Regular Meeting, Thursday, November 11, 1909.

Council Chamber, City Hall,
El Paso, Texas, Nov. 11, 1909.

Council met in regular session on the above day and date. Mayor Sweeney present and presiding and the following Aldermen answered to roll-call: Blumenthal, Clayton, Hewitt. Absent Robinson.

Minutes of regular meeting held November 4, 1909 read and approved.

Reports of Officers.

Report of Health Dep't. Week ending Nov. 10, 09

Clerk read report of the Health department for the week ending November 10, 1909.
On motion duly made and carried the report was received and ordered filed.

Clerk read the following report of Sewer Commissioner:

El Paso, Texas, Nov. 10th, 1909.

Report of Sewer Comr. Week ending Nov. 10, 1909.

Hon. Mayor and City Council:-
City
Gentlemen:- Herewith please find report of work done by sewer department for week ending Nov. 10, 1909, Laid 200 feet sewer in East El Paso; laid 100 feet sewer in alley by Krakauer, Gork and Moye off San Francisco St.; cleaned & plugged sewers; repaired two broken sewers; laid 60 feet sewer for drinking fountain; pumped sewers in East El Paso; examined 30 manholes and flush tanks.

Respectfully submitted,
J. H. Hadlock, Sewer Comr.

On motion duly made and carried the report was received and ordered filed.

Report of Sealer of Weights & Measures. October.

Clerk read report of the Sealer of Weights and Measures for October, 1909, showing a collection of $3.30
On motion duly made and carried the report was received and ordered filed.

Report of Scav. dep't. October.

Clerk read report of the Scavenger department for the month of October, showing a total collection of $1045 90/100
On motion duly made and carried the report was

Regular Meeting, Thursday, November 11, 1909.

received and ordered filed.

City Attorney to whom was referred the following petition recommended that it be denied.

El Paso, Texas, October 30, 1909.

To the Honorable City Council
of the City of El Paso, Texas.

Pet. of Regina Morehead et al. for damages. Denied.

Gentlemen:-

We, the undersigned petitioners, represent to your honorable body that we are the owners in fee simple of the westerly one-half (½) of fractional block No. 169 of Campbell's Addition to the City of El Paso, Texas; that these said lots, improvements and all of our houses, residences and homes are situated on said land, and such land is situated at the intersection of what is known as Davis St., (which was formerly known as Crosby St.) and San Antonio St. We most respectfully represent that when the houses and improvements were placed upon said lots, and for a long time thereafter, said houses were upon the then properly established grade of said streets; applicants represent that lately the City of El Paso by and through its agents or through and by reason of some person in behalf of the City of El Paso and themselves, and that though acting for the city and themselves have without permission or consent of these petitioners raised, graded up and elevated the surface of said streets above said premises to the extent of eight (8) to ten (10) feet above the former and lawful grade of said streets, and petitioners say that the elevation and raising of the surface of said streets and unnecessary and unlawful and was done against the protest of petitioners; that by reason of the raising of the surface of said streets their houses have been placed far below the former surface of said streets, and the same have been placed in a hole, and that the egress and ingress to their said houses has been greatly impaired and almost destroyed thereby, and they say the surface of said lots has been placed from eight (8) to ten (10) feet below the surface of said streets, the use and utility of their said houses has been almost destroyed, and they say that the houses on said lots by reason of said acts and the grading of said streets have been rendered uninhabitable, and the use

utility and occupancy of said houses has been destroyed; that they have thereby and in consequence thereof been damaged in the sum of Three Thousand Dollars ($3000.00) and they hereby demand of said city their damages, and ask that they be allowed the sum of Three Thousand Dollars ($3000.00) by reason of said grading of the said streets, and for which they pray.

Very respectfully,
Regina Morehead et al.

On motion duly made and carried the petition was denied.

Report of City Engr. on pet. of C. H. Harral et al. for grade on Mundy Ave. re-referred.

City Engineer to whom was referred the petition of C. H. Harral et al for the establishment of a grade on Mundy Avenue submitted the following report:

El Paso, Texas, Nov. 10, 1909.

To the Hon. Mayor and City Council,
City of El Paso, Texas.

