

Minutes of a Regular Meeting of the City Council.
Austin, Texas. Oct. 21st 1895.

Hon. John McDonald, Mayor, presiding.

Roll called.

Present- Aldermen, Anderson, Asoman, Fischer, Glass, Glascock, Haynes, Lawless, Linn, Mitschke Platt, Powell, Reed, Roberdeau, Schneider, Shelley Taylor, Tobin, Townsend and Wernoth.

Absent Aldermen. Eorch and Hume.

Adoption of minutes
of last meeting

The minutes of the last regular meeting were adopted as printed.
By Alderman Taylor. A resolution that the Council meet hereafter at 8 o'clock P.M. adopted.

Alderman Linn presented the following petition.

Austin, Texas, Oct. 16th 1895.

Petition of J. L. Peeler Pres.
American Carnival
Regatta Association

To the Honorable Mayor and City Council of Austin.
The American Carnival Regatta Association respectfully petitions your honorable body to allow it to fence that portion of land starting at and running on a straight line with the dam to or near the track of the Austin Dam and Suburban Railway company, thence west along said track to the rear end of the house formerly used as an office in building the dam, or, rather, to the line of Hon. John McDonald. It is very important that you grant our request. The boat houses used for the regattas heretofore have been on the river some four or five hundred yards from the dam, but the one we propose to use now is situated near the dam, where all of the oarsmen can be seen, and the races start and finish there, which would be very convenient to the spectators. If you should decline to grant our request, then we will be forced to start and finish our races quite a distance up the river, at a great inconvenience to ourselves and annoyance to our people. The stockholders of this association consisting of about two hundred representative citizens of Austin, join us in making this request and we most respectfully beg of you to act immediately upon this matter, as there is not a moment's time to lose.

In event of your compliance with our request the fence will be erected about the 1st of November and removed about the 1st day of November, 1895. at our own expense.

Thanking you in advance for any kindness you may show us, we are,
very respectfully yours.

J. L. Peeler, President.

The Petition was granted.

Petition of Don Wilson
for remission of fine.

By Alderman Fischer. Petition of Don Wilson requesting the Council to remit a fine assessed against him in the Recorder's court for obstructing the sidewalks. The petition was approved by the Mayor.

Alderman Taylor moved to lay the petition on the table. Lost by the following vote: Yeas. Aldermen Glascock, Haynes, Platt, Roberdeau, Taylor and Wernoth, 6.

Nays Aldermen Anderson, Asoman, Fischer, Glass, Lawless, Linn, Mitschke, Powell, Reed, Schneider, Shelley, Tobin, and Townsend- 13.

The petition was not granted.

Resolution introduced.

The following invitation from the Board of Trade was read and on motion

accepted:

Austin Texas, Oct. 21st 1895.Invitation from Board of
Trade

To Hon. John McDonald, Mayor, and Members of the Austin City Council.
Gentlemen: A cordial invitation is hereby extended to your honorable body to meet with our citizens in mass meeting assembled tomorrow night at 8 o'clock at Milllett's Opera house to consider the all important subject of the "Austin Cotton Mill," the first enterprise of any magnitude which has been promoted to use our great water-power and the popularity of which is attested by the fact that with only a preliminary canvass there are over 900 subscribers to the stock. We need your assistance and co-operation in what promises to be of the greatest benefit to Austin.

Very truly yours,

The Austin Board of Trade.

Petition of Merchants
of the City of Austin

By Alderman Anderson.- Petition of Merchants of the City of Austin, requesting the Council to pass an ordinance prohibiting retail street drummers soliciting trade on the streets without a license.

On motion of Alderman Sinn the petition was referred to the ordinance committee and the City Attorney.

Petition of Thos H Wheeler
to repair & remove certain
buildings

By Alderman Anderson.- Petition of Thos. H. Wheeler to repair and remove certain buildings and awnings, which petition was granted.

