

Minutes of a Regular Meeting of the City Council.

Austin, Tex., March, 18, 1895.

Hon John M^cDonald, mayor, presiding.

Roll call.

Present- Aldermen Fischer, Glass, Gluscock, Goeth, Haynes, Hume, Jackson, Linn, Nitahke, Platts, Powell, Redd, Roberdeau, Shelley, Taylor, Tobin, Townsend-17.

Absent- Aldermen Anderson, Asmann, Lawless, Schneider, Warmoth-5.

Minutes of the meeting of the city council held March 4, 1895, were adopted as printed.

Aldermen Anderson and Warmoth entered the council chamber and answered to their names.

Petitions, Etc.

S. J. Drake's petition
relating to taxes.

By Alderman Goeth. A communication from De Cardova & Son, agents for S. J. Drake, which states: We are authorized by Mr S. J. Drake, to submit the following proposition in reference to the payment of his taxes for the years 1891, 92, and 93, according to the statement hereto attached, which is a copy of one given me by the city collector of taxes. The total amount of his taxes for said years is six hundred and ninety-seven ³⁸/₁₀₀ dollars. He offers to pay five hundred dollars as taxes for said years and to immediately pay his taxes for 1894. Five hundred and fifteen dollars of this amount due is taxes on block 1 and 2, Fairview Park, the principal value of which was improvements which Mr Drake never claimed or owned, and said improvements were totally destroyed by fire in the first part of 1893. If Mr Drake's offer is accepted we will at once give the collector draft for this amount and his 1894 taxes."

Alderman Anderson moved to refer the proposal to the committee on claims and accounts and the motion prevailed.

Mrs M. L. Andrews's
petition.

By Alderman Shelley. A petition from Mrs M. L. Andrews, by Thomas M. Andrews, requesting the city council to correct an error in a deed to a lot in the city cemetery, by changing it to read: "Southeast quarter of lot No 354" instead of the "northwest quarter of lot No 354" as it now reads.

Alderman Shelley moved that the mayor be authorized to correct the deed according to the request of petitioner and the motion prevailed.

South Austin Fire
Co No 5. Petition
for allowance of \$100.

By Alderman Redd. A petition from a committee of the members of the South Austin Fire Company No 5, requesting the city council to allow them the necessary amount for running expenses (\$100 per month for hire of driver and the purchase of feed for horses, etc) and the use of the old fire bell which now stands on the city hall.

It was referred to the committee on Fire department.

Aldermen Schneider and Asmann entered the council chamber and answered to their names.

Cart mule sold.

The City Engineer presented a report which states that he has sold the condemned cart mule for \$10.00 and deposited the amount with the city Assessor and Collector. No action was taken on the report.

Reports of Committees.

C. J. Martin.

Alderman Jackson, for the committee on streets, bridges and alleys, to whom was referred the petition of C. J. Martin asking for a renewal of lease on the river walk for the purpose of continuing the operation of a grist mill for a period of two years from December 1, 1894, presented a report thereon which states: "That we have investigated same and find that there is due on said lease \$50.00 for one year, and that your committee would recommend the lease be renewed for one year, and that the money for 1894 be collected and also for 1895 the same amount in advance, on the renewal of lease, said lease terminating December 1, 1895."

The report was adopted.

The following was read:

Proposition of John Orr & others

"We, the undersigned citizens of the Fifth ward of the City of Austin, hereby propose to advance to the city of Austin two hundred and fifty dollars (\$250.00) in consideration of the city's laying a six-inch main from the corner of Twenty-second and Pearl streets to the corner of Nineteenth street, and placing of a fire hydrant on the corner of Twenty-second street, to be reimbursed to us when there is available funds in the city treasury.

John Orr.

John W. Hill

F. W. Hill.

H. B. Hill."

The above communication was read at a meeting of the Water and Light Commission held on March 11, 1895, and on motion it was received and referred to the city council with the recommendation that the proposition be accepted.

W. J. Oliphant,

Secretary.

