

. Regular meeting of the City Council : Austin, Texas, April 5th 1909.

Hon F M Maddox, Mayor presiding: Roll called.

Present Aldermen Armstrong, Crocker, Cuneo, Haynes, Meredith, Miller, Moore, Moreland, Petri, Redd, Scott, Smith, Sutor & Wilhelm . 14

Absent none.

On motion of Alderman Crocker the regular order of business was suspended.

Alderman Crocker offered the following resolution, viz:

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

First. The people of Austin have for several years been promised lower Water and Light rates.

Second .The reasons given by the Water, Light and Power Commission for not reducing the rates was that the improvements and extensions to the plant had first to be made.

Third. Nearly all of said improvements and extensions have been made and paid for; hence there is no good reason why said rates cannot be immediately put in force.

Fourth. We therefore heartily approve and endorse the proposed reductions as set out in the Maddox resolution now pending before the Water, Light and Power Commission, and set for final action by the Commission at 3 o'clock P M April 6th 1909. And further, that we urge the Water, Light and Power Commission to immediately pass said resolution in order that the people who have so patiently paid high rates to bring the plant to an up-to-date condition may enjoy their rights to low water and light rates, to which they, as the owners of the plant, are justly entitled.

Fifth. That the City Clerk of this Council be directed to hand to the President of the Water, Light and Power Commission a copy of these resolutions, by 12 o'clock noon April 6, 1909.

After discussion the resolution was passed by the following vote :

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Meredith, Miller, Moore, Petri, Redd, Scott, Smith, Sutor & Wilhelm 13

Nay Alderman Moreland 1

Alderman Haynes for the Finance Committee presented the following report, which was read and adopted.

To the Honorable, the Mayor and the City Council of the City of Austin.  
Gentlemen :

We, your Finance Committee, beg leave to hand you herewith, as per list attached, marked " A ", the following, viz:

First- Refunding bond Coupons, of \$ 10.00 each	5 21,800.00
Second -Refunding bond coupons, of \$ 20.00 each	131,550.00
Third -One Water Works and Electric Light coupon	12.50

( This coupon was due July 1, 1896, but was not presented for payment until about one year ago, when it was paid )

Fourth- Refunding bonds Nos 165, 166, 168, 169, 170, 171, 172, 179, 180, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 1894, 1895, and 1896, for \$ 500.00 each	\$ 14,000.00
face value, for which was paid	12,919.99

on March 14, 1907, since which time no interest has been paid thereon .

Also Refunding bonds Nos 1122, 1124, 1125 and 1126, for \$ 1,000.00 each, or \$ 5,000.00

*Resolution enforcing  
fiction water light  
and power rates  
lost*

*Finance Committee  
approved*

*Finance Committee  
approved*

face value, for which was paid \$ 4,525.10  
 on April 15, 1907, since which time no interest has been paid thereon;  
 therefore these bonds have attached and unpaid all coupons falling  
 due on or since July 1, 1907, which bonds and their attached coupons  
 together with the 8764 paid and cancelled, amounting ~~to \$ 153,472.50~~xxxxx  
 to \$ 153,472.50  
 as above enumerated, we hand you for verification and distruction, int  
 the presence of your Honorable Body.

Respectfully submitted.

H L Haynes

J M Meredith

L M Crooker

Finance Committee.

On motion the report was adopted,

Alderman Moore moved that a Committee be appointed to verify the  
 report and destroy the bonds and coupons presented with same, which  
 motion prevailed and Aldermen Moore Petri, Scott and Redd were  
 appointed as such Committee.

On motion the Council took a recess until the Committee was ready  
 to report.

The Council was called to order: Alderman Moore for the Special  
 Committee appointed to verify the report of the Finance Committee a  
 and destroy the bonds and coupons, presented the following report, which  
 was read and adopted.

4/5/09

To the Hon F M Maddox, Mayor, and Board of Aldermen.  
 Gentlemen :

We your Special Committee appointed to destroy  
 \$ 19,000.00 worth of Refundind bonds as set out in report of  
 Finance Committee, beg leave to report that we have destroyed same  
 by burning same in the street in presence of entire Council .

C W Moore

Henry Petri

F A Scott

W C Redd.

On motion the report was adopted.

Regular order of business resumed .

. On motion the minutes of the last meeting were approved as recorded  
 by the Clerk, without reading .

Petitions, Memorials, etc:

By Alderman Moore , petition of F & J A Martin for permission to  
 erect a platform in front of their Warehouse on East 4th street .  
 Read and motion same was granted.

