

## Minutes of a Regular Meeting of the City Council.

Austin, Aug. 20, 1894.

Hon. Henry A. Linn, president of the Board of Aldermen, presiding.

Roll call.

Present- Aldermen Anderson, Asmann, Dawson, Glass, Hume, Jackson, Lawler, Linn, Mitchell, North, Powell, Raymond, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth- 19.

Absent- Aldermen Fischer, Hancock, Platt- 3.

The minutes of the meeting of the City Council held on August 6, 1894, were adopted as printed.

Alderman Platt entered the council and answered to his name.

## Petitions, Memorials, Etc.

Block 2, E Pecan St.  
to come within Fire  
limits

By Alderman Roberdeau- A petition signed by a majority of the owners of block 2, situated on East Pecan street and East Avenue, requesting that said block be placed within the fire limits. The petition was granted and referred to the ordinance committee and city attorney with instructions to report an ordinance to the city council covering the request of petitioners.

Electric light over  
or near bridge on  
Swisher or Blum  
creek.

A petition of citizens for an electric light to be placed near the approaches to the bridge over what is known as Swisher or Blum creek, referred to the city council by the Board of Public Works, was read and referred to the committee on Water and Light.

J. M. Mansfield.

By Alderman Jackson- A petition from J. M. Mansfield requesting the council to prevent water from the streets passing across his property situated on the corner of East Fifth street and East Avenue. It was referred to the street committee.

Conflicts in surveys  
in Swisher subdivi-  
sion of Isaac Dicker  
League

By Alderman Redd. A petition of citizens and property owners of the eleventh ward which states that there are conflicts in the surveys between what is known as the original "Swisher" subdivision of part of the Isaac Dicker league and more recent subdivisions of parts of said original surveys, and of a tract of 118 acres of land formerly owned by John M. Swisher and now known as "Fairview Park" and of extensions and additions to said Fairview park which conflicts are likely to lead to disputes and litigation.

The petition further states that "we, your petitioners, residents and owners of property lying east of Congress (Swisher) avenue and north of Elizabeth street and covering the territory abutting on said Congress Avenue, Breckenridge and Nickerson streets, north of Elizabeth street and Gibson, James, Kellie, Blue, and John streets east of Congress Avenue, said streets being partly in Fairview Park and partly in Swisher's additions, most respectfully request of your honorable body that such streets and alleys in

said territory as were closed and that reverted to abutting owners under an order of the commissioner's court of Travis County, Texas, dated 19<sup>th</sup> February, 1887, remain closed and that the position of all streets and lots lying north of said Elizabeth street (East) be determined by the recorded plat of Fairview Park and the corners as established thereon". \*\*\*\*\*

The petition was referred to the street committee and city attorney without being read.

H. G. Lee's claim.

Alderman Taylor, for the Finance committee, to whom was referred the claim of Mr H. G. Lee for supervising the construction of a sewer for the Deaf and Dumb Asylum, submitted a report recommending that said claim be not allowed, as the work done was rendered the state and that Mr Lee was not authorized or employed by any city official to do said work. The report was adopted.

Washington Fire Co. remission of taxes.

Alderman Nitschke, for the Fire committee, to whom was referred the petition of Washington Fire Company for remission of city taxes for 1893 on their property, offered a report which states "that this petition is respectfully returned unapproved for the reason that the tax is on property held by a corporation and receiving rents and other sources of revenue and the financial condition of the city will not warrant the appropriation being made."

The report was adopted by the following vote:

Yeas- Aldermen Asmann, Dawson, Hancock, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd, Roberdean, Schneider, Shelby, Taylor, Townsend, Warmoth; 19.

Nays- Aldermen Anderson, Glass, 2.

Ord. amending article 150, title 4 Chapter 1. Penal Ordinances. Water

Alderman North, for the ordinance committee, to whom was referred an ordinance amending article 150, title 4, chapter 1 of the revised penal ordinances of the city of Austin, made a report recommending passage of same. On motion the report was laid over to come up with the ordinance under the head of unfinished business.

Pasturing + feeding stock in city limits

Alderman North, for the ordinance committee, to whom was referred an ordinance prohibiting the pasturing and feeding beef and stock cattle in the city limits without a permit from the city council and providing a punishment for same, made a report recommending that said ordinance do not pass, because in the opinion of the committee, the subject matter of the ordinance is fully covered by articles 150 and 162 of the revised criminal ordinances. The report was adopted.

Unfinished Business.

