Regular Meeting Friday March 11th 1892

Council Chamber City Hall. El Paso Texas

The Council met in regular session at 8-30 o'clock, with Mayor Caples ~~Caples~~, presiding and the following Aldermen present: J. B. Badger, Anzi Berla, Dan Kelly, James W. Magoffin, Chas F Slack, Geo S. Stewart and Adolph Solomon 7. Absent. J. P. Dieter, 1.

The Minutes of February 19th and 26th was read and on motion duly seconded, approved.

Reports from City Officers.

February 1892
Statement of
Assessor & Collector
For Taxes.

Receipt From Rolls 1890 $1000.00

With apportionment as follows:		
General Fund	✓	608 12
School Fund	✓	168 92
Street Impt. "	✓	33 78
" Maint. "	✓	33 78
Artesian Water Bonds Sinking & Int Fund	✓	33 78
School " " " "	✓	33 78
Sewer " " " "	✓	33 78
Funded Indebtedness " " " "	✓	20 28
Sewer Ext & Maint. " " "	✓	33 78
		1000 00

Settlement by Treasurers Receipt No 310 for $1000.00

Receipts From Rolls 1891 $11000.00

With apportionments as follows		
General Funds	✓	4714 38
Street Maintenance Fund	✓	1571 46
Street Improvement "	✓	125 73
Sewer Extention "	✓	251 35
" Bonds Sinking & Intrest Fund	✓	314 27
School " " " "	✓	314 27
Artesian Water Bonds Sinking & Intrest Funds	✓	314 27
Funded Indebtedness Bonds " " "	✓	251 35
School Maintenance	✓	3142 92
		1100 00

Settlement by Treasurers Receipts Nos 309 and 312 for $11000 00 hereto appended.

Z F Merrill
A & C

El Paso Texas March 4th 1892

Regular Meting Friday March 11th 1892 Continued

Statement of
Assessor & Collector
for February 1892

Receipts

Occupation Licenses #662.25
Less 5% Commns 33.12
Net #629.14

Settlement by Treasurers Receipt No 314 for #629.14
hereto appended.

El Paso Texas March 4th 1892
W. F. Merrill
A.T.C.

On Mation duly seconded and carried, the two above Reports was referred to the Finance Committee.

Report of the City Clerk for month February 1892

El Paso Texas March 3rd 1892

To the Hon City Council
of El Paso Texas.
Gentlemen:

I herewith submit a statement of warrant drawn by me on the several different funds, against the City Treasurer, during the month of February 1892. This Report does not include the Pay roll for the month of January or February. 1892

Date		No	Name	Fund	Purpose	Amts
February	10	306	W. M. Gandell	General	Cash Paid out for Small pox Supplies	8 25
"	"	307	Gaston & Newell	"	Groceries furnished " " Hospital	2 25
"	13	308	Times Pub Co	"	25 Pac cards " " notice	4 25
"	"	309	El Paso Gas Electric L & P Co	"	38 Arc Lamps January	49 4 00
"	"	310	" " "	"	Gas for City Hall "	3 3 00
"	"	311	H. M. Hoyd	"	Going Service Nov & Dec	1 6 00
"	"	312	Wm. B. McKie	"	Publishing ad Levee & Proposals Sidewalk	9 90
"	"	313	A. L. Roy	"	Sprinkling Streets Jany 1892	3 1 0 00
"	"	314	El Paso Fuel Company	"	Coal & Wood City Hall	2 7 00
"	"	315	" " Water "	"	Repairing Stand pipes Co One Day	2 50
"	"	316	A. L. Roy	"	Fire wagon 36 days Street Work	1 8 00
"	"	317	D. Mackenzie	"	Rent City Hall February	2 2 3 98
"	"	318	El Paso Water Co	"	Water St Sprinkling Jany	2 8 0 00
"	"	319	J. H. Harper & Bro	"	3 Ail Board for City Attly	50
"	"	320	Mrs L. A. Tormigo	"	Meals furnished City prisoners Jay	9 5 20
"	"	321	A. E. Stacy	"	City Scavenger work Jany	2 3 35
"	"	322	El Paso Water Co	"	Water used in 19 Flush tanks Jay	1 1 4 00
"	"	323	M. A. Dolan	"	Repairing City Jail windows	1 50
"	"	324	Birla & Co	"	" " W. C. & Stand pipes	10 882
"	"	325	M. A. Dolan	"	Hack hire Levee Com-	4 00
					Total Amt of General fund	$1776 50
Feby	10	162	H. B. Stevens	Special	Occupation Tax wrongfully Collected	7 00
"	10	163	Wm Caples	"	Police Badges, Chains Collars & Stationary	1 4 33
"	"	164	C. M. Hole Agent	"	2 1/2 fare Tickets to Tucson Ariz	1 4 83
"	"	166	M. B. Davis "	"	C.O.D. Pkg. Testimony Howland's City	5 1 52
					Total Amt Special funds	$87 38
Feby	13	18	Benton Lingo & Co	Sewer	Lumber used at Mouth Sewer	2 7 70
"	"	27	S. W. Pomeroy	Street Maint	Team Wagon & Labor St work Jay	1 2 3 40
"	"	71	A. L. Roy	St Supt	Fire Wagon St work	1 2 00

