

Minutes of a Regular Meeting of the City Council.
Austin, Texas July 5th 1897.

Hon. Lewis Hancock, Mayor, presiding.

Roll called.

Present, Aldermen Beatty, Haynes, Linn, Maddox, Miller, Platt, Powell, Redd, Rosengren, Schneider, Skimpf, Taylor and Townsend 13.

Absent Aldermen Belbin, Fischer, Horton, Kuhn, Lawless, Nitschke, Roberdeau, Shelley and Zilker 9.

Minutes of last meeting adopted as recorded without reading.

On motion the minutes of the last meeting of the Council were adopted as recorded without reading.

Alderman Lawless entered the Council Chamber.

Petitions, Memorials Etc.

Pet. of Mrs. Walsh for extension of Dam Boulevard

By Alderman Taylor. Petition of Mrs. Walsh, asking that the Dam Boulevard be extended. Read and on motion referred to the Street Committee.

Pet. of Frank Brown to erect skinway on Red River St.

By Alderman Taylor. Petition of Frank Brown, asking authority to erect a skinway on Red River Street.

Alderman Taylor moved that the petition be granted, the work to be done under the supervision of the City Engineer.

Alderman Platt moved as a substitute that the petition be referred to the Street Committee. The substitute was adopted.

City Officers Reports.

Reports of City Officers.

The Mayor laid before the Council, the reports of City Officers, for the month of June.

On motion of Alderman Linn, the reports were referred to their respective Committees without reading, except the reports of the City Treasurer and the Water & Light Commission. The report of the City Treasurer was then read.

City Treasurer.

Aldermen Belbin, Kuhn, Roberdeau, Shelley and Zilker, entered the Council Chamber.

The following is a synopsis of the report of the City Treasurer.

Balance on hand June 1 st 1897	Account of General Fund	\$ 687.84
Receipts from " 7 th " to July 5 th 1897	" " "	<u>3676.57</u>
		\$ 4359.41
Paid Warrants from June 1 st 1897 to July 5 th 1897	" " "	<u>3002.18</u>
Balance on hand July 5 th 1897	To Account General Fund.	\$ 1357.23
Balance on hand June 1 st 1897	Account of Interest on Old Bonds	\$ 2747.58
Receipts from " 7 th " to July 5 th 1897	" " " "	<u>550.00</u>
		\$ 3297.57
Paid Interest due July 1 st 1897, on Old Bonds		<u>1515.00</u>
Balance on hand July 5 th 1897	Account Interest on Old Bonds.	\$ 1782.57
Balance on hand June 1 st 1897	Account of Interest on W & L Bonds.	\$ 10347.40
" " " " 7 th " " " " Sinking Fund		<u>11000.00</u>
		\$ 21347.40
Received from June 1 st 1897 to July 5 th 1897.		<u>6344.46</u>
		\$ 27691.86
Paid Interest due July 1 st 1897, on W & L Bonds		<u>22312.50</u>
		\$ 5409.36

Report of W & L Commission

Operating Expenses.
Electrical Department.

Miscellaneous	\$ 708.11	
Insurance 1 year.	404.44	
St. Wayne Elec. Co. (Rewinding Armatures)	605.98	
Carbons	540.50	
April Pay roll.	<u>1216.26</u>	
	3,475.28	
	<u>3366</u>	3141.67
	Less material sold,	
	Water Department.	

Insurance 1 year.	404.44	
April Pay roll.	296.00	
Miscellaneous,	<u>107.92</u>	808.37
Office Expenses,		652.78

Electrical Extensions

Wire for New Pumping Station,	1,071.04	
47 miles iron pressure wire	808.50	
7 Generators from Rapid Trans. Co.	1,400.00	
Cross arms for pressure wire	210.05	
12 Transformers	301.10	
Miscellaneous	<u>1163.21</u>	4,958.90

Water Extensions

New Pumping Station	7329.80	
Filtering Ditch,	2713.70	
Miscellaneous	<u>78.57</u>	10132.07
		40,365.54

City of Austin

Cash in both Funds with Treasurer, April 1st	\$ 30,321.96
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Receipts from Water.