Alderman Anderson moved that the matter be laid over to come up later and the motion prevailed.

Fire Ordinance

Amending election of officers.

Alderman Roberdeau, for the committee on Fire Department, to whom was referred an ordinance entitled "An ordinance amending articles 262 and 263, Chapter 1, title VIII, of the revised Civil and Criminal Code of the City of Austin", submitted a report thereon recommending the passage of an accompanying substitute.

The report and substitute were laid over to be taken up under the head of unfinished business.

Alderman Powell, for the committee on Police to whom was referred the city marshal's reports for the month of February, 1895, submitted a report thereon which

Majority Report on
Austin City Cemetery
Extension.

states that they were examined and found to be correct.
No action was taken on the report.

Alderman Platt presented the following majority report:

To His Honor, the Mayor and Board of Aldermen of the City of Austin:

Your committee to whom was referred an ordinance authorizing the Austin City Cemetery Association to establish a cemetery in the city of Austin, beg leave to report that we have carefully considered the same; also the protests of citizens against the extension, alleging that it will be detrimental to health and cause a depreciation of property values.

Your committee fails to see how the burial of the dead in the new addition would effect the health or a depreciation of property values, when we take into consideration the fact that the present cemetery forms two sides to the new proposed cemetery ground enclosure. If one effects the health and a depreciation of property values, the other must be equally so and the people who have property there got the benefit of the depreciation when they bought.

Looking at it from a sanitary stand-point, your committee believe that that portion of the city will compare favorably with any other portion of the city and is especially favored in many other respects and have no kick coming to them on that score.

The people are clamoring for more ground for burial purposes; the city is not in a condition to buy; the question is "What are we going to do?" Under the circumstances your committee recommend that the city accept the proposition of the Austin City Cemetery Association and that the ordinance do pass with the following amendment:

"Strike out on the last line in section 2 and after the word 'city' insert 'as the city council may hereafter designate.'"

R. Platt, Chairman.

J. H. Warmoth.

Alderman Haynes submitted the following minority report:

Austin, Texas, March 4, 1895.

To the Hon. Mayor and City Council of the City of Austin:

As a minority of your cemetery committee to whom was referred the ordinance granting to Otto Bergstrom, Esq., and associates the right to extend the limits of the present city cemetery under proposition submitted by them to your honorable body, I respectfully report against the granting of said extension for the reason that it would materially injure and reduce the value of the homes of many of our fellow citizens.

As a matter of sentiment and on personal grounds I could agree with the majority report, but now in justice

Minority report
on same.

to the many people who now live in the vicinity of the cemetery many of whom have only recently acquired their little homes with the belief and understanding that the city was making her fight in the courts against extension in good faith, believing the courts would uphold the city and by their decision prohibit the extension of this city of the dead which was established when Austin was only a village and around which we now have a city of the living.

As one of the Cemetery committee, I would not undertake to decide or report favorably this question against these people, who of all the people of this fair city are most deeply concerned, and I believe the time has come in the history of Austin when we should forever decide this constantly recurring and aggravating question and look elsewhere than at our neighbor's very doors for a resting place for our loved ones when called from us and that the city should at once provide or accept some provision for cemetery grounds outside the limits or resident portion of the city to be laid out as a modern cemetery with broad circular walks and drives instead of the restricted narrow walks and drives of the old cemetery and where lots can be had by our people at not exceeding 25 to 30 dollars instead of 100 to 200 dollars as they are now compelled to pay by the present syndicate.

Therefore I ask that the proposition be not accepted.

Respectfully Submitted.

H. L. Haynes.

Minority- Cemetery Committee

Alderman Nitschke moved that the reports be laid over to come up with the ordinance named in each and the motion carried.

Charter Com. given
further time

Alderman Glass, for the special committee on charter amendments, asked for further time in which to prepare a report.

Alderman Jackson moved that further time be granted the committee.

Alderman Glascock moved to lay the motion on the table, which was lost.

The motion made by Alderman Jackson was then adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Goeth, Haynes, Jackson, Linn, Powell, Roberdeau, Shelley, Taylor, Tobin, Townsends, Warmoth-15.