Regular Meting Friday March 11th 1892 Continued

February	13	72	H. P. Noake	St Impt	Blacksmith work on St Tools	14.25
"	"	73	G. C. Kimberly	" "	Asst City Engineer Jany	40.00
"	"	74	Mansfild Judah	" "	" " " "	34.50
"	"	75	Samuel Auchando	" "	" " " "	10.15
"	"	76	Chas E Train	" "	Making 400 Grade Stakes	11.00
					Total Amt of St Impt fund	$121.90
"	18	3	E. C. Rew	Pub School fund	Maintenance	3682.02
					Grand Total for February 1892	$3791.20

Respectfully Submitted

B.S. Catlin City Clerk.

On Motion duly Seconded and Carried the above report was referred to the finance Committee.

The Clerk submitted the City Payroll as follows.

City Pay Roll for February 1892

El Paso Texas 3/17 92

To the Hon'l City Council

of El Paso Texas

Gentlemen: I herewith submit the Pay Roll for the month of February 1892. for your approval.

No	Name	Office	Fund	Amt
326	Richard Caples	Mayor	General	50 00
327	J. P. Dietz	Ald 1st Ward	"	25 00
328	Chas F Slack	" " "	"	25 00
329	Dan Kelly	" 2nd "	"	25 00
330	James W. Magoffin	" " "	"	25 00
331	Geo S. Stuart	" 3d "	"	25 00
332	J. B. Badger	" " "	"	25 00
333	Adolph Solomon	" 4th "	"	25 00
334	Angi Berla	" " "	"	25 00
335	C. M. Fassett	City Treasurer	"	50 00
336	W.M. Gandell	" Physician	"	150 00
337	J.H. Comstock	Supt Fair Grounds	"	20 00
338	W.W. Walls	" Little Park	"	50 00
		Total Amt	"	520 00
167	Leigh Clark	City Attorney	Special	125 00
168	B.S. Catlin	" Clerk	"	125 00
169	W.M. Coldwell	" Recorder	"	125 00
170	J.L. Campbell	" Engineer	"	83 30
171	William Caples	Chief Police	"	125 00
172	C.R. Helm	Capt "	"	100 00

Regular Meeting Friday March 11th 1892 Continued

Warrant	No	Name	Officer	Fund	Amts
"	173	T.C. Luttrloh	Policeman	Special	75 00
"	174	J.M. Kennie	"	"	75 00
"	175	H.H. George	"	"	75 00
"	176	T.R. Heustis	"	"	75 00
"	177	J.B. Chipman	"	"	75 00
"	178	George Herold	"	"	75 00
"	179	L.E. Delfraisse	"	"	75 00
"	180	John Selmon	"	"	37 50
"	181	John L. Clark	Keeper Rest Home	"	30 00
"	182	Ladies Hospital	Monthly Allowance	"	50 00
			Total Amt	"	$1325 80
		M.C. McGlennon	Sewer Comr	Sewer	75 00
			Grand Total		$1910 80

Respectfully Submitted
B.S. Catlin, City Clerk

On motion duely seconded and carried, the above Pay Roll was approved, and ordered Filed.

Report of the Chief Police was submitted, showing fines collected for the month of February to the Amount of $26.00. The Report was on motion duely seconded and carried refered to the Finance committee.

The following Recommendations from the Mayor was read by the clerk. El Paso Texas March 11th 1892

To the Aldermen of the City of El Paso Texas.

