

MINUTES OF PROCEEDINGS OF THE CITY COUNCIL, AT ADJOURNED
MEETING DECEMBER 21, 1915.

Be it known, that, pursuant to adjournment, there came on to be and was held an adjourned meeting of the City Council of the City of Lufkin, Texas, at the Council Chamber in the City Hall, in said City, on the 21st. day of December, A. D. 1915, there being present the following officers: Mayor T. C. Mantooth, Aldermen W. D. Price, T. A. Behannon and S. W. Hawthorne, City Engineer P. A. McCarthy, and City Attorney M. M. Feagin, when the following proceedings were had:

The proceedings were opened with prayer by Mayor Mantooth invoking divine assistance.

Secretary Satterfield being detained on account of sickness P. A. McCarthy was appointed to act as Secretary Protempore.

The minutes of the regular meeting of December 7th. last were read, corrected as follows: The motion directing the City Engineer to return check of \$750.00 to the Texas Bitulithic Company was amended to read: "that a warrant be drawn on the Fire Department Fund in favor of the Texas Bitulithic Company for \$750.00", and, the motion directing the City Attorney to amend ordinance No. 12 was amended to read: "that the City Attorney be directed to prepare an ordinance to amend Ordinance No. 12, so as allow speaking and preaching on the streets", thereupon on motion of Alderman Price, seconded by Alderman Hawthorne the minutes as amended were approved:

Mr. H. D. Earn, General Superintendent of the St. Louis Southwestern Railway Company of Texas appeared before the Council, and requested that 12 foot sidewalks be not required across the right of way of his Company on First Street. After due consideration it was agreed as follows: that the side walk between W. A. Collmorgen's store and the railway track be made 12 feet wide; that between the Mattras factory and the track the walk be five feet wide, and that the balance of the walks across the right of way, except under ties and tracks be made four feet wide. These changes were accepted by Mr. Earl on behalf of his Company, and was so ordered.

Mr. C. B. Collins, appeared for the Houston East & West Railway Company, and it was agreed that so much of the concrete side walk as contemplated to be built along the south side of Ellis Avenue on the

right of way of said Houston East & West Railway Company be eight feet wide, and it was so ordered.

There being no other protests filed or objections made or offered by any property owner or the agent or attorney of any property owner or other interested person to the laying of concrete side walks or the levying of assessments therefor, the City Engineer submitted and read the following Ordinance, designated "Ordinance No. 110", entitled "An Ordinance Assessing the cost of laying concrete side-walks in front of certain properties along part of both sides of First Street; along the South front of Lot 6 and the West front of Lots 13 to 18 inclusive in Block 3; along part of both sides of Dizier Avenue; along part of both sides of Lufkin Avenue, by grading, raising and filling the same, and laying concrete sidewalks thereon", and after due consideration, it was moved by Alderman Price, seconded by Alderman Behannon, that said ordinance No. 110 be adopted as read. All Aldermen voted "Aye", and said ordinance was so adopted and approved by the Mayor.

M. M. Feagin presented his bond as City Attorney, in the sum of \$1,000.00 with A. P. Feagin and M. H. Gansler as sureties, and on motion of Alderman Price, seconded by Alderman Behannon, all Aldermen voting "Aye", was approved, whereupon said M. M. Feagin took and subscribed to the constitutional oath of office administered by Mayor Mantooth.

The City Engineer, in compliance with the previous orders of the Council; submitted the following ordinances, which were disposed of as noted:

Ordinance No. 111, entitled, "An Ordinance amending Ordinance No. 75 for the purpose of amending the Assessment against the St. Louis Southwestern Railway Company of Texas, and providing that the City of Lufkin shall pay one-third (1/3) of the cost thereof, and the St. Louis Southwestern Railway Company pay two-thirds (2/3) plus the cost of concrete curb", whereupon Alderman Price moved. Alderman Hawthorns seconded, all Aldermen voting "Aye", the ordinance was passed, and approved by the Mayor.

Ordinance No. 112, entitled: "An Ordinance amending the assessment against Mrs Leah Chancey, for paving that part of Fireman's Park fronting Lots 13 to 18 inclusive in Block 3, to-wit. in front of subdivision

"K" ~~1/2~~ Lot 13, subdivision "L" Lot 14, and subdivision "MN" Lot 15 in Block 3, so that one-third (1/3) of the cost ~~of~~ said pavement for a distance of 16 feet at the mouth of Cotton Street fronting subdivision "K" of Lot 13 in Block 3, shall be paid out of the City Treasury from Special Improvement Fund No. 2". whereupon on motion of Alderman Price, seconded by Alderman Behannon, all Aldermen voting "Aye" said Ordinance was duly passed, and approved by the Mayor.

