Council Room Sept 5th 1884

Regular meeting of the City Council above date. The Mayor directed the Roll called. the following Aldermen present. Dough. Dieter, Bossett & Buchanan - the Marshal present. Reading of the minutes of preceding meetings dispensed with.
Moved & seconded that the Council adjourn until 3 o'clock "P.M." the 6th Sept 1884 Carried.

Joseph Magoffin
Mayor

Attest
O D Beall
City Clk

Council met pursuant to adjournment the 6th Sept 1884. the Mayor in the chair directed the Roll called. Present Aldermen. Dougher Dieter, Bossett & Buchanan. Marshal Boring
Petition of W M Davis. Sector and others asking the Council to order an election for the purpose of electing two Aldermen in the 2nd Ward. was presented and read. The same on motion was refered to the City Atty.
Petition of H Blocker and other Citizens in reference to placing a bridge across the Acequia at the N.W. Cor. of Sanantonio & Ochoa Streets, refered to Comm on Streets Grades &c.
The Opinion of the City Atty in re. to Certain Ordinances passed Aug 22/84 and the Veto of His Hon the Mayor were read Moved & seconded that the Opinion be filed Carried.
Mr Hagen Atty for J R Currie, presented plat and field notes of a survey made by Juan S Heart former City Engineer of a certain lot in the City owned by said Currie. upon which a house is being built and the City Council claim that the said house encroaches upon the Streets of the City.
Moved and Seconded that the matter between the City & Mr Currie in reference to the

house being upon the street, be referred to the City atty with the request that he render an opinion in reference to the same at next meeting of the Council. Carried.
The Reports of City Clerk and Marshal for the month of Aug showing fines collected $570.40 & Expense 1160.35 were presented and on motion carried ordered filed.
The following accts allowed by Comm on Finance were presented. viz.

S R Bullock. Asst Engineer Aug 4th 5.20 22.30 13.40 3.40 Sep 2nd 7.00 24.30 3.40		31.50
E L Elwood " " Aug 30th		3.50
Doc Towne " " " 20, 21 & 22nd		10.50
W M Cleghorn work on Streets. Aug		18
S W Boring Current Ex. March to Aug 31		209.45
Henry Beneke. Bucket for Jail July 2nd		1.25
Total.		$857.0

Moved & Seconded, that the sum of $85.20 be and the same is hereby appropriated to pay of above named indebtedness. Carried.
Moved & Seconded, that the Mayor be authorized to sell two of the Drainage & Sewerage Bonds to pay off certain indebtedness incurred during the recent heavy rains on account of Drainage Carried.
Council adjourned until Monday evening at 2 o'clock P.M.

Joseph Magoffin
Mayor

Attest
O B Beall
City Clk.

Friday Sept 12th 1884.

Regular meeting of the Council above date the Mayor in the Chair directed the roll called. The following Aldermen present. Dougher. Dieter. Bassett and Buchanan. Marshal also present. On motion, the reading of the minutes of preceding meetings dispensed with.

Petition of R F Campbell, Mitchell, Kneeland & Co and others, asking the Council to accept the grand side walks in front of property on San Antonio Street was read. and on motion, carried was laid on the table. The following ordinance read. to wit:

Be it ordained by the City Council of the City of El Paso Texas. That it is necessary for the public interest that a good and substantial side walk be made on the easterly side of Campbell Street from San Antonio Street to Saint Louis Street.

Sec 1 It is therefore ordained that such side walks be and the same are required to be made and built by the owners of property fronting on said easterly side of said Campbell Street to have the side walks in front of their property made and built and completed within sixty days from the taking of effect of this ordinance as follows.

That said side walk shall be made of plank 1½ inches in thickness and 2 x 4 stringers that said side walk shall be laid according to the grade of Campbell Street or as near as practicable in the discussion of the City Engineer and Com'r of Streets & public improvements, beginning at said northerly side of San Antonio and continuing on the easterly side of Campbell Street to Saint Louis Street & of the width of six feet. All of said side walk to be secured by strong and sufficient fastenings on the inner side and the outer line of said side walk shall be set by the City Engineer and

marked with instructions (in accordance) of the City Council with Crossings on the line of said sidewalk at intersectional streets 10 ots to 4 x 4 and 6 feet in lengths to be sunk 2 feet in the ground shall be placed at the said corners of each and every intersectional crossing.

