force and effect. Witness our hands this the 17th day of April 1883.
(Signed) James Mau (Signed) James A. Ashford
" Ben Schuster ~~etc~~ " W. E. Kneeland.

A communication from City Assessor and Collector James A. Ashford asking that A. G. Foster be appointed his Deputy Assessor and Collector was read and ordered to be filed.

Verbal charges were preferred by F. Manning City Marshal, against George Harris, Assistant Marshal, which were referred to the Committee on the Revision of Ordinances and Rules, License and Police.

It was moved and seconded that Police Officers Thomas Moad, and Charles Galliger shall receive for their services as such officers the sum of Seventy five dollars per month, to be paid as other salaries are paid and that the sum of Seventy five dollars per month be and the same is hereby appropriated ~~out of~~ of any money in the city treasury not otherwise appropriated for the purpose of paying each of these officers their monthly salary which was carried.

The following was then received, read and ordered filed:
Room of Board of Trustees El Paso, Texas, April 24, 1883.
To the Hon. Mayor and Common of El Paso City, El Paso, Co. Texas.
Please pay to John Dougher, Treasurer of School Board such money or moneys as may be now collected from Poll Tax.
(Signed) O. T. Bassett.
Chairman of Board of Trustees.
(Signed) J. A. McKinney
Sec Board of Trustees pro tem.

The council then adjourned to May 5th 1883.
Approved
Joseph Magoffin
Mayor
Attest
City Clerk.

City Council Room.
El Paso, Tex. May 5th 1883.
The City Council met pursuant to adjournment on above date and at appointed time, His Honor, Joseph Magoffin, Mayor in the Chair who called the council to order and directed the Clerk to call the roll which resulted as follows: His Honor, Joseph Magoffin, Mayor, present.

Ald. J. P. Hague 1st Ward present; Ald. I Blum, 1st Ward. present.
" P. W. Keating 2d " present; " B. Schuster 2d " absent.
" A. Blacker 3d " present; " A. F. Flood 3d " absent.
City Clk, S. L. Kahn, present. City Atty, J. B. Buckler present, City Marshall F. Manning, present.
The Clerk declared the above result and the Mayor declared a quorum present for the transaction of business.

The petition of J. A. Ashford, City Assessor and Collector, praying that he be permitted to retake the school census for the reason that the census taken by his predecessor is full of errors which he points out.

Ald. Schuster here came in and took his seat.

It was moved and seconded that the above petition of J. A. Ashford be refered to the Com. on the Revision of Ordinances and Rules, License and Police on which motion the ayes and nays were called for and the same was carried by the following vote: Ald. Hague, Blum, Keating, Schuster and Blacker voting aye. being five votes all in favor of same.

A petition from S. Schutz and Bros. and others remonstrating against the granting of additional right of way to the G. H & S. A. Ruy Co. on San Francisco and Main Streets was received and read; and it was moved and seconded that the same lay over until the report of the Com. on the same matter be taken up. Carried.

The petition of A. C. Savage on the bridge across the asequia on San Antonio Street and stating why payment thereon ought to be made was received, and read and refered to the Com. on Streets, Grades, &c.

Communication from A. C. Savage enclosing a bill for $240.00 for eight months at $30.00 a month was received read and refered to the Com. on Finance, Etc.

The report of the Com. on Finance on the petition of C. C. Keifer presented Feb. 24th 1883, and which was as follows:

El Paso, Texas. Febry 24. 1883

To the Honible Mayor and City Council of El Paso,
Gentlemen!

Your petitioner would respectfully state that he purchased Lot 5. in Block 199 on the 1st of September 1882 which on the 1st of March of said year was assessed for City Taxes at $390.00 and on which there was an ad valorem tax of 98 cts. Said assessment was made in the name of J. Schwingle of whom purchase was made. there was also an assessment against said Schwingle on $4000.00 Mdse on which there was a tax of

$10.00 and also $1.00 poll tax assessed against him.

Within the prescribed time I tendered to the City Assessor and Collector the tax on above real estate, but as Mr Schwingle had moved from the city, he refused to accept of me the tax for the property of which alone I became an innocent purchaser, unless I would also pay said Schwingle's personal and poll tax the receipts for which are hereto attached as I had to pay said last named taxes in order not to be delinquent on the property that I then owned. I would further state that in the personal property of said Schwingle I never did hold nor do now hold any interest. I would therefore pray that your honorable body direct the assessor and collector to refund to me, eleven dollars unjustly collected of me and not any part of my indebtedness to the City. Respectfully Submitted (Signed) C. C. Kiefer

On which the report was as follows:

May 5th 1883.

To the Mayor and Council,

We, the Finance Com. recommend that the prayer of the within petition be granted.

(Signed) J. P. Hague, Chairman Com.

It was moved and seconded that the report of said committee be received and adopted and that the eleven dollars be refunded C. C. Kiefer. which was duly carried

The following report was also received from the Finance Committee:

Council Room, El Paso, Texas, May 5th 1883.

Hon Mayor and City Council, El Paso.