Gentlemen:- As there is to be an election held in the City of El Paso on the 12th day of April 1892 for several different offices including the City assessor and collector, will say that I find on examining the reports and records of the Assessor and Collector, filed with the City Clerk, I find that the commissions of the assessor & collector amount to about Five thousand ($5000.00) dollars per Annum. I recommend that the commissions of the incoming assessor & collector be reduced to two (2) per cent on all monies collected by him, or a salary be fixed at Eighteen hundred ($1800.00) dollars per year. I also recommend that the commissions or salary due said assessor & collector to be paid by warrants drawn upon the City Treasury in the same manner as other city officers are paid I further recommend that all city officers of the several different departments submit to the City Council at the next regular meet a list or inventory of all prop

ty in their possession belonging to the city.

Richard Caples Mayor

On motion of Alderman Magoffin duly seconded and carried, that part of the above recommendation requesting all officers to make an inventory of all property belonging to the city be carried out, and the balance of the recommendation be referred to the Finance Committee

Fire and Water Committee

Chairman Solomon of the above Committee stated that his Committee was not yet ready to make a report in reference to purchasing a Fire Engine, and asked for further time On motion the Committee was granted further time.

Strut and Grade Committee

Chairman Kelly of the above committee, Recommends that the Rupart of the City Engineer relative to Tar and Gravel sidewalk constructed by J. E. Terry on Chihuahua St from from San Francisco St to Second St. and Sonora St from Chihuahua St to Alley East of Santa Fe St. be received and the Attorny draw up ordinance levying special Tax on abutting property to pay for same. On motion it was so ordered,

Chairman Kelly, also recommended that the City Engineer make estimate for Sewer in Alley west of North El Paso St North of Upson Ave and report at next regular meeting. It was so ordred.

Special Committee on Fair Grounds

Chairman Solomon of the above committee stated the City owned the land right up to the County road opposite the Fair Grounds, and recommended that the Fair Ground fence be extended on to the line on the County road. On motion the recommendation was ordred carried out

Special Committee on Levee

The Chairman of the above committee reported that matter relative to the levee was progressing, and that all matters would be arranged at an early date.

All Bids received by the Clerk for the building of the proposed Levee was ordred to be turned over to the bidders.

Bills Communications Notices &c

All Bill for the month of February was referred to the Finance Committee without reading.

Regular Meting Friday March 11th 1892 continued

The following Communication was read by the Clerk to wit:

El Paso Texas March 9th 1892

To the Mayor and City Council
of El Paso Texas.

Gentlemen:- The undersigned, The Border District Telegraph Company through their representative F. R. Steil of El Paso represent to your Hon Body that they are desirous of erecting in this City, the poles, wires and call boxes necessary for a system of District or City Telegraph, for the use of such persons desiring call boxes for messengers, hacks, Police and to give notice in case of fire, and would earnestly petition they be granted the right of way to erect poles and string wires upon the Streets and Allyways within the City of El Paso, in such away as not to interfere in anyway with the property of others, and under the supervision of the City Engineer.

In consideration thereof this Company agrees that their rental fees shall not exceed $1.50 per month for the first year, and $1.00 per month for each year after, for each box in use, and furthermore to put in the City Hall or Engine House one electric bell connected with their main office, to notify the Fire Department when an alarm of fire is sent in from any of the call boxes.

They further more agree to begin work within six months from the date of passing of the ordinance, and to complete the plant within one year from such date.

They would furthermore petition that no other Company or person be granted the right to establish a call box system of district Telegraph within the city limits of the City of El Paso within the period of ten years from this date.

And do pray these petitions be granted

Respectfully

(Signed) The Border District Telegraph Co.
by F. R. Steil.

On motion the above Petition was referred to the Street and grade Committee. Carried

Mayor Caples stated that it was in order to issue a call for an Election next month, and said would take a recess for five minutes.

When Council reconvened, the following Judges was announced by the Mayor: First Ward. Ed Howley, Judge

Regular Meeting Friday March 11th 1892 continued

of Election of said ward. Second ward J H Harper was appointed Presiding Judge of Election. Third Ward C. K. Lockart was appointed Presiding Judge of Election. Fourth Ward Ed Watts was appointed Presiding Judge of Election. All of the above appointments was confirmed by the Council.

The following places was then named by the mayor for the purpose of holding said election in the four diffrent wards. First Ward, Fire Department Room City Hall Second ward, Building corner of East Overland and oregon Sts. Third ward. Building on Mesa Ave just north of the Vendome Hotel. The above named voting places was agreed to by the Council.

