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Sacramento Daily Union, Volume 6, Number 837, 29 November 1853 — Council Proceedings. [ARTICLE]

### Council Proceedings.

MONDAY EVENING, NOV. 28th.

Council convened. Mayor Hardenbergh in the chair; John A. Fowler, Secretary.

Present—Aldermen Pearis, Bradford, Spalding, Daly, Gove, Youngs, Moore.

The following communications were received: Weekly Report of the City Collector; amount received \$5,956 00. Filed.

Certain bills, which were appropriately referred.

Of certain merchants praying exemption from the ordinance requiring signs, posts, &c., to be removed. Laid temporarily on the table.

The following bills were reported back from the Finance Committee for allowance:

G. J. Phelan \$37 58; F. W. Denver 209 52; Trowbridge & Moore \$250; J. A. Fowler \$105.

Ald. Gove from the Committee on Fire and Water, reported favorable to removing the powder magazine to some point on the river. Report received.

From the same, recommending the refunding of \$215 to I. M. Hubbard for monies paid out in behalf of Fire Department. Report adopted.

From the same, recommending the appointment of a special policeman for I street, between 5th and 6th. Report adopted.

From Ald. Daly, of Committee on Police and Watch, containing a similar recommendation. Adopted.

Ald. Spalding, from the Committee on Contracts and Expenditures, reporting a lease made with Ei Chung, for a certain lot belonging to the city. Received and filed.

Bids were received for constructing an embankment across the slough on 12th street, as per specifications, from the following gentlemen: James S. Law and J. M. Charles, 68 cents per cubic yard; Robert Ramsey 70 cents per cubic yard; Nathaniel Pennock 60 cents per cubic yard; A. H. Houston, embankment 65 cents per cubic yard; for culvert \$100.

Ald. Spalding offered the following resolutions, which were adopted:

*Resolved*, That the Mayor be requested to procure or cause the removal of the mud and filth now accumulated on the planked portion of J and K streets, and the expense of removing the same shall be paid out of the J and K street funds not otherwise appropriated.

*Resolved*, That the Mayor cause the crossings of the cross streets on J from the Levee to 11th, and on K to 8th street, to be layed down with two inch plank for foot crossings, and that he be authorised to use for said purpose the plank in the bridge at the Fort lately torn down.

On motion of Ald. Bradford, \$7,000 were ordered to be paid to Messrs. Houston & Henderson, and \$3,000 to Messrs. Ramsey & Pennock for grading and planking, to be paid out of monies\* formerly borrowed of F. W. Page, Esq., and relinquished by him to the city.

Ald. Bradford offered the following resolution, which was adopted:

*Resolved*, That the Committee on Contracts and Expenditures be instructed to extend the planking of K street to the east line of 8th street.

Ald. Pearis offered the following resolution, which, on motion, was referred to the Levee Committee:

*Resolved*, That the Mayor appoint a committee with powers to receive the money subscribed and make a contract for filling up the gap in the levee near Suttersville, believing the same to be of advantage to the city.

Ald. Spalding read a communication received from the City Engineer, relating to the R street levee, proposing to run it to the "Ridge." Referred to the Levee Committee.

On motion of Ald. Youngs, permission was granted the Telegraph company to plant their poles on L street.

The following resolution, which was adopted, by the same:

*Resolved*, That so much of the Mayor's message as refers to the planked streets and the planking of Eighth street, be referred to the Committee on the Permanent Improvement of the Streets; so much as refers to the police, to the Committee on Police and Watch; so much as relates to the levee, and the tonnage dues and the rates of wharfage, planting trees and sowing grass along the levee, to the Levee Committee; so much as relates to the executing and recording the deeds for real estate held by the city under tax titles and the city finances, to the Finance Committee; so much as relates to the removal of the seat of Government to the Committee of Ways and Means.

On motion, \$10,000 were granted to Mr. E. K. Swift and others for grading and planking the

Swine and others for grading and planking the streets.

The amount of the Engineer's estimate—25 per cent. less—was ordered to be paid the same for constructing sewers.

