

Regular Meeting of City Council.

Austin, March 2, 1880.

Mayer De Guss presiding.

Roll called.

Present - Aldermen Boardman, Combs, Metz, Combs, Crocker, Nalle, Robertson, Reichman, Sheehan, Tobin, and Wahrenberger.

The following business was transacted:

The minutes of the meetings of February 2, 3, 16, and 28, were read and approved as read.

A petition from St. Samuelson asking for a reduction in his assessment for city taxes for the year 1879, on lots Nos. 1, 2, 11 and 12 in block 3.

The petition was read and on motion, was laid on the table.

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Petition of C. H. Whedon et al for a street lamp at the intersection of Pine and San Jacinto streets. Granted.

Petition of Chas. C. Goldbaum relative to the lighting, keeping, repairing etc. of the oil street-lamps. Received.

Petition of Henry Sauers, Julius Freytag, W. Lincher, and Hon. Thiele, to establish of the market limits. Granted.

Communication from the city engineer in relation to repairs of the streets at the intersection of Congress Avenue and Bois d'Arc streets.

City Engineer's Office.

Austin, March 1, 1880.

Hon. J. Sheehan, Alderman, second ward,

Dear Sir,

After examination I find that it will take about forty perch of mch. work to build a bridge across the gutter at the intersection of Congress and Bois d'Arc street, which at \$2.00 per perch, will amount to \$100.00; and also, 2400 feet of lumber at \$20.00 per thousand, amounting to \$48.00. Total \$148.00. With the addition of \$100.00 we can put in good order Bois d'Arc street at the crossing of Landalope, and other points along the street.

Very respectfully,
 Your obedient servant,
 J. H. Drinkins,
 City Engineer.

Referred to street committee.

The petition of Mr. P. Hall, et al., for the establishment of a fire hydrant in the seventh ward. Referred to the fire committee.

Petition of B. Kacchler, for the refunding of \$8 paid by him as pound fees for the release of four calves impounded. The council refused to grant the petition.

Petitions of citizens of eighth, ninth and tenth wards for a policeman to serve in said wards.

Referred to police committee.

The following petition was presented:

Austin, Texas, January 11, 1880

To the Hon. Mayor, Board of Aldermen, or Common Council of the City of Austin:

Your petitioners, the undersigned acting Superintendent of the United States Court House, now approaching completion, joined by citizens signing with me, property holders in the vicinity of said government buildings, respectfully ask that they be granted permission to construct a sewer of good earthen pipe, underground a sufficient depth to be out of the way of all grades and improvements along the alleyways and streets of said city, from said respective properties to the Colorado river at a point low enough down, say at the mouth of the first street east of Congress Ave. so as not to be injurious to the water of the river.

Said sewer to be used for the purpose of carrying off the night soil, urine, slops, wastage, etc, etc, from said government property, the property of the undersigned and of such other property owners as may join in the construction or use of said sewer. Said pipe to be as much as ten inches in diameter.

Your petitioners would respectfully request prompt and favorable action on this petition.

L. A. C. Smith

Supt. W. S. C. H. & T. O.

John Hancock, Lewis Hancock
 John Hancock, Agt.
 J. I. Brackenridge, Sec. W. Brackenridge
 for Attorney, J. I. Brackenridge.
 S. G. Winbury, Frank Hamilton
 G. B. Brown, Mr. C. Hamilton
 for Smith & Hamilton, Attorneys.
 C. Saunders, John H. Robinson Jr.
 Alfred Smith, for City & Co., Agent.
 John Atchey
 F. C. Taylor
 Walter Tipton.

Office of Sup. of Construction
 W. S. C. H. & Co.

Austin, February 26, 1880

Hon. J. C. De Grey, Mayor and the Honorable City Council, Austin, Texas:

Gentlemen — On January 14, 1880, a petition signed by the superintendent of ship building and citizens of Austin was made and presented, asking the city of Austin to grant the privilege of laying sewer pipes to the Colorado river.

I respectfully represent that action on the same is urgently desired by the Supervising Architect of the United States as his guide in future work to be done on the court house and post office building now in process of erection here.