An ordinance amending article 150, title 4, chapter 1 of the revised penal ordinances of the city of Austin came up on its second reading. On motion

of Alderman Glass the ordinance was referred to the sanitation and sewerage committee, with instructions to report at next meeting, by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Glass, Hancock, Hume, Jackson, Linn, Nitschke, North, Platt, Powell, Redd, Roberdeau, Shelley, Warmoth-16

Nays- Aldermen Lawless, Raymond, Schneider, Taylor, Townsend-5.

#### New Business.

By Alderman North- An ordinance authorizing and confirming the sale by the city of Austin and its Board of school trustees, of its undivided interest in the Antonio de los Reyes and James Paponoe surveys of land in Kaufman and Lee Counties, Texas.

Alderman Anderson moved that the ordinance be referred to a special committee of three. The motion prevailed and the chair appointed Aldermen Anderson, Hancock and Lawless as such committee.

On motion of Alderman Asmann, Alderman Hume was added to the committee.

The chair presented to the council a communication from Albert Peterson, chief of Austin Fire Department, calling attention of the council to the condition of the floor of that part of Fireman's Hall occupied by Colorado Hase Company. The communication also suggested that the petition of Austin Hook and Ladder Company No. 1, asking for the purchase of a new truck, had not been acted upon. The communication was referred to the Fire Committee.

Alderman North, for the ordinance committee, introduced an ordinance to regulate the supervision of electric wiring and provide penalties for violation of same, in the City of Austin, and recommended passage of same.

It was read the first time, after which the rules were suspended by a vote of two-thirds of the whole council, and it was read a second time.

Alderman Raymond moved that further consideration of this <sup>ordinance</sup> be postponed until the next regular meeting of the council and that it be published in full in the minutes of the council.

Alderman Dawson moved as a substitute that the ordinance be postponed for the present and be published in full. Lost by the following vote:

Yeas- Aldermen Dawson, Glass, Redd, Roberdeau, Shelley, Taylor, Townsend-7.

Nays- Aldermen Anderson, Asmann, Hancock, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Schneider, Warmoth-14.

Alderman Raymond's motion was there adopted.

Confirming sale  
of school land in  
Kaufman & Lee  
Counties.

Fire Communication  
Colorado Co. hall.

Electric Light &  
Wiring ordinance

The ordinance is as follows:

An ordinance to regulate the supervision of electric wiring and to provide penalties for violation of same in the City of Austin.

Section 1. Be it ordained by the City Council of the City of Austin:

No person or persons shall construct, alter or repair any electric wires within the city of Austin, except in conformity with the provisions of this ordinance.

Sec 2. No material shall hereafter be used in the construction of electric wiring within the city of Austin, unless the same shall have been previously approved by the electrical engineer in accordance with the regulations governing wiring.

Sec 3. The electrical engineer employed by the Board of Public Works shall have general supervision of the electric light and power plants, and no connection shall be made thereto, except as he directs and in accordance with the regulations governing wiring, and after written application has been regularly made and written permit granted, and he shall keep a record of all permits issued, which shall be regularly numbered, in order of their issue. He shall, in being served with a notice requiring him to visit and inspect any building upon or in which work is being done under any of the provisions of this ordinance, do so forthwith.

Sec 3. He shall examine all buildings, or cause same to be examined, upon which work is being done under the provisions of this ordinance, as often as practicable and make a record of all violations, if any, of the several provisions of this ordinance, together with the street and number where such violations are found, the name of the owner, lessee, occupant and all other matters relative thereto. He shall so far as may be necessary for the performance of his duties have the right to enter any building or premises and to examine and inspect such work in process of construction, and to direct the suspension of any such work as shall not conform to the requirements in this ordinance contained, and no person shall continue wiring of any kind in the city of Austin after he, said electrical engineer, shall have in writing directed the suspension thereof for such reason. He shall not during his employment by the city be employed or engaged directly or indirectly in any wiring business or any contract for wiring for others or for furnishing materials for wiring for others. He shall have charge of, inspect and examine and exercise general supervision over all electrical work in the city of Austin.

Sec 4. Every individual, firm or corporation, before entering upon the erection, construction, alteration or change of any electrical work or wiring in the city of Austin, shall file with the electrical engineer plans and specifications showing such work or alterations and shall obtain a written permit from him for such proposed work before proceeding thereunto. The electrical engineer shall examine such plans and specifications and determine whether the work proposed conforms to the ordinances and the regulations governing wiring relative thereto and is a safe and proper construction or alteration, and if so, he shall grant a written permit therefor.

Sec 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by fine of not less than ten dollars (\$10) nor more than two hundred dollars (\$200) for each offense.

Petition residents  
7th & 8th  
wards to abate  
nuisance on Robert-  
son Hill.

