

The Minutes of a Regular Meeting of the City Council,
Austin, Tex., April 2, 1894.

Hon John M^c Donald, mayor, presiding.

Roll call.

Present- Aldermen Anderson, Dawson, Fischer, Glass, Hancock,
Jackson, Lawless, Nitschke, North, Platt, Powell, Raymond, Redd, Rob-
erdean, Schneider, Shelley, Townsend; 17.

Absent- Aldermen Asmann, Kinn, Humel, Taylor, and
Warmoth; 5.

The minutes of the meetings of the City Council, which
were held on the 19th and 22nd days of March, 1894, were adopted
as printed.

Petitions, Memorials, Etc.

A petition from Mr R. W. Gray, asking the City Council to
appoint him City electrician was read and referred to the
Board of Public Works.

Alderman Asmann entered the Council and answered to
his name.

By Alderman Dawson- A petition from citizens of South
Austin stating that the Superintendent of the school for
the deaf intends to change the line of sewer pipe that
runs from said institution and is willing to lay it in
such place and position as to benefit South Austin for
sewerage for future use, and requesting that the Council
assist him with labor and pipe to make such changes.

It was referred to the committee on Sanitation and
Sewerage.

Alderman Schneider, by request introduced the
following:

Headquarters of Jos. A. Mauer Post, No 10
G. A. R. Department of Texas.

Austin, March 22, 1894

At a called meeting of Jos. A. Mauer Post, No 10 G. A. R.
Department of Texas, located at Austin, Texas, the follow-
ing resolution was adopted:

Whereas, Our comrade, J. C. De Gress, answered his
last roll call on Wednesday, March 21, 1894, and

Whereas, During the years 1878 and 1879 and part of 1880,
he faithfully discharged the duties of Mayor of the City of
Austin, Texas, we would call the attention of the City
Council to the want of courtesy shown by the Hon John
M^c Donald in omitting to call their attention officially
to the fact that death had taken one who had presided
formerly in the Council Chambers, and whose portrait
now adorns the hall of the Council room. We would
suggest that the City Council take up this matter,
and by resolution show the respect due the departed
or at least drop his portrait in case for the next
30 days. And we would call the attention of Hon. Hon.
the Mayor, to the fact that the post paid to his late
brother Newark M^c Donald, the same would
respect that they would wish to see. Late comrade,
J. C. De Gress. Therefore, be it resolved that this

R. W. Gray

Petition of Citizens
of South Austin.

Communication from
Jos. A. Mauer, Post No 10
G. A. R. asking Council
to take appropriate
action on death of
J. C. De Gress.

resolution be handed to a member of the City Council to introduce same at the next meeting of the council, and that it also be spread upon the minutes of the part.

Attest.

Alongo Gerard
Commander

Dan O'Hane, Adjutant.

Alderman Schneider moved to refer the resolution to the ordinance committee for such action as the committee might deem proper. Carried.

Aldermen Paylor, Linn and Hume entered the council and answered to their names.

By Alderman Platt - A petition from colored voters of the city requesting the council to provide for the burial of colored paupers in Bethany cemetery of Austin, which is located about one mile and three quarters east of the city of Austin, under the rules and regulations and on the same terms as are now provided by ordinance for the burial of colored paupers in other cemeteries in and adjacent to this city. It was referred to the cemetery committee.

By Alderman Platt - A petition from C. H. Wilson and Joe Griffith for permission to open a shooting gallery at 707 Congress Avenue. Granted.

By Alderman Redd - A petition from George Johnson requesting the council to remit a fine of \$10 that was assessed against him in the recorder's court. On the recommendation of the mayor the council remitted the fine.

Alderman Nitschke moved to reconsider the vote by which the resolution from Jos. A. Mower, Post No 10 Grand Army of the Republic was referred to the committee on ordinances. Carried.

Alderman Platt moved to refer it to a special committee of three, with instructions to draft suitable resolutions.

Alderman Raymond moved to amend the motion by referring the resolution to a special committee of two, to consist of Aldermen North and Lawless, and that the committee be requested to present appropriate resolutions to the council tonight. The amendment was accepted.

Alderman Shelby moved as a substitute that Aldermen North and Lawless be appointed a committee to draft and present to the City Council appropriate resolutions on the death of Col J. C. De Gress. Lost.

The original motion as amended, was then adopted.

Reports of City officers for the month of March, 1894.

