Adjourned Regular Meeting Thursday Sept 4th 1906

Mayors Office City Hall
El Paso Texas Sept 4th 1906

Council met in adjourned regular session on the above day and date, Mayor Davis present and presiding and the following Aldermen answered to roll Call. Badger, Caples, Pearl, ~~Grant~~ Hammett, Hitt, Look and Rand,

Charges against F Delgado referred to Police Com & Mayor

After much discussion alderman Hammett moved that the Charges made and filed against F Delgado be referred to the Mayor and Police Committee for final action, The motion was duly seconded and Carried.

There being no further business the Council stood adjourned until Wednesday Sept 5th 1906 at 9 o clock a.m.

approved

Charles Davis
Mayor

Perry McGhee
City Clerk

Adjourned Regular Meeting Wednesday Sept 5th 1906

Mayors Office City Hall
El Paso Texas Sept 5th 1906

Council met in adjourned regular session on the above day and date, Mayor Davis present and presiding and the following aldermen answered to roll call Badger, Caples, Fowl, Hammett, Kitt, Look and Rand.

City to build Cement Curb in paving Dist No 1

Alderman Caples moved that the City of El Paso build all cement curb that is not now built in paving District No 1, and that the Street and grade Committee be authorized to have the work done and that all property owners be notified that the cost of all such improvements will be assessed against them and collected by the City.
The motion was duly seconded and carried.

Wm Garvin Employed as Inspector of St paving and Asst City Engineer

Alderman Caples moved that the Council employ Wm Garvin as Inspector of street paving in paving district No 1, and also as assistant City Engineer and that he is to report on all paving inspected by him to both the City Council and City Engineer Wimberly.
the motion was duly seconded and carried.

H. C. McGown attorney for F Delgado submitted the following resignation.

El Paso, Texas, Sept 5th 1906

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

Resignation of F Delgado as policeman

In view of the fact that I have appeared in person and by attorneys with all witnesses present prepared to refute the charges preferred against me by the Chief of Police Florence J. Hall and demanded investigation of the facts pertinent thereto by the said Council and same was then denied me and the matter was referred to the Mayor and Police Committee and was by them postponed indefinitely, and further in that the said Chief of Police was present at the time and expressed his willingness to drop the matter and consented before the Council that the charges might be dismissed or otherwise disposed of by the

Adjourned Regular Meeting Wednesday Sept 5th 1906

Council as they saw fit, and the premises and the course of the proceedings are in fact a personal vindication under such charges, and for the further and greater reason that as a citizen of El Paso I do not desire to be the cause of its other citizens becoming further embroiled or to promote dissension and discord, as well as to take the valuable time of this honorable body in a matter which does not deserve the moment and dignity which it has been given and has attained, I feel that I should in the best interests of both individuals and of the City of El Paso tender my resignation which I hereby do, respectfully requesting your honorable body to act upon same immediately in acceptance

Respectfully submitted
F. Delgado

Alderman Badger moved that the resignation of F. Delgado be accepted and that the mayor be authorized to pay said Delgado for the time of his suspension.
The motion was duly seconded and carried.

J J Connors empowered to make such purchases as he may deem necessary

Alderman Cepler moved that J. J. Connors be empowered to hire such labor and make such purchases for the city parks as he deemes advisable, and to apply to the mayor for requisition for all supplies he may need
The motion was duly seconded and carried.

There being no further business the Council adjourned over until Thursday Sept 6th 1906 at 9 o'clock a.m.
Approved

Perry McGhee
City Clerk

Mayor

Adjourned Regular Meeting Thursday 6th 1906

Council Chamber City Hall
El Paso Texas Sept 6th 1906

Council met in adjourned regular session on the above day and date at 9 o'clock A.M. with Mayor Davis present and presiding and the following aldermen answered to roll call, Badger Caples, Fewel, Hammett, Hitt Look and Rand, absent Grant.

Contract of El Paso Brewing Assn agreed to and signed

Chairman Badger of the Sanitary Committee to whom was referred the Contract of the El Paso Brewing Assn with the City of El Paso. recommended that the Mayor be authorized to execute the contract in behalf of the City. Motion was made and duly seconded that the Contract be accepted and mayor be authorized to execute the same.

The Mayor ordered the vote upon the adoption of the motion to be taken by roll call which when taken resulted as follows, Yeas, Badger, Caples, Fewel, Hammett, Look and Rand, Nays, None, absent Grant and Hitt.

Whereupon Mayor Davis declared that a majority of the vote of the City Council having been cast in favor of the motion the same be and is hereby adopted.

The Contract above referred to is in words and figures as follows, to wit:

State of Texas
County of El Paso

This agreement made by and between the City of El Paso, party of the first part, and the El Paso Brewing Association party of the second part.

Witnesseth:

That the City of El Paso hereby grants to the said party of the second part the privilege and permission to connect an eight inch sewer pipe carrying water from its plant to connection with the sewer system of the City of El Paso and which connection is to be made at a point and place designated and pointed out by the City Engineer of the City of El Paso, and in consideration of permitting said connection, the same is to be done and performed under the following conditions and stipulations, to wit:

Adjourned Regular Meeting Thursday Sept 6th 1906

I – The pipe line to be laid from said Brewery to said connection is to be done wholly at the cost of the said party of the second part and in a manner acceptable to the City Engineer of the City of El Paso.

II – The said party of the second part shall not be permitted to discharge through said pipe any substance except clear water and all other matter is to be excluded from said sewer pipe.

III – No other person, firm or corporation except the said party of the second part shall be permitted to connect with said eight inch main to be laid as aforesaid, or to have any use thereof, but the same is to be used exclusively by said party of the second part and for the accommodation of its brewery and works located upon its property and owned by it.

IV – The City reserves the right, and such shall run with the grant herein given, to disconnect said Eight inch main to be laid and constructed by said party of the second part and to cause the discontinuance thereof for any purpose at any time a majority of the City Council of the City of El Paso shall so elect, but a notice of said intention to so disconnect said eight inch main or any other main to be built by said party of the second part and connected with the sewer system of the City of El Paso, shall be given thirty days prior to any action on the part of the City so disconnecting said main constructed by said party of the second part.

V – It is agreed and understood that the said party of the second part shall construct a substantial masonry settling tank at the intake of its sewer at or near its brewery and in such a way as to exclude every thing from said sewer detrimental to the use of the same.

In testimony whereof witness our hands this the 6th day of September A.D. 1906

City of El Paso
by Charles Davis
Its mayor

~~attest~~
Perry McGhee
City Clerk

El Paso Brewing Association
by J P Deiter
Its president

Adjourned Regular Meeting Thursday Sept 6th 1906

City Engineer ordered to report on Changes of paving Contract

Alderman Caples moved that the City Engineer and street paving Inspector bring in a joint report upon the contemplated changes in the original specifications for street car track construction within paving District No 1. The motion was duly seconded and carried.

There being no further business the Council adjourned

Approved

Percy McGhee
City Clerk

Mayor

Regular Meeting Thursday Sept 6th 1906

Council Chamber City Hall
El Paso, Texas, Sept 6th 1906

Council met in regular session on the above day and date with Mayor Davis present and presiding and the following aldermen answered to roll call. Badger, Caples, Ferrel, Hammett, Hitt and Look. absent Grant, and Rand.

Reading of the minutes was dispensed with.

Report of Officers

The Plumbing Inspector submitted the following report.

Report of Plumbing Insp for July

El Paso Texas Aug 31st 1906

To the Hon Mayor and City Council of the City of El Paso:

Gentlemen:

I beg to hand you herewith my report for the month of July. During said month I have made 37 inspections and have collected one hundred and Ninety Dollars $190.00, as per Treasurer receipt attached

Very respectfully
V. E. Luhorn
Plumbing Inspector

on motion the report was received and filed.

Repot of Food Inspector received and filed.

Report of City Engineer on change of Contract in laying St Ry tracks

City Engineer Humberly submitted the following report

El Paso, Texas, Sept 6th 1906

The Honorable Mayor and City Council of El Paso, Texas

Gentlemen,

We recommend that the plans for street Ry track be adopted as substituted by Street Ry Co with six inch Concrete base under rail and extending to base of rail between ties plans attached herewith.

We also recommend that the paving brick be left out along the rails and Bitulithic paving be used in their stead, the same as balance of street.

Respectfully submitted
Geo C Humberly City Engr
William Garvin.

Alderman Look moved that the report be adopted and referred to City ~~Engineer~~ Attorney who is instructed to

draw a contract covering same and report back to Council for final action.
The motion was duly seconded and carried.

Street & Grade Com

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

El Paso, Texas, 8/10/06

Petition of E. F. Levy grade Street

To the Hon Mayor and City Council
Gentlemen:
I ask you to please grade the side walk down to the level of street, also to grade the east side of my lot down to street. the side walk I refer to is in front of my house while the east grading includes a small terrace which rises above street. please have have this grading done as soon as possible so I can put in my retaining walls.
Hoping this will meet with your approval.
I remain yours very truly
E. F. Levy

on motion the petition was denied

Petition of El Paso Foundry & Machine Co for bridge over Canal

Chairman Fewel to whom was referred following petition recommended that it be granted.

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

Gentlemen:
In order to accommodate traffic to and from its new plant which is now being erected in the southwestern portion of Bassetts addition. The El Paso Foundry and Machine Co respectfully petitions that you order a wagon bridge built across the canal on Laurel St and that Laurel street be brought up to grade and put in good condition
Very respectfully
The El Paso Foundry & Machine Co
per H. L. Anderson

On Motion the Canal Co ~~was~~ be ordered to build the bridge.

Chairman Fewel to whom was referred the following

Regular Meeting Thursday Sept 6th, 1906

petition granted and map adopted

El Paso, Texas, Aug 16th, 1906

here

Petition of El Paso Foundry adopt block Map of plat was granted

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

Gentlemen:

We the undersigned, owners of the land shown as streets and alley on attached original tracing, except East Canal Avenue and Piedras Street, which are now a part of the Official map of the City of El Paso, respectfully request the City of El Paso through your honorable body to accept streets and alley shown thereon for the City.

Also to have blocks "A" "B" "C" and "D" as shown thereon entered on the official map.

All of this land lies in Bassett addition to the City of El Paso, and official grade has been established

Respectfully

El Paso Foundry and Machine Co

by H. N. Small (president)

Geo R. LeBaron Trustee

L Blewett

Edith L Rider

H L Rider

Motion made and duly seconded and carried that the petition be granted and map adopted.

Petition of G. A. Bush for spur track

Alderman Fenn to whom was referred the petition of G A Bush for spur track on Texas Street recommended that the petition be held up until Mr Bush constructed a cement side walk on his property on Texas Street on motion the recommendation was ordered carried out.

"Taxation Committee."

Petitions of H Lesinsky Co & C Triolo referred to City Atty

Chairman Hammett to whom was referred the petitions of the H Lesinsky Co and Carlos Triolo for reduction of Taxes stated that there was some legal points relative to both petitions that he was not able to pass upon and requested that both petitions be referred to the City Attorney to report back to the City Council what was best to do.

On motion the petitions were referred to City Atty.

