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Organization of the Board of Delegates  
of the City of San Diego, State of California,  
under the Charter prepared by the Board of  
Fifteen freeholders, Elected December 5-1888,  
in pursuance of the provisions of Section 8, article  
2. of the Constitution of the State of California,  
and submitted and ratified by the qualified  
Electors of the City of San Diego, California, at a  
Special Municipal Election held on the second  
day of March 1889, and confirmed by the Leg-  
islature of the State of California, upon the  
Sixteenth day of March 1889.

## Regular Meeting.

Common Council Chamber  
Board of Delegates May 6<sup>th</sup> 1889.

A regular meeting of the Board of Delegates  
of the City of San Diego California, was held this  
day at 10 o'clock A.M.

Present, Delegates, Lyons, Stone, Pauly, Marshall  
Julian, Bradt, Davies, Day, Wetherbee, Rediger  
Newitt, Heath; Sylbolt, Thompson, Lon. Hulburt  
Kammann and Cooper, and Clerk Thomas  
Absent, none.

City Clerk Thomas states that the Election of a  
temporary Chairman is in order.

On motion of Delegate Pauly seconded by delegate  
Lyons, delegate Kammann is nominated, Kammann  
with draws. On motion of delegate Kammann  
seconded by delegate Marshall, Delegate Heath  
is nominated. On motion of delegate Bradt seconded  
by delegate Marshall, delegate Heath is elected  
by acclamation, to the position of temporary Chairman.

Chairman Heath states that nominations for  
permanent Chairman are now in order.

Delegate Hulburt nominates delegate Wetherbee

Delegate Marshall nominates delegate Bradt

Nominations closed by Chair.

Chair appoints as Tellers delegates Stone Cooper & Julian  
Vote. Bradt - Thirteen (13)

Wetherbee - Four (4)

Total number of Votes Cast Seventeen (17)

Necessary for a choice ~~Thirteen~~ (10)

Delegate Bradt having received a majority  
of all votes cast, the Chair announces him to

be duly elected as permanent Chairman, and on motion of delegate Wetherbee seconded by delegate Marshall the Election of delegate Pratt as permanent Chairman is made unanimous.

Messrs Levi and Gassen appear before the Board as a committee of two from the Board of Alderman, and state that the Board of Alderman of the City of San Diego Cal. have Elected as permanent Chairman of that Board, N.T. Christian, and that they are now in readiness to convene in joint session with the Board of Delegates. The report is received, and the Committee then retire.

The Clerk presents an inaugural message from Mayor Gunn, which is read, and on motion of delegate Wetherbee seconded by delegate Cooper and by the unanimous vote of the Board it is ordered, that said message, be spread upon the record of this Board. Said message reads as follows, to wit:—

To the Common Council of the City of San Diego. Under the authority given by the Constitution the people of San Diego have framed and ratified a Charter for their own government. It has been approved by the Legislature: and the City passes to day under the operation of the new organic law. —

The new Charter was drafted with due deliberation: it was considered Section by Section: and, after ample debate upon each proposition, and careful revision, it was finally, at the end of a session of thirty days, adopted as a whole by the unanimous vote of the Board of Free holders. It was published for twenty days in two of our daily newspapers, and after a period of thirty days from the completion of the publication, it was submitted to the people. There had been a abundant time given the Electors to read and study the instrument: there had been the fullest discussion of its provisions in public meetings and in the columns of the Press. The remarkably large vote polled at the Charter Election showed how general and deep an interest was felt in the Subject: and the great majority cast in favor of ratification gave emphatic evidence of the popular approval of the proposed plan of City government. Never was a question of Public policy more clearly presented, never was the deliberate judgment of the people more distinctly expressed.



The movement of the Citizens of San Diego which has given us the recent significant decision at the ballot box is very much more than a transient manifestation of discontent with the preceding administration of City Affairs. It is the result of a belief that had been steadily growing in the public mind until it had become a fixed conviction, that we must reform the municipal Constitution before we could effectively reform the municipal administration. It was obvious at the outset that such a consummation could only be reached through the concurrent action of all Citizens who were convinced of its necessity, without regard to their differences of opinion upon questions of party politics. The movement was therefore necessarily non-partisan in its organization: and the attainment of its primary object was logically followed by the election of Non-partisan officers to carry the provisions of the new instrument of government into practical operation. It will undoubtedly continue to manifest itself in future City elections.

A City is essentially a corporation organized to secure certain public benefits and doing business upon the Capital represented by its assessment roll, in which every tax-payer is a shareholder, and the City officers are the Directors chosen to carry on its affairs for the Common advantage. The shareholders in other corporations do not concern themselves about the political views of their trustees, so long as the trust is profitably and honestly managed: and the fact that this is a public corporation affords no reasons for a departure from the Common sense rules of private business. In the election which has placed the government of this City in our hands, upon a distinct presentation of the issue, the people very plainly declared against the application of any political test, and demanded that the business of the City should be conducted upon strictly business principles. The obligation resting upon us as the servants of the people is manifest.

The system of municipal administration which we are about to inaugurate in San Diego differs radically from that which has preceded it. While some of its features may seem novel to California Cities, that are entirely consistent with the Constitution of our State, and have been satisfactorily tested for several years in the best governed Cities of the older States of the Union. The old Charter united legislative and executive powers in a council, whereof the mayor was the presiding officer.

The new Charter distinctly separates the legislative and executive departments. The legislative power is exclusively vested in a Common Council of two houses one a continuous body representing the City at large, the other representing the several wards of the City, and renewed at each general municipal election. The executive power is vested in the Mayor, and in subordinate departments, each charged with its particular functions and duties, and responsible for the proper performance of its own special work, and all under the supervision of the chief executive. The Common Council enacts the ordinances and regulation for the local government, and provides the revenue for its maintenance: the executive carries the ordinances and regulations into effect, and supervises the expenditure of the revenue. The Legislative possesses a check upon the executive in the control of the revenue, and power to fix and regulate official salaries, and in the power of Confirmation of executive appointments vested in the Board of Delegates. The Executive possesses a check upon the Legislature in the veto power. Under this system the exercise of all powers is guarded by careful limitations: the public business is so organized as to secure the utmost efficiency: and official responsibility is fixed where it properly belongs. With an honest purpose to carry out the provisions of the Charter in letter and in spirit, the government can always be economically administered, with ample regard to the growth of the City. It is equally adequate to the requirements of the present population and of a population and of a population times greater, the force of employees may at any time be reduced or expanded according to the necessities of the time: and the limit of taxation, with a just valuation of property, will always allow a sufficient revenue for the reasonable and proper expenses of administration. Such amendments as experience may show to be desirable may be made at intervals of two years by the Electors of the City, instead of resorting to the former tedious, costly and uncertain method of seeking relief from the State Legislature, the great majority of whose members can have no personal interest in or knowledge of the special needs of our municipality.

In undertaking to put in motion an entirely new form of government, we assume a task which demands more than ordinary devotion to duty. We shall, as a necessity of the situation, have to deal with difficult questions at the beginning of our course, the settlement of which will require the exercise of the most judgment and the utmost patience. We must remember that our work is not to be done in a day. Above all

things the harmonious co-operation of the several departments is earnestly to be desired. This will give us the best assurance of success, and will most certainly bring to our administration the strong support of the people, who have called us to this service, and to whom we are responsible for its faithful performance. The question of finance meets us at the outset. The City assessment roll for the current year has just been made up, and the final footings were only completed yesterday evening.

It will devolve upon the Common Council to make the levy of taxation during the present week. In calling your attention to this subject, I shall briefly review the financial condition of the City, as ascertained from the report of my predecessor in January last, and the books in the Office of the City Clerk. The assessment roll for the year 1888 amounted to \$23,699.11<sup>7</sup>/<sub>100</sub> upon which a tax was levied for all purposes of 89 cents in the \$100<sup>00</sup>/<sub>100</sub> making a total sum of \$210,972<sup>14</sup>/<sub>100</sub>. The total receipts of the City Treasury in 1888 (exclusive of the proceeds of sewer construction bonds) were \$447,535<sup>25</sup>/<sub>100</sub>.

The total expenditures for all purposes (other than sewer construction) were \$392,210<sup>24</sup>/<sub>100</sub>. The balances in the several funds on January 1<sup>st</sup> were as follows: Bonded debt redemption, interest and sinking funds \$18,857<sup>69</sup>/<sub>100</sub> Park Fund \$1,628<sup>56</sup>/<sub>100</sub> Library Fund \$7,333<sup>27</sup>/<sub>100</sub> School Fund \$32,129<sup>87</sup>/<sub>100</sub> Total \$59,949<sup>24</sup>/<sub>100</sub>. The general fund was reported overdrawn \$4,624<sup>28</sup>/<sub>100</sub>. The total Bonded Indebtedness of the City January 1<sup>st</sup> was \$513,000. reported as follows.

Bonds of 1885 due in 1905 (7 per cent) \$66,000. Bonds of 1887 due in 1905 (7 per cent) \$1,000. Bonds for Sewer Construction, due in 1907 (5 per cent) \$370,000. Bonds for Public School Construction, due in 1909 (5 per cent) \$76,000.

The total current expenses of the City in 1888, exclusive of public schools and interest and sinking funds, were \$249,591<sup>90</sup>/<sub>100</sub> of which \$99,637<sup>65</sup>/<sub>100</sub> was for salaries. There are now in the Office of the City Clerk unpaid demands aggregating to date the sum of \$25,873<sup>07</sup>/<sub>100</sub> of which sum \$3,668<sup>82</sup>/<sub>100</sub> had accrued prior to January 1<sup>st</sup> 1889.

The Assessment roll for the current fiscal year aggregates \$15,436,271. being \$8,262,846. less than that of last year. The limit of taxation under the Charter is 90 cents in the \$100<sup>00</sup>/<sub>100</sub> and the full levy would amount to \$138,926<sup>44</sup>/<sub>100</sub> or \$71,995<sup>20</sup>/<sub>100</sub> less than last year. The 90 cent limit includes the Public School tax, and all other items of

expenditure except for the interest and sinking funds. A careful estimate of the probable expenses of the City Government for the current year (including the unpaid demands now on file in the Office of the City Clerk) shows that, aside from the Public Schools, the sum of \$174,640.<sup>00</sup> is the smallest amount that can be set down: and this allows nothing for contingencies. It will not be safe to estimate a larger yield from the tax levy of this year than \$120,000.<sup>00</sup> as nearly three millions of the assessments will be found in the "Unknown list", and is likely to be delinquent at the end of the year. The largest estimate that can be made of revenue from other sources is \$57,000.<sup>00</sup>: making the total probable revenue for the current fiscal year about \$177,000.<sup>00</sup> —

The estimates for probable expenditures contemplate a reduction of about Thirty Thousand dollars in the Salary account, and of over forty five thousand dollars in the general expense account, or a total reduction of over Seventy five thousand dollars.

Besides the amount to be raised for general purposes, the sum of \$44,990.<sup>00</sup> will be required to meet the bonded debt redemption, interest and sinking fund demands, which will call for an additional levy of about 30 cents. or \$1.<sup>20</sup> in all.

The summary here given of the financial situation will sufficiently indicate the necessity of the most rigid economy in every department of the administration. The officers and employees of the City will be expected to render diligent service, and the number of employees and amount of compensation must be confined to the lowest limit compatible with the proper transaction of the Public business.

It is not pleasant to have to communicate these facts in regard to our finances: but we must meet the issue squarely and take the assessment as we find it: we are powerless to change it. If we face the situation with the fixed determination "to live within our means" — I am not sure that we shall not profit by the experience.

It is my own opinion that the aggregate property valuation of the City is really very little, if any, less to day than in 1888. The population is larger than when the previous assessment was made: and while in some parts of the City there has undoubtedly been a considerable decrease in values, in other sections there should have been no reduction from the former valuation, which was originally much too low. Besides this it should be borne in mind that there have been large additions to the roll in the valuable improvements made



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during the year. A very strong pressure from the public was brought upon the Assessor to reduce the valuations: but I doubt if the result is exactly what was desired. The just assessment of property for taxation is one of the most difficult problems of administration. The rights of every taxpayer are concerned to have an equitable valuation. Boards of Equalization are vested with important powers in this respect. I commend the general subject to the consideration of the Common Council.

While the revenues of the City will be extremely narrow during the present year, that fact should not preclude the carrying forward of really necessary public improvements. There are certain improvements that are valuable investments; when made they are substantial assets, and in due season pay a large interest on their cost. Our sewer system is an improvement of this nature: boulevard construction, good pavements and sidewalks, and respectable public buildings belong to the same list. Let the work only be honestly done, so that the people get a dollars worth for every dollar expended, and indebtedness in such improvements is not to be greatly dreaded in a progressive Commercial City. Under the provisions of the Charter, street and boulevard improvements can be carried on without burdening the property owner with large immediate assessments, and without increasing the public indebtedness. We shall probably never see a more favorable time than now in which to take steps toward the erection of a City Hall, such as San Diego ought to possess. Reference to the need of a City Hall leads me to urge upon the Common Council the necessity of providing without delay for the safe keeping of the records, maps &c. in the different departments of the government. Some of these records are of priceless value, for, if destroyed they cannot be replaced: and they are now in hourly danger of destruction. If possible, the offices of the City should all be brought together under one roof. In some substantial brick building, and provision should be made for storing in some fire proof vault the more important archives of the City. Early provision should be made for the proper indexing and printing of the City Charter. A sufficient number of copies should be printed to supply all the Officers of the City, and to exchange with other Cities, and also to supply the public demand.

Enough copies could be sold to very nearly defray the expense of printing.

Section 24 of Article X of the Charter provides that all ordinances, Orders and resolutions of the City of San Diego in force at the time this Charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed. -

The whole body of general ordinances adopted under the old Charter should be reviewed, and a code of general Ordinances in harmony with the Charter should be framed and adopted. This work is of immediate importance, and should be placed in the hands of the City Attorney without delay. The Charter provides for the publication in book form of all ordinances of a general nature at least once in two years. I would suggest that in the publication of the Charter, arrangements be made with the printer to have a sufficient additional number printed in shape to be bound up with the first edition of the Ordinances so published. This can be done at a very small increase of the cost.

The City of San Diego owns in addition to its magnificent fourteen hundred acre Park tract, a great deal of valuable real Estate and other property. No list of this <sup>City</sup> property has ever been published, nor, so far as I have been able to ascertain, has any list of it ever been made up. I would recommend the appointment of a committee on public property by each board of the common council; and ~~that~~ that the Board of Public Works be required to keep a corrected list of all the real Estate, buildings and other property of the City on file in their office, and return the same with the proper valuation thereof, in their annual report to the Mayor.

There are doubtless other recommendations which might properly be submitted in this communication; but the extremely limited time afforded me in which to obtain and consider the information regarding the affairs of the City already commented upon, obliges me to forbear.

I assume the office of Mayor of San Diego with a very distinct realization of its responsibility. I shall endeavor to discharge the duties devolved upon me as they are written in the law, without fear or favor, in the interest of the City and all its Citizens. And I earnestly ask your co-operation in this honorable service.

Douglas Gunn

San Diego May 6 / 1889.

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Chairman Pratt now introduces to the Board of Delegates  
the Board of Aldermen, and the members of the Board  
of Aldermen are now seated with the Board of De-  
legates in joint session; and president N. J. Christian  
of the Board of Aldermen, presides.

W. M. Cassaway

City Clerk

E. L. Bratt Pres

# Joint Session.

Council Chamber of the Common Council  
of the City of San Diego Calif. May 6/1889.

A joint session, of the Common Council of the City of San Diego Calif. was held this day at 11 o'clock A.M.

Present. Aldermen: W. T. Christian, W. A. Pegole, D. Cave, J. Levi, C. F. Francisca, W. H. Norcross, J. C. Fisher, A. G. Gassan, and W. H. Purry.

Delegates: W. J. Lyons, Melvin Stone, C. W. Pauly, J. H. Marshall, A. H. Julian, G. G. Bradt, J. P. Davis, M. Day, G. M. Wetherbee, P. H. Rediquet, C. E. Weather, D. H. Hewitt, A. D. Seybolt, F. C. Thompson, A. G. Neubert, G. P. Lorr, C. F. Hamman, and Wm Cooper and Clerk Thomas.

Absent. None.

President Christian of the Board of Alderman calls the Common Council to order and on motion of Alderman Levi seconded by delegate Marshall, the Council proceeds to the Election of a City Clerk.

President Christian declares that nominations are in order, and now -

|                   |           |                 |
|-------------------|-----------|-----------------|
| Delegate Julian   | nominates | J. A. Thomas.   |
| " Day             | "         | W. D. Morry     |
| Alderman Norcross | "         | Ed. A. Buck.    |
| " Francisca       | "         | F. T. McWorthy  |
| " Pegole          | "         | K. J. Ware      |
| Delegate Pauly    | "         | W. M. Gassaway. |

There being no further nominations the President now appoints as tellers Alderman Fisher and delegate Weatherbee, and the Council now proceeds to ballot, with the following result.

|               |                |          |             |       |
|---------------|----------------|----------|-------------|-------|
| First Ballot. | J. A. Thomas   | receives | Five (5)    | votes |
|               | W. D. Morry    | "        | Five (5)    | "     |
|               | W. M. Gassaway | "        | Twelve (12) | "     |
|               | K. J. Ware     | "        | Two (2)     | "     |
|               | Ed. A. Buck    | "        | One (1)     | "     |
|               | F. T. McWorthy | "        | Two (2)     | "     |

No one having received a majority of all votes cast a second ballot is taken, and is found to be as follows:

|                |                |          |               |       |
|----------------|----------------|----------|---------------|-------|
| Second Ballot. | J. A. Thomas   | receives | Eight (8)     | votes |
|                | W. D. Morry    | "        | Six (6)       | "     |
|                | W. M. Gassaway | "        | Thirteen (13) | "     |

No one having received a majority of all votes cast, a third Ballot is taken, and is found to be as follows.

|               |              |          |           |       |
|---------------|--------------|----------|-----------|-------|
| Third Ballot. | J. A. Thomas | receives | Eight (8) | votes |
|               | W. D. Morry  | "        | Six (6)   | "     |



W.M. Gassaway receives Thirteen (13) Votes.  
No one having received a majority of all votes  
cast, a fourth Ballot was taken, and is found  
to be as follows.

Fourth Ballot. J.A. Thomas Receives Nine (9) Votes.  
W.D. Morry " Nine (9) "  
W.M. Gassaway " Nine (9) "

No one having received a majority of all  
votes cast, a fifth Ballot is taken, and is  
found to be as follows.

Fifth Ballot J.A. Thomas Receives Seven (7) Votes  
W.D. Morry " Ten (10) "  
W.M. Gassaway " Ten (10) "

No one having received a majority of all  
votes cast, a sixth Ballot is taken, and is  
found to be as follows.

Sixth Ballot. J.A. Thomas Receives Five (5) Votes.  
W.D. Morry " Eight (8) "  
W.M. Gassaway " Fourteen (14) "

W.M. Gassaway having received a majority  
of all votes cast, President Christian declares  
him to be duly Elected, to the position of City  
Clerk, and on motion of Alderman Forcross  
seconded by delegate Marshall, the election  
is made unanimous.

President Christian states that nominations for  
City Attorney are now in order, and the following  
nominations are made to wit:

Delegate Julian nominates N.L. Titus  
" Lyons " N.S. Slaughtev.  
Alderman Cave " Jas. P. Goodwin.  
Delegate Day " W.R. Guy

There being no further nominations the  
Council proceeds to Ballot, with the following  
result.

First Ballot. N.L. Titus receives Six (6) Votes  
N.S. Slaughtev " Seven (7) "  
Jas. P. Goodwin " Thirteen (13) "  
W.R. Guy " One (1) "

No one having received a majority of all votes  
cast, a second Ballot is taken, with the follow-  
ing result. To Wit:

Second Ballot. N.L. Titus receives Four (4) Votes.  
N.S. Slaughtev " Ten (10) "  
J. P. Goodwin " Thirteen (13) "

No one having received a majority of all votes  
cast, delegate Julian with draws the name of  
N.L. Titus, in favor of N.S. Slaughtev, and a third

Ballot is taken, and found to be as follows.  
 Third Ballot. H. D. Slaughter receives Thirteen (13) votes  
 Jas. P. Goodum " Fourteen (14) "  
 Jas. P. Goodum having received a majority  
 of all votes cast. President Christian, de-  
 clares him to be duly elected, to the Position  
 of City Attorney, for the City of San Diego, Cal.

On motion of Alderman Levi, seconded by alder-  
 man Fisher, the joint session of the Common Council  
 now adjourns, sine die, - and the two Boards  
 proceed to their respective rooms.

M. M. Gassaway

City Clerk

Ed Bratt Pres

Reconvening of Board of Delegates.

Common Council Chamber  
 Board of Delegates May 6. 1889.

Upon reconvening the Board of Delegates upon  
 motion of Delegate Julian seconded by delegate  
 Kamman, adjourn until 2 o'clock P. M. of this day.

M. M. Gassaway

City Clerk

Ed Bratt Pres

# Adjourned Meeting

Common Council Chamber  
Board of Delegates May 6<sup>th</sup> 1889

An adjourned meeting of the Board of Delegates of the City of San Diego, California, was held this day, at 2 o'clock P.M. with President Bradt presiding.

Present. Bradt. Lyons. Stone. Pauly. Marshall. Julian. Davies. Wetherbee. Rediger. Hewitt. Heath. Seybolt. Thompson. Low. Hurlburt. Cooper and Kammann, and Clerk Thomas.  
Absent, Day.

Delegate Wetherbee offers a resolution requesting visitors and members to refrain from smoking during all sessions of the Board, and moves seconded by Delegate Davies to adopt the same.

Delegate Rediger seconded by Delegate Julian moves to Amend by referring said resolution to the Committee on rules, when such a committee is created, and the Amendment is put and carried and it is so ordered. Delegate Day here enters & takes his seat.

On motion of Delegate Julian seconded by Delegate Lyons the Chair appoints Delegates Julian, Seybolt and Marshall as a committee of three on rules and order of business.

The appointment by the mayor of G.W. Jorres as Auditor and ex-officio assessor for the City of San Diego, Calif. is read, upon motion of Delegate Heath seconded by Delegate Marshall, the appointment of G.W. Jorres as auditor and ex-officio assessor is unanimously confirmed by the Board of Delegates.

Delegate Rediger moves, seconded by Delegate Julian, that a finance committee of three be appointed by the Chair. The motion is put and carried, and the Chair defers action.

On motion of Delegate Julian seconded by Delegate Marshall it is ordered that when the Board adjourns, it adjourns to meet May 7<sup>th</sup> 1889 at 7<sup>30</sup> P.M.

The Appointment by the mayor of J.A. Hammiton, E.F. Rockfellow and James M. Brooks as members of the Board of Fire Commissioners, for the City of San Diego, Calif. is read, and on motion of Delegate Heath seconded by Delegate Hewitt action on the appointment is deferred until May 7<sup>th</sup> 1889 at 7<sup>30</sup> P.M.

The appointment by the Mayor of P. C. Remondino, M.D. - W. A. Smart M.D. - Fred R. Burnham M.D. - T. A. Davis M.D. - and T. L. Magee M.D. - as members of the Board of Health of the City of San Diego, Calif. is read and on motion of Delegate Rediger seconded by Delegate Wetherbee, action on the appointment is deferred until May 7<sup>th</sup> 1889 at 7.30 o'clk P.M.

The appointment by the Mayor of John Ginty, George N. Hitchcock, D. Cave, E. W. Kendrick and E. J. Blackmer as members of the Board of Directors, of the Public Library, of the City of San Diego, is read, and on motion of Delegate Julian seconded by Delegate Davies action on the appointment is deferred until May 7<sup>th</sup> 1889 at 7<sup>30</sup> o'clk P.M.

The appointment by the Mayor of E. W. Bushyhead, C. J. Edwards, A. F. Kermes, and E. F. Goddard as members of the Board of Police Commissioners of the City of San Diego, Calif. is read, and on motion of Delegate Rediger seconded by Delegate Julian action is deferred on the appointment until May 7<sup>th</sup> 1889 at 7<sup>30</sup> o'clk P.M.

On motion of Delegate Cooper seconded by Delegate Lyons, the Chair appoints Delegates Cooper, Stone and Davies a committee of three to confer with a like committee from the Board of alderman, consisting of Alderman Fisher, Cave & Begole in reference to fixing the amount of the tax levy for the fiscal year of 1889.

On motion of Delegate Julian seconded by Delegate Pauley. The President appoints Delegates Hewitt, Pauley and Day as a committee of 3. to confer with a like committee from the Board of Aldermen, in reference to procuring a suitable building for a City Hall.

A communication from D. G. Stephens in reference to Renting the Norton Park Block to the City was read, and is referred to the committee on City Hall.

Delegate Lorr introduces a resolution, authorizing the City Clerk to purchase the necessary Books & Stationary for the different Departments, at a cost not to exceed \$300<sup>00</sup> and moves seconded by Delegate Kammorn to Adopt.

Delegate Davies seconded by Delegate Rediger moves to amend by fixing the maximum amount at \$150<sup>00</sup> and this amendment being put and Carried, is inserted in said resolution, and now the original motion as amended is put to vote and Carried and

said resolution is adopted as amended, and reads as follows. to wit:-

Be it resolved, that the City Clerk of the City of San Diego, be and he is hereby authorized to purchase necessary books and stationery for the different departments of the City, at a cost not exceeding One Hundred and fifty Dollars, upon requisition being made for the same by the heads of the different departments.

On motion of Delegate Julian seconded by Delegate Pauly the Board adjourns.

W. M. Cassaway  
City Clerk

E. E. Bradt Pres



# Adjourned Meeting.

Common Council Chamber.  
Board of Delegates. May 7<sup>th</sup> 1889.

An adjourned meeting of the Board of Delegates of the City San Diego, California, was held this day, at 7.30 o'clk P.M. with President Pratt, presiding.  
Present. Lyons. Stone, Pauly, Marshall, Julian, Pratt, Davies, Day, Witherbee, Rediger, Heath, Hewitt, Seybolt, Thompson, Neubert, Low, Kammann, Cooper. Clerk Gassaway.  
Absent. None.

The minutes of the first regular meeting of the joint session: and of the reconvening of the Board of Delegates, and of the adjourned meeting held at 2 o'clk P.M. May 6<sup>th</sup> 1889, are read, and on motion of Delegate Low, seconded by Delegate Seybolt, the minutes are approved as read.

A Communication from Clerk Gassaway, appointing Jno. F. Patton Deputy City Clerk was read, and on motion of Delegate Witherbee seconded by Delegate Cooper, said appointment was made unanimous.

A Communication from City Clerk Gassaway, stating that it will be necessary for the City to adopt an official seal, and recommending the adoption of the one now in use, is read, and on motion of Delegate Heath, seconded by Delegate Neubert the seal now in use, and of which the attached is an impression is hereby adopted as the official seal for the City of San Diego California.

A Communication from Sewer Inspector S. J. Goldthwait, referred from former Council, is read, and referred to Board of Public Works, when such Board is organized.

A Communication from Health Officer, Dr. D. Gochenauer, is read, and referred to the Auditor.

A Communication from the Board of Education showing the long and short terms of office, of each member of said Board, is read, and ordered filed.

The confirmation of the various appointments of the Mayor deferred from the last meeting of the Board, is now taken up, and Delegate Pauly seconded by Delegate Day offers the following resolution: viz -

Resolved, That all officers to be confirmed by this Board of Delegates shall be by ballot, and that a majority of all the Votes of the members of this Board shall be necessary for a confirmation, and the vote taken "Secret" which is adopted.

Delegate Rediger seconded by Delegate Pauly moves that the Board proceed with the confirmation or rejection of said appointees in accordance with the above resolution. This motion is put & Carried. and the confirmation or rejection of the Board of Fire Commissioners heretofore appointed by the Mayor is taken up and the President appoints as tellers, Delegates Lorr and Day. The name of J. K. Hamilton being the first in order, the Board proceeds to Ballot, with the following result. In favor of Confirmation, Eighteen (18) votes Yes

There being a unanimous vote in favor of said confirmation, the President now declares, the appointment of J. K. Hamilton, as a member of the Board of Fire Commissioners, By the Mayor to be duly confirmed By the Board of Delegates.

The name of E. F. Rockfellow was next in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation Seventeen (17) votes Yes.

one being thrown out - on account of being a double Ballot. There being Seventeen (17) votes cast in favor of, and none against, the President declares the appointment of E. F. Rockfellow, as a member of the Board of Fire Commissioners, By the Mayor to be duly confirmed by the Board of Delegates.

The name of Jas. M. Brooks was third in order, and the Board proceeds to Ballot with the following result.

In favor of Confirmation Four (4) Votes.

Against

Fourteen (14) "

There not being a sufficient number of votes in favor of Confirmation, The name of Jas. M. Brooks is declined and the President so declares.

The confirmation or the rejection of the Board of Health, heretofore appointed by the Mayor is taken up.

The name of P. C. Remondino M.D. being the first in order, the Board proceeds to Ballot with the following result -

In favor of Confirmation Eighteen (18) votes Yes

There being a unanimous vote in favor of said confirmation, the President now declares the appointment of P. C. Remondino M.D. as a member of the Board of Health, By the Mayor, to be duly confirmed by the Board of Delegates. The name of W. C. Smart M.D. being next in order, the Board proceeds to Ballot with the following result -

In favor of Confirmation Eighteen (18) Votes yes  
 There being a unanimous vote in favor of said confirmation, The President now declares the appointment of W. A. Smart M.D. as a member of the Board of Health, By the Mayor, to be duly confirmed by the Board of Delegates. - The name of Fred. R. Burnham<sup>m.</sup> being the next in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation Eighteen (18) Votes Yes  
 There being a unanimous vote in favor of said confirmation, The President now declares the appointment of Fred. R. Burnham M.D. as a member of the Board of Health By the Mayor to be duly confirmed by the Board of Delegates. -

The name of J. A. Davis M.D. being the next in order the Board proceeds to Ballot with the following result. - In favor of Confirmation. Seventeen (17) Votes

Against " " One (1) "

There being seventeen (17) votes cast in favor of, and one (1) against, The President declares the appointment of J. A. Davis M. D. as a member of the Board of Health By the Mayor, to be duly confirmed By the Board of delegates. - The name of J. L. Magee M.D. being next in order, the Board proceeds to Ballot, with the following result -

In favor of Confirmation Seven (7) Votes.

Against " " Eleven (11) "

There not being a sufficient number of votes cast in favor of Confirmation, the name of J. L. Magee M.D. is declined, and the President so declares.

The confirmation or the rejection of the Board of Police Commissioners, heretofore appointed by the Mayor is now taken up. The name of E. W. Bushyhead being the first in order, the Board proceeds to ballot with the following result.

In favor of Confirmation Eleven (11) votes

Against " " Seven (7) "

There being Eleven (11) votes cast in favor of, and Seven (7) against. The President declares the appointment of E. W. Bushyhead as a member of the Board of Police Commissioners, By the Mayor, to be duly confirmed by the Board of Delegates.

Delegate Cooper seconded by Delegate Day moves to postpone action upon the appointees of Police Commissioners, until Monday May 13. 1889. - The motion is put and lost.

The name of C. J. Edwards being the next in order, the Board of Delegates proceed to ballot, with the following result.

In favor of Confirmation Ten (10) Votes.

Against Confirmation Eight (8) Votes  
 There being Ten (10) Votes Cast in favor of, and Eight (8) Votes Against. The President declares the appointment of C. J. Edwards as a member of the Board of Police Commissioners, By the Mayor, to be duly confirmed by the Board of Delegates. - The name of C. F. Hummel being next in order the Board proceeds to Ballot with the following result.

In favor of Confirmation Nine (9) Votes

Against " " Nine (9) "  
 There being Nine (9) votes cast in favor of, and Nine (9) votes cast Against. There not being a sufficient number of votes cast in favor of C. F. Hummel is declined as a member of the Board of Police Commissioners, and the President so declares. - The name of C. F. Goddard being next in order, the Board proceeds to ballot, with the following result.

In favor of Confirmation Thirteen (13) Votes

Against " " Five (5) "  
 There being Thirteen (13) votes cast in favor of, and Five (5) Against. The President declares the appointment of C. F. Goddard as a member of the Board of Police Commissioners By the Mayor, to be duly confirmed by the Board of Delegates.

The confirmation or rejection of the Board of Public Library Directors, heretofore appointed by the mayor is now taken up. The name of John Ginty being the first in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation Fifteen (15) Votes

Against " " Three (3) "  
 There being Fifteen (15) Votes ~~being~~ cast in favor of and Three (3) Votes Against. The President declares the appointment of John Ginty as a member of the Board of Directors of the San Diego Public Library by the Mayor to be duly confirmed by the Board of Delegates. - The name of Geo. N. Hitchcock being second in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation Twelve (12) Votes

Against " " Six (6) "  
 There being Twelve votes cast in favor of and Six (6) Against. The President declares the appointment of Geo. N. Hitchcock as a member of the Board of Directors of the San Diego Public Library By the mayor to be duly confirmed by the Board of Delegates. The name of D. Ceeve being third in order



The Board proceeds to Ballot with the following result.

In favor of Confirmation Eleven (11) Votes  
Against " " Seven (7) "

There being Eleven (11) votes cast in favor of and seven (7) against. The President declares the appointment of D. C. Ave as a member of the Board of Directors of the San Diego Public Library. By the Mayor to be duly confirmed by the Board of Delegates. The name of E. W. Hendrick being fourth in order. The Board proceeds to Ballot, with the following result.

In favor of Confirmation Fourteen (14) Votes.  
Against " " Four (4) "

There being Fourteen cast in favor of & Four (4) against the President declares the appointment of E. W. Hendrick as a member of the Board of Directors of the San Diego Public Library. By the Mayor. To be duly confirmed by the Board of Delegates. The name of E. J. Blackmer being fifth in order the Board proceed to Ballot with the following result.

In favor of Confirmation Seventeen (17) Votes.  
Against " " One (1) "

There being Seventeen (17) Votes cast in favor of and one (1) against. The President declares the appointment of E. J. Blackmer as a member of the Board of Directors, of the San Diego Public Library by the Mayor to be duly confirmed by the Board of Delegates.

The Appointment by the Mayor of Jno. F. Sinks, Geo. B. Hensley and Geo. H. Matfield as Commissioners of the Board of Public Works is read, and on motion of Delegate Wetherbee seconded by Delegate Kammann action on the same is deferred until the next meeting.

On motion of Delegate Wetherbee seconded by Delegate Kammann it is ordered that when the Board adjourns, it be until Friday May 10<sup>th</sup> 1889 at 7.30 o'clock P.M.

Delegate Lyons presents an ordinance fixing the Salary of the City Clerk and his deputies. which ordinance is read, and delegate Lorr seconded by Delegate Pauly moves to adopt the same, Delegate Heath seconded Delegate Harburt moves to lay on the table, and this motion is put & Carried.



Delegate Heath seconded. by Delegate Cooper moves that a committee of three be appointed to act with a like Committee from the Board of Alderman, and recommend the amount of Salaries and Number of deputies in the City. This motion being put and carried, the President appoints, for said Committee Delegate Heath. Day & Thompson

The appointment of Will R. Rogers as deputy treasurer to serve without compensation is read & on motion of Delegate Cooper seconded by Delegate Stone, the appointment is confirmed.

A petition from J.M. Dodge, Treasurer & Tax Collector asking that he be allowed two deputies at a salary of Seventy Five dollars per month each is read, and referred to the special Committee on Salaries & Deputies heretofore appointed.

On motion Delegate Julian seconded by Delegate Kammann, The Board adjourns.  
 W.M. Gassaway City Clerk.  
 G. B. Pratt Pres

# Adjourned Meeting.

Common Council Chamber.  
Board of Delegates. May 10<sup>th</sup> 1889.

An adjourned meeting of the Board of Delegates of the City of San Diego, California, was held this day May 10<sup>th</sup> 1889. at 7.30 o'clk P.M. with President Bradt presiding.

Present. Lyons. Stone. Pauly. Marshall. Julian. Davies. Day. Wetherbee. Rediger. Heath. Hewitt. Seybolt. Thompson. Culburt. Low. Kamman, Cooper. Bradt and Deputy Clerk Patton.

Absent. None.

The minutes of an adjourned meeting held May 7<sup>th</sup> 1889. at 7.30 o'clk P.M. were read, and approved as read.

The Special Committee on Rules. present their report and upon certain amendments, being inserted the said report is adopted. - The said report reads as follows to Wit:-

Rules. of the Board of Delegates of the City of San Diego, California.

Rule I. The regular meeting of the Board of Delegates shall be on the first monday of each month, or if that day be a legal holiday, then on the next day at the hour of 7.30 o'clk P.M. from the first monday of ~~minim~~ April to the first monday of October and at 7 o'clk P.M. from the first monday of October to the first monday of April.

Rule II. The President shall call the Board to order precisely at hour appointed for the meeting.

Rule III. The roll of Delegates shall be called by the Clerk, and absentees noted.

Rule IV. The Standing Committee shall be as follows

- 1<sup>st</sup> Finance
- 2<sup>nd</sup> Streets, Alleys and Highways
- 3<sup>rd</sup> Sewer
- 4<sup>th</sup> Fire
- 5<sup>th</sup> Water, Gas, Electric Lights and Telephone.
- 6<sup>th</sup> City Lands
- 7<sup>th</sup> Parks
- 8<sup>th</sup> Public Buildings
- 9<sup>th</sup> Harbor and Wharf.
- 10<sup>th</sup> Health and Morals.
- 11<sup>th</sup> School and Library.
- 12<sup>th</sup> Police
- 13<sup>th</sup> Ways and Means.

Rule V. The order of "Business" shall be as follows:

- 1<sup>st</sup> Reading minutes of previous meeting.
- 2<sup>nd</sup> Reading Mayors Messages, Communications, Petitions, Memorials and Ordinances.
- 3<sup>rd</sup> Referring of matters to proper Committee by presiding Officer.

Rule VI. No member shall vote when personally interested in the decision of the question before the Council, nor shall any member be security on any Bond, note or obligation to the City.

Rule VII. Any member or other person desiring to address the Board shall rise to his feet and address the presiding Officer, otherwise he shall not be recognized or heard - this rule shall apply to making of motions and seconding the same.

Rule VIII. No personal or improper language shall be allowed in the presence of the Board, while in session, by members of the Board, or any other person under penalty, if by one not a member of the Board to Expulsion from the room during the session, and if by a member of the Board, to such punishment as may be fixed by law.

Rule IX. When two members arise at the same time to address the Chair the Presiding Officer shall decide who shall have the floor.

Rule X. When the presiding officer desires to leave the Chair he shall appoint some member of the Board to fill the same pro tem.

Rule XI. When an amendment to a resolution or motion is moved and seconded, the vote shall in all cases be first upon the Amendment, unless the mover of the resolution or motion shall accept the such Amendment. And more than one Amendment to an amendment shall not be allowed to the same question.

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

Rule XIII. The previous question being moved and seconded shall preclude all further debate until it has been decided.

Rule XIV. A two third vote of all the members present shall be necessary to suspend these rules.

Rule XV. When a question has been once put and decided, it shall be recorded for any member who voted in the majority, to move for the reconsideration thereof: but no motion for the reconsideration of any vote shall be made after the ordinance or resolution shall have gone

out of the possession of the Board, and no motion of reconsideration shall be made except at the meeting at which the resolution or Ordinance was accepted. The Presiding when voting with the majority may move to reconsider.

Rule XVI. No person shall speak more than twice to the same question without leave of the Board. nor more than once until every member choosing to speak, shall have spoken.

Rule XVII. When a motion is seconded, it shall be stated by the presiding Officer, before debate, and and every such motion shall be reduced to writing if any member desires it.

Rule XVIII. After a motion is stated by the presiding Officer, it shall be deemed to be in the possession of the Board, but it may be withdrawn at any time before decision or Amendment.

Rule XIX. When a question is under debate, no motion shall be received unless:

- 1<sup>st</sup> To Amend it.
- 2<sup>nd</sup> To Commit it.
- 3<sup>rd</sup> To lay it on the table.
- 4<sup>th</sup> To postpone.
- 5<sup>th</sup> The previous
- 6<sup>th</sup> To Adjourn.

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

Rule XXI. Every member who shall be present when a question is put, shall vote for or against the same, unless the Board shall excuse him, or unless he be personally interested in the question in which case he shall not vote, but no member shall be permitted to vote on a question when a division is called, unless present when his name is called in its regular order.

Rule XXII. A member called to order shall immediately sit down unless permitted to explain and the Board if appealed to, shall decide on the case, but without debate, if there be no appeal, the decision of the Presiding Officer shall be submitted to.

Rule XXIII. In all divisions taken by the Board on call of a member it shall be the duty of the Clerk to enter on the minutes the name of the member so calling for a division.

Rule XXIV. A Committee appointed to report on any any subject, shall if called for, report the facts in relation to the matter or subject referred, with their opinions thereon in writing, and no report shall be

received as the report of the committee, except the same be signed by a majority of the Committee, but nothing herein contained shall prevent a minority from submitting their report, which may be read if called for.

Rule XXV. No member shall absent himself after the Board of Delegates convenes without permission from the presiding officer.

Rule XXVI. Whenever it shall be moved and carried that the Board go into a Committee of the whole, shall the presiding officer shall leave the Chair and shall appoint a chairman of the Committee of the Whole, who shall report the proceeding of the Committee.

Rule XXVII. There shall be a purchasing committee, who shall have charge of all the material needed by the Board, said committee shall make a requisition for such material as may be ordered by the Board of Delegates.

Rule XXVIII. No person other than members of the Board shall address the Board on any matter except by permission of the President or by vote of the Board.

Rule XXIX. All communications, memorials, Petitions, Ordances and resolutions shall be filed with the City Clerk in duplicate - one copy addressed to the "Board of alderman" and one copy to the "Board of Delegates".

Rule XXX. In case of any disturbance or disorderly conduct in the Board room the President shall have power to order the same ceased.

Rule XXXI. All committees shall be appointed by the President unless otherwise ordered by the Board.

Rule XXXII. The Janitor shall be sargent at arms and shall at all times enforce good order during the meeting of the Board.

Rule XXXIII. The minutes of all meetings must be signed by the Presiding officer thereof, and the City Clerk.

Rule XXXIV. These rules may be changed or abolished only by a two third vote of the Board.

Communication from the Mayor submitting for a reconsideration the names of C. F. Keenies (nominated as a member of the Board of Police Commissioners) and J. L. Magee (nominated as a member of the Board of Health) is read, and upon motion of Delegate Rediger seconded by Delegate Julian, it is ordered that the communication be filed, and appointments acted upon.

Delegate Keath seconded by Delegate Low moves to go into a Committee of the Whole



for the purpose of reconsideration of action taken on the above nominations, this motion is put and carried, and now on motion of Delegate Heath seconded by Delegate Marshall, Delegate Rediger takes the Chair.

Delegate Low seconded by Delegate Keulburt moves that the Committee of Whole report back to the Board of Delegates that they recommend, that the Board of Delegates be reorganized, from the Committee of the Whole. This motion is put and carried and now upon President Bradt's resuming the Chair the above verbal report is made and received, and President Bradt declares the Board of Delegates to be in session.

On motion of Delegate Heath seconded by Delegate Keulburt, it is ordered that the Board of Delegates resolve itself into executive session for the purpose of considering all nominations submitted by the Mayor.

In accordance with the above order the room is now cleared and all spectators, reporters, and the Clerk, retire.

Upon reconvening President Bradt calls the Board to order, and upon motion of Delegate Rediger seconded by Delegate Marshall, it is ordered that the Board proceed to the confirmation or rejection of the nominations submitted by the Mayor, and upon motion of Delegate Marshall seconded by Delegate Rediger, it is further ordered that the above proceeding be, by an Aye and No vote of the Board, and the confirmation or rejection of the Commissioners of the Board of Public Works heretofore appointed by the Mayor is taken up. The name of Jno. F. Sinks being the first in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation Thirteen (13) Votes.  
Against Five (5) "

There being Thirteen (13) votes in favor of Confirmation and Five (5) against confirmation, The President now declares the appointment of John F. Sinks as commissioner of the Board of Public Works By the Mayor, to be duly confirmed.

The name of Geo. D. Wensley, being the next in order, the Board proceeds to Ballot, with the following result.

In favor of Confirmation Seven (7) votes.

Against Confirmation Eleven (11) Votes.  
 There being seven (7) votes in favor of Confirmation and Eleven (11) against Confirmation, & There not being a sufficient number of votes cast in favor of, Geo. B. Wensley, is declined as a Commissioner of the Board of Public Works, and the President so declares.

The name of S. H. Matfield being third in order, the Board proceeds to Ballot with the following result.

In favor of Confirmation seven (7) votes  
 Against " Eleven (11) "

There being seven (7) in favor of Confirmation and Eleven (11) against Confirmation, & There not being a sufficient number of votes cast in favor of, S. H. Matfield, is declined as a Commissioner of the Board of Public Works, and the President so declares.

The confirmation or rejection of C. F. Kennes, as a member of the Board of Police Commissioners is now taken up, and the Board proceeds to Ballot with the following result.

In favor of Confirmation Eighteen (18) votes.

There being a unanimous vote in favor of Confirmation, The President declares the appointment of C. F. Kennes, as a member of the Board of Police Commissioners, By the Mayor to be duly confirmed by the Board of Delegates.

The confirmation or rejection of J. L. Magee M.D. as a member of the "Board of Health" is now taken up and the Board proceeds to Ballot, with the following result.

In favor of Confirmation Eight (8) votes.

Against " Ten (10) "

There being Eight (8) votes in favor of Confirmation and Ten (10) against Confirmation, & There not being a sufficient number of votes cast in favor of, J. L. Magee M.D. is declined as a member of the Board of Health, and the President so declares.

The confirmation or rejection of Jno. P. Burt as a member of the Board of Fire Commissioners is now taken up, and the Board proceeds to Ballot with the following result.

In favor of Confirmation Eighteen (18) Votes.

There being a unanimous vote in favor of Confirmation, The President declares the appointment of Jno. P. Burt as a member of the Board of Fire Commissioners, By the Mayor to be duly confirmed by the Board of Delegates.

A communication from J. M. Jorres Auditor calling the attention to article 6 - Chapter 2. Sec. 9 Clause 14

of Financial Administration requiring the Common Council to determine and designate by Ordinance to what funds shall be apportioned all moneys arising from the Levy of all Licence Taxes in the City, is read and filed.

A Communication from the Board of Education notifying the Common Council that \$45000.<sup>00</sup> is necessary for the general maintenance of the Schools for the ensuing year is read, and on motion of Delegate Julian seconded by Delegate Keath, the same is laid on the table.

The following report from a special Committee is read. Viz:-

### Joint Tax Levy Committee's Report.

We your joint Committee from the Board of Aldermen and Board of Delegates, would respectfully report that we have met in joint session, and after hearing evidence from the various departments in the City, and after a full discussion, would make the following report.

We would recommend that the Levy upon the Interest and redemption funds be fixed at 35 cents upon the \$100. in valuation and that the full limit of 90 cents, on each \$100. be levied upon the several funds, making a total Levy of \$1<sup>25</sup>/<sub>4</sub> on each \$100 divided as follows.

Municipal Bond redemption and Interest fund seven (7) cents on each \$100. Dollars.

Sewer Bond redemption and Interest fund Twenty Two (22) cents on each \$100. Dollars

Municipal School Improvement fund, Bond redemption and Interest fund, Six (6) cents on each \$100. Dollars

School fund, Twelve (12) cents on each \$100. Dollars

Public Library fund four (4) cents on each \$100. Dollars

Salary fund Thirty One (31) cents on each \$100 Dollars

Fire Department fund Five and one half (5<sup>1</sup>/<sub>2</sub>) cents on each \$100. Dollars.

Police fund One (1) cent on each \$100. Dollars

Street fund Five (5) cents on each \$100 Dollars

Harbor & Wharf funds one half (1<sup>1</sup>/<sub>2</sub>) cent " "

Sewer & Drainage fund Ten and one half (10<sup>1</sup>/<sub>2</sub>) cents on each \$100. Dollars

Street Light fund Five (5) cents on each \$100. Dollars

Public Health " Four and one half (4<sup>1</sup>/<sub>2</sub>) cents " "

" Buildings " Two (2) cents " "

Office Fund, one & onehalf (1 1/2) cents on each \$100. Dollars.  
 General " Seven & onehalf (7 1/2) " " " " " " " " " "

In addition the Committee deem it their duty to make an additional Statement of the manner of arriving at the above Conclusion, We find the total Indebtedness of the City to be \$25,873.<sup>20</sup> as yet unpaid upon investigation we find that the actual amount necessary to carry on the different departments of the City is one hundred and thirty five thousand dollars, (including schools) per Annum. We find that the total amount of Assessment Roll of the present year is \$15,436.271.<sup>00</sup> which after a proper reduction for delinquents and unknown will give about \$13,500.000.<sup>00</sup> valuation on the full limit of 90 cents upon this amount would give but \$121,500.<sup>00</sup> or a deficiency of \$73,500.<sup>00</sup> we find that the School department is in better condition than any other department of the City, having a Cash Balance of \$64,000.<sup>00</sup> on hand at the present time (\$30,000.<sup>00</sup> derived from the City and \$34,000 from the State and County) putting this fact into consideration and from statements made to our Committee by the Committee from the Board of Education we consider the 12 cent Levy made to the School fund to be a very liberal one, namely \$16,700.<sup>00</sup> this added to the amount now on hand gives them \$80,200.<sup>00</sup> which from their own statement is \$3,200.<sup>00</sup> more than the amount absolutely necessary to meet the actual demands of this department, Realizing the disastrous results which would be caused by the failure to maintain any one of the departments of the City, the Committee have endeavored, to so apportion the Tax Levy as to maintain each and every department but to give a surplus to none.

Respectfully

Committee of Aldermen, J. C. Fisher Chairman

D. C. Ave

W. H. Begole

Committee of Delegates, W. M. Cooper

Melvin Stone

J. P. Davies

And on motion Delegate Marshall seconded by Delegate Day, the report is adopted.

An ordinance Levying a Tax on all property in the

City of San Diego, California, for the fiscal year 1889. is read. and on motion of Delegate Wetherbee seconded by Delegate Marshall, and by the following vote viz. Ayes, Delegates, Lyons, Stone, Pauley, Marshall, Julian, Davies, Day, Wetherbee, Rediger, Heath, Hewitt, Seybolt, Thompson, Neubert, Lorr, Kammann, Cooper, Pratt. - Noes None. - the same is adopted as read.

Said Ordinance reads as follows.

"Ordinance No. one.

An ordinance levying a tax on all property in the City of San Diego, California, for the fiscal year 1889. Be it ordained by the Common Council of the City San Diego, as follows.

Section 1.<sup>st</sup> The following taxes are hereby levied for the fiscal year on all taxable property, assessed and situated in the City of San Diego, - California. viz. - one dollar and twenty five cents (\$1.25) on each one hundred dollars, valuation of taxable property, apportioned as follows.

- for 1. Fire Department fund. five and one half cents (5 1/2)
2. Salary fund Thirty one cents (31)
3. Police Department Fund, one cent (1)
4. Street Fund Five Cents (5)
5. Harbor and Wharf Fund. one half cent (1/2)
6. Sewer and Drainage Fund Ten and one half cents (10 1/2)
7. School Fund. Twelve Cents (12)
8. Street Light Fund Five Cents (5)
9. Park Improvement Fund. (0).
10. Public Health Fund. Four and one half cents (4 1/2)
11. Library Fund. Four cents. (4)
12. Public Building Fund. one and one half cents (1 1/2)
13. Office Fund. one and one half cents (1 1/2).
14. General Fund. Seven and one half cents (7 1/2).
15. Sewer Bond Redemption. and Interest Fund. Twenty Two cents (22).
16. Municipal Bond Redemption and Interest Fund seven cents (7).
17. Municipal school Bond Redemption and Interest Fund. Six cents.

Section 2.<sup>nd</sup>. That this ordinance shall take effect and be in force from and after one publication thereof in the San Diego Daily Sun."

Delegate Neubert seconded by Delegate Lorr moves that the President defer the signing of the above ordinance until Monday May 13<sup>th</sup> 1889. this motion is put and lost and now Delegate Marshall seconded by Delegate Julian, moves that the President be instructed and authorized to sign ordinance No. one, being an ordinance levying a tax on all property in the City of San



Diego, California for the fiscal year 1889. and this motion being put and Carried, the President signs said Ordinance No. one, in open session

On motion of Delegate Witherbed seconded by Delegate Cooper, the Board adjourns, until tomorrow May 11<sup>th</sup> at 10 o'clock A.M.

W. M. Gasaway

City Clerk

E. S. Bradt Pres

## Adjourned Meeting.

Common Council Chamber, Board of  
Delegates, May 11<sup>th</sup>, 1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 10 o'clock A.M. with President Bracht Presiding;

Present, Delegates - Lyons; Stone; Pauly; Marshall; Julian; Day; Davis; Rediger; Witherbee; Hewitt; Heath; Thompson; Seybolt; Hulburt; Saw; Kammann; Cooper; Bracht and Deputy Clerk Patton.

Absent - None.

On motion of Delegate Withersbee seconded by Delegate Stone the reading of the minutes of the previous meeting is deferred to the next meeting.

President Bracht now appoints the following Standing Committees, to-wit:

Finance: - Heath, Withersbee; Davis.

Streets, Alleys & Highways: - Pauly; Day; Seybolt.

Sewer: - Julian; Thompson; Seybolt.

Water, Gas, Electric Light & Telephone: - Marshall; Davis; Thompson.

Fire: - Rediger; Heath; Pauly.

City Lands: - Saw; Lyons; Kammann.

Parks: - Day; Stone; Rediger.

Public Buildings: - Hewitt; Day; Julian.

Harbor & Navy: - Withersbee; Marshall; Cooper.

Health & Morals: - Hulburt; Cooper; Saw.

School & Library: - Davis; Saw; Stone.

Police: - Seybolt; Kammann; Lyons.

Ways & Means: - Stone; Pauly; Hewitt.

Purchasing: - Day; Cooper; Hewitt.

and on motion of Delegate Cooper sec. by Delegate Withersbee the appointments are confirmed.

On motion of Delegate Withersbee seconded by Delegate Heath the City Clerk was instructed to have prepared in pamphlet form - the rules of the Board of Delegates, together with the Standing Committees of both Boards.

A Message from the Mayor submitting the name of Addison Morgan, as a member of the Board of Health, is read. and Delegate Davis seconded by Delegate Lyons move to receive the message and forward to the consideration of the nomination.

Delegate Saw seconded by Delegate Pauly move to postpone action until Monday, May 13, 1889. This motion is put and lost, and now the original motion being put and carried.

The Board now proceeds, by an Aye and No vote, to the confirmation or rejection of Addison Morgan as a member of the Board of Health, with the following result, to wit:

Ayes: Lyons: Stone: Pauley: Marshall: Julian: Davies: Day:  
Rediger: Metherbee: Hewitt: Heath: Thompson: Seybolt:  
Hulburt: Saw: Kammann: Cooper: Broad.

There being a unanimous vote in favor of confirmation, the President declares the appointment of Addison Morgan as a member of the Board of Health, by the Mayor, to be duly confirmed by the Board of Delegates.

A Message from the Mayor submitting the names of George B. Hensley and Joseph Falkenham, as members of the Board of Public Works, is read, and on motion of Delegate Metherbee seconded by Delegate Kammann the Message is received and the Board proceeds to the confirmation or rejection of Geo. B. Hensley as a member of the Board of Public Works with the following result, to wit:

Ayes: - Stone: Pauley: Marshall: Julian: Rediger: Heath: Hulburt: Kammann.  
Meth: Lyons: Davies: Day: Metherbee: Hewitt: Thompson: Seybolt: Saw: Cooper: Broad.

There being eight votes in favor of confirmation, and ten against, and there not being a sufficient number of votes cast in favor of confirmation - the name of Geo. B. Hensley, is declined, and the President so declares.

The name of Joseph Falkenham, as a member of the Board of Public Works, being next in order, the Board proceeds to vote with the following result, to wit: (by Aye & No vote)  
In favor of confirmation eighteen (18) votes.

There being a unanimous vote in favor of confirmation, the President declares the appointment of Jos. Falkenham as a member of the Board of Public Works, by the Mayor, to be duly confirmed by the Board of Delegates.

On motion of Delegate Day seconded by Delegate Kammann the Clerk is instructed to notify the Mayor of the result of the above vote upon the above nominations.

The following Special Committee Report is read, viz:  
Report of Committee on Salaries.

We, your Joint Committee from the Board of Aldermen and Board of Delegates would respectfully report that we have met in Joint session and after full discussion and careful deliberation have decided to fix the salary of the City Clerk at One Hundred dollars (\$100<sup>00</sup>), per month.

That of the Deputy City Clerk at Seventy five dollars (\$75<sup>00</sup>), per month.

That of the Deputy Auditor at Seventy-five dollars (\$75<sup>00</sup>), per month.

That of one Deputy of the City Treasurer and Tax Collector at Seventy-five dollars (\$75<sup>00</sup>), per month.

We would also recommend that M. A. Papier, the old janitor be retained at fifty-five dollars (\$55.00) per month, for taking care of all the City Offices, as well as the room of the Police Judge, and to act as sergeant at arms during the sessions of the Boards.

Respectfully submitted. John C. Fisher, Chairman  
A. G. Moreno

Board of Aldermen, Committee.

A. G. Gassen

C. E. Heath, Chairman

M. A. Day

Board of Delegates, Committee.

J. C. Thompson

And on motion of Delegate Marshall seconded by Delegate Julian the report is accepted.

A message from the Mayor, submitting a requisition from the Auditor for the following articles, to wit:

Auditor's Office. { 1 Book Register of Bills presented.  
1 Cash Book  
1 Ledger  
2 Small Record Books

Treasurer's Office { 1 Cash Book  
1 Ledger  
1 Paid Warrants Book  
1 Stub Book Treasurer Receipts

And recommending that the Board make the proper authorization for the expenditure, pending the organization of the Board of Public Works, is read. And on motion of Delegate Heath seconded by Delegate Thompson it is ordered that the purchase of the items named in the requisition be authorized.

The following Majority and Minority Reports of Special Committee are read, to wit:

"Majority.

Report of Com. on City Hall and Public Buildings.

Your Com. on City Hall and Public Buildings respectfully report that they have rec'd offers from various property owners, and having duly & carefully considered all of them, would recommend the acceptance of D. B. Stevens' offer of the Horton Bank Building at \$200 per month, for one year with the privilege of two years, including also an option to purchase said Building & the ground for the sum of \$40,000. The Bid of D. B. Stevens, reduced to writing, & signed together with a sketch of the Horton Bank Building is herewith presented.

Respy.

Com. of  
Aldermen

{ C. E. Francisco  
A. G. Moreno  
A. G. Gassen

Com. of  
Delegates

{ Chas. W. Pauley  
M. A. Day

### Minority.

Your Committee appointed on Halls and Buildings beg leave to submit the following minority report. Your Committee met, and after considering several propositions would recommend the proposition submitted by Mr. C. S. Hamilton as being the most central and suitable building for the offices of the City of San Diego.

Respectfully submitted

J. H. Hewitt.

and now Delegate Heath seconded by Delegate Julian moves to adopt the minority report. This motion is put and lost and now on motion of Delegate Davis seconded by Delegate Lyons the Majority report is adopted.

On motion of Delegate Pauly seconded by Delegate Netheberts the City Attorney is instructed to draw a lease in accordance with the above majority report.

On motion of Delegate Marshall seconded by Delegate Hulburt the matter of alterations and repairs upon the Horton Bank Building is referred to the Building Committee.

A Message from the Mayor, renewing the nomination of George B. Hensley, as a member of the Board of Public Works, is read and on motion of Delegate Marshall seconded by Delegate Kamman the Message is received, and the Board proceeds to the confirmation or rejection of the above nomination with the following result, viz:

In favor of Confirmation, Delegates - Pauly: Marshall: Rediger: Heath: Hulburt: Kamman.

Against Confirmation - Delegates - Lyons: Stone: Julian: Davis: Day: Netheberts: Hewitt: Thompson: Seybolt: Law: Cooper: Bradt. There being six votes in favor of Confirmation and twelve against, and there not being a sufficient number votes cast in favor of Confirmation - the name of Geo. B. Hensley is declined and the President so declares.

Delegate Rediger offers a Resolution permitting members of the Board to smoke, and moves seconded by Delegate Marshall to adopt the same. The motion is put and declared by the President to be lost.

Delegate Rediger calls for a division and a rising vote being taken, the President again declares the motion to be lost.

On motion of Delegate Law seconded by Delegate Cooper the Board adjourns until Monday, May 13, 1889, at 7.30 o'clock P. M.

W. M. Cassaway  
City Clerk

G. L. Bradt  
President



# Adjourned Meeting.

Common Council Chamber,  
Board of Delegates, May 13, 1889.

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

Present, Delegates; Lyons: Stone: Pauly: Marshall: Julian: Davies: Day: Rediger: Weberbauer: Heath: Hewitt: Seybolt: Thompson: Hulburt: Low: Kammann: Cooper: Bradt and Deputy Clerk Patton.

Absent, None.

The Minutes of an Adjourned Meeting held May 10, 1889, at 7.30 o'clock p.m. are read, and approved as read.

The Communication from J. M. Torres, Auditor, in regard to the apportionment of License tax, heretofore filed by the Board is read and referred to the Finance Committee.

The City Attorney presents a Lease for the "Horton Bank Block" drawn in accordance with the Majority report of the Special Committee on Buildings, heretofore adopted, which is read, and now on motion of Delegate Davies seconded by Delegate Hulburt the following resolution is adopted. To wit:

## Joint Resolution No. 1.

Be it Resolved, by the Common Council (the Board of Aldermen Concurring) that the President of the Board of Delegates and the President of the Board of Aldermen be instructed to sign the instrument for the Lease of the premises known as the "Horton Bank Block", and more particularly described in the indenture of Lease, this day given, and that the City Attorney be instructed to have the same recorded.

A message from the Mayor, submitting a Petition requesting that he again submit the name of Geo. B. Hensley, as a Commissioner of the Board of Public Works, is read, together with said Petition, and on motion of Delegate Heath seconded by Delegate Low, the message is received, and the Board proceeds to act upon the said nomination.

Delegate Heath now requests by motion, seconded by Delegate Pauly, that his (Heath's) name be passed in the roll call to the last, next before that of the President. The motion is put and declared by the President to be Lost. Whereupon Delegate Heath calls for a division and the motion is again declared to be Lost by a rising vote of seven Ayes and ten Nays.

The Board now proceeds to act upon the nomination of Geo. B. Hensley, as a Commissioner of the Board of Public

Motion, with the following result viz:

In favor of confirmation, Delegates: Stone: Pauly: Marshall: Davies: Rediger: Heath: Hulburt: Kamman. - eight (8)

Against confirmation; Delegates: Lyons: Julian: Day: Hewitt: Metkerber: Seybolt: Thompson: Saw: Cooper: Bradt = ten (10)

There being eight votes in favor of confirmation, and ten against, and there not being a sufficient number of votes cast in favor of confirmation, the President declare the name of Geo. B. Hensley to be declined.

On motion of Delegate Pauly seconded by Delegate Day, the Clerk notified the Mayor of the result of the above vote.

An Ordinance fixing the compensation of the City Clerk et al, is read and on motion of Delegate Saw seconded by Delegate Lyons, and by the following vote, to wit:

Ayes: Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davies: Day: Rediger: Metkerber: Heath: Hewitt: Seybolt: Thompson: Hulburt: Saw: Kamman: Cooper: Bradt = (18)

The Ordinance is adopted as read. Said Ordinance reads as follows, to wit:

#### Ordinance No. 2.

An Ordinance fixing the compensation of the Clerk of the City of San Diego, the compensation of the Deputy Clerk of said City, the compensation of the Deputy Auditor, and the compensation of one deputy of the City Treasurer and Tax Collector.

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

Section 1st: That the compensation of the following named officers shall be as follows:

Section 2 - That of the Clerk of the City of San Diego be and the same is hereby fixed at one hundred dollars a month.

Section 3 - That of the Deputy Clerk of said City, that of the Deputy Auditor, and that of the Deputy Treasurer and Tax Collector be and the same is hereby fixed at seventy-five dollars a month each, payable monthly.

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

An Ordinance to appoint a Janitor and fix his compensation, is read and on motion of Delegate Kamman seconded by Delegate Hulburt, and by the following vote, to wit:

Ayes: Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davies: Day: Rediger: Metkerber: Heath: Hewitt: Seybolt: Thompson: Hulburt: Saw: Kamman: Cooper: Bradt = (18)

The Ordinance is adopted as read. Said Ordinance reads as follows, to wit:

#### Ordinance No. 3.

An Ordinance to appoint a Janitor and fix his compensation. Be it ordained by the Common Council as follows:

Section 1. - That M. H. Pappier is hereby appointed Janitor.

Section 2. - That the duty of said Janitor shall be to take care of all City offices including Police Court room and to act as sergeant at arms during the sessions of the Common Council.

Section 3. - That the compensation of said Janitor be and the same is hereby fixed at fifty-five dollars a month payable monthly.

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

A Message from the Mayor, stating that the Auditor has made requisition for certain books, blanks etc. as immediately necessary for the proper performance of the duties of his office, and of the Treasurer and Tax Collector, and recommending the Common Council to make proper authorization for the expenditures, pending the organization of the Board of Public Works, is read ~~and~~ on motion of Delegate Cooper seconded by Delegate Low the City Clerk is instructed and authorized to make such purchases as may be necessary for the immediate use of the Auditor, and Treasurer & Tax Collector.

A Communication from Auditor Jones, stating that he has appointed three temporary deputies at salaries not exceeding seventy-five dollars per month each, to extend and complete the Assessment Roll of the City of San Diego, is read together with the following Report from Mayor Gunn upon the same, viz:

To the Common Council: I have investigated the application for additional temporary assistance in the office of the Auditor, and respectfully recommend that the same be allowed as necessary for the proper performance of the service named within the time allowed by law. Douglas Gunn."

Now on motion of Delegate Metherell seconded by Delegate Kammann the Auditor's appointments are ratified for a period of not exceeding ten days.

On motion of Delegate Heath seconded by Delegate Pauley it is ordered, that inasmuch as Mr. J. Egan, a member of this Board, having signed a petition recommending the appointment to Public Office of a certain person, the confirmation or rejection of which appointment rests with this Board, that he be permitted to purge himself.

After giving notice, President Probst now in open session signs Ordinance No. 2. being "an Ordinance fixing the compensation of the Clerk of the City of San Diego, the compensation of the Deputy Clerk of said City, the compensation of the Deputy Auditor, and the compensation of one Deputy of the City Treasurer and Tax Collector."

After giving notice, President Probst now in open session signs Ordinance No. 3. being "an Ordinance to appoint a Janitor and fix his compensation."

A Message from the Mayor renewing the nomination of Geo. B. Husley, as a Commissioner of the Board of Public Works, is read, and Delegate Heath seconded by Delegate Wetherbee moves to receive the message and proceed to act upon the above nomination.

Delegate Ridger offers an amendment in the form of a Resolution confirming the nomination of Geo. B. Husley, as a Member of the Board of Public Works, and move seconded by Delegate Marshall to adopt.

Delegate Day seconded by Delegate Julian moves to lay the amendment on the table. This motion is put and carried. And now the original motion being put and carried, the Board proceeds to act upon the nomination of Geo. B. Husley as a Commissioner of the Board of Public Works with the following result. To wit:

"In favor of Confirmation: Delegates: Stone: Pauley: Marshall: Davis: Ridger: Heath = (6)

Against Confirmation: Delegates: Lyons: Julian: Day: Wetherbee: Hewitt: Lybolt: Thompson: Hulbert: Kammann: Saw: Cooper: Bradt = (12)

There being six votes in favor of confirmation, and twelve against, and there not being a sufficient number of votes cast in favor of confirmation, the President declares the name of Geo. B. Husley to be declined.

On motion of Delegate Cooper seconded by Delegate Day the Clerk notifies the Mayor of the result of the above vote.

Delegate Pauley seconded by Delegate Cooper moves to adjourn until tomorrow at 2 o'clock P. M.

Delegate Wetherbee seconded by Delegate Stone moves to amend by adjourning until tomorrow (May 14) at 7.30 o'clock P. M.

The amendment is put and carried and now the motion as amended is carried, and the Board adjourns until tomorrow May 14, 1889, at 7.30 o'clock P. M.

W. M. Cassaway  
City Clerk.

E. S. Bradt  
President

# Adjourned Meeting.

Common Council Chamber, Board of  
Delegates, May 14<sup>th</sup>, 1889.

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

Present, Delegates: Lyas: Stone: Pauley: Morrall: Julian:  
Davies: Day: Rediger: Metlerber: Heath:  
Hewitt: Thompson: Lybolt: Hulburt: Saw:  
Kammann: Cooper: Bratt & Clerk Gassaway.

Absent: None.

The Minutes of an Adjourned Meeting held May 11<sup>th</sup>, 1889, at 10 o'clock A.M. are read, and approved as read.

A Petition for a Retail Liquor License, submitted by William Giegler, is read & on motion of Delegate Rediger seconded by Delegate Julian the Petition is referred to the Health and Morals Committee.

On motion of Delegate Julian seconded by Delegate Day the Board adjourns until Monday, May 20, 1889, at 7.30 o'clock P.M. -

W.M. Gassaway  
City Clerk.

G. H. Bratt  
President



## Adjourned Meeting.

Common Council Chamber, Board  
of Delegates, May 20<sup>th</sup> 1889.

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

Present, Delegates: Lyons: Stone: Pauley: Marshall: Julian: Davies:  
Day: Rediger: Metherbee: Heath: Hewitt:  
Thompson: Seybolt: Saw: Kammann: Cooper:  
Bract and Deputy Clerk Patton.

Absent, Delegate: Hulbert.

The Minutes of an Adjourned Meeting held May 13. are read and approved as read.

The Minutes of an Adjourned Meeting held May 14, are read and approved as read.

A Message from the Mayor renewing the nomination of Geo. B. Hensley, as a member of the Board of Public Works, is read and on motion of Delegate Heath seconded by Delegate Cooper the Message is received, and the Board proceeds to the confirmation or rejection of the above nomination with the following result, to wit:

In favor of confirmation, Delegates: Stone: Pauley: Marshall: Davies: Rediger: Heath: Cooper. = (7)

Against confirmation, Delegates: Lyons: Julian: Day: Metherbee: Hewitt: Thompson: Seybolt: Saw: Kammann: Bract. = (10)

There being seven votes in favor of confirmation, and ten against, and there not being a sufficient number of votes cast in favor of confirmation - the name of Geo. B. Hensley is declined, and the President so declares.

A Communication from City Clerk Cassaway, calling attention to the expiration of the present Insurance upon the City Hall, is read & referred to the Building Committee.

The following report from the Building Committee, of the Board of Aldermen and Board of Delegates, is read & filed, to wit:

"Your Committee to whom was referred the matter of arranging the rooms for the Common Council and other offices, beg leave to submit the following report: After consultation with Committee of Board of Delegates we have agreed to the following plans: a draught of which accompanies and forms a part of this report (plans submitted) All of which is respectfully submitted.

H. A. Perry

H. A. Begole

The following Petitions for Liquor License are read and referred to the Health and Morals Committee, to wit:

Geo. Kromburg - Detail.

E. Van Houten - "

A Communication from D. Gochmanauer, Secretary Pro Tem. of the Board of Health, showing the terms of office of the members of said Board, is read, and filed.

A Communication from W. A. Stagner, soliciting the Insurance of the City Hall, is read, and referred to the Building Committee.

The following Communication from Jas. I. Schuyler, City Surveyor is read. To wit:

"I submit for your consideration the enclosed proposition of the Cal. Southern and Cal. Central Ry. Cos., by J. McCool, Genl. Manager, for the transfer of the title of the R.R. Cos to a portion of Arctic St. back to the City, in consideration of being relieved of Street Assessments on J. St. fronting together with a plat of the depot grounds.

Jas. I. Schuyler  
City Surveyor"

(accompanied by the proposition of J. McCool & a plat of the depot grounds)

The new Delegate Marshall excepts, by motion, seconded by Delegate Julian to the consideration of the said proposition. Delegate Cooper seconded by Delegate Wetherbee moves to amend by referring to the Committee on Streets, Alleys & Highways.

This amendment is carried & the original motion as amended is carried & the matter referred to the Committee on Streets, Alleys & Highways.

A Message from the Mayor submitting the name of Daniel Schuyler as a Member of the Board of Public Works, is read & Delegate Pauly seconded by Delegate Day moves to defer consideration until the next meeting.

Delegate Heath seconded by Delegate Lyons moves to amend by proceeding to the confirmation or rejection of said nominee immediately. This amendment is lost & Delegate Cooper seconded by Delegate Fox moves a substitute for the original motion - "that the consideration of said nomination be postponed until tomorrow evening." This substitute is carried & the matter deferred until tomorrow evening.

An Ordinance determining and designating the fund to which shall be apportioned all moneys arising from the levy of all license taxes. read & on motion of Delegate Fox seconded by Delegate Julian and by the following vote, viz:  
Ayes: Delegate Lyons: Stone: Pauly: Marshall: Julian: Davies:  
Day: Rediger: Wetherbee: Heath: Hewitt: Thompson: Seybold.

Sav: Kammam: Cooper: Bract.

Moss, & Moss.

The Ordinance is adopted as read. Said Ordinance reads as follows; to wit:

### Ordinance No. 5.

An Ordinance determining and designating the fund to which shall be apportioned all moneys arising from the levy of all license taxes.

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

Sec. 1. That all moneys arising from the levy of all license taxes shall be apportioned to the fund known as the General fund of the City of San Diego.

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

An Ordinance constituting the Police force of the City of San Diego and fixing the compensation of the same, is read and Delegate Rediger seconded by Delegate Sav moves to adopt the same as read.

Delegate Marshall seconded by Delegate Pauly moves to amend by - 1<sup>st</sup> Making the salary of eleven policemen not to exceed \$75 per month each

2<sup>nd</sup>. Making the salary of one policeman (being the twelfth) not to exceed \$90 per month.

3. Striking out Section 3<sup>rd</sup>.

On motion of Delegate Rediger seconded by Delegate Lyons it is ordered that the above amendments be acted upon en bloc.

Delegate Rediger seconded by Delegate Cooper moves to amend Article No. 4 of Delegate Marshall's amendment by striking from Section 2 of said Ordinance the words "an average of" & leaving the compensation at \$80 per month for said eleven policemen. This amendment is carried & the words "an average of" are stricken out.

Article No. 4 of Delegate Marshall's amendment as amended is now put to vote & declared by the President to be carried, whereupon Delegate Rediger calls for a division and the following is the result of a roll call upon the same. viz:

Ayes, Delegates, Lyons: Stone: Rediger: Wetherbee: Thompson: Seybolt; Sav: Kammam: Cooper: Bract.

Noes, Delegates, Pauly: Marshall: Julian: Jarvis: Day: Heath: Hewitt.

Article 2 of Delegate Marshall's amendment is now put to vote with the following result, to wit:

In favor of Article 2 of said amendment, Delegates - Marshall.

Against same, Delegates - Lyons: Stone: Pauly: Jarvis: Julian: Day: Rediger: Wetherbee: Heath: Hewitt: Thompson: Seybolt: Sav: Kammam: Cooper: Bract.

There being one vote for and sixteen against said amendment

is declared to be lost & the twelfth policeman's salary remains as before. Article 3 of Delegate Marshall's amendment is now put to vote with the following result: (This being the Article to strike out Section 3<sup>rd</sup> of the Ordinance.)

In favor of Article 3 of amendment, Delegates: Marshall, Julian, Davies, Day, Hewitt, Cooper, Bradt.

Against, Delegates: Lyons, Stone, Pauly, Rediger, Metherber, Heath, Thompson, Seybolt, Saw, Kammann.

There being seven votes for and ten against said amendment is declared to be lost & Section 3<sup>rd</sup> of said Ordinance remains as before.

And now the question of adoption with the amendment to Section second inserted is put to vote with the following result: viz:

Ayes, Delegates, Lyons, Stone, Pauly, Marshall, Julian, Davies, Day, Rediger, Metherber, Heath, Hewitt, Thompson, Seybolt, Saw, Kammann, Cooper, Bradt.

There being a unanimous vote in favor, said Ordinance is declared to be adopted as amended. Said Ordinance reads as follows: to wit:

#### Ordinance No. 4

An Ordinance constituting the police force of the City of San Diego, and fixing the compensation of the same.

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

Section First - That the subordinate officers and regular policemen of the Police Department of the City of San Diego shall be constituted and consist of twelve persons to be appointed in accordance with the provisions of Chapter 1, Article IX. of the Charter of said City.

Section Second - That eleven of said persons so appointed shall receive and be paid a salary not to aggregate or exceed more than eighty dollars per month for each of said eleven persons, as may be determined and apportioned by the Board of Commissioners of the Police Department. That one of said twelve persons so appointed may receive and be paid a monthly salary of one hundred and five dollars.

Section Third - That all special policemen whom the Board of Commissioners of the Police Department may consider necessary to appoint under the provisions of Chapter 1, Article IX. of the Charter of said City, for duty within the City, at any of the public gatherings or on any special days or occasions, may, if the Board of Commissioners of the Police Department so order, receive and be paid each five dollars for each day of eighteen hours of such special police service or duty.

Section Fourth - That the Board of Commissioners of the Police Department shall have the control, regulation, and superintendence of the City jail or prison of the City of San Diego.

Section 5<sup>th</sup> - That all ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

Section 6: That this ordinance shall take effect from and after the date of its passage."

A Petition from the Southern California Breeders Association, for a reduction of liquor license, for the sale of intoxicating liquor at Pacific Beach Driving Park, is read, and on motion of Delegate Davies seconded by Delegate Day the same is laid on the table.

Joint Resolution No. 4. is read <sup>and</sup> Delegate Marshall seconded by Delegate Rediger moves to adopt - The motion is carried and resolution adopted. Said resolution is as follows:

Joint Resolution #4.  
Resolution of the Common Council of the City of San Diego, State of California.

Whereas, on the 16<sup>th</sup> day of April, 1889, the Sewer Committee and the Fire Committee of the City Council did make a joint report to said Council recommending the placing of ninety-six fire Hydrants, and said Council did on said day adopt said reported recommendation. <sup>and</sup>

Whereas, Ordinance No. 212, of said City in force on April 16<sup>th</sup> 1889, and now in force, provides for placing of fire Hydrants by the following words "Hydrants to be located upon order of the City Council" - and said Council has never passed an order authorizing any person or corporation to place said Hydrants so recommended to be placed, nor any of them -

Therefore, be it resolved, by the Common Council of the City of San Diego, California, that the said action of said City Council had on April 16<sup>th</sup>, 1889, adopting said recommendation be and the same is hereby reconsidered, and be it further resolved, that the recommendation of said Sewer and Fire Committees to have said 96 Hydrants placed, be and the same is not approved."

Joint Resolution No. 2. is read, and on motion of Delegate Wetherbee seconded by Delegate Julian, and by the following vote, to-wit:

Ayes, Delegates - Lyons: Stone: Pauly: Marshall: Julian: Davies: Day: Rediger: Wetherbee: Heath: Hewitt: Thompson: Seybolt: Law: Kammann: Cooper: Bradt.

Nays, None.

The resolution is adopted as read. Said Resolution reads as follows:

Joint Resolution No. 2.  
Be it Resolved, by the Common Council; the Board of Aldermen concurring: that the sum of thirty-two hundred and thirty-five (\$3235.00) dollars be and the same is hereby transferred from the General fund to the Salary fund.



Joint Resolution No. 3 is read and on motion of Delegate Rediger seconded by Delegate Davis and by the following vote, to wit: Ayes: Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davis: Day: Rediger: Wetters: Heath: Hewitt: Thompson: Seybolt: Saw: Kamman: Cooper: Broadt.

The same is adopted as read. Said Resolution reads as follows:

Joint Resolution No. 3.

Be it Resolved, by the Common Council of the City of San Diego, the Board of Aldermen concurring, that the City Clerk is hereby instructed to return to John S. Caporn a certain certified check in amount one thousand dollars deposited by said John S. Caporn with the former City Council, as a guarantee of good faith in a certain contract for street improvement, the said contract by reason of conflict with the Charter being inoperative and void.

A Petition asking that the reported nuisance in the way of a dance hall at the corner of Front & 1<sup>st</sup> streets; be investigated, is read, and Delegate Marshall seconded by Delegate Julian moves to refer to the Health & Moral Committee.

Delegate Davis seconded by Delegate Rediger moves an amendment to refer to the Committee on Police. The amendment is carried and the Petition so referred.

The following report from the Public Building Committee is read, to wit:

"Your Committee on Public Buildings beg leave to make the following report:-

The City Hall is being changed as fast as workmen can do so. The Treasurer & Tax Collector moved in to-day. It is the intention to have the entire Building in condition to move in by June 1<sup>st</sup>. But to do so it will require some money to pay for the cleaning and changes to be made. And would recommend that your Committee be authorized to make such changes, repairs and cleaning that may be needed. We also beg leave to report that Mr. Cotterland agrees to put in at his own expense 30 lights and run till 12 o'clock for \$25 per mo.

Respectfully submitted

D. A. Hewitt, Chairman  
Building Committee."

And on motion of Delegate Heath seconded by Delegate Marshall the report is received and the recommendations therein contained are laid on the table; pending the organization of the Board of Public Works.

On motion of Delegate Marshall seconded by Delegate Cooper the Board adjourns until tomorrow, May 21<sup>st</sup> at 2:30 o'clock p.m.

W. M. Gassaway,  
City Clerk,

G. Broadt,  
President

## Adjourned Meeting.

Common Council Chamber; Board of  
Delegates, May 21<sup>st</sup>. 1889.

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

Present, Delegates: Lyons: Stone: Pauly: Marshall: Julian:  
Day: Rediger: Wetherbee: Heath: Hewitt:  
Thompson: Seybolt: Hulbert: Low: Kamman:  
Cooper: Board and Clerk Gassaway.

Absent, Delegate: Davies.

The Message from the Mayor, nominating Daniel Schuyler as a member of the Board of Public Works, laid over from the last meeting of the Board, is now taken from the table and now upon motion of Delegate Heath seconded by Delegate Hulbert the Message is received, and the Board proceeds to the confirmation or rejection of said nomination, with the following result, to-wit:

In favor of Confirmation, Delegates: Stone: Julian: Heath.  
Against Confirmation, Delegates: Lyons: Pauly: Marshall: Day:  
Rediger: Wetherbee: Hewitt: Thompson: Seybolt: Hulbert: Low:  
Kamman: Cooper: Board.

There being three votes in favor of Confirmation, and fourteen against, the name of Daniel Schuyler is declined and the President so declares.

A Petition from Thomas Miller, for the position of Pound-Master, is read and on motion of Delegate Rediger seconded by Delegate Julian the same is received and filed.

The following Message from the Mayor is read, to-wit:

Mayor's Office,  
San Diego, Cal. May 21, 1889.

To the Board of Delegates: I am not prepared this evening to submit another name to the Board, but hope to be able to do so to-morrow evening: or at the date to which you may adjourn.

Respectfully

Douglas Gunn, Mayor.

Delegate Rediger seconded by Delegate Cooper moved that when the Board adjourn it be until tomorrow (May 22<sup>nd</sup>) at 7.30 o'clock p.m. The motion was lost.

Delegate Rediger seconded by Delegate Cooper moved that when the Board adjourn it be until tomorrow (May 22<sup>nd</sup>) at 8 o'clock p.m.

Delegate Day seconded by Delegate Julian moved to amend

by making the adjournment date May 23<sup>rd</sup>, at 8 o'clock p.m. Delegate Rediger accepted the amendment, and the motion as amended was carried, and the order made that when the Board adjourn it be until May 23<sup>rd</sup>, 1889, at 8 o'clock p.m.

After giving notice, President Bradt did, in open session, sign Ordinance No. 3 being An Ordinance determining and designating the fund to which shall be apportioned all moneys arising from the levy of all license taxes.

After giving notice President Bradt did, in open session, sign Ordinance No. 4 being An Ordinance constituting the Police force of the City of San Diego, and fixing the compensation of the same.

The following report from the Committee on Police was read, viz:  
 "Your Committee appointed to investigate the charges made against the saloon business and garden on corner of C and Front sts. under the management of Mrs. Kaiser, respectfully report that they have made careful inquiries among the neighbors in the immediate vicinity of said saloon and garden and the testimony of the immediate neighbors is to the effect that said saloon and garden has been kept and managed orderly and properly and that no disturbance has taken place, and that it has been closed promptly at 11 o'clock in the evening. We have ascertained these facts from some of the best citizens living in the neighborhood. We have also found Mr. Kaiser to be a man of good repute and habits, having a very respectable family, with whom he lives in the house adjoining the saloon. We have found also that Mrs. Kaiser obtained the liquor license for said saloon on the 10<sup>th</sup> of May, 1889, and that said saloon and garden is intended for a Concert Garden, such as the City Garden on corner 5<sup>th</sup> & B. sts. The dances had there on Saturday and Sunday evening being solely for the purpose of initiating the place. There will therefore be no further dances there. On conclusion we find therefore, that there is no foundation for any of the charges preferred against the said saloon and garden.

Respectfully submitted

The Committee on Police

A. B. Seybold

Chas. F. Korman

M. J. Lyons

Accompanying said Report was a Petition signed by forty one Citizens asking that the saloon above referred to, be allowed to continue.

And now on motion of Delegate Rediger seconded by Delegate Cooper the Report is received.

The Health and Morals Committee reported favorably upon the

following Petitions for Liquor License. *to wit:*  
 Geo. Krombholz - Retail  
 E. Nam Houten - "  
 Wm. Biegler - "

and upon motion of Delegate Rediger seconded by Delegate Marshall, the report was received and the Petitions granted.

On motion of Delegate Day seconded by Delegate Lyons, the Board adjourns.

N. M. Gassaway,  
 City Clerk.

E. L. Bradt  
 President

Adjourned Meeting.

Common Council Chamber,  
Board of Delegates, May 23<sup>rd</sup>. 1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 8 o'clock p.m. with President Bradt presiding.

Present, Delegates: Lyons; Stone; Pauley; Marshall; Julian; Day; Davies; Rediger; Metherbee; Hewitt; Heath; Thompson; Seybolt; Hulbert; Kammann; Law; Cooper; Bradt. <sup>and</sup> Clerk Gassaway.

Absent: None.

The Minutes of an adjourned meeting, held May 20<sup>th</sup> were read <sup>and</sup> approved as read.

The Minutes of an adjourned meeting held May 21<sup>st</sup> were read <sup>and</sup> approved as read.

The following Message from the Mayor was read, to wit:  
Mayor's Office.

San Diego, May 23<sup>rd</sup>, 1889.

To the Board of Delegates: I have the honor to submit the name of Jacob Gruendike as a member of the Board of Public Works.

Respectfully - Douglas Gunn, Mayor.

Delegate Heath seconded by Delegate Kammann moved to receive the message and proceed by Aye and No vote to the confirmation or rejection of the nomination.

Delegate Cooper seconded by Delegate Law moved to amend by postponing action until tomorrow May 24. at 7.30 o'clock p.m.

Delegate Marshall seconded by Delegate Kammann moved to amend the amendment - that the Board take a recess of ten minutes.

The amendment to the amendment carried, and the Board took a recess of ten minutes.

Delegate Cooper with consent of Delegate Law withdrew his amendment, and thereupon the original motion was put to vote, with the following result, to wit:

In favor of confirmation, Delegates: Stone; Pauley; Julian; Davies; Rediger; Metherbee; Heath; Thompson; Kammann; Cooper; Bradt.

Against confirmation, Delegates: Lyons; Marshall; Day; Hewitt; Seybolt; Hulbert; Law.

There being Eleven (11) votes cast in favor of confirmation and seven (7) votes against - the President declared the appointment of Jacob Gruendike as a member of the Board of Public Works, by the Mayor, to be duly confirmed by the Board of Delegates.

A Petition from the El Cajon Lodge I.O.G.T. asking the Common Council to provide for a free drinking fountain for horses on



K. street, near 23<sup>rd</sup> street. was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Julian the Petition was referred to the Water Committee.

After giving notice President Bradt in open session signs Joint Resolutions Nos. 1, 2, 3, <sup>and</sup> 4.

Delegate Wetherbee offered a preamble and Resolution instructing the President of the Board to require a public apology from Delegate Heath for certain remarks made by said Delegate Heath, and alleged in said Resolution to be a reflection on the integrity, ability &c of the Board, <sup>and</sup> moved seconded by Delegate Day to adopt the same.