I have the honor to remain your most obedient servant,

John H. Allen
 Superintendent.

Alderman John moved that the petition be accepted so far as the same referred to the permission for the building of the sewer; but that the matter as to where the contents of such sewer should be emptied into the Colorado river be referred to the Board of Health, said Board of Health to report to a special meeting of the City Council, to be called for that purpose, with such recommendations as they may deem advisable.

Motion Carried.

The following petition, from the hook and ladder

companies of this city was presented, together with the report of the committee on the Fire Department upon the same:

Austin, Tex. February 28. 1880.

To the Hon. Mayor and Board of Aldermen, City of Austin:

Gentlemen—We, your petitioners, the foremen of the different hook and ladder companies of the Fire Department of the city of Austin, to wit: J. N. Chasey, foreman Austin Hook and Ladder Company No. 1, John Chenoweth, foreman Hope Hook and Ladder Company No. 2, and J. N. Simpson, foreman of Protection Hook and Ladder Company No. 3, for and in behalf of themselves and their respective companies, would respectfully represent unto your honorable body the following facts:

Your petitioners would further represent that they have long been connected with the fire department of the city of Austin, and that in its welfare they have taken the deepest interest as for its prosperity, they have given freely of their time and means. That the growing demands consequent upon an increase in population and an extension of the boundaries of the city, has greatly enhanced the expenses of the companies so that now and for several months past the monthly expenditures have exceeded their monthly receipts by from one to three hundred per cent. Up to that time these have been met by contributions assessed against the individual members of the companies, until now the tax has become so onerous that they feel they cannot longer in justice to themselves or their families, continue its payment.

Your petitioners would further represent that they have carefully computed four expenditures running through several months, what would be the probably monthly amount necessary, with the usual dues, to put them on a "pay as you go" basis, and after striking an average between the three companies have ascertained the amount to be forty-one dollars and fifty cents (\$41.50). And for that amount per month, or so much as may be necessary, they respectfully ask your honorable body to make an

appropriation for each of the Hook & Ladder companies herein represented by your petitioners.

Your petitioners would further respectfully represent that the objects herein sought to be attained, were agreed upon at a joint meeting of the three Hook & Ladder companies represented by your petitioners, held in this city on the twenty-seventh instant, and that said action of said joint meeting was subsequently approved and recommended by the board of fire commissioners held on the twenty-eighth instant.

Your petitioners would further represent that they feel it unnecessary to urge their claim upon the consideration of the Council by alluding in detail to the service they have rendered in protecting the lives and property of the citizens of Austin. What they have done in the past as members of the fire department has gone into history - the record is made up and by it, they are obliged to stand, yet would not forget the one or obliterate the other, as they feel they safely say that the perpetuation of the one and the remembrance of the other can better reflect discredit nor justify unfriendly criticism.

Volunteer department as it is, we challenge comparison with those of other cities, whether volunteer or paid, and believe the suppression of fires, yea, the absence of any extensive conflagration since its organization, and the low rate of insurance which obtains in Austin, more surely attest its efficiency as a whole and the fidelity of its members than anything that language could convey. Men of moderate means, as the members of the companies we represent must necessarily be, there can be no incentive to action save that which springs from disinterested patriotism and to you, as the representatives of those whose property, amid sunshine or storm, in the broad light of day or in the darkness of night, at all seasons, all times and all hours, they have proven themselves ever ready in response to the alarm to protect. We present this petition and ask for it that consideration which the

interests involved seems to demand.

We therefore respectfully pray that it may be granted by your honorable body, not as a favor, but as a right, to the end that by relieving the companies of the incumbrance of debt that is upon them to defray the actual expenses necessary to promote its efficiency, that that esprit de corps which has heretofore existed in their ranks may continue in the future as it has in the past, making them instruments of untold benefit to the community and a pride and glory to our city.

And in duty bound your petitioners will ever pray, etc.

J. N. Cherry

Foreman Austin N. & L. Co. No. 1

John Chenoweth

Foreman Hope N. & L. Co. No. 2.

