

Regular meeting of the City Council  
Austin, Texas, July 20<sup>th</sup> 1903  
Hon R.E. White Mayor, presiding

Roll Called

Present Aldermen Crocker Haynes Maddox Nichols  
Roda Schneider Shelley Shumate Smith West 10

Absent Aldermen Hume Macken Miller Moore 4

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

### Petitions

Petitions, memorials etc

R. E. West

Street work

By Alderman Maddox - Petition and proposition  
of R.E. West, for repairing bridge on W. 7<sup>th</sup> street  
On motion the matter was referred to the Street  
Committee.

Reports City Officers

Reports of City Officers

The Mayor laid before the Council the report of the  
City Marshal for the month of June 1903, which  
was on motion referred to the Police Committee

Standing Com.

Reports of Standing Committees

Alderman Maddox for the Finance Committee  
presented the following report:

Austin, Texas, July 17<sup>th</sup> 1903

Hon R.E. White Mayor and Board of Aldermen  
of the City of Austin:

Gentlemen:

Finance  
Exchange of  
bonds.

Your Committee on Finance beg leave  
to report the exchange under the New York agreement,  
of the following described bonds, viz:  
Refunding bonds Nos 125 to 164, both inclusive dated  
July 1<sup>st</sup> 1901, each for \$500 - being a total of \$80,000.  
High School bonds Nos 51 to 90, both inclusive  
dated August 1<sup>st</sup> 1899, for \$500 - each, which said High  
School bonds together with coupons Nos 5 to 41 both  
inclusive, we hand you herewith. We also beg  
to hand you coupons Nos 1, 2, 3 & 4, each for \$75<sup>00</sup> which  
we detached from each refunding bond and paid,  
on a total of 160 coupons, making a total amount  
paid of twelve hundred dollars which we paid  
in warrant No 4670 in favor of the Austin Nat Bank  
We beg to hand you herewith the said High School  
bonds and coupons, also the 160 coupons  
which we detached from and paid on the  
said refunding bonds, for such disposition as  
you deem proper.

Respectfully Submitted

R. M. Maddox

J. P. Schneider

Finance Committee

claims + accounts  
Brodine, J.  
Mrs. McFulson  
Civilian to  
refund fees.

Sanitary J. M. Madder  
for pay while sick

Special Com.  
streets are on  
plans + specifications  
for storm sewer

Alderman Shelley moved that the report be received and referred to a special Committee with instructions to report at the next regular meeting of the Council, which motion prevailed. Alderman Haynes for the Committee on claims and accounts, to whom was referred the petitions of J. A. Brodine, J. C. Johnson, Mrs. McFulson and Civilian to have bond fees refunded presented reports recommending that the petitions be not granted. On motions the reports were adopted.

Alderman Muth for the Committee on sanitation and sewerage to whom was referred the petition of J. L. Madder for salary, as driver of sanitary cart, while sick, presented a report recommending that the petition be granted. The report of the Committee was adopted by the following vote:

Ayes Aldermen Brooker Haynes Miller Redd  
Shumate Smith Muth

Nays Aldermen Madder Schneider Shelley

Aldermen Macker Miller entered the Council chamber

Reports of special Committees

Alderman Nitochke for the street Committee and the City Engineer presented the following report:

Austin, Texas, July 20th 1908,

Hon. A. C. White Mayor and Board of Aldermen  
of the City of Austin:

Gentlemen:  
Your Committee on streets and City Engineer who were directed to prepare plans and specifications for storm sewer, beg leave to report that after consultation with the Mayor thought best to confer with and if possible to procure the services of Mr. John D. Hawley of Port Worth, Texas. We therefore requested him to come to Austin, which he did last week and submitted the attached proposition which we unhesitatingly recommend be accepted.

J. B. Nitochke

J. L. Madder

Attest City Engineer

Committee on streets and City Engineer

Austin, Texas, July 16th 1908

Hon. J. B. Nitochke

Chairman Street Committee, and

Hon. Brown Lee City Engineer

Austin, Tex.

Gentlemen:

In matter of your proposed storm sewer.

on Congress Avenue I hereby propose to prepare plans and specifications for the work with two alternative materials of construction besides brick, and to make four trips of inspection of the work during construction for the sum of three per cent of the cost of the work. You to furnish me levels and other data necessary to properly designing the work.

Respectfully

John B. Hawley

Fort Worth, Texas, July 18<sup>th</sup> 1908

Hon Frank M. Maddox

Austin, Texas.

Dear Sir:

Referring to the Congress Avenue matter, I am inclined to think that it will be best for me to send my assistant to Austin to run the levels, and collect the other data I will need.

You may therefore say to the City Council that I will send him there without cost to the City, to do the preliminary leveling etc, You to simply furnish him a roadman.

