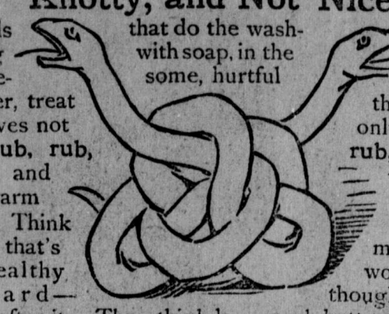
THE HERALD.

PART II—PAGES 9 TO 12.

LOS ANGELES: TUESDAY MORNING, NOVEMBER 14, 1893.

Knotty, and Not Nice



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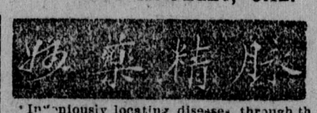

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Four years ago my daughter, Verginia Bell, was treated by Dr. Wong for what physicians called hip disease, and had pronounced incurable after treating her for eight years. Dr. Wong's diagnosis was that she was afflicted with one of the thirteen forms of cancer. His medicine effected a permanent cure in seven months time. Two years ago my grandson became blind in one eye. Dr. Wong restored his sight in three weeks' time. A. LASSWELL, Savannah, Cal.

After I had been treated eleven years, by six different doctors, for consumption, and they had stated that I couldn't live two months, I took Dr. Wong's medicine and was cured in seven months. I enjoy excellent health, and weigh 170 pounds. MRS. A. M. AVELA, 1612 Brooklin ave., Los Angeles, Cal

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THE WATER COMMITTEE REPORT

Could Not Get Mr. Peirce to Make a Statement.

An Unusually Busy Session of the City Council.

The Extra Patrolment Ordinance Passed. Report on the Street Superintendent's Office—The Figueroa Street Matter.

President Teed and Councilmen Munson, Strohm, Nickell, Pessell, Rhodes, Campbell and Innes were present when the city council convened yesterday morning in regular weekly session, and Mr. Gaffey was not present during the session.

The meeting was really quite an uneventful one, although there was more than the usual amount of discussion.

The water committee had quite a struggle to reach a basis for negotiation for the purchase of the water plant, but could not get Mr. Peirce to give a statement of the property. The council directed the city engineer to form an estimate of the underground property of the water system and its value.

The city attorney made an interesting opinion upon Figueroa street, holding that portion of it between Pico and Sixth to be a public highway.

Ex-Street Superintendent Hutchinson was allowed one week more in which to clear up the discrepancies in the books, and Street Superintendent Watson was reported as not having turned in the amount of the shortage in his office

FREE LABOR BUREAU.

Manager White, of the free labor bureau, reported for the week ending November 11th: Number of applicants, 92; number of permanent situations secured, 52.

The city clerk reported an ordinance providing for the sidewalking of Eleventh street between Vernon and Sentous street, and it was passed.

CITY JUSTICE REPORT.

City Justice Seaman reported the collection of fees amounting to $9.30.

CITY AUDITOR'S REPORT.

The city auditor reported on hand October 1st $325,978.98; received during month, $187,355.55; total, $513,334.53. Disbursed during month, $167,986.33; balance November 1st, $345,348.20.

TAX SALE CERTIFICATES.

The finance committee reported recommending the cancellation of double assessment tax sale certificates in the names of Dwight Whiting, M. E. McDaniel, Archibald Mitchell, W. H. Allen, agent for Annie E. West, M. W. Childs, J. E. Marsh. Adopted.

The finance committee also reported a number of demands, which were approved.

SEWER COMMITTEE REPORT.

The sewer committee in regard to the petition of the California Vinegar and Pickling company asking that they be granted the privilege of disposing of their waste water, etc., in the Los Angeles river, near the First street viaduct, reported that they found an ordinance against allowing any one to pollute the river, therefore they recommend it be denied, and the city engineer present the necessary ordinance of intention for the construction of a sewer in the district in which the packing works are located. Adopted.

The committee also recommend that the sewer committee be authorized to have the internal sewer system examined and cleaned out and got in readiness for use by the time the outfall sewer is completed. Adopted.

REQUEST BY THE PARK COMMISSIONERS.

The park commissioners recommended that Mr. Body be asked to pipe the water running in the open zanja through the East Los Angeles park from reservoir No. 5 to Mission road. They state that it would be of great benefit to the water supply for this park, besides relieving the park of the nuisance caused by the open ditch. Referred to the zanja committee.

