

Minutes of a Regular Meeting of the City Council
Austin, Texas, March 16th 1896.

Hon. Lewis Hancock, Mayor, presiding.

Roll called.

Present, Aldermen Fisher, Sinscott, Glass, Harker, Sims, Cowell, P. C. C. Robertson, Besenroth, Kelley, Humphreys, Taylor, Edwin Townsend and Fisher 15
Absent Aldermen Deady, Booth, Haynes, Lawrence, Kitcher Platt and Schneider.

Alderman Booth moved to dispense with reading the minutes and that they be approved as printed. Adopted.

Petitions:

Petition of Dr. M. A. Taylor to finish wooden fence on West 8th St.

By Alderman Robertson, Petition of Dr. M. A. Taylor asking permission to finish and use a wooden fence 15 feet high in the Fire Limits. The petition was granted.

Chief of Fire Department asking for \$5. to repair entrance to Austin H. S. Hall.

The Mayor laid before the Council a communication from the Chief of the Fire Department, asking an appropriation of \$5.00 to enlarge the door of Hook and Ladder Fire Company, which was read and laid over to come up with an ordinance on the subject.

Aldermen Schneider and Booth, entered the Chamber and answered to their names.

Pet. of J. A. Duncan to open Lunch Stand near Convention Hall.

Petition of J. A. Duncan, asking permission to open and run a lunch stand on vacant lot near the Convention Hall, was read and referred to the Chief of Police.

Pet. of Citizens to have Lavaca St. sprinkled.

Petition of Citizens to have Lavaca Street sprinkled was read and referred to the Water and Light Commission.

Pet. of Citizens to have 6th St. opened through Lots 7, 8, 9 & 10 Division O.

By Alderman Fisher, Petition of Citizens and taxpayers to open East South Street through Lots Nos. 7, 8, 9, and 10, Division O, was read and on motion, referred to Street Committee.

Pet. of Citizens 10th Ward to open 3rd St. over Waller Creek.

By Alderman Fisher, Petition of Citizens of the Tenth Ward, asking the Council to open Third Street where it crosses Waller Creek, and to build a bridge across said Creek. Read and on motion referred to the Street Committee.

Aldermen Haynes, Lawrence and Platt, entered the Council and answered to their names.

Mayor's veto on resolution transferring Constock iron Pipe for use to build Culverts & Bridges.

The Mayor laid before the Council and had read the following veto message:

Austin, Texas, March 7, 1896.

To the Hon. City Council:

Gentlemen: I return herewith resolution passed by your honorable body on March 7, 1896 transferring all the unused Constock pipes belonging to the City, for the purpose of using same in building Bridges, with my disapproval of same, and my reasons therefor:

First, this Constock pipe was bought with money which was the proceeds of bonds issued for a public purpose, the construction and completion of the Water Supply System of the City. The money which was the proceeds of the bonds was the property of the City and it is the duty of the Council to see that it is used for the purpose for which it was raised.

I think it can not be said there is no hope or prospect of using this pipe within a reasonable time. There is a general and earnest desire on the part of the people that the surplus power should be used, and at this moment an effort is being made to organize a Cotton Mill. This Mill, if organized, or any other manufacturing enterprise, would at once require just such Benstock piping as that on hand, and which it is proposed to use for a different purpose.

In the same connection I wish to remind the Council that the matter of storing the spring water, in order that the total supply may be used for our Water system is one of great importance, and that we may have to use one or more iron standpipes for this purpose, in which case this Benstock piping could probably be used by the City at its full value.

Second. Even if the Water, Light and Power Plant did not require for its completion the Benstock under consideration, and if it were for their reason entirely permissible to use it for other purposes, I can not think that this is a proper time to undertake the building of bridges.

Even with the use of the Pipe in question, bridge building must necessarily cost the City considerable money and at this time, with the General revenue lower than for many years past, the Water, Light and Power Plant incomplete and in only a partial state of operation, the heavy tax rate and the general and long continued depression in business of all kinds, I do not think the City would be justified in spending any money at all in building bridges that are not actually and absolutely necessary. It can not be said that any such necessity exists at this time. It must be remembered also that the Benstock pipe is not going to waste and that a coat of paint, costing only a few dollars, will preserve it for years to come as effectually as if it was stored under shelter. For these reasons I disapprove the resolutions above named and hope the Council will seriously reconsider the same with a view to at least postponing for the present the action contemplated.

Respectfully,
Lewis Hancock, Mayor.

Aldermen Deaty and Stitschke entered the Council Chamber and answered to their names.

Motion to reconsider vote passing resolution vetoed by Mayor

Alderman Tobin moved to reconsider the vote by which the resolution, vetoed by the Mayor, was passed, which motion prevailed by the following vote:

Ayes Aldermen Deaty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Lawrence, Sinn, Stitschke, Platt, Powell, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilber, 11.
Nays Alderman Reed, 1.

