Called meeting

El Paso Texas Nov 8. 1881.

The Council met in accordance with the following call.

El Paso Tex. Nov 8 1881.

To Hon. Joseph Magoffin
Mayor of the City of El Paso

We, the undersigned, members of the City Council of the City of El Paso Texas, do most respectfully request that your Hanor call a meeting of the said City Council, to be held at 8 P. M of this date, to consider the petition of the City Railway Company for grant & permission to build a street Railroad through and on certain streets of said City with a view of having the same referred to the proper Committee, so that said Committee can report to the next regular meeting of said Council to be holden on Saturday the 12" day of November a. D. 1881.

With great respect
your most obedient servants
signed A. Blacker Alderman 3" Ward
Ben. Schuster.
W Phillips
Paul Keating.

The above call being read & meeting called to order by His Honor the mayor the Roll was called & resulted as follows:

His Honor Mayor Magoffin present & presiding
Ald Hague 1 Ward absent, Ald Phillips 1 Ward present
" Schuster 2 " present, " Keating 2 " present
" Blacker 3 " present, " Krakauer absent
This being the required number for transacting business.

The petition of City Railroad Company of El Paso Texas asking the right of way through certain streets & public grounds of the City was read & on motion duly seconded was referred to Committee on Streets Grades &c.

The Council then adjourned.

Approved
Joseph Magoffin
Mayor ~~pro tem~~

Attest
D. Kahn
City Clerk

Regular Meeting
Council Room
El Paso Texas
November 12th 1881.

Council met for its regular meeting as above date.

The Mayor being absent Ald Blacker called the council to order & proposed Ald. Schuster as Mayor pro tem ~~for~~ at this meeting.

The Roll of members being called for as first in order the clerk called the roll which resulted as follows.

Mayor Magoffin Absent.
Ald Hague 1st Ward present
Ald Phillips 1st " present
" Schuster 2 " present
" Keating 2 " present
" Blacker 3 " present
" Krakauer 3 " present
The City Marshal & City Clerk & Atty also in attendance.

The Clerk announced the result of Roll Call as all present except Mayor Magoffin

Ald. Blacker renewed his nomination of Ald. Schuster as Mayor pro tem to preside at this meeting. Ald Keating seconded the nomination of Ald Schuster.

Ald Krakauer nominated Ald Hague for same position.

The council then proceeded to ballot for Mayor pro tem. There were six votes cash of which Ald Schuster received three (3) votes - Ald Hague two (2) & Blank one, Ald Schuster having received a majority of all the votes cast took the chair as presiding officer and Mayor pro tem.

Minutes of last regular Meeting (Oct 22" 81) read by Caption and approved.

The Petition of City Rwy Co. presented at called meeting ~~Oct~~ Nov 8" 81 was also read by request of Ald Krakauer. & the reading of balance of this called meeting was for present dispensed with.

Ald Blacker presented a communication of Mes Emerson and Berrien merchants of the City - stating that they understood that there is a "movement" before this body for the purpose of lighting the streets of the fi they request their desire to appear as bidders be m known to the council - & they offer:

To furnish (40) forty or more tubular Globe Stre Lamps to be placed on good solid post two feet in Earth and, at least six feet from Ground to extreme height of post & within one square mile

from any point in City of El Paso. Stating which place if desired they will place the lamps & will furnish 150° test oil, lamps & light same & give proper attention to them for 84 cents per lamp per night or Two Thousand & forty four dlls per annum. Lamps to be lighted all nights except moanlight nights. They give City option to make contract for one, two or three years. & also the privilege to purchase lamps & posts at expiration of one year.

On motion the same was referred to Committee on Finance.

The following Petition was presented & read.

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

* * *

The Petition of Solomon Palmer, representing the Western Union Telegraph Company respectfully represents:

1st That said Company is desirous of establishing, at a convenient point within the limits of Elpaso City an Office for the transaction of a general telegraph business.

2d That said Company has selected for that purpose offices in the Central Hotel in said City.

3d That it is important to the purpose of said Company and the accomodation of the public that the wires of the Company's lines should connect with the ~~Comp~~ Telegraph lines running into the various Railroad depots located or to be hereafter located in El Paso & in order to effect properly such con-

motions it is necessary that the Company place poles for the support of these wires at convenient intervals along various streets of the City.

