

A Report from the San Diego Water Company for the year 1889, was read and referred to the Committee on Water.

A Communication from the San Diego Flume Company making the statement that said Company does not furnish any water within the limits of the City, was read and filed.

A Petition for the placing of ten single electric lights on Sixth Street, was read and referred to the Committee on Gas, Electric Lights, etc.

A Report from the Committee endorsing an opinion from J. D. Schuyler, and C. M. Shaw, that an 8 inch water pipe on 6th street connected by 6 inch cross mains with the 8 inch main on 5th street at D. F. H. G. and L. streets would serve all purposes required, was read. And Thompson Delegate Pauly moved that the City Attorney be instructed to prepare an Ordinance repealing Ordinance No. 43. (Vizing the Ordinance requiring the San Diego Water Company to lay a 10 inch water main on 6th street.) The motion carried. And Thompson Delegate Marshall Chairman of the Water Committee was permitted to withdraw the said Committee's report. And Delegate Marshall Thompson moved that the City Attorney be instructed to enforce Ordinance No. 43. The motion carried and it was so ordered. On motion of Delegate Wagner the motion made by Delegate Pauly to "repeal" was rescinded.

The following report from the Police Committee upon the resolution relating to the danger of powder houses upon the City Park, was read and adopted, tenth:

Mr. your Committee, most respectfully report to your Hon. Body that we have examined the magazine where the explosives are stored, and find it to be a good and substantial brick structure except the door and casings which are of wood, and in our opinion not safe as they are liable to be destroyed by fire - therefore we recommend that there be a heavy plate iron door sufficiently large to cover the wooden door and casings.

A. B. Seybold.
C. F. Kimball.

Delegate Heath moved that it be declared the sense of the Board, that all powder houses be immediately removed from the City Park. The motion was lost.

The Committee on Health and Morals reported favorably upon the Petition of A. Lappert for retail liquor license, and whereupon said Petition was granted.

In accordance with joint resolution No. 52, the City Attorney, Street Committees and Board of Public Works submitted a resolution of intention for the grading of a route to Old Town & defining the district to be benefited and assessed. Also a protest to grading said route and formation of assessment district.

On motion of Galegate Marshall action upon the same was postponed for one week.

Whereupon the Board adjourned until Monday, February 10-1890, at 7.30 o'clock P.M.

*W.M. Gassaway,
City Clerk*

*G.S. Bratt
President Board of Delegates*

Adjourned Meeting.

Council Chamber of the Board of
Delegates, of the City of San Diego,
California, February 10-1890.

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 Brach presiding.

Present Delegates = Marshall: Pauly: Julian: Day: Radiger:
Hewitt: Heath: Thompson: Seybolt: Switzer: Hubert: Brach ^{and}
Clerk Gassaway.

Absent Delegates = Wagner: Lyons: Davies: Metherbar: Kanunnan:
^{and} Cooper.

The Minutes of the last Regular Meeting were read and adopted.

After giving notice, President Brach did, in open session, sign Ordinance No. 60 being An Ordinance fixing the amount of the official bond of certain officers of the City of San Diego.

Also Ordinance No. 61. being An Ordinance to prohibit throwing missiles, &c.

A Message from the Mayor regarding the Council to make immediate provision for the payment of the City's employees for the month of January, 1890, was read, and on motion of Delegate Heath the same was temporarily laid upon the Table.

A Message from the Mayor showing his approval of Ordinances Nos. 59 and 60; was read and filed.

In the matter of grading a road to Old Town, creating }
an assessment district, etc. }

An additional warrant to the assessment district was read and filed.

The Committee report, presented for action from the last meeting, was read and adopted, ^{and} reads as follows:

To the Common Council:

In obedience to Joint Resolution No. 52, we, the City Attorney, Street Committee and the Board of Public Works present herewith and recommend the adoption of a Resolution of Dictation for the grading of the route to Old Town heretofore fixed by Council, and defining the district to be vacated and assessed.

Respectfully submitted.

Chas. W. Pauly
 Jas. P. Goodwin
 Jos. Falken Ram
 Jas. D. Schuyler
 A. G. Gasson
 W. A. Day.
 Geo. F. Snicks.

Whereupon the resolution referred to in the above report was read. Mr. Delegate Hulbert moved to adopt. Delegate Julian moved to postpone for one week. This motion was lost by the following vote, to wit:

Ayes, Delegates = Julian: Hewitt: Heath and Bradt.

Noes, Delegates = Marshall: Pauly: Day: Pediger: Thompson: Slybolt: Switzer: Mr. Hulbert.

Absent, Delegates = Wagner: Lyons: Davies: Metherbee: Kammann: Mr. Cooper.

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

Ayer, Delegates = Marshall: Pauly: Day: Pediger: Heath:

Thompson: Slybolt: Switzer: Hulbert and Bradt.

Noes, Delegates = Julian and Hewitt.

Absent, Delegates = Wagner: Lyons: Davies: Metherbee: Kammann: and Cooper.

Said resolution, as adopted, is as follows: to wit:

Resolution of Intention.

Resolved, that it is the intention of the Common Council of the City of San Diego, State of California, to order the following street work to be done, to wit:

That India street in said city from the south line of Kalmia street to the north line of Winder street: Winder street from the west line of India street to the south-west line of Second street: Second street from the North line of Winder street to the North-west line of Mitheny street: Mitheny street from the North-east line of Second street to the North-east line of Hancock street: Hancock street from the North-west line of Mitheny street to the North-west line of Triar street: Triar street from the North-east line of Hancock street to the North-east line of Moore street: Moore street from the North-west line of Triar street to the North-west line of Ampudia street: Ampudia street from the North-east line of Moore street to the North-east line of Stockton street: Stockton street from the North-west line of Ampudia street to the North-west line of Arista street: Arista street from the North-east line of Stockton street to the North-east line of Congress street: Congress street from the North-west line of Arista street to the North-west line of Mason street: Mason street from the North-east line of Congress street to the south-west line of San Diego Avenue, and the entire crossings of said streets with

the straits intersecting the same: be graded to the full width and to the official grade as established by Ordinance No. 48 and that a Culvert fifteen (15) feet in the clear be built at the intersection of Kalmia street with India street and that Culverts or drain boxes be built at the intersection of Kalmia street with India street and that Culverts or drain boxes be built at the following named points, vizt: at intersection of Palm street with India street a two by two ($2' \times 2'$) feet box: at the intersection of Sassafras street with India street a two by two ($2' \times 2'$) feet box: at a point about two hundred (200') feet North of the North line of Sassafras street on India street a two by two ($2' \times 2'$) feet box: at the intersection of Meas street with India street a two by two ($2' \times 2'$) feet box: at a point seventy-five (75') feet North of the North line of Pine street on India street a one foot by two ($1' \times 2'$) feet box: at the intersection of Marbury street with Second street of Middletown a five feet by six ($5' \times 6'$) feet box: at the intersection of Morel street with Second street of Middletown a six feet by two ($6' \times 2'$) feet box: at a point one hundred and forty (140') feet North of Marbury street on Hancock street a one by two ($1' \times 2'$) feet box: and at a point one hundred and eighty (180') feet North of the North-west line of Arista street on Congress street a five by six ($5' \times 6'$) feet box: to be constructed according to plans and specifications on file in the office of the City Engineer of San Diego. And the Common Council being of the opinion that the work contemplated by this resolution is of more than local or ordinary public benefit and also that the total estimated costs and expenses thereof will exceed one half of the total assessed value of the lots and lands fronting upon the proposed work, directs that the costs and expenses of the work herein provided for shall be chargeable upon a district and hereby declares that the district to be assessed to pay the costs and expenses thereof shall include all that portion of Middletown north of Kalmia street, according to the Jackson map of Middletown: all of Pueblo Lot 322 according to the official map of the Pueblo Lands by James Parco, and known as the "Canal street tract": all that portion of Old Town according to the official map of Old Town made by James Parco and adopted by the Board of Trustees in November 1880. bounded by the south-west, the north-west and north-east lines of Old Town, and by a line along the following streets: Along Cude St. from the N.E. line of Old Town to Cedar street, on Cedar St. to Harvey St.; on Harvey St. to Pine St.; on Pine St. to Mason St.; on Mason St.

to Walnut St: on Walnut St to Jackson St: on Jackson St to Chestnut St: on Chestnut St to San Diego St: on San Diego St. to Boyd St: on Boyd St. to Harvey St: on Harvey St to Juan St. on Juan St. to Ansta St: on Ansta St. to San Diego Avenue: on San Diego Avenue to Ampudia St: on Ampudia St. to Congress St: on Congress St. to Oriza St: on Oriza St. to Stockton St: on Stockton St. to Witherby St: and along Witherby St. to the south-west line of Old Town.

All work provided for in this Resolution of Intention shall be done in accordance with the specifications contained in ordinance No. 53.

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

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

Chase & Johnson - retail
Charles Williamson - retail

A Report from G. W. Gorre, Auditor, for the month of January, 1890, was read, and referred to the Committee on Finance.

A Petition from James P. Jones to have certain streets in Silver Terrace closed, was read and referred to the Committee on Streets.

In the matter of the Petition
for the erection of an Electric }
Light Mast at Cedar & Indians, }

The Committee on
Electric Light, etc., reported as follows, viz:

Your Committee on Electric Lights, etc. to which was referred the within Petition, have considered the same & respectfully recommend that the Petition be granted when there are sufficient moneys in the Light Fund to erect said Electric Light Mast.

John H. Marshall
A. G. Hubbert "

Said report was adopted.

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

To the Common Council: The Street Committee to whom was referred the Resolution of Intention to macadamize, curb and gutter 5th street from S. to Moar, respectfully report that a protest representing a majority of the frontage was presented against macadamizing, but that frontage agree that the present condition of the street demands improvement, and that they will not resist the grading, curbing and guttering of the same. In pursuance of this understanding, your Committee presents herewith and recommends the passage of a Resolution of Intention to grade said 5th street from the south line of S. street to the south line of Moar street and to curb and gutter the same, the gutter to have a width of five feet & be carried across intersections and the curb to be of concrete.

Respectfully submitted,

Chas. W. Farny.

W. R. Day.

A. P. Seybold.

Pursuant to the Resolution of Intention referred to above was read, and referred back to the Board of Public Works.

The Committee on Finance reported favorably upon the following claims for erroneous taxation or tax:

J. C. Wood.

J. H. Braley.

A. Frost

M. L. Hume

H. W. Gilerman

M. McGregor

J. K. Schwartz

J. C. Braley

A. Whitley.

Said claims were referred to the City Attorney.

A Report from G. M. Methaben, Member of the Finance Committee, upon an Ordinance transferring \$4000. from the General Fund to the Salary Fund, was presented and thereupon Delegate Heath objected to the same being read. Delegate Marshall moved to recommit to the Finance Committee. The motion was lost.

Delegate Seybold moved that Delegate Methaben's report be read.

Delegate Heath moved to lay Delegate Seybold's motion on the table. This motion was lost. Whereupon the motion to read was carried & said report was thereupon read to the Board. □

Delegate Hulbert moved to adopt as read.

Delegate Heath moved to lay said report upon the table. His motion was lost and thereupon the original motion to adopt, was sent and carried & said report adopted. Said report is in words & figures following to wit:

To the Hon. Board of Delegates.

Gentleman - I desire to withdraw my name from the report of the Finance Committee on the ordinance referred to said Committee being an ordinance transferring the sum of \$1000. from the General Fund to the Salary fund. My name was attached to said report under a mistaken statement of facts made to me and from further investigations I have found said statement to be incorrect. I find that all claims against the City for the year 1889. have been fully provided for. The report submitted by the Chairman of said Committee makes the statement that the sum total of the indebtedness of the City for the fiscal year 1889. being past due and remaining unpaid, exceeds the sum total of the balances remaining on hand in the General Fund of that particular year. This is wholly incorrect. The Auditor informs me that every debt for 1889. is fully provided for. and in addition to this the funds asked to be transferred are monies belonging to the year 1890. (and not the year 1889.) and collected in 1890. and clearly may be transferred to any fund the Council may designate. The Auditing Committee has recommended the transfer. This Committee includes the Mayor, Auditor & City Attorney; it must be presumed that these officials understood the law when they ask the transfer of these funds. I therefore recommend that the ordinance be passed as requested by the Auditing Committee. Respectfully.

J. M. McElroy.

Member of Finance Committee

Delegates Heath: Hawitt and Marshall were here excused.

Delegate Switzer moved a call of the House & the same was taken with the following result. Tenth:

Present, Delegates - Pauly: Julian: Day: Pediger: Thompson: Seybolt: Switzer: Hulbert & Brackt.

Absent, Delegates - Wagner: Lyon: Marshall: Davis: McElroy: Hawitt: Heath: Kammann & Owyer.

There not being a quorum present the Board adjourned until Monday February 16-1890 at 7.30 o'clock p.m.

W.M. Gassaway,
City Clerk

G. S. Brackt
President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of
Delegates, of the City of San Diego,
California, February 17-1890.

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 = Marshall: Pauly: Julian: Pediger: Hawitt: Heath: Slybolt: Switzer: Hulbert: Kamman: Coover: Bradt: and Clerk Garrison.

Absent, Delegates = Wagner: Lyons: Dyer: Wetherbee: Thompson: and Day.

The Minutes of an Adjourned Meeting held February 10-1890, were read and approved.

On motion of Delegate Pauly it was ordered that the Board proceed to elect two members to temporarily fill the vacancies upon the Finance Committee.

Delegate Pediger moved that the election be by ballot. Delegate Switzer moved to amend that ballot be taken separately and that the vacancy caused by the absence of Delegate Mathews, be filled temporarily. The amendment carried and Thompson the President appointed Delegates Hulbert and Kamman as Tellers. and the Board proceeded to ballot with the following result, viz:

First Ballot: Delegate Marshall received 5 votes.

