to Neil McCashin.
On motion of Ald. Mitchell the Street Committee was authorized to have opened and set in a rescapable condition the crossing of Street on the Central Rail Road near the old stand of Davis & Maddy.

Ald. Mitchell moved that the Mayor Street Committee be authorized to make all necessary arrangements for the filling up the ditched at the foot of the Avenue, Carrick.

A bill from John Steffy of $300 for making an iron door to city wash house, was presented, and on motion ordered to be paid.

A bill from P. J. A. F. of $16 3/4 for medical service rendered to one Mr. Bostwick while an officer of the city with affidavit from Mr. Abraham W. F. Owen, attached thereto, was presented and on motion laid on the table.
On motion the Council adjourned.

End Meeting
Recorder

Stated meeting of City Council
Chester Sq., October 3rd 1877

Hon. Mayor. J. B. Wheeler in the chair. Present

On motion the reading of the Minutes was dispensed with.

The following Petitions were read and disposed of:


Pet. of C. J. Johnson, asking privilege to open a Barroom in Ward 2. Granted.

Pet. of J. Harrell, J. Phillips and many property holders of Ward 3 declaring that they are property holders and residents of said Ward in the vicinity of the two African Churches— that said Church by reason of the conduct of the members thereof, has
become a nuisance of the worst character that the screaming and yelling up to two and three o'clock most every night, disturbed and robbed the neighborhood of sleep, mind and patience. That by reason of the aforementioned nuisance they have great difficulty in obtaining occupants for their property. That petitioners do not desire to keep understood as reduced to any religious exercise when properly conducted, but when the same reaches to such a degree as in this case, they do most earnestly pray that said nuisance be abated. Whereupon motion of Ald. Broeggerhoff the petition was referred to a Special Committee of two consisting of Aldermen Woodman and Eddy; with instructions to report at next regular meeting.

Petition of Ayeen Dayen's Brethren and many other proprietors of billiard tables, praying for a reduction of license tax upon such billiard tables from 50 to 50 for annum, whereupon motion the petition was laid upon the table.

Petition of J. H. Paine, asking permission to move their said table from Bean street to the rear of their house in the City, Ayeen, Bean street and the Railroad. Granted.

Petition of J. D. Meredith, praying to be released from the quarter license tax on his Opera House ending November 17, 1774; in lieu of which he promises to execute this note for another quarter to begin on the 17th of February 1775. Granted.

Petition of C. W. Welch, J. H. Paine, and many others, praying that early steps be taken to improve Madison, Ayeen, Lamar and Guadalupe streets, was referred to Street Committee.

Reports. Of City Marshal for the month of September was read, received and referred to Police Committee.

Of City Physician for month of September was read and received.

Of City Sexton for the month of September was read, received and referred to Cemetery Committee.

The following resolutions were introduced and passed, to wit: By Ald. Broeggerhoff, as Chairman of Printing Committee it was

Resolved by the City Council of the City of Austin, That the German Weekly Bulletin is hereby authorized to publish in its Weekly papers all the Ordinances, resolutions and proposals that are hereafter published.
in the State Gazette, for one time, and that the compensation therefor shall be the same as now paid to the Gazette, namely: 19 cents per square inch. Resolved, By Ald. Matz, it was Resolved by the City Council of the City of Austin, That from and after the first day of August 1874, John Goodman, employed as family-lighter and on other duties, be entitled to and receive the sum of forty dollars per month, and that this resolution take effect from and after its passage. Passed unanimously. Resolved, By Ald. Brueggerhoff, it was Resolved by the City Council of the City of Austin, Sec. 1st. That the Mayor is hereby authorized to appoint a suitable person to take the canes of the City of Austin, in the first day of January, 1876. Sec. 2d. That the sum of two hundred dollars, or so much thereof as is necessary, is hereby appropriated to, defray the expenses therefor. The fees and mays being called on the adoption of the resolution resulting: Yeas—Ald. Boardman, Brueggerhoff, Doene, Matz, Mitchell, Robinson, Scholly, and Todd. 

By Ald. Brueggerhoff, it was Resolved by the City Council of the City of Austin, That the amount that was due him on license the day his place of business burnt out on December 14th, 1874, is hereby surrendered to the adoption of the resolution resulting: Yeas—Ald. Boardman, Brueggerhoff, Doene, Matz, Mitchell, Robinson, Scholly, and Todd. Nays: None.