Gentlemen:

Your Committee on Finances claims and accounts respectfully return the following bills and recommend as below:

4/3.83	Texas & Pacific Ry	for part transportation of fire apparatus	170.54
Mar 6.	M. W. Carnes	Express chgs on Blk Book and Blanks	8.40
2/17	C. T. Jackson & Co	Lumber for Crossing West Overland Ste.	5.43
3/10 & 20	A Campbell -	building wooden wall & ceiling in Jail	45.00
2/24	Buchanan & Lurkins.	Coffin for Pauper	3.50
3/31	P. W. Keating	(Hauling patient to Pest House) Cash	1.00
3/1	W. A. Irwin & Co.	Stationery Books and Ink Stands	23.00
3/31.	J. H. Comstock	fees for prisoners wkd on streets	56.00
	W. P. Rayner	" " " " " "	26.00
	Ed H. Scotten	" " " " " "	12.00
	W. H. Wheat	" " " " " "	2.00
	H. Walton	" " " " " "	16.00
	John Evans	" " " " " "	2.00
	George Harris	" " " " " "	8.00
	Jas B. Gillett	" " " " " "	36.00

S. L. Kahn Mayor & Clerks fees for prisoners worked on streets — 190.00

Total — $604.87

With our approval to each of above and recommend they be paid and appropriation made.

3. G. D. Barnard & Co St. Louis, bill for $44 35 recommend that — $37.90
be allowed and paid as per contract & deductions on said bill.

4/2 1883 El Paso Times for Printing ordinance calling election on levying School Tax and Proclamation for said Election and Election tickets for the same — 90.25
as per report on said bill, also to be paid and as recommended — $733.02
thereon to be deducted from school fund when collected and placed
to the Credit of the General fund said $90 25)

The following bills are laid aside by your committee for future action.

4/16	Chas Kline, Repairing fire apparatus	25.10
2/13-17	Bennecke & Pierce 2 pr Leg irons & Nails	13.40
3/13	W. A. Irvin & Co	1.10
2/24	W. A. Mayers	3.00
3/9	Stuart and Sutherland	12.00
		$54.60

Respectfully Submitted
Sist. J. P. Hague Chairman Finance &c Com.
Paul W. Keating
Noah F. Flood.

Moved and seconded that this report be received and adopted which was carried by the following vote; Ayes, Ald. Hague, Blum, Keating Blacker, and Flood. Ayes five

The Committee on Finance &c also returned the report of J. B. Gillett late marshal, to wit:

Total number of arrests made 1254, City cases 1250 State Cases 4
Total number Convicted 1111 Dismissed 83. Acquitted 50 Appealed and dismissed 4, Appealed and not decided 2 Total 1254.

Total number of fines assessed in the above		$5876.35
Collected and paid in the City Treasury	$5444,95	
Amount of fines worked out	333.10	
Lost by escapes, remission of fines &c	98.30	5876.35

Said report being from 29th day of May 1882 to the 21st day of March, 1883 both inclusive, and being signed by the said J. B. Gillett, Approved by P. W. Keating Mayor pro tem; and attested by S. L. Kahn City Clerk, and the Com. report thereon was as follows:

May 5th 1883.

We would respectfully represent that we have examined the foregoing statement, and have found it correct and recommend that the same be approved. (Signed) J. P. Hague, Chm. (Signed) Noah F. Flood.

It was moved and seconded that the above report should be adopted. Carried.

Report from same Committee on petition of J. F. Bennett, praying to be appointed Public Weigher, filed Feby 5/83. and referred to this committee Feby 10/83. was as follows:

May 5th 1883.

To the City Council:

We would respectfully recommend that the prayer of the within petition be not granted; and also we would suggest the propriety of ordering the scale and platform which now stands erected near the center of Oregon Street between St Louis and Main Streets, removed. (Signed) J. P. Hague Chairman Com.
" Noah Flood
" Paul W Keating

It was moved and seconded that the report be received and adopted. Carried.

Moved and seconded that J. F. Bennett be notified of the action of the council and be requested to remove the said scale from Public Property.

The same committee also reported as below on the report of A. L. Kahn, City Clerk as to the accounts of the city from July 25th 1880 to April 30, 1882 inclusive, to wit:

May 5th 1883.

To the City Council:

We the Financial Committee would respectfully represent that we have examined the foregoing account and find the same correct and recommend that it be approved.

(Signed) J. P. Hague Chm.

Moved and seconded that this report be received and adopted. Carried

The special committee to whom was referred the following petition of the G. H & S. A. R R Co returned the same with their report as below, the petition being as follows:

El Paso, Texas April 28th 1883.

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

Gentlemen:

The Galveston Harrisburg and San Antonio Railway Company by its right of way agent H. D. La Motte would respectfully represent: That by reason of the rapid growth of the City of El Paso within the past two years and not less of its prospects in the

