

Regular Meeting of the City Council
Austin Texas, July 3rd 1902

R. E. White Mayor presiding.

Roll called,

Present Aldermen, Crooker, Davis, Hume, Low, Maddox, Shelley, Shumate and Stumpf. - 8 -

Absent Aldermen Mortimer, Mitschke, Redd, Schneider and Elliot. - 5 -

On motion the minutes of were approved as recorded by the clerk without reading.

Petitions, Memorials, etc.

By the Mayor, petition of Mai Freeman to erect tent at # 403 Congress Avenue.

Read and on motion the same was refused.

Alderman Schneider entered the Council Chamber By the Mayor, petition of citizens asking to have buildings between Brazos and San Jacinto street removed it being a nuisance. Read and on motion referred to the Street Committee.

By Alderman Schneider, Petition of Austin W. C. D. asking for water trough on East 6th Street. Read and on motion referred to the Water and Light Commission.

By the Mayor, Petition of E. F. B. Alley asking pay for ground on which to bury dead animals.

Read and on motion referred to the Sanitary Committee

Alderman Redd and Elliot entered the Council Chamber.

Reports of City officers

The Mayor laid before the Council the reports of the City officers for the month of July 1902, which were on motion referred to their respective committees without reading.

Reports of Standing Committees

Alderman Maddox for the Finance Committee to whom was referred the reports of the Assessor and Collector, the Treasurer and Clerk for the month of Dec. 1901 presented a report stating that they had examined same and found them correct. The report was adopted.

Unfinished business.

The Mayor laid before the Council the Spillman ordinance which was read the third time and passed by the following vote.

Ayes Aldermen Crooker, Davis, Hume, Low, Maddox, Shelley, Shumate, Stumpf, and Elliot - 9
Nays Alderman Redd - 1

Oct May P. room
to erect Tent
in fire limits

Citizens to
remove building
between
Congress and
Jacinto st

Austin W. C. D.
water trough

E. F. B. Alley for
rent of ground
burial of animals

Reports City
Officers for

Report Finance
Comm. on reports
City officers

Spilling
ord. passed

New Business

\$81.00 May
Sp. Police
By Alderman Shelley an ordinance appropriating the sum of \$81.00 to pay special Police men for the month of June 1902.

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

Yeas Aldermen Crooker, Davis, Hume Low, Maddox, Redd, Shelley, Shumate, Stumpf and Ullit - 10
Nays none.

\$41.25 app'd
ap. st. & pt.
Alderman Mortimer entered the Council Chamber -
By Alderman Maddox an ordinance appropriating the sum of \$41.25 to pay approved accounts Street Department.

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

Yeas Aldermen Crooker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shelley, Shumate, Stumpf and Ullit - 12
Nays none.

\$15,000 to pay
interest
By Alderman Maddox an ordinance appropriating the sum of \$15,000 to pay interest on bonds -

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

Yeas Aldermen Crooker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shelley, Shumate, Stumpf and Ullit - 12
Nays none.

\$850.50 to
purchase
bonds for
city fund
By Alderman Maddox an ordinance appropriating the sum of \$850.50 to purchase and retire certain bonds.

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

Yeas Aldermen Crooker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shelley, Shumate, Stumpf & Ullit - 12
Nays none.

\$250 Ex. labor
& teams
By Alderman Maddox an ordinance appropriating the sum of \$250 for extra street labor and teams

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

Yeas Aldermen Crooker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shelley, Shumate, Stumpf and Ullit - 12
Nays none.

By Alderman Maddox an ordinance appropriating the sum of \$561.25 to pay approved accounts

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

Yeas Aldermen Crooker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shelley

Shumate, Stumpf and Ull-
Nays none

Alderman Maddox offered the following resolution which was read and adopted.

\$1000. transferred from sinking fund to interest fund and bonds.

