

The amendment carried & therefore Delegate Wagner gave notice that at the next meeting he would move a reconsideration of the above vote.

An Ordinance declaring the necessity for constructing certain permanent municipal buildings, namely buildings for school purpose in the City of San Diego, California; was read & referred to the City Attorney for one week.

The City Clerk presented the affidavit of W. W. Roe, principal Clerk of the printers and publishers of the San Diego daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, on the 19<sup>th</sup> day of August, 1889, and by the Board of Aldermen of said City, on the 20<sup>th</sup> day of August, 1889,) declaring the intention of the Common Council, of said City, to order the following street work to be done, to wit: that F<sup>st</sup> street in said City, from the West line of State street to the east line of twenty-fifth (25<sup>th</sup>) street and the sidewalks thereof, and the entire crossings of said F<sup>st</sup> street with the streets intersecting the same, between said West line of State street and the east line of 25<sup>th</sup> street, except the intersection of said F<sup>st</sup> street with 5<sup>th</sup> street, be graded to the official grade established by Ordinance numbered three hundred and three (303) - was published in said newspaper from the 23<sup>rd</sup> day of August, 1889, to the 24<sup>th</sup> day of August, 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J. F. Fallon, Deputy City Clerk, of the City of San Diego, California, showing that he did, on the 22<sup>nd</sup> day of August, 1889, post conspicuously on the door of the Council Chamber of the Common Council of the City of San Diego, California, the above described Resolution of Intention to grade F<sup>st</sup> street in said City, and that the same remained so posted for the period of two days immediately thereafter. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of W. W. Roe, principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a Notice of Street Work of which the following is a true copy, to wit: "Notice of Street Work: Notice is hereby given that the Common Council of the City of San Diego, on the 20<sup>th</sup> day of August, 1889, adopted a Resolution of its Intention to order the following street work, to wit: that F<sup>st</sup> street from the West line of State street to the East line of 25<sup>th</sup> street and the sidewalks and intersections thereof (except that of F<sup>st</sup> and 5<sup>th</sup> streets) be graded to the official grade established by ordinance No. 303. For further particulars reference is

Herby made to said resolution on file. San Diego, Cal. 26<sup>th</sup> August, 1889. Amos Pettingell, Street Superintendent of San Diego, Cal." was published in said newspaper from the 26<sup>th</sup> day of August, 1889, to the 31<sup>st</sup> day of August, 1889, both days inclusive. Said affidavit was received and placed on file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California showing that on the 27<sup>th</sup> day of August, 1889, he conspicuously posted along the line of F street from the West line of State street to the East line of 25<sup>th</sup> street, in the City of San Diego, California, at not more than three hundred feet in distance apart, and in front of each quarter block and irregular block liable to be assessed, and not less than three in all, Notices of Street Work as above set forth. Said affidavit was received and placed upon file.

On motion it was ordered that due & sufficient power had been made of the passage of the Resolution of Intention that F street, in the City of San Diego, California from the West line of State street to the East line of 25<sup>th</sup> street, and the sidewalk thereof, and the entire crossings of said F street with the streets intersecting the same, between said West line of State street and the East line of 25<sup>th</sup> street, except the intersection of said F street with 5<sup>th</sup> street, be graded to the official grade established by Ordinance No. 303. <sup>mg</sup>

Whereupon a Resolution ordering the grading of F street instructing the Clerk to advertise for proposals, was read and adopted by the following vote. totit:

Ayer: Delegates: Wagner: Heath: Julian: Day: Reiger: Wetherbee: Hewitt: Leybold: Hubert: Lw: Cooper and Brack.

Nos - None.

Said resolution is in words & figures following. tant:

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by the public interest and convenience and hereby order the following street work to be done. tant: the grading of F street in said City from the West line of State street to the East line of Twenty-fifth (25<sup>th</sup>) street and the sidewalk thereof over the entire crossings of said F street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street. (except the intersection of said F street with 5<sup>th</sup> street) to the official grade established by ordinance numbered three hundred and three and in accordance with the specifications, profiles and cross sections on file in the office of the City Engineer. The Clerk of this City is hereby directed to post conspicuously for five days on or near the Council Chamber door of said Council of this City notice hereof inviting sealed proposals or bids for said work and requiring therewith a certified check or a bond either, for an amount not less than ten per cent of

the aggregate of the proposal, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun a daily newspaper published and circulated in this city, therefore and hereby designated for that purpose, with a copy of this Resolution and also, after its passing, his notice of such printing each for two days."

The Committee on Streets reported favorably upon the Ordinance establishing the grade of 5<sup>th</sup> street from B. street to Moar street whereupon said Ordinance was read, and adopted by the following vote. to wit:

Ayes. Delegates - Wagner: Heath: Julian: Day: Rediger: Webber: Slybolt: Lov: Huber: Cooper.  
Noes, Delegates - Harris & Bradt.

Said Ordinance is as follows:

"Ordinance No. 33.

An Ordinance establishing the grade of Fifth street, from the south side of Q<sup>th</sup> street to the north side of Moar street in the City of San Diego, State of California.

Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. - The grade of Fifth street from the south side of B. street to the north side of Moar street, is hereby established as follows.

The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3, shall be fixed as follows:

At the southwest corner of Fifth and B. streets 54.0 feet: at the northwest corner thereof 54.5 feet: at the southeast corner thereof 54.0 feet: and at the northeast corner thereof 54.5 feet.

At the southwest corner of Fifth and A. streets 65.7 feet: at the northwest corner thereof 67.8 feet: at the southeast corner thereof 65.7 feet: and at the northeast corner thereof 67.8 feet.

At the southwest corner of Fifth and Ash streets 77.0 feet: at the northwest corner thereof 79.5 feet: at the southeast corner thereof 78.0 feet: and at the northeast corner thereof 80.5 feet.

At the southwest corner of Fifth and Beech streets 96.0 feet: at the northwest corner thereof 98.0 feet: at the southeast corner thereof 96.5 feet: and at the northeast corner thereof 98.5 feet.

At the southwest corner of Fifth and Cedar streets 116.0 feet: at the northwest corner thereof 118.5 feet: at the southeast corner thereof 116.0 feet: and at the northeast corner thereof 118.5 feet.

At the southwest corner of Fifth and Date streets 130.0 feet: at the northwest corner thereof 131.0 feet: at the southeast corner thereof 130.0 feet: and at the northeast corner thereof 131.0 feet.

At the southwest corner of Fifth and Elm streets 141.5 feet: at the northwest corner thereof 142.0 feet: at the southeast corner thereof 140.5 feet: and at the northeast corner thereof 142.0 feet.

At the southwest corner of Fifth and Fir streets 156.5 feet:

at the northwest corner thereof 158.0 feet: at the southeast corner thereof 156.5 feet: and at the northeast corner thereof 158.0 feet.  
 At the southwest corner of Fifth and Grape streets 176.5 feet: at the northwest corner thereof 178.5 feet: at the southeast corner thereof 176.5 feet: and at the northeast corner thereof 178.5 feet.  
 At the southwest corner of Fifth and Hawthorn streets 196.0 feet: at the northwest corner thereof 198.5 feet: at the southeast corner thereof 196.0 feet: and at the northeast corner thereof 198.5 feet.  
 At the southwest corner of Fifth and Dry streets 213.0 feet: at the northwest corner thereof 215.0 feet: at the southeast corner thereof 213.0 feet: and at the northeast corner thereof 215.0 feet.  
 At the southwest corner of Fifth and Juniper streets 228.0 feet: at the northwest corner thereof 230.0 feet: at the southeast corner thereof 228.0 feet: and at the northeast corner thereof 230.0 feet.  
 At the southwest corner of Fifth and Kalmia streets 240.0 feet: at the northwest corner thereof 241.0 feet: at the southeast corner thereof 241.0 feet: and at the northeast corner thereof 242.0 feet.  
 At the southwest corner of Fifth and Laurel streets 249.0 feet: at the northwest corner thereof 250.0 feet: at the southeast corner thereof 250.0 feet: and at the northeast corner thereof 251.0 feet.  
 At the southwest corner of Fifth and Maple streets 257.5 feet: at the northwest corner thereof 258.0 feet: at the southeast corner thereof 258.0 feet: and at the northeast corner thereof 259.0 feet.  
 At the southwest corner of Fifth and Nutmeg streets 263.0 feet: at the northwest corner thereof 265.0 feet: at the south-east corner thereof 263.5 feet: and at the northeast corner thereof 265.5 feet.  
 At the southwest corner of Fifth and Olive streets 270.5 feet: at the northwest corner thereof 271.0 feet: at the southeast corner thereof 271.5 feet: and at the northeast corner thereof 272.0 feet.  
 At the southwest corner of Fifth and Palm streets 275.5 feet: at the northwest corner thereof 276.0 feet: at the southeast corner thereof 276.0 feet: and at the northeast corner thereof 277.0 feet.  
 At the southwest corner of Fifth and Pine streets 279.0 feet: at the northwest corner thereof 279.0 feet: at the southeast corner thereof 279.5 feet: and at the northeast corner thereof 279.5 feet.  
 At the southwest corner of Fifth and Redwood streets 280.0 feet: at the northwest corner thereof 280.0 feet: at the southeast corner thereof 281.0 feet: and at the northeast corner thereof 281.0 feet.  
 At the southwest corner of Fifth and Spruce streets 280.5 feet: at the northwest corner thereof 280.5 feet: at the southeast corner thereof 281.5 feet: and at the northeast corner thereof 281.5 feet.  
 At the southwest corner of Fifth and Thorn streets 279.5 feet: at the northwest corner thereof 279.5 feet: at the southeast corner thereof 280.5 feet: and at the northeast corner thereof 280.5 feet.  
 At the southwest corner of Fifth and Wye streets 286.0 feet: at the northwest corner thereof 286.5 feet: at the southeast corner thereof 287.0 feet: and at the northeast corner thereof 287.5 feet.  
 And the grade of said Fifth street, between the points fixed by this Ordinance, shall be of uniform ascent or descent, as shown by the grade marks made by the City Engineer and an

file in his office.

The center of said street shall be the average of the curb grades.

Section 2. All Ordinances or parts of Ordinances in Conflict herewith are hereby repealed.

Section 3. This Ordinance shall take effect and be in force from and after its passage."

The Committee on Health & Morals reported favorably upon the following Petition for Liquor License, to wit:

"I. Schilling - Retail.

Pengo & Smith - "

C. C. Jones - "

Geo. Kuckel, Geo. H. Spear - Wholesale.

Jno. Rogers - Retail.

Geo. O. T. Hogan - "

On motion of Delegate Rediger said Petitions were granted.

On motion of Delegate McElroy, the Board adjourned until Monday September 23-1889 at 8 o'clock p.m.

Delegate Heath offered the following resolution, which was adopted, to wit:

#### "Delegates' Resolution."

Resolved, that in consideration of the improved state of peacefulness in this City, as evidenced by the proceedings of the Police Court, that it is the sense of this Board that the present Police force is largely in excess of the requirements of the City in the preservation of order and that it should be reduced at once, & be it further Resolved, that the Police Committee of this Board are hereby instructed to investigate this question & report to this Board at its next meeting.

1<sup>st</sup>. To what extent the Police force can be reduced.

2<sup>nd</sup>. To what extent the maintenance of the public peace may be left to the constabulary, and

3<sup>rd</sup>. To what extent special policemen dependent upon prescribed fees for compensation may be appointed for service in outlying districts where no provision whatever is now offered by the City authority."

On motion of Delegate McElroy the Board adjourned until Monday September 23-1889 at 7:30 o'clock p.m.

M. M. Gassaway,  
City Clerk

Glynn Bradish  
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, September 23-1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7.30 o'clock p.m. with President Brack presiding.

Present Delegates - Wagner: Pauly: Heath: Davies: Day: Rediger: Mathews: Hawill: Seybolt: Thompson: Hubbard: Lov: Kamman: Cooper: Brack and Clerk Gassaway.

Absent Delegates - Lyon: Marshall and Julian.

The minutes of an Adjourned Meeting, held September 16-1889, were read and approved as read.

A Communication from the Board of Public Works recommending that a test be made of the Water meters in use by the City: was read and referred to the Committee on Water etc.

A Message from the Mayor transmitting a Report made by Geo. B. Hensley & filed with the Secretary of the Auditing Committee, of the City's finances; was read, received and filed.

A Communication from the Board of Public Works relative to the interference by the Cable railway with Gas pipes on 6<sup>th</sup> street, was read and referred to the Committee on Water, Gas &c.

A Communication from the Board of Public Works submitting a resolution of intention to open D. street from 17<sup>th</sup> street to 33<sup>rd</sup> street, was read together with said resolution which said resolution was therupon adopted by the following vote. to wit:

Yes. Delegates - Wagner: Pauly: Heath: Davies: Day: Rediger: Mathews: Hawill: Seybolt: Thompson: Hubbard: Lov: Kamman: Cooper & Brack.

Nos - None.

Said resolution is as follows. to wit:

Resolution of Intention to Open  
D. street from 17" to 33" street.

Resolved, that the Common Council of the City of San Diego, California, deems it to be required by the public interest and convenience and hereby declares its intention to order the opening and extending of D. street in said City from Sixteenth Street to Thirty-third street, for which purpose it is deemed necessary to take and appropriate a strip of ground

Eighty (80) feet wide and four hundred and eighty (480) feet long running from the East line of said Seventeenth street to the West line of Nineteenth street off of the south side of a tract of land designated on the map of Gardner Addition as "Orange Tree Reservation" and also a strip of ground eighty feet wide and Six hundred and Sixty (660) feet long running from the west line of Twenty-fourth street to the west line of Twenty-fifth street, off of the south side of a tract of land designated on the map of the City as the "Goodrich Tract." and that the damages, cost and expenses of making said improvement shall be assessed in proportion to benefits upon a district the exterior boundaries of which are hereby fixed as follows. ~~beginning at a point in the~~ <sup>Black 50 New Town</sup> ~~beginning at the~~ <sup>one hundred and twenty (120) feet</sup> North of the North west corner ~~corner~~ <sup>between</sup> ~~and~~ <sup>the</sup> ~~and~~ <sup>one hundred and twenty (120) feet</sup> according to Gray and Polis maps, hence East or Easterly in a line parallel to the North line of D. street to the west line of Bird street; hence producing said line one hundred and fifty (150) feet from and parallel with the North line of D. street to a point on the West line of Thirty-third street; hence south to a point one hundred and fifty (150) feet south of the south line of D. street; hence West or Westerly one hundred and fifty (150) feet from and parallel with the south line of D. street to the West line of Third street; hence producing said line one hundred and thirty-five (135) feet from and parallel with the south line of D. street to a point on the East line of Atlantic street; hence north One hundred and Sixty (160) feet to the point of beginning. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which notice of the passage of this resolution of intention shall be published for ten (10) days, as often as said newspaper is issued herein. The Street Superintendent of this City is hereby directed to post and publish said notice in the manner provided by law."

A Petition from property owner to grade Olive Avenue from Hogan Avenue to East terminus of said street, was read & referred to the Committee on Streets.

The following Petitions for liquor license were read & referred to the Committee on Health & Morals. ~~Yours,~~

Frank Wilson - Retail  
Patrick O'Neil - Hotel

A Petition from Delegate A. K. Julian, for 30 days leave of absence from Sept 23<sup>rd</sup>, was read & granted.

