Regular Meeting of City Council
Austin, January 5th 1880.

Mayor De Cress, presiding; roll called.
Present— Aldermen Brandman, Coombs, Crocker, Metz, Nalle, Robinson, Reichman, Tobin, and Wahrenberger,
Absent, Alderman Sheehan.

The minutes of the meeting of December 1, 1879, were read and approved.

Petitions of Von Blaisen & Bro, and Gordon and Davidson for retail liquor license. Granted.

Petition of H. Lindemann and others, for the erection of a gas lamp on the corner of Walnut and Lavaca streets. Referred to street committee.

Petition of J. W. McLaughlin, asking that he be allowed to move the Manning Infirmary from its present location to the Townsend house in the fourth ward. The yeas and nays being ordered, the petition was granted by the following vote: Yeas— Alderman Brandman, Nalle, Robertson, Reichman, Tobin and Wahrenberger.
Nays- Aldermen Coombs and Crocker.

Petition of Fred. Sterzing, assessor and collector, for an appropriation for an assistant. Referred to finance committee.

Reports of city marshal, city sexton, and city physician for the month of December, 1879.
Read and ordered filed.

Report of street committee on the petition of A. Bailletti and others, for the erection of a street lamp, as follows:

We respectfully report upon the within petition, and recommend that it be granted.

Joseph Nalle
Jas. Wahrenberger
L. M. Crocker
Street Committee.

On motion the report was adopted.

Report of street committee on the petition of Wm. Bruggerhoff, to have the gutters in front of his business block opened and paved as follows:

Austin, January 5th, 1880

To the Honorable Mayor, and the Board of

Aldermen of the City of Austin.

The petition of Wm. Bremerhoff, asking to have the gutters on the north side of his business block opened and paved, together with the letter of the city engineer, which was referred to the street committee December 1, 1879, have had our attention, and we respectfully report that articles 6 and 13, section 37, of the city charter authorizes the mayor and city council to levy a special tax for the purpose of making such improvements on the property fronting thereon; provided, a major part of the property owners ~~in petition~~ petition therefor; but as was not required of the property-owners on Congress Avenue and Pecan street we cannot see the justice of enforcing it in this case, and we would therefore recommend that the paving of the gutters be done at the expense of the city and out of its general revenue; provided, the property-owners, on said street put down the curbing and flag the pavements according to the requirements of the city council in laying pavements and curbing on Congress Avenue and Pecan street, but not otherwise; and we further recommend that the City-engineer be instructed to have the gutters at the expense of the city as fast as the property-owners lay the flagging and curbing.

Respectfully

Joseph Nalle
L. W. Crocker
Jas. Wahrenberger
Street Committee.

Report adopted.

Also report of the street committee upon the petition of Rev. A. J. Jackson for a duplicate lease of the ground upon which the A. M. E. Church is located, as follows:

Austin, January 5th 1880

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

The petition of the trustees of the A. M. E. Church, asking a lease of twenty-five years on a certain lot of ground upon which that church building is now situated, which was

referred to the street committee, November 8- 1879, respectfully report and say that we understand the ground on which said building is located was set apart and given to the city of Austin to be used for a specific purpose, and for the city to divert its use would be acting in bad faith to those citizens who may have bought property around and adjoining said ground. We are therefore compelled to report against granting said petition or leasing it for any use, unless the within petition signed by the property holders adjoining to and around said lot of land is first obtained, giving assent to the use of said property for the purpose asked.

Respectfully
Joseph Walle
L. M. Brooker
Jas. Wahrenberger.
Street committee.

The mayor called attention to the fact that the block spoken of was set aside for church purposes, and therefore the committee had made a mistake in its report.

Alderman Tobin moved that the report be adopted and the petition refused. Carried.

Report of street committee upon the petition of John J. Miller and others for street improvements, as follows:

Austin January 5th 1880.

The petition herein of citizens of ninth ward, asking for improvements on certain streets therein named, which was referred to the street committee November 8, 1879, has received our attention, and respectfully report and recommend that an appropriation of two hundred dollars ($200.00) be made and the same expended in grading and improving said streets in accordance with the prayer of the petitioners.

Joseph Walle
James Wahrenberger
L. M. Brooker
Street Committee

Report adopted.

