

appointed as Judges & clerks for ^{the} forthcoming election, and to ascertain of their acceptance, the motion was carried.

There being no further business before the Council the meeting adjourned.

Wm. Sterling
Recorder

City Council Room.

Austin Tex. October 31st 1873

The City Council met pursuant to a call of His Honor J. B. Wheeler Mayor. The Roll was called. Present: Aldermen J. C. Sneed, C. Bremond, G. T. Boardman, Geo. Subanann, A. Scholz, Wm. Brugghoff, John H. Robinson, J. W. Harwig, and A. H. Longley, Absent: Alderman S. Thompson. His Hon. the Mayor stated that the meeting was called to take some action on the Report of the joint Committee on Gas Works. They having reported the following proceedings of said Committee. To wit:

Austin, October 30th 1873

Meeting of Committee of Aldermen and citizens. Committee to accept or reject Col. Watts proposition as regards the erection of Gas Works.

Mr. Harrell in the Chair, Mr. Forster Secretary. After reading the ordinance, and adopting each section separately, as per amended ordinance hereby attached. Alderman Bremond moved that the Committee of the whole do recommend Col. Watts's proposition, as per agreement to the acceptance of the City Council, and that that body be requested to pass an ordinance to that effect.

J. Harrell
Chairman

Francis B. Forster
Secretary.

The ordinance recommended by said Committee was read, it not being full enough in its details it was therefor amended, and each section after being amended, adopted separately, and then read

in whole as follows:

Be it resolved by the City Council of the City of Austin, That Sylvester Watts of St. Louis Mo. his associates assigns or successors shall have the exclusive right to erect operate or maintain Gas Works within the limits of the City of Austin, and the additions thereto, and the exclusive right and privilege for laying gas pipes within the limits of said City and the additions thereto, and in, and, along any Street Lane Alley or common in said City, provided the same shall be left in good condition.

Sec 2nd That all such grants rights and privileges shall be enjoyed only upon condition that said Watts or his associates assigns or successors shall furnish to the people of this City of Austin a good article of coal gas, of not less a standard than fifteen candles at a price not to exceed seven dollars per one thousand cubic feet. Provided that in the event Gas shall at any time hereafter be furnished to the citizens of the City of Houston Texas by any other person or Company than the Corporation authorities of said City at less than seven dollars per one thousand cubic feet then the maximum price of Gas in the City of Austin shall not exceed the latter price so charged. Provided that at no time shall the price of Gas in Austin exceed seven dollars per thousand feet.

Sec 3rd The suspension of the supply of gas caused by injury to, or by the necessary or proper rebuilding of the said Gas Works or pipes, shall not work any forfeiture of rights herein granted. The City of Austin shall however have the right to declare all grants and privileges under this ordinance to be forfeited if the erection of said Gas Works shall not have begun by the first of February 1874 and shall not be completed, and said Gas not be furnished as above provided by the first day of November A. D. 1874.

Sec 4th That said Watts or his agents or successors shall have access to the premises of consumers of gas, to repair or supply any part of the gas ap-

-paratus, and to shut off gas in three days after presentation of bill, if not paid; and to shut off gas in case of fire or accident, if the think it necessary to protect the owners of said Gas Works from loss or damage. Provided, that the Company shall be required to put down pipes, and supply gas to any block in the contiguous to any other block already furnished with gas when application is made by any responsible consumers who will obligate themselves in aggregate to take twenty five lights and keep same in general use.

Sec. 5th All the rights, grants, and privileges contained in this ordinance shall extend and be in full force for a period of twenty-five (25) years from the date said Gas works shall be first operated. It is further provided that if said Watts or his associates assigns or successors shall furnish the City of Austin with all gas for such public purposes as may be required by the City Council, at ten (10) per cent less than the amount charged to private consumers; in consideration of said deduction in price of gas, the said Gas Works together with all offices, buildings, lots, stocks, bonds, fixtures or appertinances pertaining to said Gas Works shall be, and the same are hereby exempted from any and all taxation by this City during such time, as said Watts or his associates assigns or successors, shall faithfully comply with the provisions of this ordinance.

