

Noes. Delegates = Wagner: Marshall: Pauly: Julian: Day: Pediger.
 Wetherbee: Hewitt: Heath: Thompson: Seybolt: Kamman.
 Ayes. Delegates = Bradt: Culbert: Cooper.
 Absent. Delegates = Lyon: Davies.

Whereupon the original motion was carried by the following vote, viz:

Ayes. Delegates = Wagner: Marshall: Pauly: Bradt: Julian: Day:
 Pediger: Wetherbee: Heath: Thompson: Seybolt: Kamman.

Noes. Delegates = Hewitt: Seybolt: Culbert: Cooper.

Absent. Delegates = Lyon: Davies.

The said message was ordered filed.

A communication from the Board of Public Works, submitting a resolution of intention to grade Logan Avenue, was read together with said resolution and thereupon said resolution was adopted by the following vote, viz:

Ayes. Delegates = Wagner: Marshall: Pauly: Bradt: Julian: Day:
 Pediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Culbert:
 Kamman: Cooper.

Noes - None.

Absent. Delegates = Lyon: Davies.

Said resolution is as follows, viz:

Resolution of Intention to grade Logan Avenue
 From 26th street to a point 234 feet east of 32nd 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, viz: that Logan Avenue in said city from the east side of Twenty-sixth (26) street in Reed & Hubbard's addition to a point Two Hundred and Thirty-four (234) feet east of the east side of Thirty-second (32nd) street and the sidewalks thereof and the entire crossings of said Logan Avenue with the streets intersecting the same between said east side of 26th street and said point 234 feet East of the East side of 32nd street except the intersection of said Logan Avenue with 28th street, be graded to the official grade established by ordinance numbered thirty-eight (38). 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 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."

A communication from the Board of Public Works requesting instructions relative to the manner of laying water pipes in paved streets and transmitting a letter from the San Diego Water Co. upon the same subject: was read and therefore Delegate Kamman offered the following resolution, which was adopted, viz:

Resolved, that the City Attorney be instructed to have the work

of laying water pipes on 9th st. between 5th and 6th st. stopped for the present, by all possible means at his command - and that the City Attorney prepare the proper ordinance regulating the size of the pipe to be laid on 6th st. in accordance with a Joint Resolution passed by the Common Council."

A Communication from the Board of Public Works, relative to the Wharf Franchise held by Milton Santos: was read & referred to the Committee on Harbor & Wharf & City Attorney.

A Communication from the Board of Public Works asking for authorization to sell the Old Garbage Sew: was read and Delegate Metherbee moved to authorize the Board of Public Works to sell said Sew for what it will bring. The motion was Post.

The following Petitions for Liquor License were read & referred to the Committee on Health & Morals &c:

"Jos. W. Robinson = Retail.
Rogers & Mc Faran = Retail"

A Communication from the Board of Fire Commissioners relative to securing a license for the Stark Hook & Ladder Co.: was read and referred to the Committee on Fire.

A Petition from G. W. Taylor to have Liquor License changed from Wholesale to Retail: was read and referred to the Committee on Health & Morals.

A Report from M. S. Dawson, Police Judge, for October, 1889. was read & referred to the Committee on Finance.

A Communication from the Board of Public Works recommending that River side streets be curbed & guttered: was read and referred to the Committee on Streets.

A Communication from the Board of Public Works recommending the regrading of a portion of Fourth street: was read & referred to the Committee on Streets.

The Committee on Fire reported adversely upon the request of the Board of Fire Commissioners that a salary of \$5 per month be allowed to the Secretary of said Board. And the said report was adopted.

In the matter of the Petition of the "Ladies Annex" to have a public market established - the Committee on Public Buildings and Committee on Parks, jointly, reported the recommendation that action upon same be deferred. And the said report was received & filed.

The Committee on Health and Morals reported adversely upon the Petition of Robert A. Campion (referred at the last meeting) his said report was received & filed.

The Committee on Sewers reported favorably upon the Petition (presented and referred at the last meeting) from Property owner for permission to lay a sewer main on 5th street, from Juniper to Juniper streets. And therefore said report was adopted & the request granted.

The City Clerk presented the affidavit of Wm. H. Roe, Seminal 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, October 7th. 1889. and by the Board of Aldermen, of said City, October 8th. 1889.) declaring the intention of the Common Council of said City, to order the following street work to be done. To wit: that Sixth street in said City, and the entire curving thereof with the streets intersecting the same from the north line of L. street to the south line of P. street except such portions thereof as is required by law to be kept in order or repair, by my Leeman or Company paving railroad tracks thereon, be curbed and paved in the manner following. To wit: 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 tops, 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: 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: Lot G. and the south half of Lot H. in Block 87: Lots C. and D. in Block 112. - already done. The paving to form a base of concrete four inches in thickness and a paving surface of natural vitrified 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. and F. in Block 45: Lot D. and the south half of Lot C. in Block 60: Lots G. and H. in Block 61: Lot F. and the south half of Lot E. in Block 86. where it shall only extend to the gutter line and be forever joined with the gutter already constructed. All work shall be done in conformity with the general and special specifications and provisions of Ordinance No. 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 hereinafter determine in its resolution ordering said work to be done - was published in said newspaper from the 10th day of October, 1889, to the 11th day of October, 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J.C. Powell, Deputy Clerk of the City of San Diego, California, showing that he did, on the 10th day of October, 1889, post conspicuously in the following places, to wit: On the door of the Hall of the Board of Delegates; On the door of the Hall of the Board of Aldermen; and In the lobby of the Post Office, all in the City of San Diego, California. Copies of the above-foregoing resolution of Intention to curb and pave 6th 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. E. Simpson, Business Manager, 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 a "Notice of Street Work" to wit: notice of the passage, by the Common Council, of said City, of the above described resolution, to curb and pave 6th street, in said City, as aforesaid, was published in said newspaper from the 15th day of October, 1889, to the 28th 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 caused to be conspicuously posted along the line of Sixth street, in said City, from the north line of "L" street to the south line of "B" 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 affected, "Notices of Street Work" to wit notices of the passage, by the Common Council, of said City, of the above-mentioned resolution to curb and pave 6th street in said City, and further that he, (said Street Superintendent) caused a notice similar in substance to be published for six days in the San Diego Daily Sun. Said affidavit was received and placed upon file.

On motion it was ordered that due and sufficient power has been made of the passage, by the Common Council, of said City, of the Resolution of Intention to curb & pave 6th street, in said City, in the manner hereinbefore set forth upon Page 240. of this record. And the ten days after the expiration of the time of publication and posting of the Notice of the passage of said Resolution, (and no objection having been filed by a majority of the owners of frontage of property fronting on said proposed work or improvement) having

expired whereupon a resolution ordering the curbing and paving of 6th street, &c. was read and adopted by the following vote.

Ayes. Delegates - Wagner: Marshall: Pauly: Pradt: Julian: Day:
Ediger: Mathewson: Hawitt: Heath: Thompson: Seybold: Hubert:
Kammann and Cooper.

Nos. = None.

Absent. Delegates - Lyons and Davies.

Said resolution is in the words of figures following, to wit:

Resolution ordering the curbing and paving of Sixth street from the north line of L. street to the south line of P. 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 orders the following street work to be done, to wit: that 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 "P" 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, to wit: the curbing to be of granite and constructed in accordance with the specifications therefor contained in Ordinance numbered twenty-nine (29) except that the face of the curbstone shall be dressed smooth and even to a depth of eight (8) inches (instead of 12 inches) below the top, and to extend along both sides of said street except in front of lots A. and P. in Block 19: Lots I, J. and Q. in Block 44: Lots A, B, C, E. and F. in Block 45; the south half of Lot Q. and Lots D, E. and F. in Block 60: Lots G. and H. in Block 61: Lots I. and K. 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 I. and the south half of Lot K. in Block 87. and Lots Q. 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 vituminous rock two inches in thickness and to be constructed in accordance with the special specifications therefor set forth in subdivision III, of section 3, of Ordinance numbered twenty-nine (29) and to extend from curb line to curb line except in front of Lots E. and F. in Block 45: Lot D. and the south half of Lot Q. in Block 60: Lots G. and H. in Block 61: Lot F. 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 gutter already constructed. All work shall be done in conformity with the general and special specifications and provisions of said Ordinance No. 29. The Clerk of this City is hereby directed to post conspicuously for five days, on or near the Council Chamber of this City, notice hereof with specifications respecting

sealed proposals or bids for each of the different kinds of said work, and also joint sealed proposals or bids for both kinds of 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, thereon and thereby designated for that purpose, both a copy of this resolution, and also, after its passing, the notice of such passing, each for two days."

The Committee on Finance reported favorably upon the claim of J. G. Ponton, for erroneous assessment of mortgage. Whereupon the same was referred to the City Attorney.

Delegate Heath offered a joint resolution providing for the recovery of \$48⁰⁰ from Jas. Oyne, Chief of Police.

Delegate Hubert moved to lay the resolution on the table.

This motion was lost by the following vote. Amt:

Ayes. Delegates = Pauly: Bradt: Julian: Rediger: Metherbee:
Hubert and Kamman.

Noes. Delegates = Wagner: Marshall: Day: Hewitt: Heath: Thompson:
Seybold and Cooper.

Absent. Delegates = Lyon and Darier.

Whereupon the original resolution was sent and lost by the following vote. Amt: (Delegate Marshall requested to be excused from voting & by consent of the Board the request was granted)

Noes. Delegates = Wagner: Pauly: Bradt: Julian: Day: Rediger:
Metherbee: Thompson, Seybold: Hubert and Kamman.

Ayes. Delegates = Heath: Hewitt and Cooper.

Absent. Delegates = Lyon and Darier.

The following Committees were granted extension of time in which to report, viz:

Committee on Finance.

" " Street.

" " Ways & Means.

Whereupon the Board adjourned until Monday, November 11th, 1889 at 7.30 o'clock P.M.

*W. 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, November 17th. 1889.

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

Present, Delegates - Wagner: Lyons: Marshall: Pauly: Bratt:
Julian: Danner: Day: Rediger: Wetherbee: Hawke: Heath: Thompson:
Seybolt: Hubert: Kamman: Cooper ^{and} Clerk Gassaway.

Absent, None.

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

After giving notice, President Bratt did, in open session, sign Ordinance No. ... being An Ordinance fixing the compensation of the employees of the office of the City Engineer.

On motion of Delegate Hubert the regular order of business was suspended & it was ordered that the Board proceed to the election of a member to fill the vacancy existing in the 8th Ward. The motion carried, and thereupon the following nominations were made. Tourt:

Delegate Day nominated Mr. S. M. Switzer.

Delegate Heath " Mr. S. Cadwallader."

There being no further nominations, on motion of Delegate Wetherbee it was ordered that the Board proceed by ballot.

A Petition from 112 citizens of the 8th Ward, asking the Board to elect Mr. S. Cadwallader a Member of the Board of Delegates was read and filed.

President Bratt appointed Delegates Pauly & Kamman as Tellers of said election.

Thereupon the first ballot was taken & resulted as follows:

Mr. S. M. Switzer received nine (9) votes

Mr. S. Cadwallader " eight (8) " □

Mr. S. M. Switzer having received a majority of all votes cast President Bratt declared said Switzer to be duly elected a Member of the Board of Delegates in and for the City of San Diego, California.

A message from the Mayor transmitting a Petition from Wm. Gassaway, City Clerk, for 10 days leave of absence from the 14th instant, was read together with said Petition, and on motion of Delegate Wetherbee the Petition was granted.

A message from the Mayor transmitting a Petition from Jas. P. Goodwin, City Attorney, for 14 days leave of absence from the 11th instant, was read together with said Petition and on motion

of Delegate Wagner the Petition was granted.

A Communication from the Board of Public Works submitting a Joint Resolution directing & authorizing the San Diego Street Car Co. to temporarily cease running cars on 5th street, between Juniper & Moor streets, was read together with said resolution ^{by} on motion of Delegate Davis the said resolution was adopted, and reads as follows: to wit:

Joint Resolution No. (not concurred in)

Whereas, the City has authorized T.S. Parker and others to extend the 5th street sewer from Juniper street to Junice street, said extension to be a part of the General Sewer System of the City and be paid for by the City when funds for that purpose are available in the City Treasury. ^{and}

Whereas, the Board of Public Works by virtue of said authority have granted permission to Johnstone & Patterson, Contractors, to at once begin the work of constructing said sewer under the direction of said Board ^{by}

Whereas, in order to construct said sewer it is necessary to take up and remove the street railroad track, therefore Be it Resolved, that the San Diego Street Railroad Company be and it is hereby permitted to temporarily cease the operation of its road from Juniper street to Moor street on 5th street and it is directed to temporarily remove its track between said Juniper street to Junice for the accommodation of the work of constructing said sewer."

A Petition from Emily M. Pierce to have a resolution of intention to grade Elm street, between 3rd & 4th streets, passed by the Common Council, was read & referred to the Committee on Streets.

A Communication from the Board of Public Works relative to repairing the City Wharf, was read & referred to the Committee on Harbor & Wharf.

A Petition from 8th street property owner to have the fire limit altered, was read & referred to the Committee on Fire.

A Petition from O.G. Penslutz for Retail Liquor License, was read & referred to the Committee on Health & Morals.

A Communication from the Board of Public Works showing the action taken by said Board in regard to the earth taken from the Cable Railroad track, was read & filed.

A Petition to have 4th street paved with artificial stone from H street to Elm street, was read & granted.

