

Regular Meeting City Council.
 Austin Texas, May 6th 1878.
 Mayor De Gross presiding.
 Roll called. Present Aldermen Crow,
 Croaker, Kalle, Brown, Sheehan and Strong.
 Quorum present.
 Alderman Croaker moved a call of the
 council. Call sustained by three Alder-
 men. The Marshal was sent for the
 absentees. Aldermen Millett, Platt
 and Vaughan appeared and answered to
 their names.
 The minutes of the meeting of April 10th
 were read and approved, and on motion
 of Alderman Millett the minutes of the
 meetings of April 11th, 15th, 17th and 29th were
 dispensed with.
 His Honor the Mayor submitted the follow-
 ing report.

Austin May 6th 1878.
 To the Honorable Board of Aldermen, City
 of Austin. Gentlemen.
 In accordance with the City ordinan-
 ces, it became the duty of the City Council
 to fix the per centum of taxation for the
 year ending November 3rd 1878.
 To do this intelligently it may be well to
 look at the present financial condition of
 the City.
 Last year the taxable property was \$6,250,270,
 on which a tax of one per cent. was levied by
 the Council, making the income of the City
 from the ad valorem tax \$62,502,70.
 Of this there had been collected to April
 30 - \$44,900,43, leaving an uncollected balance
 of \$17,602,27; of this balance there can be
 collected about \$15,500. Against this
 amount there are outstanding warrants
 to the amount of \$4,783,73.

The City Treasurer reports \$4,644.⁴¹ cash in
 the Treasury, which, with the fines collected in
 the Mayor's Court will leave the cash on hand
 about \$5000.⁰⁰. This is sufficient to pay the

interest on our bonded indebtedness due July 1.st
 During the last six months the following
 improvements have been contracted and paid
 for: An iron bridge over Haller Creek on
 Cedar Street, the reflooring and putting in of
 new timbers on the iron bridge over Haller
 Creek on Pecan Street, the partial filling of
 the ravine at the foot of Langnes Avenue
 leading to the Leonard's river bridge, two
 small bridges in the fifth ward, also
 the completion of the gutters and improve-
 ments on Pecan Street and a wooden bridge
 over Haller Creek on Chestnut Street, per-
 cept \$50.⁰⁰ yet due on the last bridge which
 will be paid when it is accepted by the
 Street Committee. Warrants have also
 been issued for the codifying of the City
 ordinances and are included in the above
 statement.

The City has paid the warrant for \$1500.⁰⁰
 with \$150.⁰⁰ interest due thereon, which was
 issued by Ex Mayor Wheeler for the Engine
 of Washington Fire Company No. 1. - this
 being the last payment on said engine.

The shrinkage in value of property in
 this City since the last assessment, is over
 one million dollars, whereby the income
 of the City will be decreased this year over
 ten thousand dollars, therefore economy must
 be practiced in every department of the
 City government. Only the most necessary
 improvements should be made during the
 year.

I have for some time kept the prisoners
 at work opening East Avenue and breaking
 stone with which it is proposed to macadam-
 ize the streets mostly used by heavy
 travel. The only expense in making the im-
 provements, will be the hauling of stone and
 gravel.

The streets outside of the Avenue and
 Pecan Street, so long neglected, should receive
 your especial attention, and the largest portion

of the money to be expended for improving streets should be spent there.

Fully realizing the loss of revenue to the City on account of hard times and the shrinkage in the value of property, but believing that you will do all in your power to assist in whatever efforts are made to encourage, I respectfully recommend that our present taxes be reduced to five-sixths of one per cent. for the present year, or that you continue the present rate of taxation and reduce our bonded indebtedness, whichever, in your judgment, be for the best interests of the City.

If the people will pay their taxes and not encourage speculation in City warrants, we can make a further reduction of taxes next year.

Very respectfully,
J. B. DeCress,
Mayor.

Report received

The Mayor also submitted the following in relation to B. H. Hildy City Attorney:

Austin, May 3^d 1878.

