

Regular meeting of the City council: Austin, Texas, August 31st 1916:

The Council was called to order by the Mayor: Roll called :

Present Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

The minutes of the last regular and subsequent recessed meetings were read and adopted :

Councilman Bartholomew presented his report as Supt of the Water, Light and Power Plant for the month of June 1916, which was read and ordered filed:

The Mayor laid before the Council the following resolution :

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

That the City Treasurer and the Book-keeper for the Street Dept, be and they are hereby authorized and directed to transfer from the Permanent Street Improvement fund to the General fund ,the sum of \$ 30.00, to correct a mistake in drawing warrant No 39043.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none

Councilman Bartholomew offered the following resolution .

Resolved by the City Council of the City of Austin, Texas :

That in consideration of the unusual beauty of the curbing and monument to be erected by A J Zilker upon and about Lot 858 in Oakwood Cemetery in memory of his deceased wife, permission is hereby granted that the approach, or steps, which are a part of the curbing about said lot may encroach as much as two (2) feet towards the north of the sidewalk fronting said lot which faces Main Avenue in Oakwood Cemetery in this City.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

Approved, A P Wooldridge, Mayor.

Councilman Bartholomew offered the following resolution:

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

That the sum of \$ 1,200.00, be and the same is hereby prdered tr ansferred from the amount appropriated for the purchase of Machinery and equipment, to the appropriation for unloading fuel ,in the Water, Light and Power Dept of the City of Austin.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

The Mayor laid before the Council the following applications for for license as

Drivers of service cars, viz :

- Bruce Casson, 1306 Cedar street,
- Jim Sullivan, 1700, Willow street,
- N V Dittlinger Jr, 106 West 5th street,
- Sam Work, 91 Rainey street,

*Bartholomew - Report for June, 1916*

*Transfer funds.*

*Cemetery Lot - A. J. Zilker*

*Water, L. P. Dept. Appropriation \$700.00*

*Service License*

The applications were granted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

Councilman Powell offered the following resolution :

Whereas, according to the original plat of the Smyth sub-division of, part of Outlet 75, Division "D", recorded in plat book No 1 page 6 of the Travis County deed records, the property of Jack H Burdett on the southeast corner of San Gabriel and 34th streets is adjacent to and bats upon San Gabriel street, and

*San Gabriel St.  
change of lines*

Whereas according to the plat of the Penn sub-division of blocks 5 & 6, of the Smyth sub-division of outlet 75 Division "D" , San Gabriel street was so located as to leave a strip of land approximately 9½ feet in width between it and the Burditt's property, and

Whereas, this strip of land cuts off the said Jack H Burditt's property from its frontage on San Gabriel street and said strip being so narrow it would be worthless to any person than said Jack H Burditt, and he being unwilling to purchase same and Mrs Penn being unwilling to release her claim to this strip of land,

Now, therefore,

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

That the lines of San Gabriel street adjacent to the said Jack H Burditt's property, be so changed as to permit the street to remain in its original location as platted in the Smyth sub-division . The field notes describing the lines of said San Gabriel street between 32nd & 34th streets being as follows, to-wit:

Beginning at a point at the northeast intersection of 32nd street with San Gabriel street according to the plat of Penn's sub-division of blocks 5 & 6, of the Smyth sub-division of Outlet 75 , Division "D", said point being the south west corner of lot 8 of block 6, running thence in a northeasterly direction parallel with the lines of West Avenue a distance of 275 feet to a corner; thence in a southeasterly direction parallel with the lines of State street a distance of 9.55 feet to a corner; thence in a northeasterly direction along said Jack H Burdett west fence line and approximately parallel with the lines of West Avenue, a distance of 17 feet to a point in the south line of State street; thence northwesterly along the south line of said State street a distance of 45 feet to a corner at the southwest intersection of State street with San Gabriel street, said corner being the north east corner of Lot 9, block 5 of the Penn sub-division ; thence southwesterly parallel with the Burditt's west fence line and 45 feet therefrom a distance of 175 feet to a corner; thence northwesterly parallel with the said Burditts west fence line and 45 feet therefrom a distance of 175 feet to a corner ; thence northwesterly parallel with the line of State street a distance of 9.55 feet to a corner, said corner being the southeast corner of lot 1, block 5 of the said Penn sub-division; thence southeasterly parallel with the line of State street a distance of 45 feet to the point of beginning.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none.

*San Gabriel St.  
change of lines*

The Mayor laid before the Council a petition from Citizens , asking for street work on Wichita street, which was read and referred to Councilman Powell .