M. Kemper

Foreman Protection N. & L. Co. No. 3.

Austin, Tex. Mar. 1. 1880

Hon. J. C. De Hess, Mayor & President of the City Council:

Sir. — We, your committee on fire department, have examined the accompanying ordinance, being entitled, "An ordinance making an appropriation to pay the current monthly expenses of the hook & ladder companies of the fire department of the City of Austin and to provide for the manner of paying the same," and, having duly considered it, recommend that it do pass.

City Richmond

L. M. Combs

L. L. Robertson

G. L. Committee

On motion, the petition and the report of the fire committee were received.

By the fire committee — An ordinance making an appropriation to pay the current monthly expenses of the hook & ladder companies of the city of Austin, and to provide for the manner of paying the same." Ordinance read first time, and, on motion, the rules were suspended and the ordinance placed upon its second reading by the

following vote:

Yeas. — Aldermen Boardman, Coombs, Crocker,
Metz, Nalle, Robertson, Reichman, Sheehan,
John and Wahrenburger.

Nays. — None.

The ordinance was read the second time, and, on motion, the rules were further suspended and the ordinance placed upon its third reading by the following vote:

Yeas. — Aldermen Boardman, Coombs, Crocker,
Metz, Nalle, Robertson, Reichman, Sheehan,
John and Wahrenburger.

Nays. — None.

Ordinance read third time, and, on motion passed by the following vote:

Yeas. — Aldermen Boardman, Coombs, Crocker,
Metz, Nalle, Robertson, Reichman, Sheehan,
John and Wahrenburger.

Nays. — None.

Petitions of citizens and butchers doing business outside of the city market house for the repealing of an ordinance passed by the city council on the sixteenth day of February 1880, entitled "An ordinance amending article 331 (30) of the Revised Ordinances of the City of Austin." Also petition of citizens and butchers protesting against the repeal of said ordinance were presented.

Alderman Reichman moved to refer all the petitions to a special committee of three. The yeas and nays being called for, the following was announced as the result:

Yeas. — Aldermen Boardman, Coombs, Reichman,
Robertson, and John. = 5

Nays. — Aldermen Crocker, Metz, Nalle, Sheehan,
and Wahrenburger = 5.

There being a tie, the mayor voted nays, and the motion was lost.

On motion of Alderman Crocker, the petitions were received and ordered filed.

The following petition from Jas. R. Johnson et. al. for the opening of the western end of Hickory street. On motion, the petition was referred to the city engineers, with instructions to make an estimate of the

cost of said work & to report the same to the next meeting of the city council.

The official bond of Fred. Stiering as assessor and collector was presented and approved.

Report of city marshal for the month of February 1880, of fines in the mayor's court as follows: Fines collected, \$59.15; worked out on the streets \$10.85; total \$70.00. Received and ordered filed.

Also report of city marshal of the sale of market stalls as follows: Meat stalls, \$115.00; vegetable stalls, \$300.00. Coffee stands, \$110.00. Total \$525.00.

Received and ordered filed.

Report of pound master for the month of February 1880, as follows: Receipts, \$171.90; expended for rewards etc, \$82.61; deposited with assessor and collector as per receipt \$88.29. Received and ordered filed.

Report of city sexton for the month of February 1880, as follows: Number of deaths, 27; males, 12; females, 15; white, 22; colored, 5.

Received and ordered filed.

Also the report of the city physician for the month of February 1880, as follows:

City Physicians Office.

Austin Tx. February 29. 1880

Hon. Mayor & Board of Aldermen, City of Austin.

Gentlemen: — At date of my last report, eight pauper patients remained under my treatment, since which time twenty-four additional have been added, making a total of thirty-two treated during this month. Of this number nineteen have been restored, two have died, and eleven remain under treatment. Six of the thirty-four were treated at the hospital, three in the city jail, and the remainder at their homes. Of the eleven remaining five are at the hospital & of the remaining six are scattered over the city. I have given one hundred & eighteen prescriptions during the month, and have made ninety-five visits.

Respectfully Submitted.

