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## SPECIAL LAWS

OF THE

TWELFTH LEGISLATURE

OF

THE STATE OF TEXAS

CALLED SESSION

BY AUTHORITY

AUSTIN  
1870

REPRODUCED FROM THE  
HOLDINGS OF THE  
TEXAS STATE ARCHIVES

Sec. 17. That the mayor be and he is hereby invested with all the powers and jurisdiction of a justice of the peace, within the limits of said town.

Sec. 18. That the books and records of the corporation shall, at all reasonable times, be open to the examination of any citizen of said town, or property holder therein, desiring the same.

Sec. 19. That the bonds of the constable, treasurer, and other bonded officers of said corporation, shall be recorded in the office of the clerk of the County Court of Limostone county.

Sec. 20. That this act take effect from and after its passage.

Approved August 13, 1870.

#### CHAPTER CXXI.

##### An Act to incorporate the town of Rockport, in Refugio county.

Section 1. Be it enacted by the Legislature of the State of Texas, That the citizens of Rockport, in Refugio county, within the following limits, to wit: beginning at a point on the bay, upon which said town now stands, at low tide water mark, one mile in an easterly direction from Doughty & Mathis' wharf; thence back in a northwesterly direction one-half mile; thence in a westerly direction two miles, to a point one-half mile from low tide water on said bay; thence in a southerly direction one-half mile to said low water mark in said bay; thence along said bay, at low tide water, in an easterly direction to the place of beginning, be and they are hereby declared a body politic and corporate, under the name and style of the "Corporation of the town of Rockport," and by that name shall have power to sue and be sued, plead and be impleaded, and to hold and dispose of real and personal property; provided, such real property is situated within the limits of said corporation.

Sec 2. That the Governor is hereby authorized to appoint a mayor and five aldermen for said town of Rockport, who shall hold their offices until the next general election, unless otherwise provided by law. A collector, treasurer, secretary and constable shall be elected by said aldermen; the treasurer and collector shall be required to give bond, with security, to be approved by the presiding officer, for the faithful performance of their duties, and to make reports when required by the mayor and board of aldermen; and the

*Laws of the State of Texas.*

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mayor shall have power, when necessary to suppress riots and disturbances, to call out the citizens of said corporation for the purpose of restoring order. The collector shall act as assessor, if so required by the board of aldermen.

Sec. 3. That the said mayor shall, immediately preceding the expiration of his term of office, give ten days' notice for the election of one mayor, two aldermen, one constable and an assessor and collector for said corporation; which said officers shall hold their respective offices for the term of one year; and an election shall be held annually thereafter for officers of said corporation.

Sec. 4. That in case the office of mayor shall become vacant by death, resignation or otherwise, then the aldermen shall elect one of their own body to act as mayor until the next annual election.

Sec. 5. That no person shall be eligible to any office under the provisions of this charter who is not a citizen of this State, and a resident within the limits of this corporation for the space of sixty days, nor shall any person have a right to vote for any officers who is not a citizen and a resident within said corporate limits.

Sec. 6. That the mayor and board of aldermen of said corporation shall have power to pass such rules and ordinances as may be necessary for the regulation of the police and the preservation of order within the corporate limits; for the levying of taxes; for the removal of nuisances; the keeping of the streets in good order, and other objects promotive of the public good; and to prescribe penalties for the violation of the ordinances and by-laws of the corporation; provided, that in no case such penalties shall exceed one hundred dollars.

Sec. 7. That the mayor, with the majority of said aldermen, shall constitute a quorum for the transaction of business, and shall enact and enforce such rules and regulations as they may deem necessary for the government of said corporation, and the promotion of public health; provided, that the same do not conflict with the Constitution and laws of State.

Sec. 8. That this act take effect and be in force from and after its passage.

Approved August 18, 1870.

# City of Rockport

Special Laws of the 12th  
Legislature of the State of  
Texas  
First Session 1871

Approved May 26, 1871—  
establishing City of  
Rockport, Refugio County,  
Texas

# SPECIAL LAWS

OF THE

## TWELFTH LEGISLATURE

OF

# THE STATE OF TEXAS

FIRST SESSION—1871.

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BY AUTHORITY.

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AUSTIN  
1871

TEXAS STATE LIBRARY  
AUSTIN, TEXAS

cept for medical or sacramental purposes,) within two miles of Johnson's Point Male and Female Seminary, in Kaufman county, Texas, is hereby prohibited; and that the sale of any intoxicating liquors or drinks to any student or students of said seminary is hereby prohibited.

Sec. 2. That any person or persons violating the provisions of the foregoing section shall be fined in any sum not less than ten nor more than one hundred dollars, for each violation of the same, before any court of competent jurisdiction.

Approved May 26, 1871.

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#### CHAPTER CCLXXXI.

An Act to prohibit the sale of intoxicating or spirituous liquors in the vicinity of Jamestown High School.

Section 1. Be it enacted by the Legislature of the State of Texas, That it shall be unlawful for any person or persons to sell intoxicating or spirituous liquors within one mile of Jamestown High School, situated at Jamestown, in Smith county, except for medicinal or sacramental purposes.

Sec. 2. That any person or persons violating the provisions of the preceding section of this act shall, upon conviction, be fined in a sum not to exceed fifty dollars, for every such offense.

Sec. 3. This act shall take effect and be in force sixty days from and after its passage.

Approved May 26, 1871.

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#### CHAPTER CCLXXXII.

An Act to incorporate the city of Rockport.