Delegate Heath seconded by Delegate Rediger moved to amend by ordering said resolution printed in pamphlet form and a copy thereof presented to each member of the Board. This amendment was Lost. <sup>and</sup> now:

Delegate Rediger seconded by Delegate Cooper moved to indefinitely postpone action upon said Resolution. This motion was Lost, <sup>and</sup> now the original motion to adopt was put to vote and Lost.

On motion of Delegate Rediger seconded by Delegate Kammann the City Attorney was instructed to prepare an Ordinance officially designating the place of meeting of the Common Council.

On motion of Delegate Rediger seconded by Delegate Cooper the Board adjourned until Monday, May 27<sup>th</sup> / 1889 at 7.30 o'clock p.m.

McGassaway  
City Clerk.

G. H. Bradt  
President

Adjourned Meeting.

Common Council Chamber, Board of  
Delegates, May 27-1889.

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

Present, Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davies:  
Day: Adiger: Methers: Heath: Hewitt: Thompson:  
Seybolt: Hulbert: Saw: Kamman: Cooper: Bradt.  
and Deputy Clerk Patton.

Absent: None.

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

The following Message from the Mayor was read, to wit:

"Mayor's Office, San Diego, Cal. May 27. 1889.  
To the Board of Delegates: I have the honor to inform the Board that Mr. Jacob Gournodski, heretofore nominated and confirmed as Commissioner of the Board of Public Works, has declined to qualify. He informs me that, upon consideration of the requirements of the duties of the position, he finds it impossible to attend to them without serious neglect of his personal business; and, while sincerely appreciating the appointment, he regrets his inability to accept it. Herewith I submit the name of another gentleman, who has given me his personal assurance of his willingness to accept and enter upon the duties of the office. Respectfully - Douglas Gunn, Mayor."

On motion of Delegate Saw seconded by Delegate Lyons the Message was received and filed.

The following Message from the Mayor was read, to wit:

"Mayor's Office, San Diego, Cal. May 27. 1889.  
To the Board of Delegates: I have the honor to submit the name of James D. Schuyler as a Commissioner of the Board of Public Works of the City of San Diego. Respectfully - Douglas Gunn, Mayor"  
Delegate Kamman seconded by Delegate Adiger moved to receive the Message and proceed to the confirmation or rejection of said nominee.

Delegate Pauly seconded by Delegate Cooper moved to amend by postponing action until tomorrow, May 28-. This amendment was carried by the following vote, viz:

Ayes, Delegates: Lyons: Pauly: Julian: Davies: Day: Hewitt:  
Thompson: Seybolt: Hulbert: Kamman: Cooper: Bradt.

Mores, Delegates: Stone: Marshall: Adiger: Methers: Heath: Saw.  
and it was so ordered.

On motion of Delegate Adiger seconded by Delegate Methers

it was ordered that when the Board adjourn, it be until tomorrow, May 28, at 7.30 o'clock p.m.

A requisition upon the Mayor, from J. M. Dodge, Treasurer and Tax Collector, for two additional Deputies from June 3 to serve until the completion of the making of tax receipts; together with the following recommendation from the Mayor, to wit:

Mayor's Office, San Diego, Cal. May 27-1889.  
To the Common Council: I have the honor to transmit herewith the application of the Treasurer and Tax Collector for additional assistance in his office; and would respectfully recommend that the same be allowed during the month of June.

Douglas Gunn, Mayor.  
Delegate Law seconded by Delegate Kammann moved to adopt the recommendation of the Mayor. The motion was put as follows: Ayes, Delegates: Day: Rediger: Heath: Thompson: Seybolt: Hulbert: Law: Kammann: Cooper: Braat.

Moro, Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davies: Netherlands: Hewitt.

There not being a two-third vote in favor of the motion, the same was lost, and the President so declared.

A Petition from Geo. I. Copeland, asking the Common Council to repeal the Ordinance now in force which requires said Copeland to take down the electric light poles now in use for his system of lighting. Also, asking that a Special Committee be appointed to consider the advisability of accepting a proposition made by him (Copeland) to sell his Electric Light system to the City, was read. The Delegate Hewitt seconded by Delegate Cooper moved to refer to a Special Committee. The motion being put and carried the President appointed for said Committee, Delegates: Hewitt: Seybolt: Julian: Law.

An Invitation from the Excelsior Rowing Club, to the Board, to attend a Regatta on May 30, was read. The on motion of Delegate Rediger seconded by Delegate Julian the invitation was accepted.

A Petition for Retail Liquor License, submitted by Chas. Burkhardt, was read, and referred to the Committee on Health & Morals.

A Report from Chas. F. Monroe, former Police Judge, showing the number of cases tried, amount of fines collected, etc., in the Police Court, from April 27 to May 6 (inclusive) was read, and ordered filed.

An Ordinance fixing the time and place of meetings of the Common Council, was read, and on motion of Delegate Julian seconded by Delegate Hulbert, and by the following vote, to wit: Ayes, Delegates: Lyons: Stone: Pauly: Marshall: Julian: Davies:

Jay: Adiger: Melrose: Heath: Hewitt: Thompson: Seybolt: Hulbert:  
Low: Kammann: Cooper: Pradt - 15.

Moro - None.

The Ordinance was adopted. Said Ordinance reads as follows:

Ordinance No. 6.

An Ordinance fixing the time and place of meetings of the Common Council of the City of San Diego.

It is ordained by the Common Council of the City of San Diego as follows:

Sec. 1 - That the meetings of the Common Council of the City of the City of San Diego, Cal. shall be held at the Common Council Chambers in the building hereafter to be known as the City Hall located on the southeast corner of Third and D. sts. in said City.

Sec. 2 - The regular meetings of the Common Council of the City of San Diego shall be held on the first Monday of each month at 7.30 P.M. unless said day be a legal Holiday, then on the succeeding day at 7.30 P.M. and at such other times during each month as may be fixed by adjournment.

Sec. 3 - That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

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

The following Committee Report, was read, to wit:

Your Committee to whom was referred the proposition of the Southern Calif. Railway Co. to Deed to the City the portion of Arctic street deeded to it by C. S. Hamilton May 2<sup>nd</sup>. 1887. and being a strip off said street 500 feet in length by 58 feet in width, the grant to be made on condition that the City assume the Street Improvement assessment against the Company's property on D. st. Your Committee find that the deed referred to was made of the date mentioned and among other lands deeded the portion of Arctic street above mentioned, but they find at the time and previous hereto the City had assumed rights in the said portion of Arctic street together with the balance of said street, having constructed a sewer thereon and having granted a franchise thereon to certain railroad companies and in other ways assumed and controlled the same. They further find that the cost of the Street Assessment as prepared by the Engineer and for which said Railroad Company are liable will be \$2192 <sup>99</sup>/<sub>100</sub>. Your Committee therefore conclude that in view of the interests the City may have in the street notwithstanding the deed and in view of the fact that the debt the City would be obliged to assume being far beyond the value of the land for any purpose. Your Committee recommend that the proposition of the Southern Calif. R.R. Co. as set forth in their communication to the Common Council be declined and that said Co. be so notified.

Chas. M. Pauley



W. R. Day  
A. B. Seybolt.

And on motion of Delegate Marshall seconded by Delegate Cooper the Report was adopted.

The following Report from the Committee on Public Buildings was read. To wit:

Your Committee to whom was referred the insuring of our present City Hall and contents beg leave to report - that two policies of \$1000, each was renewed, making \$1750 on Building and \$250 on contents: and we your Committee believe the above amount to be all that is required or necessary to secure the City against loss.

Respectfully submitted.

J. H. Harvitt  
A. H. Julian  
W. R. Day."

Accompanying said Report were two policies of \$1000, each. One with the Guardian Assurance Co. of London and One with the Aetna Insurance Co. of Hartford, Conn.

And upon motion of Delegate Hulbert seconded by Delegate Davies the report was adopted. And upon motion of Delegate Pauly seconded by Delegate Cooper it was ordered that the action of the Committee be confirmed by the Board of Delegates.

A Communication from J. M. Jones, Auditor, calling attention to the fact that \$9400 was collected by the Assessor on account of Personal Property taxes for 1889, which was not properly apportioned and that it will be necessary to correct such error, was read, together with the following recommendation from the Mayor. viz:

"Mayor's Office, San Diego, Cal. May 27-1889.  
To the Common Council: I have the honor to transmit herewith a communication from the Auditor and Assessor, relative to the apportionment of certain personal property tax moneys: and would recommend immediate action thereon.

Respectfully

Douglas Gunn, Mayor."

And on motion of Delegate Ridger seconded by Delegate Cooper the matter was referred to the Finance Committee to report at the next meeting. (May 28.)

Delegate Kammann offered a Resolution relating to Street Improvement, and moved, seconded by Delegate Pauly, to adopt. Delegate Ridger seconded by Delegate Cooper moved to amend by referring to the Committee on Ways & Means. The amendment carried, the Resolution was so referred.

There being no further business, the President declares the Board to be adjourned, in accordance with the motion



Heretofore carried & entered.

N.M. Gassaway,

City Clerk.

G. E. Bradt  
President

## Adjourned Meeting.

Common Council Chamber, Board of  
Delegates, May 28<sup>th</sup> 1889.

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

Present, Delegates: Lyons: Stone: Pauly: Marshall: Julian: Day:  
Rediger: Wetherbee: Heath: Hewitt: Seybolt:  
Hubert: Low: Kammann: Coetzer: Pradt  
and Clerk Gassaway.

Absent, Delegates: Davis and Thompson.

President Pradt called Delegate Wetherbee to the Chair.

The Minutes of an adjourned meeting held May 27, 1889, were read and approved as read.

Delegate Thompson entered and took his seat in the Board, during the reading of the minutes.

The Mayor's Message submitting, for confirmation, the name of Jas. D. Schuyler, as a Commissioner of the Board of Public Works, heretofore presented to the Board, & postponed until this date, was again read. Upon motion of Delegate Heath seconded by Delegate Hubert, the Board proceeded to the confirmation or rejection of said nominee with the following result:

Stone:

In favor of confirmation, Delegates: Lyons: Pauly: Marshall:  
Julian: Day: Rediger: Pradt: Heath: Hewitt: Thompson: Seybolt:  
Hubert: Low: Kammann: Coetzer: Wetherbee. = 17.

There being seventeen votes in favor of confirmation and none against, the President pro tem declared the appointment, by the Mayor, of James D. Schuyler, as a Commissioner of the Board of Public Works, for the City of San Diego, California, to be duly confirmed by the Board of Delegates.

The following Report from the Finance Committee of the Board of Delegates, was read, to wit:

Your Committee on Finance to whom was referred the communication of Otto Stiner, the Mayor, and the City Auditor, with reference to the apparent irregular use of the sum of \$9400. collected and paid into the City Treasury by the City Assessor on account of personal taxes for the year 1889. would report that the questions, both of law and fact, are somewhat intricate, and require more thorough and extended investigation than one days time will permit. Your Committee would therefore state that its report in full will be made at the earliest moment practicable.

C. E. Heath, Chairman }  
 S. M. Wetherbee } Finance Committee

On motion of Delegate Adige seconded by Delegate Lyons  
 the Report was received and the Committee granted further  
 time.

On motion of Delegate Heath seconded by Delegate Day, the  
 Board adjourned.

W. M. Gassaway  
 City Clerk

E. H. Brant  
 President

was referred to the "Committee on Streets, Alleys & Highways."

A Communication from the Board of Public Works, asking the Common Council to fix the salary of Street & Sewer laborers, was read <sup>and</sup> on motion of Delegate Marshall seconded by Delegate Lyons the Communication was referred to the "Committee on Sewers."

A Communication from the Board of Public Works, asking the Common Council to fix the salary of the Superintendent of Parks, was read <sup>and</sup> on motion of Delegate Pauly seconded by Delegate Marshall the same was referred to the "Committee on City Lands."

A Communication from the Board of Public Works, to the Common Council, asking each Board to instruct a Committee to confer with it and arrange matters relating to the occupancy of the new City Hall: was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Wetherbee the same was referred to the "Committee on Public Buildings" to act in accordance with above request.

A Communication from the Board of Public Works, to the Common Council, stating that said Board has an application for permission to place a sign on a post in the outer edge of the sidewalk at the S.E. Corner of 5<sup>th</sup> & E. streets, and asking for instructions in reference thereto: also recommending that an Ordinance be enacted prohibiting the placing of obstructions on sidewalks, and providing for the removal of those already there: was read <sup>and</sup> on motion of Delegate Saw seconded by Delegate Kammann the same was referred to the Street Committee.

A Communication from the Board of Public Works, in regard to the issuing of Bonds for street improvements, etc. was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Stone the same was received and filed.

A Requisition upon the Mayor, from J. M. Dodge, Treasurer and Tax Collector, for two additional Deputies, together with a message from the Mayor submitting same, was read, and Delegate Day seconded <sup>by</sup> Delegate Rediger moved to allow said Dodge two additional deputies during June. The motion was put <sup>as follows</sup>:

Ayes: Delegates - Stone, Day, Rediger, Saw, Kammann, Cooper and Bradt.

Now Delegates - Lyons, Pauly, Marshall, Julian, Wetherbee, Hewitt, Thompson, <sup>and</sup> Seybolt.

There not being a two-third vote in favor of the motion the same was lost.

## Regular Meeting.

Common Council Chamber; Board of  
Delegates. June 3, 1889.

A Regular Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7.30 o'clock p.m. with President Bracht Presiding.

Present. Delegates: Lyons: Stone: Pauly: Marshall: Julian: Day:  
Reidgen: Wetherbee: Hewitt: Thompson: Law:  
Kammann: Cooper: Bracht & Deputy Clerk  
Patton.

Absent. Delegates: Davis: Heath: Seybold: Hulbert.

The Minutes of an Adjourned Meeting, held May 28<sup>th</sup> 1889. were read, and approved as read.

Delegate Seybold entered and took his seat in the Board during the reading of the minutes.

A Communication from the Board of Public Works to the Common Council, stating that Jno. Hatzel has been elected Secretary of said Board, and asking that his salary be fixed: was read & on motion of Delegate Marshall seconded by Delegate Lyons the Communication was referred to the "Committee on Ways & Means."

A Communication from the Board of Public Works to the Common Council, stating that said Board has effected a permanent organization by the election of Commissioners Jno. F. Sinks, as President and Jno. Hatzel, as Secretary; was read and filed.

A Communication from the Board of Public Works to the Common Council, stating that the City Engineer has appointed and said Board has approved, the following employees to carry on the office of the City Engineer, to wit: 1 Chief Draughtsman: 2 Assistant Draughtsmen: 1 Transitman: 1 Rodman: 2 Chainmen. & asking that the salaries of said employees be fixed: was read & on motion of Delegate Law seconded by Delegate Kammann the Communication was referred to the "Committee on Ways & Means."

A Communication from the Board of Public Works, asking the Common Council to designate a "Corporation Materials Yard" & recommending as a suitable place - Lot E. Block 44, New Town. Also stating that Amos Pettingill has been appointed Superintendent of Streets, and asking that his salary be fixed: was read & on motion of Delegate Wetherbee seconded by Delegate Cooper the Communication



A Statement of Balances on Land, in Funds at the Close of business May 31, 1889, made by the Auditor to the Mayor, together with a message from the Mayor transmitting the same to the Common Council, was read and filed.

A Petition from W. N. Smart, M.D. on behalf of the California Southern Medical Association, requesting the use of the Council Chamber on June 5, was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Julian the request was granted.

On motion of Delegate Rediger seconded by Delegate Day <sup>and</sup> by the following vote viz:

Ayes: Delegates - Stone: Pauly: Day: Rediger: Wetherbee: Saw: Hamman: Cooper: Broad.

Noes: Delegates - Lyons: Marshall: Julian: Kavitt: Thompson: Sybolt.

The vote heretofore taken upon the motion to allow the Treasurer & Tax Collector two additional deputies during the month of June (entered upon Page 60. of this record) was reconsidered. <sup>and</sup> now On motion of Delegate Rediger seconded by Delegate Saw it was ordered that the Treasurer & Tax Collector be authorized to appoint one deputy to serve during the month of June. <sup>and</sup> that the City Attorney be instructed to draw an Ordinance providing for the salary of said deputy - the amount being in blank - to be fixed by this Board.

A Petition signed by nineteen property owners, to extend Kearney Avenue in a Northwesterly direction so as connect with N. street, was read <sup>and</sup> on motion of Delegate Pauly seconded by Delegate Day the Petition was referred to the Board of Public Works.

Delegate Rediger seconded by Delegate Pauly moved to appoint a "Committee on Conference" to consult with a like Committee from the Board of Aldermen in reference to Temporary Deputies for the Treasurer & Tax Collector. The motion being carried, the President appointed for said Committee - Delegates - Rediger, Marshall & Pauly.

A Report from M. S. Rawson, Police Judge, showing the number of cases tried, and amount of fines collected in the Police Court from May 6<sup>th</sup> to June 3<sup>rd</sup>, was read, and referred to the Finance Committee.

The Finance Committee reported favorably upon the Report of Chas. F. Monroe, former Police Judge (from April 27<sup>th</sup> to May 6<sup>th</sup>) <sup>and</sup> on motion of Delegate Julian seconded by Delegate Lyons the Report was received and filed.

The following report from the Street Committee upon the resolution in relation to Street Improvement districts, was read, to wit:

"Your Committee to whom was referred the annexed resolution, which calls attention to the improvement of streets through the formation of Street Improvement Districts within the City - report that any five Freeholders may petition the Common Council in writing for a Street Improvement District" and in our opinion, the business interests of the City demand such action. We therefore recommend that the Board of Delegates approve and endorse the said resolution as notice to Freeholders that the Board of Delegates will consider any such petition favorably.

Melvin Stone

Chas. W. Pauly

J. H. Hewitt

On motion of Delegate Saw seconded by Delegate Lyons, the Report of Committee and recommended Resolution were adopted as read. Said Resolution reads as follows:

Joint Resolution No. 5

Whereas, the interests of this City demand that the streets in the business portion of the City should be paved and sidewalks and that the other streets should be fully graded and otherwise improved, therefore be it

Resolved, that the Common Council of the City of San Diego calls attention of the citizens of said City to Chapter 3, of Article I of the City Charter relating to Street Improvement Districts and invites the Freeholders of the several parts of this City, to petition the Common Council for the creation of Street Improvement Districts, and thereafter to petition the Board of Public Works for the improvement of the streets within the Districts that may hereupon be created."

The "Committee on Conference" reported the recommendation that the Treasurer & Tax Collector be authorized to employ two additional Deputies during June.

Delegate Marshall of said Committee reported (as a minority report) the recommendation that the Treasurer & Tax Collector be authorized to employ one deputy during June.

On motion of Delegate Day seconded by Delegate Kammann and by the following vote viz:

Ayes: Stone: Pauly: Julian: Day: Adiger: Wetherbee:

Thompson: Seybolt: Saw: Kammann: Cooper: Braat.

Noes: Lyons: Marshall: Hewitt

The majority report was adopted and it was so ordered.

On motion of Delegate Wetherbee seconded by Delegate Julian, it was ordered that when the Board adjourn, it be until Monday, June 10 - 1889, at 2.30 o'clock p.m.

On motion of Delegate Marshall seconded by Delegate Lyon the Resolution appropriating \$200 for repairing offices or was taken from the table.

On motion of Delegate Cooper seconded by Delegate Marshall the matter of arranging offices in the New City Hall was referred to the Building Committee & Board of Public Works.

On motion of Delegate Marshall seconded by Delegate Julian it was ordered that the Board of Public Works be requested to report to this Board a schedule of prices for charges hereafter to be made for Engineer work.

After giving notice President Bracht did, in open session, sign Ordinance No. 6. Being - An Ordinance fixing the time and place of meeting of the Common Council of the City of San Diego.

On motion of Delegate Lyon seconded by Delegate Stone the Board adjourned.

W. M. Gassaway  
City Clerk

Ch. Bracht  
President

Adjourned Meeting.

Common Council Chambers - Board of  
Delegates - June 10 - 1889.

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

Present, Delegates: Lyons: Stone: Pauly: Marshall: Julian:  
Danis: Day: Wetherbee: Heath: Hewitt:  
Thompson: Seybolt: Hulbert: Saw: Couper:  
Bract <sup>and</sup> Deputy Clerk Patton.

Absent, Delegates: Rediger <sup>and</sup> Kammann.

The Minutes of the Regular Meeting, held June 3<sup>rd</sup>, were read and approved as read.

Delegate Rediger entered and took his seat in the Board during the reading of Minutes.

A Communication from the Board of Public Works, setting forth the fact that said Board has issued an Order for street sprinkling, which will amount to \$609.<sup>00</sup> per month and showing what streets are to be sprinkled; was read <sup>and</sup> referred to the "Committee on Streets, Alleys & Highways."

A Communication from the Board of Public Works, recommending the adoption, by the Common Council, of an Ordinance requiring the San Diego Street Car Co. to macadamize, in accordance with Sec. 20, Chapter 2, Article 5, of the Charter, that portion of I street, between California and Front streets, required to be so macadamized by said Company; was read <sup>and</sup> on motion of Delegate Wetherbee the same was referred to the City Attorney to draw an Ordinance as recommended & to investigate as to the Company's liability for a double track on I street.

A Communication from the Board of Public Works, requesting further time in which to report a schedule of fees for City Engineer work, was read <sup>and</sup> the request granted.

A Communication from the Board of Public Works, recommending that the Common Council adopt an Ordinance, conferring upon said Board the power to regulate and control the sprinkling of streets; was read <sup>and</sup> on motion of Delegate Seybolt the same was referred to the City Attorney to prepare an Ordinance as recommended.

A Communication from the Board of Public Works, submitting a proposition made by Geo. J. Cotzeland, to light

the City Hall free of cost provided that an extension of one year in which to comply with Ordinance No. 297, is granted to said Colzeland, was read and referred to the Special Committee; Restogal: appointed - town. Delegate, Hewitt: Sybolt: Julian: Inv.

A Petition, signed by Eleven Freeholders of the City of San Diego, asking the Common Council to declare the following described portion of the City "An Improvement District" as provided in Article V, Chapter III, Section 2. of the City Charter town: Middletown from the North side of I street and West of Horton's Addition, also Old San Diego, and all that portion of the City of San Diego, lying North and West of said Old San Diego: was read and referred to the Board of Public Works.

A Petition, signed by Five Freeholders, asking the Common Council to create a Street Improvement District according to Chapter III of Article V, of the Charter, said district to include the territory from the East side of Fifth street to the East side of Eleventh street, and from the water front to "A" street: was read and referred to the Board of Public Works.

A Petition, signed by Property owners representing 7200 front feet on "I" street, asking the Common Council to take the necessary action to condemn the property on the line of I. street, between 17th & 19th streets, necessary to open said I. street: was read and referred to the Street Committee.

A Petition from P. F. McDaniel, for an abatement of taxes upon the improvements on fractional lots 7 & 8, Block 47, Middletown, and the south 100 feet of fractional block 236, Horton's Addition: was read and on motion of Delegate Cooper seconded by Delegate Marshall the Petition was laid on the table.

A Petition from J. P. Jones, County Fruit and Tree Inspector, asking that Ordinance No. 327 be amended, so as to require that all fruit boxes be turned over to the Inspector for disinfection, and providing that a fee of three cents per box shall be charged for such disinfection: was read and on motion of Delegate Cooper seconded by Delegate Wetherbee it was ordered that the Petition be referred to a Special Committee of three, and thereupon the President appointed as said Committee - Delegates, Cooper: Wetherbee: & Heath.

A Report from E. M. Jones, Auditor, showing an abstract of Business for the month of May, 1889, was presented, and



Delegate Day seconded by Delegate Seybolt moved that the same be read. The motion was lost. <sup>and</sup> upon motion of Delegate Rediger seconded by Delegate Hulbert the Report was referred to the Committee on Finance.

An Ordinance providing for two additional deputies for the Treasurer and Tax Collector for the month of June, and fixing the compensation of the same: was read <sup>and</sup> on motion of Delegate Cooper seconded by Delegate Lyon, and by the following vote: aye:

Ayes, Delegates: Lyon: Stone: Pauley: Julian: Davies: Day: Rediger: Metherell: Heath: Thompson: Seybolt: Hulbert: Nay: Cooper <sup>and</sup> Board.

Nays, Delegates: Marshall <sup>and</sup> Hewitt.

The Ordinance was adopted. Said Ordinance is in words and figures as follows:

#### Ordinance No. 7.

An Ordinance providing for two additional deputies for the Treasurer and Tax Collector for the month of June, and fixing the compensation of the same.

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

Sec. 1. - That the Treasurer and Tax Collector is hereby authorized to appoint two additional deputies for his office for and during the month of June, 1889.

Sec. 2. - That the compensation of said additional deputies shall be at the rate of seventy five dollars a month.

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

A Petition, signed by six Freeholders, of the City of San Diego for the creation of a Street Improvement district, to cover all of the City of San Diego: was read <sup>and</sup> referred to the Board of Public Works.

A Communication from the Board of Fire Commissioners, requesting the Board of Delegates to pay the poll taxes of the members of the Volunteer Fire Department: was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Julian the City Attorney was instructed to prepare an Ordinance instructing and authorizing the City Treasurer to pay the poll tax of all Volunteer Firemen, also to refund the amount to ~~the~~ <sup>those</sup> who have already paid.

A Communication from the Board of Fire Commissioners, requesting that the City retain the present force of employees of the Fire Department at same salaries: was read, and referred to the City Attorney, to draw an Ordinance in accordance with the request.

A Communication, from the Board of Fire Commissioners, requesting the privilege of purchasing one horse for use in the Fire Department, not to exceed the sum of \$160, in payment for said horse; was read and referred to the Committee on Fire.

A Petition, signed by Fire Freeholders, of the City of San Diego, for the creation of a Street Improvement District, covering that portion of the said City, known as Cornacio; was read and referred to the Board of Public Works.

A Petition, for the use of the Delegate Council Chamber, on Wednesday evening, June 12; was read and granted.

A Communication from the Board of Fire Commissioners, requesting that they be authorized to employ thirty partially paid firemen; was read and on motion of Delegate Shaw seconded by Delegate Stone the same was referred to the Finance and Fire Committee jointly.

A Communication from the Board of Fire Commissioners, requesting that the salaries of two assistant Chiefs for the Fire Department be fixed; was read and on motion of Delegate Rediger seconded by Delegate Hulbert the same was referred to the Finance and Fire Committee jointly.

Delegate Cooper offered a Joint Resolution and moved seconded by Delegate Shaw to accept the same. The motion was carried and the Resolution adopted. Said Resolution reads as follows, to wit:

Joint Resolution No. 6  
 "Resolved, that the City Attorney and the Chief of Police be instructed to arrest and prosecute the proprietor of the saloon on Hotel Del Coronado for selling liquor without license; and to arrest and prosecute him for each days offense."

The following Special Committee Report, was read, to wit:

"We, your Special Committee, to whom was referred the communication from Geo. J. Copeland, dated May 27<sup>th</sup>, 1889, and relating to the enforcement of Ordinance No. 297, beg to submit the following report. = We find that the enforcement of said ordinance which provides for the erection of uniform poles for the carrying of all electric light wires, would work a hardship upon Mr. Copeland, inasmuch as the poles he is now using were used for the first time only two days before the date of the enactment of said Ordinance No. 297, and that said poles were placed in accordance with Mr. Copeland's franchise and under the direction of the Common Council. Under the advice of the City Attorney moreover, we find that at present it is not

probable that the City could compel Mr. Copeland to replace his poles with the regulation ones without indemnifying him for his loss, and this being the case, we beg to submit the recommendation that the enforcement of said Ordinance No. 297 be postponed for the period of 12 months from date, provided Mr. Copeland enters into a contract with the City agreeing at the end of that period to join the San Diego Gas and Electric Light Company and such other electric lighting or power companies as may then be in existence, in the erection and occupation of the regulation pole lines as described in Ordinance No. 297. Mr. Copeland has agreed with this Committee that he will enter into such a contract. After due consideration your Committee believe it inexpedient at the present time to contemplate the purchase of Mr. Copeland's plant.

Your Committee, in conclusion, resents the reference made in Mr. Copeland's communication to a member of the Board of Delegates, and desires to express the conviction and belief that no Councilman violates his oath of office by earning an honest livelihood.

Respectfully submitted

J. H. Hewitt - Chairman

A. C. Julian

A. B. Seybolt

Geo. F. Low - Committee

On motion of Delegate Heath seconded by Delegate Seybolt action on the above Report, was deferred to the next meeting of the Board.

The following report from the Committee on Streets was read and approved:

"Your Committee to whom was referred a Communication from the Board of Public Works, asking for instructions regarding sidewalk obstructions, etc. - Beg leave to recommend that the City Attorney in conjunction with the Board of Public Works draft an ordinance regulating the placing of obstructions of all kinds on streets and sidewalks.

Street Committee { Chas. W. Pauley  
M. R. Day  
A. B. Seybolt."

On motion of Delegate Marshall seconded by Delegate Davies the report was adopted and the City Attorney instructed to prepare an Ordinance as recommended.

The following report from the Committee on Streets was read and approved:

"Your Committee to whom was referred the Communication from the Board of Public Works, asking that the salary of the Superintendent of Streets be fixed, also that a material yard be established - We beg leave to recommend

that the salary of the Supt. of Streets be fixed at \$100.00 per month, and that Lot E. Block 44. New Town (the title to which is now in the City) be used as a material yard for the use of the City.

Chas. M. Pauly }  
 W. A. Day } Street Committee"  
 A. P. Seybolt }

On motion of Delegate Julian seconded by Delegate Marshall the report was adopted, and the City Attorney instructed to prepare an Ordinance as recommended.

The Committee on Finance reported favorably upon Police Judge Rawson's Report from May 6 - to June 3, 1889. And on motion the report was adopted.

An Ordinance in relation to dogs and licensing the same: was read and Delegate Wetherbee seconded by Delegate Day moved to adopt the same as read.

Delegate Rediger seconded by Delegate Cooper moved to amend by referring to the Committee on Health and Morals. The amendment carried and the motion as amended was carried and said Ordinance so referred to the Committee on Health & Morals.

In the matter of the Communication from the Board of Public Works requesting that the salary of the Supt. of Parks be fixed

The Park Committee reported as follows:

"Your Com. on Parks would report and recommend that \$60 per month be paid the Supt. of Parks."

W. A. Day  
 Paul H. Rediger  
 Melvin Stone

On motion of Delegate Heath seconded by Delegate Marshall the report was laid on the table.

An Ordinance abolishing certain offices, was read and on motion of Delegate Marshall seconded by Delegate Lyons, and by the following vote, viz:

Cities Delegates - Lyons: Pauly: Marshall: Julian: Jarvis: Rediger: Wetherbee: Heath: Hewitt: Thompson: Seybolt: Hulbert: Saw: Cooper: And Board.

More Delegates - Stone and Day.

The ordinance was adopted as read. Said Ordinance is as follows:

#### Ordinance No. 8.

An Ordinance abolishing certain offices and salaries or positions not provided for by the present City Charter.

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

- Sec 1. - That all officers and salaried positions except the office of Pound Keeper in the City of San Diego created by any ordinance of said City, not expressly provided for by the present City Charter (Frederick's Charter) or provided to be created by said Charter through any Board or department therein provided for, be and the same ~~are~~ hereby abolished.
- Sec. 2. - That the salary of all persons holding any such office or salaried position not provided for as set forth in section one of this ordinance shall hereafter cease.
- Sec. 3. - That this ordinance shall take effect and be in force from and after its passage."

On motion of Delegate Davis seconded by Delegate Lynn  
the Board adjourned until Monday, June 17, at 7.30 o'clock  
A.M.

W. M. Garrison  
City Clerk

G. L. Bradt  
President



## Adjourned Meeting

Chamber of the Board of Delegates,  
of the City of San Diego, California,  
June 17-1889.

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

Present Delegates - Stone: Julian: Jarvis: Day: Rediger:  
Wetherbee: Heath: Hewitt: Thompson:  
Slybolt: Hulbert: Low: Kammann: Cooper:  
Bradt and Clerk Gassaway.

Absent Delegates - Lyons: Pauley and Marshall.

The Minutes of an Adjourned Meeting, held June 10-1889, were read, and approved as read.

Delegates Marshall and Pauley entered and took their seats in the Board during the reading of the minutes.

A Petition to have the screens and paint removed from saloon doors and windows, was read and on motion of Delegate Cooper seconded by Delegate Hewitt the Petition was referred to the Committee on Health and Morals.

A Message from the Mayor, submitting a requisition from the City Attorney for one Deputy at a salary not to exceed \$1200. per year, and recommending that the request be granted; was read and on motion of Delegate Marshall seconded by Delegate Kammann the request of the Attorney was granted and an Ordinance ordered prepared in accordance therewith, by the following vote, viz:

Ayes - Stone: Pauley: Marshall: Julian: Jarvis: Day: Rediger:  
Wetherbee: Heath: Hewitt: Thompson: Slybolt: Hulbert: Low:  
Kammann: Cooper: Bradt.

Mores - None.

A Message from the Mayor, submitting a Communication from the Health Officer and President of the Board of Public Works relative to the appointment of a Plumbing Inspector and asking that his salary be fixed at \$100 per month and recommending the granting of same; was read, and on motion of Delegate Pauley seconded by Delegate Cooper the Message & Communication were referred to the Committee on Sewers.

A Petition from W. H. Stewart & Co. for permission to erect a temporary lime house on 2<sup>nd</sup> street in front of Chinatown; was read and referred to the Fire Committee.

A Communication from the Board of Public Works, recommending that the building ordinance be amended authorizing the appointment of a Building Inspector and fixing his salary, and directing the Board of Public Works, in the absence of such officer to perform the duties of the officer: was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Cooper the same was referred to the Committee on Buildings.

A Communication from the Board of Public Works, asking for instructions in regard to the enforcement of Ordinance No. 297, and setting out a Communication from R. M. Pover upon the subject: was read <sup>and</sup> on motion of Delegate Rediger seconded by Delegate Julian the same was received and filed.

The following supplemental minority report, was read and filed. <sup>twice</sup>:

"To the Honorable Board of Delegates - Supplemental to the report submitted to your Honorable Body June 10<sup>th</sup>, 1889, and which has not yet been acted upon, the minority Committee on electric light poles, begs leave to submit the following: While the report alluded to is concurred in by all your Committee, a perplexing question arises in connection with Mr. Copeland's position, that demands the attention and consideration of your Honorable Body as a whole. Under the advice of the City Attorney, and upon its own conviction, your Committee is convinced that Ordinance No. 297 cannot be enforced upon Mr. Copeland. Realizing that said ordinance is an excellent one and being desirous of its enforcement, your Committee deemed it wise to pursue the only course that would achieve that end, which course was set forth in said report. But, a difficulty arises. Acting in good faith and in strict compliance with the terms of said Ordinance, the San Diego Gas and Electric Light Company ordered and has received nearly \$3000.00 worth of electric light poles such as the ordinance defines, and the Company is now ready to place them according to law. If the ordinance is not enforced, the Gas Company will have been put to a needless expense, and it will, moreover, as a majority of your Committee believes, be in a position to compel the City to pay at least the interest on whatever expense shall have been incurred by reason of the City's action. As the amount involved is a large one, it will be plain to your Honorable Body that the City is more than a little interested in the matter that this minority report lays before you. While concurring in the report previously submitted, as already stated, the undersigned, the minority of the Committee to which was referred Mr.

Copeland's recent communication. Veto to urge upon your Honorable Body the consideration of the phase of the question herein set forth, previous to taking final action upon the communication referred to. All of which is respectfully submitted.

Geo. P. Fox.

A Communication from the Board of Public Works; showing the districting of portions of the City for Street Improvements and asking for two weeks time in which to make further report: was read and thereupon Delegate Marshall offered a Resolution approving the action of the Board of Public Works and granting a two weeks extension of time to said Board.

Delegate Heath seconded by Delegate Day moved as a substitute that action be deferred until such time as all of the City has been so districted. This substitute was carried and it was so ordered.

A Petition from the Ins. of St. Joseph, to have an erroneous assessment on Lots A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, and Horton's Add. corrected: was read, and referred to the Committee on Finance.

A Petition from J. A. E. Hornstrom and B. A. Benjamin, to have a double assessment of mortgage on Block 268 Horton's Add. cancelled: was read, and referred to the Finance Committee.

A Petition from C. J. Wamselmeier to have an erroneous assessment upon Lot G Block 237 Horton's Add. corrected: was read, and referred to the Committee on Finance.

A Petition from A. Meredith Jones to have clerical error in real estate assessment corrected: was read, and referred to the Committee on Finance.

A Communication from J. Gochenauer, Health Officer, stating that the Board of Health had instructed him to request the Common Council to authorize the Board of Public Works to negotiate for the construction of a garbage sewer: was read, and on motion of Delegate Heath seconded by Delegate Davies the same was referred to the Board of Public Works and Committee on Sewer to report back to this Board at the next meeting.

A Petition from A. F. Wamtelburg to have an erroneous assessment upon the improvements on Lot L Block 93 Horton's Add. corrected: was read and referred to the Committee on Finance.

A Petition from Dr. J. P. Packeto, to be allowed to use wooden columns in the construction of his building on S. E. & F. Block 88. Horton's Addition; was read, together with a Communication from the Board of Public Works stating that said Board had refused to issue a building permit to said Packeto solely upon the ground that the plans and specifications therefor in respect to wooden columns were not in conformity to Ordinance No. 283. And on motion of Delegate Reagin seconded by Delegate Day the action taken by the Board of Public Works was confirmed.

A Communication from A. C. Kitching, was read and referred to the Committee on Parks.

Delegate Withers offered the following resolution, which, upon his motion, seconded by Delegate Cooper, is adopted, to wit:

Joint Resolution No. 7

Resolved, that it is the sense of the Common Council, of the City of San Diego assembled, that in the matter of the erection & construction of the Packeto Block (as well as the future erection and construction of any and all buildings within the City of San Diego) that the Board of Public Works, should in all cases, in the granting of permits for the erection of buildings, be governed strictly by the law, as made, provided & laid down in Ordinance No. 283. Adopted & put in force on Sept 23<sup>d</sup> 1888. by the City Council, of the City of San Diego.

A Claim of C. C. Ginn, referred to the Common Council by the Auditing Committee, was read and referred to the Committee on Finance.

A Petition from Eugene Larn for a Special License was read and referred to the Committee on Health & Morals.

A Petition to have a Fire Department established on Coronado Beach; was read, and referred to the Committee on Fire.

A Petition signed by six freeholders of the City of San Diego, for the creation of a Street Improvement District embracing that portion of the City of San Diego lying south of "N." Street and east of the Bay; was read and referred to the Board of Public Works.

A Petition from Louis Weiland to have an erroneous assessment corrected; was read and referred to the Committee on Finance.



A Petition from M. S. Westal and J. A. Wright for permission to use the "Delegate Chamber" on Friday evening, next, was read, and on motion of Delegate Cooper seconded by Delegate Netherber the Petition was granted.

President Bradt offered the following Resolution, directing the Board of Public Works to purchase a flag for the City Hall, at a cost not to exceed \$15:

Delegate Netherber seconded by Delegate Hubert moved to amend by making the limit of cost \$25. The amendment coming, and the resolution as amended was adopted. Said Resolution reads as follows:

Joint Resolution No. 8  
Resolved, that the Board of Public Works be and are hereby directed to purchase a flag, at a cost not to exceed \$25, for use on flag staff on City Hall.

The Petition of O. F. McDaniel, to have excise assessment reduced, laid over from last meeting, was read: This referred to the Finance Committee.

The report of the Committee on Parks, recommending that the salary of the Park Superintendent be fixed at \$60 per month (laid over from the last meeting) was taken up. Delegate Netherber seconded by Delegate Pauley moved to adopt the report.

Delegate Heath seconded by Delegate Marshall moved to amend by referring to a Special Committee of three. This amendment being coming, the President appointing for said Committee, Delegates - Saw: Kammann & Seybolt.

The Report of the Special Committee on "Copeland's Petition" (laid over from last meeting) was taken up. Delegate Stone seconded by Delegate Hewitt moved to adopt the report.

Delegate Bauger seconded by Delegate Kammann moved to amend and make special order of business immediately following the reading of minutes at the next regular meeting.

Delegate Marshall seconded by Delegate Netherber moved to amend the amendment by - when Council again it be met on Friday, June 21 - at 7.30 o'clock p.m. and that said Report be made first order of business. This amendment to the amendment coming and it was so ordered.

On motion of Delegate Davis seconded by Delegate Marshall the Board adjourned.

W. M. Cassaway  
City Clerk,

G. H. Bradt  
President



Adjourned Meeting.

Chamber of the Board of Delegates,  
of the City of San Diego, California.  
June 21-1889.

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

Present, Delegates - Stone: Julian: Wetherbee: Heath: Hewitt:  
Thompson: Hulbert: Jew: Kammann: Cooper:  
Bract <sup>and</sup> Clerk Cassaway.

Absent, Delegates - Lyon: Pauley: Marshall: Davies: Day:  
Rediger: Seybolt

The Minutes of an Adjourned Meeting, held June 17, 1889, were read, and approved as read.

Delegates - Day: Marshall: Davies: & Pauley: entered during the reading of the minutes.

The Report of the Special Committee on Electric Light Cables. (Heretofore spread upon Page 67 & 68, of this record) was taken up, (in accordance with an order made at the last meeting.) and read.

(Delegate Seybolt and Rediger here entered and took their seats in the Board)

(Delegate Jew, at this time, withdrew his name from the above report)

The above report was brought before the Board, by a motion to adopt, made by Delegate Stone and seconded by Delegate Hewitt at the last meeting.

Delegate Heath seconded by Delegate Stone, offered a Resolution amending the above report, so as to extend the time for enforcing Ordinance No. 297, six months from May 11, 1889, in place of twelve months as recommended.

This amendment was lost and thereupon the original motion was put to vote as follows:

Ayes, Delegates - Stone: Pauley: Julian: Davies: Day: Heath: Hewitt: Seybolt: Kammann <sup>and</sup> Bract.

Noes, Delegates - Marshall: Rediger: Wetherbee: Thompson: Hulbert: Jew <sup>and</sup> Cooper.

There not being a two-third vote in favor of said motion the President declared the same to be lost.

On the matter of the Petition to have "D" street opened between 17<sup>th</sup> & 19<sup>th</sup> streets, the Street Committee reported as follows:

"Your Street Committee to whom was referred the petition for opening D. street from 17<sup>th</sup> to 19<sup>th</sup> st. would respectfully report that in their judgment the street should

be opened; and they would recommend that the street be opened, and that the matter be submitted to the Board of Public Works.

Chas. W. Pauley  
W. A. Jay  
A. B. Seybolt.

On motion of Delegate Netherbee seconded by Delegate Hulbert the report was received and the Petition referred to the Board of Public Works.

In the matter of the Communication of the Board of Public Works, relative to Street sprinkling; the Street Committee reported as follows:

"Your Committee on Streets, to whom was referred the within Communication, would respectfully make the following report, to wit: That we endorse the action taken by the Board of Public Works in ordering streets sprinkled during the present month: but we would recommend that said Board of Public Works be requested to consult with the Street Com. prior to the making of another contract.

Respectfully

Chas. W. Pauley  
W. A. Jay  
A. B. Seybolt.

On motion of Delegate Rediger seconded by Delegate Shaw the first part of above report, to wit: (Endorsing action of Board of Public Works,) was adopted.

On motion of Delegate Netherbee seconded by Delegate Hulbert the latter portion of said report was received and referred, for consultation, to the Board of Public Works.

In the matter of the request of the Board of Public Works to raise the salary of Geo. Hitzel, Secretary of said Board, fixed by the Common Council; the Committee on Ways & Means reported as follows:

"Your Com. to whom was referred the within Communication, beg leave to report that after consideration, they recommend that the salary of the Secy, of the Board of Public Works be fixed at \$75.00 per month.

Melvin Stone  
J. H. Hewitt  
Chas. W. Pauley } Com. on Ways & Means"

And on motion of Delegate Cooper seconded by Delegate Kammam the report was adopted, and the City Attorney instructed to prepare an Ordinance in accordance therewith.

The following Special Committee report was read, to wit: "Your Committee to whom was referred for consideration and report, the written request of J. P. Jones, Fruit Inspector, San Diego County, for an amendment to

City Ordinance No 327, which should authorize the inspection and disinfection, when found necessary, of all fruit boxes, barrels &c, referring more particularly to orange, lemon and apple packages, with a view to securing more complete protection of fruit trees and vines in this City and County. would recommend the adoption of such amended Ordinance, and that all necessary precautions & stringent rules for the enforcement thereof, which experience and the exigencies of the case may suggest and demand, should be provided for in said Ordinance. It is also recommended that a fee of three cents be charged on each package disinfected and returned to the owner thereof. such fee to be paid over to the proper County fund to cover the expenses necessarily incurred for disinfection & cartage. In this connection it is proper to add that the laws of this State provide ample authority for the complete destruction of all packages found infected with scale or other dangerous and injurious fruit pests, but to avoid the loss to owner attending such destruction of their personal property, the plan of disinfection as contemplated, and the return of packages to their owner seems to be by far the most equitable, expeditious and satisfactory method of accomplishing the important object in view.

Respectfully submitting

Wm. Cooper

C. E. Heath

J. M. Netherbee

} Special Committee"

On motion of Delegate Heath seconded by Delegate Davies the Report was adopted, and the City Attorney instructed to prepare an Ordinance in accordance therewith.

The following Joint Committee Report was read, to wit:

"Your Joint Committee from the Board of Aldermen and Board of Delegates, to whom was referred the Communication from the Board of Fire Commissioners, asking the Common Council to fix the salaries of two assistant Chiefs of the Fire Department, would respectfully report that we have met in joint session with the Board of Fire Commissioners, and after full discussion, and by a vote of 4 to 2, we have concluded to fix no salary for said assistant Chiefs.

H. F. Norcross. Clerk

John C. Fisher

J. M. Netherbee

J. P. Davies

C. E. Heath.

Delegate Cooper seconded by Delegate Stone moved to adopt. Delegate Redger seconded by Delegate Marshall moved to amend by recommitting to Committee. The amendment carried, and it was so ordered.

The following Minority report upon said matter was also read. to wit:

"I would respectfully submit as a minority report the following, to wit: That action on the within communication be deferred until such time as the Board of Fire Commissioners shall appoint said Assistant Chiefs.  
Paul H. Rediger"

Said Minority report was also re-committed.

In the matter of the Petition of the Board of Fire Commissioners to be allowed to employ 30 extra firemen at special salaries, the Finance & Fire (Joint) Committee reported as follows. to wit:

"Your Committee on Finance & Fire (joint) to whom was ref'd the within Petition, would respectfully recommend that the same be granted, and said salaries ordered to be paid out of the Salary Fund.

C. E. Heath

J. P. Davis

G. M. Webster

Paul H. Rediger"

On motion of Delegate Rediger seconded by Delegate Marshall the Report was re-committed to the Committee.

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

"Your Committee on Fire to whom was ref'd the Communication from the Board of Fire Commissioners requesting the privilege of purchasing one horse for the Fire Department, not to exceed the cost of \$160<sup>00</sup> would respectfully report the recommendation that the petition be granted, provided the amount expended for said horse, shall be so expended from the Fire Dept. Fund.

Paul H. Rediger

C. E. Heath"

In the matter of the proposed Ordinance licensing Dogs, &c, the Health & Morals Committee reported as follows:

"We the undersigned being the Committee on Health & Morals to whom this ordinance was referred, beg leave to make the following report. - In Section 5, where it makes and defines the penalty for violation of said Ordinance not exceeding two hundred dollars or be imprisoned not to exceed three months or both such fine and imprisonment: We the Committee thinking that the penalty is too severe, would recommend (or suggest) that said Ordinance be amended so as to read not to exceed twenty dollars or imprisonment not to exceed ten days or both such fine and imprisonment.

(over)

(signed)

A. S. Hulbert  
 Wm. Cooper  
 Geo. P. Low.

Committee on Health &amp; Morals.

On motion of Delegate Withers seconded by Delegate Cooper, the report was received, and the City Attorney instructed to make the recommended change in the said Ordinance.

On motion of Delegate Marshall seconded by Delegate Withers the Board adjourned until Monday, June 24-1889, at 7.30 o'clock p. m.

W. M. Cassaway  
 City Clerk

L. L. Bratt  
 President



## Adjourned Meeting.

Council Chamber of the Board of  
Delegates of the City of San Diego,  
June 24-1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7:30 o'clock P. M. with President Bract presiding.

Present, Delegates - Stone: Marshall: Julian: Jay: Withers: Heath: Hewitt: Seybolt: Hulbert: Hannan: Cooper: Bract <sup>Eng.</sup> Clerk Cassaway.

Absent, Delegates - Pauly: Davis: Ediger: Thompson: & Saw.  
& Lyons.

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

Delegates - Pauly: Davis and Saw enter, and take their seats in the Board during the reading of the Minutes.

The following Report from the Committee on Health & Morals was read and adopted, on motion of Delegate Stone, seconded by Delegate Davis. Said Report reads as follows:

To the Honorable, the Board of Delegates.

We, your Committee on Health and Morals, in reporting upon the petition of the Woman's Christian Temperance Union, which bears 1500 signatures, beg to submit the recommendation that all painted windows and screen doors be removed from saloon fronts as prayed for. Your Committee deem it a duty devolved upon itself to urge the passage of any ordinance or law that would promote the good morals of the community, the same as it would encourage any law that would improve the City's sanitary condition. Your Committee is moreover informed that similar laws have been enforced with good results in other cities, notably Cincinnati.

Realizing that schemes for evasion would be resorted to by the saloon keeper without delay, yet believing that by the enforcement of an ordinance such as the one referred to, many young men and boys would be deterred from frequenting saloons, your Committee recommends that the prayer of the petitioners be granted. All of which is respectfully submitted.

A. J. Hulbert

Geo. A. Saw

Wm. Cooper

Committee

Delegate Julian seconded by Delegate Hewitt moved that a Committee on Conference be appointed to confer with the Board of Aldermen & endeavor to gain favorable action

from said Board, upon the Petition above referred to. The motion being carried the President appoints the Committee on Health & Morals.

A Communication from the Board of Fire Commissioners requesting the Common Council to modify Ordinance No. 283, so that wooden columns may be used on the interior of buildings; accompanied by a Report from the Chief Engineer of the Fire Department endorsing said request: was read and filed.

A Communication from the Local Board of Fire Underwriters of San Diego, endorsing the request of the Board of Fire Commissioners, was also read and filed.

A Resolution, heretofore adopted by the Board of Aldermen, was read. The Delegate Davis seconded by Delegate Law moved to adopt the same.

Delegate Marshall seconded by Delegate Julian moved to amend by inserting in said resolution the words "that all wooden columns shall be covered with tin."

The amendment carried, and thereupon the original motion as amended was carried. said Resolution adopted as amended. Said Resolution reads as follows to wit:

Joint Resolution No. 9.

Resolved, that the City Attorney be instructed to amend Ordinance No. 283 known as the building Ordinance requiring iron columns and iron lintels on the outside of all buildings in said ordinance provide that wooden columns be allowed in the inside of such buildings, on permission being given by the Board of Public Works & further that all wooden columns shall be covered with tin.

A Communication from J. G. Chausser, Secy. Pro Tem. of the Board of Health, asking the Common Council to fix the salaries of the employees of the Health Department, was read, and referred to the Committee on Ways & Means.

A Petition to have 32<sup>nd</sup> street (from D. to A.) sprinkled, was read and on motion of Delegate Cooper seconded by Delegate Marshall the said Petition was laid on the table.

Petitions to have erroneous assessments corrected &c. &c. from J. B. Robb: Jesse Gilmore: Chesebrough & Ellsworth and Mrs. E. W. Roberts, were read and referred to the Committee on Finance.

Delegate Heath seconded by Delegate Marshall offered a Resolution in regard to Petitions for refund of taxes, which was adopted. Said Resolution reads as follows:

Joint Resolution No. 10.

Resolved, that all applications now on file, or which may

Hereafter be received for the rectification of erroneous assessments and consequent over payment of taxes. Before consideration by the Common Council, must first be certified, under oath, by the late City Assessor, who in such certification shall state that the errors as claimed actually exist & in his opinion should be corrected as petitioned. Also furnish the original statement & data in full & state whether errors of Book or Judgment."

A Petition from E. H. Mottage for permission to fire a salute on the Plaza on July 4<sup>th</sup> was read, and granted.

A Protest from the Board of Fire Commissioners to the repeal of Ordinance No. 297, was read and received and placed on file.

A Petition to have the Common Council require the San Diego Street Car Co. to run cars on their 3<sup>rd</sup> street car track on Florence Hill, was read and referred to the Committee on Streets.

A Petition from the Mount Pleasant Land & Water Co. (and an Ordinance accompanying same) for a franchise to lay down water pipes & distribute water in the City of San Diego, was read and on motion of Delegate Withers seconded by Delegate Cooper the same was referred to the Water Committee, said Committee to have two weeks time in which to report & also to examine the present Water Ordinance.

A Petition from Six Freeholders, of the City of San Diego, to the Common Council, asking that an Improvement District be established on 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> streets, from the south side of B. street to the north side of I. street; was read, and referred to the Board of Public Works.

Delegate Heath offered the following Resolution, which was adopted. *twit*:

Joint Resolution No. (not concurred in)  
Whereas, there is an apparent unsettled state of opinion existing in the Board with regard to the feasibility of establishing street improvement districts as provided for under Chap. 3, Art. 5, Opt. of Public Works, and to an extent that is likely to make the settlement and determination of such districts a question involving no inconsiderable amount of misunderstanding and local dissatisfaction;

Be it Resolved, that it is the sense of the Common Council that the further consideration of all Petitions from citizens

and reports and recommendations from the Board of Public Works now on file, referring to the establishment of Street Improvement Districts, be indefinitely postponed, and further: that it is the sense of this Board, that until otherwise determined, all Street Improvements, such as grading, paving, macadamizing &c. be done under the provisions of Chap. 2. of Art. 5. of the City of Public Works, a law under which we can act understandingly and legally, and which if enforced rigidly and honestly as between the property owner and contractor will afford ample protection and satisfaction to the people generally."

A Petition from five Property Owners, asking that a part of Sherman Addition to San Diego, be declared a road district; was read, and referred to the Board of Public Works.

A Communication from the Board of Public Works, showing the action taken by said Board upon the Petition to have D. street opened, between 17<sup>th</sup> & 19<sup>th</sup> streets; was read.

Said Communication being signed by the Secretary of the Board of Public Works, only. On motion of Delegate Heath seconded by Delegate Marshall the Communication was ordered returned for the signature of the President of said Board & with instructions that hereafter all Communications from said Board shall be so signed by the President.

An Ordinance amending Section 3, Ordinance No. 3, was read and on motion of Delegate Saw seconded by Delegate Kamman, and by the following vote, aye:

Aye, Delegates - Stone: Pauley: Julian: Daviso: Westerber: Heath: Hewitt: Seybolt: Hulbert: Saw: Kamman and Bradt.

Nays, Delegates - Marshall: Day: Mr. Cooper.

The Ordinance was adopted as read. Said Ordinance reads as follows:

#### Ordinance No. 9.

An Ordinance to amend Section 3, Ordinance No. 3. Entitled an ordinance to appoint a Janitor and fixing his compensation. Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1. That Section 3, of Ordinance No. 3. Entitled an ordinance to appoint a Janitor and fix his compensation be amended so as to read as follows: Sec. 1. That the compensation of said Janitor be and the same is hereby fixed at seventy-five dollars a month payable monthly.

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

Sec. 3. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.



On motion of Delegate Metherbee seconded by Delegate Marshall it is ordered that when the Board adjourn, it be until Friday, June 28-1889. at 7.30 o'clock A.M.

An Ordinance authorizing the City Attorney to appoint a deputy &c. was read by Delegate Hulbert seconded by Delegate Kammann moved to adopt.

Delegate Heath seconded by Delegate Cooper: moved to amend by inserting in said Ordinance a provision that Common Council shall in joint session elect the Deputy City Attorney. This amendment was lost. Thereupon the original motion was carried by the following vote, to-wit:

Ayes, Delegates - Stone; Pauly; Marshall; Julian; Davies; Day; Metherbee; Hewitt; Sylvest; Hulbert; Low; Kammann; Cooper and Bract.

Nays, Delegates - Heath.

& said Ordinance adopted. Said Ordinance reads as follows to-wit:

Ordinance No. 10.

An ordinance authorizing the City Attorney to appoint a deputy and fixing the compensation of the same.

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

Sec. 1- That the City Attorney is hereby authorized to appoint a deputy City Attorney.

Sec. 2- That the compensation of said deputy shall be and the same is hereby fixed at the sum of one hundred dollars per month.

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

After giving notice President Bract did, in open session sign Ordinance No. 7. Being an Ordinance providing for two additional deputies for the Treasurer and Tax Collector for the month of June: and fixing the compensation of the same.

After giving notice President Bract did, in open session, sign Ordinance No. 8. Being an Ordinance abolishing certain offices and salaried positions not provided for by the present City Charter.

On motion of Delegate Day seconded by Delegate Kammann the Board adjourned.

W.M. Gassaway  
City Clerk.

Ed Bract  
President.



*Adjourned Meeting.*

Council Chamber of the City of San Diego, California, June 28, 1889.

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

Present, Delegates: Stone: Pauley: Manshall: Davies: Day: Rediger:  
Wetherbee: Heath: Hewitt: Thompson:  
Seybolt: Hulbert: Orr: Kammann: Cowper:  
Bradt <sup>and</sup> Clerk Gassaway.

Absent, Delegates - Lyons Mrs Julian.

The Minutes of an Adjourned Meeting, Held June 24, 1889, were read, and approved as read.

A Communication from the Board of Public Works, showing the action taken by said Board upon the Petition to open D. street, between 17<sup>th</sup> & 19<sup>th</sup> streets, was read, and filed.

The following resolution was read, and on motion of Delegate Low seconded by Delegate Davis, said resolution was adopted, as follows, to wit:

Whereas, it is the opinion of the Common Council, that in the opening of D. street, between 17<sup>th</sup> & 19<sup>th</sup> streets would be a public benefit, therefore be it

Resolved, that the matter be referred to the Street Committee, City Attorney & Board of Public Works, with instructions to inquire & report as to the propriety of proceeding under the General Law to condemn and assess the damages.

In the matter of the Petition  
to require the S. J. Street Car Co.  
to run cars on Florence Hill }

The Street Committee reported as follows, to wit:

0 "Your Committee on Streets beg leave to state  
that Mr. Santee, President of the Street Car Co. has informed  
them that the cars will be running on W 12th St, by July 4<sup>th</sup>  
Chas. M. Pauley.

Chas. W. Parry.

A.B. Seybold

M. E. Day."

The Report was received and filed.

The Committee on Health and Morals reported favorably upon the following Petitions for Signor Piccone, to wit:

Eugene Dean - Special License

Chas. Burkhardt. Retail

and on motion of Delegate Marshall seconded by Delegate Kammann, the Petitions were granted.

The following Special Committee report was read, to wit:

"We, your Special Committee on Superintendent of Parks and his salary, would respectfully recommend the appointment of Geo. H. Marchant to that position, at a salary of \$35.00 per month. Both Mr. Marchant's character and work are highly endorsed by a number of representative citizens, and he guarantees to keep the Parks in as good, if not better condition than that in which they are now kept, at the salary named. All of which is respectfully submitted.

Geo. P. Low, Chairman

C. F. Kammann

A. B. Veybolt "Committee."

Delegate Heath seconded by Delegate Marshall moved to adopt the report & refer to the Board of Public Works with the recommendation that said Board appoint said Geo. H. Marchant at salary of \$35.00 per month.

Delegate Rediger seconded by Delegate Day moved to amend by making the said salary \$60.00 per month. This amendment was lost and thereupon the original motion was put and carried, and it was so ordered.

In the matter of the request  
of the Board of Public Works  
to be authorized to superintend  
the construction of buildings -

The Building Committee report  
as follows, to wit:

Your Committee to whom was referred the above communication beg leave to report - that it has investigated the subject and finds that there is a question as to the authority of the Board of Public Works to regulate the construction of new buildings and enforce the fire and building Ordinances, and recommend that the City Attorney be instructed to prepare amendments to ordinances No. 179, and 283, giving said Board full authority to act as Building Inspector.

J. H. Hewitt, Chairman

A. C. Julian

W. A. Day.

On motion of Delegate Hewitt seconded by Delegate Marshall the report was adopted.

An Ordinance amending sections three & sixty five of Ordinance No. 283, was read and Delegate Heath seconded by Delegate Low moved to adopt the same verbatim. This motion was lost and thereupon Delegate Low seconded by

Delegate Seybolt moved to adopt the Ordinance as read. Delegate Heath seconded by Delegate Cooper moved to amend by referring to the Board of Public Works for their endorsement. This amendment was lost. <sup>Mr</sup> Thompson the motion to adopt was carried by the following vote, viz:

Ayes, Delegates - Stone: Pauley: Marshall: Day: Hewitt: Thompson: Seybolt: Hulbert: Saw: Kammann: <sup>Mr</sup> Bracht.

Noes, Delegates - Davies: Rediger: Mckenzie: Heath: <sup>Mr</sup> Cooper. Said Ordinance reads as follows, to-wit:

Ordinance No. (Not Concurred in)

An Ordinance amending section three and section sixty-five of Ordinance No. 283, entitled an ordinance defining the fire limits and regulating the construction, alterations and repair of buildings in the City of San Diego.

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

Sec. 1- That Section three and Section sixty-five of ordinance No. 283, entitled an ordinance defining the fire limits and regulating the construction, alteration and repair of buildings in the City of San Diego be amended so as to read as follows. Section 3. All buildings hereafter erected within the fire limits No. 1. shall be made and constructed of brick or stone or both and every building of brick or stone or both that shall be newly roofed or covered shall be constructed with side or party walls of brick or stone or of both and such side or party walls shall extend from the foundation to the top of and through the roof of the building and such roof shall be covered with materials, viz: metal, slate, asbestos or gravel roofing, and the fire walls shall be so constructed as to separate all woodwork on either side of said walls, and shall in no case be more than one hundred feet apart; and where the span exceeds twenty four feet, between walls the floor joists shall be supported on wood or iron girders, and if on the inside of said buildings said floor joists may be supported on wooden or iron girders resting on wood or iron columns of sufficient size, quality and strength to bear with safety the weight to be carried upon them; but all wooden columns so used in the inside of any building must be encased in a substantial manner with tin or sheet iron. That all columns to be used on the outside of all buildings herein provided shall be of iron and all outside lintels resting on said outside columns shall likewise be of wrought or cast iron. If wooden girders are used bolsters must be used not less than four feet long and an iron plate of either cast or wrought iron of not less than one hundred and twenty four superficial inches not less than one half inch thick. If set on girders below use same plate, if set on pier use granite

board or cover not less than twenty-two inches square and eight inches thick set on sheet lead to weigh not less than three pounds to the cubic foot.

Section 65: It shall be the duty of the Board of Public Works to enforce all sections of this ordinance and see that the same are strictly complied with.

Sec. 2. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

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

Delegate Stone offered a Resolution introducing an Ordinance amending Sec. 3. of Ordinance No. 297. which said resolution and ordinance were read. The Delegate Heath seconded by Delegate Seybolt moved to adopt the said Ordinance as read. The motion was put and declared to be lost by the following vote, to wit:

Ayes: Delegates - Stone: Pauley: Davies: Day: Heath: Hewitt, Seybolt: Kammam & Board.

Noes, Delegates - Marshall: Rediger: Wetherbee: Thompson: Hulbert: Jew: & Cooper.

The following report from the Committee on Sewer was read, to wit:

"Your Committee to whom was referred the matter of salaries for Sewer Superintendent and Plumbing Inspector beg leave to report as follows: that we believe one hundred (\$100.00) per month each to be a fair and adequate salary for their services.

Respectfully submitted

A. H. Julian

C. C. Thompson

A. B. Seybolt."

Delegate Rediger seconded by Delegate Kammam moved to adopt & instruct City Attorney to draw Ordinance in accordance. Delegate Marshall seconded by Delegate Pauley moved to amend by making the amount of salary \$75 each. This amendment was carried and it was so ordered.

Delegate Hulbert offered a Joint Resolution providing 1<sup>st</sup>. That no official shall be absent from his duties without first obtaining leave of the Common Council.

2<sup>nd</sup>: That the Mayor be requested to investigate the absence of Jas. D. Schuyler, member of Board of Public Works & report to Auditor, who shall make the proper reduction of salary. Delegate Day seconded said Resolution.

Delegate Rediger seconded by Delegate Heath moved to lay on the table. The motion was lost.

Delegate Heath seconded by Delegate Pauley moved to

amend by striking out the 2<sup>nd</sup> clause of said Resolution. This amendment was carried and thereupon the motion to adopt as amended was carried & said Resolution adopted as amended. Said resolution reads as follows:

Joint Resolution No. 12.

Whereas it has come to the knowledge of the Common Council that a member and an officer of the Board of Public Works has been absent from the City without leave. Now therefore be it resolved that no officer of the City Government shall be absent at times from his duties without first obtaining leave of absence from the Common Council.

The following Resolution was offered by Delegate Hewitt, and adopted by the Board town:

Joint Resolution No. (Not Concurred in by Alds.)

Whereas, in the judgment of the Common Council it is to the best interest of humanity and good morals that better protection be given young boys under the age of 16 years, now therefore

Be it Resolved that the City Attorney be and is hereby instructed to draft an Ordinance amending Ordinance No. 19. that will compel keepers of houses of prostitution, saloons, beer gardens, and all places where beer, whiskey or other intoxicating liquors are sold, to keep posted, in front and on the inside of their respective places of business, Notices warning all boys under the age of 16 years from entering or remaining inside the same without being accompanied by their parents or Guardian.

Delegate Hewitt offered a Joint Resolution providing for the separation of the Office of Auditor and Assessor. On motion of Delegate Cooper seconded by Delegate Marshall the resolution was laid on the table.

The following Ordinance was read and on motion of Delegate Rediger seconded by Delegate Metherbee, and by the following vote, town:

Ayes, Delegates - Stone: Pauly: Marshall: Davies: Day: Rediger: Metherbee: Heath: Hewitt: Thompson: Seybolt: Hulbert: Saw: Kamman: Cooper & Bradt. Noes, None.

The same was adopted as follows, town:

Ordinance No. 11

An Ordinance providing for the compensation of the Volunteer Fire Department of the City of San Diego, Calif. for the year 1889.

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

Sec. 1. That all volunteer firemen on the roll of the San Diego Volunteer Fire Department, and in good standing in their respective fire companies for the year



1889, shall be entitled to receive in full for such volunteer services for the year 1889, each the sum of two dollars.

Sec. 2. That the sum of two hundred and ninety six dollars is hereby appropriated out of the fire department fund payable to the Board of Fire Commissioners of San Diego being the amount in full due said volunteer firemen for the year 1889: the said Board of Fire Commissioners to apply the same in payment of the poll tax (where the same has not been already paid) of the individual members of the said volunteer fire department and in any case any member of said volunteer fire department has paid said poll tax for the year 1889 the amount be paid to such member by said Board of Fire Commissioners, and should any member not apply for the compensation herein provided, or not be entitled to the same such amount shall be returned to said fire department fund.

Sec. 3. That the Auditor of the City of San Diego is hereby instructed to draw his warrant for the sum of two hundred and ninety-six dollars and the Treasurer of said City is hereby instructed to pay the same to the said Board of Fire Commissioners as in this ordinance provided.

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

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

Joint Resolution No. 13  
Resolved, that the sum of One Hundred dollars be, and the same is hereby appropriated out of the General funds of the City for the purpose of purchasing postage stamps for the use of the City Officials.

Resolved, further, that the City Auditor be authorized to use said sum in the purchase of stamps, and instructed to furnish stamps for all official letters which may be presented to him for that purpose by City Officials.

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

Joint Resolution No. (Not Concurred in by Aids)  
Resolved that the Board of Public Works be authorized and instructed to contract for the lighting of the City Building known as the Horton Bank Block, with incandescent electric lights.

Delegate Methaber offered a joint resolution instructing the Board of Public Works to purchase a flag for the Plaza in New San Diego. Delegate Saw seconded the same. As a vote being taken the resolution was lost.

A Petition from Gratz K. Brown for an extension of 30 days

in which to complete the macadamizing of E. Street from California to Front was read <sup>and</sup> granted.

The following ~~joint~~ resolution was read and adopted ~~twice~~.

"Joint Resolution."

Resolved, that the City Clerk be instructed to keep publicly posted in the room of the Board of Delegates, a list of all persons receiving salaries or wages from the city, with the amount of monthly salary or wages received by each opposite his name; which list shall be revised and corrected by him monthly."

An Ordinance licensing dogs was read ~~and~~ on motion of Delegate Cooper seconded by Delegate Kammann, and by the following vote: ~~twice~~:

Ayes: Delegates Stone: Pauley: Marshall: Davies: Day: McKehee: Heath: Hewitt: Thompson: Seybolt: Hulbert: Saw: Kammann: Cooper ~~and~~ Bradt.

Noes: Delegate Rediger

The same was adopted as read. Said Ordinance reads as follows:

"Ordinance No. (not concurred in)"

An Ordinance in relation to dogs and licensing the same. Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1.- No person owning or having the control of any dog shall suffer or permit the same to be or remain in any portion of the City of San Diego unless a license tax of two dollars for every male dog and three dollars for every female dog be first paid, and unless such dog has around its neck a collar and have attached thereto a metallic plate issued for said dog with figures indicating the year for which the license tax has been paid.

Sec. 2. Every dog found within said City in violation of this ordinance shall be impounded and if not claimed by the owner within three days and the license tax paid, the costs and charges of keeping said dog at fifty cents a day and two dollars for impounding the same are not also paid, it shall be the duty of the Pound Keeper to sell said dog for said costs and charges at private sale, and if not sold within five days the said Pound Keeper shall kill or cause to be killed such dog.

Sec. 3. It shall be the duty of the Policemen as well as the Pound Keeper to impound any dog found within said City limits in violation of any of the provisions of this ordinance.

Sec. 4. It shall be the duty of any and all persons owning or having any dog or dogs in said City to keep the same in such a manner so that the peace and

quiet of the neighborhood will not be disturbed hereby.  
 Sec. 5: Every person or persons violating any of the provisions of this ordinance shall be fined in the sum of not exceeding twenty dollars, or be imprisoned in the City Jail of said City for not exceeding ten days or by both such fine and imprisonment.

Sec. 6. That Ordinance No. 213, of which this is amendatory and all other ordinances and parts of Ordinances in conflict herewith be and the same are hereby repealed.

Sec. 7. This ordinance shall take effect and be in force from and after ten days publication in the San Diego Daily Sun."

After giving notice President Bracht did in open session sign Ordinance No. 9. Being an Ordinance to amend Section 3, of Ordinance No. 3, entitled an Ordinance to appoint a Janitor and fixing his compensation.

Also Ordinance No. 10. Being an Ordinance authorizing the City Attorney to appoint a deputy and fixing the compensation of the same.

The President declared the Board to be adjourned until the next Regular Meeting, Monday July 7, 1889, at 7.30 or ~~about~~ 9 A.M.

M. Cassaway  
 City Clerk

G. S. Bracht  
 President

## Regular Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California. July 1<sup>st</sup>, 1889.

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

Present Delegates - Stone: Pauly: Marshall: Julian: Heath:  
Daries: Rediger: Netherber: Hewitt: Thomp-  
son: Seybolt: Hulbert: Saw: Kammann:  
Cooper: Bract <sup>and</sup> Clerk Gassaway.

Absent Delegates - Lyons <sup>and</sup> Day.

The Minutes of an Adjourned Meeting, held June 28<sup>th</sup>, 1889, were read <sup>and</sup> approved as read.

A Message from the Mayor requesting the Common Council to allow compensation for one expert accountant (not exceeding five dollars per day) to be appointed in accordance with Sec. 3. Chap. 1. Art. III. of the City Charter: was read. <sup>and</sup> Delegate Heath seconded by Delegate Rediger moved to grant the request.

Delegate Pauly seconded by Delegate Kammann moved to amend by referring to the Finance Committee. This amendment was lost. <sup>and</sup> thereupon the original motion was carried and the request granted.

A Communication from the Board of Education, requesting the Common Council to take the necessary action for the issuance of \$69,400 School Bonds <sup>and</sup> a Message from the Mayor endorsing said request, were read <sup>and</sup> referred to the Committee on Ways and Means.

A Communication from the Board of Public Works, relative to Street work, was read <sup>and</sup> Delegate Rediger offered the following joint resolution, which was seconded by Delegate Cooper, and adopted. To wit:

Joint Resolution No. 14

Resolved, that the Communication from the Commissioners of Public Works in reference to Street work be referred to the President of the Board of Aldermen, the President of the Board of Delegates, the City Attorney, the City Auditor and the Board of Public Works with instructions to investigate and consider the subject of said Communication and all other matter pertaining to the transaction of the business of the City, to confer with the Mayor, and make a written report of their conclusions and recommendations to the Council.

A Communication from the Board of Public Works requesting the Common Council to reconsider the action taken in reducing the force of the City Engineer's office and Petition of Engineer accompanying same: were read and filed.

A Communication from the Board of Public Works relating to the streets ordered sprinkled for July: was read and filed.

President Bradt called Delegate Hulbert to the Chair.

A Report from the Public Library Trustees for the year ending June 30, 1889, was read and filed.

A Petition from Robert Bailey, for a Retail Liquor License was read and referred to the Committee on Health & Morals.

In the matter of the Communication of the Board of Health recommending that the salary of the Health Officer be fixed at \$150 per month - that of the Health Inspector at \$75 - & that of the Health Officer's Clerk at \$30: the Ways & Means Committee reported as follows:

Ways Committee on Ways and Means report that they endorse the recommendation of the Board of Health on the within communication.

Melvin Stone.

J. H. Hewitt.

Delegate Marshall seconded by Delegate Shaw moved that a Special Committee of three be appointed in said matter. The motion being carried President Dr. Elm Hulbert appointed Delegates - Kamman, Pauly and Rediger.

A Message from the Mayor recommending that the two extra Deputies in the Treasurer & Tax Collector's office be continued temporarily: was read and Delegate Cooper seconded by Delegate Kamman moved to grant said temporary Deputies for not to exceed thirty days.

Delegate Marshall seconded by Delegate Hewitt moved to amend by making the time not to exceed two days. This amendment was lost and thereupon Delegate Withers seconded by Delegate Marshall moved to indefinitely postpone. This motion was lost by the following vote: aye:

Aye. Delegates - Stone: Marshall: Julian: Davies: Withers: Hewitt: Seybolt: and Bradt

Nay. Delegates - Pauly: Heath: Rediger: Thompson, Law: Kamman: Cooper: and Hulbert.

Whereupon the original motion was lost by the following vote: aye:

Aye. Delegates - Pauly: Heath: Rediger: Thompson: Law: Kamman: Cooper: and Hulbert.

Nay. Delegates - Stone: Marshall: Julian: Davies: Withers:



Stewart; Seybolt; and Bract.

The Committee on Water reported favorably upon the Petition of the Mt. Carmel Water Co. & recommended the adoption of the Ordinance granting said Company the right to lay pipes and sell water in the City.

On motion of Delegate Bract seconded by Delegate Cooper said Ordinance was laid on the table for 30 days.

A Petition from Property Owners asking that I; Jopsera; and Oliver Avenues be connected was read, and referred to the Board of Public Works.

An Ordinance fixing the compensation of Engineers, Engine Drivers &c. was read and on motion of Delegate Rediger seconded by Delegate Kammann, and by the following vote. Ayes: Delegates - Stone; Pauley; Marshall; Julian; Heath; Stewart; Davies; Rediger; Metkerber; Thompson; Seybolt; Law; Kammann; Cooper; Bract and Hulbert.

Moss: None.

The Ordinance was adopted as read. Said Ordinance reads as follows, to wit:

Ordinance No. 12

An Ordinance fixing the compensation of Engineers, Engine Drivers, and Horse Carriage Drivers of the San Diego Fire Department.

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

Sec. 1. - That the compensation of the Engineers, Engine Drivers and Horse Carriage Drivers of the San Diego Fire Department be and the same are hereby fixed as follows:

Sec. 2. - The compensation of Engineers in said department shall be One Hundred dollars per month payable monthly.

The compensation of Engine Drivers in said department shall be seventy-five dollars per month payable monthly.

The compensation of Horse Carriage drivers shall be seventy-five dollars per month payable monthly.

Sec. 3. That the compensation as herein set forth shall date from June 1<sup>st</sup> 1889.

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

Delegate Bract offered a Joint Resolution providing for a flag for the New Town Plaza. and Delegate Law seconded the same.

Delegate Heath seconded by Delegate Cooper moved to postpone for one year. This motion was lost. and the original motion was carried by the following vote. to wit:

Ayes: Delegates - Davies; Marshall; Rediger; Metkerber; Thompson; Seybolt; Law; Kammann; Bract and Hulbert.

Mrs. Delegates - Stone: Pauley: Julian: Heath: Hewitt: and  
Cooper.

Said Resolution reads as follows, to wit:

"Joint Resolution No. 15.

Resolved, that the City Auditor be hereby authorized to draw a warrant on the City Treasurer for the sum of \$25.00 for the purchase of a flag for the pole on New Town Plaza, and that the Board of Public Works be directed to procure the same."

An Ordinance imposing municipal licenses was read and on motion of Delegate Saw seconded by Delegate Marshall, and by the following vote, to wit:

Ayes, Delegates - Stone: Pauley: Marshall: Julian: Heath: Daniel: Reiger: Merkley: Hewitt: Thompson: Sylvest: Saw: Kammann: Cooper: Bradt and Hulbert.

Mrs. - None.

The Ordinance was adopted as read. Said Ordinance reads as follows, to wit:

"Ordinance No. (Not Concurred in)

An Ordinance imposing municipal licenses 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 liquors 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 - It shall be unlawful for any person to keep any saloon, bar, barroom, tippling house, dram shop, store or other place where any spirituous, vinous, malt or any intoxicating liquors are manufactured, sold or given away, or to manufacture, sell or give away any such spirituous, vinous, malt or other intoxicating liquors without having first obtained a license therefor as provided in this ordinance: provided that this ordinance shall not apply to the sale of liquors by the owner and proprietor of drug stores upon the presentation of a regular practicing physician, for medical purposes.

Sec. 2 - The City Auditor shall issue all licenses provided for by this ordinance: but no license shall be issued except upon consent of the Common Council made and entered upon the minutes, nor without the payment of the amount hereinafter required to be paid therefor; and no license shall be issued for a longer term than one year.

Sec. 3 - Said license shall be substantially in the following form: This is to certify that (Here insert the name) with the receipt of the City Tax Collector hereon written for the sum of . . . . . dollar is hereby authorized to keep, conduct and carry on (Here describe business) of the term of

Here insert time, from the date hereof, dated this day of 188. Auditor, of the City of San Diego.

Sec. 4. - All licenses shall be signed by the Auditor, and the amount to be paid therefor shall be paid to the City Tax Collector and his receipt therefor endorsed thereon before the delivery thereof.

Sec. 5. - No license provided for herein shall be allowed by the Common Council, or issued except upon a petition from the applicant therefor signed by five respectable tax payers of said City, residing or doing business in the immediate neighborhood where said liquors are to be sold, stating the place where said liquors are to be sold, and that the applicant is a person of good moral character, and a sober and suitable person to keep and conduct such a place of business. No license shall be ordered issued until the next meeting of the Common Council after such petition is received, and if the Common Council find such person to be of good moral character and a sober and suitable person to keep such place and business they shall direct the Auditor to issue such license, if they find that the applicant is not a person of good moral character or is not a sober or suitable person to keep and conduct such place of business, they shall deny the petition and no license shall be issued. Should the Common Council at any time determine that any person keeping or conducting any such place is not a person of good moral character or is not a sober or suitable person to keep and conduct such place or business or that his or her place of business is kept in a noisy and disorderly way, and that the place and quiet of any person or neighborhood is disturbed, or that the same is conducted in any particular in violation of this ordinance, the Common Council may revoke such license, and any citizen of said City may petition the Common Council for the revocation of any such license on any of said grounds, and said Common Council shall hear the same or refer the same to a Committee to investigate the charges and report to the Common Council. Provided that said license shall have not less than five days notice of the hearing whether before the Common Council or a Committee, and either party shall be heard in person or by Attorney, and allowed to introduce evidence. If the Common Council shall find the petition or any material part thereof to be true said license may be revoked and no further license shall be issued to such person, otherwise the petition must be denied.

Sec. 6. - The rate of license shall be as follows:

1st. For every Hotel, restaurant or eating house where spirituous, vinous, malt or other intoxicating liquors are sold except where a bar is maintained the sum of

twenty-five dollars per month.

2<sup>nd</sup>. - For every place of business where said liquors or any of them are sold at wholesale in quantities of not less than one fifth of a gallon at a time: the sum of twenty-five dollars per month.

3<sup>rd</sup>. - For every distillery, brewery or place where spirituous, vinous, malt or other intoxicating liquors are manufactured the sum of twenty-five dollars per month.

4<sup>th</sup>. - For every saloon, bar, barroom, tippling house or any other place where any wine, ale or beer or any other spirituous, vinous, malt or other intoxicating liquors are to be sold in quantities of less than one fifth of a gallon at a time or to be drank on the premises where sold, except the place mentioned in subdivision one of this section, the sum of fifty dollars per month or ten dollars per day.

Sec. 7. - Every saloon, bar, barroom, tippling house or other place where wine, ale, beer or any spirituous, vinous, malt or other intoxicating liquors are sold, shall close at eleven o'clock p. m. of each day and not re-open until five o'clock a. m. of the day following, and it shall be unlawful for any person to sell, barter or give away any wine, beer, ale or any spirituous, vinous; malt or other intoxicating liquors during the time said place of business is hereby required to be closed.

Sec. 8. - Every person who shall sell, barter or give away any wine, beer, ale or any spirituous, vinous, malt or other intoxicating liquors of any kind, without having procured the license as provided in this ordinance or between the hours of eleven o'clock p. m. and five o'clock a. m. or who shall violate any of the provisions of this ordinance, shall be fined in a sum not less than twenty five dollars or more than three hundred dollars or by imprisonment in the City Jail of the City of San Diego for a term not exceeding three months or by both such fine and imprisonment.

Sec. 9. - Prosecution under this ordinance may be in the name of the people of the State of California.

Sec. 10. - Upon the conviction of any person for a violation of this ordinance a certified copy of the judgment of conviction shall be filed with the City Clerk, and the Common Council shall revoke the license issued to such person.

Sec. 11. - It is hereby made the duty of the City Tax Collector to collect all licenses provided for by this ordinance. He shall receipt all licenses received on the back of the license and shall return under oath on the first day of each month the amount collected by him for the preceding month and shall pay the same to the City Treasurer.

Sec. 12. - No license issued under this ordinance shall be



assigned or transferred, except by permission of the Common Council, and any person other than the licensee doing business under any license without the permission of the Common Council first obtained shall be guilty of a violation of this ordinance.

Sec. 13. - It is made the duty of the Chief of Police to see that all of the places of business named in section seven of this ordinance close their places of business and keep them closed as in said section provided, and to forthwith arrest any person whose said place of business shall be or remain open during said time and to cause complaint to be filed against him in the Police Court, and to see that every requirement of this ordinance is fully complied with.

Sec. 14. - It is made the duty of the City Attorney to prosecute all cases arising under this ordinance.

Sec. 15. - It shall be unlawful for any Physician or person claiming to be a physician to give a prescription to a druggist or any other person for any intoxicating liquor except for medical purposes and in case of necessity, or to any such prescription for the purpose of trading or assisting to trade the provisions of this ordinance.

Sec. 16. - All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Sec. 17. - This Ordinance shall take effect and be in force from and after its adoption and publication as provided by law.

Delegate Heath offered a Joint Resolution providing that that portion of Ordinance No. 297 relating to Electric Light poles, be suspended for six months from May 11-1889.

Delegate Stone seconded the same.

Delegate Saw offered the following substitute, which was seconded by Delegate Marshall, and adopted by the following vote, to-wit:

Ayes, Delegates - Marshall; Davis; Rediger; Netherbee; Thompson; Saw; Kammann; Cooper; Mrs. Culbert.

Mores, Delegates - Stone; Pauly; Julian; Heath; Hewitt; Seybolt; Mrs. Board.

Said substitute is as follows, to-wit:

Joint Resolution No. 16  
Resolved, that the City Clerk give notice to the Board of Public Works to order the immediate enforcement of all the provisions of Ordinance No. 297.

Delegate Rediger offered the following Protest, viz,

"At a meeting held by the Board of Public Works, June 28<sup>th</sup>, 1889, a certain resolution passed this body recommending to the Board of Public Works that a certain person be



appointed keeper or Superintendent of the Parks of the City - I hereby protest against the action of this Body, touching said resolution and its passage on the grounds that the consideration of said resolution was outside the powers of the Common Council or either Body thereof, and in violation of the oath of office of the members voting for the same as specified and set forth in Section 9, Article 2 of the present City Charter.

Paul H. Ridger

Delegate Marshall requested leave of absence for 30 days - and on motion of Delegate Bradt seconded by Delegate Cooper the request was granted.

On motion of Delegate Bradt seconded by Delegate Loo the Board adjourned until Monday, July 8, 1889, at 7.30 o'clock A.M.

W. M. Cassaway  
City Clerk

G. L. Bradt  
President

Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, July 8, 1889.

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

Present, Delegates - Lyons: Stark: Pauly: Julian: Heath:  
Davies: Day: Rediger: Metherell: Hewitt:  
Seybolt: Thompson: Hulbert: Law: Kammann:  
Cotter: Bradt <sup>and</sup> Clerk Gassaway.

Absent, Delegates - Marshall.

The Minutes of the last Regular Meeting were read, and approved as read.

A Communication from City Clerk Gassaway, stating that the Board of Aldermen had appointed a Committee of Conference in the matter of allowing extra Deputies for the Treasurer and Tax Collector, and had asked the Board of Delegates to appoint a like Committee, was read, <sup>and</sup> Delegate Law seconded by Delegate Hewitt moved to Lay on the Table. The motion was Lost, <sup>and</sup> thereupon Delegate Heath seconded by Delegate Kammann moved that said Committee be appointed as requested. The motion being carried, the President appointed for said Committee - Delegates, Pauly: Seybolt <sup>and</sup> Law.

A Communication, from City Clerk Gassaway, stating that the Board of Aldermen had appointed a Committee of Conference in the matter of lighting the City Hall with Incandescent Electric Lights, and had asked the Board of Delegates to appoint a like Committee, was read. Delegate Pauly seconded by Delegate Lyons moved that said Committee be appointed as requested. The motion carried <sup>and</sup> thereupon the President appointed for said Committee Delegates - Hewitt: Rediger <sup>and</sup> Lyons.

A Communication, from the Board of Public Works, requesting authority to rent the rooms recently vacated by the City Surveyor and others, was read <sup>and</sup> on motion of Delegate Heath seconded by Delegate Lyons the Board of Public Works was instructed to rent said rooms as suggested.

A Claim of J. J. Dunn, for Sewerage Construction work in 1888, was read, and referred to the Committee on Finance.

Delegate Netherber seconded by Delegate Cooper moved that a Committee of Conference be appointed by this Board (and that the Board of Aldermen be requested to appoint a like committee) to consider the subject of the adoption of an Ordinance licensing Dogs. The motion carried and thereupon the President appointed for said Committee Delegates - Netherber: Cooper and Thompson.

Delegate Rediger offered the following resolution, which was seconded by Delegate Day, and adopted by the Board, to wit:

"Concurrent Resolution" 7.

Resolved, by the Board of Delegates, the Board of Aldermen concurring, that all ordinances, petitions, joint or concurrent resolutions, that may be introduced or presented in either House of the Common Council, shall first be acted upon and disposed of in the House in which they originated before being transferred to the other for action."

Delegate Rediger offered the following resolution, which was seconded by Delegate Netherber, and adopted by the Board, to wit:

Resolved, that the Clerk of this Board is hereby instructed to announce the name of the Member presenting any ordinance, resolution, or petition, before reading the same."