Mr O T Bassett appeared before the Council and Stated that he would settle his dispute or controversy with the city relative to the rent of the Post house by taking two hundred dollars per year rent for said Post House, giving the Council the privilge to annul the Contract at any time without notice to him. On motion the matter was referred to the Finance Committee.

On Motion of Alderman Badger duly seconded the payment of City Taxes was extended until the 31st day of March 1892. The above motion was carried.

There being no futher business Council adjourned

approved Richard Locke B. S. Eaton City Clerk

Mayor

Regular Meeting Friday March 18th 1892

Council Chamber, City Hall, El Paso Texas

The City Council met in regular session at 8 o'clock P.M. Friday March 18th 1892, with Mayor Caples, presiding and the following Aldermen present: J.B. Badger, Angel Bula, Dan Kelly, James Magoffin Chas Slack, and Adolph Soloman 6. Absent: J.P. Dietz and Geo S. Stewart.

On Motion of Alderman the reading of the Minutes of March 11th 1892 was dispensed with. Carried

Reports from City Officers.

City Attorny Clark read the following ordinance

No 64 Ordinance

An Ordinance levying a Special Tax on the property hereinafter described to defray the cost of tar and gravel sidewalk upon the same.

Be it ordained by the City Council of the City of El Paso

Section 1 That a tax of One thousand and 80/100 Dollars be and the same is hereby levied upon all lots and pieces of ground in and to the center of the block fronting on or adjacent to and abutting upon Chihuahua St. from San Francisco Street to Second Street.

Section 2- That a like Special tax of $397.00 be and the same is hereby levied upon all lots and pieces of ground in and to the Center of the block fronting on or adjacent to and abutting upon Sonora Street from Chihuahua Street to Santa Fe Street.

Section 3- That a like Special tax of $213.00 be and the same is levied upon all lots and pieces of ground in and to the center of the block fronting on or adjacent to Chihuahua Street from Santa Fe Street to the Alley East of Santa Fe Street.

Section 4- Be it further ordained that said taxes shall be due and payable from and after the passage of this ordinance, and if not paid within thirty days after said date, the same shall have added thereto a penalty of ten per cent; and shall bear interest from the day of sale at the rate of twenty five per cent per Annum to be computed on the tax, penalty and

costs as provided by Section 141 of the City Charter

Section 5. Be it further ordained that this Ordinance take effect, and be in force, from and after its passage approval and publication.

On motion the above Ordinance was adopted by the following vote: Yeas: Badger Burla, Kelly, Magoffin, Black and Solomon. 6. Nays None. Ditto and Stewart being absent. The Mayor delared the ordinance Adopted.

Report City Engineer

El Paso Texas. March 18th 1892

To The Hon City Council of El Paso Texas

Gentlemen:

In the matter of Sewer extention, through Block five (5) in Satterthwaite addition, refered to me at your last regular meting, I have to report, that said extention can be made in one of two ways. 1st By taking off a lateral from the Sewer line through Block one (1) on Missouri St, and running up Missouri Strut to Upson Avenue, thence on Upson to the Alley in said Block 5 and thence up said Alley to the head of the Block, there to connect with the Flush tank, now on the Boulevard; or 2nd, To extend the line now terminating in the Alley just East of Mr Saml Schutz's store through Blocks 18 and 19 of Mills Map, and then in to the Alley in Block 5. This latter extention is the proper one to make with a view to future usefulness, but the cost of cutting through the hills in Block 18 and 19 will prohibit this extention until those hills are hauled away as they are now being.

The extention by the first route will cost from $325.00 to $350.00, there being 990 feet of pipe to lay, But to get pipe laid down here at the usual price, it will be necessary to order a car load of about 11000 feet of pipe, so that the present actual cost will be $400.00 to $425.00.

Respectfully Submitted

J L Campbell C.E.

On motion duly seconded and carried the above report was refered to the Strut and Grade Committee.

City Treasurer.

The following report from the City Treasurer was read

El Paso Texas March 18th 1892

To the Hon City Council, El Paso Texas.

Regular Meeting Friday March 18th 1892 Continued

Gentlemen:

Interest on the following City Bonds payable at Chemical National Bank New York City will be due April 1st 1892.

Funded Indebtedness	on $20000.00	$600.00
Public School	on $30,000.00	$900.00
	Total	$1500.00

Please furnish me with warrants as below and I will remit promptly

On Funded Indebtedness Sinking & Interest fund	$600.00
For New York Exchange	1.50
" Chemical National Bank commissions	1.50
Total	$603.00
On Public School Sinking and Interest fund	$900.00
For New York Exchange	2.25
" Chemical National Bank commissions	2.25
Total	$904.50

C. W. Gassett City Treasurer

On Motion duly seconded and carried, warrants for the above amounts was ordred draw upon thire respective funds.