By Ald. Robinson, it was Resolved by the City Council of the City of Austin, That the First Department of the City of Austin, is hereby refunded the amount advanced to the Chief Engineer to attend the convention of Chief Engineers of Fire Departments of the United States, at St. Louis Missouri. The amount not to exceed one hundred and fifty dollars. The fees and mays being called, the resolution passed by the following vote: Yeas—Ald. Boardman, Brueggerhoff, Doene, Matz, Mitchell, [signature]
Brueggerhoff, it was Resolved by the city Council of the city of Austin, That the Mayor and Police Committee be hereby authorized to let proposals for fencing the city Prison. And that the city Marshall be the authorized person to distribute and issue all meal tickets, and inspect all food that is given to the prisoners of this city, so as to comply with the acceptance of the lowest and best bidder.

By Ald. Robinson, it was Resolved by the city Council of the city of Austin, That the city Engineer and Surveyor be and he is hereby authorized and directed to proceed at once with such assistance as the Mayor may select to run a water level from the mouth near Magnolia Avenue in this city to an ascertain point in the Colorado river above this city, that said level in order to ascerta

That, the sum of one hundred and fifty dollars or as much thereof as may be necessary be and is hereby appropriated out of any moneys in the Treasury to pay for the same, and that this resolution be in force from and after its passage. The said and said, being called, the resolution passed by the following vote: Yes—Allmen, Boardman, Brueggerhoff, Drumm, Holy, Mitch

By Ald. Brueggerhoff, it was Resolved by the city Council of the city of Austin, That the Street Committee and City Engineer be hereby authorized to procure an additional and practical Engineer to suggest and report a plan to build up a substantial roof on the gutter at the foot of the Avenue to repair and stop the wash on the Avenue gutter, report to be made to the Mayor without delay.

On motion the Council adjourned.

Record.
Called meeting of City Council
Austin, Sept.
October 14, 1877.
The Hon. Mayor stated that the meeting was called for the purpose of submitting his veto Message upon the resolution passed by the city Council October 6th, 1877, granting to J. W. Wells & Co. the right to place their Hay Scales in the Alley in the rear of their place of business. There not being a quorum present, Council adjourned to Wednesday Oct. 14th, 1877.
Fred. Sterling

Council Room, Austin, Sep.
October 14, 1877.
The Mayor said that the object of the meeting was to take action upon the veto Message of the resolution passed October 6th, granting permission to J. W. Wells & Co. to place their Hay Scales in the Alley in the rear of their place of business. The veto was then read as follows:
Mayor's Office, Austin, Sep. 14th, 1877.
To the Board of Aldermen of the City of Austin, Tex. Gentlemen— I am compelled, under the circumstances to refuse to sign the resolution passed by your body on the 6th inst., authorizing Mayor John A. Wells & Co. to erect their Hay scales in the Alley in the rear of their place of business. I have neglected to call you together sooner because I did hope that the matter would be settled amicably and in a manner that would be satisfactory to all concerned, but it seems that it is not, and
therefore compelled to perform the very unpleasant duty of vetoing the resolution, which I do for the following reasons:

1st. The Alley in that block, as in all other blocks, belongs to the public, and especially to persons who own or control property in that block, and no one person has any right to appropriate any part of the Alley for the own use, to the detriment or exclusion of the public or others who are interested in the block. And as persons who are largely interested in the block in question, oppose the erection of said scales in the Alley, claiming that it will injure their business and property, I deem it my duty to protect their interest, and not permit anything to be done that will injure them, unless the public interest, or general welfare of the city, demand it.

2nd. It certainly would be a bad precedent to permit any one citizen to establish scales in the narrow alley in the rear of one of the best business blocks in the city. For you must admit that if one citizen is permitted to do it, any and all others engaged in business could claim, and have the right to exercise the same privilege, and many more the Alleys which were so judiciously established by the pioneer founders of our beautiful city, instead of being a public thoroughfare for the benefit of all, would be used for individual traffic and private gains which certainly would be injurious to the whole city, and should not be permitted by the city authorities.

3rd. I would respectfully call the attention of your body to Sec. 6 of an Act to incorporate the city of Austin, approved Dec. 27, 1859 which says that the Mayor or City Council shall have no power or authority to sell, rent, or change any of the maps, squares, streets, roads, or avenues of said city, even for public purposes much less for the benefit of individuals, to the detriment of others. This being a positive instruction of the Legislature, I do not think we should disregard it; for I think one, as the City Council, should be very careful not to go beyond the powers granted us by the act of dedication. There are a few
of reasons which have induced me to refuse to sign the resolutions, and I have endeavored to consider the matter without prejudice towards any individual, and with an eye single to the public welfare. I will assure you that I have no personal interest or feeling on this matter, and I trust that you have none, but will receive and consider these objections in the spirit in which they are tendered.