near future, the right of way facilities for traveling traffic, and switching purposes within your City which your body has heretofore granted the Railway Co. have become insufficient, and for the want of such facilities, the Company is now unable to afford to the general business public the assistance and conveniences which your commerce and travel demand. Therefore the Company prays that your Honble body grant to it the following additional right of way for the movement of its Cars and engines within your corporate limits, on the lines of Main and San Francisco Streets as shown by the Anson Mills Map, and more particularly described as follows, to-wit; Twelve feet in width on each side of the right of way of sixteen feet in width, heretofore granted the Company by your Hon. body, by ordinance dated the 23^d day of March 1881, and entitled an Ordinance granting additional right of way to the Galveston, Harrisburg and San Antonio Railway Company, Approved March 24th 1881. At a point the beginning of the right of way of 28 feet in width on San Francisco as shown on said map, heretofore granted by your Hon. body to the Rio Grande and El Paso Railway Company by ordinance dated the 14th day of January 1882, entitled an Ordinance granting additional right of way to the Rio Grande and El Paso Railroad Company approved the 25th day of February 1882, and about opposite the center of what is known as Anthony Street shown on what is known as the Map of the Campbell addition to said city and South of San Francisco Street, thence in an easterly direction following said San Francisco Street with the curvature of and adjacent to the said right of way heretofore granted to the Company by the aforesaid ordinance, passing into said Main Street, thence in a north easterly direction following said Main Street and adjacent to the said right of way heretofore granted by ordinance as aforesaid to the Northeasterly boundary line of Kansas Street, also as shown on said map of the City. The Company likewise prays your Hon. body to pass an ordinance closing up as against the use of the general public a portion of each of the alleys extending through blocks nine and ten as shown on said Map, that is to say One hundred and thirty feet of the alley in said Block No nine extending from the northerly side of said Main Street to one half the depth of said Block; and one hundred and thirty feet of the alley in said block No Ten extending from the Southerly line of said Main Street to one half of the depth of said Block No. ten, the respective portions of said alleys now prayed to be closed up as aforesaid being bounded on the Eastely and westerly sides by the private property of the Company and now in its use and possession for general railway purposes, and unless the said portions of these alleys be so closed up the rights

of the Company will be interfered with continually and the free use and enjoyment of its said private property will be permanently impaired and its business facilities constantly subjected to annoyance. The Company also prays your Hon. body to pass an ordinance closing up as against the use of the general public that portion of Main Street lying between the North easterly line of Stanton Street as shown on said Map, and the north easterly line of Kansas Street as also shown on said map, because of the said ownership of said portions of said Blocks nine and ten, and because further that said Main street was by ordinance of your honorable body heretofore passed, closed up as against the general public from the said North Easterly line of Kansas for a distance of 1725 feet to the then North Eastern boundary of the City.

In praying for the grant of right of way hereinbefore described, it is the intent and purpose of the Company without delay to construct and lay down on the north side of the present track, an additional track to be used for the purposes aforesaid, and in the near future to lay down and construct a similar track to be used for a like purpose, on the South side of said track.

The map or plot hereto attached as a part of this petition truly represents the several streets and alleys hereinbefore referred to. The two additional tracks which it proposes to construct on said Main and San Francisco Streets, are indicated by blue lines, and the track now used and the private property of the Company are indicated by red lines. Respectfully Yours, (Signed) H. D. La Motte:

Right of way agt G. H. & S. A. Ry Co.

The special Committee's report is as follows:

El Paso Texas. May 5th 1883.

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

We your special committee to whom the petition of the G. H. & S. A. R.R. for additional right of way on San Francisco and Main Streets and for closing up Main Street in front of their property, and for closing up alley in the North half of Ten and the south half of Nine, have the honor to report that said petition should be allowed and the prayer of said petition granted, subject however to these conditions and provisions:

First. That said Railway Co. shall be required to grade San Francisco and Main Streets, the full width of the streets, for the full length of the right of way thus granted.

Second - That crossings shall be constructed by said Railway Company on all the cross streets, with plank on the same level with the rails the full width of all such respective cross streets, the full distance of the right of way granted.

Third. That no cars shall be left standing between the extremes of the right of way therein granted, so as to obstruct travel on

any of the cross streets within said limits, and that it be made penal by ordinance for any obstruction to be made by said Company

(Signed) Isaac Blum, Chairman.

To which report the following amendment was added by Ald. Hague of said Com.

Provided that no track shall be laid down on any part of the right of way herein granted until said San Francisco and Main Streets shall be first graded as herein-provided for, and provided further that the ditch required to be cut by resolution dated the 10 day of July 1882 and approved on the 10 day of July 1882 shall first be cut in conformity to the designation and terms in such resolution contained.

Moved and seconded that the report as amended be adopted and that the City attorney is hereby instructed to draw up and present an ordinance in conformity therewith. on which the vote was as follows, Ald. Hague Blum, Schuster Blacker and Keating aye, and Ald. Flood, no, being six votes cast, five ayes and one no; and same was declared carried.

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The following charges were then received and read.

El Paso, Texas. May 5th 1883.

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

Gentlemen:

I, as the City Marshal of El Paso feel it my duty to complain to your Honorable body of Assistant Marshal George Harris and respectfully state that he is guilty of conduct unbecoming an officer and also of neglect of his duties as such officer, in this that he was, on the 21st day of April A.D. 1883 drunk and gambling and did neglect his duties the whole of the night of said April 21st 1883, and also on the night of April 30th A.D. 1883, he was gambling and did neglect his duty as an officer, and also that he was drunk and gambling at several other dates from and after the resignation of the former Marshal Jas. B. Gillett, and prior to said April 21st 1883, but these dates I do not now remember.

Respectfully Submitted, (Signed) Frank Manning City Marshal

It was moved and seconded that the City Attorney draw up charges and notices under these charges and be ready for trial next Saturday night. Carried.

The certificate of J. F. Satterthwaite, Street Commissioner in favor of Blum and Keating for the sum of $97.00 on account of dumping 970 loads of dirt as contracted for by said commissioner on parts of St Louis and Utah Streets was presented, read and referred to the Com. on Finance.

