Regular Meeting Friday August 7th 1891

Council Chamber City Hall El Paso Texas

The City Council met in regular session at 8.20 o'clock P M
Present Richard Caples, Mayor Aldermen J P Dieter Charles Slack J W Magoffin Dan Kelley J B Badger and Geo. A Stewart
Absent Anzi Berla and A Solomon
City Clerk Cattin being absent on account of sickness J H Merrill was appointed to act as clerk
The reading of the minutes of the two previous meeting was dispensed with

Report of Officers

City atty. Clark reported contract with J. E. Terry to build a brick flume over acequia on Leon St which was duly approved. City Atty further reported upon a claim of P A Kellar for $73 73/100 which had been garnished Whereupon the council orderd that the warrant for the amount due P A Kellar be drawn in favor of Mr Patterson

The report of Chief of Police Caples for the month of July showing fines collected as assesseds in the recorders court to the amount of $534.27 and $151.00 served out making a total of $685.27 was referred to finance committee

Tax Collector Merrill reported $1422.50 as collections for the Month of July 1891 with receipt of City Treasurer appended thereto showing that said amount had been duly turned over which was referred to finance committee

The report of City Engineer Campbell accepting certain sidewalk improvements made by J B Terry was referred to Streets & grade committee

The finance committee through its chairman J. P. Dieter reported a contract between the City of El Paso and Leigh Clark for the collection of delinquent or back taxes due the City of El Paso for the years 1881 to 1889 inclusive. The said contract was approved by the City Council and reads as follows to wit;

Contract

Whereas there has been considerable property sold to the City for the non payment of taxes due thereon for the fiscal years of 1881 to 1889 inclusive, and whereas there has been great neglect in placing tax-deeds upon

upon record and in many instances no deeds have executed, while in other instances the owners of property pay no attention to their tax delinquency or to the sale of their property for taxes, and whereas it is believed by a systematic, diligent and faithful effort much of said tax and property may be recovered to and for the use of said city, therefore;

It is hereby agreed by and between the City of El Paso a municipal corporation party of the first part and Leigh Clark party of the second part as follows;

1st That the said party of the second part shall proceed at once to the collection of said delinquent taxes in cases where the money can be collected, or in cases where the money cannot be collected, then the said second party shall proceed to recover to and for the use of the city the property upon which taxes are delinquent, and in cases where property has been sold to the city, then to institute proceedings to quiet the City's title to the same

2nd The said second party is required and he hereby agrees to adopt and use every legitimate effort and means to collect all of the delinquent taxes due the City either by suit or otherwise as the case may be or as the necessity may require; in other words the said second party agrees after systematizing the delinquent tax rolls for each year included in the period herein before mentioned viz for the fiscal years of 1881 up to and including April 9th 1889, that he will endeavor to collect each and every item thereof both large and small, personal as well as realty taxes, and in all things to act for the best interest of the said first party, the City of El Paso.

3rd. It is hereby made the duty of the said second party and he hereby agrees forthwith, or as soon as the tax rolls are perfected to prepare suitable notices to all persons or estates owing taxes to said city, which notice shall state the amount of taxes due for each year, and if not paid to the assessor and collector within a reasonable time to be stipulated in said notice, that suit will be instituted for the same, and in cases where property delinquent for taxes has been sold to a subsequent purchaser or purchasers, a like notice shall be sent to the present

owner of said property, and in case the said taxes are not paid on or before the expiration of said time prescribed by notice which shall not be less than thirty days in case of non residents or fifteen days in case of residents of this county, the said party of the second part shall institute such legal proceedings as the necessities of the case may require or which in his judgment will best subserve the interest of said City

4th That the said second party shall at least once a month or as much oftener as may be required by the Council make a detailed report of his actings and doings in the premises —

5th That whereas in the opinion of the said second party it will best subserve the interest of said City to compromise any suit instituted hereunder he shall have the authority to do so upon the consent first given of the finance committee

