sept. & Oct. 1882

\$60.00



In this matter a petition signed by a large majority of the business men of the City asking the Board to elect or appoint Gus Young to the office of Health Inspector of the City is read and on motion placed on file.

On motion the Board now go into ballott for the election of Health Inspector: The President appoints Clerk Christian as teller:

The first ballott resulted as follows, no of votes cast four, Gus Young 2, Wm. Rooney 1 and Blank one: The President the result to be no election, and orderd a second ballott, with the following result, four votes cast of which Gus Young had (3) three and Wm. Rooney had (1) one, whereupon the President declared Gus Young the choice of the Board as Health Inspector and declared him so elected.

"In the matter of fixing the Salary of Health Inspector"(see above) the words "for the next succeeding six months," were interlined by the Clerk before the reading approval and signing of the Minutes.

On motion the Board adjourns to Friday Jan. 5th, 1883 at 2 P. M.

H. T. Christian, Clerk.

President.

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REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of City of San Diego, Jan.5th, 1883.

The Board met at 2 P. M. pursuant to the adjournment of the regular December Meeting of Dec. 30th, 1882. Present Trustees Slade, Schneider, Snyder and Jones and Clerk Christian. Absent Trustee McCoy. S. P. Jones, President in the Chair.

In the matter of the application of Moffett and Gildea to cut ditch &c.

In this matter, on motion it is ordered that B. M. Gildea and \_\_\_\_\_ Moffett, have the right and privilege to make proper improvements for the drainage of water, by ditch or otherwise, on H street between 16th and 17th Streets, always provided that such improvement does not obstruct in any manner said Streets their crossings or either of them.

In the matter of Claims against the City.

On motion the following bills are allowed and ordered paid, to-wit:

|                                                                                                                                                                                                         |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Dan'l Stewart, Health Inspector &c. for December                                                                                                                                                        | \$54.25 |
| Eugene B. Cushing, money advanced by him in the case of Wallace V. the City, being for deposit in U. S. Court, Costs of Continuance, Fees of Rhodes & Barstow Attys. and affidavit of S.P.Jones, in all | 52.90   |

In the matter of Street R. R. Franchise) petitioned for by M. A. Luce et al. )

The Committee, to which this matter was referred, by order of the Board of date October 28th, 1882, now present to the Board an Ordinance by them prepared granting such franchise as petitioned for by M. A. Luce et al., On motion it is ordered that the Board now go into the consideration of such Ordinance, that it be read Section by Section and the sense of the Board be taken upon each of said Sections separately. Trustee A. Schneider of said Committee now read each of said Sections of said Ordinance, and such corrections and amendments thereof having been made by the Board as to the Board seemed just and proper, it is on motion ordered that the Clerk transcribe such Ordinance as amended, and have the same ready to be presented to this Board for final passage and approval at its adjourned meeting next, Jan. 9, 1883.

On motion the Board now adjourns to Tuesday January 9th, 1883 at 2 o'clock P. M.

H. T. Christian, Clerk

President

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REGULAR ADJOURNED MEETING

Office of the Board of Trustees of City of San Diego, Jan. 9th, 1883.

The Board met pursuant to adjournment, at 2 o'clock P. M. Present Trustees Slade, Schneider, Snyder and Jones, and Clerk Christian. Absent, Trustee McCoy.

In the matter of Street R. R. Franchise) petitioned for by M. A. Luce et al. )

In this matter the Clerk read the Ordinance as amended and transcribed, as ordered by the Board at meeting of Jany. 5th, 1883, and on motion the further consideration of the Ordinance is postponed until tomorrow Jan. 10, 1883 at 2 P. M.

In the matter of the complaint of W. E. Williams) as to a Slaughter House. )

In this matter W. E. Williams having complained to the Board of the existence near his residence of a Slaughter House kept by Wm. Winter, On motion the City Atty. is requested to notify Mr. Winter to abate the nuisance.

In the matter of a Telegram to be sent) to Chm. of House & Senate Coms. )

In this matter, Trustee John H. Snyder read a telegram which he thought proper to be sent by the President of the Board to the Chairman of the House Com. on Railroads and to also/the Chmn. of the Senate Com. on Railroads of the Congress of the U. S. asking said Committees to take in consideration the original guarantees in the original T. & P. R. R. Franchise and Land grant, to our City and Citizens, and in their consideration of the Act now before them consolidating the S. Pacific and Texas Pacific Railroads that they may consider the said guarantees and have said original guarantees incorporated in the said Consolidation Act, and if the same be not so incorporated, that our City and Citizens protest against the passage of said Act. On motion the matter is referred to Trustee Snyder & City Atty. to prepare such a telegram to present to the Board Jan. 10, 1883.

On motion the board now adjourn to Tomorrow Jany. 10th, 1883 at 2 o'clock P. M. H. T. Christian, Clerk. President.

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REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of the City of San Diego, Jany. 10th, 1883.

The Board met at two o'clock P. M. pursuant to adjournment. Present Trustees Sam'l Slade, A. Schneider, John H. Snyder and S. P. Jones and Clerk Christian. Absent Trustee Jas. McCoy. President of the Board S. P. Jones presiding.

In the matter of a Telegram to be sent) to Chm. of House & Senate Coms. )

In the matter, on motion the President is instructed to send to the Chairman of the House Com. and the Chm. of the Senate Committee on Railroads each a telegram in substance to-wit: that in consequence of certain guaranteeing to our Citizens under such original Franchise the building of a Railroad to the Bay of San Diego, the City of San Diego and her Citizens have made large donations of both land and money, and therefore earnestly protest against the passage of what is known as the Consolidation Act, consolidating the Texas & Pacific & Southern Pacific Railroads, unless said Act shall contain the Original Guarantees of the Original Texas & Pacific R. R. Franchise.

In the matter of the Street R. R. Franchise) petitioned for by M. A. Luce et al. )

In this matter the Clerk again read the Ordinance granting said Franchise, and on motion to adopt and pass the same, the "Ayes" and "Nays" being called the same was adopted by the following vote, to-wit: First Ward, Trustee Jas. McCoy, absent and not voting; Second Ward, Trustee Sam'l Slade "Yea"; Third Ward, Trustee A. Schneider, "Yea"; Fourth Ward, Trustee John H. Snyder "Yea"; and Fifth Ward, Trustee S. P. Jones "Yea". The Ordinance is thereupon by the President declared adopted, passed and approved by a two-thirds vote of the Board, and such Ordinance is in the words and figures follows, to-wit:

## CHARTER ORDINANCE NO. 88.

Granting a Street Railroad Franchise to O. S. Witherby, M. A. Luce, et al,  
by the City of San Diego.

