E. R. Norton

CHARTER

AND

ORDINANCES

OF THE

CITY OF SAN ANTONIO.

COMPRISING ALL ORDINANCES OF A GENERAL CHARACTER IN FORCE

→ AUGUST 7th, 1899.

REVISED BY

THEODORE HARRIS, ESQ.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

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AN ORDINANCE

ADOPTING THE DIGEST OF THE REVISED ORDINANCES OF THE CITY OF SAN ANTONIO.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That the ordinances of the city of San Antonio, as prepared and revised by Theodore Harris, Esq., and containing the ordinances in each of the following numbered and entitled chapters, in Parts One, Two and Three, be and the same are hereby declared to be the digest of all ordinances of said city of a general nature now in force, and are approved and adopted as the municipal laws of said city to-wit:

PART ONE.

REVISED CODE OF CIVIL ORDINANCES.

Chapter I. Aldermen.
Chapter II. Alamo, The.
Chapter III. Attorney, City.
Chapter IV. Assessor, City.
Chapter V. Auditor, City.
Chapter VI. City Clerk.
Chapter VII. City Collector.
Chapter VIII. Contracts and Purchases.
Chapter IX. City Council, Rules and Regulations.
Chapter X. Disbursements.
Chapter XI. Eight Hour Day.
Chapter XII. Elections.
Chapter XIII. Election Precincts.
Chapter XIV. Engineer, City.

Chapter XV. Mayor *pro tempore*, and Messenger.
Chapter XVI. Officers, Removal of.
Chapter XVII. Ordinances.
Chapter XVIII. Paupers.
Chapter XIX. Private Property, Taking of for Public Use.
Chapter XX. Property Belonging to City.
Chapter XXI. Requisitions for Supplies.
Chapter XXII. Rock Quarries.
Chapter XXIII. Street Commissioner.
Chapter XXIV. School Fund.
Chapter XXV. Squatters.
Chapter XXVI. Taxes.
Chapter XXVII. Taxes, Occupation.
Chapter XXVIII. Taxes, Delinquent.
Chapter XXIX. Treasurer.
Chapter XXX. Wards.
Chapter XXXI. Weigher. Public.

PART TWO.

REVISED CRIMINAL ORDINANCES.

Chapter I. Alamo, The.
Chapter II. Animals.
Chapter III. Balls, Public.
Chapter IV. Bar-rooms and Theatres.
Chapter V. Bathing.
Chapter VI. Birds.
Chapter VII. Bridges.
Chapter VIII. Buildings.
Chapter IX. Boot Blacks.
Chapter X. Concealed Weapons.
Chapter XI. Disorderly Houses.

Chapter XII.	Ditches and Irrigation.
Chapter XIII.	Dogs.
Chapter XIV.	Drainage.
Chapter XV.	Elections.
Chapter XVI.	Engineer, City.
Chapter XVII.	Fire Department.
Chapter XVIII.	Fines.
Chapter XIX.	Fish, Protection of.
Chapter XX.	Gaming.
Chapter XXI.	Gas and Water Pipes and Fixtures.
Chapter XXII.	Good Order.
Chapter XXIII.	Gunpowder and Other Explosive Substances.
Chapter XXIV.	Hacks and Vehicles.
Chapter XXV.	Health Regulations.
Chapter XXVI.	Health, Board of.
Chapter XXVII.	Illuminating Fluids; Oil Inspector.
Chapter XXVIII.	Jail.
Chapter XXIX.	Markets and Market Masters.
Chapter XXX.	Milk; Establishing Standard and Providing for Inspection of.
Chapter XXXI.	Nuisances.
Chapter XXXII.	Scavengers.
Chapter XXXIII.	Practice of Medicine and Midwifery.
Chapter XXXIV.	Physicians and Sextons.
Chapter XXXV.	Sewers.
Chapter XXXVI.	Drains.
Chapter XXXVII.	Plumbing Regulations.
Chapter XXXVIII.	Inspector of Plumbing.
Chapter XXXIX.	Police.
Chapter XL.	Privies.
Chapter XLI.	Property, Protection of.

