

City Council Room,  
February, 13<sup>th</sup>, 1871.

The City Council, in its new organization, under appointment by His Excellency, Edmund J. Davis, Governor of the State of Texas, met at 7 o'clock P. M. - Present: His Honor, Mayor Jas. W. Sloan; Aldermen: Messrs. Thos. Adams, J. Bremond, J. L. Ruess, E. E. Eggleston, Henry Madison, J. Massina.  
Dr. Mills, also, appointed Alderman, by His Excellency, Gov. Davis, having declined to accept the appointment, his seat, therefore, remained vacant.

His Honor, Mayor Sloan, opened the meeting by reading his message to the Board of Aldermen, a copy of which is herewith attached.

Alderman Eggleston submitted the motion to have 500 copies of the Mayor's message printed for distribution, to which Alderman Massina offered the amendment to have said message published in the State Journal, which amended motion was unanimously adopted.

Alderman Massina offered the following resolution, to wit:  
"Be it ordained, by the City Council of the City of Austin, (that)  
"Art. 214 of the ordinances of said City shall hereafter read as follows:  
"Whoever in this City shall wilfully disturb the peace of others  
"by violent, tumultuous, offensive or obnoxious conduct, or  
"carriage; or whoever shall wilfully disturb the peace of others  
"by loud or unusual noise; or whoever shall use unbecomingly  
"profane, obscene, or offensive language, calculated to provoke a  
"breach of the peace; or whoever shall assault, strike or fight  
"another, shall be guilty of a misdemeanor. And whoever  
"in this City shall permit any of the above prohibited acts or  
"words, in any house, or upon any premises owned or controlled  
"by him, so that others in the vicinity are disturbed thereby,  
"shall be deemed guilty of a misdemeanor."

On motion of Alderman Bremond, the rules were suspended, and the Ordinance was read for the second and third time, and, on motion of Alderman Eggleston, adopted.  
Thereupon, His Honor appointed the following committee,  
to wit:

Committee on Finance: Aldermen Mussina, Eggleston and Adams.

On Cemetery: " Eggleston, Bromond and Madison.

On Streets: " Buvas, Mussina and Bromond

On Market House: " Bromond, Adams and Madison.

Alderman Mussina offered the following Ordinance, to wit:

"An Ordinance establishing an ad valorem Tax.

"Be it ordained by the City Council of the City of Austin, Tex. That there is levied and shall be collected, at the time and on the manner provided, or may be provided, by the Ordinances of said city, on all property within said city subject to taxation by the laws of the State of Texas, on the first day of January, 1871, and on that day in every year thereafter, an annual ad valorem tax of one-half of one per cent.

"Sec. 2.<sup>d</sup> That all ordinances, or parts of ordinances, in conflict with this, are hereby repealed.

"Sec. 3.<sup>d</sup> That this ordinance take effect from and after its passage.

On motion of Alderman Eggleston, the rules were suspended and the ordinance read for the second and third times, whereupon the yeas and nays were taken which resulted as follows: Yeas: Aldermen Adams, Bromond, Buvas, Eggleston, Madison and Mussina; - Nays: None.

Thus, the Ordinance was unanimously adopted.

On motion of Alderman Mussina, the following motion, to wit:

"Ordinance Regulating the Time for regular Meetings of the City Council.

"Sec. 1.<sup>st</sup> Be it ordained, by the City Council of the City of Austin, That the first Monday in each and every month, at seven (7) 1/2 o'clock P. M., be the time for the regular meetings of the City Council.

"Sec. 2.<sup>nd</sup> That the Mayor shall specially convene the City Council, whenever in his opinion the public interests will be advanced thereby."

On motion of Alderman Mussina, the rules were suspended, and the ordinance was read for the second and third time and, on motion of said Alderman Mussina, unanimously adopted.

Alderman Mussina moved that that portion of the Mayor's message having reference to a new City Charter, be referred to a special committee, which motion was unanimously adopted.



Message of His Honor, Mayor Penn.

Mayor's Office

Austin, Texas, Febr. 13<sup>th</sup>, 1871

To the Honorable Board of Aldermen of the City of Austin.

Gentlemen, Called unexpectedly to administer the affairs of so important a city as the Capital of the State of Texas, it becomes our imperative duty, to first learn the legitimate wants of her people and then to provide the necessary means for supplying these wants; having always before us her welfare and an equitable distribution of the necessary burdens amongst all classes of her population.

In order therefore for your information and the better to enable you to come to wise and equitable conclusions, I have collected such information as was possible from the records of the Mayor's, Assessor and Collector's and Treasurer's offices; and, from the same, have arrived at the following representations, which may be taken as substantially correct.

The outstanding indebtedness of the city is as follows:

Thirty-seven (37) bonds, of the denomination one thousand dollars each, and bearing ten per cent. per annum interest; of these, sixteen mature April 15<sup>th</sup>, 1872; three mature April 15<sup>th</sup>, 1872; and ten (10) warrants of the denomination one thousand dollars each and bearing interest at the rate of ten per cent. per annum, of these, one matures March 22<sup>nd</sup>, 1871; six mature March 20<sup>th</sup>, 1871; and three mature July 31<sup>st</sup>, 1871.