Section 1. Be it enacted by the Legislature of the State of Texas, That all that district of county contained within the following limits, to-wit: Beginning at a stake one and a half miles due west from the centre of Merchants square, as shown on plat of

said city made by William Benson, surveyor, thence north to miles to a stake, thence east three miles, thence south four miles, thence west three miles, thence north two miles to said stake at place of beginning, is hereby erected into a city by the name of the "City of Rockport."

Sec. 2. That the inhabitants of the city of Rockport, as the same extends and is laid out above, be and they and their successors a hereby constituted a corporation and body politic, in fact and law, by the name and style of the "City of Rockport," and by the same name shall have perpetual succession, shall sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; may purchase, receive and hold property, real and personal, within said city; and may sell, lease or dispose of the same for the benefit of the city; and may purchase, receive and hold property, real and personal, beyond the limits of the city to be used for the burial of the dead of the city; also for the erection of water works to supply the city with water, and also for the establishment of a hospital for the reception of persons inflicted with contagious and other diseases; and may sell, lease or dispose of such property for the benefit of the city, and may do all other acts as natural persons. They shall have and use one common seal, and may break, change, alter and make a new seal at pleasure.

Sec. 3. That the city of Rockport shall be divided into four wards, the boundaries thereof shall be fixed by the city council, and may be by the council changed from time to time as they shall see fit having regard to the number of male inhabitants, so that each ward shall contain, as near as may be, the same number of male inhabitants.

Sec. 4. That there shall be a city council, to consist of a mayor and a board of aldermen. That the board of aldermen shall consist of one member from each ward, to be chosen by the qualified voters for one year, and no person shall be an alderman unless he be a citizen of the State of Texas, and shall have resided within the city limits for six months preceding his election and a bona fide resident of the ward for which he is elected. That if any alderman shall after his election remove from the ward for which he is chosen his office shall thereby be vacated. The city council shall judge of the election returns and qualifications of its own members, and shall determine contested elections. The majority of the city council shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as they may prescribe. The city council may determine the rules of its proceed-

ings, punish its members for disorderly behaviour. The city council shall keep a journal of its proceedings and, whenever practicable, publish the same in one newspaper of the city; and the yeas and nays of the members on any question shall, at the desire of any two of those present, be entered on the journal. No alderman shall during the time for which he was elected be appointed to any office under the city. All vacancies that shall occur in the board shall be filled by election in such manner as shall be provided for in ordinance. Each alderman shall, before entering upon the duties of his office, take the oath prescribed for the members of the Legislature by the Constitution. Whenever there shall be a tie in the election of aldermen, the judges of the election shall certify the same to the mayor, who shall immediately thereupon issue his proclamation stating such facts and ordering a new election.

Sec. 5. That there shall be stated sessions of the city council, and they shall be held at such time and places as shall be prescribed by ordinance. Upon the passage of all ordinances appropriating money, or ordinances imposing taxes, increasing, licensing, or abolishing licenses, and of ordinances for borrowing money, the yeas and nays shall be entered on the journal; but no ordinance for borrowing money shall pass except by a vote of two-thirds of the whole council. All ordinances shall be read in council on three several days, unless two-thirds of the members elected of the board shall dispense therewith. A majority of the members of the city council shall be necessary to pass an ordinance appropriating for any purpose the sum of five hundred dollars or upwards, and ordinances in otherwise diminishing or increasing the city revenue.

Sec. 6. That the appropriation of the city council for payment of interest for improvements, and for city expenses during any one fiscal year, shall not exceed the amount of income for the preceding fiscal year; but it shall be lawful for said board to appropriate any surplus moneys in the treasury to the extinguishment of the city debt.

Sec. 7. That the mayor and city council shall have power within the city by ordinance, first, to levy and collect taxes, not exceeding one-half of one per centum upon all property made taxable by law for State and county purposes; second, to borrow money on the credit of the city; provided, the debt of the city from money so borrowed shall not exceed five thousand dollars; third, to appropriate money, and to provide for the payment of the debt and expenses of the city; fourth, to make regulations to prevent the introduction of contagious diseases into the city; fifth, to establish hospitals, and make regulations for the government thereof; sixth, to make regulations to secure the general health of the in-

habitants, and to prevent and remove nuisances; seventh, to provide the city with water, and to erect hydrants, fire plugs, and pumps in the streets within or beyond the limits of the city, for the convenience of the inhabitants of the city and environs; eighth, to open, alter, abolish, widen, extend, grade, pave or otherwise improve, clean and keep in repair, streets, lanes, avenues or alleys; ninth, to establish, erect and keep in repair, bridges, culverts and sewers, and regulate the use of the same; to establish, alter and change the channel of water courses, and to wall them up and cover them over; tenth, to provide for the lighting of the streets and erecting lamps thereon; eleventh, to establish, support and regulate night watch and patrols; twelfth, to erect market houses, establish markets and market places, and to provide for the government and regulation thereof; thirteenth, to provide for the erection of all needful buildings for the use of the city; fourteenth, to provide for the inclosing and improving all public grounds belonging to the city; fifteenth, to license, tax and regulate auctions, grocers, merchants, retailers and taverns; and to license, tax and regulate ordinances, hawkers, peddlers, brokers, pawnbrokers, money changers and bakeries; sixteenth, to license, tax and regulate hackney carriages, omnibuses, wagons, carts and drays, and fix the rates to be charged for carriage of persons and of wagonage, cartage and drayage of property; seventeenth, to license and regulate porters and fix the rate of portage; eighteenth, to license, tax and regulate theatrical and other exhibitions, shows, and amusements; nineteenth, to license, tax and regulate billiard tables, tippling houses and dram shops, and to suppress gaming and gambling houses and other disorderly houses, and to suppress bawdy houses; twentieth, to provide for the prevention and extinguishment of fires, and organize and establish fire companies, to regulate the carrying on of manufactories dangerous in causing or producing fires, to appoint fire wardens and property guards, with power to remove and keep away from the vicinity of any fire all idle and suspicious persons lurking near the same, and to compel any person or persons present to aid in extinguishing such fire or in the preservation of property exposed to the dangers of the same, and in preventing goods from being purloined thereat, and with such other powers and duties as may be prescribed by ordinance; to compel the owners of houses and other buildings to have scuttles upon the roof of any such houses and buildings, and stairs and ladders leading to the same; twenty-first, to regulate and order the cleaning of chimneys, and to fix the fees thereof; twenty-second, to regulate the storage of gunpowder, tar, pitch rosin, hemp, cotton and all other combustible materials, and the use of lights and candles in all stables, shops and other places; to remove

