

The minutes of a regular meeting of the City Council.

Austin, Tex., Nov. 17, 1890.
Henry A. Linn, president of the board of Aldermen,
presiding.

Roll

(Roll) Call. Present - Aldermen Anderson,
Carleton, Graham, Hume, Jones, ^{morris} Kitchie,
Platt, Schuber, Townsend, Wingfield Ziller - 13.

Call.

Absent - Aldermen Assmann, Jackson, Metz, Newton,
North, Phillips, Schneider - 7.

Minutes.

The minutes of the meetings of the City Council
which were held on the 3rd, 7th and 10th days
of November, 1890, were read and adopted.

Ald:

Aldermen Assmann, Newton and Schneider,
Entered the Council and answered to their names.

Hog Ord.

The Mayor's Veto of the Ordinance prohibiting the
keeping of hogs within the City limits, which was
presented at the last regular meeting was taken up,
and the Chair stated the pending question: Shall the
Ordinance pass notwithstanding the Veto of the Mayor?
The question was decided in the negative by the following
Vote:

Yeas. Aldermen Assmann, Carleton, Hume,
Platt, Schuber, Wingfield - 6.

Nays. Aldermen Anderson, Graham, Jones, Linn,
Morris, Newton, Kitchie, Schneider, Townsend,
Ziller - 10.

Sewer -
city attys.
opinion.

The following was laid before the Council:

Austin, Tex., Nov. 17, 1890.
To the Honorable City Council:

Gentlemen - Since the
reference to me of an Ordinance entitled "An
Ordinance providing for the lease by the City of Austin
of the sewer owned by W.B. Brush, & Co." I have
been informed by Alderman Carleton that he
would offer as a substitute for such Ordinance
the enclosed Ordinance, which he submitted
to me for examination. I regard it as unne-
cessary under the circumstances to express any opinion
touching the legality of the original Ordinance,
and beg to state that in my opinion the Council
has the power to enter into the Contract Contem-
plated by the substitute, provided such Contract is
made after the Commencement of the next fiscal
year. Respectfully, Geo. F. Pendexter, City Atty."

The Original Ordinance referred to in the above
was then read a second time by motion, after
which Alderman Carleton introduced as a substitute
for said Ordinance an Ordinance entitled "An Ord-
inance providing for the lease by the City of Austin
of the sewer and branches now owned by W.B.
Brush, and appropriating the sum of \$3.000 for

the payment of the rental of same under the said lease.

It was read and on motion of Alderman Jones postponed until after the installation of the newly elected Aldermen in next December.

Telephone Co.

An Ordinance entitled, "An Ordinance to amend and reenact an Ordinance Continuing to the Southwestern Telegraph and Telephone Company the right to erect telephone poles and wires, and granting said right all on terms and conditions herein stated, approved Aug. 20, 1890," was taken up on its second reading and read.

Alderman Carleton moved to postpone further consideration of the Ordinance until after the Aldermen to be elected in next December are installed.

The motion was lost by the following vote:

Ayes - Aldermen Assmann, Carleton, Hume, Kitchell, Platt - 5.

Nays - Aldermen Andersen, Graham, Jones, Linn, Morris, Newton, Schneider, Schuber, Townsend, Wingfield, Ziller - 11.

Alderman Ziller - 11.

Alderman Ziller offered the following amendment to Section 5: "On the Co. will ring any electrical fire gangs that may be erected at any of the fire houses without charge, provided said gangs are erected and maintained at the city's expense, but the city can have the use of any telephone wire without charge, where a gang may be substituted for a telephone." Adopted.

"
fire gangs.

Alderman Schneider moved to add one telephone to be furnished the city free of rent for use at the hospital. Lost.

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. The Ordinance was accordingly read and on motion passed.

Fourth Street
protest on
Brockenridge road
amendment.

The minority and majority reports of the street Committee relative to the protest of citizens of Fourth Street against the Ordinance granting to Mr George W. Brockenridge right of way along said street were taken up, and Alderman Carleton moved that "the reports of the street Committee be referred back to the said Committee with instructions to report back an amended Ordinance amending the Ordinance granting the right of way to G.W. Brockenridge and associates so as to prohibit them from using steam locomotives on said lines of road after the dam shall have been completed and accepted by the city, after which time said Brockenridge and associates shall only have the right to use electric, cable, mule or horse power on the said road and lines."

Alderman Morris moved to amend the motion by referring the whole subject to a special Committee of three Aldermen and the city attorney for a report at the next meeting of the city Council.

Alderman Carleton accepted the amendment and his

Hepenheimer
R. R.

motion as amended was then adopted. The Chair appointed Aldermen Morris, North and Carleton as such Committee.

Alderman Morris moved to reconsider the vote by which the Ordinance granting Earnest J. Hepenheimer and associates the right to construct, maintain and operate street railways along certain streets and avenues of the city, was postponed until the promoters of the Enterprise should name the route over which they propose to build said road. The motion was adopted and the Ordinance was read a third time after which Alderman Graham moved to amend Section One by adding the following thereto: "Provided that the City Council shall have the right to grant to other persons or Corporations the right to use and run over the track of said Company on Congress Avenue between the bridge across the Colorado river and Fifth Street". The amendment was ~~unanimously~~ adopted by the following vote - Yeas - Aldermen - Anderson, Asmann, Carleton, Graham, Hume, Jones, Linn, Morris, Newton, Nitschke, Platt, Schuber, Townsend, Wingfield, Ziller - 15.

Tobin + others
right way.

