

DOCUMENT NO. 133

ORDINANCE NO. 1

Fixing amount
of bonds certain
officers, and setting time
and Place for Board Meetings.

Book -1- Pg. 223.

Book A1 Page 223 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 1 of the City of San Diego, California, adopted May 18, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE No.1.

Sec. 1. Be it ordained by the Board of Trustees of the City of San Diego, that the following named officers of said City are hereby required to give bonds for the faithful performances of their duties as such officers in the amounts following, to-wit:

City Treasurer in the sum of	\$5000.00
" Attorney " " " "	5000.00
" Assessor " " " "	1000.00
Tax Collector &	
Ex-officio Marshal	5000.00
Clerk of the Board of Trustees	1000.00

Sec. 2. Be it also ordained that the first Regular Meeting of the Board of Trustees of the City of San Diego shall be held on Monday the 27th day of May, 1872 at 10 o'clock A.M. in the office formerly occupied by the preceeding Board, and its subsequent Regular Mettings shall be held every alternate Monday thereafter at the same hour and place until otherwise ordered.

I hereby certify that the above and foregoing is a full, true and correct copy of Charter Ordinance No.1 of the City of San Diego, California, adopted May 18th, 1872, as found on page 224 of Book No.1 record of the City of San Diego.

J. T. Butler
City Clerk of the City of San Diego
and Ex-officio Clerk of the Common
Council of said City.

(SEAL)

By *W. E. Baitley* Deputy.

See 2 - repealed by Ord. 18-1872

Filed 190

City Clerk

By

Deputy.

Ordinance No. 1.

*Fixing amount
of bonds. Certain
officers, and setting time
and place for Board Meetings*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book-1- Pg 223.

DOCUMENT NO. 134

ORDINANCE NO. 2

Prohibiting the running
at large of Horses,
Pigs, etc.

Book -1- Page 229

Book A1 Page 229 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 2 of the City of San Diego, California, adopted June 11, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE No.2.

The Board of Trustees of the City of San Diego in regular meeting assembled, do ordain as follows:

Section 1. All hogs, pigs, goats, sheep, horses, mules, jackasses, horned or other cattle running at large within the limits of the City of San Diego hereinafter specified, are hereby declared to be a nuisance.

Section 2. Hereafter it shall be unlawful for any person or persons owning or having the care or control of any such hogs, pigs, goats, sheep, horses, mules, jackasses, horned or other cattle, to permit them or any of them to run at large within the following described limits of and within said City to-wit: Commencing on the Bay of San Diego at a point where the line of Ash street extended west will intersect the said Bay, and from thence east to and along the line of said street to the west line of Caruther's Addition; then thence south along the line of said Addition to the southern line thereof; thence along the said southern line and the southern line of the "Park" to the northeast corner of Pueblo lot eleven hundred and forty-eight (1148); thence at right angles south to the Bay aforesaid; thence along the line of said Bay to the place of beginning. Provided that milch cows owned by citizens residing therein may be permitted to run at large therein from seven o'clock A.M. until seven o'clock P.M. of each day; subject, however, to liability of the owners thereof for any damage that may be done during said time by any milch cow so running at large, to any person or property therein.

Section 3. Whenever the Marshal of the City shall discover, or be notified by any person therein, that any stock above enumerated is running at large in violation of the foregoing provisions, it shall be his duty to immediately cause them to be taken in charge and placed in the City Pound, and within twenty-four

hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the post office door therein, describing said animal so impounded, generally, giving the marks and brands found upon any such animal, if any there be, with the date of the posting of such notices. And unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said notices, and prove the ownership of said property and pay all lawful charges thereon, as hereinafter provided, he is hereby authorized and it is made his duty, to expose them for sale at public auction to the highest and best bidder for cash; and the proceeds of said sale shall first be applied to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City Treasury for the benefit of the owner or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid, with the sum deposited to the account of the owner thereof, including a full statement showing the charges, costs and all expenses incurred about or concerning said animal.

Section 4. The following fines and penalties are hereby imposed for any violations of the provisions aforesaid. For each hog, pig, goat, sheep, horse or mule, jackass or horned or other cattle found & running at large in violation of this ordinance a fine of one dollar is hereby imposed. The City Marshall shall also collect as costs in addition to the fine aforesaid, fifty cents a day for feeding each horse, mule, jackass, horned or other cattle and twenty-five cents a day for feeding each and every other kind of animal, and in addition thereto his necessary costs expended in advertising said animal. All to be collected in gold coin. All of which is hereby made a lawful charge against the owner of said animal and a lien upon the said animal for the payment thereof.

The Marshall shall deliver to the purchaser of any such animal at any sale made by him as aforesaid, a bill of sale therefor

which shall be evidence of his title thereto.

Section 5. This ordinance shall take effect and be in force from and after the 18th day of June, 1872.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 2 of the City of San Diego, California, adopted June 11th, 1872, as found on pages 229, 230 and 231, record of the City of San Diego.

J. T. Butler
City Clerk of the City of San Diego
and Ex-officio Clerk of the Common
Council of said City.

(SEAL)

By W. E. Bartlett Deputy.

✓ DOCUMENT No. 134

Filed 190

City Clerk

By

Deputy.

Ordinance No. 2

*Prohibiting the running
at Large of Horses,
Pigs etc -*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book 1- Page 229.

A
1 Page 229 File

DOCUMENT NO. 135

ORDINANCE NO. 3.

calling an election
Provides

Issuance - of Bonds to Amt of
\$10,000.00, 20 years. 10% Int.
Semi-Annually.

B -1- Pg 237

Book A1 Page 237 File 1

CHARTER ORDINANCE NO. 3

Be it ordained by the Board of Trustees of the City of San Diego. That an election be held on the 20th day of July A.D. 1872 in the City of San Diego in the manner and at the places hereinafter specified to determine whether or not said Board of Trustees shall issue Bonds of said City of San Diego to the amount of Ten thousand dollars; said bonds to bear date on the day of issuance and made payable twenty years after date and redeemable at the option of said Board of Trustees of said City of San Diego or their successors in office at any time after five years after the date of issuance.

Said bonds to bear interest at the rate of ten per cent per annum payable semi-annually, from the date of issuance, and to be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, at such times and in such manner as said Board of Trustees may direct.

And to determine also whether or not the said Board of Trustees of said City of San Diego shall contract for boring an Artesian Well for the use of the City of San Diego.

All the qualified voters of said City of San Diego who desire to vote for the issuance of said Bonds shall be entitled so to vote by placing a ballot in the ballot box of the Ward in which he is entitled to vote, with the words "For the Bonds - Yes." written or printed thereon, and those who desire to vote against the issuance of said Bonds shall in like manner place a ballot in such ballot box with the words "For the Bonds - No." written or printed thereon. And those who desire to vote for said

Board of Trustees to contract for boring an Artesian Well, shall in like manner be entitled to vote by placing a ballot in the ballot box with the words "Artesian Well - Yes." printed or written thereon: and those who desire to vote against such contract being made, shall in like manner vote by placing a ballot in the ballot box with the words "Artesian Well - No." written or printed on it.

Said election shall be held on said 20th day of July A.D. 1872, between the hours of 10 o'clock A.M. and 7 o'clock P. M. in the several Wards of said City of San Diego.

The polling places and the officers thereof shall be as follows:
to wit:

First Ward: Estudillo House. Inspector, Thomas Whaley; Judges, George Lyons and J.W. Connors.

Second Ward: New San Diego Hotel, Inspector, E.W. Nottage; Judges, S.S. Dunnels and W.W. Stewart.

Third Ward: Alameda House. Inspector, W.A. Begole; Judges, A.H. Julian and Olcott Pierce.

Fourth Ward: Office of H.H. Dougherty opposite the Horton House - Inspector L.L. Lockling; Judges, George Geddes, and W.S. Gregg. Sr.

Fifth Ward: First building north of the "Alhambra" on 13th Street. Inspector. W.H. Ogden; Judges, J.S. Harvey and Wm. Rowe.

Passed at a special meeting of the Board of Trustees of the City of San Diego this 9th day of July A.D. 1872.

JOHN M. BOYD
President Pro Tem

ATTEST E.G. Haight, Clerk

[SEAL]

In accordance with the provisions of the above ordinances an election will be held on the 20th day of July A.D. 1872 at the time and in the places therein specified.

San Diego, July 9th, 1872.

JOHN M. BOYD
President Pro Tem

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 3 of the City of San Diego, California, adopted July 9, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

1872

Charter Ordinance No 2

PAGE

1 Be it ordained by the Board of
2 Trustees of the City of San Diego. That
3 an election be held on the 20th day of July
4 A.D. 1872 in the City of San Diego in the
5 manner and at the places hereinafter
6 specified to determine whether or not said
7 Board of Trustees shall issue Bonds of
8 said City of San Diego to the amount of
9 Ten thousand dollars; said bonds to
10 bear date on the day of issuance and
11 made payable twenty years after date
12 and redeemable at the option of said
13 Board of Trustees of said City of San Diego
14 or their successors in office at any time
15 after five years after the date of issuance.

16 Said bonds to bear interest at the rate of
17 ten per cent per annum, payable semi-
18 annually, from the date of issuance, and
19 to be issued in denominations of not less
20 than one hundred dollars nor more
21 than One thousand dollars, at such
22 times and in such manner as said
23 Board of Trustees may direct.

24 And to determine also whether
25 or not the said Board of Trustees of
26 said City of San Diego shall contract
27 for boring an Artesian Well for the
28 use of the City of San Diego.

All the qualified voters of said

The polling places and the officers thereof shall be as follows: to wit:

First Ward: Estradillo House, Inspector, Thomas Whaley; Judges, George Lyons and J. W. Connor.

Second Ward: New San Diego Hotel, Inspector, E. W. Nottage; Judges, S. S. Dannels and W. W. Stewart.

Third Ward: Alameda House; Inspector, W. A. Begole; Judges, A. N. Julian and Olcott Pierce.

Fourth Ward: Office of H. H. Dougherty opposite the Horton House. Inspector, L. L. Lockling; Judges, George Geddes and W. S. Gregg Sr.

Fifth Ward - First building north of the "Alhambra" on 13th Street. Inspector, W. H. Ogden; Judges, J. S. Harvey and W. Rowe.

Passed at a special meeting of the Board of Trustees of the City of San Diego, this 9th day of July A.D. 1872. *John M. Boyel* President Pro Tem

{ Seal }

Attest *E. G. Haigh* Clerk

In accordance with the provisions of the
above ordinance an election will be held
on the 20th day of July A.D. 1912 at the
time and in the place therein specified
San Diego July 9th 1912

John M. Boyd
President Pro Tem
E. J. Naylor Clerk

ten days

DOCUMENT No. 135

Filed 190

City Clerk

By

Deputy.

Ordinance No. 3

*Calling an election
Provides issuance
of Bonds to amt of \$10,000,
20 years. 10 of \$1,000
Annually.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

12-1-1907

DOCUMENT NO. 136

ORDINANCE NO. 4

Regulating

Fire Department

Creating, office Chief

Engr. same

Book -1- Page 243

Book A1 Page 243 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 4 of the City of San Diego, California, adopted August 19, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE NO. 4.

AN ORDINANCE REGULATING THE FIRE DEPARTMENT OF THE CITY OF SAN DIEGO.

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

Sec. 1. The Fire Department of the City of San Diego shall consist of a Chief Engineer, a Board of Delegates, and such companies as now compose the same or may hereafter be submitted in accordance with this ordinance.

Sec. 2. The Chief Engineer shall be elected annually on the Third Monday in September, by the joint ballots of the Board of Trustees of the City of San Diego and the Board of Delegates of the Fire Department. He shall hold office for one year and until his successor is elected and qualified. Vacancies in said office shall be filled by said Board of Trustees and said Board of Delegates on joint ballot.

Sec. 3. Each and every company shall at its stated meetings in August or September, elect four of its members, who shall constitute the Board of Delegates. They shall qualify themselves by taking an oath or affirmation before some competent officer, to well and truly perform the duties of Delegates, as prescribed in the laws governing the Department. They shall meet on the second Tuesday of September, at the room of the Board, and then and there organize by this election of a President, Secretary and Treasurer, who shall be elected from among their number, and for one year and until their successors are elected and qualified. Said officers shall be styled, respectively, the President, Secretary and Treasurer of the San Diego Fire Department.

Sec. 4. The Board of Delegates shall have power to make laws for the government of the Fire Department; and all laws made by them shall be binding upon every company and every member of the

Department; and any engineer, officer, company, or member of the Department who shall violate any of the provisions of this ordinance, or of said laws, or shall refuse to obey the lawful orders of the Chief Engineer or assistants, shall upon complaint as hereinafter provided, be tried by the Board of Delegates, and if found guilty, be censured, suspended or removed from office, or expelled from the Department, as the judgment of the Board may direct.

Sec. 5. An engine or hook and ladder company shall be composed of not more than sixty-five nor less than twenty-five members; a hose company of not more than twenty-five nor less than fifteen members, all of whom must be of the full age of twenty-one years and certificate members of the Department. The officers of a company shall consist of a Fireman, at least one assistant Foreman, a Secretary and Treasurer. A company desiring admission into the Department, must make application to the Board of Delegates, accompanied by their constitution and by-laws, signed by at least twenty-five males of the age of twenty-one years or over and giving the names of their officers, the residence of their members, and the location they desire. If the Board of a majority of all its members, decide to recommend its admission into the Department, the Secretary shall forward to the Board of Trustees a certificate of such recommendation, together with the petition of the company, and all other papers connected therewith. If such recommendation receive the approval of the Board of Trustees, the Company shall be declared admitted into the Fire Department, and shall be furnished by the City with fire apparatus and house for receiving the same. But no petition for the admission of any company shall be entertained by the Board of Trustees until it shall receive the recommendation of the Board of Delegates.

Sec. 6. Whenever any company, by reason of death, resignations or expulsions, shall have reduced its roll to less than the lowest number of men here allowed, it shall be the duty of the Secretary of the Department to notify the Chief Engineer and Foreman of the Company of the fact; and it shall be the duty of the Chief Engineer

to suspend such company until the next stated meeting of the Board of Delegates, when unless a majority of all the members decide to re-install the same, it shall be disbanded.

Sec. 7. The Board of Trustees shall have sole power to order work and supplies for the Department, and to locate all cisterns and company houses hereafter to be built; Provided: that all work done or supplies furnished, shall be under the supervision of the Fire and Water Committee and the Chief Engineer, and all bills for work done or supplies furnished of any kind for the Department, shall be certified to as correct by the Chief Engineer, who shall keep an account of all expenses of the Department, and embrace the same in his semi-annual report.

Sec. 8. The Chief Engineer, a person acting as such, shall report semi-annually, in the month of January and July, the number, location and condition of the cisterns and fire apparatus and company houses, and all other property of the City in keeping of the Department; also all fires and causes thereof, if known or supposed, and the number and description of the buildings destroyed or injured, estimated loss of the same, and such other information as he may deem proper.

Sec. 9. In all charges preferred against officers of the Fire Department, officers of company, or members of the Department, the person or persons making such charges, shall be disqualified as judges or jurors, while such charges are being preferred or investigated.

Sec. 10. All fines collected under all fire ordinances, shall be appropriated to the Fire Department Charitable fund, and the City Treasurer, when he receives the same, is hereby authorized to pay over the same to the Treasurer of the Fire Department.

Sec. 11. No house in the possession of any fire engine, hook and ladder or hose company, shall be used for any purpose not

directly concerning the company to whom the same belongs without the previous consent of the Foreman of such company or consent of the Board of Trustees.

Sec. 12. Every officer of the Fire Department, during the time of any conflagration, shall have all the powers of a policeman. They may prevent persons other than firemen (except it be policemen, owners of goods or owners of property particularly interested in the removal of their goods), from coming into such portions of the City as may interfere with the firemen in the extinguishment of fires; and they are hereby empowered to make arrests for any violation of this article without complaint or citation.

Sec. 13. No fire engine, hook and ladder or hose cart, during any fire in this City, or any alarm of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the Chief Engineer, or one of the assistant Engineers, the Foreman or the Assistant Foreman, or at least two members of the company to which it is attached shall be present and consent thereto; nor shall any company be permitted to take their apparatus out of the City without the consent of the Chief Engineer and Board of Trustees; provided, that running to a fire in the suburbs shall not be considered as out of the City.

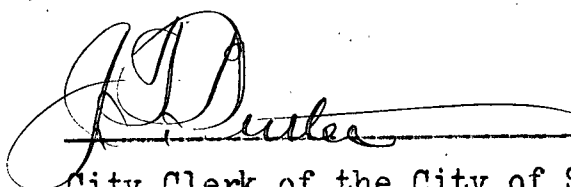
Sec. 14. All engineers, before entering upon the duties of their office, shall take an oath or affirmation to well and truly perform the duties of the same; and should the Chief Engineer, or person acting as such, fail or neglect to make the report required of them, for seven months, his office shall be and is hereby declared vacant.

Sec. 15. The Chief and assistant Engineers and Foremen of Companies, are hereby empowered to act as Fire Wardens throughout the City.

Passed and approved, in regular meeting, this 19th day of August, A.D. 1872.

W. J. M Cormick, Prest
E. G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 4 of the City of San Diego, California, adopted August 19th, 1872, as found on page 243 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego, and Ex-officio Clerk of the Common Council of said City.

(SEAL)

By _____ Deputy

Filed 190

City Clerk

By

Deputy.

Ordinance No. 4.
*Regulating
Fire Department.
Creating, office Chief
Eng. same*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book-1. Page 243.

W Page 243 File 1

DOCUMENT NO. 137

ORDINANCE NO. 5.

Prohibiting Riotous

or disorderly conduct

Drunkenness, or

any act disturbing the Peace

Penalties, same.

B -1- Pg 247

Book A1 Page 247 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 5 of the City of San Diego, California, adopted August 19, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE NO. 5.

IMPOSING FINES AND PENALTIES.

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

Sec. 1. Any person or persons who shall be guilty of any riotous or disorderly conduct in any house, street, public place or assemblage, within the corporate limits of this City, or who shall be found upon any sidewalk, street or alley in a state of intoxication, or be guilty of any act whereby the peace or quiet of the City may be disturbed, shall, upon conviction thereof before any Justice of the Peace, be punished by fine not less than five dollars nor more than fifty dollars, or imprisonment for a period not over thirty days, or both fine and imprisonment, in the discretion of the Judge, and said offenders may be ordered by the Judge to work, under the control or charge of the City Marshal or his deputy or any special policeman detailed for the purpose, said work to be done upon any of the City parks, streets, or sewers.

Sec. 2. Any person or persons who shall fire any pistol, gun or rifle or any description of fire-arms, or discharge any air-gun or any other device or instrument in Old Town, New Town or Horton's Addition shall pay a fine of ten dollars for the first offense, twenty dollars for the second and fifty dollars for each subsequent offense.

Sec. 3. Any person creating or causing to be created a false alarm of fire by crying fire in the street or on the sidewalks within the corporate limits, or by building of a bonfire, or the ringing of any bell for that purpose shall upon conviction be fined in the sum of twenty dollars.

Sec. 4. Any person who shall suffer, permit or lead, ride or drive any horse or mule or any other beast of burden upon any sidewalk within the corporate limits, shall be fined five dollars for each and every offense, to be recovered from the rider or driver.

Sec. 5. Any person throwing earth, stone or any other matter into the public channels of navigation within the corporate limits shall be fined for the first offense twenty-five dollars and for each and every subsequent offense fifty dollars.

Sec. 6. Any person who shall throw into the street any bottles, glass, crockery or nails, shall be fined ten dollars for the first offense and each and every subsequent offense twenty-dollars.

Sec. 7. The owners or lessees of all lots of ground within the corporate limits, before they proceed to erect buildings or make other improvements thereon, shall have the same accurately surveyed and determined by the City Surveyor; all persons who may neglect or refuse to conform to the provisions in this section, and may encroach upon the line of any street or upon the property of their neighbors, shall be liable to the party or parties aggrieved but shall be further liable to be fined in the sum of one hundred dollars, to be paid into the City treasury. The Surveyor shall receive for his compensation the sum of five dollars for the survey and plat of each lot.

Sec. 8. All owners or occupants of houses within the limits of the city shall keep their back yard clear of all filth under a penalty of five dollars for the first offense and fifteen dollars for each subsequent offense.

Sec. 9. Any person or persons who shall assault or resist any peace officer of this City, or refuse to assist him in the performance of his duty shall be fined fifty dollars.

Sec. 10. If any person or persons shall obstruct or cause to be obstructed or injured any public park, street or alley, or any public wharf or sidewalk within the limits of this City, or continue such obstruction so as to render the same inconvenient or dangerous to pass, or shall erect or establish any offensive trade, manufacture or business or continue the same after it has been erected

and established, or shall pollute any sewer or continue such pollution so as to render the same offensive or unwholesome to the neighborhood thereabout, or shall deposit any filth or rubbish in any of the public streets, or shall do anything which is injurious to the health or indecent or offensive to the senses, or any act which is an obstruction to the free use of property, such person or persons shall, upon conviction, be fined in the sum of forty dollars, and every such nuisance may, by order of the Judge before whom the party was convicted, be removed and abated by the City Marshall, at the cost of the party making or committing the same.

Sec. 11. On and after the passage of this ordinance it shall be unlawful for any person or persons to dig up any of the streets, alleys or parks of this city, or obstruct or encumber the same for any purpose without first obtaining a written permit from the Board of Trustees and any person so offending shall be fined for the first offense twenty dollars and for each subsequent offense thirty dollars, to be recovered upon the conviction of the offenders thereof.

Sec. 12. Any person or persons who shall cut down or girdle, or cause to be cut down or girdled, any tree standing in the public streets, squares, parks or lots belonging to the city of San Diego, shall, upon conviction, pay a fine for the first offense of not less than thirty dollars, and for each subsequent offense of not less than forty five dollars, together with the costs and damages that may accrue.

Sec. 13. Any person or persons owning, driving or agent for any vehicle or train of any description who shall stop the same upon any crosswalk within the corporate limits of the city so as to impede public travel over said crosswalk, shall, upon conviction, be fined five dollars for each and every offense. Complaint under this section may be made by any citizen of San Diego; it shall be the duty of the City Marshall or his deputies or any special policeman to enforce the provisions of this section.

Sec. 14. Any person of the age of fourteen years and upward who shall in an improper and immoral manner exhibit and expose his person within the corporate limits of the City shall be fined forty dollars.

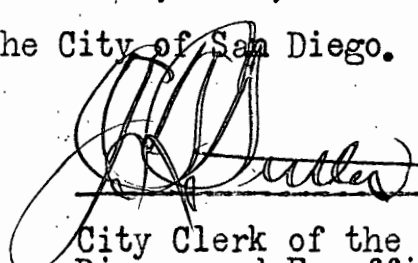
Sec. 15. And be it further ordained that in all cases of a violation of any ordinance of the City of San Diego imposing fine or penalty, upon conviction under the same before a Justice of the Peace, and in default of payment of the fine so imposed said Judge shall enforce the payment by imprisonment in the City jail until the entire fine is paid, at the rate of two dollars per day, the costs of suit in all instances to be added to the fine.

Passed and approved in regular meeting this 19th day of August A. D. 1872.

M. J. M Cornick, Prest.

E. G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 5 of the City of San Diego, California, adopted August 19th, 1872, as found on page 247 of Book No. 1 record of the City of San Diego.



City Clerk of the City of San
Diego, and Ex-officio Clerk
of the Common Council of said
City.

(SEAL)

By _____ Deputy

DOCUMENT No. 137

Filed 190

City Clerk

By

Deputy.

Ordinance No. 5

Prohibiting Riotous
or disorderly Conduct
Drunkenness, or
any act disturbing the Peace
~~Punalties same~~

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

18-1-2 2117

DOCUMENT NO. 138

ORDINANCE NO. 6.

Fixing Rate of
Toll at all wharves.

Book -1- Page 252

Book A1 Page 252 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 6 of the City of San Diego, California, adopted September 3, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

CHARTER ORDINANCE NO. 6.

AN ORDINANCE FIXING THE RATES OF TOLL TO BE CHARGED ON ALL WHARVES WITHIN THE CITY OF SAN DIEGO.

BE IT ORDAINED By the Board of Trustees of the City of San Diego, as follows:

Sec. 1. The rates of toll allowed to be charged on all wharves within the City of San Diego are fixed and established as follows.

For vehicles drawn by one animal	.25 cts
" " " " two animals	.50
" " " " four "	\$1.00
" horsemen	.25
" hand carts or wheel barrows	.10

Sec. 2. Three and one half tons shall constitute a load.

Sec. 3. Any person or persons driving or riding any animal faster than a walk on any of said wharves shall be liable to pay a fine of \$5.00 for each offense, to be recovered at the suit of the City of San Diego before a Justice of the Peace, and to be paid into the City Treasury for the use of the City.

Sec. 4. All and every person injuring any of said wharves by hauling thereon a greater load than three and one half tons shall be liable to the owners of any wharf so injured, for damages.

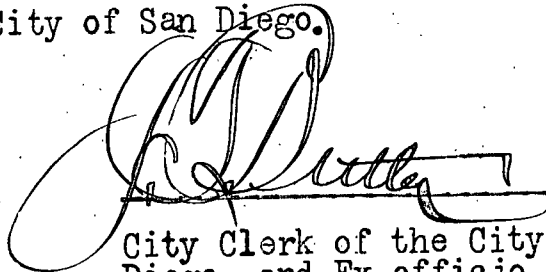
Passed and approved in regular meeting this 3rd day of Sept.

A. D. 1872.

W. J. M Cornick, Prest.

E. G. Haight, Clerk.

I hereby certify that the above and foregoing is a full,
true and correct copy of Ordinance No. 6 of the City of San Diego,
California, adopted September 3rd, 1872, as found on page 252
of Book No. 1 record of the City of San Diego.

A large, stylized handwritten signature in dark ink, likely belonging to the City Clerk, is written over a horizontal line.

City Clerk of the City of San
Diego, and Ex-officio Clerk
of the Common Council of said
City.

(SEAL)

By _____ Deputy

Filed 190

.....
City Clerk

By
.....
Deputy.

Ordinance No. 6.
Fixing Rate of
Toll on all Wharves.

.....
.....
Adopted by Board of Delegates

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.....
Adopted by Board of Aldermen

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.....
Approved by the Mayor

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.....
Book - 1 - Page 252

9
Page 252 File 1

DOCUMENT NO. 139

ORDINANCE NO. 7

Providing for holding
an Election Sept 27th
1872, To Vote on Bonds
150,000.00 20 years,
10% Int. semi
annually, paid Texas
Pac.
Rail Road.

Book 1 Page 256

Book 1 Page 256 File 1

In accordance with the provisions of the above Ordinance
all Elections will be held on the twenty seventh day of September,
A.D. 1872, at the time and in the places therein specified.

Dated at San Diego, September 16th, 1872.

W.J. McCormick Pres

E.G. Haight Clerk.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 7 of the City of San Diego, California, adopted September 16, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

CHARTER ORDINANCE NO. 7.

BE IT ORDAINED By the Board of Trustees of the City of San Diego that an election be held on Friday the twenty-seventh day of September A. D. 1872 in the said City of San Diego, in the manner and at the places hereinafter specified, to determine whether or not the said Board of Trustees, and their successors in office, shall issue bonds of the said City of San Diego, for the purpose of carrying out the agreement made by the citizens Committee of Forty with Col. Thomas, A. Scott, the President of the Texas and Pacific Railway Company, not to exceed the amount of one hundred and fifty thousand dollars, in gold coin of the United States of America; said bonds to bear date of the day of issuance, and to be made payable twenty years after date, and to be redeemable at the options of the said Board of Trustees, or their successors in office, at any time after the expiration of three years from the date of issuance; said bonds to bear interest at the rate of ten per cent per annum, payable in like gold coin, semi-annually, from the date of issuance and to be issued in denominations of not less than five hundred nor more than one thousand dollars, at such times and in such manner as said Board of Trustees may direct. Every qualified voter of the said City of San Diego who desires to vote for the issuance of said bonds, shall be entitled so to vote by placing a ballot in the ballot box of the City ward in which he is entitled to vote, with the words, "For the Bonds- Yes", written or printed thereon, and those who desire to vote against the issuance of said Bonds shall in like manner place a ballot in such ballot box with the words "For the Bonds-No", written or printed thereon, said election shall be held on said twenty-seventh day of September, A. D. 1872, between the hours of ten o'clock A. M. and seven o'clock P. M., in the several wards of the said City of San Diego.

The polling places and the officers thereof shall be as follows, to-wit:

First Ward- Estudillo House.

Inspector, Thomas Whaley.

Judges, Geo. Lyons and J. W. Connors.

Second Ward- The building on the southwest corner of Fifth and State streets.

E. W. Nottage.

Judges. S. S. Dunnells and W. W. Stewart.

Third Ward-

Phillips building on the corner of Fifth and H Streets.

Inspector W. A. Begole

Judges. A. H. Julian and Olcott Pierce.

Fourth Ward- Office of H. H. Dougherty, opposite Horton Hotel.

Inspector L. L. Lockling

Judges Geo. Geddes and W. S. Gregg, Sr.

Fifth Ward- First building north of the "Alhambra" on Thirteenth street.

Inspector, W. H. Odgen

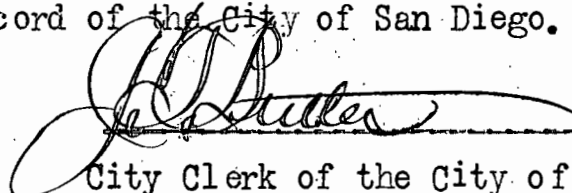
Judges. J. S. Harvey and Wm Rowe.

Passed at a regular meeting of the Board of Trustees of the said City of San Diego, this sixteenth day of September, A. D. 1872.

W. J. M Cornick, Prest.

E. G. Haight, Clerk.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 7 of the City of San Diego, California, adopted September 16th, 1872, as found on page 256 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

(SEAL)

Charter Ordinance No. 1.

Be it ordained by the Board of Trustees of the City of San Diego, that an election be held on Friday the twenty seventh day of September, A.D. 1872, in the said City of San Diego, in the manner and at the places hereinafter specified, to determine whether or not the said Board of Trustees, and their successors in office, shall issue Bonds of the said City of San Diego, for the purpose of carrying out the agreement made by the Citizens' Committee of Forty with Col. Thomas A. Scott, the President of the Texas and Pacific Railway Company, not to exceed the amount of One Hundred and Fifty Thousand Dollars, in gold coin of the United States of America, said Bonds to bear date of the day of issuance, and to be made payable twenty years after date, and to be redeemable at the option of the said Board of Trustees, or their successors in office, at any time after the expiration of three years from the date of issuance; said

2
Bonds to bear interest at the rate
of ten per cent per annum,
payable in like gold coin
semi-annually, from the
date of issuance, and to be
issued in denominations of
not less than Five Hundred
nor more than One Thousand
Dollars, at such times and
in such manner as said
Board of Trustees may direct.
Every qualified voter of the said
City of San Diego who desires to
vote for the issuance of said
Bonds shall be entitled so to
vote by placing a ballot in the
ballot box of the City Ward in
which he is entitled to vote,
with the words "For the Bonds-
Yes," written or printed thereon,
and those who desire to vote against
the issuance of said Bonds shall
in like manner place a ballot
in such ballot box with the
words "For the Bonds-No," written
or printed thereon. Said election
shall be held on said Twenty
seventh day of September, A. D.
1872, between the hours of ten

3
o'clock, A.M., and seven o'clock
P.M., in the several Wards of the
said City of San Diego.

The polling places and the
offices thereof shall be as follows, to wit:
First Ward - Estudillo House. Inspector,
Thomas Whaley. Judges, George Long
and J. W. Connors.

Second Ward. The building on the
South West corner of Fifth and
State streets. Inspector, E. W. Battage;
Judges, S. S. Duncanson and W. H. Stewart.

Third Ward. Phillips building on
the corner of Fifth and "H" streets.
Inspector, W. A. Bigole. Judges, A. H.
Julian and Abbott Pierce.