The following communication was received from the Trustees of Engine Company No. 4:

*To the Honorable the Mayor and Common Council  
of the City of Sacramento :*

As the trustees of Engine Co. No. 4, and in accordance with special instructions from the company, we present to the attention of your honorable body the decision of the company relative to the transfer to the city of the lot owned by them, located on 5th street. The company was incorporated under the act of Legislative Assembly of this State, entitled "An act concerning Corporations," passed April 22d, 1850, and the lot in question has been deeded to us and our successors as Trustees. In that capacity we are ready to transfer this lot to the city for the use of the Fire Department when we are satisfied that the city will erect a suitable brick-building thereon for our accommodation. His Honor the Mayor, in that part of his late semi-annual message which relates to the erection of buildings for the use of the Fire Department, says, in reference to that designed for this company, that "the other engine house awaits the action of the company." A few plain facts will enable your honorable body to understand the peculiar cause and nature of this delay. With the exception of Engine Co. No. 3, ours is the only company in the city that has purchased a lot. It has been in our possession for several months, and it has ever been our intention to transfer it to the city for the use of the Fire Department, provided always that there was no favoritism shown towards other companies. Some of our members desired that the city should receive the lot in trust for the company, but, finding this objectionable to those who claim to have the exclusive arrangement of the terms upon which we shall obtain a covering for our apparatus, we yielded the point and signified our willingness to transfer it in accordance with their requirements "for the use of the Fire Department." Meantime, and before we became possessed of the deed, the company was incorporated as above mentioned. Finding that the deed must come from the undersigned Trustees, his honor, the Mayor and the Chief Engineer, objected to the form, demanding a direct transfer to the city from the grantor preceding us, and declaring that "not a single brick would be hauled upon the lot" until the company falsified the record by acceding to their wishes. To our demand for the cause of this opposition, we have received only the reply of "contingencies," "contingencies," from the parties who are thus prejudicing the greatest interests of the city. The subject was lately brought to your notice by one of your honorable body, and referred to the committee on "Contracts and Expenditures," and, subsequently, transferred to his honor, the Mayor, the Chief Engineer and the City Attorney, and there it sleeps.

For the purpose of ascertaining, if possible, and providing against the "contingencies" above mentioned, we have taken the trouble to examine the records in the



office of the County Recorder, relative to the deeds of the other lots upon which buildings are in course of erection for the use of the Fire Department. We find there that the deed of that occupied by Engine Co. No. 3 is precisely as we designed giving it, and emanates from the Trustees of that Company. Can gentlemen consistently require of us more than has been accepted from another Company? We think not. But we carried our investigations further, and found nothing upon record to show that the city had the shadow of an interest in the lots upon 8th street, upon which its monies are being expended, but sufficient to convince us that the property was mortgaged for \$2,000, and the mortgage was unsatisfied. Why the objection of "*Contingencies*" did not prevent the hauling of brick upon those lots we cannot say, but, from the shallowness of the opposition to our just and legal demands, and the tone and matter of the remarks of His Honor the Mayor relative thereto, we suspect that it is his determination to deprive us of a decent covering for our apparatus, by delaying action until the rains have intervened to postpone it until another season.

The Company with which we are connected is located in the heart of the city—the most important point—of easy access to either extreme, is composed of 35 active members, and exceeded in numbers by no one Company in the city. Since our organization, we have served under discouraging circumstances. In view of the pecuniary embarrassment of the city, and in order that we might have a suitable shelter for our apparatus, and advance and preserve the strength and efficiency of the Company, we have yielded to the unusual request that we should ourselves provide the city with a lot upon which to place our house. To the plain common sense view which we take of the manner in which the lot should be transferred to the city, are opposed flimsy pretexts on the part of persons whose duty should teach them better, and concurrent acts which, by reason of their glaring and flagrant inconsistency, have filled us with disgust, and compelled us to address you herein.

Again : we say that we are ready to transfer the lot to the city for the use of the Fire Department, upon a reasonable assurance that a suitable brick building will be furnished us. We will transfer it only in the way above indicated, in accordance with the unanimous resolve of the Company, and would remark, in conclusion, that in all we have proposed the city is to be benefitted *directly*, the Company only *incidentally*.

JOHN G. HATCH.

WM. H. JONES.

RICHD. W. WILCOX.