REPORT OF THE BOARD OF PUBLIC WORKS.

The board of public works made their report, as heretofore published in the HERALD, and the various recommendations were approved by the council withous amendments.

DEFERRED SIDEWALK ORDINANCES.

Ordinances of intention to cement sidewalk East Beacon street between Seventh and Eighth streets, Alvarado street between Seventh and Ninth streets, and South Tenth street from Pearl to Overton, which had been laid over from the last meeting, were again laid over for another week.

An ordinance of intention to lay a cement sidewalk on the west side of Burlington avenue between Seventh and Ninth streets, which was laid over from the last meeting, was taken up and passed.

CITY ENGINEER'S REPORT.

The city engineer reported that he had furnished the city attorney a description of the property to be taken for the widening of Third street between Alameda and Hewitt streets. Filed.

Also on the petition of Robert Strong against the proposed change of grade on Burlington avenue between Arnold and Maryland streets, that the petition represents 595 feet, and they lack 75 6 10 feet of having a majority of the frontage. Filed.

Also an ordinance of intention to construct a cement sidewalk on the east side of Hope street between Seventh and Eighth streets, which was laid over one week.

Also ordinances to establish the grades of Maple avenue from Sixth to Seventh, from Eighth to Ninth and from the south side of the O. W. Childs tract to Washington street; Grand avenue from Fourth to Fifth street and fix the district of assessment; West State street from Beaudry avenue to Court street, which were adopted.

The city engineer also reported an ordinance of intention to establish the grade of Loomis street, between Seventh and Orange streets. Adopted.

Also, final ordinances to establish the grades of Breed street, from Sheridan to Brooklyn avenue; Folsom street, from Soto to Cornwell street; Byron street, from Tenth to the southern limit of Terminus street, which were adopted.

SUPPLY COMMITTEE REPORT.

The supply committee presented a number of requisitions for articles for the use of various city offices, and they were allowed.

MISCELLANEOUS MOTIONS.

Mr. Innes moved that the street superintendent remove obstructions near the Hebrew cemetery, between Chavez road and Reservoir street, the obstructions consisting of fences and buildings.

An objection was made to the motion by Mr. Munson and Mr. Strohm, who thought it a more serious matter than it looks, Mr. Innes saying that some persons claimed to owned the property where the obstructions existed.

Mr. Innes said the city attorney had told him this was the proper motion, as the street superintendent would report on the matter if he could not remove the obstructions. Adopted.

Mr. Innes moved that the street superintendent be directed to cut down the intersection of Bartlett street and Beaudry avenue, work that would take about two hours. Adopted.

A DISCUSSION ABOUT GRAVEL.

Mr. Munson moved the acceptance of the proposal of the Main Street Improvement company to sell gravel to the city at 25 cents per yard from Third and Boyd streets, which had been presented at the last meeting of the council.

President Teed stated that the gravel bed on the lot bought by the city was exhausted, and it was necessary for some arrangement to be made for gravel.

Mr. Campbell said he understood the city could get all the gravel it wanted on Castelar street for nothing, and could see no necessity for buying gravel.

Mr. Donegan stated to the council that in the unused partion of the cemetery, known as the firemen's portion, there is a very fine bank of gravel. It is proposed to open a street through this land, and he said it would be a good thing to take all the gravel the city wanted; it would help in getting the street open.

Mr. Munson said he doubted the authority of the council to take the gravel from this strip.

Mr. Strohm said it belonged to the fire department.

Mr. Nickell said he did not think it would be as cheap to get this gravel as to buy it. At present the city could do better by buying than by taking this gravel.

On motion of Mr. Nickell the matter was postponed until the afternoon session.

On motion of Mr. Innes the city attorney was directed to present the council with an opinion on what rights the city has in the Firemen's cemetery, where it was proposed to get gravel.

STREET GRADING BIDS OPENED.

The city clerk opened bids for the grading of Hancock street from M. S. Cummings for $4.42½ per lineal foot complete; for the grading of Baldwin street from Shea Bros., $3.92½ per lineal foot complete; H. I. Moore, paving, $2.38, curbing 20 cents, sidewalking, 14 cents; F. A. McOreal, paving, $2, curbing, 24½ cents, and guttering, 14½ cents; for the paving of Commercial street, from A. M. Austin, 28½ cents granite blocks, and from Conrad Scherer for 29½ cents granite blocks. The bids were all referred to the board of public works.

