



295 Coupons each for \$15<sup>00</sup> from bonds Nos 201 to 1000 inclusive  
(except Nos 808, 819, 821, 825 & 871) \$4425.00  
296 Coupons each for \$15<sup>00</sup> from bonds Nos 1001 to 1310 "  
(except 1091, 1092, 1132 & 1133) 4440.00  
146 Coupons each for \$15<sup>00</sup> from bonds 1311 to 1450 "  
(except 1378, 1379, 1380 & 1421) 2190.00  
90 Coupons each for \$15<sup>00</sup> from bonds 1491 to 1581 "  
(except 1550) 1350.00  
1296. Total \$17895.00

F. M. Maddox }  
H. L. Haynes } Committee on  
J. P. Schneider } Finance

Austin, Texas, Oct 22<sup>nd</sup> 1903

To the Honorable R. E. White, Mayor, and Board of Aldermen  
of the City of Austin

Gentlemen:

Your Committee on Finance, beg leave to  
hand you herewith for such disposition as you deem  
proper the following, viz:  
First Water Works & Electric Light bond No 364 for \$1000.<sup>00</sup> dated  
August 1<sup>st</sup> 1890, with Coupons Nos 45 to 160 both inclusive  
attached for which we exchanged Refunding bond  
No 1550, for \$1000.<sup>00</sup> dated July 1<sup>st</sup> 1903, after first detaching  
Coupons Nos 1, 2, 3 & 4 each for \$15<sup>00</sup>  
Second, We paid \$62<sup>50</sup> interest on said bond No 364, same  
being interest thereon up to July 1<sup>st</sup> 1901, for which we  
hand you Coupons Nos 40, 41, 42, 43 & 44 each for \$12<sup>50</sup>  
which said Coupons we detached and paid when the  
exchange was made.  
Third, We paid \$60<sup>00</sup> interest on said bond No 1550 same  
being interest thereon up to July 1<sup>st</sup> 1903, for which we  
hand you Coupons Nos 1, 2, 3 & 4 each for \$15<sup>00</sup> which we  
detached & paid when the exchange was made  
Fourth, said interest was paid by warrant No 47 B, for  
\$122<sup>50</sup> in favor of the City National Bank of Austin, Texas

X

Respectfully Submitted

F. M. Maddox }  
J. P. Schneider } Committee on  
H. L. Haynes } Finance

On Motion the reports were received and a Committee  
consisting of Aldermen Wilson, Sadler & others were  
appointed to verify same and if correct to destroy the  
coupons & bond mentioned herein  
Aldermen Adams and White entered the  
Council chamber  
\* We have in the Finance Committee  
appointed to verify the report of the Finance

Committee, etc, present the following report, which was read and adopted

Austin, Texas, Oct 22, 1903,

To the Honorable R.E. White Mayor, and Board of Aldermen of the City of Austin.

Report special Committee

Gentlemen:

Your special Committee to whom was referred a certain report of the Finance Committee of this date together with the duty of destroying the bond & destroy Coupons & Coupons therein designated, beg leave to report that they have destroyed in the presence of the Council the following Coupons as described and correctly set out in said report

(Here follows a list of the bond and Coupons as recorded in the report of the Finance Committee on pages 97 & 98)

Clerk

Synd W.D. Udden

J. B. Redd

Joe Macken

Alderman Shelley for the special Committee appointed July 17<sup>th</sup> 1903, to verify a report of the Finance Committee of that date, and if found correct, to destroy the bonds and Coupons mentioned therein, present the following report which was read and adopted

Austin Oct 22/03

Hon R E White Mayor & City Council

Gentlemen:

Special Committee  
Verify report &  
destroy bonds.

Your special Committee to whom was referred the report of the Finance Committee relative to exchange of refunding bonds for High School bonds have carefully examined the same and beg to report that we find said report correct and have burned said bonds and Coupons in the presence of the City Council

Respectfully submitted

W.D. Shelley

Joe Macken

for Committee

The following is the report of the Finance Committee

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

To the Honorable R.E. White, Mayor, and Board of Aldermen of the City of Austin:

Finance Committee

Gentlemen:

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<sup>00</sup> being a total of \$80,000<sup>00</sup> Twenty thousand dollars for High School bonds Nos 51 to 90

both numbers inclusive, dated August 1<sup>st</sup> 1899 for \$500.<sup>00</sup> 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 \$7.<sup>00</sup> which we detached from each Refunding bond and paid or a total of 160 Coupons, making a total amount paid of twelve hundred dollars, which we paid in Varrant No 46 B. in favor of the Austin National Bank. We beg to hand you herewith the said High School bonds and Coupons, also the 160 Coupons which we detached from and <sup>paid</sup> on the said Refunding bonds, for such disposition as you deem proper.