Ordinance No. 113, entitled, "An Ordinance to revise the assessment levied against H. & J. Abram under Ordinance No. 75, passed and approved August 14th. 1915, for paving at the mouth of the alley along the West Front of Lot ~~12~~ No. 12 in Block No. 4, and providing that the City shall pay one-third (1/3) of the cost of paving said alley", whereupon Alderman Price moved and Alderman Behannon seconded, all Aldermen voting "Aye", said ordinance was duly passed, and approved by the Mayor.

✓ Ordinance No. 114, entitled, "An Ordinance repealing Ordinance No. 106, passed and approved on the 2nd day of November, A. D. 1915, forfeiting a cashier's check No. 1042 for \$750.00 deposited by the ~~Bitulithic~~ Texas Bitulithic Company on the 20th. day of August, A. D. 1915", was on motion of Alderman Price, seconded by Alderman Behannon, all Aldermen voting "Aye", duly passed, and approved by the Mayor.

Ordinance No. 115, entitled, "An Ordinance ordering and directing the Mayor and City Secretary to issue a warrant on the Treasurer payable out of Special Improvement Fund No. 5, to the Texas Bitulithic Company to the amount of \$20.36", was on motion of Alderman Price, seconded by Alderman Hawthorne, all Aldermen voting "Aye" duly passed, and approved by the Mayor.

Ordinance No. 116, entitled, "An Ordinance transferring, closing and Balancing Special Improvement Funds Nos. 1, 2, 3, 4, and 5, heretofore created for the payment of paving contracts", on motion of Alderman Price, seconded by Alderman Hawthorne, all Aldermen voting "Aye", was duly passed, and approved by the Mayor.

On motion of Alderman Price, seconded by Aldermen Behannon, all Aldermen voting "Aye", the Mayor and City Secretary were directed to issue a warrant on the Treasurer in favor of the Texas Bitulithic

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Company for \$450.01, payable out of Special Improvement Fund No. 5, as provided by Ordinance No. 104, passed and approved November 2, 1915.

On motion of Alderman Price, seconded by Alderman Behannon, all Aldermen voting "Aye", L. H. Middleton was appointed night ~~watchman~~ ~~an~~ Marshal for a period of 30 days, whereupon said L. H. Middleton subscribed to the constitutional oath of office and entered upon his duties.

On motion of Alderman Hawthorne, seconded by Alderman Behannon, all Aldermen voting "Aye", the Mayor and City Secretary were directed to issue a warrant on the Treasurer, in favor of the Texas Bitulithic Company, for \$14.50, payable out of the General Fund, being reimbursement for preparing four ordinances.

The City Engineer submitted correspondence with the Lufkin Land & Lumber Company relative to deed for right of way of grounds for streets to be donated to the City, in consideration of which taxes were not assessed on said lands during the past three years, but which the Lufkin Land & Lumber Company Company demands payment of \$100.00, but proposing, that if the City does not desire to pay the \$100.00, the Company will execute a new deed covering the new street (Cemetery Avenue), which it will donate. Alderman Price moved, Alderman Behannon seconded, all Aldermen voting "Aye", the City Engineer was directed conduct further negotiations with the Lufkin Land & Lumber Company with the view of securing conveyance of all of the land covered in the deed, as per agreement with the former City Council, otherwise, to certify the lands not deeded to the City Assessor and Collector to be replaced on the tax rolls for back taxes.

Alderman Hawthorne moved, Alderman Behannon seconded, all Aldermen voting "aye", the resignation of Chas Ellis as night marshal was accepted.

Moved by Alderman Hawthorne, seconded by Alderman Behannon, all Aldermen voting "Aye", that all parties having connections with the old county sewer, disconnect and cease to use same withing ~~in~~ sixty (60) days.

Ordered that the City Engineer investigate as far as possible, the nature, manner, points and number of connections between the old city sewer and the corporation sewer, and report at next

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meeting of the Council.

Ordered, that the City Attorney be directed to notify Mrs. Leah Chancey and W. J. Townsend, Sr. to remove dangerous and unsafe awnings in front of their building facing Fireman's Park.

Mr. W. D. Newsom appeared before the Council relative to adjustment of water rates. Action deferred until the regular meeting.

Mr. G. E. Watford appeared before the Council relative to the adjustment of warrants issued for printing notices for street improvements, which were drawn on the General Fund insted of on the Special Street Improvement Fund. Action deferred until the regular meeting.

There being no further business, the Council adjourned.

F. I. Montouch
Mayor
J. W. Carthy
Secretary Pro tempore.

attest
WBS
Secretary