Nays- Aldermen Glascock, Hume, Nitschke, Platt, Redd, Schneider.

Marked Com.
given further time

Alderman Powell moved that the committee on markets be granted further time in which to prepare a report concerning the repairing of the city

clock. Carried.

Alderman Lawless entered the council chamber and answered to his name.

Unfinished Business.

Austin City Cemetery
Assn. Comm. Reports.

The majority and minority reports from the Cemetery Committee were taken up, whereupon Alderman Linn moved that the minority report be substituted for the majority report. The motion was lost by the following vote:

Yeas- Aldermen Goeth, Haynes, Hume, Jackson, Linn, Roberdeau, Taylor, Tobin, Townsend- 9.

Nays- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Lawless, Nitschke, Platt, Powell, Redd, Schneider, Shelley, Warmoth- 13.

Alderman Shelley then moved the adoption of the majority report and the motion prevailed by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Lawless, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Warmoth- 15.

Nays- Aldermen Haynes, Hume, Jackson, Linn, Taylor, Tobin, Townsend- 7.

Alderman Taylor asked unanimous consent to the presentation of a petition of voters or freeholders of the Seventh ward of the city of Austin, urgently requesting the aldermen of said ward to use thier influence against any extension of the city cemetery.

Objection was made and the petition was laid aside without being read.

The Ordinance
on above.

An ordinance entitled "An ordinance authorizing the Austin City Cemetery Association to establish a cemetery in the city of Austin", was taken up on its second reading and read. Alderman Shelley then moved that the rules be suspended and the ordinance placed on its third reading.

Alderman Jackson moved that the petition above referred to be read and the motion carried. The petition was then read.

By permission Mr Joseph W. Cloud addressed the council in opposition to the proposed extension.

Alderman Taylor moved that further action on the ordinance be suspended and that an election be ordered to be held in the Seventh ward for the purpose of ascertaining the will of the people therein in regard to the proposed extension of the city cemetery.

The motion was lost by the following vote:

Yeas- Aldermen Goeth, Haynes, Hume, Jackson, Linn, Roberdeau, Schneider, Taylor, Tobin, Townsend- 10.

Nays- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Lawless, Nitschke, Platt, Powell, Redd, Shelley,

Warmoth-12.

Alderman Tobin moved to amend section 3 of the ordinance by striking out "\$100" and inserting in lieu thereof "\$25" as the maximum price the association may charge per block of 25 feet by 30 feet. The amendment was adopted by the following vote:

Yeas- Aldermen Goeth, Haynes, Hume, Jackson, Lawless, Linn, Powell, Roberdeau, Schneider, Taylor, Tobin, Townsend-12.

Nays- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Nitschke, Platt, Redd, Shelley, Warmoth-10.

Alderman Schneider moved that the rules be suspended and the ordinance placed on its third reading, which was adopted by a vote of two-thirds of the whole council.

Alderman Platt then presented the following:

"On condition that the city of Austin will open a street 60 feet in width on the west side of two and one-half acre tract purchased for cemetery purposes and the further condition that it will pay all costs accruing in an injunction suit to prevent using the same for cemetery purposes, I agree to dismiss or discontinue said suit. R. J. Dawson."

No action was taken on the proposition.

A motion was then made that the ordinance under consideration now pass and the motion prevailed by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Lawless, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Tobin, Warmoth-16.

Nays- Aldermen Haynes, Hume, Jackson, Linn, Taylor, Townsend-6.

Alderman Tobin gave notice that he would move a reconsideration of the vote by which the ordinance was passed, at the next meeting of the city council.

Alderman Hume was excused from further attendance on the session of the council.

Fire Ordinance.

Amending as to election of officers.

An ordinance entitled "An ordinance amending article 262 and 263, Chapter 1, title VIII of the Revised Civil and Criminal Code of the City of Austin" was taken up on its second reading. A motion was then made by Alderman Schneider to adopt the substitute submitted by the committee on fire department in lieu of the pending ordinance. The motion was adopted. The substitute was then read a second time and passed under suspension of the rules.