Regular Meeting Thursday Sept 6th 1906

Finance Committee

Chairman Rand recommended that the following pay roll and bill be allowed and ordered paid

Pay rolls for August	Fire Dept	pay roll for August	1332 30
	Engineer "	" " " "	281 00
	Police "	" " " "	2736 70
	City Official "	" " " "	1680 25
	Pest House "	" " " "	237 00
	Plumbing Inspector "	" " " "	190 00
	Sewerage "	" " " "	346 75
	Street + Grader "	" " " week ending Aug 9th	199 10
	" " "	" " " " " " 16	256 55
	" " "	" " " " " " 23	236 65
	" " "	" " " " " " Sep. 6th	221 00
	Sanitarity "	" " " " Aug	170 00
	" Cleaning Dept	" " " " " 9th	19 50
	" " "	" " " " " 16	19 50
	" " "	" " " " " 24	19 50
	" " "	" " " " Sept 6th	19 50
Bills allowed for July	Consumers Ice Co	Ice City Hall	6 50
	Peoples Drug Store	Drug " "	1 00
	C. C. Shelton	supplies " "	14 85
	R. D. Richey	repairs " "	1 75
	El Paso Electric Ry Co	arc lights	1064 00
	" " " "	Lights City Hall	9 90
	Inter State Co	Water	1575 62
	Kelly + Pollard	Drugs Hospital	102 85
	" "	" Sanitary	8 65
	Stetter + Schneider	Meat Pest House	15 45
	Major + Fowl	Feed + Fuel	38 20
	E. D. Cummings	painting Pest House	30 00
	Howard + McP Co	groceries " "	48 43
	Kelly + Pollard	Drugs " "	10 70
	Ellis Bros	supplies Police Dept	1 50
	" "	" City Hall	3 50
	" "	" City Ass	4 75
	Times Publishing Co	printing	384 16
	The City printing Co	" Plumbing insp	23 00
	Monsen + Co	supplies Food insp	17 75
	F. B. Cotton	rent dumping ground	25 00

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J. P. Dieter	rent on lot	Street & Grade	90 00
Pomeroy Transfer Co	Sprinking	" "	941 75
Wm Rhimhimer	stakes	Engineer Dept	17 00
Badger Fuel Co	Cement	Street "	46 50
El Paso Brick Co	Brick	Sewer "	254 50
Longwell Transfer Co	Hauling	" "	6 00
J. J. Hadlington	" sand & grav	" "	13 75
El Paso Fuel Co	Cement	" "	15 60
El Paso Foundry & Machine Co	one manhole		10 50
" " " " "	3 "		31 50
Robinsons Meat Market	Meat for Alegators	June & July	13 90
Park W Pitman	Clerks Costs		14 20
T. H. Bennett	blacksmithing		33 30
Pomeroy Transfer Co	"	Street & Grade	2 00
Magor & Fewel	Feed	" "	21 75
Burton Lings	Lumber	" "	134 29
Monsen & Co	supplies	" "	9 10
Nick Carson	Cement work	" "	26 50
West Texas Sadlery Co	supplies	" "	1 50
Pomeroy Transfer Co	Hack hire	Police "	5 00
" " "	Teams	Sanitary "	110 50
" " "	H & B	"	15 00
Tom Spivey	Towels June & July	Police "	4 00
A. P. Coles & Bros	premium on bond of F J Hall		10 00
" " " "	" " " " B F Jenkins		100 00
" " " "	" " " " Percy McGhee		5 00
Kelly & Pollard	Milk	Pest House	19 95
Greer Stables	Hack hire	June & July	28 00
Mrs J T Sullivan	feeding prisoners		123 00
Horace B Stevens	premium on bond of L M Turner		206 25
Consumers Ice Co	Ice police		3 70
F. J. Hall	Expenses		18 75
W Union Tel Co	telegrams		3 10
H Alberthol	repairs		1 75
R. D. Richey	" & Plumbing		46 75
Mrs J. H. Parsons	Park Allowance for August		100 00
Tom Spivey	Towels	City Hall	75
Mrs J. H. Parsons	Park allowance for July		100 00
W. M. Burke	repairs		75
Public Library	allowance Aug		425 00

Regular Meeting Thursday Sept 6th 1906

Mayor & Fuel	Feed		14 40
H A Alberthal	blacksmithing	Fire Dept	7 25
Gus Thomsen & Co	supplies	" "	1 50
" " "	"	" "	15
" " "	"	" "	6 50
Peoples Drug Store	"	" "	5 00
Tuttle Paint & G Co	"	" "	1 10
F Torres	Cleaning Corral	" "	4 75
R. D. Richey	plumbing	" "	1 50
Badger Fuel Co	Fuel	" "	4 50
El Paso Electric Co	light	" "	5 10
J T O'Rourke	shoeing	" "	18 00
Howard & Co	supplies	" "	5 75
" "	"	" "	1 70
E. E. Koglmier	"	" "	18 00
El Paso Electric Sup Co	"	" "	2 75
T. J. Holland	"	" "	3 28
Dan Kelly	"	" "	3 00
Geo C Hale	Harness	" "	38 00
El Paso Electric Ry Co	light	" "	3 29
O. G. Sexton	Feed	" "	89 50
"	"	" "	18 05
Farrett & Kelly	supplies	" "	14 95

On motion made and carried the above bill was allowed and ordered paid.

Communications

Petition of Frank R Tobin Street Car Franchise — Clerk read petition of Frank R Tobin for street car franchise. On motion the petition was referred to Ordinance Com.

Petition of E.W. Brown sewer connections — Clerk read petition of E W Brown for sewer extension. On motion the petition was referred to Sanitary Com.

Petition of E.A. Lane refund of taxes — Clerk read petition of E.A. Lane for refund of taxes. On motion the petition was referred to Taxation Com.

Protest erecting frame building on Utah st — Clerk read protest against erecting frame house. The petition was referred to Fire & Water Com with power to act.

Regular Meeting Thursday Sept 6th 1906

Petition of Fred W Bauer for official grade

Clerk read petition of Fred W Bauer + ot a for official grade on Stewart Street.
The petition was referred to Street + Grade Comm

New Business

Mayor Davis granted leave 30 days

Mayor Davis asks 30 days leave of absence
on motion the request was granted.

Hammett elected Mayor protem

Alderman Look moved that Alderman Hammett be elected Mayor protem during Mayor Davis absence.
The Motion was duly seconded and carried.

There being no further business the Council adjourned
approved

Charles Davis
Mayor

Perry McGhee
City Clerk

Regular Meeting Thursday Sept 13th 1906

Council Chamber City Hall
El Paso Texas Sept 13th 1906

Council met in regular session on the above day and date. Acting Mayor Hammett present and presiding and the following Aldermen answered to roll Call, Badger, Caplex, Fowl, Hitt, and Cook. absent Grant and Rand.

Minutes of regular meeting held Aug 2nd 1906 read approved
" " " " " " " 30 " " "
" " adjourned " " " " 31 " " "
" " " " " " Sept 4th " " "
" " " " " " " 5th " " "
" " " " " " " 6th " " "
" " regular " " " 6th " " "

Report of Officers

El Paso Texas Sept 13th 1906

Report of City Atty on petition H Lesinsky Co reduce Tax

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

In reference to the communication from the H Lesinsky Co referred to me claiming of their total rendition of stock amounting to $25000.00 less than one half thereof was situated in the limits Improvement District No 1, and that the remainder thereof was in the warehouse of H. H. Constable, situated without the limits of said district and praying for reduction of paving tax accordingly. You are advised that only such portion of such stock as was situated within the limits of Improvement District No 1 would be liable for the street paving tax. I therefore respectfully recommend that the taxation Committee be authorized to ascertain what proportion of said stock was within the limits of Improvement district No 1 on the first day of March and that upon report of the finding of such Committee to the City Assessor & Collector of Taxes, that he be authorized to receive the taxes on such portion in full settlement of said claim for taxes.

Respectfully Submitted
Richard F Burges
City Attorney.

On motion duly made and carried the recommendations

Regular Meeting Thursday Sept. 13th 1906

of the City attorney was ordered carried out.
The petition above referred to was in words and figures as follows to wit:

El Paso Texas Aug 11th 1906

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

Gentlemen:

Petition of H Lesinsky reduce tax

We have notice that tax has been advertised against us on account of street Improvement, This tax as we understand applies to our stock of goods carried in our warehouse in block 34 Mills, which is within Improvement district, and the tax is based on the entire value of our stock.

This tax is partly erroneous for the reason that when the tax was assessed only a portion of our stock was carried in the premises mentioned, The bulk of same was carried in what is known as the Kistelson & Degatau warehouse on El Paso Street which is outside the Improvement District, and in the warehouse of H H Constable on the Texas & Pacific reservation which is also outside of Improvement District No 1

We are of course willing to pay on that portion of our stock which was in the improvement district at the time the assessment was made, Our total inventory was $25000.00 for stock, Not over $10,000. of this was carried in the warehouse in block 34 Mills within the improvement district. We would ask that you authorize your Assessor to adjust the matter and we will pay the taxes promptly on that portion of our stock which was within the taxable district

Very truly yours
The H Lesinsky Company
per D. J. Lesinsky

Report of city clerk building permits for August

City Clerk submitted the following report for the month of August of building permits

Total No permits issued 30

" " " "	@ $1.00 each	20 =	$20.00
" " " " "	.50 "	10 =	5.00
Total			25.00
Less Clerk Com 25%			6.25
Settlement with Treasurer receipt No 1883			18.75

Regular Meeting Thursday Sept 13th 1906

on motion made and carried the report was received and ordered filed.

City Clerk submitted the following report

El Paso Sept 5th 1906

Report of City Clerk interest paid on Bonds

Hon Mayor & City Council
Gentlemen:

I beg to report the following warrants which have been drawn to meet outstanding obligations of the City of El Paso.

School Bonds Series 4 (1903) 6 mos interest	$1,250.00
Sewer Bonds " 4 " " " "	1500.00
Ex Change	6.87
International Fire Engine Co Note due Aug 4th	828.18

Respectfully submitted
Perry McGhee
City Clerk

motion made and carried the report be received and filed.

Streets & Grades

Map of El Paso Foundry Mch Co to be refined to City Engineer

Chairman Fewel to moved that the block map of the El Paso Foundry adopted at last regular meeting be referred to City Engineer for approval. the motion was duly seconded and carried.

Clerk read the following petition

El Paso, Texas Sept 13th 1906

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

Petition of El Paso Commercial Co adopt block map

Your petitioners, the El Paso Commercial Co respectfully represents that they are the sole owners of all that portion of block 7 of sunset Heights addition to the City of El Paso, Texas, involved in the subject matter of this application; that in the platting of this map as adopted by the City Council an error by calculation was made wherein lots 34 to 42 inclusive were made too shallow, that the Hon City Engineer has surveyed the land upon the ground and has found the error spoken of made upon the accepted map

Regular Meeting Thursday Sept 13th 1906

of said addition, which has been adopted and filed by the City Council of the City of El Paso on July 7th 1904 that it is to the interest of the public as well as your petitioners to have this error corrected, as parties are contemplating the purchase of these lots for the purpose of improving them. That according to the Map as filed the depth of Lot 34 along the south line of Nevada street was given as 98.92 feet, whereas, in truth and in fact, it is 108.55 ft.