and prevent the construction of any fire place hearth, chimney, stoves, ovens, boilers, kettles or apparatus used in any house, building, manufactory or business which may be dangerous in causing or promoting fires; to direct the safe construction of deposits for ashes, and severally to enter into or to appoint one or more officers at reasonable times to enter into and examine all dwelling houses, lots, yards, enclosures, and buildings of every description, in order to discover whether any of them are in a dangerous state, and to cause such as may be dangerous to be put in safe and secure condition; twenty-third, to provide for the inspection and weighing of hay, the measuring of charcoal, fire wood and all other wood to be used in the city; twenty-fourth, to regulate the inspection of butter, lard and other provisions, and to regulate the vending of meat, poultry and vegetables; twenty-fifth, to regulate the weight, quality and price of bread to be sold and used in the city; twenty-sixth, to regulate the size of brick made or sold in the city; twenty-seventh, to provide for the taking of an enumeration of the inhabitants of the city; twenty-eighth, to provide for the appointment of all officers, servants and agents of the corporation, not otherwise provided for; twenty-ninth, to fix the compensation of the city officers not otherwise provided for, and regulate the fees of all jurors, witnesses and others, for services rendered under this act or any ordinance; thirtieth, to regulate the police of the city, to impose fines, forfeitures and penalties for the breach of any ordinance, and provide for the recovery and appropriating such fines and forfeitures and the payment of such penalties; provided, that no fine shall exceed one hundred dollars and imprisonment not to exceed fifteen days for any one offense; thirty-first, to remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for the cleaning of the same and of the gutters; thirty-second, to prevent and restrain any riot, noise, disturbance or disorderly assemblage, in any street, house, or place in the city; thirty-third, to prevent and remove all encroachments in and upon all streets, lanes, avenues and alleys, established by law or ordinances; thirty-fourth, to exercise complete and perfect control over the common, and all the property belonging to the city, real or personal, whether lying within or beyond the limits of the corporation created by this act, and the same to lease, sell, transfer and dispose of, either absolutely or with limitation, to any person or persons whatsoever, and generally to make such rules, regulations, by-law and ordinance for the purpose of maintaining the peace, good government of the city of Rockport, and the trade, commerce and manufactures thereof, as the city council may deem expedient, not repugnant to the laws and Constitution of this State, and also to enforce

the observance thereof by inflicting penalties upon any inhabitants thereof, or other person or persons, for the violation of any ordinance, not exceeding one hundred dollars and imprisonment not exceeding fifteen days, for any one offense, recoverable with costs as in any action of debt, by and in the name of the city of Rockport, for the use of said city, before any court having cognizance of the same.

Sec. 8. That the city council shall have power, subject to the restrictions in the preceding section, to make all ordinances which shall be necessary and proper for carrying into effect the powers specified in the preceding sections, and all other powers vested by this act in the corporation, the city government, or any department of officers thereof. No money shall be expended, nor shall any improvement be ordered involving an expenditure of money, except by ordinance, the provisions of which shall be specified and definite. Every ordinance which shall have been passed by the city council shall, before it becomes a law, be presented to the mayor for his approbation; if he approves it he shall sign it; if not, he shall return it with his objections to the board, which objections shall be entered at large on the journal and the ordinance be reconsidered. If after such reconsideration two-thirds of all the members of the board shall agree to pass the same, it shall be in force as an ordinance. In all such cases the votes of the city council shall be taken by yeas and nays and entered on the journal. If any ordinance shall not be returned by the mayor in five days (Sundays excepted) after it shall have been presented to him for his approbation, the same shall be in force as an ordinance in the same manner as if he had approved and signed the same. Every resolution, except in case of adjournment, shall be presented to the mayor, and before the same shall take effect shall be proceeded upon in the same manner as in case of a ordinance. The style of the ordinance of the city shall be, "Be it ordained by the city council of the city of Rockport." All ordinances passed by the city council shall, within ten days after they become laws, be published in one newspaper published in the city of Rockport. All ordinances of the city may be proven by the seal of the corporation, and when printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof. The president of the board of aldermen shall exercise the same duties and receive the compensation of the mayor, whenever and so long as from any cause said office of mayor shall be vacated, or the mayor be absent from the city.