By Alderman Cuneo Petition of F P Preece asking that he be allowed  
 pay as cart driver while sick. On motion the petition was granted.

By the Mayor petition of R H Luna , asking remission of fine in the  
 Recorders Court. On motion the petition was granted.

By the Mayor petition of Mrs Mary Hall asking that the Council

Bonds + Coupons  
 destroyed

Pet. Martin for  
 platform

Preece for pay  
 while sick

Mrs Mary Hill  
to remit Court Costs  
tax suit

Frank DeLashmuth to  
erect temporary  
awning

Mrs Busche

from Mrs. Josephine Lockwood

Mrs. Josephine Lockwood

F H Jones. Taxes

Mrs A Stromberg  
Taxes

Fines remitted

City Officer

to remit Court Costs in tax suits on property purchased by her and on which taxes were due by the former owner. Alderman Moore moved that the Costs be remitted in one of the cases, provided that she pay all taxes due, and the costs in one of the cases, which motion prevailed by the following vote :

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Meredith, Miller, Moore, Petri, Redd, Scott, Smith, Sutor & Wilhelm 13

Nay Aldermen Moreland 1

By the Mayor petition of Frank DeLashmuth asking permission to put up a temporary awning in front of his place of business No 602 Congress Avenue .  
On motion the petition was granted.

By the Mayor petition of Mrs Bosche asking to have certain pound fees refunded.  
On motion the petition was referred to the Committee on Claims & Accounts.

By The Mayor petition of Mrs Josephine Lockwood asking to have certain pound fees refunded. On motion the petition was granted .

By The Mayor petition of F H Jones asking correction of Assessment for taxes.  
Read and on motion referred to the Committee on Claims & accounts.

By the Mayor petition of Mrs A Stromberg asking correction of Assessment of taxes  
Read and on motion referred to the Committee on Claims and accounts.

On recommendation of the Mayor the following fines were remitted .viz:

Lewis Morris, Wm Davidson, Henry Collins, Dr Ross, Eugene Browne, Geo Plummer, B Sullivan, C D Cameron, also pound fee for Mrs Mary Bowling.

#### Reports of City Officers:

The Mayor laid before the Council the reports of the City Clerk and the City Marshal for the month of March 1909, which were on motion referred to their appropriate Committees, without reading.

#### Reports of Standing Committees:

Alderman Scott for the Street Committee presented the following report, which was read and adopted:

Austin, Texas, April 5, 1909.

Hon Mayor and City Council, City of Austin, Texas.

Gentlemen :

We, your Street Committee, recommend that a contract be made with H C Lensing to fill Rio Grande street in the low portion between 28th and 29th streets, at a cost of not over \$ 150.00. This is a bad mudhole in wet weather, in natural soil, and has been the cause of complaint from property owners and residents in that neighborhood for a number of years.

This street is used by a good many as a thoroughfare to the Drillgrounds, and the country in that direction, and to a section of the City which is being developed, and where tax rates will increase considerably. No work has been done on this street for many years, and in wet weather it is impassable .

The work contemplated involves the movement of about 500 cubic yards of dirt. H C Lensing agrees to do it for 25cents per cubic yard, his figures being the lowest obtained.

F A Scott

C W Moore

W C Read

Street Committee.

Alderman Cuneo call for a report from the Street Committee on the petition

Contract to fill  
Rio Grande street  
with dirt

*Living street  
Gypsy Grove*

of certain parties to close a street in Gypsy Grove addition, which petition was referred to the Street Committee at a former meeting of the Council. Alderman Scott for the Street Committee stated that the Committee was not ready to report. Alderman Cuneo then moved that the Committee be requested to return the petition to the Council and that the Council act upon the petition tonight, which motion prevailed by the following vote :

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Meredith, Miller, Moore, Moreland, Petri, Redd, Scott, Smith, Sutor & Wilhelm 14

Nays none.

Alderman Crocker moved that the petition be not granted, Which motion prevailed by the following vote :

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Meredith, Miller, Moore, Moreland, Petri, Redd, Smith, Sutor & Wilhelm 13

Nays Alderman Scott 1

On Motion the City Attorney was excused from farther attendance at this session of the Council.

On motion Alderman Miller was excused from farther attendance at this session of the Council.

