

HISTORIC LANDMARK COMMISSION
JUNE 24, 2019
DEMOLITION AND RELOCATION PERMITS
HDP-2019-0192
1805 E. 3RD STREET

PROPOSAL

Demolish a ca. 1911 house.

ARCHITECTURE

One-story, L-plan, cross-gabled building; vertical board-and-batten siding; 4:4 wood-sash windows; shed porch with two entry doors; National Folk style. The building appears to be in fair to poor condition, particularly a rear addition where the roof has caved in.

RESEARCH

1805 E. 3rd Street was occupied first and longest by Valentin and Josefa Herrera, who lived in the house from 1911 until their deaths in 1942 (Valentin) and 1963 (Josefa). Their seven children and grandchildren lived with them at various times. Their daughter Consuela Herrera lived at 1805 E. 3rd Street from at least 1924 until around 1941. Another daughter, Mary Grace Herrera, lived at 1805 E. 3rd Street all her life, until at least 1986.

Valentin (or Valentine, or Valentino) Alcalé Herrera was born in Mexico in 1856 or 1859. He and his family immigrated to the United States in 1899. In 1910 he lived in Comal, Texas, and was farming rented land. The following year, the Herreras had moved to 1805 E. 3rd Street in Austin, where Valentin operated and taught at a Spanish school until at least 1920. In 1935, he worked as a salesman in El Fenix, his wife's bakery. Valentin Herrera died in Austin in 1942.

Josefa (or Josefina or Josephine) Duran Herrera was born in Mexico in 1871. She married Valentin Herrera in 1887 in El Saltillo, in Mexico's Coahuila state. The couple had at least seven children, all of whom lived with them at 1805 E. 3rd Street for some period. Josefa's occupation is not listed in most city directories, as is typical for women, but the 1924 directory does list her as the owner of a confectionery at 518 Chicon Street. By 1935, she and her daughter Florinda were the proprietors of El Fenix Bakery at 1907 E. 3rd Street, which was located on the same property as the house (street numbering has changed). No other information about El Fenix Bakery could be found. Josefa also worked as a seamstress. She was a member of the El Buen Pastor Presbyterian Church. Josefa Herrera died in Austin in 1963, after 50 years living in Austin, 49 of which she spent in the house at 1805 E. 3rd Street. Her death certificate lists her as a housewife.

Consuelo Herrera Méndez was born in 1904 in San Marcos. She attended school at Palm Elementary and Allan Junior High before graduating from Austin High School in 1923, a notable accomplishment at the time for a Mexican American woman. Thirty-three years later, she would earn her B.A. from the University of Texas following years of summer school. Though she passed the exam for elementary teachers after finishing high school, the Austin Independent School District refused to hire her because of her ethnicity, insisting that there were no vacancies. For the next few years, Consuelo taught in Bay City and then Taft, Texas. In 1927, she returned to Austin and was hired as the first Mexican American teacher in AISD, following lobbying by the City Council of Parent-Teacher Associations. At the time, she was also one of the first Tejanas to teach in a major school system in Texas.

She taught Mexican American children at the segregated Comal Street School, also called *la escuela*. She later taught at Zavala School (ca. 1936-56) and Brooke Elementary (1956-72).

Consuelo married Patricio J. Méndez , an attorney, in 1943, and likely moved out of 1805 E. 3rd Street at that time. Accounts of her life stress that she married with the understanding that she would continue to teach. The Méndezes did not have children, but they founded and led the Zavala Parent-Teacher Association (PTA) to increase parental involvement. Consuelo also wrote articles for the state PTA newsletter and translated it into Spanish. The Méndezes were active in local politics, participating in poll tax drives and voter registration initiatives for Hispanic residents. Patricio was the first Latino to run for Austin City Council in 1951, while Consuelo was the president of Ladies LULAC Council No. 202 in 1962 and chaired the state LULAC convention that year. Some sources state that she founded the No. 202 chapter. Consuelo Herrera Méndez retired from teaching in 1972. She died in 1985. In 1987, the new Mendez Middle School was named after her.

Mary Grace Herrera was born in 1912 in McQueeney, Texas. She was the second Mexican American teacher in AISD, after her sister Consuelo. Mary Grace worked as a teacher in Fulmore Junior High School, then at Palm School beginning in 1938. In 1973, she was a featured witness in a trial where the federal government brought suit against Austin. At issue, as framed by *The American Statesman*, was designing a plan to desegregate elementary schools and “eliminating discrimination—if it exists—in mostly Mexican-American schools.” Herrera testified about instructions to only speak to students in English, and agreed with other witnesses that no special programs existed “to meet the special needs of the Mexican-American student.” Mary Grace Herrera appears to have lived in 1805 E. 3rd Street from her childhood until at least 1986. She died in 1992.

STAFF COMMENTS

The property was recommended as eligible for designation as a historic landmark by the East Austin Historic Resource Survey (2016).

