

Regular Meeting of the City Council

Austin Texas, Aug. 9th 1907

Hon F M Wadday, Mayor, presiding

Roll Called

Present Crocker Cuneo Haynes Meredith Moore Morland
John Radd Smith & Wilhelm

Absent Aldermen Armstrong, Allen & Cook

10
3On motion the minutes were approved as recorded
by the clerk without reading

Petition etc

The Mayor laid before the Council, with his approval, a
petition of J. H. Horn asking to have a fine assessed against
him in the Recorder's Court, returnedJas Horn to remit
fine - granted

On motion the petition was granted.

Alderman Cook entered the Council Chamber.

J. P. Cook to remit
found feesBy Alderman Meredith - Petition of J. P. Cook asking to
have certain found fees paid by him refunded -Alderman Crocker moved to refer the petition to the
Committee on Claims & Accounts, which motion was lost
by the following vote

Yeas Aldermen Crocker Cuneo Haynes Wilhelm

4

Nays Aldermen Meredith Moore Morland John Radd
Smith & Wilhelm

granted

Alderman Moore moved that the petition be granted
which motion prevailed by the following voteYeas Aldermen Crocker Meredith Moore Morland John
Radd Smith & Wilhelm9
2

Nays Aldermen Cuneo Haynes

Citizens for fine
hydrant. ReferredBy Alderman Wilhelm. Petition of Citizens asking that
a fine hydrant be located at or near the corner of Concho and
14th Street. Read and on motion referred to the Water and
Light CommitteeOn motion of Alderman Smith, Ex Alderman Powell
was invited to a seat in the Council Chamber.Columbus Washington
firing bond
CancelledThe Mayor stated to the Council that one Columbus
Washington had been fined in the Recorder's Court, and had
given a hiring bond signed by Mrs McAnnis, who had
paid \$7.50 on said bond. That said Washington had
worked about one day for Mrs McAnnis and had then
concluded he would work out his fine on the streets
and had returned and give himself up and was
now at work on the streets.Alderman Haynes offered the following resolution
which was read and adoptedBe it resolved, that the hiring bond by Mrs McAnnis
for Columbus Washington in \$7.50 be cancelled and
amount paid by said Mrs be refunded to her by the City
of Austin Corporation.

W A Achilles
pound fee remitted

The Mayor stated that a horse belonging to W A Achilles had gotten loose from his little son and had been caught by the Pound Master, while the boy was after him. He recommended that the pound fee be remitted, and it was done.

J H Mallory leave
absence

By Alderman - with appreciation & ... twenty days leave of absence without pay. Curran the leave was granted.

Reports City officers

Reports of City Officers
The Mayor laid before the Council the report of the Treasurer for July and that of the Water & Light Commission for the quarter ending June 30th 1904 which were on motion referred to their appropriate Committees without reading.

Reports Standing
Committees

Reports of Standing Committees
Alderman Cline of the ~~Food~~ ^{Ordinance} Committee from whom was referred the pure food ordinance made a verbal statement stating that he called a meeting of the Committee, that two of the Committee were present and that they had not been able to agree upon a report.

Ordinance on pure
food or ordinance

Alderman Scott of the Ordinance Committee presented the following:
Be it enacted by the Mayor and City Council
Gentlemen,

Alderman Scott
on pure food
ordinance

I as a member of the ordinance Committee to whom was referred "an ordinance providing for the sale of pure food stuffs in the City of Austin" etc, beg leave to make the following report:
That the Committee received the printed ordinance on Saturday the 17th and the ordinance Committee met today at 10 A.M. only two members being present together with two members of the Board of Health. While I believe that the meat, meats, and public eating houses should be inspected and also the Bakeries should be included in the inspection, the ordinance as it stands is far reaching and should be passed only after all parties interested have been allowed ample time to discuss the ordinance in all its bearings with the Committee and members of this body.

I therefore ask that the ordinance be again referred back to the ordinance Committee and the Chairman of that Committee be instructed to notify the Chairman of the Board of Health and Restaurant Keepers the date of the next meeting and request their presence. I also suggest that this meeting be held at 8 P.M. on next evening convenient to the Chairman of this Committee.