Sec 2 That the costs of construction of said Side Walk shall be defrayed by the owners of the lot or block fronting said sidewalk and collected if necessary by the sale of the lot or part of lot or block on which it fronts together with the costs of collection.

Sec 3 It shall be the duty of the Marshal

and payable and may be paid within ten days from and after such publication and if not then paid he shall proceed to collect the same. that after the expiration of said last mentioned ten days the said Assessor & Collector shall levy on so much property of such owners on which said tax has not been paid as will be sufficient to pay the same and the notice of sale as required in the sale of other taxes shall be given and if the tax is not paid before the day of sale the said Assessor & Collector shall sell said property in the manner and under the Circumstances and to the same extent and subject to the same conditions which are or may be provided for by the Charter and Ordinances of said City for the sale of Real Estate in the City of El Paso charged with the payment of taxes imposed by said City, and the City Assessor & Collector shall execute a deed to the purchaser at any such sale, which shall convey a good title and the balance of proceeds of sale after paying the amount due the City and Costs of sale and 5 per cent for the fees of the Collector for collection shall be paid by the City to the owner. And the taxes so levied & assessed shall be a lien upon the property until the payment of the same

Sec 4 The City Engineer and Commr on Streets and Grades shall superintend the Construction of said Side Walks herein above required to be constructed.

Sec 5 that this Ordinance be in force and take effect from and after passage and publication.

Attest

O B Brown

City Clerk

Signed Jos Magoffin

Mayor

Moved and seconded, that the above Ordinance be adopted. Carried all the

Members of the Council voting in favor of the same.

Moved and Seconded. That the petition of Several citizens in reference to the declaring the seat of Alderman Schutz vacant be read and filed and that Mr. Schutz be summoned to appear and show cause why he should not resign - Carried.

The Comm on Streets Grades &c. recommend that the request of the following petition be granted. to wit;

El Paso Tex Sept 6. 1884

To the Hon. Mayor & City Council.

I have been requested by Messrs C. R. Stanton, Hills, Baker, Irvin and many other Citizens to request you to build and place a bridge at the N.W. corner of San Antonio & Ochoa Streets across the acequia on the South side of said San Antonio Street for the use and convenience of all citizens and particularly for the neighborhood and those living beyond in Hills & Days addition. This improvement being for pavement and Crossing at the intersection of Streets.

Signed W Blanchard

For himself and others.

Moved & seconded, that the bridge be constructed as asked for and that the Comm on Streets & public improvements be instructed to notify the Contractors of the City, that they may bid for said work. and that the lowest bid be accepted. Carried.

The following Opinion of the City Atty was read - to wit

El Paso Texas Sept 8/84

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

In regard to the contract of J. R. Irvin Esq. with your Hon body as to a certain House which he is now erecting on part of Lot

30. 18. E on Prague St in said City and which he claims to be allowed on said lot or but my title outside the true line of the Stat it is my opinion that the questions of difference are too great and are surrounded with complications too grave to be compromised and should therefore be adjusted in the Courts and that the City Engineer should be requested to file his affidavit with the Mayors Court in accordance with the report he has hereupon made. against said Owner for a violation of the Ordinance relating to building on Streets or ocean or on Side Walks now in force. to be heard and determined upon the Mayors Court

Respectfully

(Signed) A Blocker

City Atty

The following Ordinance presented and read -

An Ordinance providing for the Assessment and collection of the Taxes levied for all purposes including public Schools in the City of El Paso for the year 1884.

Sec 1 Be it ordained by the City Council of the City of El Paso that all persons or corporations assessed for all purposes and including for the benefit of the Public Schools of the City of El Paso are required to pay the taxes so levied for all purposes on or before the 20th of October A.D. 1884.