Designation Criteria—Historic Landmark

- 1) The building is more than 50 years old.
- 2) The building appears to retain a high degree of historic integrity. Doors have been replaced.
- 3) Properties must meet two historic designation criteria for landmark designation (City of Austin Land Development Code, Section 25-2-352). The property appears to demonstrate significance according to one criterion and may meet two criteria.
 - a. **Architecture.** The house embodies the distinguishing characteristics of the gable-front-and-wing form of the National Folk style, including an L-plan, cross-gabled roof, and corner porch. It appears to meet this criterion.
 - b. **Historical association.** The Herrera family occupied the house for at least 75 years: Valentine and Josefa Herrera and other family members first lived there (around 1911 until 1963), followed by their daughter Mary Grace Herrera, with other family members (until at least 1986). Consuelo Herrera is listed as a renter from 1924 until around 1941, from the time she finished high school until she married Patricio Méndez. Valentine ran a Spanish school, while Josefa owned El Fenix Bakery, a confectionery shop. Consuelo Herrera Méndez was the first Mexican American teacher in AISD, beginning

while she lived in the house; she taught in the district for 45 years. Mary Grace Herrera was AISD's second Mexican American teacher, and taught at Palm School for at least 35 years. There appear to be significant historical associations.

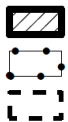
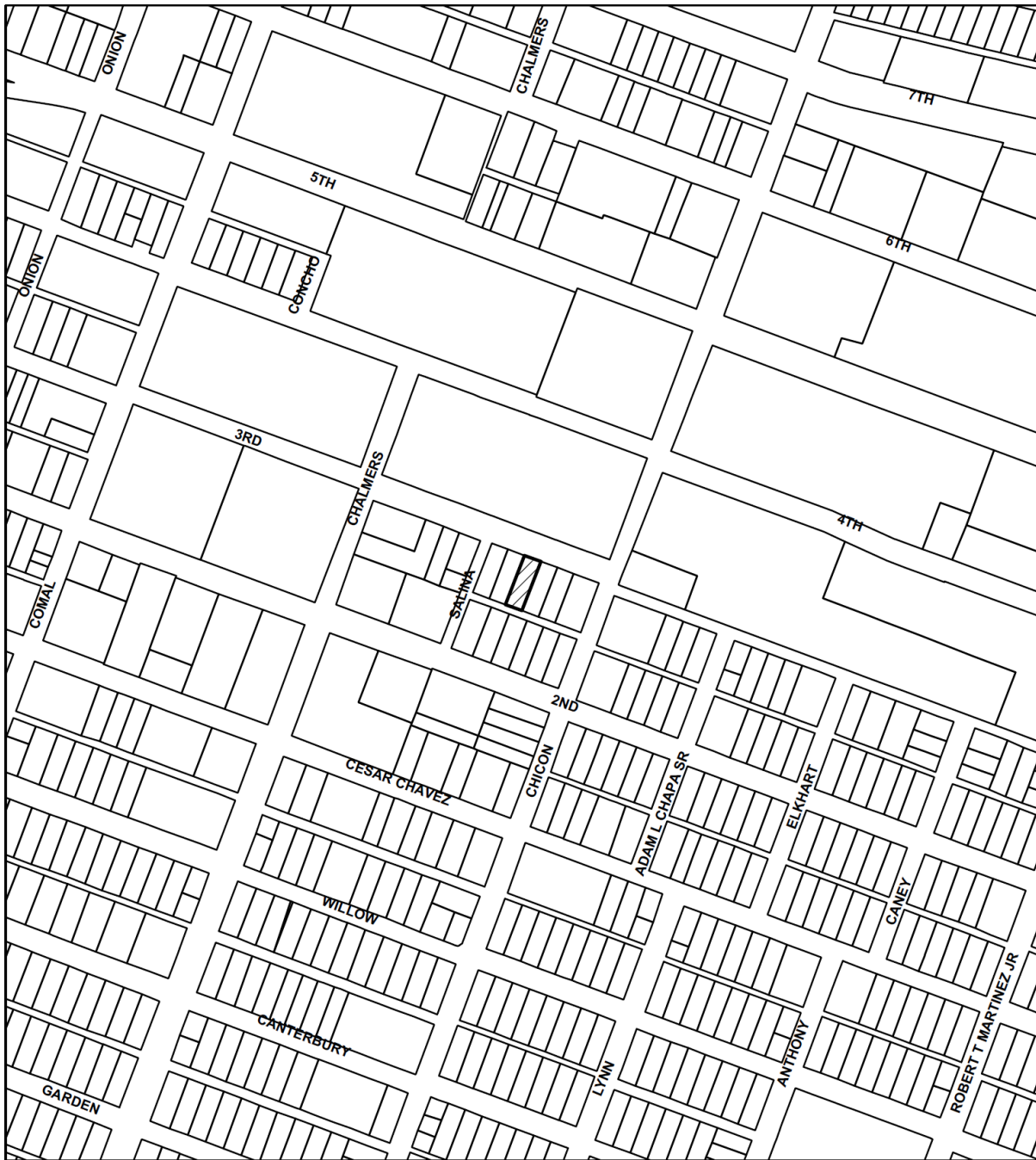
- c. **Archaeology.** The property was not evaluated for its potential to yield significant data concerning the human history or prehistory of the region.
- d. **Community value.** The property does not appear to have a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or a particular group.
- e. **Landscape feature.** The property is not a significant natural or designed landscape with artistic, aesthetic, cultural, or historical value to the city.

