

Regular meeting of the City Council : Austin, Texas, June 6<sup>th</sup> 1912.

The Council was called to order by the Mayor: Roll called :

Present Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Absent none.

The minutes of the last regular and subsequent recessed meetings were read.

Councilman Powell moved that the letting of a contract for paving 3rd street bids for which were asked for, to be opened this day, be postponed until a later date and that all bids be returned to bidders, which motion prevailed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

#### Reports of City Officers:

The Mayor laid before the Council the reports of the City Health Officer, the Matron of the Hospital, the Assessor & Collector of Taxes, The Treasurer and the City Clerk, which were read and ordered filed.

#### Unfinished business :

The Mayor laid before the Council the following resolution :

A resolution ordering the improvement of a portion of second street, in the City of Austin ; and approving specifications, proposals, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street in the City of Austin within the following limits, to-wit:

Second street from the east property line of Colorado street to the west property line of Congress Avenue, and from the east property line of Congress Avenue to the west property line of Brazos street.

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the performance of said work, by paving the said street with the Bitulithic paving upon the five inch gravel concrete foundation with concrete gutters along curb lines eighteen inches wide and necessary excavation; and

Whereas, the Texas Bitulithic Company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation	\$ 35 per Cu Yard
For excavation solid rock	.3.00 per Cu yd

For Bitulithic paving including five inch gravel concrete foundation as specified and concrete gutters with five years maintenance	2.21 per sq yard ; and
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Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic company and also a bond for the construction and maintenance thereof by the said company, with the United States Fidelity and Guarantee company as surety, and has submitted the same to the City Council ; therefore,

Be it resolved by the City Council of the City of Austin :

(1) That the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five inch gravel concrete foundation, necessary excavation and concrete gutters, all as set forth in said specifications.

(2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the Texas Bitulithic company to perform the said work be accepted and the said work be let to said company, and that the certain contract prepared and submitted

Bids for paving  
3rd street  
postponed

Paving 2nd street

Contract awarded  
to  
Texas Bitulithic Co

by the City Attorney for the performance of said work on said streets and the said is hereby approved, and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic Company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon, and that the same be accepted by the City of Austin upon execution by said principal and surety.

(3) That the cost of the said improvement shall be paid as follows, to-wit:

(a) The City shall pay to the said contractor the whole cost of improving the intersections of other streets and alleys with streets named to be improved; and

(b) The remainder of the cost of said improvement shall be paid by the owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; provided, that no assessment be made against any owner or his property, in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

The resolution was passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

The Mayor laid before the Council the following resolution:

A resolution ordering the improvement of a portion of Brazos street, in the City of Austin; and approving specifications, proposals, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street of the City of Austin within the following limits, to-wit:

Brazos street, from the south property line of east second street to the south property line of east third street, and from the north property line of east third street to the south property line of east fourth street; and

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the said work, by paving the said streets with the Bitulithic paving upon the five inch gravel concrete foundation with concrete gutters along cur lines eighteen inches wide, and necessary excavation; and

Whereas, the Texas Bitulithic company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation \$ .35 per cu yard

For excavation solid rock 3.00 per cu yard

For Bitulithic paving including 5 inch gravel concrete foundation as specified and concrete gutters with five years maintenance 2.21 per Sq Yd, and

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic company and also a bond for the construction and maintenance thereof by the said company, with United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council; therefore,

Be it resolved by the City Council of the City of Austin:

*Contract for  
paving Brazos  
street to fourth  
assessed  
Tex Bit Co*

(1) That the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five inch gravel concrete foundation, necessary excavation and concrete gutters, all as set forth in said specifications.

(2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the Texas Bitulithic Company to perform the said work be accepted and the said work let to said company, and that the certain contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved, and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee company be and the same is hereby approved as surety thereon, and that the same be accepted by the City of Austin upon execution by said principal and surety.

(3) That the cost of the said improvement shall be paid as follows, to-wit:

(a) The City shall pay to the said contractor the whole cost of improving the intersections of other streets and alleys with said streets named to be improved; and

(b) The remainder of the cost of the said improvements shall be paid by the owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after due notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5  
Nays none.

The Mayor laid before the Council a resolution ordering the improvement of a certain portion of Colorado street, in the City of Austin; and approving specifications, proposal, contract and bond therefor.