Delegate Heath offered the following resolution, which was seconded by Delegate Day, and adopted by the Board, to wit:

Be it Resolved, by this Board, that the City Attorney be, and that he is hereby instructed to carefully investigate the law & the powers of the City Council of San Diego, to cause notice to be given by public advertisement, that sealed proposals will be received from any Bank of Deposit in this City, to receive, hold, and disburse the money belonging to the City & to pay interest thereon as provided for under the general provisions & conditions of Section 15, of Chapter 2, of Article 6, of the City Charter relating to the department of finance: & that the result of said investigation be reported to this Board at its next meeting.

Delegate Hewitt offered the following Joint Resolution, which was seconded by Delegate Stone, and adopted by the following vote, to wit:

Ayes, Delegates - Lyons: Stone: Pauly: Julian: Heath: Davies:  
Day: Netherber: Hewitt: Sleybolt and Board = "Eleven"  
Nays, Delegates - Rediger: Thompson: Hulbert: Day: Kammann:  
and Cooper = "Six"

Said Resolution is as follows, to wit:

"Joint Resolution No. 1 (Not Concurred in)"

Mercer, we are informed by the City Attorney that Ordinance No. 297, interferes with vested rights and cannot be enforced without compensating the injured parties. Therefore, be it Resolved, that the City Attorney be, and is hereby instructed to draft an ordinance repealing said ordinance and also to draft one which shall regulate the erection and maintenance of telephones, telegraph and electric light poles which shall lawfully accomplish the object without doing injustice to any person or company."

Delegate Heath offered a Resolution providing for the appointment of a Special Committee to report to the Board what action is necessary in the case of Delegate Geo. P. Law, charged with a violation of the law in executing a contract with this City, contrary to the provisions of Section 9, Chapter 1; Article 2. of the City Charter. (Delegate Hewitt seconded the same.)

Delegate Hulbert seconded by Delegate Cooper moved to lay upon the table. This motion was lost by the following vote, to wit:

Ayes. Delegates - Lyons: Pauly: Davies: Seybolt: Hulbert: Kamman: Cooper and Bract - "Eight"

Moves. Delegates - Stone: Julian: Heath: Day: Rediger: Metherbas: Hewitt and Thompson - "Eight"

Delegate Low not voting.

and thereupon the original resolution was sent to vote and lost by the following vote, to wit:

Ayes. Delegates - Stone: Julian: Heath: Davies: Day: Rediger: Hewitt and Thompson: - "Eight"

Moves. Delegates - Lyons: Pauly: Metherbas: Seybolt: Hulbert: Kamman: Cooper and Bract - "Eight"

Delegate Low not voting.

Delegate Low seconded by Delegate Stone now moved that a Special Committee of three be appointed by the Chair, to investigate the charges set forth in the Resolution offered by Delegate Heath. The motion carried and thereupon the President appointed for said Committee, Delegates - Stone: Hewitt and Rediger.

A Joint Resolution, heretofore adopted by the Board of Aldermen, requesting the Board of Public Works to include in the order for street sprinkling for the month of July - 3<sup>rd</sup> street, from D. to B. and a continuation of 4<sup>th</sup> street to B. was read and a vote being taken said Resolution was lost.

Delegate Hewitt offered a Joint Resolution, requesting the Board of Public Works to have 7<sup>th</sup> street & intersections, from "H." to "D," sprinkled: and a vote being taken the same was lost.

The following Report from the Committee on Sewers was read. to wit:

"Your Committee to whom was referred the matter of a Garbage Sewer beg leave to report as follows. to wit: Your Committee have examined the old sewer and find that it costs the City about \$2760<sup>00</sup> per year to keep it in repair and run it. We find the place where the sewer receives the garbage off the dock to be in a bad condition, from the fact that a great deal of the garbage has been dumped into the water. It is almost impossible for the sewer to get close enough to the dock to receive the garbage from the wharf. The sewer in use at the present time is in a very dilapidated condition, being almost worthless. We would recommend at least one new sewer. As to the sewer, your Committee find that they are not sufficiently protected, on the subject to advise as to the cheapest and best kind to be used. We would also recommend to your Hon. Body that it will be necessary to build a hopper of suitable size to hold at least 3 days deposits, in case of accident. And that the hopper should be built high enough to allow a sewer to pass underneath: this will necessitate a short piece of wharf being built sufficiently high to accommodate the sewer, and wide enough for the carts to drive on & turn around.

Respectfully submitting.

A. C. Julian  
Frank C. Thompson } Committee  
A. B. Seybolt }

And in connection with the above report, Delegate Julian offered a Joint Resolution authorizing the Board of Public Works to procure a Garbage Sewer: which said Resolution was endorsed by the City Auditor as follows. to wit:

"The building of a Garbage Sewer is a legal charge against the Public Health Fund.

J. M. Jones: Auditor.

Said Resolution was seconded by Delegate Lyons and adopted by the Board as follows. to wit:

Joint Resolution No. 1 (Not Concurred in)  
Resolved, that the Board of Public Works be authorized to advertise for bids for building, maintaining and running a garbage sewer as recommended by the Board of Health. Also to enter into a contract for the same."

Delegate Stone offered the following Resolution, which was adopted, upon motion of Delegate Reaiger: seconded by Delegate Kammann, and by the following vote. to wit:

Ayes. Delegates - Lyons: Stone: Julian: Heath: Davies: Day: Reaiger: Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Kammann: Cowler.

Noes, Delegates - Pauley & Bradt.



(Delegate Lao having heretofore been temporarily excused.)  
Said Resolution is in words and figures as follows, to-wit:

Joint Resolution No. (No. 111)  
To the Common Council of the City of San Diego.  
Whereas, the duties devolving upon the Common Council as legislators, are the most numerous, difficult and important of any that belong to the administration of the City Government, covering in their general and special scope, the investigation, arrangement, presentation and adjustment of all the numerous questions relating to the health, morals, education, finance and general prosperity of the City, and while a faithful and efficient performance of these duties on the part of the Common Council can only be maintained through hard persistent courageous and honest effort, <sup>and</sup>

Whereas, simple justice demands that fair compensation be awarded for such service, Now therefore in the interest of just and efficient City Government -

Be it Resolved, that the pay of the Members of the Common Council be fixed at Twenty-five (25) dollars per month each, to be paid out of the salary fund, and this resolution shall apply to service already rendered by this department under the new Charter, <sup>and</sup> be it further resolved that no Member of either Board of the Common Council shall be absent from any regularly adjourned meeting of either Board without the consent of his respective Board previously obtained on the production of a Certificate from a respectable practicing physician that the delicate health of such Member at such time justified such absence. And be it further resolved that the penalty for each and every violation of this provision relating to the attendance of the members be a forfeiture of five (5) dollars and the amount so forfeited shall be returned to the salary fund.

After giving notice President Bradt did in open session sign Ordinance No. 11. being An Ordinance providing for the compensation of members of the Volunteer Fire Department of the City of San Diego, Cal. for the year 1889. Also Ordinance No. 12. being An Ordinance fixing the compensation of Engineers, Engine Drivers, and Horse Carriage Drivers of the San Diego Fire Department.

An Ordinance fixing the compensation of the Secretary of the Board of Public Works was read <sup>and</sup> on motion of Delegate Julian seconded by Delegate Hulbert and by the following vote, to-wit:

Ayes, Delegates - Lyons; Stone; Pauley; Julian; Heath; Jarvis; Day; Rediger; Metterbee; Hewitt; Seybold; Thompson; Hulbert; Lao; Kammann; Cooper <sup>and</sup> Bradt.  
Nays, None.

The Ordinance was adopted as read. Said Ordinance reads as follows. To wit:

"Ordinance No. 25:

An ordinance fixing the compensation of the Secretary of the Board of Public Works.

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

Sec. 1. That the compensation of the Secretary of the Board of Public Works be and the same is hereby fixed at Seventy-five dollars per month payable monthly.

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

The Committee on Health & Morals reported favorably upon the Petition of Robert Bailey, for a Retail Liquor License, and on motion of Delegate Withers seconded by Delegate Heath said License was granted.

In the matter of the Report of the Board of Health, recommending that the salary of the Health Officer be fixed at \$150. per mo. the Health Inspector \$75. & the Health Officer's Clerk at \$30. per month -

The Special Committee reported as follows:

Your Special Committee, to whom the above report was referred, recommend that the same be accepted.

Chas. F. Kammann

Chas. W. Pauley

Paul H. Rediger

On motion of Delegate Stone seconded by Delegate Lyons the office of keeper of the Garbage Saw at salary of \$60. per month was added to said report. and Thompson on motion of Delegate Withers seconded by Delegate Seybold the report was accepted as amended.

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

The Communication from the City Board of Education asking that action be taken by the Mayor and Common Council, providing for the issue of Municipal Bonds, for school purposes, to the amount of \$94,400.00, together with the Mayor's recommendation that such action be taken by the Common Council - all of which was referred to your Ways and Means Committee for investigation and report - such Committee respectfully offers the following - That in view of the importance of the subject matter in all its bearings, we suggest that the said Communication be referred back to the Board of Education,

requesting that Body to make additional statements covering the matter of rents which will be paid after the buildings now in course of construction are finished, together with all extra outlays made necessary through a lack of proper school buildings. Such information would very materially strengthen the efforts of a Committee in making an effective report in favor of the measure, both as to its influence in calling the election, and in securing the necessary majority.

Melvin Stone  
Chas. W. Pauley  
J. N. Hewitt."

The following report from the Committee on Parks, was read and adopted as follows, to wit:

Your Committee on Park, report in the matter of the claim of A. C. Kitching against the City for \$35.00 being a royalty collected by the City from the Park Brick Yard Company for earth taken by mistake from lots owned by Mr. Kitching, would recommend that Mr. Kitching be paid the royalty so collected, but they would ask the City Engineer to ascertain near as practical, if enough material has actually been taken from the Kitching lots @ 15-cts per thousand to amount to \$35.

Respectfully submitting

M. R. Day  
Melvin Stone  
Paul H. Rediger."

An Ordinance fixing the compensation of the Superintendents of Streets, was read and on motion of Delegate Witherspoon seconded by Delegate Lyons and by the following vote, to wit:  
Ayes: Delegates - Lyons: Stone: Pauley: Julian: Heath: Davies: Day: Rediger: Witherspoon: Hewitt: Seybolt: Thompson: Hulbert: Law: Kammann: Cooper and Bradt.

None, None.

The Ordinance was adopted as read. Said Ordinance reads as follows, to wit:

"Ordinance No. 13

An Ordinance fixing the compensation of the Superintendents of Streets.

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

Section 1. That the compensation of the Superintendent of Streets for the City of San Diego, be and the same is hereby fixed at One Hundred dollars a month payable monthly.

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

On motion of Delegate Cooper seconded by Delegate Stone  
the Board adjourned until Monday, July 15, 1889, at 7.30  
o'clock P.M.

W. M. Cassaway  
City Clerk

G. G. Bracht  
President

Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, July 15<sup>th</sup> 1889.

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

Present, Delegates - Pauly: Heath: Jarvis: Rediger: Waterman:  
Hewitt: Seybolt: Thompson: Hulbert: Low:  
Cooper: Bract and Clerk Gassaway.

Absent, Delegates - Lyons: Stone: Marshall: Julian: Day:  
and Kamman.

The Minutes of an Adjourned Meeting, held July 8<sup>th</sup> 1889, were read and approved as read.

Delegate Low gave verbal notice to the Board that he would decline to vote upon any and all questions, until the question of his disqualification, now pending, was finally settled.

A Communication from the Board of Public Works, relative to the Secretary of said Board and his salary, was read and referred to the Board of Aldermen.

Delegate Cooper seconded by Delegate Hulbert moved to suspend the regular order of business, and proceed with the charges preferred against Delegate Low. The motion carried and thereupon the following Special Committee Report was read, to wit:

Your Special Committee to whom was referred for investigation the charges against Delegate Geo. O. Low, would respectfully report that Delegate Low has acknowledged that he did make a certain contract with the Board of Education, and still retains an interest therein; but in justification thereof - Mr. Low claims that previous to entering into said contract he had consulted legal authority upon the subject. The Committee therefore in conclusion recommend that the entire matter be adjusted by the Common Council.

Melvin Stone  
J. H. Hewitt.

Delegate Heath seconded by Delegate Hewitt moved to postpone action on above report until the next meeting. The motion was lost. Thereupon Delegate Heath seconded by Delegate Hewitt moved to adopt the Report and proceed to the consideration of the contents thereof. The motion carried and the Board proceeded to discuss the contents of said Report.



Delegate Rediger seconded by Delegate Seybolt now moved the Delegate Geo. P. Shaw be exonerated of the charges preferred against said Shaw, by Resolution, offered by Delegate Heath, for an alleged violation of the provisions of Section 9, Chapter 1, Article 2, of the City Charter. The motion was carried by the following vote, to wit:

Ayes, Delegates - Pauly: Davies: Rediger: Netherbue: Seybolt: Thompson: Hulbert: Cooper and Pradt.

Noes, Delegates - Heath and Hewitt.

A Communication from the Board of Public Works, submitting a schedule of fees to be charged for services performed by the City Engineer, and recommending the passage of an Ordinance establishing the same: was read and adopted, and the City Attorney instructed to prepare said Ordinance.

A Communication from City Clerk Gassaway, stating that the Board of Aldermen had appointed a Committee of Conference in the matter of regulating Electric Light, Telegraph & Telephone poles, also in reference to repealing Ordinance No. 297. and had asked the Board of Delegates to appoint a like committee: was read. Delegate Pauly seconded by Delegate Rediger moved that said Committee be appointed as requested. The motion carried, and thereupon President Pradt appointed for said Committee, Delegates - Hulbert: Davies and Heath.

The following written opinion from the City Attorney, made in accordance with an order of this Board, was read and filed, to wit:

To the Hon. Board of Delegates:

In answer to your request for an opinion on Section 5, Art. VI, of the Charter, I have to say, the section referred to says in substance: that it shall be the duty of the City Clerk upon the first Tuesday of January of each year or within five days thereafter to advertise for proposals from banks of deposit upon what terms they will receive and disburse the public money. It will be seen that the law explicitly designates the exact time when the Clerk shall perform this duty and it means that time and no other time: should he advertise at any other time his act would be illegal and any contract made under the same would be valueless for any purpose and not binding on the City or the bank. Again, the section provides that the Board of Aldermen shall have the exclusive control of the whole matter, that Board opens the proposals from the bank, fixes the terms, orders the contract to be awarded, arranges the bond to be given and appoints the same when made out, together with the Mayor, and this Board as a part of the Commu-

Council, when all these preliminaries have been arranged, simply pass a resolution to change the money from the vault of the City Treasurer to the bank receiving the award.

Very Respectfully

James O. Goodwin."

Delegate Heath offered a Resolution instructing the City Clerk to advertise for Bids for the use of the City's money. Delegate Hewitt seconded same. The resolution was put to vote and Lost.

A Petition to the Common Council to allow fast driving on D. street from Water front to 3<sup>rd</sup> street, between 5 and 7.30 o'clock A.M. was read and referred to the Committee on Streets.

A Petition from Robert Bailey for sidewalk privilege, was read and Delegate Pauly seconded by Delegate Hewitt moved to grant. The motion was put and declared to be Lost. Thereupon Delegate Pauly calls for a division, and a vote being taken with a result of six in favor and six against, the motion was again declared to be Lost. Delegate Heath seconded by Delegate Pauly moved a reconsideration, the same to be taken up at the next meeting.

A Petition from Vilas A. Davenport et al, of Sorrento, for the establishment of a Public Road: was read and referred to the Committee on Streets.

A Petition from Geo. Allyn & Jos. Fairer, requesting the Common Council to require the laying of a sidewalk, commencing at S.E. cor. of 4<sup>th</sup> & E. streets, thence East 50 feet: was read and referred to the Board of Public Works.

A Petition from P. C. Webb, to the Common Council, to have reparation made for injury done to Lots in Mannasse & Schiller's addition: was read & referred to the Board of Public Works.

A Petition from Alderman S. Levi for 30 days leave of absence was read and on motion of Delegate Cooper seconded by Delegate Davis the following Joint Resolution was adopted. Envis:

Joint Resolution No. 18

Resolved, that in compliance with his petition, leave of absence for thirty days be granted to S. Levi, a Member of the Board of Aldermen, of the City of San Diego.

Dated July 15<sup>th</sup>. 1889.

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

"Hamel & Brander - Retail"

John Rogers - "Detail"  
 C. F. Chadwick - "Detail"

Auditor Jones submitting a financial statement of the condition of the City's finances, at the close of business, June 30 - 1889. which statement was referred to the Committee on Finance.

The following Conference Committee Report was read, to wit:  
 To the Common Council: Your Committee on Conference appointed to adjust the question of allowing the Treasurer & Tax Collector extra assistance - recommend that said Treasurer & Tax Collector be allowed (and the City Attorney be instructed to draft an Ordinance) one Deputy for one month at salary of \$75 per month.

~~Delegates~~ { A. G. Gassen, Chairman  
 C. F. Morcross.  
 Delegates { Chas. H. Pauly  
 A. B. Seybold  
 Geo. J. Low. "

Said Report was adopted.

The following Joint Resolution, heretofore adopted by the Board of Aldermen as a substitute, was read and adopted, to wit:

Joint Resolution No. 17.  
 Resolved, that the Board of Public Works be instructed to advertise for bids for building a Garbage Sewer, and that such bids be reported to Common Council.

The following Joint Resolution was offered by Delegate Hulbert, and adopted by the Board, to wit:

Joint Resolution No. 19  
 It having come to our knowledge that the present Pound-Master has received that position by appointment only, and at the same time holding an office under the City Government which is a violation of the Charter. Therefore be it resolved by the Board of Delegates, the Board of Aldermen concurring, that the office of Pound Master be declared vacant.

Delegate Davies offered a Joint Resolution providing for a Fire Alarm system.

Said resolution was referred to the Civil & Finance Committee & the Mayor.

An Ordinance fixing the salary of the Health Officer & al. was read, and laid over to the next meeting.

An Ordinance imposing municipal licenses was read and

referred to the Committee on Health & Morals.

The following report from the Finance & Fire Committee upon a previous report recommittees, in the matter of the Communication from the Board of Fire Commrs. relative to Assistant Chiefs of the Fire Dept. - was read & filed. To wit:

To the Hon. Board of Delegates - Your joint Committee on Finance and Fire to whom the above report was recommended, recommends that the same be adopted. Also that the petition from the Hon. Board of Fire Commissioners requesting that the salaries of the two Assistant Chiefs of the Fire Department be fixed at the sum of Twenty (\$20<sup>00</sup>) dollars per month each be granted.

S. M. Netherbas  
Paul H. Rediger  
J. P. Davies.

After giving notice President Braatt did, in open session sign Ordinance No. 13. being an Ordinance fixing the Compensation of the Superintendent of Streets.

Delegate Rediger seconded by Delegate Cooper moved that a Committee of two be appointed to act with the President, & revise the rules for the Board of Delegates, also to ascertain the cost of having some printed in pamphlet form. The motion carried & thereupon the President appointed for said associate Committeemen, Delegate - Rediger and Netherbas.

On motion of Delegate Cooper seconded by Delegate Hulbert the Board adjourned until Monday, July 22<sup>nd</sup>, 1889. at 7.30 o'clock P. M.

N. M. Cassaway,  
City Clerk

G. S. Braatt  
President



## Adjourned Meeting.

Council Chamber of the Board of  
Delegates of the City of San Diego, Cal-  
ifornia, July 22<sup>nd</sup>, 1889.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7:30 o'clock P.M. with President Bract, Presiding.

Present, Delegates - Lyons: Stone: Pauley: Heath: Davies: Rediger:  
Netherbar: Hewitt: Thompson: Seybolt: Low:  
Fulbert: Kamman: Cooper: Bract and Clerk  
Sassaway.

Absent, Delegates - Marshall: Julian and Jay.

The Minutes of an Adjourned Meeting, held July 15<sup>th</sup>, 1889, were read, and approved as read.

Commissioner Jas. D. Schuyler, of the Board of Public Works, appeared before the Board and requested permission to read a "Report on the Sewerage of San Diego by Board of Public Works."

Delegate Rediger seconded by Delegate Lyons moved to suspend Order of business, and permit Commissioner Schuyler to read said Report. This motion carried and Thompson said Report was read. and on motion of Delegate Heath seconded by Delegate Lyons said Report was received and filed and the press requested to publish and further - on motion of Delegate Netherbar seconded by Delegate Low, the Board of Public Works was authorized to proceed, as recommended upon Page 6. of said Report, to construct a wooden flume to connect from the end of the 24 inch pipe to the gate house.

An Application from Jim O. Callen, Deputy City Attorney, for ten days leave of absence, together with a message from the Mayor recommending the granting of same, was read and on motion of Delegate Netherbar the request was granted.

An Application from Jas. D. Schuyler, Commissioner of the Board of Public Works, for 30 days leave of absence, together with a message from the Mayor recommending the granting of same, was read, and on motion of Delegate Heath the request was granted.

A Report from a Committee, consisting of the President of the Board of Aldermen, the President of the Board of Delegates, the Board of Public Works, the Mayor: City Attorney and City Auditor and made in accordance with joint



Resolution No. 14. was read and filed.

The following Concurrent Resolution was read and adopted:

Concurrent Resolution No. 2.

Be it Resolved by the Board of Delegates of the City of San Diego, Calif. the Board of Aldermen concurring. That hereafter all applications made to the Common Council for improvements or work to be done under the provisions of the street law or for any other public improvement, the Common Council shall without further action refer the same to the Board of Public Works for investigation. The Board shall as soon as practicable thereafter determine whether in its judgment the public interest or convenience require the improvement to be made, and shall immediately report its determination to the Common Council, which shall thereupon take such action as it shall deem proper in the premises."

A Joint Resolution instructing the Board of Public Works to investigate as to paving certain streets, was read and referred to the Board of Public Works.

A Communication from the Board of Public Works requesting authority to cancel the Insurance upon the old City Hall, was read, together with the following Joint Resolution. Which said Resolution was adopted as follows: to wit:

Joint Resolution No. 21

Resolved, that the Board of Public Works be authorized and instructed to order the cancellation of the insurance on the two story frame building on 3<sup>rd</sup> street, between D & E occupied by the San Diego Engine Co.

A Communication from the Board of Public Works requesting authority to employ a Dump Watchman at the Park; was read and on motion of Delegate Heath the same was laid on the table.

A Petition from Delegate A. H. Julian, for leave of absence from July 19<sup>th</sup> 1889. to Aug. 5<sup>th</sup> 1889. was read and granted.

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

"Clements & Co. Detail

"Kerniger & Skiffert "

A Report from M. L. Dawson Police Judge, showing cases tried, fines collected &c, in the Police Court from June 1<sup>st</sup> to June 21<sup>st</sup>, inclusive, was read & referred to the Finance Committee.

A Report from Hon. J. Hayes, Police Judge Pro Tempore, showing cases tried in Police Court from June 22<sup>nd</sup> to July 14<sup>th</sup> was read, and referred to the Committee on Finance.

A Communication from Delegate Melvin Stone, tendering his resignation as a Delegate of the City of San Diego, was read & laid on the table for one week.

A Report from the Health & Morals Committee upon the amendments to the Liquor Ordinance, was read. Delegate Hewitt seconded by Delegate Davies moved to adopt.

Delegate Rediger seconded by Delegate Netherlands moved to amend in amendments to said Liquor Ordinance. Resolved adopted by the Board of Aldermen. The motion was ruled out of order, whereupon Delegate Rediger appealed from the decision of the Chair and the appeal being put to vote the Chair was sustained.

The original motion was then carried by the following vote:

Ayes: Delegates - Lyons; Stone; Heath; Davies; Hewitt; Seybolt; Low; Hulbert; Cooper & Bracht.

Noes: Delegates - Pauly; Rediger; Netherlands; Thompson; and Kammann.

Whereupon Delegate Heath seconded by Delegate Pauly moved that a Conference Committee be appointed to confer with a like Committee from the Board of Aldermen relative to a Liquor Ordinance. The motion carried and the President appointed for said Committee, Delegates - Heath; Hulbert and Pauly.

A Petition from Property Owners for Fire Protection North of S. and East of 16<sup>th</sup> street, was read and referred to the Board of Public Works.

Delegate Heath offered the following Resolution, which was seconded by Delegate Rediger and adopted by the Board, to wit:

Delegates' Resolution

Resolved that the City Clerk be directed to furnish to the Mayor of the City with a copy of the report of the Board of Public Works as to the City Sewer System.

In accordance with Notice given, Delegate Heath moved to reconsider the vote taken at the last meeting, upon the Petition of Robert Bailey, for sidewalk privilege. The motion carried by the following vote, to wit:

Ayes: Delegates - Lyons; Stone; Pauly; Heath; Davies; Rediger; Netherlands; Hewitt; Thompson; Seybolt, & Kammann.

Noes: Delegates - Low; Hulbert; Cooper & Bracht.

Whereupon the original motion to grant the Petition was put and lost by the following vote, to wit:  
 Ayes, Delegates - Pauly: Heath: Rediger: Hewitt & Kammann.  
 Noes, Delegates - Lyons: Stone: Davies: Netherber: Thompson:  
 Seybolt: Law: Hulbert: Cooper & Pratt.

The following Conference Committee report was read, to wit:  
 The Joint Conference Committee appointed to examine into the Dog Ordinance, respectfully recommend the amendment of said Ordinance so as to make the same -  
 Diego since the boundary line of its operations - Also that all dogs that belong outside of the City limits coming into or passing through the City, if in charge of their master, or owner, shall be exempt from the operation of said ordinance.

Respectfully submitted.

|           |   |                   |
|-----------|---|-------------------|
| Alcmen    | { | John C. Fisher    |
|           |   | H. F. Monroe      |
| Delegates | { | S. M. Netherber   |
|           |   | Mr. Cooper        |
|           |   | Frank C. Thompson |

On motion of Delegate Netherber the report was received and the City Attorney instructed to prepare an Ordinance in accordance therewith.

A Report from the Committee on Streets recommending that the Petition of Silas A. Davenport & others for the establishment of a road to Sorrento, be referred to the Board of Public Works; was read & adopted.

The following Petitions for Signor License, reported upon favorably by the Committee on Health & Morals, were granted, to wit:

"Hamer & Bonades - Retail  
 Jno. Rogers  
 C. V. Chadwick

The Committee on Streets reported unfavorably upon the Petition to permit fast driving on "D" street. Said Report was received and filed.

The following Joint Resolution heretofore adopted by the Board of Alcmen, was read, and adopted as follows, to wit:

"Joint Resolution #20  
 Be it Resolved, by the Common Council, that the Board of Public Works be instructed to enforce all ordinances requiring all Gas and Water Companies and all Companies using the streets to at once put the street in order where the same are being or have been torn

up by him: special attention being called to Mexico 3<sup>d</sup> and India etc.

Delegate Davies offered a Resolution providing for a Committee Register. Said Resolution was referred to the Special Committee on Rules.

Delegate Hewitt offered the following Joint Resolution, which was read by Delegate Heath and adopted by the Board. to wit:

Joint Resolution No. 22.

Whereas, the condition of the City Treasury is such that it will not warrant the expense of sprinkling the City in a more extensive and liberal manner - <sup>and</sup>  
Whereas, it is unfair and unjust to sprinkle one portion of the City and not another  
Therefore be it resolved that the Board of Public Works be and is hereby instructed to not sprinkle more than one block after the first day of August 1889."

Delegate Witherbee offered a Joint Resolution declaring the beating of drums by the Salvation Army, to be a nuisance & providing for the abatement of the same. On motion of Delegate Davies the same was laid on the table.

An Ordinance providing for a Temporary Deputy Treasurer and Tax Collector, was read <sup>and</sup> adopted by the following vote. to wit:

Ayes. Delegates - Pauley; Heath; Rediger; Witherbee; Thompson; Seybolt; Law; Hulbert; Kammann; Poyser & Bradt. Noes. Delegates - Lyons; Stone; Davies; & Hewitt.  
Said Ordinance is as follows. to wit:

Ordinance No. 14.

An Ordinance providing for an additional Deputy Treasurer and Tax Collector for thirty days and fixing the compensation of the same.

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

Sec. 1 - That the Treasurer and Tax Collector is hereby authorized to appoint an additional Deputy to serve as such for a period of not exceeding thirty days.

Sec. 2 - That the compensation of said Deputy be and the same is hereby fixed at the sum of seventy-five dollars.

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

An Ordinance fixing the salaries of the Health Officer & others, was read & adopted by the following vote. to wit:



Ayer, Delegates - Lyons: Stone: Pauly: Davies: Rediger:  
 Wetherbee: Thompson: Seybolt: Law: Hulbert: Kammann: Cooper  
 and Bract.

Mover, Delegates - Heath and Hewitt.

Said Ordinance is as follows to wit:

Ordinance No. 15

An Ordinance fixing the salaries of the Health Officer and  
 City Physician, and Health Officer's Clerk: and creating the  
 office of Health Inspector, and fixing the compensation  
 for the same.

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

Sec. 1 - The salary of the Health Officer and City Physician  
 is hereby fixed at the sum of One hundred and fifty  
 dollars per month, payable monthly.

Sec. 2 - The salary of the Health Officer's Clerk is hereby  
 fixed at fifty dollars per month, payable monthly.

Sec. 3 - The office of Health Inspector, of the City of  
 San Diego, is hereby created and his salary fixed at  
 seventy-five dollars per month, payable monthly.

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

After giving Notice President Bract did in open session  
 sign Ordinance No. 14 being an ordinance providing for an  
 additional Deputy Treasurer & Tax Collector for thirty days  
 and fixing the compensation of the same.

Also Ordinance No. 15 being an Ordinance fixing the salaries  
 of the Health Officer & City Physician, and Health Officer's  
 Clerk: and creating the office of Health Inspector, and  
 fixing the compensation for the same.

On motion of Delegate Hulbert seconded by Delegate  
 Lyons the Board adjourned until Monday, July 29<sup>th</sup>, 1889  
 at 7.30 o'clock P.M.

N. M. Cassaway,  
 City Clerk

G. H. Bract  
 President



## Adjourned Meeting.

Council Chamber of the Board of  
Delegates of the City of San Diego, Cal-  
ifornia; July 29<sup>th</sup>. 1889.

An Adjourned Meeting of the Board of Delegates of the City of San Diego, was held this day at 7:30 o'clock P.M. with President Bradt Presiding.

Present, Delegates: Lyons: Stone: Pauly: Heath: Davies: Day:  
Rediger: Wetherbee: Hewitt: Thompson: Seybolt:  
Hulbert: Lou: Kammann: Cooper: Bradt <sup>and</sup>  
Clerk Gassaway.

Absent Delegates: Marshall <sup>and</sup> Julian.

The minutes of an Adjourned Meeting held July 22<sup>nd</sup>, were read and approved as read.

A Communication from the Board of Public Works, requesting authority to cause the streets along the line of march on the occasion of the Military Parade on August 10<sup>th</sup> to be sprinkled; was read <sup>and</sup> thereupon Delegate Rediger offered the following Joint Resolution, which was seconded by Delegate Hulbert and adopted by the Board. <sup>and</sup>

### Joint Resolution No. 23.

Resolved, that the Board of Public Works be authorized and instructed to cause the streets along the line of march on the day of the military parade to be sprinkled; and that said Board be further authorized and instructed to cause the depot grounds of the California Southern and Pacific Beach railroads to be sprinkled for ten days during the period of the encampment; the cost of said sprinkling to be paid out of the General Fund.

In the matter of the claim of A. C. Kitching, amounting to \$35.<sup>00</sup>, for dirt taken from his property by the Park Bock Company. -

The City Eng.

ineer, to whom the same was referred - reported favorably. <sup>and</sup> on motion of Delegate Heath the report was received and said amount of \$35.<sup>00</sup>, ordered to be paid to said Kitching in full settlement of said claim.

A Petition for the paving, with Bituminous rock, of 6<sup>th</sup> street from the north line of I street to the south line of B street, including the intersecting streets from the East side of 5<sup>th</sup> street to the East side of 6<sup>th</sup> street: was read and referred to the Board of Public Works.

A Petition for the establishment of free watering troughs, for

forces in the City, was read <sup>and</sup> referred to the Board of Public Works for investigation and report as to locality and portable expense.

The following Conference Committee report, heretofore adopted by the Board of Aldermen, was read, to wit:

To the Common Council: Your joint Conference Committee consisting of three members from both bodies and the Board of Public Works with the City Attorney would most respectfully report that it is for the best interest of the City that Ordinance No. 297 be enforced immediately.

|           |   |                        |
|-----------|---|------------------------|
| Aldermen  | { | A. J. Gassen, Chairman |
|           |   | John C. Fisher         |
|           |   | A. F. Morones          |
| Delegates | { | R. S. Hulbert          |
|           |   | J. O. James            |

<sup>and</sup> on motion of Delegate Rediger and by the following vote to wit:

Cty. Delegates - Heath; James; Day; Rediger; Withers; Thompson; Hulbert; and <sup>and</sup> Cooper

Mor. Delegates - Lyons; Stone; Pauly; Hewitt; Seybolt; Kammann and Pradt.

Said Report was adopted as read.

(Delegate Heath here gave notice that at the next meeting of the Board, he would move a reconsideration of above vote.)

A Communication from the Board of Public Works, requesting the transfer of \$4000. to the Street Fund: was read and referred to the Committee on Finance.

The Committee on Health & Morals reported favorably upon the Petitions of

Carter <sup>and</sup> Godfrey &  
Clements & Co.

for Retail Liquor License. <sup>and</sup> on motion of Delegate Low said Petitions were granted.

In the matter of the Petition to establish a Fire Department at Cornudas Beach; the Committee on Fire reported the recommendation that action be deferred for the present. <sup>and</sup> on motion of Delegate Rediger the report was adopted.

The Committee on Finance reported favorably upon the Reports of Police Judges from June 1<sup>st</sup> to 21<sup>st</sup> <sup>and</sup> from June 22<sup>nd</sup> to July 14<sup>th</sup>. <sup>and</sup> said Reports were received and filed.

Delegate Withers offered the following resolution, which was seconded by Delegate Seybolt & adopted by the Board. to wit:

Resolved, that the Board of Delegates request the Health Officer, at his earliest convenience, to prepare and present to this Board, an itemized statement, under oath, of all expenditures, of whatever kind, of his office, during the time of his incumbency in office to date.

Delegate Wetherbee offered a Joint Resolution providing for licensing wagons &c.

Delegate Davis moved to refer to a Special Committee. The motion carried & thereupon the President appointed for said Committee, Delegates - Davis, Wetherbee & Seybolt.

A Communication from the Board of Education, furnishing additional statements relative to the issue of \$69,400 School Bonds, was read & on motion of Delegate Cooper the City Attorney was instructed to prepare an Ordinance calling for an Election to submit the question of the issuance of said Bonds to the people.

Delegate Heath offering the following resolution, which was seconded by Delegate Stone and adopted by the Board, to-wit:  
 "Resolved, that it is the sense of this Board, & the request is hereby made, that the Street Commissioner, Sewer Inspector, Plumbing Inspector, Chief of Police, Health Officer, Chief of Fire Department, City Engineer & City Attorney; furnish to this Board, at the close of every month hereafter, an intelligent condensed report of the work performed by them & under their direction during such time."

Delegate Braat offered the following Concurrent Resolution, which was seconded by Delegate Hulbert and adopted by the Board, to-wit:

Concurrent Resolution No. (Not Concurrence in)  
 Resolved, that the City Attorney be directed to prepare an Ordinance requiring that at all places or localities where sea or surf bathing is permitted, proper ropes and floats shall at all times be in position, extending out on anchored - feet at sea, for the purpose of protection to life of bathers.

An Ordinance amending the "Fruit Pest Ordinance", was read and adopted by the following vote: to-wit:

Ayes - Delegates - Lyons: Stone: Pauley: Heath: Davis: Day: Hewitt: Thompson: Seybolt: Geo. Kammann.

Moss. Delegates - Rediger: Wetherbee: Hulbert: Law: Cooper and Braat.

Said Ordinance is as follows to-wit:

"Ordinance No. 16"

An Ordinance amending section five of an ordinance entitled an Ordinance to prevent the introduction, distribution

or spread within the limits of the City of San Diego, Calif. of any pests or disease injurious to trees, plants, vines, shrubs, scions, fruit or flowers, passed April 2<sup>nd</sup>, 1889.

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

Sec. 1. That section five of an Ordinance entitled an ordinance to prevent the introduction continuance or spread within the limits of the City of San Diego, Calif. of any pests or disease injurious to trees, plants, vines, shrubs, fruits or flowers or scions, passed April 2<sup>nd</sup>, 1889, be so amended as to read as follows: Sec 5: That no empty fruit box, barrel, package, or covering of any description previously used in any district believed to be infested or aforesaid or which shall have previously contained any trees, plants, shrubs, scions, vines, fruits, flowers or vegetables believed to be so infested or infected shall be brought into or used within the City limits, and any or all such boxes, barrels, packages or coverings shall be and the same are hereby declared public nuisances and the same shall be seized by the fruit inspector: and for the purpose of inspection the fruit inspector or his deputy shall enter on the premises where he has reason to believe such insect pests exist or where there may be any box barrel package or covering so infested or infected and all persons engaged in the handling of said trees, plants, shrubs, vines, scions, fruits, flowers or vegetables shall on demand of said fruit inspector or his deputy turn over to the said fruit inspector or his deputy all empty boxes, barrels, packages or coverings and no such box, barrel, package or covering so demanded shall be destroyed or otherwise disposed of until the same has been inspected and disinfected: should any person dealing in said plants, shrubs, vines, scions, fruits, flowers or vegetables desire that such boxes, barrels, packages or coverings should be returned by said fruit inspector a fee of three cents for each box, barrel, package or covering shall be paid by such person as the cost of said disinfection where any such box, barrel, package or covering shall have been so disinfected.

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

An Ordinance granting to the Mt. Tecate Land & Water Co. the right to lay down water mains and pipes for the purpose of supplying the City with water, was read and adopted by the following vote, to-wit:

Ayes. Delegates - Lyons; Stone; Pauly; Heath; Davies; Day; Reiger; Mettler; Hewitt; Thompson; Slybolt; Hulbert; Low; Hamman; Cooper & Board.

Noes. - None.

Said Ordinance is as follows, to-wit:



### Ordinance No. 17

Granting to the Mt. Teocate Land & Water Company the right to lay down water mains and pipes for the purpose of supplying the City of San Diego with pure, fresh water. Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. - The Mount Teocate Land and Water Company, a corporation organized under the laws of the State of California, and having its place of business in the City of San Diego, its successors and assigns, are hereby granted the right to lay down and maintain water mains and distributing pipes of iron in any of the Pueblo lands, public highways, streets, alleys, avenues, parks or other public places within the City of San Diego for supplying said City and its inhabitants with pure, fresh water. It is hereby understood that the water to be so supplied is to be brought from the reservoirs of the said Mount Teocate Land and Water Company located and drawn from the south western slopes of the Cuyamaca, Laguna and Jacumba Mountains in the south-eastern part of San Diego County.

Section 2. - The mains and pipes authorized by Section 1. herein are to be so laid underground as not to interfere with the free use of the roads, highways, streets, alleys, avenues and other places where laid and not to interfere with any sewer, sewer, gas or water pipe belonging to the City of San Diego, or laid by lawful authority by any person or corporation.

Section 3. - The said Mount Teocate Land and Water Company, its successors and assigns may dig up any of the Pueblo lands or dig up or undermine any of the public streets, alleys, avenues, or other public grounds or places aforesaid in order to lay or gain access to any point to lay down its mains or pipes for the purpose aforesaid: but shall conduct its work for that purpose so as to create the least possible inconvenience, and secure the safety to public travel over, and use of, the places where the work of laying down mains and pipes is being done, and shall continue and complete the work upon each street as soon after commencing as the work can with reasonable diligence be done, and as the work is completed (having reference to streets and portions of streets) restore the same to their original or former condition, removing all surplus earth, rock or rubbish, tamping the earth or material used to fill any excavation and wetting the same when filling in so as to leave the same level and level with the street and safe for public travel of every kind. All of said work shall be done under the general supervision of the Board of Public Works, Superintendent of Streets or other City Officials. Having Charge or Control thereof.



Section 4. - The said City of San Diego shall have the right and is hereby entitled to the use free of charge of all water needed, brought into the City under authority granted by this ordinance, for the extinguishment of fires and the flushing of sewers, within the full intent and meaning of Section (349), five hundred and forty nine of the Civil Code of California, and to that end, the City may take any main or pipe so laid down as herein authorized and connect the same with any hydrant, fire plug, cistern or reservoir belonging to said City.

Section 5. - The said Company, its successors and assigns may collect for the use of its water by the inhabitants of said City such water rates only as may be fixed by the Common Council of the City of San Diego or other legal mode of fixing the same.

Section 6. - The said Company shall lay down at least three miles of water main and pipes within the City of San Diego, within four years from the date of the passage of this ordinance and commence furnishing water within the City of San Diego within four years from the date of the passage of this ordinance.

Section 7. - That nothing contained in this ordinance shall be construed as to limit or deny the authority of the Common Council to repeal, change or modify the rights herein granted by this ordinance or any part of the same, at the pleasure of said Common Council.

Section 8. - That this ordinance shall take effect and be in force from and after its passage.

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

"Resolved, that it is the sense of this Board that the attention of the Chief of Police be and that it is hereby called to the necessity of his instructing the Police force immediately to compel the drivers of horses to reduce their speed to a walk at all street crossings & when turning, street corners and that all persons disregarding the order of the police department in this respect, be arrested and fined to the fullest extent of the law, and in accordance with the provisions of Ordinance No. 19."

An Ordinance establishing the City Engineer's fees &c was read and adopted by the following vote, to wit:

Attest, Delegates - Lyon; Stone; Pauley; Heath; James; Jay; Ridger; ~~Wright~~ <sup>Wright</sup>; Hewitt; Thompson; Seybold; Hulbert; Low; Hammond; Cooper & Boggs.

Mores, None.

Said Ordinance is as follows, to wit:

Ordinance No. 24

An Ordinance establishing a schedule of fees and charges

to be paid for the services of the City Engineer of the City of San Diego:

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

Sec. 1. - That for all services performed by the City Engineer of the City of San Diego the following fees and charges shall be demanded and the same shall be paid in advance to the Secretary of the Board of Public Works.

Sec. 2. - For the survey of any lot of fifty feet frontage or less lying above high water including four stakes \$10.00

For the survey of an entire block including four stakes \$20.00

For each additional stake .50

For setting two stakes for the official grade of a sidewalk in front of any lot \$5.00

For each additional stake \$1.00

In all cases the word survey shall include diagram and certificate thereof.

For running lines and setting the necessary stakes once upon any street work ordered by the Common Council or the Board of Public Works under the general street law or the City Charter as follows per lineal foot of street.

For grading or regrading 5 Cents.

For curbing or recurbing 5 "

For macadamizing or re-macadamizing 5 "

For curbing and grading 7 "

For curbing and macadamizing 7 "

For grading, curbing and macadamizing 8 "

For grading, curbing, macadamizing and bituminous rock 10 "

For checking lines and grades on completion of work prior to its acceptance by the Superintendent of Streets, including certificate by the City Engineer, per lineal foot of street 5 Cents

The resetting of stakes, after having been placed once, shall be at the expense of the contractor at the rate of \$10.00 per day for instrument men, and \$3.00 per day for helpers. For making diagram of street assessments, including certificate and final measurements, one half cent per lineal foot.

For cross-sectioning any lot or block and estimating amount of cut and fill on the same, including stakes, estimates of quantities and certificate per front foot 50 cents.

Sec. 3. - That all fees received by said Secretary of Board of Public Works shall be at once turned over to the Treasurer and placed to the credit of the street fund.

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

An Ordinance establishing a partially paid Fire Department, was read and adopted by the following vote, to-wit: City Delegates - Lyon: Stone: Pauley: Heath: James: Rediger:

Netherbee: Hewitt: Thompson: Seybolt: Hulbert: Low: Coysen-  
ing Board.

Moer. Delegates - Day <sup>ing</sup> Hamman.

Said Ordinance is as follows. To wit:

Ordinance No. 18

An Ordinance establishing a partially paid fire department, for the City of San Diego and fixing the compensation of the members of the same.

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

Sec. 1. - That there is hereby established a partially paid fire department for the City of San Diego, Calif.

Sec. 2. - That the Board of Fire Commissioners is hereby authorized and instructed to select from each of the following named fire companies as follows:

From San Diego Engine Company No. 1. one foreman and seven extra men.

From Horton Engine and Hose Company No. 2. one foreman and seven extra men.

From Hamilton Engine Company No. 3. one foreman and seven extra men.

From Howard Hook & Ladder Company No. 4. one foreman and seven extra men.

And all said foremen and extra men shall form said partially paid fire department: and the same to be selected from resident members once they are in good standing in their respective companies.

Sec. 3. - That said partially paid Fire Department and each individual member of the same shall be under the control and subject to the Board of Fire Commissioners and subject to all rules that may be prescribed by said Fire Commissioners for the government of the Fire Department of said City.

Sec. 4. - That the compensation of the members of said partially paid fire department shall be as follows: The foremen shall each receive as full compensation the sum of twelve dollars and fifty cents per month payable monthly: the extra men shall each receive the sum of ten dollars per month in full as compensation payable monthly.

Sec. 5. That this ordinance shall take effect and be in force from and after its passage."

The following Conference Committee report was read and adopted. To wit:

Conference Committee Report  
on Signa Ordinance.

Your Conference Committee recommend the adoption of the annexed Ordinance, amended by striking out in the various sections the words "Good moral character" - Also to strike

out the words & figures 11 o'clock P.M. (where the same applies to the closing of saloons) and insert in lieu thereof - 12 o'clock midnight.

Aldermen { John C. Fidler. Chairman  
D. Carr

Delegates { C.E. Heath

Whereupon the said Ordinance was read and adopted by the following vote, to-wit:

Ayes. Delegates - Lyons: Stone: Pauley: Heath: Day: Baigey:  
Metherell: Hewitt: Thompson: Slybolt: Low: & Hamman.

Noes. Delegates - Davies: Hulbert: Cooper & Bract.

Said Ordinance is as follows:

### Ordinance No. 19

An Ordinance imposing municipal licenses 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 liquors 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 - It shall be unlawful for any person to keep any saloon, bar, barroom, tippling house, dram shop, store or other place where any spirituous, vinous, malt or any intoxicating liquors are manufactured, sold or given away, or to manufacture, sell or give away any such spirituous, vinous, malt or other intoxicating liquors without having first obtained a license therefor, as provided in this ordinance: provided that this ordinance shall not apply to the sale of liquors by the owners and proprietors of drug stores upon the prescription of a regular practicing Physician, for medical purposes.

Sec. 2 - The City Auditor shall issue all licenses provided for by this ordinance: but no license shall be issued except upon consent of the Common Council made and entered upon the minutes, nor without the payment of the amount hereinafter required to be paid therefor, and no license shall be issued for a longer term than one year.

Sec. 3 - Said license shall be substantially in the following form: This is to certify that (Here insert the name) with the receipt of the City Tax Collector Person written for the sum of ----- Dollars is hereby authorized to keep, conduct and carry on (Here describe business) of the term of (Here insert time) from the date hereof, dated this day of \_\_\_\_\_

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Auditor of the City of San Diego.

Sec. 4 - All licenses shall be signed by the Auditor, and the amount to be paid therefor, shall be paid to the City



Tax Collector and his receipt therefor endorsed thereon before the delivery thereof.

Sec. 5. - No license provided for herein shall be allowed by the Common Council, or issued except upon a petition from the applicant therefor signed by five respectable tax payers of said City residing or doing business in the immediate neighborhood where said liquors are to be sold stating the place where said liquors are to be sold and that the applicant is a sober and suitable person to keep and conduct such a place of business. No license shall be ordered issued until the next meeting of the Common Council after such petition is received, and if the Common Council find such person to be a sober and suitable person to keep such place and business they shall direct the Auditor to issue such license, if they find that the applicant is not a sober or suitable person to keep and conduct such place of business, they shall deny the petition and no license shall be issued. Should the Common Council at any time determine that any person keeping or conducting any such place is not a sober or suitable person to keep and conduct such place or business or that his or her place of business is kept in a noisy and disorderly way, and that the peace and quiet of any person or neighborhood is disturbed, or that the same is conducted in any particular in violation of this ordinance, the Common Council may revoke such license and any citizen of said City may petition the Common Council for the revocation of any such license on any of said grounds, and said Common Council shall hear the same or refer the same to a committee to investigate the charges and report to the Common Council, provided, that said licensee shall have not less than five days notice of the hearing whether before the Common Council or a committee, and either party shall be heard in person or by Attorney, and allowed to introduce evidence. If the Common Council shall find the petition or any material part thereof to be true said license may be revoked and no further license shall be issued to such person, otherwise the petition must be denied.

Sec. 6. - The rate of license shall be as follows:

1<sup>st</sup>. For every hotel, restaurant or eating house where spirituous, vinous, malt or other intoxicating liquors are sold except where a bar is maintained the sum of twenty five dollars per month.

2<sup>nd</sup>. For every place of business where said liquors or any of them are sold in quantities of not less than one fifth of a gallon at a time, the sum of twenty-five dollars per month.

3<sup>rd</sup>. For every distillery, brewery or place where spirituous, vinous, malt or other intoxicating liquors are manufactured



the sum of twenty-five dollars per month.

42. For every saloon, bar, barroom, tippling house or any other place where any wine, ale or beer or any other spirituous, vinous, malt or other intoxicating liquors are to be sold in quantities of less than one-fifth of a gallon at a time or to be drunk on the premises where sold, except the place mentioned in subdivision one of this section, the sum of fifty dollars per month or ten dollars per day.

Sec. 7. - Every saloon, bar, barroom, tippling house or other place where wine, ale, beer or any spirituous, vinous, malt or other intoxicating liquors are sold, shall close at 12 o'clock P.M. of each day and not reopen until five o'clock A.M. of the day following, and it shall be unlawful for any person to sell, barter or give away any wine, beer, ale or any spirituous, vinous, malt or other intoxicating liquors during the time said place of business is hereby required to be closed.

Sec. 8. - Every person who shall sell, barter or give away any wine, beer, ale or any spirituous, vinous, malt or other intoxicating liquors of any kind, without having procured the license as provided in this ordinance or between the hours of 12 o'clock P.M. and five o'clock A.M. or who shall violate any of the provisions of this ordinance, shall be fined in a sum not less than twenty-five dollars or more than three hundred dollars or by imprisonment in the City Jail of the City of San Diego for a term not exceeding three months or by both such fine and imprisonment.

Sec. 9. - Prosecutions under this ordinance may be in the name of the people of the State of California.

Sec. 10. - Upon the conviction of any person for a violation of this ordinance a certified copy of the judgment of conviction shall be filed with the City Clerk and the Common Council shall revoke the license issued to such person.

Sec. 11. - It is hereby made the duty of the City Tax Collector to collect all licenses provided for by this ordinance: he shall receipt all licenses received on the back of the license and shall return under oath on the first day of each month the amount collected by him for the preceding month and shall pay the same to the City Treasurer.

Sec. 12. - No license issued under this ordinance shall be assigned or transferred, except by permission of the Common Council, and any person other than the licensee doing business under any license, without the permission of the Common Council first obtained shall be guilty of a violation of this ordinance.

Sec. 13. - It is made the duty of the Chief of Police to see that all of the places of business named in section seven of this ordinance close their places of business and keep them closed as in said section provided, and to

forthwith arrest any person whose said place of business shall be or remain open during said time and to cause complaint to be filed against him in the Police Court, and to see that every requirement of this ordinance is fully complied with.

Sec. 14. It is made the duty of the City Attorney to prosecute all cases arising under this ordinance.

Sec. 15. It shall be unlawful for any Physician or person claiming to be a Physician to give a prescription to a druggist or any other person for any intoxicating liquors except for medical purposes and in case of necessity, or to any such prescription for the purpose of evading or assisting to evade the provisions of this ordinance.

Sec. 16. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 17. This ordinance shall take effect and be in force from and after its adoption and publication as provided by law.

The resignation heretofore tendered by Delegate Melvin Stone, was taken from the table and a Communication from said Melvin Stone urging the Board to accept said resignation, was read and thereupon Delegate Hewitt offered the following resolution, which was adopted by the Board:

"Whereas, Delegate Melvin Stone of the First Ward has seen proper to offer his resignation to this Board, and whereas, it is our bounden duty to accept the same.

Therefore, be it resolved, that it is the sense of this Board, that we accept the resignation of Delegate Melvin Stone; and in accepting the same we bow in submission to his wishes, with feelings of deep regret, believing that in his retiring from this Board, this body has lost a useful and conscientious member, and the City a faithful servant."

On motion of Delegate Rediger it was ordered that the filling of the vacancy, caused by the resignation of Delegate Stone, be postponed until the next meeting.

On motion of Delegate Hulbert the Board adjourned until Monday, August 5, 1889, at 7.30 o'clock P.M.

*W. M. Cassaway,*  
City Clerk

*G. S. Bracht*  
President

## Regular Meeting.

Council Chamber of the Board of Delegates,  
of the City of San Diego, California.  
August 5 - 1889.

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

Present, Delegates - Lyon: Pauly: Julian: Davies: Day:  
Rediger: Wetherbee: Heath: Hewitt:  
Seybolt: Thompson: Hulbert: Low: Kamman:  
Cooper & Bradt. No Clerk Garrison

Absent, Delegate - Marshall.

The minutes of an Adjourned Meeting, held July 29, 1889, were read and approved as read.

A Petition from Hon. J. Hayes, City Justice, for thirty days leave of absence from August 6<sup>th</sup>, was read, together with a message from the Mayor recommending the granting of same. <sup>and</sup> on motion of Delegate Pauly the Petition was granted.

Delegate Wetherbee moved to suspend the regular order of business <sup>and</sup> proceed to the election of a Delegate from the First Ward, to fill the vacancy caused by the resignation of Delegate Stone - the motion carried, and thereupon Delegate Lyon placed in nomination Mr. Carl Wagner. There being no further nominations offered, on motion of Delegate Wetherbee the Chair was instructed to cast a unanimous ballot for said Carl Wagner as a Member of the Board of Delegates, of the City of San Diego, California. <sup>and</sup> thereupon said Ballot was so cast, and said Wagner declared to be duly elected a Member of said Board.

A Petition from S. Candy, for a Lease upon certain City lands, for the purpose of developing coal, oil, gas, etc. was read <sup>and</sup> referred to the Committee on City Lands.

A Report from Dock Ensign, of the expenses & operations of the City Health Office, since his term of office began: was read <sup>and</sup> referred to the Committee on Finance.

A Communication from the San Luis Rey Filice Company, submitting a Proposition to supply water to the City of San Diego; was read and referred to the Committee on Water.

Delegate Hulbert moved that the Chair appoint a temporary member of the Committee on Water during the absence of

Delegate Marshall. The motion carried and thereupon the Chair appointed for said temporary Committee man = Delegate Wetherbee.

A Petition from Delegate Lyons for 30 days leave of absence from August 5<sup>th</sup>. was read, and granted.

A Petition for the regulation of the running of trams upon the streets of the City, was read, and referred to the Committee on Streets.

A Request from Delegate Marshall for an extension of thirty days of his leave of absence, was read and granted.

A Communication from the Board of Health recommending the immediate change of the Sewer, Garbage Wharf, together with the concurrent report of the Board of Public Works, was read and referred to the Committee on Sewers.

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

Joint Resolution No. 24

Be it Resolved, by the Common Council of the City of San Diego, that the Board of Public Works be requested to report the bids for a Garbage Sewer, received by said Board to the Common Council, as per Joint Resolution now in force."

A Petition from David D. Dore for a street railway franchise on Sixth and C. streets; was read and referred to the Committee on Streets.

A Communication from the Board of Public Works recommending the granting of the Petition asking that L. Jopseka and Oliver Arenuer be connected and re-named: was read. Also an Ordinance submitted by said Board, consolidating said Arenuer. and on motion of Delegate Heath, and by the following vote, to wit:

Ayes. Delegates - Lyons: Pauley: Julian: Davies: Day: Redign: Wetherbee: Heath: Hewitt: Snybol: Thompson: Hulbert: Law: Kammann: Cooper & Bradt.

Mores. None.

The Ordinance was adopted as read. Said Ordinance is as follows, to wit:

Ordinance No. 20

An Ordinance consolidating and uniting Oliver, Jopseka and L. Arenuer and changing their names.

Sec. 1. - Be it ordained by the Common Council of the City of San Diego as follows: That Oliver Arenuer, Jopseka Avenue and L. Arenuer be and the same are hereby connected, and that they shall hereafter constitute and be one continuous street from the North end of Oliver Avenue to the South end



of I avenue.

Sec. 2 - That said street shall hereafter be called Main street.

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

Delegates Davis and Hulbert were temporarily excused.

A Communication from the Board of Public Works submitting an Ordinance establishing the grade of Sixth street, was read. On motion of Delegate Heath and by the following vote, said Ordinance was adopted, to-wit:

Ayes Delegates - Lyons: Pauley: Julian: Day: Rediger: McHenry: Heath: Hewitt: Seybolt: Thompson: Hulbert: Ino: Kammann: Cooper & Bracht.

Said Ordinance is as follows, to-wit:

"Ordinance No. 21.

An Ordinance establishing the grade of Sixth street, from the north side of M. street to the south side of B. street in the City of San Diego, California.

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

Section 1. - The grade of Sixth street from the north side of M. street to the south side of B. 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 north west corner of M. and Sixth streets 1.5 feet: and at the north east corner thereof 2.0 feet:

At the south west corner of Sixth and L. streets 2.0 feet: at the north west corner thereof 2.5 feet: at the south east corner thereof 2.5 feet: and at the north east corner thereof 3.0 feet.

At the south west corner of Sixth and K. streets 6.5 feet: at the north west corner thereof 7.5 feet: at the south east corner thereof 7.0 feet: and at the north east corner thereof 8.0 feet.

At the south west corner of Sixth and J. streets 12.0 feet: at the north west corner thereof 13.0 feet: at the south east corner thereof 12.5 feet: and at the north east corner thereof 13.5 feet.

At the south west corner of Sixth and I streets 18.0 feet: at the north west corner thereof 19.0 feet: at the south east corner thereof 18.5 feet: and at the north east corner thereof 19.5 feet.

At the south west corner of Sixth and H. streets 24.5 feet: at the north west corner thereof 25.5 feet: at the south east corner thereof 25.0 feet: and at the north east corner thereof 26.0 feet.

At the south west corner of Sixth and G. streets 31.0 feet: at the north west corner thereof 32.0 feet: at the south east corner thereof 31.5 feet: and at the north east corner thereof 32.5 feet.

At the south west corner of Sixth and F. streets 36.3 feet: at the north west corner thereof 36.8 feet: at the south east corner thereof 36.3 feet: and at the north east corner thereof 36.8 feet.



At the southwest corner of Sixth and E. streets 42.4 feet: at the northwest corner thereof 43.4 feet: at the southeast corner thereof 42.4 feet: and at the northeast corner thereof 43.4 feet. At the southwest corner of Sixth and D. streets 50.5 feet: at the northwest corner thereof 51.0 feet: at the southeast corner thereof 51.0 feet: and at the northeast corner thereof 51.5 feet.

At the southwest corner of Sixth and C. streets 56.0 feet: at the northwest corner thereof 56.5 feet: at the southeast corner thereof 56.0 feet: and at the northeast corner thereof 56.5 feet.

At the southwest corner of Sixth and B. streets 57.5 feet: and at the southeast corner thereof 57.5 feet.

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

The center of said street shall be four inches lower than the average of the curb grades.

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

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication as required by law."

A Protest against the use of the ground (situated in the Eighth Ward) known as Recreation Park, for public ball games on Sunday: was read & referred to the Committee on Health & Morals and the City Attorney.

Delegates Davies and Hulbert here entered and resumed their seats in the Board.

A Report from a Special Committee (consisting of the Chairman of the Boards of Aldermen and Delegates: the Board of Public Works: Mayor: City Attorney & City Auditor) in the form of three resolutions adopted by said Committee; was read, and Resolution No. 1. "being a recommendation that the salaries of the subordinate officers of the Board of Public Works be fixed" was received and filed. - Resolution No. 2. "being a recommendation that the necessary steps be taken for submitting the question to the people, of issuing \$200,000 Bonds for the construction of a water system," was referred to the Committee on Water &c. - Resolution No. 3. "being a recommendation that the Board of Public Works be authorized to purchase seven watering carts not to cost more than \$1095<sup>00</sup>, also authorized to expend not to exceed \$600 per month for three months for street sprinkling" was read.

(President Board here called Delegate Redger to the Chair) Delegate Heath moved to receive & file said recommendation. Delegate Netherbas moved to amend, that the City Attorney be instructed to prepare an Ordinance in accordance

with said recommendation. This amendment came and it was so ordered.

(President Board here resumes the Chair.)

A Report from J. Gochenauer, Health Officer, for the month of July, 1889, was read, and filed.

A Communication from the Board of Public Works relative to the Petition of Jno. Allyn & Co. for the placing of a side walk at 4<sup>th</sup> & E. streets; was read & filed.

A Communication from the Board of Public Works, stating that Goodbody & Sons offer to do the necessary sprinkling on Military Parade Day (August 10.) for \$40<sup>00</sup>; was read, and Thompson Delegate Rediger offered the following Joint Resolution which was adopted, to wit:

Joint Resolution No. 25

Resolved, that the Board of Public Works are hereby authorized to expend a sum of not exceeding forty dollars (\$40) for sprinkling the depot grounds at the foot of D. st. for the period of ten days, also the streets on the line of march on the day of the Military Parade."

A Communication from the Board of Public Works renewing the request for authority to employ a Dump Master; was read and on motion of Delegate Davies, the same was laid on the table. and further - the Chief of Police was instructed to take the necessary action for the protection of the City Park.

A Communication from the Board of Public Works, relative to the establishment of free watering troughs, was read, and Thompson Delegate Rediger offered the following Joint Resolution which was adopted by the Board, to wit:

Joint Resolution No. 26

Resolved, that the Board of Public Works be authorized and instructed to locate and construct free watering troughs for horses at an expense of not to exceed \$50. at the following points in the city, to wit: on 4<sup>th</sup> street opposite the Astor Plaza; On K. street between 6<sup>th</sup> and 7<sup>th</sup> streets, and on the corner of 17<sup>th</sup> & K. streets."

A Report from M. L. Rawson, Police Judge, showing the number of cases tried, fines collected, &c. in the Police Court from July 15<sup>th</sup> to July 31, 1889. (inclusive); was read, and referred to the Committee on Finance.

A Communication from the Board of Public Works, submitting for approval, the Bond of Goetz K. Brown, for keeping in repair "D." street, from California street to Front street; was:

read, and said Bond referred to the Committee on Finance.

The following Joint Resolution, heretofore adopted by the Board of Aldermen, was read, and adopted, to wit:

Joint Resolution No. 27

Be it Resolved, by the Common Council, that the Board of Public Works be requested to take the necessary action for the partition, by the use of a plentiful supply of water, of the Hotel House Plaza.

An Ordinance fixing the compensation of the Secretary of the Board of Public Works at \$25. per month, (heretofore adopted by the Board of Aldermen) was read. <sup>and</sup> Delegate Heath moved that the Board of Delegates not concur. The motion carried.

Delegate Day moved that a Conference Committee be appointed (and the Board of Aldermen requested to appoint a like committee) to investigate & report a salary for the Secretary of the Board of Public Works. The motion carried & Thompson the President appointed for said Committee; Delegates Day: Pauly & Thompson.

The following amendment (adopted by the Board of Aldermen) to "an Ordinance establishing a schedule of fees and charges to be paid for the services of the City Engineer of the City of San Diego", was read, and adopted by the following vote to wit:

Ayes, Delegates - Lyons: Pauly: Julian: Davies: Day: Rediger: Netherber: Heath: Hewitt: Seybolt: Thompson: Culbert: Law: Kamman: Cooper & Pratt.  
Mores, Mores.

Said amendment is as follows, to wit:

"Sec. 4. It is hereby made the duty of the Secretary of the Board of Public Works, and he shall, on the first Monday in each month report to the Common Council the amount of all fees paid to him by the City Engineer under the provisions of this ordinance. By whom paid, and the total amount paid for the month."

An Amendment (adopted by the Board of Aldermen) to the Mt. de Caste. Canal & Water Co's Ordinance, was read. <sup>and</sup> Delegate Netherber moved that the Board of Delegates not concur. The motion carried.

An Ordinance providing for adopting, extending into & carrying out means for securing a supply of pure, fresh, water for the use of the City of San Diego, was read <sup>and</sup> referred to the Committee on Water.

An Ordinance in relation to dogs & licensing the same

was read and Delegate Hulbert moved to adopt. The motion was lost by the following vote, to wit:

Ayes. Delegates - Davies: Metherell: Hewitt: Seybolt: Thompson:  
Hulbert: Fox: Cooper: Bradt.

Noes. Delegates - Lyon: Pauley: Julian: Day: Rediger: Heath:  
+ Hamman.

After giving notice President Bradt did, in open session, sign Ordinance No. 18. being An Ordinance establishing a partially paid fire department for the City of San Diego and fixing the compensation of the members of the same. Also Ordinance No. 19. being An Ordinance imposing municipal licenses in the City of San Diego, California.

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

Joint Resolution No. 1 (not concurred in)  
Resolved, that a Special Committee of three be appointed to investigate & report to the Common Council, the cost, date, of fitting and furnishing the present City Office building, and also under what authority & by whose orders, the expense has been incurred, & whether Sec. 13: of Chap. 2, of Art. 2, and Sec. 14. of Chap. 1. of Art. 5: have been fully complied with.

Delegate Rediger offered the following Joint Resolution, which was adopted. To wit:

Joint Resolution No. 2  
Resolved, that City Attorney is hereby instructed to draft the necessary Resolution of intention of the Common Council to order the paving of 6" street, from the Water front to B. street.

On motion Delegate Heath was granted an extension of one week's time in which to move the reconsideration of the vote upon Conference Committee report relative to the enforcement of Ordinance No. 297.

On motion the Board adjourned until Monday, August 12-1889 at 7.30 o'clock P. M.

W. M. Cassaway  
City Clerk.

G. E. Bradt  
President



Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego.  
California, August 12<sup>th</sup> 1889.

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

Present: Delegates - Wagner: Bailey: Julian: Heath: Davies: Day:  
Adiger: Metherbee: Hewitt: Seybolt: Hulbert:  
Law: Kamman: Cooper <sup>and</sup> Bradt <sup>and</sup> Clerk  
Gassaway.

Absent: Delegates - Lyons: Marshall <sup>and</sup> Thompson.

The minutes of the last regular meeting were read and approved as read.

A Communication from the Board of Public Works submitting an Ordinance establishing the Crown of the grade of P.C.D.E.F.G.H.I.J. <sup>and</sup> K. streets from 4<sup>th</sup> to 6<sup>th</sup> street; was read <sup>and</sup> referred to the Committee on Streets.

The Board of Public Works presented the Proposal of Joseph Sussler, for the construction of a Garbage Scow (being the only proposal received by said Board.) said Proposal being for the sum of \$2000. <sup>and</sup> on motion of Delegate Heath the same was laid on the table for one week.

A Petition from M.C. Gilmore & J.A. Thomas, to have the City build a foundation wall between Lots C. & D. Block 35. Starting Addition. (Lot C. being the City's property.) Also to join in a party wall <sup>and</sup> a Communication from the Board of Public Works relative to same; was read <sup>and</sup> referred to the Committee on Public Buildings.

A Petition from E.D. Switzer, to have an Ordinance enacted to prohibit the dumping of rubbish on the Park: was read and referred to the Committee on Parks &c.

A Communication from J. Gockenauer, Health Officer submitting a notification from the Board of State Harbor Commissioners to change the present landing place of the Garbage Scow: was read <sup>and</sup> referred to the Committee on Health <sup>and</sup> Morals and the Board of Health.

The following Petitions for Retail Liquor License were read and referred to the Committee on Health & Morals, to-wit:  
S.A. Goodrum: Geo. Henniger: Nelson McReigh.



On motion of Delegate Heath the vote by which Concurrent Resolution No. 2. was adopted by this Board. was reconsidered.

A Petition from Property Owners for the grading, macadamizing and guttering of 5<sup>th</sup> street, from south line of B. street to the south line of Myer street: was read and on motion of Delegate Heath the same was referred to the City Attorney & Committee on Streets to prepare the proper Resolution of Intention.

A Petition from Gratz K. Brown for an extension of 30 days time, in which to complete the macadamizing of J. street was read and granted.

The following Concurrent Resolution, heretofore adopted by the Board of Aldermen, was read and concurred in, to-wit:

Concurrent Resolution. #3.

Whereas, in addition to exorbitant water rates to consumers, enormous charges for putting in and taking out water meters and excessive monthly rentals for meters. Ordinance No. 321, now in force, also provides, that the City shall pay the extravagant sum of \$100<sup>00</sup> per year for each and every fire Hydrant, and

Whereas, said ordinance will continue in force until July 1<sup>st</sup>, 1890, and it is out of the power of this Council to in any wise amend said ordinance or grant relief from the enormities thereof. except however, this Council has the power to determine and designate the number of, and the locations of fire Hydrants for which the City shall pay rent. and

Whereas, the owners of fire Hydrants within the City now claim rental from the City for about 190 Hydrants. and

Whereas, it is denied that the City ever authorized the renting of 190 fire Hydrants from any person, company or corporation, or any other number of Hydrants, therefore

Be it Resolved, by the Board of Aldermen of the City of San Diego, the Board of Delegates thereof concurring, that the whole matter of the renting by the City of fire Hydrants be and the same is hereby referred to the Fire and Water Committee of the Board of Aldermen, and the Water Committee of the Board of Delegates, said two Committees in conjunction with the City Attorney to investigate said matter and make a joint report to the Common Council, showing among any other facts which said Committees and Attorney may deem proper to report.

1<sup>st</sup>: Report whether or not the City can legally connect with, rent in and maintain its own fire Hydrants upon the present water system in said City thereby saving rental.

2<sup>nd</sup>: Report the cost of said fire Hydrants and connections.

3<sup>rd</sup>: Report the least possible number of fire Hydrants which

the City should rent, or put in, and name the locations thereof by street corners."

The following Report from the Committee on Streets was read, and received, to wit:

To the Hon. Board of Delegates: Your Committee to whom was referred the petition of David I. Dore asking for a franchise to lay a cable street railway over and upon Sixth St. from the north line of L. to C. St. have examined the same and submit for adoption the Concurrent resolutions hereto annexed.

Chas. W. Pauly

M. A. Day

A. B. Seybolt

The following Concurrent Resolution, was read and on motion of Delegate Redger, and by the unanimous vote of the Board the same was adopted, to wit:

"Concurrent Resolution No. 4."

Be it Resolved, by the Common Council, of the City of San Diego, California, that David I. Dore has filed a petition and application, a copy of which is attached hereto and made a part hereof, marked "Exhibit A." - that the said Council hereby determines that a double track street cable railway franchise should be granted along and upon the route described in said petition and application, to wit: On Sixth street, from the north line of L. street to the center of "C" street, and also on "C" street from the center of Arctic street to the center of Thirty-third street, in the City of San Diego, California, and upon the conditions stated in said petition and application.

(See follow "Exhibit A." a copy of said petition.)

The following Concurrent Resolution was read and on motion of Delegate Low, and by the unanimous vote of the Board the same was adopted, to wit:

"Concurrent Resolution No. 5."

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

(See follow the "Notice" above referred to.)

An Ordinance creating the office of Plumbing Inspector was read & adopted by the following vote, to wit:

Ayes Delegates - Wagner: Pauly: Julian: Davies: Day: Redger: Mathews: Seybolt: Hulbert: Low: Kammann: Cooper & Pratt.

Noes Delegates - Heath, Hewitt.

Said Ordinance is as follows, to wit:

### Ordinance No. 22

An Ordinance creating the office of Plumbing Inspector and fixing the salary of same.

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

Sec. 1.- That the office of Plumbing Inspector is hereby created.

Sec. 2.- That the compensation of the Plumbing Inspector be and the same is hereby fixed at One Hundred dollars per month, payable monthly.

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

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

#### Delegate Resolution.

Resolved, that the Committee on Gas & Electric Lights be instructed to enquire of the two Electric Light Companies, the cost of lighting this Chamber with electricity. To report the same to this Board at our next meeting."

An Ordinance providing for Street Sprinkling, was read and Delegate Heath moved to strike out the enacting clause. Delegate Low moved the amendment to adopt as read. The amendment came, & thereupon the motion as amended was lost by the following vote, to wit:

Ayes. Delegates - Wagner: Day: Rediger: Wetherbee: Seybold: Hulbert: Low: Cooper & Pradt.

Noes. Delegates - Pauley: Julian: Heath: Davies: Hewitt: & Kammann. Thereupon Delegate Rediger gave notice that at the next meeting he would move a reconsideration of the above vote.

An Ordinance creating the office of Superintendent of Sewer was read and adopted by the following vote to wit:

Ayes. Delegates - Pauley: Julian: Davies: Day: Rediger: Wetherbee: Seybold: Hulbert: Low: Kammann: Cooper & Pradt.

Noes. Delegates - Wagner: Heath, Heath

Ordinance No. 23.  
An Ordinance creating the office of Superintendent of Sewer, and fixing his compensation.

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

Sec. 1.- That the office of Superintendent of Sewer, for the City of San Diego, is hereby created.

Sec. 2.- That the compensation of said Superintendent of Sewer is hereby fixed at the sum of \$100 per month, payable monthly.

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

An Ordinance creating the office of City Gardener, was read and laid on the table.

On motion of Delegate Heath, the City Attorney was instructed

to prepare an Ordinance fixing the salary of the Pass Superintendent at \$35.00 per month.

A Report from the Committee on Health & Morals, in regard to the Petition to have Base Ball playing stopped on Sundays as recreation past, was read and filed.

A Report from the Committee on Finance, relative to the claim for enormous tax assessments, was read and the subject matter thereof referred to the City Attorney and Auditor.

The Committee on Finance reported favorably upon the Bond of Gratz K. Brown, heretofore refused & the same was referred to the City Attorney.

The Committee on Finance reported favorably upon the request of the Board of Public Works that \$4000. be transferred to the Street fund. and the City Attorney was instructed to prepare an Ordinance for said transfer.

The claim of Alex. McLean and the Report of the Finance Committee thereon, was referred to the City Attorney.

The Committee on Finance reported favorably upon the Report of the Police Judge from July 15: to 31. and the same was filed.

A Report from the Committee on City Funds requesting further time, in which to report upon the Petition of S. Comdy, was read & filed.

Delegate Heath moved to reconsider the vote heretofore taken relative to a Conference Committee Report as Ordinance No. 297.

(Delegates Kamman & Owen were here excused.)

On motion the above motion of reconsideration was postponed until next meeting, the same to be made the special order of business.

A Report from the Special Committee on Licensing Vehicles, asking that said Committee be enlarged, was read and Delegates Julian & Wagner appointed.

On motion the Sewer Committee was instructed to investigate Sewer flume now being constructed.

President Pratt appointed Delegate Wagner upon all of the Committees heretofore represented by Delegate Stue.

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

### Delegates Resolution

Resolved, that a special Committee of three be appointed by the Chair on the part of this Board to investigate & report to this Board the cost to date of fitting & furnishing the present City Office building and also under what authority & by what order the expense has been incurred."

After giving notice President Bract did in open session sign Ordinance No. 17 being an Ordinance granting the M. DeCastro Land & Water Co. the right to lay pipes on.

Also Ordinance No. 20 being an Ordinance consolidating Popera, Olm & I. Avenues & renaming the same as Main Street

Also Ordinance No. 16 being an Ordinance amending the Fruit Jar Ordinance.

Also Ordinance No. 24 being an Ordinance establishing a schedule of fees to be charged by the City Engineer.

Also Ordinance No. 21 being an Ordinance establishing the grade of 6th street from M. to B. streets.

Also Ordinance No. 22 being an Ordinance creating the office of Plumbing Inspector.

Also Ordinance No. 23 being an Ordinance creating the office of Sewer Superintendent.

On motion of Delegate Hubert, the Board adjourned until Monday, August 19-1889.

W. M. Hassaway,  
City Clerk

G. G. Bract  
President



Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California. August 19-1889.

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

Present Delegates - Wagner: Pauly: Julian: Davies: Day: Rediger:  
Wetherbee: Heath: Hewitt: Hulbert: Law: Kam-  
man: Seybold: Thompson: Bradt <sup>Eng</sup> Clerk  
Jassaway.

Absent Delegates - Gons: Marshall and Cooper.

The Minutes of an Adjourned Meeting, held August 12<sup>th</sup> 1889, were read, and approved as read.

Delegate Heath seconded by Delegate Hewitt moved to recon- sider the vote by which a certain Conference Committee Report recommending the enforcement of Ordinance No. 297. (and entered upon page 122. of this record.) was adopted. The motion was lost by the following vote, to wit:

Ayes. Delegates, Wagner: Julian: Davies: Heath: Hewitt: Kamman: Seybold: <sup>Eng</sup> Bradt.

Noes. Delegates, Pauly: Day: Rediger: Wetherbee: Hulbert: Law: and Thompson.

A Message from the Mayor transmitting a copy of summons served in a suit to annul the City Charter, was read, and on motion of Delegate Rediger the matter was referred to the City Attorney with full power to act.

A Message from the Mayor transmitting a Petition from J. M. Dodge Treasurer & Tax Collector for the continuation of the temporary Deputy Sheriff granted, and endorsing same: was read and referred to the Committee on Finance.

By request Delegate Rediger is substituted in place of Delegate Wetherbee as a member of the Committee on Finance to act in above matter, only.

A Communication from the Board of Public Works submitting an Ordinance regulating the use of the streets by Gas and Water Companies; was read together with said Ordinance, which said Ordinance was adopted by the following vote, to wit:

Ayes. Delegates - Wagner: Pauly: Julian: Davies: Day: Rediger: Wetherbee: Heath: Hewitt: Hulbert: Law: Kamman: Seybold: Thompson and Bradt.

Noes - None.

Said Ordinance is as follows, to wit:

## Ordinance No.

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

Section 1. That subject to the provisions of this ordinance the Board of Public Works shall control and regulate the laying of all kinds of pipes in and the use of the streets, alleys and public grounds of the City for gas, water, drainage and sewer purposes.

Section 2. Before laying any pipes for such purposes every person, company, corporation or association shall, on a written application, obtain from said Board of Public Works a written permit accurately describing the location, extent and character of the work to be done, and the work shall be done in strict conformity to such permit.

Section 3. Under the direction of said Board of Public Works the City Engineer shall establish the elevation of grade for all pipes and set stakes for the laying of new pipes, but the top of all main pipes shall be not less than thirty-six (36) inches below the surface of the street as fixed by the established grade. The City Engineer shall charge for all work herein provided for such fees as have heretofore been fixed by ordinance.

Section 4. The main pipes of the San Diego Gas and Electric Light Company shall be placed in the West side of streets running North and South and in the North side of streets running East and West, and on a line parallel with and ten feet from the center line of the street; and the main pipes of the San Diego and Coronado Water Company shall be placed in the East side of streets running North and South and in the South side of streets running East and West and in a line parallel with and ten feet from the center line of the street; provided that where there are public alleys and where it is practicable so to do all gas, water and sewer pipes shall be laid in such alleys, the gas pipes five feet from the West line of alleys running North and South and five feet from the North line of alleys running East and West; the water pipes five feet from the East line of alleys running North and South and five feet from the South line of alleys running East and West, and sewer pipes in the center of all alleys.

Section 5. Gas and water service pipes shall not be laid in the same ditch and all stop cocks and the boxes thereof shall be placed inside of and adjoining the curb line, the top of the box to be on a level with the grade of the sidewalk.

Section 6. The San Diego Gas and Electric Light Company and the San Diego and Coronado Water Company and all other persons, companies, corporations and associations now having pipes for any of the purposes mentioned in the streets of the

City shall, within ninety days after the passage of this ordinance, file in the office of the Board of Public Works maps on a scale of not less than four hundred feet per inch accurately showing the location, size and quality of all pipes belonging to them or either of them now lying in the streets of the city, and also showing the location of all fire hydrants and the length, size and kind of pipe leading to the same from the main pipe and denoting the normal pressure in pounds per square inch at each hydrant.

Section 7. At periods of six months after the filing of the maps required by Section 6, such persons, companies, corporations and associations shall file in the office of said Board of Public Works supplemental maps, on the said scale, accurately delineating the location, size and quality of all new and additional pipes laid.

Section 8. The Street Superintendent shall inspect all back filling of trenches and require the same to be done in an efficient manner and so as not to impair the street.

Section 9. Every person, company, corporation or association violating any of the provisions of this ordinance shall be fined in any sum not exceeding three hundred dollars (\$300), and each month of such violation shall be and constitute a separate offense.

Section 10. Ordinance numbered three hundred and thirty five (335), and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall take effect and be in force from and after its passage and one publication in the San Diego Daily Sun."

A Petition from Property owners (representing 8190 front feet) for the grading of C<sup>th</sup> street, from the West line of State street to the East line of 25<sup>th</sup> street, according to the grade as established by Ordinance No. 303, was read, together with a Communication from the Board of Public Works recommending same. On motion of Delegate Rediger and by the following vote, to-wit: (Delegate Hulbert was temporarily excused.) Ayes, Delegates - Wagner; Pauly; Julian; Davies; Day; Rediger; Methner; Heath; Hewitt; Low; Kamman; Sybolt; Thompson; Moore; None.

The following Resolution was adopted, to-wit:

Resolution of Intention.

to grade C<sup>th</sup> street.

Resolved that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that C<sup>th</sup> street in said City from the west line of State street to the East line of Twenty-fifth (25<sup>th</sup>) street and the sidewalks thereof and the entire crossings of said C<sup>th</sup> street with the streets intersecting the same.

between said west line of State Street and the East line of 25<sup>th</sup> street except the intersection of said C<sup>th</sup> street with 5<sup>th</sup> street, be graded to the official grade established by ordinance numbered three hundred and three (303). The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the city in which this Resolution of Intention shall be published for two days and the notice of the passage of said resolution for six days as often as said newspaper is issued herein. The Clerk of this City is hereby directed to publish and post this Resolution for two days in the manner provided by law.

A Communication from the Board of Public Works, requesting that the salary of an assistant Sewer Inspector be fixed at \$75 per month; was read and thereupon Delegate Julian offered a Concurrent Resolution fixing said salary at \$75 per month. Said Resolution was lost by the following vote: Ayes: Delegates - Julian: Day: Rediger: Wetherbee: Seybert: Thompson: Low: Kamman & Bradt. Noes: Delegates - Wagner: Pauly: Heath: Davies: Hewitt & Hulbert. Thereupon Delegate Rediger gave notice, that at the next meeting, he would move a reconsideration of the above vote.

A Communication from the Board of Public Works submitting an Ordinance prescribing general and special specifications for street work: was read and referred, together with said Ordinance to the Committee on Streets.

A Petition to pave 6<sup>th</sup> street, was read and thereupon Delegate Heath offered the following Joint Resolution which was adopted, to wit:

Joint Resolution No. 28.

Resolved, 1<sup>st</sup>: That the part of the Sixth street property owners communication referring to the paving and curbing of 6<sup>th</sup> street, be referred to the Street Committee, and City Attorney, with instructions to prepare specifications in accordance with the communication, and a resolution of intention of the City Council to pave and curb 6<sup>th</sup> street and report at the next meeting.

2<sup>d</sup>. That the part referring to the laying of an 8 inch water main on 6<sup>th</sup> street be referred to the Water Committee to report at the next meeting."

A Petition to grade "E" street from the Water front to 25<sup>th</sup> street: was read and on motion of Delegate Heath the City Attorney was instructed to prepare a resolution of intention in accordance herewith.

The Committee on Water &c. to whom was referred the proposed ordinance providing for the entering into contract



of the City with the Mt. De Carte Water Co. for a water supply for the City; reported the recommendation that said ordinance be filed to await further consideration; and said report was adopted and said ordinance filed.

A Communication from J.A. McRae relative to the paving of upper Fifth street: was read and filed.

A Resolution of the Board of Aldermen requesting permission of the Board of Delegates for an adjournment of longer than seven days: was read and on motion of Delegate Heath the request was respectfully declined.

A Petition from D. St. Clair for a Retail Liquor License, was read and referred to the Committee on Health and Morals.

A Report from G.M. Jones Auditor, for the month of July, 1889, was read, and referred to the Committee on Finance.

A Petition from the "Tax Payers Association", relative to street work: was read, and referred to the Committee on Streets.

Delegate Cooper here entered and took his seat in the Board.

The Proposal of Jos. Suple to build a Garbage Scow (said over from last meeting) was taken from the table. The Delegate Heath moved the reference of same to a Special Committee consisting of Delegates Hewitt, Wagner & Cooper. The motion was lost. The thereupon on motion of Delegate Davies and by the following vote, to wit:

Ayes Delegates - Wagner: Pauley: Julian: Davies: Rediger: Metherbee: Seybolt: Thompson: Hamman: The Pradt

Movers Delegates - Heath: Day: Hewitt: Law: Hulbert and Cooper.

it was ordered that the Board of Public Works be authorized to enter into contract with said Suple in accordance with the terms of his proposal.

A Petition from forty owners to grade Hawthorn street, from 3rd street to the City Park, by private contract: was read and referred to the Committee on Streets.

A Communication from the Board of Fire Commissioners, requesting authority to purchase 1000 feet of fire hose: was read and referred to the Committee on Fire.

Delegate Heath offered an Ordinance regulating the erection of Electric Lights, Telegraph, & Telephone poles, and moved to adopt the same. The motion was lost by the following vote, to wit:

Ayes Delegates - Wagner: Pauley: Heath: Julian: Davies:



Hewitt: Seybolt: Cooper and Bradt.

Noes, Delegates - Jay: Rediger: Wetherbee: Thompson: Saw: Hulbert and Kamman.

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

In accordance with notice given, Delegate Rediger moved to reconsider the vote heretofore taken upon, and entered upon page 143. of this record, an Ordinance providing for sprinkling the streets of the City. The motion was lost by the following vote, to wit:

Ayes, Delegates - Wagner: Rediger: Wetherbee: Seybolt: Thompson: Kamman: Cooper and Bradt.

Noes, Delegates - Pauley: Heath: Julian: Davies: Jay: Hewitt: Saw and Hulbert.

A Petition from Calvin Washburn, for a Detail. Lyman Deane, was read and referred to the Committee on Health, Morals.

The following Report from the Committee on Water, upon the Proposition of the San Louis Rey Flume Co.; was read, and adopted, to wit:

"We recommend the San Louis Rey Flume Co's proposition be further investigated by Water Committee of Board of Aldermen in conjunction with our own, and report at our next week's meeting."

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

The following report from the City Attorney and Auditor, upon the claims for erroneous tax collections re; was read and adopted, to wit:

To the Common Council of the City of San Diego.  
The City Attorney and Auditor to whom the tax claims were referred, and which were recommended to be refunded by your Finance Com. would respectfully report as follows:  
We find that the claims of

|                                             |       |
|---------------------------------------------|-------|
| A. H. Dunbar - deduction on improvements of | \$700 |
| L. Weiland - " " "                          | 800   |
| Geo. C. Morse " " "                         | 200   |
| J. M. Alexander " " "                       | 1600. |
| Eliza W. Roberts " " "                      | 3000. |
| Mrs. E. A. Bush " " "                       | 3500. |
| and Mrs. M. C. Dierendoff " " "             | 500.  |

should be repaid.

On the claim of M. B. Cline, deduction for mortgage 133.00 we find that the Assessor erroneously entered the mortgage at \$15000. when it should be 1500. and said Cline should be allowed the deduction - The same error is apparent in

the claim of S. J. Jarvis deduction on mortgage for 800.  
 The following claims for double assessments are allowed  
 S. Chase, refund for double assessment on 1300  
 M. A. Sinclair " " " " 250

That as to the claims of P. H. Crask, Mortimer Smith and S. W. Hackett the taxes have not yet been paid and no rebate could be authorized.

Your Committee would suggest that the Tax Collector repay these claims, and take credit for the amount repaid in his final settlement with the Auditor.

In regard to the balance of claims in our funds we would respectfully ask for further time.

G. M. Torres, Auditor  
 James P. Goodwin  
 City Attorney.

An Ordinance transferring certain funds, was read, and adopted, by the following vote, to-wit:

Ayes, Delegates - Wagner: Pauley: Heath: Julian: Davies: Day:  
 Rediger: Netherbee: Hewitt: Seybolt: Thompson: Law: Hulbert:  
 Kammann: Cooper: Pratt.