Fourth Ward. Office of H. H. Dougherty,
opposite the Horton Hotel. Inspector,
L. L. Lockling. Judges, George Laddes
and W. S. Briggs, Sr.

Fifth Ward. First building north
of the "Alhambra", on Thirtieth Street.
Inspector, W. H. Ogden; Judges, J. S.
Harvey and Wm. E. Bowe.

Passed at a regular meeting of
the Board of Trustees of the said
City of San Diego, this sixteenth
day of September, A.D. 1872.

 Seal

W. J. McCormick
C. H. Naight Clerk

In accordance with the provisions of
the above Ordinance an Election
will be held on the twenty seventh
day of September, A.D. 1872, at the
time and in the places therein
specified.

Dated at San Diego, September 16th, 1872
W. J. McCormick Pres
C. J. Naught Clerk.

DOCUMENT No. 139

Filed 190

City Clerk

By Deputy.

Ordinance No. 7

Providing for holding
an Election Sept 27th
1872, To Vote on Bonds
150,000⁰⁰ 20 years, 10% Int
paid annually, 10% and 10% as per
Hare Road.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 756.

A
Page 256 File 1

9/16/1872

DOCUMENT NO. 140

ORDINANCE NO. 8

Granting Franchise

Pac. Mail Steam Ship Co.

to land Coal at foot of

5th St. Construct bins, etc.

B -1- Page 258

Book A1 Page 258 File 1

CHARTER ORDINANCE NO. 8

~~President~~=and :

Be it ordained by the ^ABoard of Trustees of the City of
San Diego.

That permission is hereby given and granted to the Pacific
Mail Steam Ship Co. to land coal and construct a bin for
storing the same, at the foot of Fifth Street.

Provided that such landing and storing will cause no
obstructions to the passage of vehicles for the transportation
of passengers or merchandise through the said street, and
also provided that the said Pacific Mail Steam Ship Co.
shall cause the same to be removed within 30 days after
receiving notice so to do from the Board of Trustees.

Passed and approved this }
30th day of September AD 1872 }

W.J. McCORMICK, PRES.

[SEAL] E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 8 of the City of San Diego, California, adopted September 30, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

City Ordinance No. 8

Be it ordained by the ~~President and~~
Board of Trustees of the City of San Diego,

That permission is hereby given and granted
to the Pacific Mail Steam Ship Co. to land
coal and construct a pier for stowing the same, at
the foot of Fifth street.

Provide that such landing and stowing
will cause no obstructions to the passage of vehi-
cles for the transportation of passengers or mer-
chandise through the said street, and also
provided that the said Pacific Mail Steam
Ship Co. shall cause the same to be removed
within 30 days after receiving notice to do
so from the Board of Trustees.

Passed and approved this

30th day of September AD 1872

{ Seal }

W J McCormick Pres.
E J Hays Clerk

Charges
Ordinance

No 8

1881

DOCUMENT No. **140**

Filed 190

City Clerk

By

Deputy.

Ordinance No. 8.

*Granting Travelists
Poe, M. & Co. Steam Ship Co.
to land Coal at foot of
5th St. Construct bins etc.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

B-1-25 258

DOCUMENT NO. 141

ORDINANCE NO. 9

Granting Franchise
to Spring Avenue and
City, R.R. Co.
(Street Ry)

B-1- Pg. 259

Book A1 Page 259 File 1

Repealed

CHARTER ORDINANCE NO. 9

Be it ordained by the Board of Trustees of the City of San Diego.

1st
1st

That the Spring Avenue and City Rail Road Company of San Diego be granted a Franchise with power and authority to construct own use and maintain a Street Rail Road in the said City of San Diego, County of San Diego and State of California over the following line. To wit: Commencing at a point in Spring Avenue twenty feet East from the intersection of said Spring Avenue with the most Eastern crossing of the Texas and Pacific Rail Road running thence East along Spring Avenue and D Street in said City to its intersection with 12th Street, thence along 12th Street in a Southern direction to its intersection with N Street. Thence along N Street to the Southern boundary limits of the City of San Diego, also from the corner of D and 4th Streets South along 4th Street to its intersection with K Street thence south along K Street to its intersection with 12th Street, provided that in case 12th Street does not intereseect with N Street as aforesaid then in that case such portion of 13th Street may be used as shall be necessary to make such connection with N Street.

2^d
2^d

This franchise shall determine and be at an end on the 31st day of December 1893.

3^d
" This franchise shall be forfeited unless said Rail Road Company shall begin work on said road on or before the first day of January AD 1873 and shall lay the track on at least ~~said time~~ one twelfth part of ^{month} of the entire distance to be traversed by the road each ^{month} thereafter until the line shall be completed, and ^{shall} complete the same within twelve months from the time of commencement.

4th
" If any part of said line shall be needed for the use of the Texas and Pacific Rail Road for Right of way or Depot grounds, the same shall be vacated for such use free of expense to said City of San Diego, and in case there is any obstruction upon any of such portion as may be needed for the use of said Texas and Pacific rail road the same shall be removed at the expense of said Spring Avenue and City rail road Company within ten days after notice given by the Board of Trustees of said City or their successors in office.

Passed and approved this 30th day of September A.D. 1872.

W.J. McCORMICK

[SEAL] E. G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 9 of the City of San Diego, California, adopted September 30, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No 9

Be It Ordained by The Board of Trustees
of The City of San Diego

That The Spring Avenue and City
Rail Road Company of San Diego be
granted a Franchise with power and
authority to Construct own use and
maintain a Street Rail Road in The
said City of San Diego, County of
San Diego and State of California over
The following line To Wit: Commencing at a
point in Spring Avenue Twenty feet East from
The intersection of said Spring Avenue with
The Most Eastern Crossing of The Texas and
Pacific Rail Road running thence East along
Spring Avenue and D Street in said City to its
intersection with 12th Street, thence along 12th
Street in a Southern direction to its intersection
with N Street. Thence along N Street
to the Southern boundary limits of The City
of San Diego, also from The Corner of D
and 4th Streets South along 4th Street
to its intersection with K Street thence
south along K Street to its intersection
with 12th Street. provided that in case 12th
Street does not intersect with N Street

as aforesaid then in that case such portion of 13th Street may be used as shall be necessary to make such connection with A street

2^d This Franchise shall determine and be at an end on the 31st day of December 1893

3^d This franchise shall be forfeited unless said Rail Road Company shall begin work on said road on or before the first day of January AD 1893 and shall lay the track on at least one Twelfth part of ~~said line~~ of the entire distance to be traversed by the road each month ~~successive~~ thereafter until the line shall be completed, and ^{shall} complete the same within twelve months from the time of Commencement

4th If any part of said line shall be needed for the use of The Texas and Pacific Rail Road for Right of way or Depot grounds, the same shall be vacated for such use free of expense to said City of San Diego, and in case there is any obstruction upon any of such portion as may be needed for the use of said Texas and Pacific rail road the same shall be removed at the expense of said Spring Avenue and Gulf road road Company within

Over

✓
DOCUMENT No. 141

Filed 190

City Clerk

By Deputy.

Ordinance No. 9
Granting Franchise
to Spring Avenue and
City, R. R. Co.
(Street Ry.)

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

12-1-02 259

DOCUMENT NO. 142

ORDINANCE NO. 10

Granting Franchise to
Oliver Eldridge et al to
contstruct wharf at
foot of 6th Street

Book -1- Page 261

Book A1 Page 261 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 10 of the City of San Diego, California, adopted October 14, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE NO. 10.

BE IT ORDAINED By the Board of Trustees of the City of San Diego.

THAT WHEREAS, Oliver Eldridge, Thomas L. Nesmith and G. W. B. McDonald, citizens of this State, did on the 23rd day of August 1872, make a plan of a wharf, chute and pier, which they desired to build and also of the land within three hundred feet of such proposed wharf, chute and pier, with the names of the owners or claimants of said land, and the name of the waters into which said wharf, chute and pier is proposed to be extended, written thereon, to-wit: the Bay of San Diego, commencing at the foot of Sixth Street, in Horton's Addition to San Diego, in the City of San Diego, in the County of San Diego, and State of California, and in front of and upon and over, the overflowed and submerged lands of this State, in front of the said Sixth Street, running in a South Westerly direction into the navigable waters of the said Bay of San Diego, and that they did write thereon the name "Bay of San Diego," that being the name the name of the Bay over the submerged and overflowed lands of which, said wharf, chute and pier is proposed to be constructed and built, and did then and there deposit the same with the County Recorder, in and for the County of San Diego aforesaid, and which was then and there recorded, according to law;

And Whereas the said parties on the 23rd day of August, 1872, did make sign and present in due form, an application in writing, to the Board of Trustees, of the City of San Diego, for a grant of franchise for said wharf, chute and pier, in which application the locality of the said wharf, chute and pier so proposed to be built, was particularly described and set forth; being the same place as recorded as aforesaid in the County Recorder's Office of San Diego County and having the endorsement of said Recorder as having been filed and recorded and having the time therein stated

when such application would be made, being the 30th day of September A. D. 1872 at 10 o'clock A. M. at the Office of the Board of Trustees in the City and County of San Diego, aforesaid, and said application was duly advertised by publication thereof, in the San Diego Daily Union, a daily newspaper, published in the City and County of San Diego aforesaid for more than three weeks successive ly, and due service of notice of such application was had upon all the parties owning or claiming any interest in said lands, over which the said wharf is proposed to be constructed, or within three hundred feet thereof as by law required: And whereas on the 30th of September, 1872, said parties did present their petition to the said Board of Trustees, praying for a grant to them for the right to erect said wharf according to the said plan and application aforesaid, and the said Trustees did then and there fix the 14th day of October 1872 at 2 o'clock P. M. at the Office of said Board of Trustees of the City of San Diego as the time and place for hearing such application as required by law, which is not less than ten days nor more than thirty days from the time of filing said petition; And now on this 14th day of October, 1872, at 2 o'clock P. M. the said application of the said Eldridge, Nesmith and McDonald, as well as all protests and objections made thereto, coming on to be heard, and it appearing to the satisfaction of the said Board of Trustees, that the land in front of the proposed wharf, chute and pier is one of the public streets of the City of San Diego, being Sixth Street, Eighty feet wide, and that the undivided one half of Fractional Block, one hundred and forty four, on the West side and at the foot of said street is owned and in possession of said McDonald, and that the undivided one half of Block one hundred and forty five on the East side and at the foot of said street is owned and in the possession of said Eldridge, and that the said Eldridge, Nesmith and McDonald have in all things

fully complied with the law in such case made and provided, and that the public good and convenience will be promoted by the erection and use of a wharf, chute and pier not to exceed seventy five feet in width, commencing at the foot of said Sixth Street at high water mark and extending into said Bay of San Diego, in a South Westerly direction until a sufficient depth of water shall be obtained for the accommodation of commerce so as not to unnecessarily obstruct the navigation of said Bay, with the further right to keep unencumbered a strip of the overflowed and submerged lands on each side of said wharf, fifty feet in width, the full length of said wharf, which two strips of land shall commence at the outer edge of either side of said strip of land seventy five feet wide on which said wharf is to be erected, which said strips shall be for the purpose of loading and unloading water craft and for no other purpose.

NOW THEREFORE be it ordained by the Board of Trustees of the City of San Diego.

Sec. 1. That the right to build, erect, maintain and use a wharf in the Bay of San Diego at the foot of said Sixth Street, and in front thereof and upon and over the submerged tide and overflowed lands as above described, is hereby granted to Oliver Eldridge, Thomas L. Nesmith, and G. W. B. McDonald, their associates, assigns or legal representatives for twenty years.

Sec. 2. For the purposes of said wharf there is hereby granted unto the said Oliver Eldridge, Thomas L. Nesmith, G. W. B. McDonald their associates and assigns or legal representatives, the right to use and occupy, a strip of land in front of the foot of said street, seventy five feet wide, commencing at high water mark and extending into said Bay of San Diego in a South Westerly direction, until a sufficient depth of water shall be obtained for the accommodation of commerce, with a T not to exceed three hundred feet in length, and seventy five feet in width at deep water, together with the further right to keep unencumbered a strip of the overflowed and submerged lands on each side of said wharf

fifty feet in width; which two strips of land shall commence at the outer edge of either side of the said strip of seventy five feet wide, upon which the said wharf is to be erected, to be used for the purpose of landing and unloading water craft and for no other purpose.

Said wharf shall be finished within one year from date, else all right herein granted shall be forfeited.

It shall be lawful for the said Eldridge, Nesmith and McDonald, their associates and assigns, or legal representatives, to charge, collect, demand, recover and receive the same rates of wharfage as may be from time to time allowed by the Board of Trustees of the City of San Diego.

This grant of franchise passed, approved and signed by the Board of Trustees of the City of San Diego, for the said City and its inhabitants, this 14th day of October A. D. 1872.

W. J. McCormick, President and Trustee

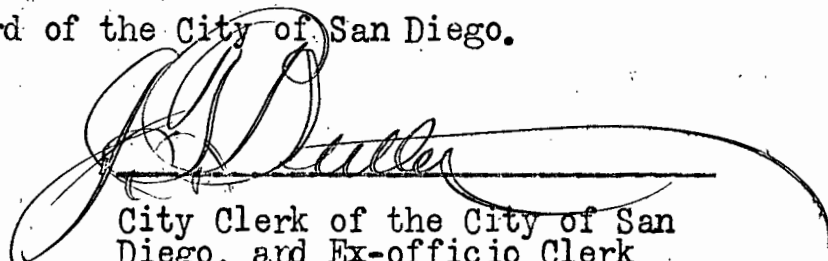
E. G. Haight, Trustee

Jose G. Estuelillo, Trustee

D. W. Briant, Trustee

(SEAL)

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 10 of the City of San Diego, California, adopted October 14th, 1872, as found on page 261 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San
Diego, and Ex-officio Clerk
of the Common Council of said
City.

(SEAL)

Filed 190

City Clerk

By

Deputy.

Ordinance No. 10
*Granting Franchise to
Oliver Eldridge et al to
Construct Wharf at
foot of 6th Street*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 261.

a
Book 1 Page 261 / File 1

DOCUMENT NO. 143

ORDINANCE NO. 11

Provides for the
Collection of 50 cts
Wharfage, by owners
of Wharves.

Book -1- Page 266

Book A1 Page 266 File 1

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 11 of the City of San Diego, California, adopted October 28, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE NO. 11.

BE IT ORDAINED By the Board of Trustees of the City of San Diego:

Sec. 1. That the owner or owners, or lessee or lessees of each and any wharf in the City of San Diego are hereby authorized to charge and collect wharfage at the rate of fifty cents, gold coin, on each and every ton of freight landed upon and embarked from the said wharves or either of them. That for trunks and baggage consisting of small packages exceeding twenty five lbs, twenty five cents each, gold coin.

Sec. 2. That said owner or owners, lessee or lessees, are hereby authorized to charge twenty five cents a ton for toll for the right to transfer freight of all kinds from the shore and to the T of the wharf, or from the T to the shore end of the wharf.

Passed and approved by the Board of Trustees of the City of San Diego, this 28th day of October, A. D. 1872.

W. J. M Cormick, President

(SEAL)

E. G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 11 of the City of San Diego, California, adopted October 28th, 1872, as found on page 266 of Book No. 1 record of the City of San Diego.

J. T. Butler

City Clerk of the City of San Diego, and Ex-officio Clerk of the Common Council of said City.

(SEAL)

By *Percy L. Day* Deputy

✓
DOCUMENT No. 143

Filed 190

City Clerk

By
Deputy.

Ordinance No. 11.

*Provides for the
Collection of 50 cts
wharfage, by order
of Wharves.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 266.

A
1 Page 266 File 1

DOCUMENT NO. 144

ORDINANCE NO. 12

Granting Franchise

for R.R. Track at foot

of 5th Street, and Wharf,

to Pac. Mail S.S. Co.

Book -1- Page 267

Book A1 Page 267 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 12 of the City of San Diego, California, adopted October 28, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

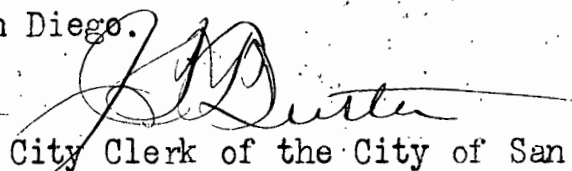
ORDINANCE No.12.

BE IT ORDAINED, By the Board of Trustees of the City of
San Diego:

Sec. 1. That the right to lay, construct and maintain a railway track from the 5th street wharf at such place as may be deemed proper at or near the foot of 5th street, in Horton's Addition to San Diego, along "L" street to 7th street, is hereby granted to the Pacific Mail Steamship Company. The said track to be used for discharging and embarking coal and for such other purpose or purposes as the said Company may deem proper in carrying on its business at the port of San Diego or in the City of San Diego.

Sec. 2. There is also hereby granted to the said Company the full right to use so much of 4th, 5th, 6th and 7th streets below "K" street, in said addition, and "L" street between 5th and 7th streets as may be needed by the said Company to carry on its business at the port of San Diego and in the City of San Diego, provided it does not obstruct the travel on said streets.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.12 of the City of San Diego, California, adopted October 28th, 1872, as found on page 267 of Book No.1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

✓
DOCUMENT No. 144

Filed 190

City Clerk

By

Deputy.

Ordinance No. 12.

*Granting Franchise
for R.R. Track at foot
of 5th Street, and Wharf
to Pac. Mail S.S. Co.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book 1 - Page 267.

A 1 Page 267 File 21

DOCUMENT NO. 145

ORDINANCE NO. 13

Fixing Tax levy for 1872
at \$1.00 for every
\$100.00 assessed valuation
of property.

Book -1- Page 267

Book A1 Page 267 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 13 of the City of San Diego, California, adopted October 28, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

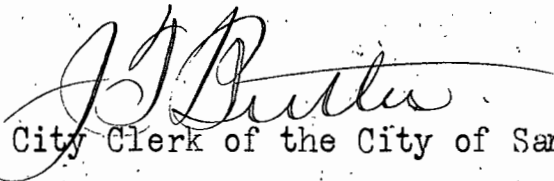
[SEAL]

By _____ Deputy

BE IT ORDAINED, By the Board of Trustees of the City of San Diego:

That the sum of one dollar on every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of the City of San Diego be levied for revenue purposes and current expenses of said City for the fiscal year ending December 31st, A.D. 1872.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.13 of the City of San Diego, California, adopted October 28th, 1872, as found on page 267 of Book No.1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

Filed 190

City Clerk

By Deputy.

Ordinance No. 13.

*Fixing Tax levy for 1872,
at \$1.00 for every
\$100.00 assessed Valuation
of Property*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 267.

DOCUMENT NO. 146

ORDINANCE NO. 14

"Setting apart" and
dedicating for Pub.

School purposes. Lot 4

Blk. 30 Old Town

Book -1- Page 268

Book A1 Page 268 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 14 of the City of San Diego, California, adopted October 28, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

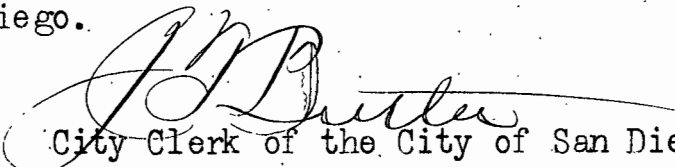
[SEAL]

By _____ Deputy

BE IT ORDAINED By the Board of Trustees of the City of San Diego:

That all that certain lot or tract of land situate in that portion of the said City known as Old San Diego, and described as lot number four (4) in block number thirty (30) according to the map made by Cave J. Coutts in 1850, excepting the portion of said lot occupied by J.C. Stewart, be and the same is hereby set apart for and dedicated to the use of the public schools of the said City of San Diego for school purposes only.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.14 of the City of San Diego, California, adopted October 28th, 1872, as found on Page 268 of Book No.1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

V
DOCUMENT No. 146

Filed 190

City Clerk

By Deputy.

Ordinance No. 14.

"Setting a park" and
dedicating for Pub-
School purposes, Lot 4,
Blk 30. Old Town

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book-1 Page 268.

A / Page 268 File 2

DOCUMENT NO. 147

ORDINANCE NO. 15

Provides for Leasing

any and all Lands

Owned by City.

Book A1 Page 270 File 2

Repealed

Office of the Board of Trustees
of the City of San Diego
San Diego, Cal Nov. 12, 1872

CHARTER ORDINANCE NO. 15

An Ordinance to provide for the leasing of any or all of the lands of the City of San Diego or of any lands in which the City has any right, title, interest or estate whatever.

Be it ordained by the Trustees of the City of San Diego.

Sec. I. That any or all of the lots or tracts of land ⁱⁿ which the City of San Diego ~~has~~ owns or ^{in which it} has any right, title or interest of any nature or kind whatever may be leased for a term of not to exceed ten years and upon such conditions and for such price per annum as a majority of the Trustees of said City shall by resolution fix and determine; the lease or lease therefor or any part thereof, shall be executed in writing and signed by the President and Clerk of said Board of Trustees, with the Corporate Seal of Said City attached and recorded in the Book of Proceedings of the Board of Trustees.

Sec II. This Ordinance passed and approved in open session this 12th day of November 1872.

[SEAL]

W.J. McCORMICK, PRESIDENT

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 15 of the City of San Diego, California, adopted November 12, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Office of the Board of Trustees
of the City of San Diego
San Diego Cal Nov 12 1892

Charter Ordinance No. 15.

An Ordinance to provide for the leasing
of any or all of the lands of the City of
San Diego, or of any lands in which the
City has any right, title, interest or estate
whatevr.

Be it ordained by the Trustees of the
City of San Diego,

Sec. II

That any or all of the lots or tracts of
land ~~in which~~ ^{in which it} the City of San Diego
~~has~~ owns or has any right, title or interest of
any nature or kind whatevr, may be leased
for a term of not to exceed ~~at any~~ ten
years and upon such conditions and for
such price per annum as a majority of the
Trustees of said City shall by resolution
fix and determine; the lease or leases therefor
or any part thereof shall be executed in
writing and signed by the President and
Clerk of said Board of Trustees, with the
Corporate Seal of said City attached, and
recorded in the Book of Proceedings of the
Board of Trustees

Sec. II

This Ordinance passed and approved
in open session the 12th day of November
1842.

{ Seal }

N. J. Mc Cormick President
E. J. Haight Clerk

DOCUMENT No. 147

Filed 190

City Clerk

By

Deputy.

Ordinance No. 15,
Provides for Leasing
any and all Lands
owned by City

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A 1 No. 270-2

DOCUMENT NO. 148

ORDINANCE NO. 16

Provides for numbering
buildings, in
New San Diego

Book A1 Page 272 File 2

CHARTER ORDINANCE NO. 16

Office of the Board of Trustees of the City of San Diego
San Diego Cal Nov. 18 1872

Be it ordained by the Board of Trustees of the City of
San Diego.

- I That each and every of the ^{Blocks upon the} streets in
Newtown of San Diego, extending East and West through
said Newtown from the water front to Horton's Addition,
from Spring Avenue to Pacific Street inclusive, shall be
and hereby are for the purpose of numbering the buildings
upon each side thereof divided into sections of twelve and
one half feet each. Each section to bear the number coming
in its regular order numbering from the West end of said
Streets toward the East, as hereinafter designated.
- II That each and every of the ^{Blocks upon the} streets in the
City of San Diego extending East and West, through Horton's
Addition to said City from "A Street" to "N Street"
inclusive shall be, and hereby are, for the purpose of
numbering the buildings upon each side thereof, divided into
sections of twelve and one half feet each, each section
thereof to bear the number coming in its regular order,
numbering from the West end of said street toward the
East, as hereinafter designated.
- III That the ^{Blocks upon the} streets therein extending North
and South between the Water front on the Bay of San Diego
and "fifteenth Street", be and hereby are divided into sections

of twelve and one half feet each, for the purpose of numbering as aforesaid; and the numbering thereof shall commence at the South end of each of said streets and extend Northward.

IV That the sections and subdivisions of the Block upon either side of each of said streets extending East and West, and of those extending North and South within the limits heretofore designated shall, from the point of commencement heretofore designated, be numbered from number one, upwards ^{extending} in a regular numerical order, alternating therein from right to left upon either side of each and all thereof.

V Each and every person owning or occupying a building of any kind or description on the Blocks upon said streets, on either side of them, shall cause to be put upon or immediately over each door thereof pointing upon the street, the number of the section of the Block upon the street upon which the said building points.

Passed and approved this 18th day of November 1872.

W.J. McCORMICK, PRES.

[SEAL]

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 16 of the City of San Diego, California, adopted November 18, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance
No 16

4681

Charter Ordinance No 16
Office of the Board of Trustees
Of the City of San Diego

San Diego, Cal Nov. 18 1872
Be it ordained by the Board of Trustees
Of the City of San Diego

- I That each and every of the ^{Blocks upon the} streets
in Newtown of San Diego, extending
East and West through said
Newtown from the Water front
to Horton's Addition, from Spring
Avenue to Pacific Street
inclusive, shall be and
hereby are for the purpose of
numbering the buildings upon
each side thereof divided into
sections of twelve and one-half
feet each. Each section to bear
the number coming in its
regular order numbering from
the West end of said Streets

DOCUMENT No. 148

Filed 190

City Clerk

By Deputy.

Ordinance No. 16,
Provides for number-
ing buildings in
New San Diego.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 149

ORDINANCE NO. 17

Provides for making
Assessment book in Roll
and delivering same to
Tax Collector before 1st
Mond, of Dec. 1872.

CHARTER ORDINANCE NO. 17

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

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

Section 1. The City Clerk of the said City of San Diego is hereby directed to complete and enter in a separate money column in the "Assessment Book of Property, in and for the City of San Diego, County of San Diego, and State of California, for the fiscal year ending December 31st, A.D. 1872, assessed to all owners and claimants known or unknown", the respective successive dollars and cents, rejecting the fractions of a cent, to be paid as tax heretofore by an Ordinance of said Board of Trustees, passed and approved October 28th, A.D. 1872, levied on the property therein enumerated, and to foot up the column showing the total amount of such taxes, and the columns of total value of property in said City as corrected by, and under the direction of the Board of Equalization of said City, and on or before the first Monday of December, A.D. 1872, the said Clerk must make out and deliver to the Tax Collector of said City a copy of such corrected assessment book, to be styled "Duplicate Assessment Book", with an affidavit attached thereto and by him subscribed, as follows: "I, City Clerk of the City of San Diego do swear that I have corrected the Assessment Book of property in and for the City of San Diego, in the County of San Diego, in the State of California, for the fiscal year ending December 31st, A.D. 1872, assessed to all owners and

claimants known and unknown, and have made it conform to the requirements of the Board of Equalization of said City, and that I have reckoned the respective sums due as taxes, and have added up the column of valuations and taxes, as required by law, and that the copy to which this affidavit is affixed is a full, true and correct copy thereof"; and upon delivering the said Duplicate Assessment Book to the Tax Collector of said City, he must charge said Tax Collector with the full amount of the taxes levied; the original assessment book must remain in the office of the City Clerk.

Section 2. Within ten days after the receipt of the said "Duplicate Assessment Book", the said Tax Collector must publish a notice specifying:

1. That taxes will become delinquent on the first Monday in February, next thereafter, and that unless paid prior thereto, five per cent will be added to the amount thereof..
2. The time and place at which payment of taxes may be made. Said notice shall be published for two weeks in some weekly or daily news paper published in said City.

Section 3. The said Tax Collector must mark the date of the payment of any tax in the assessment book opposite the name of the person paying; and he must give a receipt to the person paying any tax, specifying the amount of the assessment and the tax paid, write a description of the property assessed.

Section 4. On the first Monday in each month the said Tax Collector shall settle with the City Clerk for all moneys collected for said City, and pay the same to the City Treasurer, taking his receipt therefor, and retaining his percentage thereon, which shall not exceed five per cent; and on the same

day he must deliver to and file in the office of the City Clerk a statement, under oath showing:

1. An account of all his transactions and receipts since his last settlement;
2. That all money collected by him as Tax Collector has been paid.

Section 5. On the first Monday of February, A.D. 1873, all unpaid taxes shall be deemed delinquent and thereafter the said Tax Collector shall collect thereon, for the use of the said City, an addition of five per cent.

Section 6. No taxes must be collected or received from the first to the third Monday of February next, inclusive, and on the third Monday of February next, the said Tax Collector shall attend at the office of the City with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "Paid" in the former shall be marked "Paid" in the latter.

Section 7. The said Tax Collector must, on the said third Monday of February next, deliver to the City Clerk a complete "delinquent list" of all persons and property there owing taxes; and in the list so delivered must be set down in numerical or alphabetical order all matters and things contained in the assessment book and relating to delinquent persons or property; the City Clerk must carefully compare the list with the Assessment Book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the total amount of taxes so remaining unpaid, credit the Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against

him on the assessment book, and must require of him an immediate account for any deficiency.

Section 8. After settlement with the said Tax Collector as prescribed in the preceding Section, the City Clerk shall charge the said Tax Collector then acting with the amount of taxes due on the delinquent tax list, with the five per cent added thereto, and within three days thereafter shall deliver such list, duly certified to said Tax Collector.

Section 9. On or before the first Monday in March next, the said Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to taxes on real estate, when the estate is liable therefor or the several taxes are due from the same person; and the said Tax Collector shall append and publish with the delinquent list a notice that unless the taxes delinquent, together with the costs and percentage, are paid, the real property upon which such taxes are a lien will be sold at public auction.

Section 10. The publication must be made once a week for three successive weeks, in some newspaper, or supplement thereto, published in the said City of San Diego, and must designate the time and place of sale, which time of sale must not be less than twenty one nor more than twenty eight days from the first publication, and the place must be in front of the County Court House in said City.

Section 11. The said Tax Collector, as soon as he has made the publication required by Sections nine and ten, must file with the County Recorder and City Clerk respectively, a copy of the publication, with an affidavit attached thereto, that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance, which affidavit shall be primary evidence of all the facts stated therein.

Section 12. The said Tax Collector must collect, in addition to the taxes due on the delinquent list, and five per centum added thereto, fifty cents on each lot, piece, or tract of land separately assessed, and on each assessment of personal property, one half of which shall go to the said City and the other to the said Tax Collector in full for preparing the list.

Section 13. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, of which he must give notice, the said Tax Collector, between the hours of ten o'clock A.M. and three o'clock P.M. must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots and blocks until completed; he may postpone the day of commencing the sale, or postpone the sale from day to day; but the sale must be completed within three weeks from the day first fixed.

Section 14. The owner or person in possession of any real estate offered for sale for taxes due thereon, may designate in writing to the said Tax Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole;

but if the owner or possessor does not, then the said Tax Collector may designate it; and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars to the said Tax Collector for the duplicate certificate of sale, is the purchaser; if the purchaser does not pay the taxes and costs before ten o'clock A.M. of the following day, the property, on the next sale day, before the regular sale, must be resold for the taxes and costs, and the bid of any person refusing to make the payment for property purchased by him must not be received on the sale of any property advertised in the delinquent list of said fiscal year.

Section 15. After receiving the amount of the taxes, and costs, the said Tax Collector must make out in duplicate a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed; the certificates must be signed by the said Tax Collector, and one copy delivered to the purchaser, and the other filed in the office of the County Recorder; the said Tax Collector, before delivering any certificate, must in a book enter a description of the land sold corresponding with the description in the certificate, the date of sale, purchaser's name, and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate; and such book must be open to public inspection without fee, during office hours,

when not in actual use.

Section 16. On filing the certificate with the County Recorder the lien of the City shall vest in the purchaser, and shall be divested only by the payment to him or to the City Treasurer for his use, of the purchase money and fifty percent thereon; a redemption of the property sold may be made by the owner or any party in interest within twelve months from the date of the purchase; redemption must be made in gold or silver coin, and when made to the City Treasurer he must credit the amount paid to the person named in the said Tax Collector's certificate, and pay it on demand to the person or his assignees reserving two and one half per cent for his fees therefor; in each report the City Treasurer makes to the said Board of Trustees he must name the persons, entitled to redemption money, and the amount due to each.