Report of ordinance committee to whom was referred the ordinance creating the office of pound master:

The committee, to whom was referred an ordinance creating the office of pound master, beg leave to report that after due consideration it is their opinion that there exists no necessity for its permanent establishment, but recognizing the necessity for a proper person being chosen to fill the position, as circumstances demand, we recommend that the Mayor, by and with the approval of the city council, select such a person, who shall receive for his services the pay of a policeman, subject to article 34, section 3, in the city ordinances; providing that the fee of $1. heretofore paid to the city marshal for impounding each animal, shall be, when sold or reclaimed, paid with residue to the city assessor and collector as provided for; and it shall be the duty of said appointed officer to make a monthly report to the city council of the number and kind of animals impounded, the number sold and reclaimed, with name of owner, with expenses incurred and amount of receipts for sales and for reclaiming

C. L. Coombs
G. L. Boardman
N. B. Metz.
Committee

Report received.

By the ordinance committee, an ordinance providing for a policeman to act as pound master

Read first time, rules suspended and read second time.

On motion of Alderman Boardman, the following amendment was adopted. Amend by inserting, When not acting as pound master, such person shall act as policeman.

Alderman Nalle moved to amend by fixing the pound fees for horses, cows, etc at two dollars, and for hogs at one dollar per head; also to offer a reward of twenty-five cents each for hogs, and fifty cents each for horses, cows etc.

Amendment adopted and the ordinance read third time and passed under a suspension of the rules, two-thirds of a full council voting in the affirmative.

The printing committee submitted a verbal report on the bids for public printing, stating that the public printing had been awarded to the Daily Statesman, on account of the refusal of the lowest bidder to give bonds.

On Motion, the action of the committee was confirmed by the council.

The cemetery committee submitted the following report, which was received:

Austin, Tx. January 5. 1880

To the Hon. Mayor, City of Austin.

Your committee on cemetery having given the grounds of the cemetery a careful examination, beg leave to submit to you the following report:

1st We find that in order to protect the graves from washing during a heavy rain fall, and to keep the roads and foot paths in a proper passable condition in the "East Addition," it will be necessary to secure a proper drainage through a ditch, lined either with brick or stone, as may be deemed fit. We would refer you to the annexed report of the city engineer, and respectfully recommend that the sum of six hundred ($600) dollars, or so much thereof as may be necessary, be appropriated to do the work in a good substantial manner.

2d Frequently corpses of strangers and paupers are brought to the cemetery without notice being given to the sexton in time to make preparations for burial. Such corpses are sometimes kept above ground in public pathways until the necessary preparations for interment have been made. We would therefore respectfully recommend that a suitable building be erected on the cemetery grounds at such a place as the cemetery committee may designate, to receive such corpses until they can be interred, and that the sum of Two hundred ($200) dollars, or so much thereof as may be neces-

-sary to build the same in a good workmanlike manner, be appropriated.

(3) In order to keep the shrubbery alive during the dry summer months, and to be able to further beautify our city cemetery, we think it becomes necessary to lead water pipes through the cemetery grounds. We would refer you to the annexed proposition made by the city water company, and recommend that it be accepted.

(4) Complaints have been made as to exorbitant price of single graves for children. As the sexton can conveniently place thirty (30) children graves on the same sized lot that (15) graves of adults occupy, we would respectfully recommend that the price of place for a single grave for a child under ten (10) years of age, be reduced from five dollars ($5) to the sum of three dollars ($3). We herewith submit ordinances to carry out the recommendations as made in this report.

Respectfully Submitted,
Jas. Hakenbergen
Chas. Reichman
Committee on Cemetery

Office of City Engineer
Austin, Tx. December 23. 1879.

Hon. Jas. Hakenbergen, Chairman Cemetery Committee
Sir:-

I find upon examination of the cemetery grounds, the following work necessary to be done;

(1) You will need a ditch 450 feet long to drain the grounds and save the graves from washing. The ditch will average about 2½ feet deep and contain two hundred cubic yards of dirt, which have to be removed.

(2) I would also recommend that the ditch be laid and walled with brick. For this it will take 23.500 brick.

(3). There should also be built a rock wall on the upper line of the grounds, (this wall could form a part of the fence) built in such a manner as to conduct the water coming down the ravine into the mouth of the ditch.

Very respectfully, your obedient servant.
L. H. Dinking
City engineer.

Office of City Water Company.
Austin Tx. January 5. 1880

Mr. Washenberger.

Dear Sir. —— We will lay 1 ½ inch pipe from our main on East Avenue to the corner of fourth street in the cemetery, and then branch off with one inch pipe and erect six or eight small hydrants with patent self closing tibbs.

We will require to lay about 1500 feet of 1 ½ and one inch pipe — however, whatever of the above pipe is required, with specials and tibbs, we will put in at cost, the city to advance the said amount, and the water company will give receipt for the same, at the rate of $150 per annum.