Said Ordinance is as follows, to-wit:

Ordinance No. 26

An Ordinance transferring certain funds from the General Fund to the Street Light, Sewer and Drainage, Office, Public Building, and Salary Funds.

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

Sec. 1. - That the following sums be transferred from the General Fund to the various funds herein mentioned as follows - To the Street Light Fund Six thousand (\$6000) dollars - To the Sewer and Drainage Fund Five thousand (\$5000) dollars - To the office fund one thousand (\$1000) dollars - To the Public Building Fund one thousand (\$1000) dollars - To the salary fund Two thousand (\$2000) dollars.

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

An Ordinance appropriating the sum of \$225 to be paid to Jos. Melanson, was read, and adopted, by the following vote, to-wit:

Ayes, Delegates - Wagner: Pauley: Heath: Julian: Davies: Day:  
 Rediger: Netherbee: Hewitt: Seybolt: Thompson: Law: Hulbert:  
 Kammann: Cooper: Pratt.

Moer - None.

Said Ordinance is as follows, to-wit:

Ordinance No. 27

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

Section 1. - That the sum of Two hundred and twenty five

(225) dollar. He and the same is hereby appropriated from the salary fund of the City for the purpose of paying Joseph Melanson for services rendered the City, in the sewers during the months of June, July and August, 1889.  
 Sec. 2. - This ordinance shall take effect and be in force from and after its passage"

The City Attorney reported favorably upon the Bond of Fritz K. Brown (heretofore presented) for keeping D. street in repair and on motion of Delegate Rediger said Bond was accepted and approved.

In the matter of the Petition of E. D. Switzer, heretofore presented, the Committee on Parks reported as follows, to wit:

To the Board of Delegates: Your Committee on Parks to whom was referred the communication of E. D. Switzer in regard to dumping of garbage & rubbish on the City Park owned report - that the Chief of Police has been requested and he has agreed to have the mounted police visit the Park early in the morning and at different times during the night and enforce ordinance 289, if in his power, and we your Committee think it advisable to await the result for a month or more without further action.

Respt. submitted

M. R. Day  
 Harry Wagner  
 Paul H. Rediger.

said report was received and filed.

The Committee on Health, Morals reported favorably upon the following petitions for retail liquor license, to wit:

Melba McVeigh

Geo. Henniger

J. A. Goodman.

and on motion of Delegate Netherbos said licenses were granted.

The Committee on Streets, to whom was referred the proposed Ordinance, (submitted by the Board of Public Works) establishing the main grade of certain streets, recommended the adoption of the same. and on motion of Delegate Shaw and by the following vote, to wit:

Ayes, Delegates - Wagner; Pauly; Julian; Davis; Day; Rediger; Netherbos; Heath; Hewitt; Hulbert; Law; Seybert; Thompson; Kammann; Cooper & Bradt.

Noes - None.

The Ordinance was adopted. Said Ordinance is as follows, to wit:

Ordinance No. 28

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

Section 1. - That the main of the grade of B. C. D. E. F. G. H. I. J. & K.

streets from the West line of Fourth street to the East line of Sixth street shall be four (4) inches lower than the average of curb grades.

Section 2. This ordinance shall take effect and be in force from and after its passage and approval."

Delegate Kammian was excused from further attendance upon this meeting.

A Report from the Committee on Public Buildings upon the Petition of M. J. Gilmore and J. A. Thomas, was read and on motion of Delegate Wagner the same was laid on the table for one week.

After giving notice President Bradt did, in open session sign Ordinance No. 25, being an ordinance fixing the compensation of the Secretary of the Board of Public Works.

On motion of Delegate Hulbert the Board adjourned until Monday, August 26<sup>th</sup>, 1889, at 7.30 o'clock P.M.

W. M. Gussaway,  
City Clerk

G. L. Bradt  
President

## Adjourned Meeting.

Chamber of the Board of Delegates,  
of the City of San Diego, California.  
August 26. 1889.

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

Present, Delegates - Wagner; Pauly; Heath; Davies; Day; Rediger; Metherbee; Hewitt; Seybolt; Thompson; Hulbert; Low; Kammann; Cooper; Bradt <sup>Eng</sup> Clerk Gassaway.

Absent, Delegates - Marshall; Lyon <sup>Eng</sup> Julian.

The Minutes of an Adjourned Meeting held August 19. 1889, were read and approved as read.

A Petition to have the First street sewer extended to Laurel street, was read & referred to the Committee on Sewers.

A Petition to have Hawthorn street graded from the East line of Union street to the City Park, was read and referred to the Committee on Streets.

A Petition from S. M. Taylor for a Retail Liquor License, was read, and referred to the Committee on Health & Morals.

A Petition to have a Bridge built across Third street at the intersection of Ivy street, <sup>and</sup> a Communication from the Board of Public Works relative to same, were read and filed.

In accordance with Notice given Delegate Rediger moved to reconsider the vote heretofore taken (and entered upon page 149, of this Record) upon a Concurrent Resolution providing for an Assistant Sewer Inspector & fixing his salary. The motion carried by the following vote, to wit:

Ayes, Delegates - Pauly; Heath; Davies; Day; Rediger; Metherbee; Thompson; Hulbert; Low; Kammann; Cooper & Bradt.

Noes, Delegates - Wagner; Hewitt <sup>Eng</sup> Seybolt.

Whereupon said resolution was lost by the following vote, to wit: Ayes, Delegates - Davies; Day; Rediger; Metherbee; Thompson; Low; Kammann; Cooper & Bradt.

Noes, Delegates - Wagner; Pauly; Heath; Hewitt; Seybolt <sup>Eng</sup> Hulbert.

An Ordinance providing for compensation of the keeper of Parks, was read and adopted by the following vote, to wit: Ayes, Delegates - Wagner; Pauly; Heath; Davies; Day; Rediger; Metherbee; Hewitt; Seybolt; Hulbert; Low; Kammann; Cooper & Bradt. Noes, Delegates - Metherbee; & Thompson.



Said ordinance is as follows, to-wit:

"Ordinance No.

An Ordinance providing for the compensation of the keeper of the City Parks.

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

Sec. 1.- That the compensation of the keeper of the City Parks be and the same is hereby fixed at the sum of thirty-five dollars per month payable monthly.

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

The Committee on Health and Morals reported favorably upon the Petition for Retail Liquor License of.

D. St. Clair &

Calvin Washburn.

And on motion of Delegate Rediger said Petitions were granted.

The following report from the Committee on Health & Morals was read and adopted, to-wit:

To the Board of Delegates.

We, your Committee on Health and Morals, to whom was referred the notice of the Board of State Harbor Commissioners to the Board of Health to abandon the garbage dumps existing at the Sewer Reservoir, beg to report that according to the opinion of the City Attorney, the said Board of Harbor Commissioners has no authority to order the removal of said dumps, provided the same is maintained in such a manner that no garbage or sediment is deposited in the Bay by reason of its existence there. (The new garbage row will obviate the escape into the Bay of whatever garbage or dirt has hitherto been deposited.) and in order that the offensiveness of said dumps may be further reduced, your Committee recommends that the Board of Public Works be instructed to advertise for bids for the construction of a sealed garbage bunker or holder on the south wall of the sewer reservoir, at a cost of not to exceed \$600, said work to be done in accordance with plans approved by, and on file with the Board of Public Works.

Respectfully submitted.

R. S. Hulbert

Sec. P. Law.

The Joint Street Committee reported favorably upon the proposed Ordinance providing for work upon the streets of the City of San Diego. The Honorable said Ordinance was read. The Honorable Delegate Stewart offered the following amendment to Section 3, which was adopted to-wit: insert at the latter end of said section the words - "under this specification the paving may be made from curb to curb."

Delegate Cowser offered the amendment to Section 3. that in the

description of the fragments of stone to be used in concrete & particularly as to size the word "one-half" be changed to "one-quarter." Said amendment was adopted.

Hereupon said Ordinance was adopted as amended by the following vote, to wit:

Ayes, Delegates: Wagner: Pauley: Heath: Davies: Day: Bickler: Metkerbas: Hewitt: Seybolt: Thompson: Hulbert: Law: Kamman: Cooper and Pradt.

Noes None.

Said Ordinance is as follows, to wit:

**Ordinance No. 29.**

An Ordinance providing for work upon streets of the City of San Diego.

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SAN DIEGO AS FOLLOWS:**

Section 1 All street work mentioned herein, in the city of San Diego, California, shall be done in accordance with the following specifications, viz:

**I. GENERAL SPECIFICATIONS.**

1. The street pavement, guttering, curbing, crosswalks and culverts herein provided for are to be constructed according to the plan and cross-section approved by the Mayor and Common Council of the City of San Diego, and on lines as they shall be located by the City Engineer of said city; and all work shall, during its progress and on its completion, conform to the lines and levels which may from time to time be given by the City Engineer, and according to the official grades thereof.

2. The work shall be done as follows:

a. To prepare the road-bed.

b. To construct and lay thereon the pavement prescribed.

c. To construct and lay along the exterior lines of said pavement the guttering and curbing prescribed.

d. To furnish all materials necessary to perform said work and complete the same.

3. The work shall be prosecuted in sections of such respective lengths and widths as may be prescribed by the contractor in writing by the Street Superintendent, and as indicated by that official by the Board of Public Works, the aim being to keep one side of the width of the street always open for travel.

3 1/2. The kind of curbing, gutters, crosswalks and culverts shall be indicated and called for in the resolution of intention.

**PREPARATION OF ROAD-BED.**

4. The earth road-bed on which the pavement is to rest, shall be graded to the required depth below the official grade of the street. The surface of such road-bed shall be parallel to and conform in every respect to the cross-section of the pavement when finished. The ground, after being perfectly dressed, shall be thoroughly and repeatedly rolled with a roller of not less than two hundred and fifty (250) pounds weight per inch length of the roller; such portions as are inaccessible to a roller shall be made solid by ramming; all soft or spongy places not affording a firm foundation shall be dug out, all trench refillings shall be thoroughly drenched with water and tamped; all depressions which appear shall be refilled with the same material as the road-bed, or other good earth, and shall be well rammed, and the entire road-bed shall be again rolled. In all places where any filling may be necessary to bring the road-bed to the required height, it shall be done in layers not to exceed twelve (12) inches in depth, and each layer shall be thoroughly tamped and flooded with water as may be required to insure a solid bed. The grading shall include the sidewalks to the official width, height and line, and all necessary trimming and shaping, refilling and tamping, all necessary excavations, depressions and trenches, rolling the road-bed and maintaining the same in a proper condition until paved.

**CURBING.**

5. All natural stone curbs shall be of good quality, sound, hard and of uniform color and texture, free from cracks, seams, or sand pockets; cut rectangular in form, not less than sixteen inches in depth, six (6) inches in width, and four feet in length when dressed; the face of the curbstone shall be dressed smooth and even to a depth of twelve (12) inches below the top, and dressed not less than one (1) inch down on the back, all curbstones shall be of a uniform thickness and depth throughout, and free from seams, no wedge-shaped, warped or otherwise defective stone will be allowed; the ends shall be dressed smooth, so as to make close joints through the full thickness of the stone, for a distance of not less than twelve (12) inches down from the top; all joints shall be made close-fitting, and in good workmanlike manner, and joints shall be filled with cement grout. The curb to be set with plumb face, square section top, true to line and grade; the curb shall rest on not less than four (4) inches of sand on the bottom, backed up with not less than three (3) inches in width of sand, to within four inches of the top of the curb, all back filling to be thoroughly tamped, so that there will be no displacement of the curb. The curbstones to be cut on a curve on the corner; the radii of the curves shall be ten feet.

6. Artificial stone or concrete curbs shall be eight (8) inches wide by sixteen (16) inches deep, and composed of one part best Portland cement, three (3) parts of coarse, clean, sharp sand, and six (6) parts of broken stone that will go through a two inch circular ring. The molds shall be banked up with earth, as not to move with tamping. The concrete shall be filled in and thoroughly tamped to within three quarters (3/4) of an inch of grade. The final layer of mortar shall be one to one of cement and clean coarse sand, and filled in and smoothed with a trowel. After setting for twelve hours it shall then be covered with earth three (3) inches deep and kept so covered for ten days.

7. Wooden curbs shall be of sound redwood planks, three (3) by twelve (12) inches in size, free from sap, well and truly set to the official line of the gutter, and inclined one inch toward the property line at the top of the curb to the curb grade securely spiked with sixty (60) penny spikes to four (4) by four (4) redwood stakes not over eight (8) feet apart, and at least three (3) feet long, securely planted not driven, in hard ground.

**GUTTERS.**

8. The gutters may be paved with porphyry or granite blocks, which shall be of a durable and uniform quality, not less than eight (8) inches nor more than twelve (12) inches in length, and not less than four (4) inches nor more than five (5) inches in width, and not less than six (6) inches not more than eight (8) inches in depth; all blocks to be sufficiently dressed to present rectangular faces, with straight edges on top, bottom and sides, and all blocks whose faces vary more than a half an inch from a rectangular shape will be rejected. The sides and ends of the blocks must be so dressed that

they will make close-fitting joints, the end joints not more than one-half inch wide and the side joints not more than seven-eighths (7/8) of an inch wide; the top and bottom faces parallel, and any block which has projections or knobs larger than half an inch shall be rejected; stone blocks must be hard, uniform in grain and texture, without free lamination or stratification; stone that will take smooth polish under traffic; that is soft or weather worn will not be accepted.

The stone blocks shall be set on the bed prepared for them, the end joints not to exceed one-half (1/2) of an inch; the side joints not to be less than one-fourth (1/4), nor more than seven-eighths (7/8) of an inch wide. The blocks shall be laid in uniform courses, each course as far as practical to be of uniform depth and width, and shall be so laid that in alternate courses all longitudinal joints shall be broken by a lap of at least two (2) inches; the outer edge shall be laid to form a toothing of not less than four inches; the blocks shall be laid by hand firmly bedded in four (4) inches of clean sand, and afterwards rammed and the joints filled with refined melted asphaltum. The paving shall commence at the curb and shall conform with the cross-sections of the street three and one-half (3 1/2) feet wide.

Or the gutters may be paved to the same width with sound granite or porphyry blocks of irregular sizes, but to the depth of at least eight (8) inches on business streets, and at least six (6) inches on residence streets, the surface of which shall be smooth and of an area of not more than four (4) blocks to the square foot. Said blocks shall be firmly bedded together, close to each other, in a bed of sand or gravel at least three (3) inches in depth. The blocks shall be laid by hand, and their interstices firmly chinked with spawls of rock and filled with sand or gravel; the blocks shall be rammed to grade.

**CROSSWALKS.**

9. Single crosswalks shall be constructed of granite slabs not less than two and one-half (2 1/2) feet in length and fifteen (15) inches in width, and from six (6) to eight (8) inches thick, having the top roughly pean hammer d, their edges squarely pointed down to parallel lines, their ends jointed. They shall be laid in a bed of sand four (4) inches deep, with their top one-fourth (1/4) of an inch above the street surface.

Double crosswalks shall be constructed of the same kind of slabs and laid in the same manner, but the two lines shall be eighteen (18) inches apart.

**CULVERTS-10.**

1. All culverts to be constructed in the line of the gutters in the direction of the main flow of water, as directed by the City Engineer. The diameter as called for in Resolution of Intention.

2. If of vitrified iron stone, the material to be not less than one half fire clay, close grained, well glazed, steam pressed, and thoroughly burned clear through, so as to show a uniform color when broken. The insides of the collars and the outside of spigot ends to be wiped and both be thoroughly wet and well entered as laid.

3. The trench for the pipe must be two feet wide, graded true, bottom uniformly solid and level.

4. Joints to be thoroughly cemented with one to one cement, and cleaned on inside with swab or disk.

5. Pipe to be laid upon the bottom of the trench, the trench to be filled with concrete well packed and tamped under the lower quarters of the pipe, and covered with six inches thickness of concrete on both sides and top; except at the crosswalks, where the top covering shall be at least three inches thick. After the concrete is finished and has set for twelve hours, it must be covered with earth to a depth of at least six inches and remain so covered for three weeks.

6. "Y" branches with conduit pipes to be laid and concreted in same manner as culverts.

7. If the culverts be of iron, the material to be of best cast iron, coated inside and out with a double coat of paraffine paint.

Form as per plan in City Engineer's office.

To be constructed and bedded in mortar composed of one part of cement to six parts of gravel.

8. The concrete for laying pipe culverts shall be as follows: one part cement, two parts clean sharp sand or fine gravel, four and one-half parts hard crushed rock. The cement and sand or gravel to be first thoroughly mixed dry in mortar boxes. To this is then added, so as to be thoroughly incorporated therewith, the broken rock, clean, well washed.

9. The whole mass thus obtained to be first well mixed dry and then finally mixed by shoveling it over while being sprinkled with a rose sprinkler. The concrete must be mixed in batches or quantities each not exceeding what can be laid and rammed before the cement has set. There must be no loose water in the heap. The proportions for every batch of concrete to be determined by measures approved, by the Superintendent of Streets.

10. The concrete for bedding cast iron culverts shall be composed as follows: one part Portland cement, six parts of clean sharp gravel.

**CONTRACTOR.**

11. The contractor shall preserve all stakes set for lines, levels or measurements of the work in their proper place until authorized to remove them by the City Engineer. And any expense in replacing said stakes, which the contractor or his subordinates may have failed to preserve, shall be borne by the contractor. The contractor shall, when required to do so by the Superintendent of Streets, remove from the work any overseer, superintendent, laborer or other person employed on the work, who shall refuse or neglect to obey the said Superintendent of Streets in anything relating to the work, or who shall perform his work in a manner contrary to these specifications, or who shall be found to be incompetent or unfaithful; all loss or damage arising from the nature of the work to be done under these specifications, or from any unforeseen obstruction or difficulty which may be encountered in the lines of the work, or from any act or commission on the part of the contractor, or any person or agent employed by him not authorized by these specifications, shall be sustained by the contractor. No work will be considered as accepted which may be defective in its construction or deficient in any of the requirements of these specifications in con-

sequence or negligence of any officer of the city to point out said defects or deficiency during the construction, and the contractor shall be required to correct any imperfect work, whenever discovered, before the final acceptance of the work. The contractor shall give twelve (12) hours notice in writing, when he shall require the service of the City Engineer for laying out any portion of the work. He shall dig all stake holes necessary to give lines and levels. The contractor shall not disturb any monuments or stakes found on the line of improvement until ordered by the City Engineer. He shall reset any monuments or stakes when so directed by the City Engineer. The contractor shall be required to remove, at his own expense, all obstructions, such as trees, stones, old blocks, debris, &c., that may be in the way of making the required improvements; he shall remove all obstructions in a careful manner, and replace the same when necessary, that same should be replaced, in as good a condition as found and to the proper grade, and all projecting stone or other walks shall be neatly cut on the inside of the curb, and such cutting and resetting of curbing and replacing of paving shall be done as shall be necessary to make proper connection with the work already done on cross streets. The contractor shall keep good and sufficient guards around said improvements by fence or otherwise to prevent accident, and shall hang thereon proper lights to burn from dusk until daylight, and the contractor shall hold the city harmless from any and all suits for damages arising from or out of the prosecution of said improvements or any part thereof. The right to lay sewer connections, to grant permission for house connections, for sewer, water and gas pipes at any time prior to the laying of said pavement, is expressly reserved to the city; and the city, through its Superintendent of Streets, reserves the right of superintending the work on said pavement at any part thereof, and at any time during the construction of the same for the purpose above named, or on account of failure to comply with these specifications without other compensation to the contractor for such suspension, other than extending the time for completing the work as long a period as the same shall be delayed by such suspension. When any contractor, during the progress of his work, fails to comply with the provisions of these specifications, either in respect to the materials employed or the manner of employing them, the Superintendent of Streets shall notify the Common Council at once of such failure, and until their decision is reached on the point at issue, shall require a suspension of said work from the contractor.

No materials of any kind shall be used until they have been examined and approved by the Superintendent of Streets, who shall have full power to condemn any work or materials not in accordance with the specifications; and to require the contractor to immediately remove any work or materials so condemned, and at his own expense to replace said work or materials to the satisfaction of the said Superintendent of Streets, and the decision of the said Superintendent of Streets shall be final as to the quality of work or materials. In case the contractor shall neglect or refuse, after written notice, to remove or replace said rejected work or materials, they shall be removed and replaced by the said Street Superintendent at the contractor's expense.

**BOND.**

12. The contractor shall give a good and sufficient bond to the City of San Diego, conditioned that he will keep the work done by him in thorough repair from injury by traffic for the term of five years from the completion of the contract at his own expense. The sureties thereon shall justify in double the amount specified therein. The Board of Public Works shall fix the amount of such bond, which shall not be less than ten per cent, of the City Engineer's estimate of the cost of the improvement; shall approve or reject the sureties offered, and shall determine the necessity and extent of said repairs. Payment in full of the contract price shall not release the contractor or his sureties, until said period of five years has expired.

**Special Specification No. 1.**

**FOR PORPHYRY MACADAMIZING.**

**I. BUSINESS STREETS.**

Section 2. The macadamizing shall be with hard porphyry rock, and no other material shall be used but such as will serve to cement or pack the broken stone. For this purpose fine porphyry screenings may be used, but not any sand. There shall be three courses laid to the respective depths before rolling as follows: The first layer shall be composed of roughly broken rock and four (4) inches thick; the second layer shall be eight (8) inches thick, and composed of broken rock not larger than will pass through a three (3) inch circular ring; and the third layer, or street surface, shall be one inch thick, and composed of such broken rock and top dressing as will pass through an inch circular ring. The first and second layers shall be separately rolled and the surface of the roadway shall be well watered and rolled down with a roller of at least seven (7) tons weight, and having at least two hundred and fifty (250) pounds weight to the lineal inch.

**II. FOR RESIDENCE STREETS.**

The macadamizing on residence streets shall be of the same material and with the same surface watering and rolling and weight of roller as already specified for business streets, but the material shall be laid in one course and to such depths as will be eight (8) inches at the crown of the street, and six (6) inches at the gutters before rolling, and decreasing uniformly from the crown to the gutters. The lower half of the layer may be of roughly broken rock, and the upper half shall be of such sizes as will pass through a three (3) inch circular ring, including the surface of top-dressing one inch thick.

**III. FOR SUBURBAN STREETS.**

The macadamizing on suburban streets shall be of the same material and with the same surface watering and rolling and weight of roller as already specified for business and residence streets, but the material shall be laid in one course to the uniform depth of six (6) inches before rolling, of which the lower five (5) inches may be of roughly broken rock, and of such smaller sizes as will pass through a two-

and one-half (2 1/2) inch circular ring, and the surface shall be of screenings and top-dressing, and at least one inch thick. Where the roadway exceeds twenty (20) feet in width, the macadamizing shall extend over at least twenty (20) feet of said width.

At the completion of the macadamizing on business, residence and suburban streets, the contractor shall remove all surplus material at his own expense.

Whenever the City Engineer certifies to the effect that the steep grade of a hilly street will not permit the use of a roller of seven (7) tons weight, the Street Superintendent may, if the Board of Public Works so indicate, permit the use thereon of a roller of not less than three (3) tons weight.

**Special Specifications No. 2.**

**I. FOR EIGHT INCH BROKEN STONE BASE AND BITUMINOUS ROCK SURFACE.**

Section 3. A bed of hard rock, roughly broken and presenting no rounded or water-worn surface, eight (8) inches thick after being laid and rolled as hereinafter provided, shall be placed on the sub-grade in three (3) layers as follows:

The first layer shall be four (4) inches thick, and composed of rock of all sizes that will go through a four (4) inch ring.

The second layer shall be three (3) inches thick, and composed of rock of all sizes that will go through a three (3) inch circular ring.

The third layer shall be one inch thick and composed of rock of all sizes that will go through a one inch circular ring.

Each layer shall be thoroughly and separately rolled with a roller weighing not less than two and one half (2 1/2) tons per lineal foot, and have the thickness required after being thus rolled.

Upon this substratum of broken rock there shall be spread and constructed a layer or wearing surface composed of pulverized carbonate of lime and natural bituminous rock, containing asphaltic material and sand in the following proportions, to wit:

|                              |                |
|------------------------------|----------------|
| Pulverized carbonate of lime | 9 to 13 parts  |
| Bituminous rock-sand         | 79 to 74 parts |
| Asphaltic material           | 12 to 13 parts |
|                              | 100 " 100      |

and which shall be prepared and laid in the following manner:

The bituminous rock shall be heated to a temperature of not less than three hundred (300) nor more than (350) degrees Fahrenheit, thoroughly disintegrated and brought to the required standard; the pulverized carbonate of lime, while cold, will be mixed with the hot bituminous rock at the required temperature and in the proper proportions and in a suitable apparatus to effect a perfect mixture.

The pavement mixture prepared in the manner thus indicated shall be uniformly spread by means of hot iron rakes over the foundation and rolled whilst hot with rollers weighing not less than two hundred and fifty (250) pounds to the lineal foot, and about two and one-half (2 1/2) feet in length, until the layer thus superimposed presents a uniform surface and has a thickness of two (2) inches after being compressed at least two-fifths (2/5) said surface conforming at all points to the finished surface of the street as shown on the plan and cross section in the office of the City Engineer and Street Superintendent, after which a small amount of hydraulic cement must be swept over it, and then rolled with a steam roller, the rolling being continued with a steam roller, weighing not less than two hundred and fifty (250) pounds to the inch run, for not less than five (5) hours for every one thousand (1000) yards of surface.

**II. FOR SIX INCH BROKEN STONE BASE AND BITUMINOUS ROCK SURFACE.**

A bed of hard rock, roughly broken and presenting no rounded or water-worn surface, six (6) inches thick, after being laid and rolled as hereinafter provided, shall be placed on the sub-grade in two layers, as follows:

The first layer shall be three (3) inches thick and composed of rock of all sizes that will go through a three (3) inch ring.

The second layer shall be three (3) inches thick, and composed of rock of all sizes that will go through a two inch circular ring.

Each layer shall be thoroughly and separately rolled with a roller weighing not less than two and one-half (2 1/2) tons per lineal foot, and have the thickness required after being thus rolled.

Upon this substratum of rock there shall be spread and constructed a layer or wearing surface composed of pulverized carbonate of lime and natural bituminous rock, containing asphaltic material and sand in the following proportions, to wit:

|                                     |                |
|-------------------------------------|----------------|
| Pulverized Carbonate of Lime        | 9 to 13 parts  |
| Bituminous Rock; Asphaltic material | 12 to 13 parts |
| Sand                                | 79 to 74 parts |
|                                     | 100 " 100      |

And which shall be prepared and laid in the following manner: The bituminous rock shall be heated to a temperature of not less than three hundred (300) nor more than three hundred and fifty (350) degrees Fahrenheit, thoroughly disintegrated and brought to the required standard; the pulverized carbonate of lime, while cold, will be mixed with the hot bituminous rock at the required temperature and in the proper proportions, and in a suitable apparatus to effect a perfect mixture.

The pavement mixture prepared in the manner thus indicated, shall be uniformly spread by means of hot iron rakes over the foundation, and rolled whilst hot with rollers weighing not less than two hundred and fifty (250) pounds to the lineal foot, and about two and one-half (2 1/2) feet in length, until the layer thus superimposed presents a uniform surface and has a thickness of two (2) inches after being compressed at least two-fifths (2/5) said surface conforming at all points to the finished surface of the street, as shown on the plan and cross-section in the office of the City Engineer and Street Superintendent; after which a small amount of hydraulic cement must be swept over it and then rolled with a steam roller; the roller being continued with a steam roller, weighing not less than two hundred and fifty (250) pounds to the inch run, for not less than five (5) hours for every one thousand (1000) yards of surface.

### VIII. FOR FOUR INCH HYDRAULIC CONCRETE BASE AND BITUMINOUS ROCK SURFACE.

Upon the sub-grade or roadbed, constructed in accordance with the general specifications herebefore set forth for the "preparation of roadbed," there shall be laid a bed of hydraulic cement concrete four inches in thickness, to be made as follows: One measure of cement, equal to the best quality of Portland cement, and two measures of clean, sharp, washed sand free from clay, will be thoroughly mixed, dry and then made into mortar with the least possible amount of water; roughly broken stone of acceptable dimensions and character, thoroughly cleaned from dust and dirt, drenched with water, but containing no loose water in the heap, will be incorporated immediately with the mortar in such quantities as will give a surplus of mortar when rammed. This proportion, when ascertained, will be regulated by measure. Each batch of concrete will be thoroughly mixed, the mixing being continued on the board until each piece of stone is completely coated with mortar. It will then be spread and at once thoroughly compacted by ramming until free mortar appears upon the surface. The whole operation of mixing and laying each batch will be performed as expeditiously as possible, with the use of a sufficient number of skilled men.

No gravel will be used in the concrete, but only angular fragments of stone having rough faces obtained by fracture and measuring not more than two and one-fourth (2 1/4) inches in their largest dimensions nor less than one-quarter inch in their smallest dimensions. The upper surface of the base will be made exactly parallel with the surface of the pavement to be laid, and will be suitably protected from the action of the wind and sun until set.

Upon this substratum of concrete there shall be spread and constructed a layer or wearing surface two inches in thickness, composed of natural bituminous rock, containing no less than fifteen per cent of hard, firm and elastic asphaltic material and eighty-five per cent of sand, to be prepared and superlaid in the following manner, to-wit: The bituminous rock shall be heated to a temperature of not less than 300 nor more than 350 degrees Fahrenheit and thoroughly disintegrated, and shall be uniformly spread by means of hot iron rakes, over the foundation of broken rock, and rolled whilst hot with rollers weighing not less than 250 pounds to the lineal foot, and about two and one-half feet in length, until the layer thus superimposed presents a uniform surface and has a thickness of two inches after being compressed at least two-fifths, said surface conforming at all points to the finished surface of the street as shown on plan and cross-section in the office of the City Engineer and Superintendent of Streets, after which a small amount of hydraulic cement must be swept over it and then rolled with a steam roller. The rolling being continued with a steam roller, weighing not less than 250 pounds to the inch, run for not less than five hours for every 1000 yards of surface. Under this specification the paving may be made from curb to curb.

### Special Specifications No. 3.

#### GRANITE PAVING.

Section 4. Granite blocks shall be of a durable and uniform quality, selected for this purpose, not less than eight (8) inches nor more than twelve (12) inches in length, and not less than four (4) inches nor more than five (5) inches in width, and not less than six (6) inches nor more than eight (8) inches in depth; all blocks to be sufficiently dressed to present rectangular faces, with straight edges on top, bottom and sides; and all blocks whose faces vary more than half an inch from a rectangular shape will be rejected. The sides and the ends of the blocks must be so dressed that the will make close-fitting joints the end joints not more than one-half (1/2) inch wide, and the side joints not more than seven-eighths (7/8) of an inch wide, the top and bottom faces parallel, and any block which has projections or knobs larger than half an inch will be rejected. Granite blocks must be hard, uniform in grain and texture, without free lamination or stratification; granite that will take smooth polish under traffic, that is soft or weather worn will not be accepted. It is expressly understood that granite, wearing roughly, and therefore affording better foothold for horses, will be considered preferable to the hardest, soft or weather worn stones obtained from the surface of the quarry will not be accepted. There will be laid a bed of fine sharp sand, washed and dried, four (4) inches in thickness, to serve as a bed for the blocks, which will be laid directly upon and imbedded in it, with close joints. The granite blocks are to be laid at right angles with the line of the street, each course to be of blocks of a uniform width and depth, and so laid that all longitudinal joints shall be broken by a lap of at least two (2) inches, when thus laid the blocks will be immediately covered with clean, fine, hot gravel, in proper quantities, raked until all the joints become filled therewith; and the blocks will then be carefully rammed to a firm, unyielding bed, with uniform surface and with proper grade, there will then be poured into the joints, at a temperature of 300 degrees Fahrenheit, the best refined asphaltum. It will be poured into the joints of the pavement until the sand beneath and the gravel between the blocks will absorb no more, and the joints are filled flush with the upper surface of the pavement. Dry, hot gravel, not larger than three-fourths (3/4) of an inch in any dimension, will be poured along the joints, and will then be consolidated by tapping with a light rammer. Not less than three (3) gallons of refined asphalt to each square yard of pavement will be required.

The blocks will be carefully inspected upon delivery by the Superintendent of Streets, and all blocks which do not conform to the foregoing specifications in size or quality, or samples, must be removed at once from the work by the contractor at his own expense. The contractor must furnish at his own expense such laborers as may be deemed necessary to assist in inspecting and culling the blocks. The contractor will be required to use throughout the work materials as good in every respect as the samples accompanying the proposals.

### I. - Special Specifications No. 4.

#### FOR BROKEN STONE BASE AND ASPHALTUM SURFACE.

Sec. 5. A bed of hard broken stone eight (8) inches thick, after being laid and rolled as hereinafter provided, shall be placed on the sub-grade in three layers, as follows:

The first layer to be four (4) inches thick and composed of broken stone of all sizes that will pass through a four (4) inch ring.

The second layer to be three (3) inches thick and composed of broken stone of all sizes that will pass through a three (3) inch ring.

The third layer to be one (1) inch thick and composed of broken stone of all sizes that will pass through a one (1) inch ring.

Each layer to be thoroughly rolled separately, with a roller weighing not less than two and a half (2 1/2) tons per lineal foot; the bed of stone to have a thickness of eight (8) inches after being thus rolled, upon this substratum of broken rock, there shall be spread and constructed a layer of asphaltum prepared as follows: One (1) ton of the purest and heaviest asphaltum, equal to the best and highest grade of Moore's asphaltum, one-third (1/3) of a ton of heavy black oil, three (3) tons of dry river sand, and one-third (1/3) of a ton of ground limestone or shell, all of which to be mixed and heated until it melts, and becomes thoroughly disintegrated, but not enough to burn, and shall then be uniformly spread by means of hot iron rakes over the foundation of broken rock and rolled whilst warm, with rollers weighing not less than two hundred and fifty (250) pounds to the lineal foot, and about two and one-half (2 1/2) feet in length, until the layer thus superimposed presents a uniform surface, and has a thickness of two (2) inches after being compressed at least two-fifths (2/5); said surface conforming at all points to the finished surface of the street as shown on plan and cross-section in the office of the City Engineer and Superintendent of Streets, after which a small amount of hydraulic cement must be swept over the surface and then rolled with a steam roller weighing not less than two hundred and fifty (250) pounds to the inch run; the rolling being continued for not less than five (5) hours for every one thousand (1000) yards of surface.

Section 6. That ordinances numbered two hundred and seventy-three (273), three hundred and twenty-six (326), and all other ordinances in conflict herewith, be and the same are hereby repealed.

Section 7. That this ordinance shall take effect and be in force from and after its passage and one publication in the SAN DIEGO DAILY SUN.

Passed, approved, and adopted by the Board of Aldermen of the City of San Diego, this Aug. 28th, 1889, and signed by the President of said Board, in open session thereof Aug. 28th, 1889.

H. T. CHRISTIAN,  
President of the Board of Aldermen.

Passed, approved, and adopted by the Board of Delegates of the City of San Diego, Aug. 28th, and signed by the President of said Board in open session Sept. 2, 1889.

G. G. BRADT,  
President Board of Delegates.

The within ordinance is approved, this fourth day of September, 1889.

DOUGLAS GUNN,  
Mayor of the City of San Diego.

Attest:- W. M. GASSAWAY,  
City Clerk.

By J. F. PATTON, Deputy.

The Committee on Streets reported as follows upon the Petition to have the speed of trains within the City limits regulated to wit:

To the Board of Delegates: Your Committee on Streets would report on the foregoing petition that they have seen the Superintendent and Yard Master of the California Southern R.R. and they have agreed that the foregoing request shall be granted to the fullest extent, and your Committee would suggest the matter be left as it is for a time.

Chas. M. Pauley  
W. A. Day  
A. B. Seybold.

Said report was filed.

The Committee on Electric Lights for the Delegates Chamber, reported as follows to wit:

To the Board of Delegates: Gentlemen - Your Committee on electric lighting of this Chamber respectfully report as follows - we find this Chamber can be lighted by electricity at about the same cost as by gas, but as this lighting calls for bids, we cannot specify the exact cost at this time. We would recommend the adoption of the following resolution

S. M. Netherber

J. P. Davies

Frank C. Thompson.

Whereupon the following resolution (being the same above referred to) was read and adopted to wit:

#### Delegates Resolution.

Resolved, that the Board of Public Works are hereby instructed to advertise for bids for lighting the Chamber of the Board of Delegates with incandescent electric lights and to enter



into a contract for the same."

The following report from the City Attorney and Auditor upon the claims for erroneous tax assessments was read and adopted:

To the Hon. Common Council, City of San Diego: The Committee to whom were referred the repayment of tax claims, herewith report on the following:

We find that there is no over-assessment on Allyn's taxes as the amount of the mortgage of \$15.00 was deducted, though said amount was not entered on the tax receipt.

The following claims are allowed on a/c of deduction on improvements:

|                    |                                  |        |
|--------------------|----------------------------------|--------|
| X. F. Van telberg. | Deduction on Improvements of     | 2000.  |
| O. X. Strack       | " " "                            | 1000.  |
| M. Smith           | " " "                            | 1150.  |
| S. M. Hackett      | " " "                            | 1790.  |
| X. Beck            | " " "                            | 600.   |
| M. P. Kline        | Deduction a/c Double Assessment. | 25.00. |
| J. P. Robb         | " " "                            | 5.     |
| Mary C. Courtclott | " " "                            | 15.00. |

The claims of Mrs. Bigler; A. Berglund; O. C. Dranga; Jos. Schlackmeyer; Mrs. M. C. Dierendonff; Rosa Woodford; Isidor Louis; X. E. Fellows; M. J. D. Collins & Sisters of St. Joseph are for excessive valuation on improvements, as to these we would say, that all of the same are errors of judgment of the Assessor, the City being under the law not compelled to refund the amounts paid, there we therefore respectfully refer back for final action by the Common Council. As to the claims allowed we suggest that the same action be taken by the Treasurer in the payment of same, as was offered in our last report.

Respectfully submitted.

S. M. Gomez, Auditor.

James P. Gordon, City Atty."

On motion of Delegate Rediger the portion of above report allowing claims, was adopted.

On motion of Delegate Rediger the latter portion of said report being the errors of judgment of the Assessor, was indefinitely postponed.

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

To the Hon. Board of Delegates, Gentlemen: Your Fire Committee to whom was referred the request of the Hon. Board of Fire Commissioners asking permission to purchase 1000 feet of fire hose, recommends that the request be granted, and that the City Attorney be instructed to prepare the necessary ordinance, authorizing the Board of Public Works to contract for the purchase of the same. Said hose

to be of such size and quality as may be recommended by the Board of Fire Commissioners and the Chief Engineer of the Fire Department.

Paul H. Rediger  
 Chas. M. Pauly  
 C. E. Heath."

The Committee on Finance reported favorably upon the request of J. M. Dodge, Treasurer & Tax Collector for extra assistance, recommending the allowance of an extra deputy for August. And on motion of Delegate Netherbas the report was adopted.

A Communication from the Board of Fire Commissioners recommending that action be taken to secure a new water main on Sixth street, was read and referred to the Committee on Water with instructions to report on Ordinance covering said recommendation at the next meeting.

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

"Delegates' Resolution."

Resolved, that the attention of the Board of Public Works is hereby called to the fact that frame buildings situated in fire district #7 are being altered, repaired, and reconstructed to an extent which we believe to be in violation of present building ordinance. And be it further  
 Resolved, that the Board of Public Works is hereby requested to investigate the same, and if the present ordinance does not prevent such alterations, that they frame and recommend for adoption a fire ordinance which will prohibit the reconstruction of frame buildings in the fire limits.

Delegate Heath moved that the vote had at the last meeting upon the adoption of an ordinance relating to Electric light, telephone & telegraph poles & wires, be reconsidered.

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

Ayes. Delegates - Heath; Davis; Hewitt; Cooper & Pratt.

Noes. " - Wagner; Pauly; Day; Rediger; Netherbas;

Hulbert; Seybold; Thompson; Law & Kamman.

An amendment (adopted by the Board of Aldermen) to the Ordinance regulating the use of streets by Gas and Water Companies (said Ordinance being entered upon pages 147 & 148 of the record) was read & referred to the Committee on Streets.

Delegates Kamman & Cooper were here excused.

On the matter of the of property owners to grade Hawthorn street, by private subscription, from the East side of 3<sup>rd</sup>



street to the City Park: the Committee on Streets reported as follows:

To the Hon. Board of Delegates, Your Committee on streets to whom the foregoing was referred, will report that in their judgement this petition should be granted and recommend the same on the following terms & conditions viz: that it is expressly agreed and understood that the property on the line of the street to be thus improved bear its proportionate share of the cost of grading the whole of said street to the water front, whenever said remainder is graded as provided in subdivision 10 of section 7 of the Voroman Act or general law.

Chas. W. Pauley  
W. A. Day  
A. B. Seybolt.

Said report was adopted.

In the matter of the Petition of the Tax Payers Association the Committee on Streets reported as follows:

In as much as there is a question as to the authority of the Council to alter or suspend the operation of the law, and as in our opinion the law as it now stands gives ample protection to all property owners, as a majority of said owners on the line of the street can prevent the improvement of the street by protest, we recommend that the prayer of the Petitioners be denied.

Chas. W. Pauley.  
W. A. Day  
A. B. Seybolt.

Said report was adopted.

The Report of the Committee on Public Buildings upon the Petition of Gilmore & Thomas, laid over from last week, was taken up, Mr. Thompson Delegate Wagner offered a substitute petition in lieu of the one heretofore reported upon. On motion of Delegate Withers the Report of the said Committee was received & filed. Thereupon on motion of Delegate Wagner the said substituted petition was referred to the Committee on Public Buildings.

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

Delegates Resolution.

Be it resolved that the entire matter pertaining to the suit to test the Charter brought against the Mayor be referred to the City Atty. and that he be authorized to engage such additional counsel as he may deem proper.

After giving Notice President Bradt did in open session sign

Ordinance No. 28 being an ordinance establishing the crown of the grade of B, C, D, E, F, G, H, I, J, & K. streets from 4" to 6" street.  
 Also Ordinance No. 26, being an ordinance transferring certain amounts from the General to various funds.  
 Also Ordinance No. 27 being an ordinance appropriating \$225. for Jos. Melanson.

Whereupon the Board adjourned until the next Regular Meeting.  
 Monday, September 2 - 1889.

N. M. Cassaway,  
 City Clerk

G. C. Bracht  
 President

## Regular Meeting

Common Chamber of the Board of Delegates  
of the City of San Diego, Calif. Sept 2- 1889.

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

Present, Delegates - Wagner: Pauley: Heath: Julian: Jarvis: Day: Rediger: Wetherbee: Hewitt: Thompson: Hulbert: Law: Conyer: Bracht <sup>2d</sup> Clerk Gassaway.

Absent, Delegates - Lyons: Mantale: Seybold: Kammann.

The Minutes of an Adjourned Meeting, held August 26- 1889, were read and approved as read.

President Bracht gave Notice that he was about to sign Ordinance No. 29, being an ordinance providing for work upon streets of the City of San Diego.

Also Ordinance No. being an ordinance providing for the compensation of the keeper of the City Parks.

Thompson Delegate Heath moved that the signing of said ordinance providing for the compensation of the keeper of the City Parks be postponed for one week. The motion was lost. <sup>2d</sup> By the President signed said Ordinances.

A Communication from the Board of Public Works relative to the matter of lighting the Chamber of the Board of Delegates (hereofore reference): was read and filed.

A Communication from the Board of Public Works submitting a Petition to open D. street from 17<sup>th</sup> to 19<sup>th</sup> street, Also a Resolution of Intention for same, was read <sup>2d</sup> on motion of Delegate Rediger said Resolution of Intention was referred to the Committee on Streets.

A Resolution of Intention to curb & space Sixth street, (submitted by the Board of Public Works) was read & reference to the Committee on Streets.

A Petition for a Retail Liquor License from Mrs. A. Buckner was read & referred to the Committee on Health & Morals.

A Report from M. L. Rawson, Police Judge, for the month of August, 1889, was read & reference to the Committee on Finance.

A Petition from Property owner, to have C. street paved with San Luis Obispo Bituminous rock, was read & reference to the Committee on Streets.

The City Clerk reported that, pursuant to Notice given, he had received two proposals for the purchase of a franchise for a cable road on 6<sup>th</sup> street from E. to C. streets and on C. street from Arctic to 33<sup>rd</sup> street, and the same being opened are found to be -

One from David I. Dare who proposes and agrees to pay to the City of San Diego, California, the sum of One dollar and also the expense of advertising, for the franchise described in said notice, to wit: authority to construct and maintain and operate for the period of 25 years a double-track cable street railway along and upon the following streets in the City of San Diego, County of San Diego, State of California: viz: commencing at the north side of "E" street and running thence along and upon 6<sup>th</sup> street to the center of "C" street, and also along and upon "C" street from the center of Arctic street to the center of 33<sup>rd</sup> street. And upon the conditions and limitations contained in said Notice (said proposal having attached thereto a copy of said Notice for proposals, and also an affidavit of which the following is a copy. to wit:)

State of California.  
City & County of San Diego } ss.

David I. Dare being duly sworn says that he is a bidder under the notice hereto attached, inviting sealed proposals for a double track <sup>cable</sup> street railway franchise for twenty-five years running on Sixth street, from the north side of "E" street to the center of "C" street, and also on "C" street from the center of Arctic street to the center of Thirty-third street in the City of San Diego, California; that the bid herewith presented is genuine, and not sham or collusive, or made in the interest or on behalf of any person, firm or corporation not therein named. That he has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person or firm or corporation to refrain from bidding, and that the said bidder has not in any manner sought by collusion to secure to himself an advantage over other bidders.

(signed)

David I. Dare.

Subscribed & sworn to before me this 27<sup>th</sup> day of August, 1889.

J. A. Nerney

Notary Public

~~Proposed~~  
said proposal being accompanied by a certified cheque for \$1.00 payable to the order of the City Clerk.

One from R. A. Graham who tenders for the purchase of a franchise for a cable road on Sixth street from E. to C. streets and on C. street from Arctic to 33<sup>rd</sup> street, in accordance with Concurrent Resolution No. 4. & advertisement for tenders published in the Daily Sun, the sum of \$200 cash, and in addition thereto one per cent of the gross earnings of the road.

This proposal being accompanied by a Certified Cheque

for \$50. payable to the order of the City Clerk.

Thereupon Delegate Low appeared the following resolution which was adopted. to wit:

Delegates Resolution.

Be it resolved, that the proposal of A.A. Graham be rejected upon the ground that the same does not comply with the provisions of the Charter.

Thereupon the following Joint Resolution (heretofore adopted by the Board of Aldermen) was read and adopted by the following vote, to wit:

Ayes, Delegates - Wagner: Pauly: Heath: Julian: Davies: Day: Reigier: Metherbee: Hewitt: Thompson: Hulbert: Low: Cooper & Bracht

Noes - None.

Said Resolution is as follows, to wit:

Joint Resolution No. 29

In the matter of the Cable street-railway franchise on Sixth street and "C" street.

Be it resolved by the Common Council of the City of San Diego, California, that the bid of David D. Darr, of \$12 (and who will also pay all cost of advertising) for the franchise described in his said bid, granting authority to construct, and maintain and operate for the period of twenty-five years, a double track Cable street railway along and upon Sixth street from the north side of "G" street to the center of "C" street; and also along and upon "C" street, from the center of Arctic street to the center of Thirty-third street, in the City of San Diego, California, upon the conditions and limitations contained in the notice for bids for said franchise, be and the same is hereby approved and accepted, and that the said franchise be awarded to him; and that the ordinance granting the same be introduced, read and filed.

Thereupon an ordinance granting a franchise to David D. Darr for authority to construct and maintain and operate for the period of twenty-five years, a double-track Cable street railway along and upon Sixth street from the north side of "G" street to the center of "C" street, and along and upon "C" street from the center of Arctic street to the center of Thirty-third street, in the City of San Diego, California: was read & filed for thirty days.

An Ordinance appointing an additional Deputy Treasurer and Tax Collector for August 1889, was read and adopted by the following vote, to wit:

Ayes, Delegates - Pauly: Heath: Davies: Day: Reigier: Metherbee: Thompson: Hulbert: Low: Cooper & Bracht.

Noes, Delegates - Wagner: Julian & Hewitt.



Said Ordinance is as follows. to wit:

Ordinance No.

An Ordinance appointing an additional deputy Treasurer and Tax Collector for the month of Aug. 1889. and fixing the compensation of the same.

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

Sec. 1.- That there is hereby appointed an additional deputy Treasurer and Tax Collector for the month of Aug. 1889.

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

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

An Ordinance authorizing the Board of Public Works to purchase 1000 feet of fire hose, was read and adopted by the following vote. to wit:

Ayes. Delegates - Wagner; Pauley; Heath; Julian; Davies; Day; Rediger; Wetherbee; Hewitt; Thompson; Hulbert; Low; Cooper & Bruck. Nays - None.

Said Ordinance is as follows. to wit:

Ordinance No. 30.

An Ordinance authorizing the Board of Public Works to advertise and purchase one thousand feet of hose for the use of the fire department of San Diego, Cal.

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

Sec. 1.- That the Board of Public Works are hereby instructed to advertise for and purchase one thousand feet of hose for the use of the fire department of San Diego, Cal.

Sec. 2.- That before said advertising shall be done a statement from the Fire Commissioners of said City shall be obtained by said Board of Public Works as to the size, quality and kind of hose best adapted for said Fire Department, and before the purchase of said hose the same shall be submitted for the approval of the said Fire Commissioners of said City.

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

The Committee on Health & Morals reported favorably upon the Petition of Gilbert M. Taylor for a Wholesale Liquor License. And on motion of Delegate Wetherbee the Petition was granted.

The Committee on Streets reported favorably upon the amendment to the ordinance regulating the use of streets by Gas and Water Companies (heretofore adopted by the Board of Aldermen.)

On motion of Delegate Davies the same was referred back to the Committee.

The following report from the Committee on Sewers was read to wit:  
 "Your Committee to whom was referred the matter of the extension of the First street sewer (from Juniper to Laurel street) beg leave to report as follows: That the First street sewer be extended from the south line of Juniper street to the north line of Laurel street, as soon as the Sewer fund will admit of the same. Your Committee have ascertained that the amount of money in the Sewer fund will not admit of the extension after paying the water bills of July & August. Your Committee find quite a number of fine residences and other improvements going up on First street and think that the extension should be made as soon as the City is in the condition to pay for the same.

Respectfully submitted

A. H. Julian

Frank C. Thompson."

On motion of Delegate Wagner the report was accepted.

On motion of Delegate McArthur the same was recurred and filed.

The following report from the Joint Committee on Water was read to wit:

"Your Joint Com. on Water respectfully reports that having heard from the various Water Co's they find that water can be obtained at a much lower rate than has been paid during the past. Without doubt also, the present water Co. does not afford sufficient pressure, the present pipes are too small & in case of a fire there is very great danger of most disastrous results, on account of low pressure, poor pipes, & pipes so small that two Hydrants cannot be used to their fullest capacity at the same time, as some of the principal streets extensive fire engines cannot overcome this difficulty as witnessed the test made a few days ago on 6th st. The City should be piped with cast iron pipes fully warranted and admitting a high pressure sufficient to throw water direct from the Hydrants to the tops of the highest building in San Diego, a matter impossible with the engines at the recent test - This will save the City large expense for engines & engines will also aid in largely reducing insurance rates. Of the several propositions to furnish cheap water, your Com. consider that of the San Diego Water Co. the best so far presented. Said proposition is attached hereto and made a part of this report. The proposition is in outline form, several matters of importance are not even mentioned, and we doubt if the rate offered is as low as it should be. The City should insist upon an option to purchase any pipe line hereafter to be laid in the City of San Diego. Looking at the whole subject we think the time has now arrived to instruct the Board of Public Works to at

once advertise for Bids for supplying the City with water & for the piping of the City, and to submit the bids received to the Council for approval. If a lease is entered into similar to the Elmer proposition, we think the term should not exceed 10 or 12 years, within this time we trust the City will be able to own its water supply and pipe system. But we deem it of the utmost importance to secure cheap water now. We believe the Elmer Co. having an adequate supply of pure water for sale, & at the City's limits today, can supply cheap water more quickly & as cheaply as any other Company. The Mt. St. Charles & the San Luis Rey Cos would require, they claim, and as we are also informed nearly 3 years before they could deliver water to our City & Citizens. We favor a new guarantee cast iron pipe system at once. We favor the cheapest pure water that can be supplied without delay. We favor a high pressure. We rec. a lease for not over 10 or 12 years - with option of purchasing any pipe system to be later hereafter.

Copy submitted.

J. P. Davies, Chair.

G. M. Netherbas

Frank C. Thompson

Delegates

Delegates

A. F. Norcross Chm.

John C. Fisher

D. Cure

(Accompanying above report was a proposition from the San Diego Elmer Co. to supply the City with water)

On motion of Delegate Heath the above report was received & filed.

The following report from the Committee on Public Buildings was read & accepted, to wit:

To the Board of Delegates:

A majority of your Committee to whom was referred the communication from Messrs. Gilmore & Thomas in relation to party wall recommended that the City join said Gilmore & Thomas in a party wall.

W. R. Day

A. F. Julian

Whereupon Delegate Heath moved that the City Attorney be instructed to prepare an Ordinance providing for the payment by the City of one-half of the basement wall only. This motion was lost by the following vote, to wit:

Ayes, Delegates - Heath; Rediger; Hewitt; Hulbert & Corbett.

Noes, Delegates - Wagner; Pauley; Julian; Davies; Day; Netherbas; Thompson; Law & Brecht.

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

#### Delegates Resolution

Resolved, that the building of the party wall in accordance with the report of the Committee be referred to the Board of Public Works with instruction to prepare specifications and estimate of cost and submit the same to this Board

for approval."

A Report from the Committee on City Lands recommending that the action upon the Petition of G. T. May, for a lease of Santa Fe Pueblo Lands for prospecting purposes, be indefinitely postponed, was read & received & filed.

Whereupon the Board adjourned until Tuesday, Sept. 10 - 1889, at 7.30 o'clock P. M. (Monday, Sept. 9. being a legal Holiday).

M. H. S. away,  
City Clerk

G. H. Bratt  
President Board of Delegates

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego, Calif.  
September 9 - 1889.

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

Present Delegates - Wagner: Lyons: Pauley: Heath: Julian: Davies: Day: Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Kammann: Cooper: Bract & Clerk Cassaway.

Absent Delegates - Marshall: Rediger & Co.

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

After giving notice President Bract did, in open session, sign Ordinance No. 30. being an Ordinance authorizing the Board of Public Works to advertise and purchase one thousand feet of Pipe for the use of the Fire Department of San Diego, Cal.

The following report from the Committee on Streets, upon the proposed Resolution of Intention to pave Sixth street, was read, to wit: The owners of a majority of the property fronting on the street having petitioned for the improvements and the Resolution of Intention being in accordance with the express wish of petition, we recommend the passage of said resolution.

Chas. M. Pauley

M. C. Day.

A. B. Seybolt.

On motion of Delegate Heath the report was adopted. Thereupon said Resolution of Intention, was read and adopted by the following vote, to wit:

Ayes, Delegates - Wagner: Lyons: Pauley: Heath: Julian: Davies: Day: Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Kammann: Cooper & Bract.

None - None.

Said resolution is as follows, to wit:

Resolution of Intention to  
Pave Curb and Pavé of street.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to wit: that Sixth (6<sup>th</sup>) street in said City, and the entire crossing thereof with the streets intersecting the same from the north line of "E" street to the south line of "B" street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following to wit: the curbing to be of granite, and to extend along both sides of said street



except in front of Lots A. and B. in block 19: Lot I. J. and L. in block 44: Lots A, B, C. E. and F. in block 45: the south  $\frac{1}{2}$  of lot C. and lots D. E. & F. in block 60: Lots G. & H. in block 61: Lots ~~C. & D.~~ and the S.  $\frac{1}{2}$  of Lot I. in block 70: Lots A, B, C. & N.  $\frac{1}{2}$  D. in ~~block~~ <sup>block</sup> 71: The S.  $\frac{1}{2}$  of Lot E. and the whole of lot F. in block 86, ~~and~~ <sup>and</sup> lots C. & D. in block 112. Where permanent curbs are ~~now~~ <sup>now</sup> placed. The paving to have a base of concrete four ~~inches~~ <sup>inches</sup> in thickness and a wearing surface of natural bituminous ~~rock~~ <sup>tar</sup> two inches in thickness and to extend from curb line to ~~curb~~ <sup>curb</sup> line except in front of Lots E. & F. in block 45: Lots G. & H. in block 61: Lot D. and the S.  $\frac{1}{2}$  of lot C. in block 60: and lot F. ~~and~~ <sup>and</sup> the S.  $\frac{1}{2}$  of lot E. in block 86. where it shall only extend to the gutter line and be properly joined with the gutters already constructed. All work shall be done in conformity with the specifications and provisions of ordinance No. 29. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law."

A Communication from the Board of Public Works renewing the request that said Board be authorized to employ an Assistant Sewer Superintendent: was read ~~and~~ <sup>and</sup> Delegate Heath moved to lay on the table.

Delegate Wetherbee moved to amend that same be received and filed and the City Attorney instructed to prepare an Ordinance in accordance therewith, & fixing the salary at \$75. per month. This motion carried and it was so ~~ordered~~ <sup>ordered</sup>.

A Communication from the Board of Public Works, submitting specifications and estimates for the party wall as petitioned for by Gilmore & Thomas: was read ~~and~~ <sup>and</sup> Delegate Heath moved to lay the same on the table.

Delegate Wetherbee moved to amend that same be received and filed & the City Attorney instructed to prepare an Ordinance in accordance therewith.

Delegate Hewitt moved to amend the amendment by laying on the table for one week. The amendment to the amendment was lost & thereupon the amendment to the motion was carried by the following vote, to-wit:

Ayes. Delegates - Wagner; Lyons; Pauley; Julian; Davies; Day; Wetherbee; Thompson; Hammond & Bradt.

Noes. Delegates - Heath; Hewitt; Seybold; Hulbert & Crozier.  
and it was so ordered.

A Communication from the Board of Public Works submitting an Ordinance amending Ordinance No. 283. was read and referred to the Committee on Public Buildings.

A Communication from the Board of Public Works submitting an Ordinance establishing the grade of 5<sup>th</sup> street from "B" street to Mission Valley: was read & referred to the Committee on Streets.

A Communication from the Board of Public Works submitting two proposals for the construction of a garbage bunker and an extension of Wharf - was read & found to be. One from Joseph Suplee who proposes to furnish all material and do said work for the sum of \$95. One from Geo. Journey who proposes to furnish all material and do said work for the sum of \$60. And on motion of Delegate whether the Communication was received & the Proposal of Geo. Journey accepted, the Board of Public Works instructed to award the contract to said Journey according to the terms of said proposal.

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

Perigo & Smith - Retail.  
 F. F. Jones "  
 I. Schelling "  
 John Rogers "  
 Geo. C. F. Pagan "  
 Geo. Kutekel & Geo. H. Spears - Wholesale.

A Report from J. M. Torres, Auditor, for the month of August 1889 was read & referred to the Committee on Finance.

A Petition from Horace I. Brewster to have a sidewalk constructed on the south side of C. street between 4<sup>th</sup> & 5<sup>th</sup> streets: was read & referred to the Board of Public Works.

A Petition to have a Highway opened from Pueblo Lot #1174, north over the mesa: was read & referred to the Committee on Streets.

The following Concurrent Resolution was read and adopted.  
 Joint:

Concurrent Resolution No. 6

Whereas, on the 24<sup>th</sup> day of Aug. 1889, a test of the Water pressure was made at certain Hydrants located on Sixth st. in the City of San Diego, by the Chief of the Fire Department under the direction of the Fire Commissioners of said City to determine the sufficiency of the Water pressure in case of fire And

Whereas, the report of the test so made to said Fire Commissioners and referred to the Common Council for action, shows that the pressure at said Hydrant is wholly insufficient for the needs of the City in case of fire and

Whereas, said report further states that the insufficiency of the pressure on said street is due to the smallness of the main pipe now laid on said 6<sup>th</sup> St. and

Whereas, said Sixth St. is about to be finally improved by the paving of the same, and it is desirable that all mains and pipes be laid in said street before the said paving shall be commenced:

Be it Resolved, by the Board of Delegates, the Board of Aldermen concurring, that the San Diego Water Company be requested and required to lay on said Sixth St. as soon as practicable and before the paving of said street shall interfere herewith, a main pipe of a diameter of not less than twelve (12) inches removing the main pipe now laid in said street."

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

Joint Resolution No. 31

Resolved, that the Board of Public Works be instructed to have a watering trough placed on National Ave. at 28, or 29<sup>th</sup> Sts, which shall not cost more than 30 dollars.

A Joint Resolution (heretofore adopted by the Board of Aldermen) instructing the Board of Public Works to advertise for a water supply for the City: was read, and on motion of Delegate Wetherbee the same was laid on the table for thirty days.

A Joint Resolution (heretofore adopted by the Board of Aldermen) instructing the Board of Public Works to make an estimate of the cost of piping the City for water: was read and on motion of Delegate Wetherbee the same was laid on the table for thirty days.

The Committee on Finance reported favorably upon the Reports of the City Auditor for May, June & July, 1859. and the same were received and filed.

The Committee on Streets reported adversely upon the amendments (heretofore adopted by the Board of Aldermen) to the proposed Ordinance regulating the use of the streets by Gas and Water Companies. and recommended the appointment of a Conference Committee.

Delegate Otwell moved to adopt the report. The motion carried. Whereupon the President appointed as said Conference Committee, the Committee on Streets.

The following report from the Committee on Streets in reference to opening "D" street, was read and adopted. To wit:  
 "Your Committee recommend the opening of D. st. from 17<sup>th</sup> to 33<sup>rd</sup> street. We find D. street is closed not only between 17<sup>th</sup> & 19<sup>th</sup> streets, but also between 24<sup>th</sup> and 25<sup>th</sup> street, and we recommend steps be taken for condemnation and opening D. street through the whole length from 17<sup>th</sup> to 33<sup>rd</sup> street. We further recommend that the assessment district for the expense of condemnation be assessed on the entire length of D. street from water front at Atlantic street to 33<sup>rd</sup> street. We also recommend the City Attorney & Board of Public Works be instructed to prepare a resolution of intention to that effect.

Chas. M. Pauley  
 H. A. Day.  
 A. B. Seybold

The following report from the Committee on Health and Morals, was read. To wit:

"We, your Committee on Health & Morals to whom was referred a petition for a Liquor License at Pacific Beach by one Mr. Geo. A. Buckner, - find by investigation that Mr. Buckner is a worthy man, but we have a remonstrance against the issuance of such a license at that place. We would refer the matter to the Board to act as they deem best.

R. J. Hulbert."

Delegate Julian moved to receive the report and grant the said petition. The motion carried by the following vote. To wit:  
 Ayes. Delegates - Pauley; Heath; Julian; Day; Wetherbee; Thompson; Hamman & Cooper.  
 Noes. Delegates - Wagner; Lyon; Davies; Hewitt; Seybold; Hulbert & Bradt.

On motion it was ordered that the Mayor be requested to report to the Board of Delegates, the amount of work performed by Mr. Geo. B. Stanley, in extending the City's finances, also the amount received by said Stanley for such services.

Delegate Davies offered the following resolution, which was adopted. To wit:

"Delegate's Resolution."

Resolved, that the Board of Public Works be instructed to at once draw up a moderate and judicious license law for the City. That the same be submitted to this House for approval next week if possible."

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

Joint Resolution No. 30.

Resolved, that the Police Commissioners be requested to investigate the selling of liquor by the Coronado Beach Company, and if the said Company be found to be selling without license, then that they be arrested and prosecuted under the Ordinances of the City."

Delegate Pardy requested an extension of 30 days leave of absence for Delegate Marshall and on motion of Delegate Withers the request was granted.

On motion of Delegate Davies the Board adjourned until Monday September 16-1889. at 2:30 o'clock p.m.

A. M. Fassaway,  
City Clerk

G. H. Brant  
President Board of Delegates



Adjourned Meeting.

Council Chamber of the Board of  
Delegates of the City of San Diego.  
California, September 16-1889.

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

Present, Delegates - Wagner: Heath: Julian: Day: Rediger: Wetherbee: Hewitt: Seybolt: Hulbert: Law: Cooper: Bradt and Clerk Gassaway.

Absent, Delegates - Lyons: Pauley: Marshall: Davies: Thompson and Kammann.

The Minutes of an Adjourned Meeting, held September 9<sup>th</sup>, 1889, were read and approved.

A Petition from T. M. Shaw, City Engineer, for fourteen days leave of absence from Sept. 23-1889, was read, together with a favorable recommendation from the Mayor & Board of Public Works, upon same and on motion of Delegate Julian the request was granted.

A Communication from the Board of Public Works, requesting two weeks further time a "License Law": was read and the request granted.

A Communication from the Board of Public Works, asking for instructions relative to the approval or disapproval of the use of the "T" rail by the Cable Railway Company on Sixth street: was read and Delegate Heath moved that the Board of Public Works be instructed that it is the sense of the Board of Delegates that permission be granted to the Cable Railway Company to lay a "T" rail upon its line on Sixth street.

Delegate Law moved to amend by referring to the Committee on Streets to report at next meeting. This amendment was lost, and thereupon the original motion was lost by the following vote. Aye:

Ayes, Delegates - Wagner: Heath: Day: Hewitt: Cooper & Bradt  
Noes, Delegates - Julian: Rediger: Wetherbee: Seybolt: Hulbert & Law

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

A Communication from the Board of Public Works, recommending the granting of the Petition of Silas A. Davenport, rother for the establishment of a Public Road to Sonoma, was read and on motion of Delegate Wetherbee the Board of Public Works was instructed to make a preliminary survey

in accordance with said Communication.

A Petition from Ellen Stear for a Suit Claim Deed from the City to Lots 33, 34, 35 & 36, Block 77, Sherman's & Choate's Addition; was read & referred to the City Attorney.

A Report of the Health Department for the month of August 1889: was read & referred to the Committee on Health and Morals.

An Ordinance transferring \$4000 from the General Fund to the Street Fund: was read & adopted by the following vote:

Ayes, Delegates - Wagner: Heath: Julian: Day: Redger:  
Wetherbee: Hawitt: Seybolt: Hulbert: Low: Cooper & Braat.  
Nays - None.

Said Ordinance is as follows: to wit:

Ordinance No. 31.

An Ordinance transferring four thousand (\$4000) dollars from the General Fund to the Street Fund.

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

Sec. 1. - That the Auditor of said City is hereby instructed to transfer the sum of four thousand dollars (\$4000) from the General Fund to the Street Fund.

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

An Ordinance fixing the compensation for an Assistant for the Sewer Inspector: was read, and adopted by the following vote: to wit:

Ayes, Delegates - Wagner: Heath: Julian: Day: Redger:  
Wetherbee: Hawitt: Seybolt: Hulbert: Low: Cooper & Braat.

Said Ordinance is as follows: to wit:

Ordinance No. 32.

An Ordinance fixing the compensation of an Assistant for the Sewer Inspector, of the City of San Diego.

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

Sec. 1. - That the compensation for an assistant to the Sewer Inspector of the City of San Diego, be and the same is hereby fixed at the sum of Seventy-five dollars per month payable monthly.

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

An Ordinance providing for building a party wall between the south half of Lot C. and Lot D. Block 35 - Horton's Addition, was read and Delegate Wetherbee moved to adopt.

Delegate Heath moved to amend by striking the enacting clause.

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

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

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

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

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

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

Said affidavit was received and placed on file.

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

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

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

Ayes, Delegates - Wagner: Heath: Julian: Day: Reiger: Wet-  
erbee: Hewitt: Glybolt: Hulbert: Low: Cooper and Bradt.

Noes - None.

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

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: the grading of "F" street in said City from the West line of State street to the East line of Twenty-fifth (25<sup>th</sup>) street and the sidewalks thereof and the entire crossings of said "F" street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street. (except the intersection of said "F" street with 5<sup>th</sup> street) to the official grade established by ordinance numbered three hundred and three and in accordance with the specifications, profiles and cross section on file in the office of the City Engineer. The Clerk of this City is hereby directed to post conspicuously for five days on or near the Council Chamber door of said Council of this City notice hereof inviting sealed proposals or bids for said work and requiring herewith 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. It 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 this Resolution and also, after its posting, its notice of such posting each for two days."

The Committee on Streets reported favorably upon the Ordinance establishing the grade of 5th street from B street to Moor street and thereupon said Ordinance was read, and adopted by the following vote. Yea:

Ayes, Delegates - Wagner: Heath: Julian: Day: Rediger: Wet-  
ster: Seybolt: Low: Hulbert: Cooper.

Noes, Delegates - Hewitt & Bradt.

Said Ordinance is as follows:

Ordinance No. 33.

An Ordinance establishing the grade of Fifth street, from the south side of B street to the north side of Moor street in the City of San Diego, State of California.

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

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

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

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

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

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

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

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

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

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

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



at the northwest corner thereof 158.0 feet: at the southeast corner thereof 156.5 feet: and at the northeast corner thereof 158.0 feet.

At the southwest corner of Fifth and Grape streets 176.5 feet: at the northwest corner thereof 178.5 feet: at the southeast corner thereof 176.5 feet: and at the northeast corner thereof 178.5 feet.

At the southwest corner of Fifth and Hawthorn streets 196.0 feet: at the northwest corner thereof 198.5 feet: at the southeast corner thereof 196.0 feet: and at the northeast corner thereof 198.5 feet.

At the southwest corner of Fifth and Ivy streets 213.0 feet: at the northwest corner thereof 215.0 feet: at the southeast corner thereof 213.0 feet: and at the northeast corner thereof 215.0 feet.

At the southwest corner of Fifth and Juniper streets 228.0 feet: at the northwest corner thereof 230.0 feet: at the southeast corner thereof 228.0 feet: and at the northeast corner thereof 230.0 feet.

At the southwest corner of Fifth and Kalmia streets 240.0 feet: at the northwest corner thereof 241.0 feet: at the southeast corner thereof 241.0 feet: and at the northeast corner thereof 242.0 feet.

At the southwest corner of Fifth and Laurel streets 249.0 feet: at the northwest corner thereof 250.0 feet: at the southeast corner thereof 250.0 feet: and at the northeast corner thereof 251.0 feet.

At the southwest corner of Fifth and Maple streets 257.5 feet: at the northwest corner thereof 258.0 feet: at the southeast corner thereof 258.5 feet: and at the northeast corner thereof 259.0 feet.

At the southwest corner of Fifth and Nutmeg streets 263.0 feet: at the northwest corner thereof 265.0 feet: at the southeast corner thereof 263.5 feet: and at the northeast corner thereof 265.5 feet.

At the southwest corner of Fifth and Olive streets 270.5 feet: at the northwest corner thereof 271.0 feet: at the southeast corner thereof 271.5 feet: and at the northeast corner thereof 272.0 feet.

At the southwest corner of Fifth and Palm streets 275.5 feet: at the northwest corner thereof 276.5 feet: at the southeast corner thereof 276.0 feet: and at the northeast corner thereof 277.0 feet.

At the southwest corner of Fifth and Sumac streets 279.0 feet: at the northwest corner thereof 279.0 feet: at the southeast corner thereof 279.5 feet: and at the northeast corner thereof 279.5 feet.

At the southwest corner of Fifth and Redwood streets 280.0 feet: at the northwest corner thereof 280.0 feet: at the southeast corner thereof 281.0 feet: and at the northeast corner thereof 281.0 feet.

At the southwest corner of Fifth and Spruce streets 280.5 feet: at the northwest corner thereof 280.5 feet: at the southeast corner thereof 281.5 feet: and at the northeast corner thereof 281.5 feet.

At the southwest corner of Fifth and Thorn streets 279.5 feet: at the northwest corner thereof 279.5 feet: at the southeast corner thereof 280.5 feet: and at the northeast corner thereof 280.5 feet.

At the southwest corner of Fifth and Yucca streets 286.0 feet: at the northwest corner thereof 286.5 feet: at the southeast corner thereof 287.0 feet: and at the northeast corner thereof 287.5 feet.

And the grade of said Fifth street, between the points fixed by this Ordinance, shall be of uniform ascent or descent, as shown by the grade map made by the City Engineer and as

file in his office.

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

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

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

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

"J. Schelling - Retail.

Pengo & Smith - "

F. C. Jones - "

Geo. Kitchel, Geo. H. Spear - Wholesale.

Geo. Rogers - Retail.

Geo. P. J. Logan - "

And on motion of Delegate Rediger said Petitions were granted.

On motion of Delegate Wetmore the Board adjourned until Monday, September 23-1889, at 7.30 o'clock p. m.

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

#### "Delegates' Resolution.

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

1st: To what extent the Police force can be reduced.

2nd: To what extent the maintenance of the public peace may be left to the constabulary, and

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

On motion of Delegate Wetmore the Board adjourned until Monday, September 23-1889, at 7.30 o'clock p. m.

M. M. Gassaway,  
City Clerk

G. H. Bradt  
President Board of Delegate

## Adjourned Meeting.

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

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

Present, Delegates - Wagner: Pauly: Heath: Davies: Day: Rediger:  
Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Low: Kammann:  
Cooper: Bract and Clerk Gassaway.

Absent, Delegates - Lyon: Marshall and Julian.

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

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

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

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

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

Ayes, Delegates - Wagner: Pauly: Heath: Davies: Day: Rediger:  
Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Low: Kammann:  
Cooper & Bract.

Noes - None.

Said resolution is as follows. To wit:

Resolution of Intention to Open  
I. street from 17<sup>th</sup> to 33<sup>rd</sup> street.

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

Eighty (80) feet wide and four hundred and eighty (480) feet long running from the East line of said Seventeenth street to the West line of Nineteenth street off of the South side of a tract of land designated on the map of Gardner's Addition as "Orange Hill Reservation" and also a strip of ground eighty feet wide and Six hundred and Sixty (660) feet long running from the West line of Twenty-fourth street to the West line of Twenty-fifth street, off of the South side of a tract of land designated on the map of the City as the "Goodrich Tract" and that the damages, cost and expenses of making said improvement shall be assessed in proportion to benefits upon a district the exterior boundaries of which are hereby fixed as follows. To wit: Beginning at a point in the East line of Atlantic street one hundred and twenty five feet North of the North west corner of Block 50 New Town according to Gray and John's map, <sup>thence north one hundred and twenty (120) feet</sup> thence East or Easterly in a line parallel to the North line of D. street to the West line of Third street; thence producing said line one hundred and fifty (150) feet from and parallel with the North line of D. street to a point on the West line of Thirty-third street; thence South to a point one hundred and fifty (150) feet South of the South line of D. street; thence West or Westerly one hundred and fifty (150) feet from and parallel with the South line of D. street to the West line of Third street; thence producing said line one hundred and thirty five (135) feet from and parallel with the South line of D. street to a point on the East line of Atlantic street; thence North Two hundred and Sixty (260) feet to the point of beginning. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which notice of the passage of this resolution of intention shall be published for ten (10) days, as often as said newspaper is issued herein. The Street Superintendent of this City is hereby directed to post and publish said notice in the manner provided by law."

A Petition from property owners to grade Olive Avenue from Logan Avenue to East terminus of said street, was read and referred to the Committee on Streets

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

Frank Wilson - Retail

Patrick O'Neill - Hotel

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

A Petition from Sixth street property owners to be allowed to put down cement & concrete curbs on Sixth street; was

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

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

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

First: Will the conditions of the title under which the Park lands were acquired by the City, permit the City to divert the same from their original designated purpose to any other purpose than occupancy by charitable institutions, as already determined by State Legislative Consent?

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

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

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

Joint Resolution No.

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

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

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

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

Delegate Rediger offered a resolution providing for the reference of the Ordinance granting a franchise for a cable railway to D.D. Dore, to the Board of Public Works.



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

The following Concurrent Resolution (Heretofore adopted by the Board of Aldermen) was read and concurred in, to wit:

Concurrent Resolution No. 7.

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

The following Concurrent Resolution (Heretofore adopted by the Board of Aldermen) was read & Thompson, Delegate Hulbert withdrew his notice for a reconsideration of the motion to allow the Cable railway Company to lay a "T" rail in G street, & Thompson said Concurrent Resolution was adopted by the following vote, to wit:

Ayes, Delegates - Wagner: Pauley: Heath: Davies: Day: Metherbee: Hewitt: Seybolt: Thompson: Hulbert: Low: Kammann: Cowser and Bracht.

Noes, Delegates Reaiger.

Said resolution is as follows, to wit:

Concurrent Resolution No. 8.

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

In accordance with notice given at the last meeting of the Board - Delegate Wagner moved to reconsider the vote heretofore taken upon a proposed Ordinance providing for building a party wall between the south half of Lot C and Lot D, Block 35 - Horton's Addition. The motion to reconsider carried by the following vote, to wit:

Ayes, Delegates - Wagner: Pauley: Davies: Day: Metherbee: Thompson: Hulbert: Low: Kammann: Cowser & Bracht.

Noes, Delegates - Heath: Reaiger: Hewitt: & Seybolt.

Thompson said Ordinance was adopted by the following vote, to wit:

Ayes, Delegates - Wagner: Pauley: Davies: Day: Metherbee: Thompson: Hulbert: Low: Kammann & Bracht.

Not. Delegates - Heath: Rediger: Hewitt: Seybolt: & Cozyer.  
Said Ordinance is as follows. To wit:

Ordinance No.

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

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

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

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

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

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

Sec. 3 - That in no case shall said Board of Public Works contract for, so far as the City is concerned nor will the City be responsible in any event, for building said party wall in a sum greater than \$548.45 the said sum being its portion in full for the construction and completion of said wall, including basement and one story as set forth in this ordinance.

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

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

Ayes. Delegates - Wagner: Pauley: Heath: Davies: Day: Thompson: Hulbert: Shaw: Kammann: Cozyer & Brack.

Noes - Delegates - Rediger: McArthur: Hewitt & Seybolt.

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

In the matter of the proposed Ordinance amending Ordinance No. 253. The Committee on Public Buildings reported as follows, to-wit:

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

J. H. Otwell

M. Q. Day.

On motion of Delegate Otwell the report was adopted.

Delegate Kammann was here excused.

The City Clerk presented the affidavit of M. M. Roe, Principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolutions (passed by the Board of Delegates, of the City of San Diego, California, on the 10<sup>th</sup> day of September, 1889, and by the Board of Aldermen, of said City, on the 11<sup>th</sup> day of September, 1889,) declaring the intention of the Common Council of said City, to order the following street work to be done, to-wit: that Sixth street in said City, and the entire crossings thereof, with the streets intersecting the same from the north line of C street to the south line of B street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to-wit: the curbing to be of granite and to extend along both sides of said street except in front of lots A. and B. in block 19; lots I, J. and K. in block 44; lots A, B, C, E. and F. in block 45; the south 1/2 of lot C. and lots D, E. and F. in block 60; lots G. and H. in block 61; lots A. and H. and the S. 1/2 of lot I in block 70; lots A, B, C. and N. 1/2 D. in block 71; the S. 1/2 of lot E. and the whole of lot F. in block 86, and lots C. and D. in block 112 where permanent curbs are now placed. The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness, and to extend from curb line to curb line, except in front of lots E. and F. in block 45; lots G. & H. in block 61; lot D. and the S. 1/2 of lot C. in block 60; and lots F. and the S. 1/2 of lot E. in

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

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

The City Clerk also presented the affidavit of M. M. Roe, Municipal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a Notice of Street Work of which the following is a true copy, to wit: "Notice of Street Work" Notice is hereby given that the Common Council of the City of San Diego, on the 11<sup>th</sup> day of September, 1889, adopted a Resolution of its Intention to order the following street work, to wit: "To curb Sixth street in said city, and the entire crossings thereof, with the streets intersecting the same from the north line of 'E' street to the south line of 'B' street, except such portions thereof as is required by law to be kept in order or repaired by any person or company having railroad tracks thereon, be curbed and joined; the curbing to be of granite and to extend along both sides of the street, except in front of lots A and B, Block 19; I, J and L, Block 44; A, B, C, E and F, Block 45; S  $\frac{1}{2}$  C and D, E and F, Block 60; G and H, Block 61; G and H and S  $\frac{1}{2}$  I, Block 70; A, B, C and N  $\frac{1}{2}$  D, Block 71; F and S  $\frac{1}{2}$  E, Block 86, and C and D, Block 112; the paving to have a concrete base four inches thick and a bituminous rock wearing surface, two inches thick, and to extend from curb line to curb line, except in front of lots E, and F, Block 45; G and H, Block 61; D and S  $\frac{1}{2}$  C, Block 60; F and S  $\frac{1}{2}$  E, Block 86, where it shall extend only to the gutter line. All work to be done in conformity to specifications and provisions of Ordinance No. 29. For further particulars of said work, reference is hereby made to said Resolution on file. San Diego, Cal. September 16, 1889.

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

The City Clerk also presented the affidavit of Anna Pettingell

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

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

Whereupon a Resolution ordering the curbing and paving of 6<sup>th</sup> street, and instructing the Clerk to advertise for proposals, was read, and adopted by the following vote, to wit: Ayes, Delegates - Wagner: Pauley: Heath: Davies: Day: Reagin: Metkerbee: Hewitt: Seybolt: Thompson: Hulbert: Law: Cropper & Bracht.

Nays - None.

Said Resolution is in words & figures following, to wit:

Resolution ordering the curbing and paving of Sixth street from the north line of E. street to the south line of B. street.

Resolved, that the Common Council of the City of San Diego, California, deems it to be required by the public interest and convenience and hereby order the following street work to be done according to the specifications therefor adopted and as



Contained in Ordinance numbered twenty-nine (29) to wit: That Sixth street in said City, and the entire crossings thereof with the streets intersecting the same from the north line of "D" street to the south line of "B" street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to wit: The curbing to be of granite and to extend along both sides of said street except in front of lots A. and B. in block 19 - lots I, J. and K. in block 44: lots A, B, C, E. and F. in block 45: the south half of lot C. and lots D, E. and F. in block 60: lots G. and H. in block 61: lots G. and H. and the south half of lot I. in block 70: lots A, B, C. and the north half of D. in block 71: the south half of lot E. and the whole of lot F. in block 86, and lots C. and D. in block 112. where permanent curbs are now placed: the paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness and to extend from curb line to curb line except in front of lots E. and F. in block 45: lots G. and H. in block 61: lot D. and the south half of lot C. in block 60: and lot F. and the south half of lot E. in block 86, where it shall only extend to the gutter line and be properly jointed with the gutter already constructed. All work shall be done in conformity with the specifications and provisions of said Ordinance numbered Twenty-nine. The Clerk of the City is hereby directed to post prominently for five days on or near the Council Chamber door of this City with the specifications for each kind of work herein set forth, namely paving and curbing, inviting sealed proposals or bids for each kind of work. By this resolution mentioned, said bids or proposals to be separate or joint for the different kinds of work mentioned herein, and requiring herewith a Certified Check or a bond, either for an amount not less than two per cent of the aggregate of each kind of work for which said sealed proposal or bid is made, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun a newspaper published and circulated in this City and hereby designated for that purpose; with a copy of this resolution and also after posting his notice of such posting each for two days."

The following report from the Committee on Police was read, to wit:

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

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

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

The Committee on Police:

A. B. Szybolski

Chas. F. Kammann

Above report was adopted by the following vote, to-wit:  
Ayes, Delegates - Pauley; Rediger; Wetherbee; Szybolski; Thompson;  
Hulbert; Law; & Bradt

Noes, Delegates - Wagner; Heath; Davies; Day; Hewitt & Cooper

The following report from the Committee on Health & Morals was read & adopted to-wit:

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

possible during the night after business hours.

Very Respectfully,

A. J. Hulbert

Geo. P. Snow

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

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

Resolved, that the Board of Directors be and it be the resolution of the Board of Directors that the resolution ordering the paving and curbing on 6th street is passed at this time as a majority of the owners of all the property fronting on said street from "D" to "B" have signed the petition for paving the same.

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

A. M. Fassaway

City Clerk

G. G. Bracht

President Board of Delegates

Adjourned Meeting.

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

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

Present Delegates - Wagner: Pauley: Heath: Davis: Day: Rediger:  
Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Law: Kammann:  
Cooper: Boarding Clerk Gassaway.

Absent Delegates - Lyons: Marshall & Julian.

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

The City Clerk presented the affidavit of J. C. Patton, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 18<sup>th</sup> day of September, 1889, post conspicuously on the door of the Council Chamber of the Common Council of the City of San Diego, California, a Resolution passed by the Board of Delegates, of said City, on the 16<sup>th</sup> day of September, 1889, and by the Board of Aldermen of said City, on the 17<sup>th</sup> day of September, 1889, ordering the following street work to be done by instructing the Clerk to advertise for Bids therefor, to wit: "the grading of 'F' street in said City from the West line of State street to the East line of 25<sup>th</sup> street and the sidewalks thereof and the entire crossing of said 'F' street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street (except the intersection of said 'F' street with 5<sup>th</sup> street) to the official grade established by Ordinance No. 303, and in accordance with the specifications, profiles and cross-sections on file in the office of the City Engineer." - and that the same remained so posted for the period of five days immediately hereafter. Said affidavit was received and placed upon file.

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

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

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

On motion it was ordered that due and sufficient proof had been made of the publication and posting of the resolution (passed by the Board of Delegates, of the City of San Diego, California, on the 16<sup>th</sup> day of September, 1889, and by the Board of Aldermen, of said City, on the 17<sup>th</sup> day of September, 1889.) ordering the following street work to be done, and instructing the Clerk to advertise for bids therefor, to wit: "the grading of 'F' street in said City, from the West line of State street to the East line of 25<sup>th</sup> street, and the sidewalks thereof and the entire crossings of said 'F' street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street (except the intersection of said 'F' street with 5<sup>th</sup> street) to the official grade established by ordinance No. 303, and in accordance with the specifications, profiles and cross-sections on file in the office of the City Engineer." - Also of the publication of the "Notice of Posting Invitation for street work



proposal: Lumbago set forth upon page 195 of this record.

Thereupon the City Clerk reported that he had received one such proposal for grading 1/2" street as aforesaid. The same being opened was found to be from A.A. Graham, who proposes to perform the work and furnish all material in accordance with the specifications and execute the contract therefor, to the satisfaction of the Common Council of the said City, and the Superintendent of Streets thereof and under his supervision, at the following price: Material in excavation fifty five (55) cents per cubic yard. This proposal is accompanied by a certified check for \$1500.

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

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

A Petition from Delmar & Etcherry for a Retail Liquor License, was read & referred to the Health & Moral Committee.

Delegate Stewart offered a Joint Resolution providing for the repeal of all proceedings heretofore taken in the matter of curbing and paving Sixth Street & instructing the City Attorney to prepare a new resolution of intention. The resolution was lost.

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

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

Chas. N. Pauley  
W. A. Day  
A. B. Seybold."

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

"Patrick O'Neill - Hotel

Frank Wilson - Bar."

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

On motion of Delegate Rediger the Petition of Frank Nelson was granted.

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

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

Chas. W. Pauley  
M. Q. Day."

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

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

J. O. Danner  
J. M. Withersbee  
Frank C. Thompson."

Said report was received & time extended.

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

In accordance with notice given at the last meeting Delegate Rediger moved to reconsider the vote heretofore taken upon "an ordinance declaring the necessity for constructing certain permanent municipal buildings for school purposes in the City of San Diego, California." The motion carried and thereupon Delegate Rediger moved to adopt said ordinance. Delegate Danner moved to postpone for one week. The motion to postpone carried by the following vote, to wit:

Ayes Delegates - Heath: Danner: Day: Thompson: Hulbert: Kammian:  
Law: Cooper. & P. &c.

Noes Delegates - Wagner: Pauley: Rediger: Withersbee: Hewitt:  
Seybolt & Brack.

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

next meeting of the Board. 118.

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

M. M. Cassaway,

City Clerk

G. H. Braatt

President-Board of Delegates

## Regular Meeting.

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

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

Present, Delegates - Wagner: Pauly: Heath: Day: Metherbee: Hewitt: Seybolt: Thompson: Hulbert: Saw: Kamonau: Cooper: Bradt and Clerk Sassaway.

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

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

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

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

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

A Financial Report from Mr. Torres. Auditor, for the month of September, 1889. was read, and referred to the Committee on Finance.

A Communication from the Board of Public Works, submitting an Ordinance improving licenses in the City; was read together with said Ordinance: and Delegate Hulbert moved to adopt.