The City Clerk reported that pursuant to Notice given the Tax

received one proposal for the purchase of a franchise for a cable street railroad from 4th street at Palm to University Boulevard in University Heights. The road was found to be from

David D. Dare, who proposes and agrees to pay to the City of San Diego, California, the sum of one dollar and also the expense of advertising, for the franchise described in said foregoing notice, to: authority to construct and maintain and operate for the period of twenty-five years, a cable track street railway along and upon the following streets in the City of San Diego, California, viz: 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 northwesterly direction to Fourth street in Nutt's addition and Broken 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 Caproni addition. thence running east on and over 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, and upon the conditions set out in said notice (said proposal bearing attached a copy of said notice for proposal, and also an affidavit as prescribed by Sec. 16. Art V. Chap. 1. of the Charter (Department of Public Works).) And also by two certified checks, one for one dollar and one for two thousand dollars, all in accordance with said notice.

Whereupon a concurrent resolution accepting the Bid of David D. Dare was read and adopted by the following vote, to wit: Ayes. Delegates - Wagner: Marshall: Pauly: Bradt: Julian: Daries: Day: Rediger: Wetherbee: Hurtt: Heath: Thompson: Seydel: Hubert: Kamman ^{and} Coozer.

Nos. Delegates Lyons.

Absent - None.

Said resolution is as follows, to wit:

Concurrent Resolution No. 14

On the matter of the cable street railway from close in the City of San Diego, California.

Be it resolved, by the Common Council of the City of San Diego, California, that the Bid of David D. Dare of ^{is} (and who will also pay all costs of advertising) for the franchise described in his said Bid, granting 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, to wit, 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 northwesterly

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 Kel and King's Addition and Nutt's Addition to Cleveland Avenue in Estudillo and Parsons' Addition: thence running East on and over Cleveland Avenue to University Boulevard in University Heights: thence running on and over said University Boulevard to the intersection with 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. upon the conditions and limitations contained in the notice for bid for said franchise, be and the same is hereby approved and accepted, and that the said franchise be awarded to Rini, and that the Ordinance granting the same be introduced, read and filed."

Report on Ordinance granting said franchise was read and filed for 30 days.

The following concurrent resolution, heretofore adopted by the Board of Aldermen, was read & concurred in, viz:

"Concurrent Resolution No. 15."

Resolved, that the Board of Public Works are hereby instructed to take such steps as may be necessary to thoroughly test the reliability of all water meters used in the City, and by which water is sold to the City of San Diego, or the citizens thereof.

A Joint Resolution, heretofore adopted by the Board of Aldermen, requesting the City Engineer to furnish the Joint Water Committee an estimate of the cost of putting in water pipes for the City, was read ~~and~~ on motion of Delegate Wetherbee it was ordered that the Board of Delegates do not concur & that the same be referred back to the Board of Aldermen.

Delegate Heath offered a Joint Resolution requiring certain Officers and Deputies to execute Bonds to the City. On motion of Delegate Wetherbee action on the same was postponed for one week.

Delegate Hawitt offered a Joint resolution abolishing the office of Assistant City Attorney: On motion of Delegate Wagner action on the same was postponed for one week.

Delegate Hawitt offered a Joint resolution providing that all City employees salary shall be deducted upon leave of absence. Delegate Heath moved to amend by instructing City Attorney to draw Ordinance covering the ground set forth in the resolution. His amendment carried & was inserted. Delegate

Ridiger moved to amend by inserting after the word "employers" in said resolution the words "and officers." This amendment carried & was inserted. Thereupon the resolution was adopted as amended and reads as follows. *avit.*

~~Point Resolution No.~~ (Not concurred in by Aldermen).
Resolved, that all employee officers of the City that are allowed leave of absence shall draw no salary for what time they shall be absent from duty, and that the City Atty. be instructed to draw an Ordinance covering the ground set forth in this resolution.

An Ordinance requiring the San Diego Water Company to place a 10 inch water pipe on 6th street was read. ^{ing} Delegate Culbert moved the amendment that the time mentioned in Section 2. of said Ordinance be made 60 days instead of 30 days. This amendment carried and was inserted.

Delegate Heath moved to amend by striking out the enacting clause. This amendment was lost & thereupon the Ordinance was adopted as amended by the following vote. *avit.*

Ays. Delegates = Wagner: Marshall: Pauly: Pratt: Julian:
Day: Ridiger: Metherbee: Hewitt: Seybolt: Culbert: Kamman ^{ing} Cooper.

Nos. Delegates = Lynn: Daniel: Heath & Thompson.

Said Ordinance is as follows. *avit.*

Ordinance No. 43

An ordinance requiring the San Diego Water Company to place a ten inch water pipe on Sixth street in the City of San Diego, Calif; Whereas by a practical test made by the Chief of the Fire Department of the City of San Diego for the purpose of testing the capacity of the water pipe now laid on Sixth street in said City to supply a sufficient quantity of water in case of fire or other great necessity and said test demonstrated that the size of the pipe now in use on said Sixth street to be too small for the purpose of supplying a sufficient amount of water for fire or other great necessity and to meet the growing demand for said water; And whereas the said Sixth street is about to be paved and permanently improved, therefore: Be it ordained by the Common Council of the City of San Diego as follows:

Sec: 1- That the said San Diego Water Company is hereby directed to place on said Sixth street from the north line of "I" St. to the south line of "B" street water pipe of a diameter not less than ten inches, said pipe to be laid according to the official depth as fixed by ordinance.

Sec: 2- That the said San Diego Water Company is hereby required within sixty days after the passage of this ordinance to proceed to lay said water pipe as in this ordinance required, the said pipe to be fully laid before the said Sixth street shall be fully paved.

Sec: 3- That ^{upon} the failure on the part of said San Diego Water Co. and all officers of the same to comply with the provisions of this ordinance, and within the time herein specified, the said officers shall be subject to pay on conviction in the police court of said City a sum not

exceeding one hundred dollars or be imprisoned in the City jail not exceeding fifty days and each day of noncompliance shall be considered a separate and distinct offense.

Sec: 4- This ordinance shall take effect and be in force from and after one publication in the San Diego Daily Sun."

An Ordinance in relation to Dogs was read and adopted by the following vote viz:

Ayer. Delegater = Pauly: Bratt: Julian: Davies: Day: Rediger:
Netherhaas: Hewitt: Thompson: Seybolt & Kamman.

Norw. Delegater = Wagner: Lym: Marshall: Heath: Huber & Cooper.
Said Ordinance is as follows:

Ordinance No. 42.

An ordinance prohibiting the running at large of vicious dogs and prohibiting the keeping owning or harboring any dog so that the same disturbs the peace and quiet of any neighborhood or is offensive to the public. Be it ordained by the Common Council of the City of San Diego as follows:

Sec: 1- That it shall be unlawful for any person to own keep or harbor any vicious dog, unless the same be kept within the premises of such person and in such a manner as to prevent said dog doing injury to any person pursuing his lawful business.

Sec: 2- That all persons owning, keeping or harboring any dog shall at all times keep the same so that the peace and quiet of the neighborhood will not be disturbed thereby, or that said dog shall not be offensive to the public.

Sec: 3- That all vicious dogs not kept within the premises as herein provided or when said vicious dog shall be found outside of the premises of the person owning, keeping or harboring the same or on any street, lane or alley in said city endangering the safety of persons passing thereon as when any dog shall disturb the peace and quiet of any neighborhood or shall be offensive to the public, the same is hereby declared a nuisance, and the police officers of said city are hereby instructed to kill or otherwise dispose of any such vicious dog found outside the premises of the owner or keeper of the same and said police officers shall at once make complaint against the owner, keeper or person harboring any dog disturbing the peace and quiet of the neighborhood or that is offensive to the public.

Sec: 4- That any person owning, keeping or harboring any vicious dog allowing the same to run at large on any street lane or alley in said city or in any manner permit said dog to endanger the safety of any person when said person is pursuing his lawful business or any person owning keeping or harboring any dog that disturbs the peace or quiet of the neighborhood or is offensive to the public, upon conviction of the same in the Police Court of said city shall be fined not more than fifty dollars or be imprisoned in the City Jail for not more than thirty days or by both such fine and imprisonment.

Sec. 5: That this ordinance shall take effect and be in force from and after one publication in the San Diego Daily Sun."

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

To the Honorable Board of Delegates: Your Fire Committee to whom was referred the communication from the Board of Fire Commissioners relative to the leasing of premises cor. of 24th St. and Kearney Avenue as a suitable place for the apparatus and company of the Hart Hook & Ladder Co. #2, respectfully recommend the same be granted, and that the Board of Public Works be authorized to make the necessary arrangements for the leasing of said quarters.

Carl H. Rediger
C. E. Heath
Chas. W. Pauly"

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

Rogers & McLearn - Retail
Jos. W. Robinson. "

Whereupon said Petitions were granted.

The Committee on Health & Morals reported favorably upon the Petition of G. W. Taylor for a Change of Liquor License from Wholesale to Retail License. By whereupon said Petition was granted.

In the matter of the Petition of the "Ladies Annex" to cultivate 10 acres of the City Park, the Park Committee reported as follows:

We your Committee on Parks recommend the passage of the within Petition be granted and the necessary steps be taken to allow the ladies 10 acres for improvement from the City Park.

W. Q. Day
Paul H. Rediger
Harr Wagner"

Said report was adopted.

The Committee on Streets reported favorably upon the resolution ordering the opening up D street & Kehuron Road. Resolution was read & adopted by the following vote, to wit:

Ayer. Delegater - Wagner: Lyons: Pauly: Bradt: Dansei: Day: Rediger: Nesterback: Thompson: Seybold: Culbert: Kamman & Cooper. Now. Delegater - Marshall: Julian: Hewitt: Heath.
Said resolution is as follows, to wit:

Resolution ordering the opening and extending of D street from 17th street to 33rd street.

Whereas notice of the passage of the Resolution of Intention to open and extend D street from 17th street to 33rd street has been duly published

for ten days and posted along the line of the street, and whereas the period of ten days has expired within which objections to the contemplated work could be presented, and no such objections have been made or filed; and whereas jurisdiction has thus been fully acquired to order said work to be done; therefore be it 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 orders the opening and extending of "D" street in said City from Seventeenth (17) street to Thirty-third (33) street, for which purpose it is deemed necessary to take and appropriate, and it is hereby ordered that there shall be taken and appropriated, 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 (19) street, off of the south side of a tract of land designated on the map of Gardiner's addition to the City of San Diego as "Orange Hill Reservation," and also a strip of ground eighty (80) feet wide and six hundred and sixty (660) feet long, running from the west line of Twenty-fourth (24) street to the west line of Twenty-fifth (25) street, off of the south side of a tract of land designated on the map of the City as the "Goodrich Tract"; and it is further ordered that the damages, cost and expenses of opening and extending said street and the making of said improvement shall be assessed in proportion to benefits upon a district the exterior boundaries of which are as follows, to wit: Beginning at a point in the east line of Atlantic street 125 feet north of the northwest corner of block 50 Newtown according to Gray and John's map; thence north 120 feet; thence east or easterly on a line parallel to the north line of "D" street to the west line of 8th street; thence producing said line 150 feet from and parallel with the north line of "D" street to a point on the west line of 33rd street; thence south to a point 150 feet south of the south line of "D" street; thence west or westerly 150 feet from and parallel with the south line of "D" street to the west line of 8th street; thence producing said line 135 feet from and parallel with the south line of "D" street to a point on the east line of Atlantic street; thence north 260 feet to the point of beginning.

The Committee on Streets reported favorably upon the Ordinance (herefore referred) establishing the grade of 4th street, from "B." to Spruce street. On motion of Delegate Hubart action upon said Ordinance was postponed for one week.

Delegate Pelegier offered a resolution requesting the Board of Aldermen to pass upon the Water Committee's report on City Water Supply.

Delegate Wagner moved to lay the resolution upon the table. This motion was lost and therefore the original resolution was adopted & read as follows. Quir:

Whereas, that it is the sense of this Board that public necessity demands an early solution of the various water propositions which have been made to this City.
 Whereas, all such propositions were submitted to the Special Water Committee appointed by the Mayor, and said Committee made their report to the Board of Alderman, by whom it was referred to the Water Committee of said Board.
 Therefore be it Resolved, that we respectfully request the Board of Alderman to pass upon and submit the same to this Board without unnecessary delay."

The Committee on Finance reported favorably upon the claim of D. C. Reed for an erroneous assessment of \$799 instead of \$99 on Lot A. Block 8. Hanley's Addition No. 1 whereupon the same was referred to the City Attorney.

The following report from the Committee on Harbor & Wharfs was read, to wit:

"Your Harbor and Wharf committee to whom was referred a communication from the Board of Public Works under date of Nov. 1st 1889 relating to Ordinance No. 144; by the authority of which Milton Santee commenced to build a wharf at the foot of D street during the month of October 1889, beg leave to report as follows: Ordinance No. 144 was adopted by the City Trustees of San Diego on October 27th 1887. The terms of said ordinance were; That work may be commenced within four months and completed within two years. We find that work was not commenced on said wharf until the latter part of October 1889. Being within a few days of two years instead of four months, as required by the ordinance granting the franchise. Thereby (in the opinion of your committee) forfeiting all right, title or claim to said franchise as set forth in said ordinance No. 144. Your committee therefore present and recommend the adoption of the following joint resolution.

G. M. Wetherbee

John H. Marshall

William Cooper"

Said report was adopted and thereupon the above mentioned resolution was read and Delegate Heath moved to postpone for one week. This motion was lost and thereupon said resolution was adopted and the same reads as follows to wit;

Joint Resolution No. 39.

Whereas Milton Santee has failed to comply with the terms and conditions of a certain franchise for the construction of a wharf and pier at the foot of D street granted by Ordinance No. 144, and has thereby forfeited all his rights thereunder and Whereas said Santee has been engaged in placing piles and other obstructions in the bay at the foot of D street under color of said franchise and without other authority of law; therefore be it Resolved that the franchise granted to Milton Santee by Ordinance No. 144 be and the same is hereby declared to be forfeited.

