

Minutes of a Regular Meeting of the City Council. Austin Texas May 3rd 1897

Hon. Lewis Hancock, Mayor, presiding.

Roll called.

Present, Aldermen Beatty, Fischer, Haynes, Kuhn, Lawless, Lynn, Maddox, Miller, Stitschke, Blatt, Powell, Redd, Rosengren, Schneider, Shelley, Stumpf and Taylor 17.

Absent Aldermen Delvin, Horton, Roberdeau, Townsend and Zilker 5.

Minutes adopted as recorded without reading.

On motion of Alderman Maddox the minutes of the previous meeting were approved as recorded without reading.

Petitions.

Pet. of Mrs. Julia McInally for certain street down to be done

By the Mayor. Petition of Mrs. Julia McInally, asking that certain work be done on street near her residence.

Read and referred to the Street Committee.

Aldermen Townsend, Delvin and Roberdeau entered the Council Chamber.

Pet. of E. F. B. Alley asking for allowance on taxes for 1896 for Ground Rent

Petition of E. F. B. Alley asking that the Council allow him credit on taxes, for 1896, to the amount of 13.00%, as rent of ground on which to bury dead animals.

On motion the petition was granted.

Pet. of Citizens & tax payers of 11th Ward asking that D. Longill be appointed as Chief force

By Alderman Redd. Petition of Citizens and tax payers of the 11th Ward, asking that D. Longill be appointed as a Policeman, and that he be assigned to duty in the 11th Ward.

Read and referred to the Police Committee.

Aldermen Horton and Zilker entered the Council Chamber.

Pet. of Citizens of 11th Ward asking that a certain street be opened

By Alderman Miller. Petition of Citizens of the 11th Ward, asking that a certain street be opened. Read and referred to the Street Committee.

City Officers reports

City Officers Reports.

The Mayor laid before the Council the monthly reports of City Officers.

On motion, the reports were referred to their appropriate committees except the report of the Treasurer, which was ordered read, and referred to the Finance Committee.

The following is a synopsis of the reports:

City Treasurer

By the City Treasurer.	
Balance on hand April 5th 1897 to the credit of General Fund	\$ 2937.75
Received during the month	2444.46
Total	5682.21
Disbursed	4414.22
Bal. on hand May 3rd 1897	\$ 1267.99
Bal. on hand April 5th 1897 to the credit of Int. Fund on Bonds issued prior to May 1st 1896	\$ 2058.06
Received during the month	356.84
Balance on hand May 3rd 1897 to	\$ 1414.90
Bal. on hand April 5th 1897 to the credit of Int. & Sinking Fund No 5 Bonds	\$ 35711.00
Received during the month	4027.66
Total	\$ 39752.73

X

that in accordance with your instructions, we have purchased for the Sinking Fund, 22 Water Works and Electric Light 5% Gold Bonds of the City of Austin, numbered as follows, viz: 357, 358, 359, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 669, 670, 671, 672, & 673, paying therefor the sum of \$22,072.⁸⁸/₁₀₀, and said Bonds, are herewith presented, and we recommend that a committee of three be appointed to examine and destroy the same in the presence of the Council.

A. W. Townsend
H. D. Shelley
Thos. F. Taylor. Committee on Finance.

Com. of 3 appointed to examine & destroy Bonds purchased for Sinking Fund. The Mayor appointed Aldermen Sinn, Fischer and Delvin, a committee to examine and destroy bonds as provided for in the report of the Finance Committee.

On motion the Council took a recess of 10 minutes. At the expiration of the recess the Council was called to order. The Special Committee appointed to examine and destroy the bonds, presented the following report which was read and ordered filed:

X

Hon. Lewis Hancock, Mayor of the City of Austin:
Sir:

Your Special Committee appointed to count the twenty-two City of Austin Water Works & Electric Light 5% Gold Bonds, beg to report, that we have received and counted twenty-two bonds as above described, numbered as follows; to wit: 357, 358, 359, 658, 659, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 669, 670, 671, 672, 673, to which are attached coupons due July 1st 1897, and we have burned the same in the presence of this Council.

Respectfully submitted,

Henry J. Sinn,
Francis Fischer,
A. M. Delvin

The Mayor laid before the Council, the monthly report of the Supt. of Streets, which was read and ordered filed.

Com. on Claims & Accts report on pet. of O. H. Gobe.

Alderman Blatz, for the Committee on Claims and Accounts, to whom was referred the petition of O. H. Gobe, presented the following report which was read and adopted:

To his Hon. the Mayor, and the Board of Aldermen.
Gentlemen: Your Committee to whom was referred the petition of O. H. Gobe, asking that the sum of \$10,000.⁰⁰/₁₀₀ for notes and credits be stricken from his assessment, or remit to him the assessed tax thereon; after carefully considering the same beg leave to report that we find the City Council has no authority, or reason for granting the petition, we therefore recommend that the petition be not granted.

