

Called meeting of the City Council
Austin Texas Sept 26th 1901

Hon R. E. White Mayor presiding
Roll called

Present Aldermen Crocker Davis Ellis Low Maddox
Mortimer Redd Schneider Shelley Shumate Stumpf
& Whit 12

Absent Aldermen Hume and Nitschke 2

Call
Council

The following Call of the Council was read
Austin Texas Sept 26th 1901.

A special meeting of the City Council of the City of Austin,
is hereby called to convene in the Council Chamber at
the City Hall in said City at 8 o'clock P.M. this the 26th
day of Sept a d 1901, for the purpose of considering a
resolution authorizing the purchase of the plant and property
of the Austin Water, Light & Power Company, and
authorizing also the adjustment of certain other differences
at present existing between said Company and the City
and to take such action with reference to said resolution
as the Council may deem proper.

R. E. White Mayor
H. M. Maddox 2nd ward
H. D. Shelley
J. P. Schneider
W. B. Davis
Theodor Low
H. B. Redd
P. D. Mortimer
J. M. Whit
J. M. Shumate
J. L. Hume.

I hereby certify that the following named Aldermen
have been served with the above call by having it
read to them in person.

Aldermen

H. M. Maddox H. D. Shelley
J. P. Schneider W. B. Davis Theo Low H. B. Redd P. D. Mortimer
J. M. Whit J. M. Shumate J. L. Hume L. M. Crocker

A copy of the call was left at Alderman Nitschke's
residence he being out of the city.

H. Montgomery
City Marshal

Minutes
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Alderman Maddox addressed the Council stating
the nature of the proposition which had been made by
the Mayor and certain Aldermen looking to the purchase
of the plant of the old water Company.

On Motion Judge D. Th. Doon was invited to address the
Council. After remarks by Judge Doon, Judge Cochran
upon invitation addressed the Council.

Alderman Cair moved that the Council adjourn which

motion was lost by the following vote

Yeas Aldermen Davis Low Schreiber Stumpf + Witt 5
 Nays Aldermen Crooker Gillis Maddox Mortimer Redd
 Shelley + Shumate 7

Alderman Schneider offered the following resolution

Resolution is
 purchase cell
 water plant

Be it resolved by the City Council of the City of Austin:

Section 1. That the purchase of the plant of the Austin Water, Light and Power Company of the City of Austin, and the adjustment of differences at present existing between the City and said Company, are hereby authorized to be made on the following basis, viz:

1. The plant of the Austin Water, Light & Power Company consisting of all its property and rights of every character whatsoever, except open accounts, claims and judgments for water, light or power furnished, and the books and office furniture of said Company, to be sold, conveyed and delivered to the City of Austin, free of all incumbrance, for and in consideration of the discharge of the claims mentioned in subdivisions two and three hereof under the conditions therein specified and of the payment of the sum of \$175,000.00 and an additional sum equal to the City taxes payable by said Company to and including the taxes for the year 1901 (and 1902, if any) said additional sum to be paid at the time of the transfer of the property, and the remainder to be paid by the City in annual payments of \$25,000: said purchase money to bear interest at 3 per cent per annum from October 1st 1901.

2. Judgments already obtained by the Austin Water, Light & Power Company against the City on account of water alleged to have been furnished the City by the Company, to abide the result of pending litigation; and if said litigation finally results adversely to the City, to be paid in annual installments of \$25,000.

3. Claims against the City for water alleged to have been furnished the City since January 1st 1901, and not yet reduced to judgments, to abide the final result of judgments already obtained; and, if such result be adverse to the City, to be paid as provided in subdivision two hereof with reference to judgments. No claim for hydrant rentals after October 1st 1901 to be made by the Company.

4. Nothing in this proposition shall be construed as obligating the City to pay during any one year more than \$25,000 on the total sum due, or which may become due hereunder, including money due or to become due for purchase price of plant, judgments and claims mentioned in subdivision three hereof; but the City shall have the option and privilege of paying at any time such additional amounts on the debt as it may desire.