Be it resolved by the City Council of the City of Austin: That the City Treasurer, be and he is hereby directed to transfer from the Interest and Sinking fund of the Refunding Bonds of the City to the Interest fund on bonds issued prior to May 1st 1890- the sum of one thousand dollars

Alderman Schneider moved to suspend the regular order of business and refer back to reports of Committee which motion prevailed.

Report special Com to sinking bonds

Alderman Davis moved that the Special Committee appointed Dec 2nd 1901 to destroy certain Water and Light bonds purchased for the sinking fund be instructed to present their report which motion prevailed.

The Special Committee presented the following report which was read and adopted. Viz:-

No- 1334	Water and Electric Light Bonds	\$1000.00
" 1339	" " " "	1000.00
" 1349	" " " "	1000.00
" 1364	" " " "	1000.00
" 1366	" " " "	1000.00
" 372	" " " "	1000.00

X

If the Committee appointed to destroy above numbered bonds beg leave to report that same have been destroyed by burning in presence of Council and your Committee

J. M. Shumate
Theodor Low
H. B. Davis

Alderman Schneider for the Fire Committee presented the following report, which was read and adopted.

Report Fire Com on contract for drying towers

Austin Texas, Feb 1902 -
To The Hon. P. E. White Mayor and Board of Aldermen of the City of Austin:-

Gentlemen: Your Committee on Fire Department to whom was referred an advertisement for awarding Contract for constructing fire drying towers for use of Fire Department beg leave to report: That we have after duly advertising for bids do recommend that contract be awarded to J. C. Norton for three hundred and thirty eight dollars (\$338.00)

J. C. Norton
J. C. Road } Com.
Joseph Stumpf

The regular order of business was resumed.
On motion Alderman Chumate was excused from further attendance at this session of the Council -

Ord. of Council
Unapproved

By Alderman Stumpf an ordinance prescribing regulations for the location of express wagons - Hacksters etc

The ordinance was read the first time.
Alderman Mortimer moved that it be referred to the Market Committee which motion was lost.

Alderman Stumpf moved that it be referred to the Street Committee which motion prevailed -

Alderman Maddox moved that the Council adjourn until 8 o'clock P.M. Wednesday Feby 5th 1902. which motion prevailed.

City Clerk,

Adjourned Regular Meeting of the City Council
Austin, Texas Feb 5th 1902

Hon. R. E. White Mayor presiding -

Roll called

Present Aldermen Crooker, Davis, Low Maddox,
Mortimer, Redd, Shelley, Stumpf, and Ulif - 9
Absent Aldermen Hume, Nitschke, Schneiders, Sumate - 4
By Alderman Maddox An ordinance granting
the Houston and Texas Central Railroad Company
the right to construct, maintain and use a
steel fuel oil storage tank; and to construct,
maintain, and operate the necessary pumps,
pipe connections, and other appliances for
pumping oil from tank cars to said storage
tank and from said tank to its roundhouse
machine shops, and locomotives; to use said
fuel oil at its round house and shops;
and to construct and operate a spur track
adjacent to said oil tank in the City of Austin
Texas -

H & T C R. R.
oil tanks

The ordinance was read the first time and on
motion was laid over to come up with a report of
the Street Committee on the subject.

Alderman Maddox presented the following report,
which was read and adopted.

To the City Council of the City of Austin: -
We, the Mayor and Treasurer of the City of Austin,
hereby report that we have received the following
bonds of the City of Austin in exchange for
bonds to be issued under an ordinance entit-
led "An ordinance to provide for the issuance of
Refunding bonds of the City of Austin for the pur-
pose of Refunding its bonded debt and to pro-
vide for the Assessment and Collection of a
tax sufficient to pay the interest thereon, and
to create an annual sinking fund of two
per cent (2%) of the principal thereof."

