Minutes of a Regular Meeting of the City Council.

March 7, 1857.

Hon. W.H. Nathan, president of the Board of Aldermen, presiding.


Minutes. Minutes of the last meeting of the City Council were adopted as printed.

Petition. A petition from August Jaegens and Peter Herrmann, stewards for permission to open and operate a shooting gallery at No. 409 East Texas Street, was read and granted. The City Attorney was excused for the night.

Report of City Treasurer for the month ending February 28, 1857:

Balance on hand Jan'y 31, $4,897.08.

Receipt from Assessors Collector in

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad valorem taxes</td>
<td>16,003.43</td>
</tr>
<tr>
<td>License</td>
<td>501.08</td>
</tr>
<tr>
<td>General Fund</td>
<td>1,034.95</td>
</tr>
<tr>
<td>Cemetary</td>
<td>72.50</td>
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</table>

Receipt from State of Texas fourth installment of School fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>4,113.50</td>
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<tr>
<td></td>
<td>26,322.49</td>
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Credits.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Cemetery Fund—Paid Warrants</td>
<td>$20,50</td>
</tr>
<tr>
<td>General</td>
<td>33,977.46</td>
</tr>
<tr>
<td>School</td>
<td>4,113.50</td>
</tr>
<tr>
<td></td>
<td>26,322.49</td>
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Cash balance February 28:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Cemetery Fund</td>
<td>965.00</td>
</tr>
<tr>
<td>Back Debts</td>
<td>172.73</td>
</tr>
<tr>
<td>Interest</td>
<td>150.00</td>
</tr>
<tr>
<td>General</td>
<td>12,432.95</td>
</tr>
<tr>
<td></td>
<td>Total</td>
</tr>
</tbody>
</table>
Unappropriated balances:

Cemetery fund

General

$27.02

4,622.54

Referred to Committee on Finance and Revenue.

Alderman Motz called in.

City Sexton’s report for the month of July.

Total deaths 19

White 10

Colored 6

Mexican 1

Male 9

Female 7

One not given

City Marshal’s report for the month of February.

Total amount of fines and costs

Assessed in Recorder’s Court $861.85

Collected in Cash 483.45

Balance was accounted for by being carried over, escaped, appealed, turned over to Travis County, discharged by City Physician, and dismissed on habeas corpus. Fines $184.68

Referred to Committee on police.

City Clerk’s statement of warrants issued during the month of February.

Referred to Committee on Finance and Revenue.

City Physician’s report for the month of February.

Number of patients in hospital Feb’y 1 11

" " " Admitted to " during " 15

" " " Discharged from " " 15

" " " Died at " " 2

" " " Remaining in " March 1 9

" " Visits made during Feb’y 152

" " Prescriptions written during " 163

" of Cases of A. Carlot Fever reported 8

Health of city good.

Referred to Committee on hospital.
The Special Committee appointed to investigate the charges brought against City Engineer J. P. McFall, by Alderman R. Platt and others, submitted a lengthy report. The charges, consisting of ten, in number, were not sustained, except the one charging the City Engineer with a failure to compel the Austin City Railway Company to strictly observe the ordinances governing the construction of their tracks. The Committee finds that the Austin City Railway Company were not compelled to plant their track the whole length of Ocean Street, as provided by ordinance. The conclusion of the report is as follows:

"It is the finding of this Committee that the charges have been sustained only in one or two minor points, and they recommend their dismissal from the further consideration of the Council and the discharge of the Committee. All of which is respectfully submitted."

C. E. Fisher
W. P. Hawthorne
W. P. Walker

Alderman Platt moved that the report lie over and be printed. Alderman Anderson moved to lay the motion on the table. Adopted. Alderman Anderson then moved that the report be received and adopted, and the Committee discharged. Carried.

Mayor Robertson took the chair. The Committee on streets, alleys, bridges, etc., reported a substitute for an ordinance prohibiting the use of hanging signs and providing for the removal of the same. This extract is taken from section one of the substitute: "provided that this
Ordinance shall not apply to signs placed against any building, for the full length thereof, except signs hung eight feet above the sidewalk, which do not extend more than eighteen inches from the inside line of the sidewalk. After thirty days notice, if signs required to be removed are not removed, the party owning or controlling the same shall be, on conviction, fined not less than $5 nor more than $100. A motion to suspend the rules and place the Ordinance on its second reading was lost by the following vote:


No- Aldermen Anderson, Metz, Schneider and Warthen- 4.