Section 17. On receiving the certificate of sale, the Recorder must file it, and make an entry similar to that required of the said Tax Collector; and on the presentation of the receipt of the person named in the certificate, or of the City Treasurer for his use, of the total amount of redemption money, the Recorder must mark the word "Redeemed", the date, and by whom redeemed, on the certificate and in the margin of the book where the entry of the certificate is made.

Section 18. If the proeprty is not redeemed within twelve months from the sale, the said Tax Collector must make to the purchaser or his assigns a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law for its redemption; the matters, recited in

the certificate of sale must be recited in the deed, and such deed, duly acknowledged or proved shall be primary evidence that:

1. The property was assessed as required by law;
2. The property was equalized as required by law;
3. The taxes were levied in accordance with law;
4. The taxes were not paid;
5. At a proper time and place the property was sold as prescribed by law and by the proper officer;
6. The property was not redeemed;
7. The person who executed the deed was the proper officer;
8. Where the real estate was sold to pay taxes on personal property, that the real estate belonged to the person liable to pay the tax; and such deed, duly acknowledged or proved, shall be (except as against actual fraud) conclusive evidence of the regularity of all other proceedings, from the assessment by the Assessor, inclusive, up to the execution of the deed; and the deed shall convey to the grantee the absolute title to the lands described therein, free of all encumbrances, except where the land is owned by the United States or the State of California, in which case it shall be primary evidence of the right of possession.

Section 19. The assessment book, duplicate assessment book, or delinquent list, or a copy thereof certified by the City Clerk, showing unpaid taxes against any person or property, shall be primary evidence of the assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

Section 20. The said Tax Collector may, after the first Monday in March next, collect the taxes due on personal property, except when real estate is liable therefor, by seizure and sale of any personal property owned by the delinquent; the sale must be made at public auction, and of a sufficient amount of the property to pay the taxes, percentage and costs; and the sale must be made after one week's notice of the time and place thereof, given by publication in a newspaper in the said City; for seizing or selling personal property the said Tax Collector may charge in each case the sum of three dollars, and the same mileage as is allowed by law to the Sheriff of the County.

Section 21. On payment of the price bid for any personal property sold, the delivery thereof, with a bill of sale, shall vest the title thereto in the purchaser; and all excess, over the taxes, percent and costs, of the proceeds of any such sale, must be returned to the owner of the property sold, and until claimed must be deposited in the City Treasury, subject to the order of the owner, heirs, or assigns; the unsold portion of any such personal property may be left at the place of sale at the risk of the owner.

Section 22. The said Tax Collector shall, on the third Monday of April next, attend at the office of the City Clerk with the delinquent list, and the City Clerk must then carefully compare the list with the assessment of persons, and property not marked "Paid" on the assessment book, and where taxes have been paid, must note the fact in the appropriate column in the assessment book; the City Clerk must then administer to the said Tax Collector an oath, to be written and subscribed

in the delinquent list, that every person and all property assessed in the delinquent list on which taxes have been paid has been credited in the list with such payment; and the City Clerk must then foot up the amount of taxes remaining unpaid, and credit the said Tax Collector with the amount, and have a final settlement with him, and the delinquent list must remain on file in the office of the City Clerk.

Section 23. At the time mentioned in the preceding section, the said Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to, or in possession of, the persons liable to pay the same whereof to collect them.

Section 24. A statement of the amount of unpaid taxes must be presented by the City Clerk to the said Board of Trustees, and the Board may cancel all taxes which in its opinion cannot be collected; and all taxes not cancelled must be entered by the City Clerk on the assessment book of each succeeding year until paid; and interest at the rate of two per cent per month must be collected on such delinquent taxes from the time they were first delinquent until paid.

Section 25. Any taxes, per centum and costs erroneously or illegally collected, may, by the order of the said Board of Trustees, be refunded by the City Treasurer.

Section 26. When the said Tax Collector discovers that any property has been assessed more than once for the same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 27. If the said Tax Collector discovers before the sale

that on account of irregular assessment, or of any other error, any land ought not to be sold, he must not offer the same for sale; and the said Board of Trustees may cause the City Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

Section 28. When land is sold for taxes correctly imposed as the property of a particular person, no misnomer of the owner, or other mistake relating to the ownership thereof, shall affect the sale, or render it void or voidable.

Passed and approved by the Board of Trustees of the City of San Diego, this 25th day of November, A.D. 1872.

Attest:

[SEAL]

W.J. McCORMICK, PRES.

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 17 of the City of San Diego, California, adopted November 25, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

1
Charter Ordinance No. 17

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

Be it Ordained by the Board of Trustees
of the City of San Diego, as follows:
Section 1. The City Clerk of the said City
of San Diego is hereby directed to compute
and enter in a separate money column
in the "Assessment Book of Property, in and
for the City of San Diego, County of San
Diego, and State of California, for the
fiscal year ending December 31st,
A. D. 1872, assessed to all owners and
claimants known or unknown", the
respective sums in dollars and cents,
rejecting the fractions of a cent, to be paid
as tax heretofore, by an Ordinance of
said Board of Trustees, passed and
approved October 28th, A. D. 1872, levied
on the property therein enumerated,
and to foot up the column showing
the total amount of such taxes, and
the columns of total value of property in
said City as corrected by, and under the
direction of the Board of Equalization.

2
of said City, and on or before the 2
first Monday of December, A. D. 1872,
the said Clerk must make out and
deliver to the Tax Collector of said
City a copy of such corrected assessment
book, to be styled "Duplicate Assessment
Book," with an affidavit attached
thereto and by him subscribed, as follows:
"I, City Clerk of the City of San
Diego do swear that I have corrected the
Assessment Book of property in and for
the City of San Diego, in the County of
San Diego, in the State of California,
for the fiscal year ending December 31st,
A. D. 1872, assessed to all owners and
claimants known and unknown,
and have made it conform to the
requirements of the Board of Equalization
of said City, and that I have reckoned the
respective sums due as taxes, and
have added up the columns of valuations
and taxes, as required by law, and that the
copy to which this affidavit is affixed
is a full, true and correct copy thereof,
and upon delivering the said

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Duplicate Assessment Book to the
Tax Collector of said City, he must
charge said Tax Collector with the
full amount of the taxes levied.
~~the original assessment book must remain in the office of the City Clerk.~~
Section 2. Within ten days after the
receipt of the said "Duplicate Assessment
Book," the said Tax Collector must
publish a notice specifying:

1. That taxes will become delinquent
on the first Monday in February, next
hereafter, and that unless paid prior
thereto, five per cent. will be added
to the amount thereof.
2. The time and place at which payment
of taxes may be made. Said notice
shall be published for two weeks in
some weekly or daily newspaper pub-
lished in said City.

Section 3. The said Tax Collector must
mark the date of the payment of any
tax in the assessment book opposite
the name of the person paying; and
he must give a receipt to the person
paying any tax, specifying the amount
of the assessment and the tax paid,

with a description of the property⁴
assessed.

Section 4. On the first Monday in each month the said Tax collector shall settle with the City Clerk for all moneys collected for said City, and pay the same to the City Treasurer, taking his receipt therefor, and retaining his percentage thereon, which shall not exceed five per cent; and on the same day he must deliver to and file in the office of the City Clerk a statement, under oath, showing:

1. An account of all his transactions and receipts since his last settlement;
2. That all money collected by him as Tax Collector has been paid.

Section 5. On the first Monday of February, A.D. 1873, all unpaid taxes shall be deemed delinquent and thereafter the said Tax Collector shall collect thereon, for the use of the said City, an addition of five per cent.

Section 6. No taxes must be collected

or received from the first to the third Monday of February next, inclusive, and on the third Monday of February next, the said Tax Collector shall attend at the office of the City Clerk with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "Paid" in the former shall be marked "Paid" in the latter.

Section 7. The said Tax Collector must, on the said third Monday of February next, deliver to the City Clerk a complete "delinquent list" of all persons and property then owing taxes, and in the list so delivered must be set down in numerical or alphabetical order all matters and things contained in the assessment book and relating to delinquent persons or property; the City Clerk must carefully compare the list with the Assessment Book, and if satisfied that it contains a full and true statement of all

6
6. Taxes due and unpaid, he must
foot up the total amount of taxes
so remaining unpaid, credit the
Tax Collector who acted under it
therewith, and make a final
settlement with him of all
taxes charged against him on the
assessment book, and must
require of him an immediate
account for any deficiency.

Section 8. After settlement with the
said Tax Collector as prescribed in
the preceding Section, the City Clerk
shall charge the said Tax Collector
there acting with the amount
of taxes due on the delinquent tax
list, with the five per cent added
thereto, and within three days
thereafter shall deliver such list,
duly certified to said Tax Collector.

Section 9. On or before the first Monday
in March next, the said Tax
Collector must publish the
delinquent list, which must contain
the names of the persons and a

7
7
description of the property delinquent,
and the amount of taxes and
costs due, opposite each name
and description, with the taxes
due on personal property added to
taxes on real estate, when the estate
is liable therefor or the several
taxes are due from the same
person, and the said Tax Collector
shall append and publish with the
delinquent list a notice that unless
the taxes delinquent, together with
the costs and percentage, are paid,
the real property upon which such
taxes are a lien will be sold
at public auction.

Section 10. The publication must
be made once a week for three
successive weeks in some newspaper,
or supplement thereto, published in the
said City of San Diego, and must
designate the time and place of
sale, which time of sale must not be
less than twenty one nor more than
twenty eight days from the first

publication, and the place must be in front of the County Court House in said City.

Section 11. The said Tax Collector, as soon as he has made the publication required by Sections nine and ten, must file with the County Recorder and City Clerk respectively, a copy of the publication, with an affidavit attached thereto, that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance, which affidavit shall be primary evidence of all the facts stated therein.

Section 12. The said Tax Collector must collect, in addition to the taxes due on the delinquent list, and five per centum added thereto, fifty cents on each lot, piece, or tract of land separately assessed, and on each assessment of personal property, one half of which shall go to the said City and the other to the said Tax Collector in

full for preparing the list.

Section 13. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, of which he must give notice, the said Tax Collector, between the hours of ten o'clock A.M. and three o'clock P.M., must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots and blocks until completed; he may postpone the day of commencing the sale, or postpone the sale from day to day; but the sale must be completed within three weeks from the day first fixed.

Section 14. The owner or person in possession of any real estate offered for sale for taxes due thereon, may designate in writing to the said Tax Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole; but if the owner or possessor does not, then the said Tax Collector may designate it,

and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars to the said Tax Collector for the duplicate certificate of sale, is the purchaser; if the purchaser does not pay the taxes and costs before ten o'clock A.M. of the following day, the property, on the next sale day, before the regular sale, must be resold for the taxes and costs, and the bid of any person refusing to make the payment for property purchased by him must not be received on the sale of any property advertised in the delinquent list of said fiscal year.

Section 15. After receiving the amount of the taxes and costs, the said Tax Collector must make out in duplicate a certificate, dated on the day of sale, stating (when known) the name of the person

assessed, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed, the certificates must be signed by the said Tax Collector, and one copy delivered to the purchaser, and the other filed in the office of the County Recorder; the said Tax Collector, before delivering any certificate, must in a book enter a description of the land sold corresponding with the description in the certificate, the date of sale, purchaser's name, and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate, and such book must be open to public inspection without fee, during office hours, when not in actual use.

Section 16. On filing the certificate with the County Recorder the lien of the City shall rest in the purchaser, and shall be

divested only by the payment to him¹² or to the City Treasurer for his use, of the purchase money and fifty per cent thereon; a redemption of the property sold may be made by the owner or any party in interest within twelve months from the date of the purchase; redemption must be made in gold or silver coin, and when made to the City Treasurer he must credit the amount paid to the person named in the said Tax Collector's certificate, and pay it on demand to the person or his assigns, reserving two and one half per cent for his fees therefor; in each report the City Treasurer makes to the said Board of Trustees he must name the persons entitled to redemption money, and the amount due to each.

Section 17. On receiving the certificate of sale, the Recorder must file it, and make an entry similar to that required of the said Tax Collector, and on the presentation of the receipt

of the person named in the certificate, or of the City Treasurer for his use, of the total amount of redemption money, the Recorder must mark the word "Redeemed," the date, and by whom redeemed, on the certificate and in the margin of the book where the entry of the certificate is made.

Section 18. If the property is not redeemed within twelve months from the sale, the said Tax Collector must make to the purchaser or his assignee a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law for its redemption, the matters recited in the certificate of sale must be recited in the deed, and such deed, duly acknowledged or proved shall be primary evidence that:

1. The property was assessed as required by law;
2. The property was equalized as required by law;

3. The taxes were levied in accordance with law;
4. The taxes were not paid;
5. At a proper time and place the property was sold as prescribed by law and by the proper officer;
6. The property was not redeemed;
7. The person who executed the deed was the proper officer;
8. Where the real estate was sold to pay taxes on personal property, that the real estate belonged to the person liable to pay the tax, and such deed, duly acknowledged or proved, shall be (except as against actual fraud) conclusive evidence of the regularity of all other proceedings, from the assessment by the Assessor, inclusive, up to the execution of the deed, and the deed shall convey to the grantee the absolute title to the lands described therein, free of all incumbrances, except where the land is owned by the United States or the State of California, in which case it shall be primary evidence of the right of possession.

Section 19. The assessment book, duplicate assessment book, or delinquent list, or a copy thereof certified by the City Clerk, showing unpaid taxes against any person or property, shall be primary evidence of the assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

Section 20. The said Tax Collector may, after the first Monday in March next, collect the taxes due on personal property, except when real estate is liable therefor, by seizure and sale of any personal property owned by the delinquent; the sale must be made at public auction, and of a sufficient amount of the property to pay the taxes, percentage and costs; and the sale must be made after one week's notice of the time and place thereof, given by publication in a newspaper in the said City; for seizing or selling personal property the said Tax Collector may charge

in each case the sum of three dollars, and the same mileage as is allowed by law to the Sheriff of the County. Section 21. On payment of the price bid for any personal property sold, the delivery thereof, with a bill of sale, shall vest the title thereto in the purchaser, and all expenses over the taxes, percent and costs, of the proceeds of any such sale, must be returned to the owner of the property sold, and until claimed must be deposited in the City Treasury, subject to the order of the owner, heirs, or assigns. The unsold portion of any such personal property may be left at the place of sale at the risk of the owner.

Section 22. The said Tax Collector shall, on the third Monday of April next, attend at the office of the City Clerk with the delinquent list, and the City Clerk must then carefully compare the list with the assessment of persons and property not marked "Paid" on the assessment book, and where taxes

have been paid, must note the fact in the appropriate column in the assessment book, the City Clerk must then administer to the said Tax Collector an oath, to be written and subscribed in the delinquent list, that every person and all property assessed in the delinquent list on which taxes have been paid has been credited in the list with such payment, and the City Clerk must then foot up the amount of taxes remaining unpaid, and credit the said Tax Collector with the amount, and have a final settlement with him, and the delinquent list must remain on file in the office of the City Clerk. Section 23. At the time mentioned in the preceding section, the said Tax Collector must make an affidavit, indorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to, or

in possession of, the persons liable to pay the same whereof to collect them.

Section 24. A statement of the amount of unpaid taxes must be presented by the City Clerk to the said Board of Trustees, and the Board may cancel all taxes which in its opinion cannot be collected, and all taxes not cancelled must be entered by the City Clerk on the assessment book of each succeeding year until paid, and interest at the rate of two per cent per month must be collected on such delinquent taxes from the time they were first delinquent until paid.

Section 25. Any taxes, percentages and costs erroneously or illegally collected, may, by the order of the said Board of Trustees, be refunded by the City Treasurer.

Section 26. When the said Tax Collector discovers that any property has been assessed more than once for the

same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 27. If the said Tax Collector discovers before the sale that on account of irregular assessment, or of any other error, any land ought not to be sold, he must not offer the same for sale; and the said Board of Trustees may cause the City Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

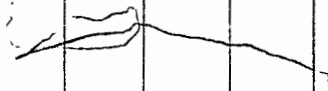
Section 28. When land is sold for taxes correctly imposed as the property of a particular person, no misnomer of the owner, or other mistake relating to the ownership thereof, shall affect the sale, or render it void or voidable.

Passed and approved by the Board of Trustees of the City of San Diego, this 25th day of November, A.D. 1872.

For City Attest:

W J M^c Cormick Pres^t
E J Haight Clerk

Charles Ordinance
No 17



DOCUMENT No. 149

Filed 190

City Clerk

By Deputy.

Ordinance No. 17.

Provides for making
Assessment book with Roll
and delivering same to
tax Collector before 1st Mond.
of Dec., 1872.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 150

ORDINANCE NO. 18

Provides time and
place for Council meet-
ings.

Book A1 Page 301 File 2

CHARTER ORDINANCE NO. 18

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

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

Section 1. That the next regular meeting of the Board of Trustees of the City of San Diego shall be held on Monday the thirtieth day of December, A.D. 1872, at seven oclock P.M., in the office of said Board of Trustees, in the brick building on the corner of "Sixth" and "G" Streets in said City, and that the subsequent regular meetings of said Board shall be held every _____ Monday thereafter, at the same hour and place until otherwise ordained.

Section 2. So much Section 2, of Charter Ordinance No. 1, passed and approved by said Board of Trustees on the 18th day of May, 1872, as conflicts with the provisions of this Ordinance is hereby repealed and annulled.

Passed and approved in regular meeting this 23'd day of December, A.D. 1872.

W.J. McCORMICK
PRESIDENT

[SEAL]

E.G. Haight
Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 18 of the City of San Diego, California, adopted December 23, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed by ord. 56-1874

Repealed

Charter Ordinance No. 18

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

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

Section 1. That the next regular meeting
of the Board of Trustees of the City of San
Diego shall be held on Monday the
thirtieth day of December, A.D. 1872,
at seven o'clock P. M., in the office of
said Board of Trustees, in the brick
building on the corner of Sixth and
B Streets in said City, and that
the subsequent regular meetings
of said Board shall be held every
Monday thereafter, at
the same hour and place until
otherwise ordained.

Section 2. So much of Section 2, of Charter
Ordinance No. 1, passed and approved by said
Board of Trustees on the 18th day of May,
1872, as conflicts with the provisions of this
Ordinance is hereby repealed and annulled.
Passed and approved
in regular meeting this

DOCUMENT No. **150**

Filed 190

.....
City Clerk

By
Deputy.

Ordinance No. 18,

*Provides, time and -
place for Council meet-
ings.*

.....
Adopted by Board of Delegates

.....
Adopted by Board of Aldermen

.....
Approved by the Mayor

A/ Page 30 / File 2

DOCUMENT NO. 151

ORDINANCE NO. 19.

Authorizes sale of
Certain City lots at
Public Auction.

Book A1 Page 302 File 2

CHARTER ORDINANCE NO. 19.

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

Be it Ordained by the Board of Trustees of the City of San Diego: That a sale be made at public auction to the highest and best bidder, for cash, on Saturday the fourth day of January, A.D. 1873, at ten oclock A.M., in front of the office of said Board on the corner of "Sixth" and "G" Streets in said City, of all the right, title, interest and estate of the said City of San Diego in and to all those certain lots, tracts, pieces and parcels of land situate lying and being in the said City of San Diego, in the County of San Diego, in the State of California, and more particularly described and numbered according to the official map of the Pueblo Lands of said City made by Charles H. Poole in A.D. 1856, as follows, to wit:

Lot numbered - - 28;

" " - - 29;

" " - - 30;

" " - - 31;

" " - - 33;

" " - - 34;

" " - - 47;

" " - - 50;

" " - - 65;

" " - - 66;

" " - - 67;

Lot numbered - - 69;

" " - - 87;

" " - - 100;

" " - - 101;

" " - - 103;

" " - - 105;

" " - - 130;

Lot 5 in Block numbered - 135;

Lot numbered - - 141;

" " - - 143;

" " - - 144;

" " - - 145;

" " - - 147;

Lot 1 in Block numbered - 151;

" 2 " " " - 151;

" 8 " " " - 154;

" 2 " " " - 157;

" 3 " " " - 158;

" 4 " " " - 158;

" 2 " " " - 159;

Block numbered - 162;

" " - 167;

Lot numbered - 169;

" " - 173;

" " - 178;

" " - 180;

" " - 182;

" " - 184;

" " - 187;

Lot numbered - 189;
" " - 192;
" " - 193;
" " - 201;
" " - 210;
" " - 211;
" " - 215;
" " - 217;
" " - 218;
" " - 220;
" " - 231;
" " - 238;
" " - 242;
" " - 244;
" " - 246;
" " - 257;
" " - 265;
" " - 267;
" " - 268;
" " - 269;
" " - 270;
" " - 288;
" " - 290;
" " - 292;
" " - 293;
" " - 294;
" " - 309;
" " - 319;
" " - 320;

Lot 1 in Block numbered - 353;

Block numbered - 355;

" " - 356;

" " - 358;

" " - 361;

" " - 381;

" " - 383;

" " - 386;

" " - 389;

" " - 391;

" " - 413;

" " - 414;

Lot 3 in Block numbered - 420;

Block numbered - 421;

" " - 437;

" " - 438;

" " - 440;

" " - 445;

" " - 447;

" " - 456;

" " - 466;

" " - 468;

" " - 470;

" " - 473;

" " - 475;

" " - 477;

" " - 479;

" " - 492;

" " - 494;

Block numbered - 496;

" " - 498;

" " - 500;

" " - 502;

" " - 504;

" " - 506;

" " - 508;

" " - 519;

" " - 521;

" " - 523;

" " - 525;

" " - 527;

" " - 529;

" " - 531;

" " - 533;

" " - 535;

" " - 545;

" " - 547;

" " - 549;

" " - 551;

" " - 553;

" " - 555;

" " - 1158;

" " - 1159;

" " - 1162;

" " - 1163;

" " - 1164;

" " - 1169;

" " - 1176;

Block numbered - 1177;

" " - 1178;

" " - 1180;

" " - 1181;

" " - 1187;

" " - 1190;

" " - 1191;

" " - 1192;;

" " - 1195;

" " - 1196;

" " - 1198;

" " - 1199;

" " - 1200;

" " - 1201;

" " - 1205;

" " - 1206;

" " - 1207;

" " - 1211;

" " - 1212;

" " - 1218;

" " - 1219;

" " - 1220;

" " - 1221;

" " - 1222;

" " - 1773;

" " - 1774;

" " - 1775;

" " - 1782;

" " - 1789;

" " - 1791;

Block numbered - 1792;

" " - 1794;

" " - 1795;

" " - 1796;

" " - 1799;

" " - 1800.

That said sale be made for cash, in gold coin of the United States of America, payable to the auctioneer on the day of sale, and subject to a lease of said lands heretofore, to wit: on the fifth day of December, A.D. 1872, made by the Board of Trustees of said City of San Diego to the Texas and Pacific Railway Company for the term of ten years. That at least ten days notice of said sale be given by the Clerk of said Board of Trustees by publication in the San Diego Daily Union.

Passed and approved by the Board of Trustees of the City of San Diego in regular meeting this twenty third day of December, A.D. 1872.

Attest:

[SEAL]

W.J. McCORMICK PRESIDENT
and TRUSTEE
E.G. Haight Clerk & Trustee
John M. Boyd "
Jose G. Estudillo "
D.W. Briant "

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 19 of the City of San Diego, California, adopted December 23, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 19.

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

Be it Ordained by the Board of Trustees of the City of San Diego:

That a sale be made at public auction to the highest and best bidder, for cash, on Saturday the fourth day of January, A.D. 1873, at ten o'clock A.M., in front of the office of said Board on the corner of Sixth and G Streets, in said City, of all the right, title, interest and estate of the said City of San Diego in and to all those certain lots, tracts, pieces and parcels of land situate lying and being in the said City of San Diego, in the County of San Diego, in the State of California, and more particularly described and numbered according to the official map of the Pueblo Lands of said City made by Charles H. Pole in A.D. 1856, as follows, to wit:

Lot numbered — — 28.

" " — — 29.

" " — — 30.

2.	"	"	—	31,
	"	"	—	33,
	"	"	—	34,
	"	"	—	47,
	"	"	—	50,
	"	"	—	65,
	"	"	—	66,
	"	"	—	67,
	"	"	—	69,
	"	"	—	87,
	"	"	—	100,
	"	"	—	101,
	"	"	—	103,
	"	"	—	105,
	"	"	—	130,
	Lot 5 in Block numbered —			135,
	Lot numbered —			141,
	"	"	—	143,
	"	"	—	144,
	"	"	—	145,
	"	"	—	147,
	Lot 1 in Block numbered —			151,
	" 2	"	—	151,
	" 8	"	—	154,
	" 2	"	—	157,

3.	" 3	"	"	"	—	158;
	" 4	"	"	"	—	158;
	" 2	"	"	"	—	159;
	Block numbered				—	162;
	"	"			—	167;
	Lot numbered				—	169;
	"	"			—	173;
	"	"			—	178;
	"	"			—	180;
	"	"			—	182;
	"	"			—	184;
	"	"			—	187;
	"	"			—	189;
	"	"			—	192;
	"	"			—	193;
	"	"			—	201;
	"	"			—	210;
	"	"			—	211;
	"	"			—	215;
	"	"			—	217;
	"	"			—	218;
	"	"			—	220;
	"	"			—	231;
	"	"			—	238;
	"	"			—	242;

4.	"	"	244,
	"	"	246,
	"	"	257,
	"	"	265,
	"	"	267,
	"	"	268,
	"	"	269,
	"	"	270,
	"	"	288,
	"	"	290,
	"	"	292,
	"	"	293,
	"	"	294,
	"	"	309,
	"	"	319,
	"	"	320,
	Lot in Block numbered —		353,
	Block numbered — —		355,
	"	"	356,
	"	"	358,
	"	"	361,
	"	"	381,
	"	"	383,
	"	"	386,
	"	"	389,

5

"	"	—	391,
"	"	—	413,
"	"	—	414,
Lot 3 in Block numbered —			420,
Block numbered —			421,
"	"	—	437,
"	"	—	438,
"	"	—	440,
"	"	—	445,
"	"	—	447,
"	"	—	456,
"	"	—	466,
"	"	—	468,
"	"	—	470,
"	"	—	473,
"	"	—	475,
"	"	—	477,
"	"	—	479,
"	"	—	492,
"	"	—	494,
"	"	—	496,
"	"	—	498,
"	"	—	500,
"	"	—	502,
"	"	—	504,

6

"	"	506,
"	"	508,
"	"	519,
"	"	521,
"	"	523,
"	"	525,
"	"	527,
"	"	529,
"	"	531,
"	"	533,
"	"	535,
"	"	545,
"	"	547,
"	"	549,
"	"	551,
"	"	553,
"	"	555,
Lot	"	1158,
"	"	1159,
"	"	1162,
"	"	1163,
"	"	1164,
"	"	1169,
"	"	1176,
"	"	1177,

7

"	"	—————	1178,
"	"	—————	1180,
"	"	—————	1181,
"	"	—————	1187,
"	"	—————	1190,
"	"	—————	1191,
"	"	—————	1192,
"	"	—————	1195,
"	"	—————	1196,
"	"	—————	1198,
"	"	—————	1199,
"	"	—————	1200,
"	"	—————	1201,
"	"	—————	1205,
"	"	—————	1206,
"	"	—————	1207,
"	"	—————	1211,
"	"	—————	1212,
"	"	—————	1218,
"	"	—————	1219,
"	"	—————	1220,
"	"	—————	1221,
"	"	—————	1222,
"	"	—————	1773,
"	"	—————	1774,

8

"	"	—	1775,
"	"	—	1782,
"	"	—	1789,
"	"	—	1791,
"	"	—	1792,
"	"	—	1794,
"	"	—	1795,
"	"	—	1796,
"	"	—	1799,
"	"	—	1800.

That said sale be made for cash, in gold coin of the United States of America, payable to the auctioneer on the day of sale, and subject to a lease of said lands heretofore, to wit: on the fifth day of December, A.D. 1872, made by the Board of Trustees of said City of San Diego to the Texas and Pacific Railway Company for the term of ten years.

That at least ten days notice of said sale be given by the clerk of said Board of Trustees by publication in the San Diego Daily Union. Passed and approved by the Board

of Trustees of the City of San Diego
in regular meeting this twenty
third day of December, A.D. 1872.
Attest:

Ses.

M. J. McCormick President
and Trustee
J. J. Knight Clerk & Trustee
John M. Boyd
Jose G. Estudillo
J. McBrinn

Charles
Hartley Ordinance
No 19

Original

1872
101

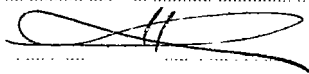
DOCUMENT No. **151**

Filed 190

.....
City Clerk

By
.....
Deputy.

Ordinance No. 19

*Authorizes Sale of
Certain City lots at
Public Auction*


Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 152

ORDINANCE NO. 20

Provides for levying

50cts on every \$100.00 worth
of property to pay Interest
on Obligation, City

CHARTER ORDINANCE NO. 20.

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

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

- Section 1. There is hereby levied and assessed for the fiscal year ending December 31st A.D. 1872, upon every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of the City of San Diego, the sum of fifty cents for the payment of interest moneys on any, and all sums borrowed by said City.
- Section 2. The City Clerk of the said City of San Diego is hereby directed to compute and enter in a separate money column in the "Assessment Book of Property, in and for the City of San Diego, County of San Diego, and State of California, for the fiscal year ending December 31st 1872, assessed to all owners and claimants, known or unknown," the respective sums in dollars and cents, rejecting the fractions of a cent, to be paid as tax hereinbefore levied on the property, herein enumerated, and to foot up the column showing the total amount of such taxes and on or before the first Monday of March, A.D. 1887 the said Clerk must make out and deliver to the Tax Collector of said City, and copy of the assessment book as heretofore corrected by and under the direction of the Board of Equalization of said City, and styled "Duplicate Assessment Book", with an affidavit attached thereto and by him subscribed as follows:

I _____, City Clerk of the City of San Diego, do swear that I have reckoned the respective sums due as taxes upon all property in the City of San Diego in the County of San Diego, and assessed to all owners and claimants, known, and unknown for the fiscal year ending December 31st A.D. 1872, and that I have added up the columns of taxes as required by law, and that the copy to which this affidavit is affixed is a full true, and correct copy of the corrected assessment book of said City, for said fiscal year, and upon delivering the said Duplicate Assessment Book to the Tax Collector of said City, he must charge said Tax Collector with the full amount of the taxes hereinbefore levied; the original assessment book must remain in the office of the City Clerk.

Section 3. Within ten day after the receipt of the said "Duplicate Assessment Book" the said Tax Collector must publish a notice specifying.

1st. That taxes will become delinquent on the first Monday in May, next thereafter, and that unless paid prior thereto, five per cent will be added to the amount thereof.

2. The time, and place, at which payment of taxes may be made. Said notice shall be published for two weeks, in some weekly or daily newspaper published in said City.

Section 4. The said Tax Collector must mark the date of the payment of any taxes in the assessment book opposite the name of the person paying; and he must give a receipt to the person paying any tax, specifying the amount of the assessment and the tax paid, with a description of the property assessed.

- Section 5. On the first Monday in each month the said Tax Collector shall settle with the City Clerk for all moneys collected for said city, and pay the same to the City Treasurer, taking his receipt therefor, and retaining his percentage therein, which shall not exceed five per cent; and on the same day he must deliver to and file in the office of the City Clerk a statement, under oath, showing -
1. An account of all his transactions and receipts since his last settlement;
 2. That all money collected by him as Tax Collector has been paid.
- Section 6. On the first Monday of May A.D. 1873 all unpaid shall be deemed delinquent, and thereafter the said Tax Collector shall collect thereon, for the use of the said city, an addition of five per cent.
- Section 7. No taxes must be collected or received from the first to the third Monday of May next, inclusive and on the third Monday of May next the said Tax Collector shall attend at the office of the City Clerk with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "Paid" in the former shall be marked "Paid" in the latter.
- Section 8. The said Tax Collector must, on the said third Monday of May next, deliver to the City Clerk, a complete "delinquent list" of all persons and property then owing taxes; and in the list so delivered must be set down in numerical or alphabetical order, all matters and things contained in the assessment book and relating to delinquent persons, or property: the City Clerk must carefully compare the list with the Assessment Book

and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the total amount of taxes so remaining unpaid, credit the Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against him on the assessment book and must require of him an immediate account for any deficiency.