Your petitioners would state that under their original application filed in July 1906, he attached a copy of the block as requested to be changed made by the City Engineer Mr Geo C Humbolly, but as this paper has been lost he substituted a copy of such sketch

He therefore requests your honorable body to endorse his amended plat of block seven (7) of Sunset Heights addition, and to order a copy of said block as amended prepared by the City Engineer to be filed upon the minutes of the City Council

Respectfully submitted
El Paso Commercial Co
by J. J. Mundy president

On motion made and carried the petition of the El Paso Commercial Co was granted.

Sanitary Committee

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

Petition of A. L. Blueford for sewer connection granted

To the Hon Mayor & City Council of El Paso, Texas,

Your petitioners, residents or owners of real Estate south of Eighth street in El Paso, El Paso County Texas respectfully represents that from the nature of the land its deficiency in natural drainage and its unfavorable surroundings, said portion of the City demands sanitary measures for the prevention of contagious and other diseases to an extent probably greater than any other section of the City. Among these sanitary precautions none can equal in efficiency the extension of our sewer system which is demanded by every consideration of health decency and expedience.

Therefore your petitioners pray that the sewerage system be extended from seventh street southerly to and including ninth street, so as to cover the district

Regular Meeting Thursday Sept 13th 1906

bounded on the east by park street and on the west by Ochoa street

A. L. Blueford et al

On motion the petition was duly granted.

Ordinance Committee

~~Ordinance of Fr.~~ Petition of Frank R Tobin for street Car franchise referred to Court of whole

Chairman Look to whom was referred the street car francise of Frank R Tobin requested that the ordinance be read. after which he requested that the ordinance be referred to the Council as Committee of the whole and the Council to meet some day next week to consider it.

On motion the recommendation was ordered carried out.

Ordinance for franchise from American Dist Tel Co referred to Court whole

Chairman Look to whom was referred the ordinance for franchise from the American District Tel Co to put in burglar, police + Fire alarm system recommended that it be referred to the Committee of the whole at the same time as the street Car franchise.

On motion the recommendations was ordered carried out

Finance Committee

payrolls

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

	Street Cleaning Dept	payroll for week ending Sept 13th		19 50
	" + Grade "	" " " " " 13th		262 15
	Fassett + Kelly	sewer pipe "8 in"	Sewer Dept	1117 25
Bills for August	Momsen + Co	supplies	" "	3 40
	J. Y. Waddington	gravel	" "	8 25
	Public Library	Sept allowance		425 00
	V. E. Luhorn	plumbing Inspector		117 50
	Tom Spivey	Towel service	City Hall	75
	Fassett + Kelly	Hardware	Street Dept	28 90
	T. H. Bennett	Blacksmithing	" "	49 45
	Pomeroy Transfer Co	sprinkling	" "	952 75
	Inter State Co	repair standpipe	" "	5 90
	" " "	" " "	" "	31 43
	Fewel + Smith	Feed	" "	22 20
	Momsen + Co	Fittings	" "	14 80

Regular Meeting Thursday Sept 13th 1906

Peoples Drugstore	Paper	Police Dept	5.00
Pomeroy Transfer Co	Team hire	Sanitary "	17.50
Tom Spivey	Towel service	Police "	2.00
Consumers Ice Co	Ice	" "	3.10
F. J. Hall	Expenses	" "	14.60
Greer Stables	Hack hire	" "	22.50
A. P. Coles & Bros	premium on bond		5.00
Fassett & Kelly	Hose for City Hall		35.00
R. H. Curran	supplies		1.65
Consumers Ice Co	Ice City Hall		5.70
Kelly & Pollard	Drugs	Hospital	46.60
Southwestern Tel Co	Telephone	City Electrician	9.20
Ellis Bros	supplies		6.00
Stiffler & Schneider	Meat	Pest House	6.05
Fewel & Smith	Feed	" "	46.95
El Paso Ice & Rfg Co	Ice	Pest "	29.95
E. A. Cummings	painting	" "	30.00
Monsen & Co	Fittings	" "	41.35
Monsen & Co	Hardware	" "	2.20
Kelly & Pollard	Drugs	" "	1.25
Howard & McG Co	Groceries	" "	16.55
Fassett & Kelly	Hardware	" "	5.70
Fewel & Smith	Feed	" "	15.85
Kelly & Pollard	Drugs	Sanitary "	2.50

on Motion made and carried the bills and payroll above referred to be allowed and ordered paid.

Fire and Water Com.

Chairman Caples stated that the public watering trough located on Kansas st by the City Hall was on the curb line and would have to be moved a few feet into the street so that the cement curb could be built, and that that he had received several bids from different Plumbers and that the bid of Geo H Mattice being the lowest recommended that it be excepted.

El Paso, Texas. Sept 13th 1906

Bid Geo H Mattice to move and reset water trough

Mr Geo C Hinkley City Engineer,

Dear Sir

I have with submit my bid for moving and resetting water fountain at each side of City Hall

Regular Meeting Thursday Sept 13th 1906

as directed by you, for the sum of $29.60 (Twenty nine and sixty Cents)

Respectfully submitted
Geo H Mattice

on motion the bid of Geo H Mattice was accepted.

Chairman Caples to whom was referred the following petition recommended that it be filed, stating that the parties had agreed to build adobe instead of frame.

Petition of H.F. Stacey relative to frame House on Utah st received & filed

El Paso Texas Sept 6th 1906

To the Hon Mayor and Board of Aldermen.
At the south East Corner of Utah and 5th street some persons are building a board shack or shed on the lot next to the Corner of the street the shack is abutting on the street would respectfully call the Street and Fire Commissioner attention to this disagreement.

H.F. Stacey

on motion the petition was received and filed.

Petition of El Paso Electric Ry Co for franchise referred

The petition of El Paso Electric Ry ~~petition~~ for additional Street Car franchise was referred to the Council as Committee of the whole.

Communications

petition of J.A. Rawlings sewer Connection

Clerk read the petition of J.A. Rawlings for sewer Connection
on motion the petition was referred to Sanitary Com

petition of mountain side Realty Co sewer Connection

Clerk read the petition of Mountain side Realty Co for sewer Connection
on motion the petition was referred to Sanitary Com

Petition of T.S. Rollins frame House

Clerk read petition of T.S. Rollins et al in regard to frame house.
on motion the petition was referred to Fire & Water Com

petition of Hewitt & Jones build frame add

Clerk read petition of Hewitt & Jones for special permit to Erect second story frame building.
on motion the petition was referred to Fire & Water Com

Regular Meeting Thursday Sept 13th 1906

petition of H M Bush increase in salary

Clerk read petition of H M Bush for increase in pay on motion the petition was referred to Finance com

There being no further business the Council adjourned to meet Thursday Sept 18th 1906 to take up the Street Car franchises

Approved

B. F. Hammett
Acting Mayor

Perry McGhee
City Clerk

Regular Adjourned Meeting Tuesday Sept 18th 1906

Mayor's Office City Hall
El Paso, Texas, Sept 18th 1906

Council met in adjourned regular sission on the above day and date, Acting Mayor Hammett present and presiding and the following aldermen answered to roll call, Badger, Caples, Fewel, Grant, Kitt and Look, absent Rand.

Clerk instructed to notify property owners to build cement curbs in paving Dist

Alderman Caples moved that the City Clerk be instructed to notify all property owners in paving district no 1 who has no cement curb fronting their property to begin the construction of their curb within 5 days, if not begun sooner. The motion was carried.

Action of City Engineer changing Crown st from 8 in to 11 in ratified

Alderman Badger moved that the action of City Engineer in calling for Eleven inch crown on all streets in paving district no 1 instead of 8 inch be ratified the motion was duly seconded and carried.

Franklin & Miss ave to be cut down to grade

Alderman Caples moved that Franklin and Missouri streets between Santa Fe and Fisher streets be cut down to grade and regraded with dirt removed from streets in paving district no 1 as may be designated and directed by the City Engineer. The motion was duly seconded and carried.

Bid of Prisk to build cement curb in paving Dist

Alderman Caples moved that the bid of Mr Prisk to build all cement curbs for city in paving district no 1 at 30 cents per lineal foot be accepted, and further that the City Engineer is to have sole control in directing said Prisk in building said curb, and City Council will not pay for any cement curb built in paving district no 1 unless accompanied by certificate from City Engineer.
The motion was duly seconded and carried.

City Engineer have full power in placing all dirt from paving Dist

Alderman Caples moved that the City Engineer have the full control as to the placing of all dirt removed from the streets in paving district no 1.
The motion was duly seconded and carried.

Adjourned Regular Meeting Tuesday Sept 18th 1906

Alderman Fewel rose and introduced resolution refusing to grant in street car franchise over Mesa Ave and Magoffin avenue,

Resolution to exempt Mesa ave and Magoffin ave from franchise for street car line

The Mayor ordered the vote upon the adoption of the resolution to be taken by roll call which when taken resulted as follows, ~~Yeas~~ Mesa ave, Yeas, Badger Fewel, Grant, Hitt, and Look, Nays Caples and Hammett, absent Rand. Magoffin Ave. Yeas, Badger, Fewel, Grant, Hammett, Hitt, and Look, Nays Caples, absent Rand.

When upon Acting Mayor Hammett declared that a majority of the vote of the City Council having been cast in favor of the resolution the same be and is hereby adopted.

The resolution above referred to is in words and figures as follows, to wit.

Resolved, that the City Council of the City of El Paso, refuse and does hereby refuse to grant any right of way or street railway franchise to any person or company over the following streets or parts of streets, viz:

Mesa Avenue North of St Louis Street.

Magoffin Avenue, as now laid out or which may hereafter be prolonged or extended, by whatever name.

And resolved, further, that it is the fixed determination of this Council not to grant any right of way or ~~street~~ railway franchises to any person or company for the construction of a ~~street~~ rail way along or over the above designated streets.

Resolved, further, that this resolution take effect and be in force from and after its passage

No exclusive franchise to be given over Davis Second and West Overland st

Alderman Look moved that the City Council grant no exclusive franchise over Davis, Second, West Overland and East Overland ~~streets~~ as far as Stanton street.

The motion was duly seconded and carried

After taking up the Robin franchise and discussing section by section with Mr Robin and his attorney the council adjourned over until Wednesday Sept 19th at 9 o'clock am

approved

B. F. Hammett
Acting mayor

Perry McGhee
City Clerk

Adjourned regular meeting Wednesday Sept 19th 1906

Mayors Office City Hall
El Paso, Texas, Sept 19th, 1906

Council met in adjourned regular session on the above day and date at 9 o'clock a.m. Acting Mayor Hammett present and presiding and the following aldermen answered to roll call, Badger, Caples, Fewel, Grant, Hammett, Hitt and Look, absent Rand.

The Council proceeded to take up the amended franchise of The El Paso Electric Ry Co section by section, after much discussion the Council adjourned over to Thursday Sept 20th at 2 o'clock p.m. for further consideration of the franchise

Perry McGhee
City Clerk

Approved
B. F. Hammett
acting mayor

Adjourned regular Meeting Thursday Sept 20th 1906

Mayors Office City Hall
El Paso, Texas Sept 20th 1906

Council met in adjourned regular session on the above day and date at 2 o'clock p.m. with acting Mayor Hammett present and presiding and the following aldermen answered to roll call, Badger, Caples, Fewel, Grant, Hitt and Look, absent, Rand.