Respectfully

John B. Hawley

On motion of Alderman Shelley the report was passed temporarily.

Unfinished business

unfinished business

Curfew ordinance

The Mayor laid before the Council an ordinance regulating the presence of children on the streets and alleys of the City after night. The ordinance was read the third time.

Alderman Maddox moved to reconsider the vote by which the ordinance was passed to its third reading which motion prevailed.

amended

Alderman Schneider offered the following amendment: Amend by adding the words "under the age of seventeen years" after the word "children" and after the word "minor" whenever either of said words occur in the ordinance or the caption thereof.

The amendment was adopted, and a motion made to suspend the rule and place the ordinance on its third reading, was lost by the following vote:

Yeas Aldermen Crocker Macken Maddox Thumate Smith & Meik 6

Nays Aldermen. Byrnes Miller Nitcomb & Ed Schneider Shelley 6.

The Mayor laid before the Council an ordinance providing what shall constitute a day's work on all public works of the City. The ordinance was read the first time. Alderman Crocker moved to reconsider the vote by which the

amended.

ordinance was read the third time which motion prevailed  
 Alderman Crocker moved to amend the ordinance by  
 inserting after the last word in section 1. the following, viz:  
 "All teams used on city works shall work 8 hours per day  
 and receive in payment for same \$3.00 per day including  
 driver. The amendment was adopted by the following vote  
 Yeas Alderman Crocker Haynes Macken Maddox  
 Miller Nitsocke Redd Schneider Shumate Smith & Uhl 11  
 Nay Alderman Shelley 1

Carried.

The ordinance was read the third time and passed  
 by the following vote

Yeas Alderman Crocker Haynes Macken Maddox  
 Miller Nitsocke Redd Schneider Shumate Smith & Uhl 11  
 Nay Alderman Shelley 1

Ordinance  
 increasing salary of  
 Pound Master.

Alderman Shelley President of the Council in the Chair  
 The Chair laid before the Council an ordinance increasing  
 the salary of the Pound Master and stated that same  
 was open for amendments.

Alderman Smith offered the following amendment  
 Add after the word "Pound Master" in the caption &  
 in section 1 of the ordinance the words "and Police  
 Clerk" also by striking out section 2, and inserting  
 in lieu thereof the following, "The sum of \$140.00 or  
 so much thereof as may be necessary be and is hereby  
 appropriated out of any money in the General  
 fund not otherwise appropriated for the purpose  
 of paying said increase of \$10.00 each per month  
 in the salaries of Pound Master and day police  
 clerk for the remaining fiscal year"

Alderman Nitsocke moved that the amendment  
 be referred to the Finance Committee which  
 motion was lost by the following vote

Yeas Alderman Maddox Miller Nitsocke Schneider 4  
 Nays Alderman Crocker Haynes Macken Redd  
 Shelley Shumate Smith & Uhl 8

Alderman Nitsocke moved to lay the amendment  
 on the table which was lost by the following vote

Yeas Alderman Maddox Miller Nitsocke Schneider 4  
 Nays Alderman Crocker Haynes Macken Redd  
 Shelley Shumate Smith & Uhl 8

Laid on table

Indisposed

Outsiders in session

On motion of Alderman Crocker the ordinance  
 was laid on the table subject to call

The Chair laid before the Council an ordinance  
 regulating the speed of Automobiles on the bridge  
 across the Colorado River. The ordinance was  
 read the second time. Alderman Nitsocke moved to  
 amend same by striking out in section 1. wherever it  
 occurs the word "three" and inserting in lieu

Passed

thereof the word "Pine" which motion prevailed  
The ordinance was then passed under suspension of  
the rules by the following Vote  
Yeas Aldermen Crooker Haynes Macken Maddox  
Miller Nibschke Redd Schneider Shelley Shumate  
Smith Tuleit 12

Nays none.

Express Wagons  
etc. prohibited  
to stand on  
streets

The Chair laid before the Council an ordinance  
prohibiting the owners, drivers or persons in charge of Moving  
Vans, express Wagon etc from standing on certain streets  
of the City etc. The ordinance was passed under  
suspension of the rules by the following Vote  
Yeas Aldermen Crooker Haynes Macken Miller  
Nibschke Redd Schneider Shelley Shumate Smith Tuleit 11  
Nays none.

Mayors Veto  
Pound ordinance

The Chair laid before the Council a message from  
the Mayor, relating an ordinance extending  
the pound limits of the City of Austin, which was read.  
Alderman Crooker moved to reconsider the vote  
by which the ordinance was passed, which motion prevailed  
Alderman Crooker moved that the ordinance do  
now pass notwithstanding the Mayors objections, which  
motion was lost by the following Vote.