A Petition from Sixth street property owner to be allowed to lay down cement & concrete curbs on Sixth street, was

read and Delegate Heath moved to receive and file.  
Delegate Huber moved to amend by referring to the Street Committee. The amendment was lost and therefore the original motion was carried & said Petition so received & filed.

Delegate Heath offered the following resolution which was adopted, vizt:

Resolved, that the City Attorney is hereby instructed to examine into the legal questions involved in the proposition to sell or lease, a portion of the City Park, the following questions to be answered as especially pertinent to the information sought, the answers to be in writing & presented at the next meeting of this Board.

First: Will the conditions of the title under which the Park lands were acquired by the City, permit the City to divert the same from their original designated purpose to any other purpose than occupancy by charitable institutions, as already determined by State Legislature Council No

Second: If so, can the City, in your opinion, at once proceed to subdivide any portion of these lands into Blocks and Lots and Streets, to be sold or to be leased for a term of years, and if not

Third: Can the City, in your opinion, secure Legislative Consent to such subdivision and sale, or lease, of these lands?

Delegate Peiger offered the following Joint Resolution, which was adopted, vizt:

Joint Resolution No.

Resolved, that Joint Resolution No. 14 (a copy of which is herewith attached) is hereby rescinded"

Delegate Wagner moved that the action heretofore taken by the Mayor in appointing a Special Committee on Water supply be confirmed

Delegate Heath moved to amend that the Special Committee on Water supply, heretofore appointed by the mayor, be continued until their report be received by Council. The amendment carried & it was so ordered.

A Communication from Attorneys for Social Contractors, relative to proceedings taken by Council in street work, was read & referred to the City Attorney with instructions to investigate the subject matter & if errors are discovered, that he recommend a method of correction at the next meeting.

Delegate Peiger offered a resolution providing for the reference of the Ordinance granting a franchise for a Cable railway to D.D. Dare, to the Board of Public Works

On motion of Delegate Heath the same was laid on the table.

The following Concurrent Resolution (hereinafter adopted by the Board of Aldermen) was read and concurred in, *as it is:*

Concurrent Resolution No. 7.

Be it Resolved, by the Board of Aldermen, (the Board of Delegates concurring) that the City Attorney be instructed to prepare an Ordinance providing for the protection of Deer within the City limits & imposing a penalty of not less than \$20 nor more than \$100 for its violation.

The following Concurrent Resolution (hereinafter adopted by the Board of Aldermen) was read & therefore Delegate Hulver withdrew his notice for a reconsideration of the motion to allow the Cable railway Company to lay a "T" rail in 6<sup>th</sup> street, & therefore said Concurrent Resolution was adopted by the following vote, *tant:*

Ayes. Delegates - Wagner: Pauly: Heath: Davies: Day: Wetherbee: Hewitt: Seybold: Thompson: Hulvert: Law: Kamman: Cuyler & Brack.

Nos. Delegate Peagler.

Said resolution is as follows, *tant:*

Concurrent Resolution No. 8.

Be it resolved, by the Board of Aldermen, of the City of San Diego, the Board of Delegates hereof concurring, that the laying of what is known as the T rails by the San Diego Cable Railway Co. upon Sixth street be permitted and also ordered: provided however, that said rails be laid in such manner that they will be buried in concrete to within two inches of the tops thereof, and that said two inches be filled in with bituminous rock flush with the tops of said rails, leaving a groove on the inside of said rails  $\frac{3}{4}$  of an inch wide and of sufficient depth to admit the flange of the car wheel as shown by and in accordance with a diagram and plan thereof hereto attached and made a part of this resolution."

In accordance with notice given at the last meeting of this Board - Delegate Wagner moved to reconsider the vote hitherto taken upon a proposed Ordinance providing for building a party wall between the south half of Lot C. and Lot D. Black & Norton's addition. The motion to reconsider carried by the following vote, *tant:*

Ayes. Delegates - Wagner: Pauly: Davies: Day: Wetherbee: Thompson: Hulvert: Law: Kamman: Cuyler & Brack.

Nos. Delegates - Heath: Peagler: Hewitt: & Seybold.

Whereupon said Ordinance was adopted by the following vote, *tant:*

Ayes. Delegates - Wagner: Pauly: Davies: Day: Wetherbee: Thompson: Hulvert: Law: Kamman & Brack.

Noz. Delegates - Heath: Rediger: Hewitt: Seybold: <sup>the</sup> Coopser.  
Said Ordinance is as follows. Init.

Ordinance No.

An Ordinance providing for building a party wall between the south half of Lot C and Lot D. Block 35. Horton's Addition to San Diego, Calif.

Whereas, the City of San Diego is the owner of the south half of Lot C. Block 35. Horton's Addition to San Diego, and Messrs.

Gilmore and Roman are the owners of Lot D. Block 35. Horton's addition joining said south half of Lot C. owned by the City as aforesaid, and the said Gilmore and Roman have petitioned the Common Council of said City to join them in erecting a party wall between the above described lots; therefore

Be it ordained, by the Common Council of the City of San Diego as follows:

Sec. 1. That the said party wall be built, the basement of the same and the party wall for one story above the basement, the said one story wall not to exceed sixteen feet in height in the clear. the said wall to be built the length of said lots, so far as the excavation on the said south half of Lot C now extends east and west.

Sec. 2. That the building of said wall and all work connected therewith shall be done under the supervision of the Board of Public Works and according to specifications to be furnished by the said Board, and before commencing work on said wall the Board shall advertise for bids for doing said work as provided for by the City Charter.

Sec. 3. That in no case shall said Board of Public Works contract for, so far as the City is concerned nor will the City be responsible in any event, for building said party wall in a sum greater than \$548<sup>45</sup> the said sum being its portion in full for the construction and completion of said wall, including basement and one story as set forth in this ordinance.

Sec. 4. That this ordinance shall take effect and be in force from and after its passage."

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An Ordinance declaring the necessity for constructing certain permanent municipal buildings namely buildings for school purposes in the City of San Diego; was made, and Delegate Hulbert moved to adopt. The motion was lost by the following vote. Init.

Ays. Delegates - Wagner: Pauly: Heath: Davies: Day: Thompson: Hulbert: Dow: Neumann: Coopser & Brack.

Noz. Delegates - Rediger: Wetherbee: Hewitt & Seybold.

Therefore Delegate Rediger gave notice that at the next meeting of Delegates more a reconsideration of the above vote.

In the matter of the proposed Ordinance amending Ordinance No. 203. the Committee on Public Buildings reported as follows, to wit:

To the Board of Delegates,

Your Committee to whom was referred the foregoing ordinance, would report that in their judgment the present ordinance over the ground sufficient, in so much as the power is given to the Building Inspector while the foregoing ordinance undertaken to was exclusive, and in our judgment, too much authority in the Board of Public Works. Therefore we do not recommend the passage of this ordinance. Further we would suggest that the Board of Public Works furnish the information requested by resolution of Mr. Radegew passed by the Board of Delegates, as this ordinance does not cover the ground if it is intended to furnish the information desired.

D. H. Hawke

W. Q. Gay."

On motion of Delegate Heath the report was adopted.

Delegate Kammann was here excused.

The City Clerk presented the affidavit of W. M. Roe, Provincial Clerk of the San Diego Daily Sun, a daily newspaper permitted and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, on the 10<sup>th</sup> day of September, 1889, and by the Board of Aldermen, of said City, on the 11<sup>th</sup> day of September, 1889,) declaring the intention of the Common Council of said City, to order ~~such~~<sup>the</sup> following street work to be done, to wit: that Sixth street in said City, and the entire crossing thereof, with the streets intersecting the same from the north line of L street to the south line of B street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, to be curbed and paved in the manner following, to wit: the curbing to be of granite and to extend along both sides of said street except in front of lots A. and B. in block 19. lots E. G. and L. in block 44. lots A. B. C. E. and F. in block 45. the south  $\frac{1}{2}$  of lot C. and lots D. E. and F. in block 60. lots G. and H. in block 61. lots A. and H. and the S.  $\frac{1}{2}$  of lot L. in block 20. Lots A. B. C. and N.  $\frac{1}{2}$  D. in block 71. the S.  $\frac{1}{2}$  of lot E. and the whole of lot F. in block 86. and lots C. and D. in block 112 where permanent curbs are now placed. The paving to have a base of concrete four inches in thickness and a wearing surface of natural vitrified rock two inches in thickness, and to extend from curb line to curb line, except in front of lots E. and F. in block 45. lots G. & H. in block 61. lot D. and the S.  $\frac{1}{2}$  of lot C. in block 60. and lot F. and the S.  $\frac{1}{2}$  of lot E. in

Block 86, where it shall only extend to the gutter line and be properly joined with the gutter already constructed. All work shall be done in conformity with the specification and permission of Ordinance No. 29, was published in said newspaper from the 12<sup>th</sup> day of September, 1889, to the 13<sup>th</sup> day of September, 1889, both days inclusive. Said affidavit was received and placed on file.

The City Clerk also presented the affidavit of G. F. Patton, Deputy City Clerk, of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of September, 1889, post conspicuously on the door of the Common Chamber of the Common Council of the City of San Diego, California, the above described Resolution of Intention, to curb and pave Sixth street in said City, and that the same remained so posted for the period of two days immediately thereafter. Said affidavit was received and placed from file.

The City Clerk also presented the affidavit of W. W. Roe, Municipal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a Notice of Street Work, of which the following is a true copy, that: "Notice of Street Work Notice is hereby given that the Common Council of the City of San Diego, on the 11<sup>th</sup> day of September, 1889, adopted a Resolution of its Intention to order the following street work. That Sixth street in said city, and the entire crossing thereof, with the streets intersecting the same from the North line of "A" street to the South line of "B" street, except such portions thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon, be curbed and paved: the curbing to be of granite and to extend along both sides of the street, except in front of lots A and B, Block 19; L. G. and L. Block 44; A. B. C. E. and F. Block 45; S. ½ C. and D. E. and F. Block 60; G. and H. Block 61; G. and H. and S. ½ L. Block 70; A. B. C. and N. ½ D. Block 71; F. and S. ½ E. Block 80 and C. and D. Block 112; the paving to have a concrete base four inches thick and a vitrified rock wearing surface two inches thick, and to extend from curb line to curb line except in front of lots E. and F. Block 45; G. and H. Block 61; D. and S. ½ C. Block 60; F. and S. ½ E. Block 80, where it shall extend only to the gutter line. All work to be done in conformity to specifications and permission of Ordinance No. 29. For further particulars of said work, reference is hereby made to said Resolution on file. San Diego, Cal. September 16, 1889.

A. Pettingell, Superintendent of Streets of San Diego, Cal., was published in said newspaper from the 16<sup>th</sup> day of September, 1889, to the 21<sup>st</sup> day of September, 1889, both days inclusive. Said Affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell

Street Superintendent of the City of San Diego, California, showing that on the 17<sup>th</sup> day of September, 1889, he conspicuously posted along the line of 6<sup>th</sup> street from the North line of G. street to the south line of B. street in the City of San Diego, California, at not more than 300 feet in distance apart, and in front of each quarter block and irregular block liable to be assessed, and not less than three in all, Notice of street work as above set forth. Said affidavit was received and placed upon file.

On motion it was ordered that due and sufficient notice had been made of the publication & posting of the Resolution to curb and pave 6<sup>th</sup> street, in said City, and the entire crossing thereof with the streets intersecting the same from the north line of G. street to the south line of B. street except such portion thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon, to be curbed and paved in the manner following. To wit: the curbing to be of granite, and to extend along both sides of said street except in front of lots A. and B. in black 19; lots I, J. and L. in black 44; lots A.B.C. and F. in black 45; the south  $\frac{1}{2}$  of lot C. and lots D. E. and F. in black 60; lots G. and H. in black 61; lots I. and K. and the S.  $\frac{1}{2}$  of lot L. in black 70; lots A. B. C. and N.  $\frac{1}{2}$  D. in black 71; the S.  $\frac{1}{2}$  of lot E. and the whole of lot F. in black 86, and lots Q. and R. in black 112. Where permanent curbs are now placed. The paving to have a base of concrete four inches in thickness and a wearing surface of natural vitrified rock two inches in thickness and to extend from curb line to curb line, except in front of lots E. and F. in black 45; lots G. and H. in black 61; lot D. and the S.  $\frac{1}{2}$  of lot C. in black 60; and lot F. and the S.  $\frac{1}{2}$  of lot E. in black 86, where it shall only extend to the gutter line and be properly joined with the gutter already constructed. All work to be done in conformity with the specifications and provisions of Ordinance No. 29.

Upon a Resolution ordering the curbing and paving of 6<sup>th</sup> street, and instructing the Clerk to advertise for proposals, was read, and adopted by the following vote, to wit: Ayes. Delegates - Wagner: Pauly: Heath: Davis: Day: Ridgier: Metherbee: Hewitt: Seybold: Thompson: Everett: Pen: Owyer & Brack.

Nos. - None.

Said Resolution is in words figures following. To wit:

"Resolution ordering the curbing and paving  
of Sixth street from the North line of G.  
street to the south line of B. street.

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by the public interest and convenience and hereby order the following street work to be done according to the specification herefor annexed and as

Contained in Ordinance numbered twenty-nine (29) heretofore passed Sixth street in said City, and the entire crossings thereof with the streets intersecting the same from the North line of "L" street to the south line of "B" street, except such portions thereof as is required by law to be kept in order or repair by any person or company paving railroad tracks thereon, be curbed and paved in the manner following, that is to say, to be of granite and to extend along both sides of said street except in front of lots A and B in block 19 - lots I, J, and L in block 44; lots A, B, C, E, and F in block 45; the south half of lot C and lots D, E, and F in block 60; lots G and H in block 61; lots G and H and the south half of lot I in block 70; lots A, B, C and the north half of D in block 71; the south half of lot E and the whole of lot F in block 86, and lots C and D in block 112, where permanent curbs are now placed, the paving to have a base of concrete four inches in thickness and a wearing surface of natural vitrified rock two inches in thickness and to extend from curb line to curb line except in front of lots E and F in block 45; lots G and H in block 61; lot D and the south half of lot C in block 60; and lot ~~G~~ and the south half of lot E in block 86, where it shall only extend to the gutter line and be closely joined with the ~~Gutter~~ already constructed. All work shall be done in conformity with the specifications and provisions of said Ordinance numbered Twenty-nine.

The Clerk of the City is hereby directed to post conspicuously for five days on a near the Committee Chamber door of this City with the specifications for both kinds of work herein set forth, namely paving and curbing, inviting sealed proposals or bids for each kind of work under this resolution mentioned, said bids or proposals to be separate or joint for the different kinds of work mentioned herein, and requiring therewith a certified check or a bond, either for an amount not less than ten per cent of the aggregate of each kind of work for which said sealed proposal or bid is made, all as provided by law. He is also directed to publish in the San Diego Daily Sun a newspaper published and circulated in this City, and hereby designated for that purpose, with a copy of this resolution and also after posting his notice of such posting each for two days."

The following report from the Committee on Police was read.avit:

To the Board of Delegates: Your Committee to whom was referred the resolution regarding the reduction of the City's Police force respectfully report that they have duly investigated and considered the subject and have arrived at the following conclusion:

To the first question: To what extent can the Police force be reduced, we answer it ought not to be reduced at all. The City has but 11 Patrolmen, of whom one is detailed in the office of the Police Judge, another at the City Jail, leaving 9 men to patrol the streets of the City, watch the Park &c &c. We are of the opinion, that the number of Patrolmen should not be reduced because we hold that our citizens have a right to demand protection of their lives and property even while the City is in a temporary state of peacefulness.