Therefore your petitioner in the above stated behalf prays your permission to erect such telegraphic poles as may be required for the said purpose along the line of the Curb of such streets of the said City of El Paso as may be by said Company determined, with the understanding that said poles shall be so placed that they will not in any manner interfere with the public safety or convenience.

And your petitioner will ever pray.
(Signed.) Salomon Palmer.
Supt. of Construction W.U. Telegraph Co.

El Paso City
Nov. 12th 1881.

On motion of Ald Krakauer duly seconded by ald Blacker the rules were suspended by the requisite vote. and in order to take up above petition without reference to the Committee.

It was then moved by ald Krakauer and seconded by Ald. ~~Blacker~~ Keating that the Petition of W. U. Tel. Co be granted, and that the City Atty immediatly prepare for consideration of Council at this session an Ordinance to cover the prayer of said petition, and franchise & conditions hereby granted. Carried unanimously. and the City Attorney was instructed accordingly

On motion of Ald Blacker duly seconded the rules were suspended

by the requisite vote to consider the raising of the salary of City Marshall.

Ald Blacker moved to raise the salary of City Marshall to two hundred dlls. per month. which was seconded.

After considerable discussion the motion was withdrawn & the regular order of business resumed.

The City Assessor & Collector presented List of those citizens liable to poll tax. which by consent was ordered filed & the Collector ordered to collect the same under the ordinance.

The Committee on Streets Grades &c. to whom was referred the following Petition, returned the same with the following report thereto.

Petition

To the Hon. Mayor & City Council of the City of El Paso.

The undersigned, &c

Petition

Of the City Railway Company

El Paso Texas

August 30th 1881.

The State of Texas
El Paso County

To the Mayor & City Council of the City of El Paso.

Your Petitioner The City Railway Company of El Paso a corporation duly chartered & organized under the laws of the state of Texas as will be seen by exhibit "A" hereto attached & made a part of this petition,

respectfully represent:

That it is organized in good faith to construct and operate street railroads in the City of El Paso and that for the purpose of constructing and operating the same, the said corporation respectfully petitions for the right of way on the following described streets and public grounds; and to construct on same either a single or double track or tracks and right to lay down twenty (20) or sixteen (16) pound T Iron rails on cross ties and all necessary side tracks and turntables for the use of cars and the public convience: to wit

1st Line

Beginning at the A. T. and S. F. Depot on Santa Fe street, thence north to the intersection of west Overland street, and thence on said Overland, or West Overland and East Overland streets East to the Texas and Pacific Depot.

2. Line,

Beginning at the intersection of St Louis and Campbell street, between Block Nos. 41 and 230 as shown on Map hereto attached and made part of this petition thence southerly on Campbell street to the River.

3 Line,

Beginning at S. E. Corner of Public Square on St. Louis street and thence on said street East as far as the City has the right to grant.

Your Petitioner represents that it is willing and prepared to construct the Line of said Street Railroads and for the purpose of aiding petitioner it respectfully asks that the right of way be granted to it on the streets named to be used for said

said Street Railroads provided ——
the said petitioner begins work on said road
in Ninety (90) Days & constructs & operates
at least one mile of Rail Road within
twelve (12) months from the granting of
the right of way prayed for & that the right
of way ~~prayed~~ for the construction & operating
of said Street Railroad be also granted
over or through the alleys, ditches, waterways
& other public grounds for the purposes a-
foresaid for the period of fifty (50) years
& that your petitioner be granted the rights
& authority to enter upon & hold possess
& enjoy for the uses purposes & ends afore
said the right of way prayed for.

That this petition be ordered filed among
the official Papers of said City & be ordered
recorded at length upon the minutes & book of
proceeding of your said City & that a reso-
lution or ordinance be framed & passed
by your honorable body fully mentioning
& embracing, granting the rights & privi-
leges prayed for & with the foregoing for the
purpose of connecting the towns of El Paso
in Texas & Paso del Norte in Mexico & promoting
& facilitating the travel & intercourse between
two said cities, your petitioner would also pray
that it be granted by your honorable body
the right of way & the permission to con-
struct from the foot of Santa Fe or Campbell
Street a bridge over the Rio Grande River
at least all the riparian ~~right~~ privileges
pertaining to the construction of said bridge
needful to said corporation & with
in the power of Honorable Board to
grant & they will ever pray &

over

Signed: T. Schutz
for the City Railway Company
of El Paso.