Motion to pass resolution over Mayor's veto

Alderman Sinn moved that the resolution pass, notwithstanding the objections of the Mayor, which motion was lost by the following vote:

Ayes Aldermen Deaty, Horton, Stitschke, Powell, B. Robertreau, Schneider and Taylor, 7.
Nays Aldermen Fischer, Glascock, Glass, Gorth, Haynes, Lawrence, Sinn, Platt, Powell, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilber, 15.

Communication from
Z. R. Brockway of the
Executive Committee of the
National Bison Assn

The Mayor laid before the Council and had read the following communi-
cation:

Olmeca, N.Y. Feb. 7, 1896.

Hon. Lewis Hancock, Mayor of the City of Austin, Austin Texas.

Dear Sir:

I have to acknowledge with full appreciation the honor of the invitation signed by yourself personally, transmitting at the same time the resolution of the Council of the City of Austin to the National Bison Association to hold the next annual meeting in Austin. This resolution of the Council is dated November 1895, and reaches me after the Executive Committee of the National Bison Association have, by authority conferred upon them at the Denver meeting, already accepted the invitation of the people of Milwaukee, Wis., to hold the meeting there the last of September or first of October of this year. Indeed the date of the action of the Council, November, 1895, is subsequent to the determination of the matter by the Committee. I have heard expressions from the President of the Association and others, and myself at present feel strongly inclined to use my vote and influence to hold the next meeting (1897) at Austin, Texas, should the Bison Association be again favored at the Annual meeting at Milwaukee next fall with a renewal of the invitation from the authorities and the people of Austin to meet there in 1897.

Very respectfully yours,
Z. R. Brockway, of the Executive Com-
mittee of the National Bison Association.

Alderman Doeth moved that the invitation be renewed for 1897. Carried.
The Mayor laid before the Council the report of the Assessor and Collector for the month of February 1896, and on motion, the same was referred to the Finance Committee without reading. A synopsis of the report is as follows:

Assessor & Collector's
report for Feb. 1896

So collections as follows:

From General revenue tax of 1895.	\$ 1867.01
From General revenue tax of 1894.	263.55
From General revenue tax of 1893.	75.08
From General revenue tax of 1892.	55.70
From General revenue tax of 1891.	58.67
From General revenue tax of 1890.	51.00
" License tax	668.60
" Fines in Recorder's Court	717.00
" Court fees and sales	47.00
" Interest and Costs (acc. taxes)	146.00
Total.	\$ 3444.15
W.W. tax, Interest and Dividing Fund, total	5138.05
Interest tax on P. & C. Bonds, total	460.97
School taxes total	1797.69
Total, unexpended	\$ 10840.81
City of Austin	
City of Austin	
City of Austin	
City of Austin	

Report of City Treas.
for Feb 1896

Account General Fund		\$ 5,788.50
Account Interest on Bonds issued prior to May 1, 1890.		\$ 38.00
Receipts		
Feb: 17, Account General Revenue	800.00	
" 25 " " " " " " "	700.00	1,500.00
" 17 " Fines in Recorder's Court		217.00
" 15 " License		150.00
" 17 " Interest on Bonds issued prior to May 1, 1890.		150.00
" 25 " " " " " " " "		150.00
Total.		\$ 8,794.49

Disbursements

March 3, 1896; Paid Warrants from February 3, 1896, to March 3, 1896.	\$ 5,582.07
Balances:	
March 3, Account General Fund	7,068.57
Account Interest on Bonds issued prior to May 1, 1890.	628.00
Total.	\$ 8,794.49

Account Savings Fund

Feb. 3, 1896. Balance on hand.	\$ 4835.59
Receipts	
March 13 Received from John W. Maddox, Superintendent, as Savings and the collection of State Warrants from February 3, 1896, to March 3, 1896.	5082.11
Total	\$ 10,817.70

Disbursements

March 3, Paid Warrants from February 3, 1896, to March 3, 1896.	\$ 4,817.66
Balance on hand	600.04
Total.	\$ 10,817.70

Account Water Works and Electric Light Fund.

February 3, 1896. Balance on hand.	\$ 77,536.80
Receipts	
February 10, Sale of Engine.	30.00
Total	\$ 77,566.80

Disbursements

March 3, Paid Warrants from February 3, 1896, to March 3, 1896.	\$ 13,003.85
March 3 Balance on hand	59,472.95
Total.	\$ 77,566.80

Account Interest and Sinking Fund.