The property appears to be eligible for designation as a historic landmark. However, the Commission may wish to consider the property's condition before initiating historic zoning. The north portion of the house appears to be structurally sound, but the east wing slopes noticeably and may require structural stabilization. A rear addition constructed after 1962 is in very poor condition and open to the elements.

STAFF RECOMMENDATION

Initiate historic zoning. If the Commission chooses to release the permit, staff recommends completion of a City of Austin Documentation Package.

LOCATION MAP



SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY

1" = 333'

NOTIFICATIONS

CASE#: HDP-2019-0192
LOCATION: 1805 E 3RD ST

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



PROPERTY INFORMATION

Photos



Primary (north) façade of 1805 E. 3rd Street.

Occupancy History

Completed by Historic Preservation Office staff, April 2019

1910	Address not listed
1912	Silas Wright (colored), renter Laborer, no employer listed Betsy Woodson (colored) No occupation listed
1914	Valentine Herrera Teacher, no employer listed Treneo Herrera, renter Student, UT
1916	Valentine Herrera, owner Confectioner (107 Congress Avenue) Miss Florine Herrera, renter Student Treneo Herrera, renter Clerk, no employer listed Isaac D. Herrera, renter Student, UT

- Jose Herrera, renter
Repairman, Typewriter Sales Co.
- 1918 Valentino and Josefa Herrera, owners
Teacher, no employer listed

Miss Florinda Herrera
Student

Gustavo Herrera
Student

Trenio Herrera
Clerk, no employer listed

Miss Octavia Herrera
Student

Ysaac D. Herrera
No occupation listed
- 1920 Valentino Herrera, owner
Teacher, no employer listed
Miss Florinda Herrera
Student

Gustavo Herrera
Student

Trenio Herrera
Clerk, no employer listed

Jose Herrera, renter
Repairman, F. L. Patty

Ysaac D. Herrera
No occupation listed
- 1922 Valentine and Josie Herrera, owners
No occupation listed

Gustavo A. Herrera, renter
Student, UT
- 1924 Valentine and Josefa Herrera, renters
No occupation is listed for Valentine; Josefa owned a confectioner shop at 518
Chicon Street

Consuela Herrera, renter
Teacher, no employer listed

Florinda Herrera, renter
Teacher, no employer listed

Gustavo A. Herrera, renter
Student, UT

Isaac and Gustavia Herrera, renters
Teacher

- Jose L. and Sire Herrera, renters
Clerk, Mrs. J. H. Herrera
- Octavius Herrera, renter
No occupation listed
- 1927 Valentine and Josefa Herrera
No occupation listed
- Consuela Herrera, renter
Teacher, no employer listed
- Florinda Herrera, renter
Teacher, no employer listed
- Octavius Herrera, renter
No occupation listed
- 1929 Valentine and Josefa D. Herrera, renters
No occupation listed
- Consuela Herrera, renter
Teacher, no employer listed
- Floreña [sic] Herrera, renter
Teacher, no employer listed
- Gustavo Herrera, renter
Student, UT
- Octavius Herrera, renter
No occupation listed
- 1932 Valentino and Josefina Herrera
No occupation listed
- Mrs. Florinda Herrera
Saleswoman, Leon Speckels
- Consuela E. Herrera, renter
Teacher, Comal School
- 1935 Valentino [sic] and Josefina Herrera, owners
Josefina was the proprietor of El Fenix Bakery (1907 E. 3rd Street), where Valentino worked as a salesman.
- Gustavo Herrera, renter
No occupation listed
- Mrs. Florinda Herrera
Proprietor, El Fenix Bakery
- Consuela E. Herrera, renter
Teacher, Comal Street School
- 1939 Valentine and Josefina Herrera
No occupation listed
- Consuela E. Herrera, renter
Teacher, public school