Resolved that the City Attorney be and is hereby instructed to take such legal steps as may be necessary to enforce said forfeiture and to prevent said Milton Santee or his assigns from prosecuting any work or asserting any rights under the provisions of said Ordinance No. 144.

Whereupon the Board adjourned until Monday November 18th, 1889 at 7.30 o'clock P.M.

M. M. Gasaway
City Clerk

G. G. Bradish
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of
Delegates of the City of San Diego,
California, November 18-1889.

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: Lyon: Marshall: Pauly: Bradt: Julian: Davis: Day: Rediger: Wetherbee: Hewitt: Heath: Seybold: Switzer: Hulbert: Kamman: Cooper. No Deputy Clerk Patton.
Absent, Delegates - Thompson.

After giving notice President Bradt, did in open session, sign Ordinance No. being an Ordinance in relation to "Dogs". Also Ordinance No. being an Ordinance requiring the San Diego Water Company to lay a 10 inch water main on Sixth street

A Petition signed by Sullivan & Son & J. P. Davis representing 200 front feet of property on the West side of 14th street, between the south side of B street and the north side of C street, asking permission to grade said above described portion of 14th street, was read & referred to the Committee on Streets.

A Resolution of Intention to grade F street from State to 23rd street, was read and on motion of Delegate Heath, action upon the same was postponed for one week.

President Davis called Delegate Rediger to the Chair.

A Resolution of Intention to grade, aisle, curb & sidewalk Main street, was read & adopted by the following vote. Aye:

Ayes, Delegates - Wagner: Lyon: Pauly: Julian: Davis: Day: Rediger: Hewitt: Heath: Seybold: Switzer: Hulbert: Kamman: Cooper.
Noes, Delegates - Marshall: Bradt: Wetherbee.
Absent, Delegates - Thompson.

Said resolution is as follows. Aye:

Resolution of intention to grade Main street from the south line of Horton's Addition to a point 300 feet east of 31st 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 wit: That Main street in said City from the south line of Horton's Addition to a point 300 feet east of the northeast corner of Main street and Thirty-first (31) street and the crossings of said Main street with the streets intersecting the same between said south line of Horton's Addition and said point 300 feet east of the N.E. corner of Main and 31st streets, except the intersections of said Main street with South Nineteenth (819) street and Twenty-eighth (28) street, be graded from curb line to curb line to the

official grade established by Ordinance Numbered Forty (40) and that the entire crossing of said Main street at the intersection of said Main street with said South Nineteenth (S19) street be piled capped braced and planked.

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, 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.

A Petition from property owners representing 500 feet frontage on G street between fourth and sixth streets, asking that said portion of G street be paved and curbed, was read and on motion of Delegate Marshal said petition is granted and the City Attorney instructed to prepare the necessary resolution of intention.

A communication from the City Engineer submitting profiles showing center grade along proposed line of road from Kalmia street to the Plaza at Old Town, was read and referred to the committee on streets.

Delegates Hamm and Cooper were here excused.

A Petition for retail Liquor Licence from Chas. Ollins and also one from Henry Lohmann was read & referred to the Committee on Health & Morals.

A joint Resolution, heretofore offered by Delegate Hsewitt and laid over for one week, discontinuing the office of assistant City Attorney, was read, and on motion of Delegate Houlbert the same was laid on the table.

A joint Resolution, heretofore offered by Delegate Heath and laid over for one week, instructing the City Attorney to draw an ordinance requiring certain officers and deputies to give bond and fixing the amount of the same, was read and Delegate Bradt moved as a substitute "that the City Attorney be instructed to draw an ordinance requiring all officers drawing salary under the Charter who are not now under bond to give bond to the City," and this substitute was sent and carried.

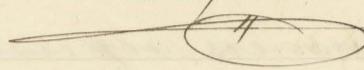
The following report from the Committee on Harbor and Wharf was read and adopted. Said report reads as follows, to wit:

"Your Committee on Wharves to whom was referred the communication of the Board of Public Works relating to the condition of the City Wharf, beg to report, that we find the wharf extremely dangerous to travel with teams, especially heavy garbage wagons, from the fact that many of the piles are eaten entirely

through and many more nearly so, rendering the wharf
absolutely unsafe. We recommend that the Board of Public Works
be instructed to proceed at once to repair said wharf according
to law.

G. M. Wetherbee
John H. Marshall
W^m Cooper."

Thereupon the Board adjourned until Monday November 25th
1889 at 7.30 o'clock p.m.

W.M. Gassaway.
City Clerk  G.H. Bradford
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of
Delegates, of the City of San Diego,
California, November 25th. 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: Goss: Marshall: Pauly: Bradt: Julian: Day: Rediger: Wetherbee: Huitt: Heath: Thompson: Sly bolt: Culbert: Kamman: Coover ^{to} Clerk Gass away.

Absent, Delegates = Darrer ^{to} Smits.

The Minutes of an Adjourned Meeting, held November 18-1889, were read and approved.

On motion of Delegate Pauly the regular order of business was suspended ^{by} Reasons said Delegate Pauly offered a set of revised rules for the government of the Board of Delegates (which said rules were read), & moved that the same be adopted.

Delegate Marshall moved to amend by inserting an additional rule permitting members of the Board to smoke during sessions. This amendment carried. ^{by} Reasons the original motion was put and lost by the following vote. ^{to wit:}

Present Delegates = Julian: Day: Wetherbee: Huitt: Heath: Sly bolt: Coover.

Aye, Delegates = Wagner: Goss: Marshall: Pauly: Bradt: Rediger: Thompson: Culbert: Kamman. = Absent, Delegates = Darrer & Smits. Reasons Delegate Rediger changed his vote from Aye to No. and gave notice that at the next meeting he would move a reconsideration of the above vote.

Delegate Smits then entered and took his seat in the Board.

A Message from Mayor Gunn, reviewing the operations of the City Government since the adoption of the Freeholder Charter, was read and filed.

A Petition from Homer Carter and H.L. Story for an extension of one year time in which to fulfill the requirements of the franchise granted by Ordinance No. 144, was read and declared to be out of order.

Delegate Rediger calls for a decision from the Chair as to whether the rule contained in the resolution offered by Delegate Heath & adopted by the Board & entered upon page 212 of the record, relative to the Presidents vote, can be enforced.

The Chair decided that the rule can not be enforced. Thompson Delegate Heath appealed from the decision of the Chair and the appeal being submitted to the Board, the Chair was sustained by the following vote. town:

Ayes. Delegates = Wagner: Gorn: Marshall: Pauly: Radiger: Wetherbee; Thompson: Seybolt: Kamman.

Noes. Delegates = Julian: Day: Hawitt: Heath: Snitzer: Hulbert: Cooper.

Absent. Delegates = Davies.

Excused. Delegates = Boadt.

A protest to grading Logan Avenue east of 32nd street, was read and referred to the Committee on Streets.

A protest against changing the present Fire Limits, was read and filed.

A Resolution of Intention to grade F street, was read and adopted by the following vote. town:

Ayes. Delegates = Wagner: Gorn: Pauly: Day: Radiger: Thompson; Seybolt: Hulbert: Kamman: Cooper and Bradt.

Noes. Delegates = Marshall: Julian: Wetherbee; Hewitt and Heath.

Absent. Delegates = Davies. (Delegate Heath voting under protest as to roll call.) Said resolution is as follows. town:

Resolution of Intention to grade F street from the west line of State street to the East line of 25th street.
 Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work town: that F street in said City from the West line of State street to the east line of twenty-fifth (25) street and the sidewalks thereon 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 25th street except the intersections of said F street with 5th street and 6th street and that portion of the intersection of said F street with 15th street which is occupied by the Culverin bridge, be graded to the official grade established by ordinance numbered three hundred and three (303) and that the bridge at said intersection of F and 15th streets be raised to the grade of the street and substantially reconstructed.
 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, as often as said newspaper is issued herein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law."

A Resolution of Intention to pave and curb G street from 4th to 6th street, was read and laid over for one week.

The following report from the City Auditor and Attorney, was read and adopted, to wit:

Hon. Board of Delegates - The tax claim of Dr. Reed and J. G. Routham referred to me for investigation are herewith returned with the recommendation that the claim of Dr. Reed be allowed, being a deduction of \$700⁰⁰ from the value of certain property being a clerical error made by the Assessor.

We report back the claim of J. G. Routham, stating that the reduction asked for is no mistake of Assessor made in the year 1888, and should have been settled in that year.

Jas. P. Goodwin. City Atty.

G. W. Gorre. City Auditor.

A petition to have a street opened along the south side of Mount Hope Cemetery, was read and referred to the Committee on Streets.

The Board of Public Works submitted a Resolution of Intention to Curb and sidewalk in front of Lot I Block 36. Q. street, which resolution was read and adopted by the following vote, to wit:

Ayes. Delegates = Wagner: Gyon: Marshall: Pauly: Julian: Day:
Pechiger: Metherbar: Hawitt: Heath: Thompson: Seybolt: Switzer:
Hulbert: Kamman: Coover and Bract.
Noes. None.

Absent Delegates - Davis.

Said resolution is as follows, to wit:

Resolution of Intention to Curb and sidewalk in front of Lot I Block 36. Q. 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 an artificial stone or concrete curb and sidewalk be constructed on Q. street in said city in front of Lot I Block 36. 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, 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 establishing the grade of 4th street, from B. to Spencer street, was read and adopted by the following vote, to wit:

Ayes. Delegates = Wagner: Gyon: Marshall: Pauly: Julian: Day:
Pechiger: Metherbar: Hawitt: Heath: Thompson: Seybolt: Switzer:
Hulbert: Kamman: Coover and Bract.
Noes. None.

Absent Delegates - Davis.

(Delegate Marshall changed his vote from Aye to No. and gave notice that at the next meeting he would move a reconsideration of the above vote.) (See page 269.)

An Ordinance providing for statements being filed by Corporations, etc. engaged in supplying fresh water for the use of the inhabitants of the City of San Diego: was read and adopted by the following vote. Aye:

Ayes. Delegates - Wagner: Lyons: Marshall: Pauly: Julian: Day: Pediger: Matherbee: Hewitt: Heath: Thompson: Seybold: Switzer: Culbert: Kammon: Cooper and Bradt.

Nos. None.

Absent, Delegate - Davis.

Said Ordinance is as follows. Aye:

"Ordinance No. 44"

An Ordinance providing for statements being filed by Corporations, Companies, or Persons, engaged in the business of supplying fresh water for the use of the inhabitants of the City of San Diego, Calif.

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

Section 1. That the San Diego Water Company a Corporation, the Coronado Water Company a Corporation, and every other Corporation, Company or Person if any there be, supplying water to the City of San Diego or to the inhabitants thereof, be and hereby are required to furnish to the Common Council of said City, in the month of January one thousand eight hundred and ninety (1890) a detailed statement verified by the oath of both the President and Secretary respectively, of each of said corporations and of all Corporations and Companies or of such persons as the Case may be, showing the name of each water rate payer his or her place of residence, and the amount paid for water by each of such water rate payers, during the year preceding the date of such statement, and also showing all revenue derived by such Corporation, Company or person from all sources, and an itemized statement of expenditures made for supplying water during said time: and that such statement be accompanied by a further and detailed statement, verified by the President and Secretary of such Corporation or Company or of such person as the Case may be, showing the amount of money actually expended annually, since commencing business, in the purchase, construction and maintenance respectively, of the property necessary to the carrying on of the business of such Corporation, Company or person, and also the gross cash receipts annually for the same period, from all sources in accordance with the provisions of an act of the Legislature approved March 7th. 1881.

Section 2. That the City Clerk is hereby directed to forthwith serve a certified copy of this ordinance upon the President and Secretary respectively, of the San Diego Water Company, and the President and Secretary of the Coronado Water Company, and upon the President and Secretary of any other corporation, or company and upon every person so supplying water to the city of San Diego: or to the inhabitants thereof: and the said Clerk is hereby also directed to call the attention of said corporations, companies or persons to Sections Four and Seven of said Act of the Legislature of the State of Calif approved March 7th. 1881.

Section 3. That this ordinance shall take effect and be in force from and after one publication in the San Diego Daily Sun a newspaper printed and circulated in said City of San Diego.

An Ordinance forfeiting the franchise held by Milton Santee, was read and adopted by the following vote. Amt:

Ayes. Delegates - Marshall: Pauly: Julian: Day: Radiger: Metherbee: Hewitt: Thompson: Seybolt: Switzer: Hubert: Kamman: Coover and Bratt.

Nos. Delegates - Wagner by Lyon.

Absent. Delegates - Davis and Heath.

Said Ordinance is as follows. Amt:

Ordinance No. 47.

An Ordinance declaring forfeited the franchise heretofore granted Milton Santee for building a wharf on the bay of San Diego, at the foot of D street in said City: said franchise being granted Oct. 27th. 1887.

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

Sec. 1. That the franchise heretofore granted to Milton Santee for the building of a wharf on the bay of San Diego at the foot of D street in said City, said franchise being granted Oct. 27th. 1887. Be and the same is declared forfeited, for the non-compliance with the conditions of said franchise and the provisions of the City Charter.

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

Delegate Switzer moved that the vote heretofore taken upon an Ordinance establishing the grade of 4th street from P. to Spence streets (entered upon page 259) be reconsidered, and at the present time only.

The motion was lost by the following vote. Amt:

Nos. Delegates - Wagner: Lyon: Pauly: Julian: Day: Radiger: Metherbee: Hewitt: Thompson: Seybolt: Switzer: Hubert: Kamman: Coover and Bratt.

Aye. Delegates - Marshall.

Absent. Delegates - Davis and Heath.

Delegate Marshall changed his ^{vote} from aye to no. and gave notice

for reconsideration: which notice was ruled out of order.

An Ordinance establishing the grade of 4th street, from Spruce street to University Avenue, was read, and Delegate Wagner moved to adopt.

Delegate Marshall moved to amend it referring to the Committee on Straits.