Sec. 9. That the chief executive officer of the city shall be the mayor, who shall be elected by the qualified voters of the city within sixty days after the next general election, and who shall hold his

office for the term of one year, and until his successor is duly elected and qualified. The salary of the mayor shall be.....  
.....besides fees of office. No person shall be mayor who, at the time of his election, is not possessed of the qualifications required for an alderman, or who holds any lucrative office under authority of the United States. When two or more persons shall have an equal number of votes for the office of mayor, the city council shall order a new election. Whenever an election for mayor shall be contested, the city council shall determine the same by vote. Whenever any vacancy shall happen in the office of mayor, it shall be filled by election in such manner as shall be provided for by ordinance. The mayor may be removed from office for any misdemeanor, by a majority of two-thirds of the city council. The mayor shall have power to nominate, and by and with the consent of the board of aldermen, to appoint all city officers, not ordered by this act to be otherwise appointed. He shall take care that the laws of the State and ordinances of the city are duly enforced, respected and observed within the city; he may remit fines, forfeitures and penalties accruing from or imposed for the violation of any ordinance of the city; he may fill all vacancies which may occur in any elective office other than that of alderman, until the same can be filled by election, and in any other office until the end of the session of the board of aldermen, which shall not happen after the vacancy shall have accrued; he shall, from time to time, give to the city council relative to the state of the city, and shall recommend to their consideration such measures as he shall deem expedient for the advantage of the city. The mayor may call special sessions of the city council by notice served on them. Whenever a special session of the city council shall have been called by the mayor, he shall state to them, when assembled, the cause for which they have convened.

Sec. 10. That there shall be a city treasurer, city marshal, city attorney and a city collector of tax and revenue, who, in addition to the duties prescribed by this act, shall do and perform such other acts and duties as may be prescribed by ordinance. There shall be such other officers, servants and agents of the corporation as may be provided by ordinance, to be appointed by the mayor, by and with the advice and consent of the board of aldermen, and to perform such duties as may be prescribed by ordinance. The city treasurer and collector, also city marshal, shall be elected in the same manner as the mayor and aldermen, and the city attorney shall be appointed by the mayor, by and with the advice of the board of aldermen. They shall hold their office for one year, and until their successors are duly qualified. It shall be the duty of the city

treasurer to receive and receipt for all moneys of the city, and pay out the same on warrants drawn by the auditor, who shall give bond and take the oath as prescribed by law for county treasurer said bond to be made payable to and be approved by the mayor and board of aldermen, for the use and benefit of said city. It shall be the duty of the city collector to collect all moneys due and owing said corporation within the limits of same, and the same pay over the treasurer thereof [as] soon as practicable, who shall make, execute and deliver, and take same oath as required of corporate treasurer. It shall be the duty of the corporation attorney to prosecute and institute all suits in which the said corporation may be interested, and to defend the same, as also to advise at any session in which legal advice may be deemed necessary; the conditions and compensation to be regulated by city ordinance. The city marshal shall, within the city, in matters of a criminal nature, arising under any law of the State, possess the same power, perform the same duties, and receive the same compensation as the sheriff of Refugio county. He shall execute and return all processes issued by the mayor, recorder, any alderman or justice of the peace, under this act or ordinance of the city.

Sec. 11. That the mayor and all other officers of the corporation, shall reside within the limits of the city during their continuance in office; and if the mayor of the corporation shall cease to reside within the limits of the city, his office shall thereby be vacated. The mayor shall have the same jurisdiction as a justice of the peace within the limits of the city, in all State cases; he shall have jurisdiction over all cases arising under any ordinance of the city, subject, however, to an appeal or writ of certiorari in all cases to the district court; and every such appeal shall be taken and granted in the same manner as appeals or certiorari are taken and granted by justices' courts to the district court under the general laws of the State; he shall charge in all cases the same fees which are now allowed to justices of the peace for the same kind of service which shall be charged and collected as other costs, and shall act a president of the board of aldermen.

Sec. 12. That a general election of all the officers of the corporation, required to be elected by this act, or any ordinance of the city, shall be held on the first Monday of November in each year. At all elections for city officers the voters shall vote by ballot, and shall vote at such time and place as the council shall prescribe. Judges of elections shall be appointed by the board of aldermen. They shall take an oath to faithfully and impartially discharge their duties. They shall open the polls at nine o'clock A. M., and close the same at four P. M.

when they shall forthwith proceed to ascertain and certify the result of the election in the presence of so many of the candidates or other persons of all parties indiscriminately, as can be conveniently accommodated in the room selected for the purpose; provided, that there shall never be less than ten voters present at any count, if so many desire to be present. No election shall be held in a grog shop or other place where intoxicating liquors are vended. All persons qualified as electors under the Constitution of the State of Texas, who shall have resided six months within the city, and one month within the ward, for which he purposed to vote for alderman. The election for city officers shall be but one day, and during that day the polls shall not be closed on any pretense whatever. Special elections to fill vacancies shall be held under such regulations as may be provided for by law or ordinance.

Sec. 13. That it shall be lawful for the city council to grade, pave, macadamize, clean or light any street, lane or avenue established and opened according to law and ordinance. When it is necessary to take private property for opening, widening or altering any public street, lane or avenue, the corporation shall make a just compensation therefor to the person whose property is so taken; if the amount of such compensation cannot be agreed upon, the mayor shall cause the same to be ascertained by a jury of disinterested persons, freeholders of the city. In opening, altering or widening alleys, through the blocks or squares of the city, the same proceeding shall be had as in case of altering or widening public streets, lanes or avenues, with this addition, that the jury shall ascertain the amount of benefit that shall accrue to the person whose property is taken, and those who may have petitioned for the opening, widening or altering of such alley. When the owner of the major part of the front of all the property on the street, lane, avenue or alley proposed to be opened, widened or altered, shall petition therefor, the mayor and city council may open, widen or alter such street, lane, avenue or alley upon conditions to be prescribed by ordinance. All jurors empaneled to enquire into the amount of benefits or damages which shall happen to the owner of property proposed to be taken for opening, widening or altering any street, lane, avenue or alley, shall first be sworn to that effect, and shall return to the mayor their inquest in writing and signed by each juror.