February 3, 1896. Balances	\$ 4,517.71
Account Interest Fund.	10,000.00
Account Sinking Fund	
Receipts	
February 17, from Savings Collection	\$ 1300.00
" 25 " " " " "	2,000.00
Total	\$ 14,817.71

Disbursements

March 3, 1896, Account Interest Fund. \$ 15 12.71
Account Sinking Fund. 12,300.00

The report was referred to the Finance Committee.

Superintendent G. W. Modick was excused from further attendance at this session of the Council.

The report of the City Auditor as follows was read:

Report of City Auditor

Austin, Texas, March 10, 1896.

His Honor Lewis Hancock, Mayor, and the Board of Aldermen of the City of Austin:

Gentlemen, I have carefully examined the books and reports of the City Clerk for the quarter ending February 29, 1896, and find the same to be correct; also the books and reports of the City Assessor and Collector for the same time and find the same to be correct; also the receipts and deposits with the City Treasurer of the Common Fund, of the Water and Light Fund, and find the same to be correct. I have also examined the monthly reports of the City Treasurer for the quarter ending February 29, 1896, and find the same correct.

Respectfully submitted,

G. A. Wheatley, City Auditor.

A motion to refer the report to the Finance Committee was lost by the following vote:

Yeas Aldermen Horton, Powell, and Schneider. 3
Nays Aldermen Beatty, Fischer, Glascock, Glass, Goeth, Haynes, Sawless, Sims, Tikechok, Platt, Pudd, Robertson, Crossengren, Shelley, Kunkel, Taylor, Tobin, Townsend and Zilker 19.

Alderman Tobin moved that the report be received and filed. Adopted.

A communication from the City Engineer calling attention to the condition of the approach to the north end of the bridge across the Colorado river was read and on motion referred to the Street Committee.

By Alderman Beatty, Petition of citizens to open certain streets in the Wax Mass addition to the City known as Parkville, was read, and on motion was referred to the Street Committee.

By Alderman Robertson, Petition of J. A. Milley for permission to erect a wooden iron roof building on lot No. 1 Block No. 59, City; said petition having been recommended by the Fire Committee.

A motion to refer the petition to the Fire Commission was lost by the following vote:

Yeas Aldermen Fischer, Goeth, Sims, Schneider, Shelley, Tobin and Townsend. 7

Nays Aldermen Beatty, Glascock, Glass, Haynes, Horton, Sawless, Tikechok, Platt, Powell, Pudd, Robertson, Crossengren, Kunkel, Taylor and Zilker 15.

Alderman Glascock moved that the petition be granted, which motion prevailed.

By Alderman Robertson, Petition received by the City of the City of Washington, D. C., for permission to erect a building on lot No. 1 Block No. 59, City; said petition having been recommended by the Fire Commission.

A motion to refer the petition to the Fire Commission was lost by the following vote:

Yeas Aldermen Fischer, Goeth, Sims, Schneider, Shelley, Tobin and Townsend. 7

Nays Aldermen Beatty, Glascock, Glass, Haynes, Horton, Sawless, Tikechok, Platt, Powell, Pudd, Robertson, Crossengren, Kunkel, Taylor and Zilker 15.

Communication from City Engineer on condition of north approach to W. Bridge

Pet. of Citizens in Parkville to open streets in Wax Mass addition

Pet. of J. A. Milley to erect a wooden iron roof building on lot No. 1 Block No. 59.

Resolution granting permission to W. D. R. to erect a building on lot No. 1 Block No. 59.

Deas Aldermen Fisher, Booth, Sawler, Simm, Platt, Powell, Schneider, Shelley, John Townsend, Fisher and Mr. Mayor: 17.
Stays Aldermen Beatty, Glascock, Glass, Haynes, Horton, Kirkner, Padd, Oberdrew, Crossingham, Kumpf and Taylor: 11

Reports of Committees.

Communication from Secy of W & S Commission to fix rates for cooking, heating, etc. lamps.

A communication from the Secretary of the Water and Sewer Commission in regard to fixing rates for alternating electric current used for heating, cooking and arc lamps was laid over to come up with an ordinance on the subject.

Police Com report on Marshals report for Feb.

Alderman Powell for the Police Committee, presented their report on the Marshals reports for the month of February, 1896, which were read and ordered filed.

Report of Com. on Claims and Accounts in beh. of Mrs. S. C. Pease for remission of penalties & costs for taxes.

The Committee on Claims and Accounts, to whom was referred the petition of Mrs. S. C. Pease, for remission of penalties and costs for taxes, reported having duly considered the petition, and are of the opinion that the Council have no authority to grant the relief prayed for, and they therefore recommend that said petition be not granted.

On motion duly made the report of the Committee was adopted.

Report of Com. on Claims & Accts on beh. of John B. Hood Camp for remission of taxes for 1891.