The amendment was lost by the following vote, to wit:

Aye Delegates - Wagner: Lyon: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Thompson: Seybold: Switzer: Hulbert: Kamman: Cooper and Bradt.

Aye Delegates - Marshall.

Absent Delegates - Davis and Heath.

Whereupon the original motion was carried by the following vote, to wit:

Aye Delegates - Wagner: Lyon: Marshall: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Thompson: Seybold: Switzer: Hulbert: Kamman: Cooper and Bradt.

Nay - None.

Absent Delegates - Davis and Heath.

Said Ordinance is as follows, to wit:

Ordinance No. 45.

An Ordinance establishing the grade of Fourth Street from the south line of Spruce street to the south line of University Avenue 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 Fourth street from the south line of Spruce street to the south line of University Avenue, 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 Fourth and Spruce streets, 272.5 feet; at the northwest corner thereof 273.0 feet; at the southeast corner thereof 272.5 feet; and at the northeast corner thereof 273.0 feet.

At the southwest corner of Fourth and Thom streets 279.0 feet; at the northwest corner thereof 279.5 feet; at the southeast corner thereof 279.0 feet; and at the northeast corner thereof 279.5 feet.

At the southwest corner of Fourth and Upas streets, 284.5 feet; at the northwest corner thereof 285.0 feet; at the southeast corner thereof 284.5 feet; and at the northeast corner thereof 285.0 feet.

At the southwest corner of Fourth and Ferry streets, 287.0 feet; at the northwest corner thereof 287.5 feet; at the southeast corner thereof, 287.0 feet; and at the northeast corner thereof 287.5 feet.

At a point 300 feet north of the northwest corner of Fourth and Ferry streets, 288.5 feet; and at a point 70 feet east of the last named point, 288.5 feet;

At the southwest corner of Fourth and Brookes streets 283.5

feet; at the northwest corner thereof 283.5 feet; at the south-east corner thereof 283.5 feet; and at the northeast corner thereof 283.5 feet.

At the southwest corner of Fourth and Thornton streets 285.5 feet; at the northwest corner thereof 285.5 feet; at the south-east corner thereof 285.5 feet; and at the northeast corner thereof 285.5 feet.

At the southwest corner of Fourth and Robinson streets 289.0 feet; at the northwest corner thereof, 289.0 feet; at the south-east corner thereof 289.0 feet; and at the northeast corner thereof 289.0 feet.

At the southwest corner of Fourth and University Avenue 287.5 feet; and at the southeast corner thereof 287.5 feet.

And the grade of said Fourth street between the points fixed by this Ordinance, shall be of uniform ascent and 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, and this Ordinance shall take effect and be in force from and after its passage.

President Pratt appointed Delegate Switzer upon all of the Committees heretofore filled by Delegate Low.

An Ordinance establishing the grade of portions of India, Winder, Second, Witherby, Hancock or other streets was read and adopted by the following vote. Yea:

Ayes. Delegates - Wagner: Lyall: Marshall: Pauly: Julian: Day: Wetherbee: Hewitt: Thompson: Selybolt: Switzer: Hulbert: Kammann: Cooper and Pratt.
Noes - None.

Absent. Delegates - Davis and Math

Excused, Delegate - Pediger.

Said Ordinance is as follows: Yea:

Ordinance No. 48.

An Ordinance establishing the grade of portions of India, Winder, Second, Witherby, Hancock, Trias, Ampedua, Stockton, Anista, Congress and Mason streets 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 India from the south line of Kalmar street to the North line of Winder 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 India and Kalmar streets 43.0 feet at the northwest corner thereof, 42.0 feet; at the southeast corner thereof, 44.0 feet; and at the northeast corner thereof, 44.0 feet.

At the southwest corner of India and Laurel streets 54.0 feet; at the northwest corner thereof, 55.0 feet; at the southeast corner thereof 55.0 feet; and at the northeast corner thereof, 56.0 feet.

At the southwest corner of India and Maple streets 76.0 feet; at the northwest corner thereof 77.0 feet; at the southeast corner thereof 78.0 feet; and at the northeast corner thereof 79.0 feet.

At the southwest corner of India and Nutmeg streets 90.0 feet; at the northwest corner thereof, 91.0 feet; at the southeast corner thereof 92.0 feet; and at the northeast corner thereof 93.0 feet.

At the southwest corner of India and Olive streets 99.0 feet; at the northwest corner thereof, 99.0 feet; at the southeast corner thereof 101.0 feet; and at the northeast corner thereof, 101.0 feet.

At the southwest corner of India and Palm streets, 98.0 feet; at the northwest corner thereof 98.0 feet; at the southeast corner thereof, 100.0 feet; and at the northeast corner thereof 100.0 feet.

At a point on the west line of India street 150 feet northerly from the northwest corner of India and Palm streets 102.0 feet; and at a point on the east line of India street 15 $\frac{1}{2}$ ^{feet} northerly from the northeast corner of India and Palm streets 104.0 feet.

At the southwest corner of India and Quince streets 101.0 feet; at the northwest corner thereof, 101.0 feet; at the southeast corner thereof 103.0 feet; and at the northeast corner thereof 103.0 feet.

At the southwest corner of India and Redwood streets 97.0 feet; at the northwest corner thereof, 96.0 feet; at the southeast corner thereof 99.0 feet; and at the northeast corner thereof 98.0 feet.

At the southwest corner of India and Spruce streets, 84.0 feet; at the northwest corner thereof 84.0 feet; at the southeast corner thereof 86.0 feet; and at the northeast corner thereof 86.0 feet.

At the southwest corner of India and Sassafras streets, 83.0 feet; at the northwest corner thereof, 83.0 feet; at the southeast corner thereof, 85.0 feet; and at the northeast corner thereof 85.0 feet.

At the southwest corner of India and Thorn streets, 87.0 feet; at the northwest corner thereof, 87.0 feet; at the southeast corner thereof 89.0 feet; and at the northeast corner thereof 89.0 feet.

At the southwest corner of India and Upas streets, 82.0 feet; at the northwest corner thereof, 82.0 feet; at the southeast corner thereof 84.0 feet; and at the northeast corner thereof 84.0 feet.

At the southwest corner of India and Vine streets, 81.0 feet; at the northwest corner thereof, 80.0 feet; at the southeast corner thereof, 83.0 feet; and at the northeast corner thereof 82.0 feet.

At the southwest corner of India and Willow streets, 70.0 feet; at the northwest corner thereof, 70.0 feet; at the southeast corner thereof, 72.0 feet; and at the northeast corner thereof 72.0 feet;

At the southwest corner of India and Chalmers streets, 66.0 feet; at the northwest corner thereof 66.0 feet; at the southeast corner thereof, 68.0 feet; and at the northeast corner thereof, 68.0 feet.

At the southwest corner of India and Winder streets, 77.0 feet; at the northwest corner thereof 77.0 feet; at the southeast corner thereof, 79.0 feet; and at the northeast corner thereof, 79.0 feet.

Section 2: The grade of Winder street from the east line of India

street to the west line of California street is hereby established as follows:

At the southwest corner of Winder and India streets, 77.0 feet; at the northwest corner thereof, 77.0 feet; at the southeast corner thereof, 79.0 feet; and at the northeast corner thereof, 79.0 feet.

At the southwest corner of Winder and Arctic streets, 60.0 feet; at the northwest corner thereof, 61.0 feet; at the southeast corner thereof, 62.0 feet; and at the northeast corner thereof, 63.0 feet.

At the southwest corner of Winder and California streets, 42.0 feet; at the northwest corner thereof, 42.6 feet; at the southeast corner thereof, 44.0 feet; and at the northeast corner thereof, 44.6 feet.

Section 3.—The grade of Second street from the west line of California street to the northwest line of Witherby street, is hereby established as follows:

At the intersection of the southwest line of Second street with the west line of California street, 41.5 feet; and at the intersection of the northeast line of Second street with the west line of California street, 42.9 feet.

At the south corner of Second and Emory streets, 41.0 feet; at the west corner thereof, 41.0 feet; and at the north corner thereof, 42.0 feet;

At the south corner of Second and Harathy streets, 36.0 feet; at the west corner thereof, 36.0 feet; at the east corner thereof, 38.0 feet; and at the north corner thereof, 38.0 feet.

At the south corner of Second and Clayton streets, 28.0 feet; at the west corner thereof, 28.0 feet; at the east corner thereof, 30.0 feet; and at the north corner thereof, 30.0 feet.

At the south corner of Sutherland and Second streets, 26.5 feet; at the west corner thereof, 26.5 feet; at the east corner thereof, 28.5 feet; and at the north corner thereof, 28.5 feet.

At the south corner of Second and Noell streets, 25.0 feet; at the west corner thereof, 25.0 feet; at the east corner thereof, 27.0 feet; and at the north corner thereof, 27.0 feet.

At the south corner of Second and Estudillo, streets, 24.0 feet; at the west corner thereof, 24.0 feet; at the east corner thereof, 26.0 feet; and at the north corner thereof, 26.0 feet.

At the south corner of Second and Wright streets, 23.0 feet; at the west corner thereof, 23.0 feet; at the east corner thereof, 25.0 feet; and at the north corner thereof, 25.0 feet.

At the south corner of Second and Bandini streets, 17.0 feet; at the west corner thereof, 17.0 feet; at the east corner thereof, 19.0 feet; and at the north corner thereof, 19.0 feet.

At the south corner of Second and Condo streets, 11.0 feet; at the west corner thereof, 11.0 feet; at the east corner thereof, 12.0 feet; and at the north corner thereof, 12.0 feet.

At the intersection of the southwest line of Second street with the southeast line of Witherby street, 9.5 feet; and at the intersection of the northeast line of Second street with the southeast line of Witherby street, 10.5 feet.

Section 4. The grade of Hancock street from the southeast line of Witherby street to the northwest line of Trias street, is hereby established as follows;

At a point on the northwest line of Witherby street 61.0 feet southwesterly from the southwest line of Hancock street, 9.5 feet; at a point on the southeast line of Witherby street, 34.0 feet northeasterly from the northeast line of Second street, 11.0 feet.

At the intersection of the southwest line of Hancock street, with the northwest line of Witherby street, 10.0 feet; and at the intersection of the northeast line of Hancock street with the northwest line of Witherby street 11.0 feet.

At the south corner of Hancock and Concordia streets 14.0 feet; at the west corner thereof, 15.0 feet; at the east corner thereof, 14.0 feet; and at the north corner thereof, 15.0 feet.

At the south corner of Hancock and Trias streets, 21.0 feet; at the west corner thereof 21.0 feet; at the east corner thereof, 22.0 feet; and at the north corner thereof 22.0 feet.

Section 5. The grade of Trias street from the southwest line of Hancock street to the northeast line of Moore street, is hereby established as follows:

At the south corner of Trias and Hancock streets, 21.0 feet; at the west corner thereof, 21.0 feet; at the east corner thereof 22.0 feet; and at the north corner thereof 22.0 feet.

At the south corner of Trias and Moore streets 27.0 feet; at the west corner thereof, 27.0 feet; at the east corner thereof, 28.0 feet; and at the north corner thereof 28.0 feet.

Section 6. The grade of Moore street from the southeast line of Trias street to the northwest line of Ampendia street, is hereby established as follows:

At the south corner of Moore and Trias streets, 27.0 feet; at the west corner thereof, 27.0 feet; at the east corner thereof 28.0 feet; and at the north corner thereof 28.0 feet.

At the south corner of Moore and Ampendia streets, 28.0 feet; at the west corner thereof, 28.0 feet; at the east corner thereof 29.0 feet; and at the north corner thereof, 29.0 feet.

Section 7. The grade of Ampendia street from the southwest line of Moore street to the northeast line of Stockton street, is hereby established as follows:

At the south corner of Ampendia and Moore streets, 28.0 feet; at the west corner thereof 28.0 feet; at the east corner thereof 29.0 feet; and at the north corner thereof, 29.0 feet.

At the south corner of Ampendia and Stockton streets, 33.0 feet; at the west corner thereof, 32.0 feet; at the east corner thereof, 33.0 feet; and at the north corner thereof 32.0 feet.

Section 8. The grade of Stockton street from the southeast line of Ampendia street to the northwest line of Arista street, is hereby established as follows:

At the south corner of Stockton and Ampendia streets, 33.0 feet; at the west corner thereof 32.0 feet; at the east corner

thereof 33.0 feet; and at the north corner thereof 32.0 feet.

At the south corner of Stockton and Arista streets 23.0 feet; at the west corner thereof, 22.0 feet; at the east corner thereof, 23.0 feet; and at the north corner thereof, 22.0 feet;

Section 9: The grade of Arista street from the southwest line of Stockton street to the northeast line of Congress street, is hereby established as follows:

At the south corner of Arista ~~andt~~ Stockton streets 23.0 feet; at the west corner thereof 22.0 feet; at the east corner thereof 23.0 feet; and at the north corner thereof 22.0 feet.

At the south corner of Arista and Congress streets, 27.0 feet; at the west corner thereof, 26.0 feet; at the east corner thereof 27.0 feet; and at the north corner thereof 26.0 feet.

Section 10: The grade of Congress street from the southeast line of Arista street to the northwest line of Mason street, is hereby established as follows;

At the south corner of Congress and Arista streets, 27.0 feet; at the west corner thereof, 26.0 feet; at the east corner thereof, 27.0 feet; and at the north corner thereof 26.0 feet.

At the south corner of Congress and Conde streets, 18.0 feet; at the west corner thereof, 18.0 feet; at the east corner thereof, 19.0 feet; and at the north corner thereof, 19.0 feet.

At the south corner of Congress and Harney streets, 22.5 feet; at the west corner thereof, 22.5 feet; at the east corner thereof, 22.5 feet; and at the north corner thereof, 22.5 feet.