The franchise to the El Paso Street Railway Co. for their fifth line of Street Railway Company, was here taken up by unanimous consent - said line being as follows:

The fifth line of Street Railway to begin at the point of intersection of the centers of San Antonio and El Paso Street, thence along the center of said San Antonio Street to the east end of said Street, thence in an easterly direction by the most practicable route to the eastern boundary line of the City limits.

Moved and seconded that the franchise for this line be granted, provided that the work be commenced within 90 days and completed to James Street within six months from this date. on which the vote was as follows. Ald. Hague excused from voting, Ald Blacker also excused Ald Blum Keating and Flood aye, three votes cast all in favor of the motion and the same was declared carried.

It was moved and seconded that the sum of $331.04 or so much thereof as may be necessary be and the same is hereby appropriated in favor of M. W. Carrico as per payment ordered April 26th/1883 in his favor in payment for work done on assessments of 1883 and plat book in full carried by the following vote, Ald. Hague, Blum Keating, Blacker and Flood voting aye being five votes in favor thereof and same was declared carried.

The petition of Geo A. Speck was here taken up by consent and it was moved and seconded that the sum of thirty dollars excessively collected on two billiard licence for 1883 be and the same is hereby refunded to him, and that the further sum of $113.98 being a balance of unexpired occupation tax for saloon and billiard table, less $8.50 deducted collector's fees from the 14th of April to 31st of December 1883, be and is hereby refunded to him and that a special appropriation is hereby ordered of $143.98 to pay said amount above ordered to be refunded. It was carried by the following vote: Ald Hague, Blum, Blacker, Keating and Flood aye being five votes cast, all ayes.

It was moved and seconded that the sum of $733.02 or so much thereof as may be necessary to pay the accounts reported favorably by the Finance Com, and adopted by this meeting be, and the same is hereby appropriated out of any money there may be in the treasury not otherwise appropriated. Carried unanimously. Adjourned to meet May 12th 1883 at 8 p.m. Regular Meeting

Approved Joseph Magoffin
Mayor

attest
S.L. Kahn City Clerk

Council Room
El Paso Texas May 12, 1883.

The City Council met pursuant to adjournment for its regular meeting on above date and at appointed hour - His Honor, Joseph Magoffin Mayor in the chair who called the council to order and directed the Clerk to call the roll which resulted as follows His Honor Joseph Magoffin, Mayor present.
Ald ~~J.B.~~ Hague 1st Ward present; Ald I Blum 1st Ward present
" P. W. Keating 2d " present; " B. Schuster 2d " absent
" A. Blacker 3d " present; " Noah F. Flood 3d " present
City Clk S.L. Kahn present; City Atty J.B. Buckler present; City Marshal F. Manning present
The Clerk announced the result and his Honor declared a quorum was present for the transaction of business.

Minutes of the following meetings were then read and there being no objection were approved, to wit, Febry. 15, 17, & 24, 1883. March 19, and 24, ~~20~~ & 27, 1883 and April 2d 1883.

The following charges were then presented against George Harris Asst. Marshal, by the City Attorney as instructed by the City Council on May 5, 1883, to wit:
State of Texas, County and City of El Paso:
That George Harris while Asst Marshal of said City did on the night of 21st of April 1883, in said city, while on duty, as such Asst. Marshal, be and become so drunk to such a degree as to material interfere with the discharge of his duty and that he did on the night of April 30th 1883 while on duty in said city neglect the duties incumbent on him as such officer, and did then unlawfully play at a game of cards at a public place in said city to wit the Alamo Saloon on East Overland Street,
Witness my hand this 12th day of April 1883.
(Signed) J. A. Buckler, City Atty.
of which charges written notice had been acknowledged by said Asst Marshal George Harris.

Moved and seconded that the trial be proceded with, Carried. Moved and seconded that the rules of evidence as laid down in the Common Law of England and as modified by the laws of this State, be adopted as the rules of procedure in this case. Carried. Moved and seconded that Asst. Marshal Harris be required to file a written reply to above charges. Carried by the following vote: Alds Hague, Blum Keating, Aye, Blacker & Flood no. Moved and seconded that Mr Harris be granted time to reply

~~tat~~ next regular meeting which was substituted by this motion that said Harris be given opportunity to state whether he is ready for trial now and that if he announces he is ready to proceed with the trial, otherwise the same shall lay over till Monday evening May 14th 1883. On which motion so substituted the ayes and nays were called for and which resulted as follows; Ald Hague Blum Keating and Blacker aye, Flood no, being five votes cast four being for and one against, the motion was declared ~~car~~ried. Mr Harris on being asked by the Mayor if he was ready for trial replies that he is ready to proceed with his trial now and files the following for his answer:

State of Texas, County and City of El Paso. Answer of Geo. Harris to charges and specifications filed May 12, /83.

To the charges of drunkenness while on duty April 21st 1883 I plead not guilty. I plead not guilty to the charge of playing at cards at the Alamo saloon while on my regular hours of duty on the night of 30th of April 1883. (Signed) George Harris.

The following witnesses were then sworn and examined by the City Attorney on behalf of the city: Frank Manning, Frank Beaumont, J. A. Dollar, C. C. Brooks, James Manning, Charles Galliger, W. E Dorsey. When the case was closed for the city the following witnesses were sworn for the defense and examined by him: B. F. Levy, W. F. Vanstan & E. E. Mahoney at the conclusion of the latter's testimony it was moved and seconded that the council adjourn to Monday May 14th 1883 at 8 P.M. The ayes and noes being called for the same resulted as follows; Ald Hague, Blum, Keating aye, Ald Blacker & Flood no, being five votes cast, three for and two against, the motion was declared carried and the council adjourned accordingly.