Respectfully,
O. Blatz
A. J. E. Jones
C. G. H. H.

Mayor's Message

The Mayor then laid before the Council the following message:
 Mayor's Office
 Austin, Texas May 3, 1897.

To the Hon. City Council,

Gentlemen: I have the honor to call your attention to the propriety of making some provision for the care of the City teams while they are idle. At present they have to be fed at considerable expense to the City, though they are doing nothing. This is a useless expense. I recommend that by resolution you authorize the Superintendent of Streets to pasture all of the teams, or at least all except one or two, when not in use. I further recommend that you make it the duty of the Superintendent of Streets to take charge of the City Prisoners and to work them on the streets, in conjunction with the one or two City teams above referred to.

I would further call your attention to the dangerous condition of the river bridge at the foot of the Avenue, and remind you that nothing has been done toward determining the respective duties of the City and County, and that meanwhile the City's interests are endangered. The City Engineer constantly examines it and makes such repairs as seem of immediate necessity, but such piecemeal work is far from meeting the requirements of the case.

I would further call your attention to the accompanying letter from the Attorney of E. L. Bartholomew, Receiver.

Respectfully,
 Lewis Hancock, Mayor.
 Austin Texas Apr. 19, 1897.

Letter from Attorneys for
 E. L. Bartholomew, Receiver
 to Mayor Hancock

Hon. Lewis Hancock
 Mayor, of the City of Austin,
 Austin, Texas.

Dear Sir:

As Attys for E. L. Bartholomew, Receiver &c. against Jas. McDonald Mayor &c. being Ch. 7780 in the Circuit Ct. of the U.S. Western District of Texas, at Austin, for mandamus &c., we respectfully call your attention to the judgment rendered in said case on the 10th day of March, 1896.

We further call your attention to the fact that the mandate of said Court, in said case, has not been complied with.

The Court convenes on the 1st Monday in July coming.

While we wish to make no application for orders in this case against the defendants therein, yet, if said writ of mandamus has not been obeyed in its plain spirit, intent and purpose, by the time Court convenes, there will be nothing left for us to do except to appeal to the Court to enforce its plain and explicit judgment in the premises, by said writ as at law, justice, proper to do, and enforce. We give you, and the other defendants, this notice with the hope that you, and the other defendants, will see the necessity of obeying the mandate of the Court.

Very respectfully,
McGormick & Spence, and
Walton & Hill

Attys for E. L. Bartholomew, Receiver &c.

Unfinished Business.

Ord. Amending Art. 327 of Revised
Civil Ord. read 2nd time.

The Mayor laid before the Council an ordinance amending Article 327 of the Revised Civil Ordinances of the City of Austin. The ordinance was read a second time.

Alderman Fischer moved to suspend the rules and place the ordinance on its third reading.

Laid over till next regular
meeting

Alderman Maddox moved as a substitute, that the ordinance lie over until the next regular meeting which motion prevailed by the following vote:

Ayes, Aldermen Beatty, Kuhn, Maddox, Miller, Platt, Redd, Roberdeau, Schneider, Shelley, Saylor, Townsend and Zilker 12.

Nays, Aldermen Belvin, Fischer, Haynes, Horton, Sawless, Linn, Nitschke, Powell, Rosengren and Stumpf. 10.

Ord. appropriating \$400.00 to pay
Drivers & labor, read 2nd time
11.

The Mayor then laid before the Council an ordinance appropriating the sum of \$400.00 to pay Drivers and labor for the Month of May, 1897. The ordinance was read a second time.

Alderman Belvin offered the following amendment which was adopted: "Provided this appropriation or so much thereof as may be necessary shall be used to place Congress Avenue in a first class condition."

Alderman Linn moved to suspend the rule and place the ordinance on its third reading, which motion was lost by the following vote: Ayes, Aldermen Beatty, Belvin, Kuhn, Linn, Maddox, Miller, Powell, Redd, Schneider, Stumpf and Townsend 11.

Nays Aldermen Fischer, Haynes, Horton, Sawless, Nitschke, Platt, Roberdeau, Rosengren, Shelley, Saylor and Zilker. 11.

New Business.

Resolution to amend rule 8 of the
rules of the City Council

By Alderman Linn. A resolution to amend rule 8, of the rules of the City Council.

Read, and laid over for a month.

Ord. appropriating \$20.25 to pay
Extra Street Labor

By Alderman Zilker. An ordinance appropriating \$20.25 to pay Extra Street Labor.

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

Ayes, Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Kuhn, Sawless, Miller, Nitschke, Powell, Redd, Roberdeau, Rosengren, Schneider, Shelley, Stumpf, Saylor, Townsend and Zilker 19.

Nays, Aldermen Linn, Maddox and Platt 3.

By Alderman Townsend. An ordinance appropriating the sum of \$210.00 to pay Salaries of Aldermen for the month of April 1897.

