Regular meeting of the City Council.

Austin Tex. March 15th. 1886.

Hon. J.W. Roberts, Mayor, presiding.

Absent: Aldermen; Schneider, Melz, Brush, Caldwell, Conwin, Helman, Cunningham.

Alderman LeDresser moved that a Call of the Council be made. The motion was adopted and the Marshal sent after the absentees.

Aldermen; Brush, Caldwell, and Cummings, came in.

A motion to suspend a Call of the Council was made and adopted.

Aldermen Conwin, Helman, and Schneider came in.

The minutes of the last meeting of the Council were read and adopted.

The name of petitions were introduced and referred to Committee on Streets, Alleys, etc.

A petition from Citizens of East Austin requesting that a bridge be built across Walker Creek where McKinney Street crosses the same.

A petition from Citizens Conwin and Entering Property in block No. 49 asking that an alley be opened through said block.

A petition from C. H. Simpson asking that he be relieved from paying taxes on the improvements on lot 5 block 5, line 6 of subdivision block because they were not made until after March 1885. The petition was referred to the Committee on Finance and Revenue.

A petition from H. B. Hancock requesting the Council to release him from all liability for the fines imposed in the County Court against Francie Armstrong and Josie Etiner, because when he became surey on the appeal bonds he was informed by the attorney who represented them that in becoming a surey on said bonds he assumed no responsibility except for the appearance of the parties. He further represents that he
paid all costs in the court amounting to $34.00.

A request from the City Attorney that the release be granted accompanied the petition, and on the recommendation of his honor, the Council granted the release.

A petition from property holders on East Pecan Street requesting that the contract for the stone bridge over Waller Creek be changed to read eighty feet wide, instead of sixty feet as at present, because the street is a great thoroughfare, and would not be safe for pedestrians with a bridge only 60 feet wide, and further because much cotton, hay, and produce brought to Austin passes over said bridge, and also because the taxable value of abutting property would be increased.

On motion the petition was referred to a special Committee of three Aldermen.

The following named Aldermen constitute the Committee: Broin, Corwin and Warren:

A petition from Citizens of Austin, asking that the extension of the Cemetery east sixty feet be postponed until the matter is thoroughly examined. Was referred to the Committee on Cemetery.

Statement of warrants issued during the month of July 1886, by the City Clerk, was presented, but not read.

An Opinion from the City Attorney was read stating that if an ordinance requiring railroads within the City of Austin to keep their tracks in good order and paying a penalty therefore, was passed it could not be enforced.

Alderman Schuebel and Kelman, of the Street Committee, submitted a majority report on the petitions of H. A. John and English & Co., asking the privilege of renting a portion of block No. 59. The report states that the block named was set aside for a public square, and should not be used otherwise, and asks that the petitions be not granted.

Alderman Crooker, of the same Committee,
Presented a minority report stating he has considered the petitions and can see no reason why the City should not grant the same as the parties are willing to pay a good rent for the same.

A motion was made and adopted by a rising vote of 13 to 4 substituting the minority report for the majority report.

Alumni Crockett moved the adoption of the minority report - Carried.

Stands for Wages

The Committee on streets, alleys, etc., to whom was referred an ordinance entitled "An Ordinance providing that all express wagons or delivery wagons placed heretofore on the public streets for hire shall hereafter take Stands on block No. 57, and the public sidewalks of this City, reported recommending that the same do not pass because the Stands designated are too far away from business. The report was adopted.

The same Committee to whom was referred an ordinance entitled "An Ordinance for building an arched bridge on College Avenue and Avenue Street," reported recommending that the same do pass. The report was read.

The same Committee to whom was referred a petition of Citizens of Austin requesting that the fence on block No. 59 be set back 20 as not to encroach upon the sidewalks reported as follows: "Your Committee would respectfully recommend Petition be granted and city Engineer be authorized to have obstruction removed." The report was adopted.

The same Committee reported favorably on the following named ordinances: An ordinance regulating fire stations in the City of Austin.

An Ordinance prohibiting the hitching of any stallion, jackass or brine in any street or alley, or keeping the same for service in certain places in the City of Austin.