Mr. Pessell moved that the city engineer be directed to report whether the zanja on Alameda street can be lowered to official grade so that it will allow the ingress and egress of people from their property. Adopted.

Mr. Rhodes moved that the street superintendent cut a gutter on Providencia street at the intersection with Winfield to remove storm water. Adopted.

Mr. Rhodes moved that the contractor of garbage be directed to gather the garbage of the city lying west of Alvarado street and between Seventh and Pico streets. Adopted.

Recess until 2 o'clock.

Afternoon Session.

At the afternoon session of the council a contract between D. F. Donegan and the city for the removal of dirt on Main street between Fourteenth and Pico streets, to bring the street to grade, was approved.

The city clerk reported on the previous action of the council relative to the purchase of gravel, the matter left over from the morning session. The council had not accepted the bid at the former meeting.

On motion of Mr. Munson the bid was accepted for gravel at 25 cents per foot, although the check of the bidders had been returned after the action taken.

A REQUEST BY ABBOTT KINNEY.

Abbott Kinney addressed the council on the subject of the gutter on Hope street, where the water from the Arroyo de Los Reyes runs down. He said it was in its present shape injurious to a building owned by him, and he asked the council to take some action to remedy the defects. The matter was referred to the board of public works.

SUPPLEMENTAL BOARD OF PUBLIC WORKS REPORT.

The board of public works recommended that the city engineer be instructed to prepare an ordinance to finish the unfinished cement sidewalk on Broadway between Seventh and Tenth streets. Adopted.

Also, an ordinance for the widening, gravelling and curbing of 30 feet near San Pedro street. Adopted.

FROM THE WATER OVERSEER.

Water Overseer Bilderrain in a communication called the attention of the council to the bad condition of the flume on zanja No. 2, at a point between Sixteenth street and the city limits, which now stands from three to four feet above the grade of the street, and about 300 feet of which is in immediate danger of collapsing, and stated that something should be done to put it in condition. Referred to the city engineer.

THE STREET VEHICLE ORDINANCE.

The city engineer also presented an ordinance regulating the use of the streets and sidewalks.

The ordinance makes it unlawful to ride or drive a horse, wagon or bicycle upon any sidewalk in the city and makes a penalty of $50 fine for violating the ordinance.

THE NAME CHANGED.

An ordinance changing the name of Myrtle avenue to Wall street was passed by the council.

STREET RAILWAY FRANCHISE.

A notice for the sale of a franchise for a street railway by W. H. Workman and others by the city attorney was taken up and a motion made to refer to the board of public works.

Mr. Burdette addressed the council and said he would like the body to take action if possible. If there were any objections he would like to know what they are. The matter had been before the board of public works and he hoped the council would not delay further.

Mr. Campbell thought there should be no more delay.

Mr. Strohm said he had not known anything about the matter. The city attorney had presented nothing to any committee about it.

The matter was referred to the board of public works.

THE EXTRA PATROLMEN WILL COME.

The ctiy attorney reported the ordinance providing for the appointment of ten extra police patrolmen.

Mr. Innes moved to lay it on the table.

Mr. Munson moved to postpone action four weeks.

Mr, Campbell moved that it be put on its passage.

Mr. Munson thought action should be deferred, to determine where the men should be put and to have a complete report from the finance committee as to the expense.

Mr. Strohm moved that the ordinance be amended to read that the men shall serve for four months from November 20th.

Mr. Innes thought there should be further investigation before the ordinance should be passed.

The amendment by Mr. Strohm was adopted, and the ordinance as amended was passed, by a vote of 6 ayes and 2 noes, Councilmen Innes and Munson voting in the negative.

AID ASKED FROM THE CITY.

Mr. Hall, from a delegation asking for assistance by the city council in the entertainment of the approaching horticultural convention, addressed the council on that subject, and it appearing that there would be another meeting before the convention meets, the matter was referred to the finance committee.

THAT FIGUEROA STREET CASE.