Section 9. After settlement with the said Tax Collector as prescribed in the preceeding Section, the City Clerk shall charge the said Tax Collector then acting with the amount of taxes due on the delinquent tax list, with the five per cent added thereto, and within three days thereafter shall deliver such list, duly certified, to said Tax Collector.

Section 10. On or before the first Monday in June next, the said Tax Collector must publish the delinquent list, which must contain the names of the persons and description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to taxes on real estate, when the estate is liable therefore or the several taxes are due from the same person; and the said Tax Collector shall append and publish with the delinquent list a notice that unless the taxes delinquent, together with the costs and per centage, are paid, the real property upon which such taxes are a lien will be sold at public auction.

Section 11. The publication must be made once a week for three successive weeks in some newspaper, or supplement thereto, published in the said City of San Diego, and must designate the time of sale, which time of sale must not be less than twenty-one nor more than twenty-eight days from the first publication, and

the place must be in front of the County Court House in said City.

Section 12. The said Tax Collector, as soon as he has made the publication required by Section ten and eleven, must file with the County Recorder and City Clerk respectively, a copy of the publication, with an affidavit attached thereto that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and date of each appearance, which affidavit shall be primary evidence of all the facts stated therein.

Section 13. The said Tax Collector must collect, in addition to the taxes due on the delinquent list, and five per centum added thereto, fifty cents on each lot, piece or tract of land separately, assessed and on each assessment of personal property, one half of which shall go to the said City, and the other to the said Tax Collector in full for preparing the list.

Section 14. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, of which he must give notice, the said Tax Collector, between the hours of ten o'clock A.M. and three o'clock P.M. must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots and blocks until completed. He may postpone the day of commencing the sale, or postpone, the sale from day to day; but the sale must be completed in three weeks from the day first fixed.

Section 15. The owner or person in possession of any real estate offered for sale for taxes due thereon, may, designate in writing to the said Tax Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole; but if the

owner or possessor does not, then the said Tax Collector may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars to the said Tax Collector for the duplicate certificate of sale, is the purchaser; if the purchaser does not pay the taxes and costs before ten o'clock A.M. of the following day, the property on the next sale day, before the regular sale, must be resold for the ^{taxes} and costs, and the bid of any person refusing to make the payment for property purchased by him must not be received on the sale of any property advertised in the delinquent list of said fiscal year.

Section 16. After receiving the amount of the taxes and costs, the said Tax Collector must make out in duplicate a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed; the certificate must be signed by the said Tax Collector, and one copy delivered to the purchaser and the other filed in the office of the County Recorder. The said Tax Collector, before delivering any certificate, must in a book enter a description of the land sold, corresponding with the description in the certificate, the date of sale, purchaser's name, and amount paid, regularly number the descriptions, on the margin of the book, and put a corresponding number on each certificate; and such book, must be open to public inspection, without fee, during office hours,

when not in actual use.

Section 17. On filing the certificate with the County Recorder the lien of the City shall vest in the purchaser, and shall be divested only by the payment to him or to the City Treasurer for his use, of the purchase money and fifty per cent thereon. A redemption of the property sold may be made by the owner or any party in interest within twelve months from the date of the purchase; redemption must be made in gold or silver coin, and when made to the City Treasurer he must credit the amount paid to the person named in the said Tax Collectors certificate, and pay it on demand to the person or his assignees, reserving two and one half per cent for his fees therefore. In each report the City Treasurer makes to the said Board of Trustees he must name the persons entitled to redemption money, and the amount due to each.

Section 18. On receiving the certificate of sale, the recorder must file it, and make an entry similar to that required of the said Tax Collector; and on the presentation of the receipt of the person named in the certificate, or of the City Treasurer for his use, of the total amount of redemption money, the Recorder must mark the word "Redeemed", the date, and by whom redeemed, on the certificate and in the margin of the book where the entry of the certificate is made.

Section 19. If the property is not redeemed within twelve months from the sale, the said Tax Collector must make to the purchaser, or his assignee a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law for its redemption: the matters recited in the certificate

of sale must be recited in the deed, and such deed, duly acknowledged or proved, shall be primary evidence that:

1. The property was assessed as required by law;
2. The property was equalized as required by law;
3. The taxes where levied in accordance with law;
4. The taxes where not paid;
5. At a proper time and place the property was sold as prescribed by law and by the proper officer;
6. The property was not redeemed;
7. The person who executed the deed was the proper officer;
8. Where the real estate was sold to pay taxes on personal property; that the real estate belonged to the person liable to pay the tax; and such deed, duly acknowledged or proved, shall be (except as against actual fraud) conclusive evidence of the regularity of all other proceedings from the assessment by the assessor, inclusive, up to the execution of the deed; and the deed shall convey to the grantee the absolute title of the lands described therein, free of all incumbrances, except when the land is owned by the United States or the State of California, in which case it shall be primary evidence of the right of possession.

Section 20. The assessment book, duplicate assessment book, or delinquent list or a copy thereof certified by the City Clerk, showing unpaid taxes against any persons or property, shall be primary evidence of assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

- Section 21. The said Tax Collector may after the first Monday in June next collect the taxes due on personal property except when real estate is liable therefor by seizure and sale of any personal property owned by the delinquent; the sale must be made at public auction and of a sufficient amount of the property to pay the taxes, percentage and costs; and the sale must be made after one weeks notice of the time and place thereof give by publication in a newspaper in said City; for seizing or selling personal property the said tax collector may charge in each case the sum of three dollars and the same milage as is allowed by law to the sheriff of the county.
- Section 22. On payment of the price bid for any personal property sold, the delivery thereof with the bill of sale shall vest the title thereto in the purchaser; and all excess over the taxes per cent and costs of the proceeds, of any such sale must be returned to the owner of the property sold, and until claimed must be deposited in the City Treasury subject to the order of the owner, heirs, or assigns; the unsold portion of any such personal property may be left at the place of sale at the risk of the owner.
- Section 23. The said Tax Collector shall, on the third Monday of July next, at the office of the City Clerk with the delinquent list, and the City Clerk must then carefully compare the list with the assessment of the persons and property not marked "Paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book; the City Clerk must then administer to the said Tax Collector an oath, to be written and subscribed in the delinquent list that every person and all property assessed in the delinquent

list on which taxes have been paid, has been credited in the list with such payment; and the City Clerk must then foot up the amount of taxes remaining unpaid and credit the said Tax Collector with the amount, and have a final settlement with him, and the delinquent list must remain on file in the office of the City Clerk.

Section 24. At the time mentioned in the preceding section the said Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to or in possession of the persons liable to pay the same whereof to collect them.

Section 25. A Statement of the amount of unpaid taxes must be presented by the City Clerk to the said Board of Trustees and the Board may cancel all taxes which in its opinion cannot be collected; and all taxes not cancelled must be entered by the City Clerk on the assessment book of each succeeding year until paid; and interest at the rate of two percent, per month must be collected on such delinquent taxes from the time they were first delinquent until paid.

Section 26. Any taxes per centum and costs erroneously or illegally collected, may, by the order of the said Board of Trustees be refunded by the City Treasurer.

Section 27. When the said Tax Collector discovers that any property has been assessed more than once for the same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 28. If the said Tax Collector discovers before the sale that an account of irregular assessment or of any other error, any land ought not to be sold, he must not offer the same for sale; and the said Board of Trustees may cause the City Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

Section 29. When land is sold for taxes correctly imposed as the property of a particular person, no misnomer of the owner or other mistake relating to the ownership thereof, shall effect the sale or render it void or voidable.

Passed and approved by the Board of Trustees of the City of San Diego, in regular meeting, this 30th day of December A.D. 1872.

W.J. McCORMICK, PRESIDENT

[SEAL]

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 20 of the City of San Diego, California, adopted December 30, 1872.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 20

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

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

Section 1. There is hereby levied and assessed for the fiscal year ending December 31st A.D. 1872, upon every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of the City of San Diego, the sum of fifty cents for the payment of interest money on any and all sums borrowed by said City.

Section 2. The City Clerk of the said City of San Diego is hereby directed to compute and enter in a separate manner, column in the "Assessment Book of Property" in and for the City of San Diego, County of San Diego, and State of California, for the fiscal year ending December 31st 1872, assessed to all owners and claimants, known or unknown, the respective sums in dollars and cents, reflecting the fractions of a cent, to be paid as tax heretofore levied on the

property therein enumerated, and to foot
up the column showing the total amount
of such taxes and pay or before the first Monday
of March, A D, 1874 the said Clerk must
make out and deliver to the Tax Collector
of said City, a copy of the aforesaid
book as heretofore corrected by and under
the directions of the Board of Equaliza-
tion of said City, and styled "Duplica-
te Aforesaid Book," with an
affidavit attached thereto and by him
subscribed, as follows, I

City Clerk of the City of San Diego,
do swear that I have reckoned the res-
pective sums due as taxes upon all prop-
erty in the City of San Diego, in the
County of San Diego, and assessed to
all owners and claimants known and
unknown for this fiscal year ending
December 31st A D, 1872, and that
I have added up the columns of taxes
as required by law, and that the copy
to which this affidavit is affixed is
a full true and correct copy of the
corrected aforesaid book of said

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property incurred for said City for said fiscal year, and upon delivering the said Duplicate Assessment Book to the Tax Collector of said City, he must charge said Tax Collector with the full amount of the taxes hereinbefore levied; the original assessment book must remain in the office of the City Clerk.

Section 3. Within ten days after the receipt of the said "Duplicate Assessment Book" the said Tax Collector must publish a notice specifying:

1st That taxes will become delinquent on the first Monday in May, next thereafter, and that unless paid prior thereto, five per cent. will be added to the amount thereof.

2. The time and place at which payment of taxes may be made. Said notice shall be published for two weeks in some weekly or daily newspaper published in said City.

Section 4. The said Tax Collector must mark the date of the payment of any taxes in

The assessor's Book opposite the name of the person paying; and he must give a receipt to the person paying any tax, specifying the amount of the assessment and the tax paid, with a description of the property assessed.

Section 5 On the first Monday in each month the said Tax Collector shall settle with the City Clerk for all moneys collected for said city and pay the same to the City Treasurer, taking his receipt therefor, and retaining his percentage thereon, which shall not exceed five percent; and on the same day he must deliver to and file in the office of the City Clerk a statement, under oath, showing—

1. An account of all his transactions and receipts since his last settlement;
2. That all money collected by him as Tax Collector has been paid.

Section 6 On the first Monday of May A. D. 1875 all unpaid taxes shall be deemed delinquent and thereafter the said Tax Collector shall collect thereon, for

the use of the said city an addition of five percent.

Section 7. No taxes must be collected or received from the first to the third Monday of May next, inclusive and on the third Monday of May next the said Tax Collector shall attend at the office of the City Clerk with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "Paid" in the former, shall be marked "Paid" in the latter.

Section 8. The said Tax Collector must, on the said third Monday of May next, deliver to the City Clerk, a complete "delinquent list" of all persons and property then owing taxes; and in the list so delivered must be set down in numerical or alphabetical order, all matters and things contained in the assessment book, and relating to delinquent persons or property. The City Clerk must carefully compare the list with the assessment Book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must for & up

The total amount of taxes so remaining unpaid, credit the Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against him on the assessment books, and must require of him an immediate account for any deficiency.

Section 9. After settlement with ^{of the} said Tax Collector as prescribed in the preceding Section, the City Clerk shall charge the said Tax Collector, then acting with the amount of taxes due on the delinquent tax list, with the five per cent added thereto; and within three days thereafter, shall deliver such list, duly certified, to said Tax Collector.

Section 10. On or before the first Monday in June next, the said Tax Collector, must publish the delinquent list, which must contain the names of the persons, and description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to taxes on

real estate, when the estate is liable, therefore, the several taxes are due from the same persons; and the said Tax Collector shall append and publish, with the delinquent list, a notice, that unless the taxes delinquent, together with the costs and percentage, are paid, the real property upon which such taxes are a lien will be sold at public auction.

Section 11. The publication must be made once a week for three successive weeks in some newspaper, or supplement thereof, published in the said City of San Diego, and must designate the time and place of sale, which time of sale must not be less than twenty-one nor more than twenty-eight days from the first publication, and the place must be in front of the County Court House in said City.

Section 12. The said Tax Collector, as soon as he has made the publication required by Section ten and eleven, must file with the County Recorder and City Clerk respectively, a copy of the publication, with

affidavits attached thereto, that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating, stating, its name, and place of publication, and date of each appearance, which affidavit shall be primary evidence of all the facts stated therein.

Section 13. The said Tax Collector must, collect, in addition to the taxes due on the delinquent list, and five per centum added thereto, fifty cents on each lot, piece or tract of land separately assessed, and on each assessment of personal property, one half of which, shall go to the said City, and the other to the said Tax Collector, in full for preparing the list.

Section 14. On the day fixed for the sale, or on some subsequent day, to which he may have postponed it, of which he must give notice, the said Tax Collector, between the hours of ten o'clock A. M. and three o'clock P. M. must commence the sale of the property advertised, commencing

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at the head of the list, and, continuing
alphabetically, or in the numerical
order of lots and blocks, until com-
pleted. He may postpone the day of com-
mencing the sale, or postpone the
sale from day to day; but the sale
must be completed, in three weeks from
the day first fixed.

Section 15. The owner or person in possession of any
real estate offered for sale for taxes
due thereon, may designate in writ-
ting to the said Tax Collector, prior to
the sale, what portion of the property he
wishes sold, if less than the whole; but
if the owner or possessor does not, then the
said Tax Collector may designate it,
and the person who will take the least
quantity of the land, or in case an
undivided interest is offered, then
the smallest portion of the interest, and
pay the taxes and costs due, including
two dollars to the said Tax Collector
for the duplicate certificate of sale,
is the purchaser, if the purchaser does not
pay the taxes and costs before ten o'clock

At the following day the property
on the next sale day, before the regular
sale, must be resold for the ^{Taxes} and costs,
and the bid of any person refusing to
make the payment for property purchased
by him must not be received on the
sale of any property advertised in the
delinquent list of said fiscal year.

Section 16. After receiving the amount of the taxes and
costs, the said Tax Collector must make out
in duplicate a certificate, dated on the
day of sale, stating (when known) the name
of the person refused, a description of the land
sold, the amount paid, therefore, that it was sold
for taxes, giving the amount and year of the
assessments, and specifying the time when the
purchaser will be entitled to a deed; the cer-
tificate must be signed by the said Tax Col-
lector, and one copy delivered to the purchaser
- and the other filed in the office of the County
Recorder. The said Tax Collector, before deliver-
ing any certificate, must in a book enter a
description of the land sold, corresponding with
the description in the certificate, the date of sale,
the purchaser's name, and amount paid, requ-

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Early number the descriptions on the margin of the book, and put a corresponding number on each certificate; and such book must be open to public inspection, without fee, during office hours, when not in actual use.

Section 17 On filing the certificate with the County Recorder, the title of the City shall vest in the purchaser, and shall be divested only by the payment to him, or ^{to} the City Treasurer for his use, of the purchase money and fifty per cent thereon. A redemption of the property sold may be made by the owner, or any party in interest within twelve months from the date of the purchase; redemption must be made in gold or silver coin, and when ^{made} to the City Treasurer he must credit the amount paid to the person named in the said Tax Collector's certificate, and pay it on demand to the person or his assigns, reserving two and one half per cent for his fees, therefore. In each report the City Treasurer makes to the ^{said} Board of Trustees he must name the persons entitled to redemption money, and the amount due to each.

Section 18 On receiving the certificate of sale, the recorder must file it and make an entry similar to that

required of the said Tax Collector, and, with the presentation of the receipt of the person named in the certificate, or of the City Treasurer for his use, of the total amount of redemption money, the Recorder must mark the word "Redeemed," the date, and by whom redeemed, on the certificate, and in the margin of the book, where the entry of the certificate is made.

Section 19. If the property is not redeemed, within twelve months from the sale, the said Tax Collector must make to the purchaser, or his assignee, a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law for its redemption. The matters recited in the certificate of sale must be recited in the deed, and such deed, duly acknowledged, or proved, shall be prima facie evidence that:

1. The property was exposed as required by law;
2. The property was equalized as required by law;
3. The taxes were levied in accordance with law.

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4. The taxes were not paid;

5. At a proper time and place the property was sold as prescribed by law and by the proper officer;

6. The property was not redeemed;

7. The person who executed the deed was the proper officer;

8. Where the real estate was sold to pay taxes on personal property, that the real estate belonged to the person liable to pay the tax; and such deed, duly acknowledged or proved, shall be (except as against actual fraud) conclusive evidence of the regularity of all other proceedings from the assessment by the assessor, inclusive, up to the execution of the deed; and the deed shall convey to the grantee the absolute title to the lands described therein, free of all incumbrances, except when the land is owned by the United States or the State of California, in which case it shall be primary evidence of the right of possession.

Section 20. The assessment book, duplicate assessment book, or delinquent list or a copy thereof, certified by the City Clerk, showing unpaid taxes against any person, or property, shall be primary

by evidence of the ~~evidence of the~~ ~~apportionment~~,
the property ~~apportioned~~, the delinquency, the
amount of taxes due, and unpaid, and
that all the forms of law in relation to the
apportionment and levy of such taxes have been
complied with.

Section 21. The said Tax Collector, may, after the first
Monday in June, next, collect the taxes due
on personal property, except when real estate
is liable therefore by seizure, and sale of
any personal property owned by the del-
inquent. The sale, must be made by pub-
lic auction, and of a sufficient amount
of the property to pay the taxes, percentage
and costs; and, the sale, must be made
after one week's notice of the time and a
place thereof, given by publication in a
newspaper, in said city; for seizing or
selling personal property, the said tax
collector, may charge, in each case, the
sum of three dollars, and the same
mileage, as is allowed by law to the
sheriff of the county.

Section 22. On payment of the price bid for any
personal property sold, the delivery thereof

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with the bill of sale, shall vest the title thereto in the purchaser; and all, except over the taxes percent and costs of the proceeds of any such sale, must be returned to the owner of the property sold, and until claimed must be deposited in the City Treasury, subject to the order of the owner, heirs, or assigns; the unsold portion of any such personal property may be left at the place of sale, at the risk of the owner.

Section 23. The said Tax Collector, shall, on the third Monday of July, next, at the office of the City Clerk, with the delinquent list, and the City Clerk, must then carefully compare the list with the aforementioned persons and property not marked "Paid" on the aforementioned book, and when taxes have been paid, must note the fact in the appropriate column in the aforementioned book; the City Clerk must then administer to the said Tax Collector an oath, to be written and subscribed in the delinquent list, that every person and all property specified in the delinquent list on which taxes have been paid, has been

credit upon the list with such payment; and the City Clerk must then foot up the amount of taxes remaining unpaid and credit the said Tax Collector with the amount, and have a final settlement with him, and the delinquent list must remain on file in the office of the City Clerk.

Section 24. At the time mentioned in the preceding section the said Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to or in possession of the persons liable to pay the same whereof to collect them.

Section 25. A statement of the amount of unpaid taxes must be presented by the City Clerk to the said Board of Trustees and the Board may cancel all taxes which in its opinion cannot be collected; and all taxes not cancelled must be entered by the City Clerk on the assessment book of each succeeding year.

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until paid; and interest at the rate of two per cent per month must be collected on such delinquent taxes from the time they were first delinquent until paid.

Section 26. Any taxes per centum and costs erroneously or illegally collected, may, by the order of the said Board of Trustees be refunded by the City Treasurer.

Section 27. When the said Tax Collector discovers that any property has been assessed more than once for the same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 28. If the said Tax Collector discovers before the sale that on account of irregular assessment or of any other error, any land ought not to be sold, he must not offer the same for sale, and the said Board of Trustees may cause the City Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

Section 29 When land is sold for taxes correctly im-
posed as the property of a particular person,
no misnomer of the owner or other mistake
relating to the ownership thereof shall effect
the sale or render it void or voidable.

Passed and approved by the Board of
Trustees of the City of San Diego, in
regular meeting, this 30th day of Dec-
ember A.D. 1872.

{ Seal }

W J McCormick President
E L Haight Clerk

DOCUMENT No. 152

Filed 190

City Clerk

By Deputy

Ordinance No. 20,

Provides for levying
50cts on every \$100 worth
of property, to pay interest
on obligations, City

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A
Page 309 File 2

DOCUMENT NO. 153

ORDINANCE NO. 21

Prohibiting, hogs,
pigs, sheep etc.,
running at large.

Book A 1 Page 330 File 21

(Repealed)

Charter Ordinance No. 21.

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

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

Section 1. All hogs, pigs and sheep running at large within the limits of the City of San Diego hereinafter specified, are hereby declared a nuisance.

Sec. 2. Hereafter it shall be unlawful for any person or persons owning or having the care or control of any such hogs, pigs, or sheep, to permit them or any of them to run at large within the following described limits of and within said City, to wit: All that portion of said City lying and being within the distance of two miles from the flag-staff on the Plaza at Old San Diego.

Sec. 3. Whenever the Marshal of the City shall discover, or be notified by any person therein, that any hogs, pigs, or sheep are running at large in violation of the foregoing provisions, it shall be his duty to immediately cause them to be taken in charge and placed in the City Pound, and within twenty-four hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the Post Office door therein, describing said animal so impounded, generally, giving the marks and brands found upon any such animal, if any there be, with the date of the posting of such notices. And unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said notices, and prove the ownership of said property, and pay all lawful charges thereon, as hereinafter provided, he is hereby authorized, and it is made his duty, to expose them for sale at public auction to the highest and best bidder for cash: and the proceeds of said sale shall first

be applied to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City treasury for the benefit of the owner or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid, with the sum deposited to the account of the owner thereof, including a full statement showing the charges, costs, and all expenses incurred about or concerning said animal.

Sec. 4. The following fines and penalties are hereby imposed for any violation of the provisions aforesaid: For each hog, pig, or sheep found running at large in violation of this ordinance, a fine of one dollar is hereby imposed. The City Marshall shall also collect as costs in addition to the fine aforesaid, twenty-five cents a day for feeding each hog, pig, or sheep, and in addition thereto his necessary costs in advertising said animal. All to be collected in gold coin. All of which is hereby made a lawful charge against the owner of said animal, and a lien upon the said animal for the payment thereof. The Marshal shall deliver to the purchaser of any such animal at any sale made by him as aforesaid, a bill of sale therefor which shall be evidence of his title thereto.

Sec. 5. This ordinance shall take effect and be in force from and after the 27th day of January, 1873.

Passed and approved by the Board of Trustees of the City of San Diego, this 21st day of January, A.D. 1873.

W.J. MCCORMICK President

(SEAL) E.G. HAIGHT)
Clerk)

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 21 of the City of San Diego, California, adopted January 21, 1873.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Charter Ordinance No. 21.

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

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

Section 1. All hogs, pigs and sheep
running at large within the limits
of the City of San Diego hereinafter
specified, are hereby declared a nuisance.

Sec 2. Hereafter it shall be unlawful
for any person or persons owning or having
the care or control of any such hogs,
pigs, or sheep, to permit them or any
of them to run at large within the fol-
lowing described limits of and within
said City to wit: All that portion of
said City lying and being within the
distance of two miles from the Flag-staff
on the Plaza at Old San Diego.

Sec 3. Whenever the Marshal of the City
shall discover, or be notified by any
person therein, that any hogs, pigs or sheep
are running at large in violation of the
foregoing provisions, it shall be his duty
to immediately cause them to be taken.

in charge and placed in the City Pound, and within twenty-four hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the Postoffice door therein, describing said animal so impounded, generally, giving the marks and brands found upon any such animal, if any there be, with the date of the posting of such notices. And unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said notices, and prove the ownership of said property, and pay all lawful charges thereon, as hereinafter provided, he is hereby authorized, and it is made his duty, to expose them for sale at public auction to the highest and best bidder for cash: and the proceeds of said sale shall first be applied to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City Treasury for the benefit of the owner.

or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid, with the sum deposited to the account of the owner thereof, including a full statement showing the charges, costs, and all expenses incurred about or concerning said animal.

Sec 4. The following fines and penalties are hereby imposed for any violation of the provisions aforesaid: For each hog, pig, or sheep found running at large in violation of this ordinance, a fine of one dollar is hereby imposed. The City Marshal shall also collect as costs in addition to the fine aforesaid, twenty-five cents a day for feeding each hog, pig, or sheep, and in addition thereto his necessary costs in advertising said animal. All to be collected in gold coin.

All of which is hereby made a lawful charge against the owner of said animal, and a lien upon the said animal for the payment thereof. The Marshal shall deliver to the purchaser of any such animal

at any sale made by him as aforesaid,
a bill of sale thereof which shall be evi-
dence of his title thereto.

Sec 5. This ordinance shall take effect
and be in force from and after the 27th
day of January, 1873.

Passed and approved by the Board of
Trustees of the City of San Diego, this 21st
day of January, A.D. 1873.

W J M Cornwell President

E. G. Naylor }
Clerk

{ seal }

San Diego Ordinance
No 21.

Filed **190**

City Clerk

By _____ Deputy.

Ordinance No. 21.
Prohibiting, hogs,
pigs, sheep etc,
running at large

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 154

ORDINANCE NO. 22

Provides for issuance
of \$150,000.00 Bonds
20 years, 10% Int
Payable semi-annually

Book -1- Page 334

Book A1 Page 334 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 22 of the City of San Diego, California, adopted February 3, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

BE IT ORDAINED, By the Board of Trustees of the City of San Diego, as follows:

Section 1. That the said Board of Trustees issue bonds of the said City of San Diego for the purpose of carrying out the agreement made by the Citizens Committee of Forty with Col. Thomas A. Scott the President of the Texas and Pacific Railway Company not to exceed the amount of One Hundred and Fifty Thousand Dollars, payable in gold coin of the United States of America.

Sec. 2. That said bonds be issued and bear date as of the first day of January, A.D. 1873 and be made payable at the office of the Treasurer of said City in twenty years from and after said date, and to be redeemable at the option of the said Board of Trustees, or their successors in office at any time after the expiration of three years from the said date of issuance.

Sec. 3. That said bonds bear interest at the rate of ten per cent per annum from the date of issuance payable in like gold coin, semi-annually, on the first day of July and January in each year, at the office of the Treasurer of said City.

Sec. 4. That said bonds be issued (at the option of the said Board of Trustees) in denominations of not less than five hundred nor more than one thousand dollars, and to such person or persons and at such time or times as said Board of Trustees may by resolution direct.

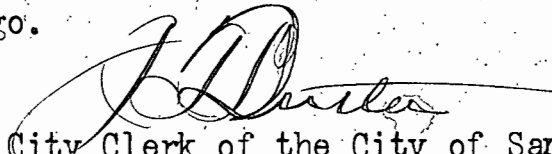
Sec. 5. That said bonds and the coupons attached thereto be signed by the President and Clerk of the said Board of Trustees as such officers, and upon the signing of said bonds the corporate seal of said City shall be affixed to each bond by the said Clerk and the said Clerk shall then deliver said bonds, thus signed and sealed to such person or persons and at such time or times as said Board may by resolution direct.

Sec. 6. That said Clerk so delivering said bonds shall take from the person or persons receiving the same, a receipt therefor, setting forth in said receipt the numbers, dates and amounts of said

bonds so issued and delivered.

Sec. 7. That forty coupons for the interest be attached to each bond, so that the coupon can be removed without mutilating the bond; and whenever any interest shall be paid upon any bonds issued by the said City of San Diego under this ordinance, the City Treasurer paying the same shall receive for said interest due and paid the coupon calling for such interest and shall cancel the same and then transfer it to the Clerk of said Board of Trustees, taking his receipt therefor.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 22, of the City of San Diego, California, adopted February 3rd, 1873, as found on page 334 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

Filed 190

City Clerk

By

Deputy.

Ordinance No. 22.

Provides for issuance
of \$150,000⁰⁰ Bonds,
20 years, 10% Int
Payable Semiannually

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book-1- Page 334.

A, 334 2

DOCUMENT NO. 155

ORDINANCE NO. 23

Fixing salary of City

Atty at \$200.00 per month.

Book A1 Page 337 File 2

REPEALED

CHARTER ORDINANCE NO. 23

OFFICE OF THE BOARD OF TRUSTEES
OF THE CITY OF SAN DIEGO

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

Section 1. The compensation of the City Attorney of said City is hereby fixed at the sum of two hundred dollars, per month, until otherwise ordained.

Passed and approved by the Board of Trustees of the City of San Diego this 3rd day of February, A.D. 1873

ATTEST:

W.J. McCORMICK, PRESIDENT

E.J. Haight, Clerk

(SEAL)

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 23 of the City of San Diego, California, adopted February 3, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Charter Ordinance No. 23.

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

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

Section 1. The compensation of the
City Attorney of said City is
hereby fixed at the sum of
Two Hundred ——— Dollars
per month, until otherwise
ordained. ———

Passed and approved by the
Board of Trustees of the City
of San Diego this 3rd day of
February, A.D. 1873.
Attest:

{ Seal }

W J Mc Cormick President
E J Haigh Clerk

DOCUMENT No. 155

Filed 190

City Clerk

By

Deputy.

Ordinance No. 23.

*Fixing salary of City
at \$2000 Per month.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 156

ORDINANCE NO. 24

President and Clerk

to give Bond of \$100,000.00

Payable to Texas and Pacific

R.R. on Condition etc.

Book A1 Page 337 File 2



CHARTER ORDINANCE NO. 24

OFFICE OF THE BOARD OF TRUSTEES }
OF THE CITY OF SAN DIEGO }

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

Section 1st. That the President and Clerk of said Board are hereby
authorized and directed to execute in the name of and under the seal
of the said City of San Diego, and deliver to the Texas and Pacific
Railway Company a Bond in due form of law, in the penal sum of one
hundred thousand dollars, in gold, coin , payable to the said Company
conditioned as follows to wit:

Sec. 2. That said City will procure within one year from the date
of said Bond, for said Company a perfect title to such depot
grounds, within the limits of the said City of San Diego as have been
selected or may be hereafter, selected by the said City of San Diego
within the limits heretofore, designated by Col. Thomas A. Scott.

Sec. 3. That said City will procure for said Company the right of way
for its Rail Road within and through the said City, and County of San
Diego, at least one hundred feet wide, from the Colorado River to
their depot or depots, now selected or to be hereafter selected by
said Company upon the Bay of San Diego in said City, upon some line,
now surveyed and located, or that may be hereafter surveyed or
located by said Company, between the said Colorado River and the said
depot or depots of said Company upon said Bay and within said City.

Sec. 4. That said City will procure, for said Company, such title as shall be acceptable to said Company, for at least one hundred acres of the tide and submerged lands on the Bay of San Diego, the location of the same to be opposite and adjacent to the lands which may be selected for depot purposes provided that the same does not interfere with any franchise heretofore granted by the City of San Diego State of California.

Sec. 5. That the said City shall have the option and privilege of purchasing for said Company the said depot grounds the right of way, in and through the City and County of San Diego, and also the right of way in, along, over and upon the tide and submerged lands and waters above named, as well as the title to the said one hundred acres of the tide, and submerged lands on said Bay, or that in default of such purchase or purchases, the said City shall pay to the said Texas and Pacific Railway Company, the necessary costs and expenses of said Company for condemning or obtaining by condemnation the unpurchased portion or portions of such depot grounds, and right of way in and through said City and County, and through said City and County and the right of way, in, upon, over and along said tide and submerged lands and also the said one hundred, acres of tide and submerged lands; said necessary costs and expenses to include all necessary fees for attorneys to commence, carry on and finally, conclude the suit or suits which may be brought by said Company to procure the aforementioned rights titles easements and uses for the said Company and also the payment of all assessments and appraisments made, levied and decreed in any and all such suits for condemnation brought and carried on by said Company for any or all the purposes hereinbefore set forth, and all costs expenses and charges necessary

in fully and finally, procuring for said Company all and singular, the above named rights, titles, easements and uses in the said City and County by suit or suits for condemnation.