The ordinance relates to the election of officers of the fire department and provides that each member, having served in any company three months preceeding the election, shall be entitled to vote.

New Business.

Mayor's Message
recommending
issuance of \$200,000.
L & L Bonds
additional

the following message.

The Mayor presented

Mayor's Office.
Austin, Texas, March 18, 1895.

To the Honorable City Council.

Gentlemen— The pumps of the city's waterworks were started on the 7th instant and they worked nicely. Water has been pumped into the mains and the pressure was slowly raised until 100 pounds were reached and carried at that for some time. There have been some breaks in the pipes, and some few leaky joints developed. All have been repaired and made good. We may expect others, but we shall probably be able to maintain a steady and continuous pressure on our pipes after this week.

Many of our citizens are making connections with our mains and applications to the number of 500 are already in, but many of our citizens are situated some distance from the mains.

Our original plans called for a six inch pipe on every street through the populous parts of the city, also six inch mains were to have been laid through the outlying portions of the city in order that our whole city could be furnished with water.

The Board of Public Works, finding that they were running short of funds recommended to your honorable body that you adopt the plans of pipes leaving out every other street and cutting down the quantity of pipe to be laid from fifty-two miles to twenty-four miles. This was done thus leaving many of our citizens out of reach of water except at a large and unreasonable expense for service connections. Those of our citizens living away from the water mains have a right to feel that they have been unfairly treated, and a right to ask why it is thus.

In the first place the \$1,400,000.00 of water works and electric light bonds netted the city only \$1,340,860.00 and the extra work caused by the break, and the enlargement of the plant over our original plans, have greatly increased the cost of our works.

Notwithstanding every effort has been made to economize, always with due regard to the character of the work, we find ourselves to-day not only with no means to extend our mains to meet the wants of our people, but with a deficiency of \$454,94.00 as will be seen by the following:

The balance yet unpaid on contracts made are as follows:

Stilwell Pierce & Smith, Vaile Co, for wheels, pumps, etc,	\$4,836.00
Stilwell Pierce & Smith, Vaile Co, for counter shafting, etc,	4104.00
Ritter & Conley, for headgate castings, penstocks, etc	9758.93
H. L. Breneman, for power house	10298.45
Howard Harrison Iron Co, for pipe and specials	14131.54

Wingfield Bros., for pipe laying	4977.96
General Electric Co. for electric power generators	5330.38
Fort Wayne Electric Co. for dynamos	20249.45
Fort Wayne Electric Co. for electrical distribution system	7970.14
Nonwich Belt Mfg Co. for belts	2295.48
Page Belting Company for belts	41.80
Making a total of	\$83992.03

The balance in the Water and Light fund in the treasury is 38498.00
 which leaves a deficiency on amount yet to be paid on
 contracts of 45494.03

To which should be added for extras, for engineering
 and contingent expenses yet to be incurred, say 4505.97

Making a total deficiency in round numbers of \$50000.00
 It will require some thirty miles of six inch pipe to complete our system so as to reach all our people, and this will cost about \$70000.00

While we can use our system by direct pressure it is not what we ought to depend upon. We ought to build a reservoir of about one hundred millions capacity. This would reduce the wear and tear on our pumps, reduce the expense of operation by reduction in the number of employees, and insure a constant supply of pure, clear water with constant pressure, reducing our fire risk and saving much wear and tear in the plumbing throughout the city by reason of maintaining an even pressure.

The estimate cost of the reservoir, the reservoir site and the twenty-four inch pipe connection therewith is \$81000.00. This would make our system complete in every respect.