By the City Sexton - Total number of deaths, 22; white 12; colored 10; Mexican 1. Referred to the Cemetery Committee.

By the City Treasurer -	Expenses April 2, 1894
Account of General fund	\$13,117.32.
Account of interest on bonds issued prior to May 1 1890	527.01
Account of Water Works & water fund	81.01

Petition from colored voters relative to burial of paupers.

C. H. Wilson and Joe Griffith - shooting gallery.
George Johnson - fine remitted.

Jos. A. Mower Post No 10 G. A. R.

Report of City officers

Account of Water Works Sinking Fund \$ 29,900.00
 Account of Water Works Fund 105,837.50

Referred to Finance Committee.

City Physician

By the City Physician:

Number of patients in hospital March 1 16
 Number of patients admitted to the hospital during March 13
 Number of patients discharged from the hospital during March 11
 Number of deaths in hospital during March 2
 Number of patients remaining in hospital, April 1 16
 Number of visits made paupers in the city during March 112
 Number of prescriptions written for paupers in the city during March 226

Referred to hospital committee.

City Clerk - General Fund.

By the City Clerk - A statement of warrants issued against the general funds. Total amount issued \$6322.84.

Referred to the Finance Committee.

City Clerk - Water and Light Fund.

By the City Clerk - A statement of warrants issued against the Water and Light fund. Total amount issued \$16,020.64.

Referred to Finance Committee.

City Assessor and Collector.

By the City Assessor and Collector - Collections -

Account of General revenue \$ 9,445.16
 Account of Interest on old bonds 1,027.11
 Account of Waterworks Interest and Sinking fund 10,082.57
 Account of School tax 3,897.59

Referred to the Finance Committee.

City Marshall

By the City Marshall -

Total amount of fines assessed in the Recorders court \$545.00
 Collected in cash 148.50
 Worked out 143.00
 Escaped 23.00
 Appraised 75.00
 Carried forward 155.50
 Total \$545.00

Referred to Police Committee.

Engineer Kipperle

By Engineer Kipperle - A report of the progress of the work at the dam. Referred to the Committee on Water and Light.

Jos. A. Mower, Part No 10 of A. R.

Alderman North, for the special committee, to whom was referred the resolution from Jos. A. Mower Part No 10 Grand Army of the Republic, requested further time in which to prepare a report. Granted.

Alderman Warmoth entered the council and answered to his name.

Report of Board of Public Works.

The following reports, which were referred to the Council by the Board of Public Works, were read:

Office of Board of Public Works, Austin, Tex., April 2, 1894.

Hon. Board of Public Works, Good morning.

I respectfully report that during the month of March, 1894, 61 our kinds of water pipe and our kind of special castings were received and our books.

The pipe received is divided as follows: 18,846 feet

of 6 inch; 5604 feet of 8 inch; 5496 feet of 16 inch, and 3344 feet of 20 inch pipe. Nearly all of the pipe is heavier than required by the specifications, but the record shows that two lengths of the 16 inch pipe, and 16 lengths of the 20 inch pipe are lighter than the minimum weight allowed by the specifications. Of the 20 inch pipe one is 81 pounds less, two are 71 pounds less, two are 51 pounds less, two are 41 pounds less, four are 31 pounds less and five are 11 pounds less than such minimum weight.

The special castings received are 5- 16x8 tees, 5- 10x6 tees, 1- 16x8 cross, 18- 16x6 crosses, 3- 10x6 crosses, 23- 8x6 crosses, 1- 24x20, 1- 20x16, and 1- 16x10 reducers and 35- 6 inch plugs.

The pipe and specials have been distributed along the streets, but no pipe laying has been done on account of the failure of the iron company to forward the proper special castings.

Respectfully

W. J. Oliphant
 Secretary Board of Public Works.
 Office of Board of Public Works
 Austin, March 31, 1894.

Report of City Engineer
 re Mc Falls on Dam
 Railroad.

Hon President of the Board of Public Works, Austin, Texas:

Dear Sir: By your instructions we have made a careful examination of the "Dam" railroad line, from its intersection with the Central railroad near East avenue to the dam. We find rails and frogs very little worn. Also we make an estimate of repairs necessary to put the same in good condition:

Estimate

Five men 20 days surfacing @ \$1.50 per day	\$300.00
Five men 10 days strengthening rails, redriving spikes and spiking rails	75.00
Fifty new ties at 50 cents each	25.00
Supplies crossing @ \$5.00 each	10.00
One hundred and fifty pounds of spiked (4x1/2 inches)	6.00
Total	\$ 416.00

Respectfully

J. H. P. McFall
 City Engineer.

Rhoads Fisher Jr, Engineer.