Delegate Pediger	"	3	"
Delegate Switzer	"	3	"
Delegate Coover	"	1	"

There not being a sufficient number of votes to elect, the Board proceeded to the second ballot with the following result, viz: (Prior to taking the second ballot, Delegate Heath appealed from the decision of the Chair upon the ruling that in the first ballot no member had received a sufficient number of votes to elect. The appeal was submitted to the Board and the Chair was sustained.)

Second Ballot: Delegate Marshall received 6 votes.

Delegate Pediger	"	4	"
Delegate Switzer	"	1	"
Delegate Kamman	"	1	"

There not being a sufficient number of votes to elect, the Board proceeded to the third ballot with the following result, viz:

Third Ballot: Delegate Marshall received 6 votes.

Delegate Pediger	"	5	"
Delegate Hulbert	"	1	"

There not being a sufficient number of votes to elect, the Board proceeded to the fourth ballot with the following result, viz:

Fourth Ballot: Delegate Marshall received 7 votes.

Delegate Pediger " 5 "

Delegate Marshall having received a majority of all votes cast, the President declared him to be duly elected a member of the Finance Committee (temporarily).

The Board thereupon proceeded to the election of a Member to fill the vacancy caused in the Finance Committee, by the absence of Delegate Daries.

First Ballot: Delegate Pediger received 6 votes.

Delegate Switzer " 4 "

Delegate Hulbert " 1 "

There not being a sufficient number of votes to elect the Board proceeded to the second ballot with the following result, viz:

Second Ballot: Delegate Julian received 1 vote

Delegate Pediger " 7 "

Delegate Switzer " 4 "

Delegate Pediger having received a majority of all votes cast, the President declared him to be duly elected a member of Finance Committee (temporarily.)

An Ordinance transferring \$4000. from the General to the Salary Fund, was read and Delegate Hulbert moved to adopt. Delegate Heath offered a Joint Resolution as a substitute. The substitute was lost by the following vote. Aye: Ayer, Delegates = Marshall: Hewitt & Heath.

No, Delegates = Pauly: Julian: Pediger: Seybolt: Switzer: Hulbert: Kamman: Conyer & Bradt.

Absent Delegates = Wagner: Lyons: Daries: Day: Wetherbee: & Thompson.

Thereupon Delegate Switzer moved the amendment that the words "for the year 1890" be inserted immediately after the words "General Fund", in Section 1. of said Ordinance. The amendment carried and was inserted = There upon the motion to adopt said ordinance, as amended, was put to vote, with the following result, viz:

Aye, Delegates = ~~Pauly~~: Julian: Pediger: Seybolt: Switzer: Hulbert: Kamman ~~Conyer~~ & Bradt.

No, Delegates = ~~Marshall~~ ~~Hewitt~~ & Heath.

Absent Delegates = Wagner: ~~Lyons~~: Daries: Day: Wetherbee: & Thompson.

(Delegate Pediger changed his vote from Aye to No. & gave notice that at the next meeting he would move a reconsideration of the above vote.)

There not being a sufficient number of votes in favor of said Ordinance, the same was declared

to be Lost.

An Ordinance reducing the Police force to ten men was read, and Delegate Switzer moved to adopt. Delegate Pauly moved the amendment to refer to the Police Committee. The amendment was lost, and thereupon the original motion was lost by the following vote, to wit:

Ayes, Delegates = Pauly : Julian ^{and} Switzer.
 Noes, Delegates = Marshall : Radiger : Favitt : Heath : Seybolt :
 Hubert : Kammann : Cooper & Bradt.
 Absent, Delegates = Wagner : Lyon : Danner : Day : Wetherbee :
 and Thompson.

In the matter of the proposed
 Ordinance establishing the grade of }
 4th street, from the south line of K. }
 street to a point 300 feet south of K. st.

The City Attorney, Engineer and Street Committee reported as follow. to wit:

To the Hon. Board of Delegates - Your Committee to whom was referred the annexed ordinance, have examined the portion of 4th street referred to in said ordinance, and we recommend that the ordinance be passed.

Clas. W. Pauly

W. A. Day.

J. M. Shaw

James P. Goodwin

A. B. Seybolt.

Said report was adopted as read ^{and} thereupon the Ordinance referred to was read and adopted by the following vote, to wit:

Ayes, Delegates = Marshall : Pauly : Julian : Radiger : Favitt :
 Heath : Seybolt : Switzer : Hubert : Kammann : Cooper & Bradt.
 Noes = None.

Absent, Delegates = Wagner : Lyon : Danner : Day : Wetherbee :
 and Thompson.

Said ordinance is in words and figures following. to wit:

Ordinance No. 66.

An Ordinance establishing the grade of Fourth street from the south line of K. street to a point 300 feet south of the south line of K. 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 line of K. street to a point 300 feet south of the south line of K. 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 and southeast corner Fourth and K Streets 1.5 feet.

At a point on the west line of Fourth Street 300 feet south of the southwest corner of Fourth and K Streets 1.0 feet; and at a point 80 feet east of said last named point 1.0 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 four inches (4") below 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 & Morals reported favorably upon the following petitions for Liquor License, to wit:

Clark & Johnson - retail

Jos. Gredelowsky - "

Chas. Willenburg - "

and upon said petition were granted.

The following report from the Committee on Streets, Alleys, &c, was read, to wit:

The Street Committee wish to report in the matter of the unsightly holes left in the sidewalk made by the removal of Electric Light poles; that they have seen the parties responsible for the same, and they have already commanded filling the same and promise they shall be filled at once.

Chas. W. Pauly

W. A. Day

A. B. Seybolt.

On motion of Delegate Marshall, the report was received and the Board of Public Works instructed to see that said work of refilling said holes is promptly done.

An Ordinance creating a Street Spinking Fund etc., was read and adopted by the following vote, to wit:

Ayer, Delegater = Marshall: Pauly: Julian: Pediger: Seybolt: Switzer: Hulbert: Kammann: Cooper & Bradt

Abst., Delegater = Hawitt & Heath.

Absent, Delegater = Wagner: Lyon: Darrow: Day: McElvania & Thompson.

Said ordinance is as follows, to wit:

"Ordinance No. 63.

An ordinance creating and establishing a Fund to be

known as the "Street Sprinkling Fund" and providing for and designating the funds into which all moneys arising from collection of Liquor Licenses shall be apportioned.

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

Section 1. There is hereby created and established a fund to be known as the "Street Sprinkling Fund" from which must be paid all expenses for sprinkling streets, including all expenditures for the purchase, by the City, of Sprinkling Carts.

Section 2.- All moneys arising from the levy and collection of Liquor Licenses within the City shall be apportioned to the following funds of the City as follows: one fifth thereof to the "Street Sprinkling Fund" the other four-fifths thereof to the "General Fund."

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage and adoption.

Delegate Hewitt tendered his resignation as a member of the Committee on Health and Morals. On motion of Delegate Pauly, the resignation was accepted.

On motion of Delegate Rediger the Mayor Veto of an Ordinance fixing the compensation of the Secretary of the Board of Fire Commissioners, was taken up for consideration. By Delegate Rediger moved to sustain said Veto, as set forth on page 341, of this record. The motion carried by the following vote, to wit:

Ayes, Delegates - Pauly: Julian: Rediger: Seybold: Switzer: Kammann and Bradt.

Nos, Delegates - Marshall: Hewitt: Heath: Hubert & Cooper.

Absent, Delegates - Wagner: Lyons: Darrow: Day: McElhaney: and Thompson.

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

"Resolved, that the Street Committee is hereby instructed to investigate the reason why work on the Streets has been suspended since the first day of February, 1890, and to report at the next meeting of this Board who is responsible for the suspension of said work."

Delegate Switzer asked to be excused, and on motion of Delegate Marshall, the request was granted.

In the matter of the Petition }
to have "H" st. bat 4th & 6th macadamized }

The Street Committee reported as follows, to wit:

Your Street Committee to whom was referred the within request, viz.: the substituting of macadam on 6th st. from 4th to 6th st. in place of Bitumin, would report that in their judgment the change should not be made.

Char. W. Parry

W. A. Day

A. B. Seybolt

Said report was adopted and it was so ordered.

In the matter of the Petition
to have 10 single Electric Lights }
placed on 6th street.

The Committee on
Electric Lights etc. reported as follows, to wit:

Your Committee on Electric Lights to whom was referred the within Petition, after duly considering the same recommend that the same be not granted.

John H. Marshall

R. G. Hubert

Said report was adopted and it was so ordered.

The following Concurrent Resolution (heretofore adopted by the Board of Alderman) was read, and adopted, to wit:

"Concurrent Resolution No. 22."

Be it Resolved by the Board of Alderman, of the City of San Diego, the Board of Delegates concurring, that the City Attorney be instructed to draft an ordinance prohibiting the running at large of animals within the limits south of the San Diego river, and providing a penalty for all persons allowing such animals to be at large.

The following Concurrent Resolution (heretofore adopted by the Board of Alderman) was read and adopted, to wit:

"Concurrent Resolution No. 21."

Be it resolution by the Board of Alderman, of the city of San Diego, the Board of Delegates there of concurring, that the Board of Public Works of said City be and it is hereby directed to at once ascertain the cost, capacity, utility and other qualities of the Studebaker springing carts or wagons manufactured and known as the Studebaker springing carts or wagons, and report to the Common Council the result of its investigation as soon as possible. And further resolved that said Board in addition to the foregoing special investigation, investigate any and all other watering carts and wagons at the same time and report its conclusions as to the

Comparative value and efficiency thereof."

Delegate Radiger offered the following resolution which was adopted, tonit:

"Resolved, that the City Attorney be instructed to render to this Board a legal opinion as to whether a member of this Board can absent himself for a period over 30 days, from the meetings of this Board (leave of absence or otherwise) without forfeiting his seat."

An Ordinance amending Ordinance No. 19. was read, and adopted by the following vote, tonit:

Ayer, Delegater = Marshall: Amly: Julian: Hawitt: Heath:
Seybold: Hubert: Kamman: Cooper and Bradt.
Noe, Delegater = Radiger.

Absent, Delegater = Wagner: Lyon: Davis: Day: Wetherbee:
Thompson and Switzer.

Said Ordinance is as follows, tonit:

Ordinance No. 64.

An ordinance amending section five of ordinance No. 19. entitled An Ordinance imposing municipal license in the City of San Diego, State of California, and providing the manner of issuing and collecting the same regulating the manufacture, sale and giving away of intoxicating liquor in said city, prescribing the duties of certain officers of said city, and fixing a penalty for its violation.

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

Sec. 1. That Section five of ordinance No. 19. and being entitled an ordinance imposing municipal license in the City of San Diego, State of California, and providing the manner of issuing and collecting the same, regulating the manufacture, sale and giving away of intoxicating liquor in said city, prescribing the duties of certain officers of said city and fixing a penalty for its violation, be so amended as to read as follows: Sec. 5. No license shall be ordered issued by the Common Council except upon a petition from the applicant therefor signed by five respectable tax payers of said city residing or doing business in the immediate vicinity where said liquor are to be sold and that the applicant is a sober and suitable person to keep and conduct said place of business. That all such petitions for said license shall be accompanied by the amount of money required by this ordinance as the rate to be paid for the kind of business asked for by said petitioner, and no petition shall be presented to the Common Council until the required amount of money has been deposited with the City Clerk before said petition is

presented to the Common Council. Should said license be refused the amount so deposited shall be returned to the applicant. All license money provided for shall be due and payable on the 10th day of each month, and in advance at the office of the Tax Collector of said city or hereinbefore. Provided that said Tax Collector must on the 12th day of each month furnish to the Chief of Police of said City a complete list of all persons to whom license has been issued for the preceding month, with the place of business of such persons who have not paid the license required to be paid on the 10th day of each month as herein provided. And in addition to all other duties imposed by this ordinance on said Chief of Police he shall visit immediately the places of the persons named in the list furnished to him by said Tax Collector and arrest the person or persons found at said place selling or giving away any spirituous, vinous, malt or other intoxicating liquor without the license required by this ordinance.

Sec. 2. That this ordinance shall take effect and be in force from and after its passage and ten days publication in the San Diego Daily Sun."

A Petition from E. W. Nottage, for permission to fire a salute on February 22, was read & granted.

A written opinion submitted by Jas. P. Goodwin, City Attorney, in compliance with Joint Resolution No. 46, was read by Delegate Kamman moved that said opinion be received and a Special Committee appointed to consider the same. The motion came ⁱⁿ thereto on motion of Delegate Marshall; Delegates Cope, Kamman & Julian were appointed for said Committee.

Whereupon the Board adjourned until Monday, Feby. 24, 1890, at 7.30 o'clock P.M.

*M. Glassaway
City Clerk*

*G. G. Brack
President Board of Delegates*

Adjourned Meeting.

Council Chamber of the Board of
Delegates, of the City of San Diego,
California, February 24-1890.

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

Present, Delegates - Wagner: Lyons: Pauly: Julian: Rediger: Hewitt: Heath: Thompson: Cyburt: Switzer: Culver: Kammann: Cooper: Bradt ^{and} Deputy Clerk Patton.

Absent, Delegates - Davis: Day: Mr. Wetherbee ^{and} Marshall.

The Minutes of an Adjourned Meeting, held February 17-1890, were read and approved.

After giving notice, President Bradt did, in open session sign Ordinance No. 63. being An Ordinance creating a Street Sprinkling Fund, etc.

Also Ordinance No. 66. being An Ordinance establishing the grade of 4th street from the south line of "K" street to a point 300 feet south of the south line of "K" street.

Also Ordinance No. 64. being An Ordinance amending Sec. 5. of Ordinance No. 19.

A Message from Mayor Gunn, stating that he had appointed Nat Kennedy, City Treasurer and Tax Collector, to fill the vacancy caused by the resignation of T. M. Dodge; was read and filed.

A Message from the Mayor, showing his approval of Ordinance No. 61.; was read and filed.