To the second question: To what extent the maintenance of the police force may be left to a Constabulary, we answer that we deem it a dangerous experiment, to leave this City at the mercy of men whose only incentive to action is the pecuniary gain arising from arrests, summoning of witnesses, attendance at Courts &c &c. We believe that the maintenance of peace in the City and enforcement of the municipal and Criminal law should be left to no set of men, who are not responsible directly to the City authority whose character has not been examined into and found to be irreproachable, and who for pecuniary gain might be induced to persecute innocent men. The experience which our City has had with appointees whose fees are dependent upon the extent of their official acts, should be a warning example for all times to come. To the third question: To what special policemen may be appointed for service in the outlying districts where no protection whatever is now offered by City authority - we would say that special policemen may be appointed anywhere on application to the Chief of Police if paid by the applicant.

The Committee on Police.

A. B. Ely bolt  
Chas. F. Kamman.

Above report was adopted by the following vote, carried:  
 Ayes. Delegates - Pauly: Rediger: Metherbee: Ely bolt: Thompson:  
 Culbert: Linn: & Bradt  
 Noes. Delegates - Wagner: Heath: Davis: Day: Hewitt & Courtney.

The following report from the Committee on Health & Morals was read & adopted, carried:

"We, your Committee on Health and Morals to whom was referred the report of the Health Department for the month of August, 1889, beg leave to make the following report and that is to say - that after due investigation we find the report perfectly satisfactory and would recommend that it be accepted and placed on file. We your Committee would also recommend that the City Clerk be instructed by this Board of Delegates to request the Health Officer to have the scavengers remove the garbage as much as

possible during the night after business hours.

Very Respectfully,

R. G. Hubbell  
Geo. P. Dow.

After giving notice President Bradt did, in open session, sign Ordinance No. 31. Being an Ordinance transferring \$1000. from the General Fund to the Street Fund.

Delegate Day offered the following resolution, which was adopted, & wt:

~~Resolved~~. that the ~~minutes~~ spread upon the minutes that the resolution ordering the parking and curbing on 6<sup>th</sup> street is passed at this time ~~the~~ <sup>present</sup> majority of the owners of all the property fronting on said street ~~from~~ <sup>No.</sup> "D" to "B" have signed the petition for having the work done.

Whereupon the Board adjourned until Monday, Sept 30 - 1889, at 7.30 o'clock A.M.

W. M. Fassaway. G. G. Bradt  
City Clerk President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, September 30 - 1889.

An Adjourned Meeting of the Board of Delegates of the City of San Diego, was held this day at 7:30 o'clock p.m. with President Bratt presiding.

Present. Delegates - Wagner: Pauly: Heath: Davis: Day: Pediger:  
Mathews: Hauke: Seybolt: Thompson: Hubert: Lov: Kannan:  
Corcoran: Bratt <sup>no</sup> Clerk Gassaway.

Absent. Delegates - Lyon: Marshall <sup>no</sup> Julian.

The Minutes of an Adjourned Meeting held September 23-1889.  
were read and approved as read.

The City Clerk presented the affidavit of J. F. Fallon,  
Deputy City Clerk of the City of San Diego, California, showing  
that he did, on the 18<sup>th</sup> day of September, 1889, post con-  
spicuously on the door of the Council Chamber of the  
Common Council of the City of San Diego, California, a Res-  
olution passed by the Board of Delegates, of said City, on  
the 16<sup>th</sup> day of September, 1889, and by the Board of Aldermen  
of said City, on the 17<sup>th</sup> day of September, 1889, ordering the  
following street work to be done by instructing the Clerk to  
advertise for Bids therefor, to wit: "the grading of F<sup>st</sup> Street  
in said City from the West line of State Street to the East  
line of 25<sup>th</sup> Street and the sidewalk thereof and the entire  
crossing of said F<sup>st</sup> Street with the streets intersecting the  
same between said West line of State Street and the East  
line of 25<sup>th</sup> Street (except the intersection of said F<sup>st</sup> Street  
with 5<sup>th</sup> Street) to the official grade established by Ordi-  
nance No. 303, and in accordance with the specifications, pro-  
files and cross-section on file in the office of the City  
Engineer;" and that the same remained so posted for the  
period of five days immediately thereafter. Said affidavit  
was received and placed on file.

The City Clerk also presented the affidavit of W. W. Roe  
Principal Clerk of the "San Diego Daily Sun," a daily newspaper  
printed and published in the City of San Diego, California,  
showing that the resolution, passed by the Board of Delegates,  
of the City of San Diego, California, on the 16<sup>th</sup> day of Sep-  
tember, 1889, and by the Board of Aldermen, of said City, on  
the 17<sup>th</sup> day of September, 1889, ordering the work above described  
to be done, and instructing the Clerk to advertise for Bids,  
therefor, was published, in accordance with an order of the  
City Clerk, in said newspaper, from the 20<sup>th</sup> day of September,  
1889, to the 21<sup>st</sup> day of September, 1889, both days inclusive. Said  
affidavit was received and placed on file.

The City Clerk also presented the affidavit of W. W. Roe, Principal Clerk of the "San Diego Daily Sun," a daily newspaper printed and published in the City of San Diego, California, showing that a Notice of which the following is a true copy, runs:

"Notice of Posting Invitation for Street Work Proposals: Pursuant to Statute and to Resolution ordering the grading of F<sup>st</sup> street in the City of San Diego, California, from the west line of State street to the east line of Twenty-fifth street," of the Common Council of the City of San Diego, California, finally adopted September 17-1889, directing this notice, I hereby give notice that on the 18<sup>th</sup> day of September, 1889, I posted notice at herein prescribed inviting sealed proposals or bids for doing the work ordered in said resolution, viz: the grading of F<sup>st</sup> street in said City from the west line of State street to the east line of Twenty-fifth (25<sup>th</sup>) street, and the sidewalks thereof, and the entire crossings of said F<sup>st</sup> street with the streets intersecting the same between said west line of State street and the east line of 25<sup>th</sup> street (except the intersection of said F<sup>st</sup> street with 5<sup>th</sup> street) to the official grade established by Ordinance numbered Three Hundred and Three, and in accordance with the specifications, profiles and cross-sections on file in the office of the City Engineer and said posted notice referred to the notice and specifications posted, and to the specifications on file in said resolution ordering the grading of F<sup>st</sup> street and describing the work so ordered to be done. Clerk's Office of the City of San Diego, California, September 24-1889. W.M. Gassaway, Clerk of the City of San Diego, Calif. and the Common Council thereof. By J.F. Faith, Deputy. (seal,) = was published in said newspaper, in accordance with an order of the City Clerk, from the 24<sup>th</sup> day of September, 1889, to the 25<sup>th</sup> day of September, 1889, both days inclusive. Said affidavit was received and placed upon file.

On motion it was ordered that due and sufficient copy had been made of the publication and posting of the resolution (passed by the Board of Delegates, of the City of San Diego, California, on the 16<sup>th</sup> day of September, 1889, and by the Board of Aldermen, of said City, on the 17<sup>th</sup> day of September, 1889,) ordering the following street work to be done, and instructing the Clerk to advertise for bids therefor, viz:

"The grading of F<sup>st</sup> street in said City, from the West line of State street to the East line of 25<sup>th</sup> street, and the sidewalks thereof and the entire crossings of said F<sup>st</sup> street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street (except the intersection of said F<sup>st</sup> street with 5<sup>th</sup> street) to the official grade established by ordinance No. 303, and in accordance with the specifications, profiles and cross-sections on file in the office of the City Engineer." - Also of the publication of the "Notice of Posting Invitation for street work

Proposal: Loring before set forth upon page 190: of this record.

Whereupon the City Clerk reported that he had received one such proposal for grading 3<sup>rd</sup> street as aforesaid and the same being opened was found to be from A.A. Graham, who tendered to perform the work and furnish all material in accordance with the specifications and execute the contract herefor, to the satisfaction of the Common Council of the said City, and the Superintendent of Streets hereof, and under his supervision, at the following prices: Material in excavation fifty five (55) cents per cubic yard. This proposal is accompanied by a certificate reciting for \$15.00.

On motion of Delegate Heath the above Bid of A.A. Graham was referred to the Committee on Streets for one week.

A communication from James P. Jones calling attention to the condition of the river bed on Pueblo Street 1101 & 1102, was read & referred to the Committee on City Lands.

A Petition from Delvale & Eckerry for a Retail Liquor License, was read & referred to the Health & Morals Committee.

Delegate Hewitt offered a Joint Resolution providing for the release of all proceedings heretofore taken in the matter of curbing and paving Sixth street & instructing the City Attorney to prosecute a new resolution of intention. The resolution was lost.

The following Conference Committee report was read and adopted, to wit:

"We your Conference Committee appointed for the purpose of investigating the Ordinance for laying Water & Gas pipes in the Streets & Alleys - would report as follows: After a thorough investigation, we are of the opinion that the amendment made to said Ordinance by the Board of Alderman should not be concurred in & that the Ordinance should remain as it passed the Board of Delegates which requires both Gas & Water Companies to place their pipes an equal distance of 3 feet from the surface of the street to the top of the pipe."

Chas. W. Pauly  
W. A. Day  
A. B. Sybille."

The Committee on Health & Morals reported favorably upon the following Petition for Liquor License, to wit:

"Patrick O'Neill - Hotel  
Frank Wilson - Store."

On motion of Delegate Wagner the Petition of Patrick O'Neill was laid upon the table for one week.

On motion of Delegate Radiger the petition of Frank Wilson was granted.

The following report from the Committee on Streets was read, and adopted, to wit:

To the Board of Delegates: We your Committee on Streets formed report on the petition for grading Olive Avenue, that as a good number of residents have petitioned for the grading of said street, we move recommend the privilege be granted and we further suggest Logan Avenue & Olive Avenue be made one & called Logan Avenue the entire length of Olive Avenue.

Ran. W. Pauly  
W. R. Day."

The following report from the Committee on Water, Gas, &c. was read, to wit:

Your Committee beg to report progress on communication from Board of Public Works enclosing question of dispute between Gas Co. & Cable road Co. We have much pleasure in the expectation of an early and amicable settlement by the contending parties: hoping to be able to render such report to the House at its next sitting.

J. P. Davis  
G. M. Matherbee  
Frank C. Thompson."

Said report was received & time extended.

The City Attorney requested one week's further time to report upon the question of the City's right to sell or lease the City Park. On motion of Delegate Heath the request was granted.

In accordance with notice given at the last meeting Delegate Radiger moved to reconsider the vote heretofore taken upon "an ordinance declaring the necessity for constructing certain permanent municipal buildings for school purposes in the City of San Diego, California." The motion carried. Thereupon Delegate Radiger moved to adopt said ordinance. Delegate Davis moved to postpone for one week. The motion to postpone carried by the following vote, to wit: Ayes. Delegates Heath: Davis: Day: Thompson: Hubert: Roman: Lov: Ayer. Noes. Delegates Wagner: Pauly: Radiger: Matherbee: Hewitt: Seybold & Brack.

On motion of Delegate Heath the Committee on Public Buildings was instructed to investigate the amount & rate of rents being paid by the City, and report same at the

next meeting of the Board.

On motion of Delegate Coyer the Board adjourned until  
Monday, October 7-1889 at 7.30 o'clock p.m.

M. Glassaway,  
City Clerk

G. Bradwell  
President Board of Delegates

## Regular Meeting.

Council Chamber of the Board of Delegates of the City of San Diego, Calif.  
orina, October 7, 1889.

A Regular Meeting of the Board of Delegates, of the City of San Diego, Calif., was held this day at 7.30 o'clock P.M. with President Bradl presiding.

Present, Delegates - Wagner: Dauly: Heath: Day: Metherbee: Hewitt: Seybolt: Thompson: Hubert: Gov: Kamman: Cooper: Bradt and Clerk Gassaway.

Absent, Delegates - Lyons: Marshall: Julian: Darre and Rediger.

The Minutes of an Adjoined Meeting held September 30-1889, were read and approved as read.

A Message from the Mayor transmitting a Protest from the San Diego Water Company, to the enforcement of Concurrent Resolution No. 6: was read and Delegate Day moved to receive and file, and declare that it is the sense of the Board of Delegates that said Board declines to recede from its position as taken by Concurrent Resolution No. 6.

Delegate Heath moved to amend by referring to Committee on Water. The amendment was lost and the original motion was carried, and it was so ordered.

A Message from the Mayor transmitting a Petition from A. Morgan, Member of the Board of Health, for 30 days leave of absence from September 24-1889: was read and on motion of Delegate Metherbee said Petition was granted.

A Financial Report from J.W. Perez, Auditor, for the month of September, 1889: was read, and referred to the Committee on Finance.

A Communication from the Board of Public Works, submitting an Ordinance imposing license in the City: was read together with said Ordinance: and Delegate Hubert moved to adopt.

Delegate Metherbee moved to amend by referring back to Board of Public Works with instruction to insert therein an additional clause providing for the licensing of vehicles. Also to report an Ordinance fixing the rates to be charged by Hackmen & Baggage men. The amendment carried and it was so ordered.

A Communication from the Sixth street property owner Committee requesting the Common Council to enforce the laying of gas in on said Street, by the Gas & Water Company.

was read and referred to the Committee on Streets.

Delegate Heath offered the following Joint Resolution, which was adopted. Votit:

*"Joint Resolution No. 33."*

Resolved, that the Board of Public Works is hereby instructed to at once notify all property owners on Sixth street that lateral sewer connections must be made forthwith and within ten days from date of notice, and in case of failure to comply with such notice, said Board is also instructed to proceed at once to make said sewer connections & to charge the expense thereof to the property owners liable therefor."

Delegate Heath offered a Concurrent Resolution requiring the San Diego Gas & Electric Light Co. to lay an 8 inch service pipe on 6<sup>th</sup> street, also to lay lateral pipes not less than 20 feet apart from C street to L street on 2 and 6<sup>th</sup> streets. On motion of Delegate Low the resolution was referred to the Committee on Water, Gas, Electric Light & Telephone.

Delegate Heath offered an Ordinance relating to the lowering of Gas and Water Pipes on streets occupied by Cable Cars, etc. etc. and moved to adopt the same.

Delegate Cooper moved to lay on the table. This motion carried & it was so ordered.

A Resolution from the Board of Education reducing the amount of Bonds requested for Building Lempster to \$47000. was read. On motion of Delegate Hubert the Ordinance providing for \$75400 School Bonds, heretofore presented was laid upon the table. Thereupon an Ordinance declaring the necessity for Constructing Certain Permanent Municipal Buildings mainly buildings for school purposes. (in amount \$47000.) was read and referred to the Committee on Schools and Library.

A Petition from E. Cranwell for Retail Liquor License was read. and referred to the Committee on Health & Morals.

The following Joint Resolution (heretofore adopted by the Board of Aldermen) was read and adopted. Votit:

*"Joint Resolution No. 32"*

Be it Resolved by the Common Council, that all proceedings heretofore taken by the Common Council relative to the paving and curbing of Sixth street be rescinded.

