

WHEREAS, Patton Auto Livery & Transfer Company has heretofore sued the City of Austin in the District Court of Travis County, Texas, for the refund of certain license fees collected by the City for the operation of automobiles for hire, which cause is numbered 44212 on the docket of said Court; and

WHEREAS, plaintiff has proposed to waive claim for all interest on its demands, in consideration of a settlement of said cause, and plaintiff has proposed to settled said cause for the sum of \$2765.25, together with costs of court, which are \$8.30; and

WHEREAS, the City Council deems it desirable and expedient to settle said cause upon the terms proposed; therefore,

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

That the sum of \$2764.55 be and the same is hereby transferred from the Water & Light Fund to the General Fund of the City of Austin, and appropriated out of said last named fund for the purpose of settling the matters involved in said cause; and for said purpose a warrant for \$2756.25 shall issue, payable to the order of James H. Hart, Attorney for Patton Auto Livery & Transfer Company, and a warrant for \$8.30 shall issue, payable to the order of S. A. Philquist, District Clerk, for the costs of court, and said warrants shall be delivered to the respective parties upon their delivery to the City of proper acquittances.

Councilman Reed moved the adoption of the above resolution. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none, Councilman Pannell absent.

Councilman Steck moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none, Councilman Pannell absent.

The Council then recessed.

Approved: *J. M. McFadden*  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 20, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; absent, Councilman Reed.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

W. D. Hart, Attorney for Miss Hertha E. Von Boeckmann, was heard with reference to curb line in front of property owned by Miss Von Boeckmann on San Jacinto Street. Mayor McFadden and Councilman Mueller having made an inspection of the proposed curb, Mayor McFadden moved that the curb line be established on the approximate location of the old stone curb, instead of the curb line heretofore established by action of the City Council, on

the east side of San Jacinto Street from a point where the south line of Eighteenth Street intersects the old stone curb on the east side of San Jacinto Street southerly for a distance of 132 feet, said line being more particularly described as follows: The west face of the curb to be 29.15 feet east of the established center line of San Jacinto Street where the south line of Eighteenth Street intersects same and to run southerly for a distance of 132 feet to a point which is 29 feet east of the established center line of San Jacinto Street. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A committee from the First Methodist Church, composed of Dr. W. F. Bryan, Messrs. T. B. Walling and W. H. Stacy, appeared before the Council with reference to the assessment of the parsonage of the First Methodist Church and asked that the valuation of Five Thousand Dollars heretofore placed on said parsonage for taxation be allowed to stand, and also that the grounds upon which such improvements are situated be exempted from taxation on account of same being church property. The Council assured the committee that the matter would be taken under advisement, with a view to determining the legality of such procedure.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, it has been shown to the City Council that the John Francis Carnival showed in the City of Austin under the auspices of the American Legion, Travis Post No. 76, and that a substantial part of the proceeds were given to said Travis Post No. 76, and said Travis Post No. 76 has requested the City Council, on account of such fact, to refund the occupation tax paid by said Carnival; therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

That the said occupation tax be refunded, and that a warrant issue to the said John Francis Carnival in the sum of \$50.00 for the purpose of refunding same, and that the City Tax Assessor and Collector make a corresponding entry on his books.

Councilman Pannell moved the adoption of the above resolution. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, Councilman Mueller; absent, Councilman Reed.

City Manager Johnson laid before the Council a financial statement of the City covering the nine months period from January 1st, 1927, until September 30th, 1927.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The Council then recessed.

Approved, *J. M. Fadden*  
Mayor.