Minutes of a Regular Meeting of the City Council.

(Austin, Oct. 3, 1887.)

Hon. J. H. Roberts, Mayor, Presiding.


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

Washington. A (Dennis James) introduced a petition from the Washington Tavern, requesting the City Council to allow him pay for one month, his share of two months' time due amount of sickness; laid over.

Reports of Officers for the month of September, 1887:

Report of City Marshal:

Total amount of fines and costs assessed in recorders Court $986.15
Amount Collected in Cash $381.05

Worked out 23.10

Escaped, appeared, remitted by City Council turned over to Travis County and carried forward 171.15

Total $986.15

Backfences, etc., Collected $39.11

Total number of arrests 111

Referred to Police Committee.

Report of City Physician:

Number of patients in hospital Dept. 1.

Admitted to during 7

Discharged 9

Deaths 2

Causes of death:

Deficiency of brain 1

Chronic diabetes 1

Patient remaining in hospital Oct. 1 7

Visits made 149

Prescriptions written 156

Four cases of scarlet fever reported.

One case of diptheria reported.

A few cases of dengue fever in a mild form.

The health of city residents very good.
Sept. 1st

Repairs of City Street.

Total amount of warrants issued $5,119.15.

Sears.

Receivables: Report Sept. 1st, 1887.

Bills received from Assessor and Collector:
- Water tax $2,811.98
- Sewers 1,750.28
- General fund 653.50
- City Cemetery 13.00
- Greenwood 198.00

Total $4,322.16

Disbursements:

- City Cemetery, paid warrants $10.55
- General fund $678.50
- Cash Balance - Sept. 30th $470.55
- Greenwood 280.00
- Back debt fund 172.13
- Unruled 25.00

Total $1,687.28

Unappropriated Balance: Greenwood Cemetery $250.00

Returned to Finance Committee.

Assessor: The Finance Committee submitted a favorable report on the Ordinance, prescribing the periods to be kept by the City, assessed and collected. No action was taken on the report. The water and gas Committee, however, submitted the following report:

- To the Honorable City Council of the City of Austin:

- Mayor, Special Committee, to whom was referred the Ordinance granting to
- various Water and associates, and the Austin Water
- Light and Power Company the privileges of erecting pipes
- in the streets and alleys of the City of Austin, beg to

...
Your Committee further report that they deem it proper to pass the Ordinance granting to Sylvester Watts and associates the privilege of setting poles and laying water pipes in and through the streets of the city of Austin for the following reasons:

Mr. Watts stated to your Committee that he did not intend to exercise the privilege granted by said Ordinance, and that it was his purpose to assign whatever rights he had under it to a corporation; he declined to state to your Committee who composed such
The report was laid open to the Aldermen with

Respectfully,

J. H. Campbell.

The Alderman's Committee arrived an April 5th, the Omission of an Ordinance requiring a copy of an Ordinance notifying the Aldermen of the intent of the City to enter into an agreement with the company for the purpose of laying a water main across the street.

The Aldermen are not in favor of the company doing so, as it is contrary to the ordinance of the City. The Aldermen are of the opinion that the company should not do this without the consent of the City Council. The Aldermen are also of the opinion that the company should not do this without the consent of the City Council.

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An Ordinance Appropriating $1,000 for work on Ocean Street was taken up on its second reading and read together with an adverse report by a majority of the Street Committee.

On motion, action on the Ordinance was indefinitely postponed.

Alderman Phillips Came in.

An Ordinance granting to the Austin Water, Light and Power Company, their associates, successors or assigns, the right to erect poles and wires for the purpose of constructing and operating a system of electric light and motive power in the city of Austin, was taken up on its second reading and read, together with a portion of the Committee report above mentioned, which relates to the same.

Alderman Anderson, by unanimous consent of the Council, decreased the number of lights recommended for use of Washington Fire Engine Company, from sixteen to twelve lamps, and increased the number set apart for Colorado Company and Austin Hook and Ladder Company, from twelve to sixteen lamps. Which charge, it will be seen, makes no difference in the total number of lights required. A motion was then made to adopt the portion of the Committee report above mentioned, which relates to the Ordinance now under Consideration. The motion prevailed, after which Alderman Walker moved to amend the Ordinance by adding the following to Section 1:

Provided further, that said Austin Water, Light and Power Company shall not charge consumers exceeding the following maximum rates, to wit:

Rates of Domestic Illumination

$1.00 per annum for the first lamp.

9.00 " " Second "
8.00 " " Third "
7.00 " " Fourth "
6.00 " " Fifth "
5.00 " " Sixth "
4.00 " " Seventh "

W.E. Cushing
$3.00 per annum for the eighth lamp.
2.00

Rates per lamp per annum for Commercial lighting:

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<tbody>
<tr>
<td>Sat. 10:15</td>
<td>$1.00</td>
<td>$1.20</td>
<td>$1.80</td>
<td>$3.40</td>
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<tr>
<td>Sat. 10:15</td>
<td>10:15-14:00</td>
<td>24:00</td>
<td>40.00</td>
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<tr>
<td>11:15</td>
<td>12.00</td>
<td>16.00</td>
<td>25.00</td>
<td>45.00</td>
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<tr>
<td>All Night</td>
<td>16.00</td>
<td>22.00</td>
<td>33.00</td>
<td>62.00</td>
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The motion carried, 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 Anderson, Bush, Campbell, Cumming, Fisher, Graham, Jones, Adell, Platt, Phillips, Schneider, Townsend, Walker, Warren, Weilner, Warham—10.

The Ordinance was then read a third time. By Captions after which on motion, it passed:

Ald. Metz
Watts Co.

Records to be kept by
A. C.