Reports of Committees.

Alderman Jackson for the street committee, to whom was referred the report of the city engineer in regard to the condition of Bouldin Creek bridge on South Congress avenue, submitted a report which states that "we have carefully examined same and find it in a damaged condition. The southwest wing wall of the bridge has washed away and needs other repairs on either side of said bridge and we recommend that an app. operation be made sufficient to have same repaired, and offer an ordinance for one hundred and twenty-five dollars for that purpose".

Report Street Com.
 on Bouldin Creek
 Bridge

The report was laid over to come up with the ordinance mentioned therein.

By Alderman North-

To the Honorable City Council of the City of Austin:

Your finance committee, to whom was referred the subject of what action to recommend by your honorable body in reference to the bonds of the City of Austin falling due on January 1, 1894, have given the same due and careful consideration and beg leave to submit the following report and recommendations.

These bonds were authorized by the terms of two ordinances approved March 31, 1874, and May 24, 1874. They are of the denomination of \$500 each, bear 10 per cent interest, payable semi-annually, matured Jan 1 1894 and are numbered from 1 to 67 both inclusive.

The legality of these bonds has never been questioned and they are valid obligations of the city.

The charter of the city (section 38) provides that the interest and sinking funds shall be invested in interest bearing bonds of the United States or of the state of Texas or of the City of Austin.

United States bonds are too high priced to offer a profitable investment and state of Texas bonds are not on the market. Thus we have no other available investment for our sinking fund but Austin city bonds.

Owing to the fact that taxes for one year are only collected during the year following, while the interest on our bonds is payable during the same year that it falls due, our Waterworks and Electric Light Interest and Sinking fund was required for the payment of the interest on the outstanding dam bonds, as the same matured every three months, and for several years but little remained for investment.

The lapse of several years and the consequent accumulation of that fund have, however, brought about a changed condition of affairs, and the present status of our Waterworks and Electric Light Interest and Sinking fund is as follows:

The sum now on hand (March 31, 1894) amounts to \$29,950.41. The amount to be collected between now and the end of the fiscal year, as per the estimate furnished us by the city collector, will not be less than \$45,579.57, making a total gross amount of \$75,499.98.

The interest calls upon this fund will be as follows, and in order to be on the safe side we assume that the total issue of our 5 per cent dam bonds of \$1,400,000 is now outstanding. The April 1 interest has already been remitted and has not to be deducted from the balance now on hand. On July 1, however, there will be due \$17,500 and on October 1 another \$17,500, making \$35,000 to be paid out of this interest and sinking fund and leaving \$40,499.98 available for investment. Under the charter requirements etc.

We believe that no safer or more profitable investment for that fund presents itself than the purchase of the outstanding 10 per cent bonds now due amounting to \$33,500. We further believe that such action will be practical proof of the willingness and determination of the city of Austin to pay all its just obligations, and that it will act as a guarantee upon the efforts of interested individuals to undermine our credit and delay the floating of our remaining dam bonds.

We therefore recommend the investment of the waterworks and electric light interest and sinking fund as above indicated and the passage of the accompanying ordinances having that end in view.

Henry A. Linn

Thomas F. Taylor

William F. North.

Austin, April 2.

A motion was made to print the report in full in the minutes of the council. Carried. It was further ordered that the report be laid over to be taken up with the ordinances named therein.

By Alderman Nitschke, for the committee on fire department, to whom was referred a resolution to permit the South Austin fire company to use the \$600 recently appropriated by the council for the purpose of erecting a house for said company and equipping same, exclusively for building purposes, presented a report recommending the adoption of the resolution, provided the building be erected under the supervision of the fire committee. The report and resolution were adopted.

Alderman Nitschke, for the Committee on fire department, to whom was referred a communication from Frank O. Babcock, chief Austin fire department, asking an appropriation to have the steamer just put in good repair cleaned and tested once or twice a month, presented a report which states "that they have had the same under consideration and would recommend that the sum of \$100 per annum be appropriated to have the work done under the supervision of the chief and fire committee of the city council."

Alderman Nitschke moved the adoption of the report. Alderman Platt moved as a substitute that action on the report be postponed until the next regular meeting of the city council. Lost.