An ordinance regulating riding and driving in the streets of Austin.
An Ordinance prohibiting the driving of animals
drawn in droues through the streets in the city of Austin.
The Committee on fire department reported favorably
on the following named ordinances:

An Ordinance

building, regulating the building repairing and removal
of wooden buildings in the city of Austin.

Hay: An Ordinance regulating the storage of hay
eter, within the fire limits of the city of Austin.
The Committee on ordinances reported favorably
on the following named ordinances:

 Jury fees. An ordinance

Providing for the payment of jury fees in
the Recorder's Court of the city of Austin.

An Ordinance relating to illegal contracts
affecting the city of Austin.

An Ordinance amending article 534 of
the revised ordinances of the city of Austin.

An ordinance relating to the collection
of occupation taxes in the city of Austin.
The Committee on sanitation and sewers
to whom was referred an ordinance
entitled "An ordinance appropriating the
sum of $6,000 for the purpose of purchasing
the sewer now owned by J. A. Brush,
reported, recommending the purchase of the
sewer at a cost of $500.
The report recommends a division of the
amount of money to be paid to Mr. Brush
for his sewer into two payments, one
half to be paid out of the taxes of
1885 and the other part from those
of 1886, the reason stated for the
division of payment is that to ask
so much at once might preclude any
immediate relief to the west side of Congress
avenue. The report also recommends the
appropriating of $300, for the purpose of
laying a sewer suitably located to
intercept the Brush sewer before it
enters the Colorado river.
The report was read: Alderman Anderson and Campbell from the Committee on Water and Gas, to whom was referred a case of the City Water Company for $2,463.33 for water used by the City for public purposes, reports as follows: Your Committee recommend that the sum of $1,875.50 be allowed the City Water Company on the within account.

Minority report. Alderman Cummings, from the same Committee, presented a minority report dissenting from the majority report for the following reasons:

First—Their report allows the City Water Company nothing for the water used by the City Public Schools for school purposes and does not fully offset the taxes assessed against said Water Company, as was granted to them in the original Contract. It is the opinion of the minority of your Committee that such treatment of said Contract and said Company is not the proper policy to adopt to insure the best interests of the City in inducing said City Water Co. to fully carry out their part of the Contract with the City.

The special Committee consisting of Aldermen DeGree, Anderson and Schneider appointed to investigate the unpaid account of Chas. A. Shurr, Contractor for the building of Colorado fire engine and Stock and Tackle Company No. 1, ST market house still referred. That a number of witnesses were examined by them, and from the statements made would recommend that in view of the fact that the City of Austin has received the full value for the $6,000 appropriated for this building that the account of $1,000 of Chas. A. Shurr be paid.

On motion the report was adopted.
An Ordinance which was introduced by Alderman Walker, entitled "An Ordinance requiring railroads within the City of Austin to keep their tracks in good order, and fixing a penalty for a violation thereof," came up on its second reading, and was read. Alderman Walker then offered an amendment in lieu of Sec. 2 as follows:

That if such railway company after receiving notice to repair its road or road bed and crossings upon the streets of the City shall fail or refuse to comply with such notice and shall fail or refuse to make such repairs the such work shall be done at the expense of the City by the City Engineer and the Cost and expenses thereof shall be a charge upon the property of such company and shall be collected by the City Attorney by suit in some Court of Competent Jurisdiction.

Alderman DeGress moved to table the amendment. Defeated by a rising Vote 7 to 18. Alderman DeGress then moved to table the Ordinance and amendment. The move was rejected by a rising Vote of 5 to 18.

A motion to adopt the amendment was made and Carried, and a motion was made to suspend the rules and place the Ordinance on its third reading which was defeated by the following Vote: Yeas: Aldermen Schneider, Pillow, Anderson, Brash, Caldwell, Warden, Crooker, Odell, Conlin, Cummings, Erwin, Walker and Jones 13 Nays: Aldermen Campbell, Schubel, Eissen, Ahrren, Holman and DeGress 6.