Petition of Jos Stumpff and
Geo. Bengener, Hall Trustees

By Alderman Goberdeau.- Petition of Joseph Stumpff and Geo. Bengener, Hall Trustees, for permission to make certain improvements and changes in the Hall of Hook and Ladder and Colorado Fire Companies. The petition was granted.

Report of Finance Committee

Alderman Sinn moved to suspend the regular order of business and allow the Finance Committee to make a report. Carried.

Alderman Sinn then submitted the following report from the committee on Finance:

Austin, Texas, Oct. 21st 1895.

To the Honorable City Council of the City of Austin:

Gentlemen- Referring to the proposition of A. B. Woodbridge, President of the City National Bank, with reference to sale to the City of Austin, fifteen thousand dollars of Water Works and Electric Light 5 per cent gold Bonds to be paid for out of the Sinking Fund of said Bonds, at 98½ cents, which said proposition was approved by the Finance Committee of the City Council and accepted by your honorable body, and for the purchase of said Bonds an ordinance was duly passed on Oct. 7. 1895 and approved on Oct. 8, 1895 appropriating the sum of fourteen thousand and eight hundred dollars with which to pay for said Bonds, we beg leave to report that the Bonds of the issue above named have been delivered and paid for as follows, viz: Bonds numbered 378, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 395, 396, 397, and 398, say 15 Bonds \$1000. each, with proper coupons to each annexed, \$15,000. at 98½ cents on the dollar, \$14,775.

This latter sum has been paid over to Mr. A. B. Woodbridge, President, as aforesaid, and the said Bonds are herewith delivered to the Council. It will be noted that the appropriation exceeded the cost of the Bonds by the sum of \$25% which said sum is herewith handed in with the Bonds.

We recommend that these Bonds be destroyed in the presence of the Council as were the Bonds purchased. Respectfully submitted,

Henry A. Linn

Thomas S. Day

John McDonald, Mayor.

The report of the committee was adopted, and the Mayor appointed Aldermen Anderson, Shelley and Platt a special committee to destroy said Bonds in accordance with the recommendation of the committee.

Alderman Linn moved that the City Clerk be directed to turn over to the City Assessor and Collector the \$15,000 returned by the committee to be deposited with City Treasurer to the credit of the interest and sinking fund of the water and light Bonds.

Alderman Powell moved that the Council take a recess of five minutes, awaiting the report of the committee. Carried.

Council called to order.

Alderman Hum entered the Council and answered to his name.

Alderman Anderson for the special committee, presented the following report:

Austin, Texas, October 21st 1895.

Hon John McDonald, Mayor, and Board of Aldermen:

Gentlemen Your Committee appointed to destroy the \$15,000 water and light Bonds of the City of Austin, have performed the duty by burning said Bonds.

B. E. Anderson.

W. D. Shelley.

R. Platt.

The Mayor laid before the Council a bill of Travis County against the City of Austin for \$125.00, being for one half the amount paid by the County for the Bull Creek road. The bill was referred to the Street Committee.

Alderman Tobin presented the following communication:

Austin, Tex. Oct. 21st 1895.

To the Honorable City Council:

Gentlemen— I am directed to submit to your honorable body the following report of the proceedings of the Water and Light Commission in the reservoir matter. Specifications, as prepared by Engineer Sanning, were printed and proposals for building the reservoir were solicited by advertisement. Four bids were received by the Commission at a full meeting held on September 13th, 1895, each bid being accompanied by a certified check for \$5000. The bids were opened and were referred to the Superintendent and Secretary for canvassing and scheduling, and at a special meeting of the Commission, with four members present, held on the 16th of September, the schedule of the bid was read, showing the totals to be as follows:

Waterston and Watlinger. \$42,635.00

H. S. Breneman. 49,618.75

Thune and Flynn. 64,593.50

Howard Neely. 65,501.25

All of the bids were based upon the Engineer's estimates of quantities for a hundred million gallon reservoir. On motion the bid of Howard Neely, Thune & Flynn and H. S. Breneman were rejected and their certified checks were directed to be returned to them.