The Clerk read a list of Property in possession of the different Offices of the several different departments, said property belonging to the city of El Paso. On motion the reports was ordred filed.

Building Committe

Chairman Bula of the above committe reported that the dangerous wall on El Paso Street was being repaired.

Finance Committe

Alderman Slack acting Chairman of the above Committee Recommended the payment of the following Bills

Bill Allowed.

Alba B. McKie	Pub Ordinances No 58-60-61-62	General	26	65
E. Krause	Making blue Print Lot Plan	"	1	50
McCutcheon Payne & Co	100 feet Rope, Cut at Hollow	"	9	00
W. S. McCutchion	Money advance on a/c Sewer Ext	"	221	62
El Paso Water Comp	Water 19 Flush Tanks Feby	"	114	00
Times Publishing Co	100 Instruction to bidders, 100 Specifs	"	15	00
" " "	500 Postals Printed	"	2	75
El Paso Gas Electric L & P Co	Gas City Hall Feby	"	26	75
" " " " " "	38 Arc Lamps "	"	494	00
J. H. Smith	6 Bu- lime 1 Ton coal	"	10	60
El Paso Transfer Co	Horse & Buggy Dan Kelly Art Board	"	3	00

Regular Meeting Friday March 1892 Continued

D. Mackenzie	Rent City Hall March	General	223	98
J. H. Comstock	Work on Fair Ground fence	"	26	55
El Paso Water Co	Water for St Sprinkling Feby	"	280	00
Mrs L. H. Tonniges	Meals furnished City Prisoners Feby	"	83	80
J. H. Harper & Bros	Stationary City Clerks Office	"	3	00
Clarke & Courts	" " " "	"	5	25
W. A. Irvin & Co	10 sheets Cross Section paper Eng-	"	2	50
Albert Mathias	5 yds Ducking City Jail	"	2	50
A. L. Roy	Street Sprinkling Feby	"	290	00
Sam Anchaudo	Asst City Engineer Feby	"	8	90
G. C. Wimberly	" " " "	"	42	50
Mansfield Judah	" " " "	"	42	00
W. H. Watts	Shade Trees for Little Plaza	"	9	95
H. F. Stacy	Scavenger work Feby	"	24	75
Burton Lingo & Co	Lumber Sidewalk Improvement	St Maint-	12	07
S. W. Pomery	Team Wagon & Labor St work Feby	" "	107	00
H P Noake	Repairing St Impt tools Feby	" "	16	00
Chas E Fruin	200 Grade stakes & 2 Round Crows	" "	4	50

On motion which was carried, warrants were ordered drawn to pay the above bills.

Alderman Slack also recommended that all purchases made by City officers, (if possible) be made in the City. The recommendation was ordered carried out.

The Finance Committee was granted time in which to report upon the matter of the Salary or Commissions of Assessor & Collector.

The Clerk read the Contract between the City of El Pas and W. de S. Maud Receiver for the El Paso Irrigation Co.

It was moved and seconded, that action be postponed on the Contract until tomorrow March 19th at 11 o'clock A.M. as there was some changes to be made in said Contract.

The motion was carried.

Acting Chairman, Slack, of the Finance Committee reported back upon the Reports of the City Clerk, City Assessor & Collector and Chief of Police for the month of February and recommended that the reports by filed, It was so ordered.

The Clerk read the following bond of J. Fisher Satterthwaite.

State of Texas
City and County of El Paso } Whereas there was on the 30th

Regular Meeting Friday March 18th 1892 Continued

day of April 1888. issued to J Fisher Satterthwaite a City warrant. (No 25) Twenty five on the Street fund of said City for the sum of fifty dollars. There has been issued to said Satterthwaite a duplicate warrant and is yet unpaid for said amount.

Therefore these present witnesseth, that we the said J Fisher Satterthwaite as principal, and H. Hamilton Schieffeler as surities acknowledge ourselves bound to indemnify said City of El Paso against said original warrant, and in the event that said City shall be compelled to pay said original warrant, then we the undersigned agree to refund said amount to said City of El Paso, the oblegee in this bond.

Witness our hand this 7th day of March 1892.

Signed J. Fisher Satterthwaite.

" H Hamilton Scheffeler.

I hereby approve the form of the foregoing Bond.

