

Minutes of a regular meeting of the City Council.

Austin, Texas, January 7, 1889.

Hon. Joseph Kalle, Mayor, presiding.

Roll call. Present - Aldermen:

Assmann, Boland, DeBross, Graham, Haigler,
Jones, Lawrence, Linn, Morris, Newton, Nitschke,
North, Pillow, Plath, Townsend, Wilson,
Worthington, Zeller - 18.

Absent, Aldermen - Metz, Schneider - 2.

The minutes of the last meeting of the City Council were adopted as printed.

On the recommendation of the City Marshal and Alderman Pillow the Mayor requested the Council to remit the fine and costs assessed in the recorder's Court against W. S. Taylor, and on motion the request was renewed in.

On the recommendation of Alderman Worthington the Mayor also asked the Council to remit the fine and costs assessed in the recorder's Court against H. B. Fountain, and on motion the recommendation was agreed to.

A petition was presented from Carl Kachnel stating that the alley running from east to west through block 60, Div. E, of the City, had been closed up, and requesting that the same be opened. On motion the petition was referred to the Street Committee with power to act in the premises as it may deem proper.

The Mayor presented a petition from O. M. Roberts, stating that he resides on the corner of August and Twenty-second streets and that between Twenty-first and Twenty-second streets there are 22 houses, most of them good residences. That lights and hydrants are urgently demanded in that vicinity, and that there is a pond which is a nuisance and should be abated.

Alderman Morris moved to refer it to the Street Committee with instructions to have the nuisance abated. Alderman Worthington moved to amend the motion by referring that portion of the petition which relates to lights and hydrants to the committee on water and gas. The amendment was accepted and the motion as amended

adopted.

Alderman Fillow introduced a petition from the Erie Telegraph & Telephone Co., asking permission to disconnect from their poles the wires of the Union fire-alarm Co. where they connect with the poles of the Electric Light Co. Referred to the city attorney.

Alderman Graham presented a petition from citizens of the Sixth Ward requesting that Danmarcos Street be opened to the width of 60 feet from Seventh South Street to the northern limits of the city. Referred to the street Committee with instructions to comply therewith, and if necessary, to call on the city marshal for such assistance, as may be required.

The Mayor laid before the Council a communication from Messrs. J. H. Patterson and Jas. H. Raymond giving notice that the property sold by Jot. Patterson and wife to the City of Austin for Cemetery purposes has been seriously depreciated upon the fence in places having been torn down and carried away, and other damage committed. And further, that they deem it the duty of the city authorities to see that the property suffers no damage or detriment in value during the pendency of the present litigation in relation thereto. They further state: "But should said authorities see fit not to act in the matter and protect the property, we shall, in order to prevent a diminution of our security for the debt growing out of said Contract of purchase, feel constrained to take such steps as may be necessary to repair the damage already done and prevent further damage in the future." It was referred to the city attorney.

The Mayor presented a report from Messrs. Eggleston & Goldbeck, agents for the city of Austin for Jno. S. Allan estate, showing that the Evans Shoemaker survey owned by the city and heretofore ordered sold by resolution of the City Council, is now sold, and the net proceeds of the sale, (\$4,056.60), paid to the city tax collector, Fred Sterzing, Esq. They also reported that they can loan the sum of money received on ample city real estate security at the rate of eight per cent. per annum. Alderman Morris moved that the report be referred to a special

Committee to consist of Aldermen North, Linn and DeGress.

Alderman DeGress moved as a substitute that the Mayor appoint a committee of three to consider the report.

The substitute was lost.

Yeas - Aldermen -

Assmann, Boland, DeGress,
Haigler, Jones, Newton, Platt, Wilson - Total - 8.
Nays - Aldermen - Graham, Lawrence, Linn, Morris,
Kitschke, North, Pillow, Townsend, Wartham,
Ziller - Total - 10.

Alderman DeGress then moved to strike his name from the committee and substitute that of Alderman Morris.

Alderman Morris then moved that the name of Alderman Newton be added as the other member of the committee. Carried.

The motion having recurred to the adoption of the original motion as amended, it was adopted.

Yeas - Aldermen -

Graham, Lawrence, Linn,
Morris, Kitschke, North, Pillow, Townsend,
Wartham, Ziller. Total - 10.

Nays - Aldermen -

Assmann, Boland, DeGress,
Haigler, Jones, Newton, Platt, Wilson - 8.