The city attorney presented the following report:

In the matter of the several petitions and protests in regard to the existence of Figueroa street between Pico and Sixth streets, I report as follows: In 1853 the city council made a contract with Henry Hancock by which he was to survey the unsold land in the western portion of the city into donation lots of 35 acres each. In 1857 this map was completed and presented to the city, and has been known ever since as the Hancock map. The map as presented contained what was then supposed to be the city limits and showed in the western and southwestern portion of the city a large amount of land which was outside of the four leagues afterwards confirmed as the city limits, and the lots and blocks were subdivided south of Pico street and to the exterior limits of what was then considered the pueblo boundaries. The blocks were surrounded by streets, the principal ones running in an easterly and westerly direction being Pico, Washington, Adams, Jefferson and other streets beyond the present limits of the city, which were named for the presidents of the United States in their chronological order. The streets running in a northerly and southerly direction were Micheltoreno, Alvarado, Figueroa and San Pedro. Each block contained eight lots, each lot containing 35 acres exclusive of the streets by which they were surrounded. Shortly after this map was presented to the council Hancock surveyed the exterior boundaries of the city on the basis of four leagues, defined such boundaries on said map and then extended his subdivision of the vacant lands of the city to the northern and eastern boundaries. This map shows Michel Toreno, Alvarado and Figueroa streets as extending from the southerly to the northern boundary in straight lines, as well as other streets extending from one boundary to another wherever the lands were subdivided. Figueroa street, however, between Sixth street and Pico, as the map now exists, shows but one line between those points and that upon the eastern side of the side; but an inspection of this map I think shows that the line upon the western side of the street has been eraced. I can conceive of no reason why Mr. Hancock in subdividing these lands should have uniformly bounded the lots and blocks by straight streets without reference to the topography of the land, and failed to do so in regard to Figueroa street between Pico and Sixth. There was no reason why a street should not have been laid out between those points; the blocks on the west of the street between those points, it allowed to run to the east side of the street, would contain more than 35 acres each and would be bounded by no street at all upon the east. Mr. George Hansen, who was draughtsman for Mr. Hancock and made this map, has subsequently made a map showing the limits of the city as formerly claimed, as well as the confirmed limits, and the extension of the Hancock survey north of Pico street, and his map shows Figueroa street extending entirely across the city. In 1871 the city council had Mr. Seebold make a copy of the Ord and Hancock maps. An inspection of these copies will show that they are made upon vellum and are tracings of the originals, and Mr. Hansen states that this was done in order that they might be exact copies, and he recollects of assisting to mount them upon cloth after they had been traced. This copy of the Hancock map shows Figueroa street as existing from one side of the city to the other without a break. There are many other maps made subsequent to this map, which show Figueroa street existing between these points, but I do not consider them as relevant to prove the existence of the street upon the original Hancock map, which map, I think, we must depend upon to show a dedication of this street between these points. All of the lots and blocks have been sold and described by reference to the Hancock map, and no question has ever been raised as to the existence as any of the streets surrounding the blocks shown by this map, except as to Figueroa street between these points. At the time the Hancock survey was made it was not attempted to have the streets conform to the streets of Ord's survey, and for that reason where the two surveys met there were numerous irregular blocks of land, one of which was of triangular shape, bounded on the west by Figuroa street, on the east by Grasshopper (now Pearl) street, on the north by Sixth street, and running to a point at Pico. In 1859 the city deeded to William Moore this triangular strip and described it as follows: A strip of land bounded on the west by blocks 36 and 37 of Hancock's survey, on the north by lots formerly sold to William Moore, and on the east and south by a city block of Ord's survey. I presume that because this land was bounded on the west by blocks 36 and 37, which laid on the the opposite side of Figueroa street, it was considered by Mr. Moore that it entitled him to the street lying east of these two blocks, but by the same reasoning he could have said that because the strip was bounded on the east by the blocks of Ord's survey he was entitled to Grasshopper street because it laid between his strip and the blocks of Ord's survey. However, he made no claim to Grasshopper street, but did claim Figueroa street, and the same has been sold time and again and is now covered with houses and other valuable improvements, and city taxes have been collected on the same for over 30 years. I have been shown the testimony of Mr. Moore, perpetuated by the owners of the property lying in Figueroa street, in which he states that at the time he purchased this strip of land no line was shown on the Hancock map where the west side of Figueroa street should have been between these points. But in view of all these facts I am forced to conclude that Mr. Moore was mistaken, especially in view of the fact that in 1870 when Mr. Moore surveyed the canal and reservoir lands and presented his map to the city it showed Figueroa street as existing south of Sixth street.

