

of salary of said policeman and the Deep Eddy Bathing Beach Company the other half. Nomination was confirmed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes and Searight, 4; naves, none, Councilman Nolen present but not voting.

The Council then adjourned.

J. W. Daugherty
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 21, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; absent, none.

The Minutes of the last meeting were read and Councilman Avery moved that same be adopted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

The report of the Safety Committee upon the application of A. L. Johnson to install a gasoline storage tank at 210⁴ East Avenue was read and Councilman Haynes moved that same be adopted as recommended by the Safety Committee. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

The report of the Safety Committee upon the application of the Pierce Petroleum Corporation, asking for permission to erect a platform at their warehouse at 207 Nueces Street was read and Councilman Haynes moved that same be granted as recommended. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

The application of Carl H. Richter to erect a gasoline filling station at the corner of Park Street and Dam Boulevard was read and Councilman Haynes moved that same be referred to the Safety Committee. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

The report of the Safety Committee upon the application of Fred Hubert to install a gasoline tank at 4500 Duval Street was read and Councilman Searight moved that same be adopted as recommended. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Haynes introduced the following resolution:

WHEREAS, the valuation of \$960.00 placed by the Board of Equalization on Lots 4, 5, and 6, Block 2, Outlot 2, Division "A", owned by J. W. Daugherty for 1922 was reduced by the City Council to \$400.00 and according to statement of W. A. Pillow, Chairman of the Board, this reduction was overlooked by the Board in fixing the value of the property for taxes of 1923 and 1924 and same was placed at \$960.00 for each of said years,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Assessor and Collector be and he is hereby instructed to

correct the valuation on his rolls to \$400.00 for each of said years, and Mr. Daugherty having paid the taxes for 1924 on the valuation of \$960.00, amounting to \$22.08, is entitled to a refund of \$12.88 and the City Clerk is hereby instructed to issue a warrant in his favor for that amount against the General Fund.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Haynes introduced the following resolution:

WHEREAS, according to statement of W. A. Pillow, Chairman of the Board of Equalization, an error was made in transferring the valuation of \$200.00 as fixed by the Board on Lot 10, Block 2, Outlot 5, Division "Z", for taxes of 1924, and the valuation erroneously carried out at \$330.00 and the owner of said lot, Mr. John Matthiesen, is entitled to a refund of \$2.99, he having paid on the erroneous valuation of \$330.00,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Assessor and Collector be and he is hereby instructed to correct the assessment on his rolls and the City Clerk is hereby instructed to issue warrant to John Matthiesen against the General Fund for the sum of \$2.99, excess taxes paid by him on the erroneous assessment.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Searight introduced the following resolution:

WHEREAS, Mary Dawson, J. T. Priest and wife, and Gibbs Spiller and wife have conveyed to the City of Austin a certain strip of land, sixty (60) feet in width, extending from the Fredericksburg road southerly to a point 541 varas from said road, said strip to be used for street purposes, and said conveyance conditioned further that the City of Austin shall open, grade and gravel said street and place same in condition to be tarviated at the expense of the City and shall name said street "Bouldin Avenue",

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said conveyances are hereby accepted with the conditions thereto attached and the deeds of the several parties are ordered to be filed by the City Clerk and said street is ordered to be opened and placed in condition, and said street is hereby named and designated as Bouldin Avenue.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Searight introduced the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be and he is hereby instructed to issue a warrant in the sum of Three Hundred Dollars (\$300.00), payable to W. J. Dill in full settlement for damages caused by the excavation of the creek bed of Shoal Creek to a cement retaining wall abutting the east side of Lot 7, Block 5, Outlot 11, Division "Z", and extending along the west bank of Shoal Creek from the south edge of the bridge to a point 40 feet south of same,

It being understood that said W. J. Dill shall be allowed to construct a footing, braces, or abutments to support said wall, provided that no part of

said additions or support shall extend farther than four feet eastward from the present east line of said cement wall.

Also, that said W. J. Dill shall give to the City Clerk a proper receipt as acknowledgment of full settlement for damages, past and future, to said wall.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

The monthly reports of C. L. Woodward, Chief of the Fire Department, and W. D. Walker, Dairy Inspector, were read and ordered filed.

Bids as depository for city funds of D. B. Gracy and Austin National Bank were opened and read.

The Council then recessed.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, May 23rd, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; absent, none.

Dr. Geo. M. Decherd, President Board of Trustees Austin Public Schools, and Prof. A. N. McCallum, Superintendent City Schools, appeared before the Council and presented the following communications:

"Austin, Texas, May 22nd, 1925.

Prof. A. N. McCallum, Supt.,
Austin, Texas.

Dear Sir:-

At the request of yourself and Dr. Decherd, I called upon Judge George E. Christian, Assistant Attorney General, who has charge of the examination and approval of city bonds, and asked his advice as to whether the school bonds to be voted upon in Austin on June 11th would be approved by him under existing conditions in the City of Austin. He was fully informed as to the origin, progress and present status of the litigation involving city affairs, which has been pending for several months.

Judge Christian very kindly considered the matter at this time, rather out of the usual order in the Attorney General's Department, and told me that I could say to you that he would not approve the bonds as long as the present litigation is pending in the courts.

It follows that if the school bonds are voted they would not receive the approval of the Attorney General until the pending litigation is settled, nor pending any other similar litigation, if there should be any.

Yours very truly,

T. S. Johnson."

"May 22, 1925.

RESOLVED THAT after careful consideration of the communication of Judge T. S. Johnson presented to the School Board, the superintendent and the president be directed to call upon the City Council as soon as practicable, and to ask the Council to repeal Proposition Number 1 of the ordinance passed on April 30th, calling for an election for school bonds in the amount of \$100,000.00 to be voted on June 11th.

Board of Trustees Austin Public Schools

By George M. Decherd, President."