Gentlemen:- Concerning the petition of C. H. Harral et al for the establishing of grade on Mundy Avenue in front of Block 12, Mundy Heights Addition to the City of El Paso according to first revised map of said addition. No map know as the First Revised Map of Mundy Heights Addition is on file in this office as having been approved by the City Council of the City of El Paso, neither do I know of any map by the above name on file and of record in any public office. There is on file in this office a map known as "Map of Mundy Heights, El Paso, Texas" and adopted by the City Council on the 26th day of December 1901, and until the same power that accepted the streets and alleys as thereon shown vacates the same, I do not see how I can fix any grades in accordance with the First Revised Map of Mundy Heights Addition.

Very respectfully submitted.
F. A. Todd, City Engineer.

On motion duly made and carried the petition was re-referred to the City Engineer with power to act and instructions to make report of action.

Regular Meeting, Thursday, Nov. 11, 1909.

Street and Grade.

Acting Chairman Blumenthal to whom was referred the following petition and communication recommended that a contract be entered into with the Petrolithic and Construction Company.

El Paso, Texas, October, 1909.

Hon. Mayor and City Council,
City.

Pet. of David Lerner et al to grade Mesa Ave.

We, the undersigned property owners owning property on and in the vicinity of Mesa Avenue, respectfully ask your honorable body to have said Mesa Avenue graded to conform with the established city grade from River Street to Curry Street.

David Lerner et al.

Clerk read the following communication relative to the above petition:

El Paso, Texas, Oct. 26th, 1909.

Hon. Mayor and City Council.
City.

Com. from Pet. and Construction Co. rel. to grading Mesa Ave.

Gentlemen:- We understand from interested property owners on Mesa Avenue and vicinity, that a petition will be presented to you at the next regular council meeting asking to have the city grade Mesa Avenue full width, to establish city grade from River Street to Curry Street. This company has spent considerable time soliciting the interested property owners on Mesa Avenue to contribute towards doing this work and they have agreed to pay us $3400.00 towards the cost of the work. We therefore wish to make this proposition to your honorable body viz: that as the amount we have pledged amounts to something less than half the amount required to do this work, basing figures on 30,000 cubic yards of earth to be moved at a price of 25¢ per cubic yard, that if you care to do so, we will enter into a contract with the city to do this work, under the supervision of the City Engineer at one half the price per yard, or twelve and one-half cents per cubic yard, we to take all responsibility for the amount we have pledged to us.

Respectfully submitted,
Petrolithic and Construction Company,
By G.C. Meyer, Secretary.

Regular Meeting, Thursday, Nov. 11, 1909.

On motion duly made and carried, the recommendation was approved.

Police and Sanitary.

Chairman Blumenthal to whom was referred the following petition, recommended that it be granted.

Pet. J. R. Fisk for sewer extension Granted.

El Paso, Texas, Nov. 2, 1909.

W. F. Robinson, Esq.
El Paso, Texas.

Dear Sir: Will you be kind enough to present the following matter to the Council or to Mr. Hadlock or to some one so that we can get sewer connections as quickly as possible. We are just completing a house built on the west 40 feet of lots 1 to 5, Block 33 Alexander. We find by records of City Engineers office which Mr. Todd kindly showed us, that the nearest sewer is in Campbell St. some 200 feet distant. Mr. Todd informs us that the sewer we should connect with is in the alley between Campbell and Florence, but this again is 400 feet or so from where we should connect. Your attention will be greatly appreciated.

Yours truly
J. R. Fisk.

On motion duly made and carried the petition was granted.

Taxation and Finance

Chairman Clayton to whom was referred the following bills and payrolls recommended that they be allowed and ordered paid.

Bills for October.

Int. Water Co.	Water service at Fire Hydrant	997.00
West Tex. Fuel Co.	Feed at Police Headquarters	42.38
B. Blumenthal & Bros.	Tassels & Batons for Police dept.	48.60
Independent Elec. Co.	Batteries for Patrolmen	6.30
J. H. Laurie Hdw. Co.	Lantern at Police Station	1.25
P. A. Candelaria	Expense " " "	6.00
El Paso Ice & Ref. Co.	Ice " Central " "	4.54
Western Union Tel. Co.	Telegram " " "	3.50
Southern S. Tel. Co.	Telephone Service " Call Box.	5.00
Frazer Bros.	Rpr. Police Station	11.05
El Paso Ry. Co.	Lights " "	10.34
Clifford Bros.	Case gold dust " "	4.75

Regular Meeting Thursday, Nov. 11, 1909.