In view of these facts I am of the opinion that Figueroa street was laid out between these points and is now a public street between those points.

Having determined that this street existed prior to the giving of the deed by the city to William Moore, it is for you to determine whether or not there exists such a public necessity for a street between these points, or any portion thereof, as will justify the private loss and confiscation of property which will result by the opening of the street. While I am a firm believer that private individuals should not be allowed to appropriate public streets, yet I believe that in view of the peculiar facts of this case the street should not be opened unless the interest of the public requires a thoroughfare between those points. In case you determine to have the street opened it will be better to combine all the defendants in one action, as that would save time and expense, not only to the defendants but also to the city. In case you conclude that the street should not be opened, an ordinance should be passed abandoning any rights the city may have to the street for street purposes.

On motion of Mr. Munson the matter was referred to the committee of the whole, to be taken up next Monday afternoon at 2 o'clock.

Mr. Nickell brought up the subject of the special committee on the examination of the accounts of ex-Street Superintendent Hutchinson and Street Superintendent Watson. He wanted to know if the committee was discharged. He understood it was.

President Teed said that the committee had not been discharged and a report could be received from the committee.

This they did not appear ready to make, and nothing was done in the matter at the time.

THE WATER COMMITTEE REPORTS.

The water committee by Mr. Munson made the following majority report, it being also signed by Mr. Innes:

We, your water committee, beg to report that by request of the council we have been at work to obtain a valuation of the City Water company's plant which we could recommend as being a fair and just price.

The representatives of the City Water company have shown us a schedule of their property, from which we can make estimate as to the value of such portions as the reservoir sites, the real estate in the city, the land owned by them and right-of-way for pipe lines outside the city, pumping plants, water pipe on hand, also list of other personal property. All of the above is located and the description is accurate enough for us to examine and arrive at the value of the same.

The portion of this property which we find it difficult to estimate is the distributing pipes in the city. This committee is not willing to estimate the value without more information than we have been able to obtain from the representatives of the water company, conceding that they would and could answer every question that we ask in regard to size, kind, condition and number of feet of each kind of pipe. We do not feel justified in estimating the value to recommend the price to you without having our city engineer make a careful examination of the distributing system of pipes, the condition and value of the same. He informs us that he can easily obtain this information.

Therefore we recommend that the city engineer be instructed to make a detailed estimate of the value of all the distributing water pipes in the city belonging to the City Water company, number of fire hydrants and value of the same, also an estimate of the value of all pipes, conduits and fixtures of the Crystal Springs Water company, and furnish these estimates to this committee, and that we be authorized to employ such assistance as the engineer may require to complete this work at an early day.

The water company have neglected to give the information we desire in regard to this portion of their property, and we ask this estimate from the city engineer that we may be able to make a price which we could recommend be offered for the city water company's property, also for the further reason that we need this estimate on the valuation of this property that we may intelligently base our recommendation for the future water rate which we establish in February, 1894.

We also report that unless we can soon agree with the city water company as to the price which can be submitted to the people, we shall recommend that new plans be adopted to submit proposition to vote bonds to build new water system to be owned by the city.

MR. INNES' REPORT.

Mr. Innes made a minority or supplemental report, in which he referred to the interviews with the water company, and that they had refused to give an inventory of the plant. He also said no proposition could be taken before the people not based on a fair investigation of the plant. He recommended that the council proceed to perfect plans for an independent water system for the city.

MR. CAMPBELL'S MINORITY REPORT.

Mr. Campbell also presented a short minority report, in which he stated the committee had not received sufficient data in regard to distributing pipe throughout the city. He requested that the city engineer be added to the committee, with power to employ such assistance as the committee may deem necessary to ascertain the quantity, quality, size and condition of said pipes.

Mr. Munson thought the three reports covered about the same ground. He believed that the city engineer should be be added to the committee to get an independent valuation of the water works.

Mr. Innes said the company had absolutely refused to give an inventory of the property, and he could not see how the committee could go ahead.

Mr. Rhodes said he was getting tired of the whole negotiations. The man named "Jayhawker," if he ever told the truth, did when he said this was a scheme to make money. These men were promoters, and the city can do nothing with them except they allow them to make big money. The people of this city are not fools and will not vote from $3,000,000 to $4,000,000 bonds without they know what it is for. He thought the city should drop all the negotiations and go to work on an independent water system.