Respectfully
Wm. D. Manton, Pres't.

By the cemetery committee the following ordinance:

An ordinance appropriating the sum of eight hundred dollars ($800) for the drainage of the city cemetery, and also to build a log house therein.

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, Crooker Metz, Reichman, Tobin, and Washenberger.

Nays. Aldermen Nalle and Robertson.

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

Yeas: Aldermen Boardman, Coombs, Crooker Metz, Reichman, Tobin and Washenberger,

Nays; Aldermen Nalle and Robertson.

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

Yeas. Aldermen Boardmen, Coombs, Crooker, Metz, Reichman, Tobin and Washenberger

Nays: Aldermen Nalle and Robertson,

The cemetery committee also sub-

mitted an ordinance to amend article 80 of the re-vised ordinances of the city of Austin.

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

Yeas. - Aldermen Boardman, Coombs, Lewton, Metz, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

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

Yeas. — Aldermen Boardman, Coombs, Lewton, Metz, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

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

Yeas: - Aldermen Boardman, Coombs, Lewton, Metz, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

An ordinance authorizing the mayor and committee on cemetery to contract with the city water company for six (6) hydrants and the laying of the required pipe thereto in the city cemetery. Read first time.

Alderman Tobin, moved to suspend the rules to place the ordinance upon its second reading.

Motion lost.

An ordinance for the relief of persons whose property has been sold for taxes and bid in by the city. Read first, second and third times, and passed under a suspension of the rules, two-thirds of a full council voting in the affirmative.

Alderman Reichman introduced the following resolution, which, on motion, was adopted:

Be it resolved by the City Council of the city of Austin, That the city engineer is hereby requested to make three maps of the city of Austin showing all fire hydrants, size of water pipes leading to such hydrants, and other information of any value to the fire department, and that one of said maps be placed in the room of the Colorado Engine Company No. 2, and one in the room of Washington Engine Co. No. 1, and the third to be placed in the city hall.

An Ordinance to appropriate twenty-five dollars to pay for the one-half lot in the city-cemetery on which Eugene Seals was interred. 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, Cooker, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

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, Cooker, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

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

Yeas. — Aldermen Boardman, Coombs, Cooker, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

His Honor, the Mayor, presented the following ordinance, and asked that action on the same be deferred until the next meeting of the council.

An ordinance providing for the issuance and sale of bonds for the purpose of retiring the outstanding bonds of the city of Austin, and to provide the mode and manner of the sale of said bonds.

Section 1. Be it ordained by the City Council of the City of Austin, That the Mayor be and is hereby authorized and directed to have engraved the bonds of the city to the amount of eighty-thousand dollars.

Section 2. That said bonds shall be of one class, to wit: To be bonds of the denomination of five hundred dollars, payable in legal money of the United States, twenty-five years from the first day of July A. D. 1880, to the bearer thereof, and shall bear interest at the rate of six per centum per annum, payable semi-annually on the first day of January and on the first day of July of each year, and shall have attached coupons for each instalment of interest to become due thereon. Provided, that the city may call in and pay off said bonds ten years after their issuance, or anytime thereafter at her pleasure.

Section 3. That the bonds issued under this

ordinance shall be engraved on the best quality of bank note paper of convenient size and shape; said bonds and coupons shall be signed by the Mayor & countersigned by the city clerk, and shall be entered in a book of record to be kept in the city clerks office for that purpose; in which each bond shall be registered with its number and amount; and they shall be sold under the direction of the Mayor or such agent or agents as he may deem necessary; but no such agent shall receive more than such per centage as the city council may hereafter determine on the amount sold by him for making such sale.

Section 4. That the proceeds of said eighty thousand dollars of bonds shall be applied exclusively to the payment and retirement of the bonds of the city of Austin due January 1st 1894 and January 1st 1895, and the Mayor shall be vested with the authority to carry into operation the provisions and intentions of this ordinance in such manner and upon such plan as he may deem proper and for the best interest of the city.

Section 5. That the mayor, treasurer and city clerk, as a board, shall be authorized and required to cancel and destroy all bonds redeemed under this ordinance, and shall keep a duplicate list of the bonds and coupons destroyed, stating the number and amount of each bond and coupon so destroyed, (stating the number and amount of each kind) and sign the same; and one copy thereof shall be deposited in the office of the treasurer, and one in the office of the city clerk.