*Dixie Oil & Ref. Co.  
motion to reconsider  
permit.*

Councilman Powell moved to reconsider the vote by which the Council granted the Dixie Oil Co permission to put in a Gasoline & Oil tank near the I & G N railway west of Shoal Creek, which motion was lost by the following vote:

Yeas Councilman Powell 1  
Nays Mayor Wooldridge, Councilmen Anthony, Bartholomew & Haynes 4

Sept 2nd 1916:

Mayor Wooldridge offered the following resolution :

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

That the sum of \$ 40.00, of the amount heretofore appropriated to the sprinkling of south Congress Avenue in this City be and the same is hereby authorized to be paid to T H Davis and others as the City's contribution to said sprinkling to cover a shortage on the part of the Committee having this said sprinkling in charge for the months of April, May, June, July & August, and up to Sept 10th 1916.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Powell 4  
Absent Councilman Haynes 1

Approved, A P Wooldridge, Mayor .

Mayor Wooldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 450.00, be and the same is hereby transferred from the General Contingent fund of this City to the miscellaneous fund of the Fire Dept.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Powell 4  
Absent Councilman Haynes 1.

Approved, A P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 450.00. be and the same is hereby appropriated out of the miscellaneous fund of the Fire Dept, of this City in full payment <sup>complete</sup> and ~~final~~ discharge of the claim and demand of Mrs August F Otto for damages done to her store house at the corner of 19th and Guadalupe streets in this City by Automobile Hose Co No 5, on the night of Friday August 18th 1916.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Powell 4  
Absent Councilman Haynes 1.

Approved, A P Wooldridge, Mayor.

Councilman Powell offered the following resolution : *Sept 5th 1916*

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

That the plans and specifications for one additional Arch Bridge at the crossing of 15th street over Waller Creek and one additional Arch Bridge at the crossing of 15th street over Waller Creek prepared in the office of the City Engineer be, and the same are hereby approved and adopted and Be it, ~~XXXXX~~ resolved, Further:

*Sprinkling  
Congress Ave.  
\$40.00 appropriated*

*Transfer of funds.*

*Damages -  
Mrs. A. F. Otto.*

*Bridge -  
15th street*

.That the Supt of Streets and Public Improvements be, and he is hereby authorized to advertise for bids for this work, said bids to be received until 11 O'clock A M of Tuesday Sept 12th 1916.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Hyanes & Powell 5  
Nays none,

Approved, A P Wooldridge, Mayor.

.Mayor Wooldridge offered the following resolution :

Whereas, the City of Austin on the 27th day of November, 1912, granted to E W Brown, W B Dunlap, J M Abbott, Jno W Maxcy and Walter Crawford a franchise through, over and across the streets of the City of Austin, Texas, as a part of an interurban line to be built by the said E W Brown and others from Austin, Texas, to Lockhart, Texas; and

Whereas, the performance of the contract under said franchise was guaranteed to the City of Austin, Texas, by a deposit with the Mayor of said City of the sum of Five Thousand (\$ 5,000.00) dollars as evidenced by a certificate of deposit for five thousand (\$ 5,000.00, issued by the Austin National Bank of Austin, Texas, and dated November 6th 1912 ;and

Whereas, the said E W Brown and others utterly failed to carry out their contract with the City of Austin to build said interurban road from Austin to Lockhart Texas; and

Whereas, the City of Austin has heretofore declared a forfeiture to the City of Austin of said five thousand (\$ 5,000.00,) Guaranteeing the performance of the contract between the said E W Brown and others with the City of Austin, Texas, to build said interurban road; and

Whereas, the Citizens Loan and Investment Company of Austin, Texas, has made claim to the amount of said certificate of deposit by reason of an alleged transfer made to themselves by the said E W Brown and others prior to the forfeiture of said certificate of deposit by the City of Austin, Texas, basing said transfer to themselves upon alleged damages committed by the said E W Brown and others to the property of said Citizens Loan and Investment Company in Travis Heights in south Austin, Texas, where the construction of said interurban road was begun,

Now, therefore,

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

That in consideration of the premises and as a compromise of the controversy between the Citizens Loan and Investment Company and the City of Austin, Texas, the City of Austin agrees to waive its claim to said certificate of deposit in favor of the Citizens Loan and Investment Company to all amounts of said certificate of deposit owing in excess of the net sum of Two thousand eight hundred and fifty (\$ 2,850.00) which the City of Austin reserves in compromise of this controversy, but yields the excess above the said Two thousand eight hundred and fifty (\$ 2,850.00) net to the Citizens Loan and Investment Company.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Powell 4  
Nays Councilman Haynes 1

Approved. A P Wooldridge, Mayor.

Councilman Haynes voted Nay and alleged as a reason that he believed the City is entitled to the whole amount or nothing and can afford to await the judgement of the Court.  
.The Council then adjourned.

*John J. ...*

City Clerk

*Austin-Lockhart  
Interurban  
Settlement of  
Forfeiture to City.*