R. H. L. Bibb. C. P.

Received and ordered filed.

Report of board of health, upon the following resolution, referred to them on February 3. 1880, as

follows:

Resolved, by the City Council of the City of Austin, That the city marshal require the Superintendent of the Blind Asylum to have a dry well sunk, and kept in repair at the terminus of the sewer leading from the Blind Asylum and ending on Block 62, in division C.

Referred February 3, 1880, to the board of health.

Report of board of health.

City Physician's Office.

Austin, March 1-1880.

Hon. Mayor, ^{and} Board of Aldermen, of City of Austin.
Gentlemen:

The enclosed resolutions presented to the city council at its meeting February 3, and by them referred to the board of health, has been duly considered by the latter body, who instruct me to report that in their judgement the construction of dry-wells for the reception of matters from privies and drains within the city limits, should, from considerations involving highest sanitary importance, be studiously avoided.

To meet the exigencies contemplated in the resolution already cited, the board recommend the construction of a tight cistern, supplied with necessary apparatus for thorough periodical cleaning.

Very Respectfully, &c

R. H. Lodditt,

C. P. & P. B. of H.

Report received & adopted.

The following report was submitted by the finance committee on the proposition of Mrs. Caroline Wakenberger, viz:

Austin, March 1-1880.

To the Hon. Mayor ^{and} Board of Aldermen:

The propositions of Mrs. Caroline Wakenberger, offering to sell to the city certain described real estate, being one-half of lots 7 and 8, block 69, and the improvements as now standing, the property as we understand it, fronting 92 feet on Bois de Arc street and running 80 ft. back, which is offered to the city for \$4500.00 —

\$3000.⁰⁰ of this amount to be paid in cash, and the balance (\$1500.⁰⁰) to be taken up in taxes that she may be owing the city or may hereafter owe it, and the other proposition to sell one-half the property including the engine house for \$3000.⁰⁰ have been considered.

We respectfully recommend that the proposition to sell the whole property be accepted, as we think the property is offered low enough, and believe the whole of it, at \$4000.⁰⁰ is cheaper than one-half with the engine house at \$3000.⁰⁰.

Very Respectfully, Joseph Wall

For Finance Committee.

On motion, the report was adopted by the city attorney instructed to examine into the title of said property offered to be sold, and if he found the title good to draw up an ordinance in conformity with the report of the committee, and submit the same to the next meeting of the city council for their action.

The finance committee also submitted the following report on the petition of Fred. Stiering, city assessor & collector, for an assistant in his office, which report was adopted:

Austin, March 1-1880.

The Hon. Mayor & Board of Aldermen:

The petition of the city assessor and collector which was referred to finance committee, has received our careful attention, and we respectfully make the following report and recommendations: The petitioner asks an allowance from the city to pay a deputy to assist in his office.

We find that Article 573 City Ordinances authorizes the city assessor and collector to appoint one or more deputies, but we find no provision made for paying them, therefore, the inference is, that at that time, the commissions then allowed for assessing and collecting were thought sufficient, and would amount to enough to pay the assessor and collector, and also such assistance in office as might be needed; but in view of the fact, that on July 1, 1878, the commissions then allowed were reduced one per cent, being one-fifth of his whole pay;

besides the taxes were reduced one-tenth of one per cent and the great reduction in the assessment will caused by the depreciation in value of city property, all of which have operated to reduce the pay of the assessor and collector, until it has reached so small an amount that it is not more than enough to pay for the service of one man, we are of the opinion that the service of a deputy is indispensable to the city's interest, and in consequence of the reduction, the pay of the assessor & collector, is not sufficient to meet that expense, we therefore recommend that an appropriation of six hundred dollars in excess of the commissions now allowed by ordinance, be made by the council to pay the assessor & collector for one year, same to be paid monthly, say fifty dollars per month in city warrants, beginning February 1, 1880.

Joseph Nalle
For Finance Committee.

Also an ordinance appropriating \$50.⁰⁰ per month for the payment of a deputy assessor & collector.

