Council Room
El Paso Texas.
October 22 1881.

Council met for its regular meeting, no meeting being held Oct 8th 1881 for want of quorum, as above det.
The Council was called to order by His Honor Mayor McGoffin in the Chair.

The Roll being called resulted as follows.

Mayor Magoffin			Present
Ald Hagne,	1st	Ward	Present
" Phillips	1st	"	Absent
" Schuster	2d	"	Present
" Keating	2d	"	Absent
" Blacker	3d	"	Present
" Krakauer	3	"	Present

Being a quorum for the transaction of business City Atty Buckler Marshall Houdemeier & City Clerk Kahn were also in attendance at the meeting.

The minutes of the Memorial meeting Sept 21st 81. were read & approved.
On Motion of Ald Blacker seconded by Ald Schuster the reading of the minutes of the regular meeting were only read by Caption & the action of the Council thereon.
His Honor the mayor then presented his reasons in veiting why the ordinance granting the right of way to City Railway Co of El Paso through streets and Public Grounds of the City - recorded on Pages 217, 218 & 219 this book & passed at the regular meeting Sept 24th 1881 by this Council; should not become a law & which were as follows:

To the City Council of the City of El Paso
Gentl:

Whilst there are many provisions contained in the ordinance passed at the regular last meeting of your Honorable body granting the right of way through various streets to the City Rail Way Company of El Paso that I would be glad to approve. Yet I am constrained to withhold my approval of said ordinance for the following grounds.

1st The Ordinance grants the right of way to said Co. over El Paso street which it has not been asked for in the petition of said Company seeking the right of way through the streets & there is nothing in the application for right of way or any Paper on file or in the report of the Committee showing that said Company desires the right of way over said street or that it would accept the same if granted & build the road.

2: The Ordinance grants the right of way to said company over certain streets in the City, that have never been dedicated to the City ~~the law~~ & I am inclined to think that in granting the right of way over ~~streets~~ such streets the Council has transcended the bounds of their authority. & that such right of way granted to said Company or any other Company over said undedicated streets might seriously interfere with the further dedication thereof to the City as in populous cities the tracts of street rail ways are generally regarded by the adjoining property holders to the streets through they pass as of greater injury than benefit to their property.

3: Said Ordinance grants to said Company the right to build a bridge across the Rio Grand River which there is nothing in the Copy of the

Charter on file or in the report of the Committee showing that the building of such a bridge is imbraced or included among the powers granted to said Company by their Charter.

4: The said ordinance grants to said Company exclusive right of way for fifty years over 3d 4th & 5th Streets which in course of time might prove a serious detriment to the prosperity of the City as it excludes all other Companies from building on either of said Streets for that term of years. & a strict construction of said ordinance might prevent other Companies from building street Railways across said Streets or any of them & I think it a bad policy to grant to any one Company the exclusive right for so long a time over so many parallel streets.

5: There is no designation in the ordinance as to where the side tracks, switches, turn outs & turn tables are to be erected & as under the ordinance they might be erected at some place or places in the Streets where they would be impedements of such streets for ordinary purposes of travel. I think it impolitic & unwise to grant to said Company the unlimited right to erect them where they please.

6: It appears from the ordinance that a right of way has been heretofore granted by your body to another railway Co. over El Paso Street - I think to grant to a second Company the right of way over the same street might result in conflicting interests & probable & protracted litigation as to their rights to said ~~Stre~~ street whereby the building of any railway on said street would be greatly delayed & the prosperity

of the City & the interest of property holders on said sts greatly retarded & injured.

For the foregoing reasons I consider it my ~~duty~~ imperative duty to Veto said Ordenance believing as I do - that I can not approve in part and disapprove in part the same Ordinance and I may be permitted to say that while I can not approve said ordinance it will afford me ~~great~~ much pleasure to approve any other ordinance in favor of said Company, not subject to so many and so grate objections especially the objection to the exclusive priveleges contained in said ordinances.

Very Respectfully
signed: Jas. McGoffin

El Paso Texas
Oct 22nd 61.

In connection with this veto Ald. Blacker presented a petition signed by numerous citizens requesting council to take action in such a manner as to cause either Company to build Street Railways, also a communication bearing on franchise of City Rwy Company - from said Company & signed by J. M. Talcheo Mgr.

It was moved by Ald. Schuster & seconded by Ald. Blacker to pass the ordinance, granting the right of Way to City Rwy Co. of El Paso, over the mayors Veto Ald. Blacker called for the ayes & noes - which resulted as follows.

Ald Hague 1 Ward - not voting Ald Phillips 1 Ward absent
" Schuster 2 " aye Ald. Keating 2 " "
" Krakauer 3 " No. " Blacker 3 . aye.

being - (2) two ayes - one (1) no - one member not voting & two absent. The motion to pass over the Mayor

Veto failed not being the requisite number voting in affirmative, as required by City Charter.

