

City Council Room,

Austin, February 23rd. 1871

The City Council met pursuant to a special call of this Honor. Mayor Shann. Present: Mayor Shann; - Aldermen: Messrs. Shott, Adams, J. Bremond, J. S. Buas, E. Eggleston, Henry Madison, J. Musson.

The minutes of the last meeting were read and, on motion of Alderman Eggleston, unanimously adopted.

The following petition was presented by Alderman Buas:

To the Honorable City Council

of the City of Austin.

Your petitioners respectfully representing that they are owners of property fronting on the Avenue leading from the Capitol square to the river; and they pray that you will exercise the power vested in you and waiving all further application or petition on part of property holders, order and have done a change in the gradients of the avenue sidewalk and the street so as to accomplish an uniform style.

And your petitioners will ever pray &

(sig'd) Jacob H. Robinson & Son. F. H. Kluge.

Jas. S. Sisco.

Wm. Gibson.

J. J. Clark.

W. Loring.

Wm. H. Dickerson.

A. Blomquist.

W. H. Bengtson.

F. Dehner.

H. P. Patterson.

John J. Robinson.

J. B. Palmer.

John F. Miller.

J. Baker.

W. H. Ryan & Son.

W. E. Eilers.

W. H. Whitte.

Jas. H. Raymond.

Wm. E. Eilers.

J. H. Cook.

W. H. Johns & Co.

H. S. Singson.

Wm. H. Behr.

W. H. Singson.

Wm. H. Taylor.

Peter Smith.

F. S. Duffan.

J. H. Sisson.

Geo. Hancock.

J. Logan.

W. H. Ketch.

J. B. Sisson.

W. H. Sisson.

J. A. Brown.

Jas. B. Barron.

Wm. H. Sisson.

Wm. H. Sisson.

The same being received and read, Alderman Bremond offered, for an action upon said petition, the following Ordinance, To wit:

An Ordinance fixing the Street Pattern and Sidewalk Gradients of Congress Avenue in the City of Austin.

Be it Ordained by the City Council of the City of Austin, That the Mayor is hereby instructed to have the grade of Congress Avenue changed from the present to an uniform grade having reference to the point near the Capitol where the present front gates are, and at the river bank forty-four feet above low water; and the sidewalks and gutters to conform to the same in general reference, specifically as follows:

Sidewalks

Sidewalks shall be twelve (12) feet wide and terminate in a curbstone five (5) inches thick and at least thirty (30) inches deep; and paved with smooth hammer dressed stone, at least four (4) inches thick, with good hammer dressed joints. The gutters shall begin twenty (20) inches below the top of the curbstone, and be paved out towards the center of the avenue for a distance of six (6) feet, with bonetons of not less than four (4) inches in diameter. The curvature of said gutters shall be the arc of an uniform circle whose cord is the distance from curbstone to curbstone on opposite sides of the street, and whose abscissa is two (2) feet at the center of the street.

The Mayor is hereby authorized to cause the necessary bonds to be established by the surveyor, and upon his return to advertise for proposals to do the work in whole or part, said proposals to be submitted to the City Council, for their approval; provided, the owners of any property fronting on the avenue shall have the right to make their assessments by doing the work themselves within the time and subject to all the conditions for forfeitures for non-compliance, which the Mayor shall announce in his advertisement for proposals.

After the Mayor shall have contracted for the work, he shall cause monthly assessments upon the property fronting, where the work is then completed, to be made of the cost of the same, which shall be collected from such property and the same paid to the person executing the work.

On motion of Alderman Muscina, the rules were suspended, and the said Ordinance was read on its second and third reading, whereupon, on motion of Alderman Eggleston, the yeas and nays were taken, resulting in the following vote, to wit: yeas - Messrs. John Adams, J. Brumead, J. L. Bucas, E. Eggleston, Henry Madison, J. Muscina; nays - none. Thus the Ordinance was unanimously adopted.

Alderman Eggleston offered the following Ordinance, to-wit:

An Ordinance amending Article 154 of the City Ordinances.

Be it Ordained by the City Council of the City of Austin, That so much of Article 154 of the City Ordinances as names the "15th day of April in each and every year" as the time for the annual meeting of the stalls in the market house, be amended so as to read "the first day in March in each and every year"; and after the said Ordinance read and the minimum price for each stall and the coffee stand shall be three hundred dollars per annum."

That hereafter any person or persons with wood, hay, corn, vegetables, fruit and any country produce whatever arriving at the city, shall proceed to the market space adjoining the market house and there offer the same for sale, and any person

or persons not licensed as a merchant found vending the aforementioned article anywhere else within the city limits shall be guilty of a misdemeanor.

On motion of Alderman Bremond the rules were suspended and the ordinance was read a second time; on motion of Alderman Madison, the rules were further suspended, and the ordinance was put to its third reading, after which, on motion of Alderman Eggleston, the yeas and nays were taken, resulting as follows — yeas: Messrs. Sholt, Adams, J. Bremond, J. E. Ruess, & Eggleston, Henry Madison, S. Muscine; — nays: none, by which vote the ordinance was unanimously adopted.

Alderman Muscine, the chairman of the Committee to whom was referred the city charter, presented the same, together with the following resolution, to wit:

Be it Resolved by the City Council of the City of Austin, That the Mayor is hereby requested to forward to the Hon. M. B. Bowers, Senator from this District, the proposed new charter for the City of Austin, now in the Mayor's possession, and respectfully request him to present the same and urge the Legislature to make it law.

Also to forward to the President of the Senate, Speaker of the House of Representatives, and to each member of the House of Representatives from this District, a copy of this resolution and request them to unite with Senator Bowers in his efforts in the matter.

On motion of Alderman Eggleston, the rules were suspended and the resolution passed its second and third reading, whereupon; on motion of Alderman Eggleston, the yeas and nays were taken, resulting in the following vote — yeas: Messrs. Sholt, Adams, J. Bremond, J. E. Ruess, & Eggleston, Henry Madison, S. Muscine; — nays: none. Thus the resolution was unanimously adopted.

On motion of Alderman Muscine, the minutes of this present meeting were read and adopted; and, then, upon his further motion, the Council adjourned until the next regular meeting.

O. F. Smith, Recorder.