It is the duty of the Assessor immediately after this Ordinance goes into effect to publish a notice in the Official News papers of the City requiring all persons or Corporations liable for said taxes to pay the same within the time prescribed above and immediately after this Ordinance goes into effect make the demand for payment as required in Sec 123 of the City Charter

Sec 2 If any person, persons or Corporation fail or refuse to pay the said taxes until after the 20th day of October 1884 it shall be the duty of the Assessor to immediately seize, levy upon and proceed to sell so much of the real estate and personal property belonging to such person, persons or Corporation as may be sufficient to satisfy such delinquent taxes & costs except as otherwise provided in the City Charter & ordinances, shall be the same as provided by general law of this State in similar cases. But when demand for payment is required by the City Charter, that shall first be made before any sale or levy is made, when no demand is necessary the levy shall be made, at any time after the 20th day of October A.D. 1884 the Assessors notice having been published and sales made as in other cases, the Assessor shall note on his books the date of demand and notice, but failure to do so shall not invalidate his sales.

This Ordinance shall be published by posting printed copies signed by the Mayor and attested by the City Clerk with the City seal in at least three public places in each ward and by making publication in one issue of the City Official News paper. And be in force from and after the expiration of ten days from day of publication, the City Marshal shall see to it: that the notices required are posted at once, and report to the Clerk in writing for record the date of posting

The Clerk shall make an entry of the date of publication in the News paper.

Passed & approved. Signed Jos Magoffin Mayor

Moved & Seconded that the tax ordinance as read be adopted. Carried all the Members of the Council voting in favor of its adoption.

Council adjourned

Attest

O B Beall

City Clerk

Joseph Magoffin

Mayor

Council Room Sept 19th 1884

Regular meeting of the City Council above date. Alderman Buchanan in the Chair directed the Roll called the following members present Aldermen. Dougher. Dieter & Bassett. also Marshal Boring.

On motion carried, the reading of the minutes of the preceding meetings defered.

A notice to the City Council and Board of School Trustees was read to the Council. Said notice signed by W G Warren. by which the said W G Warren notifies the Council that he holds a claim for work done upon the School building amounting to $1750.00.

On motion, the same was refered to the City Atty requesting his opinion.

Petition of Blum & Keating in reference to Claim for grading Santa Fe St. was presented. also certificate of Julian and Jackson in reference to same. was read. On motion, the matter was refered to the City Atty and Comm on Streets Grades &c. the following resolution presented.

Resolved, that the City Council hereby manifest their willingness whenever proper steps are taken to erect smelting and refining works within the City limits, in view of the great benefit to accrue to the City therefrom to pass an Ordinance of the City exempting all property of the said works from City Taxation for the period of five years. Adopted unanimously.

The following Ordinance presented and read. to wit.
An Ordinance providing for the forfeiture of Right of Way granted any Railroad Company not complying with the provisions of this Ordinance and revoking any revocable license heretofore granted,

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

Sec I That whenever any Right of Way is granted any Steet or Railroad Company over or along any steet in the City, that said Company shall be entitled to said Right of Way, only on the following conditions,

Sec II. First. they shall comply with all the regulations imposed by the City Council either before or after the grant

Second. they shall forfeit the grant, if at any time they take up or cease to use their track along any steet.

Sec III. Third. If at any time they fail to comply within a reasonable time to any of the requirements of the City Council with regard to laying or repairing their tracks or switches or Crossings so as not to injure the free and convenient use of the steets along which said road runs, the shall be subject to a removal of their tracks by the City Marshal or Steet Commissioner. and forfeiture of all rights obtained from the City.