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

In compliance with the directions of your honorable body, I notified Mr. Hildy at the 30th session, that after mature deliberations of the charges brought against him and after hearing the evidence adduced and his own statement, you had requested his resignation and informed him that you were there lenient on account of his youth. He stated that he would acquaint me during the day whether he would comply with your wishes.

The same day I received the enclosed letter from Mr. Archer, and upon asking Mr. Hildy whether this letter was written with his advice and consent, he informed

me that it was.

I have the honor to submit in addition to my letter to the Council dated April 24, that I believe Mr. Hildy incompetent to perform the duties of the office of City attorney properly, and that he has accepted and to use his official position for the purpose of persecution.

Very respectfully,
J. C. De Gress,
Mayor.

Mr. Archer's letter.

Austin April 30th 1878.

Hon. J. C. De Gress.

Mayor, Austin.

Sir:

Mr. Hildy has laid before me the nature of the differences that seem to exist between you and him, and also your statement to him that the City Council had requested him to resign, and asked my advice thereon.

I have advised him to unqualifiedly refuse your kind proposal.

If you have any charges to make, prefer them in the proper manner and give him legal notice; - he is ready to meet them.

Yours respectfully,
Osceola Archer.

Mayor De Gress' letter of April 24th 1878.

Austin, April 24th 1878.

Hon. Board of Aldermen City of Austin:
Gentlemen:

I have the honor to submit herewith papers showing monies collected by the City Attorney in the Justice Courts of this precinct. Mr. Hildy collected all but \$35.00 of this \$293.00 in January, and the former amount in February; this money was kept by him until today, when I again called on him for this money and he then turned it over to the assessed and collector.

I cannot believe that Mr. Hildy kept

this public money in his possession with the intention of doing wrong or using it, but I am rather inclined to the opinion that it is the want of legal qualifications required of the law officer of this city, else he must have known, that not being a bonded officer and there being no law authorizing him to make collections, he had no right to do so.

Although I had directed Mr. Wildy to turn this money over to the Assessor and Collector some months ago, which he neglected to do, - today, when again required to deposit this money, he informed me that it had been deposited by him, a portion of it with Marshal Terry and the balance elsewhere; he also stated that the Assessor and Collector had refused to receive this money, as he did not know what commission he was entitled to.

While it is an unpleasant duty to make a complaint against an officer, under the circumstances, I deem it necessary to acquaint you with these facts, so that you may be able to take the necessary steps to prevent a recurrence of such action.

Very respectfully,
J. B. De Gress,
Mayor.

Letter from Assessor and Collector,
Austin, April 23^d 1878.
Hon. J. B. De Gress, Mayor:

Dear Sir:

In reply to yours of the nineteenth instant, I have the honor to hand you herewith certified copies of receipts given in cases where judgments obtained by the City of Austin against delinquent tax-payers and others, have been satisfied. There has been no money paid to me collected

on these judgments.

Yours very respectfully,
Fritz D. Storzinger,

Assessor and Collector

copies of receipts given by J. N. Milder.

No 527

The City of Austin,

Pre- on the within judgment
\$35.00 (signed) J. N. Milder
(July 11) 2. City

J. N. Quinn & Co. et. alias.

Suit on note of \$42.⁵⁰ filed

Jan. 18/78. Returnable 4th

Monday in January 1878

litigation if July 18/78.
and given to Krause same
day.

if. Citations 4. - \$2.00
docket & tax .20
Bond .50
Judgment .50
\$3.20

Received my fr. A. Krause Inv. Citations 5 mi.

2.00
5.20

Received \$33.00 of Peter Smith. Fritz Degenen
paid 10.

\$43.00 due to Court

J. P.
250.22
43.

balance due \$07.22

I hereby certify that the above is a true and
correct copy of the above case as it appears on
my docket.

Fritz Degenen, Justice of the Peace.
Travis Co. Texas.

No 1712

City of Austin,

Suit on note for \$75.⁰⁰ dated
October 30. 1871. due July 30. 1872.