Sec. 14. The mayor shall have power for good cause shown, within ten days after any inquest shall have been returned to him as mentioned in the preceding section, to set the same aside and cause a new inquest to be made. The city council shall have power by ordinance to direct the manner in which any property, real or per-

sonal, advertised for sale or sold for taxes by authority of the corporation may be redeemed. Lands within the limits of the city which have not been laid off into blocks or lots shall not be assessed or taxed otherwise than by the acre, as agricultural lands, and shall continue to be so assessed and taxed until laid off into blocks or lots by the owners thereof respectively; and the owners of such lands, in laying off the same into blocks or lots, shall so arrange the streets that they shall correspond with previously established streets of the city.

Sec. 15. That the city council shall cause to be published within one month after the end of each fiscal year a full, complete and detailed statement of all moneys received and expended by the corporation during the preceding fiscal year, and on what account received and expended, classifying each receipt and expenditure under its proper head. This act is declared to be a public act, and may be read in evidence in all courts of law and equity in this State without proof. And any person who shall fail or neglect to pay any fine or costs imposed on him by any ordinance of the city of Rockport for any misdemeanor or breach of any ordinance of said city may, instead of being committed to any jail or calaboose, be committed and made to work on the public streets or buildings until such fines and costs be fully paid, and should any parties thus committed refuse to work, they may then be punished as prescribed in the rules governing the State penitentiary; provided, however, that no such imprisonment shall exceed the period of fifteen days for any one offense; and should the marshal, or any officer under him, fail, refuse or neglect to enforce the above clause in said section of this act, he shall be fined in the sum of not less than one nor more than five hundred dollars, to be recovered as other fines. Every person so committed shall be required to work for the city at such labor as his health and strength will permit, not exceeding eight hours each day, and for such work and labor the person so employed shall be allowed, exclusive of his board, fifty cents per day for each day's work, which amount shall go towards paying such fine and costs. The fiscal year of the city shall terminate on the day to be fixed by ordinance. Whenever any city officer, accountable as such for any money received or receivable by him, shall neglect or refuse to pay over or account for the same, or balance properly due by him to the city upon the adjustment of his accounts, shall be considered guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than two hundred nor more than one thousand dollars, and imprisonment not less than one month nor more than one year, and shall be removed from office. The mayor shall order suit to be commenced in the proper court against such delinquent officer for such

sum or balance, adding thereto the commission of the delinquent, which shall be forfeited in any instance where suit is commenced and judgment obtained thereon, and interest at twelve per cent. per annum from the time of receiving the money, or when it shall have been received, until it shall be paid into the treasury. A separate account shall be kept of the revenue applicable to the different objects in this act indicated, and of the disbursements on account of each, and there shall be made by the proper officers quarterly accounts, and at the end of each fiscal year there shall be published, under the directions of the city council, a statement showing the receipts and disbursements for the last fiscal year. This act shall take effect and be in force from and after its passage, and all acts and parts of acts conflicting with the provisions of this charter be and the same is hereby repealed.

Sec. 16. That it shall be the duty of the district judge, whenever complaint is made to him under oath by any person or persons, accusing the mayor, or any member of the board of aldermen, or any other officer appointed by them, of malfeasance, nonfeasance, or neglect of duty in office, to immediately investigate into the truth of said charges, and if true he shall remove the party or parties from office at once.

Aproved May 26, 1871.

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#### CHAPTER CCLXXXIII.

#### An Act to incorporate the Lebanon High School, in Collin County, Texas.

Section 1. Be it enacted by the Legislature of the State of Texas, That Joseph E. Dulaney, John Crozier, Claud Quesenbery, E. L. Huffman, A. T. Ball and John Huffman, and their successors in office, be and they are hereby constituted a body corporate and politic for educational purposes, by the name and style of the "Lebanon High School," by which name they may sue and be sued, plead and be impleaded, and buy and sell property, real, personal and mixed, and for the purpose and object of maintaining an institution of learning at Lebanon, Collin county, Texas.

Sec. 2. That the management of said institution shall be vested in the above named persons and their successors as a board of trustees, and they shall elect one of their own number chairman of the

# Aransas County

General Laws of the 12th  
Legislature of the State of  
Texas  
First Session—1871

Passed September 18,  
1871—An Act providing  
for the creation of 2  
counties out of the  
territory embraced within  
the limits of Refugio  
County—Aransas County

# GENERAL LAWS OF TEXAS, 1871

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## CHAPTER I.

An Act to provide for the creating of two counties out of the territory now embraced within the limits of Refugio County, and to provide for their organization.

Section 1. Be it enacted by the Legislature of the State of Texas, That all that territory comprised within the following limits, to-wit: Beginning at the boundary of the State on the Gulf of Mexico, opposite the center of the channel of Aransas Pass, between the islands of St. Joseph and Mustang; thence, with the line between the counties of San Patricio and Refugio, to the center of Aransas river; thence, down the center of said stream to Copano Bay; thence, with the channel of said bay parallel with the shore, to the east end of the same at the mouth of Copano creek; thence, up said creek to the mouth of Alamita creek; thence, in a direct line to the southeast corner of J. C. Stolberg survey on Esperitu Santo Bay; thence, in a direct line, to Cedar Bayou; thence, through said bayou, to the boundary of the State on the Gulf of Mexico; thence, with said boundary of the State, to the place of beginning, be and the same is hereby created a county, to be called the county of Aransas, and the town of Rockport is hereby declared the county seat of said county.

Sec. 2. That the remaining portion of the county of Refugio shall constitute and be called Refugio county, and the town of Refugio shall be the county seat of said Refugio county.

Sec. 3. That the present officers of Refugio county shall continue to discharge the duties of their respective offices, in the county in which they severally reside, for the term for which they were elected.