After discussion of both street car franchises Ald Caples moved that the City Attorney be instructed to meet the Attorneys of both Companies and draft the ordinances along the provisions agreed upon and present them to the Council at an adjourned meeting of the City Council, the motion was duly seconded and carried

There being no further business the Council adjourned

approved
P. H. Hammett
Acting Mayor

Perry McGhee
City Clerk

Regular Meeting Thursday Sept 20th 1906

Council Chamber City Hall
El Paso, Texas, Sept 20th 1906

Council met in regular session on the above day and date, with Acting Mayor Hammett present and presiding and the following Aldermen answered to roll call, Badger, Fewel, Grant Hitt and Look, Absent Caplis and Rand

Reading of Minutes of the last regular meeting and adjourned meetings was dispensed with.

"Report of Officers"

City Engineer submitted the following report.

El Paso, Texas Sept 20th 1906

The Hon Mayor and City Council, El Paso, Texas
Gentlemen:

Report of City Engineer on map of El Paso Foundry & Mch Co

In the matter of the map of the El Paso Foundry and Machine Company, presented to the Council by the Streets and Grades Committee on the 6th of September and adopted the same date, and afterwards, to wit: on the 13th of September referred to me for investigation and report, I have the honor to respectfully report as follows:

1st - The map as prepared does not contain the usual dedication of streets and alleys, which should be written on the same and signed officially by the owners of the property making the dedication.

2nd - The map is very incomplete in that it does not show dimensions and angles in many places.

3rd - The map does not show how it is tied to the Bassett addition proper, by lines and figures.

4th It omits to show the proper location, or rather any location of the City's trunk sewer, 24 inch pipe line running Eastwly and Westwly through said property.

In conclusion I deem it advisable that the action of the Council in adopting the map in question at its regular meeting of September 6th 1906, be rescinded, and that the same be returned to the El Paso Foundry and Machine Co, with instructions to prepare a new map containing the necessary dedicatory

Regular Meeting Thursday Sept 20th 1906

clauses, etc as above mentioned.

Respectfully submitted
Geo C Humberly
City Engineer

On motion made and carried the report was received and filed, and the recommendations ordered carried out, and the adoption of the map be rescinded.

"Police Committee"

Report of Chief of Police for July

Chairman Hitt to whom was referred the following report of Chief of Police for the month of July recommended that the report be received and filed.

Total Collections for month of July 1906	$1189.40
Less per cent allowed City atty + Fine Collector	107.20
Net amount turned in as shown by Treasurers receipt no 1877	$1082.20

On motion made and carried the Report was received and filed

"Street and Grade Com"

Petition of F.B Coffin granted and referred to City atty

Chairman Fewel to whom was referred the petition of F.B. Coffin recommended that the petition be referred to City Engineer with power to act

El Paso Texas Aug 14th 1906

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

Gentlemen,

The undersigned desire to construct a cement sidewalk on the north side of Boulevard and in front of Lots 17, 18, 19, and 20 in block 60 beginning at Austin Street and respectfully show that no grade has yet been established East of Austin Street on the Boulevards until Williams street is reached, that the grade on the Boulevard at Williams street has as they have been informed been established, wherefore they respectfully pray that the grade on Boulevard be established from Austin to Williams street

Respectfully submitted
J. M. Dean
Frank B Coffin

On motion made and duly carried the petition was referred with power to act to the City Engineer.

Regular Meeting Thursday Sept 20th 1906

Petition of Fred W Bauer Official Grade

Chairman Fewel to whom was referred the petition of Fred H Bauer et al for uniform grade on Stewart street recommended that the petition be referred to City Engineer.
on motion made and carried the recommendations were ordered carried out.

City Engineer instructed to make estimate on grading Missouri st

Chairman Fewel moved that the City Engineer be instructed to make an estimate of the cost of cutting Missouri street down to grade between Santa Fe and Fisher streets and report same at next regular meeting of Council.
The motion was duly seconded and carried.

Sanitary Committee

Bill of Inter Water Co for pipe paid to Pest House

Chairman Badger presented bill from International Water Co for pipe used in piping water to the Pest House ~~and~~ for $788.09 and recommended that it be allowed and ordered paid.
on motion made and carried the bill was allowed and ordered paid.

Clerk instructed to notify Inter Water Co to disconnect Ardoin Bros from Pest House line

Chairman Badger stated that Ardoin Bros had tapped the Pest House main, and was taking water from same, and that as the City owned the pipe and by allowing Ardoin Bros to take water from the main reduced the pressure to such an extent that the Pest House did not have water or pressure enough to successfully fight any fire should one occur and therefore moved that the City Clerk be instructed to notify the Inter Water Co to disconnect within 30 days Ardoin Bros from the Pest House pipe line. the motion was duly seconded and carried.

"Finance Committee"

Payroll of Park ordered paid

Acting Chairman Hitt recommended that the payroll of Park Commissioner for week ending sept 15th amounting to $43.25 and Street Cleaning Dept payroll for week ending sept 20th amounting to $19.50 be allowed and ordered paid
on motion the payroll were allowed and ordered paid.

Regular Meeting Thursday Sept 20th 1906

Acting Chairman Hitt to whom was referred the following petition recommended that it be granted.

El Paso, Texas Sept 13th 1906

To the Hon Mayor and City Council

Gentlemen:

Petition of W M Burke for increase of pay

I was appointed janitor of the City Hall by acting Mayor W. J. Fewel at $60.00 per month. I find that to do the janitor work in this building and grounds as it should be done takes from 12 to 14 hours each day and as the old janitor was paid $75.00 per month, I think I should have the same, and I ask your honorable body to take this under advisement and increase the pay if you can consistently do so.

Respectfully submitted

W M Burke

on motion the petition was granted.

Taxation Committee

Alderman Badger to whom was referred to following petition recommended that it be granted.

El Paso, Texas. Sept 4th 1906

Petition of E A Kane for refund tax granted

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

Gentlemen:

Through an error as shown by the attached ~~bill~~ tax receipt I have been compelled to pay my taxes twice and I respectfully request your honorable body to refund to me 26cts which has been paid on lot 19 & 1/2 of lot 20 block 6 Franklin Heights add which I do not own

Yours very truly

E. A. Kane

on motion the petition was granted and city clerk was instructed to draw a warrant for $26cts to pay same.

Petition of C L Ervin tax reduced granted

Acting Chairman Grant to whom was referred the following petition recommended that it be granted.

State of Texas }
El Paso County } To Charles Davis Mayor of the City of El Paso said state and the Board of Aldermen of said City — Now comes your petitioner C L Ervin and

Regular Meeting Thursday Sept 20th 1906

respectfully represents to your honors, that he was on the first day of January 1905 and prior thereto and since said time has been engaged in the purchase and sales of second hand furniture in the City of El Paso on the corner of Stanton and East Overland streets. That for the year 1905 he rendered his said property for taxes to the City assessor at the sum of two hundred dollars that this was really more than he had invested at that time in said business.

That the $200 valuation was a very large rendition and more than the cost of the goods he had. And that he never has had in his said place of business before said time, nor since said time as much as four hundred dollars worth of goods and that that the time he was assessed he did not have all told in all things $200. worth, But that now he is informed his assessment has been raised one thousand dollars and he is assessed twelve hundred dollars, which is more than a thousand dollars more than he had. He therefore respectfully prays your honorable body to correct his rendition according to the facts, he states further that he at no time had any notice that his rendition had been so changed. And that when same is corrected according to the facts or at least something near the facts he is ready to pay his taxes without suit.

J. T. Shapleton
Atty for Petitioner

I-C.L. Erwin do hereby swear that the matters and things set forth in the above application and petition are true as they stand stated.

C.L. Erwin

Sworn to and subscribed before me this 29th day of August 1906

J T Shapleton
Notary Public
El Paso County Texas.

On motion the petition was granted.

Regular Meeting Thursday Sept 20th 1906

Communications

Petition of Thomas Collins appt policeman

Clerk read petition of Thomas Collins for appointment as policeman of the city
on motion the petition was referred to police committee.

Petition of E W Brown ~~[illegible]~~ filling alley ~~Connection~~

Clerk read petition of E. W. Brown for filling in alley
on motion the petition was referred to Street and Grade com

New Business

City Engineer instructed to prepare grade map of ~~Davis~~ St 1st ward

Alderman Look moved that the city Engineer be instructed to prepare grade map of all Streets in the 1st ward
The motion was duly seconded and carried.

City Engineer instructed to have curb in paving Dist repaired

Contractor Wells asked the City Council to attend to the fixing of old curbs in the paving district. He stated that he found a great many of the old cement curbing did not extend down far enough and he thought it could be arrainged by running Concrete under the curb.
Motion was made and carried that the City Engineer be authorized to attend to the matter and to employ some one to do the work.

There being no further business the Council adjourned until Saturday 22nd day of Sept 1906 at 9 o'clock a.m.

Approved
B. F. Hammett
acting mayor

Percy McGhee
City Clerk

Adjourned regular meeting Saturday Sept 22nd 1906

Mayor's office City Hall
El Paso. Texas. Sept 22nd 1906

Council met in adjourned regular session on the above day and date at 9 o'clock am. Acting Mayor Hammett present, and the following aldermen ~~pro~~ answered roll Call. Fowl, absent Badger, Caples, Grant, Hill. Look and Rand.

There being no quorum present the Council adjourned over until 2 30 o'clock p.m.

Approved
P. J. Hammett
Acting Mayor

Percy McGhee
City Clerk

Adjourned regular Meeting Sept 22nd 1906

Mayor's Office City Hall
El Paso, Texas, Sept 22nd 1906

Council met in adjourned regular session on the above day and date at 2 30 o'clock, Acting mayor Hammett present and presiding and the following aldermen answered to roll call, Caples, Fewel, Grant, and Look, absent Badger Hitt and Rand.

The City attorney and attorney for El Paso Electric Ry Co reported that the were not ready to submit the ordinance the Council had authorized drawn, and would not have it completed before Monday next.

Alderman Fewel moved that the Council adjourn until Monday Sept 24th at 2 o'clock p.m. the motion was duly seconded and carried

Approved
F. J. Hammett
Acting Mayor

Perry McGhee
City Clerk

Adjourned regular Meeting Monday Sept 24th 1906

Mayors Office City Hall
El Paso, Texas, Sept 24th 1906

Council met in adjourned regular session on the above day and date at 2 o'clock p.m. Acting mayor Hammett present and presiding and the following aldermen answered to roll call. Badger, Caples, Fewel, Grant, Hitt and Look, absent Rand.

The Council then proceeded to have read and discussed the franchise for street car line over certain streets asked for by the El Paso Electric Ry Co.

section 5 offered by city atty in st car franchise adopted

Alderman Caples moved that section 5 offered by the City Attorney be substituted in place of section 5 as offered the original ordinance, the motion was duly seconded.