At the south corner of Congress and Twiggs streets, 21.5 feet; at the west corner thereof, 21.5 feet; at the east corner thereof, 21.5 feet; and at the north corner thereof 21.5 feet.

At the south corner of Congress and Mason streets, 19.0 feet; at the west corner thereof, 18.5 feet; at the east corner thereof, 19.0 feet; and at the north corner thereof, 18.5 feet.

Section 11: The grade of Mason street from the southwest line of Congress street to the northeast line of San Diego avenue, is hereby established as follows;

At the south corner of Mason and Congress streets, 19.0 feet; at the west corner thereof, 18.5 feet; at the east corner thereof, 19.0 feet; and at the north corner thereof 18.5 feet.

At the south corner of Mason and San Diego Avenue streets, 23.0 feet; at the west corner thereof 22.0 feet; at the east corner thereof 23.0 feet; and at the north corner thereof 22.0 feet.

And the grade of said streets between the points fixed by this Ordinance, shall be of uniform ascent and descent, as shown by the grade maps made by the City Engineer and on file in his office. The center of said streets shall be the average of the curb grades.

Section 12: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, and this Ordinance shall take effect and be in force from and after its passage.

Delegate Hawitt offered a Joint resolution providing for a reduction of the salary of Policeman. Said resolution was not seconded.

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

Joint Resolution No. 41.

Resolved, that the City Attorney be requested to furnish the City Assessor with a complete list of all City real property for purpose of assessment.

Delegate Hawitt offered a Joint resolution reducing the number of Policeman.

Delegate Culbert moved to lay on the table & the motion carried by the following vote, to wit:

Ay^r. Delegates = Wagner: Lyons: Marshall: Pauly: Julian: Pediger: Metherban: Thompson: Seybolt: Culbert: Kamman: Cooper and Bradt.
No^r. Delegates = Day: Hawitt and Switzer.

Absent. Delegates = Davis and Heath.

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

Joint Resolution No. (Not numbered in)

Resolved, that the Board of Police Commissioners are requested to instruct the Chief of Police to detail one Police Officer for duty in the 9th Ward of this City - Coronado Beach.

A Bill of C^o G^overnment for \$6²⁵ over taxation, was read & laid upon the table.

Delegate Day offered a resolution requesting the City Attorney to furnish an opinion as to whether the City can donate land to a railroad company.

The resolution was Lost.

Delegate Kamman offered a Joint Resolution requiring that fences be built around all excavations and the same was referred to the City Attorney with instruction to prepare an Ordinance in accordance therewith.

An Ordinance transferring \$150. from the Police Fund to the Park Fund, was read and adopted by the following vote, to wit:

Ay^r. Delegates = Wagner: Lyons: Marshall: Pauly: Julian: Day: Pediger: Metherban: Thompson: Seybolt: Switzer: Culbert: Kamman: Cooper and Bradt.
No^r. Delegates = Hawitt.

Absent. Delegates = Davis and Heath.

Said Ordinance is as follows, to wit:

"Ordinance No. 46.

An ordinance transferring the sum of one hundred and fifty

dollars from the Police fund to the Park fund.

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

Sec. 1. That the Treasurer of the City of San Diego is hereby authorized and instructed to transfer the sum of one hundred and fifty dollars from the Police fund to the Park fund.

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

In the matter of the Communication of Par. 2 Power, relative to the condition of the bed of the San Diego river, the City Attorney reported the recommendation that the Board of Public Works & City Engineer be instructed to determine what means the river channel has been diverted to & if by other than natural cause, who are responsible. Said report was adopted & it was so ordered.

The motion to reconsider the vote by which the Ordinance establishing the grade of 4th street from B to Spruce streets was adopted, having been lost. - Said Ordinance was declared to be finally adopted, & is as follows, to wit:

Ordinance No.

An Ordinance establishing the grade of Fourth street from the south side of "B" street to the north side of Spruce 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 Fourth street from the south side of "B" street to the north side of Spruce 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 Fourth and "B" streets, 50.0 feet; at the northwest corner thereof 50.5 feet; at the southeast corner thereof 50.0 feet; and at the northeast corner thereof 50.5 feet.

At the southwest corner of Fourth and "A" streets, 58.5 feet; at the northwest corner thereof 60.5 feet; at the southeast corner thereof 58.5 feet; and at the northeast corner thereof 60.5 feet.

At the southwest corner of Fourth and Ash streets, 78.5 feet; at the northwest corner thereof 80.5 feet; at the southeast corner thereof 79.0 feet; and at the northeast corner thereof 81.0 feet.

At the southwest corner of Fourth and Beech streets, 94.0 feet; at the northwest corner thereof 96.0 feet; at the southeast corner thereof 95.5 feet; and at the northeast corner thereof 97.5 feet.

At the southwest corner of Fourth and Cedar streets, 108.5 feet; at the northwest corner thereof 110.5 feet; at the southeast corner thereof 109.0 feet; and at the northeast corner thereof 111.0 feet.

At the southwest corner of Fourth and Date streets, 120.0 feet; at the northwest corner thereof, 122.0 feet; at the southeast corner

thereof 121.0 feet; and at the northeast corner thereof 123.0 feet.
 At the southwest corner of Fourth and Elm streets, 135.0 feet; at the northwest corner thereof 138.0 feet; at the southeast corner thereof 135.0 feet; and at the northeast corner thereof 138.0 feet.
 At the southwest corner of Fourth and Fir streets, 161.5 feet; at the northwest corner thereof 165.0 feet; at the southeast corner thereof 161.5 feet; and at the northeast corner thereof, 165.0 feet.
 At the southwest corner of Fourth and Grape streets, 180.0 feet; at the northwest corner thereof 183.0 feet; at the southeast corner thereof 180.0 feet; and at the northeast corner thereof 183.0 feet.
 At the southwest corner of Fourth and Hawthorn streets, 194.5 feet; at the northwest corner thereof 195.5 feet; at the southeast corner thereof 194.5 feet; and at the northeast corner thereof 195.5 feet.
 At the southwest corner of Fourth and Ivy streets, 205.0 feet; at the northwest corner thereof, 205.5 feet; at the southeast corner thereof 206.0 feet; and at the northeast corner thereof, 206.5 feet.
 At the southwest corner of Fourth and Juniper streets, 212.0 feet; at the northwest corner thereof 213.0 feet; at the southeast corner thereof, 213.0 feet; and at the northeast corner thereof 214.0 feet.
 At the southwest corner of Fourth and Kalmia streets, 223.0 feet; at the northwest corner thereof 225.0 feet; at the southeast corner thereof 224.0 feet; and at the northeast corner thereof, 226.0 feet.
 At the southwest corner of Fourth and Laurel streets, 241.0 feet; at the northwest corner thereof 242.5 feet; at the southeast corner thereof, 242.0 feet; and at the northeast corner thereof 243.5 feet.
 At the southwest corner of Fourth and Maple streets, 252.0 feet; at the northwest corner thereof, 253.5 feet; at the southeast corner thereof 253.0 feet; and at the northeast corner thereof, 254.5 feet.
 At the southwest corner of Fourth and Nutmeg streets, 261.0 feet; at the northwest corner thereof 262.0 feet; at the southeast corner thereof, 262.0 feet; and at the northeast corner thereof 263.0 feet.
 At the southwest corner of Fourth and Olive streets, 264.5 feet; at the northwest corner thereof 265.0 feet; at the southeast corner thereof 265.5 feet; and at the northeast corner thereof 266.0 feet.
 At the southwest corner of Fourth and Palm streets, 266.5 feet; at the northwest corner thereof, 266.5 feet; at the southeast corner thereof 267.5 feet; and at the northeast corner thereof 267.5 feet.
 At the southwest corner of Fourth and Dominic streets 268.0 feet; at the northwest corner thereof 268.0 feet; at the southeast corner thereof 269.0 feet; and at the northeast corner thereof, 269.0 feet.
 At the southwest corner of Fourth and Redwood streets, 269.5 feet; at the northwest corner thereof 269.5 feet; at the southeast corner thereof 270.5 feet; and at the northeast corner thereof 270.5 feet.
 At the southwest corner of Fourth and Spruce streets, 272.5 feet; at the northwest corner thereof 273.0 feet; at the southeast corner thereof 272.5 feet; and at the northeast corner thereof 273.0 feet.
 And the grade of said Fourth 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 Engineers and on file in his office. The center of said street shall be average of the

curbe 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."

Whereupon the Board adjourned.

W. M. Fassaway,
City Clerk

G. G. Bradb
President Board of Delegates

Regular Meeting.

Council Chamber of the Board of
Delegates, of the city of San Diego,
California, December 2-1889.

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: Julian: Davies: Day: Mathewson: Hauitt: Heath: Thompson: Seybold: Mulvaney: Kamman: Covier: Bratt and Clerk Gassaway.

Absent, Delegates = Lyon: Rediger and Smits.

A message from the Mayor transmitting and recommending an application from W. M. Gassaway, City Clerk, for an additional Deputy in his office, was read together with said application. Thereupon Delegate Mathewson moved that the request be granted and the salary of said Deputy fixed at \$60. per month. Delegate Heath moved to amend by making said salary \$30. per month.

Delegate Kamman moved to amend the amendment by making said salary \$75. per month.

The amendment to the amendment was put and lost and thereupon the amendment to the motion was put and carried. By thereupon the City Attorney was instructed to present an Ordinance in accordance therewith.

After giving notice President Bratt did, in open session, sign Ordinance No. 44. being "an Ordinance providing for statements being filed by Corporation, Company, or Person, engaged in the business of supplying fresh water for the use of the inhabitants of the city of San Diego, Calif."

Also Ordinance No. 45. being "an Ordinance establishing the grade of Fourth street from the south line of Spencer street to the south line of University Avenue in the city of San Diego, State of California."

Also Ordinance No. 46. being "an Ordinance transferring the sum of one hundred and fifty dollars from the Police Fund to the Park fund."

Also Ordinance No. 47. being "an Ordinance declaring forfeited the franchise heretofore granted Milton Sonthe for building a wharf on the Bay of San Diego, at the foot of D. street in said city: said franchise being granted Oct. 27-1887."

Also Ordinance No. 48. being "an Ordinance establishing the grade of portion of India, Midas, Second, Millerby, Hancock, Cesar, Ainsworth, Stockton, Arista, Congress and Mason streets in the city of San Diego, State of California."

Delegates Smits and Rediger here entered and took their seats.

The City Attorney presented an Ordinance providing for an additional Deputy City Clerk, & the same was read.

Delegate Metherbee moved to adopt the same.

Delegate Cooper moved to amend by inserting a clause limiting said assistance to 60 days.

The amendment was put and lost and thereupon the original motion was carried and the ordinance adopted by the following vote. Twit:

Ayer. Delegates = Wagner: Pauly: Julian: Darrow: Day: Rediger: Metherbee: Hewitt: Heath: Thompson: Seybold: Hulbert: Kamman: and Bratt.

Noes. Delegates = Marshall: Switzer and Cooper.

Absent, Delegate = Lyons.

Said Ordinance is as follow. Twit:

Ordinance No. 49.

An Ordinance providing for an additional Deputy City Clerk and fixing the compensation of the same.

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

Sec. 1 = That there is hereby appointed an additional Deputy City Clerk for the City of San Diego.

Sec. 2 = That the compensation of such Deputy City Clerk be and the same is hereby fixed at \$50 dollars per month payable monthly.

Sec. 3 = That this ordinance shall take effect and be in force from and after its passage."

A Message from the Mayor, transmitting an application from Jas. D. Schuyler, a Commissioner of the Board of Public Works, for two weeks leave of absence, was read together with said application and Delegate Wagner moved to grant the request. Delegate Hulbert moved to lay on the Table. This motion was lost and thereupon the original motion was carried by the following vote. Twit:

Ayer. Delegates = Wagner: Julian: Darrow: Day: Metherbee: Heath: (Delegate Heath voting under protest to manner of calling the roll) Thompson: Seybold: Switzer: Ayer and Bratt.
Noes. Delegates = Marshall: Pauly: Rediger: Hewitt: Hulbert and Kamman.

Delegate Rediger moved to adjourn, The motion was Lost.