6th That for all moneys paid into the hands of the assessor & collector after notice given by said party of the second part and for all moneys collected by suit hereunder the said party of the second part shall be entitled to twenty five pr. ct. thereof as his compensation

7th The said party of the second part obligates himself to proceed at once to the performance of the duties herein imposed and to collect said taxes, obtain possession of delinquent tax property, or to quiet the citys title to the same as speedily as practible

8th That the phrase "delinquent taxes" or "taxes" as herein used shall include taxes penalty or damages interest and costs

9th That the said party of the second part is hereby authorized to employ the assistance of the assessor and collector Z H Merrill at a cost not exceeding five pr. ct. of the amount of taxes so collected in addition to his regular fees of office.

10th It is further agreed that where property is recovered in lieu of money, or in cases where the title of the City is quieted to property, that the compensation hereinbefore mentioned shall apply, and the parties shall be entitled to a pro rata interest in said land, or at the option of the City such interest may be paid of in money, that is upon the basis of twenty five pr. ct. and five pr. ct. of the amt. of taxes

due on said land

10 th This contract shall take effect and be in force from this date

That whenever in the opinion of the party of the first part it will best subserve the interest of said city to compromise any suit instituted hereunder or about to be instituted then party of the first part shall dismiss any suit such suit, provided the taxes as compromised shall be paid - all such cases of compromise to be passed upon by the Council — Provided however that if payment of said taxes be made within the time stipulated in article three of this contract that a deduction of fifty pr. ct. shall be allowed to the party so paying

In testimony whereof the parties hereto have set their hands this 7th A D 1891

Signed Leigh Clark

Bills presented and allowed

Weekly pay-roll of Street Com^r Hudson for week ending Aug 8th/91	27 00
J. B. Payne street sprinkling for month ending July 31st/91	10 00
El Paso Transfer Co unloading & setting up four sprinklers	35 00
The following bills were presented and on motion were referred to the finance Committee	
County Clerks cost bill B. G. Thomas	21 80
" " " "	22 40
City Scavenger H. F. Stacy, two bills respectively 24.12½ & 40.50 =	64 62½
Mackinzie rent of city hall	223 98
Park Com^r Watts	50 00
Chas E Fruin	3 00
El Paso Gas Co two bills respectively $481.00 & $28.80	509 80
El Paso Water Co four bills respectively $27.68 - 15.30 - 96.00 - 19.80	158 78
City Engineer three " " 31.50, 8.00 3.50	43 00

The report of Sewer Com^r Mc Glennon was read and ordered filed showing the following connections with the public sewers since his last report of July 31st/91 to wit

D H Newman Hill street. F Finch 313 Chihuahua st (2 connections) H C Dockerty 707 N Stanton St. Kneeland Agt. P A Kellar Campbell street Eakins Agt. A D Owens St. Veranes street Mag. Ed.

Alderman Dieter reported the arrival of 4 street

Regular Meeting Friday Aug 7th 1891 Continued

sprinklers and said that the contract with A. L. Roy was in the hands of the Mayor for his signature

all indebtedness incurred incurred in the way of freights, unloading setting up &c was ordered paid off

The special committee on street sprinkling were authorized to procure sheds for the city street sprinklers

The City engineer was authorized to take charge of street sprinkling until the work could be systematized, and it was decided that improved streets should have the preference in in sprinkling

The council approved the appointment of Henry George & J. B. Chipman to the police force

The action of the Mayor in ordering the city safe opend & a new combination placed therein was approved by the city council

There being no further business the council adjourned until next regular meeting

Approved
Richard Caple
Mayor

J H Cattlin
City Clerk Pro Tem

Regular Meeting Friday August 14th 1891

Council Chamber City Hall El Paso Texas

The City Council met in regular session at 8 PM
Present Mayor Richard Caples, Aldermen J. B. Badger
J W Magoffin & Dan Kelley
There bing no quorum present the meeting
adjourned until next regular meeting
Approved

Richard Caples Mayor

J. H. Catlin
City Clerk Pro Tem

Regular Meeting Friday Augus 21st 1891

here

Council Chamber City Hall El Paso Texas

City Council met in regular session at 8³⁰ P M

Present Richard Caples Mayor Aldermen Badger Magoffin Slack Solomon Stewart. Absent Aldermen Berla Dieter & Kelley.