- Jose and Esidria Herrera and 3 children, renters
No occupation listed
- Mary G. Herrera, renter
Teacher, public school
- 1941 Valentine and Josephine Herrera, owners
Laborer
- Mary G. Herrera, renter
Teacher, public school
- Octavio Herrera, renter
Laborer
- Consuela Herrera, renter
Teacher, public school
- 1944 Josephine D. Herrera, owner (widow of Valentine A.)
No occupation listed
- Mary G. Herrera, renter
Teacher, no employer listed
- Edelmira Herrera, renter
Student, UT
- Unit B: Jones [sic] and Isidra Herrera and 3 children, owners
Typewriter mechanic, no employer listed
- 1947 Mrs. Josephine D. Herrera, owner (widow of Valentine A.)
No occupation listed
- Mary G. Herrera, renter
Teacher, Palm School
- Unit B: Joseph T. and Isidra Herrera, owners
Owner, Herrera's Typewriter Service (1105 E. 6th Street)
- Edelmira Herrera, renter
Teacher, Zavala School
- 1949 Mrs. Josephine D. Herrera, owner (widow of Valentine A.)
No occupation listed
- Joseph T. and Isidra Herrera, renters
Owner, Herrera Real Estate (1105½ E. 6th Street)
- 1952 Mrs. Josephine D. Herrera, owner (widow of Valentine A.)
No occupation listed
- Unit B: Edward J. and Ninfa Herrera, renters
Baker, no employer listed
- 1955 Mrs. Josefa D. Herrera, owner (widow of Valentin)
No occupation listed
- Unit B: Edward J. and Aninpha [sic] Herrera, renters
Helper, Austin Baking Co.

- 1959 Mrs. Josepha [sic] D. Herrera, owner
No occupation listed
- 1962 Mrs. Josefa Herrera, owner (widow of Valentine)
No occupation listed
Unit A: Mary G. Herrera
Teacher, Palm School
Unit B: Edward J. and Ninfa Herrera, owners
Baker, Austin Baking
- 1965 Mary G. Herrera, owner
Teacher, public school
- 1968 Mary G. Herrera, owner
Teacher, Austin public school
- 1973 Mary G. Herrera, owner
Teacher, Austin public school
- 1977 Mary G. Herrera, owner
Teacher, Austin public school
- 1981 Mary G. Herrera, owner
Retired
- 1986 Mary G. Herrera, owner
Retired
- 1991 No return

Background Research

VALENTIN ALCALA HERRERA
Valentin Alcala Herrera, 86, died Saturday. Survivors are his widow, four sons, I. D. Herrera of McAllen, Joe I. Herrera and Octavio Herrera, both of Austin and Gustavo A. Herrera of Saltillo, Mex.; three daughters, Mrs. Florinda H. Cardinas, Consuelo E. Herrera and Mary Grace Herrera, all of Austin, and two sisters, Miss Vigna Herrera of Mexico and Mrs. Sara Morada of Mexico. The body is at the Hyatt Funeral home.

Obituary for Valentin Alcala Herrera, The Austin American, 6/21/1942.

REV. VALENTINE A. HERRERA
 The funeral cortege for the Rev. Valentine A. Herrera will leave the Hyltin Funeral home Monday at 4:30 p. m. and go to Memorial park where graveside services will be held at 5 p. m.

Death notice for Valentine A. Herrera, The Austin American, 6/22/1942.

Dr. Matthews

NOTE THE INFORMATION CALLED FOR ON THE REVERSE SIDE

1. PLACE OF DEATH		TEXAS DEPARTMENT OF HEALTH BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF DEATH		28867
STATE OF TEXAS		CITY OR PRECINCT NO. <u>Travis,</u>		
COUNTY OF <u>Travis,</u>		CITY OR PRECINCT NO. <u>Austin,</u>		
2. FULL NAME OF DECEASED <u>Valentin Alcala Herrera</u>		1805 East 3d. Street		
LENGTH OF RESIDENCE WHERE DEATH OCCURRED <u>31</u> YEARS <u>0</u> MONTHS <u>0</u> DAYS (SOCIAL SECURITY NO. _____)		GIVE STREET AND NUMBER OR NAME OF INSTITUTION		
RESIDENCE OF THE DECEASED (STREET AND NO. <u>1805 East 3d. St.</u> CITY <u>Austin,</u> COUNTY <u>Travis,</u> STATE <u>Tex.</u>)				
PERSONAL AND STATISTICAL PARTICULARS				
3 SEX <u>Male</u>	4 COLOR OR RACE <u>Mexican</u>	17. DATE OF DEATH <u>June 20th.</u> 1942		
5 SINGLE, MARRIED, WIDOWED OR DIVORCED (WRITE THE WORD) <u>Married</u>	6 DATE OF BIRTH <u>Feb. 14th. 1856</u>	18. I HEREBY CERTIFY THAT I ATTENDED THE DECEASED FROM <u>1930</u> 1941 TO <u>June 20</u> 1942		
7 AGE <u>86</u> YEARS <u>4</u> MONTHS <u>6</u> DAYS IF LESS THAN 1 DAY _____ HOURS _____ MIN	8A. TRADE, PROFESSION OR KIND OF WORK DONE <u>School Teacher</u>	I LAST SAW HIM/LIVE ON <u>June 20</u> 1942		
8B. INDUSTRY, BUSINESS, WHICH ETC. _____	9 BIRTHPLACE (STATE OR COUNTRY) <u>Mexico</u>	THE DEATH OCCURRED ON THE DATE STATED ABOVE AT <u>1:45 P.M.</u>		
10 NAME <u>Pedro Herrera</u>	11 BIRTHPLACE (STATE OR COUNTRY) <u>Mexico</u>	THE PRIMARY CAUSE OF DEATH WAS: <u>hemiplegia</u>		
12 MAIDEN NAME <u>Benigna Acala</u>	13 BIRTHPLACE (STATE OR COUNTRY) <u>Mexico</u>	CONTRIBUTORY CAUSES WERE <u>hypertension</u>		
14 SIGNATURE <u>Consulo E. Herrera</u>	15 PLACE OF BURIAL OR REMOVAL DATE <u>June 22d. 1942</u>	IF NOT DUE TO DISEASE, SPECIFY WHETHER: ACCIDENT, SUICIDE, OR HOMICIDE		
ADDRESS <u>Austin, TEXAS</u>	16 SIGNATURE <u>C.A. Hyltin</u>	DATE OF OCCURRENCE _____		
	ADDRESS <u>Austin, TEXAS</u>	PLACE OF OCCURRENCE _____		
		MANNER OR MEANS _____		
		IF RELATED TO OCCUPATION OF DECEASED, SPECIFY _____		
		SIGNATURE <u>C.A. Hyltin</u> M.D.		
		ADDRESS <u>Austin, TEXAS</u>		
20 FILE NUMBER <u>504</u>	FILE DATE <u>6-22-42</u>	SIGNATURE OF LOCAL REGISTRAR <u>Harold Hood, M.D.</u>		
		POSTOFFICE ADDRESS <u>AUSTIN, TEXAS</u>		