Mayor McDonald offered the following as the report from the Water and Light Commission to the City Council in the reservoir matter:

City Clerk instructed to turn over the \$15,000 to B. E.

Recess of Council

Report of Special Com.

X

Bill of Travis County against the City for 1/2 cost of Bull Creek road.

Communication from W & L Commission on Reservoir matter

Communication from W & S
Commission on reservoir
matter

"Your Water and Light Commission beg leave to report that bids for building the reservoir for the Water Distribution System were received and opened by the Commission on the 13th instant, in accordance with the advertisement, as will be seen from the schedule attached hereto. We respectfully recommend the acceptance by your honorable body of the bid of Messrs. Waterston & Waddinger on condition that the amount of work to be reduced so as to make the total cost of the reservoir not to exceed the sum of \$30,000.00 and that the work on the reservoir shall not be commenced until the City has acquired title to the reservoir site, and that the reservoir shall be finished within four months from the time of beginning work thereon, and that the City Council authorize the execution of a contract with Messrs. Waterston & Waddinger accordingly."

The question was submitted and was lost on a tie vote, but the vote was reconsidered and further action in the matter was deferred. The question was again called up at a full meeting of the Commission, held on October 11, 1895, when Mayor McDonald moved that the report offered by him on September 16 on the bid of Waterston & Waddinger for building the reservoir be adopted. The motion was lost.

Mr. Fischer moved that the bid of Waterston & Waddinger for building the reservoir be referred to the City Council for such action as may be deemed proper without recommendation from the Water and Light Commission, which motion prevailed.

The bid of Messrs. Waterston and Waddinger and the schedule of all the bids are enclosed.

Very respectfully,
W. F. Oliphant,

Sec. Water and Light Commission.

Alderman Haynes moved that the matter be laid over until a site is secured.

Alderman Tobin moved to reject the bid of Messrs. Waterston & Waddinger.

Alderman Sawless moved as a substitute for both motions that a committee of three outside of the Water and Light Commission from the City Council be appointed to ascertain what a site for a reservoir can be had for, and that the matter of the bid of Waterston & Waddinger be laid over until that committee shall report.

Alderman Tobin moved to lay the substitute on the table, which motion was lost by the following vote:

Yeas - Aldermen Glasgow, Haynes, Hume, Kischke, Platt, Redd, Schneider, Tobin and Wammoth - 9.

Nays - Aldermen Anderson, Asmann, Fischer, Glass, Sawless, Sime, Powell, Proberdau, Shelley, Taylor and Townsend. 11

The substitute was then adopted by the following vote:

Yeas - Aldermen Anderson, Asmann, Fischer, Glass, Haynes, Hume, Sawless, Sime, Kischke, Powell, Proberdau, Shelley, Taylor, Townsend and Wammoth 15.

Nays - Aldermen Glasgow, Platt, Redd, Schneider and Tobin. 5.

The Mayor appointed Alderman Anderson, Sime and Hume as the committee provided for in the above resolution.

Alderman Tobin moved that the committee be not confined to the Bee Green site, but that they take into consideration any proposed site. Adopted. Alderman Powell, for the Price Committee presented the following report:

Com. of three appointed
to ascertain cost of site
for Reservoir can be had for

Mayor appointed Alderman
Anderson, Sime & Hume as
committee on reservoir site.

Report of Police Comm. on
Wardens monthly reports

Austin, Tex. Oct. 21st 1895.
To the Hon. John McDonald, Mayor and Board of Aldermen of
the City of Austin:

Gentlemen: Your Committee on Police, to whom was referred the
reports of the City Marshal for the month of September 1895, beg leave to
report that said reports were examined and found to be correct.

J. H. Powell.

H. L. Haynes.

W. D. Shelley.

Committee on Police.

The report of the Committee was adopted.

By Alderman Glass - Resolved by the City Council of the City of Austin,
that the City Engineer be, and he is hereby authorized to purchase one
Mule for cart use, also to sell one Mule now being used in the cart for
sanitary purposes. The resolution was adopted.