Of which indebtedness we must provide for the payment of as follows:

Sixteen bonds due April 15 <sup>th</sup> , 1872,	\$ 1,600.00
Ten warrants due March 22 <sup>nd</sup> and 20 <sup>th</sup> and July 31 <sup>st</sup>	" 1,000.00
To these must be added the probable expenses for the year which will give us approximately the total amount to be provided for	
To become due upon the completion of the new market-house; already	3,000.00
Mayor's salary	" 500.00
Assessor and Collector's salary <sup>including</sup> commissions - about	" 1,500.00
Treasurer's salary, commissions, etc., about	" 750.00
City Attorney's salary	" 500.00
City Marshall's salary	" 600.00
Eight Policemen, at fifty dollars per month,	" 4,800.00
City clock - about	" 800.00
Salary of Alderman - about	" 500.00
Estimator for work on streets, etc.,	" 10,000.00

Making a total of \$ 25,000.00

which may be assumed as the probable expenses of the city government for the current year.

An equitable distribution of the burden of taxes over all classes of interests in the city will enable us to meet these demands and also provide

a revenue to pay the interests on one hundred thousand dollars of city bonds for bridge purposes, without any alteration of last year's rate of taxation, except the ad valorem rate on property.

An examination of last year's taxes collected, shows unjust discriminations which we should be prompt to remedy.

The records exhibit as follows:

Revenue from quarterly tax on merchandise	\$1,800.00
Sale of cemetery lots	" 300.00
Collected from Fines	" 1,400.00
Licenses	" 5,600.00
Tax "ad valorem" on real estate	" 3,100.00

The merchants and tradesmen who are the vitality and strength of all cities, from whom they derive their prosperity and reputation, are by the preceding exhibit the bearers of the heaviest burden of this city's expenses; and that class of citizens who are gathering the harvest made by the industry of our tradesmen and merchants, to-wit, the property owners, are bearing comparatively but an insignificant part.

The fact of the real estate of this city paying a tax of but little over three thousand dollars for an amount, is, to say the least, absurd.

As a partial remedy, the entire assessment list of the City has been revised and now shows an aggregate of about three millions of dollars.

Every few months, property generally in this city is doubling in value and is steadily commanding the rate of the advanced rates; and I know of no just reasons why the owner of real estate, which is so rapidly increasing in value, should in the least be exempt from his proper and just share of the burthen.

You should avail yourselves of the authority vested in you - and I recommend you to do - and increase the rate of ad valorem tax on real estate from one-fourth of one per cent. to one-half of one per cent.

This rate applied to the new list will give us a revenue from that source, and still, in my opinion, not so much as much as it should be, of

	\$15,000.00
To this add quarterly tax on merchandise, or estimated increase of business of the city	" 2,500.00
Licenses, estimated	" 6,000.00
Fines	" 2,000.00

Sales of cemetery lots	" 500.00
Rent of market-house and city hall	" 4,000.00

Forming us a revenue of thirty thousand (\$30,000) dollars, or near that; being an improved and, I confidently believe, an adequate one.

But we

But we need quite as much a change in our organic law, and the speedy way to attain that result, will be to apply to the present Legislature for a new charter; and to that end, I would suggest that you authorize me to appoint five citizens of this city to prepare a new charter for your consideration, which, if you approve of, it can be presented to the present Legislature also, I doubt not, will make it law.

If, however, in your opinion a new charter is not advisable, I would recommend that you authorize me to apply to this Legislature for authority, for the city to create a debt of not over one hundred thousand dollars, and to extend her present limits.

One hundred thousand dollars applied to a permanent bridge across the river, and city improvements would increase the revenues of the city in geometrical proportion.

The engineers will, in a few days, be ready with their estimates, for building a bridge across the Colorado river at this city. When received, I will present them to you with my recommendations in the premises.

A permanent bridge at this place is of such vital importance to the city that I feel had one opinion, and that in favor.

Obviously, we should have one, if we were able to build it. The city should rather make extreme exertions than by any chance permit its interests or revenue to the city to fall into the hands of any corporate company with exclusive privileges. In the hands of a private or corporate company it would prove a loss on the commerce of this city, and worse to the detriment of the city, perhaps. As city and county property, or both, are free, or all together, with tolls barely sufficient to pay interest and make repairs, it will be of incalculable benefit.

The services of the City Attorney are in excess of the compensation given. Provision should be made to pay him for services rendered when the defendant gains the suit, and in cases, and in cases where the Mayor dismisses the suit. At present, in both these classes of suits, let him labor ever so hard, he gets no pay. This is unjust to him, and not in harmony with the dignity of the city.

I also recommend that you authorize me to pay to the attorney each, five dollars, for each and every attendance at a council meeting. It will act as a check against unnecessary calls by the Mayor, and will occasionally compensate for the services.

The city government has not done its duty to the Fire Department.

The sentiments which gave force and direction to our volunteer fire organizations, are the noblest impulses of the human mind. There is no condition of the mind wherein selfishness and personal considerations are so completely put aside as by the volunteer fireman in the execution of his duties.

The fire organizations of this city should receive every encouragement from your honorable body; and to the end that justice be done them, I recommend that you authorize me to appoint a committee of two aldermen and one from each of the fire organizations of the city, to prepare a statement of the condition of the companies, and recommend to your body action in the premises.

The prospective railroad connections of the coming three years will increase our population many times and quintuple the value of property here. We should, therefore, legislate for the future as well as the present.

To your judgment and discretion, I submit the interests of our city, feeling sure you will be animated by justice, equity, and the inalienable rights of humanity.

Let our policy be low, honest economy in our administration and the improvement of our city.

(Signed) John M. Sloan, Mayor.

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