

Minutes of a Regular Meeting of the City Council.  
Austin Texas March 15<sup>th</sup> 1897.

Hon Lewis Hancock, Mayor, Presiding.  
Roll Called.

Present Aldermen Beatty, Calvin, Fischer, Haynes, Kuhn, Lawless, Linn,  
Maddox, Platt, Powell, Rosengren, Schneider, Shelley, Stumpf, Taylor  
Townsend and Zilber 17.

Absent Aldermen Horton, Miller, Nitschke, Pidds & Roberdeau 5

Minutes of the last regular meeting partly read, when Alderman  
Taylor moved to dispense with further reading, and that they be adopted  
as recorded, which motion prevailed.

Minutes adopted as recorded

Minutes of Called Meeting  
adopted as recorded.

On motion the minutes of the called meeting were adopted, as  
recorded without reading.

Aldermen Roberdeau, Nitschke and Miller entered the Council Chamber.

Pet. of A. S. Thwatt.  
regarding City Taxes.

By Alderman Shelley, Petition of A. S. Thwatt as follows:

Austin, Texas, March 15<sup>th</sup> 1897.

To the Honorable City Council,  
Austin, Texas.

Gentlemen: Your petitioner would respectfully represent that, on  
the 7<sup>th</sup> day of July 1896, he bought lot #18 of O. D. #331 Division "D" as  
shown on the Maps of the City of Austin, and on the 11<sup>th</sup> day of this  
month he sought information of the Tax Collector as to the amount of  
taxes due on said lot #18, and was informed that in August 1896 this  
lot, with lot #17 with improvements, was sold to the City for taxes due  
for 1894, said taxes with costs &c, amounting to \$69.75, and that the  
taxes for the year 1895 on said lots, with improvements on lot 17, amount-  
ing to \$42.05 and the taxes for 1896 on lots, and improvements, amount-  
ing to \$34.69 were still due and in order to relieve his lot #18 he would  
be required to pay all taxes due, aggregating \$154.59, on lots 17 and 18 with  
improvements on said lot 17.

The assessment rolls on file in the Assessor and Collectors office will  
show that said lots were valued for 1894, 1895 and 1896 at \$300.00  
each, and that the improvements on lot 17 were valued at \$1500.00 there  
being no improvements on lot 18.

Your petitioner prays to be permitted to obtain release of his lot  
18 upon payment to the Collector, of the tax due upon said lot, at a  
valuation of \$300.00 and pro-rata cost of sale.

All of which is respectfully submitted.

A. S. Thwatt.

On motion of Alderman Shelley the petition was granted.

Pet. of Thorp Bros. for  
permission to erect plank  
board stairway

By Alderman Rosengren, Petition of Thorp Brothers, asking permission  
to erect plank and board stairway on the north side of building  
at 1011 Congress Avenue so as to use the second story of said building.

On motion the petition was granted.

Pet. of Thompson, for permission  
to erect plank and board stairway  
on the north side of building  
at 1011 Congress Avenue so as to use the second story of said building.

By Alderman Calvin, Petition from Citizens, lot owners, and  
others asking the City Council to take action to provide for the  
improvement of the City Council on Congress Avenue to the 2<sup>nd</sup> E. Avenue.  
Alderman Waddor moved to grant the petition. Alderman

moved that the motion of Alderman Maddox be tabled. Lost.  
Alderman Kitchner moved to refer the petition to the Cemetery Committee which motion prevailed.

Pet. of members of 1st Baptist Church, Colored, for passway over Waller Creek on 11th St.

By Alderman Kitchner, Petition of Members of the First Baptist Church Colored for a passway over Waller Creek on 11th Street. Read and on motion referred to the Street Committee.

By Alderman Blatt, Petition from P.H. Smith as follows:

Austin, Texas, March 12th 1894.

Pet. of P.H. Smith regarding City taxes on Lot # 7 Blk. 65

To the Honorable Mayor and the City Council, Austin.