Report of
Mayor and
Treasurer
Exchange of
\$814,000. bonds

Approved on the 5th day of November, 1901: -
And in lieu thereof we have duly issued
and delivered in behalf of the City under
authority and by virtue of the aforesaid
ordinance, refunding bonds of said City of
Austin, dated July 1st 1901, equal in face
value or principal amount to the face
value or principal amount of the aforesaid
bonds received for exchange,
amounting in the aggregate to \$814,000.00 face
value or principal amount. We have also,

upon such exchange, delivered in cash, or New York exchange to the representative of the New York Security and Trust Company, which company presented the bonds for exchange, in payment of overdue and unpaid interest up to July 1st 1901, on the bonds surrendered for exchange and collection the sum of \$4,465.00, the coupons representing such interest having been surrendered and delivered to us.

We have also paid in New York exchange to the New York Security and Trust Company the sum of \$12,210.00 representing six months interest up to and including July 1st 1902, on said \$814,000.00 of new refunding bonds, dated July 1st 1901 issued and delivered in exchange for the bonds so surrendered, the coupons representing such interest on such new refunding bonds having been detached and cancelled before the delivery of the bonds, the said exchange having taken place on the 5th day of February, 1902.

Therefore said bonds so delivered for exchange and cancellation as follows:-

1. Five per cent Water and Light bonds of the City Series of 1890, of \$1000.00 each numbered as follows:-
 17/29 - 50/265 - 246/219 - 234/236 - 241/244 - 249 - 257/260 - 326 - 328 - 329 - 331 - 332 -
 339 - 340 - 343 - 344 - 346 - 348/353 - 362 - 363 - 370 - 371 - 380 - 402 -
 457/478 - 501 - 502 - 504/507 - 514/534 - 536/548 - 559/560 - 563 - 565/574 - 576/597 -
 603 - 604 - 606/615 - 618/638 - 659/668 - 726/756 - 759/775 - 779/805 - 814/902 - 910 -
 911 - 916/920 - 931/933 - 935 - 946/957 - 958/964 - 964/968 - 1058/1064 - 1108 - 1109 -
 1113 - 1114 - 1120/1125 - 1159 - 1161 - 1203 - 1246/1249 - 1251/1256 - 1259/1262 -
 1264/1284 - 1302/1305 - 1325 - 1373 - 1374 - 1384/1398 -

Six per cent Water and Light bonds of the Series of 1895 - \$1000.00 each numbered as follows:-

619 - 21 - 257/33 - 357/49 - 577/3 - 79/87
 98/129 - 134/141 - 143/154 - 153/163 - 163/175 - 181/198 -

Six per cent funding Bonds of the Series of 1895 - \$500.00 each numbered as follows:- 4 - 13/15 - 30 - 33 -
 54/77 - 103/120 - 122 - 123 -

The further report that we have received on said exchange all coupons due on the above described bonds up to and including those which fell due on July 1st 1901, as well as all other coupons due or to become due since that date on said described bonds. We have also detached from the new refunding bonds their due interest in exchange for said above described bonds the coupons which matured on January 1st 1902 and new bonds so issued in exchange being No. 11516 1904

both numbers inclusive of Austin City Refunding bonds of 1902, and the Coupons, detached from said new bonds being Coupon No 1 attached to each of said bonds, which Coupons are for the face amount of \$15⁰⁰ each.

We further report that we have cancelled the aforesaid bonds by mutilating the signatures thereto, and said bonds and coupons are herewith delivered to the City Council to be destroyed in its presence.

Dated Austin February 5th 1902.

Signed R. E. White
Mayor

H. P. Hilliard
Treasurer

V. L. Brooks
J. M. Maddox

Come to destroy
bonds

Alderman Shelley moved that a Committee of three be appointed to examine and destroy the bonds and coupons described in the report of the Mayor and City Treasurer, which motion prevailed, and the Mayor appointed Aldermen Low, Shelley and Mortimer, as such Committee. The Mayor announced that the Council would be at ease until the special committee was ready to report.

During the recess Aldermen Hume and Shumate entered the Council Chamber. Council called to order.

The special committee appointed to examine and destroy bonds and coupons presented the following report, which was read and adopted.