A Communication from the Board of Public Works recommending the use of Porphry Macadam for all suburban streets, and giving the comparative merit of the same; was read and filed.

A Communication from the Board of Public Works, relative to the resolution of intention to grade curb and gutter 5th street from "B" to "W" straat; was read and filed.

The following Report from the Street Committee, was also read & filed, vizt:

The Street Committee to whom was referred the Resolution of Intention to macadamize curb and gutter 5th street from "B" to "W" straat respectfully report that a meeting representing a majority

of the frontage was presented against macadamizing, but that participants agree that the present condition of the street demands improvement, and that they will not resist the grading, curbing and guttering of the same. In pursuance of this understanding your Committee presents herewith and recommends the passage of a Resolution of Intention to grade said 5th street from the south line of B street to the south line of Myer street and to curb and gutter the same, the gutters to have a width of five feet to be carried across intersections and the curbs to be of concrete.

Respectfully submitted

Chas. M. Pauly

W. R. Day

A. B. Seybolt.

A Resolution of Intention to Pare, Curb & sidewalk 4th street from "K" to "A" streets, was read by Delegate Kammann moved to adopt.

Delegate Wagner moved to amend by inserting "L" street instead of "K" street. The amendment was lost and thereupon the original motion was carried by the following vote, twit:

Ayer, Delegates = Wagner: Lyon: Pauly: Pechiger: Hawill: Thompson: Seybolt: Switzer: Hubert: Kammann: Cooper and Bradt.

Nos, Delegates = Julian and Heath.

Said resolution is as follows. twit:

Resolution of Intention to Pare, Curb and sidewalk 4th st. from "K" to "A".

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. twit: that Fourth street in said city from the North line of "A" street to the south line of "K" street, and the entire crossing thereof with the streets intersecting the same between said limits, 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 paved, curbed and sidewalked in the manner following. twit:

The paving shall have a broken stone base eight inches in thickness and a natural vituminous rock wearing surface two inches in thickness, be constructed in accordance with the specifications here for contained in Subdivision I. of Special Specification No. 2. of Section 3. of Ordinance No. 29. and extend from curb line to curb line except in front of lots A. B. C. D. E. and F. Block 43. where it shall extend only to the gutter line and be properly joined with the gutter already done.

of the frontage was presented against macadamizing, but that importantants agree that the present condition of the street demands improvement, and that they will not resist the grading, curbing and guttering of the same. In pursuance of this understanding your Committee presents herewith and recommends the passage of a Resolution of Intention to grade said 5th street from the south line of B street to the south line of Myer street and to curb and gutter the same, the gutters to have a width of five feet to be carried across intersections and the curb to be of concrete.

Respectfully submitted

Chas. M. Pauly
W. R. Day
A. B. Seybolt

A Resolution of Intention to pave, curb & sidewalk 4th street from "K" to "A" streets, was read by Delegate Kammann moved to adopt.

Delegate Wagner moved to amend by inserting "L" street instead of "K" street. The amendment was lost and thereupon the original motion was carried by the following vote, twit:

Ayer, Delegates - Wagner: Lyon: Pauly: Reigher: Hawill: Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and Bradt.

Nos, Delegates - Julian and Heath.

Said resolution is as follows, twit:

Resolution of Intention to pave, Curb and sidewalk 4th st. from "K" to "A".

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, twit: that Fourth street in said city from the North line of "A" street to the south line of "K" street, and the entire crossing thereof with the streets intersecting the same between said limits, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, to be paved, curbed and sidewalked in the manner following, twit:

The paving shall have a broken stone base eight inches in thickness and a natural bituminous rock wearing surface two inches in thickness, to be constructed in accordance with the specifications herefor contained in Subdivision I. of Special Specifications No. 2. of Section 3. of Ordinance No. 29, and extend from curb line to curb line except in front of lots A. P. C. D. E. and F. Block 43, where it shall extend only to the gutter line and be respectively joined with the gutter already done.

Ayer, Delegater = Wagner: Lyons: Pauly: Julian: Pediger: Hamill:
Heath: Thompson: Seydel: Switzer: Fulbert: Kammann: Coopers
and Braut.

Moer = None.

Absent, Delegater = Marshall: Darrow: Day and Webster.

Said resolution is as follows. Avit:

Resolution of Intention to macadamize, curb,
gutter and sidewalk 4th street from A. to Ivy.
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. Avit: that Fourth street in said
city from the north line of A. street to the south line
of Ivy street and the entire curving thereof with the
streets intersecting the same within said limits, 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 macadamized, curbed,
guttered and sidewalked in the manner following
Avit: the macadamizing shall be conducted in ac-
cordance with the specifications for "residence streets"
contained in Special Specifications No. 7, Section 2, of
Ordinance No. 29. The curbing shall be of redwood
planks 3" x 16" inches in size in front of property
and otherwise constructed in accordance with the
specifications therefor contained in Subdivision 7, of
Section One, of Ordinance No. 29 and the corners or re-
turns shall be of artificial stone or concrete, and
constructed in accordance with the specifications therefor
contained in Subdivision 6, of Section One of Ordinance
No. 29, except that the width of the curb shall be
six inches, and said curbing shall extend along both
sides of said street except in front of lots G. H.
and I. Block 200, already done.

The guttering shall be five feet in width of forty eight
blocks of irregular sizes constructed in accordance with
the special specifications therefor contained in Subdivi-
sion 8, of Section One of Ordinance No. 29 shall extend
along both sides of said street, and be carried across
intersection where it shall be ten feet in width, and
shall conform to the plan and cross-section thereof on
file in the office of the City Engineer.

The sidewalking shall be of artificial stone or concrete
five feet in width with solid corners and constructed
as follows: the base or foundation shall be three (3)
inches in thickness and composed of one part of
the best Portland Cement, three (3) parts of coarse,
clean sharp sand, and six (6) parts of rough
broken stone that will pass through a two inch ring.
placed on a firm sub-grade and well tamped.
The wearing surface shall be three - fourths ($\frac{3}{4}$) of one

inch in thickness, composed of equal parts by measure of the best Portland Cement and clean sharp sand, colored to a dark slate color, finished with a trowel and marked off in regular squares: after having set for twelve hours it shall be covered with earth or sand two inches deep and kept so covered for ten days: and it shall extend along both sides of said street except in front of lots G. H. & I. in Block 200 already done. All work shall be done conformably to the provisions of Ordinance No. 29 & 33.

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 for six days as often as said newspaper is issued thence. The Clerk of this City is hereby directed to publish and post this Resolution for two days in the manner prescribed by law.

A Communication from the Board of Public Works recommending the removal of the Garbage Dump, together with a request from the Standard Commercial Co. that the same be removed: was read and referred to the Committee on Harbor & Wharf.

Delegate Kamman moved that the vacancy on the Harbor & Wharf Committee, caused by the absence of Delegate Mathews, be temporarily filled. The motion carried and thereupon the President appointed Delegate Kamman.

Delegate Marshall has entered & took his seat in the Board.

In accordance with notice given Delegate Rediger moved to reconsider the vote previously taken & entered upon page 367 of this record, upon an Ordinance transferring \$1000. from the General to the Salary Fund. The motion carried. Resolution and Ordinance were read. The Finance Committee offered a report recommending that said Ordinance be not adopted.

Delegate Rediger moved to adopt said Ordinance as read. The motion carried by the following vote. Tenth:
Ayer, Delegates = Wagner: Lyon: Pauly: Julian: Rediger:
Thompson: Seybold: Switzer: Mulvaney: Kamman: Cooper:
and Bradt.

Present Delegates = Marshall: Huitt and Heath.

Absent Delegates = Davies: Day: Mathews.

Said Ordinance is as follows. Tenth:

The following report from the Joint Water Committee recommending a schedule of water rates for the ensuing year, was read. ~~Joint~~ ^{Joint} Ordinance No. 62.

SAN DIEGO, February 24, 1890.
To the Common Council of the City of San Diego,
California:

We, the Joint Water Committee of the Common Council, respectfully report as follows:

That after a thorough investigation pertaining to the fixing of the water rates for the City of San Diego and the inhabitants thereof, and after examining numerous witnesses, and after having fully heard all statements and claims made by the San Diego Water Company, and having fully considered the same, (the said corporation being the only person or corporation furnishing water to the city or its inhabitants) we submit the following report as the result of fifteen days' investigation, and recommend its adoption:

First.—We find that the total value of construction of the plant of the San Diego Water Company and the value of all items connected in any manner with the furnishing of water to said city and its inhabitants to be \$581,290.81.

Second.—We find that computing the interest at 6 per cent on the above value to amount to the sum of \$34,877.90.

Third.—We find the operating expenses and taxes for the year 1889 to amount to the sum of \$25,219.51, the last two sums making a total of \$83,097.31, this amount being the sum necessary to be raised to provide for said company a reasonable compensation for the furnishing of water to said city and its inhabitants, based upon the value of the plant and operating expenses of the same.

In order that your committee should be able to recommend to you the method for providing this necessary amount, we have proceeded as follows: We have found that the total earnings of said company for the year 1889 amounted to \$102,411.85; of this amount \$12,396.45 was for fire hydrants. The last said amount being deducted from the total earnings, leaves \$90,015.36, as earnings from all other sources for the year 1889.

As stated above the necessary amount to be raised for the coming year is the sum of \$63,497.31; of this amount we recommend the sum of \$18,500 be paid by the city for the use of 185 fire hydrants at \$100 each (said amount to be in monthly payments), leaving a balance to be provided for of \$44,997.31.

As before stated the earnings of said company for 1889 was \$102,411.85 less the sum of \$12,396.45, amount of revenue from hydrants for 1889, leaves a balance of \$90,015.36. The one-half of this sum is \$15,022.68, which is \$425.37 in excess of the amount necessary to be raised to complete the full amount, \$63,097.31, the amount as heretofore stated to be necessary to furnish to said San Diego Water Company a reasonable compensation for furnishing water to said City of San Diego and its inhabitants.

As shown by your committee and by the above statement, we would respectfully recommend the adoption of the following rates, to be paid to said San Diego Water Company by the City of San Diego and its inhabitants, for the year beginning July 1, 1890, and ending June 30, 1891.

First.—For water furnished tenements occupied by a family of not more than three persons, 75 cents per month, and for each additional person 15 cents per month.

Second.—To stores and warehouses from \$2 to \$3 per month.

Third.—To small stores and business offices, \$1 each per month.

Fourth.—To saloons from \$2 to \$5 per month.

Fifth.—To dent 1 rooms \$1.50 per month.

Sixth.—To bakeries for monthly use of flour, for each 25 barrels, \$2 per month.

Seventh.—To wagon and blacksmith shops from \$2 to \$3.50 per month.

Eighth.—To livery stables, including carriage washing, for each horse 35 cents per month.

Ninth.—To feed yards from \$3 to \$5 per month.

Tenth.—To persons slacking lime 10 cents per barrel and cement 10 cents per barrel,

If contractors desire meter the water company

must furnish it, by contractor paying for placing it, as hereinafter provided.]

Eleventh.—To persons wetting brick 10 cents per 1,000.

[If contractor desires meter the water company must furnish it, by contractor paying for placing it, as hereinafter provided.]

Twelfth.—To persons keeping horse and carriage 25 cents per month, for first horse and carriage and 25 cents for each additional horse.

Thirteenth.—To barber shops of single chair 50 cents per month, for each additional chair 25 cents per month.

Fourteenth.—To water troughs on sidewalks from \$2.00 to \$5.00 per month.

Fifteenth.—To water closets, private, 25 cents per month, and for each urinal 15 cents per month.

Sixteenth.—To water closets, public, \$2.00 each per month, and for each urinal 50 cents per month.

Seventeenth.—To bathe tubs private, 35 cents per month each.

Eighteenth.—To bath tubs, public, in barber shops and boarding houses, \$1.25 each tub per month.

Nineteenth.—To horses, mules and cows, 25 cents per month each.

Twenty-first.—To coffee houses open day and night, from \$2.00 to \$3.00 per month.

METRE RATES.

Twenty-first.—The rates for water furnished to consumers in any one month through metres are fixed as follows:

Twenty-two and one-half cents per 100 cubic feet, or 30 cents per 1,000 gallons, provided the amount

used shall not exceed 1,333 $\frac{1}{3}$ cubic feet, or 10,000 gallons per month.

Eighteen and three-fourth cents per 100 cubic feet, or 25 cents per 1,000 gallons provided the amount used shall be between 1,333 $\frac{1}{3}$ cubic feet and 4,000 cubic feet, or 10,000 gallons and 30,000 gallons.

Fifteen cents per 100 cubic feet, or 20 cents per 1,000 gallons, provided the amount used shall be between 4,000 and 13,333 $\frac{1}{3}$ cubic feet, or 30,000 gallons and 100,000 gallons.

Eleven and one-fourth cents per 100 cubic feet, or 15 cents per 1,000 gallons, provided the amount used shall exceed 13,333 $\frac{1}{3}$ cubic feet, or 100,000 gallons.

METRE RATES FOR SHIPPING.

Water shall be furnished and delivered by meter measurement to shipping lying alongside of any of the wharves on the water front where water pipes or mains are laid, between the hours of 6 o'clock a. m. and 6 o'clock p. m., daily upon application being made therefor, at the following rates:

Seventy-five cents per 100 cubic feet, or \$1.00 per 1,000 gallons.

Water shall be supplied and delivered to water supply boats at any of the wharves on the water front, as above mentioned, between the hours of 6 o'clock a. m. to 6 o'clock p. m., daily, for the purpose of supplying shipping in the bay of San Diego, upon application being made therefor, at the following rates:

No water boat furnishing and supplying water to shipping lying at anchor within the limits of the waters of the City of San Diego shall charge a rate exceeding \$3.00 per 1,000 gallons.