The Mayor ordered the voh upon the adoption of the motion to be taken by roll call which when taken resulted as follows. Yeas, Badger, Caples, Hitt and Look. 4 Nays, Fewel and Grant, absent Rand, not voting Hammett.

Whereupon Acting Mayor Hammett declared that a majority of the voh of the City Council having been cast in favor of the motion the same be and is hereby adopted.

Moved that section 7 as offered by city Attorney as modified making limit ten years instead of 1 year be substituted in place of section ~~sec~~ 7 in the original ordinance, the motion was duly seconded.

The Mayor ordered the voh upon the adoption of the motion to be taken by roll call which when taken resulted as follows. Yeas, Badger, Caples and Hammett, Nays, Fewel, Grant, Hitt and Look, absent Rand

Whereupon Acting Mayor Hammett declared that a majority of the voh of the City Council having been cast against the motion the same is hereby lost.

Ald Fewel moved that section seven as now in the original ordinance be accepted without alteration, the motion was duly seconded.

Adjourned regular meeting Monday Sept 24th 1906

acting in franchise adopted.

The Mayor ordered the vote upon the adoption of the motion to be taken by roll call which when taken resulted as follows, Yeas, Badger, Fewel, Grant, Hitt and Look. Nays Caples absent Rand, not voting, Hammett.

Whereupon Acting Mayor Hammett declared that a majority of the vote of the City Council having been cast in favor of the motion the same be and is hereby adopted.

Ordinance granting El Paso Electric Railway Street Car franchise

City Attorney Burges read "an ordinance entitled an ordinance to amend an ordinance entitled, "an ordinance granting Electric Street railway privileges and franchises to the El Paso Electric Railway Company, its successors and assigns, over certain streets and public ways of the City of El Paso, Texas" which said ordinance was passed by the City Council of the City of El Paso on the 26th day of October 1901 and on said day approved by acting Mayor J. B. Badger.

Alderman Look moved that the ordinance be adopted the motion was duly seconded.

The Mayor ordered the vote upon the adoption of the ordinance to be taken by roll call which when taken resulted as follows, Yeas, Badger, Caples, Grant, Hammett Hitt, and Look. Nays, None, absent Fewel & Rand.

Whereupon Acting Mayor Hammett declared that a majority of the vote of the City Council having been cast in favor of the ordinance the same be and is hereby adopted.

The ordinance above referred to is in words and figures as follows, to wit.

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

Section one

That an ordinance entitled "an ordinance granting Electric Street railway privileges and franchises to the El Paso Electric Railway Company, its successors and assigns, over certain streets and public ways of the City of El Paso Texas" of date October 26th 1901, and on said day approved by acting Mayor J. B. Badger, be so amended as to extend and give to said El Paso Electric Railway Company, its successors and assigns, the right of way privilege and franchise to construct, maintain and operate lines

Adjourned Regular Meeting Sept 24th 1906

of Electric street railway and electric cars for the carriage of passengers, parcels, packages and freight, along and over the center or central portion of the streets or parts of streets, public ways and routes in the City of El Paso herein after mentioned and specifically designated, provided, that the transportation of freight shall only be carried on during such hours of the day or night as the City Council of the City of El Paso may from time to time ordain.

Beginning at the terminus of Davis street at or near the Union Depot, and from thence along the center or central portion of Davis street, to its intersection with West Overland street; and from thence easterly, along the center or central portion of West Overland street to its intersection with El Paso street, and the line of the El Paso Electric Railway; and begining at a point where Crosby street joins Davis street; thence northerly along the center, or central portion of Crosby street, or as near the center thereof as may be practicable.

Section two;

Be it further ordained; that the rights of way, privileges and franchises, over the center or central portions of the above named streets or parts of streets and public ways are hereby granted to the El Paso Electric Railway Company, its successors and assigns, for the construction, operation and maintenance of an Electric railway along and over the same, as fully to all intents and purposes, and under the conditions, restrictions and limitations in every particular, except as herein changed, as though said above specified streets, or parts of streets or public ways had been originally included and specifically named in said ordinance, of which this is an amendment.

It being the intent and purpose of the amendatory ordinance, to include among the streets and parts of streets named in said original ordinance, said streets or parts of streets and public ways herein above specifically set forth, named, described and specified, as fully, and to all intents and purposes, except as herein changed or provided, as though the above specified

Adjourned regular meeting Monday Sept 24th, 1906

streets and parts of streets had been included in and named in said original ordinance; provided however, that except as herein specified, and required, no bond or other guaranty shall be required of the El Paso Electric Railway Company the grantee herein.

Section three:

The rights, privileges and franchises herein granted are upon condition that the grantee herein, the El Paso Electric Railway Company shall deposit with the city Treasurer for the use of the City of El Paso, in cash or by certified check, payable to the order of said City Treasurer, the sum of Twenty five thousand Dollars ($25,000.00) to be retained by the city of El Paso, as ascertained and liquidated damages, unless the said El Paso Electric Railway Company, its successors or assigns, shall, within ten days from the passage and approval of this ordinance, commence in good faith the actual construction of an electric street railway over some part or portions of the right of way herein granted, and shall, within three months, have completed and in operation a line of electric street railway from the terminus of Davis street, at or near the Union Depot, in the city of El Paso, and from thence along, over and upon the centre or central portion of Davis street to its intersection with West Overland street; and from thence easterly along and over and upon the centre or central portion of West Overland street to its intersection with south El Paso street and the street railway of the said El Paso Electric Railway Company on said El Paso street; but it is distinctly understood and provided that if the said El Paso Railway Company, its successors or assigns, shall commence in good faith the actual work of constructing an electric railway upon one or more of the streets herein before mentioned, and over which the right of way is hereby granted, within ten (10) days from this date, and shall complete and have in operation an electric railway over and upon Davis street from its terminus, at or near the Union Depot, to its intersection with overland street, and from thence over Overland street Eastery

Adjourned regular Meeting Monday Sept 24th 1906

to El Paso street, within three (3) months from the passage and approval of this ordinance, then, and in that event, the said sum of Twenty five thousand dollars shall be returned to the said El Paso Electric Railway Company, but should the said El Paso Electric Railway Company fail (unless such failure is due to strikes, injunctions, floods, fire or other causes or casualties beyond the controls of the grantee) to commence in good faith the work of construction as aforesaid, or shall fail to complete and have in operation the said line of Electric railway over said Davis street from its terminus at or near the Union Depot, to its intersection with East Overland street, and from thence over and upon West Overland street to its intersection with El Paso street, then said sum of Twenty five thousand dollars shall be retained by the City of El Paso as liquidated and ascertained damages now here agreed upon by the grantor, the City of El Paso, and the grantee, the El Paso Electric Railway Company, its successors and assigns.

Section four:

It is further ordained and provided: That the rights, privileges and franchises herein granted to the El Paso Electric Railway Company, are upon the following further conditions, which are assented to by said grantee, the El Paso Electric Railway Company viz:

That the said El Paso Electric Railway Company shall and will enter into the traffic and trackage and power agreement if power agreement is also desired, with Frank R. Tobin and his assigns, that in the event the said Frank R Tobin, or his assigns shall construct a suburban or interurban railway from the present terminus of the line of the El Paso Electric railway Company on the County road near Washington Park, at least eight miles in the general direction of the present County road, to, near or beyond the town of Ysleta, and within one mile of the old stone County County Court House, said Frank

Adjourned regular Meeting Monday sept 24th, 1906

R. Tobin and his assigns shall have the right to connect their valley line or lines of railway with the El Paso Electric Railway at said Eastern terminus on the county road near Washington Park, and the right to operate their cars over the lines of the El Paso Electric Railway Company, as follows:

x here From Washington Park along county road to the connection of Myrtle street, along Myrtle street, San Antonio street, Oregon street, St Louis street, Pioneer Place, San Francisco street Cosby street, Davis street, West Overland street and El Paso street, lines of the said El Paso Electric Railway Company to and from the Union Depot, so that the said Frank R Tobin and his assigns constructing and operating said line of rail way over the routes aforesaid, shall have ingress and egress to and from the Union Depot, for their cars, over the above lines of the El Paso Electric Railway Company in this section specified, said agreement shall be a reasonable and just one as to the El Paso Electric Railway Company and the said Frank R Tobin and his assigns, and in the event this grantee and such other company cannot agree upon the terms of said agreement and the conditions thereof, then the terms and conditions of said agreement shall be submitted to three (3) arbitrators, one to be chosen by the grantee and one by Frank R Tobin, or his assigns, and the third to be selected by the two (2) arbitrators respectfully chosen by the parties: said third arbitrator to be an impartial, intelligent and practical rail road or street railway Manager, General Manager, General Superintendent or President of some railroad Company or Street Railroad Company, and in the event said two arbitrators shall fail or refuse to agree upon such third arbitrator, then the Judge of the District or Circuit Court of the United States for the Western District of Texas, upon the request of the grantee, or Frank R. Tobin, or his assigns may and shall appoint without suggestion from either party, such third arbitrator who shall possess the qualifications and hold one or more of the positions above prescribed and the decision of a majority of such arbitrators

chosen in either way aforesaid, shall be binding and conclusive between the parties.

And provided further that in the event the said Frank R Tobin or his assigns does not construct the suburban or interurban line of railway above defined within twelve (12) months from the date of this ordinance, then the first person, partnership or company that shall construct such line, shall have the right to connect with the line of the El Paso Electric Railway Co. and operate its cars over said lines, in the same manner and on the same terms and under the same limitations herein provided to be given to Frank R Tobin and his assigns, and the same rights, duties and obligations shall accrue to such companies so constructing as are herein provided for under the agreement with the said Frank R Tobin and his assigns, and the grantee in accepting the benefits of this ordinance and in consideration of such benefits, hereby agrees that it will at any time, after the construction of such valley line over the route aforesaid or at any time after the bona fide commencement of the actual construction of the same by said Frank R Tobin or his assigns (or upon his or their failure) or by such other company as above provided, shall make a fair and reasonable agreement with the said Frank R Tobin or his assigns or other company as aforesaid and upon its failure so to do, will enter into a valid and binding agreement with said Frank R Tobin or his assigns or such other company aforesaid, to submit the terms and conditions of said agreement to said arbitrators for their decision and upon failure to make such arbitration agreement or upon the failure to abide by the decision of such arbitrators, or to appoint such arbitrators, then this franchise may be, at the discretion of the City Council, by ordinance, cancelled and annulled and when so cancelled and annulled the said grantee hereby agrees to vacate and surrender upon the demand of the City Council of the City of El Paso, all the rights and privileges by this franchise and ordinance granted.

Provided, further that the cars to be operated by Frank R Tobin or his assigns or such other company, shall

Adjourned regular meeting Monday Sept 24th 1906

not be operated by animal power or by heat generated by the use of wood, coke, coal or crude oils and shall not be a nuisance by reason of smoke or noise.

Section Five

~~Sixty~~ Be it further ordained and provided that the right of way herein granted over Crosby street, Davis street and West Overland street is for a single track only and it is expressly provided that such single track to be constructed by the grantee herein shall be placed on the northerly side of West Overland street and the Northeasterly side of Davis street and the eastery side of Crosby street in such a position that the rail nearest the centre line of each of said streets shall be two and one half feet from centre line of Each of said streets, provided however that if it be found impracticable by reason of obstructions in Crosby Street to so place such track, then as to Crosby street, the track shall be built as near in such position as practicable.