Alderman DeGress, by request, introduced a proposal from the Samwell Fire Alarm Telegraph Company, through its attorney-in-fact, Mr. Thos. H. Wheelers, to erect a first class telegraph fire alarm system, Co. extensive with that constructed by the Union Fire-Alarm Company, upon a basis of a rental value of \$4300 for the period of forty-three months, payable at the rate of \$100 per month; said system to become the property of the City of Austin at the expiration of said period of forty-three months. Referred to the fire Commissioners.

Reports of City Officers.

Report of the City Treasurer from December 1, 1888, to January 7, 1889:

Balance on hand Dec. 1,
Acct. of general fund

\$4,221 14

| | |
|-----------------------|-------------|
| Acct. School fund | 1160.39 |
| (Receipts: | |
| Acct. of General fund | 6,782.15 |
| " School " | 1,815.20 |
| " Jno. T. Allan " | 11,056.60 |
| | \$17,335.18 |

Disbursements -

| | |
|-----------------------|-------------|
| Acct. of general fund | \$10,618.61 |
| " School " | 1,160.39 |
| | \$7,079.00 |

Balances January 7 -

| | |
|--------------------------------|-------------|
| Acct. of general fund | 11,384.68 |
| " School " | 1,815.20 |
| " Spl. dep. Jno. T. Allan est. | 4,056.60 |
| | \$17,335.18 |

Referred to Finance Committee.

W. Messer. The City attorney and assessor and Collector reported on
 W. Messer. propositions from W. Messer and W. Messer, of settlement
 of back taxes, which were referred to them, and stated
 that they received \$205.25 in settlement of Mr. Messer's
 back taxes, instead of \$175, as he first proposed; and
 that they allowed W. Messer a credit of \$25.00 on
 account of work done by him on the bridge near his
 stone, in the third ward, to be credited on the back
 taxes due by him on lot No. 8, in block 107.

On motion, the report was adopted.

Allan fund The City assessor and Collector presented a report,
 paid at City stating that he had received from Messrs. Eggleston
 & Goldbeck, agents, the sum of \$4056.60 on account of the
 Jno. T. Allan fund; and attached thereto was an
 itemized account of the fund from Messrs. Eggleston &
 Goldbeck. The report was received and filed.

Mrs. J. J. Houston The assessor and Collector's report on a petition
 from Mrs. J. J. Houston, requesting that certain
 funds paid by her at City tax sale be refunded,
 was next laid before the Council, and recommends
 that the sum of \$20.71 be refunded to her, on condition
 that she release to the city the property involved.

The report was adopted.

Re. A report was received from the city attorney, stating
 in effect, that a motion for a rehearing had been
 filed by the appellee in the case of the City of Austin

vs. A. R. Ritz, and that the same would be considered by the Supreme Court early in its present term and that if the City desires that he should go to Galveston and give the matter attention, an appropriation sufficient to cover necessary expenses in the case be made. Laid over.

Report of City Sexton for the month of Dec., 1888:

Total number of deaths 25

White 19

Colored 6

male 13

female 6

sex not given 6

Referred to the Cemetery Committee.

Report of the City Physician for the month of Dec., 1888:

Number of patients in hospital, Dec. 1. 10

" " admitted to " during " 13

" " patients disch'd from Hospital in Dec 9

Deaths 2

" " remaining in " Jan. 1 12

Cases of typhoid reported 8

" " scarlet fever " - none

Visits made 147

Prescriptions written 187

Health of the City remarkably good.

Referred to the Hospital Committee.

Report of the City Marshal for the month of December, 1888:

Total amount of fines and costs assessed in the

Recorder's Court \$604.10

Collected in cash \$118.90

Worked out 305.20

Escaped 27.80

Carried forward 152.20

\$604.10

Back fines and costs collected \$25.00

Total number of arrests made 60.

Referred to the Police Committee.

Report of City Clerk of Warrants issued during December, 1888: Total amount levied \$3529.64

" " School " 460.39

Referred to Finance Committee.

The Committee on Police to whom was referred

the marshal's reports for the months of October and November, 1888, submitted reports thereon, stating the reports had examined and found correct. No action was taken thereon.

The Mayor introduced An Ordinance ordering an election by the tax paying citizens of Austin for the purpose of procuring their consent to the extension of the bonded debt of the City of Austin in the sum of two hundred thousand dollars beyond and in addition to the present bonded debt of One Hundred and twenty-five thousand dollars.

It was read first time, after which a motion was made to suspend the rules and place it on its second reading, which was adopted by the following vote: Yeas Aldermen Assman, Boland, DeGross, Graham, Haigler, Jones, Lawrence, Linn, Morris, Newton, Kitschke, North, Pillow, Platt, Townsend, Wilson, Wartham, Giller - 18.