*Ordinance  
Abandon street*

The Mayor laid before the Council an ordinance abandoning the street of the City of Austin as originally laid out south of and adjoining Out lots Eight ( 8 ) and Nine ( 9 ), Division " B " of the Government Tract adjoining the City of Austin and North of and adjoining Out lot seven ( 7 ) and Eight ( 8 ), Division " A " of the Government Tract of the City of Austin, and being bounded on the East by Canadian street and on the West by Chicon street, and accepting and establishing in lieu thereof the street now used running in a northeasterly direction from the original street as above described where it intersects Chicon street on the West and continues in such North - easterly direction until it intersects with its south line a continuation northward of the East line of Outlet Eight ( 8 ) Division " A " one hundred and sixty six and two tenths (1662/10) feet from the original northeast corner of said Outlet Eight ( 8 ), Division " A " The ordinance was read the first time and passed under suspension of the rules by the following vote :

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Meredith, Moore, Moreland, Petri, Redd, Scott, Smith, Sutor & Wilhelm 13

Nays none.

On Motion Alderman Meredith was excused from farther attendance at this session

By Alderman Haynes an ordinance appropriating the sum of \$ 3407.54/100 dollars for the purpose of paying approved accounts. The ordinance was read the first time and passed under suspension of the rules by the following vote :

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Moore, Moreland, Petri, Redd, Scott, Smith, Sutor & Wilhelm 12

Nays none.

On motion the Council adjourned until Monday

April 12th 1909, at 8 o'clock P M .

City Clerk

*after approved*

. . Adjourned regular meeting of the City Council.

Austin, Texas, April 12th 1909.

Hon F M Maddox, Mayor presiding. Roll called .

Present Aldermen Armstrong, Crocker, Cuneo, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott, Smith & Wilhelm 12

Absent Aldermen Meredith & Suter.

#### Petitions, Memorials, etc.,

By Alderman Miller petition of Mrs C Miller asking to have pound fees refunded. On motion the petition was granted.

By Alderman Haynes petition of H W Stroeter asking pay for services performed under instructions of the Board of Health during the year 1908.

The petition was read. Alderman Cuneo moved that the petition be not granted, which motion prevailed.

a communication from the Officers of the 10th Ward Fire Company asking that an allowance be made in the Budget for 1909, to build a Fire Hall for that Company. The communication was read and on motion was referred to the incoming administration for consideration.

#### Reports of City Officers:

The Mayor laid before the Council the reports of the Treasurer and Sexton for the month of March 1909, which were on motion referred to their appropriate Committees, without reading.

#### Reports of Standing Committees:

Alderman Scott for the Street Committee to whom was referred an ordinance appropriating the sum of \$ 240.00 to purchase land of J F Smith for street purposes presented a report recommending that the ordinance do pass. On motion the report was laid over to come up with the ordinance.

Alderman Haynes for the Finance Committee to whom was referred the reports of City Assessor & Collector for the months of Jan'y & Feb'y 1909 and his annual report for the year 1908, presented a report stating that same had been carefully checked and found correct. On motion the report was adopted.

Alderman Haynes for the Finance Committee presented the following report.

Austin, Texas, April 5th 1909.

To the Hon F M Maddox, Mayor and Board of Aldermen City Of Austin.:

Gentlemen:

Your Committee on Finance beg leave to report that we have checked the lists of uncollected taxes for the year 1907, as per credit sheets of the Assessor & Collector herewith and find same correct, and have recommended that the City Clerk be instructed to credit the Assessor and Collector with amount uncollected for the year 1907, on date of February 1st 1909.

On motion the report of the Committee was adopted.

Alderman Haynes for the Finance Committee to whom was referred the reports of the Treasurer for the Months of Decr 1908, and for Jan'y & Feb'y 1909, and those of City clerk for the months of Jan'y & Feb'y 1909, presented a report stating that they had been checked and found correct. On motion the report was adopted.

Alderman Petri for the Claims and Accounts Committee to whom was referred the petitions of W F Hankey, Robt Sledge & Moore & Morrison, asking to have Pound fees refunded and of A E Schutze, R E Thompse, Elton Perry & Mrs Geswein for correction of Assessments for taxes, presented reports recommending that the several

Petition of  
Mrs C Miller  
pound fees

Stroeter's  
Salary -

10th Ward Fire Co  
Fire Hall

Reports City Officers

Reports Standing  
Committees

Street Ordinance  
Alfred Moore  
Land purchase

Finance -  
Reports

Finance -  
Reports

St. 2nd & 3rd  
2nd & 3rd

petitions be granted. On motion the several reports were adopted  
 Alderman Crooker for the Cemetery Committee to whom was referred  
 the report of the City Sexton for the month of March 1909, presented  
 a report stating that same had been examined and found correct .  
 On motion the report was adopted.

Alderman Scott for the Street Committee presented the following,  
 communication and recommendation ,which was read and adopted .