Passed and approved by the Board of Trustees of the City of San Deigo, this 5th day of February A.D., 1873

ATTEST:

(SEAL)

W.J. McCormick, Trustee
D.W. Briant, Trustee
Jose G. Estudillo, Trustee
E.G. Haight, Trustee

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 24 of the City of San Diego, California, adopted February 5, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Charter Ordinance No 24
Office of the Board Trustees
of the City of San Diego

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

Section 1st That the President and Clerk of said
Board are hereby authorized and
directed to execute in the name of
and under the seal of the said City of
San Diego, and deliver to the Texas
and Pacific Railway Company, a
Bond in due form of law, in the penal
sum of one hundred thousand dollars,
in gold, coin, payable to the said Company
conditioned as follows to wit: —

Sec. 2. That said City will procure within one
year from the date of said Bond, for
said Company, a perfect title to such
depot grounds within the limits of the
said City of San Diego as have been, se-
lected or may be hereafter, selected by
the said City of San Diego within the time
heretofore designated by Col Thomas A
Scott

Sec. 3

That said City will procure, for said Company, the right of way for its Rail Road, within and through the said City and County of San Diego, at least one hundred feet wide from the Colorado River to their depot or depots, now selected or to be hereafter selected by, said Company upon the Bay of San Diego in said City, upon some line, now surveyed and located, or that may be hereafter surveyed or located by said Company, between the said Colorado River and the said depot or depots of said Company upon said Bay and within said City. —

Sec. 4

That said City will procure, for said Company, such title as shall be acceptable to said Company for at least one hundred acres of the tide, and submerged lands, on the Bay of San Diego, the location of the same to be opposite and adjacent to the lands which may be selected for depot purposes provided that the same does not interfere with any franchise heretofore granted by the City of San Diego or State of California. —

Sec 5-

That the said city shall have the option and a privilege of purchasing for said company the said depot grounds, the right of way in and through the city and county of San Diego, and also the right of way in, along, over and upon the tide and submerged lands and waters above named, as well as the title to the said one hundred acres of the tide and submerged lands in said Bay, or that in default of such purchase or purchases, the said city shall pay to the said Texas and Pacific Railway Company the necessary costs and expenses of said company for condemning or obtaining by condemnation the unpurchased portion or portions of such depot grounds, and right of way in and through said city and county, and the right of way in, upon over and along said tide and submerged lands and also the said one hundred acres of tide and submerged lands; said necessary costs and expenses to include all necessary fees for attorneys to commence, carry on and finally conclude the suit or suits

which may be brought by said Company,
to procure the aforementioned rights, titles,
easements and uses for the said Company,
and also the payment of all assessments,
and appraisments made, levied and a
decree in any and all such suits for
condemnation brought and carried
on by said Company for any or all
the purposes herein before set forth, and
all costs, expenses and charges necessary
in fully and finally procuring for said
Company, all and singular the above
named rights, titles, easements and
uses in the said City and County by
suit or suits for condemnation.

Passed and approved by the Board
of Trustees of the City of San Diego
this 5th day of February, A.D.
1873.

Attest:
{Seal}

W J McCormick Trustee
J W Brint Trustee
Jose G. Estudillo Trustee
E G Haigh Trustee

DOCUMENT No. 156

Filed 190

City Clerk

By

Deputy.

Ordinance No. 24

President and Clerk
to give Bond of \$100,000⁰⁰
Payable to Texas and Pacific
R.R. on Condition etc

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

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Page 337 File 2

DOCUMENT NO. 157

ORDINANCE NO. 25

Granting Right of

Way to Texas and

Pacific R.R. Co.

Book -1- Page 339

Book A1 Page 339 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 25 of the City of San Diego, California, adopted February 5, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

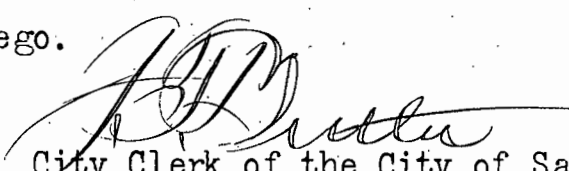
[SEAL]

By _____ Deputy

BE IT ORDAINED, By the Board of Trustees of the City of San Diego, as follows, to-wit:

Section 1. There is hereby granted to the Texas and Pacific Railway Company, its successors and assigns, the free right of way for its railroad track or tracks, switch or switches, over the following line or route, to-wit: Commencing in the "Wedge" or Reservation of Middletown in the City of San Diego, County of San Diego, State of California, at the foot of and on the north side of Spring avenue in said City, thence in a southerly direction across the said Spring avenue, thence across Sixth street, then obliquely across Fifth and California streets, then obliquely across Fourth street, then across Arctic street, then across Commercial and India streets, then across Columbia & Pacific and State streets, then across Union and Front streets in New San Diego, then across Front street in Horton's Addition to San Diego, thence in a southeasterly direction along and over and upon the tide and submerged lands and waters of the Bay of San Diego in front of the said Horton's Addition, to the northwest end of "R" street in Cleveland's Addition to San Diego, in said City, thence in a southeasterly direction along and over said "R" street to Mannasse & Schiller's Addition to San Diego, thence in the same direction along the said "R" street across the last named Addition; thence in a southeasterly direction to the southeasterly boundary line of said City; being the free right of way to said Company, not to exceed one hundred feet in width from the said Wedge or Reservation of Middletown to the said southeasterly boundary line of said City, following the present surveyed line of the said Texas and Pacific Railway Company.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.25 of the City of San Diego, California, adopted February 5th, 1873, as found on page 339 of Book No.1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

Repealed

Charter Ordinance No. 25.
Office of the Board of Trustees }
of the City of San Diego. }

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

Section 1. There is hereby granted
to the Texas and Pacific Railway
Company, its successors and
assigns, the free right of way
for its railroad track or tracks,
switch or switches, over the
following line or route,
to wit: Commencing in
the Melgo's Reservation of
Middletown in the City of
San Diego, County of San
Diego, State of California,
at the foot of, and on the
North side of Spring Avenue
in said City, thence in a
Southernly direction across the
said Spring Avenue, then
across Sixth Street, then
obliquely across Fifth and
California Streets, then
obliquely across Fourth Street,
then across Third Street,

then across Commercial and
India Streets, then across
Columbia and Pacific
and State Streets, then
across Mission and Front
Streets in New San Diego,
then across Front Street in
Hortons Addition to San
Diego, thence ^{in a} South-Easterly
direction along and over
^{upper} the tide and submerged
lands and waters of the
Bay of San Diego, in
front of the said Hortons
Addition, to the North-West
end of "E" Street in Chelvesto
Addition to San Diego, in
said City, thence in a
South-Easterly direction along
and over said "E" Street to
Mannasse and Schell's
Addition to San Diego,
thence in the same direction
along the said "E" Street
across the last named
Addition, thence in a
South-Easterly direction to the
South-Easterly boundary

line of said city being
the free right of way ^{to said city} not to
exceed one hundred feet
in width from the said
Wedge or Reservation of
Middletown to the said
southeasterly boundary
line of said city
following the present
surveyed line of the
said Texas and Pacific
Railway Company.

Seal

W J McCormick Trustee
J M Vincent Director
J G E. E. E. Trustee
J G H. H. H. Trustee

adopted Feb 5-1873

✓
DOCUMENT No. 157

Filed 190

.....
City Clerk

By
Deputy.

Ordinance No. 25.

*Granting Right of
Way to Texas and
Pacific R.R. Co.*

.....
Adopted by Board of Delegates

.....
Adopted by Board of Aldermen

.....
Approved by the Mayor

.....
Book 1- Page 339.

A
1 Page 339 File 2

DOCUMENT NO. 153

ORDINANCE NO. 26

Granting "Gas" Co.

More time to build

Works.

CHARTER ORDINANCE NO. 26

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

Be it Ordained by the Board of Trustees of the City of
San Diego as follows, to wit:

Section 1. That for and in consideration of the performance,
on the part of the San Diego Gas Company, with the first
requirements of the President and Trustees of the City of
San Diego, in purchasing grounds and locating its works in
said City and commencing work thereon, there is hereby granted
to Wm. H. Perry, his associates, and his and their assigns,
in the said San Diego Gas Company twelve months more time from
the 13th day of February, A.D. 1873, in which to complete and
fulfil the contract made and entered into by the said Perry
and his associates with said City on the 13th day of August
A.D. 1869, as to the laying down of gas pipes and completing
the gas works of said Company in said City, reference to which
contract is hereby made for the terms therein set forth;
and all of the provisions of the said contract, so far as the
City of San Diego is concerned shall remain and be in full
force and effect if the said Perry, his associates, or his
and their assigns in the said gas company shall comply with
the said terms therein set forth within twelve months from
the 13th day of February, A.D. 1873.

Passed and approved by the Board of Trustees of the City
of San Diego, this tenth day of February, A.D. 1873.

W. J. McCORMICK TRUSTEE

Jose G. Estudillo Trustee

E. G. Haight Trustee

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 26 of the City of San Diego, California, adopted February 10, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Charter Ordinance No. ~~25~~ 26

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

Be it Ordained by the Board of
Trustees of the City of San Diego
as follows, to wit: — —

Section 1. That for and in consideration
of the performance, on the part of
the San Diego Gas Company, with
the first requirements of the
President and Trustees of the City
of San Diego, in purchasing grounds
and locating its works in said
City and commencing work
thereon, there is hereby granted
to Mr H Perry, his associates, and
his and their assigns, in the said
San Diego Gas Company twelve
months more time from the
13th day of February, A. D. 1873,
in which to complete and
fulfil the contract made and
entered into by the said Perry
and his associates with said
City on the 13th day of August

A.D. 1869, as to the laying down of
gas pipes and completing the
gas works of said company in
said City, reference to which
contract is hereby made for
the terms therein set forth;
and all of the provisions of the
said contract, so far as the City
of San Diego is concerned shall
remain and be in full force
and effect if the said Perry, his
associates, or his and their
assigns in the said gas company
shall comply with the said terms
therein set forth within twelve months from
the 13th day of February, A.D. 1873. —

Passed and approved by the Board of
Trustees of the City of San Diego, this
tenth day of February, A.D. 1873.

W J McConick Trustee
Jose L. Estudillo Trustee
J. H. Haight Trustee

DOCUMENT No. 158

Filed 190

City Clerk

By

Deputy.

Ordinance No. 26,
Granting "Gas" by
More time to build
Works.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A
1 Page 344 File 2

DOCUMENT NO. 159

ORDINANCE NO. 27

Annulling and repealing

Ordinance No. 26

re. to extension of time

to complete Gass Plant

Book -1- Page 345

Book A1 Page 345 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 27 of the City of San Diego, California, adopted February 12, 1873.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

CHARTER ORDINANCE NO. 27

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

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

Section 1. That Charter Ordinance No. 26, passed and approved
by said Board of Trustees on the 10th day of February A. D. 1873, is
hereby annulled and repealed.

Sec. 2. That the publication of said Ordinance No. 26, be
discontinued.

Passed and approved by the Board of Trustees of the City of San
Diego, this 12th day of February A. D. 1873.

Present: W. J. McCormick, Trustee; D. W. Briant, Trustee; Jose G. Estudillo,
Trustee; E. G. Haight, Trustee.

I HEREBY CERTIFY that the above and foregoing is a correct copy of
Ordinance No. 27, adopted February 12, 1873, by the Board of Trustees
of the City of San Diego, as found on Page 345 of the Record Book No.
1 of the Board of Trustees of the City of San Diego.

PHILLIP ACKER, City Clerk.
City of San Diego, California.

By LaVerne E. Miller
LaVerne E. Miller, Deputy

(SEAL)

November 2, 1960.

Filed 190

City Clerk

By

Deputy.

Ordinance No. 27

*Amending and repealing
Ordinance No 26,
rel to extension of time
to complete Gas Plant*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 345.

A
1 Page 345 File 26

DOCUMENT NO. 160

ORDINANCE NO. 28

Providing for Improve-
ments on 5th St bet
"D&E" (E&F)) F&G) (H&I)
and (I&J) Streets.

Book A1 Page 349 File 2

CHARTER ORDINANCE NO. 28

OFFICE OF THE BOARD OF TRUSTEES
OF THE CITY OF SAN DIEGO

Whereas the owners of the real estate fronting on so much of Fifth Street in said City as lies between "D" and "E" Streets, "E" and "F" Streets, "F" and "G" Streets, "H" and "I" Streets, and between "I" and J Streets, having petitioned the Board of Trustees, of said City for the privilege of grading and planking the sidewalks, of the width of sixteen feet along said Fifth Street:

and whereas the said Board of Trustees did, by Resolution dated February 10th, A.D. 1873, direct the City Engineer of said City to make a survey and specifications of the proposed improvements in accordance with the provisions of Section 13 of the Charter of said City, and to make report accordingly:

And whereas the said City Engineer did, on the 17th day of February, A.D. 1873, make and deliver to said Board his report, survey, diagrams, plans and specifications for the proposed improvements:

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

Section 1. That the report, survey, diagrams, plans and specifications, made by L.L. Lockling, City Engineer, for the proposed improvements on Fifth Street in said City between "D" and "E" Streets, "E" and "F" Streets, "F" and "G" Street, "H" and "I" Streets, and between "I" and "J" streets, be approved and ordered on file.

Sec. 2. That the said improvements upon the said portions of the said Street be made in accordance with the said report, survey, diagrams, plans and specifications, hereby ordered on file in the Office of said Board, and under the supervision and control of the said City Engineer.

Sec. 3. That the costs of making the proposed improvements are hereby assessed to the respective owners of said real estate fronting on the said Fifth Street, and the said costs shall constitute a lien upon such real estate until each assessment is paid or satisfied; provided that each of said persons shall have the privilege of making and completing the proposed improvements, in front of his said real estate, in accordance with the said report, survey, diagrams, plans, and specifications, and under the supervision and control of the said Engineer, within ninety days from the third day of March, A.D., 1873.

Sec. 4. That if the said proposed improvements, or any portion thereof shall not be made and completed as in the preceding section set forth, thence it shall be the duty of the City Marshall forthwith to let out, to the lowest responsible bidder, or bidders, at public auction, (after ten days notice thereof being published by him in the San Diego Daily Union), by contract in writing, the making and completing of all said improvements remaining unfinished on the second day of June, A.D., 1873, and said contract between the contractor or contractors, and the said City Marshall shall provide that the said improvements shall be made and completed in accordance with the said report, survey, diagrams, plans, and specifications, in reference thereto, and that the said improvements, shall be completed within

thirty days from and after the date of said contract, and said contract shall particularly state the amount to be paid for such improvements, in gold coin.

Sec. 5. That if the owners or occupants of such real estate shall fail or neglect, or refuse to pay for the costs of the said improvements, when completed, it shall be the duty of the City Marshall, by order of the said Board of Trustees, to institute suit, in the name of said City, against said owner or owners, for the recovery of said costs; and the judgment rendered thereon shall constitute a lien upon said real estate, and execution may be issued thereon and may be served as in other civil cases.

Sec. 6. That each lot, or part of a lot in each quarter block fronting on said Fifth Street, and between the Streets hereinbefore named, and adjoining and coming on the crossings of the said "D" Street, "E" Street, "F" Street, "H" Street, "I" Street and "J" Street, shall be and is hereby separately assessed for the proposed improvements on such crossing, according to its frontage on said Fifth Street.

Passed and approved by the Board of Trustees of the City of San Diego, this 24th day of February A.D. 1873.

ATTEST:

(SEAL)

W.J. McCormick, President

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 28 of the City of San Diego, California, adopted February 24, 1873.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

1.

Charter Ordinance No. 286
Office of the Board of Trustees
of the City of San Diego.

Whereas the owners of the real estate
fronting on so much of Fifth Street
in said City as lies between
"D" and "E" Streets, "E" and "F" Streets,
"F" and "G" Streets, "G" and "H" Streets,
and between "H" and "I" Streets, having
petitioned the Board of Trustees
of said City for the privilege of
grading and plank[ing] the sidewalks,
of the width of sixteen feet along
said Fifth Street:

And whereas the said Board of Trustees
did, by Resolution dated February 10th
A.D. 1873, direct the City Engineer of
said City to make a survey and speci-
fications of the proposed improvements
in accordance with the provisions
of Section 13 of the charter of said
City, and to make report accordingly.
And whereas the said City Engineer
did, on the 17th day of February,
A.D. 1873, make and deliver to said

2.

Board, his report, survey, diagrams, plans and specifications for the proposed improvements:

Now, therefore, Be it Ordained by the Board of Trustees of the City of San Diego, as follows:

Section 1. That the report, survey, diagrams, plans and specifications made by L. L. Lockling, City Engineer, for the proposed improvements on Fifth Street in said City between D and E Streets, E and F Streets, F and G Streets, G and H Streets, and between I and J Streets, be approved and ordered on file.

Sec. 2. That the said improvements upon the said portions of the said Street be made in accordance with the said report, survey, diagrams, plans and specifications hereby ordered on file in the Office of said Board, and under the supervision and control of the said City Engineer.

Sec. 3. That the costs of making the

3

proposed improvements are hereby assessed to the respective owners of said real estate fronting on the said Fifth Street, and the said costs shall constitute a lien upon such real estate until each assessment is paid or satisfied; provided that each of said persons shall have the privilege of making ^{and completing} the proposed improvements, in front of his said real estate, in accordance with the said report, survey, diagrams, plans and specifications, and under the supervision and control of the said Engineer, within ninety days from the third day of March, A.D. 1873.

Sec. 4. That if the said proposed improvements, or any portion thereof shall not be made and completed as in the preceding section set forth, then it shall be the duty of the City Marshall, forthwith,

5.

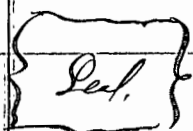
Sec. 5. That if the owner or occupants of such real estate shall fail or neglect, or refuse to pay for the costs of the said improvements, when completed, it shall be the duty of the City Marshall, by order of the said Board of Trustees, to institute suit, in the name of said City, against said owner or owners, for the recovery of said costs; and the judgment rendered thereon shall constitute a lien upon said real estate, and execution may be issued thereon and may be served as in other civil cases.

Sec. 6. That each lot, or part of a lot in each quarter block fronting on said Fifth Street, and between the streets hereinbefore named, and adjoining and coming on the crossings of the said "D" Street, "E" Street, "F" Street, "H" Street, "I" Street and

6.

"F" Street, shall be and is hereby
separately assessed for the
proposed improvements on
such crossing, according to
its frontage on said Fifth Street.
Passed and approved by the
Board of Trustees of the City of
San Diego, this 24th day of
February, A. D. 1873.

Attest:



W J Mc Cormick President
D L Haight Clerk

✓ DOCUMENT No. 160

Filed 190

City Clerk

By

Deputy.

Ordinance No. 28,
Providing for Improvement
ments on 5th St. bet
"W & E" (E & F) (F & G) (G & H)
and (I & J) Streets.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A
Page 349 File 2

DOCUMENT NO. 161

ORDINANCE NO. 29

Agreement with San
Diego Water Co to
supply City with
Water.

Book A1 Page 353 File 2

CHARTER ORDINANCE NO. 29

OFFICE OF THE BOARD OF TRUSTEES OF
THE CITY OF SAN DIEGO

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

Section I. That the San Diego Water Company, a body corporate formed under the laws of this State, is hereby authorized to supply the City of San Diego, and the inhabitants thereof, with pure fresh water for family use, with all the rights and privileges, and subject to the conditions, restrictions and reservations contained in sections 548, 549, 550, & 551 of Title VIII, Part IV of the civil code of the State of California.

Section II. This grant is to continue for the period of fifty years from the date of the passage of this ordinance.

Passed and approved by the Board of Trustees of the City of San Diego
this third day of March, A.D. 1873.

(SEAL)

W.J. McCormick, President

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 29 of the City of San Diego, California, adopted March 3, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 29.

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

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

Section I. That the San Diego Water Company,
a body corporate formed under the laws of
this State, is hereby authorized to supply the
City of San Diego, and the inhabitants thereof,
with pure fresh water for family use, with
all the rights and privileges, and subject to the
conditions, restrictions and reservations con-
tained in sections 548, 549, 550, & 551 of
Title VIII, Part IV of the civil code of the
State of California.

Section II. This grant is to continue for the
period of fifty years from the date of the pass-
age of this ordinance.

Passed and approved by the Board
of Trustees of the City of San Diego
this third day of March, A.D. 1873.

W J M Cornick
President

E J Waghby
Clerk



Filed 190

City Clerk

By Deputy.

Ordinance No. 29

Agreement with San
Diego Water Co. to
Supply City with
Water

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 162

ORDINANCE NO. 30

Declaring all animals
running at large
to be a nuisance.

Book A1 Page 356 File 2

CHARTER ORDINANCE NO. 30

OFFICE OF THE BOARD OF TRUSTEES }
OF THE CITY OF SAN DIEGO }

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

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

Sec. 2. Hereafter it shall be unlawful for any person or persons, owning or having the control of any such hogs, pigs, goats, sheep, horses, mules, jackasses, horned or other cattle to permit them or any of them to run at large within the following described limits of and within said City, to wit: Commencing on the Bay of San Diego where the South line of Kalmia Street extended west will intersect the shore line of said Bay, thence running East to and along the South line of said Kalmia Street and onward in the same direction to the East line of the Public Park, thence South to the shore line of said Bay, thence in a North Westerly direction and following the meanderings of said shore line of said Bay to the place of beginning. Provided that milk cows, owned by citizens residing therein, may be permitted to run at large therein from seven o'clock A.M. until seven o'clock P.M. of each day; subject, however, to liability of the owners, thereof for any damage that may be done during said time by any milk cow so running at large, to any person or property therein.

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

Sec. 4. The following fines and charges are hereby imposed for any violation of the provisions of this ordinance: For every horse, mule, jackass, horned or other cattle impounded one dollar, and also fifty cents per day for keeping, one dollar additional if advertised, five percent commission if sold, and one dollar for taking up and driving to the pound; for every hog, pig, goat or sheep impounded fifty cents, and in addition twenty five cents per day for keeping one dollar if advertised, five percent commission if sold, and fifty cents for taking up and driving to the pound. All to be collected in gold coin. All of which is hereby made a lawful charge against the owner of said animal, and a lien upon the said animal for the payment thereof.

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

Sec. 6. Any person who shall permit any goats to run at large, in violation of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than ten dollars, in the discretion of the Court.

Passed and approved by the Board of Trustees of the City of San Diego this fourth day of March, A.D. 1873.

ATTEST:

(SEAL)

W.J. McCormick, President

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 30 of the City of San Diego, California, adopted March 4, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed /

Charter Ordinance No. 30

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

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

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

Sec. 2. Hereafter it shall be unlawful
for any person or persons owning or
having the control of any such
hogs, pigs, goats, sheep, horses, mules,
jackasses, horned or other cattle
to permit them or any of them to
run at large within the following
described limits of and within
said City, to wit: Commencing
on the Bay of San Diego where the
South line of Kalmia Street extended
West will intersect the shore line
of said Bay, thence running East
to and along the South line of said

Kalua Street and onward in the same direction to the East line of the Public Park, thence South to the shore line of said Bay, thence in a North Westerly direction and following the meanderings of said shore line of said Bay to the place of beginning. Provided that milch cows, owned by citizens residing therein, may be permitted to run at large therein from seven o'clock A.M. until seven o'clock P.M. of each day. subject, however, to liability of the owners thereof for any damage that may be done during said time by any milch cow so running at large, to any person or property therein.

Sec. 3. Whenever the Marshal of the City shall discover, or be notified by any person therein, that any animals above enumerated are running at large in violation of the provisions of this Ordinance, it

shall be his duty immediately to cause them to be taken in charge and placed in the City Pound, and within twenty four hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the Post-office door therein, describing said animal so impounded, generally, giving the marks and brands found upon any such animal, if any there be, with the date of the posting of such notices. And unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said notices, and prove the ownership of said property, and pay all lawful charges thereon, as hereinafter provided, he is hereby authorized, and it is made his duty, to expose them for sale at public auction to the highest and best bidder for cash, and the proceeds of said sale shall be

applied first to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City treasury for the benefit of the owner or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid, with the sum deposited to the account of the owner thereof including a full statement showing the charges, costs and all expenses incurred about or concerning said animal; provided that goats may be sold after twenty-four hours notice given as required in this section.

Sec. 4. The following fines and charges are hereby imposed for any violation of the provisions of this ordinance: For every horse, mule, jackass, horned or other cattle ^{impounded} one dollar, and also fifty cents per day for keeping, one

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

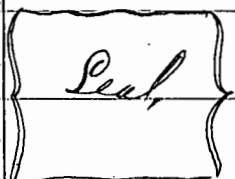
Sec. 5. The Marshal shall deliver to the purchaser of any such animal at any sale made by him as aforesaid, a bill of sale therefor which shall be evidence of his title thereto.

Sec. 6. Any person who shall permit

any goats to run at large, in violation of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than ten dollars, in the discretion of the Court.

Passed and approved by the Board of Trustees of the City of San Diego this fourth day of March, A.D. 1873, —
Attest:

W J McCormick, President
E G Haigh, Clerk



Filed 190

City Clerk

By

Deputy.

Ordinance No. 30.

*Reclaiming all animals
running at large
to be a nuisance*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

DOCUMENT NO. 163

ORDINANCE NO. 31

Annulling Ordinance

No. 23. and providing

for Salary for City

Atty at \$35.00 per mo.

CHARTER ORDINANCE NO. 31

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

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

Section 1. The compensation of the City Attorney of said City is hereby fixed at the sum of Thirty five-----dollars per month, until otherwise ordained.

Sec. 2. Charter Ordinance No. 23 is hereby annulled.

Passed and approved by the Board of Trustees of the City of San Diego this 17th day of March A.D. 1873.

Attest:

W.J. McCORMICK, PRESIDENT

E.G. Haight Clerk

[SEAL]

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 31 of the City of San Diego, California, adopted March 17, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 31

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

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

Section 1. The compensation of
the City Attorney of said City
is hereby fixed at the sum of
Thirty Five dollars
per month, until otherwise ordained.

Sec. 2. Charter Ordinance No. 23
is hereby annulled. — —

Passed and approved by the Board
of Trustees of the City of San
Diego, this 17th day of March A.D. 1873.

Attest:

{ Seal }

W J McCormick President
E J Haight Clerk

Charter Ordinance.

No. 31

✓
DOCUMENT No. 163

Filed 190

City Clerk

By

Deputy.

Ordinance No. 31
*Annulling Ordinance
No. 23, and providing
for Salary for City
Atty at \$25.00 per Mo.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor.

A. Fagella
Filed

DOCUMENT NO. 164

ORDINANCE NO. 32

Granting San Diego
Gas Works, privilege
to build plant in
City, etc.

Book A1 Page 368 File 2

To the Hon.

The President and Trustees,
of the City and Pueblo of San Diego

Your humble petitioners pray that
the following gas ordinance be passed.

Thomas J. Higgins

James Hagan

E.F. Spence

E.W. Morse

Office of the Board
of Trustees City of San Diego
Be it ordained,

Sect. 1st. That the "San Diego Gas Company", a body Corporate formed under the laws of this State is hereby authorized and empowered to build and erect Gas works within the limits of the City of San Diego.

Sect 2. That the San Diego Gas Company be and is hereby authorized and empowered to lay pipes through all the public streets and alleys of the City and Pueblo of San Diego for the purpose of supplying the City and Inhabitants thereof with Gas for the term of twenty years from and after the passage of this ordinance. ~~and that no other Company or Corporation shall be allowed to lay pipes nearer than three feet, except where crossing the same~~

Sect 3.

It shall be the duty of the San Diego Gas Company in laying their pipes and makeing other required Gas fixtures in pursuance of this ordinance to restore the streets and sidewalks to the same good order and condition in which they shall find them.

This ordinance to take effect from and after the date of its passage. Passed and approved by the Board of Trustees of the City of San Diego this 31st day of March A.D. 1873.

[SEAL]

W.J. McCORMICK, PRESIDENT

E.G. Haight
Clerk of the Board of
Trustees

Ordinance No. 32

The
San Diego
Gas Company

laid over till next regular
meeting

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 32 of the City of San Diego, California, adopted March 31, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

To the Hon.

The President and Trustees
of the City and People of San Diego

Your humble petition
may that the following gas ordinance
be passed

Thomas J. Higgins

James Hagan

E. F. Spence

E. W. Morse

Office of the Board

of the City of San Diego

Be it enacted

Section 1st That the "San Diego Gas Company,"
a body Corporate formed under the
laws of this State is hereby Authorized and
Empowered to build and erect Gas works
within the limits of the City of San Diego

Section 2^d

That the San Diego Gas Company
be and is hereby Authorized and
Empowered to lay pipes through all
the Public Streets and alleys of the City
and People of San Diego for the purpose
of supplying the City and Inhabitants
thereof with Gas for the term of twenty

Charles Ordman
May 22

pass from and after the passage
of this ordinance ~~And that no other~~
~~Company or Corporation shall be~~
~~allowed to lay pipes nearer than~~
~~three feet, except when crossing~~
~~the same~~

Sect 3

It shall be the duty of the San
Diego Gas Company in laying
their pipes and making other ap-
plicable gas fixtures in pursuance of this
ordinance to observe the streets and
side walks to the same good order
and condition in which they shall
find them.

This ordinance to take Effect
from and after the date of its passage
Passed and approved by the Board of
Trustees of the City of San Diego this
{ Seal } 31st day of March A.D. 1873
H. J. McCormick President
J. H. Daigh
Clerk of the Board
of Trustees

Ordinance No 32

52

San
Bernardino
Gas Company

Last ~~or~~ bill must regular
precede

1072
1873

DOCUMENT No. 164

Filed 190

City Clerk

By

Deputy.

Ordinance No. 37

Granting Sanitary
and Health privilege
to build, Block in
City etc.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Ag. 367 a

DOCUMENT NO. 165

ORDINANCE NO. 33

Granting Privilege to
Cosmopolitan Gass Co
to each Plant, etc.

Book A1 Page 369 File 2

Repealed

CHARTER ORDINANCE NO. 33

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

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

Section 1. The right is hereby granted to the "Cosmopolitan Gas Company", its successors and assigns, to manufacture gas in the City of San Diego, and to lay down gas pipes in and through the Streets and Alleys of said City, and through said pipes to supply gas for lighting the Streets and buildings of said City, and for the use of the inhabitants thereof, for the term of fifty years.

Passed and approved by the Board of Trustees of the City of San Diego this 31st day of March, A.D. 1873.

ATTEST:

W.J. McCORMICK, PRESIDENT

E.G. Haight, Clerk

[SEAL]

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 33 of the City of San Diego, California, adopted March 31, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

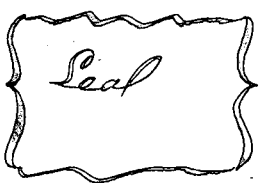
Charter Ordinance No. 32
Office of the Board of Trustees
of the City of San Diego.

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

Section 1. The right is hereby granted
to the "Cosmopolitan Gas Company",
its successors and assigns, to
manufacture gas in the City of
San Diego, and to lay down gas
pipes in and through the Streets
and Alleys of said City, and
through said pipes to supply
gas for lighting the Streets and
buildings of said City, and
for the use of the inhabitants
thereof, for the term of fifty years.

Passed and approved by the Board
of Trustees of the City of San Diego
this 31st day of March, A.D. 1873.

Attest: N. J. McCarroll, Secretary
C. B. Hayley, Clerk



83

1873

DOCUMENT No. 165

Filed 190

City Clerk

By Deputy.

Ordinance No. 33

Granting Privilege to
Cosmopolitan Gas Co
to erect Plant etc

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. [Signature]

DOCUMENT NO. 166

ORDINANCE NO. 34

Provides for Special Election ...

in 3rd Ward for

Election, Successor to

W.J. McCormick resigned

Book A1 Page 371 File 2

CHARTER ORDINANCE NO. 34

OFFICE OF THE BOARD OF TRUSTEES }
OF THE CITY OF SAN DIEGO. }

Whereas a vacancy has occurred in said Board, by the resignation of W.J. McCormick, a Trustee of said City heretofore elected in and for the Third Ward of said City:

Now therefore,

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

Section 1. That a Special Election be held in the Third Ward of the said City of San Diego on the twelfth day of April, A.D. 1873, between the hours of 10 oclock, A.M. and 7 oclock, P.M., for the purpose of electing a Trustee of said City of San Diego, to fill the said vacancy in said Board occasioned by the resignation of the said W.J. McCormick, Trustee as aforesaid.