Leigh Clark City Atty.

On motion duly seconded and carried, it was ordered that a warrant for fifty dollars be drawn in favor of J. Fisher Satterthwaite. Carried.

Petition from A. Buehlke asking Council to remit the cost and penalty caused by the sale of Lot 17 Harts Survey Blk 39. was read and on motion was referred to the assessor & Collector.

Protest, against grading and gravelling Montana St. signed by the property owners along said street was read and on motion was referred to street and grade Committee.

It was moved and seconded that the Council adjourn until Saturday at 10 o'clock March 19th 1892 the motion was carried by a unanimous vote and the Council so adjourned.

Approved Richard Kapler B. S. Caetin

Mayor City Clerk.

Regular Adjourned Meting Saturday March 19th 1892

The city Council Met, pursuant to adjournmnt Saturday at 10 oclock am March 19th with the following Officers present Mayor Caples, and Aldermen, Angi Burla, Dan Kelly, James M. Magoffin, Chas F. Slack, ~~Geo S. Stewart~~ and Adolph Solomon, 5. Absent J.B. Badger, J.P. Dietz and ~~Geo Stewart~~ 3.

The city Attorny read the Contract between the city of El Paso and W de S Maud Receiver for the El Paso Irrigation Company

It was moved and seconded, that the Contract be accepted the Mayor be authorized to sign the Contract. the vote for the acceptance of the said Contract was as follows: Yeas Burla Kelly, Magoffin, Slack, and Solomon. 5. Nays none.

The Mayor declared the Contract accepted.

Contract.

State of Texas }
County of El Paso }

Whereas, the City of El Paso proposes to construct a leve or embankment in said city, extending along, and near the Eastern bank of the Rio Grande from at or near the point where said bank is intersected by San Francisco Street southerly to at or near where said bank is intersected by Stanton Street of said City; and,

Whereas, the El Paso Irrigation Company by its Receiver, W. de S. Maud, desires to use a portion of said embankment as an outer or western wall of said Company's canal, and in consideration therefor will contribute towards the construction of said leve.

Therefore, this agreement, made this day between the City of El Paso acting by its Mayor, Richard Caples, under the authority of the City Council, party of the first part; and W. de S. Maud, Receiver of said El Paso Irrigation Company, party of the second part.

Witnesseth:

1st That in consideration of the payment hereafter recited, made by said party of the second part, the party of the first part, hereby covenants and agrees to construct, or cause to be constructed, in said city at a cost of not less than Twenty-four Thousand Dollars ($24000) a leve or embankment along or near the eastern bank of the Rio Grande, extending from the point

where San Francisco Strut in said city intersects said bank southerly to the point where Stanton Street intersects said bank, and to build said levee so as the same will have a level crown thirty feet wide at the top, and of sufficient height and strength to prevent the water of the Rio Grande from breaking through or flowing over the said levee; provided that the city shall in no event be liable in damages to the party of the second part, or his assigns, for the overflowing or breaking of said levee.

2nd The party of the first part also covenants and agrees to procure and grant to the said Receiver for said El Paso Irrigation Company, its successors and assigns, a Right of Way for its canal forty-five feet wide along the eastern side of said levee, from the head of said levee at San-Francisco Street southerly to the point where the south line of Eighth Street of said city intersects said levee; and also grants to said Receiver for said El Paso Irrigation Company, its successors and assigns the authority, right and privilege of connecting to the upper or northern end of said levee the revetments and headworks of its canal; and also hereby confirms and ratifies to said Receiver for said El Paso Irrigation Company, its successors and assigns, all the rights, franchises, privileges and immunities heretofore granted by said city to said El Paso Irrigation Company.

3rd The party of the first part also agrees and binds itself that in the construction of said levee it will take or cause to be taken from the excavation required for the canal of said Irrigation Company all the sand and earth needed in the construction of said levee, which lies opposite or adjacent to the excavation, and within a one hundred and fifty foot haul; and, provided, that the excavation shall not be made below or outside of the width of the canal.

4th The party of the second part in consideration of the agreement, covenants and undertakings hereinbefore entered into by said party of the first part, hereby agrees to pay the said City Eight Thousand Dollars ($8000) to be appropriated toward the cost of constructing said levee, and immediately upon the due execution of this contract to deposit said sum to

the credit of the City Treasurer of the City of El Paso; and also covenants and agrees to construct or pay for, as said City may require, either a railroad or wagon bridge across said canal at the upper or northern end of said levee; provided, that the cost of said bridge shall not exceed Five Hundred Dollars ($500).