Whereas, It is deemed necessary to improve the following street of the City of Austin within the following limits, to-wit:

Colorado street from south property line of west 2nd street to the south property line of west 3rd street, and from the north property line of west 3rd street to the south property line of west 4th street; and

Whereas, the City Engineer of this City has this day filed with the City

Council complete specifications for the performance of the said work, by paving the said street with the Bitulithic paving upon the five inch gravel concrete foundation with concrete gutters along curb lines eighteen inches wide, and necessary excavation; and

*Contract paving  
Colorado street  
Awarded Per City*

Whereas, the Texas Bitulithic company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation	\$ .35 per cu yard
For excavation solid rock	3.00 per cu yard
For Bitulithic paving including 5 inch gravel concrete foundation as specified and concrete gutters with five years maintenance	2.21 per Sq Yd ; and,

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic company and also a bond for the construction and maintenance thereof by the said company, with the United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council ; therefore.,

Be it resolved by the City Council of the City of Austin :

(1) That, the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five inch gravel concrete foundation , necessary excavation and concrete gutters , all as set forth in said specifications.

(2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted and that the proposal of the Texas Bitulithic company to perform the said work be accepted and the said work let to said company, and that the certain contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved , and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal ; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic company in connection with the work of improving said street , be and the same is hereby approved , and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon , and that the same be accepted by the City of Austin upon execution by said principal and surety.

(3) That the cost of the said improvement shall be paid as follows , to-wit:

(a) The City shall pay to the said contractor the whole cost of the improving the intersections of other streets and alleys with said street named to be improved ; except, so much thereof as may be occupied by the rails and tracks of any railroad company , and twelve inches on the outside of said rails within which limits the cost of such improvements shall be borne by said railroad company . And such railroad company shall also bear and pay the cost of said improvements between and inside of its said rails and track and twelve inches on the outside thereof , ~~and~~ upon other portions of said street named to be paved in addition to said intersections

(b) The remainder of the cost of said improvement shall be paid by the owners of property abutting thereon , and assessed against them and their property in accordance with the Charter and ordinances of this City ; provided, that no assessment shall be made against any owner or his property , in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

The Mayor laid before the Council the following resolution :

A resolution ordering the construction of certain sidewalks on Rio Grande street , in the City of Austin, Texas.

Be it resolved by the City Council of the City of Austin :

*Sidewalks  
Rio Grande St*

(1) That sidewalks and curbs be and the same are hereby ordered to be constructed in front of and abutting on all lots and premises lying and being situated on both sides of Rio Grande street ,between its intersection with West sixth street and West nineteenth street ,in the City of Austin, Travis County ,Texas.

(2) That the said sidewalks and curbs herein above provided for shall be constructed at and upon the grades which have been or may hereafter ,at any time before such sidewalks and curbs are constructed ,be established by the City Council at the respective places herein above designated ; said sidewalks and curbs shall be constructed of concrete ,and said sidewalks shall be of a uniform width of 4 ½ feet .

(3) That the construction of said sidewalks and curbs shall be begun within thirty ( 30) days after the date of the notice to the owners of the above described property respectively abutting on same, and shall be completed respectively within ten (10) days after the commencement thereof

(4) That the City Engineer be and he is hereby instructed and required to file in the Office of the Supt of Streets and Public Improvements full plans and specifications as to how the details of said work are to be executed and completed ,and said work shall be done in strict accordance with said plans and specifications; and he shall also prepare and file with the City Council a statement consisting of the names of the owners respectively of the above described lots and premises, and shall make an estimate of the cost of each sidewalk and curb hereby ordered to be constructed, including all necessary filling and excavation, and shall also file same with the City Council .

(5) That upon the filing of such plans and specifications and such statement and estimates by the City Engineer, the Supt of Streets and Public Improvements be and he is hereby instructed and required to notify in writing the respective owners of the lots herein above described in accordance with the terms of the ordinances of the City of Austin regulating the construction of sidewalks.

Approved J Bouldin Mayor, City Attorney.

The resolution was passed by the following vote :

The resolution was passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Hart ,Haynes & Powell 4

Absent Councilman Bartholomew 1

The Mayor laid before the Council the following resolution :

A resolution ordering the construction of certain sidewalks on Guadalupe street ,in the City of Austin, Texas .

Be it ordained by the City Council of the City of Austin :

(1) That sidewalks and curbs be and the same are hereby ordered to be constructed in front of and abutting on all lots and premises lying and being situated on both sides of Guadalupe street ,between its intersection with West sixth street and West nineteenth street ,in the City of Austin, Travis County, Texas.