THE CITY OF SAN DIEGO, acting by and through its Board of Trustees, does ordain  
as follows:

SECTION 1. The right of way and authority to lay one continuous track of two parallel rails through the streets and public highways of the City of San Diego, State of California, hereinafter designated, for the term of twenty-five years, with the right to construct, equip and maintain a Street Railroad and to run cars thereon, propelled by horse or cable, for the transportation of passengers, is hereby granted to O. S. Witherby, A. Wentscher, W. E. Hadley, J. G. Capron and M. A. Luce, and their associates, successors or assigns, over and through the following streets and highways, to-wit:

Commencing at the Depot of the California Southern Railroad Company known as the "D" Street Depot, at the foot of Spring Avenue; thence running in an easterly direction up said Spring Avenue and D street to the centre line of Fifth street; thence in a southerly direction down said Fifth street to the centre line of K street; thence in an easterly direction up said K street to the centre line of Sixteenth street; thence in a southerly direction down said Sixteenth street to the centre line of Twentieth street in Mannasse & Schiller's Addition; thence in a southwesterly direction down said Twentieth street to the centre line of M street; thence in a southeasterly direction down said M street to the centre line of Twenty-second street; thence in a southwesterly direction down said Twenty-second street to the twenty-second Street Railroad Depot grounds of the California Southern Railroad Company. Also commencing at the point where the centre line of Fifth street intersects with the centre line of D street in Horton's Addition, and running thence in an easterly direction up said D street to the centre line of Twelfth street; thence in a southerly direction down said Twelfth street to the centre line of K street.

SEC. 2. Said railroad track shall be constructed as near as possible on the centre line of the streets and highways aforesaid. Said track shall be planked, paved or macadamized between the rails and two feet each side, except in the streets east of Fifth street, until otherwise ordered by the proper city authorities, all to be kept in good repair, constantly flush with the streets, and with good crossings of the full width of the cross-streets. The track not to be more than five feet wide between the rails. No switches or turnouts to be placed within fifty feet of any cross-street. Turn-tables to be permitted only at the end of the track near D Street Depot and Twenty-second Street Depot.

SEC. 3. The construction of said Street Railroad must be commenced at D Street Depot within six months from the passage of this Ordinance, and work on the same must continue without interruption or cessation, so that the same be completed, finished and in operation in one continuous line, and at the several times hereinafter specified, as follows: Commencing at said D Street Depot, thence up said Spring Avenue and D street to Fifth street, and down said Fifth street to K street as set forth and described in Section 1, within eighteen months from and after the passage of this Ordinance. The remaining portion of said railroad, as described in Section 1 of this Ordinance, must be completed, equipped, stocked and in running order within two years from and after the passage of this Ordinance.

SEC. 4. The sum of twenty dollars per annum, payable to the City of San Diego in December of each year, is hereby fixed as a license fee upon each car used or operated on said road. Not more than ten cents for one fare shall be collected for any distance on said road. If at any time any railroad track shall intersect this road, it shall not occupy, or use the track of this road for any distance greater than two blocks; but the City expressly reserves the right to extend this privilege to more than two blocks to any other railroad

so intersecting.

SEC. 5. It is provided, and this franchise and right is granted, upon the express condition that the laying of said track shall conform in all cases to the grade of the street, highway and cross-streets over and through which it passes where such streets, highways or crossings have been graded in accordance with the established grade, and in all other cases it shall conform to the natural grade or surface of the streets and highways over and through which it may run; and when at any time any part of such streets and highways be graded, or the grade thereof be changed or altered, the bed of the road and the tracks thereof shall be made to conform thereto.

SEC. 6. It is further understood that the City, in making this grant of franchise and right, expressly reserves the right to grade, sewer, pave, macadamize, improve, alter and repair all or any part of said streets and highways, and to lay down pipes for water, gas, or other purposes therein, or to make or order to be made any other improvements whatsoever; and when such improvements are being made, the owners of said road shall shift and re-shift their road-bed and rails so as to avoid obstruction.

SEC. 7. If any part of said road as constructed, is not constructed and kept in repair as is by the terms of this Ordinance obligated and provided, it is expressly understood that the City shall have the right and authority to make such repairs, and also have the right and authority to make such alterations as is requisite to the conformity of the provisions of this Ordinance, and all at the expense of the owners of the road and franchise.

SEC. 8. It is here further understood and provided, that this franchise and right is expressly granted upon each and every of the aforementioned provisions, conditions, stipulations and requirements, and where this Ordinance does not otherwise specify and provide, or is silent, the laws of the State of California now in force, or hereafter to be enacted, applicable to and concerning street railroads, shall govern. And if said grantees or their successors in ownership of this franchise and right, shall fail to comply fully with said provisions, terms and conditions, or with the provisions of said State laws relating to the construction, equipment and operation of street railroads, or shall fail to keep in continual operation the constructed and completed portion of said road; then in that case, all rights and privileges, ownership and control over, in and to the incomplete and unfinished portion or portions of said road shall cease, and be thenceforth forfeited and become a nullity. But to that part of the route from D Street Dept to Fifth street, and down Fifth street to K street, the foregoing provision as to forfeiture shall apply to the finished as well as the unfinished part of said railroad on, along and between said two last mentioned points.

SEC. 9. It is further understood that this franchise and right shall never be construed as giving or granting any exclusive right of franchise.

SEC. 10. All Ordinances and parts of Ordinances in conflict with this Ordinance, or any part thereof, are hereby repealed.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, in regular adjourned meeting assembled, this 10th day of January, A. D. 1883, by the following vote, to-wit: Trustees Samuel Slade, John H. Snyder, A. Schneider and S. P. Jones in the affirmative; Trustee James McCoy absent and not voting.

In witness whereof, S. P. Jones, the President, and H. T. Christian, the Clerk of said Board, have hereunto set their hands, and caused the Corporate Seal of said City and Board to be hereto affixed this 10th day of January, A. D. 1883.

(SEAL) ATTEST: H. T. Christian, Clerk.

S. P. Jones, President.

In the Matter of Claims against the City.

In this matter the following bill is allowed and ordered paid, to-wit:

E. B. Cushing<sup>ing</sup> Law Books bought for the City \$20.27

On motion the Bill of James Russell is laid over to the next monthly meeting.

In the matter of the election of a Health Officer for the City.

In this matter on motion the Board goes into ballott for Health Officer, The Pres. appoints the Clerk Teller, The Ballott being had, four votes were cast all of which were for Dr. G. W. Barnes. The President thereupon declared Dr. Barnes the duly elected Health Officer of the City, and the Clerk is instructed to issue the usual Certificate of Election.

In the matter of the acceptance of Ordinance No. 88 by M. A. Luce et al.

In this matter on motion the following resolution is adopted, to-wit:

Resolved that the City Clerk publish Charter Ordinance No. 88 this day adopted by the Board, granting a Street Railroad Franchise to M. A. Luce, O. S. Witherby et al, as soon as said Grantees obligate or pay the expense of the preparation and publication and accept the same, and said Grantees are hereby given ten days in which to file with the City Clerk their written acceptance of said Franchise as in said Ordinance 88 granted.

On motion the Board now adjourns.

H. T. Christian, Clerk.

President.

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REGULAR JANUARY MEETING.

Office of the Board of Trustees of City of San Diego, Jan. 27, 1883.

The Board met in regular monthly session at 1 o'clock P. M. Present full Board, and Christian, Clerk. The President S. P. Jones in the chair.

In the Matter of Claims against the City.

On motion the following bills are allowed and ordered paid, to-wit:

San Diego Union, Printing &c. \$34.50
E. B. Cushing, Salary as City Atty. for Jan. 83. 25.00
H. T. Christian, Salary as City Clerk for Jan. 83. 15.00
S. P. Jones, Telegraphing to Wash. D. C. 11.45

In the Matter of the Compalint of W. E. Williams) as to Slaughter House.)