Section Six

Be it further ordained and provided that the rights, privileges and franchises hereby granted to said El Paso Electric Railway Company is upon the further condition that the said El Paso Electric Railway Company shall at any time hereafter grade or cause to be graded, at the request of the City Council, under the direction of the City Engineer of the City of El Paso, one third of said Crosby, Davis and West Overland streets, that is to say, that when ever the City Council of the City of El Paso shall desire the said street to be graded and shall provide for the grading of two thirds of the same, then and in that event the grantee herein will grade with the same material and in the same manner one third of said streets as the other two thirds may be graded by the City of El Paso. and the said grantee in consideration of the benefits to it granted herein, hereby assents to the above provisions and conditions and agrees thereto upon the acceptance by it of the benefits of this ordinance.

Section Seven:

The rights, privileges and franchises hereby

Adjourned regular meeting Monday Sept 24th, 1906

granted are upon the further conditions that all streets or parts of streets hereinbefore specified which shall not be occupied or upon which the grantee shall not commence in good faith to construct an electric railway within one year from the date of the passage and approval of this ordinance, shall, and may be, at the discretion of the City Council, eliminated, and the rights, privileges and franchises hereby granted the said grantee, may at the discretion of the City Council, be forfeited, and when so forfeited, the said grantee shall thereafter have no right, privilege or franchise under this ordinance, upon the same.

Be it further Ordained, that this ordinance take effect and be in force, from and after its passage and approval and the making of the deposit of the said sum of Twenty Five Thousand dollars provided in section three of this ordinance.

Passed Sept 24th 1906 and approved this 25th day of Sept 1906

attest
Percy McGhee
City Clerk

B.F. Hammett
acting Mayor

There being no further business the Council adjourned to meet Thursday Sept 27th at 9 o clock am as a board of Equalization.

approved
B.F. Hammett
acting mayor

Percy McGhee
City Clerk

Adjourned Regular Meeting Thursday Sept 27th, 1906

Mayors Office City Hall
El Paso, Texas, Sept 27th 1906

Council met in adjourned regular session on the above day and date at 9 o'clock am, with acting Mayor Hammett present and presiding and the following aldermen answered to roll call. Badger, Caples, Fewel, Grant, Hammett, and Look, absent Hitt and Rand

Council organized as board of equalization.

Acting Mayor Hammett stated that the object of the meeting was to organize as a Board of Equalization and to pass upon the rendered tax roll presented by the City Tax Assessor and Collector.

The Mayor then requested the City Clerk to administer the oath to the members of the Council, which was done. The Board of Equalization then proceeded to take the different renditions of property.

Upon adjournment the mayor stated that the Board would adjourn from day to day until all business coming before it was disposed of, and that the Board of Equalization would convene at 9 o'clock sharp each morning

Approved

B. F. Hammett
Acting Mayor

Perry McGhee
City Clerk

Regular Meeting Thursday sept 27th 1906

Council Chamber City Hall
El Paso Texas sept 27th 1906

Council ~~Chan~~ met in regular session on the above day and date at 8 o clock p.m. with acting mayor Hammett present and presiding and the following aldermen answered to roll call. Badger, Caples, Fewel, Grant, Hitt, Look and Rand. absent none.

Minutes of regular meeting held sept 13th read and approved
" " adj " " " " 18 " " "
" " " " " " " 19 " " "
" " " " " " " 20 " " "
" " adj " " " " 20 " " "
" " " " " " " 22 " " "
" " " " " " " 22 " " "
" " " " " " " 24 " " "

"Report of Officers"

City attorney submitted the following report

El Paso, Texas, Sept 27th 1906

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

In reference to the claim of Carlos Triola for refund of taxes claimed to have been twice paid by him on the S 34 feet of lot 181, block 34 Mills, referred to me, I have the honor to report as follows.

Report of City Atty on Triola's tax statement.

Mr Triola was under the impression that he had paid these taxes to the City Assessor and Collector of Taxes on the 9th of April 1903, and he holds a tax receipt showing said fact. It is also true that he has a deed from J.H. Boone, Sheriff, showing sale of this same land to him for the taxes for the same years. I have carefully examined into all the facts and find that the sale was made to Mr Triola by the Sheriff on the 7th of April and the money being paid over by Sheriff to A.J. Elrod, who was assisting the City attorney in collecting taxes, the taxes were paid to the Assessor and Collector by Mr Elrod on the 9th day, and the ~~and~~ receipts were delivered to Mr Triola by Mr Elrod. Hence it will be seen that the taxes were paid but once and that Mr Triola was in error in supposing that he had paid the same taxes twice. I ~~have~~ therefore

Regular Meeting Thursday Sept 27th 1906

respectfully recommend that the petition for a refund be denied

Richard F Burges
City Atty

The following is the petition of Carlos Triola

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

Your petitioner, Carlos Triolo, respectfully states that on the 9th day of April, 1903, he, as the agent of Eduardo and Pedro Avocato, paid to the collector of taxes of the City of El Paso, Texas, the taxes due for the years 1897, 1899, and 1900, on the south 34 feet of the west half of lot no 181 block 34 Mills map of the City of El Paso, Texas. Your petitioner attaches a copy of said tax receipt hereto and makes same a part hereof.

Petition of Carlos Triola for refund of taxes.

Your petitioner further shows that at the time he so paid said said taxes, as it now appears, said City has taken a judgment for said taxes against said property for the years aforesaid, but that at the time he paid taxes he did not know and had no reason to suspect that a suit had been instituted therefor and he did not know of said judgment. That it appears that said suit was instituted in the 34th Judicial District Court, El Paso County, Texas; that same is No. 3856 and is entitled City of El Paso vs. Unknown Owners.

That after your petitioner had so paid said Taxes, J. H. Boone sheriff of El Paso, Texas, on the 20th day of April, 1903, at public auction, sold under execution the said property to satisfy said judgment; that your petitioner in order to protect the interest of said Avocatos in said property bid the same in and for the price of $203.79, and said Boone executed him a deed to said property. That he is now advised and believes that said sale was and is invalid, because at the time of the institution and from thence hitherto said Avocatos were residents of the city of El Paso and the public records of El Paso

Regular Meeting Thursday Sept 27th 1906

County showed that they were the owners of said property, that they were in El Paso and could and should have been served with citation in said suit, but that being ignorant of said suit they did not appear and defend the same and when said suit came on to be heard W. D. Howe was appointed by the court to defend the same; that the said assessment and suit against unknown owners was a fraud upon the owners of said property. That they were Italians as is your petitioner, and did not understand and were unable to read the English language, that they had no notice of said action and did not suspect that the same had been assessed to unknown owners, that they had rendered it for taxation and had prior to said sale paid the taxes thereon as shown by the tax receipt hereto attached.

Your petitioner further shows that the city of El Paso has been twice paid the taxes due upon said land and real estate and that said sum paid said Boone should be refunded your petitioner, together with legal interest thereon from the 20th day of April, 1903. That said Avocatos refused and still refuse to pay petitioner the sum he paid said Boone on account of said judgment and sale; that one Eugene Dell' Aria owner of undivided one third of said land and real estate has instituted suit against your petitioner to cancel said deed upon the ground of illegal sale thereof, ~~and~~ that unless this honorable body refund him his said money he will necessarily be put to costs and expenses that he should not be compelled to incur; and to the end that justice be done in the premises. He prays that the said sum of $203.79

together with 6% interest thereon from the 20th day of April, 1903, be paid him, and for general and special relief.

Sam B. Gillett
Attorney for Petitioner.

No. 484.

Delinquent Tax Receipt.
Tax Collectors Office, City of El Paso.

Delinquent tax receipt of Triolo.

Received 4/9 1903 of C. Triolo the amounts herein specified, in payment of the following described real estate and personal property for taxes due the city as follows:

S 34 ft W 1/2 of lot 181, Block 34 Mills Addition

City Tax Due for year 1897		$34.00
Interest		11.09
City Tax Due for year 1899		34.25
Interest		11.10
City Tax Due for Year 1900		34.00
Interest		7.81
Total City Tax + Interest	172.25	
Cost of Sale	3.00	
		$175.25

(Signed) B. F. Jenkins
City Tax Collector
By A. Schildknecht.

On motion made and carried the petition was denied.

City atty Burges submitted the following report.

El Paso, Texas Sept 27th 1906

To the Hon Mayor and City Council of the City of El Paso:

Request of Erway's for quit claim deed.

I present herewith request of H. S. Erway and Maria Erway for a quit claim deed to lots fourteen and fifteen in block 5 of Satterthwaites Addition to the City of El Paso.

It appears from the certificate of the City Assessor and Collector of Taxes that all delinquent taxes on these lots have been paid, together with interest and costs and I respectfully recommend that the mayor be authorized to sign the accompanying deed.

Richard F. Burges
City Attorney

On motion the Mayor was authorized to execute the above mentioned deed

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City Attorney submitted the following report

El Paso, Texas, Sept 27th 1906

To the Hon Mayor and City Council of the City of El Paso

I am pleased to report that the case of J. E. Terry vs the City of El Paso for a ballance of $2973.69 with interest from January 1st 1893, to date and which has been pending since 1895, was on Wednesday the 26th day of Sept 1906, decided by the District Court of the 41st Jud. Dist. in favor of the City of El Paso. The plaintiff has given notice of appeal and should the appeal be perfected the case will go next to the Court of Civil Appeals at San Antonio

Report of case of J. E. Terry vs. City of El Paso.

Respectfully Submitted
Richard F. Burges

on motion the report was received and ordered filed.

City Attorney Burges submitted the following report

El Paso, Texas, Sept 27th 1906

To the Hon Mayor and City Council of the City of El Paso:

In reference to the resolution which the International Water Co. requested passed at the last meeting of the City Council, and which was referred to the City Attorney, your attention is called to the fact that on the 30th day of August last you adopted a resolution authorizing the mayor to refund the ten thousand dollar deposit placed with the City Treasurer by the International Water Co, and under this resolution the money was refunded. That resolution also accepted the plant of the Company under the original contract as a compliance with the terms of the original contract and franchise, but it made no reference to the new contract and agreement entered into between this Council and the Company on the 16th day of March 1905.

Report of City Atty about contract with International Water Company.

The object of the Water Company in presenting this resolution is to obtain from the City Council a recognition of the fact that it has complied with its contract and franchise in full and to secure its acceptance of the plant as a compliance therewith. I presume it was the object of the Council to do this when it authorized the mayor to return the ten thousand dollar deposit and adopted the resolution of Aug. 30th. If the Council is satisfied

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that the Company has complied with the terms of its last agreement with the City there is no legal objections to the passage of this resolution and in that event I recommend the adoption of the resolution.

Richard F Burges
City Attorney.

The Clerk read the above referred to resolution. Motion was made and duly seconded that the resolution be adopted.

The Mayor ordered the vote upon the upon the adoption of the resolution to be taken by roll call which when taken resulted as follows, Yeas, Badger, Caples, Fewel, Grant, Kitt Look and Rand. Nays None, absent none.