(2) That the said sidewalks and curbs herein above provided for shall be constructed at and upon the grades which have been or may hereafter ,

*Sidewalks  
Guadalupe St*



. at any time before such sidewalks and curbs are constructed, be established by the City Council at the respective places herein above designated; said sidewalks and curbs shall be constructed of concrete, and said sidewalks shall be of a uniform width of 4  $\frac{1}{2}$  feet.

(3) That the construction of said sidewalks and curbs shall be begun within thirty (30) days after the date of the notice to the owners of the above described property respectively abutting on same, and shall be completed respectively within ten (10) days after the commencement thereof.

(4) That the City Engineer be and he is hereby instructed and required to file in the office of the Supt of Streets and Public Improvements full plans and specifications as to how the details of said work are to be executed and completed, and said work shall be done in strict accordance with said plans and specifications; and he shall also prepare and file with the City Council a statement consisting of the names of the owners respectively of the above described lots and premises, and shall make an estimate of the cost of each sidewalk and curb hereby ordered to be constructed, including all necessary filling and excavation, and shall also file same with the City Council.

(5) That upon the filing of such plans and specifications and such statement and estimate by the City Engineer, the Supt of Streets and Public Improvements be and he is hereby instructed and required to notify in writing the respective owners of the lots herein above described in accordance with the terms of the ordinances of the City of Austin regulating the construction of sidewalks.

Approved, J Bouldin Reitor, City Attorney.

The ordinance was passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Hart, Haynes & Powell 4  
absent Councilman Bartholomew 1

. The Mayor laid before the Council the following resolution:

A resolution ordering the construction of certain sidewalks on Lavaca street, in the City of Austin, Texas.

Be it resolved by the City Council of the City of Austin, Texas.

(1) That sidewalks and curbs be and the same are hereby ordered to be constructed in front of and abutting on all lots and premises lying and being situated on both sides of Lavaca street, between its intersection with West sixth street and West nineteenth street, in the City of Austin, Travis County, Texas.

(2) That the said sidewalks and curbs herein above provided for shall be constructed at and upon the grades which have been or may hereafter, at any time before such sidewalks and curbs are constructed, be established by the City Council at the respective places herein above designated; said sidewalks and curbs shall be constructed of concrete, and said sidewalks shall be of a uniform width of 4  $\frac{1}{2}$  feet.

(3) That the construction of said sidewalks and curbs shall be begun within thirty (30) days after the date of the notice to the owners of the above described property respectively abutting on same, and shall be completed respectively within ten (10) days after the commencement thereof.

(4) That the City Engineer be and he is hereby instructed and required to file in the office of the Supt of Streets and Public Improvements full plans and specifications as to how the details of said work are to be executed and completed, and said work shall be done in strict accordance with said plans and specifications; and he shall also prepare and file with the City Council a statement consisting of the names of the owners respectively of the above described lots and premises, and shall make an estimate of the cost of each

*Sidewalks  
Lavaca St*

sidewalk and curb hereby ordered to be constructed, including all necessary excavation and filling, and shall also file same with the City Council.

Approved J Bouldin Rector, City Attorney.

The resolution was passed by the following vote :

Yeas Mayor Wooldridge, Councilmen Hart, Haynes & Powell 4

Absent Councilman Bartholomew 1

The Council then recessed subject to call.

Austin,, June 6th P M

The Council was called to order by the Mayor with all members present.

Councilman Powell offered a resolution ordering the improvement of a portion of the alley, between Congress Avenue and Colorado street, in the City of Austin; and approving specifications, proposal, contract and bond therefor.

The resolution was read the first time and laid over for one week.

Councilman Powell offered a resolution ordering the improvement of a portion of the alley between Congress Avenue and Brazos street, in the City of Austin; and approving specifications, proposal, contract and bond therefor.

The resolution was read and laid over for one week.

Mayor Wooldridge offered the following resolution :

Whereas, a City Warrent No 43,126, Dated Austin, Texas, April 1st 1909, and being for \$6,500.00 was, in the opinion of the City Attorney of this City, illegally issued to the Treasurer of the City School Board of the City of Austin, Texas, and was not legally and properly a charge against the General fund of this City; and,

Whereas, said School Board has, upon the request of the Mayor of this City, returned said warrent for cancellation;

Therefore:

Be it resolved by the City Council of the City of Austin :

That the Mayor of this City be and he is hereby authorized and instructed to cancel said warrent, No 43,126, for \$6,500.00, dated April 1st 1909, and payable to the Treasurer of the City School Board by writing across the face of said warrent in red ink the word "cancelled", together with the date of said cancellation and his signature as Mayor of this City, and file same as a cancelled warrent amongst the cancelled warrents held by the City of Austin.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5 5

Nays none.