The E. Crauer,
vs. G. Palm.

July 18. 1874 writs issued returnable
on the 1st Monday in August 1874
and given to Stokes and returned served July 21.
1874. Aug. 3rd continued for service on Palm.
Sept. 7. 1874. The Plaintiff appeared and dismissed
this suit as to the defendant G. Palm and the
other defendants failed to appear and the
Court after hearing the evidence doth order
adjudged that the Plff. The City of Austin,
recovers of the defendants The E. Crauer and
Mr M. Wilson the sum of eighty seven ⁵⁰100 dollars
principal and interest to date with interest there-
on at 8 percent per annum and all costs of
suit for which execution may issue

Signed) James H Smith (J. P. Travis Co Texas

Received the amount claimed on the within
judgment in full. J. N. Milder.
City atty.

Sept. 21st 1877. 1st Ex. issued and given to
 Stokes and returned not satisfied
 July 10th 1878. 2^d Ex. issued and given to
 Bubbett and returned satisfied in full
 State of Texas } James Krill a Justice of the
 Travis County } Peace in and for Precinct No. 3,
 Travis County and successor of Jas. W. Smith
 the officer before whom the judgment on the
 notes hereof was rendered, do hereby cer-
 tify that said judgment & entries are a
 true and correct copy of the entries on my
 docket in the said cause.

In testimony whereof I hereunto
 set my hand at office in Austin this the 23rd
 day of April 1878 James Krill J.P. Travis County Texas.

State of Texas } Statement of cases brought
 County of Travis } in Justice Ferguson's Court against
 delinquent tax payers by the City of Austin.

No. 114 City of Austin } Suit for taxes due the City of Austin.
 vs } for \$5.00 Execution stopped by City Atty.
 Stalle & Co. } Justices costs not paid \$3.85
 No. 115 City of Austin } Suit on \$54.²⁶ tax
 vs } paid \$6.⁰⁰
 T. J. Moore } costs paid in full.

\$46.⁰⁰

No. 116 City of Austin } Due for costs of Court \$3.95
 vs } Due to the City of Austin
 H. J. Oliphant } \$20.¹⁰

\$20.⁰⁰

No. 119 City of Austin } Due to the City of Austin \$113.²⁶
 vs } Paid to F. Britton \$90.⁰⁰
 Dr. M. W. Morris } Due Justices costs \$3.95

No. 122 City of Austin } Paid to F. Britton \$15.³⁵
 vs } Costs paid in full
 Alongo Pennington }

\$2.⁰⁶

No. 123 City of Austin } Dismissed at request of
 vs } City attorney
 N. C. Withers } Costs due to Just. Court \$3.95

\$68.⁵¹

cents carried forward \$15.51

#68.56 Aunt's Boat Forward \$15.50
 No 125 City of Austin, } Suit for \$22.⁰⁰ due the City
 Mrs. Lucy Raymond, } of Austin.
 Justice's Court }
 Nothing paid in court. } 39.5

No 137 City of Austin, } Suit for taxes due the City
 B. Frigg, } of \$78.⁰⁰
 Justice's Court } \$2.50

No 139 City of Austin, } Judgment for the City of
 Rachel Leapwood, } Austin for \$9.⁸⁶ nothing
 paid to the Court. }
 Justice's Court } \$2.90

No 153 City of Austin, } Due the City for taxes \$15.¹²
 Mrs. Caroline Otto, } paid to Geo Britton
 August 20th 1878. } \$9.⁸⁰. Balance due to the
 City of Austin. Justice's
 Court } cash paid in full.