5. If the City should by the final result of pending litigation, become liable to pay the judgments and claims mentioned in subdivisions two and three hereof, the annual payments of \$25,000 to be made under this proposition shall be applied (a) to the extinguishment of interest due on the whole sum payable under this proposition, (b) to the extinguishment of

the principal of judgements and claims mentioned in subdivisions two and three hereof, and (c) to the extinguishment of purchase money due for the plant

6. All garnishment suits instituted against debtors of the City or of the City Water and Light Commission, by the receiver of the Austin Water, Light & Power Company, to be dismissed at plaintiffs cost

7. The payment of money which may become due under this agreement to be secured by judgement of the Federal Court, pledge of the general revenue of the City to the extent permitted by charter or by both methods, as counsel for the Company may desire; and the plant to be cleared of encumbrance on April 1st 1902 simultaneously with the first annual cash payment of \$25,000. to be made hereunder.

8. All City taxes payable by said Austin Water, Light & Power Company, including taxes for 1901, (and 1902, if any) are to be paid at the time of the transfer of the property.

Sec 2. That the Council hereby pledges itself to enact such ordinance or ordinances and generally to take such appropriate corporate action as may be necessary to render effective the purchase of said plant and the adjustment of said differences on the basis above stated; and the Mayor and City Attorney are hereby authorized and instructed to execute on behalf of the City of Austin, a contract for said purchase and adjustment on such basis

On motion Alderman Sumate was excused from further attendance at this session of the Council

At Willen Cog upon invitation addressed the Council, after which City Attorney Brooks addressed them

Alderman Crockett offered the following resolution,
By the Mayor and City Council of Austin

Resolved: That whereas the speaker of the House of Representatives of the twenty seventh session of the Legislature of Texas cast the vote by which a liberal appropriation was made by the Legislature to construct a dormitory for the occupancy and convenience of the female students of the University of Texas by which that sex has been granted equal educational facilities with the male students that the Mayor and City Council desire to express and do hereby express their admiration for the broad and liberal policy exercised by the Hon Speaker Prince as manifested in the vote so cast for the said appropriation and also that the Mayor and City Council especially on behalf of the citizens of Austin and more generally of the people of the State of Texas also express their gratitude to the said speaker for the benefits assured to the young women pupils of the University by the said vote marking him as a bold and broad minded statesman undeterred in the performance of his duties by false ideas of economy and we cheerfully

Willen Cog
address Council

Resolution of
thanks to
Speaker Prince
12/27/01

speed him on to even higher places in State and National Government

Resolved also that we desire to express to the Hon E. J. Moore Member of the House of Representatives of the twenty seventh session of the Texas Legislature from the County of Travis our gratitude and Confidence in him for supporting and voting for the aforesaid appropriation and that we recognize in him a leader of the House of Representatives for whom Travis County and the State of Texas can be proud

Resolved, that a copy of these resolutions be spread upon the records of the proceedings of the City Council of Austin, that they be published in the papers of the State and that a copy be presented to the Representatives named in these resolutions

Res Amended

Alderman Schneider moved to amend the resolution by striking out that portion with reference to the Hon E. J. Moore, for the reason that he was being one of the Representatives from this County, had only done his duty to his constituents

The Amendment was adopted by the following vote

Yeas Aldermen Davis Gillis Low Mortimer Schneider & Uhl - 6
Nays Aldermen Proctor Maddox Redd Shelley & Stumpf - 5

The resolution as amended was then adopted

On motion of Alderman Maddox the Council adjourned until 8 o'clock P.M. Friday Sept 27th 1901

Jos. O. Johnson
City Clerk

Adjourned called Meeting of the City Council
Austin Texas Sept 27th 1901

Hon R. E. White Mayor presiding
Roll called

Present Aldermen Groves Davis Gillis Lane Lou Maddox
Redd Schneider Shelley Shumate Stumpf & Ulitt 12

Absent Aldermen Mortimer & Nitschke 2

Resolution to purchase of the plant of the Austin Water, Light & Power Company

The Mayor laid before the Council the resolution authorizing the purchase of the Plant of the said water Company

The resolution was read the second time.