Austin, Texas, April 9th 1909.

To the Hon Mayor and City Council, City of Austin, Texas.

Gentlemen:

In the Mass addition to the City of Austin, located north  
 of the Confederate Home ,there is a street running north and South  
 in line with the west boundary of the Confederate Home property ,  
 and extending a distance of two blocks ,which, so far as we have  
 been able to find out, has never been named.

We, your Street Committee and City Engineer, recommend, therefore,  
 following the practice to name north and south streets after  
 Texas rivers, that this street be named Toyah street, and that name  
 placards be ordered and placed on the street corners, .

Respectfully submitted,

G S Iredell, City Engineer,

Approved ,

F A Scott, W C Read , C W Moore Street Committee

On recommendation of the Mayor a fine assessed in the Recorders  
 Court against Fannie Bell, was renitted .

The Mayor laid before the following report from the City Clerk.

Austin, Texas, April 6th 1909.

To the Hon F M Maddox, Mayor and Board of Aldermen,

City of Austin, Texas.

Gentlemen:

As required by Section 3, Article 3, of the City Charter,  
 I have the honor to report the following as the result of an  
 election held on Monday April 5th 1909, for the purpose of electing  
 a Mayor and four Councilmen for the City of Austin, Texas, for the  
 term ending April 1911, viz:

For Mayor, A P Weelaridge received	1665 votes.
For Councilmen ,	
E C Bartholomew received	1654 votes
D B Gracy received	1665 votes
James P Hart received	1655 votes
P W Powell received	1656 votes

Respectfully submitted

Jne O .hanson, City clerk

Unfinished business:

The Mayor laid before the Council an ordinance appropriating the  
 sum of \$ 240.00 for the purpose of purchasing certain property for  
 Street purposes from Jehn P Smith. The ordinance was read the second  
 time and a motion made to suspend the rule and place it on its

*Cemetery Committee report*

*Street to name an unnamed street*

*Toyah street*

*Fine Fannie Bell renitted*

*City Clerk report of election held April 5th*

*Appropriation for street purposes*

~~xxxxxx~~reading, which third reading, which motion was lost by the following vote:

Yeas Aldermen Armstrong, Crooker, Cunee, Miller, Moreland, Redd, Scott, Smith and Wilhelm 9

Nays Aldermen Haynes, Moore & Petri 3

The Mayor laid before the Council an ordinance appropriating the sum of \$17.28 for the purpose of paying the salary of Assistant to City Engineer.

The ordinance was read the second time and passed under suspension of the rule by the following vote:

Yeas Aldermen Crooker, Cunee, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott, Smith & Wilhelm 11

Nay Alderman Armstrong 1

#### New Business:

By Alderman Crooker an ordinance appropriating the sum of \$ 200.00 for the purpose of paying for work in the City Cemetery. The ordinance was read the first time and the rule suspended and the ordinance read the second time by the following vote:

Yeas Aldermen Armstrong, Crooker, Cunee, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott & Wilhelm & Smith 12

Nays none.

Alderman Wilhelm moved to amend the ordinance by striking out in the caption and body of the ordinance " \$ 200.00" and inserting in lieu thereof "\$ 500.00"

which motion was lost by the following vote:

Yeas Aldermen Crooker, Cunee, Moore, Smith & Wilhelm 5

Nays Aldermen Armstrong, Haynes, Miller, Moreland, Petri, Redd & Scott 7

The ordinance was then passed under suspension of the rule by the following vote

Yeas Aldermen Armstrong, Crooker, Cunee, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott, Smith & Wilhelm 12

Nays none.

Alderman Haynes offered the following resolution which was read and adopted. Be it resolved by the City Council of the City of Austin:

That, the City Treasurer be and is hereby directed to transfer funds from one account to another, as follows, to wit:

First- From the Street Improvement fund to the Permanent Paving fund, two hundred and fifty ( \$ 250.00 ) dollars, same being the amount transferred from the Permanent Paving fund to the Street Improvement fund, by resolution dated November 5, 1907.

Second- From the General fund to the Permanent Paving fund, Four thousand (\$4000) dollars, that being the amount transferred from the Permanent Paving fund to the General fund and the City Hall fund, by resolution, dated July 9, 1908 and July 20, 1908, respectively.

Third- From the General fund to the City Hall fund, two hundred, seventy four and ninety eight one-hundredths (\$ 274.98) dollars, that being the amount of over-draft on the City Hall fund.