April,	\$ 1935.40	
May,	<u>2306.95</u>	4242.35

Receipts from Light

April,	\$ 1094.50	
May,	<u>2306.20</u>	3400.70

Receipts from Power.

April,	\$ 398.53	
May,	<u>1139.27</u>	1537.80
Collected on Motors		181.55

Austin Rapid Transit Co.

Balance due on Generators	<u>648.18</u>	
All of which is respectfully submitted,	40,365.54	

A. H. Leitmayer,

Pres't. of Board.

By the Assessor & Collector.

City Assessor & Collector

So Collections as follows:

General Revenue,	\$ 4375.62
Interest & Sinking Fund, W & L Bonds	6374.46
on Bonds issued prior to May 1st 1890	550.99

School Tax.
Total Collections

\$ 2260.04
13,511.12

City Clerk.

Referred to Finance Committee.
By the City Clerk.
Warrants issued against the General Fund \$ 5744.43
" " " Interest Fund W & S Bonds 22,312.50
" " " " on Bonds issued prior to May 1st 1890. 1,575.00

City Marshal

Referred to Finance Committee.
By the City Marshal.
Total Fines assessed in Recorder's Court \$ 365.00
Paid in Cash. 184.00
Worked out 109.50
Carried over. 71.50 365.00
Pound fees 42.00
Collected on back fines 9.00

City Physician

Referred to Police Committee.
By the City Physician.
No. of Patients in Hospital June 1st 7
" " " admitted during the month 25
" " " Discharged " " 10
" " " Died " " 3
" " " Remaining July 1st 19.
" " Visits to Paupers during the " 102
" " Prescriptions to Paupers during " 200
" " Cases Diphtheria " " 1
No other contagious or infectious diseases during the month.

City Sexton

Referred to Hospital Committee.
By the City Sexton.
Total number of Deaths during the month. 13
White 12
Colored. 1
Male 6
Female 7

Referred to Cemetery Committee.
Street Comtee report on pet. of Alderman Gilmer, for the Street Committee, to whom was referred the petition of Citizens of 1st Ward for opening of Citizens of the 1st Ward to have a Street opened across the I & N R.R. of crossing over I & N R.R. presented their report recommending that the City Engineer be instructed to communicate with the proper Officers of the I & N R.R. to have the fence enclosing the right of way at said crossing removed and gates placed instead. The report was adopted.

Street Comtee report on Ord. Alderman Gilmer, for the Street Committee to whom was referred an ordinance appropriating the sum of \$1000.00 for the purpose of repairing Bridges and Culverts in 1st, 2nd & 3rd Wards. presented their report, recommending that action be postponed until the City finances are such as to permit the making of such improvements. The report was adopted.

Street Comtee report on pet. of Alderman Gilmer, for the Street Committee to whom was referred the petition of Citizens of the 1st Ward to have a Street opened across the I & N R.R. of crossing over I & N R.R. presented their report recommending that the City Engineer be instructed to communicate with the proper Officers of the I & N R.R. to have the fence enclosing the right of way at said crossing removed and gates placed instead. The report was adopted.

Street Com^{tee} report on several petitions for work to be done on Streets + Bridges

Also petition of Citizens asking that Congress Avenue between 15th and 17th Streets be cut down to grade, and a coat of gravel to put in same; also petition of Citizens of the 1st Ward, asking that Water Street be graded from Duadrlope eastward to University Avenue; also petition of members of the First Baptist Church, colored and Citizens of the 7th Ward asking for a passway over Waller Creek, presented their report, stating that while the improvements asked for were very much needed, that we cannot recommend that the work be done, as it is not absolutely necessary, and the condition of the City finances will not permit the granting of the several petitions.

Alderman Maddox moved to refer the petition of Paul McComb back to the Committee, which motion was lost.