Chapter XLII.	Property, Renting for Disorderly Houses.
Chapter XLIII.	Prohibiting the Erection of Barbed Wire Fences Within the City Limits.
Chapter XLIV.	San Antonio and San Pedro Rivers.
Chapter XLV.	Signs.
Chapter XLVI.	Streets and Sidewalks.
Chapter XLVII.	Streets, Plazas, etc., Obstruction of.
Chapter XLVIII.	Sidewalks, Construction of.
Chapter XLIX.	Railways and Street Railways.
Chapter L.	Recorder's Court.
Chapter LI.	Taxes.
Chapter LII.	Telegraph and Telephone, Electric Light and Power Companies.
Chapter LIII.	Theatres, Variety.
Chapter LIV.	Vagrants.
Chapter LV.	San Antonio Waterworks Company, Protection of Property of, etc.
Chapter LVI.	Weights and Measures.
Chapter LVII.	Wood, Sale of.
Chapter VLIII.	Police Rules and Regulations.

PART THREE.

ORDINANCES PASSED TOO LATE TO BE EMBODIED IN PARTS ONE AND TWO.

1. AN ORDINANCE providing that all official bonds for more than one thousand dollars ($1000.00) shall be presented to the city council for approval, and providing that after being approved they shall be entered upon the minutes, and providing that a schedule of assets shall be attached to each bond.

2. AN ORDINANCE providing for annual levy and collection of occupation taxes.

3. AN ORDINANCE organizing and establishing the Corporation Court of the City of San Antonio. and defining its powers and jurisdiction.

4. AN ORDINANCE to prevent persons from engaging in occupations taxed by law, before paying the occupation taxes lawfully due.

5. AN ORDINANCE amending Chapter XLVI of the Revised Criminal Ordinances of the city of San Antonio, and adding thereto Section 28.

Sec. 2. The said digest of the ordinances of the city of San Antonio, when published in book form, shall be known and may be cited as "The Revised Ordinances." All the ordinances in the said digest of ordinances shall take effect and be in force from and after the seventh day of August, 1899; and all ordinances of a general nature passed prior to the seventh day of August, 1899, and in force when the said revised digest of ordinances takes effect and which are not included therein, shall be and the same are hereby repealed.

Sec. 3. When by any provision or section of the revised ordinances an offense is defined or any act or omission is declared to be unlawful, and no penalty prescribed therefor, the person guilty of such an offense, act, or omission, shall, upon conviction, be fined in any sum not less than five dollars ($5.00) and not exceeding two hundred dollars ($200.00) for each and every such offense, act, or omission.

CHARTER

OF THE

CITY OF SAN ANTONIO.

Approved August 13, 1870, and all Amendments Thereto Now in Force.

[REVISED BY THEODORE HARRIS.]

ARTICLE ONE.

GENERAL PROVISIONS.

Section 1. *Be it enacted by the Legislature of the State of Texas:*

That all inhabitants of the city of San Antonio are hereby constituted a body corporate and politic, and shall have power: Powers granted to City.

First. To sue and be sued.

Second. To purchase and hold real and personal property for the use of the city. [Amendment of 1889.]

Third. To sell and convey any real or personal estate owned by the city, and make such order respecting the same

as may be conducive to the interests of the city; *provided*, that the said city shall not sell any lands owned by said city lying in the territory north of the county poor farm and west of the San Antonio river, and shall not rent or lease the same for any purpose for a term exceeding ten years at any one time. [Amendment of 1889.]

Fourth. To make all contracts, and do all other acts in relation to the property and concerns of the city necessary to the exercise of its corporate or administrative powers.

Fifth. To have a corporate seal.

City limits.