To do all this will cost as follows:

The present deficiency	\$50000.00.
Thirty miles of pipe in town and additional fire hydrants, valves, etc	70000.00
Twenty-four inch pipe to reservoir	20000.00
Reservoir and reservoir site	10000.00
Total	\$200000.00

The question now is, what shall be done? Some people have advised that we anticipate the revenues from our Water and Light plant to pay out the deficiency and to extend our mains, and ultimately build our reservoir. I do not consider this plan desirable. Our fiscal year closes on November 30th 1905 and while I am confident that our revenues from the water and light system will exceed \$125000.00 per annum above operating expenses, yet we can not expect more than \$50000.00 above operating expenses for the balance of this fiscal year. This would be covered by the deficiency already existing and we would have nothing left with which to extend pipes or build a reservoir until after November 30th next.

If we were to anticipate and use the revenues of the system for the year 1896 for these purposes we would have to assess and collect a tax of ninetyone cents on the one hundred dollars worth of property in the city to pay the interest and sinking fund on the water works and electric light bonds, thus continuing the burden on our people for years to come. This, I think, would be very unjust and unwise.

It seems to me that the only thing and the proper thing to be done is to ask our people to vote for the issuance of \$200,000.00 additional water works and electric light bonds to complete our entire system at once, and use the revenues of the system for paying the interest and sinking fund on the water and light debt.

I would most heartily recommend that an order for an election be given in order that the people may determine whether or not the additional \$200,000.00 in bonds shall be issued, for by adopting this course all of our citizens will be treated with equal fairness in the matter of water and light, and there will be little or no taxation for that purpose.

Very Respectfully

John M^cDonald, Mayor

Alderman Jackson moved that the city council concur in the recommendations of the mayor.

Alderman Schneider moved to amend the motion by adding thereto "and that the message be printed in full in the minutes of the city council" The amendment was accepted and the motion as amended was then adopted.

Alderman Anderson then moved that the message be referred to the committee on ordinances and the city attorney with instructions to prepare the necessary ordinances; and when the council adjourns tonight adjournment be taken until Friday night, March 22, 1895 at 8 o'clock.

Alderman Nitschke moved to amend the motion by adding the finance committee to the special committee. The amendment was accepted and the motion as amended adopted.

75 and Fisher & Townes

The mayor presented the following named ordinance
An ordinance appropriating the sum of seven hundred and fifty dollars to pay balance of fee due Fisher and Townes under ordinance approved July 3rd 1893.
It was passed under suspension of the rules by the following vote:

Yeas. Aldermen Anderson, Asmanson, Fischer, Glass, Glascock, Laeth, Haynes, Jackson, Lawless, Linn, Platt, Powell, Redd, Robertson, Schneider, Shelley, Taylor, Tobin,

Townsend, Warmoth-20.

May- Alderman Nitschke.

\$17500⁰⁰ Interest
on W & L Bonds

By Alderman Linn- An ordinance appropriating the sum of \$17500.00 for the purpose of paying interest on water works and electric light bonds of the city of Austin, due April 1st 1895.

The ordinance was passed under suspension of the rules by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Payton, Tobin, Townsend, Warmoth-21.

Taxes- Redemption
of real estate
sold for.

By Alderman Linn- An ordinance authorizing the redemption of real estate heretofore sold for taxes and bid in by the City of Austin. It was read the first time, and then a second and third time under suspension of the rules and passed by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Payton, Tobin, Townsend, Warmoth-21.

The ordinance provides that the owners of all real estate which has been heretofore sold for taxes and bid in by the city of Austin shall have the right to redeem the same at any time within six months from the time this ordinance takes effect, by the payment of all taxes and costs due upon such real estate, together with six per cent interest on the amount of such taxes from the date of such sale.

Election of
Fire Dept
Officers.

Alderman Nitschke moved that tellers be appointed to canvass the returns of the election held to-day for the purpose of electing officers of the Austin Fire Department.

The motion was adopted and the mayor appointed Aldermen Nitschke, Schneider and Linn as tellers.

Alderman Glass was excused from further attendance on the session of the council.

Alderman Nitschke, for the tellers above named, reported verbally that the vote cast for officers of the Austin Fire Department appeared from the returns to have been as follows:

For Chief:

W. P. Ford, chief

W. P. Ford received 140 votes. R. Raaty received 2 votes. A. Ziller received 1 vote. Aug Pressler received 1 vote. Jack Frost received 1 vote. H. Schneider received 1 vote.