Respectfully Submitted  
P. M. Maddox  
J. P. Schneider  
Committee on Finance

Quarantine Yellow  
fever proceedings

Alderman Nitschke moved to suspend the regular order of business, to hear from citizens present on the subject of quarantine against Yellow fever, which motion prevailed.

Genl L. M. Openheimer at the request of the Council addressed them on the subject.

Alderman Maddox moved that Judge A. W. Servill Genl Openheimer Dr Payton and J. A. Thomson Esq. be requested to act with the City Attorney in preparing resolutions to be submitted to the Council regarding quarantine etc against Yellow fever which motion prevailed.

Police Committee on  
City R.R. less separate  
Coaches.

Regular order of business resumed

Alderman Shelley for the Police Committee to whom was referred an Ordinance requiring street Railway Companies, doing business within the corporate limits of the City of Austin, to provide separate Coaches for white and Negro passengers presented a Majority report signed by Aldermen Macken & Miller and a Minority report signed by Alderman Shelley. The Majority recommending that the Ordinance do not pass and the Minority recommending its passage.

On motion the reports were laid over to come up with the ordinance under the head of unfinished business.

Hospital on reports  
Physicians

Alderman Reed for the Hospital Committee to whom was referred the Reports of the City Physician & Matron of the Hospital for the month of Sept 1893 presented a report stating that they had examined same and found it correct. The report was adopted.

### Unfinished business

Ord. 8. 05  
W 12<sup>th</sup> Street

By Mayor. Handed  
invited seat on  
rostrum

The Mayor laid before the Council an ordinance appropriating the sum of \$150<sup>00</sup> for the purpose of repairing W 12<sup>th</sup> Street between Rio Grande & Blanca streets. The ordinance was read the third time.

On motion of Alderman Shelley, the Mayor was invited to a seat on the rostrum with the Mayor. The ordinance appropriating the sum of \$150<sup>00</sup> for the purpose of repairing W 12<sup>th</sup> Street was then passed by the following vote:

Yeas Aldermen Haynes Miller Moore Redd  
Shelley Shumate Smith & Whit 8

Nays Aldermen Sturte Wacker Muddox Nitschke  
& Schneider 5

W 12<sup>th</sup> St work to be  
done under Contract

Alderman Muddox moved that the work to be done on W 12<sup>th</sup> Street between Rio Grande & Blanca streets be done by Contract and under the supervision of the Street Committee, which motion prevailed.

Separate street  
Car Ordinance

The Mayor laid before the Council an ordinance requiring Street Railway Companies doing business within the Corporate Limits of the City of Austin to provide separate coaches for white & negro passengers. ~~The ordinance was read the second time.~~ <sup>together with the two reports on same by the Police Committee</sup>

Killed

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

Alderman Schneider moved to lay the whole matter on the table, which motion prevailed by the following vote:

Yeas Aldermen Sturte Wacker Miller Moore Nitschke  
Schneider Shumate & Smith 8

Nays Aldermen Haynes Muddox Redd Shelley Whit 5

### New Business

Yellow fever  
resolutions

Alderman Shelley on behalf of the Citizens Committee & City Attorney presented the following resolution which was read and adopted.

Be it resolved by the City Council of the City of Austin that the Sanitary Officer is hereby directed to forthwith order all persons to clean up and disinfect in a thorough and efficient manner all premises owned or controlled by them; and said officer is hereby instructed to exercise his entire power to see that said instructions are enforced.

All citizens are requested to co-operate in the said work and the papers of the State are requested to publish the fact that the City of Austin is already rigidly quarantined against the City of San Antonio and all other infected points. Also that the City is in



Shunmate Yellow fever

excellent Sanitary Condition with absolutely no suspicious Cases of illness

Alderman Shunmate offered the following resolution, which was read and adopted

Whereas, it has been officially determined that there are several Cases of Yellow fever now in San Antonio, <sup>Tex.</sup>, Whereas, it devolves upon the Council to take every precaution to prevent the introduction of the disease into our City, therefore be it resolved

1<sup>st</sup> That the City Clerk be directed to telegraph at once to the Conductor of every train leaving San Antonio tonight and also the train dispatcher of the D & N R R that no one having been in San Antonio in the past week will be permitted to get off the train in Austin whether residents of this City or not

Alderman Shelby moved that Dr M. A. Payton be invited to address the Council on the best means of disinfecting the City, adopted, and Dr Payton addressed the Council

Alderman Hume offered the following resolution which was read and adopted

Be it resolved that the Mayor of the City of Austin appoint a Citizen from each ward of the City as a Chairman of a Sanitary Committee which Chairman shall appoint ten Citizens out of his ward as a Sanitary Committee and the duty of such Committee shall be to inspect the Ward and see that it is in a clean Sanitary Condition and if they find any premises in an unclean Condition to have same cleaned at the expense of owner of the property, said Committee to serve without compensation.