Respectfully,
J. H. Scott
Member Ordinance Committee

Alderman Moore moved that the ordinance be referred to the Committee on Sanitation & Sewerage. The Mayor asked President Haynes to take the Chair, and addressed the Council on the ordinance.

Alderman Peck moved to refer the ordinance to the Ordinance and Sanitary Committee. The vote was first taken on the Motion of Alderman Moore to refer to the Sanitary Committee and the Motion lost by the following vote:

Yeas Aldermen Cuneo Moore & Wilhelm 3
Nays Aldermen Crocker Haynes Meredith Moreland Petri Redd Scott & Smith 8

The vote was then taken on the Motion of Alderman Peck to refer to the Ordinance & Sanitary Committee, which Motion prevailed by the following vote:

Yeas Aldermen Crocker Haynes Meredith Moreland Petri Redd Scott & Wilhelm 8
Nays Aldermen Cuneo Moore & Smith 3

Alderman Cuneo for the Ordinance Committee to whom was referred petitions of Citizens asking change in the Pound Ordinance, presented a report returning to the Council the petitions without recommendation.

On Motion the petitions were laid over subject to call and the City Attorney directed to prepare an Ordinance in accordance with the petitions.

Alderman Petri for the Claims & Accounts Committee to whom was referred a petition from J. O. Fox to have certain pound fees refunded, presented a report recommending that the petition be granted. The report was adopted.

Alderman Petri for the Claims & Accounts Committee to whom was referred the petition of M. L. White for correction of Assessment for 1906, presented a report recommending that the petition be granted. The report was adopted.

Alderman Petri for the Claims & Accounts Committee to whom was referred the petition of C. W. Jones for damages to wagon, run into by North Austin Horse Wagon, presented a report recommending that he be allowed twenty dollars.

On Motion the report of the Committee was adopted.

Unfinished Business

President Haynes in the Chair. The Chair laid before the Council the following veto message of the Mayor:

Austin, Texas, August 15, 1907

To the Hon. City Council of Austin, Texas:
Gentlemen:

I return herewith without my approval "An Ordinance prohibiting the running of stage of horses within a prescribed district within the City."

Ordinance Com
on Pound Ordinance

et A. J. O. Fox
pound fees
granted

M. L. White to
Correct Assessment
granted

C. W. Jones for damages

Unfinished
business

Mayor's veto
granted

of Austin and providing a penalty therefor"
 This Ordinance seeks to prohibit "flocks or chickens or
 turkeys or geese or ducks" from running at large from
 "Red River Street on the east to West Avenue on the west"
 and from First Street to Fifteenth Street in the City of Austin"
 It may be and doubtless is a source of great annoyance
 to some of the citizens in the above described limits
 to have their neighbors chickens to invade their premises
 but I fail to see why it will not be equally as annoying
 to residents outside of said limits. The friendship
 of long standing between neighbors have been broken
 by chickens, geese or ducks as well as dogs and children
 invading the premises of each other, but I cannot
 see that the passage and enforcement of this Ordinance
 will prevent such unpleasant occurrences but in
 my opinion will have the contrary effect.

In my opinion such legislation as proposed
 in this Ordinance should not be offered, passed
 or approved except a petition of a majority of
 the citizens residing in the affected district
 Yours Respectfully
 A. M. Madrox - Mayor

Alderman Crocker Moved to reconsider the vote by
 which the Ordinance was passed, which motion prevailed
 Alderman Crocker moved that the Ordinance do now
 pass notwithstanding the Mayors objections, which
 motion was lost by the following vote

Yeas Aldermen Uthland & Scott 2
 Nays Aldermen Crocker Cuneo Haynes ^{Meredith} Moore Petri Redd 9
 Smith & Wilhelm

New Business
 By Alderman Cuneo An Ordinance extending the
 time to complete one mile of railway track within
 the limits of the City of Austin, under an Ordinance
 granting a right of way and other privileges over
 along and on the streets and avenues of the City of
 Austin, Texas, to Ralph H. Carrall of New York City, and
 to his associates and assigns, passed by the City Council
 of Austin, Texas, on the 4th day of June A.D. 1906, and
 approved by the Mayor of Austin on June 6th 1906, and
 amended by an Ordinance passed by the City
 Council of the City of Austin on February 18th 1907, and
 approved by the Mayor of Austin, on February 20th 1907
 extending the time in which to commence work
 thereunder.

The Ordinance was read the first time and passed
 under suspension of the rules by the following vote
 Yeas Aldermen Crocker Cuneo Haynes Meredith Moore

Veto Sustained
 New business
 Extending time
 R. H. Carrall
 R. H. Carrall
 R. H. Carrall

Ex laboribus

Expending
Storm Sewer
appropriation

Passed Ordinance
Amending

Marshal directed
to investigate certain
buildings in fire
limit

Moreland Petri Beag Smith & Wilhelm 10
Nays Alderman Redd 1
3d. Alderman Beag An Ordinance appropriating
the sum of \$100.00 for the purpose of employing extra street
labor & teams - The ordinance was read the first time
and passed under suspension of the rules by the
following vote
Yeas Aldermen Crocker Hagner Meredith Moore Moreland
Petri Redd Beag Smith & Wilhelm 10
Nays Alderman Cuneo 1
4th. Alderman Crocker An Ordinance appropriating
the sum of \$1000.00 for the purpose of extending the storm
sewer. The ordinance was read the first time and
passed under suspension of the rules by the following vote
Yeas Aldermen Crocker Cuneo Hagner Meredith Moore
Moreland Petri Redd Beag Smith & Wilhelm 11
Nays None
The Mayor laid before the Council an ordinance
Amending the Passed Ordinance
The ordinance was read the first time and a motion
made to suspend the rule and place it on its second reading,
which motion was lost by the following vote
Yeas Aldermen Crocker Cuneo Meredith Moore Moreland
Petri Redd Smith & Wilhelm 9
Nays Aldermen Hagner & Beag 2
Alderman Hagner offered the following resolution
Be it resolved by the City Council of the City of Austin:
That the City Marshal be & is hereby instructed to investigate
as to whether the party who recently erected a wood &
tin shanty on 6th street near the corner of Red River
had permission to do so, and if not to at once have same
removed
Alderman Cuneo moved to amend the resolution by adding
That the City Marshal also be instructed to investigate a
building or shed within the fire limits of the City of Austin
on lot between 1st and River bridges, on lot owned by James
Lumber Co. as to whether the parties have complied with the
ordinance and if not to take proper steps under the law.
Also that he be instructed to investigate a shed or
building erected within the fire limits of the City of
Austin corner 7th & Trinity streets and if the parties have
not complied with the ordinance regulating such
erecting - then that he proceed according to the law.
The Amendment was adopted and the resolution as
Amended was adopted
The Mayor laid before the Council the following communication
and report
Austin Tex Aug 19th, 1907

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

Report City
Attorney & Engineer
on Garden St

We, the undersigned officers, to whom was referred the matter of the opening of Garden Street in front of the homestead of Joseph Schapiro, beg leave to report as follows: That we have carefully measured the premises occupied by Mr Schapiro and find that he has a deed calling for 150 feet square of property; that he actually has under fence from 8 to 16 feet more than is called for by his deed, in this; that Mr Schapiro's east line is 166 feet in length, when as a matter of fact his deed calls for 150 feet; that his west line measured about 158 1/2 feet as fenced, when as a matter of fact his deed calls for 150 feet; that Garden Street in front of Mr Schapiro's residence is a 50 foot street, as called for by the Map or plat of said street duly recorded; that notwithstanding the fact that Mr Schapiro's fence on the east and on the west encloses the number of feet in excess, as above mentioned, if that number of feet were cut off, Mr Schapiro's fence would still be about 20 feet in Garden Street, and, as he refuses to move his fence back, claiming that he has the land only which was sold to him, there is nothing to do but to institute suit in Court to recover this property and make Garden Street its normal width in front of the Schapiro property.

Respectfully Submitted

W. D. Shantz City Attorney

E. Leonard City Engineer

Alfredman Moore moved that the City Attorney be instructed to bring suit against Mr Schapiro as recommended by the above report, which motion prevailed.

On Motion the Council adjourned

Jos. Johnson
City Clerk