On motion the Ordinance was then passed. Alderman Anderson introduced an Ordinance Entitled "An Ordinance granting the right of way to J. J. Tobin, W. F. Tobin, Paul F. Thornton, J. M. Beranughs, A. J. McKean, Nelson Davis, J. B. Fitzhugh and H. A. Fitzhugh, and their successors and assigns, to construct, maintain and operate street railways along certain streets and avenues in the city of Austin, Travis County, Texas".

The Ordinance was read after which Alderman Carleton moved to refer it to a special Committee of five. Carried.

The Chair appointed Aldermen Carleton, Anderson, Nitschke, Wingfield and Hume as such Committee.

Alderman Anderson was excused.

Alderman Platt presented a resolution directing the Finance Committee of the City Council, with the Mayor, to call upon the different banks of the city and request from them "a written proposition addressed to the Council on or before its next regular meeting, which will be opened by the Mayor in the presence of the board, stating the amount of interest they will allow the City on monthly balances and the amount they will receive, a deposit of which they will pay interest, and it is hereby agreed to accept the bank on which offering the best rate of interest as the depository for the treasurer to deposit the funds arising from the sale of the city bonds, provided however, that no proposition will be entertained

Bonds - proceeds
of to be placed
at interest.

X

unless it be accompanied by the names of the of the Sureties that are offered the city for the safe-keeping and prompt payment of said money". On motion of Alderman Carleton Consideration of the resolution was postponed until the next meeting of the Council.

Bicycles, Tricycles, etc:

Alderman Graham presented an Ordinance prohibiting persons from riding bicycles, tricycles, or Velocipedes on the streets or sidewalks of the City of Austin after dark without having a light plainly displayed.

It was read first time after which motions were made to suspend the rules and place the Ordinance on its second which was adopted by the following Vote - yeas - Aldermen Asmann, Carleton, Graham, Hume, Jones, Linn, Morris, Newton, Nitschke, Platt, Schneider, Schuber, Townsend, Wingfield, Ziller - 15.

The Ordinance was then read a second time after which a motion was made to suspend the rules and place the Ordinance on its third reading which was adopted by the following Vote - yeas - Aldermen Asmann, Carleton, Graham, Hume, Jones, Linn, Morris, Newton, Nitschke, Platt, Schuber, Townsend, Wingfield, Ziller - 14.

Nay - Alderman Schneider - 1.

The Ordinance was then accordingly read and an motion passed.

Alderman Morris moved that the Council stand adjourned until next Friday at 8 o'clock p.m. Adopted.

Milton Morris
City Clerk.

The minutes of an adjourned meeting of the City Council.

Austin, Tex., Nov. 21, 1890.

Hon John McDaniel, mayor, presiding.

Roll

Roll Call - Present - Aldermen Carleton, Graham, Jackson, Jones, Linn, Morris, Kitchie, Phillips, Townsend, Wingfield - 10.

Call.

Absent - Aldermen Andersen, Assmanns, Hume, Metz, Newton, North, Platt, Schneider, Schuber, Zeller - 10.

Alderman Morris moved a Call of the Council, which was duly adopted.

Aldermen Andersen, Assmanns, Schuber, Newton, and Platt entered the Council and Alderman Jones moved to Suspend the Call. Carried.

Bd. Pub. Wks.

Alderman Carleton introduced the following resolution which was adopted:

"Resolved, That the board of public works created by an Ordinance of this Council be and are hereby requested, whenever they have any communication to make to this Council requiring action, to make same in writing, in order that same may be made a part of the records of this body."

Alderman Morris then introduced.

Brackenridge
right of way.

"An Ordinance granting the right of way to Geo. W. Brackenridge from the intersection of Rio Grande and Fourth or Cedar Street, into Fifth street and in a westerly direction along Fifth street, or Burnett and Pine street, and over the extension of said Fifth or Burnett and Pine street, to the western limits of the City." The Ordinance was read first time, after which a motion was made and seconded to suspend the rules and place the Ordinance on its second reading.

It was then moved that Mr Frank Hamilton be heard on the subject.

The motion prevailed and Mr Hamilton addressed the Council in support of the measure.

(Alderman Zeller entered the Council and answered to his name.)

When Mr Hamilton concluded his remarks it was moved that Mr O. Archer be heard with reference to the matter under discussion. The motion was adopted and Mr Archer addressed the Council in favor of restricting the proposed grant.

Mr Woodbridge was then heard in support of the Ordinance.

The motion above mentioned to suspend the rules and place the Ordinance on its second reading was then adopted by a vote of two thirds of the whole Council and the Ordinance

Accordingly read.

Alderman Carleton then offered the following amendment to section 1 of the Ordinance:

"Provided, That after the dam shall be completed and accepted by the City the said grantees of the franchise herein granted shall not use steam locomotives, but shall be restricted to the use of electricity, horse or mule power on said road".

The amendment was lost by the following vote:

Yeas - Aldermen Carleton, Jackson, Jones, Keaton, Platt, Ziller - 6.

Nays - Aldermen Anderson, Assmann, Graham, Linn, Morris, Kitchie, Phillips, Schuber, Townsend, Wingfield - 10.

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 and the Ordinance was accordingly read, and on motion was passed by the following vote -

Yeas - Aldermen Anderson, Assmann, Graham, Jackson, Linn, Morris, Kitchie, Phillips, Platt, Schuber, Townsend, Wingfield, Ziller - 14.

Nays - Aldermen Carleton and Keaton - 2.

Alderman Morris then introduced an Ordinance entitled "An Ordinance opening and establishing as a part of Fifth or Pine Street an extension of said street across and from West Avenue to the western limits of the City."

It was read first time after which motions were made to suspend the rules and place the Ordinance on its second and third readings both of which were adopted by a vote of two-thirds of the whole Council and were duly complied with.

The Ordinance was then passed, and the Council adjourned.

Milton Morris,
City Clerk.

Fifth St.