Fourth- The two hundred and fifty (\$250.00) dollars transferred to the Street Improvement fund, on November 5, 1907, was for the improvement of 27th street-Dr Sampson and other Citizens paying five hundred dollars additional on said street improvement.

*uppr. Asst Engineer*

*Alfred work in City Cemetery*

*Treasurer directed to transfer funds*

- The one thousand (\$ 1000.00)dollars transferred by resolution dated July 9,1908, and the one thousand (\$1000.00)dollars transferred by resolution dated July 20,1907, to the General fund was for constructing the City Crematory.

The two thousand ( \$" ))(2000.00)dollars transferred by resolution dated July 20,1908, to the City Hall account ,was for payment of amounts then due on the City Hall.

Fifth-BE I T FURTHER RESOLVED, that the City Treasurer be , and he is hereby directed to close the City Hall account , from and after this, the 12th day of April 1909.

Alderman Moore offered the following resolution, which was read and adopted .

#### A resolution .

To cascade between the City and the Water, Light and Power Commission of the City of Austin , Texas, and more fully and clearly set out , define and vest rights to the property acquired by purchase from J W Hamer, Trustee, and Joseph Nalle, Receiver of the Austin Water Light and Power Company, and of the City Water Company respectively.

Whereas-On October 1, 1901, the Water, Light and Power Commission owed the City of Austin, \$14,293.60, since which time up to April , 1909, the City of Austin has paid to the Water, Light and Power Commission, from time to time, the sum of \$22,499.87 , or a total of \$ 36,793.57, since October 1, 1901 to April, 1909: and,

Whereas-On October 1, 1901, the City of Austin purchased from J W Hamer, Trustee, all of the property of the Austin Water, Light and Power Company and of the City Water Company, which purchase was finally consummated on August 4, 1902, for the sum of \$ 179,418.75, bearing interest at the rate of three per cent per annum; and, Whereas-on said date, the Trustee had judgement for water service against the City for water rentals and interest in the sum of \$ 84,831.25, bearing interest at the rate of six per cent per annum: and,

Whereas (Whereas) the City under the provisions of the then City . charter Section " 105, p 47) was required to pay for water light and power " for public use" " For each Fire hydrant not more than thirty dollars per year ; for each water trough, not more than forty dollars per year; for flushing gutters and supply of public grounds and property with water, not more than one thousand dollars per year .

For water used by the City for all other purposes, and for light and power at a rate not to exceed one-half of the meter rates fixed from time to time to other consumers generally "Under the rates fixed by the Water, Light and Power Commission , under the charter provisions above set out , the City has been charged for Water, Light and Power for public use, as follows :

For Water ,

1901	\$ 2,151.00
1902	8,604.00
1903	8,648.00

*Resolution  
adjusting accounts  
between the City and  
the Water Light Commission*



1904	\$ 8,548.00	
1905	8,745.00	
1906	8,850.00	
1907	8,350.00	
1908	8,850.00	
1909	2212.00 to April 1. . Total	\$ 55,599.50

## For arc Lights:

1901	\$ 2,726.33	
1902	13,309.35	
1903	14,100.00	
1904	14,100.00	
1905	11,907.68	
1907	14,100.00	
1908	14,100.00	
1909	3,525.00 to April 1.	
	Total	\$ 101,988.51

## For Incandescent Lights:

1901	\$ 344.87	
1902	782.90	
1903	783.60	
1904	913.80	
1905	921.60	
1906	921.60	
1907	921.60	
1908	921.60	
1909	230.40 to April 1.	
	Total	\$ 6,741.97 ,or

A grand total of \$ 174,329.98  
as shown by the books of the Water, Light and Power Commission, from which  
deduct the cash payments aggregating the sum of \$ 35,793.57, leaves due by  
the City to the Water, Light and Power Commission, an amount of \$ 137,536.41; and,

Whereas, At the time, to-wit: October 1, 1901, when the negotiations to purchase  
were going on, nor at any time since, the City was then and is now unable to  
pay to the Water, Light and Power Commission out of her general revenues the  
annual charges of \$ 21,303, that being the average since 1903 for water, light  
and power and also annually pay out of the same fund the sum of \$22,500.00 to  
the Trustee for the properties in his charge, and in liquidation of the judge-  
ments held by said Trustee against the City; and,

Whereas the City was then and had for ten years before been litigating with  
the owners of the property represented by the Trustee, which litigation was  
both vexatious and expensive, thus making it very important to consummate the  
trade: and,

Whereas, the property controlled by said Trustee being a valuable acquisition to  
the Water, Light and Power plant of the City, and it being expedient for the best  
interests of the City that said vexatious and expensive litigation be forever  
ended, it was, therefore, verbally agreed by and between the City Officials and  
a majority of the then Water, Light and Power Commission, that the purchase was

advisable and should be consummated, and that the annual payments of \$ 22,500.00 therefor should be deducted from the annual charges to be paid out of the general revenues to the Water, Light and Power Commission for water, light and power for public use, which was accordingly done .