Alderman Jackson, by unanimous consent, presented a petition from citizens and residents of the Seventh and Eighth wards asking that the park at or near Cheric's Saloon on Robertson Hill in the Seventh ward, used and occupied by certain colored people as a place of recreation, and known as the "colored park", be condemned and abated as a nuisance. The petition states that on various occasions such colored persons have made loud and unusual noises during the night; that they generally commence their entertainments at about 8 or 9 o'clock and close about 1 o'clock, and are so boisterous and noisy before dispersing and afterwards that the citizens in the neighborhood and along the street mostly traveled by these people in returning to their homes (East Eleventh street) are greatly disturbed and annoyed and it has become so frequent and intense that the council is requested to grant relief; that they usually consume about an hour to two or three hours in passing, often passing as late as 3 o'clock in the morning and in passing by your petitioner's homes they, without exception make the night hideous by their cursing, yelling and general boisterous conduct.

The petition further states that the persons complained of are not residents of Robertson Hill, who for the most part are quiet, peaceable, law abiding and respectable citizens.

By a rising vote of 11 to 8 the council invited Mr. P. H. Wheeler, who was present, to address the council on regard to the matter mentioned in the petition. Mr. Wheeler accepted the invitation and made a statement covering the subject.

Alderman Nitschke moved that the petition be referred to the park committee, and pending further action by the council, that the city marshal be directed to prevent a recurrence of the disturbance complained of.

Alderman Raymond offered the following as a substitute for the motion made by Alderman Nitschke:

Be it resolved by the city council of the city of Austin, that the city marshal is hereby empowered and authorized whenever he believes that circumstances require it, to appoint as many as four special policemen; said special policemen to be stationed at such points inside the city limits as the city marshal may deem advisable and to remain on duty for such length of time as may be deemed necessary to preserve the peace and dignity of the city.

Each special policeman so appointed shall receive a sum equivalent to \$75 per month for the actual time he serves as such special policeman.

Alderman Anderson moved as a substitute for all the pending motions that the petition and resolution be referred to the police committee and that the city marshal be directed to afford necessary protection in the portion of the city named in the petition until the next regular meeting of the city council. The motion was adopted.

Alderman Shelley was called to the chair.

Alderman Glass was excused from further attendance on the session.

By Alderman Anderson. An ordinance appropriating the sum of \$2000 for the purpose of paying the payrolls of Stillwell-Bierce and Smith-Valle Company while placing machinery in position, the exact amount used to be charged to their account.

It was passed under suspension of the rules by the following vote:

Yeas - Aldermen Anderson, Assmann, Dawson, Hancock, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth - 20.

Alderman Assmann was excused from further attendance on the session.

By Alderman Anderson. An ordinance appropriating \$12,500 for the purpose of paying estimate No 2 Fort Wayne Electric Company as per contract.

It was passed under suspension of the rules by the following vote:

Yeas - Aldermen Anderson, Dawson, Hancock, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth; 14.

Aldermen Powell and Platt were excused from further attendance on the session.

#2000. Stillwell-Bierce + Smith-Valle pay rolls.

#12500. Ft Wayne Electric Co. Co 2.

Bethany Cem. Co  
Mayor to enter  
into contract.

By Alderman Warmoth. An ordinance authorizing the mayor of the city of Austin to sign an agreement with the Bethany Cemetery Company for furnishing the ground and burying the colored paupers. It was read and referred to the committee on ordinances.

Alderman Linn in the chair.

Redemption of land  
sold for taxes.

By Alderman Hume. An ordinance authorizing the redemption of real estate heretofore sold for taxes and bid in by the city of Austin.

It provides that the owners of all real estate which has been heretofore sold for taxes, and bid in by the city of Austin, shall have the right to redeem the same at any time within six months from the time this ordinance takes effect, by the payment of all taxes and costs due upon such real estate, together with six per cent interest on the amount of such taxes from the date of such sale.

The ordinance was read first time and a second and third time under suspension of the rules, and passed by the following vote:

Yeas- Aldermen Anderson, Dawson, Hanesek, Hume, Jackson, Lawless, Linn, Nitschke, North, Raymond, Redd, Roberdeau, Schneider, Shelly, Taylor, Townsend, Warmoth.

Aldermen Nitschke and Lawless were excused from further attendance on the session.

By Alderman Redd. A resolution providing for the removal of the wooden bridge from entrance to Fairview Park <sup>and plidig some pens large Baulden</sup> branch at the crossing of Mary street.

It was referred to the street committee.

The council then adjourned.

Milton Morris,  
City Clerk.

Bridge in Fairview  
Park.