

accepted and said Ordinance be enacted by the City Council and approved by a majority of the duly qualified voters of the City of Austin voting at an election to be called and held in accordance with the provisions of Section XXIX of said Ordinance.

The Texas Power & Light Company, nevertheless, expressly reserves the right to withdraw said proposal for any reason it may see fit, at any time prior to the day and date such election is held, but agrees that if the same is not withdrawn and if said election is held and said Ordinance is approved by a majority of the duly qualified voters voting at such election, said Company shall become bound and obligated by said proposal and the several terms and provisions of said Ordinance.

Respectfully submitted,

TEXAS POWER & LIGHT COMPANY,

By (sgd) W. B. Head,

Chairman Board of Directors."

Mayor Yett laid before the Council the following ordinance:

PROVIDING THAT THE TEXAS POWER & LIGHT COMPANY SHALL ACQUIRE THE PROPERTIES, RIGHTS, INTERESTS AND PRIVILEGES GRANTED TO WILLIAM D. JOHNSON AND ASSIGNS BY AN ORDINANCE DATED THE 7TH DAY OF SEPTEMBER, 1911, AND RECORDED IN BOOK F, PAGE 375, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH PROPERTIES, RIGHTS, INTERESTS AND PRIVILEGES ARE NOW HELD BY THE AUSTIN DAM, INC.; PROVIDING THAT SAID COMPANY SHALL REHABILITATE, RECONSTRUCT, REPAIR AND COMPLETE THE AUSTIN DAM AND HYDRO ELECTRIC GENERATING STATION AND SHALL CONNECT SAID HYDRO ELECTRIC GENERATING STATION AND THE STEAM ELECTRIC GENERATING STATION OF THE CITY OF AUSTIN WITH SAID COMPANY'S CENTRAL TRANSMISSION LINE; PROVIDING THAT SAID COMPANY SHALL EXTEND ITS ELECTRIC TRANSMISSION SYSTEM TO THE CITY OF AUSTIN AND SUPPLY TO THE CITY OF AUSTIN THE ELECTRIC POWER AND ENERGY REQUIRED FOR THE OPERATION OF ITS ELECTRIC DISTRIBUTION SYSTEM IN THE MANNER AND UPON THE TERMS AND CONDITIONS THEREIN SET FORTH; PROVIDING FOR THE REPEAL OF CERTAIN PORTIONS OF THE AFORESAID ORDINANCE OF SEPTEMBER 7TH, 1911, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL NOT BECOME EFFECTIVE UNLESS AND UNTIL THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS OF THE CITY OF AUSTIN; CALLING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF AUSTIN AND SETTING FORTH THE TIME, PLACE AND MANNER OF HOLDING SAID ELECTION.

The above ordinance was read the first time and laid on the table.

The Council then recessed.

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, June 24, 1926.

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 adopted.

Councilman Haynes introduced the following resolution:

WHEREAS, under Ordinances enacted by the City Council of the City of Austin on March 28, 1918, recorded in Book "F", et seq., of the Ordinances of said City, the following sums were paid by service car operators, to-wit:

Paul W. Kaiser for year	1918	-----	\$12.50	
" " " " "	1919	-----	12.50	
" " " " "	1920	-----	12.50	
" " " " "	1921	-----	12.50	
" " " " "	1922	-----	12.50	
" " " " "	1923	-----	12.50	
" " " " "	1924	-----	12.50	
" " " " "	1925	-----	12.50	
" " " " "	1926	-----	12.50	\$112.50
Lee Shoto for year	1920	-----	\$12.50	
" " " " "	1921	-----	12.50	
" " " " "	1922	-----	12.50	37.50
E. W. Perry for year	1926	-----	\$12.50	12.50

Chas. Williams for year	1921	-----	\$ 6.25	
" " " "	1924	-----	6.25	
" " " "	1925	-----	6.25	\$ 18.75
J. W. Catchen for year	1924	-----	\$ 6.25	
" " " "	1925	-----	12.50	
" " " "	1926	-----	12.50	31.25
G. J. Merritt for year	1922	-----	\$ 6.25	6.25
Total -				\$218.75

WHEREAS, the City Council of Austin had no legal right to demand, receive or retain said sums so paid, and desires to repay same, together with legal interest on the several sums so paid from the 1st of January of the year succeeding each payment,

Therefore,

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

That the Mayor of the City of Austin be and he is hereby authorized to execute and deliver to Paul W. Kaiser, Agent for above named service car operators, the note of the City of Austin for the gross sum of Two Hundred Eighteen Dollars and Seventy-five Cents (\$218.75), together with interest on the several sums paid from the 1st of January of the year succeeding each payment until paid at the rate of 6% per annum. Said note shall provide that if not paid when due for ten per cent attorney's fees and court costs in the event of collection by suit.