Section 6. That the mayor is hereby authorized and directed to give thirty days notice in two newspapers published in the city of New York in the State of New York, and in one published in this city, that he will receive sealed proposals for the purchase, from the lowest bidder, of such amount of bonds of the city as the funds arising from the sale of bonds issued under this ordinance shall enable him to purchase; and the Mayor acting in conjunction with the finance committee of the city council, is authorized to accept such proposals as they may deem advantageous to

the city, binding such party to convey such bonds upon the city complying with the terms of the proposal; and the mayor is further authorized to exchange any of the bonds provided for under this ordinance for any bonds due January 1st 1894 and January 1st 1895, after having made a contract as required in this section, upon such terms as he may deem advantageous to the city.

Section 7. The bonds to be issued under this ordinance shall be in in numbers and amounts as follows: For the sum of Five hundred dollars ($500.) There shall be engraved bonds to the amount of eighty thousand dollars. The principal and interest of said bonds, shall be payable in the city of New York, State of New York, through such agent or agents, as the mayor may select, or at the treasury of this city, at the option of the holder.

Section 8. That the sum of one-thousand dollars or so much thereof as may be deemed necessary, is hereby appropriated to pay the expense of engraving and printing the bonds provided for by this ordinance for publishing notices, paying traveling expenses and carrying out the provisions of this ordinance.

Section 9. That after the 1st day of July 1885, there shall be set aside one-half of one per centum of the amount of bonds then outstanding annually, as a sinking fund, and nothing so set aside shall be used for any other purpose except for the redemption of said bonds.

Section 10. That this ordinance shall be in force and take effect from and after its passage.

Ordinance read first time and laid over.

A resolution appropriating two hundred dollars ($200.) for improvements on streets in the ninth ward of the city of Austin.

Resolution read first time and on motion, the rules were suspended and the resolution placed on its second reading, by the following vote:

Yeas: Aldermen Boardman, Coombs, Crowley, Nalle, Robertson, Reichman, Tobin and Wahrenberger.

Resolution read second time and on motion, the

rules were further suspended and the resolution placed on its third reading, by the following vote.
Yeas! — Aldermen Boardman, Coombs, Crooker, Nalle, Robertson, Reichman, Tobin, Wahrenberger
Resolution read third time and on motion, passed by the following vote:
Yeas. — Aldermen Boardman, Coombs, Crooker, Nalle, Robertson, Reichman, Tobin and Wahrenberger.
Alderman Robertson, introduced the following ordinance
Be it ordained by the City Council of the city of Austin, That article 29 of the ordinances of the said city, passed June 21, 1878, be, and the same is hereby repealed.
Read first time.
Alderman Crooker moved a call of the council The call being sustained by three members, the marshal was dispatched for the absentees.
Pending the call, the mayor nominated John Gerdman for the position of policeman, vice J. W. Patterson, resigned.
Aldermen Crooker and Wahrenberger were appointed tellers.
The ballot being taken, the following was announced as the result: For confirmation, 6 votes, against confirmation, 2 votes.
The mayor then placed in nomination for the position of policeman, vice A. Siedeman, resigned the following named gentleman; Messrs Leonard, Sims, O'Brien, Conley, Borel, Layout and La France
Upon the fourth ballot Mr Leonard was confirmed.
Mr H. Thompson was next placed in nomination for the position of policeman and pound master, and the nomination was confirmed.
On motion, the call of the council was suspended and the consideration of the ordinance introduced by Alderman Robertson to repeal article 29 of the revised ordinances was resumed. Alderman Crooker moved to lay the ordinance on the table. The yeas and nays were called with the following result:
Yeas: — Aldermen Boardman, Crooker, Coombs and Nalle.

Nays:— Aldermen Robertson, Reichmann, Tobin and Wahrenberger.

There being a tie vote the mayor cast his vote in the affirmative and the ordinance was laid on the table.

Alderman Nalle, moved, that any alderman who did not desire to accept any pay for his services, be permitted to donate the same to the city. Carried.

Alderman Roberton, also introduced an ordinance to amend article 691 of the revised ordinances, which was read the first time, and on motion was referred to the ordinance committee.

Resolution appropriating $50 to the purchase of police equipments and blankets for the city prisoners. Read first time, and on motion the rules were suspended, and the resolution placed upon its second reading, by the following vote:

Yeas:— Aldermen Brandman, Coombs, Crocker, Nalle, Roberton, Reichmann, Tobin and Wahrenberger.

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

Yeas:— Aldermen Brandman, Coombs, Crocker, Nalle, Roberton, Reichmann, Tobin and Wahrenberger.

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

Yeas:— Aldermen Brandman, Coombs, Crocker Nalle, Robertson, Reichman, Tobin, and Wahrenberger.

There being no further business, on motion, the council adjourned.

Approved
Feb 2/80

City Clerk.