Alderman Maddox offered the following resolution which was read and adopted

Resolution inviting discussion of the Council

Whereas, the public has been invited to attend this meeting of the Council and to express its views on the question of great public importance; and

Whereas, various citizens are here present in response to said invitation; and

Whereas, it is desirable that fairness and good order should be observed in said discussion;

Now, therefore, be it resolved by the City Council that each side be invited to send up to the presiding officer of this body, a list of persons desiring to speak for such side, in the order desired for the speeches, and that the presiding officer be directed to call off a name from each list alternately, and invite the person named to address the Council until all persons desiring to speak have spoken, beginning with the first name on the list of those advocating the affirmative of the proposition under discussion

Comm. H. L. Haynes against purchase

Alderman Stumpf presented a communication from Mr. H. L. Haynes, against the proposition to purchase the plant of the Austin Water, Light & Power Company, which was read and on motion was laid on the table

Alderman Mortimer entered the Council Chamber

Different gentlemen address Council

Under the resolution just adopted the following gentlemen address the Council upon the resolution to purchase the plant of the Austin Water, Light & Power Company.

In favor of the resolution Messrs. A. P. Hoopdrige J. L. Peeler Walter D. Geo. Diegel R. M. Castleman V. L. Brooks & Lewis Hancock

Against the resolution Messrs. S. R. Fisher N. A. Rector H. R. Cochran

On Motion the Council adjourned until 8 o'clock P. M.
Monday Sept 30th 1901.

J. W. C. Johnson
City Clerk

Adjourned called meeting of the City Council
Austin Texas Sept 30 1901
Hon R. E. White Mayor presiding
Roll Called

Present Aldermen Crocker Davis Gillis Low Maddox
Mortimer Nitche Schneider Shumate Stumpf Ulitt 11
Absent Aldermen Hume Redd & Shelley 3

Resolution to
purchase and
confranchise
3rd time

The Mayor laid before the Council the resolution authorizing
the purchase by the City of the Plant of the Austin Water, Light
& Power Company

Different
gentlemen
address Council

The resolution was read the third time,
Under the resolution adopted Sept 27 1901, the following named
gentlemen addressed the Council. viz
Those in favor of the adoption of the resolution were Messrs. Shipe
Wilton and Mayor White

Pet of Citizens
to submit to vote
of people

Those opposed to the adoption the resolution were Messrs. J. W. U.
Brady & Judge Doorn
By Alderman Stumpf - Petition of Citizens asking that the
question of the purchase of the Plant of the Austin Water, Light &
Power Company be submitted to a vote of the people, before action
on same has been taken by the Council

Resolution to
submit to vote of
people

The petition was read and on motion was ordered filed
Alderman Stumpf offered the following resolution
Be it resolved by the City Council of the City of Austin, Texas as follows:
1 That the proposition now pending before the City Council for the
purchase of the plant of the Austin Water, Light & Power Company
be submitted to a vote of the people at an election to be held for
that purpose
2 That the Ordinance Committee be and they are hereby
instructed to prepare an ordinance providing for holding
said election

Resolution to
purchase and
confranchise
adopted

The resolution was lost by the following vote
Yeas Aldermen Davis Gillis Low Schneider Stumpf 5
Nays Aldermen Crocker Hume Maddox Mortimer Nitche Redd
Shelley Shumate Ulitt 9
The resolution authorizing the purchase the plant of the water, light
& Power Company was then passed by the following vote
Yeas Aldermen Crocker Maddox Mortimer Nitche Redd
Shelley Shumate & Ulitt 8
Nays Aldermen Davis Gillis Hume Low Schneider Stumpf 6
On Motion the Council adjourned

J. W. Johnson
City Clerk