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

After having been read the first time and laid over for one week, the following ordinance was passed to its second reading:

AN ORDINANCE PROVIDING THE POWER AND DUTIES OF INSPECTOR OF ELECTRICAL WORK; DEFINING MASTER ELECTRICIAN AND PROVIDING FOR THE BONDING AND LICENSING OF THE SAME AND FOR THE FORFEITURE OF SUCH LICENSE, REQUIRING OF PERMITS FOR ELECTRICAL CONSTRUCTION OR WORK OF ANY CHARACTER; PROVIDING THE MANNER AND WAY IN WHICH ELECTRICAL WORK SHALL BE DONE, THE KIND AND CLASS OF MATERIAL TO BE USED IN SUCH WORK; PROVIDING FOR THE ADOPTION OF THE "NATIONAL ELECTRICAL CODE" AS PROMULGATED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS; PROVIDING FOR THE INSPECTION OF ELECTRICAL WORK; PROVIDING FOR THE CREATION OF BOARD OF MOTION PICTURE OPERATOR EXAMINERS AND FOR THE ISSUANCE OF A PERMIT AND LICENSE TO MOTION PICTURE OPERATORS; PROVIDING FOR THE SCALE OF FEES TO BE PAID FOR ELECTRICAL INSPECTION; PROHIBITING UNAUTHORIZED PERSONS, FIRMS OR CORPORATIONS FROM CUTTING, MOVING OR ATTACHING TO ANY OUTSIDE OR INSIDE WIRE, SWITCH OR OTHER APPLIANCES BELONGING TO OR CONTROLLED BY CITY WATER AND LIGHT DEPARTMENT, OR ANY PUBLIC SERVICE CORPORATION; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The above ordinance was read the second time and Councilman Avery moved that the rule be suspended and the ordinance placed on its third reading and final passage. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; nays, none.

The ordinance was read the third time and Councilman Avery moved that same do now finally pass. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; nays, none.

Court Costs in tax suits in the District Court, in the amount of \$681.65, was presented, and Councilman Searight moved that Councilman Haynes be authorized to approved same. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; nays, none.

The claim of the Miller Surfacing Company, in the amount of \$7179.16,

for resurfacing tarviated streets was presented and Councilman Searight moved that Councilman Haynes be authorized to approve same. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; naves, Councilman Nolen.

The claim of E. A. Alley for rent of dog pound was read and Councilman Avery moved that same be referred to Councilman Nolen for adjustment and settlement. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

Councilman Nolen introduced the following resolution:

WHEREAS, the following named persons were heretofore fined in the Corporation Court of the City of Austin for violation of the signal light ordinance, and in each instance said fine was paid in cash; and

WHEREAS, for good and sufficient reasons unto the City Council shown, it is desired to remit the costs in said causes,

Therefore,

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

That the costs in each of the following named causes be and the same is hereby remitted:

E. E. Sammons,	Cause No. 21820,	Costs	-----\$10.80
Jack Sapp,	Cause No. 21822,	"	----- 10.80
B. F. Logan,	Cause No. 21823,	"	----- 10.80
Gertrude Johnson	" No. 21824,	"	----- 15.80
Gertrude Green	" No. 21825,	"	----- 15.80
Sophie Chambers	" No. 21826,	"	----- 15.80
Harry Johnson,	" No. 21827,	"	----- 10.80
Ernest Parker,	" No. 21829,	"	----- 10.80
J. V. Moore,	" No. 21836,	"	----- 10.80
Henry Edwards,	" No. 21916,	"	----- 10.80
J. R. Matheral,	" No. 21990,	"	----- 10.80
W. H. Stokes,	" No. 21972,	"	----- 10.80
H. Andrews,	" No. 22060,	"	----- 10.80

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

Mayor Yett introduced the following resolution:

WHEREAS, Richard R. Yett, as the Attorney for and representing Wm. Bargley, Ernest Bargley, Chester Schacht, Wm. G. Washington, Earl Shelton, Edgar Shelton, E. L. Jackson, David Harrold, Will Jackson, E. Jackson, Roy Shelton, Jim Reese, J. L. Clayton, N. A. Ladd, Jno. J. Weedman, Emmett Jackson, Toffie Bolagia, G. S. (Sherman) Edwards, Matthew Edwards, Joe Herbert Henry Pryor, Oscar Smith, B. F. Lee, Isaiah Owens, Mitchell Gibson, Jessie Roby, and T. B. Wood, J. M. Benson, Frank Galbreath, Frank Wicks, A. A. Bartley, J. L. Cornelius, Elbert Maddison, S. T. Benton, and Jim Cyphress, Al Deison and Jno. Kreuz, all service car drivers, or former service car drivers, has presented the respective claims of the above mentioned parties for the refund of all sums of money by the above mentioned parties for license for operating an automobile carrying passengers for hire in the City of Austin, Texas, under a void ordinance, a schedule of said claim and the respective amounts thereof and the time of respective payments with the certificate of the City Assessor and Tax Collector thereon being hereto attached and made a part hereof, showing the aggregate amount due the respective above named parties the sum of One Thousand Forty-three and 75/100 Dollars, together with the additional sum of Two Hundred Sixty-two and 99/100 Dollars legal interest thereon; and