Twenty-second.—Where the water is furnished to hotels, steam engines, gas machines or works, wash houses (Chinese or otherwise), street and sidewalk sprinkling, washing store and shop fronts, and for irrigating, where satisfactory rates cannot be agreed upon, the meter rates shall govern.

Twenty-third.—Rent for each fire hydrant and for water used through such hydrant, \$100 per year, to be paid monthly to the city. New hydrants to be located upon order of the Common Council, and the same rate to prevail up to 200 hydrants, all over

200 hydrants at \$60. per year, payable in the same manner provided that the persons, associations or companies furnishing water through hydrants to the City shall maintain a pressure of 40 lbs. at the hydrant at the corner of Fifth and F Streets, and a proportionate pressure at all other hydrants to entitle such person, association or company to the hydrant rate provided in this ordinance, and further that upon an alarm of fire a full fire pressure shall be immediately turned on.

Twenty-fourth.—All water used for city purposes, shall be charged at meter rates, except those hereinafter mentioned.

Twenty-fifth.—All water used for street sprinkling purposes to be charged at the rate of 10 cents per 1,000 gallons.

Twenty-sixth.—All water used for flushing sewers to be charged at the rate of 15 cents per 1,000 gallons.

Twenty-seventh.—For water required and used for purposes not specified in the above rates, the rates shall be in accordance with and in conformity to said above rates.

Twenty-eighth.—The water company is hereby authorized to collect from the owners or their agents the sum of 50 cents for each 50 foot lot, 25 cents for each 25-foot lot, in the residential portion of the city (providing said lot is occupied as a dwelling house), for the period of seven months of the year commencing July 1, 1890, and running to December 1, 1890, and beginning May 1, 1891 and running to July 1, 1891, but said water company shall not be permitted to collect more than 50 cents for said 50-foot lot or 25 cents for each 25-foot lot; and any other charge made for irrigating any other lot or portion of lot shall be at the same rate as above, and shall be on application to said water company by said owner or his agent, and upon such application to run for the said period of seven months.

Twenty-ninth.—The water company shall make no charge for any stand pipe or fire apparatus, connected with their mains, and to be used only in case of fire.

Section 2. Any person or association or persons or water company so furnishing water in said city shall have power in all cases to apply meters and collect all meter rates. Any water-rate payer shall have the right to demand a meter and pay a meter rate for water, upon tendering to any person, association or company furnishing water the sum of \$7 for placing and connecting the same to the supply pipe of such water-rate payer; and upon the demand and tender of said sum by any water-rate payer, it shall be the duty of any such person, association or company to furnish, place, connect and maintain such meter; provided any person, company or corporation may charge the special house rates as heretofore fixed instead of meter rates.

If any consumer after having a meter put in discontinues or abandons the use thereof, he shall pay to the owner of the same \$3 for removing it. All water rates, except meter rates, are due and payable monthly in advance on presentation of bill, and if not so paid shall be subject to an addition of 5 per cent. Meter rates are due and payable monthly on presentation of bill, and if not so paid shall be subject to an addition of 5 per cent.

Section 3. The water company, association, corporation or person engaged in the business of supplying or furnishing water, by their or his authorized agents, shall be allowed free access to make personal examination of the premises of any applicant for, or consumer of water to designate the rates as herein established and for inspection of water pipes and apparatus.

And we, your committee, further recommend that the City Attorney be instructed to draw an ordinance in accordance with this report. Very respectfully,

H. F. NORCROSS.
JOHN C. FISHER.
D. CAVE.
JOHN H. MARSHALL.
FRANK C. THOMPSON.
R. G. HULBERT.

Delegate Switzer moved that the report be adopted. The motion carried and it was so ordered.

After giving notice, President Bradt did, in open session, sign Ordinance No. 62, Vizing An Ordinance transferring \$4000. from the General to the Salary Fund.

A Concurrent Resolution providing for the removal of the Electric Light towers on 5th street and for a system of low lights on 4th, 5th, 6th & 7th streets: was read & referred to the the Committee on Electric Lights, &c.

Delegate Ridder asked to be excused, and on motion of Delegate Switzer the request was granted.

A Petition to the "Pound Ordinance" as passed by the Board of Aldermen, was read & filed.

An Ordinance establishing a Pound and Pound keeper, was read and Delegate Ridder moved that the Ordinance be amended so that in Section 3 & 4, the boundaries shall include the entire City limits.

Delegate Hulbert moved to amend the amendment by referring to the Committee on City Limits. The amend-

ment
removing four thousand
dollars from the General
Fund to the Salary Fund.
Be it ordained by the
Common Council of
the City of San Diego
as follows:

Sec. 1. That there is hereby
transferred from the
General Fund for the
year 1890, to the Salary
Fund of said city
the sum of four
thousand dollars.

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

ment to the amendment was lost. Whereupon the amendment was put and carried & it was so ordered. Delegate Heath moved the amendment that in Section 2. and immediately after the word "Mayor" the words "and confirmed by the Board of Delegates" be inserted. This amendment carried & it was so ordered.

Delegate Cuyler moved the amendment that all that portion of Section 2. relating to the appointing power of the Mayor, be struck out. This amendment was lost.

Whereupon said Ordinance as amended, was adopted by the following vote. vizt:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauly: Hawitt: Heath: Switzer: Hulbert: Kammann & Cuyler.

Nos, Delegates = Bradt: Julian: Thompson & Seybolt.

Absent, Delegates = Davis: Day: Rediger & Metherbaran.

Said Ordinance is as follows. vizt:

(If amendments are concurred in by Board of Aldermen. See page 430. for this ordinance.)

An Ordinance apportioning the interest accruing on the public moneys of the City of San Diego to certain funds was read & adopted by the following vote. vizt:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauly: Julian: Hawitt: Heath: Thompson: Seybolt: Hulbert: Kammann: Cuyler and Bradt.

Nos, Delegate Switzer.

Absent, Delegates = Davis: Day: Rediger & Metherbaran.

Said Ordinance is as follows. vizt:

Ordinance No. 68.

An Ordinance apportioning the interest accruing on the public moneys of the City of San Diego to certain funds of said city.

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

Sec. 1. That all moneys accruing as interest on the public moneys of the City of San Diego, &c and the same are hereby apportioned to the following funds of said city, vizt: the interest accruing on all School moneys to the "School Fund" and the interest accruing on all other moneys to the "Street Cleaning Fund", and the Auditor of said City is hereby instructed to place to the credit of said funds all moneys so accruing as interest on said public moneys.

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

Delegate Hulbert asked to be excused & on motion of Delegate Wagner the request was granted.

An Ordinance regulating Blasting, was read and adopted by the following vote. Amtit:

Ayer, Delegates = Magner: Gym: Marshall: Pauly: Julian:
Harriet: Heath: Thompson: Seybolt: Smitzer: Kammann:
Casper & Brach.

Nos = None.

Absent, Delegates = Darius: Day: Pediger: Metherbee: & Culbert.
Said Ordinance is as follows. Amtit:

"Ordinance No.

An Ordinance to regulate blasting within the city limits.
Be it ordained by the Common Council of the City of
San Diego as follow:

Section 1. It shall be unlawful to explode any
blasts or use any powder or other explosive ma-
terial for the purpose of blasting anywhere within the
City limits of San Diego, south of the San Diego river
without first obtaining permission in writing from
the Board of Public Works, and no blasting of any
character whatever will be allowed within twenty
feet of any brick building. All blasts must be cov-
ered with timber, planks or other heavy material
sufficiently to prevent fragments of rock or earth
from being thrown against or upon adjacent lots or
buildings or upon any public highway. Before ex-
ploding any blasts warning must be given to all
persons in the vicinity, and to all persons living
in the neighborhood of such blasts. All contractors or
owners of property or corporations doing such work
shall be required to give a good and sufficient
bond, subject to the approval of the Board of Public
Works, for the payment of all damage resulting
from blasting performed or ordered by them, and all
such persons will be held responsible for damage or
injury to persons or property.

Section 2. All persons violating any of the provisions of
this ordinance shall be subject to a fine of any
sum not exceeding Five Hundred Dollars.

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

Resolved the Board adjourned until February 25-1890.
at 7.30 o'clock P.M.

W.W. Glassaway.

City Clerk

G.G. Brach

President Board of Delegates

Adjourned Meeting.

Council Chamber of the Board of
Delegates, of the City of San Diego,
Calif. February 25-1890.

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: Julian: Henitt: Heath: Thompson: Seybold: Switzer: Hubert: Kammann: Bradt and Deputy Clerk Patten.

Absent Delegates - Lyon: Danner: Day: Radiger: Webberbar: and Cooper.

The following report from the Street Committee was read and filed, to wit:

"We your Street Committee to whom was referred the annexed resolution beg leave to report the reason that street work was suspended during a portion of the month of Feb. is as follows: There being an unexpended balance in Street Fund Dec 31st. 1889. the expenditures for street work for Jan. 1890. were paid out of said balance but the question of legality in using said balance for work of 1890. having raised and the attention of the Auditor having been drawn thereto, he notified the Board of Public Works that no warrants for pay of street work would be drawn by him until the question was settled. For this reason the Board of Public Works suspended street work until an opinion from the City Attorney could be had. The opinion of the City Attorney was to the effect that all surplus moneys of 1889. could be used in payment of debts incurred in 1890. and upon the receipt of said opinion street work was resumed, Feb. 13. 1890.

Chas. W. Pauly
A. P. Seybold."

The following Street Committee report was read, to wit:

"We, your Street Committee to whom was referred the Petition of J. P. Jones to close streets in Silver Terrace report as follow: we recommend that the Petition be granted, and that the Board of Public Works be instructed to cause the proper legal steps to be taken for closing said streets.

Chas. W. Pauly
A. P. Seybold."

On motion of Delegate Hubert the report was adopted & the City Attorney instructed to forward an Ordinance providing for closing said streets.

A Petition from Fred A. Pinney in regard to the taxes on Lot 30, Block 171, Cormado, was read and referred to the City Attorney.

Delegate Marshall was here temporarily excused.

The City Clerk presented the affidavit of Wm. W. Roe, Principal Clerk of the printers and publishers of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates of the City of San Diego, California, January 20th, 1890, and by the Board of Aldermen, of said City, January 21st 1890,) declaring the intention of the Common Council, of said City, to order the following street work to be done forthwith: That "O" street in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, and except the crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner following: the curbing shall be of granite constructed in accordance with the specifications therefor contained in Subdivision 5, of Section one of Ordinance No. 29, and extend along both sides of said street, except in front of Lot A, Block 36, already done. The gutters shall be faced with granite blocks constructed in accordance with the specifications therefor contained in Subdivision 8, of Section 7, of Ordinance No. 29, and extend along both sides of the street. The paving shall have a broken stone base eight inches in thickness, and a natural bituminous rock wearing surface two inches in thickness, and be constructed in accordance with the specification therefor contained in Subdivision one of Section 3, of Ordinance No. 29. All work shall be done in conformity to and the Contractor shall be governed and bound by the provisions and specifications contained in Ordinance No. 29, and 33, - was published in said newspaper on the 1st and 3rd days of February, 1890. Said affidavit was filed.

The City Clerk also presented his affidavit showing that he did, on the 29th day of January, 1890, 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 Alderman; and In the lobby of the Post Office - all in the City of San Diego, California, copies of the above and foregoing mentioned resolution of intention to improve "O" street in said city, from 4th to 6th street, 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 Wm. M. Ross, Commissioner Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work", bearing a notice of the passage, by the Common Council, of said city, of the above described resolution to improve C. Street in said city, from 4th to 6th streets - was published in said newspaper from the 3rd day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingill, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of C. Street in said city, from the east line of 4th street, to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block, liable to be assessed, "notice of Street Work", bearing notices of the passage, by the Common Council, of said city, of the above and before mentioned resolution of intention to improve C. Street in said city, from 4th to 6th streets, 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 proof has been made of the passage, by the Common Council, of said city, of the resolution of intention to curb, gutter and pave C. Street, in said city, from the east line of 4th street, to the West line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, and except the curving at the intersection thereof with 5th street, in the manner hereinbefore set forth upon pages 383 & 384, 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, having expired and no objection having been filed by a majority of the owners of frontage of property fronting on said proposed work or improvement; whereupon a resolution ordering the paving of C. Street from 4th to 6th was read and adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Pauly: Julian: Hawitt: Heath: Thompson: Seybold: Sauter: Hubert: Kammann: Aug Brach
Noes = None.

Absent Delegates - Lyons: Marshall: Darrow: Day: Rediger:
Matthews by Courier.

Said resolution is in words and figures following, to wit:

Resolution ordering the paving of C street from 4th to 6th.

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by the public interest and convenience and hereby order the following street work to be done, to wit: that "C" street in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon and except the crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner following, to wit:

The curbing shall be of granite and constructed in accordance with the specifications therefor contained in Subdivision 5, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of lot "A" Block 36, already done.

The gutter shall be paved with granite blocks and constructed in accordance with the specifications therefor contained in Subdivision 8, of Section one, of Ordinance No. 29.

The paving shall have a broken stone base eight inches in thickness and a natural bituminous rock wearing surface two inches in thickness and be constructed in accordance with the specifications therefor contained in Subdivision One, of Section 3, of Ordinance No. 29. All work shall be done in conformity to and the contractor shall be governed and bound by the provisions and specifications contained in Ordinances No. 29 and No. 33.

The Clerk of this city is hereby directed to post conspicuously for five days on or near the Council Chamber door of this City notice hereof with specifications inviting sealed proposals or bids for said work and requiring therewith a certified check or 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, thereon and hereby designated for that purpose, both a copy of this resolution and also after its posting, his notice of such posting, each for two days."