The following Joint Resolution was read and adopted. Votit:

*"Joint Resolution No. 34."*

Whereas, a majority of the owners of the frontage of the

property fronting on 6<sup>th</sup> st from the north line of L. st. to the south line of B. st in the City of San Diego, Calif. have petitioned the Common Council of said City for the improvement of said street and the entire crossings of the same with the streets intersecting the same. said improvement to consist of curbing and paving said street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, and for the purpose of making said improvement in complying with said petition, the following resolution of intention be passed:

Whereupon a Resolution of Intention to Curb and Pave 6<sup>th</sup> street, was read, and adopted by the following vote. Aye:

Ayer, Delegates - Wagner: Pauly: Heath: Day: Wellerbae: Seybold: Thompson: Hubert: Dr: Kammann: Conyer and Bradt.

Nos. Delegates - Hawill.

Said Resolution of Intention is in words & figures following. Aye:

Resolution of Intention to Curb and Pave 6<sup>th</sup> street.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, Aye: that Sixth (6<sup>th</sup>) street in said city and the entire crossings thereof with the streets intersecting the same from the North line of L. street to the south line of B. street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, Aye: the curbing to be of granite, and constructed in accordance with the specifications contained in Ordinance No. 29, except that the face of the curbstone shall be dressed smooth and even to a depth of eight inches (instead of 12 inches) below the top, and to extend along both sides of said street except in front of Lots A. and B. in Block 19: Lots I. J. and L. in Block 44: Lots A. B. C. E. & F. in Block 45: The south half of Lot C. and Lots D. E. & F. in Block 60: Lots G. and H. in Block 61: Lots G. & H. and the south half of Lot L. in Block 70: the north 45 feet of Lot A. in Block 71: the south half of Lot E. and the whole of Lot F. in Block 86: Lots G. and the south half of lot H. in Block 87: Lots C. and D. in Block 112. already done.

The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness, to be constructed in accordance with the specifications contained in ordinance No. 29, and to extend from curb line to curb line except in front of Lots E. & F. in Block 45: Lot D. & the south half of lot C. in Block 60: Lots G. & H. in Block 61: Lot R.

and the south half of Lot E. in Block 86, where it shall only extend to the gutter line and be properly joined with the gutters already constructed. All work shall be done in conformity with the general and special specifications and provisions of ordinance number twenty-nine (29). And it is also the intention of said Common Council to receive separate sealed proposals or bids for each of the different kinds of work in this resolution of intention provided for or joint sealed proposals or bids for both kinds of work and let contracts accordingly, as the Common Council may hereafter determine in its resolution ordering said work to be done. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law.

An Ordinance granting a Cable Railway franchise to David D. Dare, (hereinafter laid upon the table by the Board, for 30 days from Sept. 2, 1889,) was read and adopted by the following vote, viz:

Ayer: DeGates & Wagner: Daily: Heath: Day: Metherbaa: Nevill: Seybold: Thompson: Thulbert: Tov: Zimmerman: Cough & Bradt.  
Noes = None.

Said Ordinance is in full. viz:

Ordinance No. 34.

An Ordinance granting a franchise to David D. Dare, for authority to construct and maintain and operate for the period of twenty-five years, a double track cable street railway along and upon Sixth street, from the north side of "D" street to the center of "C" street; and along and upon "C" street, from the center of Arctic street to the center of Thirty-third street, in the City of San Diego, California.

Be it ordained by the Common Council of the City of San Diego, California.

Section 1. That David D. Dare, and he is hereby granted authority to construct and maintain and operate for the period of twenty-five years, a double track cable street railway, along and upon the following streets in the City of San Diego, County of San Diego, State of California, viz: commencing at the north line of "D" street, and running thence along and upon Sixth street to the center of "C" street, and also along and upon "C" street, from the center of Arctic street to the center of Thirty-third street, upon the following conditions and limitations, viz:

- That the cars upon said cable railway shall be propelled by wire ropes running under the surface of the streets, and moved by stationary steam engine. But if

at any time the railway cannot be operated by cable, owing to accident to the cable or machinery, horses or mules may be used to move the cars thereon during the time necessary to repair the said cable or machinery.

2. That said cable railway shall be constructed in such a manner as will present the least obstruction to the free use of said streets the tracks to be as nearly as possible in the center thereof.

3. That said David D. Darr, or his assigns, shall plank, pave or macadamize, as the said Council may direct, the entire length of that portion of said streets used by said railway tracks between the rails and for two feet on each side thereof, and between the tracks and keeps the same constantly in repair flush with the street and with good crossings. The track shall be not more than five feet within the rails, and shall have a space between them, and between side tracks, turnouts and switches, of not exceeding five feet, being sufficient to allow the cars to pass each other freely. The connection of said cable railway at "C" and Sixth streets, and with the line on Fourth street, at "C" and Fourth streets, shall be with such curves as will be practicable, and obstruct travel theron as little as possible, and the same shall be placed under direction of the City Engineer.

4. That work on the construction of said cable railway shall commence within five days after the publication of this ordinance, and one track thereof on Sixth street fully completed within six months, and operated within twelve months, and the balance within three years.

5. That the City of San Diego reserve the right to grade, pave, macadamize, sewer or otherwise improve, alter or repair the said streets, such work to be done so as to obstruct the said railway as little as possible, the grantee shall shift and relift said rails so as to avoid the obstruction made thereby.

6. That the laying of said tracks, and all side tracks, switches, curves, or turnouts shall conform in all cases with the grade of any of said streets which have been graded, and in all cases as near to the natural grade of such street as practicable; and when at any time any part of the route shall be graded, or the grade thereof altered or changed by the said Common Council, the bed of the road and the tracks thereon shall be made to conform therewith by the grantee. No switch shall be constructed or maintained within fifty feet of any cross street, and the location of such switches or turnouts shall be changed at the expense of the grantee when so ordered by the Common Council.

7. That the City Engineer shall, under the direction of the said Common Council, give the established grades of the streets along the line of the construction of said railway, and see

stakes indicating the said grade: He shall see that the said railway is constructed and maintained in conformity to the terms and requirements of the franchise; and for his services as herein required he shall receive such fee as are provided herefor, and the same shall be paid by the grantee.

Section 2. That the failure to comply with any of the conditions of the franchise shall work a forfeiture of the rights and privileges granted hereby.

Section 3. That the Common Council reserve the right to repeal, amend or modify this ordinance.

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval, and one publication thereof in the San Diego Daily Sun, a newspaper printed and published in said City of San Diego, and being the official paper."

Delegate Heath offered the following Concurrent Resolution, which was adopted, ~~as follows:~~

#### Concurrent Resolution No. 9.

Resolved, by the Board of Delegates, the Board of Aldermen concurring, that for the purpose of fully complying with the law, it shall be the practice of this Council, in all proceedings relating to street work, and in all proceedings relating to public work required to be posted publicly, that three public places are hereby designated for such posting, and as follows, ~~as follows:~~: on the door of the Hall of the Board of Delegates. On the door of the Hall of the Board of Aldermen. In the lobby of the Post Office. And be it further Resolved that in drawing all notices and affidavits of posting that the above named places of posting be specifically named herein."

An Ordinance prohibiting the killing of Deer within the City limits (herefore adopted by the Board of Aldermen) was read. Delegate Wetherbee moved to adopt the same. The motion was lost by the following vote, ~~as follows:~~:

Ayer, Delegates Wagner: Pauly: Heath: Wetherbee: Seybolt:  
Law: Kamman: ~~and~~ Cooper.

Nos. Delegates Day: Hewitt: Thompson: ~~and~~ Hulbert.

An Ordinance connecting Olive Avenue with Logan Avenue, was read, and adopted by the following vote, ~~as follows:~~:

Ayer, Delegates Wagner: Pauly: Heath: Day: Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Law: Kamman: Cooper ~~and~~ Bradt.  
Nos. None.

Said Ordinance is as follows, ~~as follows:~~:

#### Ordinance No. 35.

An Ordinance connecting Olive Avenue with Logan Avenue making a continuous Avenue of the same to be called Logan Avenue.

Be it ordained by the Common Council of the City of San Diego, as follows:

Section 1. - That Olive Avenue throughout its entire length, shall hereafter form and be a part of Logan Avenue and bear the same name.

Section 2. - That this ordinance shall take effect and be in force from and after its passage.

The following resolution of intention to grade Logan Avenue was read, and adopted by the following vote, to wit:

Ayer: Deleater: Wagner: Pauly: Heath: Day: McDerbea: Hewitt: Seybold: Thompson: Hubert: Dow: Zimmerman: Cuyler & Bradt.  
Noes: None.

Said resolution is as follows, to wit:

~~Resolution of Intention to grade Logan Avenue from the East line of 26<sup>th</sup> street to the East line of 31<sup>st</sup> street.~~

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to wit: that Logan Avenue in said City from the East line of Twenty-six<sup>th</sup> street in Reed and Hubbard Addition to the East line of Thirty-first (31) street and the sidewalk thereof and the entire crossings of said Logan Avenue with the streets intersecting the same between said East line of 26<sup>th</sup> street and the East line of 31<sup>st</sup> street, except the intersection of said Logan Avenue with 28<sup>th</sup> street, be graded to the official grade established by ordinance numbered two hundred and thirty-two (232). The above described portion of said Logan Avenue was formerly known as Olive Avenue.

The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the city, in which this Resolution of Intention shall be published for two days, and the notice of the passage of said resolution for six days or often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law."

The Committee on Health & Morals reported favorably upon the Petition of Deleater & Etcherry for retail Liquor License, and on motion of Delegate Dow said license was granted.

The following report from the Committee on Streets was read and adopted, to wit:

To the Hon. Board of Delegates & Your Committee on Streets to whom was referred the Bid of R. A. Graham for grading K street, report that they have examined the same and find that the bid \$5. Cent per cubic yard is equal to one dollar and thirty cents (\$1.30) per square foot, and they are of the opinion that the bid is too high.

and that justice will not be done the property owner by the acceptance of said bid. Your Committee therefore recommend that the bid of R. A. Graham for 55 cents per cubic yard be rejected, and the Clerk be instructed to return to him his Certified Check, and that the City Attorney be instructed to prepare the necessary proceedings to again let the work.

Delegates Kammann &  
Casper were excused.

Clas. W. Parly  
W. A. Day  
A. B. Seybolt."

The Petition of Pat O'Neill for Hotel Lying License, was, upon motion of Delegate Wagner taken from the table, and thereupon on motion of Delegate Wagner said Petition was granted.

A Petition for the passage of an Ordinance providing for the destruction of vicious dogs etc. was read & filed.

City Attorney Gordoni submitted his written opinion upon the proposition contained in a certain resolution offered by Delegate Heath, pertaining to the alienation of the City Park, which was read and on motion of Delegate Heath it was ordered that the said opinion be received and the thanks of the Board of Delegates extended to said Attorney for the same.

Delegate Heath offered a resolution demanding written explanations from the Head of Departments for not making monthly reports in accordance with a resolution heretofore adopted by the Board of Delegates.

Said resolution was lost by the following vote. Aye:

Ayer. Delegates - Parly: Heath: Day: Hewitt: and Bradt.

Nay, Delegates - Wagner: Metherbee: Seybolt: Thompson: Mulvaney and Gau.

The following Special Committee Report was read and adopted. Aye:

To the Board of Delegates. Gentlemen - Your Special Committee to whom was referred the resolution of Delegate Heath inquiring as to the expenditures incurred in the fitting up, repair and furnishing of the City Hall building, and by what authority said work was done, beg leave to report, that the cost as shown by the bills audited and paid up to Aug 31<sup>st</sup> has been \$2,85,6.41, of which amount upwards of \$1,200<sup>00</sup> has been spent for permanent repair to the building, the balance, some \$1,600<sup>00</sup> being for furniture and carpets, being for furniture \$1,030<sup>00</sup> - for carpets \$500<sup>00</sup>, we consider this expenditure of the City money in the light of an unwarranted and inexcusable extravagance, particularly

in view of the condition of the city finances, and the financial condition of tax-payers at this time. Further, we find no legal authorization from the City Council, for these expenditures, and therefore respectfully recommend that this Board does request the Board of Public Works, and the Auditing Committee, to fully explain their course of action, by a written report to this Board, at its next meeting, and pending a further investigation of their irregular proceedings. By this Committee  
 C. E. Heath } Special Committee.  
 Harr Wagner }

After giving notice President Pradt did, in open session, sign Ordinance No. 33. Being an Ordinance establishing the grade of 5<sup>th</sup> street from B<sup>+</sup> to Upas street. Also Ordinance No. 34. Being an Ordinance providing for building a party wall between the south half of Lot C and Lot D, Block 33, North Addition.

Whereupon the Board adjourned until Monday, October 14, 1889, at 7.30 o'clock P.M.

M. M. Glassaway,  
City Clerk

G. H. Pradt  
President Board of Delegates

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates of the City of San Diego,  
California, October 14<sup>th</sup> 1889.

An Adjourned meeting of the Board of Delegates of the City of San Diego, was held this day at 7.30 o'clock P.M. with President Bradt presiding.

Present, Delegates - Wagner: Lyons: Pauly: Heath: Davies: Pediger: Metherbee: Harris: Seybold: Thompson: Culbert: Dow: Kamman: Cooyer: Bradt and Clerk Gassaway.

Absent, Delegates - Marshall: Julian and Day.

The minutes of the last Regular Meeting were read & approved.

After giving notice, President Bradt did, in open session, sign Ordinance No. 34. Being an Ordinance granting a Cable Railroad franchise on 6<sup>th</sup> street, to David D. Dare. Also Ordinance No. 35. Being an Ordinance connecting Olive Avenue with Hogan Avenue &c.

The following Veto message from the Mayor was read. *avit:*  
*"Mayors Office"*

San Diego, Cal. October 14<sup>th</sup>, 1889.

To the Board of Delegates - I have the honor to return herewith without my approval, Ordinance No. - Providing for building a party wall between the south half of Lot C and Lot "D" Black & Norton's Addition to San Diego.

Section 14, Chap. II. Art II, of the Charter of the City of San Diego provides that all ordinances or resolutions, appropriating money or for the incurring of indebtedness or liability against the Treasury introduced in either Board of the Common Council, or in the Board of Education, or other department or authority, must before being passed, be presented to the Auditor, and until he certifies in writing upon such ordinance or resolution that such approbation can be made or indebtedness incurred without the violation of any of the provisions of this Charter, no further action shall be had upon the same. On the face of this ordinance, the requirement of the Charter above cited has not been complied with.

Respectfully

Douglas Gunn.

Mayor.

Delegate Cooyer moved to accept and tender the Mayor a vote of thanks for the same. The motion was lost.

A message from the Mayor transmitting a Petition from J. M. Dodge, Treasurer and Tax Collector for 14 days leave

of absence from October 18-1889, was read, and the said message received and the Petition granted.

A message from the mayor relative to the furnishing of the City Hall, was read, and received and filed.

A communication from the Board of Public Works relative to the furnishing of the City Hall, was read, and Delegate Hubert moved to refer to the Special Committee on City Hall furnishing. - Delegate Rediger moved to amend by referring to the Committee on Finance. The amendment carried and it was so ordered.

Whereupon Delegate Rediger moved that the "Special Committee on City Hall furnishing" be discharged. The motion carried, and said Committee was discharged.

On motion of Delegate Rediger the message of the mayor relative to the furnishing of the City Hall; (herefore received and filed by this Board) was taken from the file, and referred to the Committee on Finance.