Whereupon Acting Mayor Hammitt declared that a majority of the vote of the City Council having been cast in favor of the resolution the same be and is hereby adopted.

The resolution above referred to is in words and figures as follows to wit:

Resolution recd ~~Copy of~~ contract between City an International Water Company.

Whereas on the 16th day of November, 1905, the City Council of the City of El Paso adopted a resolution appearing on record at pages 197-199 inclusive of Book "O" of the minutes of the City Council of the City of El Paso and copy of which is hereto attached marked "Exhibit A" and made a part of this resolution;

Whereas by virtue of this resolution and in accordance therewith, an agreement was entered into between the City of El Paso and The International Water Company, which agreement is recorded pages 199-203 Book O of the minutes of the City Council of the City of El Paso, Texas;

Whereas a copy of which contract is hereto attached marked "Exhibit B" and made a part of this resolution, and;

Whereas the said sum of ($10,000) Ten Thousand Dollars called for by the said resolution and said contract was deposited with the City of El Paso by the

Regular Meeting Thursday Sept 27th 1906

International Water Company;
Whereas the said International Water Company has in all things complied with the terms of the said resolution and the said contract to the full satisfaction of the City Council of the City of El Paso, and;
Whereas the said International Water Company is now furnishing the City of El Paso and the inhabitants thereof with an adequate supply of pure Mesa water and has located full fire hydrants called for by the City Council of the City of El Paso and upon such mains as the City Council of the City of El Paso has heretofore and does now approve, and
Whereas on the 30th day of August, 1906, the resolution was adopted authorizing the Mayor to refund to the said International Water Company the said sum of Ten Thousand Dollars ($10,000), but the said resolution by its terms misdescribed the deposit to be returned; and
Whereas the said Mayor in accordance with the authority vested in him by the said resolution, has returned to the said International Water Company the sum of Ten Thousand Dollars ($10,000) deposited with the City of El Paso by the said Company,
Now, therefore, for the purpose of making clear the record in the premises and action of the Mayor in returning to the said International Water Company the Ten Thousand Dollars, ($10,000) heretofore deposited by said Company under and by virtue of the terms of the resolution and contract, above described and copies of which are hereto attached, and the same is hereby approved and the said

International Water Company is hereby declared to have fully in all things complied with the terms of said contract, and the plant as now established and maintained is here and now approved by the City Council of the City of El Paso as full and fair performance of the obligations of the International Water Company in the premises.

"Exhibit A."

Whereas the International Water Company, a corporation, has with the consent of the City Council of the City of El Paso acquired all of the rights and assumed all of the duties and obligations accruing to and imposed upon Dr. W. J. Davis and his assigns, under and by virtue of a water works franchise granted unto the said Davis by the City of El Paso, and of a contract in relation thereto entered into between the said W. J. Davis and the City of El Paso on the 3rd day of November, 1902,

And Whereas, in pursuance of said franchise and contract the said The International Water Company has sunk an artesian well upon the Ft Bliss Mesa to the depth required in said contract and ordinance and amendments to each, and having failed to obtain artesian water, has installed a pumping plant upon the Ft. Bliss Mesa and has connected same and its numerous wells with the distributing system formerly owned by the El Paso Waterworks, a corporation, and

Whereas the said The International Water Company has installed and completed a water works system in substantial compliance with the terms of said Franchise and Contract, and amendments thereto,

except as to the removal and replacing of certain pipes and pipe lines of the old water works company, a portion of which the City Council is of opinion is good and sufficient, and a portion of which the said The International Water Company has this day agreed under bond to replace; and Whereas the City Council of the City of El Paso is of the opinion that Section Eleven of the said original franchise and contract, prohibiting the use of any portion of the lines of said old water company, should be repealed, and

Whereas, the said The International Water Company is now supplying the City of El Paso and the inhabitants thereof, and the enterprises therein using water, with an abundant supply of pure mesa water,

Now Therefore Be It Resolved, by the City Council of the City of El Paso:

Section One. That in consideration of the foregoing facts and of the terms, conditions and stipulations of a contract this day entered into between the City of El Paso, acting by and through the Mayor thereunto duly and legally authorized, and of the bond given by the said The International Water Company or cash deposit made to secure and guarantee the faithful carrying out and performance of said contract upon its part, that the plant and waterworks system acquired and constructed by the said The International Water Company in and adjacent to the City of El Paso be and the same is hereby accepted by the City Council of the City of El Paso as a compliance with the terms and conditions of the aforesaid franchise and contract, and amendments thereto, granted and entered into the 3rd day of November, 1902,

here or since, and that section eleven of said contract and section eleven of said franchise, respectively, be and the same are hereby repealed, Provided, however, that each and every other term, condition, stipulation and provision of said original contract and franchise shall be and continue in full force and effect.

Section 2. That this resolution shall take effect and be in force immediately upon the signing of the aforementioned contract of this date between The International Water Company and the City of El Paso and the approval by the City Council of the City of El Paso of the bond given by said The International Water Company, in accordance with said contract, or the acceptance of the deposit of Ten Thousand ($10,000) Dollars under like conditions and stipulation.

"Exhibit B."

This Agreement, made and entered into by and between the City of El Paso, party of the first part, and The International Water Company, party of the second part, witnesseth:

That in consideration of the repeal by the City Council of the City of El Paso of section eleven of the original contract and franchise entered into and granted by the City of El Paso to W. J. Davis and his assigns on the 3rd day of November 1902, and of the acceptance of the water works plant of said Company by the City of El Paso the said The International Water Company hereby obligates itself, its successors and assigns firmly by these presents as follows:

Section 1. That the International Water Company shall and will as speedily as possible and within

six months from the date of this contract lay and have in condition for use not less than five miles of cast iron water mains of the several dimensions of twelve, ten, eight, and six inches in accordance with the map of the system and proposed system of said water works company filed with the City Council of the City of El Paso on this date.

Section 2. That within ninety days from the date of this contract the said The International Water Company shall and will lay and construct to all fire hydrants now in the City of El Paso, water mains at least six inches in diameter and shall and will within six months from and after this date lay and construct such water mains, not less than six inches in diameter and connect same with fire hydrants at any point within the City of El Paso indicated on the aforesaid map as a proper place for a fire hydrant, and connect same and install such hydrant, if directed so to do by the City Council of the City of El Paso, and that said The International Water Company, shall and will hereafter from time to time and within a reasonable time place fire hydrants at any other place within the limits of the City of El Paso that the City Council of said City may direct and that in each and every instance the said company shall place such hydrant upon a water main not less than six inches in diameter; provided that when new fire hydrants are needed, the City will give reasonable notice of same, and provided further that no fire hydrant shall be required at any point further than three blocks of a hydrant not then already established.

Section 3. That before laying any water main in any street or public place in the City of El Paso, the said company shall present in writing to the City Council of said City a notice showing where it is

Regular Meeting Thursday Sept 27th 1906

proposed to lay such main, and the said City Council shall have the right to designate the portion of the street in which said main shall be laid, and the Company shall and will comply with such designation, instruction, and place such main accordingly under the direction of the City Engineer.

Section 4. That the said The International Water Company shall never charge any meter rent for any meter installed by it within the City of El Paso; but shall install such meter without cost to the consumer, when requested so to do; but this provision shall not affect the right of said Company to the minimum rate of 90 cents per month to each consumer.

It is further provided and agreed that the said company shall never charge or require a deposit for a greater sum than may be reasonably sufficient to pay two monthly bills of the consumer against whom such charge is made or from whom such deposit may be required.

Section 5. That in Improvement District No. 1. in the City of El Paso, as heretofore defined by the City Council of said City and in any future Improvement District which may be hereafter laid out in said City under the provision of the amendment to the City Charter of said City, after the bonds to pay for such improvement are sold and as speedily as may be and in the event before the work of excavating for such pavement is begun, the said The International Water Company shall and will make all house connections, or lay pipes from its mains to the property line for all

connections which are then needed or which can be reasonably expected in the future, whether the property abutting on the portion of the street to be paved is then vacant property or not.
Section 6. That contemporary with the execution of this contract & agreement, the said The International Water Company shall and will execute to the Mayor of the City of El Paso, and to his successor in office a bond in the sum of Twenty Thousand Dollars, with a Fidelity and Guaranty Company, as surety thereon, to be approved by the City Council of the City of El Paso, conditioned for the faithful performance and carrying out on the part of the said The International Water Company of each and every condition and provision of this contract and of the original contract of Nov. 3rd. 1902, between the City of El Paso and W. J. Davis and assigns, on its part to be done or performed, or make a cash deposit in the sum of Ten Thousand ($10.000) Dollars, under the same conditions as said bond.
Section 7. In consideration of the covenants and agreements on the part of said The International Water Company to be done and performed as set forth herein, the City of El Paso shall and will on the approval by it of the bond herein provided to be given forthwith return to said Company the sum of Ten Thousand Dollars now held on deposit by the City of El Paso as a guarantee for the faithful performance and fulfillment of said contract of Nov. 3rd 1902, aforesaid, and the extensions and additions thereto, provided the said The International Water Company shall & will hold the said City of El Paso

Regular Meeting Thursday Sept 27th 1906

free and harmless from any claim or demand of any and all persons whomsoever to the said Ten Thousand Dollars, or any part thereof.

Section 8. It is further expressly agreed and understood by and between the parties hereto that this contract shall not constitute or be held to be a waiver of any of the terms, conditions, stipulations or provisions of the aforesaid original contract and franchise of Nov 3rd 1902, or any extension thereof, by the City of El Paso, except as herein specifically set forth or as embraced in the resolution of this date accepting and approving the plant of the party of the second part.

Clerk read the following report.

El Paso, Texas Sept 27th 1906

The Hon Mayor and City Council, El Paso, Texas,

Gentlemen:

Mr C.H. Wells Agent of the Texas Bitulithic Paving Co wishes a payment on work done to date of ten thousand ($10.000.) Dollars.

City Eng. recommends payment to Mr Wells of 10.000 Dols.

I recommend that Mr Wells request be granted with the understanding that the same is done in consideration of the work done ~~and~~ including the street Carework, and the materials and plant on hand of said Company becoming the property of the City.

Very respectfully

Geo C Heinsohn

City Engineer

The itemized bill is as follows.

El Paso Sept 27 1906

Bill of work completed on street paving.

Estimate of work completed to date	
Stanton St 800 yards Bitulithic @ 1.875	1500.00
600 " foundation " .75	450.00
Grade 4500 " Labor + Teams	610.00
Campbell St. rough grade Labor + Teams	132.75

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Campbell St 73 Cu yds Concrete in track @ $5.50	$401.50
St Louis St Rough grade Labor + Teams	309.30
253 Cu yds Concrete in track @ $5.50	1391.50
Kansas St Rough grade payroll	52.85
Mesa " " " "	194.95
Total	$5042.85

Alderman Fewel moved that the recommendation of the City Engineer be carried out and the Texas Bitulithic Co be paid $10,000 on work performed and value of plant. the motion was duly seconded. Alderman Caples took the floor against the motion, stating it was not good business to pay before the work was performed

Vote of council on payment of 10,000 dols. to Mr Wills for street paving.