The report of the Committee was then adopted.

Police Com^{tee} report on pet. of Citizens of 10th Ward regarding Bound Ordinance!

Alderman Powell, for the Police Committee, to whom was referred the petition of Citizens of the 10th Ward in regard to Bound limits, presented their report recommending that the petition be not granted. The report was adopted.

Claims & Accounts Com^{tee} report on pet. of J. F. Boswell for damages

Alderman Black, for the Committee on Claims and Accounts, to whom was referred the petition of J. F. Boswell, asking that the City pay him damages to wagon, presented their report recommending that the amount asked for \$175.00 be paid. A motion to adopt the Committee's report was lost.

Unfinished Business.

Ord. amending Art. 37 of the Revised Civil Ordinances

The Mayor laid before the Council, an ordinance to Amend Art. 37 of the Revised Civil Ordinances of the City, which was read third time.

Alderman Maddox moved to indefinitely postpone the ordinance, which motion was lost by the following vote:

Yeas, Aldermen Beatty, Maddox, Miller, Platt, Redd and Shelley 6.
Nays Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Linn, Powell, Roberdeau, Rosengren, Schneider, Stumpf, Taylor, Townsend and Zilker 14.

Alderman Maddox moved a call of the Council, which was seconded.

Alderman Linn moved to excuse the absentees, which motion prevailed by the following vote:

Yeas, Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Linn, Platt, Powell, Roberdeau, Rosengren, Schneider, Stumpf, Taylor, Townsend and Zilker 15.
Nays, Aldermen Beatty, Maddox, Miller, Redd and Shelley 5.

The ordinance was then passed, by the following vote:

Yeas, Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Linn, Powell, Roberdeau, Rosengren, Schneider, Stumpf, Townsend and Zilker 13.

Nays Aldermen Beatty, Maddox, Miller, Platt, Redd, Shelley and Taylor 7.

The Mayor then stated that the next business before the Council was the election of a Board of Equalization for the ensuing year, and nominated the following gentlemen for the position viz:

R. M. Eastland, J. W. Holt and R. S. Harrison, and stated that if any Alderman desired to make nominations, that they were now in order.

Alderman Redd nominated

" Chott "
" Roberdeau "
" Beatty, "
" Linn "
" Maddox "

Robert Wyman.
O. J. Outchford.
J. W. Wilson.
W. H. Bond Jr.
J. S. Wynn.
E. W. Emberton.

Election of Bd. of Equalization

Final passage of Ord.

On motion nominations were then closed.

The Mayor appointed Aldermen Linn, Shelley and Miller as tellers.
The teller announced the following as the result of the first ballot:

D. M. Wilson	5	Votes.
R. A. Rutherford	5	"
W. H. Randolph	15	"
E. W. Carlton	5	"
R. Wyerman	5	"
J. M. Folts	8	"
J. L. Wren	6	"
R. M. Rastleman	5	"
R. S. Harrison	4	"

W. H. Randolph elect.

W. H. Randolph having received a majority of the votes cast, was declared elected as one of the Board of Equalization for the ensuing year.
No other one receiving a majority, another ballot was ordered.
The tellers announced the following as the result of the second ballot viz:

Folts	4	Votes
Carlton	3	"
Wren	7	"
Wilson	6	"
Rastleman	4	"
Harrison	3	"
Rutherford	5	"
Wyerman	3	"

No one having received a majority, another ballot was ordered, and the tellers announced the following as the result of the third ballot viz:

Wren	6	Votes
Wilson	6	"
Folts	7	"
Harrison	7	"
Rutherford	8	"
Carlton	7	"
Wyerman	4	"
Rastleman	4	"

No one having received a majority, another ballot was ordered.
Alderman Taylor, moved that the candidate receiving the lowest number of votes, on the next and all subsequent ballots be dropped, which motion prevailed.

