

The Minutes of a Regular Meeting of the City Council.
Austin, Texas, April 6, 1891.

Hon. Henry A. Linn, President of the Board of Aldermen, presiding.

Roll call.

Roll call: Present - Aldermen Asmann, Bartlett, Glass, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Sulton, Townsend, Unglert, Zeller - 14.

Absent - Aldermen Anderson, Graham, Hume, Platt, Schneider, Schuber - 6

Minutes.

The minutes of the meeting of the city council which was held on the 10th day of March, 1891, were adopted as printed.

Alderman Graham entered the council and answered to his name.

Petitions and Memorials

Haralson.

Alderman Linn presented a petition from Messrs. Hard & Hauck, attorneys for W. H. Haralson, asking that certain bills incurred by Mr. Haralson while at the small-pox camp be paid by the city. It was referred to the committee on claims and accounts.

Alderman Schuber entered the council and answered to his name.

Paggi.

A petition was received from Hood & Granberry, attorneys for M. Paggi, requesting the city council to refund to said Paggi a certain sum of money which they allege he lost by reason of his purchasing certain animals impounded and sold by the city. The petition was referred to the committee on claims and accounts.

Cheneyville.

A petition was received from John Cheneyville asking the city council to reimburse him for certain expenses incurred by him by reason of the city raising the street near his residence to such a height as to cause the basement of his house to be flooded by rain. It was laid on the table subject to call.

Mrs. Dieck.

A petition was presented from citizens of the Fifth ward requesting the city council to permit Mrs. Dieck to finish her building where the same is now being built. It was referred to the street committee.

James O'Reilly.

A petition from James O'Reilly was presented requesting the city council to refund taxes paid by him on an erroneous assessment of his property. It was referred to the committee on claims and accounts.

Newton.

A petition from John Matting requesting the remission of a fine, was received and laid on the table for consideration by the Mayor.

Reports of City Officers for the month of March 1891.

Reports of Officers.

By the City Marshal

Total amount of fines and costs assessed in the Recorders Court. \$913.70
 Collected in cash ~ ~ ~ ~ ~ \$470.50
 Worked out ~ ~ ~ ~ ~ 207.00
 Escaped ~ ~ ~ ~ ~ 30.10
 Appealed ~ ~ ~ ~ ~ 36.70
 Carried forward ~ ~ ~ ~ ~ 129.10
 Total ~ ~ ~ ~ ~ \$913.70
 Pound fees collected 74.40
 Back fines collected 82.85
 Arrests made 88.
 Referred to the police committee.

By the City Physician

Number of patients in hospital March 1, 1891. 14.
 Number of patients admitted to hospital in March 6.
 Number of patients discharged from hospital in March 7.
 Number of deaths in hospital in March 5.
 Number of patients remaining in hospital April 1, 1891. 8.
 Number of visits made to paupers in the city in March 129.
 Number of prescriptions written for paupers in the city in March. 249.
 About two-thirds of these prescriptions were written for small-pox patients at the camp.
 I have now at the camp thirty persons. Eighteen of them are down with the small-pox. Some are just getting over the disease. They are all doing well at present.
 Five of the above cases are from the country. The County pays all the expenses for their patients.
 There is not a single case of small-pox within the City limits at present.
 The general health of the city is remarkably good.
 Referred to the hospital committee.

By the City Sexton.

Total number of deaths. ~ ~ ~ ~ ~ 29.
 White ~ ~ ~ ~ ~ 14.
 Colored ~ ~ ~ ~ ~ 15.
 Mexican ~ ~ ~ ~ ~ 2.
 Referred to the cemetery committee.

By the City Clerk.

Statement of warrants issued against the general funds during the month of March 1891.
 Salaries of Officers ~ ~ ~ ~ ~ 958.35
 Police ~ ~ ~ ~ ~ 1105.00
 City cemetery ~ ~ ~ ~ ~ 47.90
 Cemetery department ~ ~ ~ ~ ~ 315.64
 Fire department ~ ~ ~ ~ ~ 300.00
 Drivers of City teams &c ~ ~ ~ ~ ~ 360.00
 City and County Hospital ~ ~ ~ ~ ~ 212.00
 Liquor ~ ~ ~ ~ ~ 125.43
 Streets, bridges, &c. ~ ~ ~ ~ ~ 8.815.82

Feed for city teams	159.74
Street lights	509.19
Feeding city prisoners	106.50
Water	3,025.00
Small pox	782.70
Miscellaneous	235.38
Total	\$17,059.20

Referred to Finance committee.