An Ordinance appropriating $1,500 for building a stone arch bridge over Little Shore Creek at the crossing of West Hickory and Eighth Street, was taken up on its second reading and read, after which motions were made to suspend the rules and place the Ordinance on its third reading and that it do pass, both of which were adopted by the following vote:


An Ordinance appropriating the sum of twelve hundred dollars for the purpose of extending the following named streets, to wit: Live Oak street and Blanche street; and widening the following streets, to wit: Danmarks Street and Cypress Street, was taken up on its third reading and read, and, on motion passed by the following vote:

Yes- Aldermen Brush, Jones, Metz,
(Odell, Platt, Phillips, Schneider, Schuber, Walker, Hellmen and Wortham—11) (Ayers, Aldermen: Anderson, Campbell, Fishers, Graham, Townsend and Warren—6.) The following was presented: "The street Topographical Committee beg leave to report, by way of survey Substitute for the Ordinance relating to topographical survey, directing said to be received for same— that the Ordinance reported by the Special Committee on topographical survey be adopted, Authorizing the Mayor and the Street Committee to engage one or more engineers to assist the City Engineer to make said survey, and that the sum of $5,000 be appropriated to pay for same."

J. Schuber, J. W. Graham, Geo. W. Phillips."

The report was ordered filed. "A "Tender for topographical survey" and "accompaniment" to same were returned to the Council by the Street Committee." suspend. An Ordinance prohibiting the playing of foot-ball on the streets of the City of Austin was taken up on its second reading and read. Alderman Odell moved to amend by adding "by playing foot-ball or any other game of ball." Carried. A motion to suspend the rule and place the Ordinance on its third reading was made; also, a motion to lay the Ordinance on the table. The motion to lay the Ordinance on the table prevailed. The Street Committee's adverse report on an Ordinance appropriating $344 for the purpose of building an arched bridge over Little Shoal Creek at the crossing of West Eleventh Street was taken up and adopted, and, on motion,
immediately reconsidered and on motion of Alderman Anderson the Ordinance about which the report relates, was recommitted. Alderman Cummings came in.

An Ordinance to amend Article 7.5, Chapter 11, Title 2, of the Revised Penal Ordinances of the City of Austin was taken up on its second reading and laid on the table. The Ordinance would have exempted merchants and grocers from liability to fine for occupying more than one-half of the width of the sidewalk with goods or merchandise while actually receiving or dispatching the same away.

An Ordinance appropriating the sum of $1,077 for the purpose of widening the bridge over Walker Creek on Cherry Street was taken up on its second reading and 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—Aldermen Anderson, Brush, Campbell, Cummings, Fisher, Graham, Jones, Metz, Odell, Platt, Phillips, Townsend, Walker, Wellner, and Northam—17.

Nays—Aldermen Schuber and Warren.

The Ordinance was then read a third time, after which a motion was made that the Ordinance do now pass which was adopted by the following vote:


Nays—Alderman Warren.

A Resolution directing the City Marshal to remove the obstructions in Saline Street between Fifth and Seventh streets, within ten days from the passage of this resolution, unless the persons owning and controlling the obstructions in said street shall cease from the City that portion of said street
obstructed by them, was taken up on its second reading and read. A motion was then made to lay the resolution on the table, which was rejected by the following vote:  

**Yeas—Aldermen Cummings, Jones, Metz, Platt, Townsend, Warren and Wortham—7.**

**Nays—Aldermen Anderson, Brush, Campbell, Fisher, Graham, Odell, Phillips, Schneider, Schuwer, Trauger & Kellner—11.**

Alderman Schuwer moved to extend the time to ninety days. Carried.

The resolution, as amended, was then adopted.

Sanitary Inspector Robertson announced that the Sanitary Ordinance (creating the office of Sanitary Inspector of the City of Austin and prescribing the salary and duties of that officer) was duly passed at the last meeting of the City Council, as he was disposed to believe at that time.

Alderman Fish moved to go into an election of a Sanitary Inspector, and that the election be by ballot. Carried.

The Chair appointed Alderman Fisher, Anderson and Brush as tellers.

Applications for the position of Sanitary Inspector were received from J.G. Ringelburg, E.W. Johnson, H.R. LaRue, James Sims, L.B. Lister, J.R. White and A. Anglin. Alderman Schneider then placed the name of E.W. Johnson in nomination. A ballot was then declared in order. The result of the first ballot was as follows: Ringelburg 3; Johnson 9; LaRue 1; Anglin 4; White 1. There being no election, a section ballot was declared in order, which resulted as follows: Ringelburg 4; Johnson 10; Anglin 4. E.W. Johnson, having received the necessary vote, was declared duly elected Sanitary Inspector.
The Committee on Cemeteries presented about one dozen applications for lots in Greenwood Cemetery from citizens of Austin.