Gentlemen: The undersigned is the owner of 1/2 of lot # 7 in Block 65, in this City which he bought last year from the First Baptist Church, (Colored) and he represents that the State and County exempted said property from taxation for the year 1895 on account of being the property of said Church. Examining the list of property being sued on for taxes, your petitioner finds said property amongst it and hereby respectfully ask your Honorable body to have this property withdrawn from said list, as the same is exempt by law from City, State and County taxes,

Yours respectfully,  
P.H. Smith.

Read and referred to the Committee on Claims and Accounts.

Request of Post F. I.P.A. asking Council to invite the I.P.A. to hold their next State Convention in this City.

By Alderman Taylor, Request from Post F. Travellers Protective Association of Texas, asking the Council to invite the I.P.A. to hold their next State Convention in the City of Austin was read.

The Mayor laid before the Council the application of the Sea Otter Oil Co. for permit to erect an Oil house which was read and referred to the Fire Committee.

Application of Geo Feigl to erect Iron Stairway

By Alderman Stumpf, Application from Geo. Feigl for permission to erect an Iron Stairway in Alley between Longview Avenue and Colorado Streets. On motion the request was granted.

Alderman Fischer, for the Water and Light Committee presented the following reports which were read and adopted:

Austin, Texas, March 15th 1894.

Water & Light Com's report on award of bids for Water for Street Sprinkling

Hon. Mayor and City Council:

Gentlemen: Your Water and Light Committee begs leave to report that, all bids for the purchase of water for Street Sprinkling purposes that were reported to the Council some time since having been declared void on account of the highest bidder having failed to comply with the requirements, other bids were advertised for and the following bids were received and opened on this date:

Victor Mather  
Earnest Carlson  
E.L. Goodwin

\$8.00 per month.  
35.75 "  
57.00 "

E.L. Goodwin contract for Water

We respectfully recommend that the bid of E.L. Goodwin be accepted for the purchase of water for street sprinkling purposes, and that the same be paid for at the rate of \$35.75 per month, and that the same be paid for at the rate of \$57.00 per month.

to be approved by the Mayor and City Attorney.

Respectfully submitted,  
Francis Fischer,

J. J. Sawless.

F. M. Maddox.

Water & Light Committee.

Austin, Texas, March 15<sup>th</sup> 1897.

Water & Light Com's report Hon. Mayor and City Council.

on bids received for material to be used to complete the New Pumping Station

Crouse & Tremaine  
Carbons.

Walter Tipes Mine

Walter Tipes Cast Iron  
Pipe

J. H. Wayne Elect. Corp.  
Frame for one Machine  
Stilwell, Pierce & Smith-Vaile  
7 Gears and  
Composition bushings for  
pumps now in Power House

Falls River & Machine Co.  
Steel Shafting

Gentlemen; Bids were received from several different parties for material necessary to be used in the completion of the new Pumping Station and we, your Water & Light Committee, respectfully recommend that the Superintendent be instructed to purchase the following materials:

From Crouse & Tremaine, Fostoria, Ohio, 40,000 pairs 7/16 carbons at \$11.69 per 1000 pair F.O.B. Cars at Austin.

From Walter Tipes, Austin, Texas, 40,000 feet of 4" wire at 16¢ per lb. delivered, and 4 1/2 miles of No. 12 iron wire at \$19.75 per mile, making a total of \$808.50.

From Walter Tipes, Austin, Texas, he being the lowest bidder on cast iron pipe necessary to connect the filtering ditch with the pumping station and the pumping station with the mains, and all necessary fittings. The prices to be as follows: 20 inch and 24 inch Bell and Flange pipe at \$17.00 per ton; specials for same \$14.50 per ton. 24 inch flange pipes in 12 foot lengths \$14.00 per ton. Flanged specials at \$16.00 per ton.

The Fort Wayne Electric Corporation, Fort Wayne, Indiana, contract for one new frame for 80 light arc machine complete for the sum of \$1050.00

The Stilwell-Pierce & Smith-Vaile Co. of Dayton, Ohio, contract for two gears necessary to connect motor to pump \$54.00

Also, same company, contract to place composition bushings in the Stilwell-Pierce & Smith-Vaile Co. pumps now in the power station and furnish tools and reamers necessary to do the work \$15.00, of which \$5.00 is to be returned to the City on return to said company a part of the tools in good condition.

