

HISTORIC LANDMARK COMMISSION
MAY 20, 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 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) Alcalá 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. No information about El Fenix Bakery could be found. 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.

Consuela Herrera Mendez was born around 1906. She was the first Mexican American teacher in the Austin Independent School District. She taught at the Comal Street School in 1932. Her date of death was not found during preliminary research.

Mary Grace Herrera was born in 1912 in McQueeney, Texas. She was the second Mexican American teacher in AISD. She 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 at least until 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

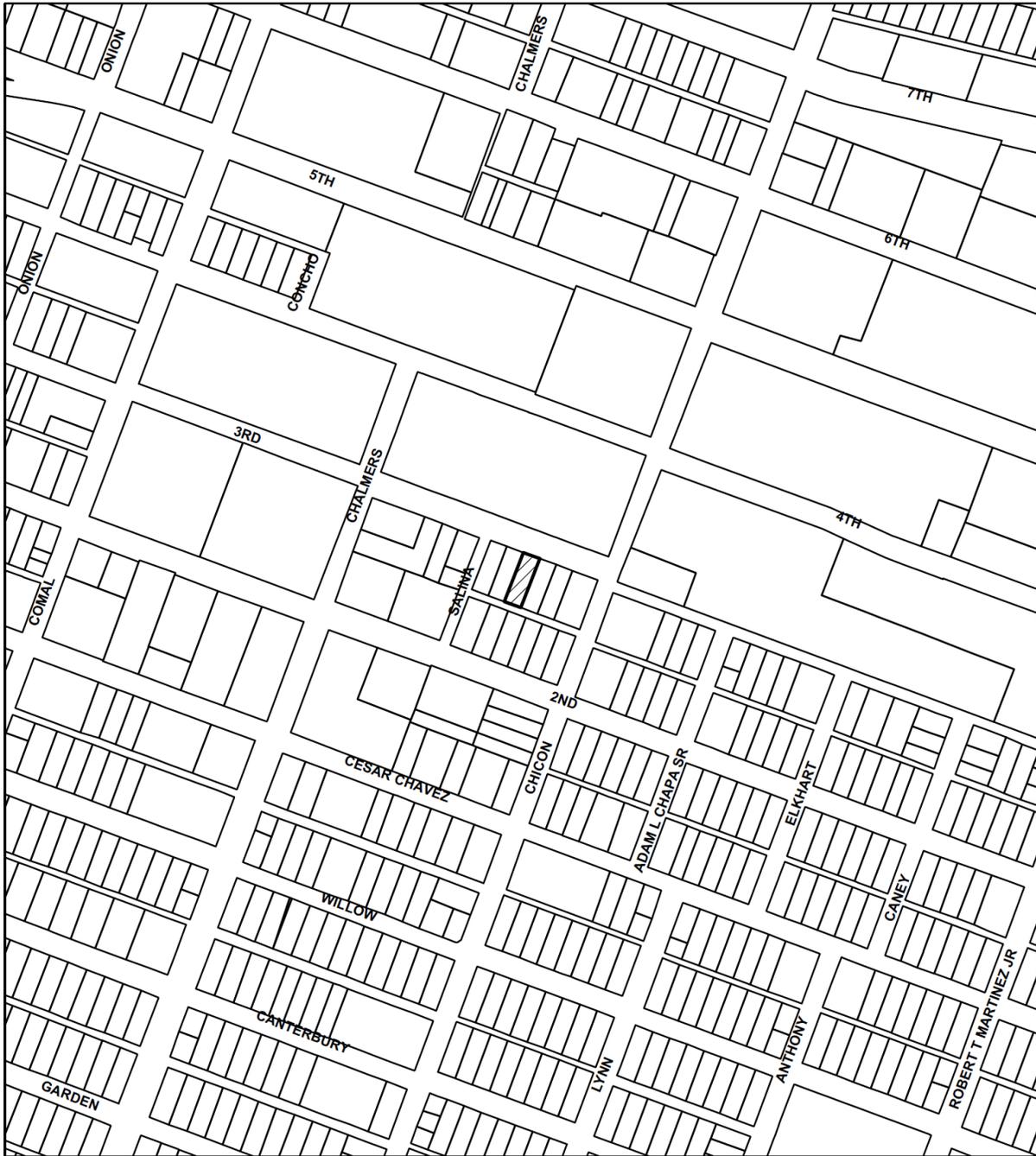
- 1) The building is more than 50 years old.
- 2) The building appears to retain a high degree of integrity. Doors have been replaced.
- 3) Properties must meet two historic designation criteria for landmark designation (City of Austin Land Development Code, Section 25-2-352). The property appears to 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.
 - b. **Historical association.** The house was occupied by the Herrera family for 75 years: first by Valentine and Josefa Herrera (around 1911 until 1963), then by their daughter Mary Grace Herrera (until at least 1986). Valentine ran a Spanish school, while Josefa owned El Fenix Bakery, a confectionery shop. Consuela Herrera Mendez was the first Mexican American teacher in AISD, while her sister Mary Grace Herrera was the second; Mary Herrera taught at Palm School for at least 35 years. There may 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 may be eligible for designation as a historic landmark. However, the Commission may wish to consider the property’s condition before initiating historic zoning.