The minutes of the two last meetings to wit; aug 7th & 14th read and adopted

Report of Officers

City Atty Clark reported that in the case of the City of El Paso vs W M Stanton Agt. for the owners of the old Central Hotel Building, charged with violating the city ordinance No. 23 relative to the removal of building &c which was carried before County Judge Blucker on writ of Habaes Corpus; it was held that the provision of the charter under which the said Ordinance was drawn was unconstitutional and said Stanton discharged

City Engineer Campbell reported favorably upon the working of the street sprinklers but said that no stand pipes had yet been placed for the use of said sprinklers He also reported that the R R Culvert at the North East corner of the plaza was so situated as to discharge its contents upon the side-walk now being constructed on the East-side of the plaza and that same ought to be moved about five feet to the Eastward in order to discharge it contents into the street and upon motion it was ordered that the City Clerk request the Rail Road Co remove said culvert as requiered by City Engineer. The City Engineer further reported that the side walk in front of Judge Bucklers was not beind made according to grade; which matter was upon motion refered to the City attorney

* The City Clerk reported a number of bills which were referred to finance committee to wit:

Bill of the Times Publishing Co for 1500 Blank	$11.50
" " " El Paso Ice & Refrigerating Co for Ice	$11.40
" " " R Caples for Buckets & twine	3.90

Finance Committee

Alderman Slack for the Finance Committe reported favorably upon the following bills which were approved by the Council and warrants ordered drawn for the same upon their respective funds to wit:

* The pay roll of Street Com^n Hudson for the week ending aug 22nd/91 for $42.00 and bill of Sewer Com^n McGlenn " work and repairs at the mouth of sewer for $6.00 was approved and warrants ordered drawn for the same

Regular Meeting Friday Aug 21st 1891 Continued

Bills allowed

		Funds	
Freight on sprinkling carts, Texas & Pacific R R Co		St. maintainence	179 85
Costs Bills in Dist Court, Howell Brown	Clerk	Gen'l	23 30
Feeding city prisoners for July/91, Mrs Louis Toenniges		"	63 60
Opening and putting in new combination in City Safe	H P Noake	"	25 00
Catching and killing 101 dogs	City Scavenger H F Stacy		50 50
Removing carcases & garbage " "	H F Stacy	"	24 12
Rent of City Hall & Interest	D Mackenie	"	223 98
Work & labor on City Park	Commissioner W H Watts		50 00
Stakes for City Engineer	Charles E Irwin	St Imprvmt.	3 00
Gas for the City for July/91	El Paso Gas Elec. St. & Pow. Co.	Gen'l "	28 80
Electric lights for City July/91 " " " " " "		"	481 00
City Engineer's assistants	Joe Evans	St. Improvmt	6 00
" " "	Geo. E Wimberly	"	31 50
" " "	Phil Millspaugh	"	2 00
" "	Saml Anchondo	"	3 50
	Houck & Dieter		7 50
Pomroy Transfer Company		Gen'l "	9 50
Street sprinklers (4) Studebaker Mfg Co to be pd when wagon is fixed		"	1252 48
Water for flushing tanks El Paso Water Co		"	96 00
			2561 63

The Finance committee also recommended that the following reports of Officers be received and filed to wit;

Report of Ex Chief of Police S. C. Lyons showing the sale of six revolvers at public auction for ~~the~~ eighteen dollars and fifty cents & also one revolver still on hand for which no bid was offered