The Mayor laid before the Council the following resolution :

Be it resolved by the City Council of the City of Austin that the said City Council hereby expresses its satisfaction with the assignment made on the sixth day of June 1912, by the Texas Trust Company of Austin, a private Corporation having its principal office in the City of Austin, Tex to the Commerce Trust Company, a private Corporation, having its

Paving alley  
Congress Ave

City Warrent  
issued to School  
Board Cancelled

*Assignment  
of Bond Contract  
by Texas Trust Co.  
to  
Commerce Trust  
Co. approved*

principal office in the City of Kansas City, Missouri, and attached to the bid made by the said Texas Trust Company of Austin, on the 4th day of June 1912, for \$ 750,000.00 of bonds to be issued by the City of Austin as in said bid specified, said assignment embracing the transfer and assignment, not only of said bid, but also the acceptance thereof by the said City of Austin, as well as of the contract constituted by said bid and acceptance.

Be it further resolved by that said City Council of the City of Austin subject to the terms and conditions herein after expressed, hereby accepts said Commerce Trust Company as substitute for said Texas Trust Company of Austin in regard to said bid and the acceptance thereof, and the contract resulting from said bid and acceptance, and in all respects as if said Commerce Trust Company had been the original bidder for said bonds and its bid had been accepted and the contract had been made with it instead of with said Texas Trust Company of Austin; provided that the said Commerce Trust Company and the Texas Trust Company of Austin shall, within fifteen days furnish the City of Austin with satisfactory evidence of authority for the execution of said assignment, otherwise, the Texas Trust Company shall be held to be liable in the premises for the full performance of all acts and obligations of the contract constituted by said bid and acceptance.

Be it further resolved by said City Council of the City of Austin that the certified check for \$ 7,500.00 deposited by said Texas Trust Company of Austin shall be considered and taken as deposited by said Commerce Trust Company.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none. The Council then adjourned subject to call.

Saturday June 8th 1912.

The Council was called to order by the Mayor with all members present:

Councilman Powell offered the following resolution :

Be it resolved by the City Council of the City of Austin, Texas.

That the resolution passes by the City Council of the City of Austin, June 3rd 1912, naming the following Committee to serve with the Council as an advisory Committee be and the same is hereby rescinded:

A C Goeth, Joe Harrell, A J Eilers, E C H Bantel, J W McClendon, J H W Williams, M M Shippe, Ott Stolley, Walter Remond.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

Councilman Powell offered the following resolution :

Be it resolved by the City Council of the City of Austin, Texas.

That the following Committee be and the same is hereby appointed as an advisory Committee to serve with the City Council and myself :

Permanent Streets.

A C Goeth, Joe Harrell & A J Eilers.

Sewer work.

E C H Bantel, M M Shippe & J H W Williams.

The nominations were confirmed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Haynes 4

Not voting Councilman Powell 1

The Council then recessed subject to call.

*City Streets  
Sewer Cos.*



Austin, Saturday June 8th 1912.

The Council was called to order by the Mayor with all members present.

The Mayor laid before the Council the following resolution :

Be it resolved by the City Council of the City of Austin :

That \$ 250.00 be and is hereby appropriated out of the General contingent fund of this City for the current year to pay off and discharge in full a judgement recovered against the City by Mrs Olive A Wilcox.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholemew, Hart, Haynes & Powell 5

Nays none.

The Council then recessed subject to call.

Austin, June 12th 1912.

The Council was called to order by the Mayor with all members present.

The following agreement with the Commerce Trust Co of Kansas City Mo, in regard to purchase of City bonds was approved and adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholemew, Hart, Haynes & Powell 5

Nays none.

#### Agreement.

This agreement made by and between the City of Austin, Texas, herein after designated as party of the first part, and the Commerce Trust Company of Kansas City, Missouri, a corporation organized under the laws of the State of Missouri, having its principal office at Kansas City, Missouri, herein after designated as party of the second part, witnesseth ,

First: The party of the first part binds itself and does agree to deliver to the party of the second part, and the party of the second part binds itself and does agree to accept , from the party of the first part , negotiable coupon bonds of the City of Austin, Texas, of the following descriptions and in the following amounts, to-wit:

\$ 250,000.00 five per cent Sanitary Sewer bonds bearing date of July first 1912, payable \$ 5,000.00 yearly for ten years after their date and \$ 10,000 payable each year after said ten years have expired. Principal and semi-annual interest payable at the Chase National Bank , New York City or at Austin, Texas. Denomination \$ 1,000.00.

