

Minutes of a Called Meeting of the City Council.

Austin, Texas, October 28, 1891.

Hon. John Mc. Donald, Mayor, presiding.

Roll

Roll Called. Present - Aldermen Anderson, Carlton, Glass, Graham, Jackson, Linn, Morris, North, Phillips, Platt, Townsend - 11.

Call.

Absent - Aldermen Asmann, Hume, Ketchum, Newton, Mitschke, Schneider, Schubert, Sutton, Weyerman, Wingfield, Jillen - 11.

Quorum Absent.

Alderman Anderson moved a call of the Council which was duly adopted. The Marshal sent after the absentees.

On motion the call of the Council was suspended and the roll was again called, which showed the following result:

Present - Aldermen Anderson, Asmann, Carlton, Glass, Graham, Hume, Jackson, Ketchum, Linn, Morris, Mitschke, North, Phillips, Platt, Schneider, Townsend, Wingfield, Jillen - 15.

Absent - Aldermen Newton, Schubert, Sutton, Weyerman - 4.

The following call of the Council and report thereon was then read:

Mayor's Office,

Austin, Texas, Oct. 27, 1891.

Call of Council.

To the members of the City Council of the City of Austin:

Gentlemen - I hereby call a Special Meeting of the City Council to assemble at the City Hall at five (5) O'clock p.m. Wednesday evening October 28th, 1891, for the purpose of receiving and considering a proposition looking to the lease and probable sale, of the rail road leading to the site of the dam, and franchise connected therewith.

John Mc. Donald, Mayor.

Austin, Texas, October 28th, 1891 - 9 a.m.

I hereby certify, that E. C. Anderson, S. P. Asmann, Fred Carlton, W. A. Glass, J. W. Graham, J. L. Hume, J. A. Jackson, H. J. Ketchum, H. A. Linn, J. B. Morris, A. H. Newton, J. B. Mitschke, W. F. North, J. W. Phillips, R. P. Platt, J. S. Schneider, J. Schubert, W. J. Sutton, A. W. Townsend, R. Weyerman, D. L. Wingfield, and W. Jillen, all aldermen of the City of Austin, have been served personally with the above notice by having it read to each of them in person.

J. E. Jones, Police Officer.

Alderman Sutton entered the Council and assumed to his name.

Same as before.

The previous resolution and certificate were then read.

Office of Board of Public Utilities,

Austin, Texas, Oct. 28th, 1891.

The following resolution was adopted by the Board of Public Utilities:

Resolved, that the proposition of Richard A. Hall, to the City and S. C. Mc. Martin to lease the rail road to the site of the dam with option of purchase, submitted to

the Board on this date, be approved, and that the proposition be referred to a Committee consisting of two members of the Board of Public Works and three members of the City Council and the City Attorney, with the request that they prepare an Ordinance covering the subject matter of said proposition for presentation to the City Council at the meeting to be held on this date.

Whereupon the President of the Board of Public Works appointed the following Committee: Messrs. Frank Hamilton and A. B. Woodbridge on the part of the Board of Public Works, and Messrs. J. B. Morris, W. J. North and F. Carleton from the City Council.

Attest: W. J. Cliphant,

Sec. Board of Public Works.

Alderman North, for the Special Committee referred to in the foregoing resolution, presented an Ordinance entitled "An Ordinance leasing to William Metzger, Richard Snell and D. C. McMartin, their representatives, assigns and successors, the property of the City of Austin, known as the Dam rail road, and granting them the option to purchase the same and granting them the right to operate and maintain street railroads within the City of Austin". The Ordinance was read the first time after which Alderman North moved that Mr Frank Hamilton be invited to address the Council concerning the course of the Board of Public Works with reference to the disposal of the Dam rail road.

The motion prevailed and Mr Hamilton complied therewith. Aldermen Weyerman and Schuber entered the Council and answered to their names.

After Mr Hamilton had concluded his remarks Alderman Carleton moved that Mr M. W. Shippe be heard concerning the pending Ordinance. The motion carried and Mr Shippe addressed the Council. At the conclusion of his remarks Mr Hamilton again addressed the Council and was again replied to by Mr Shippe. A motion was then made to suspend the rules and place the Ordinance on its second reading which prevailed by the following vote:

Yeas - Aldermen - Anderson, Assmann, Carleton, Glass, Graham, Jackson, Ketchum, Linn, Morris, Nitschke, North, Phillips, Schneider, Suter, Townsend, Weyerman, Wingfield, Ziller. - 18.

Nays - Aldermen Hume, Platt, Schuber. - 3.

The Ordinance was then read a second time after which Alderman Anderson moved that the Ordinance be considered section by section. Carried.

Sections 1 to 9, inclusive, were read and left unchanged.

Section 10, which requires the lessors of the road to give bond in the sum of five thousand dollars was read.

Alderman Linn moved that the same be amended by striking out the word "five" and inserting in lieu thereof the word "ten". Carried.

Section 11 was read and left unchanged.

Section 12 was then read and Alderman North moved to amend the same by adding thereto the following: "Be it

Enacted

that said lessees shall not use steam as a motor power, except on the present dam rail road." Adopted Motion 13, the last, was then read and Alderman Carleton offered the following amendment thereto, to be added at the end thereof:

"Provided that the rights of way herein granted shall become null and void unless the beneficiaries under this Ordinance shall build and put in operation, at least one mile of road within six months after completing the purchase of said road, if such purchase is made." The amendment was adopted.

A motion was then made to suspend the rules and place the Ordinance on its third reading, which was adopted by a vote of two-thirds of the whole Council.

Alderman Carleton then moved "that the Council do now adjourn until five o'clock tomorrow evening, at which time the pending Ordinance shall be the Special Order."

Alderman Schuler moved to amend the motion by striking out the word "five" and inserting in lieu thereof the word "eight". The amendment was accepted and the motion as amended was lost by the following vote:

Yeas - Aldermen Carleton, Hume, Platt, Schneider, Schuler, Dutton, Wingfield. - 7.

Nays - Aldermen Anderson, Assmann, Glass, Graham, Jackson, Ketchum, Linn, Morris, Kitchie, North, Phillips, Townsend, Weyerman, Jiller. - 14.

A motion was then made that the Ordinance do now pass which was adopted by the following vote:

Yeas - Aldermen Anderson, Assmann, Carleton, Glass, Graham, Jackson, Ketchum, Linn, Morris, North, Phillips, Schneider, Schuler, Dutton, Townsend, Weyerman, Wingfield. - 17.

Nays - Aldermen Hume, Kitchie, Platt, Jiller. - 4.

On motion the Council then adjourned.

Milton Morris,
City Clerk.