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

A Communication from the Sixth Street Property Owners Committee requesting the Common Council to enforce the laying of pipes on said Street, by the Gas & Water Company;

was read <sup>and</sup> referred to the Committee on Streets.

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

Joint Resolution No. 33.

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

Delegate Heath offered a Concurrent Resolution requiring the San Diego Gas & Electric Light Co. to lay an 8 inch service pipe in C Street, also to lay lateral pipes not less than 20 feet apart from C Street to I Street, on said C Street. On motion of Delegate Shaw the resolution was referred to the Committee on Water, Gas, Electric Light & Telephone.

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

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

A Resolution from the Board of Education reducing the amount of Bonds requested for Building Tempovers to \$47000.<sup>00</sup> was read <sup>and</sup> On motion of Delegate Hulbert the Ordinance providing for \$25400.<sup>00</sup> School Bonds, heretofore presented was laid upon the table. Thereupon an Ordinance declaring the necessity for constructing certain permanent municipal buildings namely buildings for school purposes (in amount \$47000.<sup>00</sup>) was read <sup>and</sup> referred to the Committee on Schools <sup>and</sup> Library.

A Petition from E. C. Randall for Detail Superior License: was read. <sup>and</sup> referred to the Committee on Health & Morals.

The following Joint Resolution (heretofore adopted by the Board of Aldermen) was read <sup>and</sup> adopted. To wit:

Joint Resolution No. 32

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

The following Joint Resolution was read and adopted. To wit:

Joint Resolution No. 34.

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



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

Whereupon a Resolution of Intention to Curb and Pave G Street, was read, and adopted by the following vote:

Ayes, Delegates - Wagner: Pauley: Heath: Day: Withersbee: Seybold: Thompson: Hulbert: Sw: Kammann: Cooper and Bradt.

Noes, Delegates - Hewitt.

Said Resolution of Intention is in words & figures following, to-wit:

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

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

and the south half of Lot 8. in Block 86, where it shall only extend to the gutter line and be properly joined with the gutters already constructed. All work shall be done in conformity with the general and special specifications and provisions of ordinance number twenty-nine (29). And it is also the intention of said Common Council to receive separate sealed proposals or bids for each of the different kinds of work in this resolution of intention provided for or joint sealed proposals or bids for both kinds of work and let contracts accordingly, as the Common Council may hereafter determine in its resolution ordering said work to be done. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and forthwith resolution for two days in the manner provided by law.

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

Ayes, Delegates - Wagner: Bailey: Heath: Day: Metkerbee: Hewitt: Seybolt: Thompson: Olubert: Saw: Kammann: Corfse & Bract.

Noes - none.

Said Ordinance is in follow. to-wit:

#### Ordinance No. 34.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Concurrent Resolution No. 9.

Resolved, by the Board of Delegates, the Board of Aldermen concurring, that for the purpose of fully complying with the law, it shall be the practice of this Council, in all proceedings relating to street work, and in all proceedings relating to public work, required to be posted publicly, that those public places are hereby designated for such posting, and as follows, 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. And be it further Resolved that in drawing all notices and affidavits of posting that the above named places of posting be specifically named therein."

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

Ayes, Delegates - Wagner: Pauly: Heath: Wetherbee: Seybolt:  
Law: Kamman: And Cooper.

Noes, Delegates - Day: Hewitt: Thompson: And Hulbert.

An Ordinance connecting Olive Avenue with Logan Avenue, was read, and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Pauly: Heath: Day: Wetherbee: Hewitt:  
Seybolt: Thompson: Hulbert: Law: Kamman: Cooper And Bradt.

Noes - None.

Said Ordinance is as follows, to-wit:

Ordinance No. 35

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



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

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

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

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

Ayes. Delegates - Wagner; Pauley; Heath; Day; Wedderburn; Hewitt; Seybold; Thompson; Hubbert; Low; Kammann; Cowper & Broadt. Noes = None.

Said resolution is as follows, to-wit:

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

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

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

The Committee on Health, Morals reported favorably upon the Petition of Delevae & Eckerry for retail Liquor License. And on motion of Delegate Low said license was granted.

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

To the Hon. Board of Delegates - Your Committee on Streets to whom was referred the Bid of R. A. Graham for grading of street report that they have examined the same and find that the bid 55 cents per cubic yard is equal to one dollar and thirty cents (\$1.30) per front foot, and they are of the opinion that the bid is too high



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

Delegates Kammann &  
Coyler were excused.

Chas. W. Pauley  
W. A. Day  
A. B. Seybolt.

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

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

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

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

Said resolution was lost by the following vote, to wit:

Ayes, Delegates - Pauley: Heath: Day: Hewitt: and Bracht.

Noes, Delegates - Wagner: Wetherbee: Seybolt: Thompson: Hulver and Jan.

The following Special Committee Report was read and adopted, to wit:

To the Board of Delegates. Gentlemen - Your Special Committee to whom was referred the resolution of Delegate Heath inquiring as to the expenditures incurred in the fitting up, repairs and furnishing of the City Hall building, and by what authority said work was done, beg leave to report, that the cost as shown by the bills audited and paid up to Aug. 31<sup>st</sup> has been \$2,856.41, of which amount upwards of \$1,200<sup>00</sup> has been spent for permanent repairs to the building, the balance, some \$1,600<sup>00</sup> being for furniture and carpets, being for furniture \$1,030<sup>00</sup> - for carpets \$500<sup>00</sup>, We consider this expenditure of the City money in the light of an unwarranted and unexcusable extravagance, particularly

in view of the condition of the City finances, and the financial condition of taxpayers at this time. Further, we find no legal authorization from the City Council, for these expenditures, and therefore respectfully recommend that this Board does request the Board of Public Works, and the Auditing Committee, to fully explain their course of action, by a written report to this Board, at its next meeting, and sending a further investigation of their irregular proceedings. By this Committee

C. E. Heath }  
 Harry Wagner } Special Committee

After giving notice President Pradt did, in open session, sign Ordinance No. 33. Being an Ordinance establishing the grade of 5th street from B. to Maple street. Also Ordinance No. being an Ordinance providing for building a party wall between the south half of Lot C. and Lot D, Block 35, Horton's Addition

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

W. M. Cassaway,  
 City Clerk

G. H. Pradt  
 President Board of Delegates

## Adjourned Meeting.

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

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

Present, Delegates - Wagner: Lyons: Pauly: Heath: Davies: Rediger: McFarber: Hewitt: Seybolt: Thompson: Hulbert: Low: Kammann: Cooper: Bradt <sup>and</sup> Clerk Cassaway.

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

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

After giving notice, President Bradt did, in open session, sign Ordinance No. 34 being an Ordinance granting a Cable Railroad franchise on G Street, to David S. Dore. Also Ordinance No. 35, being an Ordinance connecting Olive Avenue with Logan Avenue, &c.

The following Veto Message from the Mayor was read, to-wit:  
"Mayor's Office"

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

To the Board of Delegates: I have the honor to return herewith without my approval, Ordinance No. - Providing for building a party wall between the south half of Lot "C" and Lot "D" Block 35. Horton's Addition to San Diego. Section 14, Chap. II. Art II, of the Charter of the City of San Diego provides that all ordinances or resolutions, appropriating money or for the incurring of indebtedness or liability against the Treasury introduced in either Board of the Common Council, or in the Board of Education, or other department or authority, must before being passed, be presented to the Auditor, and until he certifies in writing upon such ordinance or resolution that such appropriation can be made or indebtedness incurred without the violation of any of the provisions of this Charter, no further action shall be had upon the same. In the case of this ordinance, the requirements of the Charter above cited has not been complied with.

Respectfully

Douglas Gunn.

Mayor.

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

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

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

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

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

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

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

A Communication from the Board of Public Works, submitting five ordinances for adoption, was read and filed. Whereupon an Ordinance imposing Licenses was read and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Heath: Davies: Wetherbee: Hewitt: Seybolt: Thompson: Hulbert: Saw: Kamman: Cropper: Bradt. Noes - Delegates - Lyon: Pauley: Rediger.

Said Ordinance is as follows, to-wit:

Ordinance No.

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

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

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

|                                                                                        |                             |
|----------------------------------------------------------------------------------------|-----------------------------|
| Auctioneer                                                                             | \$10.00 per month           |
| Public Balls                                                                           | \$5.00 each.                |
| Skating Rink                                                                           | \$3.00 per month            |
| Base Ball Games (where admission fee is charged)                                       | \$10.00 per month.          |
| Race Course or Track - when in use for races or exhibitions except agricultural fairs. | \$10. per day               |
| Bowling Alleys.                                                                        | \$2.00 per month.           |
| Billiard Tables                                                                        | \$1.00 per month per table. |

|                                                                                                                         |                                                    |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Pool Tables                                                                                                             | \$1.00 per month per table.                        |
| Shooting Galleries                                                                                                      | \$2.50 per month                                   |
| Circus & Menagerie                                                                                                      | \$300.00 per day.                                  |
| Side Shows                                                                                                              | \$25.00 per day.                                   |
| Theatre                                                                                                                 | \$3.00 per mo. \$12 per quarter. or \$40 per year. |
| Theatrical performances                                                                                                 | \$5.00 each.                                       |
| Concert Hall                                                                                                            | \$5.00 per month.                                  |
| Concerts                                                                                                                | \$5.00 each.                                       |
| Minstrel Shows                                                                                                          | \$5.00 each.                                       |
| Sleight of Hand or other performances                                                                                   | \$5.00 each                                        |
| Museums                                                                                                                 | \$1.00 per day                                     |
| Panoramas                                                                                                               | \$1.00 per day.                                    |
| Lyceums (when admission fee is charged)                                                                                 | \$5.00 per month.                                  |
| Boxing or Sparring match with gloves.                                                                                   | \$50.00 per day.                                   |
| Rope walker                                                                                                             | \$2.00 per day.                                    |
| Traveling Musicians                                                                                                     | \$2.00 per week.                                   |
| Sevens, each wagon                                                                                                      | \$2.00 per month.                                  |
| Undertakers                                                                                                             | \$1.00 per month or \$10.00 per year.              |
| Tobacco & Cigars                                                                                                        | \$2.00 per month.                                  |
| Cigarettes                                                                                                              | \$2.00 per month.                                  |
| Street Stands of all kinds not connected with store room                                                                | \$5.00 per month.                                  |
| Street Signs of all kinds                                                                                               | \$5.00 per week.                                   |
| Street games & Exhibitions of all kinds                                                                                 | \$5.00 per week.                                   |
| Living Vectors                                                                                                          | \$2.00 per week.                                   |
| Striking Machine                                                                                                        | \$2.00 per week.                                   |
| Cawn Bowlers                                                                                                            | \$10.00 per month.                                 |
| Junk Stores                                                                                                             | \$5.00 per month.                                  |
| Puzzle Stores                                                                                                           | \$2.00 per month.                                  |
| Astronomers                                                                                                             | \$2.00 per month.                                  |
| Fortune Teller                                                                                                          | \$2.00 per month.                                  |
| Fortune Telling Machines & Devices                                                                                      | \$5.00 per month.                                  |
| Fireworks of all kinds                                                                                                  | \$5.00 per month.                                  |
| Powder - wholesale dealers                                                                                              | \$2.00 per month.                                  |
| Powder - retail dealers                                                                                                 | \$1.00 per month.                                  |
| Powder magazines                                                                                                        | \$5.00 per month.                                  |
| Petroleum oil                                                                                                           | \$1.00 per month.                                  |
| Gasoline                                                                                                                | \$2.00 per month.                                  |
| Paints & Oils                                                                                                           | \$1.00 per month.                                  |
| Dog                                                                                                                     | \$4.00 per year each.                              |
| Bitch                                                                                                                   | \$8.00 per year each.                              |
| and the cost price of the number issued by the Auditor.                                                                 |                                                    |
| For Hackney Carriages, Coach, Hack, Cab, omnibus or other vehicles employed in carrying passengers for hire as follows: |                                                    |
| For each vehicle drawn by more than one animal and having seats for more than four persons \$12.00 per year.            |                                                    |
| For each vehicle drawn by more than one animal and not having seats for more than four persons \$6.00 per year.         |                                                    |
| For each vehicle drawn by one animal \$4.00 per year.                                                                   |                                                    |
| For trucks, box wagons, express wagons, job wagons or other                                                             |                                                    |



vehicles carrying freight, merchandise etc for hire:

More than two animals

\$10 per year

Two animals

\$5 " "

One animal

\$3 " "

Street passenger Car. Each 2 horse or Cable Car.

\$12<sup>00</sup> per year

Each one horse Car

10. per year

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

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

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

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

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

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

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

passage and one publication in the San Diego Daily Sun.

An Ordinance regulating the stopping of Street Cars was read and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Lyon: Pauley: Heath: Davies: Rediger:  
Metherbee: Hewitt: Seybold: Thompson: Hulbert: Saw: Kammann:  
Coyner and Bradt.

Noes = None.

Said Ordinance is as follows, to-wit:

Ordinance No. 36

An Ordinance regulating the stopping of Street Cars.

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

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

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

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

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

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

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

Ayes, Delegates - Wagner: Lyon: Pauley: Davies: ~~Dwyer~~: Rediger:  
Metherbee: Heath: Hewitt: Hulbert: Saw: Kammann: Coyner  
and Bradt.

Noes, Delegates - Seybold & Thompson.

Whereupon Delegate Heath moved that a new roll call be taken. This motion carried & the following shows the result of said roll call, to-wit:

Ayes, Delegates - Wagner: Lyon: Pauley: Bradt: Davies:

Rediger; Metherbee; Heath; Hewitt; Hulbert; Law; Kammann and Coofzer.

Noes, Delegates - Seybold & Thompson.

Absent, Delegates - Marshall; Julian; Day.

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

### Ordinance No. 37

An Ordinance regulating runners etc. for Hotels.

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

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

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

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

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

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

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

Ayes, Delegates - Wagner; Lyons; Braat; Metherbee; Seybold;

Thompson: Kammann.

Not: Delegates: Pauly: Davies: Rediger: Hewitt: Heath: Hulbert:  
Sew: Crozer.

Absent: Delegates: Marshall: Julian: Day.

An Ordinance prohibiting licensed dogs from running at large, was read and adopted by the following vote, to wit:  
Ayes: Delegates: Wagner: Bracht: Davies: Rediger: Withers: Heath: Hewitt: Seybolt: Thompson: Hulbert: Sew: Kammann and Crozer.

Not: Delegates: Lyon and Pauly.

Absent: Delegates: Marshall: Julian and Day.

Said Ordinance is as follows, to wit:

Ordinance No.

An Ordinance prohibiting licensed dogs from running at large.

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

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

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

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

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

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

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

"Jno. A. Seifert - Wholesale  
Wormley & Johnson - Retail"

A Petition from Property owners on Logan Avenue, to have the Resolution of Intention to grade said street to 33<sup>rd</sup> street. (Previously adopted) rescinded and a new resolution prepared to grade said avenue to its eastern terminus, was read, and Thompson Delegate Saw offered the following concurrent resolution, which was adopted. to wit:

Concurrent Resolution No. 77.

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

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

"Majority Report.

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

|                                                                 |           |
|-----------------------------------------------------------------|-----------|
| Land & Town building &c                                         | 25,000.00 |
| 1 Room Serrano                                                  | 900.00    |
| Overalls                                                        | 1400.00   |
| Addition to buildings at Old Town                               | 500.00    |
| Change in Coronado School House                                 | 500.00    |
| Russ School sanitary                                            | 2000.00   |
| New town for building a temporary building on lease lot 2000.00 |           |
| or removing to lease lot, our present public School Building    |           |

J. P. Davies.  
Harry Wagner."

Minority Report.

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

Respectfully submitted

Geo. P. Saw."

Delegate Hulbert moved to adopt the minority report. The motion carried by the following vote, to wit:

Ayes. Delegates - Wagner; Lyon; Heath; Seybolt; Thompson;

Hulbert; Saw; Kammann & Overzer.

Noes. Delegates - Pauly; Bracht; Davies; Rediger; Mettabee & Hewitt.



Absent, Delegates - Marshall: Julian E. Day.

Thereupon Delegate Saw moved that the previous Ordinance be amended to conform with the minority report. The motion carried and it was so ordered.

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

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

Joint Resolution No. 35:

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

A Petition from David S. Dore for a Cable railway from Chase from 4th and Palm streets to University Heights; was read and referred to the Committee on Streets & City Attorney.

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

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

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

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

The following Concurrent Resolution (herefore accepted by the

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

Concurrent Resolution No. 10

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

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

To the Hon. Board of Delegates: of the City of San Diego. We, your Street Committee to whom was referred the annexed petition would report as follows: That we find that said petition sets forth the facts in the premises as recites the water main nor the gas main are of sufficient capacity and that a good many sewer, gas & water connections are not made, therefore we recommend that an Ordinance be passed requiring the Gas Co. & the Water Co. to lay mains on said 6th street, the necessary size & that the property owners be required to make connections with the Sewer, Gas & Water mains, & further that the Board of Public Works be required to draft said ordinance.

Chas. W. Pauley  
A. B. Selye Bolt.

Said report was adopted.

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

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

Your Committee report favorably on allowing the following force in the City Engineers Office:

1 Chief Draftsman.

2 Asst

1 Transit man

1 Rodman

2 Chainmen

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

Chief Draftsman. \$100 per month.

Asst " 75 per month

Transit men 90 per month

Rodman & Chainmen 55 per month

Very truly Ways & Means Committee, Sam. Wagner

Chas. W. Pauley

J. H. Hewitt.

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

Ayes, Delegates - Maguire; Lyon; Pauley; Davies; Heath; Seybold; Thompson; Hulbert; Low; Kammann & Cooper.

Noes, Delegates - Bracht; Rediger; Wetherbee & Hewitt.

Absent, Delegates - Marshall; Julian & Day.

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

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

*W. M. Garrison*  
City Clerk

*G. E. Bracht*  
President Board of Delegates

## Adjourned Meeting.

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

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

Present, Delegates - Wagner: Lyons: Pauley: Bracht: Davies: Day: Erdiger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Law: Hulbert: Kamman: Cooper: Clerk Gassaway.

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

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

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

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

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

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

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

A Petition from Robert A. Campion for permission to erect a one story fire proof veneered brick building on the north half of Lot J. block 60 - Fortain Addition; was read, and Delegate Wetherbee moved to grant. The motion was lost by the following vote, to wit:

Nov. Delegates = Wagner: Lyons: Pauley: Bradt: Davies: Day: Hewitt: Heath: Thompson: Seybolt.

Ayes, Delegates = Rediger: Wetherbee: Shaw: Fulbert: Kammann: Cooper.

Absent, Delegates = Marshall: Julian.

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

A Report from the City Tax Collector, showing the amount of paid and unpaid taxes for Coronado Beach, for the year 1889. was read. The Honorable Delegate Kammann offered the following resolution which was adopted, to wit:

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

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

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

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

Ayes, Delegates = Wagner: Lyons: Pauley: Bradt: Davies: Day:

Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Shaw:

Fulbert: Kammann & Cooper.

Nov. = None.

Absent = Delegates = Marshall & Julian.

Said Ordinance is as follows, to wit:

"Ordinance No. 38.

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

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

Section 7. The grade of Logan Avenue from the East side of Twenty sixth street to a point 234 feet east of the



East side of Thirty second street; is hereby established as follows: The elevation of the points here named above the datum line of levels fixed by Ordinance No. 3 shall be fixed as follows:  
At the southeast corner of Logan Ave. and Twenty-sixth street 59.0 feet: 0

At the southwest corner of Logan Ave. and Twenty-second street 61.0 feet: at the northwest corner thereof 62.0 feet: at the southeast corner thereof 61.0 feet: and at the northeast corner thereof 62.0 feet.  
At the southwest corner of Logan Ave. and Twenty-eighth street 65.0 feet: at the northwest corner thereof 66.0 feet: at the southeast corner thereof 65.0 feet: and at the northeast corner thereof 66.0 feet.

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

At the southwest corner of Logan Ave. and Thirtieth street 70.0 feet: at the northwest corner thereof 71.0 feet: at the southeast corner thereof 70.0 feet: and at the northeast corner thereof 71.0 feet.

At a point 400 feet East of the North East Cor. of 30th St. and Logan Avenue 78.0 feet: and at a point 80 feet due south from last named point 78.0 feet.

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

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

At a point 234 feet East of the North East corner of Logan Avenue and 32nd street or at the intersection of the North line of Logan Avenue with the West line of the "Brewery Tract" 48.5 feet: and at a point 80 feet due south from the last named point 48.5 feet, being the intersection of the South line of Logan Avenue with the West line of the "Brewery Tract."

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

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

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

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

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

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

Thereupon said Ordinance was read and Delegate Heath moved to amend the same by striking out the appropriation of \$500 for Coronado Beach. The motion carried and it was so ordered. And thereupon said Ordinance was adopted as amended by the following vote to-wit:

Ayes, Delegates = Wagner: Syme: Pauley: Bradt: Davis: Day: Matherbee: Hewitt: Heath: Thompson: Seybolt: Shaw: Hulbert: Kammann: Cooper.

Noes, Delegate = Rediger.

Absent, Delegates = Marshall and Julian.

Said Ordinance is as follows to-wit:

Ordinance No. (not numbered in)

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

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

Sec. 1 = That the public interests and necessity demand the construction of certain permanent buildings for school purposes within the City of San Diego, State of California, the cost of which will be too great to be paid for out of the ordinary annual revenue of the municipality, the said public buildings to be located and described as follows:

One building with the necessary out-houses for the same, to be located on fractional Block No. 192, except fractional lots 35, 36 and 37, Sand and Town Company's Addition to San Diego; said buildings to cost \$30,000.<sup>00</sup>

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

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

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

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

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

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

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

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

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

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

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

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

Nutt & Brooks

J. H. Bower

C. L. Whaley

W. H. Stoner

C. M. Fern

Ellen Steer

J. D. Collins

C. C. Ginn

P. Meddell

J. M. Stewart

E. V. Roberts

The said Committee recommended that the above claims be paid. Also recommended that the claim of Thompson and Benjamin & C. M. Boudart be referred to the City Attorney. On motion of Delegate Matherbar all of the above claims were referred to the City Attorney for legal opinion.

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

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

First; upon examination your Committee think it impossible for the amount of water charged for (in a majority of the flush tanks) to flow through the "peacock" attached to the pipes in the number of days given.

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

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

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

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

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

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

Chas. W. Pauley  
W. R. Day  
A. P. Seybolt.

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

Ayes Delegates = Wagner: Lyon: Pauley: Bradt: Davies: Day: Rediger: Metherton: Hewitt: Heath: Thompson: Seybolt: Law: Hulbert: Kamman: Cooper.

Noes = None.

Absent Delegates = Marshall: Julian.

Said resolution is as follows to-wit:

Concurrent Resolution No. 12.

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

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

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

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

Ayes, Delegates = Wagner: Lyman: Pauley: Bradt: Davies: Day: Rediger: Metherbee: Hewitt: Heath: Thompson: Seybolt: Sm: Hulbert: Kammann: Cooper.

Noes = None.

Absent, Delegates = Marshall: Julian.

Said resolution is as follows, to-wit:

Concurrent Resolution No. 13.

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

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

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

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



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

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

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

("Delegate Day was here excused.")

Ayes, Delegates = Wagner: Lyon: Pauley: Broadt: Davies: Rediger: Mathers: Hewitt: Heath: Thompson: Seybolt: Law: Hulbert: Kammann: Cooper.

Noes = None.

Absent, Delegates = Marshall: Julian: Day.

Said Ordinance is as follows, to wit:

Ordinance No. 41

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

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

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

The compensation of the Chief Draughtsman, One Hundred dollar per month.

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

The compensation of One Transitman Ninety dollar per month.

The compensation of one rodman fifty-five dollar per month.

The compensation of two Chainmen fifty-five dollar each per month. The said compensation being payable monthly.

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

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

Noes, Delegates = Wagner: Lyon: Pauley: Broadt: Davies: Rediger: Mathers: Hewitt: Thompson: Seybolt: Law: Hulbert: Kammann: Cooper.

Ayes, Delegate Heath.

Absent, Delegates = Marshall: Julian: Day.

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

"Mansley & Johnson - Retail

Geo. Q. Seibert - Wholesale."

and Thompson said Petitions were granted.

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

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

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

J. P. Davies

G. M. Withersbee

Frank C. Thompson."

Said report was filed.

The following report from the Committee on Public Building was read and filed, to wit:

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

|              |                       |         |
|--------------|-----------------------|---------|
| C. C. Gorman | S. 1/2 lot D. Blk 41. | \$25.00 |
|--------------|-----------------------|---------|

|            |                               |       |
|------------|-------------------------------|-------|
| C. B. Bonn | N. 27 x 70 ft. St. A. Blk 41. | 75.00 |
|------------|-------------------------------|-------|

|            |                       |       |
|------------|-----------------------|-------|
| Fire Dept. | K. street bet. 5 & 6. | 30.00 |
|------------|-----------------------|-------|

|   |                            |       |
|---|----------------------------|-------|
| " | 5 <sup>th</sup> bet A & B. | 35.00 |
|---|----------------------------|-------|

|   |                   |       |
|---|-------------------|-------|
| " | Clark St & S. Co. | 15.00 |
|---|-------------------|-------|

|   |                                              |       |
|---|----------------------------------------------|-------|
| " | S. D. St & S. Co. 9 <sup>th</sup> bet A & D. | 25.00 |
|---|----------------------------------------------|-------|

|            |          |        |
|------------|----------|--------|
| City Hall. | Stephens | 200.00 |
|------------|----------|--------|

Total City Govt.

\$405.00

Board of Education.

|                |                |      |
|----------------|----------------|------|
| J. H. Gay, Jr. | Corner B. & 7. | 30 - |
|----------------|----------------|------|

|          |                          |      |
|----------|--------------------------|------|
| Schiller | Cor. F & 2 <sup>nd</sup> | 30 - |
|----------|--------------------------|------|

|              |             |      |
|--------------|-------------|------|
| S. B. Hughes | Cor 16 & D. | 40 - |
|--------------|-------------|------|

|            |              |      |
|------------|--------------|------|
| J. D. Mass | Cor. 18 & A. | 20 - |
|------------|--------------|------|

|               |         |      |
|---------------|---------|------|
| Julia Stewart | 16 & D. | 20 - |
|---------------|---------|------|

|                      |                  |      |
|----------------------|------------------|------|
| Mrs. M. E. Blanchard | 16 <sup>th</sup> | 25 - |
|----------------------|------------------|------|

|             |       |      |
|-------------|-------|------|
| Julia Moore | Do D. | 30 - |
|-------------|-------|------|

|            |           |      |
|------------|-----------|------|
| D. M. Crow | A. street | 40 - |
|------------|-----------|------|

|            |                           |      |
|------------|---------------------------|------|
| D. M. Crow | Lots 13, 14. Blk 10. Mid. | 25 - |
|------------|---------------------------|------|

|            |          |     |
|------------|----------|-----|
| John Morka | Sorrento | 2 - |
|------------|----------|-----|

|  |         |      |
|--|---------|------|
|  | Azerlee | 15 - |
|--|---------|------|

Hamilton & Co. Office of Board.  
 Making total amount rents for month  
 Respectfully submitted }  
 Your Building Committee. }

25- 35.2  
 \$75.2  
 J. H. Hewitt  
 W. A. Day.

The Mayor Veto of Ordinance No. 100 being an Ordinance providing for building a party wall between the south half of Lot C and Lot D, Block 33- Adams Addition, was read and received and filed.

The Joint Resolution authorizing Gilmore & Thomas to erect a party wall between the south half of Lot C and Lot D, Block 33: & providing for the payment within one year of one half of the cost of same. (Resolution laid upon the table) was read and Delegate Pauley moved to adopt.  
 Delegate Cooper moved to amend by making making the City, for one half the cost of said party wall, when the said City men the same & not before. This amendment was lost by the following vote, viz: (Delegates Kammann & Cooper were here excused)  
 Nays, Delegates = Wagner; Lyons; Pauley; Bracht; Davies; Rediger; Metherbee; Heath; Thompson; Saw.

Ayes, Delegates = Hewitt; Seybold; Hulbert.

Absent, Delegates = Marshall; Julian; Day; Kammann; Cooper.

Whereupon the original motion was put and lost by the following vote, to wit:

Nays, Delegates = Rediger; Hewitt; Heath; Seybold; Hulbert.

Ayes, Delegates = Wagner; Lyons; Pauley; Bracht; Davies; Metherbee; Thompson; Saw.

Absent, Delegates = Marshall; Julian; Day; Kammann; Cooper.

Whereupon Delegate Metherbee offered a Joint Resolution granting said Gilmore & Thomas permission to erect said wall & providing for the payment by the City, upon the proper vouchers being presented, on the sum of \$634.42. The resolution was lost by the following vote, to wit:

Nays, Delegates = Wagner; Lyons; Pauley; Rediger; Thompson.

Ayes, Delegates = Bracht; Davies; Metherbee; Hewitt; Heath; Seybold; Saw; Hulbert.

Absent, Delegates = Marshall; Julian; Day; Kammann; Cooper.

Whereupon the Board adjourned until Monday, October 25, 1889 at 7.30 o'clock A.M.

W. M. Gassaway,  
 City Clerk

G. H. Bracht  
 President Board of Delegates

## Adjourned Meeting.

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

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

Present, Delegates = Wagner: Bradt: Julian: Davies: Day: Rediger: Melkerbie: Hewitt: Heath: Seybold: Hulbert: Kammann: Cooper and Clerk Gassaway.

Absent, Delegates = Lyons: Marshall: Pauley: Thompson & Son.

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

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

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

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

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

Delegate Saw Lane entered and took his seat in the Board.

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

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

also to his activity and care in the transaction of duties imposed in him as member of Committees on Health & Morals, City Funds and Schools & Library. <sup>and</sup> Further, that this resolution be spread upon the Minutes of this evening's session."

The following report from the Attorney and Auditor upon the tax claims referred at the last meeting was read to wit:

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

|                     |                                      |        |
|---------------------|--------------------------------------|--------|
| A. Guilford.        | Refund on Impmts. which do not exist | \$1500 |
| C. M. Fenn          | " " " " " " "                        | 600    |
| F. S. Maley         | " " " " " " "                        | 500    |
| M. H. Stoner        | " " " " " " "                        | 1000   |
| O. C. Dranga.       | " " a/c Double Taxation              | 400    |
| Catharine Greenwald | " " " " " "                          | 300    |
| J. M. Stewart       | " " " " " "                          | 300    |
| C. C. Finn          | " " " " " "                          | \$1.85 |

Return without any action taken, claims of M. & J. D. Collins, J. H. Bower & Ellen Steer. These are occasioned through errors of judgment of the Assessor and permit of no refund under the law. We also find that Mrs. E. W. Roberts has been allowed all deductions asked for. The claims of Mitt, Brooks and Thompson & Benjamin are withheld for further investigation.

Respectfully submitted

James P. Goodwin, City Atty.  
S. M. Jones, City Auditor."

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

A Communication from the Board of Public Works, submitting a Resolution of Intention to re-grade, grade, curb and gutter 5<sup>th</sup> street from A. to N. street - Also a Resolution requiring the City Engineer to furnish estimate of the cost of said work: was read, together with said resolutions. <sup>and</sup> Upon said Resolution of Intention was referred to the Committee on Streets. On motion of Delegate Cowser, said resolution providing for estimates of cost, was adopted, and reads as follows to wit:

Joint Resolution No. 36.

Resolved, that the City Engineer be and he is hereby required to furnish to the Common Council careful estimate of the quantity of earth to be moved and of the costs and expenses of re-grading, grading, curbing and guttering 5<sup>th</sup> street from the North line of A. street, to the North line of N. street."



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

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

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

Very Respect.

James P. Gordon, City Atty.

The Board of Public Works submitted an Ordinance establishing the grade of Main Street and thereupon said Ordinance was read, and adopted by the following vote, viz: Ayes, Delegates - Wagner; Bradt; Julian; Davies; Day; Adiger; Metterbar; Hewitt; Heath; Seybold; Low; Hulbert; Kamman, and Cooper.

Noes - None.

Absent Delegates - Lyon; Marshall; Pauly; Thompson.

Said Ordinance is as follows, to wit:

#### Ordinance No.

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

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

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

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

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

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

At the west corner of Main and S. 21<sup>st</sup> streets 12.0 feet: at the north corner thereof 12.0 feet: at the south corner thereof 12.5 feet: and at the east corner thereof 12.5 feet.

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

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

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

At the west corner of Main and S. 25<sup>th</sup> streets 26.5 feet: at the north corner thereof 27.5 feet: at the south corner thereof 26.5 feet: and at the east corner thereof 27.5 feet.

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

At the west corner of Main and S. 27<sup>th</sup> streets 27.5 feet: at the north corner thereof 28.5 feet: at the south corner thereof 27.5 feet: and at the east corner thereof 28.5 feet.

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

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

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

At the southwest corner of Main and 27<sup>th</sup> streets 21.0 feet: at the northwest corner thereof 22.5 feet: at the southeast corner thereof 21.0 feet: and at the northeast corner thereof 22.5 feet.

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

At the southwest corner of Main and 28<sup>th</sup> streets 25.5 feet: at the northwest corner thereof 27.5 feet: at the southeast corner thereof 25.5 feet: and at the northeast corner thereof 27.5 feet.

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

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

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

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

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

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

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

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

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

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

was published in said newspaper from the 14<sup>th</sup> day of October, 1889, to the 25<sup>th</sup> day of October, 1889, both days inclusive.

Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingill, Street Superintendent of the City of San Diego, California,

showing that he caused to be conspicuously posted along the line of "D" street, in said City, from the east line of Atlantic street to the west line of 33<sup>rd</sup> street, at not more than 300 feet in distance apart, and not less than three in all, and in front of each quarter block and irregular block liable to be assessed a notice of intent to be opening in a copy form.

**NOTICE**

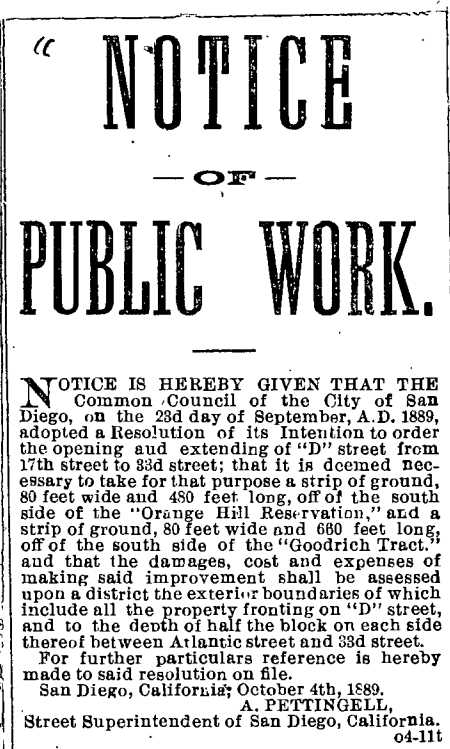
— OF —

**PUBLIC WORK.**

NOTICE IS HEREBY GIVEN THAT THE Common Council of the City of San Diego, on the 23<sup>rd</sup> day of September, A.D. 1889, adopted a Resolution of its intention to order the opening and extending of "D" street from 17<sup>th</sup> street to 33<sup>rd</sup> street; that it is deemed necessary to take for that purpose a strip of ground, 80 feet wide and 480 feet long, off of the south side of the "Orange Hill Reservation," and a strip of ground, 80 feet wide and 660 feet long, off of the south side of the "Goodrich Tract," and that the damages, cost and expenses of making said improvement shall be assessed upon a district the exterior boundaries of which include all the property fronting on "D" street, and to the depth of half the block on each side thereof between Atlantic street and 33<sup>rd</sup> street. For further particulars reference is hereby made to said resolution.

San Diego, California, October 1, 1889.  
 A. PETTINGILL,  
 Street Superintendent of San Diego, California.

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



was published in said newspaper from the 4<sup>th</sup> day of Oct. 1889 to the 16<sup>th</sup> day of Oct. 1889, both days inclusive.

Said affidavit was received and placed upon file.

On motion it was ordered that due and sufficient money had been made of the passage of the Resolution of Intention to order the opening and extending of "D" street in said City from

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

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

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

Ayes. Delegates - Wagner; Bradt; Julian; Davies; Day; Rediger; Metkerbas; Hewitt; Heath; Seybold; Law; Hulbert; Kammann & Cooper.

Noes - None.

Absent. Delegates - Lyons; Marshall & Pauley & Thompson.

Said resolution is as follows, to wit:

Joint Resolution No. 38.

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

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

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

And be it further Resolved, that at such time as the City may determine, the said City shall on presentation of proper vouchers, pay the said Gilmore and Thomas, or their assigns, out of any money in the City Treasury that may be lawfully appropriated for such purpose, the one half the cost of the said party wall, not exceeding \$34.42 (Six hundred thirty-four  $\frac{1}{2}$  dollars.)"

The following Joint Resolution relative to delinquent taxes was read and adopted. To-wit:

Joint Resolution No. 37.

Whereas, there remains unpaid on account of delinquent taxes for the years 1886-87, and 88. sums amounting to \$23,275.<sup>49</sup> from Coronado, and other large sums from other delinquents not particularly specified herein.

Whereas, none of said delinquent taxes have been paid and to prevent the same, from becoming barred by the statute of limitation, now therefore be it

Resolved, that the Common Council authorize and request the City Attorney, to take such steps as will insure the immediate collection and payment of said delinquent taxes into the City Treasury."

Delegate Heath offered the following resolution, which was adopted. To-wit:

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

Delegate Heath offered a Joint Resolution, ordering the City Attorney to institute suit to recover the sum of \$48.00



from Jos. Payne, Chief of Police. Said \$48.00 being paid for said Payne & afterwards refunded to him by the City in the suit of Ah Sim Et al vs Jos. Payne.

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

Ayes. Delegates - Board: Julian; Rediger; Netherbee; Seybold; Saw: Hulbert & Kammann.

Noes, Delegates - Wagner; Davis; Day; Hewitt; Heath; Cooper.

Absent Delegates - Lyon; Pauly; Marshall & Thompson.

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

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

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

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

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

Thereupon the Board adjourned.

W. M. Cassaway,  
City Clerk

C. E. Bradt  
President Board of Delegates

## Regular Meeting.

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

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

Present, Delegates - Wagner: Marshall: Pauly: Bradt: Julian:  
Day: Rediger: Wetherber: Hewitt: Heath: Thompson: Seybold:  
Hulbert: Kammam: Cooper and Clerk Jassaway.

Absent, Delegates - Lyons & Davies.

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

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

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

A Message from the Mayor, transmitting a Petition from  
J. M. Dodge, Treasurer & Tax Collector, for an extra Deputy; was  
read and on motion of Delegate Kammam it was ordered  
that said Deputy be allowed for 30 days at salary of \$50.

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

A Message from the Mayor, transmitting a Petition from  
Jimi S. Callen, Asst. City Attorney for 30 days leave of ab-  
sence; was read and filed & said request granted.

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

Noes. Delegates = Wagner: Marshall: Pauly: Julian: Day: Rediger:  
Wetherbee: Hewitt: Heath: Thompson: Seybolt: Kammann.

Ayes. Delegates = Bradt: Hulbert: Cooper.

Absent. Delegates = Lyons: Davies.

Thereupon the original motion was carried by the following vote:

Ayes. Delegates = Wagner: Marshall: Pauly: Bradt: Julian: Day:

Rediger: Wetherbee: Heath: Thompson: Kammann.

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

Absent. Delegates = Lyons: Davies.

The said Message was ordered filed.

A Communication from the Board of Public Works, submitting a Resolution of Intention to grade Logan Avenue, was read together with said resolution and thereupon said resolution was adopted by the following vote, to-wit:

Ayes. Delegates = Wagner: Marshall: Pauly: Bradt: Julian: Day:

Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Hulbert:

Kammann: Cooper.

Noes - None.

Absent. Delegates = Lyons: Davies.

Said resolution is as follows, to-wit:

Resolution of Intention to grade Logan Avenue  
from 26<sup>th</sup> street to a point 234 feet east of 32<sup>nd</sup> street.  
Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that Logan Avenue in said City from the east side of Twenty-sixth (26) street in Reed & Hubbel's addition to a point two hundred and thirty-four (234) feet east of the east side of Thirty-second (32<sup>nd</sup>) street and the sidewalks thereof and the entire crossings of said Logan Avenue with the streets intersecting the same between said east side of 26<sup>th</sup> street and said point 234 feet east of the east side of 32<sup>nd</sup> street except the intersection of said Logan Avenue with 28<sup>th</sup> street, be graded to the official grade established by ordinance numbered thirty-eight (38). The San Diego Daily Sun is hereby designated as the daily newspaper, published and circulated in the City in which this resolution of intention shall be published for two days and the notice of the passage of said resolution for six days as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law."

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

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

of laying water pipes on 4<sup>th</sup> st. between 3<sup>rd</sup> and 6<sup>th</sup> st. stopped for the present, by all possible means at his command - and that the City Attorney prepare the proper ordinance regulating the size of the pipe to be laid on 6<sup>th</sup> st. in accordance with a Joint Resolution passed by the Common Council."

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

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

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

"Jos. M. Robinson = Detail.  
Roger & McParan = Detail"

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

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

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

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

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

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

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

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

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

The City Clerk presented the affidavit of Wm. M. Poe, Municipal Clerk of the Printers and Publishers of the San Diego Daily Sun, a daily newspaper, printed and published in the City of San Diego, California, showing that the resolution (passed by the Board of Delegates, of the City of San Diego, California, October 7<sup>th</sup>, 1889. and by the Board of Aldermen, of said City, October 8<sup>th</sup>, 1889.) declaring the intention of the Common Council of said City, to order the following street work to be done, to wit: that Sixth street in said City, and the entire crossings thereof with the streets intersecting the same from the north line of A. street to the south line of B. street except such portions thereof as is required by law to be kept in order or repair, by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to wit: the curbing to be of granite, and constructed in accordance with the specifications contained in Ordinance No. 29, except that the face of the curb-stone shall be dressed smooth and even to a depth of eight inches (instead of 12 inches) below the top, and to extend along both sides of said street, except in front of lots A. and B. in block 19: Lots I, J, and K in block 44: Lots A, B, C, E, and F in block 45: the south half of Lot C. and Lots D, E, and F in block 60: Lots G. and H. in block 61: Lots G. and H. and the south half of Lot I in block 70: the north 45 feet of Lot A. in Block 71: the south half of Lot E. and the whole of Lot F in Block 86: Lot G. and the south half of Lot H. in Block 87: Lots C. and D. in Block 112. - already done. The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness, to be constructed in accordance with the specifications contained in Ordinance No. 29, and to extend from curb line to curb line except in front of Lots E. and F in Block 45: Lot D. and the south half of Lot C. in Block 60: Lots G. and H. in Block 61: Lot F. and the south half of Lot E. in Block 86. where it shall only extend to the gutter line and be foreverly joined with the gutters already constructed. All work shall be done in conformity with the general and special specifications and provisions of Ordinance No. 29. And it is also the intention of said Common Council to receive separate sealed proposals or bids for each of the different kinds of work in this resolution of intention provided for, or joint sealed proposals



or bids for both kinds of work, and let contracts accordingly as the Common Council may hereinafter determine in its resolution ordering said work to be done - was published in said newspaper from the 10<sup>th</sup> day of October, 1889, to the 11<sup>th</sup> day of October, 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J. F. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 10<sup>th</sup> day of October, 1889, post conspicuously in the following places, to wit: On the door of the Hall of the Board of Delegates; On the door of the Hall of the Board of Aldermen; and in the lobby of the Post Office, all in the City of San Diego, California. Copies of the above foregoing resolutions of Intention to curb and pave 6<sup>th</sup> street, in said City, and that the same remained so posted for the period of two days immediately thereafter. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of W. E. Simpson, Business Manager, 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" to wit: notice of the passage, by the Common Council, of said City, of the above described resolution, to curb and pave 6<sup>th</sup> street, in said City, as aforesaid, was published in said newspaper from the 15<sup>th</sup> day of October, 1889, to the 28<sup>th</sup> day of October, 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be caused to be conspicuously posted along the line of Sixth street, in said City, from the north line of "E" street to the south line of "B" street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "Notices of Street Work" to wit: notices of the passage, by the Common Council, of said City, of the above mentioned resolution to curb and pave 6<sup>th</sup> street in said City, and further that he, (said Street Superintendent) caused a notice similar in substance to be published for six days in the San Diego Daily Sun. Said affidavit was received and placed upon file.

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

expired. Whereupon a Resolution ordering the curbing and paving of E street, to: was read and adopted by the following vote.

Ayes, Delegates: Wagner: Marshall: Pauly: Pradt: Julian: Day: Adiger: Matherbar: Hawitt: Heath: Thompson: Sylvolt: Kulbert: Kammann and Cooper.

Noes: None.

Absent, Delegates: Lyons and Davis.

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

Resolution ordering the curbing and paving of Sixth street from the north line of E. street to the south line of B. street.

Resolved, that the Common Council of the City of San Diego, California, deems it to be required by the public interest and convenience, and hereby orders the following street work to be done, to wit: that Sixth street in said City and the entire crossings thereof with the streets intersecting the same from the North line of "E." street to the south line of B. street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to wit: the curbing to be of granite and constructed in accordance with the specifications therefor contained in Ordinance numbered twenty-nine (29) except that the face of the curbstone shall be dressed smooth and even to a depth of eight (8) inches (instead of 12 inches) below the top, and to extend along both sides of said street except in front of lots A. and B. in Block 19: Lots I, J. and K. in Block 44: Lots A, B, C, E. and F. in Block 45: the south half of Lot C. and Lots D, E. and F. in Block 60: Lots G. and H. in Block 61: Lots G. and H. and the south half of Lot I. in Block 70: the north 45 feet of Lot A. in Block 71: the south half of Lot E. and the whole of Lot F. in Block 86: Lot G. and the south half of Lot H. in Block 87. and Lots C. and D. in Block 112. already done. The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness and to be constructed in accordance with the special specifications therefor set forth in subdivision III, of section 3, of Ordinance numbered twenty-nine (29) and to extend from curb line to curb line except in front of Lots E. and F. in Block 45: Lot D. and the south half of Lot C. in Block 60: Lots G. and H. in Block 61: Lot F. and the south half of Lot E. in Block 86. where it shall only extend to the gutter line and be properly joined with the gutters already constructed. All work shall be done in conformity with the general and special specifications and provisions of said Ordinance No. 29. The Clerk of this City is hereby directed to post conspicuously for five days, on or near the Council Chamber door of this City, notice hereof with specifications inviting

sealed proposals or bids for each of the different kinds of said work, and also joint sealed proposals or bids for both kinds of said work, and requiring therewith a certified check or a bond, either for an amount not less than ten per cent of the aggregate of the proposal, all as prescribed by law. He is also directed to publish in the San Diego Daily Sun, a daily newspaper published and circulated in this City, hereinafter 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 Committee on Finance reported favorably upon the claim of J. G. Pontson, for erroneous assessment of mortgage, and thereupon the same was referred to the City Attorney.

Delegate Heath offered a Joint Resolution providing for the recovery of \$48<sup>00</sup> from Jas. Coyne, Chief of Police.

Delegate Hulbert moved to lay the resolution on the table.

This motion was lost by the following vote, to-wit:

Ayes. Delegates = Pauly: Bradt: Julian: Badger: Wetherbee:  
Hulbert and Kammann.

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

Absent, Delegates = Lyon and Davies.

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

Noes. Delegates = Wagner: Pauly: Bradt: Julian: Day: Badger:  
Wetherbee: Thompson, Seybolt: Hulbert and Kammann.

Ayes. Delegates = Heath: Hewitt and Cooper.

Absent, Delegates = Lyon and Davies.

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

Committee on Finance.

" " Streets

" " Ways & Means.

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

W. M. Gassaway,  
City Clerk

G. G. Bradt  
President Board of Delegates

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, November 17<sup>th</sup> 1889.

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

Present, Delegates: Wagner: Lyons: Marshall: Pauly: Bracht:  
Julian: Davies: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson:  
Egbert: Hulbert: Kamman: Cooper and Clerk Gassaway.  
Absent, None.

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

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

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

Delegate Day nominated Mr. S. M. Switzer.

Delegate Heath     "     Mr. S. Cadwallader."

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

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

President Bracht appointed Delegates Pauly & Kamman as Tellers of said Election.

Thereupon the first Ballot was taken & resulted as follows:

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

Mr. S. Cadwallader     "     eight (8)     "     &

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

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

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

of Delegate Wagner the Petition was granted.

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

Joint Resolution No. (not concurred in)

Whereas, the City has authorized J.S. Parker and others to extend the 5<sup>th</sup> street sewer from Juniper street to Sumner street, said extension to be a part of the General Sewer System of the City and be paid for by the City when funds for that purpose are available in the City Treasury, and

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

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

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

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

A Petition from 8<sup>th</sup> street property owners to have the Port limits altered, was read & referred to the Committee on Port.

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

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

A Petition to have 4<sup>th</sup> street repaved with artificial stone from K. street to Erie street, was read & granted.

The City Clerk reported that pursuant to Notice given he has



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

David D. Dare, who proposer and agrees to pay to the City of San Diego, California, the sum of one dollar and also the expense of advertising, for the franchise described in said foregoing notice, to construct and maintain and operate for the period of twenty-five years, a double track street railway along and upon the following streets in the City of San Diego, California, viz: commencing on Fourth street at the south line of Palm street in Horton's Addition, hence running north on and over Fourth street to Ferry Avenue in Nutt's Addition; hence running across and over Ferry Avenue in a northwesterly direction to Fourth street in Nutt's addition and Brown's addition to the center of Newhall Avenue; hence running east on and over Newhall Avenue through Hill and King's addition, and Nutt's addition to Cleveland Avenue in Estudillo and Caproni addition; hence running east on and over Cleveland Avenue to University Boulevard in University Heights; hence running on and over said University Boulevard to the intersection of Park Boulevard; hence to a point on said Boulevard directly west of the south west corner of Block number 98 in University Heights, and upon the conditions set out in said notice (said proposal having attached a copy of said notice for proposals, and also an affidavit as prescribed by Sec. 16. Art. V. Chap. 1. of the Charter (Department of Public Works). And also by two certified checks, one for one dollar and one for two thousand dollars, all in accordance with said notice.

Whereupon a concurrent resolution accepting the Bid of David D. Dare was read and adopted by the following vote, to-wit: Ayes. Delegates - Wagner: Marshall: Pauly: Bradt: Julian: Davis: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Fulvest: Kammann & Cooper. Noes. Delegates Lyons. Absent - None.

Said resolution is as follows, to-wit:

Concurrent Resolution No. 14

In the matter of the Cable street railway franchise in the City of San Diego, California.

Be it resolved, by the Common Council of the City of San Diego, California, that the Bid of David D. Dare of \$2 (and who will also pay all costs of advertising) for the franchise described in his said Bid, granting authority to construct and maintain and operate for the period of twenty-five years a double track cable street railway along and upon the following streets, to-wit: commencing on Fourth street at the south line of Palm street in Horton's Addition; hence running north on and over Fourth street to Ferry Avenue in Nutt's Addition; hence running across and over Ferry Avenue in a northwesterly

direction to the intersection of Park Boulevard; hence to a point on said Boulevard directly west of the south west corner of Block number 98 in University Heights, and upon the conditions set out in said notice (said proposal having attached a copy of said notice for proposals, and also an affidavit as prescribed by Sec. 16. Art. V. Chap. 1. of the Charter (Department of Public Works). And also by two certified checks, one for one dollar and one for two thousand dollars, all in accordance with said notice.

Whereupon a concurrent resolution accepting the Bid of David D. Dare was read and adopted by the following vote, to-wit: Ayes. Delegates - Wagner: Marshall: Pauly: Bradt: Julian: Davis: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Fulvest: Kammann & Cooper. Noes. Delegates Lyons. Absent - None.

direction to North street in Nutt's Addition: thence running north on and over North street in Nutt's Addition and Brown's Addition to the center of Newhall Avenue: thence running East on and over Newhall Avenue through Hill and King's Addition and Nutt's Addition to Cleveland Avenue in Estudillo and Caproni Addition: thence running East on and over Cleveland Avenue to University Boulevard in University Heights: thence running on and over said University Boulevard to the intersection with Park Boulevard: thence to a point on said Boulevard directly west of the southwest corner of block number 98, in University Heights, in the City of San Diego, California. upon the conditions and limitations contained in the notice for bids for said franchise: be and the same is hereby approved and accepted, and that the said franchise be awarded to him, and that the Ordinance granting the same be introduced, read and filed."

Whereupon an Ordinance granting said franchise was read and filed for 30 days.

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

"Concurrent Resolution No. 15."

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

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

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

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

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

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

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

An Ordinance requiring the San Diego Water Company to place a 10 inch water pipe on 6th street was read. <sup>Eng</sup> Delegate Hulbert moved the amendment "that the time mentioned in Section 2. of said Ordinance be made 60 days instead of 30 days". This amendment carried and was inserted.

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

Ayes. Delegates = Wagner: Marshall: Pauly: Bradt: Julian:  
Day: Rediger: McRabee: Hewitt: Seybolt: Hulbert: Kammann <sup>Eng</sup>  
Corrigan.

Noes. Delegates = Lynn: Davies: Heath & Thompson.

Said Ordinance is as follows. To wit:

#### Ordinance No. 43

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

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

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

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

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

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

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

Ayer. Delegates = Pauley: Bradt: Julian: Davies: Day: Rediger: Metker: Hewitt: Thompson: Seybolt & Kammann.

Non. Delegates = Wagner: Lyons: Marshall: Heath: Hulbert & Cooper.

Said Ordinance is as follows. to wit:

### Ordinance No 42.

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

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

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

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

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

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

The following report from the Committee on Fire was read & adopted. To wit:

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

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

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

Rogers & McFarlan - Retail  
Joe M. Robinson.

Whereupon said Petitions were granted.

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

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

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

M. P. Day  
Paul H. Rediger  
Harry Wagner"

Said report was adopted.

The Committee on Streets reported favorably upon the resolution ordering the opening of D street & whereupon said resolution was read & adopted by the following vote. To wit:

Ayes. Delegates - Wagner: Lyons: Pauly: Bracht: Daniels: Day: Rediger: Neherbauer: Thompson: Seybold: Oulbush: Kammann & Cooper. Non. Delegates - Marshall: Julian: Otwell: Heath.

Said resolution is as follows. To wit:

Resolution ordering the opening and extending of "D" street from 17<sup>th</sup> street to 33<sup>rd</sup> street.

Whereas notice of the passage of the Resolution of Intention to open and extend "D" street from 17<sup>th</sup> street to 33<sup>rd</sup> street has been duly published.



for ten days and posted along the line of the street, and whereas the period of ten days has expired within which objections to the contemplated work could be presented, and no such objections have been made or filed; and whereas jurisdiction has thus been fully acquired to order said work to be done; therefore be it resolved that the Common Council of the City of San Diego, California, deems it to be required by the public interest and convenience and hereby orders the opening and extending of "D" street in said City from Seventeenth (17) street to Thirty-third (33) street, for which purpose it is deemed necessary to take and appropriate, and it is hereby ordered that there shall be taken and appropriated, a strip of ground eighty (80) feet wide and four hundred and eighty (480) feet long running from the east line of said Seventeenth street to the west line of Nineteenth (19) street, off of the south side of a tract of land designated on the map of Gardiner's addition to the City of San Diego as "Orange Hill Reservation," and also a strip of ground eighty (80) feet wide and six hundred and sixty (660) feet long, running from the west line of Twenty-fourth (24) street to the west line of Twenty-fifth (25) street, off of the south side of a tract of land designated on the map of the City as the "Goodrich Tract"; and it is further ordered that the damages, cost and expenses of opening and extending said street and the making of said improvement shall be assessed in proportion to benefits upon a district the exterior boundaries of which are as follows, to wit: Beginning at a point in the east line of Atlantic street 125 feet north of the northwest corner of block 50 Newtown according to Gray & John's map; thence north 120 feet; thence east or easterly on a line parallel to the north line of "D" street to the west line of 3<sup>rd</sup> street; thence producing said line 150 feet from and parallel with the north line of "D" street to a point on the west line of 38<sup>th</sup> street; thence south to a point 150 feet south of the south line of "D" street; thence west or westerly 150 feet from and parallel with the south line of "D" street to the west line of 3<sup>rd</sup> street; thence producing said line 135 feet from and parallel with the south line of "D" street to a point on the east line of Atlantic street; thence north 260 feet to the point of beginning."

The Committee on Streets reported favorably upon the Ordinance (hereofore referred) establishing the grade of 4<sup>th</sup> street from "B" to Spence streets. On motion of Delegate Hulbert action upon said Ordinance was postponed for one week.

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

Delegate Wagner moved to lay the resolution upon the table. This motion was lost and hereupon the original resolution was adopted & reads as follows to wit:

Whereas, that it is the sense of this Board that public necessity demands an early solution of the various water propositions which have been made to this City.

Whereas, all such propositions were submitted to the Special Water Committee appointed by the Mayor, and said Committee made their report to the Board of Aldermen, by whom it was referred to the Water Committee of said Board.

Therefore be it Resolved, that we respectfully request the Board of Aldermen to pass upon and submit the same to this Board without unnecessary delay.

The Committee on Finance reported favorably upon the claim of D.C. Reed for an erroneous assessment of \$799 instead of \$99 on Lot A. Block 8. Hanley's Addition and thereupon the same was referred to the City Attorney.

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

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

G. M. Wetherbee

John H. Marshall

William Cooper"

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

Joint Resolution No. 39.

Whereas Milton Santee has failed to comply with the terms and conditions of a certain franchise for the construction of a wharf and pier at the foot of D street granted by Ordinance No. 144, and has thereby forfeited all his rights thereunder and

Whereas said Santee has been engaged in placing piles and other obstructions in the bay at the foot of D street under color of said franchise and without other authority of law; therefore be it

Resolved that the franchise granted to Milton Santee by Ordinance No. 144 be and the same is hereby declared to be forfeited.

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

Thereupon the Board adjourned until Monday November 18<sup>th</sup> 1889 at 7.30 o'clock P.M.

N. M. Gasaway  
City Clerk

G. S. Bradb  
President Board of Delegates

Adjourned Meeting

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

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

Present, Delegates - Wagner: Lyon: Marshall: Pauly: Bradt: Julian: Davis: Day: Rediger: Wetherbee: Hewitt: Heath: Seybort: Switzer: Hulbert: Kammann: Cowper. The Deputy Clerk Patton.  
Absent, Delegates - Thompson.

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

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

A Resolution of Intention to grade E<sup>th</sup> street from State to 25<sup>th</sup> street, was read <sup>and</sup> on motion of Delegate Heath, action upon the same was postponed for one week.

President Rose called Delegate Rediger to the Chair.

A Resolution of Intention to grade, file, cap & plank Main street, was read & adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Lyon: Pauly: Julian: Davis: Day: Rediger: Hewitt: Heath: Seybort: Switzer: Hulbert: Kammann: Cowper.

Noes, Delegates - Marshall: Bradt: Wetherbee.

Absent, Delegate - Thompson.

Said resolution is as follows, to-wit:

Resolution of intention to grade Main street from the south line of Horton's Addition to a point 300 feet east of 31<sup>st</sup> street.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work, to-wit: That Main street, in said City from the south line of Horton's Addition to a point 300 feet east of the northeast corner of Main street and Thirty-first (31) street and the crossings of said Main street with the streets intersecting the same between said south line of Horton's Addition and said point 300 feet east of the N. E. corner of Main and 31<sup>st</sup> streets, except the intersections of said Main street with South Nineteenth (19) street and Twenty-eighth (28) street, be graded from curb line to curb line to the

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

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

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

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

Delegates Hamman and Cooper were here excused.

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

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

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

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

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



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

G. M. Wetherbee  
John A. Marshall  
Wm. Cooper."

Thereupon the Board adjourned until Monday November 25<sup>th</sup> 1889 at 7.30 o'clock P.M.

N. M. Gassaway.

City Clerk

G. H. Braatt  
President Board of Delegates

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, November 25<sup>th</sup> 1889.

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

Present, Delegates = Wagner: Lyons: Marshall: Pauly: Bradt: Julian: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Hulbert: Kammann: Cooper & Clerk Gassaway.

Absent, Delegates = Davies & Switzer.

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

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

Delegate Marshall moved to amend by inserting an additional rule permitting members of the Board to smoke during sessions. This amendment carried.

Thereupon the original motion was put and lost by the following vote, to wit:

Noes - Delegates = Julian: Day: Wetherbee: Hewitt: Heath: Seybolt: Cooper.

Ayes, Delegates = Wagner: Lyons: Marshall: Pauly: Bradt: Rediger: Thompson: Hulbert: Kammann. Absent, Delegates = Davies & Switzer.

Thereupon Delegate Rediger changed his vote from Aye to No, and gave notice that at the next meeting he would move a reconsideration of the above vote.

Delegate Switzer here entered and took his seat in the Board.

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

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

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

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

Ayes, Delegates = Wagner: Lyons: Marshall: Pauly: Rediger: Wetherbee: Thompson: Seybolt: Kamman.

Noes, Delegates = Julian: Day: Hewitt: Heath: Switzer: Hulbert: Cooper.

Absent, Delegate = Davis.

Excused, Delegate = Bradt.

A Protest to grading Logan Avenue East of 32<sup>nd</sup> street, was read and referred to the Committee on Streets.

A Protest against changing the present Erie Limits, was read and filed.

A Resolution of Intention to grade E<sup>st</sup> street, was read and adopted by the following vote to wit:

Ayes, Delegates = Wagner: Lyons: Pauly: Day: Rediger: Thompson: Seybolt: Hulbert: Kamman: Cooper and Bradt.

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

Absent, Delegate = Davis. (Delegate Heath voting under protest as to roll call.)

Said resolution is as follows to wit:

Resolution of Intention to grade E<sup>st</sup> street from the west line of State street to the East line of 25<sup>th</sup> street.  
Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to wit: that E<sup>st</sup> street in said City from the West line of State street to the East line of twenty-fifth (25<sup>th</sup>) street and the sidewalks thereof and the entire crossings of said E<sup>st</sup> street with the streets intersecting the same between said West line of State street and the East line of 25<sup>th</sup> street except the intersections of said E<sup>st</sup> street with 5<sup>th</sup> street and 6<sup>th</sup> street and that portion of the intersection of said E<sup>st</sup> street with 15<sup>th</sup> street which is occupied by the Culvert or bridge, be graded to the official grade established by ordinance numbered three hundred and three (303) and that the bridge at said intersection of E<sup>st</sup> and 15<sup>th</sup> streets be raised to the grade of the street and substantially reconstructed.  
The San Diego Daily Sun is hereby designated as the daily newspaper, published and circulated in the City, in which this Resolution of Intention shall be published for two days and the notice of the passage of said resolution for six days, as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law."

A Resolution of Intention to pave and curb S. street from 4<sup>th</sup> to 6<sup>th</sup> street, was read and laid over for one week.

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

Hon. Board of Delegates - The tax claims of D. Reed and J. S. Roushon referred to us for investigation are herewith returned with the recommendation that the claim of D. Reed be allowed, being a deduction of \$700.00 from the value of certain property. Being a clerical error made by the Assessor.

We report back the claim of J. S. Roushon, stating that the reduction asked for is on mistake of Assessor made in the year 1888, and should have been settled in that year.

Jas. P. Goodwin. City Atty.  
J. M. Gorres. City Auditor.

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

The Board of Public Works submitted a Resolution of Intention to curb and sidewalk in front of Lot I Block 36 - C. street. which resolution was read and adopted by the following vote. Aye:

Ayer, Delegates - Wagner: Lyon: Marshall: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and Bradt.  
Nays, None.

Absent Delegate - Davis.

Said resolution is as follows to wit:

Resolution of Intention to curb and sidewalk in front of Lot I Block 36 - C. street.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done. to wit: that an artificial stone or concrete curb and sidewalk be constructed on C. street in said city in front of Lot I Block 36. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the city in which this resolution of intention shall be published for two days and the notice of the passage of said resolution for six days, as often as said newspaper is issued therein. The Clerk of this city is hereby directed to publish and post this resolution for two days in the manner provided by law."

An Ordinance establishing the grade of 4<sup>th</sup> street from B. to Spencer street, was read and adopted by the following vote. to wit:

Ayer, Delegates - Wagner: Lyon: Marshall: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and Bradt.  
Nays, None.

Absent, Delegates - Davies.

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

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

Aye, Delegates - Wagner: Lyons: Marshall: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Heath: Thompson: Seybold: Switzer: Hulburt: Kaimowitz: Cooper and Bradt.

Noes - None.

Absent, Delegate - Davies.

Said Ordinance is as follows, to-wit:

"Ordinance No. 44"

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

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

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



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

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

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

Ayes. Delegates - Marshall: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and Bradt.

Noes. Delegates - Wagner and Lyon.

Absent. Delegates - Davis and Heath.

Said Ordinance is as follows. To wit:

Ordinance No. 47.

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

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

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

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

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

The motion was lost by the following vote. To wit:

Noes. Delegates - Wagner: Lyon: Pauly: Julian: Day: Rediger: Wetherbee: Hewitt: Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and Bradt.

Aye. Delegate - Marshall.

Absent. Delegates - Davis and Heath.

Delegate Marshall changed his vote from: Aye to No. and gave notice

for reconsideration: which notice was ruled out of order.

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

Delegate Marshall moved to amend by referring to the Committee on Streets.

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

Non-Delegates - Wagner: Lyons: Pauly: Julian: Day: Rediger:  
Witherben: Hewitt: Thompson: Seybolt: Switzer: Hulbert: Kamman:  
Cooper and Bradt.

Aye, Delegates - Marshall.

Absent, Delegates - Davis and Heath.

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

Aye, Delegates - Wagner: Lyons: Marshall: Pauly: Julian: Day:  
Rediger: Witherben: Hewitt: Thompson: Seybolt: Switzer: Hulbert:  
Kamman: Cooper and Bradt.

Non - None.

Absent, Delegates - Davis and Heath.

Said Ordinance is as follows, to-wit:

#### Ordinance No. 45.

An Ordinance establishing the grade of Fourth Street from the south line of Spruce street to the south line of University Avenue in the City of San Diego, State of California.

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

Section 1:- The grade of Fourth street from the south line of Spruce street to the south line of University Avenue, is hereby established as follows: The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3, shall be fixed as follows:

At the southwest corner of Fourth and Spruce streets, 272.5 feet; at the northwest corner thereof 273.0 feet; at the southeast corner thereof 272.5 feet; and at the northeast corner thereof 273.0 feet.

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

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

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

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

At the southwest corner of Fourth and Brookes streets 283.5

feet; at the northwest corner thereof 283.5 feet; at the southeast corner thereof 283.5 feet; and at the northeast corner thereof 283.5 feet.

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

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

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

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

Section 2:- All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, and this Ordinance shall take effect and be in force from and after its passage.

President Board appointed Delegate Switzer upon all of the Committees heretofore filed by Delegate Law.

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

Ayes, Delegates: Wagner: Lyons: Marshall: Pauly: Julian: Day: Witherby: Hewitt: Thompson: Sylvester: Switzer: Hulbert: Kammann: Cooper and Bradt.

Nays: None.

Absent, Delegates - Davis and Rath.

Excused, Delegate - Rediger.

Said Ordinance is as follows: Yea:

#### Ordinance No. 48.

An Ordinance establishing the grade of portions of India, Winder, Second, Witherby, Hancock, Trias, Ampudia, Stockton, Arista, Congress and Mason streets in the City of San Diego, State of California.

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

Section 1:- The grade of India from the south line of Kalmia street to the North line of Winder street, is hereby established as follows; The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3 shall be fixed as follows:

At the southwest corner of India and Kalmia streets 42.0 feet at the northwest corner thereof, 42.0 feet; at the southeast corner thereof, 44.0 feet; and at the northeast corner thereof, 44.0 feet.

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

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

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

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

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

At a point on the west line of India street 150 feet northerly from the northwest corner of India and Palm streets 102.0 feet; and at a point on the east line of India street 150<sup>feet</sup> northerly from the northeast corner of India and Palm streets 104.0 feet.

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

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

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

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

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

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

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

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

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

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

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



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

At the southwest corner of Winder and India streets 77.0 feet; at the northwest corner thereof, 77.0 feet; at the southeast corner thereof, 79.0 feet; and at the northeast corner thereof, 79.0 feet. At the southwest corner of Winder and Arctic streets, 60.0 feet; at the northwest corner thereof, 61.0 feet; at the southeast corner thereof, 62.0 feet; and at the northeast corner thereof, 63.0 feet. At the southwest corner of Winder and California streets, 42.0 feet; at the northwest corner thereof, 42.6 feet; at the southeast corner thereof, 44.0 feet; and at the northeast corner thereof, 44.6 feet.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Joint Resolution No. 41.

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

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

Delegate Hulbert moved to lay on the table the motion carried by the following vote. to wit:

Ayes. Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Rediger: Nathan: Thompson: Seybolt: Hulbert: Kamonan: Cooper and Bradt.

Noes. Delegates = Day: Hawitt and Smitzer.

Absent. Delegates = Davis and Heath.

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

Joint Resolution No. (Not numbered in)

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

A Bill of C. Gerwiner for \$6<sup>2</sup>/<sub>2</sub> over taxation, was read and laid upon the table.

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

The resolution was Lost.

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

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

Ayes. Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Day: Rediger: Nathan: Thompson: Seybolt: Smitzer: Hulbert: Kamonan: Cooper and Bradt.

Noes. Delegates = Hawitt.

Absent. Delegates = Davis and Heath.

Said Ordinance is as follows. to wit:

Ordinance No. 46.

An ordinance transferring the sum of one Hundred and fifty

dollars from the Police fund to the Park fund.

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

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

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

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

The motion to reconsider the voting by which the Ordinance establishing the grade of 4<sup>th</sup> street from B. to Spruce streets was adopted, having been lost, - Said Ordinance was declared to be finally adopted, & is as follows. Joint Ordinance No.

An Ordinance establishing the grade of Fourth street from the south side of "B" street to the north side of Spruce street in the City of San Diego, State of California.

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

Section 1. - The grade of Fourth street from the south side of "B" street to the north side of Spruce street, is hereby established as follows: The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3 shall be fixed as follows:

At the southwest corner of Fourth and "B" streets, 50.5 feet; at the northwest corner thereof 50.5 feet; at the southeast corner thereof 50.0 feet; and at the northeast corner thereof 50.5 feet.

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

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

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

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

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



thereof 121.0 feet; and at the northeast corner thereof 123.0 feet.

At the southwest corner of Fourth and Elm streets, 135.0 feet; at the northwest corner thereof 138.0 feet; at the southeast corner thereof, 135.0 feet; and at the northeast corner thereof 138.0 feet.

At the southwest corner of Fourth and Fir streets, 161.5 feet; at the northwest corner thereof 165.0 feet; at the southeast corner thereof, 161.5 feet; and at the northeast corner thereof, 165.0 feet.

At the southwest corner of Fourth and Grape streets, 180.0 feet; at the northwest corner thereof 183.0 feet; at the southeast corner thereof 180.0 feet; and at the northeast corner thereof 183.0 feet.

At the southwest corner of Fourth and Hawthorn streets, 194.5 feet; at the northwest corner thereof 195.5 feet; at the southeast corner thereof 194.5 feet; and at the northeast corner thereof 195.5 feet.

At the southwest corner of Fourth and Ivy streets, 205.0 feet; at the northwest corner thereof, 205.5 feet; at the southeast corner thereof 206.0 feet; and at the northeast corner thereof, 206.5 feet.

At the southwest corner of Fourth and Juniper streets, 212.0 feet; at the northwest corner thereof 213.0 feet; at the southeast corner thereof, 213.0 feet; and at the northeast corner thereof 214.0 feet.

At the southwest corner of Fourth and Kalmia streets, 223.0 feet; at the northwest corner thereof 225.0 feet; at the southeast corner thereof 224.0 feet; and at the northeast corner thereof, 226.0 feet.

At the southwest corner of Fourth and Laurel streets, 241.0 feet; at the northwest corner thereof 242.5 feet; at the southeast corner thereof, 242.0 feet; and at the northeast corner thereof 243.5 feet.

At the southwest corner of Fourth and Maple streets, 252.0 feet; at the northwest corner thereof, 253.5 feet; at the southeast corner thereof 253.0 feet; and at the northeast corner thereof, 254.5 feet.

At the southwest corner of Fourth and Nutmeg streets, 261.0 feet; at the northwest corner thereof 262.0 feet; at the southeast corner thereof, 262.0 feet; and at the northeast corner thereof 263.0 feet.

At the southwest corner of Fourth and Olive streets, 264.5 feet; at the northwest corner thereof 265.0 feet; at the southeast corner thereof 265.5 feet; and at the northeast corner thereof 266.0 feet.

At the southwest corner of Fourth and Palm streets, 266.5 feet; at the northwest corner thereof, 266.5 feet; at the southeast corner thereof 267.5 feet; and at the northeast corner thereof 267.5 feet.

At the southwest corner of Fourth and Quince streets 268.0 feet; at the northwest corner thereof 268.0 feet; at the southeast corner thereof 269.0 feet; and at the northeast corner thereof, 269.0 feet.

At the southwest corner of Fourth and Redwood streets, 269.5 feet; at the northwest corner thereof 269.5 feet; at the southeast corner thereof 270.5 feet; and at the northeast corner thereof 270.5 feet.

At the southwest corner of Fourth and Spruce streets, 272.5 feet; at the northwest corner thereof 273.0 feet; at the southeast corner thereof, 272.5 feet; and at the northeast corner thereof 273.0 feet.

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



curb grades.

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

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

Whereupon the Board adjourned.

W. M. Stassaway,  
City Clerk

G. G. Bradt  
President Board of Delegates

## Regular Meeting.

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

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

Present, Delegates = Wagner: Marshall: Pauly: Julian: Davies:

Day: Matherbae: Hewitt: Heath: Thompson: Seybolt: Hulbert:

Kamman: Cooper: Bradt and Clerk Gassaway.

Absent, Delegates = Lyon: Rediger and Smitzer.

A message from the Mayor transmitting and recommending an application from W. M. Gassaway, City Clerk, for an additional Deputy in his office: was read together with said application. Thereupon Delegate Matherbae moved that the request be granted and the salary of said Deputy fixed at \$60. per month. Delegate Heath moved to amend by making said salary \$50. per month.

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

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

After giving notice President Bradt did, in open session, sign Ordinance No. 44. being "an Ordinance providing for statements being filed by corporations, companies, or persons, engaged in the business of supplying fresh water for the use of the inhabitants of the City of San Diego, Calif."

Also Ordinance No. 45: being "An Ordinance establishing the grade of Court street from the south line of Spencer street to the south line of University Avenue in the City of San Diego, State of California."

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

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

Also Ordinance No. 48. being "An Ordinance establishing the grade of portions of India, Union, Second, Liberty, Hancock, Union, Ampudia, Stockton, Arista, Congress and Marion streets in the City of San Diego, State of California."

Delegates Smitzer and Rediger then entered and took their seats.

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

Delegate Withers moved to adopt the same.

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

The amendment was put and lost <sup>and</sup> thereupon the original motion was ~~carried~~ and the ordinance adopted by the following vote. To wit:

Ayes. Delegates = Wagner: Pauly: Julian: Davies: Day: Rediger:  
Withers: Hewitt: Heath: Thompson: Seybolt: Hulbert: Kamman:  
and Bradt.

Noes. Delegates = Marshall: Switzer <sup>and</sup> Cooper.

Absent, Delegate = Lyons.

Said Ordinance is as follows. To wit:

"Ordinance No. 49."

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

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

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

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

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

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

Ayes. Delegates = Wagner: Julian: Davies: Day: Withers:  
Heath: (Delegate Heath voting under protest to manner of calling the roll) Thompson: Seybolt: Switzer: Cooper <sup>and</sup> Bradt.  
Noes. Delegates = Marshall: Pauly: Rediger: Hewitt: Hulbert <sup>and</sup> Kamman.

Delegate Rediger moved to adjourn. The motion was lost.

The City Clerk presented the affidavit of J. C. Patton, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 19th day of November, 1889, post conspicuously in the following places. 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, copies of the Resolution passed by the Board of Delegates, of said City, November 4-1889, and by the Board of Aldermen, of said

City. November 5-1889. ordering the following street work to be done and instructing the Clerk to advertise for bids therefor to wit: "Flat Sixth street in said City, and the entire crossings thereof with the streets intersecting the same from the north line of 'I' street to the south line of 'B' street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to wit: the curbing to be of granite and constructed in accordance with the specifications therefor contained in ordinance numbered twenty nine (29), except that the face of the curbstone shall be dressed smooth and even to a depth of eight (8) inches instead of (12) inches below the top, and to extend along both sides of said street, except in front of Lots A and B in Block 19: Lots J, G, and I in Block 44: Lots A, B, C, E, and F in Block 45: the south half of Lot C, and Lots D, E, and F in Block 60: Lots G and H in Block 61: Lots G and H and the south half of lot I, in Block 70: the north 45 feet of Lot A, in Block 71: the south half of Lot E, and the whole of Lot F in Block 86: Lot G and the south half of Lot H, in Block 87: and Lots C, D, and I, in Block 112, already done. The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness and to be constructed in accordance with the special specifications therefor set forth in subdivision 3, of section 3, of Ordinance numbered twenty nine (29), and to extend from curb line to curb line, except in front of Lots E and F in Block 45: Lot D, and the south half of Lot C, in Block 60: Lots G and H in Block 61: Lot F and the south half of Lot E, in Block 86, where it shall only extend to the gutter line and be properly joined with the gutter already constructed, all work to be done in conformity with the General and Special Specifications and provisions of said Ordinance No. 29. The Clerk of the City is hereby directed to post conspicuously for five days on or near the Council Chamber door of this City notice hereof with specifications inviting separate sealed proposals or bids for each of the different kinds of said work and also joint sealed proposals or bids for both kinds of said work, and requiring herewith 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 posting his notice of such posting, each for two days". Also that he (said Patton) posted together with above notice, copies of the general and special specifications above referred to. And that said resolution, notice and spe-



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

The City Clerk also presented the affidavit of Mr. W. Roe, Principal Clerk of the "San Diego Daily Sun," a daily newspaper printed and published in the City of San Diego, California, showing that the Resolution, passed by the Board of Delegates of the City of San Diego, California, on the 4<sup>th</sup> day of November, 1889, and by the Board of Aldermen of said City on the 3<sup>rd</sup> day of November, 1889, ordering the work hereinafter described (upon page 274 of this record) to be done, and instructing the Clerk to advertise for bids therefor, was published in said newspaper from the 19<sup>th</sup> day of November, 1889, to the 20<sup>th</sup> day of November, 1889, both days inclusive. Said affidavit was ordered received and filed.

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

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing and paving of Sixth street from the north line of L street to the south line of B street, adopted by the Board of Delegates of the city of San Diego, California, on the 4th day of November, 1889, and by the Board of Aldermen of said city, on the 5th day of November, 1889, and directing this notice, I hereby give notice that on the 19th day of November, 1889, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said resolution, to-wit:

That Sixth street in said city and the entire crossings thereof with the streets intersecting the same from the north line of L street to the south line of B street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, be curbed and paved in the manner following, to-wit:

The curbing to be of granite and constructed in accordance with the specifications therefor contained in ordinance numbered twenty-nine (29) except that the face of the curb stone shall be dressed smooth and even to a depth of eight (8) inches (instead of 12 inches) below the top, and to extend along both sides of said street except in front of lots A and B in block 19.

Lots A, B, C, E and F, in block 45.

The south half of lot C and lots D, E and F, in block 60.

Lots G and H in block 61.

Lots G and H and the south half of lot I in block 70.

The north 45 feet of lot A in block 71.

The south half of lot E and the whole of lot F in block 86.

Lot G, and the south half of lot H in block 87, and lots C and D in block 112, already done.

The paving to have a base of concrete four inches in thickness and a wearing surface of natural bituminous rock two inches in thickness, and to be constructed in accordance with the special specifications therefor set forth in Subdivision III, of Section 3, of Ordinance numbered twenty-nine (29) and to extend from curb line to curb line, except in front of lots E and F in block 45.

Lot D and the south half of lot C in block 60, lots G and H in block 61.

Lot F and the south half of lot E in block 86, where it shall only extend to the gutter line and be properly joined with the gutters already constructed.

All work shall be done in conformity with the general and special specifications and provisions of said Ordinance No. 29.

And said posted notice referred to the notice and specifications posted and to the specifications on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, November 26th, 1889.

W. M. GASSAWAY,

Clerk of the City of San Diego and of said Common Council.

By J. F. PATTON, Deputy.

was published in said newspaper, from the 27<sup>th</sup> and on the 29<sup>th</sup> days of November, 1889. 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 ordering the curbing and paving of Sixth street, as hereinafter set forth upon page 274 of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals." Hereinafter set forth upon page 275 of this record.



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

One from P. A. Graham who proposes to do said work in accordance with notice given re at the following prices: For paving with concrete base and wearing surface of natural Bituminous rock in accordance with the Special Specifications therefor set forth in subdivision 3. of Section 3. of Ordinance No. 29, at the rate of twenty six and one half (26½) cents per square foot. This proposal is accompanied by a certified cheque for \$3000.

One from John S. Casper who proposes to do said work in accordance with the notice given re at the following prices: For paving, at the rate of twenty-six ¼ (26¼) cents per square foot. For curbing at the rate of One Dol.  $\frac{20}{100}$  (\$.20) per lineal foot. This proposal is accompanied by a certified cheque for \$6150.

One from Rudolf Axman who proposes to do said work in accordance with the notice given re at the following prices: Concrete and pavement per square foot 27½ cts. Curbing lineal foot \$.20. This proposal is accompanied by a certified cheque for \$3000.

One from V. C. Rowan, President Bituminous Lime Rock Paving and Improvement Co. of Los Angeles Co., who proposes to do said work in accordance with the notice given re at the following prices, to wit: For paving at the rate of Twenty-Eight & ¾ cents per square foot. For curbing, at the rate of One and  $\frac{22}{100}$  dollar per lineal foot. This proposal is accompanied by a certified cheque for \$6000.

One from A. C. Schulenburg who proposes to do said work in accordance with the notice given re at the following prices: Concrete and Bituminous rock work at twenty-six (26c) cents per square foot. Granite curbing at Ninety (90c) cents per lineal foot. This proposal is accompanied by certified cheques amounting to \$10500.00.

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

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

Ayes Delegates: Wagner; Marshall; Pauly; Day; Rediger; Webster; Heath; Thompson; Sylvolt; Switzer; Kulbirt; Kammann; Cooper and Braadt.

Noes Delegates: Julian; Davison and Hunt.

Absent Delegate: Lyons.  
 And it was so ordered.

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

A Communication from the Board of Public Works, submitting a Joint Resolution providing for an estimate of the cost of grading Miami street, was read, together with said resolution and thereupon said resolution was adopted, and reads as follows, to-wit:

Joint Resolution No.

Resolved that the City Engineer be and he is hereby required and instructed to furnish to the Common Council, Careful estimates of the cuts and expenses of the grading of Miami street, and also plans and specifications for and the cost of the paving, curbing, bracing and planting of the crossing at E. 19<sup>th</sup> street."

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

Joint Resolution No. 42.

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

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

In the matter of the Petition for privilege of grading the West side of 14<sup>th</sup> street, from the south side of P. street to the north side of C. street, - the Street Committee reported as follows, to-wit:

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

Chas. W. Pauley

W. A. Day.

A. B. Seybold."

Said report was adopted and the Petition granted as recommended.

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

Henry Solomon.

O. J. Benzlutz

Chas. Collins"

and thereupon said Petitions were granted.

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

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

Paul H. Rediger

C. E. Heath

Chas. W. Pauley."

Said report was adopted and it was so ordered.

In the matter of the Protest to grading Logan Avenue East of 32<sup>nd</sup> street - the Street Committee reported as follows:

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

Chas. W. Pauley

W. R. Day

A. B. Seybold."

Said report was adopted.

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

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

Chas. W. Pauley

W. R. Day

A. B. Seybold."

Said report was adopted.

In the matter of the Petition to open street along south

side of Mount Hope Cemetery = the Street Committee reported as follows:

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

Chas. W. Pauley

W. A. Day.

A. B. Seybolt."

Said report was adopted.

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

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

Joint Resolution No. 40.  
Resolved, that the City Engineer and the Board of Public Works be and is hereby requested to furnish the Water Committee of the Board of Aldermen, and the Water Committee of the Board of Delegates, as early as possible, with an estimate of the cost of putting in water pipes in this City. Said estimates to show the streets on which pipes are to be laid, the depth to be laid in the ground, the sizes of pipe on each street and the tensile strength of the pipes as required on each street."

A Bill from the Diamond Carriage Co. for \$24.00 for Carriage for Senatorial Committee, referred to this Board by the City Auditing Committee, was read and referred back to the Auditing with instruction & power to pay the same.

The Board of Civil Commissioners presented a Lease, to be entered into between Jos. Dickemper & the City of San Diego for Lots 25; 26; and 27 in the Land & Town Co's Add. to San Diego. for a term of three years @ \$10.00 per month, and on motion of Delegate Rediger the Lease was approved and the Mayor directed to execute the same.

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



read together with said resolution.

Delegate Kammann moved to postpone action of said resolution for one week. This motion was lost and thereupon the resolution was adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Pauly: Davies: Day: Rediger: McKee: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert and Cooper.

Noes, Delegates = Marshall: Julian: Kammann and Bradt.

Absent, Delegates = Lyons.

Said resolution is as follows, to-wit:

Resolution of Intention to grade 4<sup>th</sup> street from the N. line of B. street to the S. line of University Avenue. Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that Fourth (4<sup>th</sup>) street from the North line of B. street to the south line of University Avenue in said City and the sidewalks thereof and the entire crossing of said 4<sup>th</sup> street with the streets intersecting the same between said North line of B. street and the south line of University Avenue be graded to the official grade established by ordinance numbered and and it is hereby declared that the district to be benefited by said work and to be assessed to pay the cost and expenses thereof shall include one full half of all the blocks of land fronting on said Fourth street between said north line of B. street and the south line of University Avenue. The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City, in which this resolution of intention shall be published for two days and the notice of the passage of said resolution for six days, as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner provided by law.

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

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

John Mc. Carr

Ed. Riebs

Emil O. Paetker

Fredrickburg Brewing Co.

An Ordinance appointing an additional Deputy Treasurer and Tax Collector &c was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Julian: Davies: Day: Rediger:

McKee: Hewitt: Heath: Thompson: Seybolt: Hulbert: Kammann: Cooper and Bradt.

Noes, Delegates = Marshall: Pauly and Switzer.



Absent Delegate - Lyon.

Said Ordinance is as follows to wit:

Ordinance No. 49.

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

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

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

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

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

The Committee on Finance reported favorably upon claims of

A. Overbaugh.

J. C. Schwartz

Chas. Keissig

M. S. Harkins

Est. of J. C. Nease.

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

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

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

W. M. Cassaway  
City Clerk

G. G. Bratt  
President Board of Delegates

Adjourned Meeting.

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

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

Present, Delegates = Wagner: Marshall: Pauly: Day: Wetherbee:  
Hewitt: Heath: Thompson: Seybolt: Switzer:  
Hulbert: Kamman: Cooper: Bradt and  
Clerk Gassaway.

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

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

After giving notice, President Bradt did, in open session, sign Ordinance No. 50. being "An Ordinance establishing the grade of 4<sup>th</sup> street from "B" to Spruce street."

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

A message from the Mayor transmitting and recommending an application from J. M. Gorres Auditor and Assessor, for nine additional deputies for making the Assessment Roll for the year 1890: was read together with said application.

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

The amendment carried; and thereupon the original motion as amended was put to vote with the following result. To wit:

Ayes, Delegates = Marshall: Pauly: Day: Wetherbee: Heath:  
Thompson: Seybolt: Hulbert: Kamman: Cooper and Bradt.

Noes, Delegates = Wagner: Hewitt and Switzer.

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

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

A message from the Mayor transmitting a Communication from Lieut. Col. M. W. Plymcard, Corps of Engineers U.S.A. in regard to establishing the Harbor lines of the port of San Diego: was read together with said Communication and referred to the Committee on Harbor and Wharf.

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

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

Delegate Marshall moved to lay on the table - This motion was lost, and thereupon the original motion was put by the following vote, to wit:

Ayes. Delegates = Wagner: Pauley: Day: Wetherbee: Thompson: Seybolt: Hulbert: Kamman: Cooper and Bradt.

Noes. Delegates = Marshall: Hawill: Heath and Smitzer.