By the City Clerk.	
Statement of warrants issued against the water and light funds in March, 1891.	\$555.00
Pay roll of Engineers office	9,138.18
Bernard Barreque, contractor	9,215.41
Railroad to site of dam	452.5
Miscellaneous	18,957.34
Total	

Referred to Finance committee.

By the City Treasurer from March 2. to April 6. City funds	
Balance March 2.	\$12,868.39
Receipts to April 6.	11,894.66
Total	24,763.05

Disbursements	\$20,800.01
Balance April 6	3,963.04
Total	\$24,763.05

Referred to Finance committee:

By the City Treasurer, from March 2. to April 6.	
Water works and light funds:	
Balance March 2.	\$313,498.19
Disbursements	19,533.84
Balance April 6	294,044.35

Referred to the Finance committee.

By the City Treasurer from March 2. to April 6. 1891	
Interest and sinking funds.	
Balance March 2.	
Interest funds	\$6,574.53
Sinking funds	2,312.40
Receipts to April 6.	3,365.23
	17,252.16

Balance April 6.	
Interest funds	\$8,978.28
Sinking funds	273.88
	12,252.16

Referred to the Finance committee.

The following report was presented and read, and on motion was laid over to be taken up with the ordinances mentioned therein:

Austin, Texas, April 3, 1891.
 To the Honorable Mayor and City Council of the City of Austin:

Gentlemen: - Your Committee on Finance, to whom was referred the special message of the Mayor of date March 14, 1891, beg to report, that we have had the same under consideration, and in accordance with the suggestion therein contained, we submit herewith an ordinance appropriating the sum of one thousand dollars to defray expenses of the small-pox hospital, and we recommend that the same do pass.

Respectfully submitted.

Henry A. Linn, Chairman.

Cemetery Council.

The cemetery committee presented the following report and proposals which were read and laid over:

To the Honorable Mayor and Board of Aldermen:
 Gentlemen: -

Your committee, to whom was assigned the duty of receiving proposals for a city cemetery, would respectfully report as follows: They have received two proposals, one from the Young Melis Real Estate and Investment Company, which has been laid before the Council, and the other from Mrs Maggie Stiles, which we herewith submit. Your committee is of the opinion that the proposal of Mrs Maggie Stiles is the most advantageous to the city, and would therefore recommend that the same be accepted.

H. Linn
 J. A. Jackson
 Jno. W. Phillips

Committee

Cemetery proposal - Mrs Stiles

To the Honorable Mayor and City Council of the City of Austin:

The undersigned, together with associates to be hereafter named, propose and agree to form and organize a company, (or corporation under the corporate laws of the State, if deemed more advisable), to be known as the "Austin Cemetery Company", which shall control and direct a cemetery of city acres more or less, the situation being outside 24 and 25, in division B of the city of Austin, and will donate and give to the city lots (10) acres of said city to be used and controlled exclusively for the burial of paupers.

Provided:

1. That the city will agree neither to establish nor cause to be established any other cemetery; nor make any other concession; nor accept a similar proposition from any other company or individual, until such time as may be necessary to provide for and secure an additional ground for the

interment of paupers.

2. That the remaining fifty (50) acres shall be under the ownership, management and control of said company, subject to the existing laws and ordinances of the city relating to burials.

3. That the sexton of said cemetery company shall be named and appointed by said company, subject to the confirmation of the city council, and he shall be governed and controlled by the existing laws and ordinances of the city, in regard to burials, charges re.

4. That the company shall be allowed to use its own discretion in the arrangement and plotting of the cemetery grounds. The company agreeing, however, that the drives and walks shall be of convenient width and that the lots shall conform in area and price to the standard now established by city ordinance.

5. That the city shall put in good condition and maintain in good repair the street or streets leading to the cemetery at its own expense and cost.

E. P. Stiles

For Mrs Maggie Stiles

Cemetery proposed.

Young Men's A. E. & Inv. Co.

To the Honorable the Mayor and City Council of the City of Austin.

Gentlemen: - With a view to the establishment and maintenance of a cemetery for public purposes, we make the following proposition, to-wit:

1. We agree to organize a cemetery association and incorporate same. To acquire and forever dedicate for cemetery purposes sixty acres of land, and to make additions to same from time to time as necessity demands, to be selected by your committee, from a tract of land, about one hundred and fifteen (15) acres, situated about $2\frac{1}{2}$ miles east of the Capitol building, fronting on Magnolia Avenue and now owned by the Young Men's Real Estate and Investment Company.