Death certificate for Valentin Alcala Herrera, 6/20/1942.

MRS. JOSEPHINE D. HERRERA

Mrs. Josephine D. Herrera, 91, of 1805 East 3rd Street, died Sunday at the home of her daughter, Mrs. Consuelo E. Mendez. She was a member of the El Buen Pastor Presbyterian Church and had been a resident of Austin for 50 years. Besides Mrs. Mendez, Mrs. Herrera is survived by two other daughters, Mrs. Florinda Cardenas and Miss Mary Garce Herrera, both of Austin; three sons, Isaac D. Herrera of McAllen, Gustavo A. Herrera of Saltillo, Mexico, and Otto D. Herrera of Austin; four grandchildren and ten great-grandchildren.

The body is at Hyllin-Manor Funeral Home pending funeral arrangements.

Obituary for Josephine D. Herrera, The Austin American, 9/2/1963.

MRS. JOSEPHINE HERRERA

Funeral services for Mrs. Josephine D. Herrera, 91, of 1805 East Third Street, were held Tuesday at Hyllin-Manor Funeral Home with the Rev. Carlos Buck and Rev. Carlos Paredes officiating. Burial was in Austin Memorial Park.

Pallbearers were Manuel Cardenas, Candido Gonzales, Edward Joe Herrera, Manuel Mojica, Sam D. DeLeon and Ralph Calvo.

Death notice for Josephine D. Herrera, The Austin Statesman, 9/4/1963.

STATE OF TEXAS **227-01-1 227-01** CERTIFICATE OF DEATH **4500 51** STATE FILE NO. **60360**

1. PLACE OF DEATH
a. COUNTY **Travis**
b. CITY OR TOWN (If outside city limits, give precinct no.) **Austin**
c. LENGTH OF STAY in b. **50 yrs.**
d. NAME OF (If not in hospital, give street address) HOSPITAL OR INSTITUTION **1710 Garden Street**
e. IS PLACE OF DEATH INSIDE CITY LIMITS? YES ☒ NO ☐

2. USUAL RESIDENCE (Where deceased lived. If institution, residence before admission)
a. STATE **Texas**
b. COUNTY **Travis**
c. CITY OR TOWN (If outside city limits, give precinct no.) **Austin**
d. STREET ADDRESS (If rural, give location) **1805 East 3rd. Street**
e. IS RESIDENCE INSIDE CITY LIMITS? YES ☒ NO ☐ f. IS RESIDENCE ON A FARM? YES ☐ NO ☒

3. NAME OF DECEASED (Type or print)
(a) First **Josephine** (b) Middle **Duran** (c) Last **Herrera**
4. DATE OF DEATH **September 1, 1963**

5. SEX **Female** 6. COLOR OR RACE **White** 7. Married ☒ Never Married ☐ Widowed ☒ Divorced ☐
8. DATE OF BIRTH **October 30, 1871** 9. AGE (In years last birthday) **91** 10. IF UNDER 1 YEAR: Months **1** Days **1** Hours **1** Minutes **1**
10a. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) **Housewife** 10b. KIND OF BUSINESS OR INDUSTRY **Homemaking**
11. BIRTHPLACE (State or foreign country) **Mexico** 12. CITIZEN OF WHAT COUNTRY? **U.S.A.**