STAFF RECOMMENDATION

Consider postponing the case or initiating historic zoning to allow further research on the Herrera sisters and their potential significance as early Mexican American teachers in AISD. 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

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



1" = 333'

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
- Florena [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, L. 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. Cardenas, 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 Hyttin 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

PERSONAL AND STATISTICAL PARTICULARS		MEDICAL PARTICULARS	
1. PLACE OF DEATH STATE OF TEXAS COUNTY OF <u>Travis,</u> CITY OR PRECINCT NO. <u>Austin,</u> <u>1805 East 3d. Street</u> GIVE STREET AND NUMBER OR NAME OF INSTITUTION		TEXAS DEPARTMENT OF HEALTH BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF DEATH 28887	
2. FULL NAME OF DECEASED <u>Valentin Alcalá Herrera</u>			
LENGTH OF RESIDENCE WHERE DEATH OCCURRED <u>31</u> YEARS <u>0</u> MONTHS <u>0</u> DAYS (SOCIAL SECURITY NO. _____)			
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>)			
3. SEX <u>Male</u>	4. COLOR OR RACE <u>Mexican</u>	17. DATE OF DEATH <u>June 20th.</u> 19 <u>42</u>	18. I HEREBY CERTIFY THAT I ATTENDED THE DECEASED FROM <u>1930</u> 19 <u>4</u> TO <u>June 20</u> 19 <u>42</u>
5. SINGLE, MARRIED, WIDOWED OR DIVORCED (WRITE THE WORD) <u>Married</u>	6. DATE OF BIRTH <u>Febry. 14th. 1856</u>	1. LAST SAW <u>alive</u> ON <u>June 20</u> 19 <u>42</u>	THE DEATH OCCURRED ON THE DATE STATED ABOVE AT <u>1:45 P.M.</u>
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>	THE PRIMARY CAUSE OF DEATH WAS: <u>hemiplegia</u> DURATION <u>1 yr</u>	
8B. INDUSTRY, BUSINESS OR WHICH? _____	9. BIRTHPL. (STATE OR COUNTRY) <u>Mexico</u>	CONTRIBUTORY CAUSES WERE <u>hypertension</u>	
10. NAME <u>Pedro Herrera</u>	11. BIRTHPLACE (STATE OR COUNTRY) <u>Mexico</u>	IF NOT DUE TO DISEASE, SPECIFY WHETHER ACCIDENT, SUICIDE, OR HOMICIDE	
12. MAIDEN NAME <u>Benigna Acala</u>	13. BIRTHPLACE (STATE OR COUNTRY) <u>Mexico</u>	DATE OF OCCURRENCE _____	
14. SIGNATURE <u>Consulo E. Herrera</u>	15. PLACE OF BURIAL OR REMOVAL <u>Memorial Park,</u> TEXAS	PLACE OF OCCURRENCE _____	
ADDRESS <u>Austin,</u> TEXAS	DATE <u>June 22d. 1942</u> 19 <u>42</u>	MANNER OR MEANS IF RELATED TO OCCUPATION OF DECEASED, SPECIFY	
16. SIGNATURE <u>C.A. Hyltin.</u>	16. SIGNATURE <u>C.A. Matthews</u> M.D.	SIGNATURE <u>Harold Hood, M.D.</u> M.D.	
ADDRESS <u>Austin,</u> TEXAS	ADDRESS <u>Austin,</u> TEXAS	ADDRESS _____ TEXAS	
20. FILE NUMBER <u>504</u>	FILE DATE <u>6-22-42</u> 19 <u>42</u>	POSTOFFICE ADDRESS <u>AUSTIN, TEXAS</u>	