\$ 250,000.00 five per cent Street Improvement bonds bearing date of July first , 1912, payable \$ 5,000.00 yearly for ten years after their date and \$ 10,000.00 payable each year after said ten years have expired .

Principal and semi-annual interest payable at the Chase National Bank, New York City or at Austin, Texas. Denomination \$ 1,000.00.

\$ 50,000.00 five per cent Cemetery bonds bearing *date* of July first , 1912, payable \$ 2,000.00 each year for twenty five years after their date.

Principal and semi-annual interest payable at the Chase National Bank New York City or at Austin, Texas. Denomination \$ 1,000.00.

\$ 150,000.00 five per cent School House bonds bearing date of July first 1912, payable in forty years and optional after twenty years from date.

Principal and semi-annual interest payable at the Chase National Bank New York City or Austin, Texas. Denomination \$ 1,000.00.

Lamayo's  
O. A. Wilcox  
Ordered Paid

Transfer Bond  
Contract

- \$ 50,000.00 five per cent Hospital bonds bearing date of July first, 1912, payable in forty years and optional after twenty years from date. Principal and semi-annual interest payable at the Chase National Bank New York City or at Austin, Texas. Denomination \$ 1,000.00.

it being understood and agreed between the contracting parties hereto, that at the time and when said bonds, or parts thereof are delivered to the party of the second part by the party of the first part, the party of the second part will pay and the party of the first part will accept in full for each \$ 1,000.00 bond so delivered and accepted the sum of \$ 1,001.63 and all accrued interest from date of bonds to the date of their delivery and in addition thereto furnish all blank bonds at the expense of the party of the second part.

Second: That prior to the delivery of any of the said bonds to the party of the second part the party of the first part agrees to promptly furnish to the party of the second part a full and complete certified transcript of proceedings evidencing the satisfactory title of each of said issues of bonds, herein before described, in the opinion of the Attorneys of the party of the second part—with the express understanding and agreement that should said Attorneys in their written opinion fail to approve one or more or all of said issues as legal in their opinion then the party of the second part shall be released from all obligation to purchase such one or more or all issues, as may not be approved, as soon as and when it presents to the party of the first part the original written opinion of said Attorneys advising that said one or more or all issues are not approved.

Third: That it is further understood and agreed by and between the contracting parties hereto that the party of the first part will furnish to the party of the second part such additional certified records, data and information and take all such additional procedure as the Attorneys of the party of the second part shall require in their opinion, to issue said issues of bonds in legal and most attractive form.

Fourth: That said bonds will be presented by the party of the first part to the party of the second part for acceptance and payment as follows: \$ 75,000.00 within fifteen days after their approval by the Attorney General of the State of Texas, and registration by the Comptroller of Public Accounts of the State of Texas, and \$ 75,000.00 each thirty days thereafter, until the entire amount accepted, approved and registered has been delivered by the party of the first part to the party of the second part—with the express understanding and agreement that the party of the second part retains and is granted the right and privilege of demanding and receiving delivery of all or any part of the bonds undelivered at any time or times after their acceptance, approval and registration, in such amounts and description as it may elect.

Fifth: That receipt of a certified cheque, in the amount of \$ 7,500.00, deposited by the party of the second part guaranteeing the performance of this contract, is hereby acknowledged by the party of the first part, with the understanding and agreement that \$ 10.00 of the amount of said certified cheque is to be applied on the purchase payment price of each \$ 1,000.00 bond, when accepted by the party of the second part; or when sufficient written notice is served on the party of the first part, by the party of the second part that its attorneys have failed to approve one or more or all of said issues of bonds as provided for in section " Second " hereof, then the party of the first part shall promptly return to the party of the second part \$ 10.00 for each \$ 1,000.00 bond not approved by said attorneys, out of the amount of the above mentioned certified cheque.

In Witness of the above agreement, we the mayor and City Secretary, of the City of Austin, Texas, duly authorized to bind and contract for the party of the first part, and Gerald Parker, duly authorized to bind and contract for the party of the second part, do hereby set our hands at Austin, Texas, this the 12th day of June 1912.

City of Austin, Texas.

Seal.

By A P Wooldridge, Mayor

Party of the first part.

Attest, Jno O Johnson, City Clerk.

Commerce Trust Company, of Kansas City, Mo.

By Gerald Parker.

Party of the second part.

This agreement of this and two foregoing pages executed in duplicate.

The Council then adjourned.

*Jno O Johnson*  
City Clerk.