Witness our hands and the seal of said City, this, the 18th day of March A.D. 1892.

Attest
B.S. Catlin
City Clerk
(Seal)

(Signed) Richard Caples
Mayor of the City of El Paso
Signed W. de S. Maud
Receiver of the El Paso Irigation Co.

It was moved by Alderman Burke, that the contract between the City of El Paso, and W. de S. Maud, Receiver of the El Paso Irigation Company, this day signed by the respective parties be place in Escrow, to be delivered, one copy each to the respective parties upon the Execution of the contract now exposed between the said City of El Paso and the Rio Grande and El Paso Ry Co- and that the said sum of Eight Thousand Dollars ($8000) mentioned in said contract, be likewise placed in Escrow, and that the State National Bank, be, and is hereby designated as such Escrow.

The above motion was carried by a unanamous vote.

There being no further business the Council adjourned until its next regular meting

Approved Richard Caples

B.S. Catlin
City Clerk

Mayor.

Special Meeting Thursday March 24th 1892

Council Chamber, City Hall, El Paso Texas

The City Council met in Special session at 10 oclock A M Thursday March 24th 1892 with Mayor Caples presiding, and the following Aldermen: J B Badger, Anzi Zirla Dan Kelly, James W. Magoffin, Chas F. Slack, Adolph Solomon and Geo S. Stewart. Z. absent J. P. Dieter.

The Clerk read the following call:

Mayors Office, City Hall, El Paso Texas March 24th 1892

To J. B. Badger, Anzi Zirla, J. P. Dieter, Dan Kelly, James W. Magoffin, Chas F. Slack, Adolph Solomon and Geo S. Stuart Aldermen.

Gentlemen; You are hereby notified that there will be a Special meeting of the City Council, to be held at the Council Chamber, of the City Hall, at 10 oclock A M Thursday March 24th 1892, for the purpose of considering the contract between the City of El Paso, and the Rio Grande and El Paso Railway Company, to build a levee or road along the river front at said City of El Paso.

Given under my hand and seal of the City of El Paso this the 23rd day of March A.D. 1892.

(Signed) Richard Caples
Mayor.

(Seal.)

City Attorney Clark then read the following contract. to-wit:

State of Texas }
County of El Paso }

This Contract made and entered into this, the day of March, A.D. 1892, by and between the City of El Paso, a municipal corporation of the County of El Paso, in the State of Texas, acting herein by Richard Caples Mayor, who is duly authorized so to act, party of the first part, and the Rio Grande & El Paso Railway Company, a railway corporation duly incorporated under the laws of said State, (and having its office and habitation in said City), acting herein by its Second Vice-President, H. R. Nickerson, who so to do is duly authorized, party of the Second part, Witnesseth:

Whereas, the said city is desirous of having constructed a levee or Embankment in said City, Extending along and upon the eastern bank of the Rio Grande, from the point where said bank is

intersected by San Francisco Street in said City; Thence southerly to the point where said bank is intersected by Stanton Street in said City; and, Whereas, the said party of the second part has agreed, and does hereby agree to construct said levee or embankment according to the plans and profiles hereto annexed, and made a part of this contract.— said work to be done on on the following basis and terms, to-wit; That is to say, the said first party shall, upon the execution hereof, deposit with its Treasurer the sum of Twenty-four Thousand Dollars, which sum shall be subject to the draft or check of the said second party, by E. Wilder, its Treasurer, from time to time as said work of construction may progress, and the entire expense for the construction of said levee or embankment shall be paid from and out of said sum of Twenty-four Thousand Dollars.

The said first party agrees hereby to furnish to said second party the right of way upon which to construct said levee or embankment, and also the right of way for the purpose of a railway track along the line of said levee or embankment as may be necessary to facilitate the delivery of material to be used in the construction or protection of said levee; and said second party shall have the right to keep and maintain, or to remove said track as to it may seem proper after two years at the option of said party;— and this right is guaranteed.

The said second party agrees to furnish all track material for the construction of said track or side-track without cost to the City, except the labor for constructing said track, which shall be paid for out of the funds deposited with the City Treasurer, aforesaid.

The said second party agrees hereby to transport, free of freight charges, from any point on its line which its Superintendent may find necessary, all material to be used in the construction of said levee according to said plans and profiles herewith annexed as aforesaid, but the cost of said material delivered

Special Meeting Thursday March 24th 1892 Continued

upon the cars of said second party shall be paid for out of said monies deposited with the Treasurer of said first party.