Yours truly,

P. B. Wheeler, Mayor.

A petition of J. B. Wall & Co. was then read signed by some of the business men and property holders on that block asking that they be allowed to place said scales in the alley.

Mr. Robinson moved to take the resolution over the Mayor's veto. The vote and many being called for, the veto was sustained by the following vote: Yes — All, Storke, Cottle, and Robinson, many — All, Ford, Bower, Bragg, and Schley.

Petition of L. D. Thompson tendering his resignation as policeman was read and accepted.

Petition of J. S. Harren, asking permission to occupy the end of River Street at the mouth of Waller Frog for an area of 100 feet, and fencing in the same for general landing of goods etc., wood, and gravel, but subject to be worked at any time.

Petition of Mrs. Henry, asking for a license at $100 per month for the exhibition of wax figures, safe, oval, and granted.

Petition of A. Wallacher, prayer for a reduction of his apartment rent to $100 per month or $1000 per year paid and said on the table.

Petition of C. Martin, making privilege to sell liquors for less than one quart in word, was read and granted.

Petition of E. H. Miller, asking for privilege to sell liquors for less than one quart in word, was read and granted.

Petition of Mrs. D. Weather W. A. Reynolds and eighty-three other property holders, asking for a joint committee of aldermen and citizens to examine and ascertain what buildings on the streets have become nuisances and dangerous to the interest of the city and citizens. On motion of
Mr. Bruegghoff, said, further, that the fire committee and the following named citizens, have submitted a report of all facts and circumstances, prepared for the purpose of making their report, the late, J. F. Tinghle, Chief of Fire Department, H. A. Porter, Asst. Chief of Fire Department, D. S. Ogilvie, H. C. Whitley, W. H. Ryan, W. B. Castleman, and J. Howard.

The following resolution was introduced, to wit:

Res. No. 4. By the city council of the city of Austin. That the Mayor shall appoint all persons who have been selected and sworn, as public weighers, as such, and be it further resolved, That no public scale shall be located on Congress Avenue, East street or any of the alleys in the city of Austin. On motion, the same was passed on the following vote: Yeas—Robinson, Bremond, Bruegghoff, Dohme, Hoyt, Mitchell, Robinson and Lindley. Nays—none. No. 5.

Mr. Bruegghoff introduced the following resolution:

Res. No. 5. By the city council of the city of Austin. That the Mayor and Fire Committee are hereby authorized to advertise for the building of two more fire stations, one to be built at the intersection of Trinity street and Congress Avenue, and one at the intersection of Alamo street and Congress Avenue. The said stations to be built the same as contract is awarded to the lowest and best bidder, and be furnished with the Fire Committee as substantial and good fire engines, before they shall be paid for. The location and supervision of the work there, to be under the control of the Fire Committee of the City Council. That the resolution take effect immediately in force from and after the enacting. The same was passed on the following vote: Yeas—Robinson, Bremond, Bruegghoff, Dohme, Hoyt, Mitchell, Robinson and Lindley. Nays—none.

The following resolution was introduced and unanimously adopted, to wit:

Res. No. 6. By the city council of the city of Austin. That the Marshal is hereby instructed to examine all business houses within the fire limits of the city of Austin, and ascertain if any kerosene oil, gun
powder or other combustible matter is stored therein in quantities in excess of those allowed by articles 445, 447, and 448 of the ordinances of this city, and subject any said violations of said articles to the Mayor without fail at once.

On motion of Ald. Bruceggerhoff the Street Committee was authorized to make any necessary change in the construction of the public well on Henry Street.

On motion of Ald. Bruceggerhoff, the Mayor and City Marshal were empowered to fill vacancy on police force.

On motion of Ald. Bruceggerhoff, the Mayor and Aldermen Robinson and Bondman were appointed a committee to confer with Mayor Levey, Zinkeleman and Shelly with regard to leasing a certain piece of their city property.

On motion Council adjourned.

Stated meeting of City Council.

Wednesday, Nov. 2nd, 1877.


Minutes of the months of September and October, read and adopted.

Petition of Bruce White and others was read, asking for a lamp to be put up at the corner of Stone and Briggs street. On motion the petition was granted and the Street Committee authorized to have twelve more street lamps put up at different places about the city.

Petition of C. Hustrum and others was read, praying for the opening of an alley of twenty feet, in Block 39, Division D, in accordance with the ordinances of this city. On motion, the petition was referred to the Street Committee with power to act in the premises.

Petition of residents from the 8th Ward was read, asking that a special policeman be placed on