Alderman Schneider moved to amend the report by striking out \$100 and inserting in lieu thereof \$60. The amendment was adopted by the following vote:

Yeas: Aldermen Dawson, Glass, Hume, Jackson, Linn, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelly, Townsend, Warmonth; total 15.

Nays: Aldermen Anderson, Asmus, Fisher, Hancock, Lamborn, Nitschke, Taylor, total 7.

The report was then adopted as amended.

Aldermen Hume and Raymond were excused from further attendance on the occasion of the council.

Alderman Nitschke, for the fire committee, offered the following which was adopted and ordered printed.

Report Fire Com. in
Reference to South
Austin Fire Co.

Report Fire Com on
request for approp.
to test engine, etc.

Charge of irregularities,
London, etc.

To Honorable Mayor and Board of Aldermen of the City Council:

Gentlemen. Your committee to whom the complaint of irregularities in the election of members to Colorado Fire Company was referred, beg leave to report that they held a meeting and had before them the several interested parties and heard their testimony. After giving the evidence due consideration we find that each company is governed by its own rules and regulations, and from the testimony of both officers and members together with certified copies of the proceedings of the meeting in complaint, and furnished by the secretary of the company, that they acted within the law of their bylaws and have not exceeded the limit of their Charter as to membership. The committee, therefore, have to report that the charges are not sustained, and the only latitude allowed us is to recommend a reform that will remove such complaints. The basis of the complaint being the objection to the wholesale election of members on the eve of an election for officers of the department, and while we find that this company was not alone in the practice, we question if the action is healthy to the service. The standard of the Austin fire department is so excellent and the esprit so fine that we are jealous of any criticism that may reflect on the corps; and to remove further criticism like the present complaints, we would recommend that the laws governing the department be so amended that no member of a fire company in this city shall be privileged to vote at an election for officers of the fire department unless he has been a member of one of its companies not less than sixty (60) days previous to date of such election.

All of which is respectfully submitted.

J. B. Nitsochke
P. J. Lawless
George P. Asmann

Claims and accounts
Report on claim of
Morgan Calloway, Jr.

Alderman Shelly for the committee on claims and accounts, to whom was referred the petition of Morgan Calloway, Jr., asking that the sum of \$44.86 taxes paid by him on life insurance policy for \$2000, erroneously included in his rendition of "notes, credits, etc" for 1893, presented a report recommending that the petition be granted. The report was adopted.

Report of cemetery
Com on communication
of Ladies Cemetery Assn.

Alderman Plath, for the committee on cemetery, to whom was referred a communication from the Ladies Cemetery Association in regard to certain needed improvements and regulations, offered a report thereon, recommending the passage of two ordinances bearing upon the subject mentioned in the communication. The report was laid over, to be taken up with the ordinances named therein.

Alderman Shelly, for the police committee, to whom was referred the petition of Andrew Washington, asking that a fine imposed by the recorder be remitted, presented a report thereon, recommending that it

be not granted. Adopted.

New Business.

The Mayor appointed Aldermen Shelly, Jackson and Lawless as tellers to canvass the returns of the recent election of officers of the fire department. The tellers performed the duty and presented the following report which was adopted:

Austin, Tex., April 2, 1894.

Hon John M^c Donald, Mayor, and City Council City of Austin.

Gentlemen- Your special committee appointed to canvass the returns of an election held on March 19, 1894 for chief, assistant chief and recorder of the Austin fire department, beg leave to report as follows:

For Chief- Albert Peterson	130 votes.
F. O. Babcock	125 "
Asst Chief- W ^m P. Ford	128 "
Aug H. Pressler	126 "
For Recorder- W ^m F. Kuhn	132 "
Charles M Miller	122 "

W. D. Shelly
P. J. Lawless
J. A. Jackson.

Alderman Fischer moved that Mr Henry Ziller be relieved from assisting the City Clerk in the preparation of the approved accounts ordinances, as the City clerk now has an assistant. Carried.

The Mayor laid before the council an ordinance intitled "An ordinance terminating the lease of William Metzger, Richard Snell and D. C. M^c Martin to the Dam railroad.

It was read first time, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Y^{es}- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Taylor, Townsend, Warmoth-19
Nay- Alderman Hume.

The ordinance was accordingly read after which a motion was made to suspend the rules and place the same on its third reading, which was adopted by the following vote:

Y^{es}- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Taylor, Townsend, Warmoth; total 19.