Since April 1, 1903, the City has paid seven annual installments of \$ 22,500.00 each, on the purchase price of said property, or a total sum of \$ 157,500.00, and during the same period of time the Water, Light and Power Commission has made annual charges against the City, as per rates fixed by said Commission, for water, light and power, amounting to \$ 174,329.98, up to April 1, 1909, from which amount deduct \$ 36,793.57, credits and payments made by the City, leaves \$ 137,536.41, shown by the books of the Water, Light and Power Commission to be due and unpaid by the City; but as the City has paid on the purchase price from the Trustee, as above recited, seven annual installments, amounting to a total of \$ 157,500.00, of which \$ 105,917.41, has been applied to the payment of the judgement and the purchase debt, and \$ 51,583.39 has been paid as interest on same, showing the full payment of the \$ 84,831.25, six per cent judgement, and payment of all interest up to April 1, 1909, and \$ 21,086.16 on the principal of the \$ 179,418.75, purchase debt, leaving \$ 158,332.59, yet to be paid out of the general revenue of the City, in annual payments of \$ 22,500.00 each, as provided in said judgement; and,

Whereas, the \$ 84,831.25 judgement for water rentals and interest, according to the contract between the City and the City Water Company had to be paid out of the general revenues of the City; and,

Whereas, the Water, Light and Power Commission has paid of the \$ 157,500.00, the sum of \$ 137,536.41, or within \$ 19,963.59, of the total payments; and,

Whereas, It is desired to adjust this matter between the City and the Water, Light and Power Commission, in order that the property purchased shall be vested as far as possible in the proper branch of the City government, and in order that the books of both may be properly credited and charged;

NOW, THEREFORE, BE IT RESOLVED by the Water, Light and Power Commissioner of the City of Austin, Texas, the City Council agreeing hereto and concurring herein, that the Water, Light and Power Commission take over for the use and benefit of the City, and as a part of, or addition to the City's water, light and power plant, all of the property acquired by the purchase from J W Hamer, Trustee, and also all real estate, as set out in the deed of conveyance to the City by Joseph Nalle, Receiver, dated August 17, 1902, recorded in Deed Records of Travis County, Texas, in book No 183, page 11, except lot No five (5), in out lot No forty four (44) Division "B", containing about one acre of land, and known as the "Reservoir" block, and in consideration of the conveyance to said Water, Light and Power Commission of said property, the City shall in the future as in the past, continue to make the annual payments of \$ 22,500.00 to the said Trustee, until the judgement shall have been wholly discharged,

out of the annual charges of the Water, Light and Power Commission, and their successors in Office, against the City for water, light and power for public use, the residue of said annual charges for public service to be paid to said Commission and their successors in Office, annually, on April first of each year.

And, further, owing to the fact that the Water, Light and Power Commission has paid all of the \$84,831.25 that would have been collected under the judgement out of the general revenues of the City; therefore,

~~BE IT RESOLVED~~ BE IT RESOLVED that, in consideration of said payments by the Water, Light and Power Commission from its funds, that the \$19,953.59, apparently a balance against said Commission, when charged with the \$ 157,500.00, shall be considered satisfied by the City, and in consideration of the acceptance by ordinance or resolution, or approval of this resolution by the City Council, so as to vest title as far as possible in the Water, Light and Power Commission, and its successors, for the use of the City, to all property, except lot No five (5), Out lot No forty four (44), Division "B" of the City of Austin, Texas, acquired by the City from J W Hamer, Trustee, and Joseph Nalle, Receiver, this resolution shall become effective when approved by the Water, Light and Power Commission, and the City Council.

Approved by the Water, Light and Power Commission, in adjourned regular session this 8th day of April, A D 1909.

J P Schneider, President Water, Light and

Attest,

Power Commission.

John Howland Secretary Water, Light

and Power Com.

Approved by the City Council, in adjourned regular session, this 12th day of April, A D 1909

Attest, Jno O Johnson,

F M Maddox, Mayor.

City Clerk.

On motion Aldermen Moore & Smith were excused from further attendance at this session of the Council.

Alderman Scott offered the following resolution, which was read and adopted.