A communication from the Board of Public Works, submitting five ordinances for adoption, was read and filed. Thereupon an Ordinance imposing license was read and adopted by the following vote. *Totit:*

Ayer: Delegates & Wagner: Heath: Darius: Matherba: Huritt:  
Seybold: Thompson: Hubert: Gov: Xammon: Cooper: Bradt.  
Noz. Delegates & Lyon: Pauly: Rediger.

Said Ordinance is as follows. *Totit:*

#### Ordinance No.

An Ordinance imposing licenses in the City of San Diego, California.

Be it ordained by the Common Council of the City of San Diego, as follows:

Section 1. It shall be unlawful for any person, partnership, firm, association or corporation to engage in or carry on any business, show, exhibition, game, amusement, or calling herein after specified or to own, keep or harbor any dog or bitch within the City of San Diego, California, without first taking out or procuring from the Auditor of said City the license hereby imposed and required therefor. *Totit:*

Auctioneer	\$10.00 per month
Public Balls	*5.00 each
Skating Rink	*3.00 per month
Base Ball Game (where admission fee is charged)	*10.00 per month
Race Course or Track - when in use for races or exhibition except agricultural fair.	*10.00 per day
Bowling Alley.	*25.00 per month
Billard Tavern	*1.00 per month per table.

Pool Tables	\$1.00 per month per table.
Shooting Galleries	\$2.50 per month
Circus & Menagerie	\$300.00 per day.
Side Shows	\$25.00 per day.
Theatre	\$5.00 per mo. \$12 per quarter or \$40 per year.
Theatrical Performances	\$5.00 each.
Concert Hall	\$5.00 per month.
Concerts	\$3.00 each.
Minstrel Shows	\$5.00 each.
Sleight of Hand or other performances	\$5.00 each
Museums	\$1.50 per day
Panoramas	\$1.00 per day.
Gymnasium (when admission fee is charged)	\$5.00 per month.
Boxing or Sparring matches with gloves.	\$25.00 per day.
Poke walker	\$2.50 per day.
Traveling musicians	\$2.50 per week.
Seafarers, each wagon	\$2.50 per month.
Undertakers	\$10.00 per year.
Tobacco & Cigars	\$2.50 per month.
Cigarettes	\$2.50 per month.
Street Strollers of all kinds not connected with store room	\$5.00 per month.
Street Fakers of all kinds	\$3.00 per week.
Street games & Exhibitions of all kinds	\$3.00 per week.
Sing Testers	\$2.50 per week.
Striking Machines	\$2.50 per week.
Dawn Booksellers	\$10.00 per month.
Print Stores	\$5.00 per month.
Prize Stores	\$2.50 per month.
Astrologers	\$2.50 per month.
Fortune Tellers	\$2.50 per month.
Fortune Telling Machines & Devices	\$3.00 per month.
Fireworks of all kinds	\$3.00 per month.
Powder - wholesale dealers	\$2.50 per month.
Powder - retail dealers	\$1.00 per month.
Powder magazines	\$5.00 per month.
Petroleum oil	\$1.00 per month.
Gasoline	\$2.00 per month.
Paints & Oils	\$1.00 per month.
Dog	\$4.00 per year each.
Bitch	\$8.00 per year each.
and the cost price of the number issued by the Auditor.	
For Hackney Carriages, Coach, Hack, Cab, omnibus or other vehicles employed in carrying passengers for hire as follows:	
For each vehicle drawn by more than one animal and having seats for more than four persons \$12.00 per year.	
For each vehicle drawn by more than one animal and not having seats for more than four persons \$6.00 per year.	
For each vehicle drawn by one animal \$4.00 per year.	
For trucks, box wagons, express wagons, job wagons or other	

Vehicle carrying freight, merchandise etc for hire.	
More than two animals	\$10 per year.
Two animals	\$5. " "
One animal	\$3. " "
Street passenger Cars. Each 2 horse or Cable Car.	\$12 <sup>00</sup> per year.
Each one horse Car	10. per year.

For every runner, agent, solicitor or other person engaged in the business of soliciting custom for any Hotel, Boarding-House, inn, lodging-House, or place where board and lodging is furnished for pay, except the owner or driver of Pack, Cab, or other vehicle paying license of said vehicle \$1 per month; provided, that every such runner, agent or solicitor, or any person soliciting custom for any Hotel, Boarding-House, inn, or place where board and lodging is furnished for pay, shall wear a badge, which badge shall be numbered and a number thereof recorded with the Chief of Police, with the name of the person having the right to wear said number, and all other persons are forbidden to wear such number, without first changing the name attached thereto recorded with the Chief of Police.

When the net proceeds of any show, relay, exhibition, performance, entertainment, game etc. are to be devoted to charitable purposes no license shall be imposed.

If any person shall furnish such evidence as shall satisfy the Auditing Committee that he or she by reason of misfortune or physical infirmities, merits exemption from the provisions of this ordinance a free or gratuitous license may be issued to such party upon the permission of said Committee.

Section 2. The amount of said license shall in each instance be deemed a debt due from said person or persons to the City of San Diego. All such persons or corporations shall be liable to an action in the name of the City of San Diego, for the amount of the said license: and the conviction and punishment of any person, in a Criminal action, for a violation of this ordinance shall not excuse such person from the payment of any license due or unpaid at the time of the conviction.

Section 3. Upon the trial of any action authorized by this ordinance the defendant is deemed not to have procured the former license unless he either procures it or proves that he did procure it.

Section 4. Every person violating any provision of this ordinance shall be fined in any sum not exceeding \$300. or be imprisoned in the City Jail of San Diego for not exceeding three months or by both such fine and imprisonment.

Section 5. That ordinance No. 328, and all other ordinances in conflict therewith be repealed, and that this ordinance shall take effect and be in force from and after its

passage and one publication in the San Diego Daily Sun.

An Ordinance regulating the stopping of Street Cars was read and adopted by the following vote. Aye:

Ayer, Delegates - Wagner: Lyon: Pauly: Heath: Davies: Rediger: Wetherbee: Hewitt: Seybold: Thompson: Hubert: Dr. Kamman: Cuyzen and Bradt.

Noes = None.

Said Ordinance is as follows. Aye:

Ordinance No. 36

An Ordinance regulating the stopping of Street Cars.

Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. It shall be unlawful for any person, engineer, conductor, driver, Company or Corporation running or having control or charge of any street car to stop or cause the same to be stopped upon or to remain upon any street intersection or crossing on the crosswalk thereof so as to in any manner interfere with or obstruct travel on or over such intersection, crossing or crosswalks.

Section 2. Every person, Company or Corporation violating any of the provisions of this ordinance shall be fined in any sum not exceeding Fifty Dollars.

Section 3. This ordinance shall take effect and be in force from and after its passage and one publication in the San Diego Daily Sun."

Delegate Heath offered the following resolution, which was adopted. Aye:

"Resolved, that this Board do adopt the rule that when taking a Yea and Nay vote upon any question, a tally sheet of such vote shall be taken and preserved until the proceedings of the meeting have been read and adjourned, and that the names of every delegate shall be called by the Clerk and opposite the name of those not present the word "absent" shall be written to so appear on the records, and that the names of all delegates shall be called by Wards in their regular numerical order."

An Ordinance regulating runners for Hotels, was read, and Delegate Wetherbee moved to adopt. The motion was put to vote with the following result. viz:

Ayer, Delegates - Wagner: Lyon: Pauly: Davies: Day: Rediger: Wetherbee: Heath: Hewitt: Hubert: Dr. Kamman: Cuyzen and Bradt.

Noes. Delegates - Seybold & Thompson.

Therefore Delegate Heath moved that a new poll be taken. This motion carried & the following show the result of said new poll. Aye:

Ayer, Delegates - Wagner: Lyon: Pauly: Bradt: Davies:

Pediger: Metherbee: Heath: Hewitt: Hubert: Law: Kamman and  
Coyzer.

Present, Delegates - Leybold & Thompson.

Absent, Delegates - Marshall: Julian & Day.

Said Ordinance was thereupon declared to be adopted, and the same is as follow, to wit:

Ordinance No. 37

An Ordinance regulating runners etc. for Hotels.

Be it ordained by the Common Council of the City of San Diego as follows:

Section one. It shall be unlawful for any person to solicit patronage for himself or other person, or for any hotel, lodging house, boarding house, vehicle, or other business or at or in the vicinity of any landing, wharf, depot, or place of amusement, in a loud or boisterous or offensive manner, or to make any needless noise or outcry, or to use any language or do any act having a tendency to disturb the peace or the good order of the City or to harass, vex or annoy any stranger, traveler or citizen.

Section 2. It shall be unlawful for any person to solicit patronage for any hotel, boarding house, lodging house, vehicle or business in front of the gangway of any steamboat within twelve feet thereof nor within twelve feet of the edge of such gangway, or in front of the exit of any wharf, depot, theatre, circus, public or private ball, or place where persons are assembled for amusement, entertainment or instruction nor within twelve feet thereof nor within twelve feet of the sides thereof.

Section 3. It shall be unlawful for any person, employed as solicitor, runner, packman, omnibus driver, expressman or porter to enter into or upon any railroad car or depot, or steamboat or steamboat landing or upon any passage or landing way leading thereto, while actually engaged in such employment except for the purpose of getting the baggage of passengers after having first obtained the check or checks from such passengers for such baggage.

Section 4. Every person violating any of the provisions of this ordinance shall be fined in any sum not exceeding Fifty Dollars.

Section 5. This ordinance shall take effect and be in force from and after its passage and one publication in the San Diego Daily Sun.

Delegate Wagner moved to reconsider the vote by which the resolution, (herefore adopted & entered upon page 212. of this record) providing for a tally sheet of Aye & No. votes taken by the Board & of the manner of voting, was adopted. The motion was lost by the following vote, to wit:

Aye. Delegates = Wagner: Lyons: Bradt: Metherbee: Leybold:

Thompson: Kamman.

Noes: Delegates: Pauly: Daries: Rediger: Hewitt: Heath: Huber.  
Gov: Cuyler.

Absent: Delegates: Marshall: Julian: Day.

An Ordinance prohibiting unlicensed dogs from running at large, was read and adopted by the following vote. Amt:

Ayer: Delegates: Wagner: Bratt: Daries: Rediger: Matherba:  
Heath: Hewitt: Seybold: Thompson: Huber: Gov: Kamman and Cuyler.

Noes: Delegates: Lyons and Pauly.

Absent: Delegates: Marshall: Julian and Day.

Said Ordinance is as follows. Amt:

Ordinance No.

An Ordinance prohibiting unlicensed dogs from running at large.

Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. It shall be unlawful for any person owning or having the control of any dog or bitch to suffer or permit the same to run at large in any public street, alley, park or ground in the City of San Diego unless the license tax for the current year shall have been paid and unless such dog or bitch has around its neck a collar bearing a metallic tag or plate issued by the City Auditor, bearing thereon the number of the license and indicating the year for which the same has been paid.

Section 2. Every unlicensed dog or bitch found running at large contrary to the provisions of this ordinance may be killed or shall be impounded.

Section 3. Every person violating any of the provisions of this ordinance shall be fined in any sum not exceeding ten dollars.

Section 4. This ordinance shall take effect and be in force from and after its passage and one publication in the San Diego Daily Sun.

An Ordinance establishing a rate of fare to be charged by vehicles etc. was read. Delegate Cuyler moved to refer to the Committee on Finance. The motion was lost. Delegate Matherba moved to adopt. Delegate Rediger moved to amend by referring to the Committee on Finance to report at next meeting. The amendment carried and the Ordinance was so referred.

The following petitions for Liquor License were read & referred to the Committee on Health, Moral. Amt:

"Mo. A. Seifert - Wholesale  
Wormsley & Johnson - Retail"

A Petition from Property owner on Logan Avenue, to Ratify the Resolution of Intention to grade said street to 33<sup>rd</sup> Street. (Before adopted) rescinded and a new resolution proposed to grade said avenue to its eastern terminus, was read, and Thompson Delegate Gov offered the following Concurrent Resolution, which was adopted. *That:*

"Concurrent Resolution No. 17.

Be it resolved by the Board of Delegates, the Board of Alderman concurring, that the resolution of intention to grade Logan Avenue from 26<sup>th</sup> street to 31<sup>st</sup> street passed October 8<sup>th</sup> 1889. Be rescinded further that the Board of Public Works be instructed to instruct the City Engineer to locate the grade of the extension of Logan Avenue from 31<sup>st</sup> street to the Old Brewery in Chollar Valley."

The following Majority and Minority Reports from the Committee on Schools &c. were read. *That:*

"Majority Report.

Your Committee on Schools having carefully examined the requisition of the City School Board for additional accommodation for conducting the education of the City's School Children respectfully offer this revised list of money grants recommending the following amounts expended in the districts & for the purposes assigned viz:

Land & Tools building &c	25,000.00
1 Room Sorrento	900.00
Pavilion	1400.00
Addition to buildings at Old Town	500.00
Change in Cormado School House	500.00
Russ School sanitary	2000.00

New sum for building a temporary building on lease lot 2000.00 or removing to lease lot, our present public School Building

J. P. Darcey  
Harr Wagner."

"Minority Report.

The undersigned minority Committee on Schools & Library concur in the report of the majority of said Committee in the matter of School Bonds except so far as it relates to the appropriation of \$25,000 for the erection of a School building in the Land & Tools Addition, and regt to recommend the substitution of the sum of \$30,000 for said amount.

Respectfully submitted

Geo. P. Law.

Delegate Hubert moved to adopt the minority report. The motion carried by the following vote, *That:*

Ayer, Delegates - Wagner, Lyman, Heath, Seybolt, Thompson, Hubert, Law, Kammann & Ayer.

Neg. Delegates - Pauly, Bratt, Darcey, Rediger, McPhee & Hewitt.

Absent Delegates - Marshall: Julian & Day.

Whereupon Delegate Dow moved that the foregoing Ordinance be amended to conform with the Minority report. The motion carried and it was so ordered.

Delegate Matherbee moved that the proposed ordinance be further amended by striking out the appropriation of \$500. for Coronado Beach. Delegate Heath moved to lay the above motion on the table. This motion carried, it was so ordered. On motion of Delegate Davis the regular order of business was resumed until the said Ordinance should be amended by the City Attorney in accordance herewith.

Delegate Kamman offered the following Joint Resolution, which was adopted, to wit:

~~Joint Resolution No. 3:~~

Whereas, the 9<sup>th</sup> Ward of this City - Coronado - is entirely without Police protection and  
 Whereas, a great many citizens of said Ward desire the protection which the remainder of the City has, therefore be it  
 Resolved, that ~~the~~ Board of Police Commissioners are requested to instruct ~~the~~ Chief of Police to detail one of the present Patrolmen ~~for~~ duty in said Ward, and be it further  
 Resolved, that in case the Board of Police Commissioners consider the present Police force insufficient to allow said detail, ~~the~~ said Board is hereby authorized to increase the force by appointing one man for said Ward.

A Petition from David D. Darr for a Cable railway from Clark from 4<sup>th</sup> and Palm streets to University Heights, was read and referred to the Committee on Streets & City Attorney.

A Petition to pave certain streets leading to Old Town, graded, and to have a district created, was read & granted.

A Joint Resolution authorizing Gilmore & Roman to erect a party wall & providing for the payment, by the city within one year, of one-half the cost of said Wall, was read & laid upon the table for one week.