13. FATHER'S NAME **Pedro Duran** 14. MOTHER'S MAIDEN NAME **???? Santos**
15. WAS DECEASED EVER IN U.S. ARMED FORCES? (If yes, no, or unknown) **NO** 16. SOCIAL SECURITY NO. **None** 17. INFORMANT **Otto D. Herrera**

18. CAUSE OF DEATH (Enter only one cause per line for (a), (b), and (c).)
PART I. DEATH WAS CAUSED BY:
IMMEDIATE CAUSE (a) **Generalized Arterio-sclerosis** (b) **Years**
Conditions, if any, which gave rise to above cause (a), stating the underlying cause last: **None**
DUE TO (b) **None**
DUE TO (c) **None**
PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART I (a) **None**
19. WAS AUTOPSY PERFORMED? YES ☐ NO ☒

20a. ACCIDENT ☐ SUICIDE ☐ HOMICIDE ☐ 20b. DESCRIBE HOW INJURY OCCURRED. (Enter nature of injury in Part I or Part II of item 18.)
20c. TIME OF INJURY: Hour **5:30** a.m. **p.m.** Month **September** Day **1** Year **1963**
20d. INJURY OCCURRED WHILE AT WORK ☐ NOT WHILE AT WORK ☒ 20e. PLACE OF INJURY (e.g., in or about home, farm, factory, street, office building, etc.) **Austin Texas**
20f. CITY, TOWN, OR LOCATION **Austin Texas**

21. I hereby certify that I attended the deceased from **June 1946** to **September 1963** and last saw the deceased alive on **August 31, 1963**. Death occurred at **5:30 p.m.** on the date stated above, and to the best of my knowledge, from the causes stated.
22a. SIGNATURE **S. L. Williams, M.D.** 22b. ADDRESS **Austin Texas** 22c. DATE SIGNED **9-7-63**

23a. BURIAL, CREMATION, REMOVAL (Specify) **Burial** 23b. DATE **September 3, 1963** 23c. NAME OF CEMETERY OR CREMATORY **Austin Memorial Park**
23d. LOCATION (City, town, or county) **Austin Travis Texas** 24. FUNERAL DIRECTOR'S SIGNATURE **Myra Holman**
25a. REGISTRAR'S FILE NO. **1177** 25b. DATE REC'D BY LOCAL REGISTRAR **9-10-1963** 25c. REGISTRAR'S SIGNATURE **B. M. Pruner, M.D.** **AUSTIN TEXAS**

Death certificate for Josephine Duran Herrera, 9/1/1963.



Consuelo Herrera Mendez, n.d. Source: La Voz Newspaper, September 2018.

Teacher Heard In School Case

By NELL SHEFFIELD
Staff Writer

Miss Mary Grace Herrera, a teacher at Palm Elementary School since 1938, took the stand when the second day of Austin school desegregation trial began Tuesday.

Miss Herrera taught most of the other four witnesses who were on the stand Monday.

She was being questioned by Ed Idar, attorney representing the

Mexican-American Legal Defense fund.

Monday's other witnesses were Bill Dinsmore of 6005 Thames; Alex Martinez of 3311 Bengston; Joe Carmona of 2205 Canterbury; Maftalie Garcia of 7516 St. Phillip.

With the exception of Miss Herrera, each witness described his early years at Metz, Palm, Zavala, Comal Elementary Schools, Allan Junior High and Austin High — unless they dropped out before completing their public school education.

Joe Rich, the same attorney who represented the federal government in the June, 1971, trial in U.S. Dist. Judge Jack Roberts' court, is again representing the government.

Donald Thomas, who represented the district in the 1971 appeal before the Fifth Circuit Court in New Orleans, is the trial lawyer in the trial this week.

Judge Roberts has granted permission to the intervenors in the trial to participate in examination in the current trial. Ms. Sylvia Drew is representing the NAACP Legal Defense Fund; Ed Idar represents the Mexican-American Legal Defense Fund.

Rich, in his opening statement Monday, gave a brief

history of the first trial and appeal and said the government does not feel the local school district has done what the Aug. 2, 1972, ruling from the Fifth Circuit Court called for.

The basic issue is desegregation of blacks primarily on the elementary school level, and eliminating discrimination — if it exists — in mostly Mexican-American schools in the city.

Schools he mentioned by name as discriminating are Johnston High School, Allan and Martin Junior Highs and Zavala Elementary.

Rich said there is "a lack of equal opportunity in some minority schools because of the low achievement shown in testing, a higher drop-out rate, less experienced faculties and older school facilities on smaller sites."

He said proof of these claims would be shown in documents placed on exhibit with the court.

Exhibits include: enrollment of non-black schools; maps of elementary school zone; faculty assignment; charts showing promotion of Spanish surname students; school plants and building programs; selected school sites, their acquisition, school construction additions and ca-

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● SCHOOL CASE

(Continued From Page 1)

puerty; salary and experience listing.

The examination of each witness was extensive, with the four attorneys participating in the questioning.