Sec. 4. That the sheriff of Refugio county shall be authorized and required to take charge of all books, papers and records belonging to Refugio county, and to deliver them to the proper officers of said county, at the county seat thereof.

Sec. 5. That all laws and parts of laws contrary to the provisions of this act be and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

Passed September 18, 1871.

The foregoing act, received in the office of the Secretary of State, September thirty, one thousand eight hundred and seventy-one, having been presented to the governor of Texas for his approval, and not having been returned by him to the House in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

J. E. OLDRIGHT,  
Acting Secretary of State.

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## CHAPTER II.

An Act amendatory of an act entitled an act prescribing the times of holding the District Courts in the Seventh Judicial District of the State, approved March 4, 1871.

Section 1. Be it enacted by the Legislature of the State of Texas, That the first section of the above recited act be so amended as hereafter to read as follows: That the district courts of the several counties in the Seventh Judicial District in the State of Texas be holden at the times hereinafter prescribed as follows: In the county of Titus on the second Mondays in March, July and November, and may continue in session three weeks; in the county of Cass on the third Mondays after the second Mondays in March, July and November, and may continue in session two weeks; in the county of Marion on the fifth Mondays after the second Mondays in March, July and November, and may continue in session until the business of said court is disposed of.

Sec. 2. That this act be in force from and after its passage.  
Approved September 22, 1871.

# City of Rockport

Special Laws of the State of  
Texas passed at the Session  
of the 13th Legislature  
begun and held at the City  
of Austin  
January 14, 1873

Approved May 28, 1873—  
amending 7th section giving  
mayor and city council  
authority within the  
corporate limits of the city,  
by ordinance:

# SPECIAL LAWS

OF

## THE STATE OF TEXAS

PASSED AT THE

SESSION OF THE THIRTEENTH LEGISLATURE

BEGUN AND HELD

AT THE CITY OF AUSTIN

JANUARY 14, 1873

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AUSTIN  
1873

CHAPTER CLII.

An Act supplemental to an Act entitled "An Act reimbursing Bastrop County, and appropriating the sum of two hundred and twenty-five dollars for that purpose," approved March 20th, 1873.

Section 1. Be it enacted by the Legislature of the State of Texas, That the Comptroller of Public Accounts is hereby directed to draw his warrant in favor of the treasurer of Bastrop county for the amount specified in the act to which this act is supplemental, and the Treasurer of the State is directed to pay the same.

Sec. 2. That this act shall take effect and be in force from and after its passage.

Approved May 14th, 1873.

CHAPTER CLIII.

An Act to amend the Seventh Section of an Act entitled "An Act to incorporate the City of Rockport," approved May 26th, 1871.

Section 1. Be it enacted by the Legislature of the State of Texas, That the seventh section of the above recited act be so amended as to hereafter read as follows, to-wit:

That the mayor and city council shall have authority, within the corporate limits of the city, by ordinance:

First—To levy and collect taxes, not to exceed one-half of one per centum upon all property made taxable by law for State and county purposes; also, to levy and collect a tax upon all occupations, trades or professions, not to exceed one-half the amount allowed by law for State and county purposes; said taxes to be levied and collected in accordance with the laws of the State governing the levying and collection of taxes.

Second—To borrow money on the credit of the city; provided, the debt of the city for money so borrowed shall not exceed five thousand dollars.

Third—To appropriate money and to provide for the payment of the debt and expenses of the city.

Fourth—To make regulations to prevent the introduction into the city of contagious diseases.

Fifth—To establish hospitals, and make regulations for the government thereof.

Sixth—To make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances.

Seventh—To provide the city with water, and to erect hydrants, fire-plugs and pumps in the streets within or beyond the limits of the city, for the convenience of the inhabitants of the city and environs.

Eighth—To open, alter, abolish, widen, extend, grade, pave, or otherwise improve, clean and keep in repair, streets, lanes, avenues or alleys.

Ninth—To establish, erect and keep in repair, bridges, culverts and sewers, and regulate the use of the same; to establish, alter and change the channel of water courses, and to wall them up and cover them over.

Tenth—To provide for the lighting of the streets and erecting lamps thereon.

Eleventh—To establish, support and regulate night watch and patrols.

Twelfth—To erect market houses, establish markets and market places, and to provide for the government and regulation thereof.

Thirteenth—To provide for the erection of all needful buildings for the use of the city.

Fourteenth—To provide for the enclosing and improving of all public grounds belonging to the city.

Fifteenth—To license, tax and regulate auctions, grocers, merchants, retailers and taverns; and to license, tax and regulate ordinances, hawkers, peddlers, brokers, pawnbrokers, money changers and bakeries.

Sixteenth—To license, tax and regulate hacking [hackney] carriages, omnibuses, wagons, carts and drays; and to fix the rates to be charged for carriage of persons, and of wagonage, cartage and drayage of property.

Seventeenth—To license and regulate porters, and fix the rate of porterage.

Eighteenth—To license, tax and regulate theatrical and other exhibitions, shows and amusements.

Nineteenth—To license, tax and regulate billiard tables, tippling houses and dram shops, and to suppress gaming and gambling houses, and other disorderly houses, and to suppress bawdy houses.

Twentieth—To provide for the prevention and extinguishment of fires, and organize and establish fire companies; to regulate the carrying on of manufactories dangerous in causing or producing fires; to appoint fire wardens and property guards, with power to remove and keep away from the vicinity of any fire all idle and suspicious persons lurking near the same, and to compel any person or persons present to aid in the extinguishing such fire, or in the preservation of property exposed to the danger of the same, and in preventing goods from being purloined thereat, and with such other powers and duties as may be prescribed by ordinance; to compel the owners of houses and other buildings to have scuttles upon the roof of any such houses and buildings, and stairs and ladders leading to the same.

