

the Public.

THE PUEBLO CASE.

Resolutions of the Chamber of Commerce.

CARD FROM CITY TRUSTEES

Office of the Board of Trustees
of the City of San Diego,
SAN DIEGO, January 7th, 1871.

The following correspondence and accompanying Resolutions of the San Diego Chamber of Commerce, with the reply of the City Trustees, are submitted to the public:

OFFICE OF THE SAN DIEGO
CHAMBER OF COMMERCE,
January 9th, 1871.
A. B. McKim, Esq., Secretary of the Board
of Trustees of the City of San Diego:

The accompanying resolutions were adopted at a meeting of the San Diego Chamber of Commerce, held on Thursday evening, January 5th. Very respectfully,
D. FELSENFELD, Sec'y.

Resolved, That the Chamber of Commerce of San Diego, with satisfaction, has noted the decision of the Honorable Joseph S. Wicks, U. S. Commissioner in Public Lands, whereby the title of the City of San Diego to the Public Lands of said City is sustained, thus guaranteeing the rights of our people to their property and homes.

Resolved, That the Board of Trustees of the City of San Diego, by their faithful, honest and energetic efforts in maintaining the rights of the people in the matter of the Public Land Case, just decided by Commissioner Wicks, have merited the thanks of this community, and that their course in this regard is endorsed by the Chamber.

Resolved, That it is the opinion of this Chamber that the best interests of San Diego demand that the Title Lands of the City be sold without unnecessary delay, in the same manner as other lands belonging to the Pueblo have been disposed of by the present Board of Trustees; and that we recommend that the plan, advocated by the San Diego Union newspaper, of this date, be adopted by the Board, so that all our citizens shall be afforded an equal opportunity to acquire said lands by purchase from the City.

Resolved, That the thanks of this Chamber are hereby tendered, first to Commissioner Joseph S. Wicks for his decision in this case, affirming our rights; second, to the Hon. A. Sargent, Representative in Congress, for his labors in our behalf; third, to the Board of Trustees of the City, for their faithful and unselfish devotion to the interests of the people.

Resolved, That the hope of this Chamber, in view of the important interests which have been and still are being realized to said title in Southern California, that the Hon. Joseph S. Wicks be retained in the position which he now so ably and honestly fills.

Reply of the City Trustees.

TO THE PUBLIC.

The Members of the Board of Trustees of the City of San Diego feel a most anxious desire in receiving the thoughtful endorsement of their course relative to the Pueblo Land Case of San Diego, just decided by Commissioner Wicks. The approval of our official position, and expression of confidence in any devotion to the welfare of the City, coming from a body of citizens who represent the counter-claims of San Diego, and are so thoroughly identified with its well-being and progress, is not only deeply gratifying, but imparts to us with a stronger sense of our responsibility as public servants.

The opinion expressed by the Chamber,

that the best interests of San Diego demand that the Title Lands of the City be sold without unnecessary delay, in the same manner as other lands belonging to the Pueblo have been disposed of by the present Board of Trustees, with the recommendation, "That the plan advocated by the San Diego Union newspaper be adopted by the Board, so that all our citizens shall be afforded an equal opportunity to acquire said lands by purchase from the City," is in direct opposition to the people of San Diego.

As soon as we shall be legally notified that the City's title to the Title Lands is unquestioned, an uniform price per acre will be fixed, and applications from citizens will be received, and the lands sold in the same manner as other City Lands have been disposed of by this Board.

C. W. LEWIS,
B. MCKIM,
JAMES MCCOY.

To the Voters of San Diego.

In the last issue of the Bulletin appeared two notices reflecting upon the official conduct of the City Trustees, concerning the title lands and the Pueblo case. As the writers failed to sign their names to their communications, I had thought best not to notice the charges, but as the substance of the articles is repeated in a communication in the last Union, I take this method to reply in a way that will bring the writers out over their own signature and show they are cowardly to father their own malicious imputations. When boiled down, the accusations amount to this: "The Trustees have robbed the people of San Diego to the extent of several hundred thousand dollars." I pronounce this statement squintfully false, and the writer a base slanderer.