Alderman Phillips introduced an ordinance to appropriate the sum of $1,500 for the purpose of building an iron bridge over Walker Creek, on East Eighth, or Stickley, street.

Alderman Cummings moved to refer the ordinance, and all other matters, relative to public improvements, to a special committee of six aldermen, three to be from the east side of the city and a like number from the west side.

Alderman Odell moved to add the mayor, accepted.

The motion was then adopted, and the chair appointed the following named aldermen as such committee: Cummings, Walker, Odell, Fisher, Warren, and Wortham.

Alderman Schneider presented an ordinance appropriating $6,750 for building an iron bridge over Shoal Creek on West Bean street, and removing the iron bridge on said street and replacing the same over Shoal Creek on West Cedar street. Referred to the special committee.

Alderman Cummings offered an ordinance appropriating the sum of $1,000 for the purpose of continuing East Lamarre's street north of opening on Fifth street. Referred to the special committee.

Alderman Wellman introduced an ordinance appropriating the sum of $100 to be used upon the city cemetery. The ordinance was read the first time, after which motions were made to suspend the rules and place the ordinance on its second and third readings, and that the ordinance now pass, all of which were adopted by the following vote:

Andersen, Brush, Campbell, Cummings, Fisher, Graham, Jones, Metz, Odell, Platt
Alderman Fisher presented a petition from Jeremiah Sheehan, asking that he be reimbursed for money expended for having water pipes that were broken by the city teams repaired. Referred to Committee on Streets, Alleys, etc.

Alderman Wellner introduced a resolution providing that each member of the police force be furnished with a copy of the revised ordinances.

No action.

Alderman Scherer moved that Mr. Wahrenburger, ex-alderman of the city, be invited within the bar of the Council. Carried.

Alderman Fisher offered a resolution providing that ordinances, resolutions, etc., be called for in open sessions from the various wards in regular order, beginning with the first and continuing to the Tenth. Tabled.

Alderman Scherer was excused.

Mayor Robertson presented statements to show the Council, in effect that he had remitted the fines and costs assessed in the Recorder's Court against Queie Bridges and Edward Shepard, subject to the approval of the Council. On motion, the Council concurred in the action of the mayor.

Alderman Wortham introduced an ordinance making an appropriation of $100 for laying off lots in Greenwood Cemetery.

The ordinance was read first time, after which motions were made to suspend the rules and pass the ordinance in its second and third readings, and that the ordinance do now pass, all of which were adopted by the following vote:

Alderman Cummings introduced a resolution, which was adopted, authorizing the Mayor "to make deeds to applicants for lots in Greenwood Cemetery, on the payment of the required sum in payment for same."

Alderman Odell offered an ordinance appropriating the sum of $879.62 for the purpose of paying approved accounts. The ordinance was read first time, 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:


Alderman Jones moved to amend the ordinance by adding "$136" for the purpose of paying C. L. Driskell for rent of property. Adopted.

The caption was then changed so as to read "$1721.62."

Motions were then made to suspend the rules and place the ordinance on its third reading, and that it do now pass both of which were adopted by the following vote:

- Odessa - Alderman Anderson


Alderman Schneider - 1.

Alderman Armstrong moved that stepping stones be placed in the alley, which lies on the west side of the Driskell, at the intersection with north side of Reckan street, provided there is money enough remaining unused of the appropriation made for repairing the gutters in Reckan street, when such repair are completed. Adopted.

Alderman Odell introduced a resolution, which was adopted, instructing the City Clerk to furnish the City Treasurer with a statement.
Balances of the balances of unexpended appropriations as shown by his books; that on the receipt of the said statement from the City Clerk, the City Treasurer is hereby instructed to return to the general fund such amounts as have remained unexpended for a period of three months from the date of the appropriation.

Alderman Phillips presented a resolution on the same subject; also, a statement of unexpended balances of money. The resolution and statement were referred to the Committee on Finance and revenue.

Warrants

Alderman Phillips introduced an ordinance directing the City Clerk to number the ordinances appropriating money, and to open an account with each appropriation, and to cause the number and date of the same to appear on each warrant, etc. Referred to Committee on Finance and revenue.

The Mayor stated that he had remitted the fine and costs assessed in the Recorder's Court against Frank Johnson, subject to the approval of the Council.
Dec. 7, 1887.

On motion the Council concurred in the action of the Mayor.

Adjourned.

Milton Morris,

City Clerk.