Delegate Kamman offered the following resolution which was adopted, to wit:

Resolved, that the City Tax Collector furnish this Board a statement, showing the total valuation of property in the 9<sup>th</sup> Ward of the City (Coronado) for the present fiscal year, with amount of taxes paid on said property to date. Also a statement showing the amount of taxes unpaid on property in said Ward for the fiscal year 1888-89 & previous years.

The following Concurrent Resolution (heretofore adopted by the

Board of Alderman.) was read and concurred in, to wit:

Concurrent Resolution No. 10

Resolved, by the Board of Aldermen, the Board of Delegates concurring, that the City Attorney be & is hereby instructed to prepare an Ordinance requiring the San Diego Water Company to lay a (10) ten inch water main on Sixth st. from "A" street to "B" street, before said Sixth street is paved.

In the matter of the Communication from the 6<sup>th</sup> street property owners Committee relative to Gas & Water pipes, the Committee on Streets reported as follows, to wit:

To the Hon. Board of Delegates of the City of San Diego  
We, your Street Committee to whom was referred the annexed Petition would report as follows: That we find that said Petition sets forth the facts in the premises as neither the water main nor the gas main are of sufficient capacity and that a good many sewer, gas & water connections are not made, therefore we recommend that an Ordinance be passed requiring the Gas Co. & the Water Co. to lay main on said 6<sup>th</sup> street, & necessary also that the property owners be required to make connection with the Sewer, Gas & Water main, & further that the Board of Public Works be required to draft said ordinance.

Chas. W. Pauly  
A. B. Sly Bolt.

Said report was adopted.

The Committee on Health & Morals reported favorably upon the petition of E. Gandy for Retail Liquor License and in motion of Delegate Dow said license was granted.

The following report from the Committee on Ways & Means was read & adopted, to wit:

Your Committee report favorably on allowing the following force in the City Engineers office:  
1 Chief Draughtsman.

2 Asst "

1 Transit man

1 Rodman

2 Chaminen

and would request that the City Attorney be instructed to draft an Ordinance fixing the salaries as follow:

Chief Draughtsman \$100 per month

Asst " 75 per month

Transit man 90 per month

Rodman & Chaminen 55 per month

Very truly Ways & Means Committee. Harr Wagner

Chas. W. Pauly

J. H. Kerith.

The City Attorney presented the Ordinance providing for School Bonds, as amended, and the same was read. Thompson Delegate Heath moved to adopt the same. The motion was carried by the following vote, to wit:

Ayer, Delegates - Wagner, Lyon, Pauly, Davies, Heath, Seybold, Thompson, Culbert, Dow, Komman & Cooper.

Present, Delegates - Brack, Rediger, Nethercutt & Hewitt.

Absent, Delegates - Marshall, Julian & Day.

Thompson Delegate Brack gave notice that, at the next meeting of the Board, he would move a reconsideration of the above vote.

Whereupon the Board adjourned until Monday, October 21<sup>st</sup> 1889, at 7.30 o'clock P.M.

*M. M. Glassaway,  
City Clerk*

*G. S. Brack  
President Board of Delegates*

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, October 21<sup>st</sup>. 1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7.30 o'clock P.M. with President Bradt presiding.

Present, Delegates - Wagner: Lyon: Fahey: Bradt: Davis: Day: Ridgway: Matherbae: Hewitt: Heath: Thompson: Seybolt: Low: Hubert: Kamman: Conner, Clerk Garrison.

Absent, Delegates - Marshall <sup>and</sup> Julian.

The Minutes of an Adjourned Meeting, held October 14-1889, were read, <sup>and</sup> Delegate Heath moved that Joint Resolution No. 35, entered upon page 216., be stricken from the record. The motion carried, and it was so ordered. <sup>and</sup> Thereupon the said minutes were read and approved as amended.

After giving notice President Bradt did, in open session, sign Ordinance No. 37 being an Ordinance regulating runners, etc. for Hotels &c. Also Ordinance No. 36 being an Ordinance regulating the stopping of Street Cars.

A Message from the Mayor transmitting a telegram from Senator Leland Stanford stating that a Senate Committee on Commerce will visit San Diego, on Oct. 24<sup>th</sup> <sup>and</sup> recommending their appropriate action be taken for the reception of the same: was read <sup>and</sup> Delegate Wagner moved that a Committee on reception be appointed. The motion carried & thereupon the President appointed as such - the Committee on Ways & Means.

A Message from the Mayor transmitting a Petition from Jas. D. Scuyler, a Commissioner of the Board of Public Works for fourteen days leave of absence from the 26<sup>th</sup> instant: was read & the request granted.

A Petition for a retail liquor license from Fitzsimmons <sup>and</sup> Craven, was read and referred to the Committee on Health & Morals.

A Communication from James P. Power, Frukt & Tree Inspector, requesting that an Ordinance be passed requiring property owners to rid all pepper trees, in front of their property, of insects &c., was read <sup>and</sup> an motion of Delegate Wagner the City Attorney was instructed to prepare an Ordinance in accordance therewith.

A Petition from Robert A. Campion for permission to erect a one story fire proof veneered brick building on the north half of Lot J. Black & Co. Extension Addition; was read, and Delegate Wetherbee moved to grant. The motion was lost by the following vote, twit:

Nos. Delegates = Wagner: Lynn: Pauly: Bratt: Davies: Day: Hewitt: Heath: Thompson: Seybolt.

Ayez. Delegates = Rediger: Wetherbee: Dr. Hulbert: Kamman: Cuyler. Absent, Delegates = Marshall: Julian.

Whereupon said Petition was referred to the Committee on Health & Morals.

A Report from the City Tax Collector, showing the amount of paid and unpaid taxes for Coronado Beach, for the year 1889, was read. Whereupon Delegate Kamman offered the following resolution which was adopted, twit:

"Resolved, That the City Tax Collector is hereby instructed to report, why no sales of real estate for delinquent taxes on Coronado property for the last and previous fiscal year have been made and what, if any, steps are being taken to collect said delinquent taxes by tax sales or otherwise."

A Petition from property owners to have Main street graded from the intersection of Main and Eleventh streets, to a point 450 feet east of the east line of 31<sup>st</sup> street, was read and referred to the Committee on Streets.

A Petition from property owners and Business Men to have Eleventh & Main streets (leading to the 22<sup>nd</sup> street depot) graded, was read, and referred to the Committee on Streets.

A Communication from the Board of Public Works, submitting an Ordinance establishing the grade of Logan Avenue was read together with said Ordinance. Whereupon said Ordinance was adopted by the following vote, twit:

Ayez. Delegates = Wagner: Lynn: Pauly: Bratt: Davies: Day: Rediger: Wetherbee: Hulbert: Heath: Thompson: Seybolt: Dr. Hulbert: Kamman & Cuyler.

Nos. = None.

Absent = Delegates = Marshall & Julian.

Said Ordinance is as follows. twit:

"Ordinance No. 38.

An Ordinance establishing the grade of Logan Avenue, from the east side of Twenty-sixth street to a point 234 feet East of the east side of Thirty-second street in the City of San Diego, State of California.

Be it ordained by the Common Council of the City of San Diego, as follows:

Section 1. The grade of Logan Avenue from the east side of Twenty-sixth street to a point 234 feet east of the

East side of Thirty second street, is hereby established as follows: The elevation of the points herein named above the datum line of level fixed by Ordinance No. 3 shall be fixed as follows: At the southeast corner of Logan Ave. and Twenty-sixth street 59.0 feet.

At the southwest corner of Logan Ave. and Twenty-seventh street 61.0 feet; at the northwest corner thereof 62.0 feet; at the south east corner thereof 61.0 feet; and at the north east corner thereof 62.0 feet. At the southwest corner of Logan Ave. and Twenty-eighth street 65.0 feet; at the northwest corner thereof 66.0 feet; at the south east corner thereof 65.0 feet; and at the northeast corner thereof 66.0 feet.

At the southwest corner of Logan Ave. and Twenty-ninth street 67.5 feet; at the northwest corner thereof 68.5 feet; at the south east corner thereof 67.5 feet; and at the northeast corner thereof 68.5 feet.

At the southwest corner of Logan Ave. and Thirtieth street 70.0 feet; at the northwest corner thereof 71.0 feet; at the south east corner thereof 70.0 feet; and at the northeast corner thereof 71.0 feet.

At a point 400 feet East of the North East Cor. of 30<sup>th</sup> st. and Logan Avenue 78.0 feet; and at a point 80 feet due south from last named point 78.0 feet.

At the southwest corner of Logan Ave. and Thirty-first street 74.0 feet; at the northwest corner thereof 74.0 feet; at the south east corner thereof 73.0 feet; and at the northeast corner thereof 73.0 feet.

At the southwest corner of Logan Ave. and Thirty-second street 51.0 feet; at the northwest corner thereof 51.0 feet; at the south east corner thereof 50.0 feet; and at the northeast corner thereof 50.0 feet.

At a point 234 feet East of the north east corner of Logan Avenue and 32<sup>nd</sup> street or at the intersection of the North line of Logan Avenue with the West line of the "Brewery Tract" 48.5 feet; and at a point 80 feet due south from the last named point 48.5 feet, being the intersection of the south line of Logan Avenue with the west line of the "Brewery Tract."

And the grade of said Logan Avenue, between the points fixed by this Ordinance, shall be of uniform ascent or descent, as shown by the grade maps made by the City Engineer and on file in his office.

The center of said street shall be the average of the curb grades.

Section 2. All Ordinances or parts of Ordinances in conflict therewith are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage.

In accordance with notice given Delegate Bradt moved to reconsider the vote taken at the last meeting, upon

the Ordinance providing for School Bonds. (Said vote being entered upon page 218.) The motion carried, and the vote was reconsidered.

Whereupon said Ordinance was read and Delegate Heath moved to amend the same by striking out the appropriation of \$600 for Coronado Beach. The motion carried and it was so ordered. And whereupon said Ordinance was adopted as amended by the following vote. Aye:

Ayer, Delegates = Wagner: Lyons: Pauly: Bradt: Davies: Day: Matherhorn: Hawitt: Heath: Thompson: Sly Bolt: Gov. Culver: Kamman: Cooper.

Noes, Delegates = Rediger.

Absent, Delegates = Marshall & Julian.

Said Ordinance is as follows. Aye:

*"Ordinance No. 170 (not numbered in)*

An ordinance declaring the necessity for constructing certain permanent municipal buildings, viz: buildings for school purposes in the city of San Diego, California.

Be it ordained by the Common Council of the City of San-Diego, as follows:

Sec. 1. That the public interests and necessity demand the construction of certain permanent buildings for school purposes within the City of San Diego, State of California, the cost of which will be too great to be paid from out of the ordinary annual revenue of the municipality, the said public buildings to be located and described as follows: One building with the necessary out-houses for the same, to be located on Fractional Block No. 192, except fractional lots 35, 36 and 37, Sand and Clay Company's Addition to San Diego, said building to cost \$30,000<sup>00</sup>.

One two-room building and the necessary out-houses for the same, to be located on Lot Black Rosville, to cost \$1400<sup>00</sup>.

One one-room building, to be located on Block 30. Sonranto, with the necessary out-houses, to cost \$900<sup>00</sup>.

To make the necessary additions to building already erected on Lot #4. Block #436. Old Town - to cost \$500<sup>00</sup>.

The necessary out-houses for the Russ School Building, located on City Park, to cost \$2000<sup>00</sup>.

Total Cost \$34,800<sup>00</sup>.

The necessity for said buildings and improvements is to accommodate and furnish places in which to educate children residing in said City who can not be accommodated or educated in the buildings now owned, controlled or occupied by said City for school or other purposes.

Sec. 2. That this ordinance shall take effect and be in force from and after its passage and publication for two weeks in the San Diego Daily Sun, a daily newspaper printed and published in said City of San Diego.

A Petition for the establishment of a Public Market, submitted by a Committee of the Ladies Annex to the Chamber of Commerce; was read and referred to the Committee on Parks & Committee on Public Buildings to confer with the City Attorney and report at the next meeting.

Delegate Heath offered the following Joint Resolution which was adopted, to wit:

<sup>Joint Resolution No. (not concurred in)</sup>  
Resolved, that the Common Council do recommend & request the Board of Police Commissioners to order the Chief of Police to detail one of the patrolmen now on the force for duty on Coronado Beach.

A Report from the Committee on Finance upon the proposed ordinance establishing rates of fare for, & otherwise regulating the use of public vehicles, was read, and on motion of Delegate Davis the Ordinance was recommitted to the Finance Committee.

The Committee on Finance reported favorably upon the following claim for rebate on taxes &c. to wit:

Nutt & Brooks

G. H. Bauer

J. S. Whaley

M. H. Stoner

C. M. Fenn

Ellen Steer

J. D. Collins

C. C. Ginn

P. Madde

G. M. Stewart

E. V. Roberts

My said Committee recommended that the above claims be paid. Also recommended that the claim of Thonstoy and Benjamin & C. W. Benard be referred to the City Attorney. On motion of Delegate Matherbar all of the above claims were referred to the City Attorney for legal opinion.

The following report from the Committee on Water, was read and adopted, to wit:

To the Board of Delegates = We your Committee to whom was referred the communication from the Board of Public Works relating to the bills of the Water Company for flushing the sewer tanks during July & August 1889. beg to report as follows.

First, upon examination your committee find it impossible for the amount of water charged for (in a majority of the flush tanks) to flow through the "pe cock" attached to the pipes in the number of days given.

Second: we note with amazement the great difference in the amounts of water (alleged to have been used by the different flush tanks) ranging from 7 gallons, as high as 5397 gallons for 24 hours.

Third: we are informed that an officer of the Water Company would only charge for 300 gallons per tank per day of 24 hours.

In view of the foregoing, your Committee would recommend that the Board of Public Works be instructed to offer a settlement to the Water Company of the bills in question, on a basis of each flush tank consuming 300 gallons of water per day of 24 hours each.

J. P. Davies  
J. M. Mathews  
Frank C. Thompson.

The following report from the Committee on Streets was read, fourth:

To the Hon Board of Delegates: Your Street Committee to whom was referred the petition of David D. Dare asking for a franchise for a cable street railway on 4<sup>th</sup> north on Palm st. to University Heights as in said petition set forth. We have examined the said petition and would recommend that the same be granted.

Char. W. Pauly  
W. R. Day  
A. P. Seybold.

Whereupon a Concurrent Resolution granting said Petition of D. D. Dare as aforesaid, was read, and adopted by the following vote, fourth:

Ay. Delegates = Wagner: Lyons: Pauly: Bradt: Davies: Day: Radiger: Mathews: Hewitt: Heath: Thompson: Seybold: Dr. Hulbert: Kamman: Cooper.  
Noes = None.

Absent, Delegates = Marshall: Julian.

Said resolution is as follows, fourth:

Concurrent Resolution No. 12.