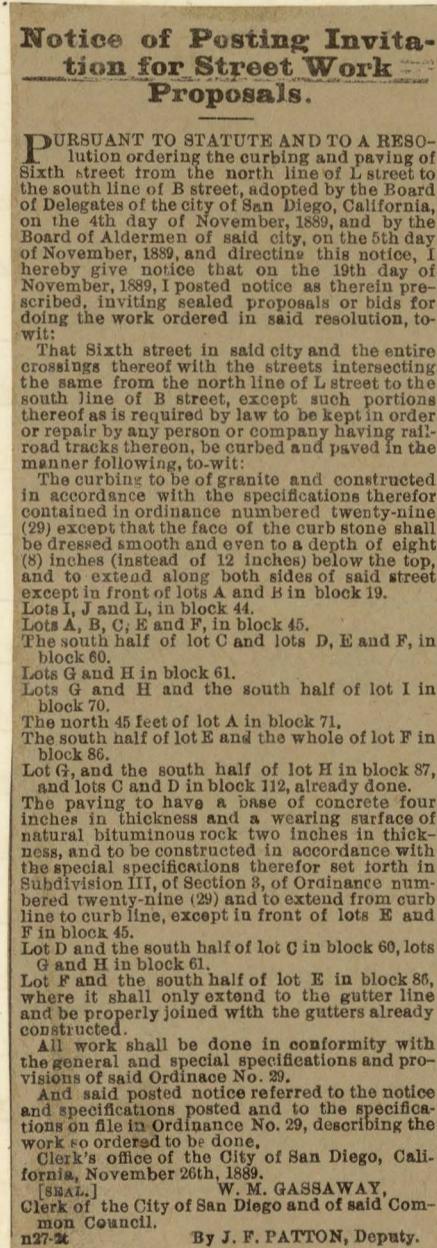
The City Clerk presented the affidavit of J.C. Fallon, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 19th day of November, 1889, post conspicuously in the following places. Twit: On the door of the Hall of the Board of Delegates: On the door of the Hall of the Board of Alderman: In the lobby of the Post Office, copies of the resolution passed by the Board of Delegates, of said city, November 4-1889, and by the Board of Alderman, of said

City November 5-1889 ordering the following street work to be done and instructing the Clerk to advertise for bids therefor, to wit: That Sixth street in said City, and the entire curbing 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, to wit: the curbing to be of granite and constructed in accordance with the specifications therefor contained in ordinance numbered twenty nine (29) except that the face of the curbstone shall be dressed smooth and even to a depth of eight (8) 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 K 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 I and K and the south half of lot I, 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; Lot G and the south half of Lot K in Block 87; and Lots C, E, G, I, K in Block 112, already done. 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 be constructed in accordance with the special specification therefor set forth in subdivision 3. of section 3. of Ordinance numbered twenty nine (29) and to extend from curb line to curb line, except in front of Lots E and F in Block 45; Lot D and the south half of Lot C in Block 60; Lots G and H in Block 61; Lot F 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 to be done in conformity with the General and Special Specification and Revision of said Ordinance No. 29. The Clerk of the City is hereby directed to post conspicuously for five days on or near the Council Chamber door of this City notice hereof with specification inviting separate sealed temporary or bids for each of the different kinds of said work and also joint sealed proposals or bids for all kinds of 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 proposals, 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 heretofore and duly designated for that purpose with a copy of this resolution and also after its posting his notice of such posting. Each for two days. Also that he (said Patron) post together with above notice, copies of the general and special specifications above referred to, any that said resolution, notice and spec-

ification above referred to remained so posted for the period of five days immediately thereafter. Said affidavit was ordered received and filed.

The City Clerk also presented the affidavit of Wm. 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 Aldermen of the City of San Diego, California, on the 4th day of November, 1889, and by the Board of Aldermen of said City on the 5th day of November, 1889, ordaining the work hereinbefore described (upon page 274 of this record) to be done, and instructing the Clerk to advertise for bids therefor, was published in said newspaper from the 19th day of November, 1889, to the 20th day of November, 1889, both days inclusive. Said affidavit was ordered received and filed.

The City Clerk also presented the affidavit of Wm. 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, to wit:



was published in said newspaper, on the 27th and on the 28th days of November, 1889. Said affidavit was received and placed upon file.

On motion it was ordered that due and sufficient notice had been made of the passage, by the Common Council of said City, of the resolution ordaining the curbing and paving of Sixth street, as hereinbefore set forth upon page 274 of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals." Hereinbefore set forth upon page 275 of this record.

Whereupon the Clerk reported that he had received five (5) such proposals for curbing and paving Sixth street as aforesaid, and the same being opened were found to be as follow, to wit:

One from P. A. Graham who proposes to do said work in accordance with notice given or at the following prices: For paving with concrete base and wearing surface of natural Bituminous rock in accordance with the Special Specification therefor set forth in subdivision 3. of Section 3. of Ordinance No. 29, at the rate of twenty six and one half (26 $\frac{1}{2}$) cents per square foot. This proposal is accompanied by a certified check in for \$3000.

One from John G. Carlson who proposes to do said work in accordance with the notice given or at the following prices: For paving, at the rate of twenty-six $\frac{1}{4}$ (26 $\frac{1}{4}$) cents per square foot. For curbing at the rate of One Dol. $\frac{20}{100}$ (\$1.20) per linear foot. This proposal is accompanied by a Certified Check in for \$650.

One from Rudolf Axman who proposes to do said work in accordance with the notice given or at the following prices: Concrete and Pavement per square foot 27 $\frac{1}{2}$ Cts. Curbing linear foot \$1.20. This proposal is accompanied by a Certified Check in for \$3000.

One from J. E. Rowan, President Bituminous Lime Rock Paving and Improvement Co. of Los Angeles Co., who proposes to do said work in accordance with the notice given or at the following prices: For paving at the rate of Twenty-eight & $\frac{3}{4}$ cents per square foot. For curbing, at the rate of One and $\frac{22}{100}$ dollars per linear foot. This proposal is accompanied by a Certified Check in for \$6000.

One from A. Q. Schulenburg who proposes to do said work in accordance with the notice given or at the following prices: Concrete and Bituminous rock work at twenty-six (26c) cents per square foot. Granite curbing at Ninety (90c) cents per linear foot. This proposal is accompanied by Certified Checks amounting to \$105.00.

Delegate Wagner moved that the Bid of A. Q. Schulenburg for curbing and paving 6th street be accepted in the contract awarded to said Schulenburg at the terms set forth in his proposal and further that the City Attorney be instructed to prepare the necessary resolution of award for perfecting this acceptance.

Delegate Hunt moved to amend by referring above Bid to the committee on Streets. This amendment was lost and whereupon the original motion was carried by the following vote to wit:

Ayes. Delegates: Wagner: Marshall: Pauly: Day: Rediger: Wetherbee: Heath: Thompson: Seydel: Sutzer: Culbert: Kamman: Cooper and Bradt.

Noes. Delegates: Julian: Davis & Knott.

Absent Delegate - Lyon.
As it was so ordered.

A Communication from the Board of Public Works, submitting an "Ordinance providing specifications for the grading of Streets", was read and referred, together with said ordinance, to the Committee on Streets.

A Communication from the Board of Public Works, submitting a Joint Resolution providing for an estimate of the cost of grading Main street, was read, together with said resolution and thereupon said resolution was adopted, and reads as follows. Joint Resolution No.

Resolved that the City Engineer be and he is hereby required and instructed to furnish to the Common Council, careful estimates of the cost and expense of the grading of Main street, and also plans and specifications for and the cost of the paving, casting, bracing and planting of the crossing at S. 19th street.

A Communication from the Board of Public Works submitting a Joint Resolution providing for an estimate of the cost of grading the streets as established by Ordinance No. 48 was read, together with said resolution; and thereupon said resolution was adopted, and reads as follows. Joint Resolution No. 42.

Resolved, that the City Engineer be and he is hereby required to prepare a careful estimate of the number of cubic yards of cuts and fills, and the expense of the construction of culverts and bridges, and the cost of all other work which may be required in the grading of the streets to the grade established by ordinance number 48.

A Report of the Water Investigating Committee, was read and referred to the Committee on Water.

In the matter of the Petition for privilege of grading the west side of 14th street, from the south side of P. street to the north side of C. street, = the Street Committee reported as follows. Towit:

To the Board of Delegates = We, your Street Committee recommend that this Petition be granted with the understanding that the owners of property fronting on the street so graded receive credit for the work now done and pay their proportion whenever the entire street is graded.

Char. W. Pauly
W. R. Day
A. S. Seydel.

Said report was adopted and the Petition granted as recommended.

The Committee on Health and Morals reported favorably upon the following petition for retail liquor license. To wit:

Henry Goldman.

O. G. Penslutz

Char. Collins."

and therefore said Petition were granted.

In the matter of the Petition to have the present Fire limits changed, the Fire Committee reported as follows. To wit:

To the Board of Delegates: Your Fire Committee recommend that the City Attorney be instructed to prepare ordinances as follows: one re-establishing the Fire limits of the City, reducing the bounds of District No. 2 so as to leave out the greater portion of property lying East of Seventh street and West of Third street and prescribing the general character of buildings and repairs permitted within them respectively, and another ordinance regulating the material, methods of construction etc. of buildings of all kinds, within the City south of the San Diego river.

Paul H. Reigher

C. E. Heath

Char. W. Pauly."

Said report was adopted and it was so ordered.

In the matter of the Petition to grade Logan Avenue east of 32nd street - the Street Committee reported as follows:

To the Board of Delegates: We, your Street Committee would recommend that this petition be not granted.

Char. W. Pauly

W. R. Day

A. B. Seybolt."

Said report was adopted.

In the matter of the Petition of Emily M. Pierce, for a Resolution of Intention to grade Elm street, between 3rd & 4th streets. = the Street Committee reported as follows. To wit:

To the Board of Delegates: We, your Street Committee recommend that a Resolution of Intention be passed as asked for in this petition with the understanding that the owner of property on Elm street between Third and Fourth pay their pro-rata of the entire street whenever the whole street is graded.

Char. W. Pauly

W. R. Day

A. B. Seybolt.

Said report was adopted.

In the matter of the Petition to open street along south

side of Mount Hope Cemetery - the Street Committee reported as follows, vizt:

To the Board of Delegates: We your Street Committee to whom was referred the annexed Petition, would respectfully report that this street as asked for is very much needed and would be a benefit to the cemetery and a very great convenience to the public, but as the land needed will necessarily come off of the cemetery we would recommend that the matter be referred to the Board of Public Works with instructions for them to confer with the cemetery commissioners and ascertain the steps necessary to be taken to open the street through the cemetery and report the result to this Board.

R. W. Pauly
W. Q. Day.
A. B. Slybolt."

Said report was adopted.

The Committee on Finance reported favorably upon the Report of M. L. Rawson, Police Judge for October, 1889, and thereupon said last named report was received and filed.

The following Joint Resolution (herebefore adopted by the Board of Alderman) was read and adopted, vizt:

Joint Resolution No. 40.

Resolved, that the City Engineer and the Board of Public Works be and is hereby requested to furnish the Water Committee of the Board of Aldermen, and the Water Committee of the Board of Delegates, as early as possible, with an estimate of the cost of putting in water pipes in this city. Said estimates to show the streets on which pipes are to be laid, the depth to be laid in the ground, the sizes of pipe on each street and the tensile strength of the pipe as required on each street.

A Bill from the Diamond Carriage Co. for \$24⁰⁰ for carriage for Senatorial Committee, referred to this Board by the City Auditing Committee, was read and referred back to the Auditing with instructions & power to pay the same.

The Board of Fire Commissioners presented a lease, to be entered into between Gen. Dickemper & the City of San Diego for lots 25, 26, & 27 in the Land of San Joaquin, San Diego, for a term of three years @ \$10⁰⁰ per month, and on motion of Delegate Rediger the lease was approved and the Mayor directed to execute the same.

A communication from the Board of Public Works, submitting a resolution of intention to grade 4th street from the N. line of B. street to the S. line of University Avenue, was

read together with said resolution.

Delegate Kamman moved to postpone action of said resolution for one week. This motion was lost and thereafter the resolution was adopted by the following vote, tnvth:

Ayes, Delegates = Wagner: Pauly: Davis: Day: Radiger: McElroy: Hauitt: Heath: Thompson: Seybold: Snitzer: Hubert and Cooper.

Nos, Delegates = Marshall: Julian: Kamman and Bratt.

Absent, Delegates = Lyons.

Said resolution is as follows, tnvth:

Resolution of Intention to grade 4th street from the N. line of P. street to the S. line of University Avenue.
 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, tnvth: that Fourth (4th) street from the North line of P. street to the south line of University Avenue in said City and the sidewalk there of and the entire paving of said 4th street with the streets intersecting the same between said North line of P. street and the south line of University Avenue be graded to the official grade established by ordinance number a and and it is hereby declared that the district to be benefitted by said work and to be assessed to pay the cost and expenses thereof shall include one full half of all the blocks of land fronting on said Fourth street between said north line of P. street and the south line of University 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, 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."

A Report from M. L. Rawson, Police Judge, for November, 1889, was read and referred to the Committee on Finance.

The following Petitions for liquor license, were read, and referred to the Committee on Health and Morals, tnvth:

John M. Ome

Ed. Ritter

Emile P. Raether

Friedrichsburg Brewing Co.

An Ordinance appointing an additional Deputy Treasurer and Tax Collector etc was read and adopted by the following vote, tnvth:

Ayes, Delegates = Wagner: Julian: Davis: Day: Radiger: McElroy: Hauitt: Heath: Thompson: Seybold: Hubert: Kamman: Cooper and Bratt.

Nos, Delegates = Marshall: Pauly and Snitzer.

Absent Delegate - Lyon.

Said Ordinance is as follow. Tovit:

"Ordinance No. 49."

An Ordinance appointing an additional Deputy Treasurer and Tax Collector for thirty days from Nov. 17th. 1889. and fixing his compensation.

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

Sec. 1. That there is hereby appointed an additional Deputy Treasurer and Tax Collector for thirty days from Nov. 17th. 1889.

Sec. 2. That the compensation of such Deputy Treasurer and Tax Collector be once the same is hereby fixed at Seventy-five dollars.

Sec. 3. That this ordinance shall take effect and be in force from and after its passage.

The Committee on Finance reported favorably upon claims of

A. Overbaugh.

J. C. Schwartz

Chas. Kiesig

M. S. Watkins

Est. of J. C. Keeler

and recommended the referring to the City Attorney of two claims of C. B. Woodruff, all for erroneous or over assessment & taxation, and whereupon all of said claims were referred to the City Attorney.

After giving notice President Bratt did, in open session, sign Ordinance No. 49. being an "Ordinance appointing an additional Deputy Treasurer and Tax Collector for thirty days from Nov. 17th. 1889. and fixing his compensation."

Whereupon the Board adjourned until Monday December 9-1889.
At 7.30 o'clock P. M.

W. M. Gassaway
City Clerk

G. G. Bratt
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of
Delegates of the City of San Diego.
California, December 9-1889.

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: Marshall: Pauly: Day: Matherbee:
Hawitt: Heath: Thompson: Seybolt: Switzer:
Hubert: Kamman: Cooper: Bradt and
Clerk Bassaway.

Absent, Delegates = Lyon: Julian: Davies: Rediger.

The Minutes of an Adjourned Meeting held November 25th 1889. and of the last Regular Meeting, held December 2-1889. were read and approved.