It was then read by Caption, after which Alderman Linn moved to postpone further action on the same until the next regular meeting and that the City attorney be instructed to draw an amendment defining the term "tax-payer" and submit it at the meeting named. Alderman Jones moved to lay the motion made by Alderman Linn on the table and it was done by the following vote:

Yeas Aldermen - Assmann, Boland, DeGross, Graham, Haigler, Jones, Newton, Kitschke, Platt, Wilson, Wartham - 11.

Nays Aldermen - Lawrence, Linn, Morris, North, Pillow, Townsend, Giller - 7.

Alderman Morris moved a Call of the Council.

Lost. Alderman DeGross moved to amend Section 1. by inserting the 18th day of February as date of election. Adopted.

Alderman Morris moved to amend Section three of the Ordinance by adding this proviso: "Provided, that only such persons as appear by the roll of the City assessor and collector to

be assessed for taxes for the year 1887 or 1888 and who shall show themselves to be tax payers by producing at the polls tax receipt for City taxes for the year 1887 or 1888 or an affidavit that the person proposing to vote has paid City taxes for the year 1887 or 1888." The amendment was adopted by the following vote:

Yeas - Aldermen - Assmann, Boland, DeGress, Graham, Haigler, Jones, Lawrence, Linn, Morris, Newton, Kitschke, North, Pillow, Townsend, Wilson, Wartham, Giller - 17.

Nays - Alderman (Platt).

A motion was then made to suspend the rules and place the ordinance on its third reading, which was lost by the following vote:

Yeas - Aldermen - Assmann, Boland, DeGress, Haigler, Jones, Newton, Platt, Wilson - 8.

Nays - Aldermen - Graham, Lawrence, Linn, Morris, Kitschke, North, Pillow, Townsend, Wartham, Giller - 10.

Alderman Graham introduced An Ordinance authorizing the mayor to draw warrants in favor of the treasurer of the board of school trustees and making appropriation to meet the same. It was read first time, after which a motion was made to suspend the rules and place it on its second reading, which was lost by the following vote:

Yeas, Aldermen - Graham, Lawrence, Linn, Morris, Kitschke, North, Pillow, Townsend, Wartham, Giller - 10.

Nays, Aldermen - Assmann, Boland, DeGress, Haigler, Jones, Newton, Platt, Wilson - 8.

Alderman DeGress then introduced An Ordinance appropriating \$50.00 for expenses of City Attorney in case of A. K. Ritz vs. the City of Austin. It was read first time, after which motions were made to suspend the rules and place it on its second and third readings, both of which were adopted by a vote of 15 yeas. The Ordinance was then passed.

Alderman DeGress offered An Ordinance appropriating

The sum of \$5.100 for the purpose of paying officers and regular employees of the City of Austin for the month of January, 1889.

It was read first time, after which a motion was made to suspend the rules and place it on its second and third readings and that it do pass; all of which were adopted by the following vote and duly complied with:

Yeas, Aldermen.

Assmann,
Beland, DeGress, Graham, Haigler, Jones,
Lawrence, Linn, Morris, Newton, Nitschke,
North, Pillow, Platt, Townsend, Wilson,
Wortham, Zeller - 18.

Alderman DeGress also introduced an Ordinance) appropriating \$16,250.53 for the purpose of paying approved accounts and interest on the bonded debt of the City now due.

It was read first time, after which motions were made to suspend the rules and place it on its second and third readings and that it do pass; all of which was adopted by the following vote and duly complied with:

Yeas, Aldermen - Assmann,
Beland, DeGress, Graham, Haigler, Jones,
Lawrence, Linn, Morris, Newton, Nitschke,
North, Pillow, Platt, Townsend, Wilson,
Wortham, Zeller - 18.

Vehicle stands

Alderman Pillow offered an Ordinance establishing and regulating Vehicle stands.

It was referred to the Street Committee.

Police force

The City marshal presented the following:

Austin, Jan. 1.

To the Honorable Mayor and City Council, Austin, Texas.

I beg leave to submit the following named members of the police force for your approval:

Sergeant, C. C. Palmer; Clerk, Neil McCashin;
City detective, John Chennville; Harry Montgomery, J. E. Kennedy,
J. L. Kendall, J. W. Gossonway, Wm. Dornwell, J. D. Platt,
O. H. Gibson, L. C. Lick, H. B. Davis, J. R. Connor, B. C. Tolwell, P. J. Plumb, Night Clerk, T. J. Campbell

Very Respectfully,
James E. Lacey, City Marshal.
On motion the nominations were confirmed.
The Council then adjourned.

Milton Morris,
City Clerk.