The Committee on Claims and Accounts also reported that they have duly considered the petition of the John B. Hood Camp, seeking the remission of taxes due for 1891 on certain real estate owned by said corporation, and are of the opinion that the Council have no power to grant the relief prayed for, and respectfully recommend that the said petition be not granted.

On motion duly made the report of the Committee was adopted.

Report of Com. on Claims & Accts on claim of J. S. McCutcheon for damages to wagon & mule

The Committee on Claims and Accounts, to whom was referred the claim for damages presented by J. S. McCutcheon for alleged injuries to wagon and team, sustained by falling off a bridge in South Austin, report that they have fully and carefully examined the facts concerning the claim, and find that the City is not legally liable for any injury he may have sustained, and they therefore recommend that said petition be not granted.

Alderman Booth moved the adoption of the Committee's recommendation, which motion prevailed.

Unfinished Business.

Refusal of Council to suspend rules & take up on 2nd reading, Ordinance amending an Ordinance to prevent driving out Cattle on Public squares & Parks of City

Under the head of unfinished business an ordinance introduced at the last regular meeting of the Council, entitled "An ordinance to prevent the driving out of neat cattle, cows, calves, horses, mules or swine on the public squares and parks of the City of Austin, to prohibit hitching to fences on the public streets of said City" was taken up on its second reading, but the Council refused to further suspend the rules at this meeting by the following vote, viz:

Deas Aldermen Booth, Haynes & Horton, Sawler, Platt, Powell, Oberdrew, Schneider, Fisher, Taylor, John Townsend and Fisher: 13.

Stays Aldermen Beatty, Fisher, Glascock, Glass, Kirkner, Padd, Crossingham and Kumpf: 0

On report of Claims and Accounts Committee on claim of J. White, 1892 regarding certain real property.

New Business.

Ord. appropriating \$1000 to alter & repair entrance to Fire Hall on West 8th St.

By Alderman Robertreau, An ordinance appropriating the sum of \$1000 for the purpose of altering and repairing the entrance to Fireman's Hall on West Eighth Street. The ordinance was passed under suspension of the rules by the following vote: Yeas, Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilker 17.

Stays Over.

Ord. Appropriating \$1668.50 to pay Interest on \$35,000.00 W & S Bonds due April 1 1896

By Alderman Gorth, An ordinance appropriating the sum of \$1668.50 for the purpose of paying interest due April 1st 1896, on \$35000.00 Water Works and Electric Light Bonds of the City of Austin Texas.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilker 17.

Stays Over.

Ord. appropriating \$1175.00 to pay Interest on Bonding Bonds due April 1 1896.

By Alderman Gorth, An ordinance appropriating the sum of \$1175. for the purpose of paying interest due April 1st 1896, on Bonding Bonds of the City of Austin Texas.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilker 17.

Stays Over.

Ord. amending sec. 3 of an ordinance to prevent the pollution of Waters of Colorado river.

By Alderman Robertreau, An ordinance amending section 3 of an ordinance entitled "An ordinance to prevent the pollution of the waters of the Colorado river within the limits of the City of Austin, and prescribe a penalty for violation thereof."

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Taylor, Tobin, Townsend and Zilker 17.

Stays Over.

Ord. to fix rates for heating, cooking & the lamps.

By Alderman Tobin, An ordinance to fix rates for alternating electric current used for heating, cooking and arc lamps.

Alderman Gorth moved to suspend the rules and place the ordinance on its second reading, which motion prevailed by the following vote:

Yeas Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Tobin, Townsend and Zilker 17.

Stays. Alderman Taylor. 1.

The ordinance was read a second time and a motion made to suspend the rules and place the ordinance on its third reading, which motion was not by the following vote:

Yeas Aldermen Beatty, Fischer, Glascock, Glass, Gorth, Haynes, Horton, Sawles, Simm, Nitschke, Platt, Powell, Pead, Robertreau, Rosengren, Schneider, Shelley, Stumpf, Tobin, Townsend and Zilker 17.

Ord. appropriating \$100.00 for
Extra Street Labor

By Alderman Zilker, An ordinance appropriating the sum of \$100. for
the purpose of paying for extra Street Laborers.
The ordinance was passed under suspension of the rules by the following
vote:

Yea Aldermen Deary, Fischer, Glascock, Glass, Smith, Haynes, Horton, Sawles,
Sinn, Kitcher, Clark, Powell, Reed, Robertson, Rossingren, Schneider, Shelley,
Stumbert, Taylor, Tobin, Townsend and Zilker 17.
Nays None

Ord. appropriating \$400.00
to clear up old part of City
Cemetery.

By Alderman Horton, An ordinance appropriating the sum of \$400.
for the purpose of clearing up the old part of the City Cemetery
and other necessary repairs.

Referred to the Cemetery Committee.

Upon motion of Alderman Sawles the Council adjourned.

M. O. Johnson
City Clerk.