Twenty-first—To regulate and order the cleaning of chimneys, and to fix the fees thereof.

Twenty-second—To regulate the storage of gunpowder, tar, pitch, rosin, hemp, cotton, and all other combustible materials, and the use of lights and candles in all stables, shops and other places; to remove and prevent the construction of any fireplace, hearth, chimney, stove, oven, boiler, kettle or apparatus used in any house, building, manufactory or business, which may be dangerous in causing or promoting fires; to direct the safe construction of deposits for ashes; and severally to enter into, or to appoint one or more officers at reasonable times to enter into and examine all dwelling houses, lots, yards, enclosures and buildings of every description, in order to discover whether any of them are in a dangerous state, and to cause such as may be dangerous to be put in safe and secure condition.

Twenty-third—To provide for the inspection and weighing of hay, the measuring of charcoal, fire-wood, and all other wood to be used in the city.

Twenty-fourth—To regulate the inspection of butter, lard, and other provisions, and to regulate the vending of meat, poultry and vegetables.

Twenty-fifth—To regulate the weight, quality and price of bread to be sold and used in the city.

Twenty-sixth—To regulate the size of brick made or sold in the city.

Twenty-seventh—To provide for the taking of an enumeration of the inhabitants of the city.

Twenty-eighth—To provide for the appointment of all officers, servants and agents of the corporation, not otherwise provided for.

Twenty-ninth—To fix the compensation of the city officers, not otherwise provided for, and regulate the fees of all jurors, witnesses and others, for services rendered under this act, or any ordinance of the city council.

Thirtieth—To regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriating such fines and forfeitures, and the enforcement of such penalties; provided, that no fine shall exceed one hundred dollars, and imprisonment not to exceed fifteen days, for any one offense.

Thirty-first—To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for the cleaning of the same, and of the gutters.

Thirty-second—To prevent and restrain any riot, noise, disturbance, or disorderly assemblage, in any street, house, or place in the city.

Thirty-third—To prevent and remove all encroachments in and upon all streets, lanes, avenues and alleys, established by law or ordinances.

Thirty-fourth—To exercise complete and perfect control over the common, and all the property belonging to the city, real and personal, whether lying within or beyond the limits of the corporation created by this act, and the same to lease, sell, transfer and dispose of, either absolutely or with limitation, to any person or persons whatsoever; and generally to make such rules, regulations, by-laws and ordinances, for the purpose of maintaining the peace and good government of the city of Rockport, and the trade, commerce and manufactories thereof, as the city council may deem expedient, not repugnant to the laws and Constitution of this State, and also to enforce the observance thereof by inflicting penalties upon any inhabitants thereof, or other person or persons, for the violation of any ordinance, not exceeding one hundred dollars, and imprisonment not exceeding fifteen days, for any one offense, recoverable with costs, as in any action of debt, by and in the name of the city of Rockport, for the use of said city, before any court having cognizance of the same.

Sec. 2. That this act take effect and be in force from and after its passage.

Approved May 8th, 1873.

CHAPTER CLIV.

An Act to consolidate the Houston Tap and Brazoria Railway, the Huntsville Branch Railway, and the Victoria and Columbia Railroad with the Houston and Great Northern Railroad.

Whereas, The Houston and Great Northern Railroad Company are the owners, by purchase at sale on foreclosure of mortgage by the State, and otherwise, of the Houston Tap and Brazoria Railway; and

Whereas, said Houston and Great Northern Railroad Company own all the stock of the Huntsville Branch Railway, and are operating eight (8) miles of road under the charter thereof; and

Whereas, said Houston and Great Northern Railroad Company are the owners of the stock of the Columbia and Victoria Railroad Company; therefore,

Section 1. Be it enacted by the Legislature of the State of Texas, That the Houston Tap and Brazoria Railway, and the Huntsville Branch Railway, and the Columbia and Victoria Railroad, are hereby made and declared to be, to all intents and purposes in law, a part of the Houston and Great Northern Railroad, and shall be under the control and management of the said Houston and Great Northern Railroad, in like manner as every other part of their railroad; and all rights, privileges and franchises granted or secured in the charter of either or all of the aforesaid corporations shall inure to and be exercised and enjoyed by the said Houston and Great Northern Railroad Company, as fully and to the same extent as they could have been by either of said companies; provided that nothing herein contained shall have any effect to relieve said consolidated company, or said Houston Tap and Brazoria Railway, from any debt or liability whatever, to which either of said roads may be liable without this act.

Sec. 2. Be it further enacted, That this act shall take effect from and after its passage.

Approved May 8th, 1873.