Falls River & Machine Co., of Cuyahoga Falls, Ohio, contract for piece of steel shafting with two fiction pulleys \$75.00 F.O.B. Cars Cuyahoga Falls, Ohio.

The above bids are the lowest competitive bids from several different parties, and we recommend their adoption as specified.

Respectfully submitted,

Francis Fischer

J. J. Sawless

F. M. Maddox

Water & Light Committee

Police Com's report on  
Marshals reports for Feb.

Ord. Com's report on Ord.  
marshals reports for Feb.

Ordinance Committee, to whom was referred the reports of the City Marshal for the month of Feb. 1897, presented a report stating that the reports had been examined and found correct. The report of the committee was adopted.

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for Levee Women or Prostitutes  
to stand, loiter or walk on streets  
or alleys after night

Printing Com. report  
regard to having bound in  
book form Reports of City  
Officers.

to stand, walk or loiter on the streets or alleys at night, presented their report recommending the passage of the ordinance.  
On motion the report was adopted.  
On motion Alderman Taylor was excused from further attendance at this session of the Council.

Alderman Haynes for the Printing Committee, presented the following report, which was read and adopted:

March, 15<sup>th</sup> 1897.

To the Hon. Mayor and City Council,  
Gentlemen: Obedient to the suggestion of the Mayor and resolution in accordance therewith in regard to having bound in book form Reports of the City Officers for past years, have to say, we find that only two of three reports are in existence for the years 1890, 1891, 1892 & 1893, hence this suggestion came barely in time to preserve in book form the reports of City Officers for all the years since adoption of our present Charter, and only two volumes embracing the years 1890 to 1896 inclusive can now be made, and we would suggest that your Printing Committee be authorized to have such volumes prepared as soon as the reports of City Officers for 1896, (which is now delayed waiting the report of the Water and Light Commission,) can be printed.

Respectfully submitted,  
H. L. Haynes,  
J. E. Rosenbagen,  
A. M. Melvin.

Special Com. report on  
Resolution regarding the  
Wagon Scales of Robinson Bros. on  
East 6<sup>th</sup> St.

Alderman Haynes for the Special Committee, to whom was referred the resolution of Alderman Blott, in regard to scales of Robinson Bros. Wagon Scales of Robinson Bros. on E. Sixth Street, presented the following report which was read and adopted:

March, 15<sup>th</sup> 1897.

To the Hon. Mayor and City Council of the City of Austin:  
Gentlemen: Your Special Committee, to whom was referred the resolution in regard to the moving of platform and scales of Robinson Bros., on East Pecan, St., beg to report that after carefully investigating the matter, we have decided that the scales should be moved on account of the street being very narrow and occupied by the street cars, though at present the scales offer little or no obstruction to travel, and the owners claim that it would work a hardship and unlooked for expense of about \$60.00 on them to remove and again set up the scales at this time, and have agreed with your Committee that, it indulged by the Council in the matter, until October 1<sup>st</sup> 1897, they will then move the scales without further contest, which provision we herewith submit, and advise, that they be granted the privilege till Oct. 1<sup>st</sup> 1897.

Respectfully submitted,  
H. L. Haynes,  
J. E. Rosenbagen,  
A. M. Melvin.

Special Com's report on  
Compromise of tax suits  
pending in County Court.  
List of same filed in  
File # 10 number  
as tabulated by the Com

Alderman Shelley for the Special Committee, to whom was referred the matter of compromise of suits in tax cases pending in the County Court, presented the following report:

Austin, Texas, March 15<sup>th</sup> 1897.

Hon. Lewis Hancock, Mayor, and Board of Aldermen of the City of Austin: Gentlemen: We your Special Committee appointed to effect, or suggest a basis for a compromise of the cases now pending in the County Court on appeal from the Board of Equalization, have given the matter careful attention and after a thorough investigation, beg to submit herewith a statement showing the voluntary conditions for 1896, the values as fixed by the Board, and the values as agreed upon by your Committee as a basis of settlement, and recommend that the City Attorney be authorized and instructed to take the necessary steps to stop further litigation and effect a settlement, upon, the parties at interest filing, with the City Attorney a written acceptance within ten days, and paying all costs of suit.