My connection with the Board of Trustees commenced in March, 1869, when the Pueblo case was taken up to point of final termination. It had been hanging in the Courts and the Surveying Department for fifteen years. The City Treasury had but little money, the most of which was expended in checking the spread of the emulphs, which broke out soon after the election. The Trustees, however, made arrangements to carry the case along with a slight outlay. They made all fees contingent upon winning, thereby insuring a faithful activity on the part of the attorneys engaged.

Within seven months after the expiration of the time allowed for making up the case in the Surveyor's office in San Francisco, Mr. Day reported us it and sent such report to the Commissioner of the General Land Office. But for my promise to hold by the attorneys employed, I should have declined being a candidate for reelection—I stand by my friends as well as my promises and propose to do so in this case. After the organization of the present Board I asked to retain the attorneys already in the case, because they had acted faithfully so far as I could learn and the case was progressing rapidly and in good shape.

The last Legislature gave the Board of Trustees power to tax the people of the City at the rate of \$3,000 a year as fees, to carry on the case. I voted for this tax on the members of the Board, to levy any such tax on the people, believing they were already overtaxed, but agreed to pay each man, for the whole case, in city lands, provided the attorneys would take it out of the city lands of the four square leagues, and out of the title lands, all of which were now for the City by the attorneys before they could get their fee. If the Pueblo should be cut down the attorneys would get nothing, as the lands deeded them are without the four-league boundaries.

Time and again, lawyers, not in the case, have declared to us that the city could not recover the title lands, and Surveyor General Day had so decided before the Trustees made the contract. During my entire connection with the Board and a single petition has been presented for this class of lands, yet every other tract is covered over with petitions—some pieces have been petitioned for a dozen times. Just before the old Board retired from office, Estadillo and Sherman, over my vote, deeded as a gift to the dry lands of any value to the San Diego and Los Angeles Railroad Company, leaving the city without lands and money, and the suit still pending. The Trustees either had to abandon the suit, levy the tax of \$3,000, or deed a part of the title lands. Now, did not the Trustees act for the very best interests of the city, in refusing to tax the people, and intend pay the fee in a part of the title lands, which no citizen at that time believed the city could secure? By making this arrangement, the people were not robbing, considered of value to the city at that time, and were saved the taxation. I maintain it was a good bargain for the city.

By an Act of the last Legislature, the city Trustees were empowered to levy a tax of one cent per annum upon all of the taxable property in the city. If the Trustees had been so disposed, under the law they could have made the taxes within the Pueblo limit 3.57 per cent, instead of 2.87 per cent, as now levied by the State and County. Under the same law they could levy a license tax upon all saloonkeepers, taverns, bar-rooms, tipping houses, dram shops, peddlers, and pawn-brokers, and could have appointed ten policemen at \$50 per month each. By the same law I was allowed 15 per cent for collecting the taxes, and authorized to appoint a Marshal at \$1,000 a year, and had the appointment of the Marshal. In all these things, bringing heavy taxes upon the people, the Trustees have refused to act, and I have declined to exercise the Marshal and policemen power, because I thought there was no use of either, and was an impediment to taxing the people of San Diego. Under this law the Trustees might have expended the moneys as follows:

Attorneys' fees per annum	\$3,000
Ten policemen \$500 each a year	5,000
City Surveyor	1,000
City Assessor	500
City Collector	1,000
City Marshal	1,500
Road from Old Town to New Town	2,000
City Hall building	2,000
Total	\$10,500

All of which could be considered legitimate expenditures under the aforesaid law. Instead of this, the people are not paying a dollar of city taxes. What other plan is California of the same size can say as much? And yet men who are ashamed to sign their names to giving communications against the Trustees of robbing the people and loading them with taxes. For two years I have given one day, and often two days, in each week to the affairs of the city, and for the past year have come from Old Town to New Town, which position, for which I have not either directly or indirectly received one cent. I have done this to aid in making the suit so long pending and on which so much depends, and know that a favorable decision is rendered and the title to city property is in a fair way of being finally settled to the advantage of those who have invested their all in the title lands of the four square leagues, I am charged with robbing the people whom I have endeavored to faithfully serve.

I submit the foregoing facts in answer to the base charge.

JAMES MCCOY.