Be it Resolved, by the Common Council of the City of San Diego, California, that David D. Dare has filed a petition and application, a copy of which is hereto attached and made a part hereof, marked "Exhibit A." That the said Common Council hereby determines that a double-track street cable railway franchise should be granted along and upon the route described in said petition and application, fourth: commencing on Fourth street, at the south line of Palm street in Horton's addition, thence running north on and over Fourth street to Ferry avenue in Nutt's addition: thence running across and over Ferry avenue, in a north westerly direction, to Fourth street in Nutt's addition: thence running north on and over Fourth street in Nutt's addition, and

Brooks addition, to the center of Newhall avenue: thence running East on and over Newhall avenue through Hill and King's addition, and Nutt's addition, to Cleveland avenue in Estudillo and California addition: thence running east on and over said Cleveland avenue to University Boulevard in University Heights; thence running on and over said University Boulevard to the intersection of Park Boulevard: thence to a point, on said Boulevard, directly west of the southwest corner of block number 98 in University Heights: in the City of San Diego, California, and upon the conditions stated in said petition and application. And the said Common Council offer to grant the said franchise to the person, company or corporation who will pay the right sum for the said franchise. The Common Council has the right to reject any and all bids, and may refuse to grant a franchise for any part of said route. Sealed bids are invited, and will be received for said franchise, at the City Clerk's office in the City Hall, up to the hour of 7 o'clock P.M. on the 3<sup>rd</sup> day of November, 1889. All bids offered shall be accompanied by a check certified by a responsible bank, payable to the order of the City Clerk, for an amount not less than five per cent of the aggregate of the proposals. The successful bidder shall pay all costs of advertising.

(Here follows "Exhibit A" a copy of said petition)

Thereupon a Concurrent Resolution instructing the City Clerk to publish the notice of said filing & granting of said petition of David D. Dare as aforesaid was read & adopted by the following vote, viz:

Ayer: Delegates: Wagner: Gair: Pauly: Bratt: Davies: Day: Preiger: Wetherbee: Hewitt: Heath: Thompson: Sly Bolt: Inv: Halbert: Kamman: Cooper.

Neg: None.

Absent, Delegates: Marshall: Julian.

Said resolution is as follow, viz:

Concurrent Resolution No. 13.

Be it Resolved, by the Common Council of the City of San Diego, California, that the City Clerk of the City of San Diego be, and he is hereby ordered to cause the following notice of application and resolution to be published for ten days in the San Diego Daily Sun, a newspaper printed and published in said City, viz:

(Here follows the "notice" above referred to.)

Delegate Wetherbee offered the following resolution, which was adopted, viz:

"Resolved, that the City Clerk is hereby instructed to procure a book, to be called "Committee Book," wherein he shall keep a correct list of all committees appointed & for whom purpose. Also a list of all regular committees, and all

questions referred to them. Also that the President be required to call for reports of all committees on every meeting of this Board."

On motion of Delegate Wagner it was ordered that the President of this Board & the Mayor of the City, be requested to act with the Senate Reception Committee. Whereof he appointed

An Ordinance fixing the compensation of the employee of the office of the City Engineer was read, and adopted by the following vote, to wit:

("Delegate Day was here excused.")

Ayer, Delegates & Wagner: Lyon: Pandy: Bradt: Davies: Pediger: Matherbae: Hewitt: Heath: Thompson: Seybolt: Dow: Hubert: Kamman: Coyer.

Noe = None.

Absent, Delegates & Marshall: Julian: Day.

Said Ordinance is as follows, to wit:

#### Ordinance No. 41

An ordinance providing for the compensation of the employee of the office of the City Engineer of the City of San Diego, Cal.

Be it ordained by the Common Council of the City of San Diego, as follow:

Section 1. That the compensation of the employee in the City Engineers office be and the same is hereby fixed as follows:

The compensation of the Chief Draughtsman, One hundred dollars per month.

The compensation of two assistant Draughtsmen, Sixty-five dollars <sup>each</sup> per month.

The compensation of One Transit man Ninety dollar per month.

The compensation of one rod man Fifty-five dollars per month.

The compensation of Two Chain men Fifty-five dollars each per month. The said compensation being payable monthly.

Sec. 2. That this ordinance shall take effect and be in force from and after its passage"

Delegate Heath offered a resolution requesting the Board of Public Works to examine the Sherman Heights School Building and report to this Board. Said resolution was passed by the following vote, to wit:

Noe, Delegates & Wagner: Lyon: Pandy: Bradt: Davies: Pediger: Matherbae: Hewitt: Thompson: Seybolt: Dow: Hubert: Kamman: Coyer.

Ayer, Delegate Heath.

Absent, Delegates & Marshall: Julian: Day.

The Committee on Health & Morals reported favorably upon the following Petition for Liquor License, to wit:

"Womble & Johnson - Retail  
Geo. Q. Seifert - Wholesale"  
and therefore said Petitions were granted.

In the matter of the Concurrent Resolution offered by Delegate Heath, requiring the Gas Company to lay a larger main on 6<sup>th</sup> street etc. the Committee on Gas reported as follows.

To wit:

"In the concurrent resolution handed us for investigation, your Committee report, the (4) four inch gas main at present in use on 6<sup>th</sup> street ample to meet the expected demand on that street even were the street thickly built up with business houses needing gas.

2<sup>nd</sup>: We find lateral pipes not in use short lived. Hence would be of no use or at least of very little use in the future when actually needed.

J. G. Darin  
G. M. Wetherbee  
Frank C. Thompson."

Said report was filed.

The following report from the Committee on Public Buildings was read and filed. To wit:

"We your Committee to whom the request was made to ascertain the amount of rent the City was paying at the present time, beg leave to report that upon investigation they find that the City Government is paying the following rents as follows:

C. C. Formis	8 1/2 lot D. Blk 41.	\$25.00
C. B. Bonn	N. 27 x 70 ft. Dr. H. Blk 41.	75.00
Fire Dept	X. street bet. 5 & 6.	30.00
" "	5 bet A & B.	35.00
" "	Hart H & L Co.	10.00
" "	S. D. H & L Co. 9 1/2 bet C & D.	25.00
City Hall	Stephens	200.00
Total City Govt.		<u>\$403.00</u>

Board of Education

P. H. Gay Jr.	Corner B. & 7.	30 -
Schiller	Cor. C & 2 <sup>nd</sup>	30 -
S. B. Hughes	Cor 16 & D.	40 -
J. D. West	Cor. 18 & C.	20 -
Julia Stewart	16 & D.	20 -
Mrs. M. E. Blanchard	16 <sup>th</sup>	25 -
Julia Moore	D & I.	30 -
D. W. Drew	X. street	40 -
D. W. Drew	Lot 13, 14. Blk. 10. Mid.	25 -
John Morris	Sorrento	2 -
	Roxwell	15 -

Hamilton & Co. Office of Board.

Making total annual rents per month  
Respectfully submitted }  
Your Building Committee. }

35.2  
\$75.7

D. H. Hewitt  
W. R. Day.

The Mayor's Veto of Ordinance No. 1049, an Ordinance providing for building a party wall between the south half of Lot C and Lot D, Block 35 - Norton Addition, was read and received and filed.

The Joint Resolution authorizing Gilmore & Roman to erect a party wall between the south half of Lot C and Lot D, Block 35, providing for the payment within one year of one half of the cost of same. (Receipts laid upon the table) was read and Delegate Pauly moved to adopt. Delegate Cooper moved to amend by making making the City, for me half the cost of said party wall, when the said City over the same or not before. This amendment was lost by the following vote, viz: (Delegates Kamman & Cooper were then excused)  
Noz. Delegates = Wagner: Lyon: Pauly: Bradt: Davies: Rediger: Wetherbee: Heath: Thompson: Law.  
Aye. Delegates = Hewitt: Seybold: Culbert.

Absent. Delegates = Marshall: Julian: Day: Kamman: Cooper.  
Whereupon the original motion was put and lost by the following vote, viz:

Noz. Delegates = Rediger: Hewitt: Heath: Seybold: Culbert.  
Aye. Delegates = Wagner: Lyon: Pauly: Bradt: Davies: Wetherbee: Thompson: Law.

Absent. Delegates = Marshall: Julian: Day: Kamman: Cooper.  
Whereupon Delegate Wetherbee offered a Joint Resolution granting said Gilmore & Roman permission to erect said wall & providing for the payment by the City, upon the proper vouchers being presented, on the sum of \$634.42. The resolution was lost by the following vote, viz:

Noz. Delegates = Wagner: Lyon: Pauly: Rediger: Thompson.  
Aye. Delegates = Bradt: Davies: Wetherbee: Hewitt: Heath: Seybold: Law: Culbert.

Absent. Delegates = Marshall: Julian: Day: Kamman: Cooper.

Whereupon the Board adjourned until Monday, October 28-1889 at 7.30 o'clock P.M.

M. M. Glassaway,  
City Clerk

G. G. Bradt  
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of Delegates, of the City of San Diego, California, October 28<sup>th</sup>, 1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, was held this day at 7.30 o'clock P.M. with President Bratt presiding.

Present, Delegates - Wagner: Bratt: Julian: Davies: Day: Rediger: Matherbae: Swett: Heath: Seybold: Hubert: Kammann: Cooper and Clerk Gassaway.

Absent, Delegates - Gyon: Marshall: Pauly: Thompson & Gov.

The Minutes of an Adjourned Meeting, held October 21<sup>st</sup>, 1889 were read, and approved.

After giving notice, President Bratt did, in open session, sign Ordinance No. 38. being "An Ordinance establishing the grade of Logan Avenue from the East side of Twenty-sixth street to a point 234 feet East of the East side of Thirty-second street."

A Communication from the Board of Fire Commissioners requesting the Common Council to fix a salary for the Secretary of said Board; was read and referred to the Committee on Fire.

A Communication from J.M. Dodge, Tax Collector, relative to the sale of Coronado Beach property, for taxes; was read and received and filed.

A Petition from Property owners for permission to construct a main sewer on 5<sup>th</sup> street, between Juniper and Junice streets: the same to be constructed at the expense of the petitioners, conditioned that when there shall be funds sufficient in the Sewer Fund, the said monies shall be turned over to the City at 90 cents per linear foot: was read, and referred to the Committee on Sewers and the City Attorney.

Delegate Sam Law entered and took his seat in the Board.

A Resignation, tendered by Delegate Geo. P. Law, to take effect November 1<sup>st</sup>, 1889, was read and accepted. Whereupon Delegate Davies offered the following resolution, which was seconded by Delegate Wagner, and unanimously adopted by the Board. Viz:

"We, the Board of Delegates, of the City of San Diego, Cal. Law his evening received with much regret the resignation of Delegate Geo. P. Law, one of the members representing the 8<sup>th</sup> Ward & would wish hereby to testify our appreciation of his uniform and consistent attention to the duties incumbent upon him while in the Chamber in Session, and

also to his activity and care in the transaction of duties reported in him as member of Committee on Health & Morals, City Lands and Schools & Library, and further, that this resolution be spread upon the Minutes of this evening's session."

The following report from the Attorney and Auditor upon the tax claims referred at the last meeting was read. *Tonit.*

To the Board of Delegates, City of San Diego. Gentlemen:  
After examination of the tax receipts, referred to us, and recommended to be repaid by your Finance Committee, we would respectfully report as follows: that the refund be granted in the following cases.

A. Littlefield.	Refund on Dmcts.	which do not exist	\$15.00
C. M. Fenn	" " " " "	"	600
F. L. Whaley	" " " " "	"	5.00
H. H. Stiner	" " " " "	"	1000
O. C. Dranga.	" " a/c Double Taxation	"	400.
Catherine Greenwald	" " " " "	"	300
G. W. Stewart	" " " " "	"	300
C. C. Finn	" " " " "	"	\$1.83.

Return without any action taken, claims of Mr. & C. D. Collier, J. H. Bower & Ellen Steer. These are occasioned through errors of judgment of the Assessor and furnish of no refund under the law. We also find that Mr. E. V. Roberts has been allowed all deduction asked for. The claims of Mull, Brooks and Thompson & Benjamin are withheld for further investigation.

Respectfully submitted

James P. Goodwin, City Atty.  
G. W. Gorner, City Auditor.

On motion of Delegate Wagner the report was adopted, and the claims ordered refunded as recommended.

A communication from the Board of Public Works, submitting a Resolution of Intention to re-grade, grade, curb and gutter 5th street from A. to Mear. street - Also a resolution requiring the City Engineer to furnish estimate of the cost of said work: was read, together with said resolutions. *Quo* *Rebus* said Resolution of Intention was referred to the Committee on Streets. On motion of Delegate Conner, said resolution providing for estimates of cost, was adopted, and reads as follows. *Tonit.*

#### Joint Resolution No. 36.

Resolved, that the City engineer be and he is hereby required to furnish to the Common Council careful estimate of the quantity of earth to be moved and of the cost and expenses of re-grading, grading, curbing and guttering 5th street from the north line of A. street, to the north line of Mear street."

A Resolution of Intention to grade "F" street from State to 25<sup>th</sup> streets, was read and referred to the Committee on Streets.

The following report from the City Attorney, upon a Petition heretofore submitted by Ellen Steer; was read and adopted, to wit:

To the Hon. Board of Delegates: I herewith return the petition of Ellen Steer asking that the proper officer of the City be instructed to execute to her a quit-claim deed for Lots 33, 34, 35 and 36, Block 77, Sherman's Addition to the City of San Diego, with the recommendation that the petition be granted, and that the Mayor be authorized to make such deed. We have carefully examined the subject and find that on Nov. 12, 1868, the Board of Trustees granted to David W. Bryant the southwest corner of Lot 1153. The record of City lands show at that time Lot 1153, was divided in forty acre tract, and beyond doubt it was the intention of the Board to deed to said Bryant 40 acres or the southwest quarter of the said lot 1153, as shown by the description of the remaining portions of said lot.

Very Respect,

James P. Goodwin, City Atty.

The Board of Public Works submitted an Ordinance establishing the grade of Main Street and thereupon said Ordinance was read, and adopted by the following vote, viz: Ayer, Delegates - Wagner: Bratt: Julian: Davies: Day: Ridder: Matherbar: Hewitt: Heath: Sly bolt: Dow: Fulbert: Kammian, and Cooper.

Noes - None.

Absent Delegates - Lyon: Marshall: Pauly: Thompson.  
Said Ordinance is as follows, to wit:

#### Ordinance No.

An Ordinance establishing the grade of Main Street from the south line of Horton's Addition to 300 feet east of Thirty-first street in the City of San Diego, State of California.

Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. The grade of main street from the south line of Horton's Addition to 300 feet east of Thirty-first street, is hereby established as follows:

The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3, shall be fixed as follows: At the intersection of the north-east line of Main street with the south line of Horton's Addition 3.0 feet; and at the intersection of the south-west line of Main street with the south line of Horton's addition 3.0 feet.

At the west corner of Main and S. 19<sup>th</sup> streets 1.0 feet; at the north corner thereof 1.0 feet; at the south corner thereof 1.0 feet; and at the east corner thereof 1.0 feet.

At the west corner of Main and S. 20<sup>th</sup> streets 3.0 feet: at the north corner thereof 3.0 feet: at the south corner thereof 3.0 feet: and at the east corner thereof 3.0 feet.

At the west corner of Main and S. 21<sup>st</sup> streets 12.0 feet: at the north corner thereof 12.0 feet: at the south corner thereof 12.0 feet: and at the east corner thereof 12.0 feet.

At the southwest corner of Main and S. 22<sup>nd</sup> streets 20.0 feet: at the northwest corner thereof 21.0 feet: at the southeast corner thereof 20.0 feet: and at the northeast corner thereof 21.0 feet.

At the west corner of Main and S. 23<sup>rd</sup> streets 22.0 feet: at the north corner thereof 23.0 feet: at the south corner thereof 22.0 feet: and at the east corner thereof 23.0 feet.