Miss Herrera said when she first began teaching at Palm she had only Mexican - American students who could not speak English. She said she spoke only English to them but sometimes used a student to help interpret.

She said she spoke English because, "if you were going to teach the child English, you were not supposed to speak to him in Spanish — if you wanted him to learn English."

Miss Herrera said teachers were told not to use any other language but English, but did not remember who told her.

She said the bilingual program at Palm now is the only program designed to meet the need of Mexican children. She added it "Works beautifully" with children who speak both languages, but not so well with only English-speaking students.

Answering questions by Idar about what effect the program had on school students back in the late 1930s, Miss Herrera said she couldn't answer, because the results of the program still are not known even now. "I can't say what it would have done 'way back in 1938," she said.

schools they attended which were designed to meet the special needs of the Mexican - American student.

They — except Dinsmore, who is Anglo — testified that there was a rule at Zavala that Spanish could not be spoken on the campus, but they personally had not been punished for doing so.

Each witness said he had made good enough grades at the schools attended, but that there were times when a grade had to be repeated. Each testified they were about the same age as other youngsters in their classes in junior high school.

Garcia, a maintenance man with the Texas National Guard, said he had trouble understanding instructions in the first grade at Palm. The teacher spoke only in English. He said under cross examination by Thomas, however, that he has a better than average command of the English language now.

Judge Roberts, at the end of the first trial, ruled on June 28, 1971, that no discrimination against Mexican - Americans — by school board policy — existed in Austin schools.

The appellate court, however, ordered that each school must be examined and that if discrimination did exist, the court should fashion a remedy for discrimination.

This is the basic issue of the trial, along with designing a plan to desegregate the more than 50 elementary schools in the city — only a few of which

<p>Testimony of the four witnesses who attended the East Austin schools showed they were taught in the English language and were reassigned to different schools when their family moved from one address to another.</p> <p>Dinsmore, Garcia, Martinez and Carmona all attended elementary school in the late 1930's. Two of the witnesses -- Carmona and Garcia -- said they dropped out of school before graduating because they "needed to go to work."</p> <p>Each of the witnesses said they could recall no special programs available at the</p>	<p>are currently said to be desegregated.</p> <p>Judge Roberts, on June 19, 1971, ordered the district's mixing plan implemented. The plan, which included elementary schools, would cluster the schools, and, periodically, minority schools would meet with Anglo schools in cultural exchange, visits to learning centers and field trips. This would occur about 25 per cent of the school year.</p> <p>Opponents of the plan, however, called the policy "part-time desegregation" and it was not accepted by the appellate court.</p>
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"Teacher heard in school case," The Austin Statesman, 5/8/1973.



Mary Grace Herrera

Miss Mary Grace Herrera passed on to be with her Heavenly Father on Sunday, September 6, 1992.

Miss Herrera was born on December 31, 1912, in McQueeney, Texas, to Valentin and Josefa D. Herrera.

Seven brothers and sisters preceded her in death.

Mary was the second Mexican-American teacher in the Austin Independent School District; her sister Consuelo H. Mendez was the first. Miss Herrera taught at Fulmore Junior High School and at Palm Elementary School, where she retired in 1974. She was also active in The First Mexican Baptist Church as Superintendent of the Youth Department in Sunday School.

Miss Herrera is survived by Edward Herrera and his wife, Ninfa, Edelmira H. Saenz and husband, Enrique Saenz, and Regoberto M. Herrera of San Diego, California. Also surviving are great nieces and nephews, AISD Trustee Diana Castaneda, Virginia Garcia, Sylvia Garza, Edward Herrera II, and Consuelo Grace H. Quinonez. Also, Alexandra Saenz, Enrique (Henry) Saenz, Pedro Saenz, Maria Elena Saenz, and Thomas Saenz, and 11 great-great-grand nieces and nephews.

Pallbearers are Jimmy Castaneda, Robert Garcia, Ray Quinonez, Edward Herrera, II, Thomas Saenz, and County Commissioner Marcos DeLeon. Honorary pallbearers are Enrique Saenz, Jr., Jimmy, Jr., Rico Castaneda, Robert Joseph Garcia, and Eugene Gaona.

Tonight, at 7:00 PM, a short prayer service will be held in the viewing room at the funeral home by the Reverend Frank Rodriguez. The fu-

neral service will be at 2:00 PM, Tuesday, at the First Mexican Baptist Church, 1110 Medina Street. The body will lie in state from 1:00 PM until 2:00 PM at the church. Burial: Austin Memorial Park.

Services under the direction of Amey-Hyllin-Manor Funeral Home, 2620 S. Congress Avenue.