The Mayor ordered the vote upon the adoption of the motion to be taken by roll Call which when taken resulted as follows, Yeas, Badger, Fewel, Grant, Hitt, Cook, and Rand. Nays, Caples, absent none.

Whereupon acting Mayor Hammitt declared that a majority of the vote of the City Council having been cast in favor of the ~~mo~~ motion the same be and is hereby adopted.

Alderman Caples stated that in his judgment the City Council had done a very unwise thing, in allowing the bill. that any citizen could stop the payment tomorrow by injunction.

Council reduced payment for street paving from 10,000 D. to $5000.

Alderman Badger moved that the Council recind the action allowing the Texas Bitulithic Co's bill for $10,000. the motion was duly seconded and carried.

Motion was made and duly seconded that the Texas Bitulithic Co be allowed $5000. on paving done. ~~the motion~~

Clerk read the following report.

El Paso, Texas, Sept 27th 1906

The Hon Mayor and City Council, El Paso, Texas.

Gentlemen:

Report of City Eng. on grading Missouri St. recind + filed.

Pursuant to your instructions to make an estimate of the cost to grade ~~West~~ Missouri street from North Santa Fe to Fisher Street, I respectfully report as follows: Total yardage between curb lines I estimate to be approximately 1500 cubic yards, which I think can be

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moved and placed in Davis Street at a cost not to exceed 25c per yard or say $375.00

— — — — — — — — — — — — —

Total yardage including sidewalks, I estimate to be approximately 3500 cubic yards at 25c per yard ~~or~~ say $875.00

The total cost to do the above grading, including the sidewalks would be as above shown approximately $875.00 one half of which should be charged up to Davis Street.

Very respectfully
Geo. E. Wimberly.
City Eng'r.

Alderman Look moved that the report be received and filed, and that the work be done by the Street Commissioner with the City teams under the direction of the City Engineer. the motion was duly seconded and carried.

"Sanitary Committee"

$2000 borrowed from special fund for sewer fund.

Chairman Badger recommends that $2,000 be borrowed from the special Fund and placed to the Credit of the Sewer Fund. the motion was duly seconded and carried.

Chairman Badger to whom was referred the following petition recommended that the petition be granted.

El Paso, Texas.
Sept. 13. 1906

To the Honorable City Council.
El Paso, Texas

Gentlemen —

Petition by Dr. Rawlings for sewer

The undersigned petitions your honorable body for a sewer, on either Newman or Magoffin Ave. to connect with the Cotton Ave. sewer, as may seem best to the City Engineer, to connect a new house he is building on the corner of Newman & Magoffin Aves. It being impracticable to connect the sewer that runs west from Newman on alley between Myrtle & Magoffin. Very respectfully

J. A. Rawlings.

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on motion made and carried the petition was granted.

"Finance Committee"

Chairman Rand recommended the following payrolls and bills be allowed and ordered paid

Street + Grade	payroll for week ending Sept 20th		243.75
" " "	" " " " " 27th		273.25
Park Maintenance	" " " " " 22		55.75
Street Cleaning	" " " " " 27th		19.50
Inter Water Co	Water		1545.62
El Paso Elec Ry Co	Light	City Hall	10.00
" " " "	"	Streets	106.40
Dan Kelly	supplies	Fire Dept	8.20
Dr Thatcher	Stabling sick horse	" "	21.00
Anderson + Co	supplies	" "	304.45
J. T. O'Rourke	shoeing + repairs	" "	29.00
Howard + McP Co	supplies	" "	4.30
Fassett + Kelly	"	" "	1.25
Consumers Ice Co	Ice Aug	" "	5.60
" " "	" July	" "	4.60
El Paso Electrical Supp Co	supplies	" "	.60
O. G. Sutton	Feed	" "	92.50
" "	"	" "	36.64
Badger Fuel Co	Fuel	" "	9.00
Texas Electrical Sup Co	supplies	" "	2.80
El Paso Elec Ry Co	Light	" "	6.48
" " " "	"	" "	2.80
Monsen + Co	supplies	" "	.25
Peoples Drug Store	"	" "	.65

Bills allowed + ordered paid for August.

Motion made and carried to allow the above bills and ordered paid.

"Fire and Water Com"

Chairman Caples to whom was referred the following petition recommended that it be granted

Petition of Hewitt + Jones to erect frame.

El Paso Texas Sept 18th 1906

To the Hon Mayor and City Council.

Gentlemen:

We respectfully request that you grant us a special permit to erect a second story frame

Regular Meeting Thursday Sept 27th 1906

structure on the North half of lot 9 and all of 10, block 5 Satterthwaite add El Paso Texas.

Hewit and Jones

on motion the petition was granted.

Chairman Caples to whom was referred the following petition recommended that the petition be granted.

El Paso Texas Aug 2nd 1906

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

Gentlemen:

In compliance with City Ordinance No. ..... I hereby make application for special permission to erect a building located and described as follows, to wit:-

Petition of Leo Richstatter to erect frame add. Granted.

A one story, two room frame addition, twelve by twelve each, in the rear of the frame building now located at the corner of Myrtle and Octavia streets, on Lots 15 and 16 in Block No. 1 of Morehead's Addition, to be used as a residence, and to cost about Two hundred dollars.

Yours very respectfully,
Leo Richstatter.

On motion the petition was granted.

Chairman Caples to whom was referred the following petition recommended that the petition be granted.

El Paso, Texas, Sept. 11th. 1906.

Honorable Mayor and City Council,
El Paso, Texas.

Petition that Overland Street be cleared. Granted.

Gentlemen:

We would respectfully call your attention to the frame house situated partly on Block 204, Campbell's Addition to the City of El Paso, Texas, and partly in Overland Street, and would respectfully ask that your honorable body take such action as may be necessary to clear Overland Street of this obstruction.

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We own property on Overland Street, and our property is being damaged by the obstruction in this street. We would respectfully ask that you take such action as may be necessary, either by condemnation or settlement with Mrs. Barber. This house is a fire trap and a menace to our property, and should be condemned and torn down.

Hoping you will give this matter prompt attention, we are,

Very truly,

T. S. Rollins, executor.

On motion the petition was granted.

Communications

Petition of Fire Dept for increase in salary.

Clerk read petition of El Paso Fire Dept for increase in salary of new men.

On motion the petition was referred to Fire & Water Com.

Petition of J. H. Nations to lay pipe.

Clerk read petition of J. H. Nations to lay pipe in certain streets

On motion the petition was referred to City Engineer with power to act.

Petition of property owners to establish grade.

Clerk read petition of property owners to have official grade established in first ward.

On motion the petition was referred to City Engineer.

Clerk read the following communication.

El Paso, Texas, September 25, 1906.

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

You will recall that during March of this year what was termed as the "Committee of Houston Square", of which I was Chairman and Treasurer, collected money to the amount of $514.78 for the purpose of erecting a pergola in said Houston Square according to plans and specifications to be made by Trost & Trost, Architects of this City, at such time a profile thereof having been prepared by them. This amount, $514.78, was dur-

Mrs Harlee turns over Houston Square money to City.

Regular Meeting Thursday Sept 27th 1906

ing March deposited in the American National Bank and afterwards, on May 14, 1906, the American National Bank issued to me, Mrs. K. A. Harter, as Treasurer of Houston Square Association a certificate for such amount drawing 4% interest.

The City of El Paso has now assumed control of Houston Square, and it has been taken out of the hands of the Comittee of Houston Square, of which I was Chairman, and it is desired that this sum so represented by said certificate of deposit be turned over to the City of El Paso to be used in the erection of said pergola according to the plans thereof so made by Trost & Trost. Upon the City of El Paso passing a resolution directing that this certificate of deposit be turned over to the proper officer to be held for said purpose, and upon the execution by the City of El Paso of a bond of indemnity to me and to the American National Bank of El Paso, the sum represented by said certificate will be paid to such officer as the City of El Paso may direct. It is requested that a proper resolution be adopted and that bond be executed therefor.

Yours truly,
Katherine A. Harter,
Chairman of Houston Square
Committee.

Clerk read resolution accepting from Mrs K A Harter $514.78 motion was made and duly seconded that the resolution be adopted.

Resolution accepting money for Houston Square.

The Mayor ordered the vote upon the adoption of the resolution, to be taken by roll call which when taken resulted as follows, Yeas, Badger, Caples, Fewel, Grant, Hitt Look and Rand. Nays none, absent none

Thereupon Acting Mayor Hammett declared that a majority of the vote of the City Council having been cast in favor of the resolution the same be and is hereby adopted.

The resolution above referred to is in words and figures as follows to wit

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Be it ordained by the City Council of the City of El Paso that whereas Mrs. K. A. Harter, Chairman of the Houston Square Committee, has petitioned the City Council of the City of El Paso to receive from her the sum of Five Hundred Fourteen and 78/100 ($514.78) Dollars represented by a certificate dated May 14. 1906, issued by the American National Bank to her as Treasurer of Houston Square Association, drawing four per cent interest; and

Whereas said money was received by her, the said Mrs. K. A. Harter, as Chairman of the Houston Square Committee, for the purpose of erecting a pergola in Houston Square in the City of El Paso; and whereas the City of El Paso has assumed control of Houston Square; therefore

Be it resolved by the City Council of the City of El Paso that she, the said Mrs. K. A. Harter, be and she is hereby directed to transfer, endorse and deliver to the City Treasurer of the City of El Paso said certificate for $514.78, and he, said Treasurer, be and is hereby directed to issue to her a receipt therefor.

Be it further resolved that said City Treasurer of the City of El Paso be and is hereby directed to cash and receive the proceeds of such certificate, and when received to be placed to the credit of a special account upon his books as "Pergola Account Houston Square"; and which said amount he will hold subject to the disposition of the City Council of the City of El Paso.

Be it further resolved that the City of El Paso, acting through its Mayor Pro Tem, execute and deliver to The American

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National Bank of El Paso and Mrs K. A. Harter a bond of indemnity by reason of said certificate being turned over to said City Treasurer of the City of El Paso, therein indemnifying her, the said Mrs K. A. Harter, and the said American National Bank of El Paso, by reason of said payment, against any damages, cost and expense that may be incurred or suffered by them, or either of them, by reason of such payment by said Bank to said Treasurer, said bond to be for the sum of One Thousand ($1000) Dollars and to be attested by the City Clerk of the City of El Paso.

Deed from H. M. Mundy to city of triangular plot of land.

Clerk read deed from H. M. Mundy to the City of El Paso of a triangle of land on Upson Ave at the juction of Profirio Diaz Ave and West Boulvarde St to be used as a city park. On motion the deed was received and ordered recorded.

Complaint of Board of Education of saloon near school.

Prof Putman stated to the Council that the school board asked him to report to the City Council that a saloon had been opened up adjoining the San Jacinto school building, and asked the Council to take some step to relieve the situation. X
On motion the Council instructed the city atty to look into the matter and draw an ordinance to cover same.

Prof. Putnams asks for fire hydrant near new school.

Prof Putman asked to have a fire hydrant put in near the Lamar School for fire protection.
On motion the matter was referred to the Fire & Water Com.

There being no further business the Council adjourned
approved

Percy McGhee
City Clerk

B. F. Kammell
Actg Mayor