Peoples Drug Store	Supplies at City Jail	1 25
Texas Tel. Co.	Telegram Police Dept.	1 87
Peoples Drug Store	Prescriptions	148 45
Mine & S. Sup. Co.	Supplies to City Chemist	1 30
Longwell Tsfr. Co.	Feeding horse Health officer	15 00
El Paso Laundry Towel Sup. Co.	Towel service Dr. Thatchers "	1 25
West Tex. Fuel Co.	Feed at Pest house	46 08
El Paso Carriage Co.	Rep. " " Ambulance	62 00
Clifford Bros.	Groceries " "	31 65
West Tex. Fuel Co.	Corn at Scav. Corral	66 00
J. H. Laurie Hdw. Co.	Shovels etc " "	11 20
Int. Water Co.	Water used in sprinkler car.	783 00
R. B. Stevens	Rent of City stables 10/15 to 11/15	30 00
Int. Water Co.	Water service flush tanks	320 00
F. Boegeman	Wire cut trick at Sewer dept.	210 00
J. I. Hewitt & Son.	Repairs Sewer pump house.	33 45
J. Y. Wadlington	Sand & gravel for sewer	9 00
Gulf Ref. Co.	Oil at pump house	1 95
El Paso Ry. Co.	Light at sewer pump house	36
City Tsfr. Co.	Hauling " pipe	22 00
J. H. Laurie Hdw. Co.	Supplies Sewer dept.	1 50
H. A. Carpenter	Cement " "	61 67
Rio Grande Lumber Co.	Lumber at cess pool	109 25
Times Pub. Co.	Printing ads. ordinances	263 77
Stag Canon Fuel Co.	Car & half coal City Hall	203 84
Rhue Printing Co.	Printing Health notices	42 25
Ellis Bros.	" City Clerk's office	38 85
J. D. Hughes Co.	" Book " " "	23 00
Geo. D. Bernard Co.	" Election Blanks	54 00
Int. Book & Sta. Co.	Flag on City Hall	7 50
Tuttle Paint Co.	Window Glazing City Hall	17 40
Postal Tel. Co.	Telegrams from Mayor	62
Western Union Co.	" " "	3 95
Peoples Drug Co.	Alcohol at Clerk's office	50
J. N. Leighton	Taking acknowledgment	50
El Paso Towel Sup. Co.	Towel service City Hall	1 50
El Paso Ice & Ref. Co.	Ice & water " "	11 55
Shelton Payne Co.	Repairing chair Mayor's office	2 00
El Paso Ry. Co.	Light service City Hall	8 75
Longwell Tsfr. Co.	Hauling gift fountain.	10 00
J. H. Comstock	Keeping Horse &c.	32 00

Regular Meeting, Thursday, November 11, 1909.

	H. G. Van Haselen	Del. & returning election equipments	35 00
	W. H. Shobe	Rent of polling place	5 00
	N. W. Freeman	" " " "	5 00
	J. R. Slatham	" " " "	2 50
Pay rolls, week ending Oct. 10, '09.	St. Maintenance Pay roll	Week ending Nov. 10, 1909	269 70
	Sewer " "	" " " " "	110 25
	Scavenger " "	" " " " "	118 75
	Park " "	" " " " "	78 75
	St. & Alley Imp. & G. " "	" " " " "	701 35

On motion duly made and carried the bills and pay-rolls were allowed and ordered paid.

Chairman Clayton to whom was referred the following petition, recommended that it be denied.

El Paso, Texas, October 27, 1909.

To the Honorable Mayor and City Council of the City of El Paso, Texas.

Pet. of Florence Dwyer for remission of tax penalties. Denied.