It will be observed that the item of "Bills receivable, money on hand etc." in many instances, has been stricken off, in such cases the parties deny having such property and in their appeal have made affidavit to that effect; such additions having been made by the Board without authority of law, it is not believed to be wise for the City to insist upon the assessments. It is a well settled principle of law that the Board of Equalization has no power to assess property.

In cases where we suggest a compromise of these assessments the parties have acknowledged, through their attorneys, the amount recommended by your Committee, except in the case of the Peoples Building and Loan Association, in which we recommend a basis of 60% of assessment, which represents the prepaid stock of the Association, upon which we believe the tax should be paid.

Where we recommend changes in the value of real property, as fixed by the Board, we adhere to the values upon which taxes were paid for 1895, deeming the valuation for said year just and fair. The basis suggest for a settlement of bank assessments is fixed upon an amount equal to 66 2/3 per cent of the fair value of the capital stock, surplus and undivided profits, which is believed to a fair basis for taxation.

In the matter of the increase of the assessment of "St. Pope's" Bills receivable, money on hand etc., we find that Col. Pope has instituted injunction proceedings restraining the Assessor from placing said assessment upon the rolls, and that there is an injunction now pending restraining the collection of the taxes for 1896 on an increase of \$50,000.00 made by the Board.

Col. Pope proposes to submit to an assessment of \$70,000.00 in Bills receivable for 1896 and to pay the tax for 1895 on the increase made by the Board.

We recommend the acceptance of the compromise.

Respectfully submitted,

W. D. Shelley.  
 A. W. Townsend.  
 J. W. Powell.  
 A. M. Belvin.  
 Francis Fischer. Committee.

Tabulated statement of Com.  
 considered item by item

Alderman Maddox moved that the tabulated statement presented by the Committee be considered item by item, which motion prevailed. The items were then separately read and the report adopted item by item.

Alderman Read moved to reconsider the vote adopting the report of the Committee on the amount of money of \$2.00, which motion was lost by the following vote:

Yeas, Aldermen Beatty, Belvin, Miller, Read, Roberson, Shelley & Stump.  
 Nays, Aldermen Fischer, Haynes, Kuhn, Lawless, Linn, Maddox, Mitschke, Platt, Powell, Rosengren, Schneider, Townsend and Zilber. 13.

The report of the Committee as a whole was then adopted.

Alderman Maddox moved to reconsider the vote by which the report of the Committee was adopted, which motion prevailed.

Report adopted as a whole

Alderman Shelley for the Committee asked permission of the Council to withdraw the report for correction. Granted. After which the report was again laid before the Council and adopted.

Mayor's Veto message of  
 Resolution regarding Newspaper  
 printing

The Mayor then read the following veto message:

Mayor's Office,  
 Austin, Texas, March 2<sup>nd</sup> 1897.

To the Hon. City Council.

Gentlemen: The accompanying resolution is hereby returned to you with my disapproval, <sup>disapproval</sup> because of the last clause, which prohibits the Council to have publication of the minutes of the Council thus practically ignoring the requirements of the Charter. To call for new bids for printing is right and proper, to stop necessary publications pending the letting of a new contract is doing in a round about way what the Charter forbids doing directly.

Respectfully,  
 Lewis Hancock, Mayor.

Alderman Linn moved to reconsider the vote by which the resolution vetoed by the Mayor was passed.

The Mayor ruled that it was unnecessary, under the Charter, for the Council to vote to reconsider, and that the question to be voted on was whether the resolution should pass notwithstanding the Mayor's objections.

Alderman Linn appealed from the decision of the Chair and on a vote the ruling of the Chair was sustained by the following vote:

Yeas, Aldermen Beatty, Belvin, Fischer, Haynes, Kuhn, Lawless, Miller, Mitschke, Read, Rosengren, Shelley, Stump and Zilber. 13.  
 Nays, Aldermen Linn, Maddox, Platt, J. W. Powell, Schneider and Townsend.