The ordinance was read first time, and the rule suspended and the ordinance placed upon its second reading, by the following vote:

Ayes, Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Kuhn, Linn, Miller, Nitschke, Powell, Roberdeau, Rosengren, Schneider, Stumpf, Saylor and Townsend 16.

Ord. appropriating \$1760.00 to pay salaries of Aldermen from April 1st to Nov. 30 1897

Days, Aldermen Lawless, Maddox, Platt, Redd, Shelley and Zilker 6.
The ordinance was then read a second time
Alderman Linn, offered as a substitute, an ordinance appropriating the sum of \$1760.00 to pay salaries of Aldermen from April 1st 1897 to Nov. 30th 1897.

The substitute was adopted and the ordinance passed under suspension of the rule by the following vote:
Yeas, Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Kuhn, Linn, Miller, Nitschke, Powell, Robertson, Rosenborn, Schneider, Stumpf, Taylor and Townsend. 16

Nays Aldermen Lawless, Maddox, Platt, Redd, Shelley and Zilker 6.
By Alderman Townsend. An ordinance appropriating the sum of \$365.56 to pay salaries of Officers and employees for the month of May.

The ordinance was read first time, and on motion the rule was suspended and the ordinance placed on its second reading by the following vote:
Yeas, Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Kuhn, Lawless, Linn, Miller, Nitschke, Powell, Redd, Robertson, Rosenborn, Schneider, Shelley, Stumpf, Taylor, Townsend and Zilker 20.

Nays Aldermen Maddox and Platt 2.
The ordinance was read second time.

Ord. Appropriating \$20,838.92 to pay salaries of Officers and employees from May 1st to Nov. 30 1897.

Alderman Linn offered as a substitute, an ordinance appropriating the sum of \$20,838.92 to pay salaries of Officers and employees from May 1st 1897 to Nov. 30th 1897.

The substitute was adopted by the following vote:
Yeas Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Linn, Maddox, Miller, Nitschke, Platt, Powell, Robertson, Rosenborn, Schneider, Shelley, Stumpf, Taylor and Townsend. 18.

Nays, Aldermen Kuhn, Lawless, Redd and Zilker 4.

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

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

Yeas Aldermen Beatty, Fischer, Haynes, Horton, Kuhn, Linn, Miller, Nitschke, Powell, Robertson, Rosenborn, Schneider, Shelley, Stumpf, Taylor and Townsend. 16.

Nays Aldermen Lawless, Maddox, Platt, Redd and Zilker 5.

Alderman Taylor offered the following resolution, which was read and adopted.

Resolution directing Supr of Streets to work City Prisoners

Be it resolved, by the City Council of the City of Austin, that the Superintendent of Streets be, and he is hereby authorized and directed to have in his charge daily, all able bodied male prisoners, and work them on the Streets and Alleys of the City.

Resolution directing Supr of Streets to allow tax payers to use City Teams on the Streets of the City of Austin, provided said tax payers pay for the Drivers of said Teams. \$33, work to be done under the supervision of the Street Superintendent.

Alderman Horton offered the following resolution.
Be it resolved, that the Street Superintendent be, and is, instructed to allow any tax payer, to use the City Teams on the Streets of the City of Austin, provided said tax payer pay for the Drivers of said Teams. \$33, work to be done under the supervision of the Street Superintendent.

A motion to lay the resolution on the table, was made and lost.

Alderman Maddox moved to refer the resolution to the Street Committee and the City Attorney, which motion prevailed.

Ord. appropriating \$40.00 to build
Culvert Cor 17th & San Antonio Sts.

By Alderman Linn, An ordinance appropriating the sum of \$40.00 to build a culvert on N. 17th and San Antonio Streets.

Read and on motion referred to the Street Committee.

Ord. appropriating \$200.00 to pay
Extra Street work. read 1st time

By Alderman Schneider, An ordinance appropriating the sum of \$200.00 for extra street work. The ordinance was read first time.

Alderman Towell offered the following resolution:

Resolution directing that all City
Trams except 7 be placed in pasture.
At an expense of not more than
\$1.00 per head.

Be it resolved, by the City Council of the City of Austin, That all the City Trams except 7, shall be placed in pasture, until needed by the City.

Alderman Zilker moved to amend the resolution by adding "that not more than \$1.00 per month per head, be paid for pasturage."

The amendment was adopted, and the resolution as amended was then adopted by the following vote:

Ayes, Aldermen Beatty, Haynes, Kuhn, Lawless, Miller, Powell, Redd, Robertson, Rosengran, Shelley and Zilker 11.

Nays Aldermen Fischer, Horton, Linn, Maddox, Nitscher, Platt, Schneider, Stumpf, Taylor and Townsend 10.

On motion of Alderman Lawless, the Council adjourned.

Jno. G. Johnson
City Clerk.