An Ordinance which was introduced by Alderman Cummings entitled "An Ordinance appropriating the Sum of $6,000 for the purpose of purchasing the sewer now owned by
To take reading. Alderman Schuber moved to table the ordinance. The motion was defeated.

Alderman Cummings then offered an ordinance entitled "An ordinance for the lease by the City of Austin, from Geo. A. Brush, of the underground sewer in the city, and the rights, privileges, and franchises thereof, and to appropriate the sum of three thousand dollars therefor," as a substitute for the one originally offered.

Postponed. Alderman Cooper moved to postpone both the original ordinance and the substitute, subject to future calls. Carried by a rising vote of 10 to 7.

Alderman Anderson moved that the majority report of the Committee on Water and Gas, in relation to the City Water Company tax matter be referred to the Finance Committee and that they include the same in their next appropriation ordinance.

No objection was made.

Alderman Campbell called up an ordinance, which was introduced by Alderman DeGress, entitled "An ordinance authorizing the appointment of a Committee of Four Members of the City Council to confer with the managers of the S. F. & A. R.R. and the Houston & Texas Central R.R. regarding their building a Union Depot in this City."

A motion to table the ordinance was adopted.

An ordinance which was introduced by Alderman Aldwell, entitled "An ordinance for building an arched bridge over on college avenue and Nauces street," came up on its second reading and was read.

Alderman Odell introduced the following named ordinance: "An ordinance appropriating the sum of $2,775.00 to pay the regular employees
The city of Austin, for the purpose...
and lamps as fixed by any ordinance.

The resolution was read and laid over.

extend mains. A motion was made to suspend the rules and place the ordinance authorizing the city water company to extend water mains and locate hydrants therein, on its second reading. The motion was adopted by the following vote: Yes: Alderman Schneider, Willow, Anderson, Brush, Campbell, Schuer, Caldwell, Gieser, Warren, Darlham, Croker, Odell, Carvin, Helman, DeGress, Cummins, Erwin, Walker and Jones—19

Alderman Anderson moved to amend Section 1, by striking out "3 1/2" and inserting "3 1/6" and also by striking out "6" and inserting "7" hydrants. Adopted.

Alderman Campbell moved to amend Sec. 2, by striking out "2 1/2" and inserting "2 1/2", and also by striking out "7" and inserting "5" hydrants.

Alderman DeGress moved to table the amendment. Adopted by a rising vote of 9 to 10.

Alderman Walker offered the following amendment to Section 5, which were adopted after "In Red River street", strike out "from live oak street", and insert "2 28 feet", after East on strike out "water" and insert "Davis", also after "Davis street", insert "25" feet, and also, after "im all", strike out "28" and insert "1056.

Motions were made to suspend the rules and place the ordinance on its third reading, and that the ordinance now pass, both of which were adopted by the following vote: Yes: Alderman Schneider, Willow, Anderson, Brush, Campbell, Schuer, Caldwell, Gieser, Warren, Darlham, Croker, Odell, Carvin, Helman, DeGress, Cummins, Erwin, Walker and Jones—19.
Alderman Warthen introduced the following named
Sewer Ordinance: "An Ordinance granting Dr. W.
H. Tobin 150 x 150 feet of ground off the northeast
corner of public square between Pine and Cedar
and Wesley and Trinity streets, the ordinance was
read and a motion made to place the ordinance
referred.

On its second reading which was defeated by
the following vote: Yes, Aldermen Pillow,
Anderson, Campbell, Giesen, Warthen,
Crosset, Odell, Corwin, DeGress and Cummings—10
No: Aldermen Schneider, Brush, Schuler,
Caldwell, Warren, Helman, Erwin, Walker and
Jones—9.

Alderman DeGress introduced a resolution
which was adopted, directing the hospital
Committee to ascertain the total amount of
expenses of the hospital for the year 1885,
and also the amount of ad valorem and
license tax paid by the inhabitants of the
City, with a view of ascertaining, whether
the contract between the County and City,
as at present existing, is equitable and
just, and if not equitable and just, that the
Committee make such recommendation, to
take effect at the expiration of the
present contract as will make it so.