WHEREAS, by resolution adopted by the City Council on June 3rd, 1926, City of Austin acknowledged the justice of the said claim and authorized the Mayor of the City of Austin to settle the said claims by giving the note or obligation of the City of Austin to said Richard R. Yett, Attorney, for the above named parties, payable on December 31st, 1926, and instructed the Assistant City Attorney to draw proper resolution for the City Council acknowledging the justice of said claim and authorizing the Mayor of the City of Austin to settle the same by note or obligation of the City, as above set forth,

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

That the claims for refund of the license tax collected by the City of Austin from the said Wm. Bargley, Ernest Bargley, Chester Schacht, Wm. G. Washington, Earl Shelton, Edgar Shelton, E. L. Jackson, David Harrold, Will Jackson, E. Jackson, Roy Shelton, Jim Reese, J. L. Clayton, N. A. Ladd, Jno. J. Weedman, Emmett Jackson, Toffie Bolagia, G. S. (Sherman) Edwards, Matthew Edwards, Joe Herbert, Henry Pryor, Oscar Smith, B. F. Lee, Isaiah Owens, Mitchell Gibson, Jessie Roby and T. B. Wood, J. M. Benson, Frank Galbreath, Frank Wicks, A. A. Bartley, J. L. Cornelius, Elbert Maddison, S. T. Benton, Jim Cyphress, A. L. Deison, and Jno. Kreuz, for operating an automobile carrying passengers for hire in the City of Austin under void ordinance passed in 1917, in the aggregate of the sum of Thirteen Hundred Six and 74/100 Dollars, be and the same is hereby allowed and deemed a just and binding obligation on the City of Austin.

BE IT FURTHER RESOLVED: That W. D. Yett, Mayor of the City of Austin, be and he is hereby authorized to make settlement of the above mentioned claims in the aggregate by executing and delivering to Richard Yett, Attorney, the promissory note of the City of Austin, payable December 31st, 1926, with interest thereon from date of said note until paid at the rate of six per cent per annum, and said note carrying the usual ten per cent attorney's fees clause, upon the delivery by the said Richard Yett to the said Mayor of a certified statement from the City Tax Assessor and Collector showing the amounts paid by the above mentioned parties and the dates of their respective payments, and also upon the delivery by the said Richard R. Yett, Attorney, of the written acceptance signed by him as Attorney for the above mentioned parties of the said promissory note, as settlement in full for their respective claims.

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, on the 2nd day of February, 1872, there was filed for record in the Deed Records of Travis County, Texas, in Book "W", page 230, a plat of Stuart and Mair Subdivision of Outlot 4, in Division "B", in the City of Austin, Travis County, Texas, upon which said plat is shown a street 30 feet in width and lying North of Lots 6, 7, 8, 9, and 10, in Block Number 3, in said Subdivision, and upon which is also shown a park 44 feet in width and 230 feet in length lying North of said 30 foot street; and

WHEREAS, said street was never used as a street since the year 1873 and that said park was never used as a park since the year 1873, and that the South 22 feet of said park and all of said street has been enclosed by a fence in the Stuart Seminary Tract since the year 1873, and that the said Seminary and those claiming under said Seminary have had open, peaceable, continuous and adverse possession of said street lying north of Lots 6 to 10, inclusive, and the South 22 feet of said park since the year 1873 and that the South 22 feet of said park and all of said street has been enclosed by a fence in the Stuart Seminary Tract since the year 1873, and that the fence on the North as now established is on the identical line as the fence that was put up by said Stuart Seminary in the year 1873 or earlier, and that there has been a fence on said line since the year 1873, or earlier; and

WHEREAS, Texas Training School for Defectives and Sanitarium for Mental and Nervous Diseases, having possession of said property and claiming title to the same through a regular chain of title from the Stuart Seminary, has made request of the City of Austin, Travis County, Texas, that the said City of Austin release and quitclaim unto the said Texas Training School for Defectives and Sanitarium for Mental and Nervous Diseases all right, title interest and claim that the said City of Austin may have or own in and to said 30 foot Street and the South 22 feet of said park,

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS:

That the Mayor of the City of Austin, Texas, W. D. Yett, be authorized and empowered to execute in the name of the City of Austin, Texas, a release and quitclaim unto the Texas Training School for Defective and Sanitarium for Mental and Nervous Diseases of all right, title and interest that the said City of Austin may have in and to said 30 foot street and the South 22 feet of said park as described herein, which release and quitclaim shall convey to the said Texas Training School for Defectives and Sanitarium for Mental and Nervous Diseases all interest that the said City of Austin may have in and to said property.

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

Councilman Haynes moved that the Council recess until ten o'clock, A. M., June 25th, 1926. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; nays, none.

The Council then recessed.

RECESSED MEETING OF THE CITY COUNCIL;

Austin, Texas, June 25th, 1926. 10:00 A.M.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Haynes and Nolen, 3; absent, Councilmen Avery and Searight.

Councilman Haynes moved that the Council stand recessed until June 28th, 1926. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes and Nolen, 3; nays, none, Councilmen Avery and Searight absent.