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

Polling place, Office of the said Board of Trustees.

Inspector, Olcott Pierce.

Judges, W.A. Begole and Joseph E. Smith.

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

Passed and approved by the Board of Trustees of the City of San Diego,
this 31st day of March, A.D. 1873.

ATTEST:

(Seal)

John M. Boyd Pres. Pro Tem

E.G. Haight, Clerk

Notice is hereby given to the Board of Trustees of the City of
San Diego, that, in accordance with the provisions of the foregoing
Ordinance a Special Election will be held on the twelfth day of
April, A.D. 1873, for the purpose, and at the time and in the
place therein specified.

Dated at San Diego, March 31st, A.D. 1873.

Attest:

John M. Boyd, Pres. Pro Tem

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 34 of the City of San Diego, California, adopted March 31, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 34
Office of the Board of Trustees
of the City of San Diego.

Whereas a vacancy has occurred in
said Board, by the resignation of
W. J. McCormick, a Trustee of said City
heretofore elected in and for the
Third Ward of said City: — —
Now therefore,

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

Section 1. That a Special Election
be held in the Third Ward of the
said City of San Diego, on the
twelfth day of April, A.D. 1873,
between the hours of 10 o'clock, A.M.
and 7 o'clock, P.M., for the purpose
of electing a Trustee of said City
of San Diego, to fill the said vacancy
in said Board occasioned by the
resignation of the said W. J. McCormick,
Trustee as aforesaid.

Section 2. The polling place and the
officers of said election shall be

as follows:

Rolling place, Office of the said Board
of Trustees.

Inspector, Olcott Pierce.

Judges, W. A. Beale and
Joseph C. Smith.

Sec. 3. The said election shall be
conducted, and the officers thereof
shall make due returns of the
same, in accordance with the
requirements of an act of the
Legislature of the State of California,
entitled "An Act to reincorporate
the City of San Diego," approved
March 17th, 1872. —

Passed and approved by the
Board of Trustees of the City of
San Diego, this 31st Day of
March, A. D. 1873. —

Attest:

{ Sec. 1

John M. Boyd, Pres. & protm.
G. L. Haigh, Clerk

Notice is hereby given by the Board of
Trustees of the City of San Diego,
that, in accordance with the
provisions of the foregoing Ordinance,

a Special Election will be held on
the twelfth day of April, A.D. 1873,
for the purpose, and at the time
and in the place therein specified.

Dated at San Diego, March 3rd, A.D. 1873.

Attest:

John M. Boyce, Pres.
J. E. Hays, Secy

Charter Ordinance

No. 31

✓
DOCUMENT No. 168

Filed 190

City Clerk

By Deputy.

Ordinance No. 34

Provides for Special Election in 3rd Ward for Election Successor to W. J. McConnel resigned

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. 1. 37/12 2

DOCUMENT NO. 167

ORDINANCE NO. 35

Reserving and dedicating
Certain land for a Cemetery
to San Diego Lodge #35.
Free and accepted Masons,
In Trust.

CHARTER ORDINANCE NO. 35

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

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

Section 1. There is hereby set apart, dedicated, devoted and reserved to and for the "San Diego Lodge No. 35, of Free and Accepted Masons", in trust, for cemetery purposes only, all that certain lot tract piece and parcel of land situate lying and being in the said City of San Diego, in the County of San Diego, in the State of California, and bounded and described as follows:

Commencing at a point in the South line of the "Mount Hope Cemetery" in said City, distant nine hundred and ninety two feet West of the South East corner of said Cemetery tract, said point of commencement being the South West corner of the tract of land heretofore granted to the "Independent Order of Odd Fellows", - thence running West nine hundred (900) feet, thence at right angles North to the South line of "St Johns Avenue", thence Easterly, and following the meander of said South line of said Avenue to a point in the in the West line of the said tract of land so granted as aforesaid to the said "Independent Order of Odd Fellows", thence South to the point of beginning, and continuing ten acres of land, more or less, according to the map of the said "Mount Hope Cemetery" filed in the Office of the Board of Trustees of said City on the 14th day of April, A.D. 1873.

Sec. 2. The said "San Diego Lodge No. 35, of Free and Accepted Masons" shall have the free and exclusive use and control of said tract of land, forever, for cemetery purposes, only subject, however, to such general supervision as may be vested in the Corporate Authorities of said City by the laws of the State of California.

Passed and approved by the Board of Trustees of the City of San Diego this 14th day of April A.D. 1873.

[SEAL]

JOHN M. BOYD, Pres. pro tem.

E.G. Haight, Clerk.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 35 of the City of San Diego, California, adopted April 14, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

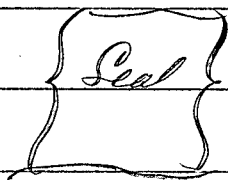
By _____ Deputy

Charter Ordinance No. 35,
Office of the Board of Trustees
of the City of San Diego. }
Be it Ordained by the Board of
Trustees of the City of San Diego
as follows: —————

Section 1. There is hereby set
apart, dedicated, devoted and
reserved to and for the "San
Diego Lodge No. 35, of Free and
Accepted Masons," in trust, for
cemetery purposes only, all that
certain lot, tract, piece and
parcel of land situated lying
and being in the said City
of San Diego, in the County of
San Diego, in the State of
California, and bounded
and described as follows:
Commencing at a point in
the South line of the "Mount
Hope Cemetery" in said City,
distant nine hundred and
ninety-two feet West of the
South East corner of said

Cemetery tract, - said point
of commencement being the
South West corner of the tract
of land heretofore granted to the
"Independent Order of Odd
Fellows", - thence running
West ~~one hundred~~ (900)
feet, thence at right angles
North to the South line of
"Stephen Avenue", thence
Easterly, and following
the meander of said South
line of said Avenue, to a
point in the in the West
line of the said tract of
land so granted as aforesaid
to the said "Independent
Order of Odd Fellows", thence
South to the point of beginning,
and containing ten acres
of land, more or less, accor-
ding to the map of the said
"Mount Hope Cemetery"
filed in the Office of the
Board of Trustees of said

City on the 14th day
of April, A.D. 1873. —
Sec. 2. The said "San Diego
Lodge No. 35, of Free and
Accepted Masons" shall
have the free and exclusive
use and control of said
tract of land, forever, for
cemetery purposes, only,
subject, however, to such
general supervision as
may be vested in the
Corporate Authorities of
said City by the laws of
the State of California.
Passed and approved by
the Board of Trustees of
the City of San Diego
this 14th day of April A.D. 1873.



John M. Boyd, Pres. pro tem
E. S. Haigh, Clerk.

Charter Ordinance

No. 35—

1872

1872

✓
DOCUMENT No. 180

Filed 190

.....
City Clerk

By
Deputy.

Ordinance No. 85

*Reserving, & dedicating
certain land for a Cemetery
to San Diego Lodge #35-2
Free and Accepted Masons
San Diego*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A.

DOCUMENT NO. 168

ORDINANCE NO. 36

Extending further time
for Completion of Wharf in
front of Pueblo Lot No (1157)
by Manassee & Schiller to
June 30th 1875

Book -1- Page 392

Book A1 Page 392 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 36 of the City of San Diego, California, adopted May 12, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

ORDINANCE No.36.

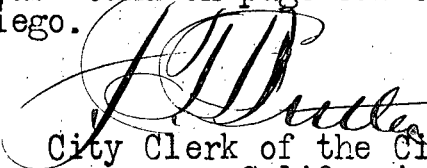
WHARF FRANCHISE OF MANNASSE & SCHILLER. TIME EXTENDED.

WHEREAS, the time for the completion of the wharf heretofore authorized by the President and Board of Trustees of the City of San Diego, to be erected by Joseph S. Mannasse and Marcus Schiller their heirs, executors, administrators and assigns, in front of their lands in Pueblo Lot 1157, will expire June 30th, 1873; and, whereas, it appearing to the satisfaction of the Board of Trustees that it will be impossible for such wharf to be completed within the required time, now, therefore,

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

Section 1. Joseph S. Mannasse and Marcus Schiller, their heirs, executors, administrators and assigns, are hereby granted two years further time, from June 30th, 1873, in which to complete the wharf they are authorized to erect and use "in front of their lands known and designated as Pueblo Lot number eleven hundred and fifty-seven (1157), according to the official map of the Pueblo Lands of San Diego, made by Charles H. Poole in 1856, and upon and over and in front of the submerged and overflowed lands in the Bay of San Diego in front of said Pueblo as designated upon the plan of said wharf" under the authority of the franchise (to which reference is hereby made) executed and delivered to said Mannasse and Schiller by the President and Board of Trustees of the City of San Diego, June 30th, 1871, in conformity with the requirements of Charter Ordinance number 18, approved June 30th, 1871, and the said franchise shall have the same force and effect as if the time for the completion of said wharf had originally been four years.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 36, of the City of San Diego, California, adopted May 12th, 1873, as found on page 392 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

(SEAL)

✓
DOCUMENT No. 168

Filed 190

City Clerk

By

Deputy.

Ordinance No. 36.

*Extending further time
for Completion of Wharf in
front of Pueblo Lot No 1157
by Messrs Schiller to
June 30 1901*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 392

A.

Page 392 Filed

DOCUMENT NO. 169

ORDINANCE NO. 37

Provides that no person
shall lower or raise the
grade of any Public Street
not having authority so to do.

Book -1- Page 393

Book A1 Page 393 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 37 of the City of San Diego, California, adopted May 12, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed by
5045-NS

ORDINANCE No. 37.

Repealed

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

Section 1. No person except one having lawful authority or duly authorized as provided by this ordinance, shall dig, excavate, or break up the ground, pavement or surface of any public street, avenue, alley, highway, plaza or park within the limits of this City, or deposite thereon any earth, sand, gravel, stone, or other substance for the purpose of repairing, improving or grading any such street, avenue alley, highway, plaza or park or any part thereof.

Sec. 2. No person except one having lawful authority, shall do and perform any act or thing, that shall raise or lower any portion of any public street, avenue or alley within the limits of this City.

Sec. 3. The Street Commissioner may, in his discretion, issue a written permit to any responsible person, authorizing him to grade by cutting or filling, in any of the public streets, avenues, alleys, plazas or parks of this city, providing such grading shall not change or effect the established grade or grades, and shall not unnecessarily interfere with the public use and convenience of such streets, avenues, alleys, plazas or parks. All work and things done by the authority of such permit shall be done under the supervision of the Street Commissioner and to the acceptance of such officer.. The Street Commissioner shall from time to time report to this Board the progress and condition of the grading authorized by him to be done by virtue of this ordinance.

Sec. 4. In case of a vacancy in the office of Street Commissioner, and in the absence of the incumbent of that office from the City the powers and duties for the time being shall be exercised by the City Engineer.

Sec. 5. Any person who shall offend against any of the provisions of this ordinance shall forfeit and pay for each offence a sum not exceeding one hundred dollars.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 37, of the City of San Diego, California, adopted May 12th, 1873, as found on page 393 of Book No. 1, record of the City of San Diego.

(SEAL)

City Clerk of the City of San Diego,
California.

Filed 190

.....
City Clerk

By
Deputy.

Ordinance No. 37.

*Provides that no person
shall lower or raise the
grade of any Public Street
not having authority so to do*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 398.

A. J. 395 FK - 2

DOCUMENT NO. 170

ORDINANCE NO. 38

Granting Right of Way
to Texas and Pacific
R.R. Co. over any street
alley or parcel of ground
owned by the City.

Book -1- Page 413

Book A1 Page 413 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 38 of the City of San Diego, California, adopted June 20, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

ORDINANCE No.38.

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

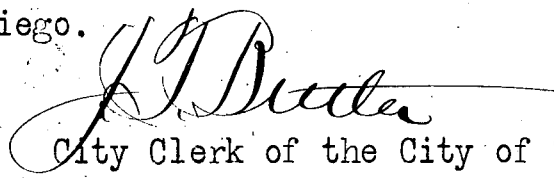
Section 1. The Texas and Pacific Railway Company shall have and are hereby granted a right of way for its railroad track and tracks, switch and switches, and for all other proper railroad uses, over, across, and along all the public avenues, streets, alleys, highways parks and plazas in the City of San Diego, and over, across and through any and all of the lands belonging to said City on the route located by said Company and described as follows: Commencing at a point on the line of the lands of the Texas and Pacific Railway Company, adjoining Mannasse & Schiller's Addition to said City, running thence through the southwest portion of block 38 and across the southwest part of block 39 in said Mannasse & Schiller's Addition, being a strip of land eighty feet wide, bounded as follows: On the northeast by the alley in said blocks, on the south by the said lands of the said railway company, on the west by Cleveland's Addition to the City of San Diego, on the southwest by a strip of land sixty feet south off of lots 1, 2, 3, 4, 5, 6, 7, and part of 8 in block 38, and lots 24, 23, 20, 21, 19, 18 and part of 17 in block 39, in Mannasse & Schiller's said Addition; thence commencing on the west line of Mannasse & Schiller's said Addition at a point in the south half of said block 39, running through the said south part of block 39 and through the southwest half of fractional block 40, being a strip of land seventy-five feet wide southwest of the alley in said blocks, according to the recorded map of Mannasse & Schiller's said Addition and to Cleveland's Map as of record, to the line of ordinary high tide on the Bay of San Diego on the west side of Cleveland's said Addition; thence in a northwesterly direction over, through, upon and along the overflowed, tide and submerged lands of the Bay of San Diego to and through lots H, I, J, K, A, B, C, and D in Block 12 of the submerged lands in New San Diego according to the map of A. B. Gray and T. D. Johns; thence across Union street to and

through Front street and lots G,H,I,B,C,D,E, and F in tide land block 14 in said New San Diego; thence across State street to and through lots A,L,K and J in submerged block 15; thence across Pacific street to and through lots E and F in block 23 in said New San Diego; thence across Columbia street to and through lots G,H,I,J,K, A,B,C, and D in block 22; thence across India street through and across lot L in Block 21; thence across Commercial street to and through Lots G,H,C,D,E, and F in Block 30; thence across Arctic street, through and across lots L,K,J,I,A, and B in Block 31; thence across Fourth street, through and across lots F,E,D, & C in Block 36; thence across and along California street; thence through lots I,J,K and L in block 35; thence across and along California and Fifth streets across lots G,H,I,J,K and L in block 47; thence across Sixth street through lots G,H,I,J,K, and L in block 50; thence across Spring avenue; thence across the lots and blocks owned by David L. Gardiner and John R. Bleeker, 100 Varas wide by 200 varas long, known as the Gardiner and Bleeker tract in the "Wedge" or "Reservation"; thence in a northerly direction across the west side of the "Wedge" or "Reservation" in the City of San Diego; thence across, through and over blocks 181, 182, 171, 172, 169, 170, 160, 161, 158, 159, 148, 149, 146, 147, 136, 137, 134, 135, 125, 124, 114, 113, 103, 93, 92, the unnumbered block between block 80 and the Bay of San Diego, block 79, the unnumbered block between block 79 and said Bay, block 68, the unnumbered block between block 68 and said Bay, the unnumbered block between block 67 and said Bay, the unnumbered block between block 58 and said Bay, the unnumbered block between block 57 and said Bay, blocks 48, 47, 38 and 37, the unnumbered block between block 47 and said Bay, blocks 36, 26, 22, 11 and 6 in Middletown (in said City) as surveyed by James Pascoe in the year 1870; thence northerly through Pueblo Lots 326, 327, 328, 329, 330, 331, 318, 332, 317, 333, 316, 334, 335, 336, 337, the southwest corner of Block 94 (otherwise block 340) in Old San Diego, thence northerly through Pueblo Lots 310, 277, 278, 275, 274, 260, 261, 262, 257, 256, 255, 1192, 1193 and 1208, in the City of San Diego, a more particular description and delineation of which right of way, hereby granted, appears on the map and survey of the same,

marked "Exhibit Map B located line of the T. & P. Ry. through part of the Pueblo of San Diego" furnished by the Texas and Pacific Railway Company and filed in the office of the Clerk of the Board of Trustees of said City June 16, 1873, to which map and survey reference is hereby made, said strip of land for right of way being one hundred feet in width the entire line above described except in Mannasse & Schiller's said Addition and Cleveland's said Addition as heretofore set forth; provided, and said right of way is granted upon the express condition that said Railway Company shall construct its railroad and operate the same in said City, in accordance with the laws now in force or that may hereafter be enacted with reference thereto.

Sec. 2. Ordinance No. 25 passed and approved February 5, 1873 granting to the Texas and Pacific Railway a right of way through a certain portion of the City of San Diego, is hereby repealed.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 38 of the City of San Diego, California, adopted June 20th, 1873, as found on page 413 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

(SEAL)

DOCUMENT No. 170

Filed 190

City Clerk

By

Deputy.

Ordinance No. 38.

*Granting Right of Way
to Texas and Pacific
R.R. Co. over any street
Alley or Parcel of Land
owned by the City*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book 1 - Page 413.

A. Page 413 File 1

DOCUMENT NO. 171

ORDINANCE NO. 39

Providing for Con-
struction of Sidewalk
on "D" Street
between 2nd & 3rd Sts.

Book -1- Page 420

Book A1 Page 420 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 39 of the City of San Diego, California, adopted June 30, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

ORDINANCE No.39.

ORDERING CONSTRUCTION OF SIDEWALK ON "D" STREET.

WHEREAS, the owners of a majority of the real estate fronting on "D" street between Second and Third streets in Horton's Addition to San Diego, have petitioned the Board of Trustees of the City of San Diego for the privilege of constructing, on the established grades in said portion of said "D" street, plank sidewalks, sixteen feet in width; and whereas, the said Board of Trustees did, by resolution dated June 16, 1873, direct the City Engineer to make surveys of said proposed improvement according to the requirements of the Charter of said City; and whereas, said City Engineer did, on the 23rd day of June, 1873, deliver to said Board a report of his surveys and specifications (giving diagrams, plans, grades, the amount of excavations and fillings up, and estimates of the costs) of the proposed improvements, now, therefore,

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

Section 1. The surveys and specifications of the improvements relating to sidewalks on "D" street, between the cross streets Second and Third streets, reported to this Board June 23, 1873, by L. L. Lockling, City Engineer, are hereby approved and ordered to be filed in the office of the City Clerk.

Sec. 2. The said improvement, to-wit: Plank sidewalks, sixteen feet in width, on each side of "D" street counting from cross street Second street to cross street Third street (in Horton's Addition to San Diego) in accordance with the surveys, specifications, diagrams plans and grades for the same, reported to the Board by the City Engineer and approved as in the preceding section set forth and under the supervision and control of the City Engineer.

Sec. 3. The cost of making said proposed improvements in said "D" street between said cross streets, Second and Third streets, in Horton's Addition to San Diego, are hereby assessed, in United States gold coin, to each of the owners of the several lots, tracts and

parcels of real estate fronting in said "D" street as follows:

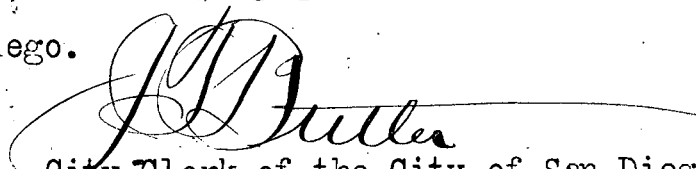
Veazie & Shules the E 1-2 part of lot G in block 38 (50 feet front) \$68.90; A.E. Horton, the W 1-2 of part of lot G in block 38 (50 feet front) \$64.31; A.E. Horton, part of lot F in Block 38 (100 feet front) \$128.62; A.E. Horton part of Lot L in Block 41 (100 feet front) \$128.28; A.E. Horton part of lot A in Block 41 (being a strip of land 8 feet wide off of the east end of part of said lot A) (8 feet front) \$11.16; estate of J.C. Clark, deceased, a strip of land 21 feet wide across the E 1-2 of part of lot A in Block 41, adjoining A.E. Horton's said strip 8 feet wide, on the west (21 feet front) \$27.50; F.P. Forster, a strip of land 21 feet wide across the west end of the E 1-2 of part of lot A in Block 41, adjoining on the west the said strip of 21 feet belonging to the estate of J.C. Clark, deceased (21 feet front) \$27.65; J.G. Estudillo the W-1-2 of part of lot A in Block 41 (50 feet front) \$70.00. The costs of said proposed improvements in front of each of the said lots and parcels of said real estate as above set forth and assessed, shall constitute a lien upon said lots and parcels, respectively, until each said assessment shall be paid or satisfied. Provided, and each said owner or owners, shall have the privilege of making said proposed improvements in front of his or their said real estate, in accordance with the requirements of the preceding sections and under the supervision and control of the City Engineer, until October 1st, 1873,

Sec. 4. If said proposed improvements, or any portion thereof, shall not be made and completed as in Section 3 set forth, then it shall be the duty of the City Marshal, forthwith to let out to the lowest responsible bidder or bidders, at public auction (after ten days notice thereof being published by him in the San Diego Daily Union), by contract in writing, the making and completing all and every of said proposed improvements remaining unfinished on the 1st day of October, 1873, and all contracts made as aforesaid shall provide for the making of said proposed improvements so remaining unfinished as aforesaid, as such improvements are required to be made in Section 2 of this ordinance.

Sec. 5. If the owners or occupants of the said several lots and parcels of real estate shall fail or neglect or refuse to pay for the costs of said improvements when completed, it shall be the duty of the City Marshal, by order of the Board of Trustees of this City to institute suit in the name of the City against such owner or owners for the recovery of such assessments and costs as shall be then due from him or them, and the judgement thereon shall constitute a lien upon said real estate, and execution may be issued thereon and may be served as in other civil cases.

Sec. 6. Any real estate owner assessed for sidewalk improvements, may, at any time before judgement shall be rendered against him for failing, neglecting or refusing to pay said assessment, be relieved from all liability by reason thereof by paying to the City Marshal the actual costs of such improvements, together with all accrued costs and charges for prosecuting a suit for the collection of such assessment.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 39, of the City of San Diego, California, adopted June 30th, 1873, as found on page 420 of Book No. 1, record of the City of San Diego.


City Clerk of the City of San Diego,
California.

(SEAL)

DOCUMENT No. 121

Filed 190

City Clerk

By

Deputy.

Ordinance No. 39.

Providing for Con-
struction of Sidewalk
on 30th Street
between 2nd & 3rd Sts.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book-1- Page 420

A. J. Page 420 Filed

DOCUMENT NO. 172

ORDINANCE NO. 40

Granting Right of Way
to Texas and Pacific
R.R. Co. from Pueblo Lot
No. 1208 to North line of
City.

Book -1- Page 434

Book A1 Page 434 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 40 of the City of San Diego, California, adopted August 4, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

ORDINANCE No. 40.

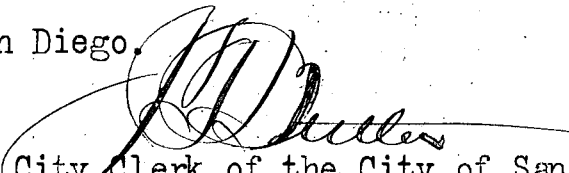
GRANTING RIGHT OF WAY TO THE TEXAS AND PACIFIC RAILWAY COMPANY
FROM PUEBLO LOT 1208 to NORTH LINE OF CITY.

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

Section 1. The Texas and Pacific Railway Company shall have and are hereby granted a right of way, one hundred feet wide, for its railroad track and tracks, switch and switches, and all other usual and proper railroad uses, along, over and through any and all of the lands belonging to said City of San Diego, and all the public highways therein, on the ^{route} ~~south~~ located by said Company and described as follows: Commencing at a point on the north line of Pueblo Lot 1208 near the northwest corner thereof, and connecting with said Company's located line ^{south} ~~south~~ thereof, running thence northerly across the extreme southwest part of Pueblo 1209, thence in the same general direction across Pueblo Lots 1788, 1787, 1778, 1777, 1252, 1267 thence northeasterly across Pueblo Lots 1291 and 1292, thence in the same general direction across six ten-acre lots, thence northerly across two ten-acre lots (the said eight ten-acre lots being in Pueblo lots 1269, 1294, 1293, 1271 and 1278), thence northerly across the northern portion of said lot 1278, thence in the same direction across Pueblo lot 1303, thence northeasterly across the southeast portion of Pueblo lot 1307, thence in the same general direction across the northwest part of Pueblo Lot 1306 to a point near the north line of said lot 1306, thence in the same direction, two hundred feet wide, across the southwest part of Pueblo Lot 1319 to a point on the eastern boundary line of said City, thence northerly, thence easterly, thence northerly across the Canado de Soledad at a point about 3400 feet east of the east boundary line of said City, thence northwesterly, thence westerly to a point on said eastern boundary line (said route outside of said City being two hundred feet wide), thence one hundred feet wide westerly across the southern portion of Pueblo Lot 1355, thence northwesterly across Pueblo Lots 1353, 1352, 1356, 1357, 1359, 1361, 1362 and 1339 to a point on the north-

eastern boundary line of said City (said lots and description of lots in said City of San Diego being according to the map and survey thereof made by James Pascoe in the year 1870) a more particular description and delineation of which right of way hereby granted is shown on the map and survey of the same furnished by said Railway Company, marked "Map 6 located line of the Texas and Pacific Railway from Pueblo Lot 1209 to Lot 1339" and filed in the office of the Clerk of said City, August 4th, 1873, to which map and survey reference is hereby made.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 40, of the City of San Diego, California, adopted August 4th, 1873, as found on page 434 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

(SEAL)

✓
DOCUMENT No. 172

Filed 190

City Clerk

By

Deputy.

Ordinance No. 40.

*Granting Right of Way
to Texas and Pacific
R.R., from Public Lot
No. 1208 to North Street.*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book 1- Page 434.

A. J. [Signature]

DOCUMENT NO. 173

ORDINANCE NO. 41

Provides for building

Plank Sidewalk on

both sides of 5th St

and 6th Street from C Street

to G Street.

Book -1- Page 436

Book A1 Page 436 File 2

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 41 of the City of San Diego, California, adopted August 4, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

ORDINANCE No.41.

ORDERING CONSTRUCTION OF SIDEWALKS ON FIFTH AND SIXTH STREETS.

WHEREAS, the sidewalks described in the ordinance following have been duly petitioned for, and the City Engineer has been directed by resolution dated July 28th, 1873, to make surveys of said proposed improvements, in accordance with the laws in such cases made and provided; now, therefore, the Board of Trustees of the City of San Diego, State of California, do ordain as follows:

Section 1. The surveys and specifications of the improvements relating to sidewalks on Fifth street between the cross streets, "C" and "D" streets, and Sixth street, between the cross streets, "E" and "F" streets, and between the cross streets "F" and "G" streets, in Horton's Addition to said San Diego, reported to the Board of Trustees of said City, August 4th, 1873, by L. L. Lockling, City Engineer, hereby approved and ordered to be filed in the office of the City Clerk.

Sec. 2. The said improvements, to-wit: plank sidewalks, sixteen feet wide, on each side of Fifth street, counting from the cross streets "C" street to the cross street "D" street, and on each side of Sixth street, counting from the cross street "E" street to the cross street "F" street and counting from the cross street "F" street to the cross street "G" street, in Horton's Addition to San Diego, are hereby ordered to be constructed (as hereinafter in this ordinance provided) in accordance with the surveys, specifications, diagrams, plans and grades for the same, reported to said Board by the City Engineer as in the preceding section set forth, and under the supervision and control of the City Engineer.

Section 3. The costs of making said proposed improvements in said Fifth street, between said cross streets "C" and "D" streets, and in said Sixth street between said cross streets "E" and "F" streets and between said cross streets "F" and "G" streets, in Horton's Addition to San Diego, are hereby assessed in United States gold coin to each of the owners of the several lots, tracts and parcels of real estate fronting in said Fifth street and fronting in said Sixth

street, where said sidewalk improvements are ordered to be constructed as in Section 2 set forth, as follows: Estate of S.S. Clark, deceased, lot G in block 36 (50 feet front) \$68.25; estate of S.S. Clark, deceased, lot H in block 36 (50 feet front) \$67.42; T.L. Nesmith, lot I in block 36 (50 feet front) \$66.75; T.L. Nesmith, lot J in block 36 (50 feet front) \$70.70; John Bass lot K in block 36, (50 feet front) \$70.10; C. Francisco, lot L in block 36 (50 feet front) \$68.99; C.B. Culver lot A in block 35 (50 feet front) \$67.87; J.V. Mumford, lot B in block 35 (50 feet front) \$68.74; W.H. Lyll and J.S. Church lot C in block 35 (50 feet front) \$68.83; Maria McGilvray lot D in block 35 (50 feet front) \$71.29; Mary E. Abells lot E in block 35 (50 feet front) \$73.30; S.P. Abells, lot F in block 35 (50 feet front) \$74.32; A.E. Horton, S. 1-2 of lot G in block 70 (25 feet front) \$40.00; Central Market Company, W. 1-2 of lot G in block 70 (25 feet front) \$35.66; Central Market Company, lot H in block 70 (50 feet front) \$68.68; D. Cleveland lot I in block 70 (50 feet front) \$67.33; D. Cleveland, a strip of land 10 feet wide off of south side of lot J, in block 70 (10 feet front) \$13.47; Central Market Company a strip of land 15 feet wide off of the north side of the S. 1-2 of lot J in block 70 (15 feet front) \$20.20; A.D. Frees, W. 1-2 of lot J in block 70 (25 feet front) \$33.67; C.F. Baldwin lot K in block 70 (50 feet front) \$67.33; A.E. Horton, lot L in block 70 (50 feet front) \$67.33; D. Felsenheld lot A in block 71 (50 feet front) \$70.65; D. Felsenheld W. 1-2 of lot B in block 71 (25 feet front) \$34.31; J.E. Duprey, S 1-2 of lot B, block 71 (25 feet front) \$34.31; H.K. Moore lot C in block 71 (50 feet front) \$70.12; Joseph Smith W. 1-2 of lot D in block 71 (25 feet front) \$34.61; Bank of San Diego, S 1-2 of lot D in block 71 (25 feet front) \$34.52; J.M. Pierce, lot E in block 71 (50 feet front) \$80.72; G.N. Hitchcock, lot F in block 71 (50 feet front) \$95.92; J.M. Pierce and E.W. Moore, lot G in block 61 (50 feet front) \$68.14; A. Spaulding lot H in block 61 (50 feet front) \$68.41; C.J. Fox lot I in block 61 (50 feet front) \$68.14; H.B. Hirschey, lot J in block 61 (50 feet front) \$68.14; E.W. Morse and B. Howard, lot K in block 61, (50 feet front) \$68.14; J.A.F. Brown, lot L in block 61 (50 feet front)

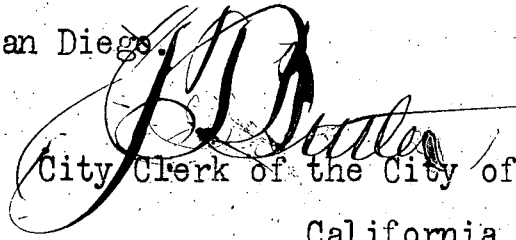
\$68.14; Isabella J. Clark, lot B in block 60 (50 feet front) \$68.14; S. Verlaque, W 1-2 of lot C in block 60 (25 feet front) \$34.07; John H. Snyder, S 1-2 of lot C in block 60 (25 feet front) \$35.25; Joseph Faire, W 1-2 of lot D in block 60 (25 feet front) \$36.30; Robert Anglemire, W 1-2 of lot E in block 60 (25 feet front) \$36.00; estate of S.S. Clark, deceased, S 1-2 of lot E in block 60 (25 feet front) \$36.00; D. Choate, lot F in block 60 (50 feet front) \$68.90. The costs of said proposed improvements in front of each of the said lots and parcels of real estate, as above set forth and assessed, shall constitute a lien upon said lots and parcels respectively, until each of said several assessments shall be paid or satisfied. Provided, and each said owner, or owners, shall have the privilege of making said proposed improvements in front of his, her or their said real estate, in accordance with the requirements of the preceding sections and under the supervision and control of the City Engineer until November 10th, 1873.