After giving notice, President Bradt did, in open session, sign Ordinance No. 50. being "An Ordinance establishing the grade of 4th street from P^o to Spruce street."

Also Ordinance No. 51. being "An Ordinance appointing an additional Deputy City Clerk."

A Message from the Mayor transmitting and recommending an application from G. W. Gorre, Auditor and Assessor, for nine additional deputies for making the Assessment Roll for the year 1890: was read together with said application.

Delegate Marshall moved that the request be granted, and the City Attorney instructed to prepare the necessary ordinance. Delegate Kamman moved to amend, that the salaries of said Deputies be fixed at \$75. per month, each.

The amendment carried; and thereupon the original motion as amended was put to vote with the following result. Tovit:
Ayes, Delegates = Marshall: Pauly: Day: Matherbee: Heath:
Thompson: Seybolt: Hubert: Kamman: Cooper and Bradt.
Noes, Delegates = Wagner: Hawitt and Switzer.

Absent, Delegates = Lyon: Julian: Davies and Rediger.

There not being the necessary two-third vote in favor, said motion was declared to be lost - However Delegate Wagner gave notice that, at the next meeting, he would move for a reconsideration of the above vote.

A Message from the Mayor transmitting a Communication from Genl. Col. M. H. H. Penyard, Corps of Engineers M.S.A. in regard to establishing the Harbor line of the port of San Diego: was read, together with said Communication and referred to the Committee on Harbor and Wharf.

A Communication from the Board of Public Works, transmitting an application from C. M. Shaw, City Engineer for one extra man in his office, was read, together with said application.

Delegate Wagner moved that the request be granted, and the City Attorney instructed to prepare an Ordinance appointing said extra man for two months at salary of \$75. per month.

Delegate Marshall moved to lay on the table - This motion was lost, and thereupon the original motion was passed by the following vote, &c.:

Chair. Delegates = Wagner: Pauly: Day: Matherbae: Thompson:
Seybold: Hulbert: Kamman: Cooper and Bradt

No. Delegates = Marshall: Hawill: Heath and Smitsen.

Opposite, Delegates = Lyons: Julian: Darisi and Rediger.

There not being the necessary two-third vote in favor, said motion was declared to be lost.

A Communication from the Board of Public Works submitting an ordinance authorizing the Superintendent of Streets to enforce Sections 13, 14, 15, 16, and 17. of the Norman Act: was read, together with said Ordinance.

Delegate Wagner moved to adopt said Ordinance.

Delegate Heath moved to amend by referring to the Street Committee. The amendment carried, and same was so referred.

The following Petitions for retail Liquor License were read and referred to the Committee on Health and Morals, &c.:

G. W. Taylor

Jos. W. Robinson

J. E. Corwin "

Delegate Wagner moved that the Sergeant at Arms be instructed to bring Delegate Marshall back to the Council Chamber; said Delegate Marshall having left without the permission of the President.

Delegate Heath moved to postpone for one week - This motion was lost and thereupon the original motion was carried and it was so ordered.

A Communication from the Board of Fire Commissioners, requesting the Common Council to fix a salary of \$15. per month for the Secretary of said Board, said salary to be allowed from the date of his qualification, May 14-1889. was read.

Delegate Kamman moved to postpone for one week. The motion was lost.

((President Bradt has vacated the Chair, and called Delegate Matherbae to preside)).

Delegate Wagner moved that the City Attorney be instructed

to prepare an ordinance providing for a salary for said Secretary of \$15.00 per month, from May 14th to date, and continuing the said office. The motion carried by the following vote. *Totit:*

Ayes. Delegates = Wagner: Matherbee: Thompson: Hulbert: Kammann: Cooper and Bratt.

Nos. Delegates = Pauly: Day: Hawill: Heath: Seybolt and Snitzer.

Absent. Delegates = Lyon: Marshall: Julian: Davies: and Pediger.

A Petition submitted by Mr. E. B. Newkirk for paving Frame Lane within fire limits No. 2, was read & granted.

The Sergeant at Arms reported that Delegate Marshall positively refused to return to the Common Chamber.

A Petition submitted by H. McKissic and Sarah M. Donnass for permission to grade on Hawthorn street in front of Lot G. Block 257 & Lot L. Block 236, Horton's Addition, and Lot 12, Block 47, Middletown, was read, together with a Joint Resolution granting said Petition.

Delegate Wagner moved to grant the Petition and adopt the resolution.

Delegate Hawill moved to amend by referring to the Street Committee. The amendment carried & it was so ordered.

A Joint Resolution awarding the contract for curbing and paving 6th street to A. A. Schulenburg, was read, and adopted by the following vote. *Totit:*

Ayes. Delegates = Wagner: Pauly: Bratt: Day: Matherbee: Hawill: Heath: Thompson: Seybolt: Snitzer: Hulbert: Kammann and Cooper.

Nos. None.

Absent. Delegates = Lyon: Marshall: Julian: Davies and Pediger. Said resolution is as follows. *Totit:*

Joint Resolution No. 45:

Be it resolved by the Common Council of the City of San Diego, that the said Common Council of the City of San Diego, having in open session; the Board of Delegates on the 2nd day of Dec. 1889, and the Board of Alderman on the 3rd day of Dec. 1889, opened, examined and publicly declared all sealed proposals or bids offered for the following street work. *Totit:* that Sixth street in this city from the north line of L. street and the entire crossings thereof with the streets intersecting said Sixth st. to the south line of P. st. 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, be curbed and paved in the manner following *Totit:* the curbing to be of granite and constructed in accordance with the specification thereon contained in ordinance 29, except that the face of the curb

stone shall be dressed smooth and even to a depth of eight inches below the top, and to extend along both sides of said street except in front of Lots A & B in Block 19; Lots I, J. & 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. & H. in Block 61; Lots G. and H. and the south $\frac{1}{2}$ of Lot D. in Block 70; the north 45 feet of Lot A. in Block 71; the south $\frac{1}{2}$ of Lot E. and the whole of Lot F. in Block 86; Lots G. and South $\frac{1}{2}$ of Lot H. in Block 87; and Lots C. and D. in Block 112. already done. The paving to have a base of concrete 4 inches in thickness and a wearing surface of natural bituminous rock two inches in thickness and to be constructed in accordance with the special specifications therefor set forth in subdivision 3. of Sec. 3. of ordinance number 29. and to extend from curb line to curb line except in front of lots E. and F. in Block 45; lot D. and the south $\frac{1}{2}$ of lot C. in Block 60; Lots G. and H. in Block 61; Lot F. and the south $\frac{1}{2}$ 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 to be done in conformity with general and special specifications and provisions of said Ordinance No. 29. and the said Common Council hereby rejects all of said bids except that next herein mentioned and hereby awards the contract for said work to the lowest responsible bidder, viz: A. A. Schulenburg at the price specified in his proposal on file for said work. And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the door of the Council Chamber of the Common Council and also publish said notice in the San Diego Daily Sun a daily newspaper published and circulated in this city and hereby designated for that purpose for two days."

A Report from G. W. Perez, Auditor, for the month of November, 1889, was read and referred to the Finance Committee.

A Protest to grading Main Street, was read by Delegata Pauly moved to postpone for two weeks. The motion carried and it was so ordered.

The following report from the City Auditor & Attorney upon claims for tax rebates, was read and adopted, viz:

"We herewith return to your Hon. Board the tax claims referred to us with the following report, in the matter of Charles Kiesig, that notwithstanding the sworn statement of the former Assessor, that a clerical error was made the statement shows a valuation on the land set forth in

The receipt of \$9000⁰⁰, the only reduction allowed by law is \$1500⁰⁰ on account of mortgage, and we recommend that it be allowed. We also recommend a rebate on 1/2 of double assessment for 1900. be allowed A. Overbaugh. We also recommend the allowance of the claim of the estate of J. C. Yeazie for improvements charged there being no improvements, \$5000⁰⁰. Thonetup & Benjamin double assessment rebate on \$4032⁰⁰. We report back without recommendation the claim of F. B. Woodruff.

G. W. Jones, City Auditor
James P. Goodwin City Attorney.

Delegata Swizer was here excused.

A Protest to paving S. street between 4th and 6th streets was read. Also a Resolution of Intention to pave S. street between 4th & 6th streets.

Delegata Pauly moved to adopt the Protest. The motion carried and it was so ordered.

Delegata Bradt moved that the Resolution of Intention be laid upon the Table. The motion carried and it was so ordered.

The following Concurrent Resolution, (herefore adopted by the Board of Alderman,) was read and concurred in.

Concurrent Resolution No. 16

Resolved, By the Board of Alderman, the Board of Delegates concurring, that the attention of the Board of Public Works be and is hereby called to the fact that street crossings upon the principal streets are sadly needed, and that said Board take the necessary steps to have crossings put in at such places as in its judgment are most needed, and at the expense of the property owners.

A Communication from the Board of Public Works submitting a Joint Resolution extending the contract existing between J. D. Palmer & the City of San Diego: was read together with said resolution.

Delegata Pauly moved to adopt the resolution.

Delegata Heath moved to amend & not adopt said resolution. The amendment was lost and thereupon the original motion was carried & the resolution adopted. Said resolution is as follows. viz:

Joint Resolution No. 43.

Whereas, it appears that the work of erecting electric light poles in conformity to ordinance 297. cannot be satisfactorily completed by the contractor until the wires have been transferred to the new poles and the old poles have been removed. and

Whereas, the time fixed in the contract for the completion of said work expired on the 23rd day of October: and
 Whereas, the contractor has applied for an extension until December 23. of the said time: therefore be it
 Resolved, that the time for the completion of the contract for the erection of electric light poles be and the same is hereby extended until December 23. 1889."

A Communication from Eugene DeBun, Secy. of the Board of Education, showing the resignation of J. G. Casen, C. E. Kellar and W. W. Stewart and the removal of Eugene Strandzen from the Board of Education. Also showing the election of A. G. Watson: L. L. Poore and W. W. Stewart to fill the vacancies: was read and filed.

The following Joint Resolution (Previously adopted by the Board of Alderman.) was read and adopted. twit.

Joint Resolution No. 44.

Resolved, that the City Tax Collector be instructed to collect from all persons engaged in the sale of intoxicating liquor the sum of \$25.00 from all persons selling by wholesale, and \$50.00 from all persons selling intoxicating liquor by retail. And from all persons selling by wholesale and retail the sum of Seventy-five dollars per month."

Delegate Heath offered a resolution publicly announcing that the Board of Delegates deem my composition to vote water bonds, or to purchase any water system, as impracticable and inopportune.

On motion of Delegate Coffey said resolution was laid on the table. (Delegate Bradt was here excused)

Delegate Heath offered the following resolution, which was adopted. twit.

Resolved that the Committee on Streets & Highways be & they are hereby requested to investigate & report to the next meeting of this Board as to the practicability of the present system of repairing public streets by filling up gullies & natural water courses with loose sandy loam to be washed out by a single rain as was the case at the time of the first rainfall this season when hundreds of dollars worth of street work was entirely destroyed; and be it further Resolved, that said Committee be also requested to report its opinion as to the feasibility & cost of cobble stone guttering in gullies & regular water courses made such by the natural contours of the land or by the grading of streets, with a view to recommending to the Board of Public Works the result of our investigation of this important matter.

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

Resolved, that the Committee on Gas & Electric Lights are hereby requested to investigate as to whether the City is now being furnished with 12000 candle power of electric light on each electric light mast carrying six electric lamps, as required by the terms of the contract on file with the City Clerk, and if satisfied that said contract is being violated, then that said Committee is hereby authorized to proceed to the appointment of a Board of three Arbitrators as provided for in said contract, two of whom shall be competent electricians.

An Ordinance establishing the grade of 5th street from Palm to Upas street, was read and adopted by the following vote, to wit:

Ayer, Delegatus = Wagner: Pauly: Day: Matherbae: Hewitt: Heath: Thompson: Seybold: Culbert: Kammann ^{and} Cooper
Noes = None.

Present, Delegatus = Lyons: Marshall: Julian: Davis: Rediger:
Switzer ^{and} Brack.

Said Ordinance is as follows. To wit:

Ordinance No. 34.

An Ordinance establishing the grade of Fifth Street from the south line of Palm street to the north line of Upas 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 line of Palm street to the north line of Upas 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 Palm streets 275.5 feet; at the northwest corner thereof 276.5 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 Quince streets 278.0 feet; at the northwest corner thereof 278.0 feet; at the southeast corner thereof 279.0 feet; and at the northeast corner thereof 279.0 feet.

At the southwest corner of Fifth and Redwood streets 279.0 feet; at the northwest corner thereof 279.0 feet; at the southeast corner thereof 280.0 feet; and at the northeast corner thereof 280.0 feet.

At the southwest corner of Fifth and Spruce 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 Thom streets 281.5 feet; at the northwest corner thereof 282.0 feet; at the southeast corner thereof 282.0 feet; and at the northeast corner thereof 282.5 feet.

At the southwest corner of Fifth and Upas streets 285.0 feet;

at the northwest corner thereof 285.0 feet; at the southeast corner thereof 286.0 feet; and at the northeast corner thereof 286.0 feet. And the grade of said Fifth street between the points fixed by this Ordinance, shall be of uniform ascent and 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 herewith are hereby repealed, and this Ordinance shall take effect and be in force from and after its passage.

The Committee on Health and Morals reported favorably upon the following petitions for Liquor License to wit:

Fredricksburg Brewing Co., Wholesale.

John M^o Cune, Retail

Ed. Riebe "

Emil P. Ruether "

And thereupon said petitions were granted.

In the matter of the Petition to have a highway opened from lot 1174. North over the Mesa - the Street Committee reported as follows. Avit: "We, your Street Com. recommend that the City Engineer be instructed to run this road and report to this Board. We are of the opinion that a road should be made in a Notherly direction to connect with a County road.

