

Regular Meeting of the City Council
Austin Texas July 21st 1902
Hon R.E. White Mayor presiding
Roll called

Present Alderman Crooken Davis Hume Low Maddox
Mortimer Nitchoke Reddy Schneider Shumate Stumpf & Ulik 12
Absent Alderman Shelley 1

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

Pet

Sam Harlan
for St. Paul

Petitions, memorials etc
By the Mayor Petition of Sam Harlan Supt Public Building, and
Lyman, for the State, asking the loan of the City's steam boiler
for a period of twelve days. On motion the petition was
granted.

Reports of Standing Committees

Alderman Ulik for the Cemetery Committee to whom
was referred the report of the City Sexton for the month of June
1902, presented a report stating that they had examined same
and found it correct. The report of the Committee was adopted.

Report
Purchasing
Committee

Alderman Shumate for the purchasing Committee ~~Shumate~~
presented a report stating that they had advertised for and
received bids for furnishing the City with certain supplies, for
the term ending Dec 31st 1902 and recommending the
acceptance of certain bids mentioned in said report, and that
the Mayor be authorized to enter into contract with them
in accordance with their respective bids.

On motion the report was adopted.

Report City
Engineer

The Mayor laid before the Council a report from the City Engineer
regarding a fire hydrant that had been fenced up, situated on
E 12th Street as shown by complaint made to the Council by the
Chief of the A.P. Dept. which complaint had by action of the Council
referred to the City Engineer for investigation report.

On motion the report was received and adopted.

Report of
Com on
purchase
of
on RR
RR

Alderman Shelley entered the Council Chamber.
Alderman Stumpf for a majority of the Committee to whom was
referred an ordinance authorized the San & Suburban R.R. Co
to use either electricity or steam as a motive power for their
cars, presented a report recommending the adoption of a
substitute ordinance, with amendment offered by them.
The substitute and report were read.

Alderman Nitchoke for a minority of said Committee
presented a report recommending that the ordinance do
not pass.

Alderman Stumpf moved to adopt the report of the majority of
the Committee.

Alderman Maddox moved to substitute the minority for the
majority report.

The attorneys present for and against the passage of the ordinance

Minority
report adopted

were invited to address the Council, which they did, after which
the Vote was taken on the motion to substitute the minority for
the majority report, which motion prevailed by the following Vote
Yeas Aldermen Davis Low Maddox Mortimer Nitcuke Redd
Schneider Shelley Shumate & Ulich 10
Nays Aldermen Crooker Hume & Stumpff 3

Purchase old
Water Co.

Referred to
ordinance
Committee

Unfinished business
The Mayor laid before the Council An ordinance to provide for the
purchase of the Plant of the Water, Light and Power Co of Austin
The Ordinance was read the second time by Caption
Alderman Stumpff offered the following Amendment
Amend by inserting after the last section the following Viz
"This ordinance shall not take effect until the consent thereto of the
qualified voters in the City of Austin who pay taxes on property
real and personal in said City has been obtained by an election held
for the purpose, as provided in the Charter of said
Alderman Crooker Moved that the ordinance and
Amendment be referred to the ordinance Committee, with
instructions to report thereon at the next regular
Meeting

Alderman Maddox Moved as a substitute for the
motion of Alderman Crooker, that they be referred to
a special Committee of 5. to be appointed by the Mayor
which motion was lost by the following Vote
Yeas Aldermen Maddox, Mortimer Nitcuke Redd
Shelley & Shumate 6
Nays Aldermen Crooker Davis Hume Low Schneider
Stumpff & Ulich 7

Alderman Maddox Moved to amend the motion of
Alderman Crooker, ~~streets~~ by adding thereto "and Street
Committee", which motion was lost by the following Vote
Yeas Aldermen Maddox Mortimer Nitcuke Redd
Shelley & Shumate 6
Nays Aldermen Crooker Davis Hume Low Schneider
Stumpff & Ulich 7

Alderman Nitcuke Moved to amend the motion of
Alderman Crooker by adding, "and Fire Committee".
which motion was lost by the following Vote
Yeas Aldermen Maddox Mortimer Nitcuke Redd
Shelley & Shumate 6
Nays Aldermen Crooker Davis Hume Low Schneider
Shumate & Stumpff & Ulich 7