A Letter was read by the Clerk from Ellis & Schutz on behalf of City Ry Co. requesting that their Charter as certified by the Secretary of State be filed as supplementary to their Petition asking the right of way through the streets of the City. Which prayer - there being no objection was granted.

A Petition of O. J. Bassett asking for permission to use San Antonio street and alley rear of State Nat. Bk. for building purposes & the storing of building materials. There being an ordinance covering prayer of Petitioner the petition was ordered filed without further action.

Ald Hague called up the ordinance prohibiting the maintainance of nuisances within the City on lots 1 C. the penalties therefore. Recorded on pages 225. this book & laid over for action at last regular meeting. ~~was called~~ & moved its adoption. which was seconded by ald Kroker. and unanimously adopted & said ordinance was duly declared to be a law. & the Clerk ordered to publish the same in official paper of the City.

The Finance Committee to whom was referred the Resolution presented Sept 24. 1881. to increase pay of City Clerk reported as follows on the same:

Resolved that the finance Comm. that the City Clerk be allowed 5 Dollars for attending each and every meeting of the City Council & no further fee be allowed. Oct 22/81.

Signed A. Krakauer
Chm'n Finance Com.

Which was adopted & City Atty directed to frame ordinance in accordance with this Report. The pay of

the City Clerk was thereby increased to 5$ for attending Each & every meeting.

The same Committee reported on a/c of J. Hertz and J Bros. filed Sept 10" 1881. & refd to Com. on Finance Sept 24. 81. being as follows.

July 21"	1 # Candles 25 - aug 15" Cleaning Mayors Office 1.00		1.25
Aug 17.	1 Lamp & Shade 3.50 2 Chimneys 30 60 1 gll. Coal Oil 1.00		5.10
29.	1 gr. steel Pens 1.00 - Cash for Election Tickets 3.75 Rent for Mayors Office Aug 15.00		19.75
	Twenty six - 10 Do Dlls.		$26.10

Approved

synd. A Krakauer

Chmn fin Com.

The report was adopted & voucher orderd to to issue for above amt. /

The Committee on Finance &c. reported as follows

El Paso Oct 22" 1881.

To the City Council

Your committee to whom was referred the resolution to report as to the propriety of issuing 10.000 Dolls in bonds for certain purposes beg leave to ~~report~~ submit the following report

1.) we would recommend that at the earliest practicable period an Election be ordered & held in accordance with the provisions of the City Charter to determine wether the City shall or shall not issue $10.000.00 in ten per cent interest bearing bonds, payable on the 1st day of January, 1892, with interest payable on the first days of July & January of each year, $6,000 of which shall be applied to building a Mayors & other necessary City offices & a City Jail & all its appurtenances, and

2d That $4,000, or as much thereof as may be necessary, be applied to the purpose of perfecting

a system of drainage within the City limits
(Signed) A Krakauer
Chm Finance Com

It was moved & seconded to receive & file this report - & to adopt the recommendations & that the Committee on Revision of Ordinances do report an ordinance in accordance with this report regulating the issuing of bonds & the calling of an election under the Charter carried & the Committee on Rev. of Ordinances instructed accordingly.

The following resolution was offered by Ald Krakauer & being seconded was referred to Com. on Rev. of Ordinances.

Resolved by the City Council of El Paso that all Hacks Omnibuses & other public conveyances carrying passengers to & from the different passenger depots shall ask & take more than 25 cents from each and every passenger they so carry from or to the said R.R. Depots such fare to include carrying ordinary Hand Baggage such as valises blankets & & Hand satchels.

The resignation of City Engineer J. Doherty presented read & accepted.

The mayor then declared nominations in order for the office of City Engineer.

Ald Hague nominated A. L. Wingo for City Engineer. No other nominations being made the mayor declared nominations closed & the council proceeded to vote which resulted as follows - All the votes being cast for A. L. Wingo. the Mayor declared A. L. Wingo duly elected City Engineer

The following bills were presented.
Bill of Jnan Hart for services in surveying
Crossing of Octaiva street $ 10.00
referred to Com. on Finance. ——
Bills of
W. L. Golson services as city Jailor
Aug 21st to Oct 20th incl 2 mos. @ 60$ —. 120.00
S. L. Kahn for stamps 50 Repairing book case 50 — 90
M. Ullmann — 1 gr Pens 75
J. Binder Washing Table Cloths 50.
were refd to common finance with instructions
to report forthwith. The com. on Fin re-
ported immediatly recommending
that the aps of W. L. Golson, S. L. Kahn
M. Ullmann & J Binder be paid. Report
adopted & Vouchers orderd to issue.

It was moved by Ald. Krakauer & seconded
by ald. Schuster that City Atty bring before
the Council an ordinance regulating
impounding of stray stock & ~~stray~~ animals
& designate the same. Carried & the City
Atty instructed accordingly

The Council then adjourned.

Approved
Joseph Magoffin
Mayor

Attest
S. L. Kahn
City Clerk