Building Permits

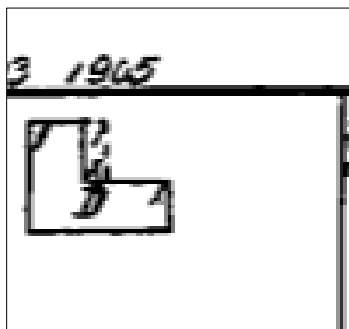
4		WATER SERVICE PERMIT Austin, Texas		No. 13415 INDEXED Date 5-25-39	
Received of _____					
Address <u>1805 E-3rd St.</u>					
Amount _____ \$ _____					
Plumber <u>Turner</u> Size of Tap <u>3/4"</u>					
Date of Connection <u>5-25-39</u>					
Size of Tap Made <u>3/4"</u>					
Size Service Made <u>1"</u>					
Size Main Tapped <u>8"</u>					
From Front Prop. Line to Curb Cock <u>11'</u>					
From Prop. Line to Curb Cock _____					
Location of Meter <u>back curb line</u>					
Type of Box <u>Iron</u>					
Depth of Main in St. <u>3'</u>					
Depth of Service Line <u>14"</u>					
From Curb Cock to Tap on Main <u>1'</u>					
Checked by Engr. Dept. <u>5-31-39 LE</u>					
No. Fittings	Size.				
1	Curb Cock	3/4"			
	Elbow				
	St. Elbow				
	Bushing				
	Reducer				
2	Pipe	3/4"	COND.		
	Lead Comp.				
	Nipples	3/4"	C-75 I		
1	Union	3/4"			
1	Plug	3/4"	COND.		
	Tee				
	Stop				
	Box				
	Lid				
	Valves				
	Job No.	639-665E			
	Req. No.	36027-			

Water tap permit issued to Turner (plumber), 5/23/1939.

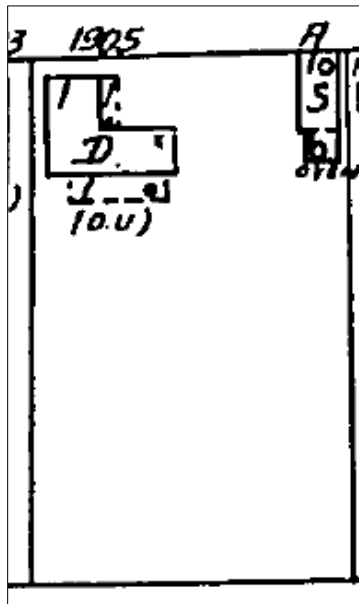
ADDRESS: <i>1805 East 3rd St</i>				PERMIT <i>137683</i>		PLAT <i>23</i>	
LOT: <i>3</i>				BLOCK		SUB.	
				OUTLOT		<i>Cyprus street</i>	
FIRE ZONE <i>3</i>		USE DIST: <i>B-2nd</i>		OCCUPANCY: <i>frame addn to existing Res</i>			
<i>8-14-73</i>	LAYOUT		FRAMING		<i>10-18-74</i>	FINAL	ROOF OVERHANG
	PRINC. BLDG.	ACC. BLDG.		PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.	<i>19"</i>
FOUNDATION			FLOOR JOIST SIZE & O.C.	<i>5</i>		NECESSARY BLDG. CONN.	ACC. BLDG.
FR. SETBACK	<i>4'</i>		CEILING JOIST SIZE & O.C.	<i>2x6 24"</i>		ROOM VENTILATION	PAVED PARKING
TOTAL & MIN. SIDE YD.	<i>11.5</i>		STUD SIZE & O.C.	<i>2x4 16"</i>		STAIRS REQ. & NO.	
SIDE STREET YARD			MASONRY WALL			ATTIC FIRE STOPS REQ.	
OWNER: <i>Mary Grace Herrera</i>				CONTRACTOR: <i>Howard Simmons</i>			
<i>13'6" X 7'8" + 7.2' X 6.4' = 149^{sq}</i>							
<i>2-5-74</i> <i>HA 8-13-73</i>							

Building permit for rear addition issued to Mary Grace Herrera, 8/13/1973.

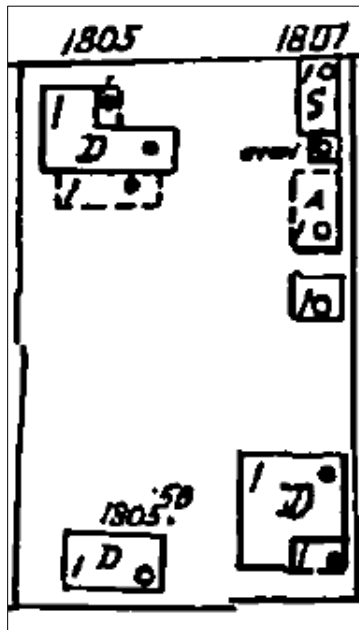
Sanborn Maps



1922 Sanborn Fire Insurance map.



1935 Sanborn Fire Insurance map. A rear porch has been added to the house, and a bakery and store building has been constructed at the east side of the property.



1962 Sanborn Fire Insurance map. A detached garage and two additional dwelling units have been constructed behind the store and at the rear of the lot.