Ordinance read first time, and, on motion, the rules were suspended and the ordinance placed upon its second reading by the following vote:

Ayes: — Aldermen Boardman, Coombs, Crooker, Metz, Nalle, Robertson, Reichman, Sheehan, Tobin and Wahrenberger.

Nays: — none.

Ordinance read second time, and, on motion, the rules were further suspended, and the ordinance placed upon its third reading by the following vote:

Ayes: — Aldermen Boardman, Coombs, Crooker, Metz, Nalle, Robertson, Reichman, Sheehan, Tobin, and Wahrenberger.

Nays: — none.

Ordinance read third time and on motion, passed by the following vote:

Ayes: — Aldermen Boardman, Coombs, Crooker, Metz, Nalle, Robertson, Reichman, Sheehan, Tobin, and Wahrenberger.

Nays: — none.

Report of street committee to whom was referred an ordinance appropriating \$780 for improvements

in the seventh ward as follows:

The undersigned, members of the street committee to whom was referred "An ordinance appropriating \$780.⁰⁰ for improvements in the seventh ward," would recommend that the same do not pass, as the city finances are not in a condition to admit of such improvements.

L. M. Crocker

Jos. Valle

Jas. Wahrenberger

Street Committee.

Petition of N. B. Smith et al., residents of the seventh ward, for the creation of an oil street lamp, together with the report of the street committee upon the same as follows:

We, the undersigned, members of the street committee, recommend that the within petition be granted.

L. M. Crocker

Jos. Valle

Jas. Wahrenberger

Street Committee.

On motion the report was adopted.

An ordinance amending article 34 (3) of the Revised Ordinances of the City of Austin. Read first and second times under the suspension of the rules, two-thirds of a full council voting in the affirmative.

Alderman Reichman moved to strike out the words "any person" and insert in lieu thereof the words "any special policeman appointed for that purpose by the mayor." Amendment adopted.

Alderman Robertson moved to strike out the provision requiring the board of trustees to publish a notice for five days in a daily newspaper published in the city of Austin of all stock impounded.

Amendment adopted, and the ordinance read the third time, as amended, and passed by the following vote:

Yeas: — Aldermen Boardman, Coomb, Crocker, Valle, Robertson, Reichman, Sheehan, John and Wahrenberger.

Nays: — Alderman Metz.

Resolution authorizing the mayor and cemetery committee to contract for six hydrants for the

use of the city cemetery. Resolution read third time and lost by the following vote:

Yeas: - Aldermen Reichman, Sheehan, Tobin and Wahrenberger. - 4.

Nays: - Aldermen Boardman, Coombz, Crocker, Nalle, Robertson, and Metz - 6.

By Alderman Robertson. - An ordinance to prevent the driving of stock outside of stock limits into said limits, and affixing a penalty for violation of same. Ordinance read first, second and third times under a suspension of the rules (two-thirds of a full council voting in the affirmative) and passed by the following vote:

Yeas: - Aldermen Boardman, Coombz, Crocker, Metz, Nalle, Robertson, Reichman, Sheehan, Tobin and Wahrenberger.

Nays: - None.

"An ordinance fixing the salaries of the policemen of the city of Austin." Read first time and on motion referred to the police committee.

Account of C. D. Johns, city attorney, for fees for representing the city of Austin in the county-court of Travis County in the case of the city of Austin, v.s. Frank Alderetti. After discussion, on motion of Alderman Crocker, the finance committee was instructed to approve the account of Mr. Johns. There being a tie vote, the Mayor voted in the affirmative.

By Alderman Nalle - An ordinance regulating the meeting of the committee of the city council and prescribing penalties for non-attendance.

Ordinance read first time.

Alderman Reichman moved to place the ordinance on its second reading. Motion lost by the following vote, two-thirds of a full council not voting in the affirmative.

Yeas: - Aldermen Boardman, Coombz, Metz, Nalle, Reichman and Sheehan - 6.

Nays: - Aldermen Crocker, Robertson, Tobin and Wahrenberger. - 4.

There being no further business the council adjourned.

City Clerk.

Met. 18/80