In this matter the City Atty. reports to the Board that Wm. Winter promised to move his Slaughter pen, complained of by W. E. Williams as a nuisance, immediately. The report of the Atty. is accepted.

In the matter of the Acceptance of the Street) R. R. Franchise by Grantees.)

In this matter the Clerk reports having received the written acceptance by O. S. Witherby et al. of the Street R. R. Franchise granted by Ordinance No. 88, which acceptance is read by the Clerk, On motion it is ordered that the said Acceptance be spread upon the minutes of the Board. Said Acceptance is in words and figures, to-wit:

"We the undersigned, grantees of the Street railroad franchise granted by Ordinance of the Trustees of the City of San Diego, on January 10th, 1883, and numbered 88, hereby accept the franchise therein granted, and hereby file our written acceptance thereof.

January 17th, 1883.

O. S. Witherby
A. Wentscher
John G. Capron,
W. E. Hadley
M. A. Luce."

(Endorsed)

"City of San Diego, Written Acceptance of Street R. R. Franchise of Ordinance No. 88 Dated Jan. 17th 1883. Filed Jan. 17th 1883, H. T. Christian, City Clerk."

In the matter of Complaint of Jno. Hernandner) as to obstruction of sts.)

In this matter, on motion the following Resolution is passed, to-wit:

Whereas it has been made to duly appear to the Board that G. W. B. McDonald is by lumber piles and otherwise is obstructing the following public streets and highways in the City of San Diego, to-wit: portions of 5th, 6th, 7th and L Streets.

Therefore, be it resolved that he be forthwith notified by the City Clerk to remove all such lumber and other obstructions on the N. 1/2 of L Street between 5th and 6th Sts. in fifteen days from such notice, and from all other streets and parts of streets so obstructed by him within six months.

In the matter of the application of J. P. Jones )  
to improve City Park. )

This matter, on motion is referred to the Ways and Means Committee and the City Atty. for the purpose of preparing and indenture granting the privilege ask by said J. P. Jones to use 40 or more acres of the City Park for planting forest trees, and report the same to the Board.

In the matter of the application of W. W. Stewart to lay water pipe.

In this matter, on motion, W. W. Stewart is granted the privilege of laying pipe through and across and along \_\_\_\_\_ st. in Middletown and Spring Ave. and State Street for the purpose of conducting water from his Wind Mill and tank in Middletown to his residence in New San Diego, the City reserving her rights and privileges and full control over said streets and pipes, and subject to all orders of the proper City authorities.

In the matter of the suit of Wallace vs. the City.

In this matter, on motion the following Resolution is adopted and ordered spread upon the Minutes of the Board, to-wit:

Resolved by the Board of Trustees of the City of San Diego, that City Attorney Cushing be and is hereby instructed to conduct said law suit of H. E. Wallace vs. City of San Diego, now pending in our U. S. Circuit Court at San Francisco, at a contingent fee of Two Thousand Dollars payable by the City by Warrant on its General Fund and all necessary expenses, provided the said suit is decided in favor of the City, but that he receive only pay for the expenses necessary to conduct the suit provided the same be decided against the City.

That the Clerk and President of the Board now draw a Warrant on said General Fund in favor of Eugene B. Cushing for the sum of Four Hundred Dollars (\$400) as an advance in the matter of necessary expenses of said suit, and that the same be delivered to said Cushing. In the matter of approving the Minutes of Meetings of the Board.

The Clerk now read the Minutes of the Meetings of the Board held December 30th, 1882, and of January 5th, 9th, and 10th, 1883, and on motion the same are approved as recorded.

On motion the Board stands adjourned to the 2nd day of February next at two o'clock P. M.

H. T. Christian, Clerk.

President

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REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of City of  
San Diego, Feby. 2d, 1883.

The Board met at 2 o'clock P. M. in pursuance of adjournment. Present full Board and Christian Clerk. The President S. P. Jones in the Chair.

In the Matter of Claims against the City.

In this matter Trustee A. Schneider moves the Board to allow and pay the bill of James Russell presented to this Board on the 24th day of June 1882, pending this motion, the said bill not being produced before the Board by the Committee on Claims and the Com. and City Clerk being unable to find said bill in the office, it is moved and carried that

the matter be postponed to next meeting, that the Com. on Claims produce said bill or procure a duplicate thereof from said Russell.

The Bill of the San Diego Union of \$42.50 for printing and publishing Charter Ordinance No. 88 known as the Ordinance granting Street R. R. Franchise to O. S. Witherby et al. was presented and referred to the Committee on Claims.

In the matter of the Act Consolidating the Texas Pacific & Southern Pacific R.Rs. now before Congress)

In this matter on motion the following Resolution is adopted unanimously, to-wit:

Resolved that the Congress of the United States is hereby requested to mand the Bill now pending, providing for a consolidation of the Southern Pacific and other lines of railway, so as to fully carry out the original design of the act of Congress of March 3, 1871, and the Supplemental Act of May 2d, 1873, Chartering the Texas and Pacific Railway Company, by providing that said consolidated railroad shall be built to the Bay of San Diego as required in the said Texas and Pacific Railway Act of incorporation. Resolved further that we earnestly urge the passage of a Consolidation bill with this amendment, in the interests of the people of Southern California, but with this proviso, that we are opposed to any consolidation in any shape or manner that excludes this amendment.

On motion it is further ordered that the President of the Board and Trustee A. Schneider act as a Committee of this Board to confer with the Chamber of Commerce, and have that Body act in this matter in conjunction with this Board.

On motion, S. P. Jones Pres. of the Board is authorized to send by telegraph or otherwise the foregoing resolution to the Chairman of the House Committee and the chairman of the Senate Committee on Railroads.

On motion the Board now adjourn.

H. T. Christian, Clerk.

President.

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REGULAR FEBRUARY MEETING.

Office of the Board of Trustees of the City of San Diego, February 24th, 1883.

The Board met at one o'clock P. M. in regular Monthly session. Present Trustees, Full Board, S. P. Jones, President in the Chair.

The Minutes of the meetings of the Board of January 27th, and February 2d, 1883, read and approved.

In the Matter of Claims against the City.

In this matter on motion, the following bills are allowed and ordered paid, viz:

|                                                     |         |
|-----------------------------------------------------|---------|
| Clerk's Salary for Feby. 1883, H. T. Christian      | \$15.00 |
| City Atty's " " Feby. 1883, E. B. Cushing,          | 25.00   |
| Health Inspector " Jany. and Feby. 1883, Gus Young, | 74.75   |

In the matter of publication of City Delinquent List.

In this matter on motion, the Tax Collector is authorized to not publish for sale any item of Taxes amounting to less than twenty cents on the Unknown Owners Tax Roll.

In the matter of the application of J.P.Jones) to plant trees on City Park )

In this matter J. P. Jones presents a petition of a large number of Taxpayers petitioning the Board to grant the privileges ask for by said Jones, on motion the petition is ordered on file.