Yeas Alderman Maddox 1  
Nays Aldermen Crooker, Haynes Macken Miller  
Nibschke Redd Schneider Shelley Shumate Smith  
Tuleit 11

Mayors Veto  
H.C.R. ordinance

The Chair laid before the Council a message from  
the Mayor relating an ordinance granting the  
Houston Texas Central Railroad the permission to  
build a Commercial Switch on tracks in the alley  
in blocks Nos 30 & 42 and to cross fourth Street at  
the intersection thereof, in the City of Austin

Alderman Crooker moved to reconsider the vote  
by which the ordinance was passed, which motion  
prevailed. Alderman Crooker moved that the  
ordinance do now pass, notwithstanding the  
Mayors objections which motion was lost by  
the following Vote.

Yeas none

Nays Aldermen Crooker Haynes Macken Maddox  
Miller Nibschke Redd Schneider Shelley Shumate  
Smith Tuleit 12

Storm  
sewer

On motion the report of the Street Committee  
& City Engineer on plans & specifications for storm  
sewer was taken up. and the report read again  
Alderman Macken moved that the report be adopted  
and that the Street Committee & City Engineer work.

the mayor. be authorized to contract with Mr John Bellawley for the plans and specifications for said sewer. as to amounts to be paid him in case his plans are not used by the Council in the construction of said sewer. which motion was adopted by the following vote  
 Yeas Aldermen Crooker Macken Maddox Nitsocke  
 Redd Shumate & the Mayor 7  
 Nays Aldermen Haynes Miller Schneider Shelley  
 Smith & Whit 6.

#### New business

Austin Dam & Suburban  
 Railroad ordinance  
 Amended

By Alderman Shelley an ordinance repealing Section 5 and amending Sections 6, 7, 8 & 9 of an ordinance entitled "an ordinance granting the Austin Dam & Suburban Railway Company the right to operate its railroad by electricity on steam, or both, upon certain conditions, covenants and considerations upon certain streets of the City of Austin" passed July 6<sup>th</sup> and approved July 10<sup>th</sup> 1908. The ordinance was read the first time Alderman Maddox moved that it be referred to the Ordinance Committee which motion was lost by the following vote

Yeas Aldermen Maddox & Schneider 2  
 Nays Aldermen Crooker Haynes Macken Miller Nitsocke  
 Redd Shelley Shumate Smith & Whit 10

On motion the rule was suspended and the ordinance placed on its second reading by the following vote

Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

The ordinance was read the second time

Alderman Maddox moved that the ordinance be read and acted upon by sections, which motion prevailed, by the following vote

Yeas Aldermen Crooker Macken Maddox  
 Schneider Shelley Shumate & Smith 7  
 Nays Aldermen Haynes Miller Nitsocke Redd  
 & Whit 5

Section 1. Was read and adopted by the following vote  
 Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Section 2, first part, was read and adopted by the following vote

Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Section 2. Second & section 5. read and adopted by

the following Vote  
 Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Section 2. on Section 6. Read and adopted by the following Vote  
 Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Section 7 was read and adopted by the following Vote  
 Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Section 8 was read and adopted by the following Vote  
 Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Alderman Shelley moved that the ordinance be adopted as a whole, which motion prevailed by the following Vote

Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Alderman Nitsocke moved that the rule be suspended and the ordinance placed on its third reading and final passage, which motion prevailed by the following Vote

Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Passed

The Ordinance was read the third time and passed by the following Vote

Yeas Aldermen Crooker Haynes Macken Miller  
 Nitsocke Redd Shelley Shumate Smith & Whit 10  
 Nays Aldermen Maddox & Schneider 2

Extra street labor  
 \$300.

By Alderman Nitsocke An ordinance appropriating the sum of \$300.00 for the purpose of paying for extra street labor & teams.

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

Yeas Aldermen Crooker Haynes Macken Maddox Miller Nitsocke Redd Schneider Shelley Shumate Smith & Whit 12  
 Nays None.

P.

By Alderman Whit, an ordinance amending Article 127 of the Revised Penal Ordinances of the City. The ordinance was read the first time and on motion was referred to the Police Committee.

By Alderman Nitsocke An ordinance appropriating

\$75. To repair instruments  
Engineers dept

the sum of \$75<sup>00</sup> for repairing instruments in the City  
Engineers office The Ordinance was read the first  
time and on motion was referred to the Ordinance  
Committee.

Ord amending art 83  
A.C. ordinances (weeds)

By Alderman Schneider An ordinance amending  
Article 83 of the Revised Penal ordinances of the City  
The ordinance was passed under suspension of the  
rules by the following Vote

Passed

Yeas Aldermen Crocker Haynes Macken Madday  
Miller Nitochke Redd Schneider Shelley Shumate  
Smith Ulit

12

Nays None.

\$250. To build Bell tower

By Alderman Schneider An Ordinance appropri-  
-ating the sum of \$250<sup>00</sup> for the purpose of building a  
Bell tower at the City Hall.