The tellers announced the following as the result of the fourth ballot viz:

Folts	7	Votes
Harrison	7	"
Wren	7	"
Wyerman	5	"
Rutherford	8	"
Rastleman	4	"
Wilson	4	"
Carlton	7	"

No one having received a majority, another ballot was ordered, and the

Tellers announced the following as the result of the fifth ballot viz:

Wren	7	Votes
Wilson	3	"
Rutherford	5	"
Folke	7	"
Wyman	3	"
Castleman	5	"
Harrison	5	"
Carlton	3	"

No one having received a majority of the votes cast, another ballot was ordered.

The tellers announced the following, as the result of the sixth ballot viz:

Folke	8	Votes
Harrison	7	"
Wren	7	"
Carlton	3	"
Rutherford	7	"
Castleman	5	"
Wyman	3	"
Wilson	4	"

No one having received a majority, another ballot was ordered.

The name of Mr. Harrison was dropped.

The tellers announced the following, as the result of the seventh ballot viz:

Wren	6	Votes
Wyman	5	"
Castleman	6	"
Rutherford	6	"
Folke	7	"
Wilson	3	"
Carlton	5	"

No one having received a majority, another ballot was ordered.

The name of W. M. Wilson was dropped.

The tellers announced the following as the result of the eighth ballot viz:

Castleman	5	Votes
Folke	8	"
Rutherford	7	"
Wren	7	"
Wyman	6	"
Carlton	3	"

No one having received a majority, another ballot was ordered.

The name of C. H. Carlton was dropped.

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

The tellers announced the following, as the result of the ninth ballot viz:

Wren	9	Votes
Wyman	6	"
Castleman	5	"
Folke	8	"
Rutherford	6	"

Thornston 1 Vote.

No one having received a majority, another ballot was ordered.

Alderman Taylor moved that nominations be re-ordered, so as to allow other names to be placed before the Council for the positions. The motion was lost. The Mayor ruled that the vote cast for Mr. J. M. Thornston, on the last ballot could not be counted, he not having been nominated.

Alderman Maddox appealed from the ruling of the Chair, and on a vote the ruling of the Chair was sustained.

The Tellers announced the following, as the result of the 10th ballot viz:

Rutherford 11 Votes

Wren 11 "

Folke 8 "

Wyerman 8 "

A. A. Rutherford and
J. L. Wren elected mem-
bers of Bd. of Equalization

The Mayor announced that Mr. R. A. Rutherford and Mr. J. L. Wren having received a majority of the votes cast, were duly elected as members of the Board of Equalization for the next year.

The following communication was then read:

Communication from C. C.
Bartholomew Receiver, etc.,

Mr. Lewis Hancock, Mayor, of the City of Austin,
and the City Council of said City

Austin, Texas June, 24th 1897.

Austin, Texas.

Dear Sirs:-

Under and by virtue of the decree in the Circuit Court of the United States, for the Western District of Texas, at Austin, in the case of C. C. Bartholomew Receiver &c. v. S. Jas. Mc Donald, Mayor &c. et al. awarding a mandamus against you to levy a tax &c. as part of the General Revenue of said City of Austin, and to collect the same and pay it over to the plaintiff in said suit, viz, the sum of \$10,000. out of the General Revenue for the year 1896. I now again demand of you, as I have heretofore repeatedly done, the said sum of Ten thousand dollars and interest thereon as allowed by law; as you are by said decree commanded to pay the same.

A writ, based on said decree, was issued to you on the 2nd day of April, 1896, and served on you the same and immediately subsequent days.

In default of payment of this demand, you having paid no part of said sum, I shall take the necessary steps immediately, to have attachment issued against you for contempt of said Court. Not desiring to be forced to extreme measures I give you this kindly warning in the premises.

Very respectfully

C. C. Bartholomew.

Plaintiff in said suit.

On motion the communication just read was referred to the Finance Committee.

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

By Alderman Stumpf, An ordinance appropriating the sum of \$1700.00 to pay for extra Sanitary labor.