Exhibit "A."

State of Texas } Know all men by these
County of El Paso } presents, That we T. Schutz,
J. M. Thatcher J. H. Bate residents of said County
and State William J. Keller of Dallas and said
State, Andrew J. Keller resident of Memphis
State of Tennessee, N. R. Brinkerhoff resident
of Fort Bliss Texas and Ms. Tamannego of
Paso del Norte Mexico our associates and successors have and do hereby organize ourselves into a
body politic and corporation under the name
of The City Railway Company of El Paso
for the purpose of Constructing operating
and maintaining Street Railroads in the City of
El Paso and said County.

Article 2d That the legal domicile and place
of Business of said corporation shall be in
the City of El Paso.

Article 3d That said Corporation shall exist
and continue for fifty years.

Article 4th That the capital stock of
said corporation shall be one hundred
thousand dollars, divided into one thousand
shares each of the par value of one hundred
dollars.

Article 5th That the Board of directors shall
not be less than five and for the first year the
following are the names of those appointed
T. Schutz W. J. Keller J. H. Bate J. M. Thatcher
Andrew J. Keller

Article 6th That the Board of directors
shall have authority to do all things

whatever may be deemed necessary within the scope of the laws governing corporations, for the successful business of their said company.

Given under our hands at the City of El Paso on eighteen 18" day of July 1881.

Signed Wm J. Kellar
" Sol Schutz
" J. H. Bate
" J. M. Thatcher
" Andrew J. Kellar
" A. R. Brinkerhoff
" Ms. Samaniego.

State of Texas }
County of El Paso } This Day personally appeared before me J. A. Buckler a Notary Public in and for the County and state aforesaid. Sol Schutz, Andrew J Kellar and Jas. H. Bate each to me well known to be the persons who subscribed the foregoing instrument and each acknowledged to me that they have signed and executed the same for the purposes and consideration therein mentioned. Given under my hand and official seal this 18th day of July 1881.

(S.) Signed J. A. Buckler
Notary Public

State of Texas }
County of El Paso } This day personally appeared before me J. A. Buckler a Notary public in and for the County and state aforesaid J. M. Thatcher and A. R. Brinkerhoff to me well known to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they

had executed the same for the purposes and Considerations therein named
Given under my hand and seal of office this 13d day of July 1881.

(L.S.) Signed J. A. Buckler
Notary Public E.P.C.

The State of Texas }
El Paso County } This day personally appeared before me J. A. Buckler a Notary Public in and for the County and State aforesaid Mr. Tamanney to me well known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they had executed the same for the purposes and consideration therein expressed
Given under my hand and seal of Office this 29th Day of July 1881.

(L.S.) Signed J. A. Bucker
Notary Public
El Paso County.

The State of Texas }
County of El Paso } Before me A. Harwood County Clerk in and for said County this day personally appeared Wm. J. Keller know to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purposes and Considerations therein expressed.
Witness my hand and official seal this 12 day of August 1881.

(L.S.) Signed A. Harwood

(Endorsed)
Charter of the "City Railway Company of El Paso."
Filed in the Department of State — September 16th 1881.
Signed T. H. Bowman
Secy of State.

The State of Texas
Department of State

I A. S. Spain acting secretary of state of the state of Texas do hereby certify that the foregoing is a true copy of the original Charter of the "City Railway Company of El Paso" with the endorsements thereon, now on file in this Department.

Witness my official signature and the seal of state at the city of Austin this 16th day of September A.D. 1881.

Seal of State.

Signed A. S. Spain
Actg Secy. of State.

Report
Of Committee on Streets Grades and Public Improvements.
To the Mayor and City Council of the City Council of El Paso

The undersigned Com. on Streets Grades and Improvements, beg leave to submit our Report on the Petition of the City Railway Company of El Paso Texas, filed on the 8th day of November A.D. 1881, and referred to your Committee on same day.