Approved

Joseph Magoffin
Mayor

Attest:

City Clerk.

Council Rooms
El Paso, Texas, May 14th 1883.

There hour to which the council had been adjourned having arrived and the Mayor and Mayor pro tem being absent, by request of Ald. Flood the City Clerk called the council to order On the roll being called the following members were found to be present, Ald Hague, Blum, Blacker and Flood - a quorum

His Honor the Mayor, Ald. Keating and Schuster being absent.

On motion of Ald Flood seconded by Ald Blum, Ald. Blacker took the chair, who stated that the first business in order would be proceeding with the trial of Asst Marshall Harris. His Honor the Mayor here came in and took the chair. Ald. Keating here came in and took his seat.

It was moved by Ald Blum. and seconded by Ald. Hague that a vote be taken whether officer Harris is guilty or not as charged and the call resulted as follows: Ald. Hague voting no or not guilty Ald Blum, ~~the~~ or not guilty, Ald Keating, no or not guilty, Ald Blacker, no or not guilty, Ald Flood aye or guilty being five votes cast, four being for acquittal or not guilty and one for guilty and the accused was declared not guilty as charged and accordingly acquitted.

It was moved and seconded that the city attorney prepare a system of Police Regulations and Rules for the Government of the Police Force of the city. Carried.

Report of Jas. A. Ashford, Asst and Coll. on the condition of the plat book of this city as coming to him from his predecessor calling attention to the incorrectness and inequalities of the work done and asking authority to do the same over again and that he be properly remunerated for the work when completed and accepted was received and read and referred to the Com. on Streets, Grades &c. with instructions to report at the next meeting of this council.

Report of Jas. A. Ashford, Asst and Coll. that there are no numbers provided for job wagons licensed under the ordinance and requesting that some provision be made to furnish the same. Moved and seconded that this be referred to the City Attorney with instructions to prepare an ordinance covering the same. Carried.

Moved and seconded that the Mayor be authorized to again call the attention of the Military authorities as to the Military burying ground in El Paso and Franklin Street and the resolution referring to the same. Carried.

The City Attorney then presented the following ordinance.

An ordinance of the City of El Paso granting additional right of way to the Galveston, Harrisburg and San Antonio Railway Company over certain parts of Main and San Francisco Streets.

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

Sec 1. That in addition to the right of way heretofore granted to the Galveston, Harrisburg and San Antonio Railway Company over certain parts of San Francisco and Main Streets in the City of El Paso of 16 feet in width, there is hereby granted to said company the right of way over twelve feet in width on each side of the 16 feet right of way heretofore granted over and of the following parts of San Francisco and Main Streets, to wit, beginning at the center of San Francisco and Anthony Street as shown on the map known as the "Official Map" of the City and running thence through said San Francisco Street twelve feet on either side of said 16 feet grant, to the intersection of said San Francisco Street with Main Street, thence with said Main Street 12 feet in width on each side of said 16 feet right of way to the northeasterly boundary of Kansas Street, with privilege and right to said Company to erect on said part of said street any additional tracks of railway they may desire.

Sec 2. Be it further ordained that so much of the alleys running through Blocks No 9 and 10 as is hereinafter mentioned, be and the same are from and after the passage and approval of this ordinance closed and abandoned for all use as alleys by the general public, to wit, one hundred and thirty feet on the southern half of the alley in Block No 9. extending from the Northern line of Main Street northwesterly half the depth of said block and one half the length of the alley; through Block no. 10 beginning at the southern margin of said Main Street and running Southeasterly one hundred and thirty feet, or half the depth of said block.

Sec 3. That so much of said Main Street as lies between Kansas Street and Stanton Street be and the same is from and after the passage and approval of this ordinance closed and abandoned, for the purposes of use as a street on the part of the public.

Sec 4. That all grants, rights and privileges in this ordinance contained are made subject to the following provisions and on the following conditions, to wit: The said Railway Company shall grade to an uniform level as far as may be the entire width of San Francisco and Main Streets, throughout the entire parts thereof, over and through which the right of way is herein granted to said company, and no additional track of railway shall be put down until said streets are fully graded as above required; and the grading approved by the City Street Commissioner which grading shall be made to correspond with the grade established, or to be established by the City Engineer on said streets.