W. E. Russell, A. C.

For Assistant Chief: W. E. Russell received 149 votes.

Tom Smith, Recr.

For Recorders: Tom Smith received 149 votes.

The Council confirmed the election of W. P. Ford as Chief of Austin Fire Department for the ensuing term.

Also the election of W. E. Russell as assistant chief and Tom Smith as recorder.

Message of Mayor.

Alderman Tobin moved to reconsider the vote by which the message of the Mayor was referred to the committee on Ordinances and finance and the City Attorney. The motion was lost.

\$4700 Rock C. & L.
on Lampasas.

By Alderman Jackson: An ordinance appropriating the sum of \$47 for the purpose of constructing a rock culvert on Lampasas street, near Grooms addition.

It was passed under suspension of the rules by the following vote:

Yeas: Aldermen Anderson, Asmann, Fischer, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Kitchke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth - 20.

D. P. Kinney.

By Alderman Schneider: A resolution allowing D. P. Kinney rent for electric light poles on his grounds. The amount named is \$4.00 per month.

Alderman Shelley moved to amend the resolution by inserting therein the words: "Provided, that when the city council determines to purchase the land referred to herein the amount of rent paid by the city up to that time shall then be considered and applied as part of the purchase money. The amendment was adopted and pending further action on the resolution Alderman Linn moved that the council stand adjourned until Friday, March 22, 1895, at 8 o'clock p.m. and that motion prevailed.

Milton Morris
City Clerk.

Minutes of an Adjourned Regular Meeting of the City Council.

Austin, Texas, March 22nd 1895.

Hon John Mc Donald, Mayor, presiding.

Roll call.

Present- Aldermen Asmann, Glass, Glascock, Goeth, Jackson, Linn, Nitschke, Platt; Powell, Redd, Roberdeau, Schneider, Shelley, Taylor- 14.

Absent- Aldermen Anderson, Fischer, Haynes, Hume, Lawless, Robin, Townsend, Warmoth- 8.

Alderman Nitschke moved that the council take a recess of ten minutes. Carried.

After expiration of the recess the roll was again called with the following result:

Present- Aldermen Anderson, Asmann, Glass, Glascock, Goeth, Haynes, Jackson, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor- 14.

Absent- Aldermen Fischer, Hume, Lawless, Robin, Townsend, Warmoth- 6.

D. P. Kinney.

The pending business being the further consideration of "a resolution allowing D. P. Kinney rent for electric light poles on his grounds" Alderman Schneider moved to suspend the rules and place the resolution on its second reading.

Alderman Anderson moved to amend the motion by referring the resolution to the water and light Commission. Carried.

Alderman Lawless entered the council chamber and answered to his name.

The following was read:

Austin, Texas, March 21, 1895.

To the Mayor and City Council of the City of Austin, Austin, Texas.

Gentlemen- As receiver of the City Water Company and Austin Water, Light and Power Company, I desire to call your attention to sections (8) eight and (11) eleven of contract between the city of Austin and the City Water Company, of date 13th of April, 1882, pages 408 to 416, both pages inclusive, of revised civil and criminal ordinances of Austin, adopted May 17, 1886. By paragraph three (3) of section (8) eight, the city has been using water largely, nominally free of charge but has failed to comply with the conditions prescribed in said paragraph to make said water actually free, in fact, viz: Having entirely failed to pay a rental (according to said contract) on the first one hundred (100) hydrants; thus making said city liable for the use of the hydrants mentioned in said paragraph for which use there was due January 1, 1895, \$8125.

Communication
from E. C. Butcher
owner, Receiver,
et. A. W. L. & P. Co.

no part of which has been paid, unless the city adjusts this matter promptly I shall be compelled, under my duty as receiver, to seek relief through the courts.

In regard to section (11) eleven of said contract, I now notify you that I shall continue to strictly comply with that part of the contract and I shall expect at stated periods, at least once annually, to receive compensation for such service equal to the annual city tax on the property of the City Water Company.