The City Clerk presented the affidavit of Wm. M. Pre, principal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the Resolution (signed by the Board of Alderman

of the City of San Diego, California, January 21-1890, and by
 the Board of Delegates, of said City, (January 27-1890,) de-
 claring the intention of the Common Council of said City, to
 order the following street work to be done, to wit: that "D."
 street in said City, from the east line of Front street
 to the West line of Third street, and the entire crossings
 thereof with the streets intersecting the same between said
 limits, 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 guttared
 and macadamized in the manner following, to wit: The gutters
 shall be paved with granite blocks in accordance
 with the specifications thereon contained in subdivision 8.
 of Section One, of Ordinance No. 29, and the macadamizing
 shall be constructed in accordance with the specifications
 for "Business Streets" contained in Section 2. of Ordinance
 No. 29. All work provided for hereby shall be done in
 conformity with, and contractors shall be governed and
 bound by the provisions of said Ordinance No. 29, and
 Ordinance No. 53 = was published in said newspaper
 on the 1st and 3rd days of February, 1890. Said Affidavit
 was received and placed upon file.

The City Clerk also presented his affidavit showing
 that he did, on the 30th day of January, 1890, post con-
 spicuously 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; In the Lobby of the
 Post Office, all in the City of San Diego, California, copies
 of the above mentioned Resolution of Intention to im-
 prove "D." street, from Front to 3rd streets, 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 Wm. M.
 Roe, Municipal Clerk of the Seminary and publisher 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" being a notice of the
 passage, by the Common Council of said city, of the above
 described resolution of intention to improve "D." street
 in said city, from Front to 3rd streets = was published
 in said newspaper from the 3rd day of February, 1890, to
 the 11th day of February, 1890, both days inclusive. Said af-
 fidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos
 Pettigee, Street Superintendent of the City of San Diego,
 California, showing that he caused to be conspicuously
 posted along the line of "D." street in said city, from
 the east line of Front street to the West line of Third
 street, at not more than 300 feet in distance apart

not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "notices of street work" bearing notices of the passage by the Common Council of said city, of the above and beforementioned resolution of intention to improve "D" street in said city, from Front to 3rd streets, 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 proof has been made of the passage by the Common Council of said city of the resolution of intention to gutter and macadamize "D" street in said city, from the East line of Front street to the west line of 3rd street and the entire crossings thereof with the streets intersecting the same between said limits, except such portions thereof as is required by law to be kept in order or repair by my person or company having railroad tracks thereon in the manner hereinbefore set forth upon page 386. of this record by the ten days after the expiration of the time of publication and posting of the notice of the passage of said resolution having expired, and no objection having been filed by a majority of the owners of frontages of property fronting on said proposed work or improvement: Thereupon a resolution ordering the macadamizing of "D" street from Front to 3rd, was read and adopted by the following vote, to wit:

Ayer, Delegator - Wagner: Fairly: Julian: Huitt: Heath:
Thompson: Leybold: Snyder: Stulbark: Kammann and Brack.
Moer, None.

Absent Delegator - Lyons: Marshall: Darrow: Day: Badger:
Mathesbae and Cooper.

Said resolution is in words and figures following. To wit:

Resolution ordering the macadamizing of "D"
street, from Front to 3rd.

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by the public interest and conveniences and hereby order the following street work to be done, to wit: that "D" street in said City, from the east line of Front street to the west line of Third street and the entire crossings thereof with the streets intersecting the same between said limits except such portion thereof as is required by law to be kept in order or repair by my person or company having railroad tracks thereon - be guttered and macadamized in the manner following to wit: the gutters shall be paved with granite blocks in accordance with the specifications herefor contained in Subdivision eight, of Section One, of Ordinance No. 29, and the

macadamizing shall be constructed in accordance with the specifications for "Business Streets" contained in Section two of Ordinance No. 29. All work shall be done in conformity with, and contractor shall be governed and bound by the provisions of said Ordinance No. 29. and Ordinance No. 33.

The Clerk of this 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 sealed proposals or bids for said work and requiring therewith a certified check or 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, thereon and hereby designated for that purpose with a copy of this Ordinance and also after its posting his notice of such posting each for two days."

The City Clerk presented the affidavit of Wm. W. Roe, Associate Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the city of San Diego, California, showing that the Resolution (passed by the Board of Delegates of the City of San Diego, California, January 20-1890. and by the Board of Alderman, of said city, January 21-1890) declaring the intention of the Common Council of said city, to order the following street work to be done to wit: that "D" street in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon and except the curbing at the intersection thereof with 5th street be curbed, gutted and paved in the manner following, to wit: the curbing shall be of granite and constructed in accordance with the specifications thereon contained in Subdivision 3, of Section One, of Ordinance No. 29. and extend along both sides of said street, except in front of Lots F Block 36, Lots C and G. Block 35; Lots A. and L. Block 43; Lot A. Block 44; Lot L. Block 44; already done. The guttering shall be of granite blocks and constructed in accordance with the specifications thereon contained in Subdivision 8, of Section one, of Ordinance No. 29. and extend along both sides of said street, except in front of Lots A. and L. Block 43. in Lot L. Block 44, already done. The paving shall have a broken stone base eight inches thick and a natural bituminous rock wearing surface two inches thick and be constructed in accordance with the specifications thereon contained in Subdivision One, of Section 3, of Ordinance No. 29. all work

shall be done in conformity to, and the contractor shall be governed and bound by the provisions and specifications contained in Ordinance No. 29 and 53. was published in said newspaper on the 1st and 3rd days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit showing that he did, on the 29th day of January, 1890, post conspicuously in the following places, viz: 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, all in the City of San Diego, California, copies of the above and foregoing mentioned resolution of intention to improve "D" street, from 4th to 6th streets, 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 Wm. M. Row, Seminary Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "notice of street work" being a notice of the passage by the Common Council of said city, of the above described resolution to improve "D" street in said city, from 4th to 6th streets, was published in said newspaper from the 5th day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Gettigell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of "D" street in said city, from the East line of 4th street to the West line of 6th 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 arrested, "notice of street work". Being notice of the passage by the Common Council of said city, of the above and beforementioned resolution of intention to improve "D" street in said city from 4th to 6th streets, 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 proof has been made of the passage by the Common Council, of said City, of the Resolution of Intention to curb, gutter and pave "D" street in said city, from the East line of 4th street to the West line of 6th street, except such portion thereof as is required by law to be kept in order or repaired by any person or company having

railroad tracks thereon, and except the crossing at the intersection thereof with 3rd street in the manner hereinbefore set forth upon pages 388 & 389. of this record on the ten days after the expiration of the time of publication and posting of the notice of the passage of said Resolution having expired, and no objection having been filed by a majority of the owner of frontage of property fronting on said proposed work or improvement: whereupon a resolution ordaining the paving of Dth street from 4th to 6th was read and adopted by the following vote. ~~twit~~:

Ayes. Delegatus = Wagner: Pauly: Julian: Hawitt: Heath: Thompson: Seybolt: Switzer: Hilbert: Kammann and Bradt
Noes. None.

Absent. Delegatus = Lynn: Marshall: Daniels: Day: Radiger: Matherbae and Cooper.

Said resolution is in words and figures following. And:

Resolution ordaining the paving of D. street from 4th to 6th.

Resolved, that the Common Council of the City of San Diego, California, claim it to be required by the public interest and convenience and hereby order the following street work to be done, to wit: That Dth street in said city, from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon and except the crossing thereof at the intersection thereof with 3rd street, be curbed guttered and paved in the manner following, to wit: The curbing shall be of granite and constructed in accordance with the specification therefor contained in Subdivision five, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lots F. Block 36, Lots C¹ and G. Block 35, Lots A. and L. Block 43, Lot A. Block 44, and Lot L. Block 44, already done. The guttering shall be of granite blocks and constructed in accordance with the specification therefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lots A. and L. Block 43, and Lot L. Block 44, already done. The paving shall have a broken stone base eight inches thick and a natural vituminous rock wearing surface two inches thick and be constructed in accordance with the specification therefor contained in Subdivision 1, of Section three, of Ordinance No. 29. All work shall be done in conformity to and the contractor shall be governed and bound by the provisions and specifications contained in Ordinances No. 29, and No. 53. The Clerk of this city is hereby directed to post

Consecutively for five days on or near the Council Chamber
dom of this city, notice having with specifications inviting
sealed proposals or bids for said work and requiring
therewith a certified check or a bond, either, for an amount
not less than ten per cent of the aggregate of the
proposals, all as prescribed by law. He is also di-
rected to publish in the San Diego Daily Sun, a daily
newspaper published and circulated in this city, thereto
and hereby designated for that purpose, with a copy
of this resolution, and also after its posting for notice
of such posting, each for two days."

The City Clerk presented the affidavit of Wm. W. Eva,
principal Clerk of the printer and publisher of the
San Diego Daily Sun, a daily newspaper printed and
published in the city of San Diego, California, showing that
the resolution (passed by the Board of Delegates, of the
city of San Diego, California, January 28-1890, and by the
Board of Aldermen, of said city, January 21-1890) de-
claring the intention of the Common Council, of said
city, to ordain the following street work to be done, to wit:
that E. street in said city, from the east line of 5th
street to the west line of 6th street, except such
portion thereof as is required by law to be kept in
order or repair by any person or company having
railroad tracks thereon, be curbed, guttered and paved
in the manner following, to wit: The curbing shall be
of granite and constructed in accordance with the
specifications thereon contained in Subdivision 5, of Section
7, of Ordinance No. 29, and extend along both sides of
said street, except in front of Lot F Block 44, already
done. The guttering shall be of granite blocks and
constructed in accordance with the specifications thereon
contained in Subdivision 8, of Section one, of Ordini-
ance No. 29, and extend along both sides of said
street. The paving shall have a broken stone base
eight inches thick and a natural vitrified rock
bearing surface two inches thick, and be constructed
in accordance with the specifications thereon contain-
ed in Subdivision one, of Section 3, of Ordinance No. 29.
All work shall be done in conformity with, and the con-
tractor shall be governed by the provisions and spec-
ifications of Ordinance No. 29, and No. 33, - now sub-
mitted in said newspaper on the 1st and 3rd days of
February, 1890. Said affidavit was received and placed
upon file.

The City Clerk also presented his affidavit showing
that he did, on the 29th day of January, 1890, post
consecutively in the following places, to wit: On the
door of the Hall of the Board of Delegates: On the

down of the Hall of the Board of Alderman: In the lobby of the Post Office, all in the City of San Diego, California, copies of the above and foregoing mentioned resolution of intention to inform E. Street in said city, from 5th to 6th Streets, 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 Mr. W. R. Smith, City Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" bearing a notice of the passage by the Common Council of said City, of the above described resolution of intention to inform E. Street, in said city, from 5th to 6th Street; was published in said newspaper from the 5th day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of E. Street, in said city, from the east line of 5th street to the west line of 6th street at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block and irregular block liable to be assessed notices of "Street Work" bearing notice of the passage by the Common Council of said city, of the above and before-mentioned resolution of intention to inform E. Street in said city from 5th to 6th Streets, 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 have been made of the passage, by the Common Council of said City, of the resolution of intention to curb, gutter and pave E. Street, in said City, from the east line of 5th street, to the west line of 6th street, except such portion thereof as is required by law to be kept in order or retain by any person or company having railroad tracks thereon in the manner hereinbefore set forth upon page 391. 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, having expired, and no objection having been filed by a majority of the owners of frontage of property fronting on

Said proposed work or improvement; thereupon a resolution ordering the paving of E. street from 5th to 6th was read and adopted by the following vote. Tovit:

Ayes. Delegater = Wagner. Pauly. Julian. Hewitt. Heath.
Thompson. Leybold. Switzer. Hubert. Kammann. Mo. Bradt.
Noes. - None.

Absent. Delegater = Lyon. Marshall. Daxier. Day. Paderer.
Matherbae. Mo. Onysar.

Said resolution is as follows. Tovit:

Resolution ordering the paving of E. street
from 5th to 6th.

Resolved, that the Common Council of the City of San Diego, California, doth it to be required by the public interest and convenience and hereby orders the following street work to be done. Tovit: That E. street in said city from the east line of 5th street, to the west line of 6th street except such portion thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon, be curbed, guttered and paved in the manner following. Tovit:
The curbing shall be of granite and constructed in accordance with the specification therefor contained in Subdivision 3, of Section One, of Ordinance No. 29, and extend along both sides of said street, except in front of lot B. Block 44, already done. The guttering shall be of granite blocks and constructed in accordance with the specification therefor contained in Subdivision 8, of Section one, of Ordinance No. 29, and extend along both sides of said street. The paving shall consist of broken stone base eight inches thick and a natural vitrified rock wearing surface two inches thick and be constructed in accordance with the specifications therefor contained in subdivision 1, of Section four, of Ordinance No. 29.

The Clerk of this City is hereby directed to post conspicuously for five days on or near the Council Chamber door of this city, notice hereof with specifications inviting sealed proposals or bids for said work and requiring therewith a certified check or a bond, either, for an amount not less than ten per cent of the aggregate of the proposal, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun, a daily newspaper published and circulated in this City, having and hereby designated for that purpose, both a copy of this resolution, and also, after its posting, his notice of such posting, each for two days."