2. To lay off such sixty acre tracts into lots, blocks, walks, streets and drive ways, and otherwise improve and beautify the same.

3. Lots will be immediately placed on sale for sixty days, at the following prices, viz:

200 Lots 20x20 each.	5.00
200 Lots 20x20 each	7.00
100 Lots 20x20 each	10.00

Thus enabling those wishing to purchase cemetery lots to acquire them at a nominal price. After the expiration of the sixty days time, we reserve the right to sell lots at prices not to exceed \$50.00 per lot, which shall be the maximum price of same.

4. No lot is to contain less than 400 superficial feet. The maximum price of which, located in any

part of the grounds, will be $12\frac{1}{2}$ cents per square foot, this will be considered the basis for computing prices of lots of greater dimensions.

5. To give the city sufficient ground for the burial of 7,000. Paupers, estimating each grave at 6×8 feet.

To enable us to establish and maintain this new cemetery, we would ask the city to agree by ordinance or otherwise:

1. That the present cemetery shall not be enlarged or extended, nor shall any extension or addition thereto be made by any person or persons, nor shall any cemetery be ever opened or established within the corporate limits of the city of Austin; nor shall any dead be interred within the city limits, except within the present existing cemetery, and then only by virtue of right now existing.

This article to be in force for such period of time as there may be available grounds within the proposed new cemetery.

2. To bury no pauper dead in the proposed new cemetery.

3. That the city give us the right to construct, own and operate a street railway along Magnolia Avenue, such line to connect with other city lines over such streets as may be agreed upon by and between us and the city council, and to extend each along Magnolia Avenue and into such new cemetery grounds.

This is a brief outline of the points that we would ask to be considered and agreed to by and between a new cemetery association that we propose forming and the city of Austin, and such association would expect to receive the moral support of the city and its maintenance.

Very Respectfully

W. S. Drake

P. H. Stein

Joseph B. Winn

D. A. Patrick

A. J. Zeller

Rail Road to 1890

Alderman North introduced an ordinance entitled: "An ordinance appropriating the sum of \$7808.96 out of the water and light funds to pay approved bills incurred in the construction of a rail road from the Austin and Northwestern rail road depot to the site of the dam".

The ordinance was read the first time after which a motion was made to suspend the rules and place the same on its second reading, which prevailed by the following vote:

Yeas: Alderman Asmussen, Carlson, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North Phillips, Schuber, Sutton, Townsend, Wingfield, Zeller - 16

The bills to be paid by the ordinance were then read after which a motion was made to suspend the rules and place the ordinance on its third reading, which was adopted by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 16.

The ordinance was then accordingly read, and on motion passed by the following vote.

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 16.

Corrigan's Est. No. 5.

Alderman North also presented an ordinance entitled: "An Ordinance appropriating the sum of \$8,774. out of the Water and Light Fund to pay Bernard Corrigan's estimate No 5. for work done on the dam now in course of construction."

The estimate was read, after which a motion was made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 16.

The ordinance was accordingly read, after which a motion was made to suspend the rules and place the same on its third reading, which prevailed by the following vote:

Yeas: - Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 16.

The ordinance was accordingly read, and on motion passed by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 16.

Appoint acc'ts.

Alderman North also offered an ordinance, entitled: "An Ordinance appropriating the sum of \$2852.84 for the purpose of paying approved accounts."

It was read the first time, after which motions were made to suspend the rules and place it on its second and third readings, and that it do pass, all of which were adopted by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller - 15.

Alderman North also introduced an ordinance entitled: "An ordinance appropriating the sum of \$3450, for the purpose of paying the officers and regular employees of the City of Austin for the month of April 1891."

It was read the first time, after which a motion was made,

to suspend the rules and place it on its second reading, which prevailed by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller: 16.

Alderman North then moved to amend the caption and section one of the ordinance by striking out "\$34.50" and inserting in lieu thereof "\$20.700" and adding the months of May, June, July, August and September. The amendment carried.

Motions were then made to suspend the rules and place the ordinance on its third reading and final passage, both of which were adopted by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller: 16.