Sec. 2. The bounds and limits of said city, within which said corporation shall have jurisdiction, shall include a square of which the sides shall be equi-distant from what is known as the cupola of the Cathedral of San Fernando, and three miles therefrom, east, west, north and south, or six miles square. [Amendment of March 4th, 1885.]

Powers, exercised by whom.

Sec. 3. The powers herein granted shall be exercised by the mayor and city council as hereinafter set forth.

Wards.

Sec. 4. The city council shall divide the city into as many wards as they may deem necessary; to number the same, and fix the boundaries thereof, so that each ward shall contain as nearly as possible the same number of inhabitants or electors, which said wards, as well as the boundaries thereof, the city council may change from time to time, as they may deem expedient; *provided*, that no change in the wards, or the boundaries thereof, shall be made within six months next preceding an election to be held in said city. [Amendment of 1889.]

City elections.

Sec. 5. That on the second Monday in February, beginning with the year 1893, a mayor, recorder, collector,

treasurer, city attorney, auditor, assessor, and one alderman from each ward in the city, and four aldermen from the city at large, shall be voted for, and the returns of such election shall be made as hereinafter provided. [Amendment of 1891.]

Sec. 6. That the first election under this act shall be held as provided in section 5, and every two years thereafter shall be the regular charter election for all elective officers. [Amendment of 1889.] City elections.

[Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, repealed March 4th, 1885.]

Sec. 20. The mayor shall provide suitable rooms and arrangements for polls of election. Same.

[Sections 21, 22, 23, repealed March 4th, 1885.]

Sec. 24. At the first regular meeting of the council after the promulgation of the result of the election, for mayor and other officers, the city council, upon nominations therefor, made by the mayor, shall proceed to elect a city clerk, one physician, one street commissioner, one or more market masters, one or more water commissioners, one city engineer, city marshal, and clerk of recorder's court, and one or more assistant marshals, and such police and other officers as they may deem necessary for the proper administration of the city government, and for the interest of the city. Elections of officers by city council.

They may provide by ordinance for the suspension or removal, by two-thirds vote of the entire council, of all officers elected by the people or appointed by the council, for malfeasance, misfeasance, or nonfeasance in office, and shall fill all vacancies as they may occur; *provided*, such vacancies occur not less than nine months before the expiration of the Suspension or removal of officers.

term of office of the parties vacating. [Amendment of 1891.]

[Section 25 repealed March 4th, 1885.]

Closing of saloons on election day.

Sec. 26. The mayor shall cause all places where intoxicating liquors are sold or given away to be closed during the day of election, until the polls are closed; and any person refusing to close such establishment, house or brothel, shall be arrested and kept in confinement until the day following the election, when he or she shall be tried, and, if found guilty, shall be fined in a sum not less than ten dollars ($10.00), nor more than one hundred dollars ($100.00), and upon refusal to pay the fine shall be imprisoned in the city prison for a period not exceeding one month; and any police officer is authorized to seize any liquor offered for sale, or to be given away, upon any open or public place or highway, and the persons so offending shall be subject to the penalty herein provided.

[Sections 27 and 28 repealed March 4th, 1885.]

Manner of holding elections and qualification of voters.

Sec. 29. That all the elections in the city shall be held in accordance with the state law governing elections, and returns shall be made to the mayor in the same manner that returns are made under the state law. The qualification of voters shall be as prescribed in Article 6 of the constitution of the state; *provided*, that at all elections wherein property taxpayers only are allowed to vote, those only who are actual taxpayers, and whose names appear on the last assessment rolls of the city, shall be deemed property taxpayers; *provided, further*, that if the name of any person offering to vote, he being otherwise qualified, does not appear on said tax roll, but produces his property tax receipt for the preceding year, he shall be entitled to vote, but the word "sworn" shall be written on the back of his ballot and opposite his name on the poll lists. [Amendment of 1891.]

[Sections 30 and 31 repealed March 4th, 1885.]

