

The Council then adjourned.

**SPECIAL MEETING OF THE CITY COUNCIL:**

Austin, Texas, September 3, 1919.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Alford, Graham and Haynes; absent Councilman Ward.

The Mayor laid before the Council the following resolution:

WHEREAS, the Superintendent of Police and Public Safety has heretofore contracted to purchase from Sam Sparks one thousand feet of 2½" cotton fire hose for the sum of One Thousand Dollars (\$1,000.00); and

WHEREAS, it has been ascertained that said hose cost at least the sum of One Thousand, Four Hundred Dollars (\$1,400.00) and that said purchase is a desirable one in that it would save the City a considerable sum of money in the purchase of fire hose that is now needed by the Fire Department

Therefore,

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

That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby transferred, nunc pro tunc, from the General Contingent Fund to the Special Appropriation in the Department of Police and Public Safety for the purpose of paying said Sam Sparks for said purchase.

The above resolution was adopted by a vote of 4 ayes; no nays, Councilman Ward being absent.

The Council then adjourned.

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, September 4, 1919.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Alford, Graham, Haynes; absent Councilman Ward.

The Minutes of the last meetings were read and upon motion of Councilman Graham were adopted by a vote of 4 ayes; no nays, Councilman Ward being absent.

The regular order of business was suspended and Mr. Jas. Hickey was heard, relative to removal of hogs from certain portions of the City.

Messrs. Miller, Eyres and Judge Doom appeared before the Council in the matter of property owners on West Fifth Street. Councilman Alford moved that no action be taken and that the matter be deferred until the first regular meeting of the Council after the return of Wm. G. Eyres to the City. Motion carried by a vote of 4 ayes; no nays, Councilman Ward being absent.

The application of Billy Ebner for permission to erect an electrical sign referred to City Electrician by a vote of 4 ayes, no nays; Councilman Ward being absent.

The petition of Mrs. C. L. Erickson and H. P. Bowman to show the Virginia Minstrels for one night, September 11, 1919, at the corner of East Avenue and East Sixth Street was granted, with the understanding that

*Sale of  
Fire Hose by  
Sam Sparks  
to  
Ct. Alford.*

*Transfer  
7-0-0-2*

*James Hickey City Clerk*

*Sumner  
P. Hickey  
11-15-1919*

*Frank  
B. Hickey  
to Electrician  
11-15-1919*

the same shall be held under the law and ordinances governing same and that they deposit the sum of \$25.00 with the Mayor as a guarantee that the Streets will be left in a thoroughly clean condition. Petition was granted by a vote of 4 ayes, no nays; Councilman Ward absent.

The Mayor introduced the following resolution:

WHEREAS, on the 23rd day of April, 1919, in Cause No. 32120, entitled Mrs. A. Z. Dunaway et al vs. City of Austin, in the District Court of Travis County, Texas, Fifty-third Judicial District, plaintiffs recovered judgment against defendant for the sum of Twelve Thousand Dollars (\$12,000.00) for the negligent killing of A. Z. Dunaway, husband and father of plaintiffs hereinafter named, respectively, said judgment being apportioned among the plaintiffs as follows: To Mrs. A. Z. Dunaway, \$6,000.00, and to Alma Dunaway, minor, \$1,200.00, and to Bessie Lee Dunaway, a minor, \$1,200.00, and to Laura Bell Dunaway, minor, \$1,200.00, and to Earnest Dunaway, a minor, \$1,200.00, and to A. Z. Dunaway, Jr., minor, \$1,200.00; and

WHEREAS, an appeal has been taken by defendant from said judgment to the Court of Civil Appeals in and for the Third Supreme Judicial District, and said appeal is now pending; and

WHEREAS, Southern Surety Company is the indemnitor, by contract, of the City of Austin against such judgment to the extent of \$5000.00 and all court and incidental costs incurred in said suit; and

WHEREAS, said Company has heretofore paid to Mrs. A. Z. Dunaway the sum of \$5000.00 to be applied as a credit on that portion of said judgment which was recovered by her for her individual and personal benefit, and said sum has been so applied, and said judgment has to said extent been satisfied; and said Company will pay all said costs hereinbefore mentioned; and