Absent, Delegates = Lyons: Julian: Davis and Rediger.

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

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

Delegate Wagner moved to adopt said Ordinance.

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

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

"J. M. Taylor

Jos. W. Robinson

J. E. Corwin"

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

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

A Communication from the Board of Fire Commissioners, requesting the Common Council to fix a salary of \$75 per month for the Secretary of said Board, said salary to be allowed from the date of his qualification, May 14-1889, was read.

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

(( President Bradt here vacated the Chair, and called Delegate Wetherbee to preside. ))

Delegate Wagner moved that the City Attorney be instructed

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

*Yea*, Delegates = Wagner: Wetherbee: Thompson: Hulbert: Kammann: Cooper and Bradt.

*No*, Delegates = Pauly: Day: Hewitt: Heath: Seybolt and Switzer.

*Absent*, Delegates = Lyon: Marshall: Julian: Davis: and Rediger.

A Petition submitted by Mrs. E. B. Newkirk for moving frame house within fire limits No. 2. was read & granted.

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

A Petition submitted by N. McKie and Sarah W. Donnell for permission to grade on Hawthorn street in front of Lot 8. Block 257 & Lot 9. Block 236. Horton's Addition, and Lot 12. Block 47. Middletown: was read, together with a Joint Resolution granting said Petition.

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

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

A Joint Resolution awarding the contract for curbing and paving 6<sup>th</sup> street to A. A. Schulenburg; was read, and adopted by the following vote. *Yea*:

*Yea*, Delegates = Wagner: Pauly: Bradt: Day: Wetherbee:

Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kammann and Cooper.

*No*, *Nones*.

*Absent*, Delegates = Lyon: Marshall: Julian: Davis and Rediger. Said resolution is as follows. *Yea*:

#### Joint Resolution No. 45:

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

stone shall be dressed smooth and even to a depth of eight inches below the top, and to extend along both sides of said street except in front of Lots A & B in Block 19; Lots I, J, & L in Block 44; Lots A, B, C, E, and F in Block 45; the south  $\frac{1}{2}$  of Lot C, and Lots D, E, and F in Block 60; Lots G & H in Block 61; Lots G and H and the south  $\frac{1}{2}$  of Lot I in Block 70; the north 45 feet of Lot A in Block 71; the south  $\frac{1}{2}$  of Lot E and the whole of Lot F in Block 86; Lot G and South  $\frac{1}{2}$  of Lot H in Block 87; and Lots C and D in Block 112 already done. The paving to have a base of concrete 4 inches in thickness and a wearing surface of natural bituminous rock two inches in thickness and to be constructed in accordance with the special specifications therefor set forth in subdivision 3. of Sec. 3. of ordinance number 29 and to extend from curb line to curb line except in front of lots E and F in Block 45; Lot I and the south  $\frac{1}{2}$  of Lot C in Block 60; Lots G and H in Block 61; Lot F and the south  $\frac{1}{2}$  of Lot E in Block 86, where it shall only extend to the gutter line and be properly joined with the gutters already constructed. All work to be done in conformity with general and special specifications and provisions of said Ordinance No. 29 and the said Common Council hereby repeals all of said bids except that next herein mentioned and hereby awards the contract for said work to the lowest responsible bidder, to wit: A. A. Schulenburg at the prices specified in his proposal on file for said work. And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the door of the Council Chamber of the Common Council and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this City and hereby designated for that purpose for two days.

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

A Protest to grading Miami Street, was read and Delegate Pauley moved to postpone for two weeks. The motion carried and it was so ordered.

The following report from the City Auditor & Attorney upon claims for tax rebata, was read and adopted, to wit:

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



the receipt of \$9000<sup>00</sup>, the only reduction allowed by law is \$1500<sup>00</sup> on account of mortgage, and we recommend that it be allowed. We also recommend a rebate on  $\frac{1}{2}$  of double assessment for 1900. be allowed A. Overbaugh. We also recommend the allowance of the claim of the estate of J. C. Veazie for improvements charged there being no improvements, \$5000<sup>00</sup>. Thonstrup & Benjamin double assessment rebate on \$4032<sup>00</sup>. We report back without recommendation the claim of F. B. Woodruff.

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

Delegate Snitzer was here excused.

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

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

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

The following Concurrent Resolution, (Previously adopted by the Board of Aldermen.) was read and concurred in.  
Enact:

#### Concurrent Resolution No. 16

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

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

Delegate Pauly moved to adopt the resolution.

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

#### Joint Resolution No. 43.

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

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

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

The following Joint Resolution (Previously adopted by the Board of Aldermen) was read and adopted, to-wit:

Joint Resolution No. 44.

Resolved, that the City Tax Collector be instructed to collect from all persons engaged in the sale of intoxicating liquors the sum of \$25<sup>00</sup> from all persons selling by wholesale, and \$30<sup>00</sup> from all persons selling intoxicating liquor by retail, and from all persons selling by wholesale and retail the sum of Twenty-five dollars per month.

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

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

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

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

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

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

An Ordinance establishing the grade of 5<sup>th</sup> street from Palm to Upas street, was read and adopted by the following vote. To wit:

Ayes. Delegates = Wagner: Pauley: Day: Wetherbee: Hewitt: Heath: Thompson: Seybold: Hulbert: Norman Eng Co. Oppen. Noes = None.

AbSENT, Delegates = Lyons: Marshall: Julian: Davis: Rediger: Smitzer and Brack.

Said Ordinance is as follows. To wit:

#### Ordinance No. 314.

An Ordinance establishing the grade of Fifth Street from the south line of Palm street to the north line of Upas street in the City of San Diego, State of California.

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

Section 1. The grade of Fifth street from the south line of Palm street to the north line of Upas street, is hereby established as follows: The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3 shall be fixed as follows:

At the southwest corner of Fifth and Palm streets 275.5 feet; at the northwest corner thereof 276.5 feet; at the southeast corner thereof 276.0 feet; and at the northeast corner thereof 277.0 feet.

At the southwest corner of Fifth and Quince streets 278.0 feet; at the northwest corner thereof 278.0 feet; at the southeast corner thereof 279.0 feet; and at the northeast corner thereof 279.0 feet.

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

At the southwest corner of Fifth and Spruce streets 280.0 feet; at the northwest corner thereof 280.0 feet; at the southeast corner thereof 281.0 feet; and at the northeast corner thereof 281.0 feet.

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

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

at the northwest corner thereof 285.0 feet; at the southeast corner thereof 286.0 feet; and at the northeast corner thereof 286.0 feet. And the grade of said Fifth street between the points fixed by this Ordinance, shall be of uniform ascent and descent, as shown by the grade map made by the City Engineer and on file in his office. The center of said street shall be the average of the curb grades.

Section 2: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, and this Ordinance shall take effect and be in force from and after its passage.

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

Fredricksburg Brewing Co., Wholesale.

John M<sup>e</sup> Cune, Retail

Ed. Riebe

Emil P. Ruether

And thereupon said petitions were granted.

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

Chas. W. Pauley: W. A. Day: A. B. Seybolt. Said report was adopted.

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

Ayes, Delegates = Wagner: Pauley: Day: Mathertree: Hewitt: Heath: Thompson: Seybolt: Kamman and Cooper.

Noes = None.

Absent, Delegates = Lyons: Marshall: Julian: Davis: Rediger and Switzer and Board.

Said Ordinance is as follows. To wit:

### Ordinance No. 53.

An Ordinance providing specifications for the grading of streets.

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

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



replacing those improperly removed.

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

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

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

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

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

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

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

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

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

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



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

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

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

Joint Resolution No. 46.

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

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

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

second - whether the County Supervisors have a right to levy said special school tax."

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

W. M. Gassaway,  
City Clerk

G. G. Bracht  
President Board of Delegates

## Special Meeting.

Comme Chamber of the Board of  
Delegates, of the City of San Diego,  
California, December 11<sup>th</sup> 1889. - 4 o'clock  
P. M.

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

Said request above referred to is as follows:

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

J. M. Withersbee  
Chas. F. Korman  
C. E. Heath."

Said Call above referred to is as follows:

"Mayor's Office.

San Diego, Cal. Dec. 11 - 1889.

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

Douglas Gunn, Mayor."

Present, Delegates = Wagner: Marshall: Julian: Withersbee: Hewitt: Heath: Thompson: Elybott: Korman: Cooper and Clerk Gassaway.

Absent, Delegates = Lyon: Pauley: Davies: Day: Rediger: Switzer  
Hulbert and President Boadt.

City Clerk Gassaway called the Meeting to order and thereupon on motion of Delegate Julian, Delegate Withersbee was elected President Pro Tem.

The following Message from the Mayor was read from "Mayor's Office."

San Diego, Cal. Dec 11 - 1889.

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

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

Respectfully

Douglas Gunn, Mayor."

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

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

"Whereas, this Board has learned with deep regret of the sudden demise of Mrs. S. E. Bradt, the beloved wife of our respected Presiding Officer. Therefore be it

Resolved, that this Board do tender to our afflicted brother member our very sincere and heartfelt sympathy, and be it further

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

C. E. Heath

Harry Wagner

Chas. F. Kamman."

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

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

Whereupon the Board adjourned.

A. M. Cassaway,  
City Clerk

Geo. M. Witherbee  
President Pro Tem.

## Adjourned Meeting.

Council Chambers of the City of  
San Diego, California, Dec. 16 - 1889.

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

Present, Delegates = Marshall: Pauley: Julian: Day: Withers: Hewitt: Thompson: Dybbel: Kammann: Cooper and Clerk Gassaway.

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

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

President Bradt being absent, City Clerk Gassaway called the meeting to order and Thompson, on motion of Delegate Pauley, Delegate Withers was elected President Pro Tem.

A Communication from A. E. Nutt (submitting for approval & acceptance a plot and survey of the N.  $\frac{1}{2}$  of the N. E.  $\frac{1}{4}$  of Pueblo Lot No. 1123.) - was read, and referred to the Committee on Streets.

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

A written estimate made by C. M. Shaw, City Engineer, of the amount of earth to be moved, and of the cost of grading, regrading, curbing and gutting 3<sup>rd</sup> street, from "A" to Myrtle street; was read and filed.

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

Delegate Kammann offered the following resolution which was adopted. To wit:

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

The following Concurrent Resolution (heretofore adopted by

the Board of Aldermen) was read and concurred in, to wit:

"Concurrent Resolution No. 17"

Be it resolved, by the Board of Aldermen of the City of San Diego, the Board of Delegates thereof concurring, that the resolution of intimation, heretofore passed and adopted by the Common Council, for the grading and re-grading of 4<sup>th</sup> Street from North line of B. Street to University Avenue, be and the same is hereby recalled, and the City Clerk and the Street Superintendent are hereby instructed to not post or make publication of said resolution until further ordered by the Common Council."

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

J. M. Taylor = Retail

J. E. Cornum = "

Joe. M. Robinson = "

Thompson said petitions were granted.

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

Chas. W. Pauley.

W. A. Day.

A. B. Seybolt."

Thompson said Ordinance as amended was read and Delegate Kammann moved to adopt the same. The motion was laid by the following vote, to wit:

Ayes, Delegates = Pauley: Day: Withers: Thompson: Seybolt: and Kammann.

Noes, Delegates = Marshall: Julian: Hewitt: and Cooper.

Absent, Delegates = Wagner: Lyon: Davis: Adiger: Heath: Hulbert: Switzer and Bradt.

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

In the matter of the Petition of N. McKie and Sarah M. Dimes, to grade in front of Lot 8, Block 251, & Lot 8, Block 236. Horton's Addition & Lot 12, Block 47, Middletown: the Street Committee reported as follows: "We recommend the granting of this request, with the understanding that they pay their pro-rata of the whole street, whenever the same is graded.

Chas. W. Pauley.

W. A. Day.

A. B. Seybolt."

Said report was adopted and it was so ordered.

In the matter of the resolution (offered by Delegate



Heath and entered upon pages 287<sup>3</sup> & 288 of this record) - the Street Committee reported as follows: "Upon investigation we approved of this manner of repairing the streets - the Board of Public Works in their report to the Mayor recommended this manner of filling up the side hill gutter as they have investigated the same, we recommend the reference of this resolution to them."

Chas. W. Pauley  
W. A. Day.  
A. B. Seybold."

Said report was adopted.

An Ordinance granting a franchise for a cable street railroad to David D. Dare was read and adopted by the following vote, to-wit:

Ayes Delegates = Marshall; Pauley; Julian; Day; Wetherbee; Hewitt; Thompson; Seybold; Kammann; Cowser.

Noes = None.

Absent Delegates = Wagner; Lynn; Davies; Rediger; Heath; Switzer; Hulbert and Bradt.

Said Ordinance is as follows, to-wit:

"Ordinance No. 55:

An Ordinance granting a franchise to David D. Dare for authority to construct, and maintain and operate for the period of twenty-five years, a double track cable street railway along and upon certain streets in the City of San Diego, California.

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

Section 1. That David D. Dare have, and he is hereby granted authority to construct, and maintain and operate for the period of twenty-five years, a double track cable street railway along and upon the following streets in the City of San Diego, County of San Diego, State of California, viz: Commencing on Front street, at the south line of Palm street in Horton's addition, thence running north on and over Front street to Cherry Avenue in Nutti's addition; thence running across and over Cherry Avenue in a northwesterly direction to Front street in Nutti's addition, thence running north on and over Front street in Nutti's addition and Bowker's addition to the center of Newhall Avenue; thence running east on and over Newhall Avenue, through Hill and Kings' addition and Nutti's addition, to Cleveland Avenue in Estradillo and Casper's addition; thence running east on and over Cleveland Avenue to University Boulevard in University Heights; thence running on and over said University Boulevard to the intersection of Park Boulevard; thence to a point on said Boulevard directly west of the southwest corner of Block number 98 in University Heights; Upon the following conditions and limitations, viz:-

I. That the cars upon said cable railway shall be propelled by wire ropes running under the surface of the street, and moved by stationary steam engines: but if at any time the railway can not be operated by cable, owing to accident to the cable or machinery, horses or mules may be used to propel cars thereon during the time necessary to repair the said cable or machinery.

II. That said cable railway shall be constructed in such a manner as will prevent the least obstruction to the free use of said street - the tracks to be as nearly as possible in the center thereof.

III. That the grantee, or his assignee, shall plank, pave or macadamize, or the said Council may direct, the entire length of that portion of said street used by said railway tracks, between the rails and for two feet on each side thereof; and between the tracks, and keep the same constantly in repair - flush with the street, and with good crossings.

IV. That the track shall not be more than five feet within the rails; and shall have a space between them, and between side tracks, turnouts and switches of not exceeding five feet, being sufficient to allow the cars to pass each other freely.

V. That work on the construction of said cable railway shall commence within two days after the granting of the franchise thereof, and six hundred feet of one track thereof completed within five days thereafter, and one track shall be wholly completed and operated within twelve months, and the balance within three years.

VI. That the City of San Diego reserves the right to grade, pave, macadamize, sewer or otherwise improve, alter or repair the said street, such work to be done so as to obstruct the said railway as little as possible, the grantee shall shift and re-shift said rails so as to avoid the obstructions made thereby.

VII. That the laying of said tracks, and all side tracks, turnouts, switches, or curves, shall conform in all cases with the grade of any of said streets which have been graded, and in all other cases as near to the natural grade of such street as practicable: and when at any time any part of said route shall be graded, or the grade thereof altered or changed by the said Common Council, the bed of the road and the tracks thereon shall be made to conform therewith by the grantee.

VIII. That no switch shall be constructed or maintained within fifty feet of any cross street, and the location of such switches or turnouts shall be changed at the expense of the grantee whenever so ordered by the said Common Council.

IX. That the City Engineer shall, under the direction of the

Common Council, give the established grades of the streets along the line of the construction of said railway, and set stakes indicating the said grade: He shall see that the said railway is constructed and maintained in conformity to the terms and requirements of the franchise: and for his services as herein required he shall receive such fees as are provided therefor, and the same shall be paid by the grantee.

Section 2. That the Certified Check for two thousand dollars, accompanying said grantee's bid, shall remain in the possession of the City Clerk to be returned to said grantee upon the completion of one track of said railway, provided the said one track thereof be completed within twelve months from the date hereof, otherwise to be paid into the City Treasury at the end of said twelve months, and to remain the property of the City of San Diego.

Section 3. That the failure to comply with any of the conditions of the franchise shall work a forfeiture of the rights and privileges granted hereby.

Section 4. That the Common Council reserve the right to repeal, amend or modify this ordinance.

Section 5: That this ordinance shall take effect and be in force from and after its passage and approval, and one publication thereof in the San Diego Daily Sun, a newspaper printed and published in said City of San Diego, and being the official paper."

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

An Ordinance requiring persons owning excavations to be made in any lot etc. to properly secure the same; was read and Delegate Hamman moved to adopt. The motion was lost by the following vote, to wit:

Ayes, Delegates = Marshall: Julian: Day: Wetherbee: Howard: Thompson: Seybolt: Hamman: Cooper.

Noes, Delegates = Pauley.

Absent, Delegates = Wagner: Lyon: Davis: Rediger: Heath: Switzer: Hulbert: Bradt.

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

An Ordinance fixing the compensation of the Secretary of the Board of Fire Commissioners: was read and on motion of Delegate Marshall, action upon the same was postponed for one week.

Delegate Wagner was granted a continuation for one week of the notice given, relative to the reconsideration of the motion to allow the City Auditor & Assessor additional

temporary assistance.

Thereupon the Board adjourned until Monday, Dec. 23-1889 at  
7.30 o'clock P.M.

W. M. Cassaway,  
City Clerk

Geo M Witherbee  
President Pro Tem

Adjourned Meeting.

Concise Chamber of the Board of  
Delegates, of the City of San Diego,  
California, December 23. 1889.

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

Present, Delegates = Wagner: Marshall: Pauly: Davies: Rediger:  
Wetherbee: Hewitt: Thompson: Kamman: Brach and Clerk.  
Gassaway.

Absent, Delegates = Lyon: Julian: Day: Heath: Seybert: Smitzer:  
Fullert: and Cooper.

The Minutes of an Adjourned Meeting, held December 16. 1889.  
were read and approved.

After giving notice, President Brach did, in open session,  
sign Ordinance No. 53. being An Ordinance providing spec-  
ifications for the grading of streets.

Also Ordinance No. 52. being An Ordinance regulating the use  
of streets by Gas and Water Companies.

Also Ordinance No. 53: being An Ordinance granting a cable  
street railroad franchise to David D. Darr.

Also Ordinance No. 54. being An Ordinance establishing the grade  
of 3<sup>rd</sup> street from Palm to Myra street.

On motion of Delegate Kamman, Delegate Cooper was granted  
leave of absence for 30 days from date.

A Message from the Mayor transmitting an application from  
J. M. Dodge, Treasurer & Tax Collector for a continuation of the  
extra assistance in his office; was read, together with said  
application.

A Communication from the Ladies Annex requesting the City  
to survey and lease the 10 acre tract to be cultivated  
by said Ladies Annex: was read and referred to the Park  
Committee to report at the next meeting.

A Petition to have 14<sup>th</sup> street graded, from the south line  
of A. street to the north line of D. street, was read  
and granted.

The following Petitions for Liquor License were read, and  
on motion of Delegate Marshall, the same were referred  
to the Police Committee, to wit:

Geo. H. Matfield - Retail  
Wm. Wolf



A Petition from the San Diego Cable Railway Company, owner of Block 358, Horton's Addition, to grade (separately) Spencer street, between the east side of 3<sup>rd</sup> street and the east side of 4<sup>th</sup> street, also 4<sup>th</sup> street between the north side of Spencer street and the north side of Redwood street: was read and granted.

A Communication from W. P. Whitney, relative to the Petition and Protest filed in reference to grading Main street: was read and referred to the Committee on Streets and the City Attorney.

The following report from the City Auditor & Attorney, upon claims for erroneous taxation, was read, to wit:

"We herewith return the tax certificates of H. Haskins and J. F. Schwartz with the recommendation that the amounts paid by the same as tax on improvements be refunded no improvements being on the premises of either."

J. M. Jones. Auditor  
Jas. P. Goodwin. Atty."

and on motion of Delegate Pauley the report was adopted & the Tax Collector instructed to make said refunds as recommended.

A Resolution of Intention to Construct cross-walks, (submitted by the Board of Public Works) was read; and Delegate Kamman moved to adopt the same. The motion was put with the following result, to wit:

Ayes, Delegates = Wagner: Pauley: Davies: Wetherbee: Kamman: and Bradh.

Noes, Delegates = Marshall: Rediger: Hewitt: and Thompson.

Absent, Delegates = Lyon: Julian: Day: Heath: Seybold: Switzer: Hulbert: and Cooper.

There not being a sufficient number of votes in favor, said resolution was declared to be lost. Thereupon Delegate Rediger gave notice that at the next meeting he would move a reconsideration of the above vote.

A Petition, from Wm. Beard and Eli H. Murray, setting forth the fact that they are desirous of securing the right of way through the City, for a railroad, and asking the Common Council to appoint a Committee to determine the approach for the same: was read and thereupon Delegate Rediger offered the following Joint Resolution, which was adopted. To wit:

Joint Resolution No. 47.

Resolved, that a special committee of three, of each board of the Common Council be appointed to investigate the matter relative to the application of the petitioners General Eli H. Murray and Wm. Beard, and report the

result of said investigation with such recommendations as they may deem best."

An Ordinance transferring \$600. from the General to the Salary fund and \$300. from the General to the Street Light fund: was read. and Delegate Wagner moved to adopt. The motion was put with the following result: to wit:

Ayes, Delegates = Pauly: Davies: Rediger: Withabee: Thompson: and Bracht.

Noes, Delegates = Wagner: Marshall: Hewitt and Kammann.

Absent, Delegates = Lyon: Julian: Day: Heath: Seybolt: Stitzer: Hulbert and Cooper.

There not being a sufficient number of votes in favor, said motion was declared to be lost. and Thompson Delegate Wagner gave notice that, at the next meeting, he would move a reconsideration of the above vote.

An Ordinance creating a delinquent tax fund re. was read and referred to the Committee on Finance.

An Ordinance granting certain privileges to the San Diego Gas and Electric Light Company (of New Jersey) was read, and referred to the Committee on Water, Gas, Electric Light & Telephones.

A Protest to grading Main Street, heretofore laid upon the table for two weeks, was taken up, (said two weeks having expired) and referred to the Committee on Streets.

Delegate Wagner requested, and was granted, an extension of one week's time, upon his notice for reconsideration of the vote taken upon the application of S. W. Jordan, Auditor and Assessor, for 9 extra Deputies.

Delegate Withabee requested, and was granted, an extension of one week's time, upon his notice for reconsideration of the vote taken upon the proposed Ordinance requiring persons excavating lots, etc. to properly secure the same.

An Ordinance fixing compensation of the Secretary of the Board of Fire Commissioners, heretofore laid upon the table for one week, was taken up. (said one week having expired.) and postponed for one week.

An Ordinance authorizing the Street Superintendent to enforce the Nuisance Act, was brought before the Board. said Ordinance having been lost & notice for reconsideration given by Delegate Day; & said Delegate Day being absent. On motion of Delegate Hewitt action upon said Ordinance was indefinitely postponed.

President Board appointed an Special Committee, under Joint Resolution No. 47. Delegates = Wagner: Hewitt & Wetherbee.

On motion of Delegate Wagner it was ordered that the Board of Public Works be instructed to report in the matter of the bed of the San Diego river.

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

Joint Resolution No.

Whereas, the law provides that the City Tax Collector shall, on or before the first Monday in January, publish the Delinquent Tax List &c. And

Whereas, the City of San Diego is under contract for printing for the year 1889, at the rate of \$2.50 per thousand ems for publishing the Delinquent List, And

Whereas, the City of San Diego has made a contract for printing during the year 1890 at the rate of \$1.35 per thousand ems for printing said Delinquent List: And

Whereas, if said List be not published until after Jan. 1<sup>st</sup>. 1890, the City will save a large sum, to wit: about \$1400.00.

Therefore, be it Resolved, by the Board of Delegates of the City of San Diego, the Board of Aldermen thereof concurring, that the City Tax Collector be and he is hereby requested and directed to publish said Delinquent List on some day between Jan 1<sup>st</sup>. and Jan 6<sup>th</sup>. 1890.

Two Petitions from O.C. Webb. demanding damages for injury done to certain property by reason of the City's failure to keep Logan Avenue in repair; were read And referred back to Petitioner to put in more respectful language.

The following report from the Committee on Gas, Electric Light Etc. was read and adopted. to wit:

"Your Committee on Gas & Electric Light beg leave to report that the resolution of your Hon. Board requesting them to investigate whether the City is now being furnished with 12000 candles power of Electric Light on each electric light mast, carrying six electric lamps, as required by the terms of the contract on file with the City Clerk, and if satisfied that said contract is being violated, then said Committee is authorized to appoint a Board of three Arbitrators as provided in said contract, two of whom shall be competent Electricians. Has been duly considered by them. Your Committee find that they have no power under said resolution, to employ electrical experts as Arbitrators And therefore recommend that the subject matter be referred to the Mayor, and that he be requested to act as provided in Section

5, Article 3, of this Charter.

John H. Marshall.  
J. P. Davis  
Frank C. Thompson."

The following report & resolution, offered by the Committee on Harbor and Wharf, was read, and adopted, to-wit:

To the Board of Delegates.

The Harbor and Wharf Committee to whom was referred the Communication of Col. N. H. H. Benyaurd relative to the contemplated work of the Board of Engineer Officers of the United States Engineer Corps, appointed by the Secretary of War for the purpose of fixing the present wharf line of San Diego Bay, respectfully report recommending the adoption by the Council of the following resolution.

#### Resolution.

Whereas, the Common Council are aware that there must be certain limits beyond which it would be prejudicial to the public interests and detrimental to the Harbor of San Diego to construct wharves, or build sea walls, or encroach by solid filling upon the tidal area of the Bay, and that these limits being governed by natural laws, can only be determined by competent engineers after a thorough survey of the Bay, and an intelligent study of the action of its tidal currents; and

Whereas, the Common Council recognizes the fact that franchises have been granted for the construction of wharves in ignorance of the effect which they may have upon the future navigability of the Harbor, and that the wharves already constructed have been built without regard to any uniformity of design, or direction, or length, some of them possibly being too long and improperly placed with reference to the Channel and the effect they may have upon the Bay, and

Whereas, the present sewer outfall in the heart of the water front of San Diego may be exercising a detrimental effect upon the Bay in promoting shoaling around the wharves; and

Whereas, certain excavations which have been and are being made on the point of Coronado peninsula near the Harbor entrance for ballast material are believed to be exercising a detrimental effect upon the currents at the mouth of the Bay, permitting a spreading of the ebb tide and diminishing the scouring action upon the bar, thereby tending to divide the Channel, and lessen the depth of water on the bar, and

Whereas, it has been proposed to build a bulkhead on seawall along a portion of the water front at a uniform depth of  $2\frac{1}{2}$  feet of water at low tide regardless



of the shape of the water front, or the extent of filling or encroachment upon the tidal area which would follow the construction of such bulkhead or seawall, and whereas, all these questions are of vital importance to the commercial interests of the City, therefore

Resolved, that the Common Council regards with great satisfaction the action of the Secretary of War in appointing the Board of Engineers charged with the important duty of determining the proper Harbor lines in San Diego Bay.

Resolved, that the Board of Public Works and the City Engineer be, and they are requested to confer with the Board of Engineers on their arrival, and give them all the facilities in their power in promoting their work, furnishing such maps and other data as may be in their possession, and lending such other assistance as is met and proper.

Resolved, that the attention of the Board of Engineers be especially directed to the Sewer Outlet and the Ballast dredging at the Harbor mouth, and an expression of opinion be solicited from them as to their effect upon the Bay.

J. M. Waterbury

John A. Marshall

The following Street Committee report was read and adopted twice:

To the Board of Delegates - The Street Committee to whom was referred the communication and plot of A. E. Nutt in regard to the approval and acceptance of a plot and survey of the N. 1/2 of the N. E. 1/4 of Pueblo Lot No. 1123, respectfully report - that under the provisions of Section 21, Article 10, of the City Charter "all maps or tracts of Land subdivided into Blocks and Lots with streets xx shall be submitted to the Board of Public Works, and in case such subdivision shall be found by said Board to conform to the surrounding surveys, the said maps shall be adopted by the Common Council" - We therefore recommend that the maps and communication of A. E. Nutt be referred to the Board of Public Works.

Chas. W. Pauley

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

W. M. Cassaway  
City Clerk

G. L. Bracht  
President Board of Delegates



## Adjourned Meeting.

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

An Adjourned Meeting of the Board of Delegates of the City of San Diego, was held this day at 7.30 o'clock P. M.  
Present, Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Davies: Day: Aedger: Wetherbee: Hewitt: Heath: Thompson: Seybold: Switzer: Hulbert: Kamonan <sup>and</sup> Clerk Gassaway.

Absent, Delegates = Bradt <sup>and</sup> Cooper.

President Bradt being absent, on motion of Delegate Seybold, Delegate Wetherbee was elected President Pro Tem. Minutes of Dec. 23, were read & approved.

A Message from the Mayor, showing his approval of Ordinances Nos. 52: 53: 54 & 55: was read and filed.

A Communication & Joint Resolution, submitted by the Board of Public Works, relative to street sprinkling, was read <sup>and</sup> Thompson said Joint Resolution was adopted, and reads as follows. To wit:

Joint Resolution No. 48

Resolved, that the City Attorney be and he is hereby instructed to report to the Common Council a written opinion as to its legal power to cause a portion of the streets of the City to be sprinkled at public expense.

A Communication from the Board of Public Works - repeating progress in the matter of their investigation as to the bed of the San Diego River; was read & filed.

A Communication from the City Engineer showing that different action had been taken by the two Boards in instructing him relative to the proposed road from Pueblo Lot 1174, north over the Mesa: was read <sup>and</sup> Thompson Delegate Kamonan offered the following Joint Resolution which was adopted. To wit:

Joint Resolution No. 49

Resolved, that the Board of Public Works is hereby directed to instruct the City Engineer to view the road over the Mesa in a northerly direction commencing at Pueblo Lot No. 1174."

A Communication from the Board of Public Works, reporting upon the plat of A. E. Nutt - heretofore referred, was read <sup>and</sup> referred to the Committee on Streets & City Attorney.

A Petition to change the name of Inter-Ocean Avenue to Irving Avenue was read & granted & the City Attorney instructed to prepare the proper ordinance.

A Protest to grading 14<sup>th</sup> street, between A. and D. streets, was read and referred to the Committee on Streets.

A Petition from O.C. Webb, to be reimbursed for damages done to certain property on Logan Avenue by reason of the City's failure to keep said Avenue in repair: was read and referred to the Board of Public Works.

In accordance with Section 4. Article 6. Opt. of Finance, the City Clerk presented the Statement of the State Board of Equalization of the number of miles and assessed value of the California Southern railway in the City of San Diego, showing the number of miles to be 21.05: and the assessed value of the same \$3,223.17 per mile. Thereupon the same was ordered spread upon the minutes.

The City Clerk presented the affidavit of W.E. Simpson, 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, November 4-1889 and by the Board of Aldermen of said City, November 5-1889) declaring the intention of the Common Council of said City, to order the following street work to be done, to wit: "that Logan Avenue in said City, from the east side of Twenty-sixth (26) street in Reed and Hubbell's addition, to a point two hundred and thirty-four (234) feet east of the east side of Thirty-second (32<sup>nd</sup>) street and the sidewalks thereof, and the entire crossings of said Logan Avenue with the streets intersecting the same between said east side of 26<sup>th</sup> street and said point 234 feet east of the east side of 32<sup>nd</sup> street, except the intersection of said Logan Avenue with 28<sup>th</sup> street, be graded to the official grade established by Ordinance numbered thirty-eight (38)." - was published in said newspaper from the 7<sup>th</sup> day of November 1889, to the 8<sup>th</sup> day of November 1889, both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J. H. Fallon, Deputy Clerk of the City of San Diego, California, showing that he did, on the 6<sup>th</sup> day of November, 1889, post conspicuously in the following places, to wit: On the door of the Hall of the Board of Delegates: On the door of the Hall of the Board of Aldermen and in the Lobby of the Post Office, all in the City of San Diego, California, copies of the above & foregoing mentioned resolution of intention to grade Logan Avenue from 26<sup>th</sup> street to a point 234 feet east of

the east side of 32<sup>nd</sup> street, except the intersection of said Logan Avenue with 28<sup>th</sup> street, be graded to the official grade established by Ordinance numbered thirty-eight (38): as aforesaid 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 Amos Bettingell, Street Superintendent of the City of San Diego, Calif. showing that he caused to be conspicuously posted along the line of Logan Avenue, in said City, from the east side of 26<sup>th</sup> street, to a point 234 feet east of the east side of 32<sup>nd</sup> street, at not more than 300 feet in distance apart not less than three in all, and in front of each quarter block and irregular block liable to be assessed - "Notice of Street Work" - to wit: notice of the passage by the Common Council of said City, of the above or foregoing resolution of intention to grade Logan Avenue in said City, and further that he, said Street Superintendent, caused a notice similar in substance to be published for six days in the San Diego Daily Sun. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Mrs. M. Roe, Municipal Clerk of the printer of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" to wit: notice of the passage, by the Common Council of said City, of the above described resolution of intention to grade Logan Avenue in said City, as aforesaid, was published in said newspaper from the 12<sup>th</sup> day of November 1889, to the 18<sup>th</sup> day of November, 1889. Both days inclusive. 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 grade Logan Avenue, in said City, in the manner heretofore set forth upon page 307, of this record, and the ten days after the expiration of the time of publication and posting of the Notice of the passage of said resolution (and no objection having been filed by a majority of the owners of frontage of property fronting on said proposed work or improvements) having expired - thereupon a resolution ordering the grading of Logan Avenue &c was read, and adopted by the following vote. to wit:

Ayes, Delegates = Wagner: Lyons: Marshall: Pauly: Julian: Davies: Day: Rediger: Withers: Hewitt: Heath: Thompson: Seybold: Switzer: Hulbert &c &c. Kamman.

Noes = None.

Absent, Delegates = Bradt &c &c. Cooper.

Said Resolution is as follows, to-wit:

Resolution ordering the grading of Logan Avenue from 26<sup>th</sup> street to a point 234 feet east of 32<sup>nd</sup> street. Resolved, that the Common Council of the City of San Diego, California, deems it to be required by the public interest and convenience, and hereby orders the following street work to be done according to the specifications therefor contained in its ordinance numbered fifty-three (53) to-wit: that Logan Avenue in said City from the east side of twenty-sixth (26<sup>th</sup>) street in Reed and Hubbel's Addition to a point two hundred and thirty-four (234) feet east of the east side of thirty-second (32<sup>nd</sup>) street, and the sidewalks thereof and the entire crossings of said Logan Avenue with the streets intersecting the same between said east side of 26<sup>th</sup> street and said point 234 feet east of the east side of 32<sup>nd</sup> street except the intersection of said Logan Avenue with 28<sup>th</sup> street, be graded to the official grade established by ordinance numbered thirty-eight (38). 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 hereby 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, hereby 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 following Concurrent Resolution was read and adopted, to-wit:

Concurrent Resolution No. 18.

Whereas, the Common Council has appointed a Joint Committee to whom was referred the petition of Capt. Wm. Beard of New York and Gen. Eli Morgan, of San Diego, and said Committee to properly attend to its duties regarding said petition are in need of the assistance of the City Engineer.

Therefore be it Resolved, by the Board of Delegates, the Board of Aldermen concurring, that the Board of Public Works are hereby requested to instruct the City Engineer to provide said Committee or any sub-committee of the same, with all such assistance and information as may be desired by either said Committee or its sub-committee touching its investigation of the matters asked for in said petition.



The Committee on Police reported favorably upon the following petition for Liquor License, to-wit:

Geo. H. Matfield

William Melf

and Thompson said petition were granted.

In accordance with notice given, Delegate Rediger moved to reconsider the vote heretofore taken upon the Resolution of Intention to Construct Crosswalks (said Resolution having been adopted by the Board of Aldermen, Dec 17-1889) The motion to reconsider carried and Thompson said Resolution was read.

Delegate Kamman moved to concur in action of Board of Aldermen.

Delegate Julian moved the amendment, that wherever the words "wooden crosswalks" appear, that the words "Bituminous rock crosswalks" be inserted in lieu thereof.

Delegate Marshall moved the amendment that all that portion of the resolution relating to Fourth street be stricken out.

The amendment to the amendment carried and Thompson the amendment to the motion carried and Thompson the original motion, as amended, was put and carried by the following vote to-wit:

Ayes, Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Davies: Day: Wetherbee: Heath: Thompson: Seybold: Switzer: Hulbert and Kamman.

Noes, Delegates = Rediger and Hewitt.

Absent, Delegates = Beach and Cooper.

(Said resolution as amended reads as follows to-wit: (Here insert.) Resolution as amended ordered sent to Board of Aldermen for concurrence.

In accordance with notice given, Delegate Wagner moved to reconsider the vote heretofore taken upon the Petition of J. M. Jones, Auditor and Assessor, for 9 extra Deputies. The motion to reconsider carried and Thompson said Petition was read.

Delegate Heath moved that the Petition be granted and the City Attorney instructed to present an Ordinance fixing the salaries of said Deputies at \$75 per month each.

Delegate Switzer moved to amend by making said salaries \$50 per month, each.

Delegate Davies moved to amend the amendment by making said salaries \$60 per month, each.

The amendment to the amendment was put and lost. and Thompson the amendment to the motion was put and lost.

Delegate Heath, by vote of the Board, was allowed to withdraw the original motion. and in lieu thereof moved



that the request of the Petitioner be granted, and the City Attorney instructed to prepare the proper Ordinance. The motion was carried by the following vote, to-wit:

Ayes, Delegates = Wagner: Lyon: Pauly: Julian: Davies: Day: Rediger: Matherbee: Heath: Thompson: Seybolt: Hulbert: and Kamman.

Noes, Delegates = Marshall: Hewitt and Switzer.

Absent, Delegates = Bradt and Cropper.

Whereupon the City Attorney presented said Ordinance in Blank, and Delegate Kamman moved that \$75. per month be inserted as salary for each of said Deputies. The motion was put with the following result, viz:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauly: Julian: Rediger: Matherbee: Heath: Thompson: Seybolt: and Kamman.

Noes, Delegates = Davies: Day: Hewitt: Switzer and Hulbert.

Absent, Delegates = Bradt and Cropper.

Whereupon Delegate Marshall gave notice that at the next meeting he would move a reconsideration of the above vote.

Delegate Lyon moved to adjourn - The motion was lost.

Delegate Kamman was here excused.

An Ordinance fixing the salary of the Secretary of the Board of Fire Commissioners at \$125 per month, was read and adopted, by the following vote, to-wit:

Ayes, Delegates = Lyon: Marshall: Pauly: Julian: Davies: Day: Rediger: Matherbee: Hewitt: Heath: Thompson: Seybolt: and Hulbert.

Noes, Delegates = Wagner and Switzer.

Absent, Delegates = Bradt: Cropper and Kamman.

Said Ordinance is as follows, to-wit:

Ordinance No. (Vetoed.)

An Ordinance fixing the compensation of the Secretary of the Board of Fire Commissioners.

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

Sec. 1. - That the compensation of the Secretary of the Board of Fire Commissioners be and the same is hereby fixed at the sum of One dollar per month payable from the 16<sup>th</sup> day of May, 1889.

Sec. 2. That said compensation be paid out of the Fire Department fund.

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

Delegate Matherbee requested and was granted an extension of time for one week upon the motion of reconsideration made by him, upon the vote taken upon the proposed

Ordinance requiring persons excavating lots to properly secure the same.

In accordance with notice given, Delegate Wagner moved to reconsider the vote heretofore taken upon the proposed ordinance transferring \$600<sup>00</sup> from the General Fund to the Salary Fund, and transferring \$300<sup>00</sup> from the General Fund to the Street Light Fund. The motion carried, and thereupon said Ordinance was read.

Delegate Heath moved to lay on the table. The motion was lost.

Delegate Hulbert moved to adopt said Ordinance. The motion was lost by the following vote, to-wit:

Ayes, Delegates = Witherbee and Hulbert.

Noes, Delegates = Wagner: Lyon: Marshall: Pauly: Julian:

Davis: Day: Rediger: Hewitt: Heath: Thompson: Sylvolt: and Switzer.

Absent, Delegates = Bradt: Kamman and Cooper.

Delegate Heath moved to adjourn. The motion was put to vote and lost.

Delegate Marshall withdrew his notice for reconsideration heretofore made and entered upon lines 17, 18 & 19. Page 311 of this Record.

Thereupon Delegate Switzer moved to amend the Ordinance appointing nine Deputy Assessors, (heretofore read) by making the amount of salary for each \$62.50 per month.

Delegate Pauly moved to amend by making said amount \$65<sup>00</sup> per month.

Delegate Switzer accepted the amendment and the motion was put and carried & said amount of \$65<sup>00</sup> inserted in said Ordinance.

Thereupon said Ordinance, as amended, was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauly: Julian:

Davis: Day: Withers: Hewitt: Heath: Thompson: Sylvolt:

Switzer: Hulbert:

Noes, Delegate = Rediger.

Absent, Delegates = Bradt: Kamman and Cooper.

Said Ordinance is as follows, to-wit:

<sup>Amended</sup> Ordinance No. (not concurred in)  
An ordinance appointing nine additional deputy Assessors for the City of San Diego, Cal. and fixing their compensation.

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

Sec. 1. - That there is hereby appointed nine additional deputy Assessors for the City of San Diego, Calif.

Sec. 2. - That the compensation of said deputy Assessors

be and the same is hereby fixed at the sum of Sixty-five dollars per month, each. Said compensation to date from Jan. 1-1890.

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

Whereupon the Board adjourned until Monday, January 6-1890. at 7.30 o'clock P.M.

W. M. Cassaway  
City Clerk

G. G. Bradt  
President Board of Delegates

## Regular Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, January 6-1890.

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

Present Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Davies: Rediger: Metherbee: Hewitt: Heath: Seybold: Switzer: Hulbert: and Common and Clerk Gassaway.

Absent Delegates = Bracht: Day: Thompson: Hulbert and Couper.

President Bracht being absent, on motion of Delegate Julian, Delegate Metherbee was elected President Pro Tem.

The Minutes of an Adjourned Meeting, held December 30-1889, were read and approved.

A Communication from City Clerk Gassaway, showing the final disposition by the Board of Aldermen, of certain resolutions and ordinances which originated in the Board of Delegates was read and filed.

A Petition to have an Electric Light Mast erected at 25<sup>th</sup> and C. streets; was read and referred to the Committee on Gas and Electric Light &c.

A Petition from Geo. P. Hamley, Agent, to have the sum of \$28.81 double taxation on Lot C. Block 36. Horton's Addition, refunded; was read and referred to the Committee on Finance.

Petitions for Retail Liquor License from John Hewitt, and Aug. Manz, were read and Delegate Switzer moved to refer to the Committee on Police. The motion was lost and the same said Petitions were referred to the Committee on Health and Morals.

An Ordinance changing the name of Inter-Ocean Avenue, was read and adopted by the following vote, to-wit:  
Ayes, Delegates = Wagner: Lyons: Marshall: Pauley: Julian: Davies: Rediger: Metherbee: Hewitt: Heath: Seybold: Switzer and Common.  
Noes = None.

Absent Delegates = Bracht: Day: Thompson: Hulbert and Couper.  
Said Ordinance is as follows, to-wit:

### "Ordinance No. 57"

An Ordinance changing the Avenue now known as Inter-Ocean Avenue to the name of Irving Avenue.

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

Sec. 1 = That the name of the Avenue in said City now known as Inter-Ocean Avenue, be and the same is hereby changed to and the same shall hereafter be known as Irving Avenue.  
 Sec. 2 = That this ordinance shall take effect and be in force from and after its passage and its publication in the San Diego Daily Sun."

An Ordinance amending Ordinance No. 19, was read, (said Ordinance having been adopted by the Board of Aldermen.)  
 And on motion of Delegate Kammann action upon the same was postponed for one week.

In the matter of the appointment }  
 of three additional Deputy Assessors, }

An Ordinance having been adopted by the Board of Delegates appointing three Deputy Assessors at salary of \$60<sup>00</sup> per month, each. This said Ordinance having been amended by the Board of Aldermen, appointing three Deputy Assessors, the salary of four of whom shall be \$75<sup>00</sup> per month, and the remaining five \$60<sup>00</sup> per month each, respectively, = Said Alderman's amendment was now brought before the Board of Delegates and lost by the following vote, to wit:

Ayes, Delegates = Wagner: Lyon: Pauly: Julian: Davies: Rediger: Wetherbee and Kammann.

Noes, Delegates = Marshall: Hewitt: Heath: Seybolt: Switzer.

Absent, Delegates = Bracht: Day: Thompson: Hulbert and Cooper.

----- Delegates Kammann and Heath each moved for a reconsideration of the above vote immediately.

The Chair entertained Delegate Kammann's motion and thereupon Delegate Marshall appealed from the decision of the Chair, and the appeal being submitted to the Board was sustained and the decision of the Chair overruled.

----- Thereupon Delegate Heath's motion to reconsider was put to vote and carried.

----- Thereupon the aforesaid amendment of the Board of Aldermen (set forth upon lines 19, 20 & 21. of this page.) was put to vote, and concurred in by the following vote, to wit:

Ayes, Delegates = Wagner: Lyon: Pauly: Julian: Davies: Rediger: Wetherbee: Heath: Seybolt: and Kammann.

Noes, Delegates = Marshall: Hewitt and Switzer.

Absent, Delegates = Bracht: Day: Thompson: Hulbert and Cooper.

----- Thereupon the ordinance as amended was read and adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Lyon: Pauly: Julian: Davies: Rediger: Wetherbee: Heath: Seybolt: Switzer: and Kammann.

Noes, Delegates = Marshall: and Hewitt.

Absent, Delegates = Bracht: Day: Thompson: Hulbert and Cooper.

Said Ordinance is as follows, to wit:

Ordinance No. 36.



An Ordinance appointing nine additional deputy assessors for the City of San Diego, Cal. and fixing their compensation. Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1. = That there is hereby appointed nine additional deputy assessors for the City of San Diego, Calif.

Sec. 2. = That the compensation of four of said deputy assessors be and the same is hereby fixed at the sum of Seventy-five dollars per month, and five thereof at Sixty dollars per month; said compensation to date from Jan. 1<sup>st</sup> 1890.

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

The following report from the Committee on Gas and Electric Light, was read, to-wit:

"The Committee on Water, Gas & Electric Light, to which was referred the ordinance granting certain privileges to the San Diego Gas & Electric Light Company of New Jersey: have considered the same & respectfully report that they, your Committee, recommend the adoption of the ordinance as referred, without amendments.

John H. Marshall.

J. P. Davies.

Frank C. Thompson."

On motion of Delegate Wagner, the report was adopted, and the ordinance referred to the City Attorney.

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

"Your Street Committee to whom was referred the communication of A. E. Nutt and also the plat accompanying the same, being a proposed addition to the City of San Diego. We have considered the said communication and respectfully report; that we find that the said plat of the proposed addition conforms in all respects to the surrounding surveys, and would therefore recommend that the same be accepted.

Chas. W. Pauly.

A. B. Seybold."

In accordance with notice given, Delegate Withers moved to reconsider the vote heretofore taken (and entered upon page 298, of this record) upon a proposed Ordinance, requiring persons excavating lots, etc. to properly secure same. The motion carried, and thereupon said Ordinance was read and Delegate Seybold moved to adopt.

Delegate Heath moved to amend by striking out that portion providing for imprisonment for violation. The amendment was put and lost.

Delegate Pauly moved to amend by inserting a clause providing that 10 days notice be given before making an

arrest for violation. The amendment was sent and lost and Thompson the original motion, to adopt was sent and lost by the following vote, to wit:

Ayes, Delegates = Wagner: Lyon: Marshall: Julian: Rediger: Metherbee: Hewitt: Seybolt: and Kamman.

Noes, Delegates = Pauly: Davies: Heath: and Switzer.

Absent, Delegates = Bradt: Day: Thompson: Hulbert: and Cooper.

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

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

Concurrent Resolution No. (Not concurred in.)

Resolved, that it is the sense of this Board, and the request is hereby made that all officials and employees of this City whose compensation is fixed by the Charter, do cover back into the City Treasury for the use of the Salary Fund the sum of twenty per cent of their salaries to take effect, commencing January 1<sup>st</sup> 1890, and continue until otherwise recommended by the City Council.

Delegate Heath offered a Concurrent Resolution providing for a deduction from the salaries of City Officials whose salaries are fixed by the Common Council. Said Resolution was lost by the following vote, to wit:

[Delegates Kamman & Switzer were here excused.]

Ayes, Delegates = Lyon: Marshall: Davies: Hewitt and Heath.

Noes, Delegates = Wagner: Pauly: Julian: Rediger: Metherbee: and Seybolt.

Absent, Delegates = Bradt: Day: Thompson: Switzer: Hulbert: Kamman and Cooper.

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

Joint Resolution No. 50.

Resolved, that the City Attorney be, & is hereby instructed to draw an ordinance providing that it shall be unlawful for any person to sell, barter or give to any person under 16 years of age any cigarettes, cigarettes or cigarette material, under a penalty of ten dollars for each offense.

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

Joint Resolution No. (Not concurred in.)

Resolved, that the City Attorney be, and is hereby instructed to draw an ordinance forbidding children under sixteen years of age from walking the streets after the hour of eight o'clock P.M. unless accompanied by parent, guardian or an adult member of their family, or in possession of a written permit, of current date, issued by parent or

Guardian: any infraction of these provisions to be punishable by arrest and fine to be fixed at discretion of the Judge of the Police Court."

Whereupon the Board adjourned until Monday, January 13-1890.  
at 7.30 o'clock P.M.

M. M. Gassaway  
City Clerk

G. S. Braett  
President Board of Delegates

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, January 13 - 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: Davies: Day:  
Rediger: Metherbee: Hewitt: Heath: Thompson: Seybolt: Switzer:  
Hulbert: Kamman: Bradt <sup>and</sup> Clerk Sessaway.  
Absent, Delegates = Lyons: Julian <sup>and</sup> Cooper.

The Minutes of the last Regular Meeting were read, and approved.

After giving notice President Bradt did, in open session, sign Ordinance No. 57 being "An Ordinance changing the name now known as Inter-Ocean Avenue to the name of Irving Avenue."

Also Ordinance No. 58 being "An Ordinance fixing the compensation of the Secretary of the Board of Fire Commissioners."  
Also Ordinance No. 56 being "An Ordinance appointing nine additional deputy assessors."

A Communication from the San Diego Water Company, stating the inability of said Company to lay a 10 inch water pipe on Sixth street; was read <sup>and</sup> Delegate Switzer moved to refer to the Committee on Water.

Delegate Rediger moved to amend & recure and file.  
The amendment carried and it was so ordered.

An Estimate of the cost of grading a street to Old Town made by the City Engineer, was read <sup>and</sup> Thompson the following Joint Resolution, submitted by the Board of Public Works, was read <sup>and</sup> adopted, to wit:

### Joint Resolution No. 52

Resolved, that the City Attorney, Street Committee and Board of Public Works be and is hereby instructed to prepare a Resolution of Intention to grade the streets along the route to Old Town Laredo <sup>and</sup> adopted, and to indicate an assessment or improvement district including the property to be assessed for the improvement of said streets."

A Report from G. W. Jones, Auditor, for December, 1889, was read <sup>and</sup> referred to the Committee on Finance.

A Petition from the "Granite Paving Co. of San Diego," for permission to pave "E" street, between 4<sup>th</sup> & 5<sup>th</sup> streets, was

read, and referred to the Street Committee.

The following petitions for Liquor License were read, and referred to the Committee on Health and Morals, to wit:

John M. Carroll = retail  
J. M. Clark = retail

A Petition from property owner, asking that the dumping of manure on I street between 13<sup>th</sup> & 14<sup>th</sup> streets, be stopped, was read and on motion of Delegate Withers the subject matter was referred to the Health Officer with instruction to attend to the same immediately.

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

Joint Resolution No. 51.

Resolved, that the City Attorney be and is hereby instructed, to present to the Common Council, an Ordinance prohibiting the depositing upon any public street or alley within this City, of any sweepings from shops or stores, or papers, broken glass, crockery, rubbish, garbage, straw or manure, or any other debris from dwelling houses, places of business, stables &c."

Delegate Heath moved that the City Attorney be instructed to prepare an Ordinance repealing Ordinance No. 43. The motion was lost.

A Petition from property owner, asking that the grading of Logan Avenue be postponed, was read and filed.

A Communication from the Board of Public Works recommending a reduction of the corporate limits of the City, and submitting a Joint Resolution directing the City Attorney to report the necessary legal steps for such reduction, was read, together with said resolution.

Delegate Snitzer moved to adopt the resolution. The motion was lost.

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

To the Hon. Board of Delegates - I have examined the proposed ordinance asked for by the San Diego Gas and Electric Light Company of New Jersey, and find that the same is in legal form and not in conflict with any of the provisions of the City Charter.

Very respectfully

James P. Goodwin, City Atty."



The City Attorney submitted an Ordinance relative to the sale of cigarettes, etc. which was read and adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Marshall: Gauly: Davies: Day: Ediger: Methurba: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kamman and Bradt.

Noes = None.

Absent, Delegates = Lyons: Julian and Cooper.

Said Ordinance is as follows, to wit:

"Ordinance No. 58.

An Ordinance making it unlawful for any person to sell, barter or give away any cigarette, or cigarette materials to any person or persons under the age of sixteen years, and fixing the penalty for the violation of the same. Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1. = That it shall be unlawful for any person or persons within the limits of the City of San Diego to sell, barter or give away to any person under the age of sixteen years, any cigarette, cigarettes or cigarette material of any kind.

Sec. 2. = That any person or persons violating any of the provisions of this ordinance on conviction thereof shall be fined the sum of ten dollars for every such offense, and on failure to pay such fine, that such person be committed to the City Jail for the period of five days.

Sec. 3. = 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."

The following report from the Special railroad Committee was read, to wit:

Your Committee appointed to take into consideration and to whom was referred the petition of Capt. Beard of New-York, and Gen. Eli Murray, of San-Diego, relative to a right of way through the City, for a transcontinental railroad, having carefully and thoroughly investigated the matters connected herewith, and having investigated what rights the City had to grant, would respectfully report = that we find the City has nothing to give away except the right of way on Arctic street and the crossings of all intersecting streets to the Bay and such right of way eastward along the Bay front as the City may have an interest in. The Committee would recommend that such right of way be granted a transcontinental railroad line at the proper time, with the proper restrictions.

Harr Wagner, Chairman.

J. H. Hewitt.

J. M. Methurba.

Delegate Hewitt moved to adopt the report.  
 Delegate Rediger moved to amend, and receive and file <sup>and</sup> discharge Committee.  
 The amendment was lost <sup>and</sup> thereupon the original motion was carried and the report adopted.

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

"Your Committee to whom was referred the report of Hon. M. A. Luce, Commissioner of Municipal School Improvement Fund No. 1. of the City of San Diego, beg leave to report that we have examined said report and find the same correct. In accordance with said report we would recommend the adoption of an ordinance transferring the balance in said fund (\$2,249.59.) to the Public School Fund of said City, and that upon such transfer being made the said Commissioner shall be relieved from any further duties relative thereto, and that he be accorded the thanks of the Council for a faithful discharge of an onerous duty for which he has received no recompense.  
 Respectfully submitted,

J. O. Davies  
 S. M. Switzer.  
 Harry Wagner."

In the matter of the Petition for an Electric Light at 25<sup>th</sup> & C. streets, the Committee on San, Electric Light, etc. reported as follows, to wit:

"We recommend that the within petition be granted whenever there are funds in the treasury for the extension of the system of electric lighting to the outskirts of the City.

John H. Marshall  
 J. O. Davies.  
 F. C. Thompson."

Said report was ordered filed.

Delegate Switzer was <sup>then</sup> excused.

A Resolution of Intention to improve Fourth street from "K" to Palm street, was read <sup>and</sup> Delegate Pauley moved to adopt.

Delegate Kamman moved to postpone for one week, the motion to postpone carried and it was so ordered.

An Ordinance amending Ordinance No. 19. (Leaving over land over for one week) was read <sup>and</sup> lost by the following vote, to wit:

Movs, Delegates - Wagner: Pauley: Davies: Day: Matheson:

Hewitt: Heath: Seybolt.

Ayes, Delegates = Marshall: Rediger: Thompson: Hulbert:  
Kammon.

Absent, Delegates = Lyon: Julian: Cooper.

Thompson Delegate Rediger changed his vote from Aye to No, and gave notice that at the next meeting he would move to reconsider the above vote.

Delegate Rediger was here excused.

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

Joint Resolution No. referred to Amending Comm.  
Whereas, the City Charter provides that on or before the first Monday in January, of each year, the Tax Collector must publish the delinquent list ~~xxx~~ said list to be published once a week, for three consecutive weeks, i. e. three consecutive weeks in each year, commencing on the first day, or on any subsequent day in the month of January, not later than the first Monday in January, which in the present year fell upon the 6<sup>th</sup> day of January, <sup>2nd</sup>

Whereas, the City of San Diego, under the provisions of its Charter, proceeded to advertise for bids for doing the City printing including the printing & publishing of the delinquent list for the term of two years from the first day of January, 1890. <sup>2nd</sup>

Whereas, the contract for such work was awarded to the publisher of the San newspaper, under their bid to do said work at the price of \$1<sup>50</sup> per 1000 ems, <sup>2nd</sup>

Whereas, it has come to the knowledge of this Board that said Contractor, the publisher of the San newspaper, for purposes hereinafter set forth, did commence the publication of said delinquent list, in an alleged unlawful manner, to wit: on the 31<sup>st</sup> day of December, 1889. whereby the publication of two certain delinquent lists were made within the fiscal year 1889. thereby jeopardizing the legality of the publication of the delinquent list within and for the fiscal year 1890, which said list is required to be published within each fiscal year as provided in Art. VI, Chap. I, Sec. V. Dept. of Finance, to wit: that for taxation, assess-

ment, and all purposes, the fiscal year shall begin on the first day of January." <sup>2nd</sup>

Whereas, the legality of the publication of the delinquent list has been further jeopardized by the premature publication of the delinquent taxes upon mortgages, which delinquency was not fully completed until 12 o'clock, noon, of the first day of January, as provided in Art. VI. Chap. I. Sec. VII, which

requires that "the Assessor must make the Abstract of Mortgages, etc. which stand of record unsatisfied at 12 o'clock, noon, on the first day of January." The Officer, said unlawful publication was commenced by the publication of the Sun newspaper on the afternoon of the 31<sup>st</sup> day of December, 1889, nearly one day before the fiscal year 1889 had expired, and therefore before the final and actual delinquency immediately preceding the necessary and legal publication thereof could be made, and for the sole and express purpose, as is alleged, of claiming payment therefor under their old contract with the City, made and entered into for the fiscal year 1889, which said contract stipulated the payment for this class of work at the rate of \$2.00 per 1000 ems, or more than double the contract price for the fiscal year 1890. making a difference in, & the estimated extra expense to the City of nearly \$1500.00, an unjust & an unlawful loss to tax payers; therefore be it resolved, that it is the sense of this Board that the Auditing Committee be & they are hereby instructed to withhold payment of any sum claimed to be due, or to become due, to the Sun Publishing Company for publishing the delinquent tax list during the month of December, 1889, or January, 1890. (except such payment be claimed & made in accordance with the contract for City printing for the fiscal year 1890.) until such time as a thorough investigation of the question at issue and of certain circumstances connected therewith can be made by this Board. And be it further resolved, that Delegates Marshall, Hawitt and Switzer and the City Attorney, be and they are hereby appointed a Special Committee for the purpose of making the necessary investigation."

On request of Delegate Switzer, it was ordered that said Delegate Switzer be relieved from duty as a member of the Committee on Health & Morals. And thereupon the President appointed Delegate Hawitt to fill the vacancy.

Delegate Davies offered a resolution, relative to the storage of explosives near the City. Said resolution was referred to the Police Committee.

Whereupon the Board adjourned until Monday, January 20-1890. at 7.30 o'clock p. m.

W. M. Cassaway  
City Clerk

G. B. Bratt  
President Board of Delegates



# Adjourned Meeting.

Council Chamber of the Board  
of Delegates, of the City of San Diego,  
California, January 20<sup>th</sup> 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. Wagner, Marshall, Pauly, Julian, Davies, Day, Rediger, Witherker, Hewitt, Keath, Thompson, Seybolt, Smitzer, Bradt and Clerk Gassaway.

Absent. Lyons, Kulturb, Kammann and Cooper.

The minutes of an adjourned meeting held January 13<sup>th</sup> 1890. were read, and on motion of Delegate Witherker the entry on page 324 of this record, relating to <sup>delegate</sup> Smitzer, was amended, to read, upon his own request, he was relieved from the Health and morals Committee, the minutes were thereupon approved as amended.

A Communication from Mayor stating that he had approved Ordinance No. 57 was read, and filed.

A Communication from the Mayor, stating his reasons for not approving, an Ordinance relating to fixing the Salary of the Secretary of the Board of Fire Commissioners at one Dollar pr. month from the 16<sup>th</sup> day of May 1889, was read, and ordered filed. and thereupon Delegate Keath gave notice that he move a reconsideration of said Ordinance within 30 days. (Continued on page 341 of this record.)

A Communication from D. Sochenauer "Health Officer" relative to the petition referred to him, concerning manure &c dumped on L. St. bet. 13<sup>th</sup> and 14<sup>th</sup> Streets, was read, and ordered filed.

A Communication from the Board of Fire Commissioners, asking that a lease for the premises No. 429. Sixth Street, be made, - said Lease to be for a term of two years, at a monthly rental for the first year of 30<sup>¢</sup> and for the second year at a monthly rental of 40<sup>¢</sup>, was read, and on motion of Delegate Keath, said communication was referred to the City Attorney, with instructions to draw said Lease in accordance therewith.

A Communication from W. Drury, calling the attention of the Council, to an error in the Official Map.



of Reed & Salys addition, was read, and referred to the Committee on Streets, the City Attorney and City Engineer.

A Petition from Property Owners on E. St. between 4<sup>th</sup> and 5<sup>th</sup> Streets, asking permission to gutter and pave E. Street, between said streets, was read, and on motion of Delegate Day, said petition was granted,

A Petition from Property Owners on K. Street, between 5<sup>th</sup> and 6<sup>th</sup> Streets, asking that a "Resolution of Intention" be passed, to pave said K. Street, between 5<sup>th</sup> and 6<sup>th</sup> Streets with Bituminous Rock, was read, and on motion of Delegate Smitzer said petition was granted.

A Petition for a retail Liquor License, by "A. Lippert", was read, and referred to Committee on Health & Morals

A Communication from the Board of Public Works, "accompanied by a communication from Daniel Cleveland, and a map of 'Cleveland Heights' - stating that the Board of Public Works had examined said map, and found it to conform in no objectionable manner to the adjoining additions, (said 'Cleveland Heights' being a subdivision of a portion of the west half of Public Lot No. 1123.)" was read, and on motion of Delegate Marshall, said map was accepted, adopted and filed.

A Resolution of Intention to improve fourth Street, "from K to Palm Streets." (postponed from last meeting) was read, and on motion of Delegate Wetherbee, said Resolution of Intention was adopted by the following vote. -

Ayes. Delegates, Wagner, Marshall, Pauly, Davies, Day, Rediger, Wetherbee, Hewitt, Heath, Thompson, Symbolt, Smitzer and Bradt.

Noes. Delegate, Julian.

Absent " - Lyons, Neubert, Kammann and Cooper.

Said Resolution of Intention is in words and figures as follows, to wit.

Resolution of Intention to improve 4<sup>th</sup> Street from K to Palm Streets.

Resolved that it is the intention of the Common Council of the City of San Diego California to order the following Street work to be done, to wit: That Fourth (4") street in said City from the South line of K Street to the South line of Palm street and the sidewalks thereof and the entire crossings of said 4" street with the streets intersecting the same between said south line of K Street and the South line of Palm street be graded, and otherwise improved: that the portion of said 4"

street between the South line of K Street and the north line of A Street and the entire crossings thereof with the streets intersecting the same except such portion of said street as is required by law to be kept in order or repair by any person or company having railroad tracks thereon be curbed, paved and sidewalked; and that the portion of said 4<sup>th</sup> Street between the North line of A Street and the South line of Jory Street and the entire crossings thereof with the streets intersecting the same except such portions of said street as is required by law to be kept in order or repair by any person or company having railroad tracks thereon be curbed, guttered, macadamized and sidewalked in the manner following, to-wit: —

Grading

The Grading shall extend from the South line of K Street to the South line of Palm Street, and that portion between the South line of K Street to the north line of A Street shall be constructed to a subgrade suitable for the Curbing, paving and sidewalking hereinafter specified, and that portion between the north line of A Street and the South line of Jory Street shall be constructed to a subgrade suitable for the Curbing, guttering, macadamizing and sidewalking hereinafter specified, and that portion between the South line of Jory Street and the South line of Palm Street shall be constructed to the official grade established by Ordinance No. 50. and all shall be done in accordance with the Specifications contained in Ordinance No. 53.

Paving

The paving shall cover that portion of said 4<sup>th</sup> Street between the South line of K Street and the north line of A Street and the entire crossings of said 4<sup>th</sup> Street with the streets intersecting the same, 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, have a broken stone base eight inches in thickness, a natural bituminous rock wearing surface two inches in thickness, be constructed in accordance with the Specifications therefor 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.B.C. D.E and F in Block 43. where it shall extend only to the gutter line and be properly joined with the gutter already done.

Macadam

The macadamizing shall cover that portion of said 4<sup>th</sup> Street between the North line of A Street and the South line of Jory Street and the entire crossings of said 4<sup>th</sup> Street with the streets intersecting the same

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 constructed in accordance with the specifications for "Residence Streets" contained in Special Specifications No 1 Section 2 of Ordinance No. 29 and extend from gutter line to gutter line and properly joined with the gutters hereinafter specified: -

Curbing  
H to K.

The Curbing of that portion of said 4<sup>th</sup> Street between the South line of K Street and the North line of A Street shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in subdivision 6 Section one of Ordinance No. 29 and extend along both sides of said street except in front of Lot F Block 114. Lots E and F Block 88. Lots E & F Block 69. Lot L Block 68, Lot I Block 63, Lots A, B, C, D, E & F Block 43, all north of the alley in Block 42, Lots A, B, C, D, E & F Block 36, Lots A, B, C, D, E & F Block 23, 7 Lot H Block 11. already done.

Curbing  
A to J.

The Curbing of that portion of said 4<sup>th</sup> Street between the North line of A Street and the South line of J Street in front of the property shall be of redwood planks 3" x 16" in size and otherwise constructed in accordance with the specifications therefor contained in subdivision 7 of Section one of Ordinance No. 29 and the corners or returns 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 the curbing as above specified shall extend along both sides of said street except in front of lots G, H and I Block 200 already done.

Guttering

The guttering of that portion of said 4<sup>th</sup> Street between the North line of A Street and the South line of J Street shall be five feet in width, of granite or Porphyry blocks of irregular sizes, constructed in accordance with the Special Specifications therefor contained in subdivision 8 of section one of Ordinance No. 29 shall extend along both sides of said street and be carried across intersections where it shall be ten feet in width and shall conform to the plans and cross sections in the office of the City Engineer.

Sidewalks

The sidewalking of that portion of said 4<sup>th</sup> Street between K Street and A Street shall be of artificial stone or concrete, extend from the curb line to the property line, and be constructed as follows: The base or formation 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 roughly broken stone that will pass through a two inch ring, placed on a firm subgrade 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 (12) hours it shall be covered with earth or sand two inches deep and kept so covered for ten days. Such sidewalking shall be constructed on and along both sides of said street except in front of Lot F Block 114, Lots C & F Block 88, Lots C & F Block 69, Lot L Block 68, all north of the Alley in Block 42, Lots A B C D E & F Block 36, Lots G H I J K and L Block 37, Lot H Block 11. The N  $\frac{1}{2}$  of Lot A, the S  $\frac{1}{2}$  of Lot B. and lots C. D. E and F. in Block 43.

A to Dry

The sidewalking of that portion of said 4<sup>th</sup> Street between a Street and Dry Street shall be of Artificial Stone or Concrete five feet in width with solid corners and constructed in accordance with the specifications hereinbefore set forth and extend along both sides of said Street except in front of Lots G. H. and I in Block 200 already done. All work provided for in this Resolution of Intention shall be done in accordance with and Contractors shall be governed and bound by the General and Special Specifications contained in Ordinances numbers twenty nine (29) and fifty three (53) of the City of San Diego, California.

The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein.

The Clerk of this City is hereby directed to publish and post this Resolution for two days in the manner prescribed by law.

A Communication from the Board of Public Works, Presenting Resolutions of Intentions, to curb, gutter and pave, C. D. E. F. G. H. I. J. and K. Streets, between the East line of 4<sup>th</sup> Street and the West line of 6<sup>th</sup> Street, was read, — and thereupon the Resolution of <sup>Intention</sup> to improve "C" Street from 4<sup>th</sup> to 6<sup>th</sup> was read. and Delegate Newitt moved to Amend said Resolution



by inserting Concrete Curbs and gutters instead of Granite, - said amendment was put to vote and lost. Delegate Marshall moved to adopt said Resolution as read, - and thereupon said Resolution was adopted by the following vote, to wit:

Ayes, Wagner, Marshall, Pauley, Julian, Davis, Day, Rediger, Wetherbee, Heath, Thompson, Seybolt, Smitzer and Bradt.

Noes. Delegate Hewitt

Absent. " - Lyons, Kullbert, Kammann & Cooper.

Said Resolution is in words and figures, as follows.

Resolution of Intention to improve C. Street from 4<sup>th</sup> to 6<sup>th</sup> Streets.  
Resolved that it is the intention of the Common Council of the City of San Diego California to order the following street work to be done, to wit:

That C. Street in said City from the East line of 4<sup>th</sup> Street to west line of 6<sup>th</sup> 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 5<sup>th</sup> Street, be curbed, gutters, and paved in the manner following to wit:

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 paved with granite blocks, constructed in accordance with the specifications therefor contained in subdivision 8 of Section one 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 specifications therefor contained in Sub. division 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 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, as often as said newspaper is issued therein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention to improve "D" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on motion of Delegate



Marshall, same was adopted by the following vote, to wit:  
 Ayes. Delegates, Wagner, Marshall, Pauly, Julian, Davis,  
 Day, Rediger, Wetherker, Keath, Thompson, Seybolt, Smith  
 and Bradt.

Noes. Delegate. Hewitt.

Absent. " Lyons, Houbert, Hamman & Cooper

Said Resolution is in words and figures, as follows, to wit:

Resolution of Intention to improve "D" Street from  
 4<sup>th</sup> to 6<sup>th</sup> Streets

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

That D Street in said City from the East line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 <sup>thereon</sup> and except the Crossing at the intersection thereof with 5<sup>th</sup> 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 36, Lots F 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 therefor 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, and 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 therefor contained in subdivision I 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.

The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days, as often as said newspaper is issued therein.

The Clerk of this is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention to improve E Street from 5<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on Motion of Delegate Marshall was adopted by the following vote, to-wit:

Ayes, Delegates, Wagner, Marshall, Pauley, Julian, Davis, Day, Reaiger, Wetherbee, Keath, Thompson, Seabolt, Britzer, and Bradt.

Noes Delegate Keewitt

Absent — Lyons, Keulbert, Kammann & Cooper

Said Resolution is in Words and figures as follows, to-wit:

Resolution of Intention to improve E Street from 5<sup>th</sup> to 6<sup>th</sup> Streets,

Resolved that it is the intention of the Common Council of the City of San Diego California to order the following street work to be done, to-wit. That E Street in said City from the East line of 5<sup>th</sup> St to the West line of 6<sup>th</sup> St 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, gutters, 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 F Block 44 already done.

The Gutters 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.

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 1 of Section 3 of Ordinance No. 29. All work shall be done in conformity with and the Contractor shall be governed by the provisions and Specifications of Ordinances No. 29 and 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 as often as said newspaper is issued therein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention improve F Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on motion of Delegate Marshall was adopted by the following vote, to-wit: ~

Agts. Delegates, Wagner, Marshall, Pauley, Julian Davis Day, Rediger, Wetherbee, Heath, Thompson, Seyboth, Lunitzer and Bradt.

Staff Delegate, Hewitt.

Absent " — Lyons, Kullbirt, Kauffman & Cooper

Said Resolution is in words and figures as follows to-wit:

Resolution of Intention to improve F Street from 4<sup>th</sup> to 6<sup>th</sup> Streets.

Resolved that it is the intention of the Common Council of the City of San Diego, California, to order the following Street work to be done, to-wit, That F Street in said City from the East line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 5<sup>th</sup> 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 lots F and G Block 61 and lots A and L Block 70 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 F Block 61, lot G Block 61, and lots A & L Block 70, the E 14 feet of Lot L Block 69, 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 I 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 Ordinance No 29 and 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 as often as said newspaper is issued therein. —

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.



A Resolution of Intention to Improve G. Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on Motion of Delegate Marshall was adopted by the following vote, to wit:  
Ayes. Delegates, Wagner, Marshall, Pauley, Julian, Davies, Day, Rediger, Wetherbee, Keath, Thompson, Seybolt, Switzer and Brad  
Noes Delegates, Keewill.

Absent, " - Lynne, Kulburt, Hamman & Cooper  
 Said Resolution is in words and figures, as follows to wit:

Resolution of Intention to Improve "G" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets.

Resolved that it is the intention of the Comm. Council of the City of San Diego, California to order the following Street work to be done, to wit: That G Street in said City from the East line 4<sup>th</sup> St to the West line of 6<sup>th</sup> 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 <sup>thereon</sup> and except the crossing at the intersection thereof with 5<sup>th</sup> St, 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 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 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 I 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 said specifications contained in Ordinances No 29 and 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 as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention to Improve "H" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on motion of Delegate Marshall was adopted by the following vote, to wit:  
 Ayes. Delegates, Wagner, Marshall, Pauly, Julian, Davis, Day, Rediger, Wetherbee, Keath, Thompson, Seybolt, Smutzer and Pratt.

Noes. Delegate, Hewitt,  
 Absent " - Lyons, Neubert Kauffman & Cooper.  
 Said Resolution is in words and figures, as follows, to wit:

Resolution of Intention to improve "H" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets,

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

That H Street in said City from the East line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 5<sup>th</sup> Street, be curbed, gutters 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 and G Block 88 Lot F 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 therefor contained in subdivision I 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.

The San Diego Daily Sun is hereby designated as the daily newspaper published and circulates in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.



A Resolution of Intention to improve I Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on Motion of Delegate Marshall was adopted by the following vote, to wit:

Ayes Delegates, Wagner, Marshall Pauly, Julian, Davies, Day, Rediger, Wetherbee, Keath, Thompson, Sybolt, Smitzer and Bradt.

Noes Delegate, Hewitt.

Absent J. Lyons, Neubart, Kammann & Cooper.

Said Resolution is in words and figures as follows, to wit:

Resolution of Intention to <sup>improve</sup> "I" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets.

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

That "I" Street in said City from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> Street except the Crossing at the intersection thereof with 5<sup>th</sup> Street be curbed, gutters, 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 I 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 San Diego Daily Sun is hereby Designated as the daily Newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention to improve "J" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read. And on Motion of Delegate Marshall was adopted by the following vote, to wit:

Ayes Delegates, Wagner, Marshall, Pauley, Julian, Davies, Day, Rediger, Wetherbee, Keath, Thompson, Seybolt, Swartz and Bradt.

Noes Delegate, Hewitt.

Absent - Lyons, Kulbunt, Kaurman & Cooper  
Said Resolution is in words and figures as follows to wit:

Resolution of Intention to improve "J" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets.

Resolved that it is the intention of the Common Council of the City of San Diego California to order the following Street work to be done, to wit:

That "J" Street in said City from the East line of 4<sup>th</sup> St to the West line of 6<sup>th</sup> Street except the Crossing thereof at the intersection with 5<sup>th</sup> 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 L Block 121 and the west corner of Lot F Block 114 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.

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 I 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.

The San Diego Daily Sun is hereby designated as the daily newspaper published and circulated in the City in which this Resolution of Intention shall be published for two days and the notice of the passage thereof for six days, as often as said newspaper is issued therein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

A Resolution of Intention to improve "K" Street from 4<sup>th</sup> to 6<sup>th</sup> Streets, was read, and on motion of Delegate Marshall was adopted by the following vote, to wit:

Ayes. Delegates Wagner Marshall Sandy Indian  
 Davis, Day, Redign, Wetherbee, Heath, Thompson  
 Sybolt, Smitzer and Bratt.  
 Aves. Delegate, Hewitt

Absent " Lyons Neubert, Kammann, Foster  
 Said Resolution is in words and figures  
 as follows, to wit:

Resolution of Intention to improve "K"  
 Street from 4<sup>th</sup> to 6<sup>th</sup> streets.

Resolved that it is the intention of the  
 Common Council of the City of San Diego, Cal-  
 ifornia to order the following street work to be  
 done, to wit: That "K" street in said City from the  
 East line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street,  
 except such portion thereof as is required by law  
 to be kept in order or repair by any person or Com-  
 pany having railroad tracks thereon and except the  
 Crossing at the intersection thereof with 5<sup>th</sup> 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 con-  
 tained in Subdivision 5 of Section one of Ordin-  
 ance No 99 and extend along both sides of said  
 Street except in front of Lot A Block 139 Lot G  
 Block 142 and Lot F Block 142 already done,  
 The Guttering shall be of granite Blocks and  
 constructed in accordance with the Specifications there-  
 for contained in Subdivision 8 of Section one of Or-  
 dinance No 99 and extend along both sides of  
 said Street except in front of Lot F Block 142 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 99  
 All work shall be done in conformity to and the  
 Contractor shall be governed and bound by the  
 provisions and Specifications of Ordinance No 99  
 and 103

The San Diego daily Sun is hereby designated as the daily news-  
 paper published and circulates in the City in which this Reso-  
 lution of Intention shall be published for two days and  
 the notice of the passage thereof for six days, as often as  
 said Newspaper is issued therein.

The Clerk of this City is hereby directed to  
 publish and post this resolution for two  
 days in the manner prescribed by law,

The Health and Morals Committee reported favorably on the following petitions for retail liquor licenses.

Aug. Mang.

J. M. Clark

John M. Carroll

John Newitt

and on motion of Delegate Rediger said report was adopted and Licenses granted.

A Joint Resolution offered by Delegate Keath, requesting that the City Attorney be instructed to draw an Ordinance requiring all licenses to be paid on Stated days & Cts, was read, and Delegate Keath moved to adopt, - Delegate Spritzer moved to amend, by inserting that, No person be allowed to sell, until license is finally granted and money paid to Tax Collector, said amendment was lost, and thereupon Delegate <sup>Day</sup> moved to Amend original resolution as follows, - "That all persons applying for license must upon filing application for license deposit with the City Tax Collector \$50<sup>00</sup> and in case said license is not granted, then said \$50<sup>00</sup> shall be returned to said applicant, less the amount "pro rata" for the number of days said applicant has had his or her place of business open for the transaction of business." said amendment was carried, Thereupon ~~said~~ resolution was adopted as amended, and read as follows, to wit:

#### Joint Resolution No. 53

Resolved that the City Attorney be & he is hereby instructed to draw & report to the City Council at its next meeting, an Ordinance providing that the license tax due on account of all licenses granted by the City shall be due and payable on the first day of each Calendar month and that the same shall be payable only at the office of the City Tax Collector, during business hours, subject to the stipulation that for the sole convenience of the City, the payment of all license taxes for the Sale of Beer, Wine and Spirituous liquors may be made on the first, second or third day of each Calendar month and for all other license taxes on the fourth, fifth & sixth day of each Calendar month, and in case of failure on the part of licensees to pay said license taxes within the time as designated, then that the Certificate of each delinquent licensee shall be declared forfeited, & such certificate or certificates, shall not be reinstated or ~~reinstated~~ for the term of ninety days thereafter, and then only upon application as prescribed by law, and further providing that it shall be the duty of the Chief of Police to ascertain each month, immediately



following the dates of payment named by careful inspection, whether such license taxes have been properly paid & where delinquents are discovered to promptly arrest them for continuing the prosecution of their business without a license, And further provision that the Chief of Police shall be held to at all times carefully watch & inspect all persons liable to the payment of a license tax, as now prescribed by ordinance to be paid, and Be it further resolved That all persons applying for license, must upon filing application for license deposit with the City Tax Collector \$50<sup>00</sup> and in case said license is not granted them said \$50<sup>00</sup> shall be returned to said applicant, less the amount "pro rata" for the number of days said applicant has had his or her place of business open for the transaction of business, to the end that the extensive losses to the City in that particular branch of the City revenue in the past, may be saved in the future.

The following Resolution was offered by Delegate Heath, and upon being read, was adopted,

Resolved, that the Street Committee be and they are hereby requested to investigate the action of the Supt. of Streets in removing a large amount of dirt from 17<sup>th</sup> Street, between F and G to be used in the repair of 14<sup>th</sup> & Streets, by ascertaining First, whether the Supt. of Streets took the precaution to inform himself whether there was any surplus dirt on 17<sup>th</sup> Street, between F & G and if there was not, by what authority he removed this large quantity of dirt from this Street, to another Street, contrary to law & against the rights of property owners on seventeenth Street, and, Second, whether the Supt. of Streets was not instructed by proper Authority that there was a very large surplus of dirt on F Street between 16<sup>th</sup> & 17<sup>th</sup> Streets and to remove the same, instead of from 17<sup>th</sup> Street, where there was no surplus & whether he did or did not continue thereafter to remove dirt from 17<sup>th</sup> Street, and, Third, to ascertain by personal inspection the present condition of said 17<sup>th</sup> Street which has been left in a dangerous, impassable and slovenly condition, and Fifth that <sup>paid</sup> Committee are requested to recommend to the proper Authority that 17<sup>th</sup> Street be restored as nearly as possible to its original or at least to a decently respectable condition forthwith.

The motion made by Delegate Rediger January 13-1890 to reconsider the vote heretofore taken on the Ordinance Amending Ordinance No. 19. and recorded on pages 322 and 323 of this record, was withdrawn by Delegate Rediger.



The City Attorney presented the papers in the case of Brown vs Foss, and asked instructions thereon, - On motion of Delegate Marshall, the City Attorney was instructed to file a disclaimer in said case.

~~Thereupon the Board adjourned until Monday January 27<sup>th</sup> 1890 at 7:30 O'clock P.M.~~

- continues from page 325 of this record -

Mayors Office.

San Diego Cal. January 20<sup>th</sup> 1890.

To the Board of Delegates,

I have the honor to return herewith, without my approval Ordinance No. "fixing the Compensation of the Secretary of the Board of Fire Commissioners."

The Board of Fire Commissioners appointed a Secretary and recommended that he be allowed the sum of Fifteen Dollars per month for his services. By this Ordinance the sum of one dollar per month is fixed payable from the 16<sup>th</sup> day of May 1889.

Sec. 3. Chap. 2. Art. 12 of the Charter provides that the Board of Fire Commissioners may appoint as Secretary an employee of the fire Department to receive such additional salary as the Board may recommend and the Common Council approve. It is to be presumed that the Board of Fire Commissioners actually required the services of a Secretary in the transaction of the business of their department; that they were governed by reasonable considerations of economy in fixing the amount proper to be paid for such services; and that their recommendation to the Common Council was made in good faith.

If, upon investigation of the subject it was found by the Common Council that the services of a Secretary were not necessary to the Board and that their recommendation should therefore be disapproved no Ordinance was required.

Respectfully,

Douglas Gunn.  
Mayor.

Thereupon the Board adjourned until Monday January 27<sup>th</sup> 1890 at 7:30 O'clock P.M.  
W. M. Gassaway  
City Clerk  
G. H. Brack  
President Board of Delegates

## Adjourned Meeting

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, January, 27<sup>th</sup> 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, Paul, Bradt, Julian, Day, Wetherbee, Hewitt, Heath, Seybolt <sup>and Clerk Gagesaway</sup> and Switzer,  
Absent, Delegates, Lyons, Davies, Rediger, Thompson, Schulburt, Lammann and Cooper,

The minutes of an adjourned meeting held January 20<sup>th</sup> 1890, were read and approved.

After giving notice President Bradt did in open session sign Ordinance No. 58, being "An ordinance making it unlawful for any person to sell, barter or give away any cigarette or cigarette materials &c."

A Communication from the Board of Public Works in regard to a communication received by them from the San Diego Water Company relative to supplying water for street sprinkling, was read and Delegate Hewitt moved it be received and placed on file.

Delegate Switzer moved that it be referred to the Committee on Water, Gas, Electric Light and Telephone and this motion carried and the Communication so referred.

A Petition from residents of Middletown for an Electric Light Mast at the corner of Cedar and India streets was read and referred to the Committee on Water, Gas, Electric Light and Telephone.

A Petition from property owners along the line of Second street between Juniper and Maple for the privilege of constructing a main sewer to connect with the present sewer main on Second street at its terminus and continue on to Maple street, and agreeing to turn over said improvement to the City at 80¢ per lineal foot, was read, and granted.

A Communication from the Board of Public Works presenting an ordinance authorizing the Street Supt. to enforce Sections 13, 14, 15, 16, & 17, of the Urooman Act, and recommending its adoption, was read together with said ordinance and referred to the City Attorney to report as to whether said ordinance applies to streets that have

been accepted by the City, or improved streets not accepted, or those unimproved.

A Resolution of Intention to improve "H" street from Atlantic to 4<sup>th</sup> street, was read and on motion of Delegate Hewitt action was postponed for one week.

A Resolution of Intention to improve 5<sup>th</sup> street from "B" to Upas was read and on motion of Delegate Switzer was referred to the Street Committee.

A Resolution of Intention to improve "D" street from Front to 3<sup>rd</sup> streets was read and on motion of Delegate Marshall was adopted by the following vote to wit: Ayes; Delegates; Wagner, Marshall, Pauly, Julian, Day, Wetherbee, Hewitt, Heath, Seybolt, and Switzer. and Braat.

Noes, None.

Absent; Delegates, Lyons, Davies, Rediger, Thompson, Heulbert, Common, and Cooper.

Said Resolution is in words and figures as follows to wit:

Resolution of Intention to improve "D" street from Front to 3<sup>rd</sup> streets.

Resolved that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to wit: That "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 guttered and macadamized in the manner following to wit:

The Gutters shall be paved with granite blocks in accordance with the specifications therefor 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 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 provision of said Ordinance No. 29, and 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 as often as said news-

paper is issued therein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner proscribed by law.

A Communication from the Board of Public Works submitting a resolution of intention to improve D<sup>th</sup> street from 3<sup>rd</sup> to 4<sup>th</sup> streets was read together with said resolution; and on motion of Delegate Marshall said resolution was referred to the Board of Public Works with instructions to provide for gutters and a sidewalk on the south side of said street.

A Joint Resolution (heretofore adopted by the Board of Aldermen) relative to obstructions on 5<sup>th</sup> street between Maple and Nutmeg, was read.

Delegate Marshall moved to amend and insert after the last word, the words "at Mrs Pipers expense" and this amendment carried.

Whereupon said resolution was adopted as amended and reads as follows, to wit;

Joint Resolution No. 54

Resolved that the Board of Public Works be informed of the obstructions on the sidewalk in front of Mrs Pipers residence on 5<sup>th</sup> street between Maple and Nutmeg, and that they instruct the Supt. of Streets to have said obstructions removed immediately at Mrs. Pipers expense.

A Concurrent Resolution directing the Treasurer to deposit in the California Savings Bank each day, <sup>to be</sup> was read; and Delegate Heath moved to amend so as to read "Tax Collector and Treasurer" where the word "Treasurer" occurs. This amendment was lost.

Whereupon on motion of Delegate Marshall said resolution was adopted as read, and is as follows, to wit;

Concurrent Resolution No. 19.

Be it resolved by the Board of Delegates the Board of Aldermen concurring. That the Treasurer of the City of San Diego, is hereby directed to deposit in the California Savings Bank of San Diego each day when said Bank is open for business all moneys belonging to said City collected by him during such day.

And said Treasurer is also directed to demand and receive from said California Savings Bank a proper receipt for all moneys so deposited by him.

On motion of Delegate Heath the Board of Public Works was requested to purchase a copy of Wadleigh's Map of the City, to be hung in the Hall of the Board of Delegates.