The Mayor appointed the following gentlemen as chairmen of their respective wards, as provided for in the resolution just adopted

1<sup>st</sup> Ward ~~Sam~~ R. Petway  
2<sup>nd</sup> " Geo. H. Childs Esq.  
3<sup>rd</sup> " Wm A. Bassell "  
4<sup>th</sup> " J. A. Cauffman "  
5<sup>th</sup> " Geo. W. Hornsby "  
6<sup>th</sup> " Chas. P. Moore "  
7<sup>th</sup> " Dr W. N. Watt

Alderman Tiville offered the following resolution which was read and adopted

Be it resolved by the City Council of the City of Austin that the Mayor is hereby authorized and instructed to appoint an advisory board of five Physicians to gratuitously co-operate with the City Physician in devising a plan for the sanitary protection of the City against infection

Special Sanitary Committees in each ward appointed

Physicians Com  
promised by



\$1000.00 appropriated  
for expenses, fever  
& quarantine

By Alderman Maddox An ordinance appropriating  
the sum of \$1000.00 for the purpose of protecting the City  
against the introduction of infectious diseases

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

Yeas Aldermen Haynes Hume Macken Maddox  
Willen Moore Nitcote Redd Schneider Shelley  
Shumate Smith West

Alderman Moore offered the following resolution  
which was read and adopted

Garbage &  
Crematory resolution

Whereas, the system now employed by the City of Austin  
for disposing of its garbage, constitutes a nuisance  
to the lives and health of its inhabitants; and,

Whereas a garbage crematory could easily be  
erected by the City at a moderate expense, which  
would enable such garbage to be disposed of in a  
rational and sanitary manner; therefore

Be it resolved by the City Council of the City of Austin:  
That a special Committee be appointed by the Mayor  
to investigate and report to this body, at the earliest  
practicable date as to the advisability and probable cost  
of a modern and efficient plant for the cremation  
of garbage and refuse matter accumulating in  
the City of Austin

The Mayor appointed Aldermen Moore, Schneider  
and Shumate as the Committee provided for in the  
above resolution

Alderman Moore offered the following resolution  
which was read and referred to the Charity Committee

R.R. Transportation  
for pumps.

Be it resolved by the City Council of the City of Austin:  
That hereafter no order for Railroad Transportation, to be  
paid for by the City, shall be issued by any officer of the City

Res. Sanitary Sewers  
emptying in Colorado  
River

By Alderman Moore An Ordinance prohibiting  
the emptying of Matter from Sanitary Sewers into  
the Colorado River or any tributary thereof at any  
point within the corporate limits of the City of Austin

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

By Alderman Schneider, resolution directing the Fire  
Committee & City Engineer to have the roof of the 8th  
street fire Hall repaired, The resolution was adopted

\$1000.00 to work  
Sanitary Sewers

By Alderman Willen An ordinance appropriating  
the sum of \$100.00 for the purpose of improving South  
Congress Avenue and other streets in South Austin

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

Yeas Aldermen Haynes Macken Willen Moore Nitcote  
Redd Schneider Shelley Shumate Smith West  
Mayor None

\$17,000<sup>00</sup> for storm sewer  
Congress Avenue

By Alderman Nitschke An ordinance appropriating the sum of \$17,000.<sup>00</sup> for the purpose of constructing a storm water sewer on Congress Avenue. The ordinance was read the first time and on motion was referred to the Ordinance Committee

Alderman Madrox presented the following communication from the Finance Committee which was read to the Honorables, the Austin, Texas, October 21<sup>st</sup> 1903,  
Aldermen of the City of Austin

Gentlemen:

Communication from  
Finance Committee  
on tax levy for 1903

We, Your undersigned Finance Committee, to whom is entrusted the duty of preparing and submitting an ordinance levying taxes for the year 1903, have caused to be prepared, and hereby submit for your consideration, such ordinance. The rate of taxation provided in the ordinance for interest and sinking fund on the bonded indebtedness of the City is one (1%) per cent; and we deem it proper in this connection to state for your consideration our reasons for making such provision.