The Motion of Alderman Crooker was then
adopted by the following Vote
Yeas Aldermen Crooker Davis Hume Low Mortimer
Nitcuke Schneider Shelley Stumpff & Ulich 11
Nays Aldermen Maddox Redd & Shumate. 3
New Business

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

Resolution
accepting
proffers of
service of
Fisher
& Cochran
in the
City Court

Whereas, A. B. Fisher Esq. Judge S. B. Doorn and Judge B. Cochran have volunteered their services to represent the City in perfecting an appeal in the mandamus proceedings in Cause No 2292, E. B. Bartholomew, Receiver vs City of Austin, et al, without compensation except actual expenses and have advised that such appeal can and should be taken; and, Whereas the City Attorney has advised the Council that the judgment in said mandamus proceedings is erroneous, and has requested that the offer of the above named gentlemen be accepted and that they be made leading Counsel in said litigation, if such appeal is to be taken, and has expressed the willingness to assist said gentlemen while acting as such leading Counsel; therefore,

Be it resolved by the City Council of the City of Austin that said offer of A. B. Fisher Esq. Judge S. B. Doorn and Judge S. B. Cochran be accepted, and they are hereby made leading Counsel to perfect and prosecute said appeal in conjunction with the City Attorney.

Ordinance
regulating
operation of
Automobiles

By Alderman Davis An Ordinance regulating the operation of automobiles in the City of Austin

The Ordinance was read the first time and on motion was referred to the ordinance Committee

The Mayor laid before the Council the following message which was read.

Austin, Texas, July 21st 1902

To the Honorable City Council of the City of Austin Gentlemen:

Mayors
message
nominating
Board of
Equalization

I hereby nominate the following persons to constitute the City Board of Equalization, viz:

R. M. Posternan H. M. Metz and Louis Marcuse

These nominations are submitted to you for such action thereon as to you may seem proper.

Respectfully

R. E. White, Mayor

Board of
Equalization
confirmed

Alderman Schneider moved that the nominations made by the Mayor, in the message just read, be confirmed, which motion prevailed

Approved
Ordinance

By Alderman Maddox, An Ordinance appropriating the sum of \$483.20 for the purpose of paying approved accounts. The Ordinance was passed under suspension of the rules by the following vote

Yeas Aldermen Crocker Davis Hume Low Maddox
Mortimer Nitsche Redd Schneider Shelley Shumate
Stumpf Tuck

Nays None

By Alderman Nitsche An Ordinance amending

By ordinance An ordinance, regulating the running at large of dogs and providing for the registration of same
 The ordinance was read the first time and on motion was referred to the Police Committee
 By Alderman Davis an ordinance appropriating the sum of \$400.⁰⁰ for the purpose of paying expenses of Counsel of the City in procuring approval of exceptions in Case No 2292
 Bartholomew, Resener vs City

\$400. for expense of paying expense of Counsel of Case in U.S.C.

The ordinance was passed under suspension of the rules by the following Vote

Ayes Aldermen Crocker Davis Hume Low Maddox Mortimer Witschke Redd Schneider Shelley Shumate Shumpf Velt 13
 Nays none

Committee to investigate Pound Master

Alderman Shumate moved that the Mayor appoint a Committee of 3. to investigate certain complaints made against the Pound Master and to report the result of their investigation to the Council, which motion prevailed, and the Mayor appointed Aldermen Shumate Redd & Shelley as such Committee

\$40. to pay exchange.

By Alderman Maddox An Ordinance appropriating the sum of \$46.⁰⁰ for the purpose of paying for exchange in paying coupons
 The Ordinance was passed under suspension of the rules by the following Vote

Ayes Aldermen Crocker Davis Hume Low Maddox Mortimer Witschke Redd Shelley Shumate Shumpf Velt 12
 Nays none.

Report Water & Light Commission

The Mayor laid before the Council the report of the Water and Light Commission for the quarter ending June 30th 1902 which was on motion referred to the Water & Light Committee without reading

On Motion the Council adjourned
 J. B. Johnson
 City Clerk.