A request from Delegate Davies presented by Delegate Day for a leave of absence of 30 days was read and granted.

Delegate Heath asked for an extension of 30 days leave of absence for Delegate Cooper and said request was granted.

A Lease from R. G. Clark to the City of San Diego, of the South half of Lot "D" Block 112 Hortons Addition, with the appurtenances, for the term of two years from February 1<sup>st</sup> 1890, at a monthly rental of \$30.00 for the first year and \$40.00 for the second year; was read and approved and accepted.

An Ordinance providing for the transfer of \$4000.00 from the General Fund to the Salary Fund, was read and referred to the Finance Committee and City Attorney.

In the matter of the publication  
of the Delinquent Tax List;

The Special Committee appointed to investigate the publication of the Delinquent Tax List reported as follows; to wit;

"Your Special Committee to whom was referred the matter of Investigating the publication of the Delinquent Tax List beg leave to report as follows: We find that the City was during the year 1889, doing its printing and publishing under a supposed contract by which and under which the cost of publishing the Delinquent Tax List would be \$2.<sup>80</sup> per 1000 ems.

We find that on Dec. 28<sup>th</sup> 1889 the Sun Publishing Co. entered into a contract to publish all City printing for the year 1890; under which contract the cost of the publication of the Delinquent List would cost the City \$1.<sup>35</sup> per 1000 ems.

We find that the Tax Collector of the City under provisions of the City Charter had the option and it was in his power to cause the Delinquent List to be published before Jan. 1<sup>st</sup> 1890 or after Jan. 1<sup>st</sup> 1890, and up to Jan 6<sup>th</sup> 1890; in other words, the City Tax Collector could under the law have the tax list published under the supposed contract of 1889 at a cost of \$2.<sup>80</sup> per 1000 ems, or have the same published under the new contract of 1890 at \$1.<sup>35</sup> per 1000 ems.

We find that the City Tax Collector with a full knowledge of the state of facts; saw fit to and did publish said list on Dec. 31<sup>st</sup> 1889, and at a cost to the City of \$2.<sup>80</sup> per 1000 ems; when if he had caused



the said list to be published two days later, the cost to the City would have been \$1.<sup>36</sup> per 1,000 ems. We find that under this state of facts it was the plain duty of the Tax Collector to cause the publication of said list to be made after Jan 1<sup>st</sup> 1890, thereby saving the City a large sum of money and possibly a lawsuit. And when said Tax Collector caused said list to be published on Dec. 31<sup>st</sup> 1889, he flagrantly violated the duties of his office, and went out of his way to unnecessarily spend the City's money.

Your Committee is of the opinion that such acts of any officer of the City demands a thorough and rigid investigation; and your special committee recommends that this whole matter be referred to the Finance Committee of this Board, which committee has the power to administer oaths and take sworn testimony, and that said committee among other things, investigate as to whether or not there existed any collusion between any officer of this City and the publishers of said tax list so that the same was caused to be published on Dec. 31<sup>st</sup> 1889, and some seven days prior to the time it might have been published, and for the purpose of costing the City double price, and that said Finance Committee report to this Board at its earliest opportunity.

Your Committee further recommends that the President of this Board as a member of the Auditing Committee, inform said Auditing Committee of the proceedings of this Board in this matter; that our President is instructed to oppose the auditing and approval of any bill for the publication of the said tax list until this investigation be made and acted upon.

John H. Marshall  
D. H. Hewitt  
S. W. Switzer."

And on motion of Delegate Julian said report was adopted.

Delegate Heath offered the following Joint Resolution which was adopted and reads as follows to wit:

Joint Resolution No. (Not concurred in)  
Resolved, that the Finance Committee authorized by this Council to investigate the question of the validity of the publication of the delinquent Tax List, and of the claim of the Sun Publishing Company for the printing and publication thereof be and they are hereby further authorized to employ legal advice as they may deem necessary and as provided for in Sec. 2 of Chap. 5 of Art. 3 and in Sec. 40 of Chap. 2 of Art. 2 of the City Charter.

The City Clerk presented a copy of the Delinquent Tax List

of the City of San Diego, California, for the year 1889, as published in the San Diego Daily Sun and on motion said list was referred to the Finance Committee.

An Ordinance granting certain privileges to the San Diego Gas and Electric Light Company (of New Jersey) which was presented to this Board on the 28<sup>th</sup> day of December 1889 and which has laid over for the required period of 30 days was read and adopted by the following vote, to wit:

Ayes; Delegates, Wagner, Marshall, Pauls, Julian, Day, Wetherbee, Hewitt, Heath, Seybolt, Switzer and Bradt.  
Noes; None.

Absent; Delegates, Lyons, Davies, Rediger, Thompson, Hulburt, Korman and Cooper.

Said Ordinance is as follows, to wit:

Ordinance No. 59.

An Ordinance granting certain privileges to the San Diego Gas and Electric Light Company (of New Jersey). Be it ordained by the Common Council of the City of San Diego, as follows:

Section 1: There is hereby granted to the San Diego Gas and Electric Light Company, a corporation organized under the laws of the State of New Jersey, the right and privilege to lay down Gas pipes and conduits in the public streets and thoroughfares of the City of San Diego, in the State of California, and to make connections with such pipes and conduits so far as may be necessary or convenient for introducing into and supplying such City and its inhabitants with Gas or other illuminating agent for the purpose of artificial lighting and for fuel, and to repair and maintain such pipes and conduits and the necessary appurtenances of the same.

Section 2: There is also hereby granted to the said San Diego Gas and Electric Light Company, the right and privilege to construct and maintain under ground conduits for the purpose of containing wires and to erect poles and to string wires thereon, for supplying such City and the inhabitants thereof with Electric light and electricity for such other beneficial uses as may be desired by said City or its inhabitants.

Section 3: The rights and privileges hereby granted shall be exercised under and subject to the general ordinances and regulations now in force concerning the laying and maintenance of pipes and the erection and maintenance of poles and stringing wires thereon in the streets of said City. The Common Council reserves the right to repeal, amend and modify this ordinance.

A Report of Police Judge, M. L. Rawson for the month of December 1889, was read and referred to the Finance Committee.

In the matter of the removal  
of dirt from 17<sup>th</sup> street,

The Street Committee reported as follows:

In regard to the removal of dirt on 17<sup>th</sup> street your Street Committee would report that they ascertained from the City Engineer that there was surplus dirt on 17<sup>th</sup> street between F and G.

2<sup>nd</sup> That the Superintendent of Streets was informed that there was a surplus of dirt on A street bet. 16 & 17 and that after such information he ceased to take dirt from 17<sup>th</sup> and took dirt only from F street after that time, there being 1500 yds surplus on A st. at that point.

3<sup>rd</sup> The street committee have ascertained by personal inspection the condition of 17<sup>th</sup> st. and find that it is in as good condition for public use as ever it was.

4<sup>th</sup> And we your Com. have the promise of the Superintendent of Streets that he will leave the street in a good condition, but we do not recommend the restoration of the dirt.

Chas. W. Pauley  
W. R. Day

and on motion of Delegate Wetherbee said report was adopted.

Delegate Switzer was here excused.

Delegate Heath offered the following Joint Resolution which was adopted, viz:

Joint Resolution No. 55

Resolved, That by request of parties in interest the Water Com. of this Board is hereby instructed to meet at the regular Committee Room of this Board, on Friday of this week, at one P. M. (together with the Water Com. of the Board of Aldermen) The legal representatives of the San Diego Water Company, for the purpose of considering the question of laying water mains on Sixth street.

In the matter of an Ordinance  
creating a delinquent Tax fund &c.

The Finance Committee reported as follows:

The transfer of the total sum of \$537<sup>78</sup> from the funds herein named to a separate fund to be desig-

nated the Delinquent Tax Fund for the year 1888 & for previous years, if used solely for the liquidation of indebtedness incurred for the fiscal year 1888 or previous to that date, is hereby recommended.

C. B. Heath.

G. M. Wetherbee "

Said report was adopted and thereupon an ordinance creating a delinquent Tax fund &c was read and adopted by the following vote to wit:

Ayes; Delegates, Wagner, Marshall, Pauly, Julian, Day, Wetherbee, Hewitt, Heath, Seybolt and Bradt.

Noes; None.

Absent; Delegates, Lyons, Davies, Rediger, Thompson, Switzer, Henslburt, Kamman, and Cooper.

Said ordinance is as follows to wit:

Ordinance No. 60.

An Ordinance creating a delinquent tax fund and transferring certain funds thereto.

Be it ordained by the Common Council of the City of San Diego, as follows:

Sec. 1: That there is hereby created a delinquent tax fund to which shall be transferred all taxes paid for the year 1888, and previous years.

Sec. 2: That the following amounts are hereby transferred from the various funds herein specified to said Delinquent Tax Fund; being the amounts paid in to said funds from said years 1888 and previous years.

From the Fire fund \$99<sup>7</sup>/<sub>10</sub>; Salary fund \$225<sup>26</sup>/<sub>10</sub>; Police \$7<sup>24</sup>/<sub>10</sub>; Street fund \$36<sup>32</sup>/<sub>10</sub>; Harbor and Wharf fund \$3<sup>70</sup>/<sub>10</sub>; Sewer and Drainage \$76<sup>30</sup>/<sub>10</sub>; Street Light \$36<sup>32</sup>/<sub>10</sub>; Health fund \$32<sup>70</sup>/<sub>10</sub>; Building fund \$14<sup>55</sup>/<sub>10</sub>; Office fund \$10<sup>21</sup>/<sub>10</sub>; General fund \$54<sup>49</sup>/<sub>10</sub>; - total \$537<sup>78</sup>/<sub>10</sub>.

Sec. 3: That this ordinance shall take effect and be in force from and after its passage.

Delegate Heath offered the following resolution which was adopted, viz:

Resolved, that the City Attorney be and he is hereby instructed to draw an ordinance making it unlawful and strictly prohibiting the use of the shooting apparatus commonly known as the "Nigger Shooter," and providing for the apprehension of any person guilty of the act of shooting any missile from this particular apparatus, or in any other manner, upon any public street, at or toward any person, animal, bird or building, or other object animate or inanimate, under penalty of imprisonment in the City Jail for the term of three days, or the payment of a fine of six dollars, or both, at the discretion of the Police Judge, for each offense.

Delegate Wetherbee asked for a leave of absence of 30 days and on motion of Delegate Julian said request was granted.

Delegate Heath offered a resolution relative to extra evening sessions of this Board in conjunction with the Board of Aldermen, to investigate the question of water rates; and moved its adoption.

Thereupon said motion was put to a vote and lost.

Thereupon the Board adjourned until Monday, February 3<sup>rd</sup> 1890 at 7-30 o'clock P. M.

W. M. Fassaway,

City Clerk

G. G. Bratt

President Board of Delegates



## Regular Meeting

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, February 3-1890.

A Regular Meeting of the Board of Delegates, of the City of San Diego, was held this day at 7.30 o'clock A.M. with President Bracht presiding.

Present, Delegates = Wagner: Marshall: Pauly: Julian: Day:  
Adiger: Metharba: Hewitt: Heath: Seybolt: Hultbert: Kammann:  
Bracht <sup>and</sup> Clerk Gassaway.

Absent, Delegates = Lyon: Davis: Thompson: Switzer: <sup>and</sup> Cooper.

The Minutes of an Adjourned Meeting, held January 27-1890, were read and approved as read.

After giving notice President Bracht did, in open session, sign Ordinance No. 59. Being an ordinance granting certain privileges to the San Diego Gas and Electric Light Co. of New-Jersey. Also Ordinance No. 60. Being an ordinance creating a Delinquent Tax fund &c.

A Message from the Mayor, showing his approval of ordinance No. 58; was read & filed.

A Communication from J. M. Dodge, City Treasurer and Tax Collector, tendering his resignation; was read. <sup>and</sup> Delegates Marshall moved to accept the resignation. Delegate Adiger moved to amend by referring same to the Mayor for action. The amendment carried, and it was so referred.

A Certified copy of the Incorporation of the "San Diego Gas and Electric Light Co." was read & ordered filed.

A Report from M. L. Dawson, Police Judge, for the month of January, 1890. was read & referred to the Committee on Finance.

A Petition from Jos. Goldthorpe, for a retail liquor license, was read, and referred to the Committee on Health and Morals.

Delegate Kammann offered the following joint resolution, which was adopted, to-wit:

### Joint Resolution No. 56.

Resolved, that the several members of the Board of Public Works are hereby appointed a Board of Commissioners to take all steps necessary for the opening

of "D" street, between 17 and 30. Sts., and that they proceed at once with said work and report their action as soon as practicable to this Council; and that they serve without extra compensation."

A Petition from D. street property owners, asking for the appointment of S. C. Arnold, H. M. Stanton and C. H. Stevens as Commissioners to open "D" street: was read & filed.

A Petition to have the wording of the resolution of intention to macadamize H. street changed to read to the west line of 6<sup>th</sup> street, instead of to the west line of 4<sup>th</sup> street: was read and referred to the Committee on Streets.

The Board of Public Works submitted an Ordinance establishing the grade of 4<sup>th</sup> street, from "K" to "I" streets, and on motion of Delegate Wetherbee, said Ordinance was referred to the Street Committee, City Attorney & City Engineer.

A Communication from the Board of Public Works submitting a Resolution to correct the Resolution of Intention to improve "F" street, from 4<sup>th</sup> to 6<sup>th</sup> street, heretofore adopted & entered upon page 333, was read and Delegate Wetherbee moved to rescind said resolution, as entered upon page 333, the motion carried by the following vote:

Ayes, Delegates - Wagner: Marshall: Pauly: Julian: Day: Adiger: Wetherbee: Hewitt: Heath: Seybolt: Hulbert: Bracht. Noes, Delegate - Kamonan.

Absent, Delegates - Lyons: Davis: Thompson: Switzer and Cooper. and said resolution was declared to be rescinded.

Thereupon the resolution of intention, as now submitted by the Board of Public Works, was read, and adopted by the following vote, to-wit:

Ayes, Delegates: Wagner: Marshall: Pauly: Julian: Day: Adiger: Wetherbee: Hewitt: Heath: Seybolt: Hulbert: Kamonan & Bracht.

Absent, Delegates: Lyons: Davis: Thompson: Switzer: Cooper.

Said resolution is as follows:

Resolution of Intention to improve "F" street from 4<sup>th</sup> to 6<sup>th</sup> streets.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that "F" street in said City from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 5<sup>th</sup> 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 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 C and G Block 61 and Lots A and L Block 70, and the east fourteen feet of lot L Block 69 already done.

The guttering shall be of granite blocks and constructed in accordance with the specifications 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 C Block 61, lot G Block 61 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 herefor 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 Ordinance No. 29, and No. 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 thereof for six days as often as said newspaper is issued herein.

The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law.

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Delegate Heath offered the following resolution, which was adopted, to-wit:

Resolved, that it is the sense of this Board that the Street Committee be respectfully requested to investigate and report to this Board as to the questions of neglect on the part of the party or parties responsible for the repair, or for causing to be repaired, the numerous unsafe unsightly poles left in the partly concrete sidewalks and sidewalk curbs on 4<sup>th</sup>, 5<sup>th</sup>, D, and other streets, by the removal of certain electric light poles and from other causes, and that the Committee be also requested to call the attention of the proper parties to the necessity of an immediate & complete restoration of the damaged sidewalks to their original condition.

~~~~~  
Delegate Kamanian offered the following joint resolution, which was adopted to-wit:

(over)

Joint Resolution, No. (Not concurred in)  
Whereas, the taxpayers of this City view with alarm the constantly increasing expenditures of our City government, caused mainly by the employment of a number of unnecessary subordinate officials: and

Whereas, it is the duty of this City Council to promptly heed the voice of the people in so important a matter and to cut off all expenses that are not absolutely necessary for municipal purposes

Therefore, be it Resolved, that a Committee of three members of each Board of the City Council be appointed by the Board, whose duty it shall be, to investigate and report without unnecessary delay upon the advisability of discharging such employees in the different departments whose services can be dispensed with."

On motion of Delegate Wagner, Delegates Hewitt: Marshall and Julian were appointed the Special Committee as provided in the resolution entered upon this page.

The Board of Public Works submitted a resolution of intention to improve D. street, from 3<sup>rd</sup> to 4<sup>th</sup> streets. and thereupon said resolution was read and adopted by the following vote, to-wit:

Ayes, Delegates: Wagner: Marshall: Pauley: Julian: Day: Rediger: Hewitt: Heath: Seybolt: Hulbert: Kammann and Bracht.

Noes, Delegates: Metherbee.

Absent, Delegates: Lyons: Davies: Thompson: Switzer and Cooper. Said resolution is as follows, to-wit:

Resolution of Intention to improve D. street from 3<sup>rd</sup> to 4<sup>th</sup> street.

Resolved that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: 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 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 specifications therefor contained in subdivision C, 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 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 therefor 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 contractors shall be bound by the provisions of ordinance No. 29 and 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 as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law."

The following Concurrent Resolution was read and adopted, to-wit:

Concurrent Resolution No. 20.

Be it resolved by the Board of Delegates of the City of San Diego, the Board of Aldermen concurring therein

First: that an Electric Light mast be erected at or near the corner of "C" and Twenty-fifth (25<sup>th</sup>) streets in the City of San Diego.

Second: that this resolution shall be of force and take effect from and after its passage.

Delegate Rediger was here temporarily excused.

A Resolution of Intention to improve H. street from Atlantic to Fourth street, (patroned from the last meeting.) was read, and adopted by the following vote, to-wit: Ayes, Delegates: Wagner: Marshall: Pauley: Julian: Day: Metherbee: Hewitt: Heath: Seybolt: Hulbert: Kamman and Bradh.

Noes, None.

Absent, Delegates: Lyons: Davies: Rediger: Thompson: Switzer and Cooper.

Said resolution is as follows, to-wit:

Resolution of Intention to improve H. street from Atlantic to Fourth street.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that H. street in said City from the East line of Atlantic street to the West line of Fourth 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 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 and constructed in accordance with the specifications therefor contained in subdivision 6, of section one of Ordinance No. 29.

The gutters shall be paved with granite blocks in accordance with the specifications therefor 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 by this resolution of intention shall be done in conformity with and contractors shall be governed and bound by specifications contained in ordinances No. 29 and 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 as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this resolution for two days in the manner prescribed by law."

~~~~~

An Ordinance fixing certain official Bonds, was read and adopted by the following vote, to-wit:

Ayes, Delegates: Wagner: Marshall: Pauley: Julian: Day: Hewitt: Heath: Seybolt: Kammann and Bradt.

Noes, Delegates: Rediger: Withers and Hulbert.

Absent, Delegates: Lyons: Davies: Thompson: Switzer and Cropper.

Said ordinance is as follows, to-wit:

"Ordinance No. 65.

An Ordinance fixing the amount of the official bond of certain officers of the City of San Diego.

Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1: That the Official Bonds of the Officers of the City of San Diego for the faithful discharge of their respective duties shall be and the same is hereby fixed in the following sums.

Auditor five thousand dollars.

Assessor five thousand dollars.

Police Judge five thousand dollars.

Treasurer twenty thousand dollars.

Tax Collector thirty thousand dollars.

City Clerk five thousand dollars.

City Attorney five thousand dollars.

Chief of Police ten thousand dollars.

City Engineer five thousand dollars.

Chief Engineer of Fire Department two thousand dollars.

Supt. of Public Schools five thousand dollars.

Commissioner of Board of Public Works fifteen thousand dollars  
Health Officer five thousand dollars

Sup't. of Streets three thousand dollars

Sup't. of Sewer three thousand dollars

Sec. 2. That said Official Bonds shall be filed on the qualification of each of said officers and shall, before the same are accepted, be approved by the City Attorney and Auditing Committee.

Sec. 3. That this ordinance shall not effect in any manner the Official Bonds of the Officers of said City where the same has been heretofore approved and accepted by said Auditing Committee.

Sec. 4. That this ordinance shall take effect and be in force from and after its passage."

An Ordinance prohibiting "Nigger Shooting" etc, was read and adopted by the following vote, to-wit:

Ayes, Delegates: Wagner: Marshall: Pauly: Julian: Day: Rediger: Metker: Hewitt: Heath: Sybolt: Hulbert: Kammoning Bracht.

Noes: None.

Absent, Delegates: Lyon: Davis: Thompson: Switzer and Cooper.

Said Ordinance is as follows, to-wit:

"Ordinance No. 61.

An ordinance to prohibit throwing or shooting missiles within the City limits and providing a penalty therefor. Be it ordained by the Common Council of the City of San Diego as follows:

Section 1. That it shall be unlawful for any person to shoot with what is commonly known as a "Nigger Shooter" or any other apparatus, or in any other manner to shoot or throw or send, at or toward any person, or other object, animate or inanimate, any missile or other thing, within the limits of the City of San Diego.

Section 2. Any person found guilty of a violation of this ordinance shall be fined in the sum of six dollars or imprisoned in the City Jail for a period not to exceed three days or by both such fine and imprisonment.

Section 3. This ordinance shall take effect and be in force from and after its passage and three successive publications in the San Diego Daily Sun.

Delegate Marshall moved that the President be instructed to appoint one member of the Board to act as one of the Committee on Water, etc. until the return of Delegate Davis. The motion carried, and thereupon the President appointed Delegate Hulbert.

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, Esq. C. M. Shaw, that an 8 inch water pipe on 6<sup>th</sup> street connected by 6 inch cross main with the 8 inch main on 3<sup>rd</sup> street at D. F. H. J. and L. street would serve all purposes required, was read and thereupon Delegate Pauly moved that the City Attorney be instructed to prepare an Ordinance repealing Ordinance No. 43. (Being the Ordinance requiring the San Diego Water Company to lay a 10 inch water main on 6<sup>th</sup> street.) The motion carried and thereupon Delegate Marshall Chairman of the Water Committee was permitted to withdraw the said Committee's report. The Delegate Marshall thereupon 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, to-wit:

"We, your Committee, most respectfully report to your Hon. Body that we have examined the magazines 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. Seybolt.

C. F. Kammann."

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. Lepserdt for retail liquor license, and thereupon 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 benefitted and assessed. Also a report to grading said route and formation of assessment district.

On motion of Delegate Marshall action upon the same was postponed for one week.

Thereupon the Board adjourned until Monday, February 10-1890. at 7.30 o'clock P. M.

W. M. Gassaway,  
City Clerk

G. B. Brant  
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: Rediger:  
Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Brach <sup>Eng</sup>  
Clerk Sassaway.

Absent, Delegates = Wagner: Lyons: Davies: Withers: Kanuman:  
<sup>Eng</sup> Cooper.

The Minutes of the last Regular Meeting were read and approved.

After giving notice, President Brach did, in open session, sign Ordinance No. 65. 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 requesting 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 report to the Assessment district was read and filed.

The Committee report, postponed for action from the last meeting, was read and adopted, <sup>Eng</sup> 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 Intentions  
for the grading of the route to Old Town heretofore fixed  
by Council, and defining the district to be benefited  
and assessed,

Respectfully submitted.



Chas. W. Pauly  
 Jas. P. Goodwin  
 Jos. Falkenham  
 Jas. D. Schuyler  
 A. L. Gassen  
 W. A. Day.  
 Geo. F. Sinks."

Thereupon the Resolution referred to in the above report was read. Geo 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 Geo Bradt.

Noes, Delegates = Marshall: Pauly: Day: Rediger: Thompson:

Seybolt: Switzer: Geo Hulbert.

Absent, Delegates = Wagner: Lyons: Davis: Wetherbee: Kannonau:  
Geo Cooper.

Thereupon the motion to adopt was carried by the following vote, to-wit:

Ayes, Delegates = Marshall: Pauly: Day: Rediger: Heath:

Thompson: Seybolt: Switzer: Hulbert Geo Bradt.

Noes, Delegates = Julian Geo Hewitt.

Absent, Delegates = Wagner: Lyons: Davis: Wetherbee: Kannonau:  
Geo 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 Witherby street: Witherby 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 Witherby street to the north-west line of Orion street: Orion 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 Orion 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, Geo the entire crossings of said streets with

the streets 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, to wit: At intersection of Palm Street with India Street a two by two (2' x 2') feet box: at the intersection of Cassafra's Street with India Street a two by two (2' x 2') feet box: at a point about two hundred (200) feet North of the North line of Cassafra's Street on India Street a two by two (2' x 2') feet box: at the intersection of Moas Street with India Street a two by two (2' x 2') feet box: at a point seventy-five (75) feet North of the North line of Vine Street on India Street a one foot by two (1' x 2') feet box: at the intersection of Harantly Street with Second Street of Middletown a five feet by six (5' x 6') feet box: at the intersection of Noell Street with Second Street of Middletown a six feet by two (6' x 2') feet box: at a point one hundred and forty (140) feet North of Withby Street on Hancock Street a one by two (1' x 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' x 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 Pascoe, and known as the "Canal Street tract": all that portion of Old Town according to the official map of Old Town made by James Pascoe 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 Conde St. from the N.E. line of Old Town to Cedar Street, on Cedar St. to Harney St; on Harney 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 Harney St: on Harney St. to Juan St. on Juan St. to Anza St: on Anza St. to San Diego Avenue: on San Diego Avenue to Ampudia St: on Ampudia St. to Congress St: on Congress St. to Iria St: on Iria St. to Stockton St: on Stockton St. to Withenby St: and along Withenby 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 as often as said newspaper is issued therein. The Clerk of this City is hereby directed to publish and post this Resolution for two days in the manner prescribed by law."

The following Petitions for Liquor License were read, and referred to the Committee on Health & Morals, to wit:

Chase & Johnson - retail  
Charles Wittenburg - retail

A Report from S. M. Jones, 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 & Indiana Sts.,

The Committee on Electric Lights, etc., reported as follows, to wit:

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. S. Hulbert "

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 3<sup>rd</sup> Street from B. to Moor, respectfully report that a protest representing a majority of the frontage was presented against macadamizing, but that protestants 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 3<sup>rd</sup> Street from the south line of B. Street to the south line of Moor Street and to curb and gutter the same, the gutters to have a width of five feet & be carried across intersections and the curbs to be of concrete.

Respectfully submitted.

Chas. W. Family.

W. A. Day.

A. B. Seybolt."

Thereupon 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 claim for erroneous taxation re. tax:

J. C. Wood.

J. H. Braley.

A. Frost

M. L. Hearn

A. M. Gillerman

M. McGregor

J. C. Schwartz

J. C. Braley

A. Whitely.

Said claims were referred to the City Attorney.

A Report from S. M. Methers, 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 recommend to the Finance Committee. This motion was Lost.

Delegate Seybolt moved that Delegate Methers's report be read.

Delegate Heath moved to lay Delegate Seybolt's motion on the table. This motion was Lost and thereupon the motion to read was carried & said report was thereupon read to the Board. V



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 put and carried & said report adopted. Said report is in words & figures following to wit:

To the Hon. Board of Delegates.

Gentlemen - 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 \$4000. 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 balance 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. Wetherbee.

Member of Finance Committee"

Delegates Heath: Hewitt and Marshall were here excused.

Delegate Switzer moved a call of the House & the same was taken with the following result, to wit:

Present, Delegates - Pauley: Julian: Day: Rediger: Thompson:

Seybold: Switzer: Hulbert & Bracht.

Absent, Delegates - Wagner: Lyon: Marshall: Davis: Wetherbee:

Hewitt: Heath: Kammann & Cuyper.

There not being a quorum present the Board adjourned until Monday, February 16-1890. at 7.30 o'clock p.m.

W. M. Massaway,  
City Clerk

G. S. Bracht  
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: Rediger: Hewitt:  
Heath: Sylvolt: Switzer: Hulbert: Kamman: Coufzer: Bradt:  
City Clerk Gassaway.

Absent, Delegates = Wagner: Lyons: Davies: Wetherbee: Thompson:  
City 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 Rediger moved that the election be by ballot. Delegate Switzer moved to amend that ballots be taken separately and that the vacancy caused by the absence of Delegate Wetherbee, be filled temporarily. The amendment carried and thereupon 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 Rediger | " | 3 | " |
| Delegate Switzer | " | 3 | " |
| Delegate Coufzer | " | 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 Rediger | " | 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 Rediger | " | 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 Rediger " 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 then proceeded to the election of a member to fill the vacancy caused in the Finance Committee, by the absence of Delegate Davies.

First Ballot: Delegate Rediger 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 Rediger " 7 "

Delegate Switzer " 4 "

Delegate Rediger 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. ~~Mr~~ Delegate Hulbert moved to adopt. Delegate Heath offered a Joint Resolution as a substitute. The substitute was lost by the following vote, to wit:

Ayes, Delegates = Marshall: Hewitt & Heath.

Noes, Delegates = Pauly: Julian: Rediger: Seybolt: Switzer:

Hulbert: Kamman: Cooper & Bradt.

Absent, Delegates = Wagner: Lyons: Davies: Day: Wetherben: & Thompson.

Whereupon 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 = thereupon the motion to adopt said ordinance, as amended, was put to vote, with the following result, viz:

Ayes, Delegates = Pauly: Julian: Rediger: Seybolt: Switzer:

Hulbert: Kamman: Cooper & Bradt.

Noes, Delegates = ~~Marshall~~ Hewitt & Heath.

Absent, Delegates = Wagner: ~~Lyons~~: Davies: Day: Wetherben: & Thompson.

(Delegate Rediger 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: Rediger: Hewitt: Heath: Seybolt:  
Hulbert: Kammann: Cooper and Bradt.  
Absent, Delegates = Wagner: Lyons: Davies: Day: Wetherbee:  
and Thompson.

In the matter of the proposed Ordinance establishing the grade of 4<sup>th</sup> 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 follows. to-wit:

To the Hon. Board of Delegates = Your Committee to whom was referred the annexed ordinance, have examined the portion of 4<sup>th</sup> Street referred to in said ordinance, and we recommend that the ordinance be passed.

Chas. W. Pauly

M. A. Day.

C. 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: Rediger: Hewitt:  
Heath: Seybolt: Switzer: Hulbert: Kammann: Cooper & Bradt.  
Noes = None.

Absent, Delegates = Wagner: Lyons: Davies: 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 south west 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 south-west 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 maps 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:

Chas. & Johnson - retail  
 J. G. Gledhill - "  
 Chas. Wittenburg - "

and hereupon said petitions 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 sidewalks made by the removal of Electric Light poles; that they have seen the parties responsible for the same, and they have already commenced filling the same and promise they shall be filled at once.

Chas. W. Pauly  
 W. A. Day.  
 A. B. Seybolt."

and 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 Sprinkling Fund &c, was read and adopted by the following vote, to wit:

Ayes, Delegates = Marshall: Pauly: Julian: Rediger: Seybolt:  
 Switzer: Hulbert: Kammann: Cooper & Brack.

Noes, Delegates = Hewitt & Heath.

Absent, Delegates = Wagner: Lyon: Davis: Day: Netherbee & 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 approval.

Delegate Hewitt tendered his resignation as a member of the Committee on Health and Morals. And on motion of Delegate Pauly, the resignation was accepted.

On motion of Delegate Rediger the Mayor's Veto of an Ordinance fixing the compensation of the Secretary of the Board of Fire Commissioners, was taken up for consideration. And 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: Smitzer: Kamman and Bracht.

Noes, Delegates - Marshall: Hewitt: Heath: Hulbert & Corper.

Absent, Delegates - Wagner: Lyon: Davies: Day: Withers: and Thompson.

Delegate Smitzer 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 Smitzer asked to be excused, and on motion of Delegate Marshall the request was granted.

In the matter of the Petition  
to have "H" St bet. 4<sup>th</sup> & 6<sup>th</sup> 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 "H" st. from 4<sup>th</sup> to 6<sup>th</sup> st. in place of Bitumin, would report that in their judgment the change should not be made.

Chas. W. Pearly  
Mr. A. Day  
A. B. Hulbert."

Said report was adopted and it was so ordered.

On the matter of the Petition  
to have 10 single Electric Lights  
placed on 6<sup>th</sup> 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  
A. B. Hulbert."

Said report was adopted and it was so ordered.

The following Concurrent Resolution (Heretofore adopted by the Board of Aldermen) was read and adopted, to wit:

Concurrent Resolution No. 22.

Be it Resolved by the Board of Aldermen, 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 Aldermen) was read and adopted, to wit:

Concurrent Resolution No. 21.

Be it resolution by the Board of Aldermen, of the City of San Diego, the Board of Delegates thereof 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 Sprinkling Carts or wagon manufactured and known as the Studs Baker sprinkling 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 Rediger offered the following resolution which was adopted, to wit:

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, to wit:

Ayes, Delegates = Marshall: Pauley: Julian: Hewitt: Heath: Seybolt: Hulbert: Kameron: Cooper and Board.

Noes, Delegates = Rediger.

Absent, Delegates = Wagner: Lyon: Davis: Day: Wetherbee: Thompson and Switzer.

Said Ordinance is as follows, to wit:

Ordinance No. 64.

An ordinance amending section five of ordinance No. 19. entitled An Ordinance imposing municipal licenses 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 liquors 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 licenses 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 liquors 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 liquors 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 unless 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 licenses herein provided for shall be due and payable on the 10<sup>th</sup> day of each month, and in advance at the office of the Tax Collector of said city as heretofore. Provided that said Tax Collector must, on the 12<sup>th</sup> 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 10<sup>th</sup> 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. Mottage, for permission to fire a salute on February 22<sup>nd</sup> was read & granted.

A written Opinion submitted by Jas. P. Goodwin, City Attorney, in compliance with Joint Resolution No. 46. was read and the Delegate Kammann moved that said opinion be received and a Special Committee appointed to consider the same. The motion carried and thereupon on motion of Delegate Marshall; Delegates Cooper, Kammann & Julian were appointed for said Committee.

Whereupon the Board adjourned until Monday, Feby. 24-1890. at 7.30 o'clock P. M.

M. Cassaway  
City Clerk

G. H. Braeth  
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: Pauley: Julian: Rediger:  
Hewitt: Heath: Thompson: Seybold: Switzer: Hulbert: Kammann:  
Cooper: Bradt <sup>ing</sup> Deputy Clerk Patton.

Absent, Delegates = Davies: Day: <sup>ing</sup> Wetherbee <sup>ing</sup> Manshall.

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 4<sup>th</sup> 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 J. M. Dodge: was read <sup>ing</sup> 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 Porphyry 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 5<sup>th</sup> street from "B" to "N" street: was read and filed.

The following Report from the Street Commission, was also read & filed, to wit:

The Street Commission to whom was referred the Resolution of Intention to macadamize curb and gutter 5<sup>th</sup> street from "B" to "N" respectfully report that a forester representing a majority

of the frontage was presented against macadamizing, but that contestants 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 5<sup>th</sup> street from the south line of B. street to the south line of Moor street and to curb and gutter the same, the gutters to have a width of five feet be carried across intersections and the curbs to be of concrete.

Respectfully submitted.

Chas. M. Pauley  
M. A. Day  
A. B. Seybolt.

A Resolution of Intention to Pave, Curb & sidewalk 4<sup>th</sup> street from "K." to "A." streets, was read and Delegates 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, to wit:

Ayes, Delegates = Wagner: Lyon: Pauley: Rediger: Hawitt:  
Thompson: Seybolt: Switzer: Hulbert: Kammann: Cooper and  
Boadt.

Noes, Delegates = Gulcin and Heath.

Said resolution is as follows, to wit:

Resolution of Intention to pave, curb and sidewalk 4<sup>th</sup> 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, to wit: that Fourth street in said city from the North line of "A." street to the south line of "K." street, and the entire center 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 sidewalks in the manner following, to wit:

The paving shall have a broken stone base eight inches in thickness and a natural bituminous rock wearing surface two inches in thickness, be constructed in accordance with the specifications therefor 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. 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.



The curbing shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in Subdivision C, Section One of Ordinance No. 29, and extend along both sides of said street except in front of Lot F Block 114, Lots E and F Block 88, Lots E and F Block 69, Lot L Block 68, Lot J Block 63, Lots A, B, C, D, E, and F Block 43, all north of the alley in Block 42, Lots A, B, C, D, E, and F Block 36, Lots S, X, Y, J, K, and L Block 37, Lot H Block 11, the north-west corner of the intersection of 4<sup>th</sup> and F Streets, and the south-east corner of the intersection of 4<sup>th</sup> & E Streets, already done.

The sidewalking shall be of artificial stone, or concrete, extend from the curb line to the property line and be constructed as follows: the base or foundation shall be three inches in thickness and composed of one part of the best Portland cement, three parts of coarse clean sharp sand, and six parts of roughly broken stone that will pass through a two inch ring, placed on a firm subgrade 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 (12) hours it shall be covered with earth or sand two inches deep and kept so covered for ten days. Such sidewalking shall be constructed on and along both sides of said street except in front of Lot F Block 114, Lots E and F Block 88, Lots E and F Block 69, Lot L Block 68, all north of the alley in Block 42, Lots A, B, C, D, E, and F Block 36, Lots S, X, Y, J, K, and L Block 37, Lot H Block 11, the north half of Lot A, and the south half of lot B, and lots C, D, E, and F Block 43, the N.W. corner of the intersection of 4<sup>th</sup> and F Streets already done. All work shall be done conformably to the provisions of ordinance No. 29 and No. 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 thereof for six days or oftener 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."

A Resolution of Intention to curb, gutter and sidewalk & macadamize 4<sup>th</sup> street from "A" to "D"; was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Lyons: Paily: Julian: Rediger: Otwell:  
Heath: Thompson: Seybolt: Switzer: Stulbert: Kamman: Cooper  
and Brach.

Noes = None.

Absent, Delegates = Marshall: Davis: Day and Melcher.

Said resolution is as follows, to wit:

Resolution of Intention to macadamize, curb,  
gutter and sidewalk 4<sup>th</sup> 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, to wit: that 4<sup>th</sup> street in said  
city from the north line of A. street to the south line  
of Ivy street and the entire crossings 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  
to wit: the macadamizing shall be constructed in ac-  
cordance with the specifications for "residence streets"  
contained in Special Specifications No. 1, 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 B. H.  
and I, Block 200, already done.

The guttering shall be five feet in width of four by six  
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  
intersections 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 roughly  
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 (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 & 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 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.

A Communication from the Board of Public Works recommending the removal of the Garbage Dumps, together with a request from the Spencer Commercial Co. that the same be removed: was read and referred to the Committee on Harbor & Wharf.

Delegate Kamman moved that the vacancy upon the Harbor & Wharf Committee, caused by the absence of Delegate Withers, be temporarily filled. The motion carried and thereupon the President appointed Delegate Kamman.

Delegate Marshall Lee entered & took his seat in the Board.

In accordance with notice given Delegate Rediger moved to reconsider the vote heretofore taken & entered upon page 367 of the record, upon an Ordinance transferring \$4000. from the General to the Salary fund. The motion carried. Thereupon said Ordinance was 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, to-wit: Ayer, Delegates - Wagner; Lyons; Pauley; Julian; Rediger; Thompson; Seybold; Switzer; Hulbert; Kamman; Cooper; and Bradt.

Not, Delegates - Marshall; Hewitt and Heath.

Absent, Delegates - Davies; Day; Withers.

Said Ordinance is as follows, to-wit:

*[Signature]*

The following report from the Joint Water Committee recommending a schedule of water rates for the ensuing year, was read, to wit:

Ordinance No. 62.

An Ordinance trans-

fering 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.

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 \$381,326.81.

Second—We find that computing the interest at 6 per cent on the above value to amount to the sum of \$24,877.90.

Third—We find the operating expenses and taxes for the year 1889 to amount to the sum of \$23,219.51, the last two sums making a total of \$389,077.31, 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 \$102,441.85; of this amount \$12,396.45 was for fire hydrants. The last said amount being deducted from the total earnings, leaves \$90,045.36, 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 \$23,497.31; of this amount we recommend the sum of \$13,500 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 \$14,997.31.

As before stated the earnings of said company for 1889 was \$102,441.85 less the sum of \$12,396.45, amount of revenue from hydrants for 1889, leaves a balance of \$90,045.36. The one-half of this sum is \$45,022.68, which is \$45.37 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 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 slackening 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.

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.

Twentieth—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 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 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 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 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 rate of 37 1/2 cents per 100 cubic feet, or 50 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 \$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 by 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 resident 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 said 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 Bradb did, in open session, sign Ordinance No. 62. Being An Ordinance transferring \$4000. from the General to the Salary Fund.

A Concurrent Resolution providing for the removal of the Electric Lights tower 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 Radiger asked to be excused, and on motion of Delegate Switzer the request was granted.

A Protest to the "Bond Ordinance" as passed by the Board of Aldermen, was read & filed.

An Ordinance establishing a Bond and Bond Keeper, was read and Delegate Ogden moved that the Ordinance be amended so that in Sections 3 & 4, the bond area shall include the entire City limits. Delegate Hulbert moved to amend the amendment by referring to the Committee on City Limits. The amendment



ment to the amendment was lost. On thereupon 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 Cooper moved the amendment that all that portion of Section 2, relating to the apportioning power by the Mayor, be stricken out. This amendment was lost.

Thereupon said Ordinance as amended, was adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauley: Hewitt: Heath: Switzer: Hulbert: Kammann & Cooper.

Noes, Delegates = Bracht: Julian: Thompson & Seybolt.

Absent, Delegates = Davis: Day: Rediger & Mathews.

Said Ordinance is as follows, to wit:

( 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, to wit:

Ayes, Delegates = Wagner: Lyon: Marshall: Pauley: Julian: Hewitt: Heath: Thompson: Seybolt: Hulbert: Kammann: Cooper and Bracht.

Noes, Delegate Switzer.

Absent, Delegates = Davis: Day: Rediger & Mathews.

Said Ordinance is as follows, to wit:

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, be and the same are hereby apportioned to the following funds of said City, to wit: the interest accruing on all School moneys to the "School Fund", and the interest accruing on all other moneys to the "Street Sprinkling 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. Aye:

Ayer, Delegates = Wagner: Lynn: Marshall: Pauly: Julian:  
 Hewitt: Heath: Thompson: Sybolt: Switzer: Kammann:  
 Cooper & Bracht.

None = None.

Absent, Delegates = Davies: Day: Rediger: Methurree: & Hulbert.  
 Said Ordinance is as follows. Aye:

"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 follows:

Section 1. It shall be unlawful to explode any blasts or use any powder or other explosive material 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 covered 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 exploding any blasts warning must be given to all passers by 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 damages 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 publication in the San Diego Daily Sun newspaper."

Whereupon the Board adjourned until February 25-1890.  
 at 7.30 o'clock P. M.

W. M. Cassaway.  
 City Clerk

G. G. Bracht  
 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: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kammann: Bradt and Deputy Clerk Patton.

Absent, Delegates - Lyons: Daniels: Day: Rediger: Metherbee: and Cooper.

The following report from the Street Committee was read and filed, to wit:

The 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 31<sup>st</sup>, 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. being 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. B. Seybolt."

The following Street Committee report was read, to wit:

The your Street Committee to whom was referred the Petition of J. A. Jones to close streets in Silver Terrace report as follows: 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. B. Seybolt."

On motion of Delegate Hulbert the report was adopted & the City Attorney instructed to prepare an Ordinance providing for closing said streets.

A Petition from Fred A. Pinney in regard to the taxes on Lot 30, Block 171, Cornado, was read and referred to the City Attorney.

Delegate Marshall was here temporarily excused.

The City Clerk presented the affidavit of Wm. M. Doe, Principal Clerk of the printer 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 20<sup>th</sup>, 1890, and by the Board of Aldermen, of said City, January 21<sup>st</sup>, 1890,) declaring the intention of the Common Council, of said City, to order the following street work to be done to wit: That "C" Street in said City from the east line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> 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 5<sup>th</sup> Street, be curbed, guttered and paved in the manner following to wit: the curbing shall be of granite constructed in accordance with the specifications 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 A, Block 36, already done. The gutters shall be paved with granite blocks constructed in accordance with the specifications therefor contained in Subdivision 8, of Section 1, 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 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 Ordinance No. 29, and 53, - was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> days of February, 1890. Said Affidavit was filed.

The City Clerk also presented his Affidavit showing that he did, on the 29<sup>th</sup> 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: 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 "C" Street in said City, from 4<sup>th</sup> to 6<sup>th</sup> Street, and that the same remained 20

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, 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 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 "C" Street in said city, from 4<sup>th</sup> to 6<sup>th</sup> Streets - was published in said newspaper from the 3<sup>rd</sup> day of February, 1890, to the 11<sup>th</sup> 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 4<sup>th</sup> Street, to the west line of 6<sup>th</sup> Street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block, liable to be assessed, "notices of Street Work", being 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 4<sup>th</sup> to 6<sup>th</sup> 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 4<sup>th</sup> Street, to the west line of 6<sup>th</sup> 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 5<sup>th</sup> Street, in the manner hereinafter 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; thereupon a resolution ordering the paving of "C" Street from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Pauley: Julian: Ottwell: Heath: Thompson: Seybold: Switzer: Hulbert: Kammann: L. B. Brad. Noes = None.



Absent, Delegates = Lyons: Marshall: Davis: Day: Rediger:  
McKee and Cooper.

Said resolution is in words and figures following, to-wit:  
Resolution ordering the paving of "C" Street from 4<sup>th</sup> to 6<sup>th</sup>.

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 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 gutters 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 Ordinance No. 29 and No. 53.

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 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."

The City Clerk presented the affidavit of Wm. M. Ave, 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 Aldermen



of the City of San Diego, California, January 21-1890, and by the Board of Delegates, of said City, January 27-1890.) 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 Front Street to the West line of Third Street, and the entire openings 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 guttered and macadamized in the manner following, to-wit: The gutters shall be paved with granite blocks in accordance with the specifications therefor 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 1<sup>st</sup> and 3<sup>rd</sup> 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 30<sup>th</sup> 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 "D" Street, from Front to 3<sup>rd</sup> 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 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 "D" Street in said City, from Front to 3<sup>rd</sup> Streets - was published in said newspaper from the 5<sup>th</sup> day of February, 1890. to the 11<sup>th</sup> 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 "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, "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 "D" street in said city, from Front to 3<sup>rd</sup> 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 3<sup>rd</sup> 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 in the manner hereinbefore set forth upon page 386. 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 macadamizing of "D" street from Front to 3<sup>rd</sup>, was read and adopted by the following vote, to wit:

Ayes, Delegates - Wagner: Pauley: Julian: Harvitt: Heath: Thompson: Seybolt: Switzer: Stulvert: Kammann and Pracht. None, None.

Absent Delegates - Lyons: Marshall: Davies: Day: Adiger: Matheson and Cooper.

Said resolution is in words and figures following, to wit:  
Resolution ordering the macadamizing of "D" street, from Front to 3<sup>rd</sup>.

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, 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 guttered and macadamized in the manner following to wit: the gutters shall be paved with granite blocks in accordance with the specifications therefor contained in Submission 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 contractors shall be governed and bound by the provisions of said Ordinance No. 29 and Ordinance No. 53.

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, hereinafter 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. W. Coe, Municipal Clerk of the printers 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 "D" Street in said city from the east line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> 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 5<sup>th</sup> 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 3, of Section One, of Ordinance No. 29. and extend along both sides of said street, except in front of Lot A Block 36, Lots C and D Block 35: Lots A and D Block 43: Lot A Block 44: Lot D Block 44: 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 Lots A and D Block 43. and Lot D 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 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 53. - was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> 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 29<sup>th</sup> 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 foregoing mentioned resolution of intention to improve "D" Street, from 4<sup>th</sup> to 6<sup>th</sup> 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 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 4<sup>th</sup> to 6<sup>th</sup> Streets, - was published in said newspaper from the 5<sup>th</sup> day of February, 1890, to the 11<sup>th</sup> 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 "D" Street in said city, from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> Street, at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block and irregular block liable to be assessed, "notices 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 "D" Street in said city from 4<sup>th</sup> to 6<sup>th</sup> 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 Resolutions of Intentions to curb, gutter and pave "D" Street in said city, from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> 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 3<sup>rd</sup> Street in the manner hereinbefore set forth upon pages 388, 389. 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 "D" Street from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to wit:

Ayes, Delegates = Wagner: Pauly: Julian: Hawitt: Heath:  
 Thompson: Seybolt: Switzer: Halbert: Kammern: and Bratt.  
 Nays = None.

Absent, Delegates = Lyon: Marshall: Davies: Day: Rediger:  
 Mathews and Cooper.

Said resolution is in words and figures following, to wit:

Resolution ordering the paving of D. Street from 4<sup>th</sup> to 6<sup>th</sup>.

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 order the following street work to be done, to wit: That D. Street in said City, from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 36, Lots C. and D. Block 35, Lots A. and E. Block 43, Lot A. Block 44, and Lot D. Block 44, 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 Lots A. and E. Block 43, and Lot D. 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 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 Ordinance No. 29, and No. 53.  
 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 hereby 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, therefore and hereby designated for that purpose, both 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. 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 28-1890, 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 E. street in said City, from the east line of 5<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 therein contained in Subdivision 5, of Section 7, of Ordinance No. 29, and extend along both sides of said street, except in front of Lot E Block 44 already done. The guttering shall be of granite blocks and constructed in accordance with the specifications therein 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 bituminous rock wearing surface two inches thick, and be constructed in accordance with the specifications therein contained in Subdivision one, of Section 3, of Ordinance No. 29. All work shall be done in conformity with, and the contractor shall be governed by the provisions and specifications of Ordinance No. 29, and No. 53. - was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> 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 29<sup>th</sup> 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

down 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 foregoing mentioned resolution of intention to improve E. Street in said city, from 3<sup>rd</sup> to 6<sup>th</sup> 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. M. C. Jernigan, Clerk of the printer and publishers of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that a "Notice of Street Work" being a notice of the passage by the Common Council of said City, of the above described resolution of intention to improve E. Street, in said city, from 3<sup>rd</sup> to 6<sup>th</sup> Streets; was published in said newspaper from the 5<sup>th</sup> day of February, 1890, to the 11<sup>th</sup> 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 E. Street, in said city, from the east line of 3<sup>rd</sup> Street to the west line of 6<sup>th</sup> Street at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block and irregular block liable to be assessed "Notices of Street Work" being notices of the passage by the Common Council of said City, of the above and before mentioned resolution of intention to improve E. Street in said city from 3<sup>rd</sup> to 6<sup>th</sup> 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 E. Street, in said city, from the east line of 3<sup>rd</sup> Street, to the west line of 6<sup>th</sup> 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 shown in the manner heretofore 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 on improvement: Herupon a resolution ordering the paving of E. Street from 3<sup>rd</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit:

Ayes: Delegates = Wagner: Pauley: Julian: Hewitt: Heath:

Thompson: Seybolt: Switzer: Hulbert: Kammann: Mrs. Bradt.

Noes: - None.

Absent Delegates = Lyon: Marshall: Davies: Day: Rediger:

Matheson: Mrs. Crocker.

Said resolution is as follows, to-wit:

Resolution ordering the paving of E. Street from 3<sup>rd</sup> to 6<sup>th</sup>.

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 E. Street in said City from the east line of 3<sup>rd</sup> Street, to the west line of 6<sup>th</sup> 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 thereof contained in Subdivision 5; of Section One, of Ordinance No. 29. and extend along both sides of said Street, except in front of lot C. Block 44. already done. The guttering shall be of granite blocks and constructed in accordance with the specifications thereof 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 bituminous rock wearing surface two inches thick and be constructed in accordance with the specifications thereof contained in subdivision 1. of Section Two, 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, hereafter 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 Mrs. 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, 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 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 I. Block 88, lots E and I. 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 I. 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 newspapers on the 1<sup>st</sup> & 3<sup>rd</sup> 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 29<sup>th</sup> 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 I. street, from 4<sup>th</sup> to 6<sup>th</sup> 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. M. Roe, Municipal Clerk of the printers 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 4<sup>th</sup> to 6<sup>th</sup> Street - was published in said newspaper from the 3<sup>rd</sup> day of February, 1890. to the 11<sup>th</sup> day of February, 1890. both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pittingell, 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 4<sup>th</sup> street to the West line of 6<sup>th</sup> street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be annexed, "Notices of Street Work" being notices 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 4<sup>th</sup> to 6<sup>th</sup> 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 "G" street, in said City, from the East line of 4<sup>th</sup> street to the West line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 of property fronting on said proposed work or improvement: thereupon a Resolution ordering the paving of "G" street from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Parly: Julian: Hewitt: Heath: Thompson: Seybolt: Switzer: Hulbert: Kammann and Bracht.  
Nays = None.

Absent, Delegates - Lyman: Marshall: Davis: Day: Rediger: McFarber and Cooper.

Said resolution is as follows, to-wit:

Resolution ordering the paving of G street from 4<sup>th</sup> to 6<sup>th</sup>.

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 4<sup>th</sup> street in said city from the east line of 4<sup>th</sup> street to the West line of 6<sup>th</sup> 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 5<sup>th</sup> 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 I. 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 I. 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 provisions and specifications contained in Ordinance No. 29 & No. 53.

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 in writing 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, both a copy of this resolution and also, after its posting, his notice of such posting, each for two days.

Delegate Cowser has entered & took his seat in the Board.

Delegate Pauley was here temporarily excused.

The City Clerk presented the affidavit of Mrs. 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 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 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, except the crossing at the intersection thereof with 3<sup>rd</sup> 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 provision of and specifications contained in Ordinance No. 29, and No. 53. was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> 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 29<sup>th</sup> 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 4<sup>th</sup> to 6<sup>th</sup> 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. M. A. 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 4<sup>th</sup> to 6<sup>th</sup> streets. = was published in said newspaper from the 3<sup>rd</sup> day of February, 1890. to the 11<sup>th</sup> 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 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "Notices of Street Work" being notices 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 4<sup>th</sup> to 6<sup>th</sup> 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 4<sup>th</sup> street to the west line of 6<sup>th</sup> street except the crossing at the intersection thereof with 3<sup>th</sup> 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 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 "I" street from 4<sup>th</sup> to 6<sup>th</sup>, was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Julian: Hawitt: Heath: Thompson: Seybolt: Smitzer: Halbert: Kamman: Cooper and Bradt.  
Nays = None.

Absent, Delegates = Lyons: Marshall: Pauley: Davis: Day: Rediger: and Methuen.

Said Resolution is as follows, to-wit:

Resolution ordering the paving of "I" street from 4<sup>th</sup> to 6<sup>th</sup>.

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 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, except the crossing at the intersection thereof with 3<sup>th</sup> 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 two, 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. 53.

The Clerk of this City is hereby directed to post conspicuously for five days in or near the Common 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 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, herefor and hereby designated for that purpose both 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 Mr. W. Pro. 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, stating that the resolution (passed by Board of Delegates, of the City of San Diego, California, January 20<sup>th</sup>, 1890, and by the Board of Aldermen, of said City, January 21<sup>st</sup>, 1890.) declaring the intention of the Common Council of said City to order the following street work to be done, to wit: That 9<sup>th</sup> Street in said City, from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, except the curbing thereof at the intersection with 5<sup>th</sup> 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 2, Block 121, and the West 60 feet of Lot C, Block 114, already done.

The guttering shall be of granite blocks & 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.



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 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 Ordinance No. 29 and 53. - was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> 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 29<sup>th</sup> day of January, 1890, post 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 Aldermen: 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 J. Street from 4<sup>th</sup> to 6<sup>th</sup> streets, and that the same were 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 position 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 J. Street in said City, from 4<sup>th</sup> to 6<sup>th</sup> streets, was published in said newspaper from the 3<sup>rd</sup> day of February, 1890, to the 11<sup>th</sup> 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 J. Street in said City from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block, and irregular block liable to be assessed, "Notice of 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 J. Street in said City, from 4<sup>th</sup> to 6<sup>th</sup> 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 "J." Street in said City, from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, except the crossing thereof at the intersection thereof with 5<sup>th</sup> Street in the manner heretofore set forth upon pages 399 and 400 of the 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 "J." Street from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit:

(Delegate Pauly Rose resumed his seat in the Board)  
 Ayes, Delegates = Wagner: Pauly: Julian: Stewart: Heath:  
 Thompson: Sylvest: Switzer: Stulbert: Kamonan: Cooper  
 and Bradt.

Noes = None.

Absent, Delegates = Lyon: Marshall: Davies: Day: Rediger  
 and Mathews.

Said resolution is as follows, to-wit:

Resolution ordering the paving of "J." Street from 4<sup>th</sup> to 6<sup>th</sup>.

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 "J." Street in said City from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street except the crossing thereof at the intersection with 5<sup>th</sup> 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 L, Block 121, and the West 60 feet of Lot C, Block 114, 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 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. 53. 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 hereby 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 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. Roa, 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 K. Street in said city from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 139, Lot B. Block 122: and Lot C. 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 C. Block 122. 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 to and the Contractors shall be governed and bound by the provisions & specifications

of Ordinance No. 29 and No. 53. - was published in said newspaper on the 1<sup>st</sup> and 3<sup>rd</sup> 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 29<sup>th</sup> 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 4<sup>th</sup> to 6<sup>th</sup> 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, 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 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 4<sup>th</sup> to 6<sup>th</sup> streets, was published in said newspaper from the 3<sup>rd</sup> day of February, 1890, to the 11<sup>th</sup> day of February, 1890. Both days inclusive. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Gettignell, 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 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed, "notices 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 4<sup>th</sup> to 6<sup>th</sup> 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 4<sup>th</sup> street, to the West line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 having expired, and no objection having been filed by a majority of the owners of frontage of forty-two feet on said proposed work or improvement: thereupon a resolution ordering the paving of "K" street, from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit: Ayes. Delegates = Wagner: Pauly: Julian: Harvitt: Heath: Thompson: Seybolt: Switzer: Stulvert: Kammann: Cooper & Bracht.

Noes = None.

Absent Delegates = Lyon: Marshall: Davies: Day: Radigan & Wetherbee.

Said resolution is as follows, to-wit:

Resolution ordering the paving of "K" street from 4<sup>th</sup> to 6<sup>th</sup>.

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 "K" street in said city, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 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 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 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

Conspicuously: for five days on or near the Council Chamber door of this City notice hereby 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 proposed 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 both a copy of this resolution, and also after its posting his notice of such posting each for two days."

Delegates Rediger and Marshall here 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 as recommended by the Joint Water Committee, and stating his reasons therefor and submitting the following proposition, viz: This 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 rates you may see proper. Will agree to make a reasonable extension of the pipes 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 gallons per day we will agree to collect only for the amount of water so furnished during that four year. - 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, or establishing rates as proposed in said report, and stating his reasons 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, to-wit: Ayes, Delegates - Wagner: Marshall: Pauly: Julian: Rediger: Hewitt: Heath: Thompson: Sigwalt: Switzer: Hulbert: Kammann: Cooper and Bradt.



Notes - None.

Absent, Delegates - Lyons; Davies; Day; Lucie Wetherbee.

Said Ordinance is as follows. Enact:

### 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 room \$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 slaughtering 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 35 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.

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.

Twentieth—To coffee houses open day and night, from \$2.00 to \$3.00 per month.

METER 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 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 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 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 1/3 cubic feet, or 100,000 gallons.

WATER 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 rate of 37 1/2 cents per 100 cubic feet, or 50 cents per 1,000 gallons.

No waterboat 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 \$3.00 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 each hydrant, \$1.00 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 31st, 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, \$1.00 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 rate, 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 open 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 Kammann, a vote of thanks was tendered the Joint Water Committee of the Common Council for faithful service in rendering the report & ordinance heretofore adopted fixing water rates.

Whereupon the Board adjourned until Monday, March 3-1890 at 7.30 o'clock P. M.

W. M. Garrison,  
City Clerk

G. B. 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 Bracht presiding.

Present, Delegates = Lyons: Pauly: Julian: Radiger: Havitt: Heath: Seybolt: Smitzer: Kammann: Coopsen <sup>and</sup> Bracht <sup>and</sup> Clerk Garrisonay.  
Absent, Delegates = Wagner: Marshall: Davies: Day: Metherbee: Thompson <sup>and</sup> Hulbert.

On motion of Delegate Radiger, the reading of minutes of previous meetings was postponed.

After giving notice, President Bracht, did, in open session, sign Ordinance No. 68. Being an Ordinance apportioning 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 <sup>and</sup> filed.

A Message from the Mayor, showing his approval of Ordinance No. 66, was read <sup>and</sup> filed.

A Communication from the City Clerk, transmitting a request from Delegate Metherbee for a further extension of 30 days leave of absence, was read <sup>and</sup> 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 to the effect that there were not sufficient moneys of 1889, to pay the debts of that year, ~~is~~ stating that all debts contracted for 1889, are fully provided for; was read and filed.

Delegate Coopsen offered the following Joint Resolution which was adopted, to-wit:

### Joint Resolution No.

Believing that the city could be greatly beautified and its prosperity enhanced from times the actual cost 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,

- 1<sup>st</sup>. To find out the most feasible plan to adopt to get said trees planted.
- 2<sup>nd</sup>. To locate the residence part of the City, and the amount of trees we could plant this year.
- 3<sup>rd</sup>. If water can be got to irrigate said trees under the water ordinance recently passed.
- 4<sup>th</sup>. The approximate cost of tree planting and irrigating the same per year for a 25 foot lot."

A Petition from Loomis & Hadley, for retail liquor license was read and referred to the Committee on Health & Moral.

Delegate Pauley 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 4<sup>th</sup> Street to its full width from the south line of Ivy 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 4<sup>th</sup> 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 owners, asking that Geo. C. Sunkin, Jos. Falkenhan and Jas. D. Schuyler be appointed as Commissioners to open "I" 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 Mrs. M. Roe, Principal Clerk of the printer 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, February 3-1890, and by the Board of Aldermen, of said City, February 4<sup>th</sup>, 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 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, gutted and macadamized in the manner following, to-wit:

The curbing shall be of artificial stone or concrete constructed in accordance with the specifications herefor

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 Horton Plaza, where it shall be placed on a line which shall be a projection of the east 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 therefor 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 provision of Ordinance No. 29 and No. 53, was published in said newspaper on the 7<sup>th</sup> & 8<sup>th</sup> days of February, 1890. Said affidavit was received & placed upon file.

The City Clerk also presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 7<sup>th</sup> 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 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 "D" street from 3<sup>rd</sup> to 4<sup>th</sup> 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, Semi-weekly 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 3<sup>rd</sup> to 4<sup>th</sup> streets - was published in said newspaper on the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> & 17<sup>th</sup> days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amos Pellingale 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 3<sup>rd</sup> street to the west line of 4<sup>th</sup> street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block liable to be assessed "notice of 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 3<sup>rd</sup> to 4<sup>th</sup> 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 Envoy. 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 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 hereinafter set forth upon pages 4080-409, 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 frontage of property fronting on said proposed work or improvement: Whereupon a resolution ordering the macadamizing of "D" Street from 3<sup>rd</sup> to 4<sup>th</sup>, was read and adopted by the following vote, to-wit:

Ayes, Delegates = Lyons: Pauley: Julian: Radiger: Hawitt: Heath: Seybolt: Switzer: Kamman: Cooper and Board.  
Nays = None.

Absent, Delegates = Wagner: Marshall: Davis: Day: Mathews: Thompson: Edulbert.

Said resolution is as follows, to-wit:

Resolution ordering the macadamizing of "D" Street from 3<sup>rd</sup> to 4<sup>th</sup>;

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 "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, to-wit:

The curbing shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in Subdivision C. 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 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 therefor contained in subdivision 8, of Section 1, 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 Ordinance No. 29 and No. 53.

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 hereby 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, hereafter and hereby designated for that purpose, both a copy of this resolution, and also after its posting for notice of such posting, each for two days."

Delegate Rediger asked to be excused and on motion of Delegate Seybold the request was granted.

A Resolution ordering the macadamizing of H. street from Atlantic to 4<sup>th</sup>, was read and postponed for one week.

The City Clerk presented the affidavit of Mrs. M.-Ave, principal Clerk of the printer 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 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, to-wit: That "H" street in said City, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 except the crossing at the intersection thereof with 5<sup>th</sup> street, be curbed, guttered and paved in the manner following, to-wit:

Of 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 B & C 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 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 Contractor shall be governed and bound by the provisions of and specifications contained in Ordinance No. 29. and No. 53. = was published in said newspaper on the 13<sup>th</sup> & 14<sup>th</sup> days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J. C. Patton, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> 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 Aldermen; 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 4<sup>th</sup> to 6<sup>th</sup> 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 Mrs. M. Roe, Municipal 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 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 H. Street in said city, from 4<sup>th</sup> to 6<sup>th</sup> streets, was published in said newspaper on the 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> & 19<sup>th</sup> days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amor- Pettingill, 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 4<sup>th</sup> Street; to the west line of 6<sup>th</sup> Street, at not more than 300 feet in distance apart, not less than three in all, and in front of each quarter block and irregular block, liable to be amended, "notices of street work", being notices 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 4<sup>th</sup> to 6<sup>th</sup> streets,

and further, that he, said Street Superintendent, carried 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 "H" Street, in said City, from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 5<sup>th</sup> Street, in the manner hereinbefore set forth upon pages 411 & 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. 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 "H" Street from 4<sup>th</sup> to 6<sup>th</sup>, was read and adopted by the following vote, to wit:

Ayes, Delegates = Lyons: Pauley: Julian: Harvitt: Heath: Seybold: Switzer: Kamman: Cooper & Brack:  
Nays = None.

Absent Delegates = Wagner: Minkell: Davis: Day: Rediger: McKee: Thompson & Fulbert.

Said resolution is as follows, to wit:

Resolution ordering the paving of "H" Street, from 4<sup>th</sup> to 6<sup>th</sup>.

Resolved, that the Common Council of the City of San Diego, California, deems it to be required by public interest and convenience, and hereby orders the following street work to be done, to wit: that "H" Street in said City from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 with 5<sup>th</sup> 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 Lots C and D, Block 85, 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 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 Ordinance No. 29, and 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, 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 Mrs. M. A. V. Principal Clerk of the printer 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, February 3-1890, and by the Board of Aldermen, of said City, February 4-1890) declaring the initiation of the Common Council of said City, to order the following street work to be done, to wit: that "F" street, in said city, from the east line of H<sup>th</sup> street to the west line of G<sup>th</sup> 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 3<sup>rd</sup> 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 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 E and S, Block 61, and Lots A and S, Block 70, and the east fourteen feet of Lot S, 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 C, Block 61; Lot E, Block 61: 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 hereon 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 specifications contained in Ordinances No. 29, and No. 33 - was published in said newspaper on the 7<sup>th</sup> and 8<sup>th</sup> days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of J. H. Palmer, Deputy City Clerk of the City of San Diego, California, showing that he did, on the 7<sup>th</sup> 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 Aldermen;  
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 E<sup>st</sup> street from 4<sup>th</sup> to 6<sup>th</sup> 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 Mrs. M. Roe, Semi-official 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 before mentioned Resolution of Intention to improve E<sup>st</sup> street in said City from 4<sup>th</sup> to 6<sup>th</sup> streets - was published in said newspaper on the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> & 17<sup>th</sup> days of February, 1890. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Amor Pettingell, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of E<sup>st</sup> street in said City, from the East line of 4<sup>th</sup> street to the West line of 6<sup>th</sup> street, at not more than 300 feet in distance apart, not less than three in all and in front of each quarter block and irregular block liable to be assessed, "Notice of Street Work" being notice of the passage by the Common Council



of said City, of the foregoing described Resolution of Intention to improve C<sup>th</sup> Street in said City, from 4<sup>th</sup> to 6<sup>th</sup> 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<sup>th</sup> Street, in said City from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> 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 5<sup>th</sup> Street, in the manner hereinbefore set forth upon pages 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 C<sup>th</sup> Street from 4<sup>th</sup> to 6<sup>th</sup> was read and adopted by the following vote, to-wit: Ayer, Delegates - Lyons: Pauley: Julian: Otwell: Heath: Seybold: Switzer: Hammond: Cooper <sup>Eng.</sup> Pratt.  
Nays = None.

Absent, Delegates - Wagner: Marshall: Davies: Day:

Rediger: Mathison: Thompson: <sup>Eng.</sup> Hulbert.

Said resolution is as follows, to-wit:

Resolution ordering the paving of C<sup>th</sup> Street from 4<sup>th</sup> to 6<sup>th</sup>

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 C<sup>th</sup> Street in said City from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> 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 5<sup>th</sup> 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 herefor contained in Subdivision first, of Section one, of Ordinance No. 29, and extend along both sides of said Street, except in front of Lots C and D, Block 61: Lots A and L, Block 70: and the East frontward face of Lot L, Block 69: 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 C Block 61. and Lot B Block 61. 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 provisions of and specification 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 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, herefor 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."

On the matter of the recommendation of the Board of Public Works that the Garbage Dump 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 Dump & Wharf be removed & a new Dump & Wharf be erected East of 23<sup>rd</sup> St. & not at foot of Hawthorn or Dry sts., 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 bunkers but we your Committee would recommend strongly, that no chance be taken in putting this Garbage Dump to the westward of our City as the same might have to be removed for same 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 23<sup>rd</sup> St.

John H. Marshall.  
C. F. Korman  
Wm. Cooper."

Delegate Heath offered the following resolution which was adopted, to wit:

Resolved, that it is the sense of this Board that the Mayor is hereby requested to comply with Art. 5. of Chap. 9. of the City Charter."

A Message from the Mayor, submitting the names of W. E. High; A. Overbaugh and Charles Stubbell, as Members of the Cemetery Commission, was read and appointment confirmed by the following vote, to wit:

Ayes, Delegates = Lyon: Pauly: Julian: Hauvitt: Heath: Deg Bolt: Switzer: Kammon: Cooper and Bracht.

Noes = None.

Absent, Delegates = Wagner: Daxer: Day: Rediger: McFarber: Thompson & Stubbell.

Whereupon the Board adjourned until Monday, March 10-1890. at 7.30 o'clock P. M.

M. M. Gassaway,  
City Clerk

G. H. Bracht  
President

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, March 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 Bracht presiding.

Present, Delegates = Wagner: Marshall: Parly: Julian: Day: Hewitt: Heath: Flyvold: Switzer: Hulbert: Kammann: Cooper: Bracht and Clerk Gassaway.

Absent, Delegates = Lynn: Davies: Rediger: Mathews, and Thompson.

The minutes of meetings, of this Board, held February 24, and 25<sup>th</sup>, and March 3 - respectively, were read and approved.

A Message from the Mayor, stating that he had appointed M. L. Dawson, as Police Judge, to fill a vacancy existing in the office of Police Judge, was read & filed.

A written opinion, submitted by the City Attorney, at the request of the Board, relative to a member being absent for more than 30 days, was read & filed.

On motion of Delegate Day, the leave of absence heretofore granted to Delegate Davies, was extended 30 days.

The City Clerk requested a leave of absence for 30 days for Delegate Lynn. Said request was granted.

A Petition for permission to grade all those portions of 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> streets to Robinson & University Avenues, contained in Matt's Addition to San Diego, was read and referred to the Street Committee.

A Financial report from the City Auditor for the month of February, 1890, was read & referred to the Finance Committee.

The following joint resolution (heretofore adopted by the Board of Aldermen,) was read and adopted, to-wit:

### Joint Resolution No. 57.

It is desired by the Common Council, that the attention of the Board of Public Works and the Street Commissioners be & hereby is, called to the large and unsightly poles now in use, along the streets heretofore occupied by the old Electric Road (said poles having been formerly used by said Electric Road) and that said

Board of Public Works be & hereby is requested to take the proper steps to have said poles removed, as soon as possible."

Delegate Hewitt offered the following Joint Resolution, which was adopted, to wit:

Joint Resolution No. 58.

Be it Resolved, That the Gas and Electric Light Committee of the Board of Delegates, and the Board of Aldermen, be and is hereby requested to consider and recommend the rate of compensation to be charged and collected in this city for the use of telephones & determine the maximum rate on Com. by any person, company, or corporation, supplying Gas, Electric or other illuminating power in the city. The rates to take effect and be in force for one year on and after the first day of May 1890."

The following report from the City Attorney & Auditor, was read, adopted and the amounts mentioned therein ordered to be refunded as recommended, to wit:

To the Board of Delegates: We have examined the claims for double assessment and taxation, referred to us and recommend the following rebate.

|                 |                              |       |
|-----------------|------------------------------|-------|
| J. C. Wood.     | Double assessment on Impts.  | 28.81 |
| A. M. Jones.    | Clerical error in valuation. | 17.96 |
| Geo. J. Lacy.   | Double assessment on Impts.  | 17.80 |
| Emt. & Cumberg. | " " " "                      | 6.87  |
| A. Frost        | Tax on Impts. Not existing   | 3.75  |
| J. H. Braly     | Double assessments on Impts. | 18.75 |
| H. W. Gellerman | " " " "                      | 3.56  |
| M. McGregor     | " " " "                      | 7.13  |
| J. C. Braly     | " " " "                      | 5.95  |
| Abner Whiteley  | " " " "                      | 3.12  |

That said amounts be paid out of the General Fund.

Respectfully

James O. Goodwin. City Atty.  
S. M. Jones. Auditor

A Communication from the Board of Public Works declining to act as Commissioners to assess J. Strach, without extra compensation, was read and Thompson Delegate Day called for the reading of a Concurrent Resolution, therefore filed providing for the appointment of Messrs. Arnold, Stanton & Stevens as such Commissioners. On motion of Delegate Switzer said resolution was taken from file. Thompson said resolution was read & adopted and is as follows, to wit:

Concurrent Resolution No. 23.

Be it Resolved, by the Board of Delegates, of the City of San Diego, the Board of Aldermen have of

Resolution to be changed by any person, company or corporation supplying gas.



concurring, that J. C. Arnold, H. M. Stanton and C. H. Sterner be and the same are hereby appointed Commissioners to assess the benefits and damages and to have general supervision of all work pertaining to the opening of D. St. in the said City of San Diego, as the same is particularly described in the resolution of intention for opening said street, on file in the office of the Clerk of said City. That the compensation of the said Commissioners hereby appointed shall be not more than four dollars per day during the time said Commissioners shall be engaged in such work. That said Commissioners shall before entering on said work justify and file such bond as is required by law."

A Protest to the removal of the Garbage Dumps to any point East of 5th Street, was read.

Delegate Rediger here entered and took his seat in the Board.

A Resolution of Intention to grade 4th Street from Ivy Street to the North line of Horton's Addition; was read, and referred to the Street Committee.

A Petition from Mary E. Schowley, to have some one street graded to 33rd Street, was read, read and referred to the Board of Public Works to prepare a resolution of intention in accordance with the petition.

An Ordinance granting the Ladies Annex the privilege to improve a certain portion of the City Park; was read and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Marshall: Pauley: Julian: Day: Rediger: Heath: Seybolt: Switzer: Hulbert: Kammann: Corfse and Bradt.

Noes, Delegates - Hawitt.

Absent, Delegates - Lyon: Davies: Withersbee and Thompson.

#### Ordinance No.

An Ordinance granting the Ladies Annex the privilege to improve a certain portion of the City Park.

Be it ordained by the Common Council of the City of San Diego, as follows:

Sec. 1. - There is hereby granted to the organization known as the Ladies Annex to the Chamber of Commerce of the City of San Diego, the right and privilege to cultivate and improve and have the charge of said improve ment's on so much of the City Park comprised within the following boundaries - that portion of the City Park bounded by the extension of the center line of

7<sup>th</sup> street, the extension of the north line of Date Street, and the west line of the west Park Boulevard, also a strip fourteen feet wide immediately west of the west line of said Boulevard, and extending from the extension of the center line of 7<sup>th</sup> street to the extension of the north line of Kalma Street; also all of that portion south of the extension of Palm Street and north of the extension of Kalma Street and lying between the west Park Boulevard and the west Park Street of the City Park, excepting the extension of Olive, Nutmeg, Maple and Laurel streets."

Sec. 2. That nothing in this ordinance shall be construed as to deprive the Board of Public Works of exercising jurisdiction over the portion of the said Park herein described as provided for in the Charter of said City.

Sec. 3. That this ordinance shall take effect and be in force from and after its passage."

The Committee on Health and Morals reported favorably upon the Petition of Hadley & Loomis for retail liquor license and the said Petition was granted.

The following report from the Committee on Gas, Electric Light, etc. was read and adopted, to-wit:

"Your Committee, to whom was referred the Joint Resolution providing for the removal of the Electric Light Masts from the S. W. corner of 5<sup>th</sup> & C Streets, and the S. W. corner of 5<sup>th</sup> & J Streets and the placing of 20 low lights on 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> & 7<sup>th</sup> Streets, respectfully recommend that the blank space in Subdivision one of said resolution be filled by inserting the words "the north-east corner of K Avenue and Wna Street" and "the south-west corner of India and A Streets", and that the words "On Golden Hill" be stricken out; and that when so amended, said resolution be adopted.

John H. Marshall  
A. J. Hulbert"

The said resolution as amended, was read and adopted, to-wit:

Concurrent Resolution No.

Whereas, in the opinion of the Common Council of the City of San Diego, it will give better satisfaction to the public and that the public convenience requires that a system of low electric lights be adopted for lighting the business portions of the City instead of the tower system.

Therefore, Be it Resolved, by the Board of Aldermen, the Board of Delegates, Concurring:

I. That the two electric light towers now located upon 5<sup>th</sup> street be removed. That one of said towers be placed

at the N.E. Corner of "H" Avenue and Main Street, the other be placed at the S.W. Corner of India and A. Streets in Middletown as heretofore approved by the Council. The exact location of said towers on Golden Hill and in Middletown to be selected by the Committee on Public Lighting of said Boards.

II. That twenty low electric lights of 2000 candle power each be placed at the following intersections of streets to-wit:

|                                                |  |    |
|------------------------------------------------|--|----|
| One at each of the intersections of            |  |    |
| 3 <sup>rd</sup> street with D, E and H streets |  | 3  |
| 4 <sup>th</sup> " " C, E, G and I " "          |  | 4  |
| 5 <sup>th</sup> " " B, D, F, H, J and L " "    |  | 6  |
| 6 <sup>th</sup> " " E, I and I " "             |  | 3  |
| 7 <sup>th</sup> " " D, F, H and J " "          |  | 4  |
|                                                |  | 20 |

as shown on a plan of said streets and intersections hereto attached and made a part of these resolutions. All in accordance with an existing contract for low lights now existing between the City and the San Diego Gas and Electric Light Co. Provided however that the cost of said low lights be \$200 per annum instead of \$250. each per annum as provided in said contract, the first named figure being in accordance with a proposition made some time ago and to the old City Council by said Company. And still further provided, that the two low lights on the Plaza, and the free electric lights in front of the Fire Engine House be so placed and utilized to make up the twenty lights herein provided for making 17 lights in addition to said three lights to be placed.

III. That the Committee on Public Lighting of said Boards be and are hereby empowered to designate the lights at which said low lights are to be placed, the manner of hanging the same or to the Board of Public Works which Board shall at once carry into effect these resolutions in accordance with said contract between the City and the San Diego Gas and Electric Light Co. Heretofore referred to, and the offer made by said Company to the old City Council above referred to.

After giving notice, President Brach did, in open session, sign Ordinance No. being an Ordinance granting the "Ladies Annex" the privilege to improve a certain portion of the City Park.

A Report from the majority of the Finance Committee upon the San Diego Union claim for printing the delinquent tax list, etc, was read & Delegate Otwell moved to adopt same.

Delegate Rediger, of the Finance Committee submitted

a minority report in said matter which was read.  
 Delegate Marshall then moved to adjourn - the motion was  
 lost.

Delegate Pauly moved to postpone action upon said matter  
 for one week - this motion carried and it was so ordered.

Whereupon the Board adjourned until Monday, March 17-  
 1890, at 7.30 o'clock P. M.

M. M. Garrison,  
 City Clerk

E. L. Pratt  
 President

## Adjourned Meeting.

Council Chamber of the Board of Delegates  
of the City of San Diego, California,  
March 17-1890.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7.30 o'clock P.M. with President Bracht presiding.

Present, Delegates = Wagner: Marshall: Pauly: Rediger: Hewitt: Heath: Thompson: Seybolt: Switzer: Kammann: Cooper: Bracht and Clerk Gassaway.

Absent, Delegates = Lyons: Julian: Davies: Day: Matheson and Fulbert.

After giving notice, President Bracht did, in open session, sign Ordinance No. 7619 - "An Ordinance regulating Blasting within the City limits."

Delegate Rediger requested permission to temporarily withdraw his minority report, submitted at the last meeting, in the matter of the investigation of the publication of the delinquent tax list. His said request was thereupon granted. Thompson Delegate Rediger moved that the Majority report of the Finance Committee, presented at the last meeting, upon the same matter, be Laid upon the Table. The motion carried and it was so ordered. By the following vote:  
Ayes, Delegates = Wagner: Pauly: Rediger: Thompson: Seybolt: Kammann: Cooper and Bracht.

Noes, Delegates = Marshall: Hewitt: Heath: and Switzer.

Absent, Delegates = Lyons: Julian: Davies: Day: Matheson & Fulbert.

Delegate Kammann, presented a petition, importing to be signed by 1254 voters of the City, asking that Cornacio Beach be excluded from the City limits.

Delegate Rediger moved that a Committee of three be appointed, and the Board of Aldermen requested to appoint a like Committee, to investigate and report upon said Petition at the next meeting. The motion carried, and thereupon the President appointed for said Committee, Delegates, Rediger: Switzer and Wagner.

Mayor Gunn appeared before the Board and requested that an appropriation, of not exceeding \$75, be made with which to employ clerical assistance to collect data for the Census Bureau. and on motion of Delegate Cooper the City Attorney was instructed to prepare an Ordinance in accordance with the request.



A Communication from the Board of Education, requesting the privilege of moving the old B. street school house onto the City Park, was read <sup>and</sup> the request granted.

The following petitions for retail liquor license, were read <sup>and</sup> referred to the Committee on Health & Morals, to wit:

E. M. Johnson.

J. A. Kerr.

A Petition from the "Hark Hook & Ladder Co." asking that the City pay the poll tax of the members of said Company, was read <sup>and</sup> referred to the Fire Committee.

A Communication from City Clerk Gassaway, transmitting a request from the Board of Aldermen that the Board of Delegates appoint a Conference Committee to consider the Concurrent Resolution providing for a system of low electric lights; was read <sup>and</sup> Delegate Switzer moved that the request be granted. The motion carried and thereupon the President appointed as said Committee, Delegates Switzer, Wagner <sup>and</sup> Otwell.

An Ordinance transferring \$249.59 from the Municipal School Improvement Fund No. 7. to the General Fund, was read, and adopted by the following vote, to wit:  
Ayes, Delegates = Wagner: Marshall: Pauley: Rediger: Otwell:  
Heath: Thompson: Seybold: Switzer: Kammann: Cooper & Brach.  
Nays, None.

Absent, Delegates = Lyon: Julian: Davies: Day: Mathews <sup>and</sup> Hulbert.

Said Ordinance is as follows, to wit:

"Ordinance No.

An Ordinance transferring from the Municipal School Improvement Fund No. 7. of the City of San Diego, to the General Fund of said City, the sum of Twenty two Hundred and forty nine <sup>59/100</sup> dollars.

Whereas, there remains in the municipal school improvement fund No. 7. the sum of twenty-two Hundred and forty-nine <sup>59/100</sup> dollars, as a residue after all payments have been made from said fund for all improvements chargeable thereto, and the law requires that such residue shall be transferred to the General Fund of said City,

Therefore, Be it Ordained by the Common Council of the City of San Diego, as follows:

Sec. 1. That the sum of Twenty-two Hundred and forty-nine <sup>59/100</sup> dollars be and the same is hereby transferred from the Municipal School Improvement Fund No. 7. of said City, to the General Fund of said City.

Sec. 2. That this Ordinance shall take effect and be in

force from and after its passage."

An Ordinance transferring \$2249.<sup>59</sup> from the General Fund to the Delinquent Tax Fund, was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Marshall: Pauley: Rediger: Hewitt:  
Heath: Thompson: Seybolt: Kannonan: Cooper and Bradt.

Noes, Delegates = Simtzer.

Absent, Delegates = Lyons: Julian: Davies: Day: Matherber and Hulbert.

Said Ordinance is as follows, to-wit:

"Ordinance No.

An Ordinance transferring the sum of Twenty-two Hundred and forty-nine dollars and fifty-nine cents, from the General Fund to the Delinquent Tax Fund.

Be it ordained by the Common Council of the City of San Diego, as follows:

Sec. 1. = That the Auditor of the City of San Diego is hereby instructed to transfer the sum of Twenty-two Hundred and forty-nine dollars and fifty-nine cents from the General Fund of said city to the Delinquent Tax Fund hereof.

Sec. 2. = That this Ordinance shall take effect and be in force from and after its passage."

The following report from the Street Committee was read and adopted, to-wit:

The Street Committee, to whom was referred the Resolution of Intention to grade 4<sup>th</sup> Street from Dry to the North line of Horton's Addition, recommended that, inasmuch as there is great doubt whether there is sufficient dirt to grade said street to the full width from Palm to Spruce streets, and also whether the taxable valuation of a portion of the property fronting on said street will bear its proportionate assessment, that an estimate of the extent and cost of said grading from Dry to said north line of Horton's Addition, and also from said north line of Horton's Addition to University Avenue be requested of the City Engineer. And to this end your Committee further recommended that the Honorable Board of Aldermen be requested to reconsider and adopt the resolution heretofore passed by the Board of Delegates calling on the City Engineer for such estimates.

Chas. W. Pauley.

W. A. Day.

A. B. Seybolt "

In the matter of the Petition of John and A. E. Nutt to grade streets in Nutt's Addition, the Street Committee

reported as follows, to-wit:

"We, your Street Committee to whom was referred the above petition would recommend that the Petition be granted.

Chas. W. Pauly

A. P. Seybold

Thompson said report was adopted and the Petition granted.

On motion of Delegate Pauly, the report of the Street Committee upon a resolution of intention to grade, curb & gutter 5<sup>th</sup> street from "B." to Meas. (said report having been heretofore filed and entered in full, upon pages 374 and 375 of this record) was taken from file, read and adopted.

Thompson a resolution of intention to grade, curb and gutter 5<sup>th</sup> street from "B." to Meas, was read and adopted by the following vote, to-wit:

Ayes, Delegates = Wagner: Marshall: Pauly: Pediger: Hewitt: Heath: Thompson: Seybold: Switzer: Kammann and Cooper.

Noes, Delegate = Bradt.

Absent, Delegates = Lyons: Julian: Davies: Day: Wetherbee and Hulbert.

Thompson Delegate Pediger gave notice that at the next meeting he would move a reconsideration of the above vote.

Delegate Marshall moved to lay the notice given by Delegate Pediger upon the table.

President Bradt declared the motion to lay on the table out of order and Thompson Delegate Marshall appealed from the decision of the Chair, and the appeal being put to vote was sustained and the Chair overruled.

The motion to lay on the table was then put and carried.

Said resolution of Intention is as follows, to-wit:

Resolution of Intention to grade, curb & gutter 5<sup>th</sup> street from B. to Meas.

Resolved, that it is the intention of the Common Council of the City of San Diego, California, to order the following street work to be done, to-wit: that 5<sup>th</sup> (5<sup>th</sup>) street in said city from the south line of M Street to the south line of Meas street and the sidewalks and the entire curbing thereof with the streets fronting 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 graded to the official grade and curbed and guttered in the manner following, to-wit: the curbing shall be of artificial stone or concrete, constructed in accordance with the specifications herefor contained in Subdivision six, of Section

one, of Ordinance No. 29, and extend along both sides of said street, except in front of Lots K. and L. Block 192, Lot K. Block 201, Lots D. & E. Block 203, Lots J. K. and L. Block 213, Lot J. Block 216, Lots J. K. D. and J. Block 245, Lots A. B. C. and D. Block 244, Lots A. B. C. D. E. and F. Block 9, and Lots J. K. D. J. K. and L. Block 10.

The guttering shall be five feet in width and six inches in depth, of porphyry blocks of irregular size, constructed in accordance with the specifications therefor contained in Subdivision Eight, of Section one, of Ordinance No. 29, extend along both sides of said street and be carried across intersections where it shall have a width of ten feet, and conform in all respects to the plans and cross-sections in the office of the City Engineer. All work shall be done in conformity to the provision of Ordinance No. 29. Aug 53."

An Ordinance authorizing the expenditure of \$75. by the Mayor for Clerical assistance, was read and adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Marshall: Pauley: Ardiger: Hawitt: Heath: Thompson: Seybolt: Switzer: Kammann: Cropper & Bracht.  
Nays - None.

Absent Delegates - Lyons: Julian: Davies: Day: Metherell & Hulbert.

Said Ordinance is as follows, to-wit:

"Ordinance No.