In the Matter of fixing Gas Rates to be) charged within the City. )

In this matter the San Diego Gas Co. present its Statement of business &c. for the past year, which is placed on file, and on motion the following Ordinance as read, is adopted and approved, to-wit:

CHARTER ORDINANCE NO. 89.

Fixing Rates to be Charged for Gas Supplied within the City of San Diego.

THE CITY OF SAN DIEGO, acting by and through its Board of Trustees, does ordain as follows:

SECTION 1. On and after the first day of July, 1883, it shall be lawful for any person or Gas Company, supplying Gas to the inhabitants of the City of San Diego, to charge and receive therefor the following rates, to-wit:

1st. From consumers using and consuming Three Thousand Feet and under, per month, the rate of Five Dollars per Thousand Feet.

2d. From consumers consuming and using more than Three Thousand Feet per month, the rate of Five Dollars per Thousand Feet for the first Three Thousand Feet, and Four Dollars per Thousand Feet for any excess over Three Thousand Feet.

Passed and approved by the Board of Trustees of the City of San Diego, State of California, in regular meeting assembled, this 24th day of February, 1883.

(SEAL) Attest:

S. P. Jones, President

H. T. Christian, City Clerk and Clerk of said Board.

In the Matter of application of T. M. Loup to lease City land.

In this matter, on motion, further action is postponed to next regular Meeting; Mch 31.

In the matter of the Bill of James Russell.

In this matter, on motion, the following items in said Bill are allowed, to-wit: Costs in case of City v. Manuel \$6.80 and for burning clothes of Small Pox Patient \$2.50 total \$9.30, and on further motion it is ordered that the item in said Bill of \$61.25 in case of Damas v. James Russell, be and the same is hereby rejected and disallowed.

In the matter of the Bills of the Health Inspector.

In this matter on motion, it is ordered that the Health Inspector hereafter swear to, and make affidavit to that portion of his bills itemizing the number of dead animals buried by him.

City Treasurer's Report.

The Treasurer's Report to Dec. 31st, 1882 of date Jan. 2d, 1883, is read and ordered filed.

Report of City Clerk showing 1st final Settlement with Tax Col. )

By virtue of Charter Ordinance No. 76, Sec. 7, and Amendment thereto by Charter Ordinance No. 87 Sec. 2, The City Clerk presents his report of 1st final settlement with the Tax Collector for and on account of City Taxes for 1882, which report shows:

|                                             |             |
|---------------------------------------------|-------------|
| Amt. charged to Tax Collector Nov. 20, 1882 | \$29,189.84 |
| Amt. credited to Collector, to-wit:         |             |
| Jan. 2, 1883, Amt. paid Treasurer           | \$7,143.10  |
| " 2, " " of Com. on \$7288.87 @ 2%          | 145.77      |
| Feb. 7 " " paid Treasurer                   | 18,002.77   |
| " 7 " " of Com. on 18370.17 @ 2%            | 367.40      |
| " 20 " " Double Assessments                 | 39.63       |
| " 20 " " Delinquent List                    | 1,955.64    |
| " 21 " " paid Treasurer                     | 1,232.88    |
| " 21 " " Com. on \$1535.53 @ 2%             | 30.77       |
| " 24 " " paid Treasurer                     | 271.94      |
|                                             | \$29,189.84 |

On motion the Report is received and ordered placed on file.

In the Matter of Fixing Water Rates within the City.

On motion this matter is laid over for final action to Feb. 26th, 1883 at 1 h.p.m.

On motion the Board now adjourn to Feb. 26, 1883, at one o'clock P. M.

## REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of the City of  
San Diego, Feby. 26, 1883.

The Board met pursuant to adjournment, at one o'clock P. M. Present the full Board.  
President S. P. Jones in the Chair.

In the Matter of Fixing the Rates for Water within the City.

In this Matter the Statement of the San Diego Water Co. showing its outlays, expenses, and its income, is read and placed on file. An Ordinance fixing Water Rates is read, and on motion approved and adopted, in words and figures to-wit:

## CHARTER ORDINANCE NO. 90.

Fixing Rates to be Charged for Water Supplied to Consumers within the City of  
San Diego.

THE CITY OF SAN DIEGO, by and through its Board of Trustees, does ordain as follows:

SECTION 1. On and after the first day of July, 1883, it shall be lawful for any person, or association of persons, or water company, supplying water to the inhabitants of the City of San Diego, to charge, collect and receive therefor the rates fixed as follows, to-wit:

1st. For water furnished tenements occupied by a family of not more than three persons, \$2.00 per month; and to tenements occupied by a family of more than five persons, \$2.50 per month, and for each additional person, 25 cents per month.

2d. To Stores and Warehouses, from \$2.00 to \$3.00 per month.

3d. To small Stores and Business Offices, from \$1.00 to \$1.50 per month.

4th. To Saloons, \$2.00 per month.

5th. To Dental Rooms, \$2.00 per month.

6th. To Bakeries, for monthly use of flour, for each 25 barrels, \$3.00 per month.

7th. To Blacksmith Shops, from \$2.00 to \$3.50 per month.

8th. To Livery Stables, including carriage washing, for each horse, \$1.00 per month.

9th. To Feed Yards, from \$6.00 to \$25.00 per month.

10th. To persons slacking lime, 25 cents per barrel.

11th. To persons for wetting bricks, 15 cents per 1000.

12th. To persons keeping Horse and Carriage, \$1.00 per month.

13th. To Barber Shops of single chair, \$1.50 per month, and for each additional chair, 50 cents per month.

14th. To Water Troughs on sidewalks, from \$2.00 to \$5.00 per month.

15th. To Water Closets, private, \$1.00 per month.

16th. To Water Closets, public, \$3.00 per month.

17th. To Bath Tubs, private, in one family, \$1.00 per month.

18th. To Bath Tubs, public, in Barber Shops and Boarding Houses, \$3.00 per month.

19th. To Horse or Cow, 50 cents per month.

20th. To Wagon Shops, \$2.50 per month.

21st. To Coffee Houses, open day and night, \$6.00 per month.

22d. METER RATES. The rates for water furnished to consumers through Meters are fixed as follows:

1st. In quantities of, and including 4,000 gallons, used in any one month, at \$1.50 per 1,000 gallons.

2d. Quantities in excess of 4,000 gallons, and not exceeding 40,000 gallons, used in any one month, at \$1.00 per 1,000 gallons.

3d. In quantities exceeding 40,000 gallons, used in any one month, at 80 cents per 1,000 gallons, provided, nevertheless, that all water so furnished for the purpose of sprinkling



Trustees McCoy, Blade, Schneider, Snyder and Jones being the full Board, and H. T. Christian Clerk. Pres. S.P. Jones, in the Chair.

The Minutes of the Meetings of the Board of February 24th, 26th, and 28th, 1883, read and approved.

In the Matter of Claims against the City.