Nay- Alderman Hume.

The ordinance was read a third time and on motion passed.

By Alderman Anderson- An ordinance appropriating the sum of \$4000 for the purpose of paying Ruler & Conley estimate No 9, allowed on their contract with the city.

It was read first time, and on second and third time under suspension of the rules, and

Order to examine the
book returns of the
corporation

Ordinance Terminating
lease of Metzger
etc to Dam R. R.

passed by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Taylor, Townsend and Warmoth; 20.

By Alderman Platt. An ordinance entitled "An ordinance prohibiting the owners or persons in charge of dogs from permitting the same to enter the Austin cemetery and prescribing a penalty for its violation".

It was read first time, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Taylor, Townsend, Warmoth; total, 20.

The ordinance was then read a second time after which Alderman Powell moved to amend section 2 of the ordinance by striking out the word "twenty" and inserting the word "ten" as the maximum fine that may be imposed for a violation of the ordinance. The amendment was adopted 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 Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Taylor Townsend, Warmoth; 20

The ordinance was accordingly read and on motion passed

By Alderman Platt: An ordinance entitled "An ordinance appropriating the sum of three hundred dollars for water to be used at City Cemetery".

It was read first time, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelly, Warmoth; 16.

Nays- Aldermen Fischer, North, Taylor and Townsend; 4

The ordinance was then read a second time and on motion of Alderman Anderson referred to the ordinance committee by a rising vote 15 to 4.

By Alderman North. An ordinance entitled: "An ordinance directing the investment of the Waterworks and Electric Light Interest and Sinking Fund and making an appropriation for that purpose.

Sec 1. Be it ordained by the City Council of the City of Austin that the bonds of the City of Austin of the denomination of five hundred dollars each, and bearing ten percent interest and numbered from 1 to 67, both inclusive, issued by virtue of an ordinance, approved March 31, 1874, and of an ordinance approved May 14 1874, and amounting in the aggregate to the sum

Ordinance No. 1000
City of Austin

Ord. app'g \$300 for
Water at Cemetery.

Ord. directing the
investment of Waterworks
and Electric Light
Interest and making
an appropriation

of thirty-three thousand, five hundred dollars, be purchased for the benefit of waterworks and electric light interest and sinking fund and as an investment of the same.

Sec 2. That the sum of thirty-three thousand, five hundred dollars be and the same is hereby appropriated out of any moneys in the Waterworks and Electric Light Interest and Sinking Fund not otherwise appropriated for the purpose of purchasing the bonds described in section 1 of this ordinance.

Sec 3. That as fast as said bonds shall be purchased and delivered to the City of Austin, the following endorsement shall be made and dated on each of them and shall be signed by the Mayor and City Clerk.

"This bond is hereby declared to be no longer negotiable and is held by the City of Austin as an investment and in trust for the Austin Waterworks and Electric Light Interest and Sinking Fund, in accordance with the provisions of an ordinance directing the investment of said fund, approved the..... day of April 1894"

Austin, Tex, the..... day of..... 189...

Mayor

City Clerk

And said bonds shall thereafter be carefully preserved in a safe place to the credit and as the property of said fund.

Section 4. That the mayor shall purchase said bonds with all reasonable dispatch, and shall cause all necessary funds to be promptly remitted for such purchases, and shall if necessary, give all proper notices for the purpose of making tender of the amounts due on said bonds and the stopping of interest thereon in the hands of the holders of the same?

It was read first time, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Mitchee, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Payton, Townsend, Warmoth; total 20.

The ordinance was accordingly read, after which a motion was made to suspend the rules and place the same on its third reading, which was adopted by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Mitchee, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Payton, Townsend, Warmoth. Total 20.

The ordinance was accordingly read and an motion passed by the following vote:

Yeas- Aldermen Anderson, Asmann, Dawson, Fischer

Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth. Total 20.

On appropriation of
\$1675 to pay interest
on bonds.

By Alderman North. An ordinance entitled "An ordinance appropriating the sum of \$1675 or so much thereof as may be necessary out of the general revenue not otherwise appropriated for the purpose of paying the accrued interest, exchange and express charges on the 10 per cent bonds of the city of Austin falling due Jan 1, 1894.