Resolved, That the property known as "the old Water Co reservoir" is hereby set apart and donated for a public Park, and to be known as "Reservoir Park"

By Alderman Haynes an ordinance appropriating the sum of \$ 110.00 for the purpose of paying expenses of election held April 5th 1909. The ordinance was read the first time and passed under suspension of the rules by the following vote:

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Read, Scott, & Wilhelm 10

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$ 550.00 for the purpose of paying weekly pay rolls street Dept.

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

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Read, Scott, & Wilhelm 10

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$150.00 for the purpose of paying for street work on Rio Grande street.

*Old Reservoir  
designated as  
Park*

*By the Council*

*Approved  
by the Council*

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

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

By Alderman Redd an ordinance appropriating the sum of \$35.00 for the purpose of repairing streets around South Austin Fire Hall.

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

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none .

By Alderman Scott an ordinance appropriating the sum of \$31.32 for the purpose of paying salary of Assistant to City Engineer .

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

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$ 15.00 for the purpose of paying bill of Smith & Bulian for pipe pins.

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

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

By Alderman Haynes an ordinance appropriating the sum of \$315.29 for the purpose of paying approved accounts .The ordinance was read the first time and on motion the rule was suspended and the ordinance placed on its second reading by the following vote :

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

The ordinance was read the second time. Alderman Crooker moved to amend same by adding "For W D Hankey pound fees refunded \$5.00 for Moore & Morrison pound fees refunded \$2.00 for Robt Sledge for pound fees refunded \$ 2.00 for Mrs C Miller pound fees refunded \$2.00 which motion prevailed, and the ordinance as amended was passed under suspension of the rule by the following vote :

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$ 552.80 for the purpose of paying approved accounts street Dept .

The ordinance was read the first time and passed under suspension of the rules by the following vote. Yeas Aldermen Armstrong, Crooker ,

Cuneo, Haynes, Miller, Moreland, Petri, Redd, Scott & Wilhelm 10

Nays none.

*Ordinance repairing  
streets around South  
Austin Fire Hall*

*Salary City Engineer*

*Ordinance Pipe Pins*

*Ordinance Approved  
Accounts*

*Ordinance Approved  
Accounts Street Dept*

. Alderman Armstrong moved that the Council refer back to petitions, and allow

him to present a petition, which motion prevailed.

By Alderman Armstrong petition of W F Hanke asking that the Council remit certain pound fees against him. On motion the petition was granted

Alderman Cuneo moved that the Council stand adjourned until 9 o'clock, P M Saturday April 17th 1909, which motion prevailed.

*Joseph Hanke*  
City Clerk.

Ad journed regular meeting of the City Council

Austin, Texas, April 17th 1909: Roll called:

Hen P Maddox, Mayor presiding: Roll called:

Present Aldermen Armstrong, Crocker, Cuneo, Haynes, Miller, Moore,

Moreland, Petri, Redd, Scott, Smith & Wilhelm 12

Absent Aldermen Meredith & Suter 2

Alderman Crocker moved that the Mayor be allowed until Monday

April 17th 1909, At 7 o'clock, P M in which to file his report, which motion prevailed.

On motion Mayor Maddox was excused from farther attendance at this session of the Council.

Petitions, Memorials, etc:

The Mayor laid before the Council an invitation from the Austin Fire Dept inviting the Mayor and Aldermen to attend its annual festivities to be held April 21st 1909, in commemoration of the battle of San Jacinto, which was read and accepted.

By Alderman Petri petition of J B Nitschke asking to have pound fee refunded, which was read and on motion the petition was granted.

Reports of Standing Committees:

Alderman Scott for the Street Committee to whom was referred the petition of Citizens asking to have 4th street opened, presented a report recommending that ~~that~~ the street be opened. On motion the report was adopted.

Alderman Petri for the Committee on Claims and Accounts to whom was referred the petition of Mrs A Stromberg asking correction of Assessment for taxes for the year 1908, presented a report recommending that the petition be granted. On motion the report was adopted and the Assessor and Collector directed to make the necessary correction.

Alderman Petri for the Claims and Accounts Committee to whom was referred the petition of F H Jones asking correction of Assessment for the year 1908, presented a report recommending that the petition be granted. On motion the report was adopted. On motion the report was adopted.