On motion the following bills are allowed and ordered paid, to-wit:

|                                                                                                                                                                                                           |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Gus Young, Health Inspector                                                                                                                                                                               | \$35.50 |
| E. G. Haight, Co. Recorder Fees                                                                                                                                                                           | 8.00    |
| B. Howard, Pres. Public Library of San Diego for Orders and Demands issued by the Trustees of said Library Nos. 18-16-20-19-21-22-23-24-25-28-26-27-29-30-32-33-34-31-35-36-37-39-38-40 & 41 amounting to | 348.51  |
| D. W. Briant, Witness fees Wallace v. City                                                                                                                                                                | 105.33  |
| S. P. Jones, Expenses to San Francisco, Wallace v. City                                                                                                                                                   | 82.40   |
| H. T. Christian, Salary as Clerk for March 1883                                                                                                                                                           | 15.00   |
| Eugene B. Cushing " " City Atty. for " "                                                                                                                                                                  | 25.60   |

In the Matter of the "Tyson Gift" to the)  
Public Library of the City. )

In this matter, on motion the following Resolution is unanimously adopted, in the words and figures following, to-wit: Whereas, Hon. J. W. Tyson deceased, has generously donated a large and magnificent gift to Bryant Howard, E. T. Blackmer and R. J. Gregg Esqrs. as Trustees, for the use and benefit of the Public Library of San Diego, and Whereas, the same will redound to the great advantage and credit of our City, and Whereas, the said Gift is at the present time involved in litigation, Now Therefore, We hereby resolve that said Gift be accepted on the part of the City of San Diego, and that all necessary legal steps be immediately taken by the City to secure the benefits and results of said Gift as speedily as possible. And on motion it is further ordered that Trustees Blade and Schneider act as a Committee in this matter and report to this Board at its next meeting the best plan and steps to be taken to fully carry into effect this Resolution.

In the Matter of sale of new 7 per cent. City Bonds.

On motion the Treasurer is authorized to continue the advertisement of sale of new 7 per cent Bonds, bids to be opened at regular meeting of this Board April 28th, 1883.

In the matter of Assessments Books, Blanks &c for 1883.

In this matter, on motion the City Clerk is instructed to advertise for Bids for furnishing the Assessment Books and Blanks for the use of the City Assessor, for the year 1883, Bids to be opened Apr. 14th, 1883, at 2 h. p. m.

In the Matter of an Ordinance for the Collection of City Taxes &c.

On motion, the City Attorney is instructed to prepare an Ordinance defining the duties of the City Tax Collector, and providing for the future collection of City Taxes.

In the matter of the fees of Attys. Jarboe & Harrison & Rhodes & Barstow.

In this matter the following Resolution is on motion adopted, to-wit:

Resolved that the bills of Jarboe & Harrison of \$666.67, and of Rhodes and Barstow of \$33.33, Attorney's fees against City in case of Wallace v. City be allowed, and a Warrant be drawn on the General Fund of the City in favor of Eugene B. Cushing, City Attorney, for the sum of Seven Hundred Dollars for the payment of the same; and that said City Attorney on settlement of said Attorney's Claims pay into the City Treasury any balance there may be, if any.

In the matter of the final settlement bet. Tax Col.)  
and City Clerk on acct. Delq. Tax of 1882. )

In this matter, on motion, it is ordered that the Tax Collector pay over all moneys in his hands belonging to the City on account of Delinquent Taxes of year 1882 collected by him up to and including the first Monday in April 1883, and that the final settlement between said Collector and City Clerk provided in Ordinance No. 76 and amendment thereto by Ordinance No. 86, be made on the Monday following the completion of the City Tax Sales, as advertised

by the Collector for and on account of City Taxes of 1882, and that said settlement be as valid to all intents and purposes as though made on the day now specified by Ordinance.

On motion the Board now adjourns to Saturday, April 7th A. D. 1883, at 1 o'clock P.M.  
H. T. Christian, Clerk. President.

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REGULAR ADJOURNED MEETING.

Office of the Board of City Trustees,  
San Diego, April 7th, 1883.

The Board met at one o'clock P. M. pursuant to adjournment. Present full Board, and Christian Clerk. The President, S. P. Jones in the Chair.

In the Matter of Claims against the City.

In this matter the Bill of J. S. Wright of \$2.00 for work on Desk at time the Trustees first moved into the Court House, is allowed and ordered paid.

In the Matter of the Tyson Gift, to City Library.

In this matter, the following Resolution is offered and unanimously adopted in the words and figures following, to-wit:

Whereas it is deemed advisable by the Trustees of the City of San Diego, that the City of San Diego become a party to the suits heretofore instituted against the Trustees of the Tyson Gift to the Public Library, and Whereas the said Trustees of said Gift have already appealed said suits to the Superior Court, and Whereas the said Trustees of the City of San Diego are desirous that the said City become responsible for all the proper Court costs of said suits, provided that it shall not become responsible for, nor pay any counsel fees that may be charged now or hereafter in said suits, Now Therefore, be it Resolved, that the City Attorney be, and he is hereby instructed to take the necessary steps to have an appearance properly made and entered for the City in said suits by stipulation or otherwise, however further provided, that in the event, that the suits or any of them result in favor of the Trustees of the Tyson Gift, that all costs and disbursements shall be paid out of the proceeds of the said Tyson Gift as far as the same shall be sufficient to pay the same.  
In the Matter of the application of T. M. Loup to lease City Land.

In this matter, on motion, it is ordered that the application of T. M. Loup to lease Pueblo Lot No. \_\_\_\_\_ be and the same is hereby referred to the Committee on Ways and Means, and that said Com. report to the Board at its next regular meeting Apr. 28, 1883.  
In the matter of a Book of Abstract of Mortgages.

In this matter, on motion, it is ordered that the City Clerk order a book in form the same as used by the County, (Ellis Abstract,) suitable in size, for the purpose of preparing an Abstract of Mortgages to be used by the City Assessor in making the Assessment for the year 1883.

In the Matter of the application of Jno. Hernandner for certain rights &c.

In this Matter, on motion the following Resolution is adopted, to-wit:

Resolved that the privilege granted heretofore by the Trustees of the City of San Diego to John Herandner, by resolution of date April 5th, 1880 be and the same is hereby ratified and confirmed by the present Board of Trustees, and that the Marine-Way therein referred to may be extended to the distance of 1000 feet in length from the shore, and 100 feet on each side of the centre line of Sixth street, and in a Southwesterly direction for said distance.

On motion the Board now adjourned until Saturday April 14th, 1883, at 1:30 o'clock P.M.  
H. T. Christian, Clerk. President

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## REGULAR APRIL MEETING.

Office of Board of Trustees of City of  
San Diego, April 28, 1883.

The Board met in regular monthly session, this day at one o'clock P. M. Present full Board, and Christian Clerk. The President of the Board S. P. Jones in the Chair.

The Minutes of the meetings of the Board of March 31st, April 7th and 14th, 1883, read and approved.

In the Matter of the application of T. M. Loup)  
to lease Plo. Lot 1340. )

This matter having been regularly referred to the Committee on Ways and Means, that Com. submit the following Resolution, recommending its adoption as the only and final action to be taken in the matter, On motion the resolution is adopted as read, in words and figures following, to-wit:

Whereas, T. M. Loup Esq. is desirous of erecting a fence or fences on Pueblo Lot No. 1340, and has made application to the Board of Trustees for a lease of said lot, and Whereas, the Trustees are desirous of assisting Mr. Loup in all ways proper and necessary in the premises, Therefore, be it resolved, that T. M. Loup be and he is hereby permitted without expense to the City to erect and maintain such fence or fences on said lot, as may be necessary for the full protection of his property and improvements in the vicinity of said lot, from stock or animals of any kind. Provided, that nothing in this resolution shall be construed, or anything that is in this resolution contained, shall be construed as authorizing any obstruction to public travel along or over said lot and provided that all rights in and to said premises are hereby expressly reserved to the City of San Diego and its Citizens, and provided further that said fence or fences shall be subject to removal upon the written order of this Board or successors, upon thirty days notice therefor.