Alderman Glass, for Charity Committee, presented their report upon the
petition of Mrs. B. D. Tobin, President Texas Eye, Ear, and Throat Charity
Hospital, asking the City Council to donate the Electric lights required at
its building, recommending that the petition be not granted.

Alderman Linn moved that the report of the committee be not concurred
in, and that Electric lights and water be donated for one year, provided
that the City shall be at no expense for connections.

The motion was carried by the following vote:

Ayes - Aldermen Anderson, Assmann, Fischer, Hume, Sawless, Linn, Kitcher,
Bowell, Schneider, Shelley, Tobin and Townsend - 12.

Nays - Aldermen Glass, Glascock, Haynes, Platt, Redd, Roberdeau, Taylor,
and Warmoth - 8.

Unfinished Business!

The Mayor laid before the Council on its third reading an ordinance
appropriating the sum of \$300.00 to pay claim of J. F. White for
damage to crops overgrown by the lake.

The ordinance was read third time and passed by the following vote:

Ayes - Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Haynes, Hume,
Sawless, Linn, Platt, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin,
Townsend and Warmoth - 18.

Nays - Aldermen Kitcher and Powell - 2.

Alderman Taylor moved that when the Council adjourns it do so, to
meet at 5 o'clock P.M. on Friday.

Alderman Kitcher moved to amend by inserting 8 o'clock. The motion was
lost by the following vote:

Ayes - Aldermen Assmann, Fischer, Glass, Hume, Linn, Kitcher and
Redd - 7.

Nays - Aldermen Anderson, Glascock, Haynes, Sawless, Platt, Powell,
Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend and Warmoth - 13.

On motion of Alderman Powell the Council adjourned until 8 o'clock P.M.
Monday, October 22nd 1895.

John McDonald
City Clerk

City Engineer authorized to
purchase Mule for cart use
and to sell one Mule now used
in cart for sanitary purposes.
Charity Comm. report on petition
of Mrs. B. D. Tobin Pres. Tex. Eye Ear
& Throat Hospital

Comm. report not concurred in

Ord. appropriating \$300
to pay J. F. White, passed

Resolved to adjourn until

Monday, October 22nd 1895

Minutes of an adjourned meeting of the City Council.
Austin, Texas, Oct. 28th 1895.

Hon. John McDonald, Mayor, presiding.
Roll called.

Present: Aldermen Fisher, Glass, Spencer, North, Sawyer, Sawless, Sinn,
Hicks, Platt, Powell, Reed, Robinson, Kelley, Robin and Townsend, 15
Absent: Aldermen, Anderson, Osburn, Simon, Schneider Taylor and Warrick 6.
Motion of Alderman Sinn the minutes of the last meeting of the Council
were adopted as printed.

Alderman Sinn for the Finance Committee, presented the following report,
which was read and adopted.

Austin Texas Oct. 28th 1895.

Report of Fin. Com. on message of
Mayor on Tax levy for 1895.

To Hon. John McDonald, Mayor, and the City Council of the City of Austin.
Gentlemen: Your Finance Committee, to whom was referred the message of
the Mayor, of date of Oct. 7th 1895, concerning the levy of Taxes for the year
1895 have duly considered the same, and respectfully recommend that the
following levy be made for the year 1895.

Interest and Sinking Fund on Water and Light Bonds amounting to \$1,535,000.
.95 cents.

School Tax .33 $\frac{1}{2}$ cents

General Revenue Tax 40 cents.

Interest on \$25,000. indebtedness, part of which were bearing interest at 10 per
cent, and recently funded in 5 per cent Bonds. 10 cents.

Total 181 $\frac{1}{2}$

It will be noted that the above levy is 11 cents less on the \$100. valuation
as compared with last years levy, notwithstanding a net increase of the Bonded
indebtedness of the City amounting to \$135,000.