The City Clerk presented the affidavit of Wm. H. Roe, principal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and

published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, January 20-1890, and by the Board of Alderman, of said city, January 21-1890,) declaring the intention of the Common Council, of said city, to order the following street work to be done, to wit: That "G" street in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, and except the corner at the intersection thereof with 3rd street, be cleared, guttered and paved in the manner following, to wit: the curb shall be of granite and constructed in accordance with the specifications therefor contained in Subdivision five, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of lots E Block 69, lot G. Block 88, lots F and G. Block 70, and lot A. Block 87, already done. The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of lot G. Block 88, already done. The paving shall have a broken stone base eight inches thick and a natural bituminous rock wearing surface two inches thick, and be constructed in accordance with the specifications therefor contained in Subdivision one, of Section three, of Ordinance No. 29. All work shall be done in conformity with and Contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and No. 53, was published in said newspaper on the 1st & 3rd days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented his affidavit, showing that he did, on the 29th day of January, 1890, 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: In the lobby of the Post Office, all in the City of San Diego, California, copies of the Resolution of Intention to improve G. street, from 4th to 6th streets, 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 Mr. W. A. Morris, Municipal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" being a notice of the passage, by the Common Council, of said city, of

the above described resolution of intention to improve "G" street, in said city, from 4th to 6th street - was published in said newspaper from the 3rd day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of "G" street in said city,

from the east line of 4th street to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "Notice of Street Work" bearing notice of the passage by the Common Council of said city, of the above and before mentioned resolution of intention to improve "G" street, in said city from 4th to 6th line 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 proof has been made of the passage, by the Common Council of said City, of the Resolution of Intention to Curb, gutter and pave "G" street, in said city, from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon, and except the crossing at the intersection thereof with 3rd street, in the manner hereinbefore set forth upon page 394 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 having expired, and no objection having been filed by a majority of the owners of frontage or property fronting on said proposed work or improvement: thereupon a Resolution ordering the paving of "G" street from 4th to 6th was read and adopted by the following vote, viz:

Ayer, Delegatus - Wagner: Pauly: Julian: Hawitt: Heath: Thompson: Seybold: Snitzer: Hubbard: Kammann and Bradt. Merv - None.

Absent, Delegatus - Lyman: Marshall: Daxler: Day: Pediger: McFarren and Owyer.

Said resolution is as follows, viz:

Resolution ordering the paving of G street from 4th to 6th.

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 G. street in said city from the east line of H street to the west line of C street, except such portion thereof as is required by law to be kept in order or repair by any person or company laying railroad tracks thereon and except the curbing at the intersection therewith with Sth street be curbed, guttered and paved in the manner following, to wit:

The curbing shall be of granite and constructed in accordance with the specifications therefor contained in subdivision five of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of lot F. Block 69, lot L. Block 88, lots C and G. Block 70, and lot A. Block 87, already done.

The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in subdivision 8, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lot L. Block 88, already done.

The paving shall have a broken stone base eight inches thick and a natural bituminous rock wearing surface two inches thick and be constructed in accordance with the specifications therefor contained in subdivision one, of Section 3, of Ordinance No. 29.

All work shall be done in conformity with and contractor shall be governed and bound by the provision and specifications contained in Ordinance No. 29 & No. 33.

The Clerk of this City is hereby directed to post conspicuously for five days in or near the Council Chamber of this City, notice hereof with specifications inviting sealed proposals or bids for said work and requiring therewith a certified check or a bond, either, for an amount not less than ten per cent of the aggregate of the proposal, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun a daily newspaper published and circulated in this city herefor and hereby designated for that purpose, with a copy of this resolution and also, after its posting, his notice of such posting, each for two days."

Delegate Owen has entered & took his seat in the Board.

Delegate Pauly was here temporarily excused.

The City Clerk presented the affidavit of Mr. W. D. Orr, principal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing

that the resolution (passed by the Board of Delegates, of the city of San Diego, California, January 20-1890, and by the Board of Aldermen, of said city January 21-1890) declaring the intention of the Common Council of said City, to order the following street work to be done, to wit: that "I" street in said city from the east line of 4th street to the west line of 6th street, except the crossing at the intersection thereof with 3rd street, be curbed guttered and paved in the manner following, to wit:

The curbing shall be of granite and constructed in accordance with the specifications therefor contained in Subdivision five, of Section one, of Ordinance No. 29, and extend along both sides of said street.

The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street.

The paving shall have a broken stone base eight inches thick and a natural bituminous rock wearing surface two inches thick and be constructed in accordance with the specifications therefor contained in Subdivision one, of Section 3, of Ordinance No. 29, all work shall be done in conformity with and contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29, and No. 33, was published in said newspaper on the 1st and 3rd days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented his affidavit showing that he did, on the 29th day of January, 1890, 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; In the lobby of the Post Office, all in the city of San Diego, California, copies of the above mentioned resolution of intention to improve "I" street, from 4th to 6th streets, so that the same remained 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 Mr. W. Roe, Municipal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the city of San Diego, California, showing that a notice of street work, being a notice of the passage by the Common Council of said City of the foregoing described resolution of intention to improve "I" street in said city from 4th to 6th streets, was published in said newspaper from the 5th day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingill, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of "I" street in said city, from the east line of 4th street to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter black and irregular black liable to be arrested, "Notices of Street Work" bearing notice of the passage by the Common Council of said city, of the above and before-mentioned resolution of intention to improve "I" street in said city, from 4th to 6th streets. 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 proof has been made of the passage by the Common Council, of said city, of the Resolution of Intention to curb, gutter and pave "I" street in said city, from the east line of 4th street to the west line of 6th street except the crossing at the intersection thereof with 5th street in the manner hereinbefore set forth upon page 397, of this record, and the two days after the expiration of the time of publication and posting of the notice of the passage of said resolution having elapsed, and no objection having been filed by a majority of the owners of property of property fronting on said proposed work or improvement; thereupon a resolution ordering the paving of "I" street from 4th to 6th, was read and adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Julian: Haworth: Heath: Thompson:
Seybold: Switzer: Hulbert: Kammann: Conroy and Bradt.
Noes = None.

Absent, Delegates = Lyons: Marshall: Pauly: Davies: Day:
Ridiger: and Methuen.

Said Resolution is as follows, to wit:

Resolution ordering the paving of "I" street from 4th to 6th.

Resolved, that the Common Council, of the City of San Diego, California, deem it to be required by the public interest and convenience and hereby order the following street work to be done, to wit: that "I" street in said city from the east line of 4th street to the west line of 6th street, except the crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner following, to wit:

The curbing shall be of granite and constructed in accordance with the specification therefor contained in Subdivision five, of Section one, of Ordinance No. 29.

and extend along both sides of said street.

The guttering shall be of granite blocks and constructed in accordance with the specification therefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street.

The paving shall have a broken stone base eight inches thick and a natural limestone rock wearing surface two inches thick and be constructed in accordance with the specification therefor contained in Subdivision one, of Section one, of Ordinance No. 29. All work shall be done in conformity with and contractors shall be governed and bound by the provisions of and specifications contained in Ordinance No. 29 and No. 33.

The Clerk of this City is hereby directed to post conspicuously for five days on or near the Common Chamber door of this City notice thereof with specification inviting sealed proposals or bids for said work and requiring therewith a certified check or a bond, either, for an amount not less than ten per cent of the aggregate of the 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, therefor and hereby designated for that purpose with a copy of the resolution, and also after its posting his notice of such posting each for two days.

The City Clerk presented the affidavit of Wm. W. Fra., principal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution passed by Board of Delegates, of the City of San Diego, California, January 20th, 1890, and by the Board of Alderman, of said city, January 21st 1890, declaring the intention of the Common Council of said city to order the following street work to be done, viz: that I street in said city, from the east line of 4th street to the west line of 6th street, except the crossing thereof at the intersection with 5th street, be curbed, guttared and paved in the manner following, viz:

The curbing shall be of granite and constructed in accordance with the specification therefor contained in Subdivision five, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lot L Block 121, and the West 60 feet of lot E Block 114, already done.

The guttering shall be of granite blocks constructed in accordance with the specification therefor contained in Subdivision 8. of Section one, of Ordinance No. 29, and extend along both sides of said street,

The paving shall have a broken stone base eight inches thick and a natural brownish rock wearing surface two inches thick and be constructed in accordance with the specifications therefor contained in Subdivision 1. of Section 3. of Ordinance No. 29.

All work shall be done in conformity with and contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and 53. = was published in said newspaper on the 1st and 3rd days of February 1890. Said affidavit was received and placed upon file.

The City Clerk also presented his affidavit showing that he did, on the 29th day of January, 1890, both conspicuously in the following places to wit: On the door of Hall of the Board of Delegates; On the door of the Hall of the Board of Alderman; In the lobby of the Post Office. All in the City of San Diego, California. copies of the above and foregoing mentioned resolution of intention to improve G. street from 4th to 6th streets, 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 Wm. W. Roe, Municipal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" being a notice of the passage by the Common Council of said city, of the above described resolution of intention to improve G. street in said City, from 4th to 6th streets, was published in said newspaper from the 3rd day of February, 1890, to the 11th day of February, 1890. Both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of G. street in said City from the east line of 4th street to the west line of 6th 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 arrested, "Notice of Street Work" being notice of the passage by the Common Council of said City, of the above and before mentioned resolution of intention to improve G. street in said City, from 4th to 6th streets, 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 prov
has been made of the passage by the Common Council of
said City of the Resolution of Intention to curb, gutter
and pave "J." street in said City, from the east line
of 4th street to the west line of 6th street except the
crossing thereof at the intersection thereof with 5th street
in the manner hereinbefore set forth upon pages 399
and 400 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 having
expired and no objection having been filed by a
majority of the owners of property of property
fronting on said proposed work or otherwise much
thereupon a resolution ordaining the paving of J.th
street from 4th to 6th was read and adopted by the
following vote. Tovit:

(Delegates Pauly have resumed his seat in the Board)
Aye. Delegates = Wagner: Pauly: Julian: Swett: Heath:
Thompson: Seybold: Sautzer: Hubert: Kamman: Cooper
and Bradt.
Noes = None.

Absent. Delegates = Lyon: Marshall: Danner: Day: Radiger
and Mathews.

Said resolution is as follows. Tovit:

Resolution ordering the paving of J. street from
4th to 6th.

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. Tovit: That J. street in said
city from the east line of 4th street to the west line
of 6th street except the crossing thereof at the intersection
with 5th street be curbed, guttered and paved in the
manner following:

The curbing shall be of granite and constructed in
accordance with the specifications therefor contained
in Subdivision five, of Section one, of Ordinance No. 29,
and extend along both sides of said street except
in front of Lot D. Block 121 and the west 60 feet
of Lot E. Block 114 already done.

The guttering shall be of granite blocks and con-
structed in accordance with the specifications
therefor contained in Subdivision eight, of Section one,
of Ordinance No. 29, and extend along both sides of
said street.

The paving shall have a base on stone base eight
inches thick and a natural vitrifiable rock wearing
surface two inches thick and be constructed in ac-
cordance with the specifications therefor contained in
Subdivision one, of Section 3, of Ordinance No. 29.

All work shall be done in conformity with and Contractors shall be governed and bound by the provision of and specifications contained in Ordinances No. 29. and No. 33. The Clerk of this City is hereby directed to post conspicuously for five days on or near the Council Chamber door of this city, notice hereof with specifications inclosing sealed proposals or bids for said work and inclosing 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 therefor and hereby designated for that purpose with a copy of the resolution and also after its posting his notice of such posting each for two days.

The City Clerk presented the affidavit of Wm. M. Roe, permanent Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates of the City of San Diego, California, January 20, 1890, and by the Board of Alderman, of said City, January 21-1890,) declaring the intention of the Common Council of said City, to order the following street work to be done, to wit: That K. Street in said city from the east line of 4th Street to the west line of 6th Street, except such portion thereof as is required by law to be kept in order or repair by any person or Company having railroad tracks thereon and except the crossing at the intersection thereof with 3rd street, be curbed, guttared and paved in the manner following. To wit:

The curbing shall be of granite and constructed in accordance with the specification therefor contained in subdivision 5. of Section one, of Ordinance No. 29. and extend along both sides of said street except in front of Lot A. Block 139, Lot G. Block 122, and Lot F. Block 122. already done.

The guttering shall be of granite blocks and constructed in accordance with the specification therefor contained in Subdivision 8. of Section one, of Ordinance No. 29. and extend along both sides of said street except in front of Lot F. Block 122. already done.

The paving shall have a broken stone base eight inches thick and a natural vitrified rock wearing surface two inches thick and be constructed in accordance with the specification therefor contained in Subdivision one, of Section 3. of Ordinance No. 29. All work shall be done in conformity to and the Contractor shall be governed and bound by the provisions & specifications

of Ordinance No. 29 and No. 53 - was published in said newspaper on the 1st and 3rd days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented his affidavit showing that he did, on the 29th day of January, 1890, 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; in the lobby of the Post Office. All in the City of San Diego, California, copies of the above and beforementioned resolution of intention to improve "K" street from 4th to 6th streets, showing 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 Mr. M. Roe, Provincial Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "notice of street work", being a notice of the passage by the Common Council of said city, of the above and beforementioned resolution of intention to improve "K" street in said city, from 4th to 6th streets, was published in said newspaper from the 3rd day of February, 1890, to the 11th day of February, 1890, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Gettingall, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of "K" street, in said city, from the east line of 4th street to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "notice of street work", being notices of the passage by the Common Council of said city, of the above and beforementioned resolution of intention to improve "K" street in said city, from 4th to 6th streets, 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 notice has been made of the passage by the Common Council, of said city, of the resolution of intention to curb, gutter and pave "K" street in said city, from the East line of 4th street, to the West line of 6th street, except such portion thereof as is required by law to be kept in order or reserved by any person or company having railroad tracks thereon.

and except the crossing at the intersection thereof with 5th street, in the manner hereinbefore set forth upon pages 402 & 403 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 paving expanded, and no objection having been filed by a majority of the owners of property fronting on said proposed work or improvement: thereupon a resolution ordering the paving of K. street, from 4th to 6th was read and adopted by the following vote, viz.: Ayer: Delegater: Magner: Pauly: Julian: Havitt: Heath: Thompson: Seybold: Switzer: Tolbert: Hamm: Copean 2^d Bradt.

Noes = None.

Absent Delegates = Lyon: Marshall: Daniels: Day: Radigier
and Matherbaa.

Said resolution is as follows. & vizt:

Resolution ordering the paving of K. street
from 4th to 6th.

Resolved, that the Common Council, of the City of San-Diego, California, deem it to be required by the public interest and convenience and hereby order the following street work to be done. & vizt: that K. street in said city, from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company laying railroad tracks thereon and except the crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner following.