Sec. 4. If said proposed improvements, or any portion thereof, shall not be made and completed as in Sec. 3 set forth, then it shall be the duty of the City Marshal forthwith to let out to the lowest responsible bidder, at public auction (after ten days notice thereof being published by him in the San Diego Daily Union), by contract in writing, the making and completing all and every of said proposed improvements remaining unfinished on the 10th day of November, 1873, and all contracts made as aforesaid shall provide for the making of said proposed improvements so remaining unfinished as aforesaid, as such improvements are required to be made in the preceding sections of this ordinance.

Sec. 5. If the owners or occupants of the said several lots and parcels of real estate shall fail, or neglect or refuse to pay for the costs of said improvements when completed, it shall be the duty of the City Marshal, by order of the Board of Trustees of this City, to institute a suit in the name of the City against such owner or owners for the recovery of such assessments and costs as shall be then due from him, her or them and the judgement thereon

shall constitute a lien upon said real estate, and execution may be issued thereon and may be served as in other civil cases.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 41, of the City of San Diego, California, adopted August 4th, 1873, as found on page 436 of Book No. 1 record of the City of San Diego.


City Clerk of the City of San Diego,
California.

DOCUMENT No. 173

Filed 190

City Clerk

By

Deputy.

Ordinance No. 41.
Provides for building
Plank Sidewalk on
both sides of 5th St.
and 6th Street from 1st Street
to 2nd Street.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

Book - 1 - Page 436.

A. J. [Signature]

DOCUMENT NO. 174

ORDINANCE NO. 42

Granting further time
to Oliver Eldridge et al
to Complete wharf at
foot of 6th street.

Book A1 Page 457 File 2

9/29/1873 - Repealed

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

San Diego Sept 1873

ORDINANCE NO. 42

Granting to Oliver Eldridge, his associates and assigns further time to commence and complete the Sixth Street Wharf and continuing such franchise.

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

Section I. There is hereby granted unto Oliver Eldridge, his associates and assigns, one year more of time from the 1st day of October 1873 in which to commence and complete the wharf to be constructed at the foot of Sixth Street in Hortons Addition to San Diego and extending into the Bay of San Diego, in accordance with Ordinance N^o 10 passed by this Board on the 14th day of October 1872, reference being hereby had to such Ordinance.

Sec. II. There is hereby granted and continued in full force and effect unto the said Oliver Eldridge, his associates and assigns, all the rights and privileges which were granted in said ordinance N^o. 10 unto Thomas L. Nesmith, G.W.B. McDonald and Oliver Eldridge so far as the right to build, construct and maintain a wharf at the foot of said 6th Street and out into the said Bay is concerned, upon the same terms and conditions as in the said original ordinance N^o. 10 as therein set forth, except there is given one year more of time by the first section of this ordinance in which to commence and complete the said wharf structure.

Sec. III - This ordinance is passed and approved in open Board this
29th day of September AD 1873

[SEAL]

D.W. Briant, President

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 42 of the City of San Diego, California, adopted September 29, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

9/29/1873

Repealed

Office of the Board of Trustees
of the City of San Diego
San Diego Sept 1873

Ordinance No 42

Granting to Oliver Eldridge, his associates and assigns further time to commence and complete the Sixth Street Wharf and continuing such franchise.

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

Sect I- There is hereby granted unto Oliver Eldridge, his associates and assigns, one year more of time from the 1st day of October 1873 in which to commence and complete the wharf to be constructed at the foot of Sixth Street in Horton's Addition to San Diego and extending into the Bay of San Diego, in accordance with Ordinance No 10- passed by this Board on the 14th day of October 1872, reference being hereby had to such Ordinance.

Sec II- There is hereby granted and con-
tinued in full force and effect unto the said
Olinn Eldridge, his associates and assigns, all
the rights and privileges which were granted
in said ordinance No. 10; unto Thomas L.
Hemmitt, G. W. B. M. Donald and Olinn
Eldridge, so far as the right to build, construct
and maintain a wharf at the foot of said 6th
Street and out into the said Bay, is concerned,
upon the same terms and conditions as in the
said original ordinance No. 10. as therein set
forth, except there is given one year more of
time by the first section of this ordinance, in
which to commence and complete the said
wharf structure.

Sec III- This ordinance is passed and ap-
proved in open Board this 29th day of Septem-
ber AD 1873

J. B. Brint President
C. G. Haight Clerk



257

Ordinance No 42.

1873

✓
DOCUMENT No. 174

Filed 190

City Clerk

By

Deputy.

Ordinance No. 47

Granting further time
to Oliver Eldridge et al
to Complete Wharf at
Foot of 6th Street.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. 1898/57/110/2

DOCUMENT NO. 175

ORDINANCE NO. 43

Granting permission to
San Diego Gas Co, to man-
ufacture Gas and Convey
same throughout the City
in Pipes, mains, etc.

Book A1 Page 464 File 2

Repealed

CHARTER ORDINANCE NO. 43

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

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

Section 1. The right is hereby granted to the "San Diego Gas-light Company", its successors, and assigns, to manufacture gas in the City of San Diego, in the County of San Diego, in the State of California, and to lay down gas pipes and mains in and through the streets, alleys, public grounds, plazas, and buildings of said City, and through said pipes and mains, to supply gas for lighting the streets, alleys, public grounds, plazas and buildings of said City, and for the use of the inhabitants thereof, for the term of fifty years.

Passed and approved by the Board of Trustees of the said City of San Diego this 13th day of October, A.D. 1873.

Attest:

[SEAL]

D.W. BRIANT, PRESIDENT

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 43 of the City of San Diego, California, adopted October 13, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

43

50 years

59

Jan. 28, 1890 SAN GAS & ELECTRIC LIGHT CO.
(to lay gas pipes and conduits, construct
underground conduits, erect poles and
wires for supplying light)

"subject to
general ord. now
in force and reg.
concerning the lay-
ing and maintenance
of pipes, etc"

8193

Nov. 22, 1920 SAN DIEGO CONS. GAS & ELEC CO

50 years
Sept. 27, 1970

Repealed

Charter Ordinance No. 43

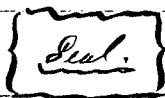
Office of the Board of Trustees of the
City of San Diego. — — — }

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

Section 1. The right is hereby
granted to the "San Diego
Gas-light Company," its
successors and assigns, to
manufacture gas in the City
of San Diego, in the County of
San Diego, in the State of
California, and to lay down
gas pipes and mains in
and through the streets,
alleys, public grounds, plazas,
and buildings of said City,
and through said pipes and
mains to supply gas for
lighting the streets, alleys,
public grounds, plazas and
buildings of said City, and

and for the use of the
inhabitants thereof, for
the term of fifty years.
Passed and approved by the
Board of Trustees of the said
City of San Diego this 13th
day of October, A.D. 1873. —

Attest:



J. M. Brint President
E. S. Haighs Clerk

DOCUMENT No. 175

Filed 190

City Clerk

By Deputy.

Ordinance No. 43

Granting permission to
San Diego Gas Co. to man-
ufacture Gas and convey
same throughout the City in
Pipe 41-51-52

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. [Signature]

DOCUMENT NO. 176

ORDINANCE NO. 44

Authorizing City Marshal to make arrests
with out warrant.

Book A1 Page 464 File 2

Repealed

CHARTER ORDINANCE NO. 44

Authorizing Marshal to make arrests without a warrent.

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

Section 1. The City Marshal ~~and his Deputies are~~ is authorized and empowered to arrest on any day, and at any time of the day or night, any person ^{who}_A violates or attempts to violate in the presence of such officer any ordinance ~~or section~~ or law of this City, for the violation of which a ~~person~~ or penalty or fine may be lawfully be imposed.

Passed and approved ~~by the Pres~~

this 13th day of October A.D. 1873

[SEAL]

D.W. Briant, President

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 44 of the City of San Diego, California, adopted October 13, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

San Antonio Ordinance No. 44.

Authorizing Marshal to make arrests without a warrant.

Repealed

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

Section 1. The City Marshal and his ~~deputies~~ ^{are} is authorized and empowered to arrest on any day, and at any time of the day or night, any person ^{who} violates or attempts to violate in the presence of such officer any ordinance or section or law of this City, for the violation of which a punishment or fine may be lawfully be imposed.

Passed and approved ~~by the Board~~
this 13th day of October A.D. 1873



J. M. Briant President
E. J. Naughton Clerk

Traders' License. 1873

Ordinance No 44

\$30.00

MONTHLY SALES,
\$5,000 and Under \$10,000.

EIGHTH CLASS.

State of California, }
County of San Diego. }

San Diego, 187

having paid **THIRTY DOLLARS,**

License is hereby granted to transact the business of

for **SIX MONTHS,** from 187 , to
187 , in conformity with the provisions of the Statute in such case made and provided in
Sec. 79, Laws of 1861.

..... Auditor.

..... Treasurer.

..... 187

Received of the sum
of **THIRTY** Dollars for the above License, and also **ONE** Dollar for the fees of the
Collector and Auditor.

..... Collector.

✓
DOCUMENT No. 176

Filed 190

City Clerk

By Deputy.

Ordinance No. 44
Authorizing City Mes.
Shal to make contracts
without warrant

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. Baggett

DOCUMENT NO. 177

ORDINANCE NO. 45

Fixing Salary of

City Atty. to \$75.00

per month.

CHARTER ORDINANCE NO. 45

Fixing Salary of City Attorney

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

Section 1. The salary of the City Attorney of this
City is hereby fixed at the sum of seventy five dollars ~~per~~ a
month, ~~until otherwise ordained~~ the same to commence on the
1st day of October 1873.

Section 2. Charter Ordinance No. 31 is hereby repealed.

Passed and approved October 20th, 1873.

[SEAL]

D.W. BRIANT, PRESIDENT

E. G. Haight, Clerk

10/20/73

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 45 of the City of San Diego, California, adopted October 20, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Ordinance no. 45.
Fixing Salary of City Attorney.

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

Section 1. The Salary of the City Attorney of this City is hereby fixed at the sum of Seventy five dollars ~~per month, until otherwise ordered~~ the same to commence on the 1st day of October 1873.

Section 2. Ordinance no. 31 is hereby repealed.

Passed and approved October 20th 1873.

 Seal

10/20/73

J. W. Bryant President
E. S. Haight Clerk

10
1873

1

1874
Charter Ordinance
No 45

Ordinance
No 4

DOCUMENT No. 177

Filed 190

City Clerk

By

Deputy.

Ordinance No. 405

Fixing Salary of
City Atty. to \$1200
per Month.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. Regan Filed

DOCUMENT N^o. 1178

ORDINANCE NO. 46

Designating Certain

Lands for Cemetery

purposes.

Book A1 Page 468 File 2

Repealed by
Ord. 78
(1876)

CHARTER ORDINANCE NO. 46

Setting apart certain lands for Cemetery purposes.

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

Section 1. The ~~following~~ real estate in the City and County of San Diego, State of California, being the same heretofore purchased ^{said} by the City of J.S. Mannassee for Cemetery purposes, described as follows: Beginning at a point 37.1 chains North of the South West corner of Pueblo lot B. of Pascoes' official survey of the Pueblo of San Diego - said point being the Northeast corner of a tract of land lying west of and adjoining Pueblo lot B, and owned by J. S. Mannassee as surveyed by M.G. Wheeler County Surveyor-- thence South 769.7 feet to a stake, thence West 574.3 feet to a stake, thence North 1° East 770 feet to a stake, thence East 557.7 feet to the point of beginning, containing ten (10) acres, is hereby set apart, dedicated, devoted ^{to} ~~to~~ _A and reserved ~~to~~ as and for a Cemetery, ~~and shall be known and designated as Highland Cemetery.~~

Section 2. The West half -- containing five (5) acres of the real estate described in the preceding section, is hereby placed under the free and exclusive control of the "Parish of the Immaculate Conception of the City of San Diego", State of California, ^{Los Angeles and Monterey, Right Rev.} ~~within the Diocese of~~ _A Bishop T. Amat, Bishop, to be _A used _A exclusively by said Parish forever, for cemetery purposes only, subject, however, to such general supervision of the Corporate ~~power~~ Authorities of said City, as is and may be vested in them by law.

Passed and approved this 27th day of October A.D. 1873.

[SEAL]

D.W. BRIANT, PRESIDENT

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 46 of the City of San Diego, California, adopted October 27, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed by
Ord. 78
(1876)

Charter Ordinance No. 45.

Setting apart certain land for Cemetery purposes.

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

Section 1. The following real estate in the City and County of San Diego, State of California, being the same lands for purchase by the ^{said} City of San Diego for Cemetery purposes, described as follows: Beginning at a point 37.1 chains north of the South West corner of Pueblo lot B. of Pascoe's official survey of the Pueblos of San Diego - said point being the North East corner of a tract of land lying West of and adjoining Pueblo lot B, and owned by J. S. Manxasse as surveyed by M. S. Wheeler County Surveyor - thence South 769.7 feet to a stake, thence West 574.3 feet to a stake, thence North 1° East 770 feet to a stake, thence East 557.7 feet to the point of beginning, containing ten (10) acres, is hereby set apart, dedicated, devoted ^{to}, and reserved ^{and shall in forever and designated as Highland Cemetery} as and for a Cemetery.

Section 2. The West half - containing five (5) acres - of the real estate described in the preceding section, is hereby placed under the free and exclusive control of the "Parish of the Immaculate Conception of the City of San Diego," State of California, ^{Los Angeles, and Monterey, Right Rev.} within the Diocese of ^{Bishop} T. Amat, ^{Bishop} to be used, exclusively by said Parish forever, for Cemetery purposes only, subject, however, to such general supervision of the Appropriate proper Authorities of said City, as is and may be vested in them by law.

Passed and approved this 27th day
of October A. D. 1873

Seal

J. B. Brint President
E. J. Haight Clerk

Ordinance No. 116

✓
DOCUMENT No. 178

Filed 190

City Clerk

By

Deputy.

Ordinance No. 46

Designating Certain
Lands for Cemetery
Purposes

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. [Signature]

DOCUMENT No. 179

ORDINANCE No. 47

Authorizing City Marshal
to let Contracts for Street
Improvement and institute
suits for failing to
pay assessments

Book A1 Page 469 File 2

CHARTER ORDINANCE NO. 47

Requiring Marshal to let contracts for street improvements,
bring suits for failures to pay assessments,

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

Section 1. If any proposed improvements of, or in, any street of the City of San Diego, whether the same relates to sidewalks or other improvements, shall not be made and completed within the time specified for their completion in the ordinance authorizing and requiring the same to be made then it shall be the duty of the City Marshal to let out, to the lowest bidder, at public auction (after ten days notice thereof being published by him in some newspaper which is the official paper of said city at the time of the publication of such notice) by contract in writing, and making and completing all and every of said proposed improvements so remaining unfinished as aforesaid, as such improvements are required to be made by the ordinance authorizing the making the same.

Section 2. The costs of all street improvements, including sidewalk improvements, in front of each of the several lots and parcels of real estate as set forth and assessed in the ordinance authorizing and requiring the same to be made, shall constitute a lien upon said lots and parcels, respectively, until each of such assessments shall be paid or satisfied.

Section 3. If the owners or occupants of the several lots and parcels of real estate in front of which the Board of Trustees of this City by Ordinance ~~duty-passed-and-published~~^{set-forth} have ordered and required a street improvement including sidewalks to be made, shall fail, or neglect, or refuse to pay for the costs of such improvements when made and completed under contract as in Section 1 ^{set-forth} this ordinance set forth, it shall be the duty of the City Marshal, by order of said Board of Trustees, to institute suit in the name of the City of San Diego, against such owner or owners, for the recovery of such assessments and costs, as shall then be due from him or them, and the judgement thereon in favor of said City, shall constitute a lien upon said real estate, and execution may be issued thereon, and may be served as in other Civil cases.

Section 4. Any real estate owner, or owners, assessed for sidewalk improvements, may, at any time before judgement shall be rendered against him or them for failing, or neglecting, or refusing to pay to such assessments, be relieved from all liability by reason thereof, by paying to the City Marshal the actual costs (to the City) of such improvements, together with all accrued costs and charges for prosecuting suit for the collection of such assessments.

Passed and approved this 27th day of October A.D. 1873.

D.W. BRIANT, PRESIDENT

E.G. Haight, Clerk

[SEAL]

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 47 of the City of San Diego, California, adopted October 27, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed Charter Ordinance No. 47.

Requiring Marshal to let Contracts for street improvements, bring suits for failures to pay assessments, &c.

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

Section 1. If any proposed improvements of, or in, any street of the City of San Diego, whether the same relate to sidewalks or other improvements, shall not be made and completed within the time specified for their completion in the ordinances authorizing and requiring the same to be made, then it shall be the duty of the City Marshal to let out, to the lowest bidder, at public auction (after two days notice thereof being published by him in some newspaper ^{which} is the official paper of said city at the time of the publication of such notice) by contract in writing, the making and completing all and every of said proposed improvements or remaining unfinished as aforesaid, as such improvements are required to be made by the ordinances authorizing the making the same.

Section 2. The costs of all street improvements, including sidewalk improvements, in front of each of the several lots and parcels of real estate as set forth and assessed in the ordinances authorizing and requiring the same to be made, shall constitute a lien upon said lots and parcels, respectively, until each of such assessments shall be paid or satisfied.

Section 3. If the owners or occupants of the several lots and parcels of real estate in front of which

the Board of Trustees of this City by Ordinances, duly passed and published, have ordered and required a street improvement - including sidewalks - to be made, shall fail, or neglect, or refuse to pay for the costs of such improvements when made and completed under contract as in section 1 set forth of this ordinance set forth, it shall be the duty of the City Marshal, by order of said Board of Trustees, to institute suit in the name of the City of San Diego, against such owner or owners, for the recovery of such assessments and costs, as shall then be due from him or them, and the judgment thereon in favor of said City, shall constitute a lien upon said real estate, and execution may be issued thereon, and may be used as in other Civil Cases.

Section 4 Any real estate owner, or owners, assessed for sidewalk improvements, may, at any time before judgment shall be rendered against him or them for failing, or neglecting, or refusing to pay to such assessments, be relieved from all liability by reason thereof, by paying to the City Marshal the actual costs (to the City) of such improvements, together with all accrued costs and charges for prosecuting suit for the collection of such assessments.

Passed and Approved this 27th day of October A.D. 1878



J. W. Baird President.
E. L. Haight Clerk.

V
DOCUMENT No. 179

Filed 190

City Clerk

By Deputy.

Ordinance No. 477

Authorizing City Marshal
to let Contracts for Street
Improvement and to
sue Deeds for failures to
pay assessments

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. DeGroot

DOCUMENT NO. 180

ORDINANCE NO. 48

Ordering, sidewalk
to be constructed on
5th Street between
K and and L Streets.

Book A1 Page 470 File 2

CHARTER ORDINANCE NO. 48

Ordering construction of sidewalks on Fifth St. Lot K & L.

Whereas, the owners of a majority of the real ^{estate} _Λ herein after described have petitioned the Board of Trustees of the City of San Diego to order the construction of plank side walks sixteen feet in width in front of said real estate, according to the law in such cases made and provided, now, therefore,

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

Section 1. The surveys and specifications of the improvements (heretofore duly petitioned for) relating to sidewalks on Fifth street between the cross streets K and L streets in Horton's addition to San Diego, reported to the Board of Trustees of the City of San Diego October 20th, 1873 by L.L. Lockling, City Engineer ^{Surveyor} _Λ are hereby approved and ordered to be filed in the office of the City Clerk.

Section 2. The said improvements, to wit: plank sidewalks, sixteen feet in width, (the planks to be 2 inches thick, the joists 2x6 inches, ^{4=x=4=inches=} sills _Λ and blocking 4x4 inches, all of sound lumber) on each side of Fifth Street, counting from the cross street K street to the cross street L street (in Horton's addition to San Diego), are hereby ordered to be made and constructed (as hereinafter provided) in accordance with the surveys, specifications, diagrams, plans and grades, excavations and fillings for the same, reported to this Board ^{of=Trustees} _Λ by the City Engineer, as in the preceding section set forth, and under the

supervision and control of the City Engineer.

Section 3. The costs of making said proposed improvements in said Fifth Street, between said cross streets K and L, in Horton's addition to San Diego, are hereby assessed, in United States gold coin, to each of the owners of the several lots, tracts and parcels of real estate fronting in said Fifth Street, as follows:

W. W. Stewart and John G. Capovic(?), lot A, in block 139 (50 feet front), \$68.00; T. L. Nesmith, the N $\frac{1}{2}$ of lot B, in block 139 (25 feet front), \$34.00; W. W. Collier the S $\frac{1}{2}$ of lot B in block 139 (28 feet frton) \$34.00; Charles Delaval and H. A. Waterman, lot 6 in block 139 (50 feet front) \$68.00; George P. Marston, lot D. in block 139 (50 feet front) \$70.00; E. A. Veagie(?), lot E, in block 139 (50 feet front) \$70.00; J. Sheriff (T. J. Higgins, agt) lot F, in block 139, (50 feet front) \$72.00; J. G. Maxwell, lot L, in block 140 (50 feet front) \$68.00; George P. Marston, lot K, in block 140 (50 feet front) \$68; George Zeigler, the N $\frac{1}{2}$ of lot J in block 140 (25 feet front) \$34; the Pacific Mail Steamship Company, the S $\frac{1}{2}$ South half of lot J in block 140 (25 feet front) \$34; the Pacific Mail Steamship Company lot I in block 140 (50 feet front) \$70; the Pacific Mail Steamship Company, lot H, in block 140 (50 feet front) \$70; the Pacific Mail Steamship Company, lot G, in block 140 (50 feet front) \$73; ~~The costs of said proposed improvements in front of each of the said lots and parcels of said estate as above set forth and assessed, shall constitute a lien upon said lot and parcels, respectively, until each said assessment shall be paid or satisfied; Provided,~~ and each said owner, or owners, shall have the

have the privilege of making said proposed improvements in front of his, their, or its said real estate, in accordance with the requirements of the preceding section and under the supervision and control of the City Engineer, until February 1st, 1874.

Passed and approved October 27th 1873.

D. W. Briant, President

E. G. Haight, Clerk

[SEAL]

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 48 of the City of San Diego, California, adopted October 27, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Ordering construction of sidewalks on Fifth St. bet. H. & L.

Whereas, the owners of a majority of the real ^{estate} herein after described have petitioned the Board of Trustees of the City of San Diego to order the construction of plank sidewalks sixteen feet in width in front of said real estate, according to the law in such cases made and provided, now, therefore,

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

Section 1. The surveys and specifications of the improvements (herein after duly petitioned for) relating to sidewalks on Fifth Street - between the cross streets H. and ~~L. Street~~ Horton's addition to San Diego, reported to the Board of Trustees of the City of San Diego October 20th, 1873, by L. L. Lockling, City Engineer (Surveys) are hereby approved, and ordered to be filed in the office of the City Clerk.

Section 2. The said improvements, to-wit: Plank sidewalks, sixteen feet in width, (the planks to be 2 inches thick, the joists 2 x 6 inches, Sills 4 x 6 inches, and Flooring 4 x 4 inches, all of sound lumber) on each side of Fifth Street, counting from the cross street H. Street to the cross street L. Street (in Horton's addition to San Diego), are hereby ordered to be made and constructed (as herein after provided) in accordance with the surveys, specifications, diagrams, plans and grades, excavations and filling for the same, reported to this Board of Trustees by the City Engineer, as in the preceding section set forth, and under the supervision and control of the City Engineer.

Traders' License.

\$30.00

MONTHLY SALES,
\$5,000 and Under \$10,000.

EIGHTH CLASS.

State of California,

County of San Diego.

San Diego,

187

Charles C. Perkins
No 418

having paid **THIRTY DOLLARS,**

License is hereby granted *to conduct the business of*

for **SIX MONTHS,** from 187 , to

187 , in conformity with the provisions of the Statute in such case made and provided in
Sec. 79, Laws of 1867.

Auditor.

Treasurer.

Received of

of **THIRTY** Dollars for the above License, and also **ONE** Dollar for the fees of the
Collector and Auditor.

Collector.

Section 3
~~Section 3~~

Her costs of making said proposed improvements in said Fifth street, between said cross streets K and L, in Horton's addition to San Diego, are hereby assessed, in United States gold coin, to each of the owners of the several lots, tracts and parcels of real estate fronting in said Fifth street, as follows: W. W. Stewart and John L. Capron, lot A, in block 139 (50 feet front), \$68.00; T. L. Nesmith, the N¹/₂ of lot B, in block 139 (25 feet front), \$34.00; W. W. Collier, the S¹/₂ of lot B, in block 139 (25 feet front), \$34.00; Charles Delaval and H. A. Waterman, lot C, in block 139 (50 feet front), \$68.00; George P. Mauston, lot D, in block 139 (50 feet front), \$70.00; E. A. Deagie, lot E, in block 139 (50 feet front), \$70.00; J. Sheriff (T. J. Higgins a/gt.) lot F, in block 139 (50 feet front), \$72.00; J. G. Maxmill, lot L, in block 140 (50 feet front), \$68.00; George P. Mauston, lot K, in block 140 (50 feet front), \$68.00; George Zeigler, the N¹/₂ of lot J, in block ~~140~~ 140 (25 feet front), \$34.00; The Pacific Mail Steamship Company, the S¹/₂ South half of lot J, in block 140 (25 feet front), \$34.00; The Pacific Mail Steamship Company, lot I, in block 140 (50 feet front), \$70.00; The Pacific Mail Steamship Company, lot H, in block 140 (50 feet front), \$70.00; The Pacific Mail Steamship Company, lot G, in block 140 (50 feet front), \$73.00. ~~The costs of said proposed improvements in front of each of the said lots and parcels of real estate as above set forth and assessed, shall constitute a lien upon said lots and parcels, respectively, until each said assessment shall be paid or satisfied; Provided, and each said owner, or owners, shall have the privilege of making said proposed improvements in front of his, their or its said real estate, in accordance with the requirements of the preceding section and under the supervision and control of the City Engineer, until February 1st, 1874.~~

Passed and approved October 27th 1873.

Seal

J. W. Brinist President
E. L. Sayles Clerk

1873

Traders' License.

\$30.00

MONTHLY SALES,
\$5,000 and Under \$10,000.

EIGHTH CLASS.

State of California,

County of San Diego.

San Diego, 187

having paid **THIRTY DOLLARS,**

License is hereby granted to transact the business of

for **SIX MONTHS,** from 187, to

187, in conformity with the provisions of the Statute in such case made and provided in
Sec. 79, Laws of 1861.

Auditor.

Treasurer.

187

Received of the sum
of **THIRTY** Dollars for the above License, and also **ONE** Dollar for the fees of the
Collector and Auditor.

Collector.

Ordinance No 48.

✓
DOCUMENT No. 180

Filed 190

City Clerk

By Deputy.

Ordinance No. 42

Ordering, Side Walk
to be Constructed on
5th Street between
K and L Streets.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A / 100-110-2

DOCUMENT NO. 181

ORDINANCE NO. 49

Levying Revenue and
Interest, Tax and Provi-
ding for Collection of
Taxes.

Book A1 Page 476 File 2

CHARTER ORDINANCE NO. 49.

Levying Revenue and Interest Tax for 1873, and providing for the collection of taxes.

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

Section 1. The rate of taxation for revenue purposes of the City of San Diego for the fiscal year ending December 31st 1873 is hereby fixed, and levied, at the sum of fifty cents on every one hundred dollars of the assessed value of all the real and personal property within the corporate limits of said City made taxable by law for State purposes; and the rate of taxation for the purpose of raising a special tax for said fiscal year, for the payment of all interest moneys or all sums borrowed by virtue and authority of and in accordance with the provisions of "An Act to reincorporate the City of San Diego," approved March 7, 1872, is hereby fixed, and levied, at the sum of fifty cents on every one hundred dollars of the assessed value of all the real and personal property within the limits of said City and made taxable as aforesaid.

~~Section 2. The Clerk of the City of San Diego, must compute and enter in a separate money column in the "Assessment Book of Property, in and for the City of San Diego, County of San Diego, and State of California~~

Section 2. As soon as the Board of Equalization of said City of San Diego shall have adjourned their annual meetings, held to equalize the assessment of property made by the City Assessor for the fiscal year ending December 31st, the Assessment Book of

Property made by said Officer as "A true list of all taxable property within the limits of said City", must be delivered to the City Clerk of said City; and thereupon said Clerk - after the Board of Trustees of said City shall have fixed and levied for that fiscal year, the rate or rates of taxation - must complete and enter in a separate money column in said Assessment Book of property, the respective sums, in dollar and cents, rejecting the fractions of a cent, to be paid as a tax, or taxes, on the property therein enumerated, and must foot up the column showing the total amount of such taxes, and the columns of total value of the property of said City, as corrected under direction of said Board of Equalization.

third

Section 3. On or before the ~~second~~ Monday of November ~~in each~~ in the year 1873, and on or before the ~~fourth~~ first Monday of ~~October~~ November in ~~year~~

each year thereafter, said City Clerk must make out and deliver a copy of the Assessment Book of property as corrected by and under the direction of the Board of Equalization of said City, to be styled the "duplicate Assessment Book," to the Tax Collector of said City, with an affidavit thereto attached, and by him subscribed, in effect as follows:

"I, _____, Clerk of the City of San Diego, State of California, do swear that I received the Assessment Book ~~property-of~~ of all the taxable property of the City of San Diego, County of San Diego, in the State aforesaid for the fiscal year ending December 31st, _____; that I have reckoned the respective sums ~~for-said-year~~ due as taxes upon said property and have added up the columns of valuations and taxes as required by law, and that the copy ~~attached~~ to which this affidavit is affixed is a full, true, and correct copy thereof."

Section 4. The original Assessment Book must remain in the Office of the City Clerk; and on delivering the "duplicate Assessment Book" to the City Tax Collector, said Clerk must charge ^{said} the Tax Collector with the full amount of the ^{taxes} and levied for the fiscal year, and report to the next regular meeting of the Board of Trustees of said City the amount so charged.

Section 5. Within ^{ten three} ~~seven~~ days after ~~the ---and=within=three=days=of=the=official~~ ^{times=a=month} ~~paper=of=said=city=as=published=six~~ after the receipt of the "duplicate Assessment Book", the City Tax Collector must publish a notice specifying that: 1. That City Taxes will become delinquent on the first Monday of February in the year 1874, and on the first Monday in January of each succeeding year ^{next=thereafter} and that unless paid prior thereto, five per cent will be added thereto; 2. The time and place at which payment of said taxes may be made. Said notice must be published for two weeks in some weekly or daily newspaper published in said City.

Section 6. The City Tax Collector must mark the date of the ^{payment} ~~payment~~ of any ^{said} tax in the duplicate Assessment Book, opposite the name ~~of=the=name~~ of the person, or the names of the persons ^{paying=the=same} for whom payment is made; and he must give a receipt to the person paying any tax, specifying the amount of the assessment and the tax paid, with a description of the property assessed.