In explanation of the foregoing with reference to net increase of Bonded
debt of \$135,000. your committee desire to state: That the \$200,000. in
Bonds recently voted by the citizens of Austin were issued and sold.

In the meantime, however, \$65,000. of 5 per cent Dam Bonds were bought
and destroyed.

While your Committee agree in the main with the recommendations of the
Mayor, we deem it inadvisable at this time to make a greater reduction
than 20 cents on the \$100. in the General Revenue Tax.

We, therefore, respectfully recommend that the levy herein suggested be
made for the year 1895.

Respectfully submitted.

Henry A. Sinn.

J. C. North.

Thomas S. Taylor.

Finance Committee.

The following recommendation from the Water and Light Commission
was read and on motion the same was adopted:

Austin, Texas Oct. 28th 1895.

Hon. City Council.

Gentlemen: I have the honor to report that the Commission on the Water
and Light Commission, which at the last meeting was notified
of its recommendation, that the City Council authorize the Water and

Light Commission to furnish to the Citizens, Electric current for illuminating or decorating purposes during the regatta free of charge. Very respectfully
H. J. Cliphant,

W. J. Cliphant,

Secretary Water and Light Com.

The following communication from the Water and Light Commission was then
 read before the Council:

Austin, Texas, Oct. 25th 1895.

Hon. City Council:

Gentlemen. I have the honor to report that at a meeting of the Water and Light Commission held on this date, a motion was made and carried recommending that an extension of 30 days time be granted to Mr. Walter Sipe in which to furnish the city with pipe under his contract with the City, provided he will save the City harmless from the actual expenses allowed by the City on account of failure to comply with the contract as to the time within which the pipe was to have been furnished. Very respectfully,
Wm. H. H. H.

H. G. Bickham,

Secretary Water and Light Com.

Aldermen Marmoth and Gessmann entered the Council Chamber and answered to their names!

Contractor W. Tipes & others. Alderman Sawbes stated that the contractor Mr. Walter Tipes, and some invited to address the Council of the Penitentiary, officials, were in the hall and moved that they be invited to address the Council if they so desired.

Mr. Walker Tipton, the Contractor, and the Hon. William Clements one of the Benightedians, officials, then addressed the Council.

Alderman Sawles moved that the contractor, Mr. Walter Pipe be allowed 90 days in which to comply with his contract to furnish the City with pipe.

Ordeman Taylor appeared and answered to his name.

Alderman Tobin offered the following amendment to the motion of Alderman Lawless:

Alderman John's motion to
grant pipe Contractor \$5
days to furnish at least
7500⁰⁰ ^{liters} per day

It is ^{that} the contractor be allowed 40 days time to complete his contract to furnish pipe to the City, provided that the contractor, at the end of 45 days, shall be furnishing at least 25 000 pounds per day of first class pipe, and should he fail to do so at that time, that the Mayor shall require the contractor to furnish pipe via his contract from some other source.

Alderman Glascock moved to amend by striking out 45 days and inserting 30 days.

One amendment was lost.

Reproduction of Oldman's Bird was How do you like it.

By W. Hermann Linn - An ordinance leaving Taxes for the year 1895.

Ord. levying taxes for 1925

The ordinance was passed under a suspension of the rules in the following order:

Meas. Viduorum, Oenanthe, Zosterops, Ploceus, Chondestes, Booby, Anas, Lanius,
Sitta, Nictale, Bubo, Bubo, Bubo, Bubo, Bubo, Bubo, Bubo, Bubo, Bubo, Bubo,
Dendroica, Dendroica, Dendroica, Dendroica, Dendroica, Dendroica, Dendroica, Dendroica,

பெரியவர்களுக்கு, அன்புடன், 16

Handwritten signature

[illegible]

To pay W. Pipe for pipe furnished

to pay Walter Sipe for pipe furnished the City.

The ordinance was passed under suspension of the rules by the following vote:
Yeas: Aldermen Aspinwall, Fischer, Glass, Glascock, North, Haynes, Sawles, Linn,
Nitschke, Platt, Powell, Reed, Robertson, Shelley, Taylor, Tobin Townsend and
Wainwright. 18.