1st That we find the City Railway Company of El Paso Texas is duly chartered under the Laws of the State of Texas

2d That it is organized in good faith to construct & operate Street Railways on the streets & public grounds, (first class in quality) described in their petition, & that said company has ample means, to begin the work on said street Railways in 90 days, & construct & operate at least one mile, in one year from this date.

3d That the granting of the right of way, over, through & on the streets & public grounds to said Company, will not interfere or conflict in any manner, with any right of way heretofore granted to any other Company,

4th We recommend that the following Ordinance be passed calling attention to the fact that we have provided for a forfeiture of the grant herein given, in case said Railway should not be commenced within 90 Days in good faith, & the completion & operating one mile of said road in one year, & that the work shall be subject to the inspection & acceptance of the City Council, or its appropriate Committee, within a year from this date.

5th Finally we recommend that said petition & the report, together with the ordinance, if passed be spread & engrossed as approved upon the minutes of the Council.

Dated this 12th day of November A.D. 1881.

Signed A Blacker
" W. Phillips
" Geo Schuster

Committee on Streets Grades & Improvements

Ordinance. No 23

An ordinance granting right of way through certain streets and public grounds of City of El Paso Texas to City Railway Co of El Paso Texas also giving them certain privileges to build a bridge across the Rio Grande and providing in certain cases a forfeiture of all these rights and privileges:

Be it ordained by the City Council of the City of El Paso, that the privilege is hereby granted to the City Railway Company of El Paso Texas to construct and operate a first class street Railway, with its necessary side tracks, switches, turnouts and turntables and that the rights privileges and franchises are hereby granted, together with the right of way to said street Railway Company for and during the term of their charter upon the following streets and public grounds.

1st Line. Beginning at the Madison Topeka and Santa Fe Depot, on Santa Fe street thence North to the intersection with West Overland street, and thence on said Overland, or West Overland street to the Texas and Pacific Depot.

2d Line. Beginning at the intersection of St Louis and Campbell Streets, between Block No 41 and 230. as shown on map hereto attached and made part of this petition, thence southerly on Campbell street to the River, thence up the River to Utah street, thence up said street Northerly to the Galveston Harrisburgh and San Antonio Depot, to the Place of beginning.

3d Line. Beginning at South East corner of public square on St Louis street and thence on said street East to Colton Avenue in said City, or upon such portions of the same as may be completed,

or in actual and bona fide course of continuous construction, within five years from and after the passage of this Ordinance, provided work shall be commenced on one of said lines herein above described, in ninety days from the passage of this Ordinance, and that at least one mile of continuous track shall be constructed and operated, in such a way as to best suit public convenience, within the space of one year from and after the passage of this Ordinance. And in the event of failure to begin construct, and operate, within the time herein above stated then said Company shall forfeit all rights and franchises herein granted to them by the City of El Paso.

Sec. II.

That in constructing the road bed of said Street Railway upon any of said streets or public grounds, within the present or future limits of said City of El Paso, the said Railway Company shall conform to the grade of said streets, through which said railway may be constructed, said grade to be determined by the City Engineer, under the direction of the City Council and in the construction of any road bed upon any said streets or public grounds, said work to be done under the supervision of the Committee on Streets, Grades and Improvements and all of such streets or public grounds shall remain in as good condition after said road bed is put down as before the construction of said road bed

Sec. III.

That said Company shall so construct & keep in good condition, the road running through any of said streets or public limits, so as not to interfere with or obstruct the passage of vehicles or pedestrians.

Sec. IV.

That said Company is hereby required to observe & abide by all Ordinances now or hereafter existing of the City of El Paso, not inconsistent with the rights herein granted, & pay such taxes as may be properly assessed against them.

Sec. V.

That the right of way & permission is hereby granted to construct & build a bridge across the Rio Grande from Esther Campbell or Utah street that is to the center of the River in conjunction with such other persons that may obtain legal authority from the Mexican Government & with a view of fully authorizing & empowering said Company to build, the right & all riparian privileges pertaining to the construction of said bridge needful to said Company, is hereby granted to the center of the Channel of the Rio Grande by the City Council

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Sec. VI

That this Ordinance take effect from and after its legal pub-

dication.

