

Monday Sept. 18th 1911

The Council was called to order by the Mayor with all members present.

The Mayor laid before the Council the following petition:

Austin, Texas, 9/18/1911

To the Hon A.P. Wooldridge, Mayor and Board of Commissioners.

The undersigned respectfully petition you for a permit to erect a two story gallery on East Ninth Street adjoining Dr. H.B. Granberry's gallery, thence east with north line of lot 7 block 97, 110 feet, this gallery to be 10 feet in width and constructed of 3" x 2" pipeiron and metal roof, entirely iron, except flooring and joist to make floor on, and rafters to support the roof.

Respectfully
S.C. Granberry

The petition was granted by the following vote:

Yeas Mayor Wooldridge, Councilmen Hart, Lockridge & Powell

Absent Councilman Bartholomew

The Mayor laid before the Council an ordinance calling an election of the qualified voters of the City to select a successor to Councilman I.P. Lockridge, Superintendent of Receipts, Disbursements and Accounts, resigned.

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

Yeas Mayor Wooldridge, Councilmen Hart, Lockridge & Powell

Absent Councilman Bartholomew

Sept. 18th 1911 p.m.

The Council was called to order by the Mayor, with all members present except Councilman Bartholomew.

The Mayor laid before the Council the following resolution:

Whereas, there is now pending in the district Court of Travis County, Texas, 53rd Judicial Districts certain suit styled No. 272447, the Dumont Holmes Steel Concrete Company vs City of Austin et al, which suit is a suit for injunction, and to recover the sum of \$10,000.00 held by the city of Austin and A.P. Wooldridge, Mayor, and claimed by the

plaintiff for the construction of a dam across the Colorado River, and in which suit an injunction was issued by the Honorable District Court of Travis County, Texas, restraining the Mayor of the City of Austin, and the Councilmen of the City of Austin, their agents, servants and employees from converting to the use of the City, or from cashing or from using or depositing to the credit of the City the proceeds of a certain \$10,000.00 certified check left in escrow with A.P. Wooldridge, as Mayor of the City, and belonging to J.C. Dumont and the Dumont Holmes Steel Concrete Company, their associates and assigns; and,

Whereas, it has been agreed between the said City of Austin and the plaintiff in said suit, that said suit shall be dismissed upon the following terms, to wit:

That the said plaintiff shall pay all and singular the expenses incident to holding a certain election whereby and wherein a franchise was granted to the said Dumont Holmes Steel Concrete company to build a dam over and across the Colorado river at or near the City of Austin, and further, the plaintiff shall pay all costs due endowing the Officers of the District court of Travis County in the above styled and numbered cause, and the City of Austin agrees with the said plaintiff that upon the payment of said election expenses as aforesaid and upon the payment of the costs as aforesaid and upon the dismissal of the said cause of action and the said injunction as aforesaid to pay to the said Dumont Holmes Steel Concrete Company and J.C. Dumont, or their assigns, the sum of \$10,000.00:

Therefore, be it resolved, by the City Council of the City of Austin that the City Attorney of the City of Austin is hereby instructed, permitted and authorized to accept the terms of the above offer, and upon the compliance with the said terms on the part of the plaintiff, the said City shall pay to the said plaintiff the said sum of \$10,000.00 so held by it.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Lockridge & Powell

Present not voting Councilman Hart

Absent councilman Bartholomew

Councilman Lockridge presented the following as his reason for his vote:

Relative to the refund of the Dumont \$10,000.00, I vote Aye because City Attorney Rector advises the City has no right to hold the deposits.

I.P. Lockridge

The mayor laid before the Council the following resolution:

Be it resolved by the City Council of the City of Austin:

Section 1. that the City of Austin, acting herein by the City Council of said City, agrees to contribute, two hundred and fifth (\$250.00) dollars, to the purchase price of a tract of land in Hyde park, Texas, being forty (40) feet by one hundred and thirty five (135) feet, which tract of land extends, from the alley west of Duval Street to Duval Street in this City, Sixth Street, inside of Hyde Park Addition to the City of Austin.

Section 2. Said contribution is made for the purpose of extending Sixth Street in Hide Park from the alley west of Duvall Street to Duvall Street, and the payment of \$250.00 herein agreed to be contributed by the City of Austin to the opening of said street is not to be paid over until the City Attorney of the City of Austin shall advise the Mayor of said City, acting herein for said City, that said tract of land 40 feet by 135 feet, above described, has been properly dedicated in perpetuity by the owners thereof to public street purposes.

Section 3. That the contribution of \$250.00 herein above and hereby made, is to be derived as follows:

- (a) One hundred and fifty dollars is a balance, of that amount, in the appropriation in the budget for the present year for a library site for this city, which one hundred and fifty dollars is hereby transferred from the appropriation for a library site and made available for the purposes of this resolution.
- (b) A note belonging to the City of Austin in the amount of one hundred dollars, dated Austin, Texas, July 13th 1911, and payable Ninety (90) days after date to the order of A.P. Wooldridge, mayor, Trustee, signed by J. Gregg Hill, Wayon Rosenberg Jr., and Chas Stependon.

Section 4. that the action of the City Council in contributing to the purchase from the owners thereof, of the certain strip of ground hereinabove set out, shall not be held or deemed as, in any way or to any extent, indicating the attitude or policy of the City Council towards any of the other streets in the Hyde Park addition to the City of Austin, especially streets four and five likewise extending from a half block west of Duval Street towards Duval Street.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Hart Lockridge & Powell

Absent Councilman Bartholomew

The Council then recessed subject to call of the Mayor.