M. W. Marx

The Mayor asked consent of the Council to the remission of balance of fine and costs assessed in record's court against Wm. Marx... On motion the Council concurred in the remission.

Veto.

The Mayor submitted the following:
To the City Council:

I return herewith an Ordinance entitled "An Ordinance punishing persons for renting houses to be used as houses of public prostitution within certain limits in the City of Austin," without my approval.

This Ordinance prohibits the owner from renting or using any house situated north of Cedar or Fourth Street, east of Colorado Street, and west of Guadalupe Street for the purposes of public prostitution. That portion of the City lying south of Cedar, on Fourth Street, and between Colorado Street and Guadalupe Streets, is excluded from the provisions of this Ordinance, and the Ordinance, in effect, legalizes the renting and using of premises situated within this Territory for the purposes of public prostitution. This Territory comprises eight blocks, and includes much valuable property. I strongly believe that the owners of this property prefer that it be condemned to the purposes of public prostitution by an Ordinance of the City. Further, the property lying immediately north, east and west of this excluded territory will be as much affected in its use and value from its location and proximity to these blocks as if included in them.

This Ordinance, by implication, extends license and recognition to public prostitution within the excluded limits. If the City by this Ordinance makes legal the contract by which the landlord rents his property situated within the territory excepted from the rules of public prostitution, then the City cannot, with propriety or justice, interfere with the tenant in the pursuance of her occupation.

While I believe that the Charter of the City authorizes the passage of this Ordinance, yet, I am unwilling to legalize what the laws of the State forbid. I believe the spirit of the Ordinance is against public policy, and that it is not likely to be
Prominent of good morals. My chief objection to the ordinance is in this territorial limitation of its operation. It cannot approve of the exemption from the provisions of a part of the territory and property of the city. As it applied to the whole city alike, and exempted from its operation no part of its territory and property, then its objectionable features in this regard would be removed, and it would then be just and fair to the people of the whole city, and would bear upon all alike.

For reasons stated I cannot approve this ordinance, and return it to you for reconsideration.

M. Robertson, Mayor.

After reading of the veto, a motion was made and adopted, to reconsider the vote by which the ordinance was passed.

Sustained. A motion was made, shall the ordinance pass notwithstanding the veto? The motion was decided in the negative by the following vote: Yes—Aldermen Anderson, Fisher, Graham, Walker, Northam.—5. No—Aldermen Brush, Campbell, Cummings, Jones, Metz, Odell Platt, Phillips, Schneider, Townsend, Warren, Wellman—12.

Alderman Odell introduced an ordinance: Appropriating $1,068.14 for the purpose of paying approved accounts. The ordinance 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: Yes—Aldermen Anderson, Brush, Campbell, Cummings, Fisher, Graham, Jones, Metz, Odell Platt, Phillips, Schneider, Townsend, Walker, Warren, Wellman, Northam.—13.

Amendment: Alderman Jones moved to amend the ordinance by adding $10 to be refunded to Roger Belk, that amount having been conditionally paid to the city for like or taxes. The amendment was adopted.

Second. Alderman Jones also moved to amend the ordinance by adding $25 to pay George Washington, a city janitor, for part of time lost in account.
of sickness at the Hospital. Motion was then made to suspend the Rules and pass the
under consideration for its Third Reading, and that
it be passed, both of which were adopted by the
following vote:

Yes. Alderman Anderson, Bush,
Wright, Fisher, Graham, Jones, Metz,
Hellman. Phillips, Schmidt, Townsend,
Waller, Wellman, Warren - 15,

Res. Ploy: Alderman Fisher introduced an Ordinance repealing
Article 131, Chapter 4, Title 5 of the Revised Civil
Ordinance of the City of Austin. The aims of the
Ordinance were to abolish the office of resident
physician of the City and County hospital. On and after
December 12, 1884. This Ordinance was referred to
the hospital committee.

City Police: Alderman Fisher also presented an Ordinance amending
Article 190, Chapter 6, Title 5 of the Revised Civil
Ordinance of the City of Austin. This Ordinance takes
all control over policeman and health inspectors in
regard to matters of health out of the hands of the City
physician after December 12, 1884.

Referred to the Hospital Committee.

Cemnery: Alderman Fisher also offered an Ordinance amending
Article 229, Chapter 9, Title 5 of the Revised
Civil Ordinance of the City of Austin. This Ordinance
seeks to reduce the number of policemen to twelve
beginning the second Monday in December, 1884.
Referred to Police Committee.

Greenwood
Cemnery: Alderman Fisher also introduced a resolution
instructing the City Assessor and Collector not to
sell on auction, for sale, any lot or lots in
Greenwood Cemetery. The mayor held that the
effect of the resolution would be the same as
repealing Ordinances and ruled that the resolution
would have to be read in the Council for three separate
days unless two-thirds of the members should disapprove
thereof. Alderman Fisher then withdrew the resolution.
Alderman Bush introduced a resolution similar
to the one offered by Alderman Fisher and
the Mayor ruled as above; Therefore upon Alderman
(Proceed also with the resolution.)

Alderman (Platt) then presented an ordinance repealing an ordinance providing for the establishment of a new cemetery from the city of Austin, to be known as Greenwood Cemetery, and providing for an assessment of land, therefore, and making an appropriation to carry the same into effect, approved July 24, 1886, and an ordinance entitled an ordinance amending section 8 of said ordinance, approved April 12, 1887.

An motion was made to suspend the rules and place the ordinance on its second reading, which was lost by the following vote:

Yeas—Aldermen Brush, Campbell, Fisher, Jones, Metz, Platt, Phillips, Schneider, Towson & q.


On motion, the Council then adjourned.

Walter Morris
City Clerk.