This notice is given you to the end that there may be no misunderstanding between the City of Austin and myself in regard to my full determination to comply with said sections in the discharge of my duty, and shall expect a like compliance on the part of said city.

This notice in no way affects the contract in regard to the other (142) one hundred and forty-two hydrants the city has been and is now using for fire purposes. It would oblige me to have a reply to this notice, that I may govern myself accordingly.

Your obedient servant
E. C. Bartholomew

Receiver City Water Company.
and Austin Water, Light & Power Company.

Alderman Linn moved to refer the communication to the Water and Light Commission and the city attorney. The motion was adopted.

Ordinance to ascertain amount of occupation tax.

By Alderman Linn. An ordinance entitled "An ordinance: To provide a method of ascertaining the class of a merchant, so as to determine the amount of his occupation tax, and to provide for the collection of same, and fixing penalties for the violation of the provisions of this ordinance."

It was read the first time and on motion of Alderman Schneider referred to the Committee on ordinances.

The ordinance provides that merchants shall make affidavit in substance as follows:

"The undersigned, as a representative of— doing business at Austin, Texas, do solemnly swear that the estimate made of the annual purchase of said concern of goods, wares and merchandise for the next ensuing year does not exceed ——— thousand dollars. I further swear that the annual purchases of said concern for the past: ——— months did not exceed the sum of. ——— thousand dollars."

Alderman Roberdsen for the Committee on fire department, to whom was referred a petition from

A Fire Co. No 5.
Comm. Report.

South Austin Fire Company, No 5 asking that they be allowed \$100 per month for hire of driver and feed for horses, etc, submitted a report thereon which states: "That after carefully considering same respectfully recommend that the petition be granted with the following amendment: Strike out \$100 per month and insert \$50 per month" The report was adopted.

Proposition of
Grocer & others.

The proposition of Messrs John Orr, John W. Hill and others in regard to advancing money to the city for the purpose of laying a water main from the corner of Twenty-second and Pearl streets to the corner of Nineteenth street and placing a fire hydrant on the corner of Twenty-second street, was taken up, whereupon Alderman Schneider moved that it be laid over until the next regular meeting of the city council, and the motion prevailed.

D. P. Kinney

Alderman Anderson moved that the city Assessor and Collector Mr Fred Sterging, be directed to make tender of \$400 to Mr D. P. Kinney in settlement of damages to his land in opening up Fifth street. The motion was adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Glass, Goeth, Jackson, Lawless, Mitschke, Powell, Redd, Schneider, Shelley, Total 11.

Nays- Aldermen Glascock, Haynes, Linn, Platt, Roberdeau, Taylor- 6.

Ordinance
ordering election
for issuance
additional C & L
Bonds.

By Alderman Taylor- An ordinance entitled "An ordinance ordering an election to obtain consent of the property tax paying qualified voters of the city of Austin, to the extension by the city council of the bonded indebtedness of the city of Austin in the sum of two hundred thousand dollars, for the purpose of completing the system of waterworks now in course of construction and furnishing lights for the city of Austin." It was read the first time, and on motion of Alderman Anderson, referred to the committee on Finance.

Occupation
Tax or.

Alderman Taylor moved to reconsider the vote by which an ordinance entitled "An ordinance to provide a method of ascertaining the class of a merchant, so as to determine the amount of his occupation tax and to provide for the collection of same, and fixing penalties for the violation of the provisions of this ordinance," was referred to the committee on ordinances, and the motion prevailed.

Alderman Linn then moved to suspend the rules and place the ordinance on its second reading.

The motion was lost by the following vote:

Yeas- Aldermen Anderson, Asmann, Glascock, Goeth, Haynes, Lawless, Linn, Platt, Schneider, Shelley, Taylor- 11

Nays- Aldermen Glass, Jackson, Mitschke, Powell, Redd, Roberdeau- 6

The Council then adjourned.

William Morris

City Clerk.