**NOVEMBER 1, 1870**

**APPOINTMENT BY THE GOVERNOR OF THE STATE OF TEXAS**

Mayor  
John M. Mathis

Aldermen  
R.C. Wood  
R.W. Archer  
Victor Bracht

\*\*\*\*\*

**DECEMBER 20, 1870**

**APPOINTED BY THE TOWN COUNCIL**

Secretary Of The Town Council  
George Dye

Town Constable  
A. Belcher

\*\*\*\*\*

**DECEMBER 21, 1870**

**APPOINTED BY THE TOWN COUNCIL**

Assessor For The Town Of Rockport  
E.G. Douglass

Collector For The Town Of Rockport  
E.G. Douglass

Treasurer of the Town of Rockport  
J.M. Morehead

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**MAY 17, 1871**

**APPOINTMENT BY THE GOVERNOR OF THE STATE OF TEXAS**

Aldermen  
S.D. Robb

**APPOINTMENT BY THE TOWN COUNCIL**

Corporation Constable  
L.R. Sullivant

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**JUNE 3, 1871**

**APPOINTMENT BY THE TOWN COUNCIL**

Corporation Constable  
M.A. Belcher

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**JUNE 21, 1871**

**APPOINTMENT BY THE TOWN COUNCIL**

Treasurer of the Town of Rockport  
C.H. Packard

\*\*\*\*\*

AUGUST 23, 1871

APPOINTMENT BY THE GOVERNOR OF THE STATE OF TEXAS

Mayor  
Maj. A.J. Hogan

Aldermen  
E.S. Winsor  
J.W. Moses  
Victor Bracht

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AUGUST 30, 1871

APPOINTMENT BY THE TOWN COUNCIL

Secretary to the City Council  
George Dye

City Treasurer  
C.H. Packard

Assessor and Collector  
H.H. Barnes

City Marshal  
M.A. Belcher

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NOVEMBER 29, 1871

APPOINTMENT BY THE GOVERNOR OF THE STATE OF TEXAS

Mayor  
Dr. E.P. Carpenter

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**DECEMBER 20, 1871**

**APPOINTMENT BY THE GOVERNOR OF THE STATE OF TEXAS**

Mayor  
W.P. McGrew

\*\*\*\*\*

**JANUARY 17, 1872**

**APPOINTMENT BY THE TOWN COUNCIL**

City Secretary  
H.H. Barnes

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**JULY 24, 1872**

**APPOINTMENT BY THE TOWN COUNCIL**

City Secretary, Assessor & Collector  
E.A. Perrenot

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**DECEMBER 1, 1872**

**MUNICIPAL ELECTION**

Mayor  
W.P. McGrew

WARD #1 – Alderman  
August Graft

WARD #2 – Alderman  
John Hynes

WARD #3 – Alderman  
C.L. Braun

WARD #4 – Alderman  
R.A. Dickson

Tax Assessor and Collector  
B. Merchant

Treasurer  
I.H. Atkinson

Marshal  
D.I. Johnson

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**DECEMBER 11, 1872**

**APPOINTMENT BY THE TOWN COUNCIL**

Secretary  
R.A. Hasbrook

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**APRIL 15, 1873**

**ELECTION/APPOINTMENT**  
(unknown)

Alderman  
John Hynes  
E.A. Perrenot  
S.D. Robb  
C.F. Bailey

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**AUGUST 19, 1873**

**APPOINTMENT BY THE TOWN COUNCIL**

City Attorney  
Judge W.W. Dunlap

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**OCTOBER 3, 1873**

**APPOINTMENT BY THE TOWN COUNCIL**

Health Officers  
Dr. R.A. Nott  
John A. Clark

\*\*\*\*\*

**DECEMBER 12, 1873**

**MUNICIPAL ELECTION**  
**Monday, December 1, 1873**

Mayor  
W.P. McGrew

WARD #1 – Alderman  
E.A. Perrenot

WARD #2 – Alderman  
John Hynes

WARD #3 – Alderman  
C.F. Bailey

WARD #4 – Alderman  
C.F. Bailey

Assessor and Collector  
C. Merchant

**City Marshal**  
M.A. Belcher

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**DECEMBER 16, 1874**

**MUNICIPAL ELECTION**  
**Monday, December 7, 1874**

**Mayor**

P.H. Perry	30 *
W.P. McGrew	29

**Alderman**

J.M. Doughty	53
W.E. James	53
R.H. Wood	54
J.M. Mathis	57

**Marshal**

A.W. Clark	49
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**Assessor & Collector**

S.D. Robb	57
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**Treasurer**

C.H. Packard	52
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**APRIL 5, 1875**

**APPOINTMENT BY THE TOWN COUNCIL**

**Sexton of the City Graveyard**  
Mr. Whitten

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DECEMBER 7, 1875  
MUNICIPAL ELECTION

Mayor  
W.P. McGrew

WARD #1 – Alderman  
J.M. Doughty

WARD #2 – Alderman  
M.J. Terry

WARD #3 – Alderman  
J. Friend

WARD #4 – Alderman  
G.F. Perrenot

City Treasurer  
P.H. Terry

Assessor & Collector  
J.H. Brenham

Marshal  
A.W. Clark

\*\*\*\*\*

JANUARY 3, 1876

Assessor & Collector  
R.A. Hasbrook

\*\*\*\*\*

AUGUST 30, 1877

ELECTION FOR TAX TO SUPPORT SCHOOL SYSTEM

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**DECEMBER 3, 1877**  
**MUNICIPAL ELECTION**

**Mayor**

**WARD #1 – Alderman**

**WARD #2 – Alderman**

**WARD #3 – Alderman**

**WARD #4 – Alderman**

**City Treasurer**

**City Assessor & Collector**

**City Marshal**

**EDITIORS NOTE:**

No Meeting Minutes found until City Council Meeting of May 3, 1879. Minutes of November 7, 1877 noted that an election was called for the abovementioned elected positions on the 3<sup>rd</sup> day of December 1877.

# 1878

**EDITOR NOTES:**

No Minutes of the City Council Meetings were transcribed. Please note the May 3, 1879 Meeting Minutes which discusses the "absence of the Minute Book".

1879

**MUNICIPAL OFFICERS**

Mayor  
E.A. Perrenot

Alderman  
M. Fryday  
R.H. Wood  
T.P. McCampbell

**EDITORS NOTE:**

There were only two (2) sets of minutes found for the year 1879. From those minutes provided the officers have been included. Please note that only three (3) Alderman are shown and four (4) should have been elected.