Char. W. Pauly: W. Q. Day: A. B. Seybolt. Said report was adopted.

The Committee on Streets reported favorably upon the proposed Ordinance providing specifications for the grading of streets and whereupon said Ordinance was read and adopted by the following vote to wit:

Ayes. Delegates = Wagner: Pauly: Day: Mathewson: Hawill: Heath: Thompson: Seybolt: Kammann and Cooper.

Noes = None.

Absent, Delegates = Lyons: Marshall: Julian: Davis: Rediger and Smither and Bradt.

Said Ordinance is as follow, to wit:

Ordinance No. 53.

An Ordinance providing specification for the grading of Streets.

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

Section 1. All street grading in the City of San Diego shall hereafter be performed in accordance with the following specification: the City Engineer shall set stakes indicating the exact depth of cutting or filling required to bring the street to official grade established by ordinance and as illustrated by the plan and model in his office, and the contractor shall preserve such stakes until the work is completed and pay the expense of

replacing those improperly removed. The grading shall include such clearing, grubbing, cutting, filling and other labor as may be necessary to properly form the roadway, gutters and sidewalk.

The earth taken from excavations shall be used in making embankments at the most convenient points on the street and no material or earth shall be removed from the street except by the written authority and direction of the City Engineer.

No rubble or gravelly material shall be used and all boulders and loose stones shall be buried at least six inches below the surface of the finished grade. Care shall be taken to so mix the earth that there will be no soft places or sand pockets.

Upon all embankments or fills there shall be placed a top dressing of earth of uniform quality and of such character as will form a compact surface, and such percentage of allowance for settlement shall be made as shall be directed by the City Engineer, and when the filling exceeds two feet or the cutting exceeds one foot in depth all trees standing on the margin of the street shall be removed unless the owner of the abutting property shall, at his own expense, place them to grade, when so requested by the Contractor.

The City Engineer shall direct the disposition of all earth and other materials excavated from the street, and when the same are hauled a greater distance than five hundred (500) feet, such allowance for each one hundred feet of excess thereof shall be made for over-haul as is specified in the bid and contract.

All earth and materials not needed on the street shall be the property of the City, and shall be disposed of by the Street Superintendent under the direction of the Board of Public Works.

The Contractor shall furnish all tools, machinery and labor and provide all temporary, bridges, drains, etc. required to protect the work from damage and prosecute all work with diligence and without unnecessary delay.

The Street Superintendent shall supervise all work and shall not approve, nor accept the same until the street throughout is finished to the form of cross-section and to the elevations required by the official grade.

All Bids and contracts shall specifically state the price per cubic yard for cutting, the price per cubic yard for filling, the price per cubic yard for over-haul, and no other items of expense shall be allowed unless they are particularly set forth in the contract.

Incidental expenses shall include the cost of all publications and posting and the labor and material incident thereto, and the compensation of the City Engineer for

surveys and estimators and the cost of all labor and material furnished by him, all of which incidental expenses shall be advanced by the City as they occur and be charged against the street.

Section 2. This Ordinance shall take effect and remain in force from and after its passage and one publication in the San Diego Daily Sun."

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

Joint Resolution No. 46.

Whereas, the Supervisor of San Diego County levied on the 19th day of October, 1889, a special school tax of 72 cents on the \$100. for the present year, on all property in that part of the City of San Diego known as Coronado to pay the interest on certain bonds issued by the School District formerly known as Coronado School District, to wit:

Whereas, Coronado has always been a part of the City of San Diego,

Therefore be it Resolved, that the City Attorney is hereby directed to examine into, and report upon the question - first - whether the Board of County Supervisors had a right to create said alleged school district, second - whether the County Supervisors had a right to levy said special school tax."

Whereupon the Board adjourned until Monday, December 16-1889, at 7.30 o'clock P.M.

M. M. Gassaway,
City Clerk

G. G. Brack
President Board of Delegates

Special Meeting.

Common Chamber of the Board of Delegates, of the City of San Diego, California, December 11th, 1889. - 4 o'clock P.M.

In accordance with the following request and call a Special Meeting of the Board of Delegates, was held this day at 4 o'clock P.M.

Said request above referred to is as follows:

Hon. Douglas Gunn, Mayor, Dear Sir = Deeming it eminently proper that the Board of Delegates should take some action upon the death of the wife of our President, (G.G. Bradt) we the undersigned, Members of said Board, would suggest that your Honor issue a call for an extra or special session of said Board for the above purpose. We would suggest 4 o'clock P.M. of today

G. M. Mathews

Chas. F. Komman

C. E. Heath."

Said Call above referred to is as follows:

"Mayor's Office.

San Diego, Cal. Dec. 11-1889.

In compliance with the request of several Members of the Board of Delegates of the Common Council of the City of San Diego, a Special Session of said Board is hereby called to meet in its Chamber at the City Hall at four o'clock this (Monday) afternoon, for the purpose of taking appropriate action relative to the death of the wife of Hon. G.G. Bradt, President of the Board.

Douglas Gunn, Mayor."

Present, Delegates = Wagner: Marshall: Julian: Mathews: Hewitt: Heath: Thompson: Elyvolt: Komman: Owyer and Clerk Garrison.

Absent, Delegates = Lyon: Pauly: Darius: Day: Radigir: Santizer Hulbert and President Bradt.

City Clerk Garrison called the meeting to order and thereupon on motion of Delegate Julian, Delegate Mathews was elected President Pro Temp.

The following message from the Mayor was read. *omit.*
"Mayor's Office.

San Diego, Cal. Dec 11-1889.

To the Board of Delegates = You have been called to assemble in a special session this day for the purpose of taking such action as may be deemed proper relative to the death of the wife of the Presiding Officer of your Honorable Board. Col. G.G. Bradt - the widow and

unobtrusive but constantly useful life, and the noble womanly example of the deceased lady greatly endeared her to this community, among whom she lived so many years. It is eminently fitting that a tribute of respect to her memory, and an expression of sympathy with her bereaved husband and family be rendered by her associates in the municipal government.

Respectfully

Douglas Gunn, Mayor.

Whereupon Delegate Heath moved that the Chair appoint a Committee of three on Resolution. The motion carried and hereupon the Chair appointed for said Committee, Delegates Heath, Wagner and Kamman.

Said Committee retired and afterwards submitted the following Preamble & Resolution, which was unanimously adopted, vizt:

"Whereas, this Board has learned with deep regret of the sudden demise of Mr. G. G. Bradt, the beloved wife of our respected Presiding Officer. Therefore be it Resolved, that this Board do tender to our afflicted brother member our very sincere and heartfelt sympathy, and be it further

Resolved, that this Board as a body do attend the funeral services of the deceased, and that the Clerk of this Board is hereby instructed to furnish a copy of these resolutions to our revered fellow member, and to the City paper for publication.

C. E. Heath
Harr Wagner
Kaz. C. F. Kamman."

On motion of Delegate Kamman it was ordered that the Board of Alderman and all City Officers be invited to join this Board in attending said funeral services and that all City Officers be closed during the services afterward.

On motion of Delegate Owyer, Delegates McFarland and Julian were instructed to act as Pall Bearers upon behalf of the Board of Delegates.

Whereupon the Board adjourned.

W. M. Glassaway,
City Clerk

Geo M. Wetherbee
President Pro Temp.

Adjourned Meeting.

Council Chambers of the City of
San Diego, California, Dec. 16 - 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.

Present, Delegates = Marshall: Pauly: Julian: Day: Metherbar: Hewitt: Thompson: Seybold: Komman: Cooper and Clerk Gassaway.

Absent, Delegates = Wagner: Lyon: Davies: Rediger: Heath: Switzer: Hubert and President Bradt.

The Minutes of an Adjourned Meeting, held Dec. 9- 1889, and of a Special Meeting held Dec. 11th, 1889, were read & approved.

President Bradt being absent, City Clerk Gassaway called the meeting to order by gavel, on motion of Delegate Pauly, Delegate Metherbar was elected President Pro Temp.

A Communication from A. E. Kull (submitting for approval & acceptance a plan and survey of the N. 1/2 of the N. E. 1/4 of Pueblo Lot No. 1123.) - was read, and referred to the Committee on Streets.

A Final Report from M. A. Giese, Commissioner of Municipal School Improvement Fund No. 7, accompanied by vouchers, was read, and referred to the Committee on Schools & Library.

A written estimate made by C. M. Shaw, City Engineer, of the amount of earth to be moved, and of the cost of grading, regrading, curbing and guttering 5th street, from "A" to Plaza streets, was read and filed.

A Communication from the Board of Public Works renewing the recommendation that immediate steps be taken for the construction of substantial curbs and stone gutters, not less than five feet in width, on all the graded streets of the city, was read and filed.

Delegate Komman offered the following resolution which was adopted: Yours:

Resolved, that the City Clerk is hereby instructed, and it is made his duty, to make and present to this Board a report at each meeting, showing what, if any, ordinances or resolutions which originated in this Board, have been finally passed on by the Board of Alderman since the last meeting of this Board.

The following Concurrent Resolution (herefore adopted by

the Board of Alderman.) was read and concurred in. Tovit:

Concurrent Resolution No. 17

Be it resolved, by the Board of Alderman of the City of San Diego, the Board of Delegates thereof concurring, that the resolution of intantion, heretofore passed and adopted by the Common Council, for the grading and re-grading of 4th street from North line of P. street to University Avenue, &c and the same is hereby recalled, and the City Clerk and the Street Superintendent are hereby instructed to not print or make publication of said resolution until further ordered by the Common Council.

The Committee on Health and Morals reported favorably upon the following Petition for Liquor License. Tovit:

G. W. Taylor = Petal

J. E. Corwin = "

Joe. W. Robinson = "

Thereupon said petitions were granted.

In the matter of the proposed Ordinance, authorizing the Street Superintendent to enforce the "Prohibition Act," - the Street Committee reported as follows: "We recommend the passage of this ordinance as amended.

Chas. W. Pauly.

W. A. Day.

A. B. Seybolt."

Thereupon said Ordinance as amended was read and Delegate Kamman moved to adopt the same. The motion was lost by the following vote. Tovit:

Ayes. Delegates = Pauly: Day: Metherbee: Thompson: Seybolt: and Kamman.

Noes. Delegates = Marshall: Julian: Hawitt: and Coxon.

Abstent. Delegates = Wagner: Lyons: Darrow: Rediger: Heath: Hulbert: Switzer and Bradt.

Thereupon Delegate Day gave notice that at the next meeting he would move for a reconsideration of the above vote.

In the matter of the Petition of H. McKissic and Sarah W. Danner, to grade in front of Lot 8, Block 251, & Lot 8, Block 256, Horton's Addition & Lot 12, Block 47, Middletown: - the Street Committee reported as follows: "We recommend the granting of this request, with the understanding that they pay their proportion of the whole street, whenever the same is graded.

Chas. W. Pauly.

W. A. Day.

A. B. Seybolt."

Said report was adopted and it was so ordered.

In the matter of the resolution offered by Delegate

Heath and entered upon pages 287 & 288 of this record) - the Street Committee reported as follows: "Upon investigation we approved of this manner of repairing the streets - the Board of Public Works in their report to the Mayor recommended this manner of filling up the side hill gutter, as they have investigated the same, we recommend the observance of this resolution to them.

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

Said report was adopted.

An Ordinance granting a franchise for a cable street railroad to David D. Dare was read. And adopted by the following vote. Amtit:

Ayer, Delegatus = Marshall: Pauly: Julian: Day: Metherbee:
Reeves: Thompson: Seybold: Komman: Cuyler.
Noe = None.

Abent, Delegatus = Wagner: Lynn: Daker: Redigen: Heath:
Switzer: Culbert and Bradt.

Said Ordinance is as follows. Amtit:

Ordinance No. 55.

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 certain streets 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 have, 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 on Fourth street, at the south line of Palm street in Horton addition, thence running north on and over Fourth street to Ferry Avenue in Nutti addition: thence running across and over Ferry avenue in a north westerly direction to Fourth street in Nutti addition, thence running north on and over Fourth street in Nutti addition and Brookside addition to the center of Newhall avenue: thence running east on and over Newhall avenue, through Hill and King's addition and Nutti addition, to Cleveland avenue in Estudillo and Caspian addition: thence running east on and over 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; upon the following conditions and limitations, viz:-

- I. That the cars upon said cable railway shall be propelled by wire ropes running under the surface of the street, and moved by stationary steam engine: but if at any time the railway can not be operated by cable, owing to accident to the cable or machinery, horses or mules may be used to convey cars thereon during the time necessary to repair the said cable or machinery.
- II. That said cable railway shall be constructed in such a manner as will prevent the least obstruction to the free use of said streets - the tracks to be as nearly as possible in the center thereof.
- III. That the grantee, or his assignee, shall plank, pave or macadamize, or the said Council may direct, the entire length of that portion of said street used by said railway tracks, between the rails and four feet on each side thereof; and between the tracks, and keep the same constantly in repair - plumb with the street, and with good crossings.
- IV. That the track shall not be 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.
- V. That work on the construction of said cable railway shall commence within two days after the granting of the franchise therefor, and six hundred feet of one track thereof completed within five days thereafter, and one track shall be wholly completed and operated within twelve months, and the balance within three years.
- VI. That the City of San Diego reserves the right to grade, pave, macadamize, sewer or otherwise improve, alter or repair the said street, such work to be done so as to obstruct the said railway as little as possible, the grantee shall shift and replace said rails so as to avoid the obstructions made thereby.
- VII. That the laying of said tracks, and all side tracks, turnouts, switches, or curves, shall conform in all cases with the grade of any of said streets which have been graded, and in all other cases as near to the natural grade of such street as practicable: and when at any time any part of said 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.
- VIII. That 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 whenever so ordered by the said Common Council.
- IX. That the City Engineer shall, under the direction of the