Also further reported the collection of fines amounting to 7 00/100 making a total of $25 50/100 with the Treasurer's receipt thereto appended showing that said amount had been duly turned over to the City

Report of Chief of Police Wm Caples

For the month of July/91 showing the amount of fines imposed in the Recorders Court for the various offences, the amounts collected, from whom collected and the amounts served out in the City Jail to wit

Total amount of fines imposed by the Recorder	685 27
" " " " Collected " " Police-force	534 27
" " Served out in the City Jail	151 00

To which report the City Treasurer's receipt for $534.27 was appended showing that all of said fines collected by him had been turned

Regular Meeting Friday Aug 21st 1891 Continued

over to the City

Report of Assessor & Collector J F Merrill

for July/91 showing the following collections

Occupation Licenses	$1363.62
Dog "	$42.50
Sewer Permits	$91.25
Gross	$1497.37
Less 5 per cent	$74.87
Settlement as per Treasurer's receipt No. 292 appended	$1422.50

Report of City Clerk B S Cattin

showing amount of warrants drawn on the different funds from June 19th to July 31st /91

Warrant No 13	E L Sargent for ticket to St Louis for Pauper	Special Fund	19	80
" " 15	Mrs L H Toenniges Meals City Prisoners June	" "	63	60
" " 18	N S Good & Co Selicia for decoration Harrison	" "	3	50
" " 20	Bal due from expenditures during flood	" "	11	81
" " 22	El Paso Transfer Co. Hack to carry prisoner & stolen goods	" "	5	00
" " 23	Fassett & Kelley wheelbarrow for street work	" "	8	50
" " 16	Howell Brown, Cost in city cases District Court	Genl Fund	63	05
" " 17	Dan Kelley 1000 ft fire hose	" "	700	00
" " 18	E P G E L & P Co Lights month of Jan./91	" "	44	80
" " 19	E P G E L & P Co " " " " "	" "	429	00
" " 20	E P G E L & P Co " " " May "		468	00
" " 21	" " " " " " " " "		30	40
" " 22	S J Freudenthal Interest on mortgage Fair-Ground		125	00
" " 23	C C Keifer building Hose House		310	00
" " 24	Leigh Clark for attorney's fee at Austin		25	00
" " 25	Charles Gruin Wood stakes		3	50
" " 26	Burton Lings & Co. Lumber for fair grounds		15	00
" " 27	Wm Rex putting lock to City Clerk's office			75
" " 28	Times Publishing Co Advertisement		1	57
" " 29	" " " 500 warrants of arrest 500 complaints		15	00
" " 30	" " " advertising		6	30
" " 31	D Mackenzie rent of City Hall July		223	98
" " 33	Sheafer & Co Medicine for city prisoner			75
" " 35	E P G E L & P Co City lights month of June		481	00
" " 36	" " " " " " " " " "		28	48
" " 38	W H Watts City Park Commissioner		50	00
" " 39	Fassett & Kelley City St. improvements		1	55
" " 40	El Paso Transfer Co buggy & horse Dan Kelley		3	00

Regular Meeting Friday Aug 21st 1891 Continued

City Clerk's report continued

Warrant No. 41	Ov H Tuttle signs in the park	12	00
" " 42	O C Moorehouse burying city pauper	8	50
" " 43	Times Pub. Co. Advertising	260	55
" " 44	" " " Blank pay warrants	27	50
" " 45	" " " letter heads	3	00
" " 46	Fassett & Kelley water cooler City Clerks office	6	00
" " 47	Harper & Colvin Stationery	7	45
" " 48	H J Stacy catching & killing dogs	57	00
" " 50	" " " " " " "	48	25
" " 53	" " " " " " "	35	50
" " 51	L B Frudenthral matting city hall	21	00
" " 52	J S Campbell City Engineer. Help	60	00
" " 54	J B Payne Sprinkling around plaza	10	00
" " 55	El Paso Ice & Ref. Co ice for city hall July	5	40
" " 56	" " Water Co. water, Flush Tanks	96	00
" " 57	" " " " " hydrants	970	00
" " 58	" " " " " Little Plaza	94	85
	Total Amt of Gen'l Funds	4748	93