Second - That said company shall on the crossings of all streets running across said San Francisco and Main Streets, construct and always keep up at its own expense, substantial crossings of plank elevated to a level of the top of the rails, for the full width of such cross streets; provided that said crossings shall not be required of said company at the crossing of any street, West of Santa Fe Street until such streets are opened and graded for purposes of travel and until said company is ordered to do so by the City Council of the City of El Paso.
Third - That no engines or cars of said company or of any company using said tracks of railway shall at any time be left or permitted to stand on any of the crossings of said San Francisco or Main Streets, in such a way as to intercept the free passage of the public over and across said street at such crossings.
Fourth. That said Railway Company at once, or as soon after the passage of this ordinance as may be done, begin and construct that part of a certain drainage ditch, heretofore directed to be constructed by said company, by resolution of this council passed June 18th 1882, and recorded in the Record Book "C" of this city, pages 93 and 94 which is as follows: all that part of said ditch as lies between the intersection of North El Paso Street with Main Street, and the point where the line of Anthony Street South intersects their track of railway being about 1450 feet, and all that part of said ditch lying between the intersection of St. Vrain Street with Franklin Street and running easterly from the bridge in the track of the said railroad opposite the intersection of "A" street in the Cotton addition being about 4100 feet.
Sec 5. Before any additional track of said railway shall be laid the said railway company shall procure a certificate from the City Engineer that the grading as done by said company corresponds with the established grade on the said streets established by the City Engineer.
Sec 6. This ordinance shall go into effect and be in force from and after its passage and approval by the mayor.
It was moved and seconded that the ordinance be adopted. Ald Hague, aye Blum, aye, Keating no, Blacker aye, Hood no, being five votes cast, three being for and two against. And the ordinance was declared carried.

A Communication from J. J. E. Lindberg Engineer S. P. Ruy Co. was submitted by ald. Blacker, relative to the drainage north of their track explaining its location & why it was so located & it was Moved & seconded that the same be referred to Committee on Streets, Grades & C. together with the subject matter of that part of the ditch by the City under Resolution passed July 18 1882 & recorded on this book pages 93 & 94. Carried

The Bill of Buchanan & Lurkins for $60.00 was again presented being for bridges across acequia on San Antonio street

It was moved & seconded, that this bill be paid & that this amount or so much thereof as may be necessary to pay the same be & the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, The ayes & nays were as as follows: Ald. Hague no Ald Blum aye Ald. Blum aye, Ald Keating aye; Ald Blacker aye Ald Flood no. Being five votes cast three (3) for the motion & two (2) against, & the same was declared carried.

The Bill of Herald Pub. Co for $38.22 was presented & read & It was moved & seconded that the same be paid & that said amount be & the same is hereby appropriated, Carried

The Council then adjourned to May 26th (at 8 p m) 1883

Approved

Joseph Magoffin

Mayor

Attest

S L Kahn

City Clerk

Council Room

El Paso Texas May 26th 1883.

The City Council met for its regular session on above date that its regular appointed hour, His Honor Mayor Magoffin in the Chair, who called the Council to order & directed the Clerk to call the Roll, which resulted as follows; His Honor Joseph Magoffin Mayor, present. Ald. J. Hague 1st Ward, present; Ald J. Blum 1st Ward, present. Ald. P. W. Keating 2nd Ward, present, Ald. P. Schuster 2d " present. Ald. A. Blacker 3d " , present, " A. J. Flood 3d " present. City Clerk S. L. Kahn, present, City Attorney J. H. Buckley present, Marshal F. Manning present. The Clerk reported the Result as above & the Mayor announced a full Council present.

The minutes of April 4th & 7th were read & approved, when Ald Blacker moved, That the reading of minutes of the meetings from April 10th to May 12th 1883, both dates included be dispensed & that the minutes of said meetings the reading of which are so dispensed shall be referred to the Committee on Rev. of Ordinances & Rules, Licence & Police, & if said Committee finds them correct they shall stand approved, & that the City Clerk now proceed to read the minutes of last meeting May 14th 1883, which Motion being seconded by Ald Blum was Carried by the following vote - Aldermen, Hague, Blum Keating & Schuster, Blacker & Flood voting aye - No none - his Votes in the affirmative

The minutes of ~~April~~ May 14th 1883 were then read.

Ald. Flood objecting to that part of the record as to the motion declaratory of the Result of the Trial of Marshal Harris. It was moved & seconded

that the Minutes of May 14th 1883 as read be approved, Carried by the following vote Ald. Hague, Blum, Keating & Glaster voting "aye" - Ald. Flood "no" And Ald. Schuster excused from voting not having been present at said meeting (4) four for & one (1) against the Motion.

The following report by the street Commissioner relating to his certificate of the City's Indebtness to Blum & Keating filed May 5/83 & recorded this book pgs 234, was then read to wit:

El Paso May 25th 1883

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

Gentlemen! In reference to the Bill of Mess. Blum & Keating for filling Utah & St Louis Streets opposite the public square. I would call the attention of the Council to the fact that $150.00 ordered to be expended, one third having to be expended by the City & two thirds by the property fronting on this part of these streets. The City as owner of the public square is indebted one half of this two thirds their share to be paid for their frontage this in addition to the one third, that they have appropriated making $100.00 in all. These same parties (Mess Blum & Keating) have filled a portion of Santa Fe street south of San Francisco street & now seek pay for the same, as they inform me, out of the appropriation made for the grading of this street & request me to furnish an estimate of the number of yards of soil placed there & state the proper value per yard. In answer to this request I would state, that not having measured the place where the filling was made previous to the making of such filling I am unable to furnish accurate figures, & that this filling not having been done under my orders I took no account of the loads furnish & can only state that from such measurement that I have been able to make since this work has been finished I believe their bill for 1150 yards to be within the amount furnished truly yours Jas J Fisher Salterthwaite, Street Comm.

The following Report from Committee on finance on City's Indebtness to Blum & Keating filed May 5th & recorded p. 234 this book was then presented & read to wit.