Sec IIIII That the El Paso Steet Railroad on Sanantonia Steet from El Paso to James Steet is an obstruction to the free and Convenient use of said Steet on account of the rails and Ties not being sufficiently surrounded or covered with earth and being an obstruction in vehicles passing over or on said said road tracks, and further being a nuisance in this that said railroad tracks stops the free passage of water on the north side thereof to the south side that being its natural course. And said Railroad Company having constructed and built said line of road on San Antonio Steet

without any license from the City Council at the time it was built, all implied licenses of said City Council heretofore improvidently made to build said road on hereby revoked and said El Paso Street Railroad on hereby ordered to remove said track, road bed, ties, rails and earth works from said San Antonio Street, or fix after, and construct said road bed, rails and ties, and maintain them in such a manner so that a wagon or vehicle can pass over said rails and ties at any point on said Street without striking against said rails or ties, and so that said Railway track, road bed, rails and ties, will not be an obstruction to the free and convenient use of travel, within thirty days from the taking effect of this ordinance and provided further that said Railroad shall construct good and substantial culverts of not less dimensions of eight inches in height and twenty four inches in width and at such depth as may be designated by the Council at such intersectional streets along said line of road as the City Council may direct within ninety days from the passage of this Ordinance, and in case of failure to comply with the provisions of this Ordinance within the time specified, said Railroad shall be subject to removal by the City Council, of said road bed, ties and rails and subject to forfeiture of all revocable licenses that may have been obtained from the City by said Street Railroad Company.

Sec IV That this Ordinance shall take effect from passage and publication and a copy of it be given to the superintendant or general Agts of all horse or steam Railroads using any of the Streets or grounds of the City who are to be affected by this Ordinance

Moved and seconded, that the foregoing Ordinance be adopted. Carried by the following vote. to wit: Daugher, aye. Dieter aye. Bossett, aye Buchanan, no.

The following Ordinance presented & read, to wit:
Ordinance requiring Railroads to keep their road bed. Crossings, culverts, switches, and drainage in good repair in the City.
Be it ordained by the City Council of the City of El Paso, that it shall be the duty of every Railroad Company or Corporation which has a track in the City of El Paso to keep its road bed, crossings, culverts, switches and drainage in good repair.
Sec 2 Whenever the track of any road crosses a Street or alley in the City, the tops of the rails shall be even with the surface of the grade of the Street established by the Council, or under its authority, or direction, for the full width of the Streets, and the Street crossing shall be so paved by the Railroad Company. Against the same rules shall be observed when they have switches on any Streets.
Sec 3. That the El Paso Street Railroad shall keep and maintain on its line on San Antonio Street at the various street and alley crossings good and sufficient crossings for the Convenience and use of ordinary travel on said Street that said Railroad Company shall keep their line of R.R. on said Street upon the grade heretofore established by the City Council and at said Crossings shall grade the same to conform and unite the grade of their road from the cent. line of said Streets crossing said San Antonio Street on the North side respectively to the West line of said Street on the South side respectively and on both sides of said Street said road at each Street & alley crossing. And that said Street Railroad Company shall keep the Ground even with the surface of its rails between the rails and two feet on either side and keep its track even with such to be constructed so that a wagon or any vehicles can pass over said rails and line without striking or colliding against the same.

Sec IIIIII It shall be the duty of the station Agt or other representative of Railroads having a track in this City, or the Superintendent of said Street Railroad to see that the requirements of this Ordinance are complied with and in case of failure to comply with or of any violation of this ordinance the said agent representative or Superintendent of said Street Railroad shall be deemed guilty of a misdemeanor and upon conviction of the Mayors Court shall be fined not less than five dollars nor more than One hundred dollars and each day shall constitute a separate offence

Sec V It shall be the duty of the City Engineer and City Marshal and every police officer to see the provisions of this Ordinance strictly complied with

Sec VII That this Ordinance take effect from passage and publication,

Moved & seconded that the foregoing Ordinance be adopted, Carried by the following vote. Daugher. Aye. Dietz Aye. Bassett Aye Buchanan, Ng.

Moved & seconded that the City Atty be instructed to draft an Ordinance calling an election in the 2nd Ward to the fill the vacancy caused by the resignation of W H Michell, Carried.

The report of the Marshal in reference to posting the tax Ordinance, was read, and On Motion, Carried was ordered filed.