Passed.

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

Yeas Aldermen Haynes Macken Madday Miller  
Nitochke Redd Schneider Shelley Shumate Smith Ulit

11

Nays Alderman Crocker

1

\$50. for cutting weeds in  
Cemetery

By Alderman Ulit An Ordinance appropriating  
the sum of \$50<sup>00</sup> for the purpose of cutting weeds  
in the City Cemetery

Passed

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

Yeas Aldermen Crocker Haynes Macken Madday  
Miller Nitochke Redd Schneider Shelley Shumate  
Smith Ulit

12

Nays None

\$100. for cutting weeds  
on streets & alleys

By Aldermen Smith Haynes & Crocker an Ordinance  
appropriating the sum of \$100<sup>00</sup> for the purpose of  
cutting weeds in the streets and alleys of the City

Passed.

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

Yeas Aldermen Crocker Haynes Macken Madday  
Miller Nitochke Redd Schneider Shelley Shumate  
Smith Ulit

12

Nays None.

Electric Fan  
for lower office

Alderman Shelley offered a resolution authorizing  
the Assessor Collector to put in an electric fan  
in his office. The resolution was read and on  
motion of Alderman Nitochke was referred to  
the ordinance Committee by the following Vote

Yeas Aldermen Miller Nitochke Redd Schneider  
Smith Ulit & the Mayor

7

Nays Aldermen Crocker Haynes Macken  
Madday Shelley & Shumate

6

Alderman Shumate presented the following

Communication and resolution  
 Wm J. M. Shumate  
 Austin, Texas,

Dear Mr Shumate,

Communication  
 from E. M. House  
 donating land for  
 Park purposes

I beg to thank you for the kindly and complimentary expressions contained in your letter of July 6<sup>th</sup> which has just reached me. I am ready at any time to make a deed to the property in question and you are at liberty to take the matter up with the City Council. It is my notion that if it is to be a playground in the proper sense it ought to be in the hands of Trustees - One to be appointed by the School Trustees - One by the City Council and one by the Young Men's Christian Association and I would like to embody in the deed this condition. When I return in the fall I will confer with you regarding the laying off the grounds for tennis, basketball, baseball and other athletic sports and I will be willing to advance as much as five hundred (\$500) dollars for this purpose.

If the Council considers the matter favorably you may have Judge Fulmore prepare a deed to the City embodying the conditions suggested regarding the trustees and I will sign it immediately.

Mr. Sammons of my office will be able to give Judge Fulmore the necessary data for the making of the deed. I would be particularly glad if you would take this matter up quietly, so that there may be as little publicity as possible for as I do not covet newspaper notoriety.

Thanking you in advance for your generous interest I am  
 Sincerely yours  
 E. M. House  
 Magnolia Mass.

July 14<sup>th</sup> 1903.

#### Resolution

Resolution accepting  
 House's proposition

Whereas the Honorable E. M. House, by letter of date July 14<sup>th</sup> 1903, addressed to Wm J. M. Shumate, has offered to donate to the City a certain tract of about five acres of land adjoining Peace Park, and to make a cash donation of as much as five hundred dollars for the purpose of laying off the grounds so located, for tennis, basketball, baseball and other athletic sports, which letter is hereto attached and,

Whereas the Council desires to accept on behalf of the City, the offer aforesaid,  
 Therefore be it resolved by the City Council of the City of Austin

Section 1 That the offer of the Honorable E. W. House as contained in the letter hereto attached, be and the same is hereby accepted by the Council, acting for, and on behalf of, the City of Austin; and that the Mayor of the City of Austin be and is hereby authorized and instructed to represent the City, in all particulars necessary or proper to the consummation of said offer and acceptance and donations.

Section 2 The Council hereby tenders the thanks of the City to the Honorable E. W. House for his generous and public spirited gift, and on behalf of the people of the City, expresses to him its great appreciation for the same.

Section 3 That the City Clerk be, and he is hereby directed to transmit to Mr. House a properly authenticated copy of this resolution.

Pay approved accounts

The resolution was unanimously adopted by Alderman Maddox. An ordinance appropriating the sum of \$1077.<sup>55</sup> for the purpose of paying approved accounts.

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

Yeas Aldermen Crocker Haynes Macken Maddox Miller Nitschke Reed Schneider Shelley Thumalt Smith Yell

12

Nays None

approved accounts  
Street Sept

By Alderman Maddox. An ordinance appropriating the sum of \$477.<sup>65</sup> for the purpose of paying approved accounts Street Sept

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

Yeas Aldermen Crocker Haynes Macken Maddox Miller Nitschke Reed Schneider Shelley Thumalt Smith Yell

12

Nays None

On motion the Council adjourned

Geo. Johnson  
City Clerk