It is expressly understood and agreed by and between the parties hereto that the said second party assumes no responsibility, and shall be in no manner liable by reason of the existence or maintenance of said embankment, and if any damage or loss to any person or property arisas therefrom, that the said first party shall be held therefor, and the said second party held harmless,

And it is further understood and agreed that the said second party shall not be held responsible for the maintenance of said embankment when constructed.

In Testimony Whereof, the said parties have hereunto set their hands and affixed their seals this the day and date above written (Signed) Richard Caples

Mayor of City of El Paso.

attest

B.S.Catlin, City Clerk (Signed)

(Seal)

On motion of Alderman Kelly and seconded by Ald- Magoffin the contract was accepted and mayor authorized, the vote being as follows: Yeas Badger, Berla, Kelly, Magoffin, Slack, Solomon, and Stewart. 7. Nays none, The Mayor declared the contracted accepted,

It was moved and seconded, that a warrant be drawn on the general funds for Eight Thousand Dollars ($8000.00) in favor of the City Treasurer, to be placed subject to the draft of E. Wilder, Treasurer of said Railway Company The vote being called for by the Mayor, resulted as followed Yeas. Badger, Berla, Kelly, Magoffin Slack, Solomon and Stewart, 7. Nays none,

There being no further business Council adjourned.

approved Richard Caples B.S.Catlin

Mayor City Clerk

Regular Meeting Friday March 25th 1892

There being no business to transact there was no meet held B.S.Catlin city clerk

Approved Richard Caples

Mayor.

Special Meting Monday March 28th 1892

Council Chamber, City Hall. El Paso Texas
The city Council met in Special ~~session~~ at 7-30 oclock
P.M. Monday March 28th 1892. with Mayor Caples presiding, and the following Aldermen present. J.B. Badger Amzi Burla. Dan Kelly, James H Magoffin, Chas F Slack Adolph Solomon and Geo S Stewart. Absent J.P. Dieter

The following call of the Mayor was read by the Clerk

Mayors Office, City Hall. El Paso Texas March 28th 1892

To J.B. Badger, Amzi Burla, J.P. Dieter, Dan Kelly James H. Magoffin, Chas F Slack, Adolph Solomon and Geo S. Stewart, Aldermen,

Gentlemen: You are hereby notified that there will be a Special Meting of the City Council to be held at Council Chamber of the City Hall at 7-30 oclock, March 28th 1892, for the purpase of considering the Right of Way for the proposed levee line, Also to consider the question of granting certain Right of Way to the Texas & Pacific Railway Co, and; Also to consider the advisability of Extending of Extending the time for the collections of Taxes

Given under my hand and Seal of said City, this, the 28th day of March A.D. 1892,

(Seal) Richard Caples, Mayor.

City Attorney Clark Stated that he had been over the line of the levee, and had made a list of all the parties owning property on said line, and that he had found about thirty different houses in the Streets and alleys.

It was moved by Alderman Badger, and Second by Alderman Kelly, that the parties living in the Streets and Alleys along the line of the levee be paid nothing for their Improvments, and that the city Attorny be instructed to take the proper steps to have all obstructions remove off of said line; And parties living along the Right of way granted to the city by the Campbell Real Estate Company and others also parties owning property along said Right of Way, be referred to the Committee on levee in conjunction with the City Attorney with power to act. Carried

The following petition was read, to wit;
To the Mayor and City Council
of the City of El Paso.

Your petitioner the Texas & Pacific Railway Company respectfully requests that it be granted a right to lay one track on First Street, from the East side of Ochoa Street, to East side of Stanton Street, Also the right to lay a double track on Sixth Street, from Stanton Street to the point where Sixth Street abuts against the Reservation of the Rio Grande & El Paso Railway Company.
These right are necessary to enable your petitioner to handle its business with facility and accomodate the trafic of the City. signed The Texas & Pacific Ry Company
El Paso March 28th 1892
It was moved and seconded that the above petition be referred to the Street and Grade Committee. Carried.

Capt J. E. Young came before the Council and stated that he would give to the City, free of charge, a Right of way of 110 feet through his property which the line of the levee passed over, which propersition was accepted by the Council,
On Motion duly seconded, the collection of Taxes was extended until April 20th 1892. carried.
There being no further business the Council adjourned
approved Richard Caplen B. S. Caltin City Clerk
Mayor.