Sec 1. Be it ordained by the City Council of Austin that the sum of \$1675 or so much thereof as may be necessary be and the same is hereby appropriated out of the general revenue, ^{of the city of Austin} not otherwise appropriated for the purpose of paying the accrued interest, exchanges, and express charges on the 10 per cent bonds of the city of Austin falling due Jan 1, 1894."

It was read first time after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Yeas: Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth; 20.

The ordinance was accordingly read after which Alderman North moved to amend the caption and section 1 of the ordinance by striking out the words "general revenue" and inserting in lieu thereof the words, "fund for the payment of interest on bonds of the City of Austin issued prior to May 1, 1890". The amendment was adopted, 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 Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth; 20

The ordinance was then read a third time and passed by the following vote:

Yeas: Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth; 20

Alderman North moved that both of the foregoing ordinances be printed in full in the minutes of the City Council. Carried.

The mayor laid before the council the following correspondence:

Austin, Texas, April 2, 1894

Hon George F. Pendergast, City Attorney, Austin, Texas:

Dear Sir: I see that the Board of Public Works unanimously recommended that the city compensate the case of John W. Harris et al vs. The City of Austin, now pending on the docket court of this county, by the city paying to plaintiff the sum of \$2500. I am authorized by my clients to accept

that amount in settlement of their suits. We are willing that the city shall have judgment concerning the right of way for a street &c. I would be pleased if you would call the attention of the mayor and city council to this matter so that it can be adjusted.

Very Truly Yours
R. H. Ward.

April 2, 1894.

Ward's letter to City

R. H. Ward, Esq., Austin.

Dear Sir. Replying to your favor of this date, I beg to say that in my opinion the city should accept your offer of compromise of the case of J. W. Harris et al vs The City of Austin pending in district court.

Yours truly
George F. Penderter,
City Attorney.

Ward's letter to Mayor.

Austin, Tex. April 2, 1894

Hon John Mc Donald, Mayor of the City of Austin, Austin, Tex.
Dear Sir

I respectfully enclose you herein my letter concerning the case of John W. Harris et al vs The City of Austin, now pending in the district court addressed to the Hon George F. Penderter, city attorney, with his reply to same for the purpose of getting you to lay the matter before the city council for action. This case has been pending a long time and we would like to have it disposed of as soon as it can conveniently be done.

Yours Truly
R. H. Ward

Resolution of B.P.W. as to same

Resolved that the Board recommend to the City Council that the question of right of way across the Pease and Harris property, 80 feet wide, be settled at once.

I hereby certify that the above resolution was adopted by the Board of Public Works at a meeting held on March 16, 1894, by a unanimous vote.

W. J. Oliphant
Secretary Board of Public Works.

Or. app. pending \$2500. etc. in name

By Alderman Anderson - An ordinance entitled "An ordinance appropriating the sum of \$2500 for the purpose of purchasing from Mrs L. C. Pease and the heirs of John W. Harris the land now occupied by the dam railroad."

It was read first time, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Ayes: Alderman Anderson, Alderman, Dawson, Glass, Hancock, Jackson, Johnson, Kilbuck, North, Platt, Powell, Todd, Shelby, Townsend, Warrick; total, 11.
Nays: Alderman Fisher, Harris, Richardson, S. Anderson and Taylor; total, 5.

The ordinance was accordingly read, after which a motion was made to suspend the rules and place

the same on its third reading, which was lost by the following vote:

Yeas- Aldermen Anderson, Arsmann, Glass, Hancock, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Shelley, Townsend, Warmoth; total 14.

Nays- Aldermen Dawson, Fischer, Hume, Roberdeau, Schneider, Taylor; total 6

On appropriation
for 1874 to pay
a.p. on accounts

By Alderman Taylor- An ordinance appropriating the sum of \$1874.50 for the purpose of paying approved accounts.

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

Yeas- Aldermen Anderson, Arsmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Shelley, Taylor, Townsend, Warmoth; total 19.

On appropriation \$125
for Boulder Creek
Bridges

By Alderman Jackson- An ordinance appropriating the sum of \$125 for the purpose of replacing wing wall of Boulder Creek bridge on South Congress avenue and making other needed repairs on said bridge.

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

Yeas- Aldermen Anderson, Arsmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth. Total 20.

Resolution as to
continuation Davis
street.

By Alderman Jackson- A resolution providing for the continuation of Davis street through lots one and ten in block No 2 of aulots 72 and 73, division C.

It was referred to the street committee.

The Council then adjourned

Milton Morris,
City Clerk.