(Endorsement)

Passed November 17th A.D. 1881. at a regular meeting of City Council

Approved
Siged: B. Schuster
Mayor pro tem

Attest
J. F. Kahn
City Clerk

On motion the report was received and accepted. and the Council went into Consideration of above Ordinance. Ald. Hague moved and Ald Blacker seconded the motion that section 5 of above ordinance be so amended by the insertion of "from either Camp All or Utah streets" immediatly after the words "Rio Grande" in third line of said section which amendment was duly adopted. and section of above Ordinance was accordingly corrected as amended.
Ald. Blacker then moved that the Report of the Committee & the above ordinance reported by them be adopted as amended. which motion was seconded by Ald Keating. The ayes and noes being called for the roll was called & resulted as follows.
Ald. Hague 1 Ward not voting
Ald Phillips 1 " — Ayes Ald. Keating 2d. Ward ayes — Ald Schuster 2 " Ward ayes
Ald Blacker 3 Ward Ayes — Ald Krakower 3 Ward ayes.

Result – Six members present. One refused to vote – and five in favor of adopting Report and Ordinance granting right of Way &c. to City Railway Company. Which the Mayor protem declared carried & adopted accordingly.

The following resolution was offered by Ald Blacker and Seconded by Ald Schuster.

Be it resolved by the City Council of El Paso Texas, That the City Marshall be and he is hereby instructed under the direction of the ~~City Council~~ committee on Street Grades &c. to fill up the holes and sinks on El Paso street between San Antonio ~~st~~ and Overland Streets, so that the water will not remain therein to obstruct pedestrians from crossing from one side of the street to the other and to prevent unhealthy vapors & disease, and that the sum of two hundred dollars or so much of said sum as may be necessary, be and the same is hereby appropriated out of the Treasury, not otherwise appropriated, to pay the expense of filling up said depressions and prevent said nuisances

signed A. Blacker
" B. Schuster

On motion duly seconded ~~It was referred to~~ this resolution recorded above was referred to Committee on Street Grades &c.

By consent the City Atty. reported ~~the~~ following ordinance in con-

pliance with motion adopted by City Council at this session.

Ord 2324

Ordinance

An Ordinance granting permission to Western Union Telegraph Company to erect its poles and wires through the streets of the City

Be it ordained by the City Council of the City of El Paso that the Western Union Telegraph Company be granted the right and permission to erect its telegraph poles along or across any of the streets, alleys or public ways of the City and to erect its lines of telegraph thereon but in erecting its poles they shall be put in such places near or on the margin of the streets for ~~the purpose~~ so as not to obstruct or impede the use of the streets for the purpose of travel and was not to interfere with the use, occupation or enjoyment of any private property. The rights herein granted shall not be construed as to prevent the City from requiring the removal of any pole of said Company at any time it may be decided to be an impediment to the use of the streets.

Approved

Signed: Benj Schuster
Mayor pro tem.

Attest S L Kahn
City Clerk

On motion of Ald Rayne seconded by Ald Keating the Ordinance was adopted & passed & the Western Union Telegraph Company was granted the right of way prayed for.

The following Bills were presented and referred to the Committee on finance
Bill of John Dougher for Rent of City Jail from August 1 to Nov. 31. 81. 4 mos. @ 25 $100.00
Bill of Buchanan & Larkins Lumber & labor $5.06
" " Benecke & Pierce - Hardware $9.20
The council then adjourned to its next regular meeting November 26/81.

Approved
Joseph Magoffin
Mayor

Regular Meeting
Council Room
El Paso Texas
December 24 1881

Council met for its regular meeting on above date
The council was called to order by his Honor the Mayor in the chair
The roll being called all members of the council were found present.
Also in attendance the clerk S Skahn & city atty J.A. Buckler. Absent Marshall Staudemeier, who was represented by asst^d Marshall H Mathis.

On Motion of Ald. Blacker seconded by Ald Phillips the reading of Minutes was dispensed with.
It was further moved by Ald. Blacker and seconded by Ald Hague to suspend the regular order of business and to take up only - "pressing business", which motion was carried by the requisit vote. there being no votes to the contrary. and the regular order of business was accordingly suspended.