New business:

Alderman Petri moved that the Council reconsider the vote by which it refused to suspend the rule and place on its second reading an ordinance appropriating the sum of \$ 240.00 for the purpose of purchasing from J F Smith land for street purposes, which motion prevailed. A motion was then made to suspend the rule and place on its third reading an ordinance appropriating the sum of \$ 240.00 for the purpose of purchasing certain property for street purposes from J F Smith, which motion prevailed by the following vote:

Yeas Aldermen Armstrong, Crocker, Cuneo, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott, Smith & Wilhelm 12

Nays none

The ordinance was then read the third time and passed by the following vote:

*Failures etc*

*Invitation to Dept of  
April Celebration  
in Fire Dept*

*J B Nitschke pound  
fee.*

*Report of Com  
Street on Pet to open  
4th Street*

*Petition Stromberg  
Assessment*

*Petition Jones  
Assessment*

*Mrs J F Smith for  
Street Land*

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moore, Moreland, Petri, Redd,  
Scott, Smith & Wilhelm 12

Nays none.

Alderman Haynes offered the following resolution, which was read and adopted.

Be it resolved by the City Council of the City of Austin: That the City Treasurer be and he is hereby directed to transfer from the General fund to the Permanent Paving fund the sum of \$ 3000.00, being amount transferred from the permanent Paving fund to the General fund by resolution dated on the 2nd day of September 1907.

By Alderman Haynes an ordinance appropriating the sum of \$159.10, for the purpose of paying approved accounts. The ordinance was read the first time and passed under suspension of the rules by the following vote :

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moore, Moreland, Petri, Redd,  
Scott, Smith & Wilhelm 12

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$ 34.55 for the purpose of paying salary of Assistant to City Engineer. The ordinance was read the first time and passed under suspension of the rules by the following vote :

Yeas Aldermen Armstrong, Crooker, Cuneo, Haynes, Miller, Moore, Moreland, Petri, Redd,  
Scott, Smith & Wilhelm 12

Nays none .

The Mayor laid before the Council a statement from Assessor & Collector Streizing in regard to a mistake in the Assessment of the Austin National Bank for the year 1906, which was read and on motion was referred to the Committee on Claims and Accounts, with request to report at an adjourned regular meeting to be held on Monday April 19th 1909.

On motion of Alderman Cuneo the Council adjourned until 7 oclock P M Monday April 19th 1909.

*Frederick*  
City Clerk.

*Transfer fund.*

*Ordinance approved.*

*Salary - City Engineer*

*Austin Nat Bank  
Assessors Error  
Collected in error.*

Adjourned regular meeting of the City Council,

Austin, Texas, April 19th 1909 7 P M

Hon H L Haynes, President of the Council, Presiding: Roll called:  
Present Armstrong, Crocker, ~~Cunee~~, Haynes, Miller, Moore, Moreland,  
Petri, Redd, Scott, Smith, Sutor & Wilhelm 12

Absent Aldermen Cunee & Meredith 2

Alderman Petri for the Claims & Accounts Committee, to whom was referred the claim of the Austin National Bank for refund of taxes illegally assessed, presented a report recommending that the petition be granted and the claim allowed. On motion the report was adopted.

By Alderman Petri an ordinance appropriating the sum of \$ 87.74 for the purpose of paying back to the Austin National Bank of the City of Austin, Texas, taxes erroneously collected by the City of Austin.

The ordinance was read the first time and passed by the following vote:

Yeas Aldermen Armstrong, Crocker, Cunee, Haynes, Miller, Moore, Moreland, Petri Redd, Scott, Smith, Sutor & Wilhelm 13

Nays none .

By Alderman Moreland An ordinance to adopt and establish the Revised Ordinances of the City of Austin.

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

Yeas Aldermen Armstrong, Crocker, Cunee, Haynes, Miller, Moore, Moreland, Petri, Redd, Scott, Smith, Sutor & Wilhelm 13

Nays none.

Alderman Redd offered the following resolution, which was read and adopted.

To the Hon F M Maddox, Mayor and City Council of the City of Austin.

We, your Fire-Committee to whom was referred the testing of the Fire Hose, beg leave to report, that we, together with the Fire Chief tested said Hose, and that purchased W H Richardson & Son and F Heierman & Bro, stood the test, we having tested two sections of each and we recommend that the same be accepted.

That purchased of Walter Tips, as agent, after testing one section, busted, and said agent having refused further testing, we therefore recommend that said hose be not accepted as hose would not stand pressure as guaranteed.

We further recommend that 1000 feet of hose be purchased of W H Richardson & Son, and 1000 feet of hose be purchased of Frank Heierman & Bro, said firms agreeing to furnish hose at same price and guaranteed as the first hose was purchased.

On motion of Alderman Crocker the Council stood adjourned.

City Clerk.

Ex. 1.  
Claim against  
Bank, case

Revised City  
Ordinances  
adopted

Fire Committee  
test of hose