Austin, Texas, Feb 5th 1902

To the Honorable, the Mayor and City Council of the City of Austin: -

Come Report

The your special committee appointed to examine and destroy certain bonds and coupons of the City described in the report of the Mayor and City Treasurer, this day submitted, have examined said bonds and coupons and find that said report correctly described same.

We also beg to report that all of said bonds and coupons have by us been destroyed in the presence of the Council, by burning same.

Respectfully

H. D. Shelley
Theodor Low
P. H. Mortimer

Alderman Maddox offered the following resolution and ordinance.

Whereas the Mayor and Treasurer of the City have reported to the Council that \$814,000.00 par value, or principal amount of outstanding bonds of the City have been surrendered for cancellation and exchange for new re-funding bonds; and
Whereas such exchange has been effected and \$814,000.00 par value or principal amount of the new re-funding bonds of the City of Austin, dated July 1st 1901, have been duly executed, issued, and delivered in exchange for the bonds so surrendered, for exchange and cancellation, and

Whereas, such bonds, so surrendered for exchange and cancellation have been duly cancelled, and
whereas, such exchange has been duly effected in all respects in accordance with any act of the Legislature amending the Charter of the City of Austin, entitled "An act to amend Sections 33, 34, 36 and 37 and 63 etc., approved September 21st 1901, and in accordance with the provisions of an ordinance of the City of Austin entitled "An ordinance of the City of Austin to provide for the issuance of re-funding bonds of the City of Austin";-- approved November 5th 1901, and in accordance with the provisions of Articles 918 D - 918 E, 918 F. of Sayles's Texas Civil Statutes, found on pages 340 and 341 of Volume 1 thereof, being Sections 45 and 46 of Chapter 64 of the Acts of 1895, as amended by Chapter 13 of the Laws of 1901;

Now - Therefore Be it ordained and resolved by the City Council of the City of Austin: that the exchange of \$814,000.00 par value of new re-funding bonds of the City of Austin for an equal amount in par value of outstanding bonds of the City of Austin, surrendered for cancellation and exchange, as reported by the Mayor and Treasurer of the City of Austin, be in all respects ratified, confirmed and approved; and be it further ordained and resolved that the execution issue and delivered of said \$814,000.00 of Refunding Bonds of the City of Austin, dated July 1st 1901, be ratified, confirmed and approved; and be it further Ordained and Resolved that all proceedings had relative to such exchange and issued including the payment of cash, or New York 10% change for interest, as well up to July 1st 1901 on the Old Bonds surrendered, and up to January 1st, 1902 on the New Refunding Bonds.

Ordinance
Ratification
of Mayor and
Treasurer
exchanging
\$814,000.
bonds.

issued in lieu thereof, as reported by the Mayor and Treasurer of the City - be ratified, confirmed, and approved;

And be it further -

Ordained and Resolved that the \$814000⁰⁰ of bonds, surrendered for exchange and cancellation and cancelled, be destroyed in presence of the Council - and for the purpose of destroying such bonds ~~Aldermen Low and Shelley~~ ^{and Shelley & Mortimer} he hereby, appointed the Committee to effect their destruction; and, be it further;

Ordained and Resolved that a minute of such destruction thereof be entered on the Records of the Council.

X

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

Yeas Aldermen Croker, Davis, Hume, Low, Maddox, Mortimer, Redd, Shelley, Shumate, Stumpf & Whit - 11
Nays none.

Report of
Council.
H & C R & Co.
Faint

Alderman Hume for the Street Committee to whom was referred the ordinance granting the H. and C. R. Co. permission to erect oil tank etc presented a report recommending the passage of the ordinance -

By Alderman Maddox an ordinance granting the H. & C. R. Co. authority to erect oil tank, etc. The ordinance was passed under suspension of the rules by the following vote: -

Yeas Aldermen Croker, Davis, Hume, Low, Maddox, Mortimer, Redd, Schneider, Shumate, Stumpf, and Whit - 10
Nays Alderman Shelley 1

On motion the Council adjourned.

City Clerk