Section 7. On the first Monday in each month the City Tax Collector must settle with the City Clerk for all moneys collected for said City, and pay the same to the City Treasurer, taking his receipt therefor, retaining his percentage thereon, which ^{which shall not exceed} ~~for=it=newly=~~ fixed ~~and=established=at~~ ^{fixed} at five per cent ~~until=otherwise=ordained,==or=changed~~ by law; and in the same day he must deliver to the City Clerk and file in the

office of said Clerk, a statement, under oath, showing: 1. An account ~~showing~~ ^{such Tax} monthly of all his transactions and receipts as ~~City Tax~~ ^{such} Collector, since his last ^Λ settlement; 2. That all money collected by him as ^{said} Tax Collector has been paid to the City Treasurer, If ^{said} ~~the~~ ^{City} Tax Collector refuses or neglects to make the payments and settlements herein required, for a period of five days, he will be liable to ~~the~~ ^{said} City for the full amount of taxes charged upon the Assessment Book.

in February 1874, and on the first Section 8. On the first Monday ~~of January~~ ^Λ of each the year all unpaid taxes Monday ~~of~~ in January of each succeeding year, ^Λ are delinquent, and thereafter the City Tax Collector must collect thereon for the use of said City an addition of five per cent; ^{however} ~~Provided==and==the==taxes==of~~ ^{fiscal} ~~said=City=for=the==year=ending=provided=that=the=taxes=of=said=City=levied=for~~ ~~assessed=and=levied=for=the=fiscal=year=ending=December=31,=1873,=shall=not~~ ~~become=delinquent=until=February=1st=1874=the=first=Monday=in=February=1874,~~ ~~when=an=addition=of=five=per=cent=must=be=collected=as=aforesaid=and=for=the~~ ^{use} ~~purpose=aforesaid=~~

first to No taxes must be collected or received from the ^Λ third Monday of January, inclusive, in each year, except the year 1874 when no taxes must be collected from the first to the third Monday of February, inclusive.

Section 9. On the third Monday of February for the year 1874, and on the third Monday of January in each succeeding year, the City Tax Collector must attend at the office of the City Clerk, with the duplicate Assessment Book, and carefully compare the duplicate with the original assessment book, and every item marked "Paid" in the former must be marked "Paid" in the latter.

Section 10. On the third Monday of February in 1874, and on the third Monday of January in each succeeding year, the City Tax Collector must deliver to the City Clerk, a complete "delinquent list" of all persons and property then owing City taxes; and in

the list so delivered must be set down in numerical order all matters and things contained in the assessment book, and relating to delinquent persons or property.

Section 11. The City Clerk must carefully compare the list with the assessment book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the total amount of taxes so remaining unpaid, credit the City Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against him on the assessment book, and ^{require} must acquire from him the City Treasurer's ~~for any existing deficiency~~ receipt, ^{and} and in case any deficiency exists, require from him an immediate account of the same.

Section 12. After settlement with the City Tax Collector, as prescribed in the preceding section, the City Clerk must charge said Tax Collector, then acting, with the amount of taxes due on the delinquent ~~list~~ tax list, with the five per cent added thereto, and within three days thereafter deliver the list, duly certified, to such Tax Collector; and within ten days after the final ~~on or before the first Monday of March in the year 1874, and on or before the first Monday of February in each succeeding year~~ settlement, the City Clerk must present a ~~written~~ statement to the Board of Trustees of said City, of each kind of property assessed and delinquent, and the total amount of Delinquent taxes.

Section 13. On or before the first Monday ~~of~~ of March in the year 1874, and on or before the first Monday of ~~Ma~~ February in each succeeding year, the City Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and cost due, opposite each name and description, with the taxes due

on personal property added to taxes on real estate when the estate is liable therefor or the several taxes are due from the same person; and the said Tax Collector must append and publish with the delinquent list a notice that unless the taxes delinquent, together with the costs and percentage, are paid, the real property upon which such taxes are a lien will be sold at public auction.

Section 14. The said publication must be made once a week for three successive weeks, in some newspaper, or supplement thereto, published in said City of San Diego (in the official paper of the City when practicable), and must designate the time and place of sale, which time must not be less than twenty one nor more than twenty eight days from the first publication, and the place must be in front of the County Court House in said City, ~~but not in such manner as to interfere with any tax sale by any other Tax Collector~~ but such sale must not interfere with the tax sale of any other Tax Collector.

Section 15. The City Tax Collector, as soon as he has made the ^{and} publication required by the preceding sections, must file with the City Clerk and County Recorder respectively, a copy of the publication, with an affidavit attached thereto that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance, which affidavit is primary evidence of all the facts stated therein.

Section 16. The City Tax Collector must collect in addition to the taxes due on the delinquent list and five percentum added thereto, fifty cents on each lot, piece, or tract of land separately

assessed, and on each assessment of personal property, one half of which must go to said City and the other to said Collector in full for preparing the list.

Section 17. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, the City Tax Collector, between the hours of ten o'clock A.M. and three P.M., must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots and blocks until completed. He may postpone the day of commencing the sale, or the sale from day to day; but the sale must be completed within three weeks from the day first fixed.

Section 18. The owner or person in possession of any real estate offered for sale for taxes due thereon may designate in writing to the City Tax Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole; but if the owner or possessor does not, then said Tax Collector may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars ^{the=6} to _^ said Collector for the duplicate certificate of sale, is the purchaser. If the purchaser does not pay the taxes and costs before the ten o'clock A.M. of the following day, the property, on the next sale day, before the ^{next} _^ regular sale, must be resold for the taxes and costs. The bid of any person refusing to make the payment for property purchased by him must not be received on the sale of any property advertised in the delinquent list of that year.

Section 19. After receiving the amount of the taxes and costs, the City Tax Collector must make out in duplicate a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land---sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed. The certificates must be signed by said Tax Collector, and one copy delivered to the purchaser, and the other filed in the office of the County Recorder.

Section 20. The City Tax Collector, before delivering any certificate, must in a book enter a description of the land sold -----
 corresponding with the description in the certificate, the date of the sale, purchaser's name, and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection without fee, during office hours, when not in actual use.
~~On=filing=the=~~
 On filing the certificate with the County Recorder the lien of said City vests in the purchaser, and is only divested by the payment to him, or to the City Treasurer for his use, of the purchase money and fifty percent thereon.

Section 21. A redemption of the property sold may be made by the party owner or any party in interest within twelve months from the date of the purchase. Redemption must be made in gold or silver coin, and when made to the City Treasurer he must credit the amount paid to the person named in the City Tax Collector's Certificate, and pay it on demand to the person or his assignees, reserving two and a half per cent for his fees therefor. In

each report the City Treasurer makes to the Board of Trustees of said City he must name the person entitled to redemption money, and the amount due to each.

Section 22. On receiving the certificate of sale the County Recorder must file it, and make an entry in a book similar to that required by the City Tax Collector. On presentation of the receipt of the person named in the certificate, or of the City Treasurer for his use, of the total amount of redemption money, ^{said} the ~~the~~ Recorder must mark the word "Redeemed", the date, and by whom redeemed, on the certificate and in the margin of the book when the entry of the certificate is made.

Section 23. If the property is not redeemed in twelve months from the sale the City Tax Collector must make to the purchaser or his assignee a deed of his property, reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law for its redemption. The matters recited in the certificate of sale must be recited in the deed, and such deed, duly acknowledged or proved, is primary evidence that: 1. The property was assessed as required by law; 2. The property was equalized as required by law; 3. The ^{prop} taxes were levied in accordance with law; 4. The taxes were not paid; 5. At a proper time and place the property was sold as prescribed by law, and by the proper officer; 6. The property was not redeemed; 7. The person who executed the deed was the proper officer; 8. Where the real estate was sold to pay taxes on personal property, that the real estate belonged to the person liable to pay the tax.

Section 24. Such deed, duly acknowledged or proved, is (except as against actual fraud) conclusive evidence of the regularity of all other proceedings, from the assessment by the City Assessor, inclusive, up to the execution of the deed; and the deed conveys to the grantee the absolute title to the lands described therein, free of all incumbrances, except when the land is owned by the United States on the State of California, in which case it is primary evidence of the right of possession.

Section 25. The assessment book, duplicate assessment books, or delinquent list, or a copy thereof certified by the City Clerk, showing unpaid taxes against any person or property is primary evidence of the assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

Section 26. The City Tax Collector may, after the first Monday in March of the year 1874 and after the first Monday in February of each subsequent year, collect the taxes due on personal property, except when real estate is liable therefor, by seizure and sale of any personal property owned by the delinquent. The sale must be at public auction, and of a sufficient amount of the property to pay the taxes, percentage and costs; ~~the sale~~ ^{and} made after one week's notice of the time and place thereof, ^{thereof} given by publication in a newspaper in said City. For seizing or selling personal property, said Tax Collector may charge in each case the sum of three dollars, and the same mileage as is allowed by law to the Sheriff of San Diego County.

Section 27. On payment of the price bid for any such property sold, the delivery thereof, with a bill of sale, vests the title thereto in the purchaser. All excess over the taxes, per cent, and costs of the proceeds of any such sale, must be returned to the owner of the property sold, and until claimed must be deposited in the ^{City}~~County~~ Treasury, subject to the order of the owner, heirs or assignees. The unsold portion of any property may be left at the place of sale at the risk of the owner.

Section 28. The City Tax Collector ^{annually} must, [^]on the third Monday of April in the year 1874, and annually thereafter on the third Monday of March, attend at the office of the City Clerk with the delinquent list, and said Clerk must then carefully compare the list with the assessments of persons and property not marked "Paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment ~~The City Clerk must then --- The Said Tax Collector~~ book. [^]There must then be administered to said Tax Collector an oath, to be written and subscribed in the delinquent list, that every person and all property assessed in the delinquent list in which taxes have been paid has been credited in the list with such payment. The City Clerk must then foot up the amount of taxes remaining unpaid, and credit the City Tax Collector with the amount, and have a final settlement with price; and the delinquent list must remain on file in the office of said Clerk.

Section 29. At the time mentioned in Section 28 preceding, the City Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to, or in

possession of, the persons liable to pay the same whereof to collect them.

Section 30. A statement of the amount of unpaid taxes must be presented
~~filed~~ by the City Clerk to the Board of Trustees of said City, and said Board may cancel all taxes which in its opinion cannot be collected, and return the statement to said Clerk who must there upon file the same in his office. All taxes not canceled must be entered by said Clerk on the assessment book of each succeeding year until paid. Interest at the rate of two per cent per month must be collected on such delinquent taxes from the time they are first delinquent until paid.

Section 31. Any taxes, per centum, and costs erroneously or illegally collected, may by the order of the Board of Trustees of said City, be refunded by the City Treasurer.

Section 32. When the City Tax Collector discovers that any property has been assessed more than once for the same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 33. If the City Tax Collector discovers before the sale that an account of irregular assessment, or of any other error, any land ought not to be sold, he must not offer the same for sale; and the Board of Trustees of said City must cause the Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

Section 34. When land is sold for taxes correctly imposed as the property of a particular person, no misnomer of the owner, or supposed owner, or other mistake relating to the ownership thereof, affects the sale, or renders it void or voidable.

[Nov. 10, 1873]

Passed and approved November 3rd, 1873.

[SEAL]

D.W. BRIANT, PRESIDENT

E.G. Haight, Clerk

To the printer:

A somewhat similar Ordinance (No. 20) was passed Dec. 30:72, which
see for help out of this mire of bad chinopaphy (?).

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 49 of the City of San Diego, California, adopted November 3, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Charter Ordinance No. 49.
for 1873
Laying Revenue and Interest Tax, and Providing for
their Collection of Taxes.

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

49
Ordinance No 49.
Section 1. The rate of Taxation for revenue purposes of the City of San Diego, for the fiscal year ending December 31st. 1873, is hereby fixed, and levied, at the sum of fifty Cents on every one hundred dollars of the assessed value of all the real and personal property within the Corporate limits of said City, made taxable by law for State purposes; and the rate of taxation for the purpose of raising a special tax for said fiscal year, for the payment of all interest moneys on all sums borrowed by virtue and authority of and in accordance with the provisions of "An Act to reincorporate the City of San Diego," approved March 7. 1872, is hereby fixed, and levied, at the sum of fifty Cents on every one hundred dollars of the assessed value of all the real and personal property within the limits of said City and made taxable as aforesaid.

~~Section 2. The clerk of the City said City of San Diego, must compute and enter in a separate money column in the "Assessment Book of Property, in and for the City of San Diego, County of San Diego, and State of California"~~

Section 2. As soon as the Board of Equalization of said City of San Diego, shall have

adjourned their annual meetings, held to equalize the assessment of property made by the City Assessor for the fiscal year ending December 31st, the Assessment Book of Property made by said Officer as a true list of all taxable property within the limits of said City, must be delivered to the City Clerk of said City; and thereupon said Clerk - after the Board of Trustees of said City shall have fixed and levied for that fiscal year, the rate or rates of taxation - must compute and enter in a separate money column in said Assessment Book of property, the respective amounts, in dollars and cents, rejecting the fractions of a cent, to be paid as a tax, or taxes, on the property therein enumerated, and must foot up the column showing the total amount of such taxes, and the columns of total value of the property of said City, as corrected under direction of the Board said Board of Equalization.

Section 3.

^{Third} On or before the ^{second} Monday of November in the year 1873, and on or before the ^{first} Monday of ^{January} ~~October~~ in each year thereafter, said City Clerk must make out and deliver a copy of the Assessment Book of Property as corrected by and under the direction of the Board of Equalization of said City, to be styled the "Duplicate Assessment Book," to the ^{City} Tax Collector of said City, with an affidavit thereto attached, and by him subscribed, in effect as follows:

"I, _____, Clerk of the City of San Diego, State of California, do swear that I received the Assessment Book of ~~Property~~ of all the taxable property of the City of San Diego.

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City of San Diego, in the State aforesaid for the fiscal year
ending December 31st. — ; that I have ^{to} record the respec-
tive sums due as taxes upon said property for said year,
and have added up the Columns of valuations and
taxes as required by Law, and that the Copy to which this
affidavit is ~~attached~~ affixed is a full, true, and cor-
rect Copy thereof." —

Section 4. The original Assessment Book must remain in
the office of the City Clerk; and ~~on~~ delivering the
"Duplicate Assessment Book" to the ^{City} Tax Collector, said
Clerk must charge ^{said} Tax Collector with the full
amount of the ^{taxes} ~~and~~ ^{due} for the fiscal year, and report
to the next regular meeting of the Board of Trustees of said
City the amount so charged.

Section 5. Within ~~seven~~ ^{ten} days after the — ~~and within three days~~
~~of the official paper of said City be published six times or more~~
after the receipt of the "Duplicate Assessment Book," the
City Tax Collector must publish a notice specifying
that: 1. That City Taxes will become delinquent on the
first Monday ⁱⁿ January in the year 1874, and on the first Monday in January
of each succeeding year ^{next thereafter}, and that
unless paid prior thereto, five per cent will be ad-
ded thereto; 2. The time and place at which pay-
ment of said Taxes may be made. Said notice must be
published for two weeks in some weekly or daily news-
paper published in said City.

Section 6. The City Tax Collector must mark the date of the
payment of any ~~payment~~ tax in the ^{said} Duplicate As-
sessment Book, opposite the name of ~~the owner~~ of the
person, or the names of the persons, ~~paying the same~~.

December 31, 1873, shall not become delinquent until ~~February 1st, 1874~~ the first Monday in February 1874, when in addition of five per cent must be collected ~~as provided and for the purpose, provided.~~ ^{use}

^{first to} No taxes must be collected or received from the third Monday of January, inclusive, in each year, except the year 1874 when no taxes must be collected from the first to the third Monday of February, inclusive.

Section 9. On the third Monday of February for the year 1874, and on the third Monday of January in each succeeding year, the City Tax Collector must attend at the office of the City Clerk, with the Duplicate Assessment Book, and carefully compare the Duplicate with the original assessment book, and every item marked "Paid" in the former must be marked "Paid" in the latter.

Section 10. On the third Monday of February, ⁱⁿ 1874, and on the third Monday of January in each succeeding year, the City Tax Collector must deliver to the City Clerk, a complete "delinquent list" of all persons and property then owing City taxes; and in the list so delivered must be set down in numerical order all matters and things contained in the assessment book and relating to delinquent persons or property.

Section 11. The City Clerk must carefully compare the list with the assessment book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the total amount of taxes so remain-

ing unpaid, credit the City Tax Collector who acted under it therewith, and make a final settlement with him of all taxes charged against him in the assessment book, and require must require from him the City Treasurer's receipt, for ~~any existing deficiency~~ and in case ^{from him} there is any deficiency exists, require an immediate account of the same.

Section 12. After settlement with the City Tax Collector, as provided in the preceding section, the City Clerk must charge said Tax Collector, then acting, with the amount of taxes due on the delinquent list tax list, with the five per cent added ~~there~~, and within three days thereafter deliver the list, duly certified, to said Tax Collector; and within ten days after the first ~~or before the first Monday of March in the year 1874, and as or before the first Monday of February in each succeeding year~~ settlement, the City Clerk must present a written statement to the Board of Trustees of said City, of each kind of property assessed and delinquent, and the total amount of delinquent taxes.

Section 13. On or before the first Monday of March in the year 1874, and as or before the first Monday of ~~Mar~~ February in each succeeding year, the City Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to taxes on real estate,

when the estate is liable therefor or the several taxes are due from the same person; and the said Tax Collector must append and publish with the delinquent list a notice that unless the taxes delinquent, together with the costs and percentages, are paid, the real property upon which such taxes are a lien will be sold at public auction.

Section 14. The said publication must be made once a week for three successive weeks, in some newspaper, or supplement thereto, published in said City of San Diego (in the official paper of the City when practicable), and must designate the time and place of sale, which time must not be ~~less~~ less than twenty one nor more than twenty eight days from the first publication, and the place must be in front of the County Court House in said City, but not in such manner as to interfere with ~~the sale~~ must not interfere with the sale of any ~~other property~~ ~~by any other Tax Collector~~.

Section 15. The City Tax Collector, as soon as he has made the publication required by the preceding sections and must file with the City Clerk and County Recorder respectively, a copy of the publication, with an affidavit attached thereto that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance, which affidavit is primary evidence of all the facts stated therein.

Section 16. The City Tax Collector must collect, in addition to the taxes due on the delinquent list and

five per centum added thereto, fifty Cents on each lot, piece, or tract of land separately assessed, and on each assessment of personal property, one half of which must go to Said City and the other to said Collector in full for preparing the list.

Section 17. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, the City Tax Collector, between the hours of ten O'clock A.M. and three P.M., must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots and blocks until completed. He may postpone the day of commencing the sale, or the sale from day to day; but the sale must be completed within three weeks from the day first fixed.

Section 18. The owner or person in possession of any real estate offered for sale for taxes due thereon may designate in writing to the City Tax Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole; but if the owner or possessor does not, then said Tax Collector may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars to the said Collector for the duplicate Certificate of sale, is the purchaser. If the purchaser does not pay the taxes and costs before ten O'clock A.M. of the following day, the property, on the next sale day, before the next regular sale, must be sold for the taxes and costs. The

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bid of any person refusing to make the payment for property purchased by him must not be received. In the sale of any property advertised in the delinquents list of that year.

Section 19. After receiving the amount of the taxes and costs, the City Tax Collector must make out in duplicate a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land ~~~~~ sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be ~~entitled~~ entitled to a deed. The Certificate must be signed by said Tax Collector, and one copy delivered to the purchaser, and the other filed in the office of the County Recorder.

Section 20. The City Tax Collector, upon delivering any certificate, must ~~enter~~ in a book enter a description of the land sold ~~~~~ Corresponding with the description in the certificate, the date of sale, purchaser's name, and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection without fee, during office hours, when not in actual use. On filing the Certificate with the County Recorder the lien of said City vests in the purchaser, and is only divested by the payment to him, or to the City Treasurer for his use, of the purchase money and fifty percent thereon.

Section 21. A redemption of the property sold may be made by the party owner or any party in interest within twelve months from the date of the purchase. Redemption must be made in gold or silver coin, and when made to the City Treasurer he must credit the amount paid to the person named in the City Tax Collector's Certificate, and pay it on demand to the person or his assignees, reserving two and a half per cent for his fee therefor. In each report the City Treasurer makes to the Board of Directors of said City he must name the person entitled to redemption money, and the amount ^{due} to each.

Section 22. On receiving the Certificate of Sale the County Recorder must file it, and make an entry in a book similar to that required of the City Tax Collector. On presentation of the receipt of the person named in the Certificate, or of the City Treasurer for his use, of the total amount of redemptive money, ^{said} Records must ~~also~~ mark the word "Redeemed," the date, and by whom redeemed, on the Certificate and in the margin of the book when the entry of the Certificate is made.

Section 23. If the property is not redeemed in twelve months from the sale the City Tax Collector must make to the purchaser or his assignee a deed of the property, reciting in the deed substantially the matters contained in the Certificate, and that no person redeemed the property during the time allowed by law for its redemption.

The matters recited in the Certificate of Sale must be recited in the deed, and such deed, duly acknowledged or proved, is primary evidence that: 1. The property was

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assessed as required by law; 2. The property was equal-
ized as required by law; 3. The property taxes were
levied in accordance with law; 4. The taxes were
not paid; 5. At a proper time and place the property was
sold as provided by law, and by the proper officers; 6. The
property was not redeemed; 7. The person who executed the
deed was the proper officer; 8. Where the real estate was
sold to pay taxes on personal property, that the real estate
belonged to the person liable to pay the tax.

Section 24. Such deed, duly acknowledged or proved, is (ex-
cept as against actual fraud) conclusive evidence of the
regularity of all other proceedings, from the assess-
ment by the City Assessor, inclusive, up to the
execution of the deed; and the deed conveys to the grantee
the absolute title to the lands described therein, free of all
incumbrances, except when the land is owned by the
United States or the State of California, in which case
it is primary evidence of the right of possession.

Section 25. The assessment book, duplicate assess-
ment books or delinquent list, or a copy thereof cer-
tified by the City Clerk, showing unpaid taxes
against any person or property, is primary
evidence of the assessment, the property assessed,
the delinquency, the amount of taxes due and
unpaid, and that all the forms of law in relation
to the assessment and levy of such taxes have been
complied with.

Section 26. The City Tax Collector may, after the first
Monday in March of the year 1874 and after the

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First Monday in February of each subsequent year, collect the taxes due on personal property, except when real estate is liable therefor, by seizure and sale of any personal property owned by the delinquent. The sale must be at public auction, and of a sufficient amount of the property to pay the taxes, percentages and costs; ^{and} the sale, must be made after one week's notice of the time and place thereof, given by publication thereof in a newspaper in said City. For seizing or selling personal property, said Tax Collector may charge in each case the sum of three dollars, and the same mileage as is allowed by law to the Sheriff of San Diego County.

Section 27. On payment of the price bid for any ^{such} property sold, the delivery thereof, with a bill of sale, vests the title thereto in the purchaser. All excess over the taxes, percent per cent, and costs of the proceeds of any such sale, must be returned to the owner of the property sold, and until claimed must be deposited in the County City Treasury, subject to the order of the owner, heirs or assigns. The unsold portion of any property may be left at the place of sale at the risk of the owner.

Section 28. The City Tax Collector must, annually, on the third Monday of April in the year 1874, and annually thereafter on the third Monday of March, attend at the office of the City Clerk with the delinquent list, and said Clerk must then carefully compare the

list into the assessments of persons and property not marked "Paid" in the assessment book, and when taxes have been paid, must note the fact in the appropriate Column in the assessment book. The City Clerk must then The said Tax Collector There must then be administered an oath to said Tax Collector an oath, to be written and subscribed in the delinquent list, that every person and all property assessed in the delinquent list in which taxes have been paid has been credited in the list with such payment.

[The City Clerk must then foot up the amount of taxes remaining unpaid, and credit the City Tax Collector with the amount, and have a final settlement with him; and the delinquent list must remain on file in the office of said clerk.

Section 29. At the time mentioned in section 28 preceding, the City Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid, and that he has not been able to discover any property belonging to, or in possession of, the persons liable to pay the same whom to collect them.

Section 30. A statement of the amount of unpaid taxes must be ^{presented} filed by the City Clerk to the Board of Trustees of said City; and said Board may ^{cancel} all taxes which in its opinion cannot be collected, and return the statement to said clerk who must thereupon file the same in his office. All taxes not canceled must be collected by said clerk in the assessment book of each

succeeding year until paid. Interest at the rate of two per cent per month must be collected on such delinquent taxes from the time they were first delinquent until paid.

Section 31. Any taxes, percentages, and costs erroneously or illegally collected, may by the order of the Board of Trustees of said City, be refunded by the City Treasurer.

Section 32. When the City Tax Collector discovers that any property has been assessed more than once for the same year, he must collect only the tax justly due, and make return of the facts under affidavit to the City Clerk.

Section 33. If the City Tax Collector discovers before the sale that on account of irregular assessment, or of any other error, any land ought not to be sold, he must not offer the same for sale; and the Board of Trustees of said City must cause the Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes entered thereon.

Section 34. When land is sold for taxes correctly imposed on the property of a particular person, no misnomer of the owner, or supposed owner, or other mistake relating to the ownership thereof, affects the sale, or renders it void or voidable.

Nov. 10, 1873
Passed and approved *Attest*

1873.

{ Seal }

J. W. Briant President

E. J. Haight Clerk

To the City

A somewhat considerable amount (No. 20) was paid Dec. 30, 73, which was for help out of the office of the City Clerk.

DOCUMENT No. 181

Filed 190

City Clerk

By

Deputy.

Ordinance No. 420

Levying Revenue and
Interest Tax and Provi-
ding for Collection of
Taxes.

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J.

4/6/1902

DOCUMENT NO. 182

ORDINANCE NO. 50.

Creating Police
Board and Providing
for Police Force

Book A1 Page 487 File 2

Repealed

CHARTER ORDINANCE NO. 50.
and
Creating Police Board providing for appointment
of Police force, etc

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

Section 1. A Board of Police of said City of San Diego is hereby created, which shall consist of three ^{persons} members [^] to be chosen by the Board of Trustees of said City from its members as early as practicable after each regular City election. The members of the Board of Police shall serve until their successors are chosen and qualified.

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

Sec. 3. The Board of Police shall have power to appoint "Policemen, Night Watchmen, and Patrols," whenever instructed by the Board of Trustees of said City to make such appointments; ^{for a term not to exceed six days} provided, the Board of Police may make such appointments [^] without instructions, when in their opinion such appointments are necessary for the preservation of the peace, or of property. Each and every appointment made by the Board of Police, may, at any time be revoked by such Board.

Sec. 4. Before entering upon the duties of his office, every Policeman, Night Watchman, and Patrol, must execute a bond with two freehold sureties resident of said City, in the penal sum of two thousand dollars payable to said City, conditioned for the faithful performance of his official duties, ^{which} to be approved by a majority of the Board of Police; and he must take and subscribe an oath that he will support the Constitution of the United States, the Constitution of the State of California, and will honestly and faithfully discharge his official duties according to the best of his ability; and he must file such bond and oath in the office of the City Clerk.

Sec. 5. The Board of Police shall cause to be delivered to each of their appointees, as soon as his bond and oath are filed, as required in the preceding section, a certificate of appointment, which shall be signed by the President of the Board of Trustees of said City and countersigned by a majority of the Board of Police.

Sec. 6. No Policeman, Night Watchman, or Patrol, shall be entitled to ~~any compensation~~ ^{any compensation} receive from said City, any compensation for his services until the rate per day or month for such service, ^{a day} (which shall not exceed \$3 ^{a day} for each day or night) is established by resolution of the (Board of the) Board of Trustees of said City, except such as are appointed without instructions from said Board and no Policeman, Night Watchman, or Patrol, appointed at the solicitation and for the sole benefit of any private party or parties or who is under pay of such party or parties - shall be entitled to any (any) compensation from said City.

Sec. 7. Members of the Police force appointed without instructions from the Board of Trustees of said City, shall be known as "Special Police," and shall not be required to execute any bond, or to procure a certificate of appointment, as hereinbefore provided.

Sec. 8. Every Policeman, Night Watchman, and Patrol, appointed and acting under authority of this ordinance, shall have and is hereby granted the same power and authority to make arrests at all times, within the corporate limits of said City for the violation of any of the penal ordinances^{thereof} of said City, that the City Marshal can lawfully exercise.

Sec. 9. Whenever any Policeman, Night Watchman, or Patrol, arrests any person he shall at once proceed to deliver such person to the City Marshal, and^{at} the time of the delivery shall inform that officer (City Marshal) the cause of the arrest — which information shall be made in writing and signed by the officer making the arrest when required by said Marshal.

Sec. 10. The Police force of said City shall consist of the City Marshal and his deputies, Policeman, Night Watchmen and Patrols, ^{of} ~~the City Marshal~~ ^{of} which force shall be under the general supervision and direction of the City Marshal, except when the Board of Police order otherwise.

Sec. (10). The Board of Police shall have power to establish such rules and regulations as they shall deem necessary for the government of the Police force of said City. Such Board

shall keep a record of their proceedings which shall be subject to inspection at any time by the Board of Trustees of said City.

Passed and approved November 17, 1873.

[SEAL]

D.W. BRIANT, PRESIDENT

E.G. Haight, Clerk

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 50 of the City of San Diego, California, adopted November 17, 1873.

Charles G. Abdelnour

City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

Charter Ordinance No. 80.

Creating Police Board and providing for appointment
of Police force, &c.

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

Section 1. A Board of Police of said City of San Diego is hereby created, which shall consist of three members persons to be chosen by the Board of Trustees of said City from its members as early as practicable after each regular City election. The members of the Board of Police shall serve until their successors are chosen and qualified.

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

Sec. 3. The Board of Police shall have power to appoint "Police-men, Night Watchmen, and Patrols," whenever instructed by the Board. The Board of Trustees of said City to make such appointments; ~~for a term not to exceed six days~~ ^{for a term not to exceed six days} provided, the Board of Police may make such appointments, without instructions, when in their opinion such appointments are necessary for the preservation of the peace, or of property. Each and every appointment made by the Board of Police, may, at any time be revoked by such Board.

Sec. 4. Before entering upon the duties of his office, every Policeman, Night Watchman, and Patrol, must execute a bond with two freehold sureties resident of said City, in the penal sum of two thousand dollars, payable to said City, conditioned for the faithful performance of his official duties, which to be approved by a majority of the Board of Police; and he must take and subscribe an oath that he will support the

Constitution of the United States, the Constitution of the State of California, and will honestly and faithfully discharge his official duties according to the best of his ability; and he must file such bond and oath in the office of the City Clerk.

Section 5. The Board of Police shall ^{cause to be} deliver to each of their appointees, as soon as his bond and oath are filed, as required in the preceding section, a certificate of appointment, which shall be signed by the President of the Board of Trustees of said City and countersigned by a majority of the Board of Police.

Sec. 6. No Policeman, Night Watchman, or Patrol, shall be entitled to receive any compensation from said City, any compensation for his services until the rate per day or month for such services, (which shall not exceed \$3 a day for each day or night) is established by resolution of the (Board of the) Board of Trustees of said City; except such as are appointed without instructions from said Board; and no Policeman, Night Watchman, or Patrol, appointed at the solicitation and ^{sole} for the benefit of any private party or parties — ^{or} who is under pay of such party or parties — shall be entitled to any (any) compensation from said City.

Sec. 7. Members of the Police force appointed without instructions from the Board of Trustees of said City, shall be known as "Special Police," and shall not be required to execute any bond, or to procure a certificate of appointment, as hereinbefore provided.

Sec. 8. Every Policeman, Night Watchman, and Patrol, appointed and acting under authority of this ordinance, shall have and is hereby granted the same power and authority to make arrests at all times, within the corporate limits of said City for the violation of any of the penal ordinances thereof of said City, that the City Marshal can lawfully exercise.

sec. 9. Whenever any Policeman, night Watchman, or Patrol, arrests any person he shall at once proceed to deliver such person to the City Marshal, and ~~at~~ at the time of the delivery shall inform that officer (~~the~~ ^{City} Marshal) the cause of the arrest - which information shall be made in writing and signed by the officer making the arrest when required by said Marshal.

sec. 10. The Police force of said City shall consist of the City Marshal and his deputies, Policemen, night Watchmen and Patrols, of which force the City Marshal shall be under the general supervision of and direction of the City Marshal, except when the Board of Police order otherwise.

sec. 10. The Board of Police shall have power to establish such rules and regulations as they shall deem necessary for the government of the Police force of said City. Such Board shall keep a record of their proceedings which shall be subject to inspection at any time by the Board of Trustees of said City.

Passed and approved November 17, 1873.



D. M. Grant

President.

E. K. Haight

clerk.

5 times in daily Sundays excluded.

Copy of
Ordinance No 50

✓
DOCUMENT No. 182

Filed 190

City Clerk

By

Deputy.

Ordinance No.

50

Creating Police
Board and Providing
for Police Force

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

A. J. [Signature]