Her vote was sustained and the resolution was sustained.

Appeal from Mayor ruling  
 Chair sustained

standing the objections of the Mayor, and was lost by the following vote:  
 Yeas Aldermen Belvin, Haynes, Linn, Miller, Kitchner, Powell, Robertsdan,  
 Schneider, Stumpf and Townsend 10  
 Nays Aldermen Beatty, Fischer, Kuhn, Lawless, Maddox, Platt, Redd,  
 Rosengren, Shelley and Zilker 10

Printing Com. authorized  
 to advertise for bids for  
 paper printing

Alderman Haynes moved that the printing Committee be authorized  
 to advertise for bids for newspaper printing which motion prevailed.  
 Alderman Taylor offered the following resolution, which was read  
 and unanimously adopted:

Resolution inviting  
 I.P.A. of Texas to hold their  
 next Annual Convention in  
 this City in 1898

Resolved, that the Travellers Protective Association of Texas, which  
 holds its Annual session at Houston, Texas, on April 16<sup>th</sup> & 17<sup>th</sup> 1897,  
 be, and is hereby most cordially invited to hold its Convention in  
 1898, in the City of Austin, and that the Mayor of the City be  
 directed to communicate such invitation to said body, in  
 suitable terms. Alderman Lawless excused from further attendance at this session.

Ord. making it a misdemeanor  
 for Lewd Women or Prostitutes  
 to stand, walk or loiter on the  
 Streets or Alleys at Night

The Mayor then laid before the Council, an ordinance making it a  
 misdemeanor for Lewd Women or Prostitutes, to stand, walk or loiter  
 on the Streets or Alleys at night, and providing a penalty therefor.  
 The ordinance was read second time and on motion the rule was sus-  
 pended and the ordinance placed on its third reading by the following vote:  
 Yeas Aldermen Beatty, Belvin, Fischer, Haynes, Kuhn, Linn, Miller, Kitch-  
 ner, Platt, Powell, Redd, Robertsdan, Rosengren, Schneider, Shelley,  
 Stumpf and Townsend 17.

Final Passage

Nays Aldermen Maddox and Zilker 2  
 The ordinance was then passed by the following vote:  
 Yeas Aldermen Beatty, Belvin, Fischer, Haynes, Kuhn, Linn, Miller,  
 Kitchner, Powell, Redd, Robertsdan, Rosengren, Schneider, Shelley, Stumpf  
 and Townsend 16

Nays, Aldermen Maddox, Platt and Zilker. 3.  
 New Business.

Com of 3 appointed to  
 open & canvass the returns  
 for Fire Dept. Officers

Alderman Kitchner moved that a Committee of 3 be appointed to  
 open and canvass the returns of an election held this day for  
 Officers of the Fire Department. Carried, and the Mayor appointed  
 Aldermen Kitchner, Kuhn and Robertsdan.  
 The Committee appointed to canvass the returns of the Election  
 for Officers of the Fire Department presented the following report  
 which was read and adopted:

Austin, Texas March 15<sup>th</sup> 1897

Hon Lewis Hancock, Mayor.  
 and Members City Council

Gentlemen: Your Committee appointed to canvass the returns of an  
 Election held by the Fire Department this day, find that, Joseph Stumpf  
 received 138 votes for Chief. No opposition.  
 That Julius Schutze received 134 votes for Dist. Chief, and  
 1 vote for  
 That W. A. Schilles received 128 votes for Recorder.

Com's Report

Chief Joseph Stumpf  
 Dist Chief Julius Schutze

Recorder W. A. Schilles

J. B. Kitchner, Joseph Kuhn, Chas. Robertsdan, Com.

Mayer declared Free Dept. The Mayor then declared the Officers named in the report duly and  
 Officers duly & constitutionally elected to the different Offices named for the ensuing term.  
 Alderman Haynes offered the following resolution, which was read  
 and adopted.

Resolution regarding News-  
 paper printing

March 15<sup>th</sup> 1897.