The following resolution presented, to wit Be it resolved by the City Council that the Mayor be and is hereby directed to sell Bonds Nos. 4 and 5 of the Sewerage & Drainage Series heretofore Authorized by Ordinance of June 9th 1883 and deposit the proceeds derived therefrom with the City Treasurer as a special fund for payment of demands created for construction of culverts and other drainage expenses. Carried unanimously.

three Claims of Mundy Bros. One for $94.00 one for $30.00 & one for $60.00 & Claim of Water Co. for $33.18 were on motion referred to the Comte on finance,
Council adjourned until 2 o'clock P.M. the 20th Sept. 1884.

Attest
O B Beall
City Clk.

Mayor Pro tem

Council Room Sept 22nd 1884
Council met above date pursuant to the following call. to wit;
State of Texas
City & County of El Paso

A special meeting of the City Council of the City of El Paso is hereby called, on this the 22nd day of Sept ember A D 1884 for the purpose and object of ordering an election for alderman in the 2nd Ward of said City, and giving notice thereof. to fill the vacancy occasioned by the resignation of W N Mitchell alderman elect from said Ward, which was duly accepted on the 29th day of August A D 1884

Witness our hands this 22nd day of Sept 1884
(Signed) S N Buchan
" O T Bassett
" J P Dieter

Alderman Buchanan in the Chair ordered the roll called, the following members present Alderman, Dougher, Dieter, Bassett & Marshal Boring
the following Ordinance presented and read.
Whereas a vacancy exists in the Office of Alderman of the second Ward of the City of El Paso, caused by the resignation of W N Mitchell Alderman elect from said Ward, and the acceptance thereof by the City Council on the 29th day of August A D. 1884. And whereas Hon. Jos Magoffin

is absent from said City.
Therefore,

Be it ordained by the City Council of the City of El Paso. That an election is hereby ordered to be held in accordance with law on the 7th day of October A D 1884. to fill said vacancy, and that Now S H Buchanan acting Mayor of said City is hereby directed to give public notice of the holding of said election at least ten days preceding the day of election by publication in the Official Journal of the City, the following named persons are appointed as officers of said election to wit. Henry Bertiner Presiding Judge Wm Coffin and J A Rust Judges. to hold said election.

Approved 22nd day Sep 1884

Attest
O B Beall
Clk.

(Signed) S H Buchanan
Mayor Pro tem

Moved & seconded that the foregoing Ordinance be adopted, Carried unanimously,
the following proclamation presented and read and ordered published, to wit:
City election Notice for Alderman in the Second Ward of the City of El Paso.

W H Mitchell having on the 29th day of August A D 1884 resigned the Office of Alderman of the Second Ward of the City of El Paso Texas, which resignation was on the same day duly accepted by the City Council of said City, thereby creating a vacancy in said Office therefore by virtue of an Ordinance of the City Council of said City directing me to give public notice of said election, an election is hereby ordered to fill said vacancy to be held on Tuesday the 7th day of October A D 1884. the following named persons are appointed to wit: Henry Bertiner Presiding Judge, and Wm Coffin and J A Rust Judges and they will elect two Clerks to assist them in holding said

election, the following place within said ward when said election will be held, will be Head Quarters of the Fire Department on East Overland Street, and they shall hold said election and make returns thereof to the City Council as required by law

Given under my hand and the seal of said City this the 22nd day of Sept 1884

S H Buchanan
Mayor Pro tem

Attest
O B Beall
Clk.

Council on motion adjourned

Attest
O B Beall
Clk.

Mayor Pro tem

Council Room Oct 10th 1884

Regular meeting of the City Council above date. the Mayor in the chair directed the roll called. the following members present. to wit: Aldermen. Dougher. Bassett. Buchanan and Mitchell. Marshal Boring also present. Minutes of preceding meetings read and adopted the following Returns of an election for Alderman from the 2nd Ward were presented. to wit:

2nd Ward. El Paso Texas.
Oct 7th 1884.

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

At a Special Election for Alderman held this day there were polled
308. Three Hundred and Eight Ballots of which there received,

W S Hills. One hundred and ninety nine (199) votes
A Lamour One hundred and Eight (108) votes
Rejected One (1) vote

(Signed) Geo Donnelly Clerk
" C M Powell "
" W Coffin Judge
" J A Rust Judge
" Henry Burliner Presiding Judge.