The curbing shall be of granite and constructed in accordance with the specifications therefor contained in Subdivision 5. of Section one, of Ordinance No. 29. and extend along both sides of said street except in front of lot A. Block 139, lot G. Block 122. and lot F. Block 122. already done.

The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in subdivision 8. of Section one, of Ordinance No. 29. and extend along both sides of said street except in front of lot F. Block 122. already done.

The paving shall have a broken stone base eight inches thick and a natural vitrified rock wearing surface two inches thick, and be constructed in accordance with the specifications therefor contained in subdivision one, of Section 3. of Ordinance No. 29. All work shall be done in conformity to and Contractors shall be governed and bound by the provisions and specifications of Ordinance No. 29. and No. 33.

The Clerk of this City is hereby directed to post

Consecutively for five days on or near the Council Chamber door of this City notice hangs with specifications inviting sealed proposals or bids for said work, and requiring therewith a certified check or a bond, either, for an amount not less than ten per cent of the aggregate of the 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 therefor and hereby designated for that purpose both a copy of this resolution, and also after its passing his notice of such passing each for two days.

Delegates Radiger and Marshall have entered and took their seats in the Board.

A communication from E. S. Babcock, Jr. President of the San Diego Water Company, requesting the Common Council not to pass an Ordinance establishing water rates or recommended by the Joint Water Committee, and stating his reason therefor and submitting the following proposition, viz: "The Company will agree to furnish the City three million gallons of water per day for 16 $\frac{2}{3}$ cents per 1000 gallons. Will pay all cost and expenses of distributing and collection of accounts under direction of your Hon. Board. You to establish any rate you may see proper. Will agree to make a reasonable extension of the system of the system to an extent not exceeding two blocks per month - will further agree to furnish water to the City for an additional four years at 16 $\frac{2}{3}$ cents per 1000 gallons and if the consumption during that year fails to reach three million gallon per day we will agree to collect only for the amount of water so furnished during that four years. - was read and ordered filed.

A protest from the San Diego Water Company by Joseph A. Flint, Secretary, protesting against the adoption of the report of the Joint Water Committee, and against the passage or adoption of any Ordinance embodying the report of such Committee or fixing, a establishing rates as proposed in said report, and stating his reason therefor, was read and ordered filed.

An Ordinance establishing the water rates in the City of San Diego, State of California, for the year beginning July 1-1890. was read & adopted by the following vote, with: Ayer, Delegatus-Magner: Marshall: Pauly: Julian: Radiger: Hewitt: Heath: Thompson: Seydel: Switzer: Culbert: Kannan: Correa and Bratt.

Noes - None.

Absent, Delegates - Lyon: Davis: Day: and Waterbars.
Said Ordinance is as follows, twit:

Ordinance No. 67.

An ordinance establishing the water rates in the City of San Diego, State of California, for the year beginning July 1, 1890.

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

Section 1. That the rates or compensation to be collected by any person, company or corporation engaged in the business of supplying water to the inhabitants of the City of San Diego for family use, for private purposes, for public purposes and for municipal purposes, and for all purposes, for the year commencing July 1, 1890, and ending June 30, 1891, are hereby fixed as follows:

First.—For water furnished dwelling houses and tenements occupied by a family of not more than three persons, 75 cents per month, and for each additional person 15 cents per month.

Second.—To stores and warehouses from \$2 to \$3 per month.

Third.—To small stores and business offices, \$1 each per month.

Fourth.—To saloons from \$2 to \$5 per month.

Fifth.—To dent 1 rooms \$1.50 per month.

Sixth.—To bakeries for monthly use of flour, for each 25 barrels, \$2 per month.

Seventh.—To wagon and blacksmith shops from \$2 to \$3.50 per month.

Eighth.—To livery stables, including carriage washing, for each horse 35 cents per month.

Ninth.—To feed yards from \$3 to \$5 per month.

Tenth.—To persons slaking lime 10 cents per barrel and cement 10 cents per barrel,

[If contractors desire meter the water company must furnish it, by contractor paying for placing it, as hereinafter provided.]

Eleventh.—To persons wetting brick 10 cents per 1,000.

[If contractor desires meter the water company must furnish it, by contractor paying for placing it, as hereinafter provided.]

Twelfth.—To persons keeping horse and carriage 25 cents per month for first horse and carriage and 25 cents for each additional horse.

Thirteenth.—To barber shops of single chair 50 cents per month, for each additional chair 25 cents per month.

Fourteenth.—To water troughs on sidewalks from \$2.00 to \$5.00 per month.

Fifteenth.—To water closets, private, 35 cents per month, and for each urinal 15 cents per month.

Sixteenth.—To water closets, public, \$2.00 each per month, and for each urinal 50 cents per month.

Seventeenth.—To bath tubs private, 35 cents per month each.

Eighteen.—To bath tubs, public, in barber shops and boarding houses, \$1.25 each tub per month.

Nineteenth.—To horses, mules and cows, 25 cents per month each.

Twenty-first.—To coffee houses open day and night, from \$2.00 to \$3.00 per month.

METRE RATES.

Twenty-first.—The rates for water furnished to consumers in any one month through metres are fixed as follows:

Twenty-two and one-half cents per 100 cubic feet, or 30 cents per 1,000 gallons, provided the amount used shall not exceed 1,333 $\frac{1}{3}$ cubic feet, or 10,000 gallons per month.

Eighteen and three-fourths cents per 100 cubic feet, or 25 cents per 1,000 gallons provided the amount used shall be between 1,333 $\frac{1}{3}$ cubic feet and 4,000 cubic feet, or 10,000 gallons and 30,000 gallons.

Fifteen cents per 100 cubic feet, or 20 cents per 1,000 gallons, provided the amount used shall be between 4,000 and 13,333 $\frac{1}{3}$ cubic feet, or 30,000 gallons and 100,000 gallons.

Eleven and one-fourth cents per 100 cubic feet, or 15 cents per 1,000 gallons, provided the amount used shall exceed 13,333 $\frac{1}{3}$ cubic feet, or 100,000 gallons.

METRE RATES FOR SHIPPING.

Water shall be furnished and delivered by meter measurement to shipping lying alongside of any of the wharves on the water front where water pipes or mains are laid, between the hours of 6 o'clock a. m. and 6 o'clock p. m., daily upon application being made therefor, at the rate of 15 cents per 1,000 gallons.

Water shall be supplied and delivered to water supply boats at any of the wharves on the water front, as above mentioned, between the hours of 6 o'clock a. m. to 6 o'clock p. m., daily, for the purpose of supplying shipping in the bay of San Diego, upon application being made therefor, at the rate of 37 $\frac{1}{2}$ cents per 100 cubic feet, or 30 cents per 1,000 gallons.

No water boat furnishing and supplying water to shipping lying at anchor within the limits of the waters of the City of San Diego shall charge a rate to exceed \$5.00 per 1,000 gallons.

Twenty-second.—Where the water is furnished to hotels, lodging houses, boarding houses, steam engines, gas machines or works, wash houses (Chinese or otherwise), street and sidewalk

sprinkling, washing store and shop fronts, where satisfactory rates cannot be agreed upon, the meter rates shall govern.

Twenty-third.—Rent for each fire hydrant and for water used through such hydrant, \$100 per year, to be paid monthly by said city. New hydrants to be located upon order of the Common Council, and the same rates to prevail up to 200 hydrants, all over 200 hydrants at \$60 per year, payable in the same manner. Provided that the persons, association or companies furnishing water through hydrants to the city shall maintain a pressure of forty pounds at the hydrants located at the corner of Fifth and A Streets and a proportionate pressure at all other hydrants to entitle such person, association or company to the hydrant rate provided in this ordinance, and further that upon an alarm of fire a full fire pressure shall be immediately turned on.

Twenty-fourth.—All water used for city purposes shall be charged at meter rates as above mentioned except those hereinafter mentioned.

Twenty-fifth.—All water used for street sprinkling purposes to be charged at the rate of 10 cents per 1,000 gallons.

Twenty-sixth.—All water used for flushing sewers to be charged at the rate of 15 cents per 1,000 gallons.

Twenty-seventh.—For water required and used for purposes not specified in the above rates, the rate shall be in accordance with and in conformity to said above rates.

Twenty-eighth.—For the purpose of irrigating, any water company, corporation or person engaged in the business of furnishing or supplying water to said city or its inhabitants may charge and collect from the owner, agent or occupant, for the period of seven months, beginning July 1st, 1890, and ending December 1st, 1890, and beginning May 1st, 1891, and ending June 30th 1891, for every lot having a dwelling house thereon and being occupied and in the residence portion of said city, as follows:

For every lot with a dwelling house thereon and the same being occupied, of not more than twenty-five feet, 25 cents per month.

For every lot with a dwelling house thereon, the same being occupied, and not more than fifty feet, 50 cents per month, but said company, corporation or person shall not collect for more than one lot and said lot being the one upon which the said dwelling house is located unless the owner, agent or occupant shall request said company, corporation or person so furnishing water to furnish water for additional lots in which case

the same rate per lot shall be collected by said company, corporation or person, provided, however, should such owner, agent or occupant be paying for water furnished by meter rates, the said 25 cents or 50 cents as herein provided shall not be collected by said company, person or corporation.

Twenty-ninth.—Said company, corporation or person, shall make no charge for any pipe or fire apparatus, connected with their mains, and to be used only in case of fire.

Section 2. Any person or association, or water company so furnishing water to said city shall have the power in all cases to apply meters and collect meter rates; but when said meters are so placed by said company, corporation or person, the same shall charge only by said meter and according to meter rates.

Any water-rate payer shall have the right to demand a meter and pay a meter rate for water, upon tendering to any company, corporation or person, furnishing water the sum of \$7 for placing and connecting the same to the supply pipe of such water-rate payer, upon the demand and tender of said sum by any water-rate payer, it shall be the duty of any such company, corporation or person to furnish, place, and maintain such meter; provided that any such company, corporation or person, may charge the special rate up to three dollars per month instead of meter rates, but only when such rate-payer shall demand such meter.

If any consumer after having a meter put in discontinues or abandons the use thereof, he shall pay to the owner of the same \$3 for removing it. All water rates, except meter rates, are due and payable monthly in advance on presentation of bill, and if not so paid shall be subject to an addition of 5 per cent. Meter rates are due and payable monthly on presentation of bill, and if not so paid shall be subject to an addition of 5 per cent.

Section 3. The water company, association, corporation or person engaged in the business of supplying or furnishing water, by their or his authorized agents, shall be allowed free access to make personal examination of the premises of any applicant for, or consumer of water to designate the rates as herein established and for inspection of water pipes and apparatus.

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

After giving notice, President Bradt, did, in our session sign Ordinance No. 67, being an Ordinance establishing the water rates in the City of San Diego, State of California, for the year beginning July 1-1890.

On motion of Delegate Kanman, a vote of thanks was tendered the Joint Water Committee of the Common Council, for faithful service in rendering the rates & ordinance passed adopting fixing water rates.

Resolved the Board adjourned until Monday, March 3-1890, at 7.30 o'clock P. M.

*W. M. Garrison,
City Clerk*

*G. W. Bradt
President*

Regular Meeting.

Council Chamber of the Board of Delegates, of the City of San Diego, Calif.
March 3- 1890.

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

Present Delegates = Lyon: Pauly: Julian: Radiger: Hawitt: Heath: Seybold: Smitzer: Kammann: Cooper and Bradt and Clerk Garrison.
Absent, Delegates = Wagner: Marshall: Davies: Day: Metherbar: Thompson and Hubert.

On motion of Delegate Radiger, the reading of minutes of previous meeting was postponed.

After giving notice, President Bradt, did, in session, sign Ordinance No. 68. Vetoing an Ordinance authorizing the interest accruing on the public money of the City of San Diego, to certain funds of said city.

A Message from the Mayor, showing his approval of Ordinance No. 64, was read and filed.

A Message from the Mayor, showing his approval of Ordinance No. 66, was read and filed.

A Communication from the City Clerk, transmitting a request from Delegate Metherbar for a further extension of 30 days leave of absence was read and on motion of Delegate Julian said request was granted.

A Communication from the City Auditor in response to a statement made at a meeting of the Board of Delegates relating to the financial policy of the City & the effect that there were not sufficient money of 1889. to pay the debts of that year, - stating that all debts contracted for 1889. are fully provided for, was read and filed.

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

Joint Resolution No.

Balancing that the city could be greatly beautified and its property enhanced far more than the actual out if ornamental and shade trees were planted on each side of the street in the residence part of the city, Therefore be it Resolved, that a Joint Committee on parks be appointed, whose duty it shall be,

- 1st. To find out the most feasible plan to adopt to get said trees planted.
- 2nd. To locate the residence part of the City, and the amount of trees we could plant this year.
- 3rd; If water can be got to irrigate said trees under the water ordinance recently passed.
- 4th The approximate cost of tree planting and irrigating the same per year for a 25. front lot."

A Petition from Loomis & Hadley, for retail liquor license was read and referred to the Committee on Health & Morals.

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

Joint Resolution No. 59.

Resolved, that the City Engineer be and he is hereby instructed and required to furnish to the Common Council careful estimates of the expense of grading 4th street to its full width from the south line of Dry street to the south line of Palm street, and from the south line of Spence street to the north line of Horton's addition, and from the north line of Horton's addition to the south line of University Avenue. And also an estimate of the expense of grading that portion of said 4th street from the south line of Palm street to the south line of Spence street, which lies between the east side of the track of the cable road and the east line of said street."

A Petition from property owner, asking that Geo. C. Smitz, Jas. Falkenau &c, Jas. D. Schuyler be appointed as Commissioners to open "D" street, at compensation of \$4 per day limited to \$100. each was read and laid upon the table.