Alderman Anderson was excused.

Alderman Warthen introduced the following
named Ordinance: An Ordinance appropriating
the sum of five hundred dollars to pay
Counsel for defending John Deacon
and Clarrie Stantini on a charge of
murder.

The Ordinance was read and a motion
made suspending the rules and placing
the Ordinance on its second reading which
was adopted by the following vote: Yes
Aldermen Schneider, Pillow, Brush, Campbell,
Schuler, Caldwell, Giesen, Warren, Warthen,
Crosset, Odell, Corwin, Helman, DeGress,
Cummings, Erwin, Walker and Jones—15.
Motions were made to further suspend the rules and place the Ordinance on its third reading and that the Ordinance now pass, both of which were adopted by the following Vote:


Nay: Alderman Brunin.

Alderman Cooker moved that a Special Committee of three be appointed to canvass the returns and announce the result of the election held for the purpose of electing one Chief, one assistant Chief, and one Recorder for the Austin Fire Department. The motion prevailed and Aldermen Brush, Schneider, and DeGress were appointed as such Committee.

The returns were canvassed and Alderman DeGress, for the Committee, read and announced the result as follows:

For Chief: Monroe Miller 126
For Assistant Chief: H. Van Rosenberg 127
For Recorder: John A. Miller 74
A. Giesen 53

His Honor then declared Monroe Miller duly elected Chief of the Austin Fire Department for the next ensuing year.
H. Van Rosenberg duly elected Assistant Chief of the Austin Fire Department for the next ensuing year.
John A. Miller duly elected Recorder of the Austin Fire Department for the next ensuing year.

Alderman Giesen introduced the following named Ordinance:

An Ordinance regulating the printing of the minutes of the City Council.
The Ordinance was read and a motion made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote: Ten Aldermen—Schneider, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wetham, Crocker, Odell, Carvin, Helm, DeGress, Cummings, Crain, Walker and Jones—17.

May: Alderman Piecow.

Alderman DeGress offered the following amendment to Section First:

And that the mayor be directed to advertise the same and invite bids.

Alderman Cummings offered the following amendment to the amendment offered by Alderman DeGress:

Either in newspapers or in pamphlet form. Defeated by a rising vote of 7 to 11.

On motion the amendment offered by Alderman DeGress was adopted. A motion to further suspend the rules and place the Ordinance on its third reading was adopted by the following vote: Ten Aldermen—Schneider, Campbell, Schuber, Caldwell, Giesen, Warren, Wetham, Crocker, Odell, Carvin, Helm, DeGress, Crain, Walker and Jones—15.

May: Alderman Piecow, Brush and Cummings—3.

A motion was made that the Ordinance now pass. Adopted.

Alderman Carvin offered the following named Ordinance: An Ordinance to authorize the purchase of certain land for the City Cemetery, and making an appropriation therefor. Motions were made to suspend the rules and place the Ordinance on its second and third readings, and that the ordinance do now pass, all of which were adopted by the following vote: Ten Aldermen—Schneider, Piecow, Brush, Campbell, Schuber, Caldwell, Giesen, Warren,
Marthan, Crooker, Odell, Carver, Holman, Cummings, Erwin, Walser and Jones-17
May: Alderman DeBress.
Alderman Jones introduced the following named ordinance which was referred to the Committee on streets, alleys, etc.:

An ordinance appropriating $500 for the purpose of building a wooden bridge over Walser Creek where Willow Street crosses the same.

Alderman Schuber introduced the following named ordinance:

An ordinance appropriating the sum of two hundred and fifty dollars for the purpose of placing railings at the approaches of bridges on Walser and Shovel Creeks.

Alderman Warren moved that the street Committee and City Engineer be instructed to have the work called for by the ordinance performed, and the expenses thereof charged to the street fund of the respective wards in which the work is done.

Alderman DeBress moved to table the motion defeat.

A motion was then made to adopt the motion made by Alderman Warren: Carried.

The Council then adjourned.

Milton Harris
City Clerk