Your petitioner, Florence F. Dwyer, respectfully states to your honorable body that she was formerly the wife of M. A. Dolan, now deceased, and that M. A. Dolan died on the 22d day of April 1893 and left to her, as his surviving widow, the north 34 feet and 6 inches of the east half of Block 31 of Mills Addition to the City of El Paso, Texas and the east 60 feet of the west 120 feet of the south half of Block 46 of Mills Addition to the City of El Paso, Texas, and that on the ~~—~~ day of ——, ——, she married James M. Dwyer, and that all the time during their married life she depended upon said Dwyer and upon his representation that he was rendering and paying the taxes upon said property, but that he did not pay the taxes upon any part of the same, and that the taxes are delinquent on said property for the years from 1895 to 1908, inclusive, amounting to —— Dollars, and that the interest and penalties on the same amount to —— Dollars. She states that the taxes are also delinquent on the east 60 feet of the W. 120 feet of the south half of Block 46 of Mills Addition for the year 1884, and she does not ask any relief as to that, as this was delinquent many years before the death of the said M. A. Dolan. She states that in the year 1908 the said Dwyer deserted her and she brought

Regular Meeting, Thursday, November 11, 1909.

suit against him for a divorce and the same was granted her in the District Court of El Paso, Texas, and that she is now a feme sole with herself and ——— children to support, and that after her desertion by the said Dwyer she first learned of the delinquent taxes, interest and penalties due on said property. She states that she is not able to pay the same as the said Dwyer left her many debts to pay. She states that she has done her best to raise this money, but has been unable to do so.

Wherefore, she prays that the City Council remit to her the accrued interest and penalty on said taxes and she will immediately pay the principal amount of the same, including the interest and penalty on the taxes due for the year 1884.

Respectfully submitted,
Florence F. Dwyer.

On motion duly made and carried the petition was denied.

Fire and Water.

Arc lights discontinued.

Chairman Hewitt stated that he had ordered the two arc lights from ~~Cleveland~~ Hampton Park discontinued and had ordered one arc light in at the intersection of Brown and Boulevard.

Arc light installed. Brown & Boulevard.

On motion duly made and carried the action was ratified.

Communications.

Com. from Loomis & Kilpatrick rel. to fire insurance.

Clerk read communication from Loomis and Kilpatrick relative to fire insurance.

On motion the communication was referred to Finance Committee.

Unfinished Business.

Bids for curbing & sidewalks on N. Oregon St. N. E. Carter's bid accepted.

Clerk opened bids for the curbing, guttering and sidewalks on North Oregon Street. The following bids were received: N. E. Carter and Nick H. Carson.

On motion duly made and carried the bid of N. E. Carter was accepted subject to the approval of the City Engineer. The bid referred to above is as follows:

For excavating and removing 1000 cu. yds. of old curb, earth and sidewalk, the sum of 40¢ per cubic yard measured in place.

Regular Meeting, Thursday November 11, 1909.

For cutting off to line 1800 lin. feet of old side walk, including the replacing of all rectangles broken in the cutting, the sum of .02¢ per lineal foot.
For furnishing all material for and building complete 4200 lin. feet of combined curb and gutter, the sum of 54¢ per lineal foot.
For furnishing all materials and building complete 1000 sq. ft of sidewalk, the sum of .09¢ per square foot.

New Business.

Res. transferring money from N. Stanton St. Fund to Gen. Fund. Adopted.

Clerk read resolution transferring money from North Stanton Street Fund to the General Fund.
Motion was duly made and seconded to adopt the resolution. The Mayor ordered the vote upon the adoption of the resolution to be taken by roll call, which, when taken resulted as follows: Yeas, Blumenthal, Clayton, Hewitt, Nays, none. Absent Robinson. Whereupon Mayor Sweeney declared that all of the vote of the City Council having been cast in favor of the adoption of the resolution, the same be and is hereby adopted. The resolution above referred to is in words and figures as follows to wit:
Whereas, the City of El Paso has heretofore entered into a contract with the Texas Bitulithic Company for the paving and improving of a portion of North Stanton Street and created a Special Fund out of which to defray the cost of said paving and improvement and Whereas, the said pavement and improvement has been completed and accepted and fully paid for and there is now a surplus of $4489.93 remaining of said Special Fund, to wit: of the North Stanton Street Paving Fund. Now, Therefore be it resolved by the City Council of the City of El Paso that said surplus of $4489.93 be transferred back to and paid into the General Paving Fund of the City of El Paso.
Passed and approved this 11th day of November, 1909.

Jos. M. Sweeney
Mayor.

There being no further business Council adjourned until Monday, November 15th, 1909 at 10 A. M.

Percy McGhee
City Clerk.

Approved. Jos. M. Sweeney
Mayor.