The City Clerk presented the affidavit of Mr. W. R. Roe, Municipal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Dulegators, of the City of San Diego, California, February 3-1890, and by the Board of Aldermen, of said City, February 4th, 1890,) declaring the intention of the Common Council of said City, to order the following street work to be done, to wit; That "D" street in said city, from the West line of Third street to the West line of Fourth, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon be curbed, guttered and macadamized in the manner following. To wit:

The curbing shall be of artificial stone or concrete constructed in accordance with the specification thereon

Contained in Subdivision 6, of Section one, of Ordinance No. 29, and only extend along the south side of said street in front of the Market Plaza, where it shall be placed on a line which shall be a projection of the curb line of said "D" street, west of Third street, and between the projected east line of said Third street and the projected west line of Fourth street.

The gutter shall be paved with granite blocks in accordance with the specifications thereon contained in Subdivision 8, of Section one, of Ordinance No. 29.

The macadamizing shall be constructed in accordance with the specifications for business streets contained in Section two, of Ordinance No. 29.

All work shall be done under, and Contractor shall be bound by the provisions of Ordinances No. 29 and No. 53 = was published in said newspaper on the 7th & 8th days of February, 1890. Said affidavit was received & placed upon file.

The City Clerk also presented the affidavit of J.C. - Patten, Deputy Clerk of the City of San Diego, California, showing that he did, on the 7th day of February, 1890, 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 Alderman; In the lobby of the Post Office, all in the City of San Diego, California, copies of the above mentioned resolution of intention to improve "D" street from 3rd to 4th streets, 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 Mr. W. Roe, Semiretired Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" being a notice of the passage by the Common Council of said City, of the above and beforementioned resolution of intention to improve "D" street, in said City, from 3rd to 4th streets = was published in said newspaper on the 11th, 12th, 13th, 14th, 15th & 17th days of February, 1890. Said affidavit was received and placed upon file. The City Clerk also presented the affidavit of Amos Peeling, Street Superintendent, of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of D street in said city from the west line of 3rd street to the west line of 4th street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed "notice of street work" being notice of the passage, by the Common Council of

Said City of the above and aforesigned resolution of intention to improve D street in said City, from 3rd to 4th streets, and further that so, 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 proof had been made of the passage by the Common Council of said City, of the resolution of intention to curb, gutter and macadamize "D" street in said City, from the West line of Third street to the west line of Fourth, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon in the manner hereinbefore set forth also pages 408 & 409 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 having expired, and no objection having been filed by a majority of the owners of property of property fronting on said proposed work or improvement: whereupon a resolution ordering the macadamizing of "D" street from 3rd to 4th, was read and adopted by the following vote. ~~unit~~:

Ayer: Daley ~~atas~~: Lyons: Paul: Julian: Radiger: Hawitt: Heath: Seybold: Switzer: Kammann: Cushing ~~and~~ Bradt.
Mars = None.

Arent: Delegates = Wagner: Marshall: Davis: Day: Webster: Thompson: ^{and} Hulbert.

Said resolution is as follows. ~~unit~~:

Resolution ordering the macadamizing of D.
Street, from 3rd to 4th.
Resolved, that the Common Council of the City of San Diego, California, doth it to be required by the public interest and convenience and hereby order the following street work to be done. ~~unit~~: that D street in said city from the west line of Third street, to the West line of Fourth street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon be curbed guttered and macadamized in the manner following. ~~unit~~:

The curbing shall be of artificial stone or concrete, constructed in accordance with the specifications herefor contained in Subdivision G. of Section one, of Ordinance No. 29, and only extend along the south side of said street in front of the Horton Plaza, where it shall be placed on a line which shall be a projection of the curb line of said "D" street, west of Third street, and between the projected curb line of said Third street, and the projected west line of Fourth

Street.

The gutter shall be paved with granite blocks in accordance with the specifications therefor contained in subdivision 8, of Section 1, of Ordinance No. 29.

The macadamizing shall be constructed in accordance with the specification for business streets contained in Section two, of Ordinance No. 29.

All work shall be done under and contractors shall be bound by the provisions of Ordinance No. 29, and No. 53.

The Clerk of this City is hereby directed to post specifically for five days on or near the Council Chamber door of this City, notice hereof with specifications including sealed proposals or bids for said work and requiring therewith a certified check or a bond, either, for an amount not less than ten per cent of the aggregate of the 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, same and freely designated for that purpose, both a copy of this resolution, and also after its posting his notice of such posting, each for two days."

Delegates Radiger asked to be excused ~~and~~ on motion of Delegates Seybold the request was granted.

A Resolution ordering the macadamizing of H street from Atlantic to 4th, was read and postponed for one week.

The City Clerk presented the affidavit of Mr. W. M. Roe, Principal Clerk of the printer and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, January 20-1890, and by the Board of Aldermen of said City, February 4-1890) declaring the intention of the Common Council of said City, to order the following street work to be done, viz: That "H" street in said City, from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon ~~and~~ except the crossing at the intersection thereof with 5th street, be curbed, gutted and paved in the manner following, to wit:

The curbing shall be of granite and constructed in accordance with the specifications therefor contained in subdivision five, of section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lots F. & G. Block 88, Lot B. Block 87, and Lot A. Block 96, already done,

The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street.

The paving shall have a broken stone base eight inches thick and a natural bituminous rock paving surface two inches thick and be constructed in accordance with the specifications therefor contained in Subdivision one, of Section three, of Ordinance No. 29.

All work shall be done in conformity with and Contractor shall be governed and bound by the provisions of and specification contained in Ordinances No. 29, and No. 33, was published in said newspaper on the 13th & 14th days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J.C. Patten, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 13th day of February, 1890, post conspicuously in the following places, vizt: 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, all in the City of San Diego, California, copies of the above and before mentioned resolution of intention to improve H. street, from 4th to 6th streets, 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 Wm. M. Roa, Municipal Clerk of the Seminary and subscriber 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", bearing a notice of the passage by the Common Council of said city, of the above and before mentioned resolution of intention to improve H. street in said city, from 4th to 6th streets, was published in said newspaper on the 14th, 15th, 16th, 17th, 18th & 19th days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of H. street in said city, from the east line of 4th street, to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all, and in form of each quarter block and irregular block, liable to be arrested, "notice of street work", bearing notice of the passage by the Common Council of said city, of the above and before mentioned resolution of intention to improve H. street, in said city, from 4th to 6th streets,

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 proof had been made of the passage, by the Common Council, of said City, of the resolution of instant to curb, gutter and pave Hst Street, in said City from the east line of 4th Street to the west line of 6th Street except such portion thereof as is required by law to be kept in order or replaced by any person or company paving railroad tracks thereon, and except the crossing at the intersection thereof with 5th Street, in the manner hereinbefore set forth upon page 411 a 412. of this record, and the two days after the expiration of the time of publication and posting of the notice of the passage of said resolution paving extended, and no objection having been filed by a majority of the owner of frontage of property fronting on said proposed work or improvement: whereupon a resolution ordering the paving of Hst street from 4th to 6th, was read and adopted by the following vote. &c.

Ayes. Delegates - Lyons: Pauly: Julian: Harris: Heath: Leybold.
Switzer: Kammann: Cooper & Pratt.
Noes - None.

Absent Delegates - Wagner: Marshall: Davis: Day: Rediger:
Wadsworth: Thompson & Culbert.

Said resolution is as follows:

Resolution ordering the paving of Hst street
from 4th to 6th.

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by public interest and convenience, and hereby orders the following street work to be done. That Hst street in said City from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or replaced by any person or company paving railroad tracks thereon, and except the crossing thereof at the intersection with 5th street, be curbed, guttered and paved in the manner following, &c.: The curbing shall be of granite and constructed in accordance with the specifications therefor contained in Subdivision five, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lots E and G, Block 88, Lot C, Block 87, and Lot A, Block 96, already done.

The guttering shall be of granite blocks and constructed in accordance with the specifications therefor contained in Subdivision eight, of Section one, of Ordinance No. 29.

and extend along both sides of said street.
The paving shall have a broken stone base eight inches thick and a natural bituminous rock wearing surface two inches thick and be constructed in accordance with the specifications thereon contained in Subdivision one of Section 3. of Ordinance No. 29.

All work shall be done in conformity with and Contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and No. 53.

The Clerk of this City is hereby directed to keep conspicuously for five days on or near the Common Chamber door of this City, notice thereof with specifications including sealed proposals or bids for said work and requiring therewith a certified check or a bond, either for an amount not less than ten per cent of the aggregate of the proposal, all as prescribed by law.

He is also directed to publish in the San Diego Daily Sun, a daily newspaper published and circulated in this city, therefor and hereby designated for that purpose, both a copy of this resolution, and also after its posting, his notice of such posting, each for two days."

The City Clerk presented the affidavit of Wm. M. Ara, former City Clerk of the former and publisher of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the Resolution (passed by the Board of Delegates, of the City of San Diego, California, February 3-1890. and by the Board of Alderman, of said City, February 4-1890) declaring the intention of the Common Council of said City, to order the following street work to be done,avit: that 7th Street, in said City, from the east line of 4th Street to the west line of 6th Street, except such portion thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon and except the crossing at the intersection therewith of 5th Street, be curbed, guttered and paved in the manner following. Avit:
The curbing shall be of granite and constructed in accordance with the specifications thereon contained in Subdivision five, of Section one, of Ordinance No. 29. and extend along both sides of said street except in front of Lots A and G. Block 01, and Lots A. and G. Block 70, and the east fourteenth feet of Lot L. Block 09. already done.

The guttering shall be of granite blocks and constructed in accordance with the specification thereon

contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lot R. Block 61; Lot L. Block 61: already done.

The paving shall have a broken stone base eight inches thick and a natural vitriferous rock wearing surface two inches thick and be constructed in accordance with the specification thereon contained in Subdivision one, of Section 3, of Ordinance No. 29.

All work shall be done in conformity with and Contractor shall be governed and bound by the provisions of and specification contained in Ordinances No. 29, and No. 33 - was published in said newspaper on the 7th and 8th days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of H. Hall, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 7th day of February, 1890, 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 Alderman;
In the lobby of the Post Office; all in the City of San Diego, California, copies of the above and foregoing mentioned resolution of intention to improve Fst street from 4th to 6th streets, 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 Mr. W. A. Semmens, Clerk of the Committee and Sub-Editor 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" being a notice of the passage by the Common Council of said City of the above and before mentioned Resolution of Intention to improve Fst street in said City from 4th to 6th streets - was published in said newspaper on the 11th, 12th, 13th, 14th, 15th & 17th days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of Fst street in said City, from the east line of 4th street, to the west line of 6th street, at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block and irregular block liable to be assessed, "Notice of Street Work" being notice of the passage by the Common Council

of said city, of the foregoing described Resolution of Intention to improve F Street in said city, from 4th to 6th Streets. 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 proof had been made of the passage by the Common Council of said city, of the Resolution of Intention to curb, gutter and pave F Street, in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or reason by any person or company having railroad tracks thereon and except the crossing at the intersection thereof with 5th street, in the manner hereinbefore set forth upon page 414 & 415, 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 having expired, and no objection having been filed by a majority of the owners of frontage of property fronting on said proposed work or improvement: Thereupon a resolution ordering the paving of F Street from 4th to 6th was read and adopted by the following vote, viz: Ayer, Delegater - Lyon: Pauly: Julian: Hartill: Heath: Seybold: Switzer: Ammon: Cawson ^{and} Bradt
Noe = None.

Absent, Delegater - Wagner: Marshall: Davis: Day:
Ridger: Wadsworth: Thompson: ^{and} Culver.
Said resolution is as follows, viz:

Resolution ordering the paving of F Street from 4th to 6th

Resolved, that the Common Council of the City of San Diego, California, deem it to be required by the public interest and convenience and hereby orders the following street work to be done, viz: that F street in said city from the east line of 4th street to the west line of 6th street, except such portion thereof as is required by law to be kept in order or reason by any person or company having railroad tracks thereon and except the crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner following, viz:

The curbing shall be of granite and constructed in accordance with the specifications herefor contained in Subdivision five, of Section one, of Ordinance No. 29 and extend along both sides of said street, except in front of Lots F and G Block 61: Lots A and L Block 70: and the east frontage feet of Lot L Block 69: already done.

The guttering shall be of granite blocks and constructed in accordance with the specification herefor contained in Subdivision eight, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lot A Block 61, and Lot B Block 61, already done.

The paving shall have a broken stone base eight inches thick and a natural vitrification rock wearing surface two inches thick and be constructed in accordance with the specification herefor contained in Subdivision one, of Section 3, of Ordinance No. 29.

All work shall be done in conformity with and Contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and No. 33.

The Clerk of this City is hereby directed to post conspicuously for five days on or near the Council Chamber door of this City, notice hereof with specifications including sealed proposals or bids for said work and requiring therewith a certified check or a bond, either, for an amount not less than ten percent of the aggregate of the proposal, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun, a daily newspaper published and circulated in this city, therefore and hereby designated for that purpose, both a copy of this resolution, and also after its posting his notice of such posting, each for two days."

In the matter of the recommendation of the Board of Public Works that the Garbage Dumps be removed to the foot of Hawthorn street; the Committee on Harbor & Wharfs reported as follows:

Your Committee on Harbor & Wharfs to whom was referred the above, would recommend that the present Garbage Dumps & Wharf be removed to a new Dump & Wharf be erected East of 23rd st. & not at foot of Hawthorn or Dry st., as the prevailing winds blow from the West towards the East of our city & all smell would be thus wafted to our noses & this we are trying to avoid by removal. It may be said that the smell may be confined to the dump banks but we your Committee would recommend strongly, that no chance be taken in putting the Garbage Dumps to the westward of our city as the same might have to be removed for some reason that present one is, for being a nuisance. We therefore strongly recommend that the Wharf & Garbage Dump be placed to the eastward & not nearer than 23rd st.

John H. Marshall.
C. F. Komman
Wm. C. O'Brien.