The total bonded indebtedness of the City is \$1,617,000.<sup>00</sup>

Of this amount, \$1,265,000.<sup>00</sup> has been refunded under the provisions of the ordinance of November 11, 1901; and all interest due on such re-funded indebtedness has been paid to date.

Holders of \$317,000.<sup>00</sup> of the five (5%) per cent Water and Light bonds of the City, have refused to accept re-funding bonds in lieu thereof, have procured judgments aggregating approximately \$50,000.<sup>00</sup> for interest on said bonds; and have filed Mandamus suits against the City to compel the City to levy taxes for certain past years aggregating in amount the difference between the sums of the rates actually levied for bond purposes during such years and the aggregate rates which would have been levied for such years, had taxes at the rate of 1.167% for bond purposes been imposed annually.

We are advised by the City Attorney that, in his opinion, the Council cannot be compelled to levy taxes for past years, or to make a higher levy than one (1%) per cent for the present or future years in order to provide interest and sinking fund for the bonds in suit. He also advises us that, in his opinion, the final result of the pending Mandamus suits will be a decree directing the levy of a one (1%) per cent tax for bond purposes for the present year.

The making of the annual tax levy for the year cannot be longer delayed. The sole question for consideration is, therefore, whether it is more desirable to levy in one ordinance all taxes which will have to be levied for the year 1903, than to levy such taxes through



the medium of two ordinances - the one to be passed at once and the other to be passed at the final termination of the pending mandamus suits.

We think that all taxes for the year should be levied at one time. No saving or other advantage could result to the taxpayers from the contrary course; but, on the other hand, endless misunderstandings and confusion would be produced.

Not only this, but if the legal propositions above stated be correct, a distinct advantage will accrue to the City in the mandamus litigation by the adoption of the course recommended, because it will then have performed its full legal duty in the premises and no mandamus judgment of any character will be entered against it.

The holders of the bonds in suit were informed by us prior to the institution of their original suits that the City would voluntarily pay them interest on their obligations at the rate of three (3%) per cent per annum; and that no greater rate could be realized from litigation, because a tax at the maximum rate permitted by law would not net more money than the sum so voluntarily tendered. This offer was declined and the litigation instituted.

We believe the result of the litigation will demonstrate the fairness of our offer, and the truth of the statements on which it was predicated. A tax of one (1%) per cent for bond purposes, will, on the basis of our present taxable values, net to the holders of our bonds interest at, approximately, the rate of three (3%) per cent per annum. Aside from the reasons above stated, we recommend the levy of a one (1%) per cent bond tax for the year 1903, because we believe such course and the final effect of the mandamus litigation will demonstrate that the City, by so doing, has done all within its power to meet its legal obligations; while the contrary course would lend plausibility to the charge that it has voluntarily assumed the position of a defaulter on its obligations.

Respectfully

J. M. Maddox Chairman

H. L. Haynes

J. P. Schneider

We concur in the above recommendations

R. E. Fule Mayor

V. L. Brooks City Attorney

By Alderman Maddox An ordinance levying taxes for the year 1903. The ordinance was passed under suspension of the rules by the following vote:

Yeas Aldermen Haynes, Hines, McCracken, Maddox, Nelson, Warrick, White, Redd, Schneider, Shelly, Hummel, Smith, Webb 13  
Nays none

Proposition Geo. S. Walton  
to change street

By Alderman Haynes, proposition of Geo. S. Walton to change lines of streets. Read and on motion referred to the street Committee.

\$300. extra st labor

By Alderman Nitschke An ordinance appropriating the sum of \$300.<sup>00</sup> 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 Haynes Hume Macken Maddas Miller Moore Nitschke Redd Schneider Shelley Shumate Smith and Ulit

13

Nays None

\$100. Culvert W 6<sup>th</sup> St  
Little Shoal Creek

By Alderman Nitschke An ordinance appropriating the sum of \$100.<sup>00</sup> for the purpose of extending Culvert across Little Shoal Creek on W 6<sup>th</sup> street. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Haynes Hume Maddas Macken Miller Moore Nitschke Redd Shelley Shumate Smith & Ulit

12

Nays None.

Approved accounts  
pay in.

By Alderman Maddas an ordinance appropriating the sum of \$1049.<sup>46</sup> for the purpose of paying approved accounts. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Haynes Hume Macken Maddas Miller Moore Nitschke Redd Schneider Shelley Shumate Smith & Ulit

13

Nays None.

On motion the Council adjourned

Jos. O. Johnson  
City Clerk