New sinking and interest funds

Warrant No 1	C N Fassett	704	10

Street Maintainence Fund

Warrant No 1	A Hudson Act Street Commissioner	48	00
" " 2	A Hudson " " "	42	00
" " 3	" " " " "	40	00
" " 4	" " " " "	42	00
" " 5	J. L Miner for Black-smith work St. Impvmnt	2	35
" " 6	Fassett & Kelley " "	6	25
" " 7	A Hudson " "	37	00
	Total	217	60

Sewer Funds

Warrant No 3	M & McGlennon Pay-roll sewer work	31	00
" " 4	Fassett & Kelley, Material for sewer pump	32	15
" " 5	M & McGlennon labor on sewer	3	00
	Total Amt of Sewer Fund	66	15

Artesian Water Fund

Warrant No. 1	D McDugal Act Artesian well	577	50

Alderman Slack further reported that his committee could not agree upon the matter of Public printing for the City and asked to return the matter

back to the Council.

Upon motion of Alderman Solomon all action upon the report of Alderman Slack in regard to public printing was posponed until the next regular meeting of the City Council

Police Committee through its chairman J W Magoffin to whom was referred the petition of Sing See asking a remittance of fine imposed in the Recorder's Court reported, recommending that the petition be not granted adopted

Special Committee on Fair Grounds recommended that the City Engineer be instructed to make such surveys as may be necessary to put water from the acequia upon the Fair Grounds for irrigating purposes. Recommendation adopted

Alderman Magoffin for Committee reported that it was impossible at this late date to estimate any damages which might have been caused by the over-flow of the sewer during the high water and recommended that no damages be allowed by the City to any one until their claims was duly established by law

On motion all action in the matter of damges from over-flow of sewer was postponed until further information could be obtained

Communications

A communication from J T White and A M Loomis protesting against the construction of a side-walk on Sonora street East of Sante Fe street was presented and read, and on motion was referred to the Aldermen from the first ward

New Business

The Mayor announce that the term of office of W N Vilas and O.C. Coffin as members of the Board of Health had expired, and he would therefore nominate as their successors Dr W. N. Vilas and Dr W. K. Thompson which nominations was confirmed by the City Council

The Chief of the Fire Department reported to the City Council that fire still existed in & among the debris of the Baggs livery stable recently burned down on S. Oregon street. and upon motion the city council instructed the City Clerk to notify the owners

Regular Meeting Friday Aug 21st 1891 Continued

or agents thereof to remove said debris and clean up the same

Upon suggestion of Street commission, it was ordered that he be authorized to have the street rolled, whenever it would, in his opinion, be to the best interests of the city & streets thereof so to do

The City Engineer presented a communication from D. W. Russell to himself offering to grade ~~Austin~~ Austin Street from St Louis to Main St with his bid for doing the work accompanying his communication Said communication was upon motion referred to street and grade committee

The following Contracts with the City heretofore approved by the council and having been signed by the Mayor since said approval by the council are hereby entered in these minutes nunc pro tunc by order of the council

The City of El Paso Contract with J. E. Terry
To build a flume of brick over the acequia on Leon street

The State of Texas }
El Paso County }

This contract and agreement made and entered into this the 7th day of August AD 1891 by and between the City of El Paso a municipal corporation party of the first part and J. E. Terry Contractor party of the second part Witnesseth: The said Terry hereby agrees and obligates himself to build and construct a brick flume on the acequia so as to conduct the acequia under Leon street at the point and according to the plans and specifications on file in the office of the City Engineer and said work is to be done under the supervision and direction of the City Engineer and when said flume is completed to the satisfaction of the City Engineer and approved by him and the Street & Grade committee and accepted by the City Council the said City of El Paso agrees to pay to said Terry the sum of two hundred dollars.