Resolved by the City Council of the City of Austin that all print-  
 ing of proceedings of the Council, and other newspaper printing  
 under contract for last fiscal year be suspended, and only such  
 matter be printed as may be necessary, and in such papers as may  
 be selected by the Printing Committee, as the lowest bidder for  
 such printing, until a contract is entered into by the Council.

H. E. Haynes

Ord. appropriating \$1000.  
 to pay Salaries of Officers & Em-  
 ployes of Water & Light Plant

By Alderman Fischer, An ordinance appropriating the sum of \$1000.  
 out of the Earnings Fund to pay Salaries of Officers and employes  
 of Water & Light Plant.

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

Ayes, Aldermen Brady, Quinn, Fischer, Haynes, Kuhn, Linn, Maddox,  
 Miller, Kitchner, Platt, Powell, Redd, Robertson, Rosengren, Schneider,  
 Shelley, Stumpf, Townsend and Zilker 19.  
 Nays, None.

Ord. appropriating \$1145.  
 to pay Interest due Apr. 1<sup>st</sup> 1897  
 on Bonds issued prior to May 1<sup>st</sup> 1890.

By Alderman Townsend, An ordinance appropriating the sum of  
 \$1145.<sup>00</sup> out of the Interest Fund, on bonds issued prior to May 1<sup>st</sup>  
 1890, to pay Interest due April 1<sup>st</sup> 1897, on \$1,500, 6% Funding Bonds  
 of the City of Austin.

Aldermen Zilker & Platt were excused from further attendance.  
 The ordinance was passed under suspension of the rules by the fol-  
 lowing vote:

Ayes, Aldermen Brady, Quinn, Fischer, Haynes, Kuhn, Linn,  
 Maddox, Miller, Kitchner, Powell, Redd, Robertson, Rosengren,  
 Schneider, Shelley, Stumpf, and Townsend. 17.  
 Nays, None.

Ord. appropriating \$1145.  
 on Water Bonds due Apr. 1<sup>st</sup> 1897

By Alderman Townsend, An ordinance appropriating the sum of  
 \$1145.<sup>00</sup> out of the Interest & Sinking Fund of Water & Light Bonds  
 to pay Interest due April 1<sup>st</sup> 1897, on \$1,375,000, 5% Water & Light  
 Bonds of the City of Austin.

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

Ayes, Aldermen Brady, Quinn, Fischer, Haynes, Kuhn, Linn,  
 Maddox, Miller, Kitchner, Powell, Redd, Robertson, Rosengren,  
 Schneider, Shelley, Stumpf, and Townsend. 17.  
 Nays, None.

Ord. appropriating \$2955.  
 to pay Salaries of Officers & Em-  
 ployes of the City

By Alderman Townsend, An ordinance appropriating the sum of  
 \$2955.<sup>00</sup> to pay salaries of Officers and employes of the City  
 for the month of March 1897.

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

Ayes Aldermen Brady, Quinn, Fischer, Haynes, Kuhn, Linn

Maddox, Miller, Nitschke, Powell, Redd, Robertson, Rosengren,  
Schneider, Shelley, Stumpf and Townsend 17.  
Ayes, None.

Resolution regarding  
redemption of \$20,000 W&W  
Bonds.

Alderman Schneider offered the following resolution:  
Be it resolved by the City Council of the City of Austin, That the  
Finance Committee be instructed to immediately advertise for bids,  
for the redemption of Twenty thousand dollars of Austin City Water  
Works Bonds, and report their action to the City Council at the next  
regular meeting.

Alderman Maddox moved to strike out of the resolution \$20,000.00  
and insert \$10,000.00 in lieu thereof.

Alderman Carty, was excused from further attendance at this  
session of the Council.

Alderman Townsend moved to refer the resolution of Alderman  
Schneider to the Finance Committee which motion prevailed by the  
following vote:

Ayes, Aldermen Calvin Haynes, Huhn, Linn, Miller, Robertson,  
Shelley, Stumpf and Townsend 9.

Nays Aldermen Fischer, Maddox, Nitschke, Powell, Redd Rosengren  
and Schneider 7.

On motion of Alderman Calvin the Council adjourned.

J. W. C. Johnson  
City Clerk.

Resolution referred to  
Finance Com.

Adjourned.