An Ordinance authorizing the expenditure of the sum of Seventy-five dollars by the Mayor for Clerical assistance. Be it ordained by the Common Council of the City of San Diego as follows:

Sec. 1. That the sum of Seventy-five dollars is hereby apportioned to be expended by the Mayor for Clerical assistance in behalf of the City.

Sec. 2. That this Ordinance shall take effect and be in force from and after its passage."

Delegate Marshall moved that the Board of Aldermen be requested to return to this House for further consideration the joint resolution appointing Commissioners to open D. Street. The motion carried and it was so ordered.

Whereupon the Board adjourned until Monday, March 23 - 1890. at 7.30 P. M.

W. M. Fassaway  
City Clerk

G. L. Bracht  
President



## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, March 24-1890.

An Adjourned Meeting of the Board of Delegates, of the City of San Diego, California, was held this day at 7.30 o'clock p.m. with President Bradth presiding.

Present, Delegates = Wagner: Marshall: Pauly: Julian: Day:  
Rediger: Hewitt: Heath: Seybold: Switzer: Kammann: Cooper: Bradth  
and Clerk Gassaway.

Absent, Delegates = Lyon: Davies: McKelbee: Thompson: and  
Hulbert.

The Minutes of an Adjourned Meeting, held March 17-1890.  
were read and approved. Also of a meeting held Mch. 10-1890.

After giving notice, President Bradth, did, in open session,  
sign Ordinance No. (heretofore adopted Feb'y 24-1890.) being  
an Ordinance establishing a Pound and Pound keeper. Said  
Ordinance is as follows, to-wit:

### Ordinance No.

An Ordinance establishing a City Pound for strays, creating the office  
of Pound keeper, fixing his fees and providing for the fore-  
vention of certain animals running at large within certain  
prescribed limits of said City of San Diego.

Be it ordained by the Common Council of the City of San-  
Diego, as follows:

Section 1. That there is hereby established a City Pound for im-  
pounding strays and the same shall be maintained in said  
city within the following lands, viz: beginning at the northwest  
corner of Block numbered twenty-four (24) Bay View Homestead,  
thence running east three hundred (300) feet: thence south three  
hundred (300) feet: thence west three hundred (300) feet: thence  
north three hundred feet (300) to the place of beginning being  
in the City Park and being the premises heretofore used for  
the same purpose.

Section 2. That there is hereby created the office of Pound  
keeper who shall be appointed by the Mayor & confirmed by the  
Board of Delegates, and shall hold office during the pleasure  
of said Mayor. Before entering upon the discharge of his  
duties, said Pound keeper shall give a good and sufficient  
bond in the sum of one thousand (\$1000<sup>00</sup>) dollars, conditioned  
for the faithful discharge of his duties and said Pound  
keeper shall receive for his services such fees as are  
hereinafter provided.

Section 3. It shall be unlawful for any horse, mule, cow,  
hog, pig, sheep or other animal to graze or pasture on  
any lot or place within the limits of the City of San Diego.



Section 4. It shall be unlawful for any person or persons owning or running the control of such animals to graze or pasture or cause or allow them to graze or pasture on any lands within the limits of the City of San Diego, except lands owned by or on the premises of such person or persons.

Section 5. Whenever the Pound Keeper of the City of San Diego shall discover or be notified of by any person that any animal or animals above enumerated are grazing, pasturing or running at large in violation of this ordinance, it shall be his duty and he is hereby directed to immediately take them in charge and place them in the City Pound, and within twenty-four (24) hours thereafter have three notices posted in a conspicuous place, and one published in the official newspaper of said city describing such animal or animals so impounded, giving the marks and brands or other distinguishing points with the date of the posting of such notices, and unless the owner or owners thereof come and claim said animal or animals, so impounded, within five (5) days from and after the date of said notices, and pay the ownership of said property and pay all lawful charges thereon as hereinafter provided, said Pound Keeper is hereby authorized, and it is made his duty to expose said animal or animals for sale at public auction to the highest bidder for cash. And the proceeds of said sale, together with all fines, charges, fees and other expenses, chargeable against said animal or animals according to the schedule of charges hereinafter specified shall be delivered to the Secretary of the Auditing Committee together with a full description of the animal or animals sold as aforesaid, and the said Pound Keeper shall deliver to the purchaser of any animal or animals sold as aforesaid a bill of sale therefor which shall vest the title of said property in the purchaser.

Section 6. The following fines and charges are hereby imposed for any violation of any of the provisions of this ordinance.

For any horse, mule, cow, hog, pig, goat, sheep, or other animal impounded, the sum of one (\$1.00) dollar, and in addition the sum of seventy-five (75) cents per day for keeping any such animal: and the sum of two (\$2.00) dollars if the same are advertised, and five (5) per cent commission of the amount of sale, if said animals are sold, and one dollar for taking up and one dollar for taking up and driving each and every one of said animals to the pound: all of which is hereby made a lawful charge against the owner or owners of said animals impounded and shall be a lien upon the said animals for the payment thereof.

Section 7. The salary of said Pound Keeper shall be all

sums derived from the impounding of all animals mentioned in this ordinance and being one dollar for each animal, and all sums derived from driving any of said animals to the pound: being one dollar for each of said animals and five (5) per cent. commission on the proceeds of the sale of any of such animals, and the said compensation shall when properly allowed by the Auditing Committee of said City be paid to said Pound-keeper, and the same shall be in full payment for the services of said Pound-keeper: and the said City of San Diego shall be in no manner liable for further compensation for said Pound-keeper other than such fees as are herein provided.

Section 8. Should any amount remain in the custody of the City after deducting all expenses and charges herein provided for, the same shall be placed in the treasury of said City to be paid to the owner or owner of said animals so sold on proper proof of ownership of said animals, but if not called for within one year from the date of sale by the owner of, then said animal or animals, the same shall be placed to the credit of the General Fund of said City.

Section 9. That this ordinance shall take effect from and after its passage and ten daily publications in the San Diego Daily Sun.

After giving notice, President Board did, in open session sign Ordinance No. being An Ordinance authorizing the Mayor to expend \$75. for clerical assistance.

Also Ordinance No. being An Ordinance transferring \$2249.75 from Municipal School Improvement Fund No. 1. to the General Fund.

Also Ordinance No. being An Ordinance transferring \$2249.75 from the General Fund to the Delinquent Tax Fund.

A Concurrent Resolution, heretofore adopted by the Board of Aldermen, accompanied by an estimate from the City Engineer, providing for piping the "Ladies Annex tract" in the City Park, for water, was read and concurred in. Said Resolution is as follows. To-wit:

Concurrent Resolution No. 24.

Be it Resolved, by the Board of Aldermen of the City of San Diego, the Board of Delegates thereof concurring, that the report of the City Engineer as to the cost of piping for water, so much of the public park, heretofore set apart for the use of the Ladies Annex be accepted, and the Board of Public Works are hereby instructed to proceed with the laying of said pipes in accordance with said report.

A Communication from the San Diego Water Company, requesting permission to lay a 6 inch water main on 6<sup>th</sup> street, connected by 6 inch cross pipes to the 8 inch main on 5<sup>th</sup> street, instead of a 10 inch main, was read.

Delegate Audigen moved to lay the Communication upon the table. The motion was Lost.

Delegate Seybold moved to refer same to the City Attorney. The motion was Lost.

Delegate Magan moved that the City Attorney be instructed to prepare an Ordinance amending Ordinance No 43 in accordance with the above communication. The motion carried and it was so ordered.

Delegate Heath offered a Joint Resolution instructing the City Attorney to dismiss the suit brought against the San Diego Water Company to enforce Ordinance No. 43. The resolution was Lost.

A Petition from the "Ladies Annex", asking the City to furnish the necessary water for use in the square set apart for the public market, was read & granted.

<sup>starting</sup>  
 { "C" Street } The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of March, 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, copies of the Resolution, passed by the Board of Delegates, of said city, February 23-1890, and by the Board of Aldermen, of said city, February 26-1890, ordering the following street work to be done and instructing the Clerk to advertise for bids therefor, to wit: That "C" Street, in said city, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 with the intersection thereof with 5<sup>th</sup> 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 Ordinance No. 29 and No. 53." Also that he (said Patton) posted together with the above notice, copies of the general and special specifications above referred to, and that said resolution, notice and specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, Principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution adopted by the Board of Delegates, of the City of San Diego, on the 25<sup>th</sup> day of February, 1890, and by the Board of Aldermen of said City, on the 26<sup>th</sup> day of February, 1890, ordering the work hereinbefore described upon page 433, of this record, to be done, and instructing the Clerk to advertise for bids therefor, was published in said newspaper upon the 13<sup>th</sup> and 14<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, Principal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of "C" street from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and by the Board of Aldermen of said city, on the 26th day of February, 1890, and directing this notice, I hereby give notice that on the 12th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, 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 repair by any person or company having railroad tracks thereon and except the crossing with 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 Gutters 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. 53.

And said posted notice referred to the notice and specifications posted and on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 18, 1890.

W. M. GASSAWAY,  
[SEAL] Clerk of the City of San Diego, California, and  
of the Common Council thereof.

Witness my hand and seal this 18th day of March, 1890.  
By J. F. PATTON, Deputy.

was published in said newspaper on the 19<sup>th</sup> and 20<sup>th</sup> days of March, 1890. 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 ordering the curbing, guttering and paving of "C" Street, as hereinbefore set forth upon page 433, of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals" above set forth.



Whereupon the Clerk reported that he had received three (3) such proposals for curbing, guttering and paving "C" street, as aforesaid, and the same being opened were found to be as follows, to wit:

One from A. A. Schulenburg & C. J. Chadwick, who propose to do said work in accordance with the notice given, etc. at the following prices:

Granite curbing at 88 cents per linear foot.  
Granite gutters at 24 " " square "

Broken Stone base and Bituminous rock wearing surface at 22 cents per square foot.

This proposal was accompanied by a certified cheque for \$600.

One from A. A. Graham, who proposes to do said work in accordance with the notice given, etc., at the following prices:

Curbing at 88 cents per linear foot.

Guttering at 25 " " square "

Paving at 22 " " " "

This proposal was accompanied by a certified cheque for \$400.

One from the "Bituminous Paving Co", who propose to do said work in accordance with the notice given, etc. at the following prices:

Bituminous Paving 27½ cents per square foot.

Granite Curbing \$1.20 " " linear "

Granite Gutters 24 " " square "

This proposal was accompanied by a certified cheque for \$800.

Whereupon on motion of Delegate Carpenter, the following Joint Resolution was adopted, to wit:

#### Joint Resolution No. 61

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, having in open session, the Board of Delegates, on the 24th day of March, 1890. and the Board of Aldermen, on the day of

1890. opened, examined, and publicly declared all sealed proposals offered for the following street work, 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 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, to wit: The curbing shall be of granite, constructed in accordance with the specifications herefor 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 paved with granite blocks constructed in accordance with the specifications therefor contained in Subdivision 8, of Section one, 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 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 53. And the said Common Council hereby rejects all of said bids except that next herein mentioned and hereby awards the contract for said work to the lowest responsible bidder, to wit: A. A. Schulenburg and C. C. Chadwick, at the prices specified in the proposal on file for said work. And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the Council Chamber door of said city. And also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this city and hereby designated for that purpose, for two days.

"D" Street  
paving  
4<sup>th</sup> to 6<sup>th</sup>

The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of March, 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, copies of the resolution, passed by the Board of Delegates, of said city, February 25-1890, and by the Board of Aldermen, of said city, February 26-1890, ordering the following street work to be done ~~and~~ instructing the Clerk to advertise for bids therefor, to wit: That "D" Street in said city from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, except such portion thereof as is required by law to be kept in order in ~~relation~~ by any person or company having railroad tracks thereon and except the crossing thereof at the intersection thereof with 5<sup>th</sup> 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 C, Block 36, Lots C and D, Block 35; Lots A and D, Block 43, Lot A, Block 44, and Lot D, Block 44, 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 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 bituminous rock wearing surface two inches thick, and be constructed in accordance with the specifications 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 Ordinance No. 29 and No. 53. And also that he (said Patton), posted together with the above notice, copies of the general and special specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, 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, adopted by the Board of Delegates of the City of San Diego, on the 25th day of February, 1890, and by the Board of Aldermen, of said city, on the 26th day of February, 1890, ordering the work hereinbefore described upon pages 436 & 437, of this record, to be done, and instructing the Clerk to advertise for bids therefor - was published in said newspaper upon the 13th & 14th days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, Municipal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of D street from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California on the 25th day of February, 1890, and the Board of Aldermen of said city on the 26th day of February, 1890, and directing this notice, I hereby give notice that on the 12th day of March 1890, I posted notice as therein prescribed inviting sealed proposals or bids for doing the work ordered in said resolution, 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 repair by any person or company having railroad tracks thereon and except the crossing thereof 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 five, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of lot F, block 35, lots F 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 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 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 bituminous rock wearing surface two inches thick, and be constructed in accordance with the specifications 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 Ordinance No. 29 and No. 53.

And said posted notice referred to the notice and specifications posted and on file in ordinance No. 29 describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 18, 1890.

W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and  
of the Common Council thereof.

By J. F. PATTON, Deputy.

was published in said newspaper on the 19th and 20th days of March, 1890. Said affidavit was received & filed.

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 ordering the curbing, guttering and paving of "D" street, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, as hereinbefore set forth upon pages 436<sup>2</sup> & 437, of this record. And instructing the Clerk to advertise for bids thereon. Also of the publication of the "Notice of Bidding Invitation for Street work Proposals" above set forth.

Whereupon the Clerk reported that he had received three such proposals for curbing, guttering and paving "D" street as aforesaid. And the same being opened were found to be as follows, to wit:

One from A. A. Schulenburg and C. J. Chadwick who propose to do said work in accordance with the notice given, etc. at the following prices, viz:  
 Granite curbing at 88 cents per linear foot.  
 Granite gutter " 24 " " square "  
 Broken Stone base and Bituminous rock wearing surface at 22 cents per square foot. This proposal was accompanied by a certified cheque for \$600.

One from A. A. Graham, who proposes to do said work in accordance with the notice given, etc. at the following prices, viz:  
 The curbing at 88 cents per linear foot.  
 The guttering " 25 " " square "  
 The paving " 22 " " " "  
 This proposal was accompanied by a certified cheque for \$400.

One from the "Bituminous Paving Co." who propose to do said work in accordance with the notice given, etc. at the following prices, viz:  
 Bituminous paving per square foot 27 $\frac{1}{4}$  cents.  
 Granite curbing per linear foot - \$1.20  
 Granite gutter per square foot 29 cents.  
 This proposal was accompanied by a certified cheque for \$800.

Whereupon on motion of Delegate Kammann, the following resolution was adopted, to wit:

Joint Resolution No. 62.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, having in open session, the Board of Delegates, on this 24<sup>th</sup> day of March, 1890. and the Board of Aldermen on the day of 1890. opened, examined, and publicly declared all sealed proposals or bids offered for the following street work, to wit: That "D" street in said city, from the east line of Fifth street to the west line of Sixth 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 Fifth 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 C, Block 36, Lots C and D, Block 33, 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 therefor 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, and 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 therefor contained in Subdivision 7, 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 Nos. 29 and 53. And the said Common Council hereby resolves all of said bids except that next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: A. Schulenburg and C. T. Chadwick, at the prices specified in their proposal on file for said work. And the City Clerk is hereby directed to post notice of this award conspicuously for five days or more on near the Council Chamber door, of said city, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this city and hereby designated for that purpose for two days."

E<sup>th</sup> Street }  
 forming  
 4<sup>th</sup> to 6<sup>th</sup>

The City Clerk presented the affidavit of J. F. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of March, 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: copies of the resolution, passed by the Board of Delegates, of said city, February 25-1890, and by the Board of Aldermen, of said city, February 26-1890, ordering the following street work to be done, and instructing the Clerk to advertise for bids therefor, to-wit: That E. Street in said city, from the east line of 5<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, except such portions thereof as is required by law to be kept in order or repair by any person or company having railroad tracks



thereon be curbed, 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 F Block 44, 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. 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 7, of Section three, of Ordinance No. 29."

And also that he (said Patton) posted together with the above notice, copies of the general and special specifications above referred to, and that said resolution, notice and specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Mr. L. Brown, principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the city of San Diego, California, showing that the resolutions, adopted by the Board of Delegates, of the City of San Diego, February 25-1890, and by the Board of Aldermen, of said city, February 26-1890, ordering the work described upon pages 439 & 440, of this record, to be done, and instructing the Clerk to advertise for bids thereon - was published upon the 13<sup>th</sup> and 14<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, principal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice, of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of E street, from the east line of 5th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and the Board of Aldermen of said City, on the 26th day of February, 1890, and directing this notice I hereby give notice that on the 12th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said resolution, 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 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 F, block 44, 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.

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 7 of Section three, of Ordinance No. 29.

And said posted notice referred to the notice and specifications posted, and on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 13, 1890.

[Seal.] W. M. GASSAWAY,  
Clerk of said City and of the Common Council thereof.

By J. F. PATTON, Deputy.



was published in said newspaper on the 19<sup>th</sup> and 20<sup>th</sup> days of March, 1890. Said affidavit was received and filed. On motion it was ordered that due and sufficient proof be made of the passage, by the Common Council of said city, of the resolution ordering the curbing, guttering and paving of "E" street, from the east line of 5<sup>th</sup> street to the west line of 6<sup>th</sup> street, as heretofore set forth upon pages 439 & 440, of this record, and instructed the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Bidding Invitation for Street Work Proposals" above set forth.

Whereupon the Clerk reported that he had received three such proposals for curbing, guttering and paving "E" street as aforesaid, and the same being opened were found to be as follows, to-wit:

One from A. A. Schulenburg and C. C. Chadwick who propose to do said work in accordance with the notice given, etc. at the following prices, viz:

Granite curbing at 88 cents per linear foot.

Granite gutters " 24 " " square "

Broken stone base and Bituminous rock wearing surface at 22 cents per square foot. This proposal was accompanied by a certified cheque for \$300.

One from A. A. Graham, who proposes to do said work in accordance with the notice given, etc. at the following prices, viz:

The curbing at 88 cents per linear foot.

The guttering " 20 " " square "

The paving " 22 " " " "

This proposal was accompanied by a certified cheque for \$300.

One from the Bituminous Paving Co. who propose to do said work in accordance with the notice given, etc. at the following prices, viz:

Bituminous paving per square foot 27½ cents

Granite curbing per linear foot \$1.20.

Granite gutters per square foot 29 cents.

This proposal was accompanied by a certified cheque for \$300.

Whereupon on motion of Delegate Wagner the following resolution was adopted, to-wit:

#### Joint Resolution No. 63.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, during its next session, the Board of Delegates, on the 24<sup>th</sup> day of March, 1890, and the Board of Aldermen on the day of 1890, opened, examined and publicly declared all sealed proposals or bids offered for the following street work, to-wit: That "E" street in said city from the

east line of 5<sup>th</sup> street to the west line of 6<sup>th</sup> 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 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 C. Block 44, 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. 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 1, of Section 3, of Ordinance No. 29. All work shall be done in conformity with and the contractor shall be governed and bound by the provisions and specifications of Ordinances No. 29, and 33. And the said Common Council hereby refers all of said bids except that now herein mentioned and hereby awards the contract for said work to the lowest responsible bidders, to-wit: A. A. Schumburg and C. C. Chadwick, at the prices specified in their proposal on file for said work. And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the Council Chamber door of said city, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this city, and hereby designated for that purpose, for two days."

"G" Street }  
-paving-  
4<sup>th</sup> to 6<sup>th</sup>

The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of March, 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; Copies of the resolution, passed by the Board of Delegates of said City, February 25-1890, and by the Board of Aldermen of said City, February 26-1890, ordaining the following street work to be done and instructing the Clerk to advertise for bids therefor to-wit: That "G" street in said city, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 5<sup>th</sup> 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 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 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 contractors shall be governed and bound by the provisions and specifications of Ordinance No. 29, 53." And also that the (said Patton) posted together with the above notice, copies of the General and Special Specifications above referred to, and that said resolution, notice and specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Mr. L. Brown, Principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California, showing that the resolution, adopted by the Board of Delegates of the City of San Diego, February 25-1890, and by the Board of Aldermen, of said City, February 26-1890, ordering the work hereinafter described upon pages 442 & 443, of the record (relative to paving G street) to be done, and instructing the Clerk to advertise for bids therefor - was published upon the 13<sup>th</sup> & 14<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, Principal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice, of which the following is a true copy, to wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of G street from the east line of 4th street to the west line of 6th street adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and the Board of Aldermen of said City on the 26th day of February, 1890, and directing this notice I hereby give notice that on the 12th day of March, 1890, I posted notice as therein prescribed inviting sealed proposals or bids for doing the work ordered in said resolution, 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 crossing at the intersection thereof with 5th street, be curbed, guttered and paved in the manner to be lowing, 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 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 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 contractors shall be governed and bound by the provisions and specifications contained in Ordinances No. 29 and No. 53. And said posted notice referred to the notice and specifications posted, and on file in Ordinance No. 29, describing the work so ordered to be done. Clerk's office of the City of San Diego, California, March 18, 1890. [Seal.] W. M. GASSAWAY, Clerk of the City of San Diego, California, and of the Common Council thereof. m18 2t By J. F. PATTON, Deputy.

was published in said newspapers upon the 19<sup>th</sup> and 20<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

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 ordering the curbing, guttering and paving of "G" Street, from the east line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> Street, as hereinbefore set forth upon pages 442 & 443. of this record, and instructing the Clerk to advertise for bids therefor; also of the publication of the "Notice of Putting Invitations for Street Work Proposals", above set forth.

Whereupon the Clerk reported that he had received three such proposals for curbing, guttering and paving "G" Street, as aforesaid, and the same being opened were found to be as follows, to-wit:

One from A. A. Schulenburg and C. J. Chadwick, who propose to do said work in accordance with the notice given, etc. at the following prices, viz:  
 Granite curbing at 58 cents per linear foot.  
 Granite gutters at 24 " " square "  
 Broken stone base and Bituminous rock wearing surface at 22 cents per square foot. This proposal was accompanied by a certified cheque for \$500.

One from R. A. Graham, who proposes to do said work in accordance with the notice given, etc. at the following prices, viz:  
 The curbing at 58 cents per linear foot.  
 The guttering at 25 " " square "  
 The paving " 22 " " "  
 This proposal was accompanied by a certified cheque for \$500.

One from the "Bituminous Paving Co." who propose to do said work in accordance with the notice given, etc. at the following prices, viz:  
 Bituminous paving per square foot 27 cents.  
 Granite curbing per linear foot \$1.20  
 Granite gutters per square foot 29 cents.  
 This proposal was accompanied by a certified cheque for \$700.

Whereupon on motion of Delegate Kammann, the following resolution was adopted, to-wit:

Joint Resolution No. 64.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, during its open session, the Board of Delegates, on this 24<sup>th</sup> day of March, 1890. and the Board of Aldermen, on the day of 1890. opened, examined, and publicly declared all sealed proposals or bids offered for the following street work, to-wit: That G. Street in said city from the east line



of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 C. Block 69, Lot L. Block 88, Lots C and L. 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 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 two, 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 53. And the said Common Council hereby rejects all of said bids except that next herein mentioned and hereby awards the contract for said work to the lowest responsible bidder, to-wit: A. C. Schlenburg and C. J. Chadwick, at the prices specified in his proposal on file for said work. And the City Clerk is hereby directed to post conspicuously for five days on or near the Council Chamber door of said City, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this City and hereby designated for that purpose for two days."

"Street  
paving  
4<sup>th</sup> to 6<sup>th</sup>"

The City Clerk presented the affidavit of J. F. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 12<sup>th</sup> day of March, 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; Copies of the resolution, passed by the Board of Delegates, of said City, February 25-1890, and by the Board of Aldermen, of said City, February 26-1890, ordaining the following street work to be done and instructing the Clerk to advertise for bids therefor, to-wit: That "I" street in said City from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, except the crossing at the intersection thereof with 3<sup>rd</sup> 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 be 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 three, of Ordinance No. 29. All work shall be done in conformity with and the Contractors shall be governed and bound by the provisions of and Specifications Contained in Ordinances No. 29. and No. 53. And also that he (said Patton) posted together with the above notice, copies of the general and Special Specifications above referred to. and that said resolution, notice and Specifications above referred to, remained so posted for the period of five days immediately thereafter. said affidavit was received and placed upon file.

The City Clerk also presented the affidavit of Wm. L. Brown principal Clerk of the San Diego Daily Sun, a daily newspaper printed and published in the City of San Diego, California. Showing that the resolution, adopted by the Board of Delegates of the City of San Diego, February 25<sup>th</sup> 1890 and By the Board of Aldermen of said City February 26<sup>th</sup> 1890 ordering the work hereinbefore described ~~upon~~ <sup>on</sup> pages 445 and 446 of this record (relating to paving I Street) to be done, and instructing the Clerk to advertise for bids therefor - was published upon the 13<sup>th</sup> and 14<sup>th</sup> <sup>days</sup> of March 1890, said Affidavit was received and placed on file.

The City Clerk also presented the Affidavit of Wm. L. Brown, Principal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice, of which the following is a true copy, to wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of "I" street, from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and by the Board of Aldermen of said city on the 26th day of February, 1890, and directing this notice, I hereby give notice that on the 12th day of March 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, 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 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 be 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 three, of Ordinance No. 29.

All work shall be done in conformity with and the contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and No. 53.

And said posted notice referred to the notice and specifications posted and on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 18, 1890.

(SEAL.) W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and  
of the Common Council thereof.  
m18-2c By J. F. PATTON, Deputy.

was published in said newspapers upon the 19<sup>th</sup> and 20<sup>th</sup> days of March 1890. said Affidavit was received and filed.

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 ordering the Curbing, guttering and paving of "D" Street from the east line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> Street, as heretofore set forth upon pages 445 and 446 of this record, and instructing the Clerk to advertise for bids therefor: also of the publication of the "Notice of Posting Invitation for Street work Proposals" above set forth.

Thereupon the Clerk reported that he had received three such proposals for Curbing, guttering and paving "D" Street as aforesaid, and the same being opened were found to be as follows, to wit:

One from A. R. Schulerberg and C. J. Chadwick who propose to do said work in accordance with the notice given, Etc., at the following prices viz:  
Granite Curbing at 88 cents per lineal foot.

Granite gutters at 24 " " " Square "

Broken Stone base and Bituminous Rock wearing surface at 22 cents per square foot.

This proposal was accompanied by a Certified Cheque for \$600.<sup>00</sup>

One from R. H. Graham, who propose to do said work in accordance with the notice given Etc. at the following prices viz.

The Curbing at 88 cents per lineal foot

The Guttering at 25 " " " Square "

The Paving " 22 " " " " "

This proposal was accompanied by a Certified Cheque for \$600.<sup>00</sup>

One from the Bituminous Paving Co. who propose to do said work in accordance with the notice given Etc. at the following prices, viz:

Bituminous Paving per Square foot. 26 1/2 Cents

Granite Curbing per lineal foot \$1.20

Granite Gutters per square " 29 Cents.

This proposal was accompanied by a Certified Cheque for \$700.<sup>00</sup>

Thereupon on motion of Delegate Snybolt, the following resolution was adopted, to wit:

Joint Resolution No. 65.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, having in Open session, the Board of Delegates, on the 24<sup>th</sup> day of March, 1890 and the Board of Aldermen on the \_\_\_\_\_ day of \_\_\_\_\_ 1890

opened, examined, and publicly declared all sealed proposals or bids offered for the following street work, to wit:

That "D" Street in said City from the East line of 4<sup>th</sup> Street to the

West line of 6<sup>th</sup> Street, except the crossing at the intersection thereof with 5<sup>th</sup> 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 therein 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 therein 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 therein 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. And the said Common Council hereby rejects all of said bids except that next herein mentioned, and hereby awards the Contract for said work to the lowest responsible bidder, to-wit:

A. R. Schulerbury and C. J. Chadwick, at the prices specified in his proposal on file for said work.

And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the Council Chamber door of said City, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this City and hereby designated for that purpose, for two days.

(J Street  
Paving 4<sup>th</sup> to 6<sup>th</sup>  
Streets)

The City Clerk presented the Affidavit of J. F. Patton Deputy Clerk of the City of San Diego, California, showing that he did, showing that he did on the 12<sup>th</sup> day of March 1890, post conspicuously in the following places, to-wit: On the door of the hall of the Board of Aldermen, on the door of the hall of the Board of Delegates, in the lobby of the Post Office, Copies of the resolutions passed by the Board of Delegates of the said City February 25-1890, and by the Board of Aldermen of said City, February 26-1890 ordering the following Street work to be done and instructing the Clerk and instructing the Clerk to advertise for bids therefor, to-wit: That "J Street in said City from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> Street ~~except the crossing thereof with the intersection with 5<sup>th</sup> Street, be curbed, guttered and paved in the manner following, to-wit:~~ and except the crossing at the intersection thereof with 5<sup>th</sup> Street

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 L, block 121 and the west 60 feet of lot F, Block 114, 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 therefor contained in Subdivision 1, of Section 3, of Ordinance No. 29. All work shall be done in conformity with and Contracts shall be governed and bound by the provisions of and Specifications contained in Ordinances No. 29 and No. 53. And also that he (said Patton) posted together with the above notice, copies of the general and special Specifications above referred to. and that said resolution, notice and Specifications above referred to, remained so posted for the period of five days immediately thereafter. said Affidavit was received and placed on file.

The City Clerk also presented the Affidavit of W. H. Brown, principle Clerk of the San Daily Sun, a daily Newspaper printed and published in the City of San Diego, California, showing that the resolution adopted by the Board of Delegates of the City of San Diego, February 25, 1890, and by the Board of Aldermen of said City, February 26, 1890 ordering the work herewithin described on pages 448 and 449 of this record, (relating to paving "J" Street) to be done, and instructing the Clerk to advertise for bids therefor - was published upon the 13<sup>th</sup> and 14<sup>th</sup> days of March 1890, said affidavit was received and placed on file. The City Clerk also presented the Affidavit of W. H. Brown, Principle Clerk of the San Diego Daily Sun, aforesaid, showing that a notice, of which the following is a true Copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of "J" street from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and the Board of Aldermen of said city, on the 26th day of February, 1890, and directing this notice, I hereby give notice that on the 12th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, to-wit:

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 there 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 F, block 114, 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 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 No. 53.

And said posted notice referred to the notice and specifications posted and on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 18, 1890.

W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and of the Common Council thereof.

ml8-2t By J. F. PATTON, Deputy.

was published in said Newspaper upon the 19<sup>th</sup> and 20<sup>th</sup> days of March 1890. said Affidavit was received and filed.

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 ordering the Curbing, guttering and paving of "J" Street, as heretofore set forth on pages 448 and 449 of this record, and instructing the Clerk to advertise for bids therefor. And also of the publication of the notice of posting invitations for Street work proposals set forth on page 449 of this record. Thereupon the Clerk reported that he had received three (3) such proposals for Curbing guttering and paving "J" Street as aforesaid and the same being opened were found to be as follows,

One from A.R. Schulerburg and C.T. Chadwick who propose to do said work in accordance with the notice given and Etc, at the following prices, viz.

Granite Curbing at 88 Cents per lineal foot

Granite Gutters at 24 " " Square "

Broken Stone base and Bituminous Rock wearing surface at 22 cents per square foot.

This proposal was accompanied by a Certified Cheque for \$600.<sup>00</sup>

One from R.A. Graham who proposes to do said work in accordance with the notice given Etc at the following prices viz.

Curbing at 88 Cents per lineal foot

Guttering at 75 " " Square "

Paving " 72 " " " "

This proposal was accompanied by a Certified Cheque for \$600.<sup>00</sup>

One from the Bituminous Paving Co who proposes to do said work in accordance with the notice given & Etc at the following prices, viz.

Bituminous Paving 76 1/2 cents per square foot

Granite Curbing 1.20 " " lineal "

Granite Gutters 29 Cents " " square "

This proposal was accompanied by a Certified Cheque for \$800.<sup>00</sup>

Thereupon on motion of Delegate Aybolt the following Joint Resolution was adopted, to wit:

#### Joint Resolution No. 66.

Be it Resolved by the Common Council of the City of San Diego that the said Common Council having in open session, the Board of Delegates on the 24<sup>th</sup> day of March 1890 and the Board of Aldermen on the \_\_\_\_\_ of 1890 opened, examined and publicly declared all sealed proposals or bids offers for the following Street work to wit: That "J" Street



in said City from the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup> Street, except the Crossing thereof at the intersection with 5<sup>th</sup> 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 L Block 121. and the west corner of Lot F Block 114. 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 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 53. And the said Common Council hereby rejects all of said bids except that next herein mentioned and hereby awards the Contract for said work to the lowest responsible bidder to-wit, A. R. Schulerburg and C. J. Chadwick at the prices specified in his proposal on file for said work, and the City Clerk is hereby directed to post notice of this Award, Conspicuously for five days, on or near the Council Chamber door of said City, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and Circulated in this City and hereby designated for that purpose for two days.

K. Street  
paving from  
4<sup>th</sup> to 6<sup>th</sup>  
Street 3

The City Clerk presented the Affidavit of J. A. Patton, deputy Clerk of the City of San Diego, California, showing that he did, on the 17<sup>th</sup> day of March 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, Copies of the resolution passed by the Board of Delegates of said City February 25-1890, and by the Board of Aldermen of said City February 26-1890. ordering the following

Street Work to be done and instructing the Clerk to advertise for bids therefor to wit: That "K" Street in said City from the East line of 4<sup>th</sup> Street to the west line of 6<sup>th</sup> 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 and except the Crossing at the intersection thereof with 5<sup>th</sup> 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. 99 and extend along both sides of said Street, except in front of lot A. Block 139. Lot G Block 142 and Lot F Block 142 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. 99 and extend along both sides of said Street, except in front of Lot F Block 142 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. 99. All work shall be done in conformity to and Contracts shall be governed and bound by the provisions and Specifications of Ordinances No. 99 and No. 53. Also that he (said Patton) posted together with the above notice copies of the general and Special Specifications above referred to and that said resolution notice and Specifications above referred to remained so posted for the period of five days immediately thereafter. Said Affidavit was received and filed.

The City Clerk also presented the Affidavit of Wm. L. Brown the principle Clerk of the Printers and publishers of the San Diego Sun a daily newspaper printed and published in the City of San Diego California showing that the resolution adopted by the Board of Delegates of said City February 25-1890 and by the Board of Aldermen of said City, February 26-1890, ordering the work above described to be done and instructing the Clerk to advertise for bids therefor - was published in said Newspaper upon the 13<sup>th</sup>





One from R. A. Graham who proposes  
to do said work in accordance with the  
notice given & Etc, at the following prices, viz:  
Curbing at 88 cents per lineal foot  
Guttering at 25 " " Square "  
Paving at 72 " " " "

This proposal was accompanied by  
a Certified Cheque for \$600.<sup>00</sup>

One from the Bituminous Paving Co.  
who proposes to do said work in ac-  
cordance with the notice given & Etc  
at the following prices, viz:

Bituminous Paving 46 1/4 Cents pr. Square foot.

Granite Curbing 1.20 " pr. lineal "

" Gutters 29 " " Square "

This proposal was accompanied  
by a Certified Cheque for \$700.<sup>00</sup>

Thereupon on motion of Delegate Kammann  
the following Joint Resolution was adopted, to-wit:  
Joint Resolution No. 67.

Be it Resolved by the Common Council of the  
City of San Diego, that the said Common Council  
having in open Session, the Board of Delegates on  
the 24<sup>th</sup> day of March 1890, and the Board of  
Aldermen on the day of 1890, Opened.  
examined and publicly declared all sealed  
proposals or bids offered for the following work  
to-wit: That K Street in said City from  
the East line of 4<sup>th</sup> Street to the West line of 6<sup>th</sup>  
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  
and except the crossing at the intersection  
thereof with 5<sup>th</sup> Street. be Curbed gutters 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 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  
Eight of Section one of Ordinance No. 29. and ex-  
tend 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 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 to and the Contractors shall be governed and bound by the provisions and Specifications of Ordinance No. 29 and No. 53. and the said Common Council hereby rejects all of said bids, except that next herein mentioned and hereby awards the Contract for said work to the lowest responsible bidder, to wit: A. R. Schultburg and C. J. Chadwick at the prices specified in his proposal on file for said work. And the City Clerk is hereby directed to post notice of this Award conspicuously for five days on or near the Council Chamber door of said City and also publish said notice in the San Diego Daily Sun a daily newspaper published and circulated in this City and hereby designated for that purpose for two days.

D Street  
Macadamizing city  
from front to 3<sup>rd</sup> St

The City Clerk presented the Affidavit of J. H. Patton Deputy Clerk of the City of San Diego, California, showing that he did on the 12<sup>th</sup> day of March 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 Copies of the Resolution passed by the Board of Delegates of said City February 25, 1890, and By the Board of Aldermen of said City February 26, 1890, ordering the following Street work to be done, and instructing the Clerk to advertise for bids therefor 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 crossing thereof, with the Street 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 therein be guttered and Macadamized in the manner following following to wit: The Gutters shall be paved with Granite Blocks in accordance with the Specifications therefor contained in Subdivision eight of Section One of Ordinance No. 29 and the Macadamizing shall be constructed in accordance with the Specifications for "business Street" contained in Section two of Ordinance No. 29. All work 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. Also that he (said Patton) posted together with the above notice Copies of the General and Special Specifications above referred to, and that said resolution



Notice and Specifications above referred to, remains so posted for the period of five days, immediately thereafter. Said Affidavit was received and filed.

The City Clerk also presented, the Affidavit of Wm. L. Brown, the Principal Clerk of the Printer 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 adopted by the Board of Delegates of said City February 25<sup>th</sup> 1890 and by the Board of Aldermen of said City February 26<sup>th</sup> 1890, ordering the work hereinbefore described upon page 455 of this Record, to be done, and instructing the Clerk to advertise for Bids therefor: Was published in Newspaper upon the 13<sup>th</sup> and 14<sup>th</sup> days of March 1890, Said Affidavit was received and filed.

The City Clerk also presented, the Affidavit of Wm. L. Brown, principal clerk of the San Diego Daily Sun, afore said, showing that a notice of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the guttering and macadamizing of "D" street from the east line of Front street to the west line of 3rd street, adopted by the Board of Delegates of the City of San Diego, California, on the 25th day of February, 1890, and by the Board of Aldermen of said city on the 26th day of February, 1890, and directing this notice, I hereby give notice that on the 12th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, 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 guttered and macadamized in the manner following, to-wit:

The Gutters shall be paved with granite blocks in accordance with the specifications therefor 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 2, of Ordinance No. 29.

All work 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.

And said posted notice referred to the notice and specifications posted and on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 18, 1890.

W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and  
of the Common Council thereof.  
mls-2t By J. F. PATTON, Deputy.

Was published in said Newspaper on the 19<sup>th</sup> and 20<sup>th</sup> days of March 1890. Said Affidavit was received and filed.

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 ordering the guttering and Macadamizing of "D" Street as hereinbefore set forth upon Page 455 of this Record, and instructing the Clerk to advertise for bids therefor, also of the publication of the Notice of posting invitation for Street work Proposals" above set forth. Thereupon the Clerk reported that he had received one such Proposal, for guttering and macadamizing "D" Street, from the East line of Front Street to the West line of Third Street, as aforesaid, and the same being Opened was found to be as follows, viz.

One from the Excelsior Paving Company.

who proposed to do said work, in accordance with the notice given & Etc. at the following prices viz.

Mosaic paving with Porphyry at 15<sup>85</sup>/<sub>100</sub> Cents per square foot

Guttering with dressed regular granite Blocks at 30 Cents per square foot, or

Guttering with Granite Blocks, of irregular sizes at 25 cents per square foot.

This proposal was accompanied by a Bond of fifteen hundred Dollars with J. W. Thompson, and R. M. Jowers as sureties.

Thereupon on motion said Bid was referred to the "Jud Committee"

A Communication from the City Clerk, notifying the Common Council of the provisions of Sec. 2 Chapter II of the powers of the Common Council, Regarding the appointment of a committee of three, from each house, to act as a Board of Equalization, was read, and Delegate Seybolt moved that the Chair appoint said Committee, Delegate Heath moved to amend by having said committee elected by ballot by the members of the Board, the Amendment was put and lost and thereupon the original motion was put and Carried. And the President gave notice that he would appoint said Committee at next meeting of the Board.

Delegate Rediger requested the Chair to fill the vacancy in the Health and Morals Committee, Thereupon the President appointed Delegate Kammann to fill said vacancy.

A Petition for a Retail Liquor License from Chas. Turner, was read, and referred to the Health and Morals Committee.

Delegate Rediger presented the following Joint Resolution, which was read and adopted, To-wit:

Joint Resolution No. 60.

Resolved that his honor Mayor Gunn be requested to telegraph to Senator Leland Stanford our grateful acknowledgements of the just and true words said by himself and other Senators for the City of San Diego on the passage of the Appropriation of \$300,000 for a public Building in this City, and be it further

Resolved, that Congressman Wm. Vandervan be telegraphed at the same time our sincere appreciation of his earnest efforts in our behalf, and ~~we~~ hope that the bill

may be Speedily passed in the House of Representatives.

The Clerk presented the Bonds, of W. M. Stanton, C. K. Stevens and G. C. Arnold, as Commissioners to assess the damages and benefits for the Opening of D Street in this City. The same being read were approved, accepted and ordered filed.

An Ordinance transferring \$750, from the General fund to the Salary fund, was read and adopted by the following vote, to wit;

Ayes. Delegates, Wagner Marshall, Pauly, Julian Day, Redger, Hewitt, Wealth, Symbolt, Iritzer, Kamman, Cooper and Bratt.

Noes. None.

Absent Delegates. Lyons, Davis, Witherby, Thompson and Stulburt.

Said Ordinance is as follows. To wit;

Ordinance No. 73.

An Ordinance transferring the Sum of fifty Seven Hundred and fifty dollars from the General fund of said City to the Salary fund thereof.

Be it Ordained by the Common Council of the City of San Diego as follows.

Sec. 1 That the Auditor of the City of San Diego is hereby instructed to transfer the sum fifty Seven hundred and fifty Dollars (\$750.) from the General fund of said City to the Salary fund thereof.

Sec. 2. That this Ordinance shall take effect and be in force from and after its passage.

The City Clerk presents the Affidavit of Wm M Roe, principal Clerk of the Printer and publishers of the San Diego Sun a daily Newspaper printed and published in the City of San Diego California, showing that the Resolution (passed by the Board of Aldermen of the City of San Diego, California, February 9, 1890 and passed by the Board of Delegates of said City, February 24<sup>th</sup> 1890. declaring the intention of the Common Council of said City to order the following Street work to be done to wit;

That Fourth Street in said City from the north line of A Street, to the South line of Ivy Street and the entire crossings 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 gutters and sidewalks in the

manner following, to-wit:

The Macadamizing shall be constructed in accordance with the Specifications for Residence Streets, Contained in Special Specifications No. 1. Section 2 of Ordinance No. 29.

The Curbing shall be of Redwood planks 3"x16" 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 returns 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 & I. Block 200 already done.

The Guttering shall be five feet in width of Porphyry blocks of irregular sizes, Constructed in accordance with the Special Specifications therefor Contained in subdivision 8 of Section one of Ordinance No. 29. shall extend along both sides of said Street and be Carried across intersections where it shall be ten feet in width and shall conform to the plans and cross sections 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 roughly 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 (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 Ordinances No. 29 and 53. - Was published in said Newspaper on the 3<sup>rd</sup> and 4<sup>th</sup> days of March 1890. said affidavit was received and filed.

The City Clerk also presented the Affidavit



of J. F. Patton Deputy Clerk of the City of San Diego California, showing that he did on the 3<sup>rd</sup> day of March 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 foregoing mentioned resolution of Intention to Macadamize, curb, gutter, and sidewalk Fourth Street from A to Dwy. And that the same ~~remained~~ so posted for the period of two days immediately thereafter, said Affidavit was received and placed on file.

The City Clerk also presented the Affidavit of Wm. L. Brown principal Clerk of the printer and publishers of the San Diego Daily Sun, a Daily Newspaper printed and published in the City of San Diego California showing that a "notice of Street Work", being a notice of the passage by the Common Council of said City of the above and before mentioned resolution of Intention to Macadamize, curb, gutter and sidewalk Fourth Street from A to Dwy. was published in said Newspaper from the 6<sup>th</sup> to the 12<sup>th</sup> day of March, 1890, both days inclusive, said Affidavit was received and placed on file. The City Clerk also presented the Affidavit of Amos Pittingill Street Superintendent of the City of San Diego, California showing that he caused to be conspicuously posted along the lines of Fourth Street in said City from the North line of "A" Street to the South line of "Dwy" Street at not more than three hundred feet in distance apart, not not less than three in all and in front of each corner of Block and Irregular Block liable to be assessed notices of "Street Work" being notices of the passage by the Common Council of said City of the foregoing mentioned Resolution of Intention to Macadamize, curb, gutter, and sidewalk Fourth Street from "A" to Dwy. And further that he said Street Superintendent caused a Notice similar in substance to the published for six days in the San Diego Daily Sun. - said Affidavit was received and placed on 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 Macadamize Curb, Gutter and sidewalk fourth Street in



Said City from the North line of "A" Street to the South line of "D" Street. And the entire crossing thereof with the Streets intersecting the same within the 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 in the manner hereinbefore set forth, upon page 459 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 work of Macadamizing, Curbing, Guttering and Sidewalking of Fourth Street from "A" to "D" was read and adopted by the following vote, to wit:

Ayes. Delegates: Wagner, Marshall, Pank, Julian Day, Rediger, Hewitt, Heath, Seybolt, Intzger, Kamman, Cooper and Bradt.

Noes. None.

Absent Delegates, Lyons, Davies, Wittenburg, Thompson, and Hulbert.

Said Resolution is as follows, to wit:

Resolution Ordering the work of Macadamizing, Curbing, Guttering, and Sidewalking of Fourth Street from "A" to "D"

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 Fourth Street in said City, from the North line of "A" Street to the South line of "D" Street and the entire crossing 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, to wit:

The Macadamizing shall be constructed in accordance with the Specifications for "Residence Street" contained in Special Specifications No. 1. Section 2. of Ordinance No. 29. The Curbing shall be of red wood planks 3x6 inches in size in front of property and otherwise constructed in accordance with the Specifications therein contained in Subdivision

7 of Section One of Ordinance No. 29 and the Corners or returns 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 Curb shall extend along both sides of said Street except in front of Lots G, H & I Block 200 already done.

The Guttering shall be five feet in width of Porphyry Blocks of Irregular sizes constructed in accordance with the Special Specifications therefor contained in Subdivision eight of Section One of Ordinance No. 29. Shall extend along both sides of said Street and be carried across intersections where it shall be ten in width and shall conform to the plans and Cross Sections 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: that 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 roughly broken Stone that will pass through a two inch ring placed on a firm Subgrade 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 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 Ordinances No. 29 and 53. 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 Cheque 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 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.

A Resolution ordering the improving of 4<sup>th</sup> Street, from "K" to "A", was read ~~and~~ on motion of Delegate Marshall, the same was referred to the Board of Public Works for correction.

A Resolution ordering the macadamizing of "O" Street from Atlantic to 4<sup>th</sup> streets, was read, together with a Protest to said work, purporting to be signed by property owners representing a majority of the front feet upon said street.

On motion of Delegate Marshall the Protest was granted.

Delegate Smitzer offered a resolution providing for a compensation of \$2.50 per day, for the Board of Equalization.

Delegate Wagner moved to amend, and make compensation \$3.00 per day.

Delegate Marshall moved the amendment that the compensation be \$1.00 per day.

The amendment to the amendment was put and carried by the following vote, to wit:

Ayes, Delegates - Marshall: Pauly: Day: Hewitt: Heath: Kameron and Cooper.

Noes, Delegates - Wagner: Julian: Rediger: Seybold: Smitzer, and Bradt.

Absent, Delegates - Lyon: Davis: Webster: Thompson: and Hulbert.

Thompson said resolution as amended was adopted and reads as follows, to wit:

Resolved, that the City Attorney is hereby requested to prepare and report an ordinance to compensate the Board of Equalization at the rate of \$1.00 per day.

The Committee on Health & Morals reported favorably upon the following petitions for Liquor License, to wit:

J. A. Kerr - retail

E. M. Johnson "

and Thompson said petition was granted.

The following Conference Committee report was read and filed, to wit:

"Your Conference Committee to whom was referred the Concurrent Resolution removing the Cows on 5<sup>th</sup> Street and providing for low electric lights would most respectfully report concurring in the amendment

adopted by the Board of Delegates.

Board of Aldermen

{ A. J. Gassan  
C. E. Francisco  
C. Leri

Board of Delegates

{ J. W. Smitzer  
D. H. Hewitt "

After giving notice President Bracht, did, in open session, sign Ordinance No. 73. Being an Ordinance transferring \$750.00 from the General to the Salary Fund.

Whereupon the Board adjourned until March 31-1890. at 7.30 o'clock P. M.

W. M. Gassaway  
City Clerk

G. H. Bracht  
President

## Adjourned Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego,  
California, March 31- 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: Pauley: Julian: Day: Rediger:  
Hewitt: Heath: Thompson: Smitzer: Hulbert: Kammann:  
Couper: Bradt <sup>and</sup> Clerk Gasaway.

Absent, Delegates - Wagner: Lyann: Darrin: Metterbee: Seybolt.

A Notice from the President of this Board, that he had appointed Delegates - Julian: Hewitt & Rediger as members of the Board of Equalization; was read & filed.

The following Veto Message from the Mayor, was read, from:  
Mayor's Office
San Diego, Cal, March 29-1890

To the Board of Delegates:

I have the honor to return herewith, without my approval, Ordinance No. "Establishing a City Pound for strays, and creating the office of Pound Keeper," etc, etc.

The second section of this Ordinance is in conflict with the provisions of the Charter. It creates the office of Pound Keeper, and vests the appointment of said officer in the Mayor, subject to the confirmation of the Board of Delegates.

Sec. 4- Chap. 2, Art. 2, of the Charter, provides that "Subject to the provisions, limitations, and restrictions in this Charter contained, the Common Council shall have power to pass Ordinances [sub. division 23] to provide a public pound and pound keeper," etc, etc.

Sec. 7, Chap. 1, Art. 3, provides that "The Mayor shall appoint all officers whose election or appointment is not otherwise specially provided for in this Charter or by law."

The power of the Common Council ends with the creation of the office. The Charter devolves upon the Mayor the duty of making the appointment, and it does not require such appointment to be confirmed.

Aside from the foregoing objection, I think that the Ordinance is too sweeping in its provisions. Its prohibitions and penalties extend over the entire area of 74 square miles embraced within the municipal boundaries. It is not questioned that residents who undertake the expense and labor of planting



trees, shrubbery and flowers around their homes, and who in this way add to the beauty and attractiveness of the City are entitled to protection from the mischief caused by roving animals. But it does not seem reasonable to apply to the sparsely settled suburban sections the strict regulations needful within the limits of the city proper. Beyond these limits there are numerous families cultivating little garden patches, and keeping a little stock, and to many of these people their own is a very considerable part of their support. There are several thousand acres of pueblo land covered with abundant grass during three or four months in the year, and no one can be injured by permitting the cattle to graze upon it. Nor can I see any reason why the great area of unimproved Park land, and other pueblo land belonging to the City, should be shut against the poor man's cow. If there should be any trespass upon private property in this large outside region, the owner will have a sufficient remedy under the provisions of the general trespass laws of the State.

It appears to me to be entirely practicable to frame an Ordinance that will afford adequate protection within reasonable limits, without working hardship upon dwellers in the remote suburban districts.

I shall be glad to approve such an Ordinance.  
Respectfully

Douglas Gunn, Mayor.

Thompson Delegate Heath gave notice for reconsideration in accordance with Sec 17, Art 2, Chap 1. (Power Common Council) of the Charter.

The Board of Public Works submitted an Ordinance establishing the grade of the west line of the City Park with the intersection of Eastman Street. The foregoing said Ordinance was read and adopted by the following vote, to-wit:

Ayes, Delegates - Marshall; Pauley; Julian; Day; Rudiger;  
Heath; Heath; Thompson; Sontzer; Hulbert; Kammann;  
Coyne & Bradt.  
Nays - None.

Absent, Delegates - Wagner; Lyann; Davies; Matharben; & Seybold.  
Said Ordinance is as follows, to-wit:

#### Ordinance No.

An Ordinance establishing the grade of the west line of the City Park with the intersection of the North & South lines of Juniper, Kalma, Laurel, Maple, Nutmeg, Olive & Palm streets in the City of San Diego, State of California,

Be it ordained by the Common Council of the City of

San Diego as follows:

Section 1.- The grade of the west line of the City Park with the intersection of the North and South lines of Juniper, Kalma, Laurel, Maple, Nutmeg, Olive and Palm streets is hereby established as follows:

The elevation of the points herein named above the datum line of levels fixed by Ordinance No. 3 shall be fixed as follows:

At the intersection of the south line of Juniper street with the west line of the City Park 237.0 feet.

At the intersection of the north line of Juniper street with the west line of the City Park 239.0 feet.

At the intersection of the south line of Kalma street with the west line of the City Park 246.0 feet.

At the intersection of the north line of Kalma street with the west line of the City Park 247.0 feet.

At the intersection of the south line of Laurel street with the west line of the City Park 251.0 feet.

At the intersection of the north line of Laurel street with the west line of the City Park 252.0 feet.

At the intersection of the south line of Maple street with the west line of the City Park 255.5 feet.

At the intersection of the north line of Maple street with the west line of the City Park 256.0 feet.

At the intersection of the south line of Nutmeg street with the west line of the City Park 260.5 feet.

At the intersection of the north line of Nutmeg street with the west line of the City Park 262.0 feet.

At the intersection of the south line of Olive street with the west line of the City Park 267.0 feet.

At the intersection of the North line of Olive street with the west line of the City Park 267.5 feet.

At the intersection of the south line of Palm street with the west line of the City Park 274.5 feet.

At the intersection of the north line of Palm street with the west line of the City Park 275.5 feet.

And the grade of said west Park line between the points fixed by this Ordinance, shall be of uniform ascent and descent, as shown by the grade maps made by the City Engineer and on file in his office.

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."

A Petition from Commissioner Jas. D. Schuyler, of the Board of Public Works, for leave of absence for 15 days, was read and granted

A Communication, stating that the Commissioners appointed by the Common Council to open "D" Street, did on March 31-1890, duly organize by the election of J. C. Arnold, President, and H. M. Stanton, Secretary; was read and filed.

A Petition from Isaac J. Swedecor, to have street labor fixed at \$2 per day, etc. was read. City Delegate Thompson moved to refer to the Finance Committee. Delegate Marshall moved to amend & refer to the Street Committee. The amendment was put & lost & Thompson's original motion was carried and it was so ordered.

A Communication from Delegate Geo. M. Weberbauer, tendering his resignation as a member of the Board of Delegates, was read ~~and~~ on motion of Delegate Julian the resignation was accepted.

Thompson, Delegate Rediger offered the following resolution which was adopted and ordered spread upon the record. Awaiting:

### Resolution

Whereas, the resignation of Geo. M. Weberbauer, as a member of this Board of Delegates has been by him tendered on account of his removal to San Francisco,

Therefore, Be it Resolved, that it is the sense of this Board that in reluctantly accepting said resignation, they hereby express their sincere regret in being deprived of a worthy and active and conscientious member of the Board; one whose regularity of attendance, faithfulness to duties imposed, and intelligent participation in municipal affairs is fully appreciated."

A Petition to have a fire Hydrant located at the corner of 26<sup>th</sup> Street and Franklin Avenue, was read, and referred to the Fire Committee.

A Communication from Eugene De Burn, Clerk of the Board of Education, transmitting a Protest from said Board, to the transfer of \$2249.39 from Municipal School Improvements Fund No. 1, to the General Fund, was read ~~and~~ on motion of Delegate Heath, the City Attorney was instructed to render an opinion as to the validity of the claim of said School Board.

Delegate Wagner here entered and took his seat in the Board.

The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 14<sup>th</sup> day of March, 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 copies of the resolution (passed by the Board of Delegates, of said city, March 3-1890, and by the Board of Aldermen, of said city, March 4-1890.) ordering the following street work to be done and instructing the Clerk to advertise for bids therefor, to wit: That E. Street in said city from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 with 3<sup>rd</sup> 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 lots A and B 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 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 and specifications contained in Ordinances No. 29, and No. 53. And that he (said Patton) posted together with the above notice, copies of the general and special specifications above referred to, and that said resolution, notice and specification above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mrs. L. Brown, 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, Calif. showing that the resolution ordering the work hereinbefore described upon pages 468 & 469 of this record and instructing the Clerk to advertise for bids therefor, as passed by the Board of Delegates, of said city, March 3-1890, and by the Board of Aldermen, of said city, March 4-1890, was published in said newspaper upon the 14<sup>th</sup> & 15<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mrs. L. Brown, principal clerk of the San Diego Daily Sun



aforsaid, showing that a notice of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of "H" street from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 3rd day of March, 1890, and the Board of Aldermen of said city, on the 4th day of March 1890, and directing this notice, I hereby give notice that on the 14th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, to-wit:

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 thereof at the intersection 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 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 88, lot F, and block 87, and lot A, block 26, 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 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 No. 53.

And said posted notice referred to the specifications posted and to the specifications on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk: office of the City of San Diego, California, March 22, 1890.

W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and of the Common Council thereof.  
mls:2t By J. F. PATTON, Deputy.

was published in said newspaper upon the 24<sup>th</sup> & 25<sup>th</sup> days of March, 1890. 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 ordering the curbing, guttering and paving of "H" street, from 4<sup>th</sup> to 6<sup>th</sup>, as hereinbefore set forth upon pages 468 & 469, of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals" above set forth.

Whereupon the Clerk reported that he had received two such proposals for curbing, guttering and paving "H" street, from 4<sup>th</sup> to 6<sup>th</sup>, as aforesaid, and the same being opened were found to be as follows, to-wit:

One from the Bituminous Paving Co. who propose to do said work in accordance with the notice given, etc. at the following prices.

Paving with Bituminous Rock 27 $\frac{1}{4}$  cents per foot.

Granite Curbing \$1.20 per foot.

Granite gutters 28 $\frac{1}{4}$  cents per foot.

This proposal was accompanied by a certified check for \$650.

One from A. A. Schulenburg, who proposes to do said work in accordance with the notice given etc. at the following prices, viz:

Granite Curbing 88 cents per linear foot.

Granite gutters 24 " " square "

Bituminous rock work 22 cents per square foot.

This proposal was accompanied by a certified check for \$1000.



Whereupon on motion of Delegate Cooper the following resolution was adopted, to-wit:

Joint Resolution No.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, having in open session, the Board of Delegates on the 31<sup>st</sup> day of March, 1890. and the Board of Aldermen on the day of April, 1890. opened, examined and publicly declared all sealed proposals offered for the following street work, to-wit: That "H" street in said city from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 with 5<sup>th</sup> 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 C and J, Block 88, Lot C Block 87, and Lot A, Block 96, already done.

The gutting 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 bluish-grey 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. 53. And the said Common Council hereby rejects all of said bids except that next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: A. A. Schulenburg, at the prices specified in his proposal on file for said work.

And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the Council Chamber door, of said City, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this city and hereby designated for that purpose for two days."

The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 14<sup>th</sup> day of March, 1890. post and

speciously 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. Copies of the resolution, passed by the Board of Delegates of said City March 2, 1890, and by the Board of Aldermen of said City, March 4, 1890, ordering the following street work to be done, and instructing the Clerk to advertise for bids therefor, to-wit: That E. street in said City, from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> street, except such portion thereof as is required by law to be kept in order or repair by any person or Company running railroad tracks thereon, and except the crossing at the intersection thereof with 3<sup>rd</sup> 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 Lots F and G, Block 61, Lots A and L, Block 70, and the east front feet of Lot L, Block 69, 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 Lots F, Block 61, and Lot L, Block 61, 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 provisions of, and specifications contained in Ordinance No. 29, and No. 53.

Also that he (said Patron) posted together with the above notice, copies of the general and special specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and filed.

The City Clerk also procured the affidavit of Mr. L. Brown, 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 Delegates of said City, March 2<sup>d</sup>, 1890, and by the Board of Aldermen of said City, March 4<sup>th</sup>, 1890, ordering the work hereinbefore described upon pages 471 & 472, of this record, to be done and instructing the Clerk to advertise for bids therefor - was published in said newspaper upon the

13<sup>th</sup> and 14<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Wm. L. Brown, Principal Clerk of the San Diego Daily Sun, aforesaid, showing that a notice of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and paving of F street from the east line of 4th street to the west line of 6th street, adopted by the Board of Delegates of the City of San Diego, California, on the 3rd day of March 1890, and by the Board of Aldermen of said city on the 4th day of March, 1890, and directing this notice, I hereby give notice that on the 14th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, to-wit:

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 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, 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 lots F and G, block 61, lots A and L, block 70, and east fourteen feet of lot L, block 69, 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 F, block 61, and lot G, block 61, 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 contractors shall be governed and bound by the provisions of and specifications contained in Ordinances No. 29 and No. 58.

And said posted notice referred to the notice and specifications posted and to the specifications on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 22, 1890.

W. M. GASSAWAY,  
Clerk of the City of San Diego, California, and  
of the Common Council thereof.  
By J. F. PATTON, Deputy.

was published in said newspaper on the 24<sup>th</sup> & 25<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

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 ordering the curbing, guttering and paving of F street, as hereinbefore set forth upon pages 471 & 472, of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals" set forth upon page 473 of this record.

Whereupon the Clerk reported that he had received two (2) such proposals for curbing, guttering and paving F street, as aforesaid, and the same being opened were found to be as follows, to-wit:

One from the Bituminous Paving Co. who propose to do said work in accordance with the notice given, etc. at the following prices:

Paving with Bituminous rock 27 $\frac{1}{4}$  cents per foot.

Granite curbing \$1.20 per linear foot.

Granite gutter 28 $\frac{1}{2}$  cents per square foot.

This proposal was accompanied by a certified cheque for \$650.

One from A. A. Schulenberg who propose to do said work in accordance with the notice given, etc. at the following prices:

Granite curbing 88 cents per linear foot.

Granite gutters 24 cents per square foot.

Bituminous rock work 22 cents per square foot.

This proposal was accompanied by a certified check for \$600.

Whereupon on motion of Delegate Cooper the following Joint Resolution was adopted, to-wit:

Joint Resolution No.  
Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council, having in open session, the Board of Delegates on the 31<sup>st</sup> day of March, 1890, and the Board of Aldermen on the 1<sup>st</sup> day of April, 1890, opened, examined and publicly declared all sealed proposals or bids offered for the following street work, to-wit: that 4<sup>th</sup> street in said city from the east line of 4<sup>th</sup> street to the west line of 6<sup>th</sup> 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 3<sup>rd</sup> 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 lots C and L, Block 61, and Lots A and L, Block 70, 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 C, Block 61, Lot L, Block 61, and Lots A and L, Block 70, the E. 14 feet of lot L, Block 69, 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 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 Ordinance No. 29, and No. 52. And the said Common Council hereby rejects all of said bids except that next herein mentioned and hereby awards the contract for said work to the lowest responsible bidder, to-wit: A. A. Schulenburg, at the price specified in his proposal on file for said work.

And the City Clerk is hereby directed to post notice of this award conspicuously for five days on or near the Council Chamber door, of said City, and also publish said notice in the San Diego Daily Sun, a daily



newspaper published and circulated in this city, and hereby designated for that purpose for two days"

The City Clerk presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, stating that he did on the 14<sup>th</sup> day of March, 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, copies of the resolution, passed by the Board of Delegates of said City, March 3-1890, and by the Board of Aldermen, of said City, March 4-1890, ordering the following street work to be done, and instructing the Clerk to advertise for bids therefor, to wit: "That I" 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, to wit: the Curbing shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in Subdivision C, 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 I. street west of Third street and between the projected east line of said Third street and the projected west line of Fourth street. The gutters shall be paved with granite blocks in accordance with the specifications therefor contained in Subdivision S, 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 contractors shall be bound by the provision of Ordinance No. 29, and No. 33. And also that he (said Patton) posted together with the above notice, copies of the general and special specifications above referred to, and that said resolution, notice and specifications above referred to, remained so posted for the period of five days immediately thereafter. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mrs. L. Brown, 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, stating that the resolution, ordering the work heretofore described upon this page; and instructing the Clerk to advertise for bids therefor, as passed by the Board of Delegates, of said city, March 3-1890, and by the Board of Aldermen, of said city



March 4, 1890. - was published in said newspaper upon the 12<sup>th</sup> & 13<sup>th</sup> days of March, 1890. Said affidavit was received and filed.

The City Clerk also presented the affidavit of Mr. L. Brown, Principal Clerk of the San Diego Daily Union aforesaid, showing that a notice, of which the following is a true copy, to-wit:

**Notice of Posting Invitation for Street Work Proposals.**

PURSUANT TO STATUTE AND TO A RESOLUTION ordering the curbing, guttering and macadamizing of "D" street, from the west line of 3rd street to the west line of 4th street, adopted by the Board of Delegates of the City of San Diego, California, on the 3rd day of March, 1890, and by the Board of Aldermen of said city on the 4th day of March, 1890, and directing this notice, I hereby give notice that on the 14th day of March, 1890, I posted notice as therein prescribed, inviting sealed proposals or bids for doing the work ordered in said Resolution, to-wit:

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, to-wit:

The Curbing shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in Subdivision 6, of Section one of Ordinance No. 29, and only extend along 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 east line of said Third street and the projected west line of Fourth street.

The Gutters shall be paved with granite blocks and in accordance with the specifications therefor 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 contractors shall be bound by the provisions of Ordinances No. 29 and No. 13.

And said posted notice referred to the specifications posted, and to the specifications on file in Ordinance No. 29, describing the work so ordered to be done.

Clerk's office of the City of San Diego, California, March 22, 1890.

(SEAL) W. M. GASHAWAY,  
Clerk of the City of San Diego, California, and  
of the Common Council thereof.  
m22-2t By J. F. PATTON, Deputy.

was published in said newspaper upon the 24<sup>th</sup> and 25<sup>th</sup> days of March, 1890. 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 ordering the curbing, guttering and macadamizing of "D" street from 3<sup>rd</sup> to 4<sup>th</sup> street, as heretofore set forth upon page 475 of this record, and instructing the Clerk to advertise for bids therefor. Also of the publication of the "Notice of Posting Invitation for Street Work Proposals" above set forth.

Whereupon the Clerk reported that he had received one (1) such proposal for curbing, guttering and macadamizing of D street from 3<sup>rd</sup> to 4<sup>th</sup> as aforesaid, and the same being opened was found to be from the

"Excelsior Paving Co." who propose to do said work in accordance with the notice given, etc. at the following prices, viz:

Curbing of artificial stone or concrete at 45 cents per lineal foot.

Guttering with rectangular dressed granite blocks at 27 cents per lineal foot.

Guttering with irregular granite blocks at 21 cents per lineal foot.

Macadamizing with Portphy at 15<sup>cts</sup> per square foot.

This proposal was accompanied by a Bond for \$500.

Whereupon on motion of Delegate Marshall the following joint resolution was adopted, to-wit:

Joint Resolution No. 21.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council having in open session the Board of Delegates on the 31<sup>st</sup> day of March, 1890, and the Board of Aldermen, on the - day of April, 1890 - opened, examined and publicly declared the only sealed proposal or bid offered for the following work, to-wit: That D. street in said city from the west line of Third street to the west line of Fourth street, and the entire curbing 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 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 specifications therefor contained in Subdivision six, of Section one, of Ordinance No. 29, and only extend <sup>along</sup> 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 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 therefor contained in Subdivision eight, 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 in conformity with and contractors shall be governed and bound by the provisions of said Ordinance No. 29, and Ordinance No. 53. - Herby awards the contract for said work of the said curbing of artificial stone or concrete and of said guttering with irregular granite blocks and of said macadamizing with patching to the lowest regular responsible bidder, to-wit: Excelsior Paving Company, at the price specified therefor in its said proposal.

The Clerk of this Council is herby directed to post notice of this award conspicuously for five days on or near the Chamber door of this Council, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this City, therefor and herby designated, for two days. Said posting and publication to be made upon the approval of this award by the Mayor, or if he disapproves it, then upon its subsequent approval by a three fourths vote of this Council.

The following report from the Committee on Streets was read and adopted, to-wit:

"We your Street Committee to whom was referred the bid of the Excelsior Paving Co. for paving & guttering D. street, between Fifth & 3<sup>d</sup> streets would respectfully report as follows: that after a very thorough investigation we are of the opinion that 15<sup>cts</sup> per square foot is a reasonable sum for placing macadam upon the street. We also think that 30<sup>cts</sup> for regular granite blocks is somewhat high and therefore suggest that irregular blocks at 22<sup>cts</sup> per square foot be used.

Chas. W. Pauley

W. A. Day.

Thereupon on motion of Delegate Cooper, the following joint resolution was adopted, to-wit:

Joint Resolution No.

Be it Resolved, by the Common Council of the City of San Diego, that the said Common Council having in a previous session - the Board of Delegates, on the 24<sup>th</sup> day of March, 1890, and the Board of Aldermen, on the day of [blank], examined and publicly declared the only sealed proposal or bid offered for the following work, to-wit: that D. street in said City, from the east line of Fifth 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 repaired by any person or company having railroad tracks thereon, be gutted and macadamized in the manner following, to-wit: The gutters shall be paved with granite blocks in accordance with the specifications hereafter 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 2, of Ordinance No. 29, and all work 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 - hereby awards the contract for said work of the said guttering with irregular granite blocks and of said macadamizing with surfacing to the lowest regular responsible bidder, to-wit: Excelsior Paving Company, at the price specified therein in its said proposal. The Clerk of this Council is hereby directed to post notice of this award conspicuously for five days on or near the Chamber door of this Council, and also publish said notice in the San Diego Daily Sun, a daily newspaper published and circulated in this City, through and hereby designated, for two days, said posting and publication to be made upon the approval of this award by the Mayor, or if he disapproves it, then upon

its subpayment appeared by a three fourths vote of this Council

The following Concurrent Resolution, (herebefore adopted by the Board of Aldermen) was read, and concurred in, tant:

Concurrent Resolution No.

Be it Resolved, by the Board of Aldermen, of the City of San Diego, the Board of Delegates concurring, that the City Attorney, be instructed to prepare an Ordinance requiring a license from all persons engaging in the sale of patent medicines within said City, and occupying any public street or vacant lot thereof, and said license shall not be less than 10 dollars per day, and the money derived from same shall go to the Street Sprinkling fund.

Delegate Pauley offered the following Joint Resolution, which was adopted, tant:

Joint Resolution No.

Whereas, it is claimed that there is a doubt as to the authority of the City to change the grade of a street and compel property owners to respond to assessments for grading to such re-established grade, therefore be it Resolved, that the Clerk be instructed to postpone the posting and publication of the resolution of intention to grade 3<sup>rd</sup> street from B. to Myran streets, and that the question of the power of the City to assess the abutting property for the grading of said street be referred to the City Attorney with instruction to make a written report thereon to the Common Council at its next session.

The City Clerk presented the affidavit of Mr. 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 Aldermen, of the City of San Diego, California, February 19<sup>th</sup>, 1890, and passed by the Board of Delegates, of said City, February 24<sup>th</sup>, 1890.) declaring the intention of the Common Council, of said City, to order the following street work to be done, tant: that Front street in said City, from the north line of "A" street to the south line of "K" 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 paved, curbed and sidewalks in the manner following, tant: the paving shall have a broken stone base eight inches in thickness and a natural bituminous rock wearing surface two inches



in thickness be constructed in accordance with the specifications herefor contained in Subdivision one, 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, 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.

The curbing shall be of artificial stone or concrete, constructed in accordance with the specifications herefor contained in Subdivision 6, of Section one, of Ordinance No. 29, and extend along both sides of said street except in front of Lot F Block 114, Lots E and F Block 88, Lots E and F Block 69, Lot L Block 68, Lot J Block 63, Lots A, B, C, D, E, & F Block 43, all north of the alley in Block 42, Lots A, B, C, D, E, & F Block 36, Lots G, H, I, J, K, & L Block 37, Lot H Block 11, the north, west corner of the intersection of 4th and C streets, and the south-east corner of the intersection of 4th and E streets, already done.

The sidewalking shall be of artificial stone or concrete, extend from the curb line to the property line and be constructed as follows: The base or foundation shall be three inches in thickness, and be composed of one part of the Best Portland Cement, three parts of coarse clean sharp sand and six parts of roughly 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 (12) hours it shall be covered with earth or sand two inches deep and kept so covered for two days. Such sidewalking shall be constructed on and along both sides of said street, except in front of Lot F Block 114, Lots E & F Block 88, Lots E & F Block 69, Lot L Block 68, all north of the alley in Block 42, Lots A, B, C, D, E & F Block 36, Lots G, H, I, J, K, & L Block 37, Lot H Block 11, the north half of lot A, and the south half of Lot B, and Lots C, D, E & F Block 43. The N. W. corner of the intersection of 4th and C streets, already done. All work shall be done conformably to the provisions of Ordinance No. 29, and No. 33, - was published in said newspapers on the 3rd & 4th days of March, 1890. Said affidavit was received & filed.

The City Clerk also presented the affidavit of J. C. Patton, Deputy Clerk of the City of San Diego, California, showing that he did, on the 3rd day of



March, 1890. past 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 & foregoing mentioned resolutions of intention to pave, curb, & sidewalk 4<sup>th</sup> street, from "K" to "A", and that the same remained so posted for the period of two days immediately thereafter. Said affidavit was received & filed.

The City Clerk also presented the affidavit of Mrs. L. Brown, 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 & before mentioned resolutions of intention to pave, curb, & sidewalk 4<sup>th</sup> street, from "K" to "A" was published in said newspaper, from the 6<sup>th</sup> day of March, 1890, to the 12<sup>th</sup> day of March, 1890, both days inclusive. Said affidavit was received & filed.

The City Clerk also presented the affidavit of Amos Pettengill, Street Superintendent of the City of San Diego, California, showing that he caused to be conspicuously posted along the line of 4<sup>th</sup> street, in said City, from the south line of "K" street, to the north line of "A" street, at not more than 500 feet in distance apart, not less than 3 in all, and in front of each quarter block & 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 & before mentioned resolution of intention to pave, curb & sidewalk 4<sup>th</sup> street from "K" to "A", & 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 & filed.

On motion it was ordered that due & sufficient proof has been made of the passage by the Common Council, of said City, of the resolution of intention to pave, curb & sidewalk 4<sup>th</sup> street, in said City, from the north line of "A" street to the south line of "K" street, & 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 & repair by any person or company running railroad tracks thereon, in the manner hereinafter set forth upon pages 479 & 480, 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 work of paving, curbing and sidewalking fourth street from "K" to "A" was read & adopted by the following vote, to-wit:

Ayes, Delegates - Wagner: Marshall: Pauley: Julian: Day:  
Reidger: Hewitt: Heath: Thompson: Smith: Stulbert: Korman:  
Carpenter: Bradt.

Nays, None

Absent, Delegates - Lyon: Davis: McArthur: & Dykstra.  
Said resolution is as follows, to-wit:

**Resolution Ordering the  
work of Paving, Curbing  
and Sidewalking of 4th  
street from K to A.**

**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 Fourth street in said city from the north line of A street to the south line of K 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 paved, curbed and sidewalked in the manner following, to-wit:

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 therefor contained in Subdivision 1, of Special Specification No. 2, of Section 3 of Ordinance No. 29, and extend from curbline to curbline, 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.

The Curbing shall be of artificial stone or concrete, constructed in accordance with the specifications therefor contained in Subdivision 6, of Section one of Ordinance No. 29, and extend along both sides of said street, except in front of lot F, block 114, lots E and F, block 88, lots E and F, block 69, lot L, block 68, lot J, block 63, lots A, B, C, D, E and F, block 43, all north of the alley in block 42 lots A, B, C, D, E and F, block 36, lots G, H, I, J, K and L, block 37, lot 11, the northwest corner of the intersection of 4th and F streets, and the southeast corner of the intersection of 4th and E streets, already done.

The sidewalking shall be of artificial stone or concrete, extend from the curb line to the property line and be constructed as follows: The base or foundation shall be three inches in thickness and composed of one part of the best Portland cement, three parts of coarse, clean, sharp sand and six parts of roughly broken stone that will pass through a two-inch ring, placed on a firm subgrade and well tamped. The wearing surface shall be three-fourths (¾) 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 (12) hours it shall be covered with earth or sand two inches deep, and kept so covered for ten days.

Such sidewalking shall be constructed on and along both sides of said street except in front of lot F, block 114, lots E and F, block 88, lots E and F, block 69, lot L, block 68, all north of the alley in block 42, lots A, B, C, D, E and F, block 36, lots G, H, I, J, K and L, block 37, lot 11, the north half of lot A and the south half of lot B, and lots C, D, E and F, block 43, the northwest corner of the intersection of 4th and F streets, already done.

All work shall be done conformably to the provisions of Ordinances No. 29 and No. 53.

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 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 Special Joint Committee to whom was referred the Petition to Have Comrade Black Segregated, made the following report, to-wit:

We your Committee, to whom was referred the petition to have Comrade excluded from the City, beg leave to report that, from the record of the official canvass of the votes cast at the last Municipal Election, we find 3111 votes were cast for all candidates for Mayor: more than one-fifth of said total vote, viz, 623: being the number of names of legal voters necessary to be represented on said petition, to require the Common Council to call the election.

asked for. And further that we have examined said petition and find therein the names of 807 legal voters. We therefore recommend that the prayer of said petitioners be granted, and the City Attorney instructed to prepare an Ordinance calling an election in accordance with said petition.

Board of Aldermen { A. J. Gassen  
M. A. Begole  
Paul H. Rediger  
Board of Delegates { S. M. Switzer  
Harr Wagner.

Delegate Cooper moved to adopt said report.  
Delegate Heath moved to lay on the table for 60 days.  
The motion to table was lost by the following vote:

Ayes, Delegates = Marshall; Julian; Day; Hawitt; Heath; and Hulbert.

Noes, Delegates = Wagner; Pauley; Rediger; Thompson; Switzer; Kammann; Cooper & Bradt.

Absent, Delegates = Lyons; Davies; & Melcher & Seybold.

Thompson the motion to adopt was carried by the following vote, to wit:

Ayes = Delegates = Wagner; Pauley; Day; Rediger; Heath; Thompson; Switzer; Kammann; Cooper & Bradt.

Noes, Delegates = Marshall; Julian; Hawitt; and Hulbert.

Absent, Delegates = Lyons; Davies; Melcher & Seybold.

Thompson Delegate Heath gave notice that at the next meeting he would move a reconsideration of the above vote.

Delegate Rediger moved to lay the above notice on the table - The motion was put and lost.

Delegate Switzer was here excused.

In accordance with instructions given, the City Attorney submitted an Ordinance amending Ordinance No. 43 - relating to placing a water pipe in 6th Street. Said Ordinance was read & Delegate Marshall moved to adopt.

Delegate Cooper moved the amendment that a Special Committee be appointed to investigate. The amendment was lost and Mr. Thompson the original motion was lost by the following vote, to wit:

Ayes, Delegates = Marshall; Wagner; Pauley; Heath; Thompson & Kammann & Bradt.

Noes, Delegates = Julian; Day; Rediger; Hawitt; Hulbert & Cooper.

Absent, Delegates = Lyons; Davies; Melcher; Seybold & Switzer.

Thompson Delegate Wagner changed his vote from Aye to No & gave notice that at the next meeting, he would move reconsideration of

Whereupon the Board adjourned until Monday, April 7-  
1890. at 7.30 o'clock P. M.

W. M. Gassaway,  
City Clerk



G. H. Bragg  
President

## Regular Meeting.

Council Chamber of the Board of  
Delegates, of the City of San Diego, Calif.  
April 7- 1890.

A Regular Meeting of the Board of Delegates, of the City of San Diego, was held this day at 7.30 o'clock P. M. with President Bradt presiding.

Present, Delegates - Marshall: Pauly: Julian: Day: Hewitt: Heath: Thompson: Seybold: Smitzer: Kammann: Bradt, and Clerk Gussaway.

Absent, Delegates - Wagner: Lyon: Davies: Rediger: Hulbert & Cooper.

The Minutes of an Adjourned Meeting, held March 24- 1890. were read and approved.

After giving notice President Bradt did, in open session, sign Ordinance No. . . . being "an ordinance to establish grade of Wash Park link."

Delegate Rediger has entered and took his seat in the Board.

In accordance with notice given Delegate Heath moved to reconsider the vote by which the report of the "Special Committee on Comrade Segregation" entered upon pages 482 & 483, was adopted.

(Delegate Cooper has entered and took his seat in the Board)

The motion was lost by the following vote, to wit:

Ayes, Delegates - Marshall: Day: Hewitt & Heath.

Noes, Delegates - Pauly: Julian: Rediger: Thompson: Seybold: Smitzer: Kammann: Cooper & Bradt.

Absent, Delegates - Wagner: Lyon: Davies: & Hulbert.

A Communication from the Board of Public Works, relative to the purchase of sprinkling carts for the City's use: was read & filed.

A Communication from the Board of Public Works, submitting a Joint Resolution, providing for the repair of the sewer on 14<sup>th</sup> street, was read together with said resolution. Which said resolution was thereupon adopted and is as follows, to wit:

### Joint Resolution No. 73.

Resolved, that the Board of Public Works be and it is hereby authorized and instructed to reconstruct and repair the street sewer on 14<sup>th</sup> street, from a point



between I and J streets to the point of the connection with the main sewer on L. street, and to place said sewer along and on the west side of said street in a manner to prevent its injury by washing out."

A Petition to grade L. street, from 5<sup>th</sup> street to Mt. Hope Cemetery, was read and Delegate Switzer moved to refer to the Board of Public Works with instructions to prepare a Resolution of Intention in accordance therewith. Delegate Heath moved to amend by referring to the Street Committee. The amendment carried.

A Petition from J. Bechtel & C. Hoffarth, for retail liquor license, was read & referred to the Committee on Health & Morals.

Two reports from M. S. Rawson, Police Judge, for the months of February & March, 1890, respectively, were read & referred to the Finance Committee.

The following Concurrent Resolution, heretofore adopted by the Board of Aldermen, was read & concurred in:

Concurrent Resolution No.

Be it Resolved, by the Board of Aldermen, the Board of Delegates concurring, that the Health & Morals Committee of each Board, be and are hereby requested to investigate the saloon known as Pete Canaday's saloon, why the license should not be revoked, & report to the Common Council."

The following Joint Resolution, heretofore adopted by the Board of Aldermen, was read and adopted with:

Joint Resolution No.

Resolved, that the Board of Public Works be and are hereby instructed to provide for two low electric lights similar to and under the same conditions as those provided for in ~~Ordinance~~ Concurrent Resolution No. 25: one of said lights to be placed at the intersection of "C" and 6<sup>th</sup> streets, and the other at the intersection of "K" & "L" street with 6<sup>th</sup> street."

A Resolution of Intention to grade a road to Old-Town, was read and adopted by the following vote, to-wit:  
 Ayes, Delegates - Marshall; Parly; Day; Rediger; Heath; Thompson; Seybold; Kammann; Conner and Brook.  
 Absent, Delegates - Julian & Switzer.  
 Absent, Delegates - Magner; Lynn; Daxner & Hulbert.  
 Said Resolution 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 Witherby street; Witherby street from the west line of India street to the south-west line of Second street; Second street from the north line of Witherby street to the north-west line of Witherby street; Witherby 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 Witherby street to the north-west line of Trias street; Trias 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 Trias 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 streets intersecting the same, be graded to the full width and to the official grade as established by Ordinance No. 43, 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 other following named points, to-wit:

At intersection of Palm street with India street a two by two (2x2) feet box; at the intersection of Sassafras street with India street a two by two (2x2) 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 (2x2) feet box; at the intersection of Upas street with India street a two by two (2x2) feet box; at a point seventy-five (75) feet north of the north line of Vine street on India street a one foot by two (1x2) feet box; at the intersection of Harasthy street with Second street of Middletown a five feet by six (5x6) feet box; at the intersection of Noell street with Second street of Middletown a six feet by two (6x2) feet box; at a point one hundred and forty (140) feet north of Witherby street on Hancock street a one by two (1x2) 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 (5x6) 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 benefited by said work and 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 Pascoe, and known as the 'Canal Street Tract'; all that portion of Old Town according to the official map of Old Town made by James Pascoe and adopted by the Board of Trustees in November, 1880, bounded by the southwest, the northwest and northeast lines of Old Town, and by a line along the following streets: Along Conde street from the N. E. line of Old Town to Cedar St., on Cedar St. to Harney St., on Harney 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 Harney St., on Harney St. to Juan St., on Juan St. to Arista St., on Arista St. to San Diego Avenue, on San Diego Avenue to Ampudia St., on Ampudia St. to Congress St., on Congress St. to Trias St., on Trias St. to Stockton St., on Stockton St. to Witherby St., and along Witherby St. to the southwest 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 as often as said newspaper is issued therein.

The Clerk of this city is hereby directed to publish and post this Resolution for two days in the manner prescribed by law.

On motion of Delegate Cooper, it was ordered that the Street Committee of the Common Council and the City Attorney be instructed to investigate the franchise of the "Del Mar and San Diego R.R." and report at the next meeting of each Board, whether such franchise has not been forfeited - and after such report is made to investigate all other railroad, street car & motor franchises & report their findings to the Common Council.

An Ordinance, heretofore adopted by the Board of Aldermen, fixing the compensation of members of the Board of Equalization at \$5.00 per day each, was read and Delegate Heath moved to not concur.

Delegate Marshall moved an amendment that the amount be changed to \$4.00 per day.

Delegate Rediger moved an amendment to the amendment that the amount be 25 cents per day.

The amendment to the amendment was lost and the amendment to the motion was carried by the following vote, to-wit:

Ayes, Delegates = Marshall; Pauley; Day; Hewitt; Heath; Thompson; Kammann & Cooper.

Noes, Delegates = Julian; Rediger; Seybold; Smitzer & Bracht.

Absent, Delegates = Wagner; Lyon; Davis; & Hubert.

Whereupon the Ordinance as amended was lost by the following vote, to-wit:

Ayes, Delegates = Marshall; Pauley; Day; Hewitt; Heath; Thompson; Kammann & Cooper.

Noes, Delegates = Julian; Rediger; Smitzer & Bracht.

Absent, Delegates = Wagner; Lyon; Davis; & Hubert.

(During the above roll call Delegate Heath objected to the vote of Delegate Seybold being taken, upon the ground that it was contrary to the provision of the Charter for

a member to hold both a federal & municipal office.  
(Thompson Delegate Seybold declined to vote.)

Delegate Smitzer seconded & called up Delegate Wagner's motion to reconsider the vote by which an Ordinance amending Ordinance No. 43. was defeated at the last meeting and moved to postpone further consideration for one week. The motion carried by the following vote, to-wit:  
Ayes, Delegates - Marshall: Pauley: Julian: Heath: Thompson: Smitzer: Kammann: Cooper: Miss Bracht.  
Noes, Delegates - Day: Rediger & Hewitt.  
Absent, Delegates - Wagner: Lynn: Davis & Hulbert.  
Delegate Seybold declining to vote.

On motion of Delegate Smitzer the Communication of the Board of Public Works relative to Street Sprinkling Contract was taken from file and referred to the Street Committee.

Delegate Heath offered a Joint Resolution providing for the transfer of \$2,249.39 from the General to the Public School Fund,

On motion of Delegate Smitzer the same was postponed for one week.

On motion of Delegate Smitzer it was ordered that the Board proceed, by ballot, to the election of a member to fill the vacancy caused by the resignation of Delegate Matheson, in the 5th Ward.

Thompson Delegate Julian nominated E. W. Elliot.  
" " Cooper " Geo. Kastle.

There being no further nominations the President appointed Delegates Pauley & Smitzer Tellers of said election & the Board proceeded to ballot with the following result, viz:  
(Delegate Seybold was last excused)

Mr. E. W. Elliot received seven (7) votes.

Mr. Geo. Kastle " five (5)

Miss Elliot having received a majority of all votes cast, the President declared said Elliot to be duly elected a member of the Board of Delegates, in and for the City of San Diego, California.

Thereupon the Board adjourned until Monday, April 14, 1890, at 7.30 o'clock P. M.

M. M. Gassaway  
City Clerk

G. E. Bracht  
President