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

Aye Aldermen Best, Haynes, Horton, Linn, Linn, Maddox, Miller, Pratt, Powell, Reed, Robertson, Rosenow, Schneider, Shelley, Stumpf, Taylor, Townsend &c. June 18.

Ord. Appropriating the sum of \$1700.00 to pay for extra Sanitary labor.

May/None!

The ordinance was read a second time. Alderman Taylor moved to amend by striking out \$120.00 and inserting \$200.00 which was lost.

Alderman Zilker moved to amend by striking out the word "Sanitary" and inserting "Street" which was lost.

Final passage of Ord.

The ordinance was then passed under suspension of the rule by the following vote: Messrs Aldermen Beatty, Haynes, Horton, Kuhn, Linn, Maddox, Miller, Platt, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor, Townsend and Zilker. 18.

May/None!

Ord. Appropriating the sum of \$160.00 to pay 2 Dog Catchers salary for June & July 1897

By Alderman Powell. An ordinance appropriating the sum of \$160.00 to pay salaries of two Dog Catchers, for the months of June and July 1897.

The ordinance was passed under suspension of the rules by the following vote: Messrs Aldermen Beatty, Haynes, Horton, Kuhn, Linn, Maddox, Miller, Platt, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor, Townsend & Zilker 18.

Final passage of Ord.

Ord. Appropriating the sum of \$84.00 to pay Drivers of Street Teams.

By Alderman Zilker. An ordinance appropriating the sum of \$84.00 to pay Street Drivers. The ordinance was passed under suspension of the rules by the following vote:

Final passage of Ord.

Messrs Aldermen Beatty, Haynes, Horton, Kuhn, Linn, Maddox, Miller, Platt, Powell, Redd, Robertson, Rosengren, Schneider, Shelley, Stumpf, Taylor, Townsend & Zilker 18.

Alderman Schneider offered the following resolution which was read and referred to the Sanitary Committee:

Resolution regarding Weeds, Grass etc.

Whereas, the City is growing up in weeds, grass and thorns, and
Whereas, it is dangerous to the health of the inhabitants of the City, and liable to create an epidemic, by being left to grow, and
Whereas, the City is financially embarrassed, and not able to meet any extraordinary expenses, therefore be it

Resolved, by the City Council of the City of Austin,

That his Honor, the Mayor, be requested to issue his proclamation requesting all Citizens, to cut and remove all weeds etc., in the Streets and Alleys, near property that they may own or control.

Alderman Taylor moved to adjourn. Lost.

Resolution instructing Supr. of Streets to clean gutter on East St.

Alderman Haynes offered a resolution instructing the Supr. of Streets to have the gutter leading from the water trough on East 1st Street cleaned out. Adopted.

Resolution instructing Assessor & Collector to assess the Colorado Bridge known as the S. & N. R. Bridge

Alderman Maddox offered the following resolution which was read: Be it resolved by the City Council, that the City Assessor and Collector be instructed to assess the Colorado Bridge, known as the S. & N. R. Bridge, but really belonging to the Colorado Bridge Company. Said assessment to be for all years from 1884 to 1897 inclusive, and to be for such part of said Bridge as may have been within the City limits for the year for which such assessment is made.

Alderman Schneider offered the following as a substitute for the resolution of Alderman Maddox: That a committee of three, and the City Attorney, be appointed to investigate in regard to the Railroad Bridge used by the S. & N. R. Co., and report to this Council by the next regular meeting, on the subject of taxation.

Alderman Linn was excused from further attendance at this session of the Council. The vote was then taken on the substitute offered by Alderman Schneider.

Resolution directing the burial
of White Paupers in the City
Cemetery

and the same was lost

The resolution offered by Alderman Maddox was then adopted.

Alderman Horton offered the following resolution, which was read and adopted:

Be it resolved, that hereafter, the White Paupers be buried in ground belonging to the City, in the City Cemetery, and set apart for that purpose, and that all burial permits be issued in conformity herewith.

On motion of Alderman Oedd, the Council adjourned.

Geo. C. Johnson
City Clerk.