In the Matter of Claims against the City.

In this matter on motion the following bills are allowed and ordered paid, to-wit:

|                                                                                     |         |
|-------------------------------------------------------------------------------------|---------|
| E. B. Cushing, Salary as City Attorney for April 1882                               | \$25.00 |
| H. T. Christian, Salary as Clerk for April, 83 and Cash paid for Abstract Mtg. Book | 29.54   |

and on motion the bill of San Diego Union for printing Delinquent List of 1882 and other printing \$536.37, is continued in the hands of the Committee on Claims. ~~The Bill of A. Pauly \$80.00 & Eng. Co. Bill referred to com.~~

In the Matter of City Treasurer making statements from Cash Book.

On motion it is ordered that the City Treasurer make no certificate or statement to any one from the City Cash Book, until further ordered by the Board.

In the matter of the sale of New 7 per cent. City Bonds.

This being the time and place for the opening of Bids for the Sale of 7 per cent Bonds, the Treasurer reports having received one bid, which on motion is ordered opened, being in words & figures following, to-wit:

To the Treasurer of the City of San Diego: I hereby offer to purchase forty thousand dollars of the bonds of the City of San Diego at par and accrued interest.

I. A. Lothair.

On motion the Bid of I. A. Lothair is accepted.

In the matter of the Redemption of 10 per cent. outstanding City Bonds.

On motion it is ordered that the City Treasurer redeem \$40,000.00 of the outstanding City Bonds, with proceeds of sale of 7 per cent. Bonds.

In the Matter of the communication to the Board)  
from Chief of Fire Department. )

On motion the same is referred to the City Attorney.

In the Matter of Final Settlement of Taxes of 1882)  
bet. Clerk & Tax Collector. )

In this matter the Clerk presents his report of final settlement with Tax Collector on account of Delinquent City Taxes for year 1882, on motion the report is referred to the Com. on Claims.

In the matter of the office of Health Inspector.

On motion the office of Health Inspector is declared to be vacant. On motion it is further ordered that Trustees Jones & Slade act as a Com. in conjunction with the Health Officer for the appointment of a Health Inspector or Scavenger, And it is ordered that Mr. Bush act as such officer until such appointment be made and confirmed by this Board.

In the Matter of Treasurer's Report &c.

Bryant Howard, City Treas. presents his quarterly report for quarter ending Mch. 31st, 1883, which is ordered placed on file.

On motion the Board adjourns to Friday May 4, 1883 at 1:30 P. M.

H. T. Christian, Clerk.

President

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SPECIAL MEETING.

Office of Board Trustees of the City of  
San Diego, Apr. 30th, 1883.

The Board met at 30 min. past 11 o'clock A. M. in regular Special Session, by virtue of a Call for such meeting in words & figures follows.

"Notice of Special Meeting of the Board of Trustees of the City of San Diego, State of California.

We the undersigned, members of the Board of Trustees of the City of San Diego, hereby call a special Meeting of said Board, to convene at the office of said Board, County Court House, City of San Diego, this April 30th, 1883, at 30 min. past 11 o'clock A. M. The business to be transacted and considered at such meeting is the passing upon the Bill of the San Diego Union for printing &c, amounting to the sum of \$536.37.

S. P. Jones, Trustee  
J. H. Snyder, Trustee  
Jas. McCoy, Trustee,  
A. Schneider, Trustee,  
Sam'l Slade, Trustee."

Present, full Board, and Christian, Clerk. President S. P. Jones, presiding.

The Clerk then read the Call for this meeting, and the President announced the business for which the meeting was called in order.

The Clerk read the Bill of the San Diego Union for printing & publishing the Delinquent List of 1882, and other printing, amount to \$536.37.

A motion is then made that the Bill be allowed, and an order drawn on the General Fund therefor, which motion carried and prevailed (the Ayes & Nays being called for) by

|                             |                              |       |
|-----------------------------|------------------------------|-------|
| the following vote, to-wit: | 1st. Ward, Trustee McCoy     | "Nay" |
|                             | 2nd. Ward, Trustee Slade     | "Nay" |
|                             | 3rd. Ward, Trustee Schneider | "Yea" |
|                             | 4th. Ward, Trustee Snyder    | "Yea" |
|                             | 5th. Ward, Trustee Jones     | "Yea" |

Being affirmative three, and negative two votes.

On motion the Board adjourns.

H. T. Christian, Clerk.

President.

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REGULAR ADJOURNED MEETING.

Office of the Board of Trustees of City of  
San Diego, May 4th, 1883.

The Board met pursuant to adjournment at 1:30 o'clock P. M. Present full Board,

except Trustee McCoy. The President S. P. Jones in the chair.

In the matter of advertising for Bids for Sale of 7 per ct. Bonds.

On motion the Treasurer is authorized and instructed to advertise for Bids for the sale of \$27,000.00 new 7 per cent. City Bonds.

There appearing no further business on motion the Board adjourned.

H. T. Christian, Clerk.

President.

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REGULAR MAY MEETING.

Office of Board of Trustees of the City of  
San Diego, May 26th, 1883.

The Board met at one o'clock P. M. in regular monthly session. Present Trustees Jas. McCoy, Sam'l Slade, A. Schneider and John H. Snyder, and Clerk H. T. Christian, Absent Trustee and President of the Board S. P. Jones. On motion Trustee A. Schneider is elected President of the Board pro tempore.

The Minutes of the Meeting of the Board of April 28th, 1883, and Minutes of the Special Meeting of the Board of April 30th, 1883, and Minutes of the adjourned meeting of the Board of May 4th, 1883, read and approved.

In the Matter of Claims against the City.

The following bills were, on motion allowed and ordered paid, to-wit:

|                                                            |         |
|------------------------------------------------------------|---------|
| San Diego Engine Co. No. 1- supplies                       | \$14.60 |
| H. T. Christian, Balance due Salary as Clerk including May | 65.00   |
| A. Pauly Tax Col.- For making Tax Sale \$80. allowed for   | 40.00   |
| H. T. Christian, Making Abstract Mortg. Book               | 114.50  |
| E. B. Cushing, Salary as City Atty. for May 1883           | 25.00   |
| E. B. Cushing, Expenses in Case Wallace V. City            | 92.01   |

The bill of E. B. Cushing of \$150. for drawing three Ordinances for the Board prior to his election as City Atty. referred to Com. on Claims.

In the matter of confirming appointment of Health Inspector.

In this matter Trustee Slade of the Committee appointed to confer with Health Officer in the appointment of Health Inspector and Scavenger, reports that Dr. Barnes, Health Officer had appointed J. E. Moffett Health Inspector. The Clerk then read a communication from Health Officer Barnes announcing the appointment by him of J. E. Moffett as Health Inspector and Scavenger. On motion the appointment is confirmed. On further motion the Salary of the Inspector is continued at \$30. per month until further ordered by the Board.