Mr. Munson reiterated his views that the city should now as well as any time get at this property so that they can know something about the valuation without a guess.

Mr. Rhodes insisted that it was unreasonable that a lot of men would not give a statement of their property. He believed that they had violated their contract many times. After the council should spend a lot of money on experts they would be no nearer a conclusion.

A greater portion of the plant has got to be rebuilt. If the council has got to buy a pig in the poke, go it blind, the councilman thought it time to call a halt. That's the way Peirce said he bought, but it was a queer way to do business, and no business man believes it was done.

Mr. Pessell stated that if Mr. Rhodes' statement that the water company had violated its contract, he thought the reports should be filed and the city attorney be directed to bring suit to annul their franchise.

Mr. Campbell said that he thought most of this whole business was buncombe. This brought Mr. Munson and M. Innes to their feet, and they denied the soft impeachment.

Mr. Innes had the last word, saying that he did not see what the council should submit to the tongue-lashing that will come from these people without expressing what they think about the withholding of a statement by the water company of their property.

Mr. Innes' supplemental report was adopted as an amendment to the majority report, and the minority report by Mr. Campbell was then adopted.

A motion to reconsider the vote was lost by a vote of 4 ayes and 4 noes.

Mr. Pessell moved that the street superintendent be instructed to remove the dirt from the gutters on San Pedro street from Third street south. Carried.

PETITIONS AND PROTESTS.

The following petitions were read and referred to their appropriate committees.

By Hughes & Mayer, stating that Frick Bros. prevent them using ground necessary for the completion of section 10 of the outfall sewer, and asking for sufficient ground or an extention of time in which to complete their contract.

By C. A. White, for cancellation of a tax sale certificate.

By John Turrer, per W. Shuldt, to clear the cloud on title of 3, block 5, Brooklyn tract, by reason of an erroneous delinquent tax sale.

By L. F. Miller, secretary of the Los Angeles P. B. & T. C. company, requesting permission to dig and remove earth from the ungraded portion of Teed street.

By Angel Ardanaz, for the return of $1.80, which he has paid on erroneous assessment.

By property owners in the vicinity of Olive and Court streets, asking for a crosswalk at that point.

By Adolph Kruse, for return of personal property tax, he not being of age.

By property owners in the vicinity of Gerard and Twelith streets, for crosswalks.

By Sam B. Dewey, for cancellation of a tax sale certificate.

By property owners on Thirty-first street between Grand avenue and Figueroa street, asking for a cement sidewalk on both sides of the street.

By property owners on Seventh street, protesting againt cement sidewalks on Seventh street between Pearl and Bixel streets.

By Robert Roberts, protesting against the opening of a street through lots 10, 12 and 13 of P. Beaudry's subdivision of the Abila tract and stating that it would damage him to the extent of $250.

By George W. King, protest against the opening and widening of First street.

By C. C. Caldwell and others, protest against the grading of Trenton street between Eleventh and Pico streets.

Mr. Rhodes moved that the contractor on Vernon street between Pico and Sixteenth streets be granted 30 days' extension of time.

REPORT ON STREET SUPERINTENDENT'S OFFICE.

Mr. Nickell from the committee to investigate the street superintendent's office made the following report:

We, your special committee, to whom was referred the investigation of the street superintendent's office, would report that some time ago we made a report to the council that Mr. Watson, the present street superintendent, was something over $1300 short in his account, and recommending that he turn the money into the treasury.

We find on investigation that he has not complied with the order.

We also find that the former Street Superintendent E. H. Hutchinson's books show an apparent shortage of about $4000, and we recommend that he be allowed two weeks in which to explain away the shortage.

We find that his deputy has been working on the books in the office but made no report to this committee as to whether or not he can make the required explanation as to the shortage.

We would therefore recommend that the council demand of Mr. Hutchinson that he make a report to this council by one week from today. Adopted.

The council then adjourned.

Eighth Street.

Which borders one end of the Clark & Bryan tract, is a fine graveled street for miles beyond the limits of this tract. Lots here will be offered for $350 and up, on the 15th inst. You should not fail to secure one. There is money to the buyer. See Wesley Clark or E. P. Bryan.