

to Neil McEashin.

On motion of Ald. Mitchell the Street Committee was authorized to have opened and put in a feasible condition the crossing of — street on the Central Rail Road near the old stands of Davis & Maddox.

Ald. Mitchell moved that the Mayor & Street Committee be authorized to make all necessary arrangements for the filling up the ditches at the foot of the Avenue. Carried.

A bill from Johns & Steffox of \$50.00 for making an iron door to city work-house, was presented and on motion ordered to be paid.

A bill from Dr. J. M. Linton of \$67.00 for medical services rendered to one Joe Bitters whilst an Officer of this city, with affidavit from C. Marshall W. C. Evans attached thereto, was presented and on motion laid on the table.

On motion the Council adjourned.

Fred Sturging
Recorder

Stated meeting of City Council.

Clinton Tex. October 3rd 1874.

His Hon. Mayor J. B. Wheeler in the chair. Present Aldermen. J. T. Boardman, W. Brueggerhoff, S. Osborn, H. M. Metz, N. B. Mitchell, J. H. Robinson, C. Scholz and S. M. Todd. Absent. Aldermen, Ed. Christian and C. Bremond.

On motion the reading of the Minutes now dispensed with. The following Petitions were read and disposed of to wit. Of H. Hlenert, asking privilege to open a Barroom in Ward 1. Granted.

Pet. of C. C. Johanson 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 Churches by reason of the conduct of the members thereof, has

become a nuisance of the worst character - that she, screaming and yelling up to two and three o'clock most every night, disturbed and robbed the neighborhood of sleep and quietude. - that by reason of the afore said nuisance they have great difficulty in obtaining occupants for their property - that petitioners do not desire to be understood as opposed to any religious exercises 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. Brueggerhoff the petition was referred to a special Committee of two, consisting of Aldermen, Boardman and Todd, with instructions to report at next regular meeting.

Pet. of Messrs. Dyer & Brooks and many other proprietors of billiard tables, praying for a reduction of License tax upon each billiard table from \$50 to \$25. per annum, upon motion the petition was laid upon the table.

Pet. of J. A. Bell & Pers. asking permission to move their hay scale from Pecan street to the rear of their House in the Alley between Pecan street and the Railroad. Granted.

Pet. of J. D. Murchison, praying to be released from the quarter license due on his Opera House, ending November 11th 1874. in lieu of which he promises to execute his note for another quarter, to begin on the eleventh of February 1875. Granted.

Pet. of Don. Wilson, J. H. Pope, and many others, praying that early steps be taken to improve Mulberry street between Lavaca 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. Brueggerhoff, 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 paper 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. Adopted, By Ald. Metz, 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 lamp-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. By Ald. Brueggerhoff, it was Resolved by the city Council of the city of Austin, Sec. 14: That the Mayor is hereby authorized to appoint a suitable person to take the census of the city of Austin, on the first day of January, 1875. Sec. 2nd: That the sum of five hundred dollars or so much thereof as is necessary, is hereby appropriated to defray the expenses therefor. The yeas and nays being called on the adoption of the resolution resulting: Yeas Ald. Boardman, Brueggerhoff, Dahme, Metz, Mitchell, Robinson, Scholz, and Todd.

By Ald. Brueggerhoff, it was Resolved by the city Council of the city of Austin, That B. J. Freeman is hereby granted a credit on his licenses, the amount that was due him on licenses the day his place of business burnt out on December 24, 1874. The yeas and nays being ^{called} on the adoption of the resolution resulting: Yeas: Ald. Boardman, Brueggerhoff, Dahme, Metz, Mitchell, Robinson, Scholz, and Todd. Nays none.

By Ald. Robinson, it was Resolved by the city Council of the city of Austin, That the Fire 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 yeas and nays being called, the resolution passed by the following vote: Yeas - Ald. Boardman, Brueggerhoff, Dahme, Metz, Mitchell

Robinson, Scholz and Todd. Nays none.
By Ald. 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 feeding the city Prisoners. And that the city Marshal 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 ~~height~~ ^{height} near Magnolia Avenue in this city to ~~the~~ ^{low water mark} ~~point~~ ^{point} on the Colorado river above this city; ~~that~~ ^{that} said level in order to, ascertain to what ^{distance} ~~it~~ will be necessary to run a canal for furnishing the city ^{and} ~~surrounds~~ with water, and that he be, ordered to make said survey in the shortest and cheapest manner possible with correctness.

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 yeas and nays, being called, the resolution passed by the following vote: Yes - Aldermen Boardman, Brueggerhoff, Dohme, Metz, Mitchell, Robinson, Scholz and Todd, Nays none.
By Ald. Brueggerhoff, it was Resolved by the city Council of the city of Austin, That the Street Committee and City Engineer, are hereby authorized to procure an additional and practical Engineer, to suggest and report a plan to built up a substantial work on the gutters at the foot of the Avenue, to repair and stop the wash in the Avenue gutters, report to be made to the Mayor without delay.

On motion the Council adjourned.

Fred. Stiering
Recorder.

Called meeting of City Council
Austin Tex.

October 10th 1874.

Mayor J. B. Wheeler in the chair. Present: Aldermen— G. J. Boardman, W^m. Brueggerhoff, F. Dohme, N. B. Mitchell and J. H. Robinson. Absent: Aldermen— C. Bremond, Ed. Christian, H. M. Metz, A. Scholz and S. H. Todd.

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 5th 1874, granting to J. A. Webb & Bro. 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 1874.