No 167. City of Austin, } Amount paid in City scrip
 J. M. Swisher, } Eight dollars, ⁵⁰ cents to
 the City. }
 due to Justice's Court } \$8.98

No 168. City of Austin, } Due to the City of
 D. M. Wilson, } Austin, \$190.⁸⁴
 Execution returned }
 no property found. Justice's Court. } \$1.90

#74.57 Aunt's carried forward. \$38.98

#74.51 Aunt's Boat Forward \$38.98

No 190 City of Austin, } Suit on acct. of City
 Saw Harris, } taxes for \$112.⁵⁴ paid
 Judgment and Cash in full. }

#187.05 Recd: this 14th day of January 1878 one
 hundred and eighty seven ⁰⁰/₁₀₀ dollars (\$187.⁰⁰)
 from Hon Fritz Reuter, the amount as taxes
 recovered in Precinct No 3. of Travis Co. Texas

(signed) Sam. N. Wildy,
City of Austin.

Received of Sam. N. Wildy City Attor-
ney this 20th \$38.⁹⁸ in the above numbered
and styled cause.

(signed) Fritz Tyeum, J. P. D. C. Tex.

I hereby certify that the foregoing is a
true and correct copy of the original
receipt now in my possession.

Fritz Tyeum,
Justice of the Peace
Travis Co. Tex.

Report received and on motion of Alder-
-man Crocker action thereon was
postponed to a special meeting to be called
for that purpose.

Petition of John Morris for liquor license
Petition granted.

Petitions of Charles and William Thiele to
refund one half of amount deposited by
them for issuance of license as butchers
and that license issue to them for six months.

Petitions granted

Quarterly report of Assessor and Collector
reporting collections during the quarter
of \$32,860.⁸⁷

Report received and referred to Finance Com-
-mittee

Quarterly report of City Treasurer showing
a balance on hand of \$4,644.⁴¹

Report received and referred to Finance Com-
-mittee.

Quarterly report of City Marshal showing
fines collected in Mayor's Court \$307.²⁰
Marked out on streets \$293.⁰⁰

Report received

Report of City Physician showing number
of patients remaining under treatment 15.
Also a report on the subject of Trichinae in
fresh pork.

Reports received
Report of City Sexton showing total leather

in month of April 18. Received

Report of Street Committee regarding the condition of Bois d'Arc street between San Antonio and Kuees streets, recommending an estimate to be made by City Engineer of cost of work to be done.

Report received and adapted also a report by same Committee submitting an ordinance in relation to gas lamps and recommending its passage.

Report received and ordinance read first time.

An ordinance appropriating \$1500.⁰⁰ for the purchase of a fine alarm bell.

Read second time.

Petition of J. D. Elliott for relief under his contract for city printing.

Read ^{2d} before Finance Committee.

Resolution giving John P. Herbert late city clerk full pay for the month of April.

Read second time and on motion of Alderman Millett the rules were suspended ^{2d} and the resolution placed on its third reading by the following vote: Yeas seven,

Wagner, Millett, Stalle, Platt, Pauer, Sheehan, Strong, ^{2d} Vaughan - 9.

Absent Alderman Metz 1.

The resolution then passed by the following vote: Yeas seven, Wagner, Millett, Stalle, Platt, Pauer, Sheehan, Strong ^{2d} Vaughan - 8.

Yeas Alderman below 1.

~~Absent~~ Absent Alderman Metz 1.

On motion of Alderman Pauer the street committee was instructed to make a culvert, south of the Court house to the Congress Avenue gutter.

Resolution requiring City Clerk to furnish for publication a synopsis of all business at regular and called meetings of the Council. Resolution passed.

By ordinance Committee. An ordinance creating the office of City Engineer and Street Commissioner.

Read first time and on motion the rules were suspended and the ordinance placed on its second reading by the following vote:

Yeas Alderman Crow, Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan. 9.
Absent Alderman Metz. 1.

Ordinance read second time and on motion the rules were further suspended and the ordinance placed on its third reading by the following

Vote: Yeas Alderman Crow, Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan. - 9.

Absent Alderman Metz. 1.

Ordinance read third time and passed by the following vote: Yeas Alderman Crow, Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan - 9.

Absent Alderman Metz. - 1.

An ordinance prohibiting the keeping of pigeons within the City of Austin.