In the matter of the resignation of F. B. Lowell, Cemetery Commissioner, and the filling of vacancy caused thereby. )

The resignation of F. B. Lowell as Cemetery Commissioner is read by the Clerk, (cause of resignation removal from State), and on motion is accepted, and his office declared to be vacant. On motion the Board goes into ballot and unanimously elect Charles Hubbell Cemetery Commissioners- vice- F. B. Lowell, resigned.

In the matter of the City Treasurer making Statements from Cash Book.

On motion, the order of the Board made in this matter on April 28th, 1883, is rescinded.

In the matter of the City Tax Collector making collection of taxes due City prior to Jan 1, 1883 )

On motion, the City Tax Collector is empowered and instructed to receive the City Taxes due and unpaid prior to Jan. 1st, 1883, on all property within the City limits, and to receipt for the same to party making payment, and mark the same paid on the Assessment Book of the year for which it is paid, and pay the same to City Treasurer, taking his receipt therefor.

In the matter of the obstruction (by lumber piles) on Sixth Street.

John Hernandner once more complains of obstructions to 6th Street by the lumber of



public nuisance existing on the Palmer House premises 5th Street this City, on motion it is ordered that the Board of Health take the necessary and all legal steps and measures to abate such nuisance.

In the Matter of the suit for a Re Partition of the Cuyamaca Grant.

In this matter, E. W. Hendrick, for B. Howard et al Trustees of the Tyson Gift to Public Library, reports the fact of a suit having been commenced to repartition the Rancho Cuyamaca, and asking the City to instruct the City Attorney to look after the said Tyson Gift interest as involved in such suit, After discussion, on motion the matter is deferred for action by the Board.

The Board now adjourn to Saturday June 9th 1883 at 2 h. P. M.

H. T. Christian, Clerk.

President.

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REGULAR ADJOURNED MEETING.

Office of Board of Trustees of City of  
San Diego, June 9, 1883.

The Board met at 2 o'clock P. M. Present Trustees Slade and Schneider and Christian Clerk. Absent Trustees McCoy, John H. Snyder and Jones.

For want of a quorum the Board adjourned to Wednesday, June 20th, 1883 at 2 h. P.M.

H. T. Christian, Clerk.

President.

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Office of the Board of Trustees of the City of  
San Diego, June 20th, 1883.

The Board met at two o'clock P. M. pursuant to adjournment, Present, Trustees McCoy, Slade, Snyder and Schneider, and Clerk Christian. Absent Trustee and President of the Board S. P. Jones. On motion Trustee A. Schneider is elected President pro tempore. In the Matter of the Invitation of 4th of July Committee.

An Invitation from the Citizens 4th. of July Com. through W. W. Bowers, E. B. Cushing et al, Com. on Invitations, asking the Board to take part by participating as a body in the Procession on the coming 4th of July is read and on motion the same is accepted, and the Clerk instructed to notify the Com. of the action of the Board.

In the Matter of Target Practice near U. S. Barracks &c.

In this matter, a communication from Capt. Whitney Commanding at U. S. Barracks, this City, accompanied by plans, diagram &c. of Target, Receiving Butt for bullets &c, to be used in Target Practice is received and read, and plans examined by the Board.

Whereupon, on motion it is ordered, that the City Clerk communicate in substance the following, to Capt. Whitney, as the sense of the Board, to-wit: That upon examination, the Board thinks favorable of the plans, that you are requested to notify the Board at the time of the completion of such target, receiving butts &c, when upon examination, the Board finds the same satisfactory will then take the necessary action allowing and granting same to be used in target practice at the place designated, until otherwise ordered by proper City authorities.

On motion the Board adjourns.

H. T. Christian, Clerk.

President Pro Tempore.

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REGULAR JUNE MEETING.

Office of Board of Trustees of the City of  
San Diego, June 30th, 1883.

The Board met at one o'clock P. M. in regular monthly session. Present Trustees McCoy, Slade, Schneider and Snyder, and Christian Clerk. Absent Trustee and President of

the Board, S. P. Jones. On motion Trustee A. Schneider is elected President of the Board pro tempore.

The Minutes of the Meeting of the Board of May 26th, and of the adjourned meetings of May 29th, June 9th and June 20th 1883, read and on motion approved.

In the matter of Claims against the City.

On motion the following bills are allowed and ordered paid: to-wit:

|                                                        |             |
|--------------------------------------------------------|-------------|
| Cunningham, Curtiss & Welsh, Assessment Books for 1883 | \$68.33-1/3 |
| E. B. Cushing, Salary as City Atty. for June 1883      | 25.00       |

In the matter of furnishing water to be used at Horton House Plaza Fountain.

In this matter, on motion it is ordered that the City will pay for the water used at said Fountain during month of July 1883 said bill not exceeding \$6.00 and further ordered that a Committee of \_\_\_\_\_ be appointed to confer with and make arrangements with the Water Board Co. and establish rates for future use of Water at said fountain. The President appointed as such Com. Trustees.

In the matter of the application of Grantees of Street R. R.) Franchise granted by Ord. No. 88, for extension of time &c. )

The grantees of Street Railroad Franchise as granted by Charter Ordinance No. 88 make application for an extension of time to commence work on, and the completion of such Street R. R. &c. On motion the application is granted, and the following Ordinance to take effect is now unanimously adopted, in the words & figures namely, to-wit:

CHARTER ORDINANCE NO. 91.

Extending time to commence and complete work on Street Railroad Franchise to O. S. Witherby, M. A. Luce, et al.

The City of San Diego, acting by and through its Board of Trustees, does ordain as follows:

Section 1. The time for the commencement, continuance and completion of the work required of the Grantees on the Street Railroad, the franchise for which was granted to O. S. Witherby, M. A. Luce et al, by Charter Ordinance No. 88 is hereby extended six months in each case; reserving and continuing in force the same rights, limitations and forfeiture contained in said Ordinance No. 88.

Passed, approved and adopted by the Board of Trustees of the City of San Diego, in regular meeting assembled, this 30th day of June, 1883.

(SEAL) ATTEST: H. T. Christian, City Clerk. A. Schneider, President pro tem.

In the matter of Sale of new 7 per cent. City Bonds.

On motion it is ordered that the City Treasurer advertise the Sale of \$27,000.00 New 7 per cent. City Bonds, bids to be opened by the Board at its regular July Meeting of July 28th, 1883, at 2 o'clock P. M.

On motion the Board now adjourned.

H. T. Christian, Clerk. President Pro tem.

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REGULAR JULY MEETING.

Office of Board of City Trustees City of San Diego, July 28th, 1883.

The Board met at one o'clock P. M. in regular monthly session, Present, full Board, and Clerk Christian, The President S. P. Jones in the Chair.

The Minutes of the meeting of the Board of June 30th, 1883, read and approved.