Alderman North also presented an ordinance appropriating the sum of one thousand dollars for the purpose of maintaining a place for the care of persons affected with smallpox. It was read the first time after which motions were made to suspend the rules and place the same on its second and third readings and that it do pass, all of which prevailed by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller: 16.

Small Pox.

Alderman Morris introduced an ordinance entitled "An ordinance appropriating the sum of five thousand dollars for the purpose of paying employees and other incidental expenses of the city incurred and to be incurred by the board of public works relating to constructing the water and light system. It was read the first time after which a motion was made to suspend the rules and place the same on its second reading which was adopted by the following vote:

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Schuber, Sutton, Townsend, Wingfield, Ziller: 16.

The caption of the ordinance was again read after which Alderman Phillips moved to amend the caption and section one of the ordinance by striking out "5000" and inserting instead "1800." The amendment was rejected by a rising vote of 6 to 9.

Motions were then made to suspend the rules and place the ordinance on its third reading and final passage both of which were adopted by the following vote and were duly complied with.

Yeas: Alderman - Asmann, Bartlett, Glass, Graham, Jackson, Linn, Morris, Newton, Nitschke, North, Schuber,

Duton, Townsend, Higfield. - 14.
 Rays - Alderman Phillips, Ziller 2.

Alderman Glass offered "An ordinance appropriating the sum of four hundred and fifty dollars for material and work on streets in South wards". It was read the first time and on motion referred to the street committee.

Alderman Graham introduced an ordinance providing for the location of a hydrant at the corner of 22nd and Mary Ann streets. It was read the first time and referred to the water and light committee.

Alderman Ziller offered a resolution, which was adopted, instructing the city treasurer to transfer \$100.00 now in the cemetery funds to the general funds account.

Art 263. Fire Dept. Elections

Alderman Ziller also introduced "An ordinance amending Article 263, Chapter 1, Title VIII of the Revised Code Ordinances of the City of Austin. It was read the first time after which a motion was made to suspend the rules and place the same on its second reading, which was adopted by a vote of two-thirds of the whole council.

The ordinance was read by caption.

Alderman Barton then moved to amend the same by striking out the words "a majority of votes cast shall be necessary to effect" and insert in lieu thereof the following: "The parties receiving the highest number of votes shall be declared elected."

Alderman Duton moved to refer the ordinance to the Fire Committee. Lost.

The question recurring on the adoption of the amendment offered by Alderman Barton, the same was put and lost by a rising vote of 8 to 8.

A motion was then made to suspend the rules and place the ordinance on its third reading, which was adopted by a vote of two-thirds of the whole council.

The caption of the ordinance was again read and on motion the ordinance was passed. It relates to the election of officers of the fire department.

Hospital - Sewer Service

Alderman Dehnen offered a resolution which was adopted instructing the city engineer to make an estimate for a connection with the State sewers with the city and county hospital for sewerage purposes.

Alderman Nitschke moved that the chair appoint three tellers to canvass the returns of the recent fire department election. The motion prevailed and the chair appointed Alderman, Nitschke, Ziller and Glass as tellers.

The two proposals for a new cemetery above the fork, were then taken up.

Alderman Dutton moved that they be referred to a special committee of three, with instructions to report at the next regular meeting of the Council, and at the same time to present an ordinance fully covering the subject.

Alderman Phillips moved to amend the motion by providing that the committee shall report to an adjourned meeting of the Council to be held Friday April 10 at 4 p.m.

The amendment was lost by a rising vote of 7 to 7. The question recurring on the adoption of the motion made by Alderman Dutton, the same was put and carried.

The chair then appointed Alderman Dutton, Jackson and Ballston as such committee.

The letters above referred to submitted a report showing that the result of said election was as follows:

For Chiefs

H. Schneider received 34.

L. Boerner " 53.

J. Raymond " 53.

Geo. Reigel " 14.

No election, neither of the candidates having received a majority of all the votes cast.

For Assistant Chiefs

J. Harrow received 149.

L. Boerner " 3.

For Recorder

James O. Donovan received 131.

D. M. Burk " 18.

On motion J. Harrow and James O. Donovan were declared duly elected Assistant Chief and Recorder respectively of the fire department for the ensuing term.

Alderman Ballston moved that the City Clerk be directed to print in full in the council proceedings both proposals for a cemetery. Carried.

Alderman Graham was excused.

Alderman North moved that the Council stand adjourned. Carried.

Milton Morris,
City Clerk.

Fire Dept. Election
Returns - result.

Cemetery proposals printed

Adjourned.