NOTE THE INFORMATION CALLED FOR ON THE REVERSE SIDE



Death certificate for Valentin Alcalá 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 Hyltin-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 Hyltin-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 ^{450 00} ⁵¹ CERTIFICATE OF DEATH STATE FILE NO. **60360**

450.0 TEXAS DEPARTMENT OF HEALTH - BUREAU OF VITAL STATISTICS

1. PLACE OF DEATH a. COUNTY Travis		2. USUAL RESIDENCE (Where deceased lived. If institution, residence before admission) a. STATE Texas b. COUNTY Travis	
b. CITY OR TOWN (If outside city limits, give precinct no.) Austin		c. CITY OR TOWN (If outside city limits, give precinct no.) Austin	
d. NAME OF (If not in hospital, give street address) HOSPITAL OR INSTITUTION 1710 Garden Street		d. STREET ADDRESS (If rural, give location) 1805 East 3rd. Street	
e. IS PLACE OF DEATH INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		e. IS RESIDENCE INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
f. IS RESIDENCE ON A FARM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
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 <input type="checkbox"/> Never Married <input type="checkbox"/> Widowed <input checked="" type="checkbox"/> Divorced <input type="checkbox"/>		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 (If yes, give war or dates of service) None		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 DUE TO (b) DUE TO (c)			INTERVAL BETWEEN ONSET AND DEATH Years
PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART I (a)			
20a. ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE <input type="checkbox"/>		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. 31 p.m. 1963			
20d. INJURY OCCURRED WHILE AT WORK <input type="checkbox"/> NOT WHILE AT WORK <input type="checkbox"/>		20e. PLACE OF INJURY (e.g., in or about home, farm, factory, street, office building, etc.)	
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 Aug 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. LOCATION (City, town, or county) Austin Travis Texas		23d. NAME OF CEMETERY OR CREMATORY Austin Memorial Park	
24. FUNERAL DIRECTOR'S SIGNATURE Hyltin-Manor Funeral Home, Inc. #5387		25. REGISTRAR'S SIGNATURE B. M. Pruner, M.D.	
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.

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-

(See SCHOOL, Page 6)

● SCHOOL CASE

(Continued From Page 1)

puity; 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>are currently said to be desegregated.</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>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>Each of the witnesses said they could recall no special programs available at the</p>	<p>Opponents of the plan, however, called the policy "part-time desegregation" and it was not accepted by the appellate court.</p>

"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, Ecelmira 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

WATER SERVICE PERMIT Austin, Texas		No. 13415 INDEXED Date 5-23-39
4	Received of _____	
Address <u>1805 E-3rd St.</u>		
Amount _____ \$ _____		
Plumber <u>Timmen</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>front curb line</u>		
Type of Box <u>Lead</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 <u>3/8"</u>	
	Elbow	
	St. Elbow	
	Bushing	
	Reducer	
2	Pipe <u>3/4" COPPER</u>	
	Lead Comp.	
	Nipples	
1	Union <u>3/4" C-T-I</u>	
1	Plug <u>3/4" COPPER</u>	
	Tee	
	Stop	
	Box	
	Lid	
	Valves	
	Job No. <u>C39-665E</u>	
	Req. No. <u>36027-</u>	

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-2NA</i>		OCCUPANCY: <i>frame addn to existing Res</i>			
<i>8-14-73</i>	LAYOUT		FRAMING		<i>10-18-74</i>	FINAL	
	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.	ACC. BLDG.	ROOF OVERHANG
							<i>10"</i>
FOUNDATION			FLOOR JOIST SIZE & O.C.	<i>5</i>	NECESSARY BLDG. CONN.		ACC. BLDG.
FR. SETBACK	<i>11'</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 24"</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 ft</i>							
<i>2-5-74</i>				<i>8-13-73</i>			
<p style="text-align: center;"><i>East 3rd St</i> <i>46'</i></p> <p style="text-align: center;"><i>138'</i></p> <p style="text-align: center;"><i>15'</i></p> <p style="text-align: center;"><i>9'</i></p> <p style="text-align: center;"><i>Chambers</i></p> <p style="text-align: center;"><i>Chicago</i></p>							
<i>W.F.H.</i> INSPECTOR							

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