Fred. Stiering
Recorder.

Council Room, Austin, Tex.

October 14, 1874.

City Council met pursuant to adjournment. The Mayor in the chair. Aldermen present— G. J. Boardman, C. Bremond, W^m. Brueggerhoff, F. Dohme, H. M. Metz, N. B. Mitchell, J. H. Robinson & A. Scholz. Aldermen absent— Ed. Christian and S. H. Todd. The Mayor said that the subject of the meeting was to take action upon his veto Message of the resolution passed October 5th granting permission to J. A. Webb & Bro. 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, Tex. Oct. 10th 1874.

To the Board of Aldermen of the City of Austin, Texas, Gentlemen— I am compelled, under the circumstances, to refuse to sign the resolution passed by your body on the 5th Inst. authorizing Messrs John A. Webb & Bro. 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 could be settled amicably and in a manner that would be satisfactory to all concerned; but it seems that in that hope I was doomed to disappointment, and am

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 his 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 ~~to establish~~ for his own use large Hay 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 very soon the Alleys which were so judiciously established by the revered founders of our beautiful city, instead of being public thoroughfares 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. 27th 1859, which says that the Mayor or City Council shall have no power or authority to alter, occupy or change any of the ways, squares, streets, roads or alleys of said city, even for public purposes, much less for the benefit or use of individuals, to the detriment of others. This being a positive injunction of the Legislature, I do not think we should disregard it — for I think we, as a 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 this 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 in 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,
J. B. Wheeler Mayor.

A petition of J. H. Webb & Bros. 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.

Ald. Robinson moved to pass the resolution over the Mayor's veto. The yeas and nays being called for, the veto was sustained by the following vote: Yeas - Ald. Dohme, Mitchell and Robinson, nays - Ald. Boardman, Bremond, Brueggerhoff, Kelly and Scholz.

Petition of L. S. Thompson tendering his resignation as Policeman was read and accepted.

Petition of G. P. Warran, asking permission to occupy the end of River Walk at the mouth of Waller Creek for a space of 150 feet, and fencing in the same for a general landing of wood etc. was read and granted, but subject to be revoked at any time.

Petition of Mariano Caifasi asking for a license at \$10.00 per month, for the exhibition of wax figures, was read and granted.

Petition of A. Weilbacher, praying for a reduction of his assessment on lot 2, block 66, from \$4500 to \$3500, was read and laid on the table.

Petition of C. Martin asking privilege to sell liquors less than one quart, in Ward 8, was read and granted.

Petition of J. F. Miller, asking privilege to sell liquors less than one quart, in Ward 8, was read and granted.

Petition of M. D. Mather W. F. Bengener W. A. Ryan, and eighty-three other property holders, asking for a joint committee of Aldermen, and citizens to examine and ascertain what buildings on the principal business streets have become nuisances and dangerous to the interest of the City and citizens. On motion of

Ald. Brueggerhoff said petition was referred to the Fire Committee and the following named citizens, to receive complete report of all petitioners prayed for by next meeting for final action, to wit: J. S. Hagle Chief of Fire Department, A. Yiller Supt. Chief of Fire Department, E. S. Eggleston, H. C. Whitters, W. A. Ryan, R. M. Castleman, and F. Everett.

The following resolution was introduced to wit: Be it resolved by the city Council of the city of Austin That the Mayor shall appoint all persons that apply and pay license as public weigher as such. And be it further Resolved, That no public scale shall be located on Congress Avenue, Dean street or any of the alleys in the city of Austin. On motion the yeas and nays being called the resolution passed by the following vote. Yeas - Ald. Boardman, Bremond, Brueggerhoff, Dohme, Metz, Mitchell, Robinson and Scholz. Nays none.

Ald. Brueggerhoff introduced the following resolution: Be it resolved 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 cisterns, - one to be built at the intersection of Hickory street and Congress Avenue, and one at the intersection of Mulberry street and Congress Avenue. The cisterns to be built as soon as contract is awarded to the lowest and best bidder, and be passed upon by the Fire Committee as substantial and good fire cisterns, before they shall be paid for. The location and supervision of the work thereof to be under the control of the street Committee of the City Council. That this resolution take effect and be in force from and after its passage. The yeas and nays being called the resolution passed by the following vote. Yeas. Ald. Boardman, Bremond, Brueggerhoff, Dohme, Metz, Mitchell, Robinson and Scholz.

The following resolution was introduced and unanimously adopted, to wit: Be it resolved 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 448, 449, and 450, of the ordinances of this city, and report any and all violations of said articles to the Mayor without fail at once.

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

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

On motion of Ald. Brueggerhoff the Mayor and Aldermen Robinson and Boardman were appointed a committee to confer with Messrs Dewey, Zimfelman and Shelly with regard to leasing a certain piece of their city property.

On motion Council adjourned.

Ernest Storing
Recorder.

Stated meeting of City Council.

August City, Nov. 2nd 1874.

Mayor J. B. Wheeler in the chair. Aldermen present: G. T. Boardman, W. Brueggerhoff, J. Dolan, H. M. Shety, N. B. Hitchell, J. H. Robinson, and S. W. Todd. Aldermen absent: C. Brumond, Col. Christian and A. Schoff.

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

Petition of Brush & White and others, was read, asking for a lamp to be put up at the corner of Pine and Brazos streets. 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. Krohn and others, was read, praying for the opening of an alley of twenty feet, in Block 29, Division C, 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