To the Mayor & City Council — Your Committee to whom the account on the reverse hereof was referred would respectfully represent that they have examined the same & recommend that it be paid signed Hague Chairman

It was moved & seconded that the report be received & adopted & Bill paid out of appropriation for this purpose made April 30th 1883 & recorded 426. this book. which motion was carried

A Communication from J. S. Fletcher jr, Major 23d Inf U. S. A Commanding at Fort Bliss Texas in answer to Letter of City Clerk of May 15th 1883 in relation to Military Cemetery was received, read & ordered filed.

The following was then received & read:

El Paso Texas May 17 1883.

To the Hon. Mayor & City Council

Gentlemen! I have the honor herewith to resign my position as City Engineer having accepted a position Elsewhere that will require

my absence from the City. The greater portion of the time. I have turned over to the City Clerk all books & papers belonging to my Office. Respectfully

signed A. C. Savage.

It was moved & seconded that the resignation of A.C. Savage, of the Office of City Engineer be accepted. Carried

The following was then received & read:

To El Paso May 26th 1883

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

Gentlemen! Tuesday Evening May 22/83 between the hours of five & six oclock (5 & 6) p.m. the City Marshal entered my store and made a brutal assault upon me & denounced me as a liar & a thief. I am here ready to make a full statement of the case & will furnish witnesses if you wish. For which I respectfully petition. Yours very truly

signed W. G. Walz.

moved & seconded, that the subject matter contained in the foregoing petition of said W.G. Walz be referred to the City Attorney, whose duty it shall be to formulate charges in accordance therewith, against Marshal Manning to be reported hereafter as speedily as possible, & that notice in writing be served upon said Marshal Manning not later than Monday May 28th 1883

Amended - by Motion of Ald. Blacker, which was seconded by Ald. Schuster. That the rules be suspended, in order that the Council proceed at once to consider the subject matter of the petition - On the amendment the vote was as follows: Ald. Blacker & Schuster voting "aye" Ald Hague abstaining, Blum & Flood voting "no" - six votes cast four for & two against the amendment & the same was declared lost. The vote on the original motion being taken was as follows. Ald Hague, Blum, Keating, Schuster & Flood voting "aye", Ald Blacker, "no" being six votes cast five for & one against the motion & the same was declared carried

Letters of recommendation of Carl Goth & E Grote from Mr Morris & Mr Chase - Engineer's received & read and ordered returned.

The Report of J. Dixler Satterthwaite on money expended on public square, work done thereon, with Bills attached & asking that he be paid $100.00 to reimburse him for excess of money above appropriation paid out, was referred to Comm on Finance &c.

The following report was then received:

El Paso Texas May 26' 1883

We report that the ditch N. of the R.R. should be completed as soon as possible: & as nothing can be done under the Ordinance now in force, until money is raised from the sale of Bonds & the

City, we recommend the passage of the following ordinance with the blanks to be filled out by the Council & the dates changed to conform to the present time — signed A. Blacker, Ben Schuster, Isaac Ellum, Com on Sts &c
Moved & seconded that the report be adopted, Carried.
The Ordinance attached to this report & referred to therein was on motion duly seconded referred to Comm. on Revision of Ordinances & Rules, Laws & Ord.

The following report was then received & read, to wit

El Paso Texas May 26th 1883

Your Committee have the honor to report, in relation to the petition of Col Ashford City Assessor & Collector, that they recommend, that the Block Book for this City, be similar to that authorized by the laws of the state for use of county assessors, & that it be made a book of record to be kept in the Office of the City Assessor & Collector, that the observating be done by the City assessor to get the lines of subdivisions of Blocks, & the plating should be done by the City Engineer or an Expert under the direction of the City Council & when finished placed in the hands of the City Assessor as a public record for safe keeping. That no comm. sum be fixed, or such established as to the allowance to be made for it, but that the question remain an open one to be determined by the Council when the work is completed. The book should not be a diagram of buildings & improvements — simple marginal references to identify property & describe it in a general way as to value.
We further report that all the work done by M. H. Harrison on said books be erased, as none of it was done by an Expert with instruments & scale, neither does it appear to have been done from correct abstracting. The date of each plat, & any change should be noted in the marginal reference. The plat of subdivisions should be made from the back deed of the party in possession, if there be no actual visible possession & two claimants, it should be noted, or whenever there are various claimants it might be well to note the fact.

signed A. Blacker, E. Schuster & Isaac Ellum, Com on Sts &c.

This report on motion duly seconded was referred to Comm on Finance &c.

The following report was then received

El Paso Texas May 26th 1883

To the Hon. Mayor & City Council.

Your Com. to whom was referred the communication of Mr Lindberg resident Engineer complaining against the action of the City requiring the G. H. & S. A. R.R. to fill up the ditch on Mississippi St. N. of the E. k of Block F & B. 6 & on Louisiana St. S. Rd 6 & E. of Rd. 11. on Franklin between Victoria & Noble, urging the grounds that it was unjust to accuse the City had dug the same, have the honor to report that said Railroad have good grounds for complaint for the following reason:
1st Because the said R.R. & said Engineer agreed to construct said

ditch from St Vrain to Octavia, on Franklin, thence down Octavia to main thence to the Bridge; whereas said Engineer permitted the City Engineer to do the work he agreed to do who contrary to the Ordinance dug said ditch N. of the E ½ of Block F & C., thence S. on Octavia street to Franklin, thence E. on Franklin to Noble, both he & the City Engineer knowing, that this was done contrary to the Ordinance in two respects, on that it was not done on the ground ordered, & that the R.R. was to pay for it & not the City.

