

Regular meeting of the City Council
Austin, Texas, Aug 12, 1904
Hon R. B. White Mayor, presiding

Roll Called
Present Aldermen Crocker Haynes Hume Macken
Miller Niblock Schneider Shumate Smith & Ulit 10
Absent Aldermen Maddox Moore Redd & Shelley 4

On motion, the minutes were approved as recorded
by the clerk, without reading.

Petition
P. E. Mistrat for
show window

Petitions, memorials etc
By the Mayor. Petition of P. E. Mistrat for permission to
erect show window over sidewalk on W 5th Street.
Read and on motion referred to the Street Committee

Reports City
Officers
Standing Committees

Reports of City Officers
The Mayor laid before the Council the reports of the Assessor
& Collector, the clerk, the Physician & Sexton for the month of
July 1904, which were on motion referred to their appropriate
Committees, without reading.

Fire Protection
Hall

Reports of standing Committee
Alderman Schneider for the Fire Committee made a
verbal report, stating that the Committee had carefully
examined the plans and specifications for improvement
to Protection Fire Hall, and had decided to reject them.
On motion the report was adopted.

Pet of Schipara
found fees.

Aldermen Moore Redd & Shumate entered the Council
Chamber.
On motion Alderman Moore was granted permission
to present Petition of Joseph Schipara asking that certain
found fees paid by him be refunded, also a complaint
against the action of the found Master. On motion
the communications were referred to the Committee on
Claims & accounts

Purchasing Com
Culvert Pipe

Alderman Shelley entered the Council Chamber.
Alderman Shumate for the Purchasing Committee
presented a report stating that they had asked for bids
for furnishing the City with Culvert pipe for the term
ending Dec 31st 1904, and recommending that
the bid of Geo. A. Prueh be accepted and the contract
awarded him. On motion the report was adopted.

City Atty. Road
South Austin

The Mayor laid before the Council the following Communi-
-cation from the City Attorney
Hon R. B. White, Mayor, and the City Council of the City
of Austin
Gentlemen:
In reply to your request for an
investigation and a report concerning the proposed
ordinance to open the road in South Austin from
South Congress Avenue to Barton's Springs.

I beg to submit that the proposed ordinance will likely result in litigation and for that reason I submit it is advisable that my successor who will represent the City in the controversy should be free to form his own conclusions as to the law points involved and make his own suggestions as to the best course for the City to pursue

Yours very respectfully
 Clarence H. Miller
 City Attorney.

Road South Austin

Unfinished business

The Mayor laid before the Council an ordinance directing the City Marshal to open a certain road in South Austin.

The ordinance was read the second time and a motion made to suspend the rule and place it on its third reading, which motion was lost by the following vote

Ayes Aldermen Crocker Haynes Miller Moore Nitschke
 Redd Schneider Shumate & Whit 9
 Nays Aldermen Hume Macken Sholley & Smith 4

A motion was made to refer the ordinance to the City Attorney, for investigation & report, which motion was lost.

The Mayor laid before the Council the following Communi-
 cation

Hon R. E. White, Mayor, and City Council of the City of Austin:

Gentlemen:

You are doubtless aware that I will soon be a member of the Law Faculty of the University of Texas and will be disqualified from continuing to represent the City. I beg leave therefore to tender my resignation as City Attorney to be come effective August 1st 1904

Very respectfully
 Clarence H. Miller
 City Attorney

Resignation City Atty Miller

On motion the resignation was accepted. Alderman Nitschke moved that the Council now proceed to the election of a City Attorney to fill the vacancy caused by the resignation of Mr. C. H. Miller which motion prevailed.

W. Hart elected City Attorney

Alderman Macken nominated Mr. W. Hart. Alderman Nitschke moved that nominations close, which motion prevailed.

Alderman Haynes moved that Mr. Hart be elected as City Attorney by a rising vote, which motion prevailed.

The Mayor declared Wm W. Hart duly elected City Attorney of the City of Austin for the term ending April 1905.

\$75. For work on 12th St

By Alderman Crocker An Ordinance appropriating the sum of \$75⁰⁰ for the purpose of repairing West 12th Street between Guadalupe and San Antonio Streets. The ordinance was read the first time and on motion was referred to the Street Committee.

On motion the Council adjourned.

Jesse Johnson

City Clerk