Stays Stone.

By Alderman Taylor, An ordinance appropriating the sum of \$350. to pay claim of
 Mrs. Eliza Marshall, for land submerged by the Lake.

Ord. Appropriating \$350.⁰⁰ to
pay claim of Eliza Marshall
for submerged land

The ordinance was passed under suspension of the rules by the following vote:
Yeas Aldermen Assmann, Fischer, Glass, Glascock, North, Staines, Sawless, Simm,
Stitschke, Thatt, Powell, Redd, Proberdian, Shelby, Taylor, Tobin, Townsend and
Warmonth 18.

Stays home.

The following veto message of the Mayor was then laid before the Council and read.

Mayors Office,
Austin Texas, Oct. 23, 1895.

Mayor's Veto Message on
claim of S. J. White for
damage to growing crops
overflowed by the Lake

To the Honorable City Council City of Austin.
Gentlemen. I herewith return to you without my approval an ordinance
entitled "An ordinance appropriating the sum of \$300. to pay J. J. White.
for damages to growing crops overflowed by the lake", for the following reasons:
First- I know of my own knowledge, from having been on the ground, and
from records of the board of public works, that said J. J. White or I have known
that the plowed field on which damage is claimed would be overflowed upon the
completion of the dam. The cultivation was not made along the highest portion
of the field but extended down more than half way to the water's edge to a level
of more than 20 feet below a barn that said White at the same time was claim-
ing damages of the City for flooding.

Second. I frequently crossed over the field after being blanketed, and at no time did I see any growing crop that gave any promise of being of any value, and if damages could lay against the City it could not have been more than \$25.

Third:- The City of Austin made full settlement for all damages by reason of building of the dam as appears by deed executed by himself and others dated November 24, 1893, which reads as follows to wit:

the State of Texas,
County of Travis.

Know all men by these presents, that we, C. D. Cook, J. G. White, Sallie White, & M. Kolf, M. Kolf, of said County and State, for and in consideration of the sum of Eighteen hundred and sixty two and 50/100 Dollars, to us in hand paid by the City of Austin, the receipt of which is hereby duly acknowledged, have this day released and do by these presents release and acquit said City of Austin of all claim for damages that we now have or may hereafter have against said City, of Austin for damages or injury, done, or that may be done to the tract of land hereinafter described, by reason of the construction of said City or trust in a dam across the Colorado River, whether said injury arises under the operation of said or otherwise, said claim to be divided as between the said

It is claimed the crops for which damage is claimed in this case were planted and grown, which said deed, of release is properly signed and acknowledged by all of the above named parties. Respectfully,
 John M. Donald.
 Mayor.

Alderman Shelley moved to postpone consideration of the message until the next regular meeting of the Council, which motion was adopted.

Ord. to prevent staking out cattle, horses etc. on public squares & parks of the City

By Alderman Taylor An ordinance to prevent staking out cattle, horses, etc. on the public squares and parks of the City.

Alderman Linn moved to refer the ordinance to the ordinance committee which motion prevailed.

Ord. to prevent the use of Fire Hydrants for purposes other than extinguishing of fires

By Alderman Fischer An ordinance prohibiting the use of Fire Hydrants for any purpose other than the extinguishing of fires.

On motion of Alderman Roberdeau the ordinance was referred to the ordinance committee.

By Alderman Kitcher. An ordinance appropriating the sum of \$500. to pay extra street laborers during the month of November 1895.

Alderman Taylor moved to strike out \$500. and insert \$200. Lost.

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

Ayes. Aldermen Assmann, Fischer, Glass, Glascock, Gorth, Haynes, Sawless, Linn, Kitcher, Platt, Powell, Reed, Roberdeau, Shelley Townsend, and Harriott. 16

Nays Aldermen Taylor and Tobin 2.

On motion of Alderman Assmann the Council adjourned.

John Johnson
 City Clerk.