Trustees of Eureka Engine Company, No. 4.

Ald. Spalding moved the reference of the communication to a select committee, which was carried, and Messrs. Spalding, Pearis and Youngs appointed said committee.

Ald. Gove offered an ordinance (amendatory of an ordinance) creating the hulk Ninus a place of storage for powder, instead of the magazine recently erected for that purpose.

Ald. Spalding moved to amend by inserting the

name of the Antares instead of Ninus. Adopted.

The ordinance, as amended, was passed.

Ald. Bradford offered an ordinance providing for the planking of 8th street, from J to K, which was adopted.

Ald. Gove reported the election of Mr. J. B. Blanchard as Assistant Engineer. Election confirmed, and report filed.

Ald. Pearis, from the Committee on Finance, reported favorable to authorizing deeds to be made out to the Fund Commissioners for all property purchased by them at the recent tax sale, and have the same placed on record: referred to the Committee on Contracts and Expenditures.

The contract for constructing an embankment across the slough was awarded to Mr. Pennock.

An ordinance was offered by Ald. Spalding, amendatory to an ordinance for building and im-

proving sidewalks, the same to be of uniform height, which was read and adopted.

An ordinance by the same, for improving 2d street, from K to L, was called up, read and adopted.

Ald. Gove moved to go into an election for a Superintendent to the Water Works.

Ald. Pearis opposed the motion, on the ground that Mr. Kirk had a right to make that appointment, independent of the action of the Council. He was convinced, from consulting several eminent lawyers, that if any other man was selected than the one proposed by Mr. Kirk, the contract would be violated on the part of the city, and Mr. Kirk absolved from the fulfilment of his part of it.

After considerable discussion,

Ald. Pearis moved to lay the whole subject on the table, which was carried.

Mr. John Kirk was allowed bonds for \$13,000 on his contract for building the R street levee.

A communication was received from the City Attorney, suggesting the propriety of allowing the owners and occupants of canvas houses to retain the same until the first of April next. Laid temporarily on the table.

An ordinance was offered and passed imposing an assessment on I street property for the improvement of the same, to the amount of 35 per cent.

Adjourned till Thursday evening.

“ALAS! THE POOR INDIAN!”—No wonder that the Indian makes attacks upon his natural foe, the white man, when opportunity presents. Read the following, from the *Shasta Courier*:

“Mr. Pierce a packer, missed some of his animals

“ Mr. Pierce, a packer, missed some of his animals one morning a week or two since, on the Trinity, and after searching ineffectually for them for some time, returned to his camp. Soon after he observed several Indians approaching, and jumping at the conclusion upon the instant, that the Indians had stolen his animals, he shot two of them dead. In a very few hours thereafter he found his animals in the immediate vicinity of his camp! The consequence has been that since that time the ranchmen in the valley have lost a large number of animals ; and the ultimate result will be the further loss of life on both sides. Such inconsiderate conduct on the part of a sensible white man is inexcusable—proceeding from malice or mere resentment, and not being necessary for purposes of justice, it is pure revenge and a most heinous crime.”

DIFFERENCE IN THE COMPARATIVE TIME of a number of cities, as exhibited in an ingenious table in *Gleason's Pictorial* :

When time is 6 o'clock 4 minutes A. M., in New York, it is—

In New Orleans.....	4.46 A. M.
In Rome.....	11.50 A. M.
In Eastern Isles.....	3.53 A. M.
In Lisbon.....	10.38 A. M.
In Bombay.....	4.51 A. M.
In Kamskatka.....	9.50 P. M.
In Rio Janeiro.....	9.08 A. M.
In Monterey.....	3.58 A. M.
In Nankin.....	6.55 P. M.
In Otaheite.....	5.01 A. M.
In Mexico.....	4.24 A. M.

CATCH HIM!—A reward of \$250 is offered by the Deputy Sheriff of Siskiyou county, for the apprehension of S. N. Holmes, who escaped from prison on Monday week last. He was in on a charge of grand larceny.

CALIFORNIA PORCUPINE.—A young porcupine was recently killed on the emigrant road, about twenty-three miles east from Sonora. The quills are not more than half grown.—*Sonora Herald*.