Sec. 6th Should the said Watts or associates at any time within the next twenty-five years desire to sell, transfer, assign and convey said Gas Works and everything thereunto belonging appertaining; then the said City of Austin shall have the right priority of the right to purchase, if she will pay, as much therefor as any other bidder.

Sec. 7th That the Mayor be authorized to enter into contract with the said Watts, and his associates for the construction of Gas Works in conformity with the provision of this ordinance. But should said Watts fail to enter into said contract within the next thirty days, then this ordinance shall be null and void.

Sec. 8th All ordinances, and parts of ordinances in conflict

with this ordinance, are hereby sealed, and this ordinance be in force and to take effect from and after its passage.

On motion of Ald. Brueggsthoft the rules were suspended, the ordinance read the second time, on motion of Ald. Brueggsthoft the rules were further suspended, the ordinance read by caption on motion of Ald. Longley the yeas and nays were called on its final passage resulting as follows:

Yeas: Alden, Brannon, Broadman, Siepmann, Scholz, Brueggsthoft, Robinson, Hausenig, and Longley. Nays: Ald. Dried.
There being no further business before the Council the meeting adjourned.

Fred Sterging
Recorder.

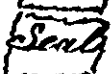
Whereas the City Council of the City of Austin State of Texas by an Ordinance passed October 31st 1873. A certified copy of which said Ordinance is hereto attached and made part of this Contract. Authorized the Mayor of said City to enter into a Contract with Sylvester Watts and his associates for the construction of Gas Works, in the conformity with the provisions of said Ordinance. Now therefore this agreement and Contract made and entered into this fourth day of November A. D. 1873, by and between J. B. Wheeler Mayor of said City of Austin of the one part and Sylvester Watts and his associates successors and assigns of the other part Witnesseth.

First That said Sylvester Watts his associates successors and assigns in consideration of the grants rights franchises and privileges conferred in and by the ordinance aforesaid, hereby agree to construct, maintain and operate Gas Works within the limits of said City of Austin, as provided and stipulated in said Ordinance and to strictly comply with all of its provisions.

Second That said J. B. Wheeler Mayor of said City of Austin in pursuance of power conferred

upon him by the Ordinance aforesaid, hereby agrees that if the said Gas Works are constructed ~~and operated~~ ^{maintained} by said Sylvester Watts his associates, successors and assigns as provided, and stipulated in the ordinance aforesaid then all the rights franchises privileges and grants secured to said Sylvester Watts and his associates by the Ordinance aforesaid shall be, and are hereby confirmed.

In Witness whereof said parties have here to set their hands, and seals (using scrolls for seals) this fourth day of November A.D. 1873. in duplicate Witness.

J. B. Wheeler Mayor 
Sylvester Watts 

City Council Room

Austin Tex. November 8/73.

The City Council pursuant to a call of His Honor J. B. Wheeler Mayor. The roll being called, the following Aldermen answered to their names, to wit:

J. C. Sprad, C. Bremond, G. J. Boardman, A. Scholz, Wm. Brueggerhoff, J. H. Robinson, A. H. Longley.
Absent: Ald. Geo. Supmann, J. W. Hannig, and B. Thompson.

The Mayor stated that the meeting was called for the purpose of receiving the report of the judges of the city election held on the third day of November 1873.

The certificate and poll books of said Judges of the election were then read, received and adopted.

Ald. Longley offered the following resolution, which passed unanimously:

Be it resolved by the City Council of the City of Austin That His Honor the Mayor be, and he is hereby requested to notify J. B. Wheeler that he was elected Mayor, Mr. Long that he was elected Marshal, J. W. Howard that he was elected Treasurer by J. H. Robinson, C. Bremond, G. J. Boardman, Ed. Christian, J. Dahma, S. Todd, A. Scholz, Wm. Brueggerhoff, John H. Robinson, and N. B. Mitchell, that they were elected Aldermen of the City of Austin, for the term of two years, at an election held on Nov.