In the Matter of the application of Heintzleman Post G.A.R. for) a portion of Mt. Hope Cemetery &c. )

Heintzleman Post, G. A. R. of this City make application for the City to set aside a small portion of Mt. Hope Cemetery to be used, controlled and owned by said Post for burial

purposes: On motion the matter is referred to the Cemetery Commissioners, and said Commissioners requested to report in the premises to this Board at its next regular meeting Aug. 25th, 1883, that the Clerk notify the Commissioners of the action of this Board.

In the matter of Claims against the City.

On motion the following Bills are allowed and ordered paid, to-wit:

|                                                                                                                           |         |
|---------------------------------------------------------------------------------------------------------------------------|---------|
| E. B. Cushing, Salary as City Atty. for July, 1883                                                                        | \$25.00 |
| H. T. Christian, Salary as City Clerk for June & July 1883                                                                | 30.00   |
| J. W. Thompson, Telegram to Sec. Teller, May 26th, 1883                                                                   | 7.34    |
| Bryant Howard, Pres. Pub. Library Trustees, Orders and Demands<br>drawn by said Trustees numbered from 42 to 57 inclusive | 261.90  |

In the Matter of the obstruction of certain Streets by McDonald & Morse.

In this matter the Clerk is directed to notify McDonald & Morse, that the time heretofore (Jan. 27, 1883) given by this Board to G. W. B. McDonald to move the lumber obstructing 5th, 6th, 7th and L streets has expired, and if said streets are not forthwith cleared of all obstruction the City will proceed immediately by legal process to have such streets cleared.

In the matter of water used at Horton House Plaza Fountain.

On motion it is ordered that the City will pay \$6.00 toward the water used for August, 1883.

In the matter of advertising for bids for sale of new 7 per cent. Bonds.

In this matter, on motion, the Treasurer is instructed to advertise for bids for sale of \$29,000.00 of new 7 per cent. Bonds, bids to be opened Aug. 25, 1883 at 2 P. M.

In the matter of the City Assessment of 1883)  
for basis of taxation for 1883 )

On motion the following resolution is passed and adopted in words and figures following:

Be it Resolved, that we, the Board of Trustees of the City of San Diego, do adopt and take the Assessment made by the County Assessor of the County of San Diego, California, in the year 1883, as the basis of taxation for the City of San Diego being in the County aforesaid for the fiscal year 1883, and that the City Assessor of the City of San Diego be authorized and he is hereby required to make his Assessment book (or roll) in conformity with this resolution upon all the real estate and personal property within the Corporate limits of said City of San Diego and return the same to the Clerk of the Board of City Trustees on or before the first Monday of October 1883.

In the matter of a New Corporate Seal for the)  
City of San Diego. )

It appearing to the Board that the Seal now used is in a very defective condition, It is on motion ordered that Trustee A. Schneider act as a Committee of one to submit to this Board a design appropriate for a New Corporate Seal.

In the matter of laying sidewalk on H between 5th & 6th Streets.

In this matter a petition of property owners on H Street between 5th, & 6th. Streets to have a sidewalk constructed on both sides of said H St. bet. 5th & 6th Sts. is read, and on motion referred to the Street Committee and City Attorney.

In the matter of City Treasurer's Report for)  
quarter ending June 30, 1883. )

The City Treasurer's Report for the quarter ending June 30, 1883, is presented and ordered placed on file.

In the matter of ballast being taken from end of Peninsula in Bay.

On motion, the President of the Board is requested to investigate the matter of the moving of sand from the end of the Peninsula in the Bay for ballast, relative to the effect which such removal might have on the harbor, and report his investigations and enquiries in the matter to this Board.





Fountain, which motion is seconded, (Pending discussion of the motion Trustee McCoy is excused from further attendance at this meeting) after considerable discussion, the motion is put to vote and carried.

In the matter of Claims against the City.

On motion the following bills are allowed and ordered paid, to-wit:

|                                                                             |         |
|-----------------------------------------------------------------------------|---------|
| J. S. Mumford, Janitor of Engine House for Aug. Sept. Oct. Nov. & Dec. 1882 | \$25.00 |
| Jose Cota, for attendance with Health Inspector to Palmer House             | 2.00    |

In the Matter of the Report of Cemetery Commissioners) on application of Heintzelman Post &c. )

This Report having been on Aug. 25th 1883, presented and referred to Com. on Ways and Means, it is on motion again taken up by the Board and referred back to the Cemetery Commissioners, and the President of the Board requested to act in the matter as a Committee from this Board in connection with the Commissioners and report to this Board the final conclusions and recommendations in the matter.

In the matter of the President's semi annual Report.

The President presents his Semi Annual Report in writing from Mch 1st, 1883 to Sept. 1st, 1883, showing the expenditures of the City for said period, also the receipts for said period as received and paid out by the City Treasurer, to-wit:

|                      |          |               |          |               |
|----------------------|----------|---------------|----------|---------------|
| General Fund         | Receipts | \$325.84:     | Paid out | \$461.20      |
| Bond Redemption Fund | "        | 456.17:       | " "      | 12000.00      |
| Bond Interest Fund   | "        | 543.07:       | " "      | 8177.50       |
| Library Fund         | "        | <u>32.58:</u> | " "      | <u>610.41</u> |
|                      |          | \$1357.66     |          | \$21249.11    |

On motion the Report is received and placed on file.

In matter of election of City Engineer.

On motion the Board go into ballott for the election of City Engineer, with following result: For City Engineer, C. J. Fox, one vote, Blank one vote and L. L. Lockling two votes. The President declare no election.

On motion the Board adjourned to Tuesday Sept. 11th, 1883, 1 P. M.

H. T. Christian, Clerk.

President.

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REGULAR ADJOURNED MEETING.

Office of Board of Trustees of City of  
San Diego, Sept. 11th, 1883.

The Board, pursuant to adjournment, met at one h. P. M. Present full Board, and Christian Clerk. President Jones in the Chair.

In the Matter of Claims against the City.

The Bill of the San Diego Union for printing Assessment Blanks per Bid for that work awarded it April 14th 1883- \$20.00 and other printing \$48.00, in all \$68.00 on motion is allowed and ordered paid.

In the Matter of Appropriation asked for by the Fire Co.

In this matter the Fire Co. on Aug. 25th 1883 asked for an appropriation of \$106.66, on motion it is ordered that a Warrant on the General Fund be drawn in favor of H. P. Koster, Chief Engineer for one hundred dollars (\$100) as an appropriation to said Co.

In the matter of Tax Ordinance.

In this matter, Trustee Snyder of Com. on Ways and Means, is directed to have a proof copy printed of this Ordinance, as now prepared, and present the same to this Board for final amendment and passage, at its next regular monthly meeting.

On motion the Board stands adjourned.

H. T. Christian, Clerk

President.

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I HEREBY CERTIFY that the above and foregoing copy - pages 359 to 398 inclusive - has been by me compared with the original thereof, to-wit:- Pages 1 to 75 inclusive, Book No. 3, Record of the Proceedings of the Board of Trustees of the City of San Diego, California, Commencing May 16th, 1882, and up to and including September 11th, 1883, and that I know of my own knowledge, that the said foregoing copy is a full, true and correct copy of said Pages 1 to 75 inclusive, Book No. 3 of Records.

Dated, San Diego, California, February 14th, 1920.

Allen H. Wright,

City Clerk of the City of San Diego, California.

By

Deputy.