WHEREAS, both City of Austin and Mrs. A. Z. Dunaway are desirous of settling the balance of said judgment, and City of Austin has proposed to settle same in accordance with the terms hereinafter set out; and said Mrs. Dunaway has accepted such proposal, subject to the condition hereinafter mentioned; therefore,

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

That the Mayor be and he is hereby authorized and directed to sign an agreement, to be prepared and approved by the City Attorney whereby the City of Austin shall agree and bind itself to pay to Mrs. A. Z. Dunaway for the benefit of her individual self and said minor children, in compromise and full settlement all of the City's remaining liability to them under the terms of said judgment, the sum of Fifty-five Hundred (\$5500.00) Dollars, together with interest on said sum from the date of said judgment to the date of payment at the rate of 6% per annum on or before the date when the City Annual Budget for the year 1920 is adopted, the sum so paid to be apportioned between Mrs. A. Z. Dunaway and her said minor children in such manner as the court by its judgment may direct, said compromise and settlement, however, to be subject generally to the approval of said agreement by the court.

*Settlement of claim of Mrs. A. Z. Dunaway et al vs. City of Austin*

## BE IT FURTHER RESOLVED:

That upon the approval of said agreement by the court and the payment by the City of Austin of the sum last hereinabove stated, and the payment of all costs incurred in behalf of said suit, the City Attorney is hereby instructed to obtain proper evidences of the full settlement of said judgment, and to dismiss and terminate the appeal from said judgement which is now pending.

The above resolution was adopted by a vote of 4 ayes, no nays; Councilman Ward absent.

*Petition of  
Mrs.  
W.R. Long  
et al.*

The petition of W. R. Long, et al, was read and upon motion of Councilman Haynes action upon same was deferred until the next regular meeting of the City Council. Motion prevailed by a vote of 4 ayes, no nays; Councilman Ward being absent.

*Arthur Woody  
Appointed  
Policeman.*

Councilman Alford nominated Arthur Woody as a policeman. The nomination was confirmed by the following vote: Mayor Yett, Councilmen Graham and Haynes, 3 ayes; Councilman Alford present but not voting and Councilman Ward absent.

*Monthly  
Reports*

The monthly reports of Fred Sterzing, J. D. Platt and A. S. Anderson were read and ordered filed.

The Council then adjourned.

*John H. Anderson  
City Clerk*

REGULAR MEETING OF THE CITY COUNCIL.

Austin, Texas, September 11, 1919.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Alford, Graham, Haynes and Ward.

The Minutes of the last regular meeting were read, and upon motion of Councilman Haynes, were adopted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Graham, Haynes and Ward; 5 - nays none.

The petition of Mrs. Mary Blinka, et al., complaining of the Pierce Oil Corporation properties near the I&GN Railroad Bridge, was laid before the Council, and upon motion of Councilman Haynes that the Fire Chief and Fire Marshal be instructed to examine conditions on the premises referred to above and report back to Council at its next regular meeting; said motion carried by a vote of 5 ayes, no nays.

*E. H. Smith  
Henry L. Oertli  
Appointed  
Firemen*

The regular order of business was suspended and Judge King was heard in the matter of planting pecan trees.

Councilman Alford, upon the recommendation of C. L. Woodward, Chief of the Fire Department, nominated Edward H. Smith to be Ladderman for Hook & Ladder Truck Company No. 1 and Henry L. Oertli, Jr., to be Hoseman for Hose Company No. 4. Above nominations were confirmed by a vote of 4 ayes; Mayor Yett, Councilmen Graham, Haynes and Ward; nays none - Councilman Alford present, but not voting.

*Resignations of  
Lewis Mayfield  
Miguel Oyervides*

The resignations of Lewis Mayfield and Miguel Oyervides as Patrolmen of the City Police Force were accepted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Graham, Haynes and Ward; nays none.

*S. E. Loney  
Appointed  
Police*

Councilman Alford nominated Shirley E. Loney for appointment as a Patrolman in the Police Department of the City of Austin. Nomination was confirmed by the following vote: Ayes, Mayor Yett, Councilmen Graham,