2d - Because the grant recently made by the City is of sufficient value to pay for more than all the drainage north of the ~~City~~ Railroad right of Way, with its numerous tracks & properties Especially when it is considerd the values of said RR to be protected from the summer & Autumn floods.

We recommend that this report be adopted & a copy of the same be forwarded to the Headquarter of said R.R. Co at San Francisco, together with a copy of said letter of Engineer Lindberg & that your Com. be discharged.

We state that we have personally examined the ground & had the same surveyed and maped, & the amount, which it would cost to fill up the ditch $213.63/4 & reference is made to said map, hereto attached; they further recommend that $12.00/4 be appropriated & a warrant issue to Carl Gothe De Grote for said survey, map &c.

Signed A Blacker, Ben Schuster, Isaac Blum - Comm on Street &c.

It was moved & seconded that this report be adopted, Carried.

A Communication from Miss Nunn dated Febry 26" 1883 & adressed to Board of school Trustees of this City signed by J. P. Hagin President, S. Schutz Treasurer & Allen Blacker Secretary, certifying that for reasons therein set forth said miss Nunn is Entitled to $240.00/4 on her contract to teach school within this City for 4 mos. moved & seconded, that the Board of school Trustees be ordered to pay this account as soon as the money from school Taxes shall be realized. which motion was carried.

The Bill of Sylvester Watts for 24 Fire Hydrants in use three months (Jany. Febry & Mch 1883. for $575.00/4. was referred to committee on Finance &c.

The Bill of Wm. B. Hooper & Co. for 1 C Oil 5 gals $5.00 was ordered paid, also the Bill of A. Campbell for Boarding up jail for $1.00/4

The Council then adjourned to Thursday May 31" at 8 p.m.

Approved

Joseph Magaffin

Mayor

Attest

S. L. Kahn City Clerk

Council Room
El Paso Texas May 31st 1883

The City Council met pursuant to adjournment on above date & at appointed hour His Honor Joseph Magoffin Mayor, in the Chair, who directed the Clerk to Call the Roll which resulted as follows Ald. Hague, Blum, Keating, Schuster & Blacker present, Ald Flood absent. City Clerk Kahn City Atty Buckler, & Marshal Manning present.

The following Resignation of Marshal Manning, of his official position was then received & read, to wit:

El Paso May 31st 1883

To the Mayor & City Council of the City of El Paso
Gentlemen!

I have the honor herewith to tender my resignation as Marshal of the City of El Paso, I have to thank you for the manner in which you have heretofore acted towards me, & I now express to you my regret, that so soon after my Election to the Office, circumstances now suggest to me the prudence of offering for your early consideration this my resignation Very Respectfully
Sigd Frank Manning

Moved & seconded that the resignation of Frank Manning of the Office of City Marshal of the City of El Paso be accepted & that he be granted to June 2d 1883 to make his report. Carried by the following vote — Ald. Hague, Blum, Keating, Schuster & Blacker voting aye.

The Comm. on Ordinances was granted further time to report on Ordinance for Erecting Drainage Ditch & providing means for same.

E. Krause, Sam. H. Wade & J. E. McCurdy applied in writing for the position of City Engineer & said applications were read.

Moved & seconded, that the Election of City Engineer be now proceeded with to fill vacancy occassioned by resignation of Mr Stange which was carried & the Council proceeded to ballot.
A. H Parker, having received three votes & Carl Goetz & Goetz two votes; A H Parker was duly declared Elected City Engineer

Moved & seconded that the Bond of City Engineer be increased to $5000.00. Moved & seconded to amend that said Bond shall be fixed at $2500.00 the vote on the amendment was as follows Ald Hague no Ald Blum aye, Ald Keating aye Ald Schuster, aye. Ald Blacker, aye. five votes each four for & one against the motion & the amendment was declared carried
The motion as amended was then put to vote & Carried

The following was then received & read, to wit:

El Paso Texas, May 24th 1883

To His Honor the Mayor & City Council, El Paso.

Gentlemen! I herewith respectfully tender my resignation as asst. Marshal of this City to take effect from & after this date

very respectfully signed J. H Comstock

Moved & seconded that the resignation of J. H. Comstock be accepted, Carried.

The motion to adjourn was lost by two to three.

The following report from the Comm. on Finance &c was rec.

El Paso Texas May 31st 1883

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

We the Committee on Finance, to whom was referred the accompanying account of J Fisher Satterthwaite, Street Commissioner, showing an account of money expended under his supervision in the improvement of the Main Plaza of the City between the 24th of March & the 25th of May 1883. & a balance due him at this time of $881.40/x would respectfully represent to the Council, that we have examined the said account & find it correct & would recommend, that as much as $500 thereof be appropriated towards the payment of the same. The Committee do not think it advisable to ask a greater appropriation than $500 00/x

Respectfully signed J. P. Hague Chmn

Paul W. Keating Comm on Fin.

moved & seconded that this report be adopted Carried

Moved & seconded to proceed with Election of City Marshal, Amended to postpone to Saturday night June 2nd 1883, Amendment was Carried & Motion as amended Carried

The Council then adjourned to Saturday June 2nd 1883 at 8 P.M.

Approved

Joseph Magoffin

Mayor

Attest

D L Kahn

City Clerk