Witness our hands this the 7th day of August 1891

(signed) J. E. Terry
Richard Caples Mayor

Regular Meeting Friday Aug 21st 1891 Continued

El Paso Water Co Contract with the City of El Paso

State of Texas
El Paso County

This contract and agreement made and entered into this the 6th day of August 1891 by and between the El Paso Water Company a private corporation and the City of El Paso a municipal corporation Witnesseth:

The said party of the first agree to furnish to said second water for the sprinkling of the public streets and alleys only, at the rate of seventy dollars pr month for each sprinkling cart used by the city in the sprinkling of streets — Stand pipes to be erected at the expense of the City - the City to have the right to remove said stand pipes at any time.

This contract is for one year but may be abrogated by the City upon ten days notice. The said Water Co agrees to furnish as much water as can be hauled in twelve hours. It is also agreed hereby that there shall be no deduction or credit for rainy or wet days

In testimony whereof we have hereunto set our hands this day and year aforesaid

Aug. 6th 91

El Paso Water Co.
By W H Watts Supt
Richard Caples
Mayor

City of El Paso Contract with A. S. Roy

The State of Texas }
County of El Paso }

This contract and agreement made and entered into this 21st day of July AD 1891 by and between A S Roy party of the first part and the City of El Paso a municipal corporation party of the second part Witnesseth: the said Roy agrees to furnish to the party of the second part horse or mule teams competent to draw in a fast walk the sprinkling carts when filled with water said carts to be furnished by the City - and the said Roy agrees to furnish with each team competent harness & drivers - all this to the satisfaction of the Street commissioner or such committee as may be designated by the City Council. No stock aforesaid less than fifteen hands high shall be accepted by the City, and ten hours pr. day for teams and drivers shall constitute a days work - the hours of work to be designated by the City, for which work of team and driver there shall be paid in cash or its equivalent $2.50 per day — Overwork when required by the City to be paid for at an increased priced of twenty five per cent additional pro rata.

This contract shall be from one year from this date, but the City

Regular Meeting Friday Aug 21st 1891 Continued

reserves the right at any time to annul and terminate the same upon thirty days notice — When the teams and men aforesaid are not required for street sprinkling the city shall have the right to use the same for other purposes

In testimony whereof we have hereunto set our hand this the day and date aforesaid

"Signed" A L Roy

(Said contract above being made & signed in duplicate J.H.C)

Bond for performance of sprinkling contract

The State of Texas }
El Paso County }

Know all men by these presents, that we A L Roy as principal and and as sureties are held and firmly bound unto the City of El Paso in the sum of fifteen hundred dollars for which payment well and truly to be made we bind ourselves our heirs executors and administrators both jointly and severally firmly by these presents,

The condition of the above obligation is such, that whereas the said City of El Paso has awarded to the said Roy the contract for the sprinkling of the streets and alleys of said City for the period of one year from the date of said contract,

Now therefore if the said Roy shall well and truly carry out, perform and comply with all the terms and conditions of said contract (to which reference is here made and which shall constitute a part of this bond) then this obligation to be void otherwise to remain in full force and effect

Witness our hands this day of August 1891

"Signed" A L Roy
Edwin C Roberts
Phil Young
Thos Hartman

There being no further business the adjourned until next regular meeting

J H Caltin
City Clerk pro tem

Approved

Richard Coles Mayor

Regular Meeting Friday Aug 27/71

Council Chamber City Hall El Paso Tex.

City council met in regular session at 8 o clock P. M. Present Richard Caples Mayor
Aldermen Dan Kelley & Charles Slack
Absent Alderman J B Badger A Berla
J P Deiter J. W. Magoffin A Solomon
& Geo Stewart
There bein no quorum present upon motion the council adjourned until next regular meeting

J H Cattin
City Clerk Pro Tem

Approved

Richard Caples Mayor