Read first time and on motion the rules were suspended and the ordinance placed on its second reading by the following vote: Yeas Alderman Crow, Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan - 9.

Absent Alderman Metz. 1.

Read second time and on motion the rules were further suspended and the ordinance placed on its third reading by the following vote: Yeas Alderman Crow,

Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan - 9.

Absent Alderman Metz. 1.

Ordinance read the third time and passed by the following vote: Yeas Alderman Crow, Crocker, Millett, Halle, Platt, Raven, Sheehan, Strong and Vaughan - 9.

Absent Alderman Metz. - 1.

Resolution appropriating \$67.50 for mason work on bridge over Haller located on Cedar Street.

Read first time and on motion the rules were suspended and the resolution placed on its

second reading by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong and Vaughan - 9.
Absent Alderman Metz - 1.

Resolution read second time and on motion of Alderman Strong the rules were further suspended and the resolution placed on its third reading by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong and Vaughan - 9.
Absent Alderman Metz - 1.

Resolution read third time and on motion passed by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong, and Vaughan - 9.
Absent Alderman Metz - 1.

An Ordinance prohibiting certain acts on Sunday.

Read first time and on motion the rules were suspended and the ordinance placed on its second reading by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong & Vaughan - 9.
Absent Alderman Metz - 1.

Ordinance read 2^d time.

Alderman Brown moved to amend by adding article to 385 of the old ordinances. Amendment adopted and on motion the rules were further suspended and the ordinance placed on its third reading by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong, and Vaughan - 9.
Absent Alderman Metz - 1.

Ordinance read third time and passed by the following vote: Yeas Aldermen Brown, Crooker, Millett, Hall, Platt, Brown, Sheehan, Strong and Vaughan - 9.

Alderman Metz absent. 1.

An Ordinance relating to and regulating the City Squares.

Read first time and on motion the rules were suspended and the ordinance placed on its

second reading by the following vote: Yes
Aldermen Crow, Crooker, Millett, Halle, Platt,
Baron, Sheehan, Strong and Vaughan. 9.
Absent Alderman Metz 1.

Ordinance read second time and on motion
the rules were further suspended and the
ordinance placed on its third reading by
the following vote: Yes Aldermen Crow,
Crooker, Millett, Halle, Platt, Baron, Sheehan,
Strong and Vaughan - 9.

Absent Alderman Metz 1.

Ordinance read third time and on motion
passed by the following vote: Yes Aldermen
Crow, Crooker, Millett, Halle, Baron, Sheehan,
Strong and Vaughan. 9.
Absent Alderman Metz 1.

An Ordinance relating to street dimensions.
Read first time and motion to suspend the
rules lost by the following vote, two thirds
of the Aldermen not voting in the affirmative.
Yes Aldermen Crow, Halle, Platt, Sheehan,
and Vaughan. 5.

Ayes Aldermen Crooker, Millett,

Baron and Strong

Absent Alderman Metz

On motion the ordinance was referred to
the ordinance committee.

An Ordinance regulating elections.

Read first time and on motion the rules were
suspended and the ordinance placed on its
second reading by the following vote: Yes.

Aldermen Crow, Crooker, Millett, Halle,
Platt, Sheehan, Strong and Vaughan 8.

Ayes Alderman Baron

Absent Alderman Metz

Read second time and on motion the rules
were further suspended and the ordinance
placed on its third reading by the following

vote: Yes Aldermen Crow, Crooker, Millett,
Halle, Platt, Sheehan, Strong and Vaughan - 8.

Ayes Alderman Baron

Absent Alderman Metz

The ordinance was read the third time and
 on motion passed by the following votes
 Aldermen Crow, Lybaker, Millett, Hall,
 Platt, Sheehan, Strong & Vaughan — 8.
 Trays Alderman Brown 1.
 Absent Alderman Metz — 1.

On motion of Alderman Millett the
 Council adjourned.

Approved

May 14 1878

L. M. Bradley
 City Clerk