At the west corner of Main and S. 24<sup>th</sup> streets 24.0 feet: at the north corner thereof 25.0 feet: at the south corner thereof 24.0 feet: and at the east corner thereof 25.0 feet.

At the west corner of Main and S. 25<sup>th</sup> streets 26.0 feet: at the north corner thereof 27.0 feet: at the south corner thereof 26.0 feet: and at the east corner thereof 27.0 feet.

At the west corner of Main and S. 26<sup>th</sup> streets 29.0 feet: at the north corner thereof 30.0 feet: at the south corner thereof 29.0 feet: and at the east corner thereof 30.0 feet.

At the west corner of Main and S. 27<sup>th</sup> streets 27.0 feet: at the north corner thereof 28.0 feet: at the south corner thereof 27.0 feet: and at the east corner thereof 28.0 feet.

At the west corner of Main and S. 28<sup>th</sup> streets 26.0 feet: at the north corner thereof 27.0 feet: at the south corner thereof 26.0 feet: and at the east corner thereof 27.0 feet.

At the intersection of the north-east line of Main street with the west line of 26<sup>th</sup> street 26.7 feet: and at the intersection of the south-west line of Main street with the west line of 26<sup>th</sup> street 25.0 feet.

At the southeast corner of Main and 26<sup>th</sup> streets 23.0 feet: and at the northeast corner thereof 24.0 feet.

At the southwest corner of Main and 27<sup>th</sup> streets 21.0 feet: at the northwest corner thereof 22.0 feet: at the southeast corner thereof 21.0 feet: and at the northeast corner thereof 22.0 feet.

At a point 300 feet East of the north-east corner of Main street and 27<sup>th</sup> street 26.5 feet: and at a point 80 feet South of said point 24.5 feet.

At the southwest corner of Main and 28<sup>th</sup> streets 25.5 feet: at the northwest corner thereof 27.0 feet: at the southeast corner thereof 25.5 feet: and at the northeast corner thereof 27.0 feet.

At the southwest corner of Main and 29<sup>th</sup> streets 35.0 feet: at the northwest corner thereof 39.0 feet: at the southeast corner thereof 38.0 feet: and at the northeast corner thereof 39.0 feet.

At the southwest corner of Main and 30<sup>th</sup> streets 40.0 feet: at the northwest corner thereof 41.0 feet: at the southeast corner thereof 40.0 feet: and at the northeast corner thereof 41.0 feet.

At the southwest corner of Main and 31<sup>st</sup> streets 44.0 feet: at the northwest corner thereof 45.0 feet: at the southeast corner

thereof 44.0 feet: and at the northeast corner thereof 45.0 feet. At a point 300 feet <sup>east</sup> of the N.E. corner of Main street and 31<sup>st</sup> street 44.0 feet: and at a point 80 feet south of said point 43.0 feet.

And the grade of said Main street, between the points fixed by this Ordinance, shall be of uniform ascent or descent as shown by the grade map made by the City Engineer and on file in his office.

The center of said street shall be the average of the curb grades.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

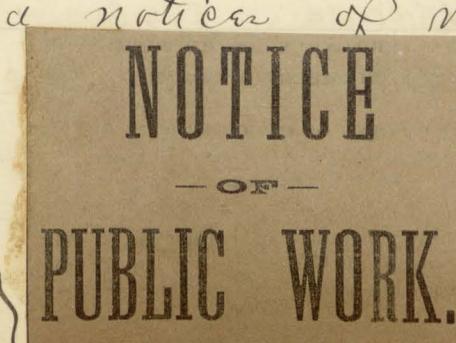
Section 3. This Ordinance shall take effect and be in force from and after its passage.

The City Clerk presented the affidavit of W.W. Roe, permanent Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, on the 23<sup>rd</sup> day of September, 1889, and by the Board of Aldermen of the City of San Diego, on the 1<sup>st</sup> day of October, 1889,) declaring the intention of the Common Council of said City to order the opening and extending of "D" street in said City from

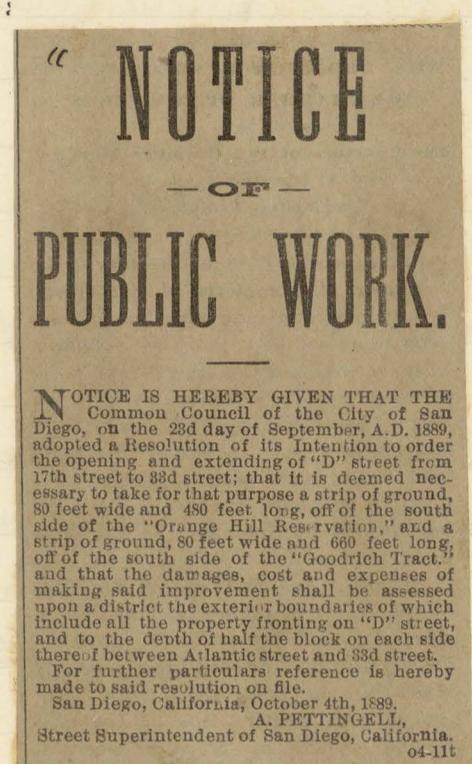
Seventeenth street to  
Thirty-third street, for which purpose it is deemed necessary to take and appropriate a strip of ground eighty (80) feet wide and four hundred and eighty (480) feet long, running from the east line of said Seventeenth street to the west line of Nineteenth street off of the south side of a tract of land designated on the map of Gardner's Addition as "Orange Hill Reservation," and also a strip of ground eighty feet wide and six hundred and sixty (660) feet long, running from the west line of Twenty-fourth street to the west line of Twenty-fifth street, off of the south side of a tract of land designated on the map of the city as the "Goodrich Tract," and that the damages, cost and expenses of making said improvement shall be assessed in proportion to benefits upon a district the exterior boundaries of which are hereby fixed as follows, to wit: Beginning at a point in the east line of Atlantic street one hundred and twenty-five feet north of the northwest corner of block 50, New Town, according to Gray and Johns' map; thence north one hundred and twenty (120) feet; thence east or easterly on a line parallel to the north line of D street to the west line of Third street; thence producing said line one hundred and fifty (150) feet from and parallel with the north line of D street to a point on the west line of Thirty-third street; thence south to a point one hundred and fifty (150) feet south of the south line of D street; thence west or westerly one hundred and fifty (150) feet from and parallel with the south line of D street to the west line of Third street; thence producing said line one hundred and thirty-five (135) feet from and parallel with the south line of D street to a point on the east line of Atlantic street; thence north two hundred and sixty (260) feet to the point of beginning.

was published in said newspaper from the 14<sup>th</sup> day of October, 1889, to the 25<sup>th</sup> day of October, 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of "D" street, in said City, from the east line of Atlantic street to the west line of 33<sup>rd</sup> street, at not more than 300 feet in distance apart, & not less than three in all, and in front of each quarter block and irregular block liable to be assessed notice of which the following is a copy. Yrs,



ing that he caused a notice similar in substance to be published for ten days in the San Diego Daily Sun." Said affidavit was received and placed upon file. The City Clerk also presented the affidavit of W. W. Rose, Semiprivate Clerk of the Printer and Publisher of the San Diego Daily Sun, a newspaper printed and published in the City of San Diego, California, showing that the following notice of street work, to wit:



was published in said newspaper from the 4<sup>th</sup> day of Oct. 1889 to the 10<sup>th</sup> day of Oct. 1889, both days inclusive." Said affidavit was received and placed upon file. On motion it was ordered that due and sufficient notice had been made of the passage of the Resolution of Intention to order the opening and extending of "D" street in said City, to wit:

Seventeenth street to  
Thirty-third street, for which purpose it is  
deemed necessary to take and appropriate a  
strip of ground eighty (80) feet wide and four  
hundred and eighty (480) feet long, running  
from the east line of said Seventeenth street to  
the west line of Nineteenth street off of the  
south side of a tract of land designated on the  
map of Gardner's Addition as "Orange Hill  
Reservation," and also a strip of ground eighty  
feet wide and six hundred and sixty (660) feet  
long, running from the west line of Twenty-  
fourth street to the west line of Twenty fifth  
street, off of the south side of a tract of land  
designated on the map of the city as the "Good-  
rich Tract," and that the damages, cost and  
expenses of making said improvement shall be  
assessed in proportion to benefits upon a district  
the exterior boundaries of which are hereby  
fixed as follows, to wit: Beginning at a point in  
the east line of Atlantic street one hundred and  
twenty-five feet north of the northwest corner  
of block 50, New Town, according to Gray and  
Johns' map; thence north one hundred and  
twenty (120) feet; thence east or easterly on a  
line parallel to the north line of D street to the  
west line of Third street; thence producing said  
line one hundred and fifty (150) feet from and  
parallel with the north line of D street to a point  
on the west line of Thirty-third street; thence  
south to a point one hundred and fifty (150) feet  
south of the south line of D street; thence west  
or westerly one hundred and fifty (150) feet from  
and parallel with the south line of D street to  
the west line of Third street; thence producing  
said line one hundred and thirty-five (135) feet  
from and parallel with the south line of D street  
to a point on the east line of Atlantic street;  
thence north two hundred and sixty (260) feet to  
the point of beginning.

Revised a Resolution ordering the opening and extending of "D" street from 17<sup>th</sup> street to 33<sup>rd</sup> street, was read & referred to the Committee on Streets.

A Joint Resolution granting Gilmore & Thomas permission to erect a party wall etc., was read & adopted by the following vote, to wit:

Ayes. Delegates - Wagner: Bradt: Julian: Davies: Day:  
Rodger: Metherbus: Churill: Heath: Seybold: Low: Gilbert:  
Kammann & Cooper.  
Noes - None.

Absent. Delegates - Lyon: Marshall & Pauly & Thompson  
Said resolution is as follows, to wit:

Joint Resolution No. 38.

Whereas, a certain ordinance was presented to the Common Council of the City of San Diego, asking for an appropriation of certain money for the payment for the erection of a party wall on the line between the south half of Lot "C" and the north half of Lot "D" Block thirty-five (35) Montauk Addition to San Diego Cal. the said south half of Lot "C" being owned by the City, and the said Lot "D" being owned by Messrs. Gilmore and Roman. And

Whereas, the Auditor of the City has informed the parties interested that there are no funds in the City Treasury applicable for the payment of the City's portion of the said party wall.

Therefore Be it Resolved, that the said Gilmore and Roman are hereby granted permission to erect the said party wall on the line above described at their own expense, and in the manner prescribed by the Board of Public Works.

And be it further Resolved, that at such time as the City may determine, the said City shall on presentation of sufficient vouchers, pay the said Gilmore and Roman, or their assignee, out of any money in the City Treasury that may be lawfully appropriated for such purpose, the sum paid the cost of the said party wall, not exceeding \$34 $\frac{1}{2}$  (Six hundred thirty-four and one-half dollars.)"

The following Joint Resolution relative to delinquent taxes was read and adopted.avit:

Joint Resolution No. 37.

Whereas, there remain unpaid on account of delinquent taxes for the years 1886-87, and 88. sum amounting to \$3,275. $\frac{4}{9}$  from Coronado, and other large sums from other delinquents not particularly specified herein and,

Whereas, none of said delinquent taxes have been paid and to prevent the same, from becoming barred by the statute of limitation, now therefore be it  
Resolved, that the Common Council authorize and request the City Attorney, to take such steps as will insure the immediate collection and payment of said delinquent taxes into the City Treasury."

Delegate Heath offered the following resolution, which was adopted.avit:

"Resolved, that the Committee on Ways & Means are requested to consider the report of the Building Committee presented & filed at the last meeting of this Board, with a view to recurring a reduction of rents as now paid by the City so far as possible to be done."

Delegate Heath offered a Joint Resolution, ordering the City Attorney to institute suit to recover the sum of \$48 $\frac{5}{9}$  to

from Jos. Coyne, Chief of Police. Said \$480 being extra paid by said Coyne & afterwards refunded to him by the City, in the sum of Ah Sam et al to Jos. Coyne.

Delegate Rediger moved to lay the resolution on the table. The motion carried by the following vote, viz:

Ayes. Delegates - Bradt: Julian: Rediger: Wetherbee: Sly bolt:  
Sao: Hulbert & Kamman.

Noes. Delegates - Wagner: Davis: Day: Hewitt: Heath & Cooper.

Absent. Delegates - Lyon: Pauly: Marshall & Thompson.

In the matter of the Communication of J.P. Jones, relative to the Conclution of the river bed on Pueblo Lots 1101 & 1102 the Committee on City Funds reported the recommendation that the subject matter be referred to the City Attorney to report the most advisable mode of preventing the threatened divergence of the river from its present course. The report was adopted.

The Committee on Health & Morals reported favorably upon the petition of Fitzsimmons & Craven for Retail Liquor License & thereupon said Petition was granted.

A Report from the Committee on Streets recommending that the Petition for grading Main street opposite to 22<sup>nd</sup> Street Depot, be granted: was read of file.

The Committee on Finance was granted time in which to report upon the proposed Ordinance establishing a rate of fare to be charged by public vehicles.

The Committee on Health & Morals was granted time in which to report upon the Petition of Robert Q. Campion.

Thereupon the Board adjourned.

*W.M. Gassaway,  
City Clerk*

*G. Bradt  
President Board of Delegates*

Regular Meeting.

Comice Chamber of the Board of  
Delegates, of the City of San Diego,  
California, November 4<sup>th</sup>. 1889.

A Regular Meeting of the Board of Delegates, of the City of San Diego, was held this day at 7.30 o'clock P.M. with President Bratt presiding.

Present, Delegates - Wagner: Marshall: Pauly: Bratt: Julian:  
Day: Rediger: Wetherbee: Hawitt: Heath: Thompson: Seybolt:  
Hubert: Kamman: Couper and Clerk Gassaway.

Absent, Delegates - Lyons & Davis.

The Minutes of an Adjoined Meeting, held October 28-1889.  
were read and approved.

On motion of Delegate Heath, the regular order of business was suspended <sup>and</sup> therefore Delegate Hubert moved that the Board proceed to the election of a Member from the 8<sup>th</sup> Ward to fill the vacancy caused by the resignation of Delegate Gov. and placed in nomination Mr. S. Cadwallader.  
Delegate Rediger moved to amend by postponing for one week. The amendment carried & it was so ordered.

After giving notice President Bratt did, in open session, sign Ordinance No. 39. being an Ordinance fixing the Compensation of an Assistant to the Sewer Inspector.  
Also Ordinance No. 40. being an Ordinance establishing the grade of Main street.

A message from the Mayor, transmitting a Petition from J.M. Dodge, Treasurer & Tax Collector, for an extra Deputy: was read and on motion of Delegate Kamman it was ordered that said Deputy be allowed for 30 days at salary of \$75.

A message from the Mayor, transmitting a Petition from the Ladies Annex to the Chamber of Commerce, for permission to beautify ten acres of the City Park; was read, and referred to the Committee on Parks.

A message from the Mayor, transmitting a Petition from Jim S. Cullen, Asst. City Attorney for 30 days leave of absence; was read and filed & said request granted.

A message from the Mayor, requesting the appointment of a Committee to investigate his office: was read and Delegate Heath moved to receive and file. Delegate Hubert moved to amend by the appointment of a Special Committee as requested. The motion was lost by the following vote, twelve: