

The minutes of a regular meeting of the City Council.

Austin, Texas, September 21, 1891.
Hon. Henry A. Linn, President of the Board of Aldermen, Presiding.

Roll

Roll Call. Present - Aldermen Anderson, Assmann, Bloss, Graham, Hume, Jackson, Ketchum, Linn, Morris, Newton, Nitschke, North, Phillips, Platt, Schuber, Suter, Townsend, Weyerman, Wingfield, Ziller. - 20.

Call.

Absent: Aldermen Carleton and Schneider. - 2.

The minutes of the meeting of the City Council which was held on the 7th day of September, 1891, were adopted as printed.

Petitions, memorials, etc.

Whitely, J. J.

A petition was received from J. J. Whitely asking the Council to remit a fine of \$10 that was assessed in the Recorder's Court against him. The Mayor not having acted upon the petition as is required by the City Charter the same was laid over without being read.

Dynamite &c

By Alderman Bloss - A petition from citizens requesting the Council to prevent the storage of dynamite and other dangerous explosives in the thickly settled portions of the city. It was read and referred to the fire Committee.

Committee Reports.

Mrs E. Brown.

By Alderman Phillips - For the Street Committee, to whom was referred the claim of Mrs Elizabeth Brown for damages to her homestead - No. 614 West 4th Street - Caused by the construction of the road bed for the railroad to the site of the dam, make a verbal report on the same, stating that an unsuccessful attempt had been made to settle the claim, and in view of the fact they would recommend that the claim be laid on the table. The report was adopted.

J. Cummings, S. K.

By Alderman Phillips - For the Street Committee, to whom was referred a proposal from J. Cummings to extend Rainey Street through his land to the Colorado river, provided the city will so grade the street as to make it passable, make a verbal report thereon stating that owing to the lack of funds at this time, they would not recommend the acceptance of the proposition. The report was adopted and the withdrawal of the proposal agreed to.

J. Sheehan.

By Alderman Phillips - For the Street Committee, to whom was referred the claim of J. Sheehan for the sum of \$12.00 amount of damages done to stone and iron around his residence, reported recommending that one dollar be paid Mr Sheehan in full settlement of his claim. The report was adopted.

Alb. Schneider.

Alderman Schneider entered the Council and answered to his name.

Alley in Block 36.

By Alderman Phillips - For the Street Committee, to whom was referred a petition of citizens asking that "135 feet of an alley that runs East and West through Block 36" be opened, submitted a report recommending the granting of the petition and directing the Street Commissioner to comply with the same.

Alderman Morris moved to amend the report by adding the following proviso. Provided, that if the Street Commissioner in so doing shall meet with resistance he shall at once cease opening

Said alley and shall report the fact to the City Council at its next regular meeting. The amendment prevailed and the report as amended was adopted.

E. Shepard.

William J. Morris.

Alderman Kitschke moved that further time be given the Committee on Claims and Accounts in which to prepare a report on the claim of E. Shepard. Granted.

By Alderman Jackson - For the Committee on Sanitation and Sewerage to whom was referred a petition of Citizens asking that the hide business of Arthur J. Mays be removed from Congress Avenue, it being a nuisance, submitted a report stating that the Committee is assured that hereafter there will be no cause for complaint and in consequence recommend that the petition be not granted. The report was adopted.

Lights for 11, 6 wd.

By Alderman Morris - For the Committee on water and light, to whom was referred a petition asking that five arc lights be placed at certain points in the Eleventh Ward, presented a report thereon stating that the petition is entitled to favorable consideration but that the Committee is impelled to recommend that it be not granted at this time owing to a lack of funds belonging to the fiscal year. The report was adopted.

Unfinished Business.

Slops, Swill &c.

An Ordinance declaring it a misdemeanor for any person to haul swill, slops or other offensive matter through the streets of the City of Austin, between the hours of nine (9) o'clock a.m. and five (5) o'clock p.m. - and providing a punishment for its violation, was taken up on its third reading and read, after which a motion was made that the Ordinance do now pass, which was lost by the following vote:

Ayes - Aldermen Anderson, Asmann, Linn, Kitschke, Phillips, Schneider, Ziller - 7.
Nays - Aldermen Glass, Graham, Stume, Jackson, Ketchum, Morris, Newton, North, Platt, Schuber, Sutor, Townsend, Weyerman, Wingfield - 14.

New Business.

City Council.

Alderman North moved that the regular meetings of the City Council hereafter begin at 8 o'clock p.m. Carried.
The following veto was received from the Mayor and read:

Tax Cert - Ord.
Vetoed.

Gentlemen of the City Council:

I herewith return to your honorable body without my approval, the Ordinance to refund to delinquent tax payers of 1890 certain Certs therein named, for two reasons:
First, I held that an Ordinance requiring the Assessor and Collector to "refund and return at once to each of the delinquent tax payers who paid the Cert of \$2.50" is in violation of our Charter which provides that no money shall be drawn out of the treasury except by warrant drawn by the Mayor and attested by the City Clerk.

Very Respectfully,
John McFarland,
Mayor.

A motion was then made to reconsider the vote by which the Ordinance named in the veto was passed. Adopted. The Chair then put the question shall the Ordinance pass notwithstanding the Veto of the Mayor?, which was decided in the negative by the following vote:

Yeas - Aldermen Platt, Suter. - 2.

Nays - Aldermen Anderson, Asmann, Glass, Graham, Hume, Jackson, Ketchum, Linn, Morris, Newton, Kitchie, North, Phillips, Schneider, Schuber, Townsend, Weyerman, Wingfield, Zeller. - 19. Alderman Ketchum introduced the following resolution which was adopted:

Travis Co. Bridge & Dyke.

Resolved, That the Mayor, Street Committee and City Engineer be authorized to assist the authorities of Travis County in such work on the dyke between the Colorado river bridge and the Bouldin's Creek bridge as the County may undertake on its own responsibility, the City in no manner directing or controlling said work or assuming responsibility therefor. On motion the Council then adjourned.

Milton Morris,
City Clerk.