Sec. 32. The mayor shall hold his office for a term of two years, and until his successor is duly elected and qualified. Mayor's term of office.

Sec. 33. The city council shall be composed of the mayor and aldermen. One alderman to be elected from each ward by the voters thereof, and four aldermen to be elected by the voters of the city at large. The aldermen shall hold office for two years, and until their successors are elected and qualified, The aldermen elected as representatives of the different wards shall be residents thereof at least six months prior to their election, and shall vacate their office if at any time they should remove therefrom. [Amendment of March 4th, 1885.] Composition of city council, etc.

Sec. 34. No person shall be elected or appointed to any office in the city who is disqualified from holding office under the fourteenth amendment of the constitution of the United States, and at the time of his election or appointment is not a citizen of the state of Texas and a resident within the city limits at least one year preceding such election or appointment. [Amendment of 1889.] Qualification of office holders.

Sec. 35. If the office of mayor should become vacant by death, removal of the mayor beyond the city limits, or otherwise, a majority of the aldermen may elect one of their number mayor for the time being to fill the vacancy until his successor is elected and qualified. Should such vacancy occur more than nine months prior to the first regular election to be held thereafter, then, in that case, such acting mayor, or in case of his refusal, any three aldermen are hereby required to issue a proclamation for a new election forthwith, to be held in the same manner as regular city elections for that purpose are required to be held. The person elected to act as mayor for the time being shall receive the Vacancy in mayor's office.

same compensation to which the mayor would have been entitled. [Amendment of 1889.] [Section 36 repealed, 1889.]

Vacancy in elective office.

Sec. 37. In case of vacancy in any office filled by an election by the people, such vacancy shall be filled by a majority vote of the city council; *provided*, such vacancy occurs within nine months of an election therefor; otherwise the mayor shall order an election to fill such vacancy; *provided, further*, that the successor of a ward alderman shall in every case be a resident of the same ward as his predecessor. [Amendment of 1891.]

Acting mayor.

Sec. 38. At the first meeting of the city council after the promulgation of the result of the election for mayor and other officers, the city council shall elect one of their number to act as mayor during any inability, absence or refusal of the mayor to act; and the said alderman, when acting as mayor as aforesaid, shall have all the powers herein conferred on the mayor, and shall sign all official documents as acting mayor. [Amendment of 1889.]

ARTICLE TWO.

POWERS OF THE MAYOR AND COUNCIL.

Council meetings.

Sec. 39. The twelve aldermen shall constitute the city council of said city. The city council shall meet at such times and places as they shall by resolution or ordinance direct. The mayor, when present, shall preside at all meetings of the city council, and shall have in all cases of a tie vote the casting vote. In the absence of the mayor, the acting mayor hereinbefore provided for, and in case of his absence any alderman may be appointed to preside, in which case the acting mayor or alderman who presides shall vote as an alderman only. [Amendment of 1889]

Sec. 40. The city council shall hold regular meetings at stated times, at least once in each month; and the mayor, of his own motion, or any three aldermen, may call special meetings, the object of which said special meetings shall be submitted to the council in writing, and the call and object thereof shall be entered on the journal by the clerk. The city council shall have power to prescribe rules and regulations for their government while in session, and for the enforcement thereof. [Amendment of 1889]

Council meetings.
Special meetings.
Rules and regulations.

Sec. 41. Petitions and remonstrances may be presented to the council in writing only, and the council shall determine the rules of its own proceedings, and have power to compel the attendance of absent members, and with the concurrence of two-thirds of the members elected, may expel a member.

Petitions to council.
Compulsory attendance.
Expulsion of a member.

Sec. 42. The city council shall have the care, management and control of the city and its property and finances; and shall have power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such ordinances to alter, modify or repeal, and shall have power by ordinance:

City council controls city's property.
Enacting and repealing ordinances.

Sec. 43. To borrow money on the credit of the city and issue bonds therefor for permanent public improvements to an amount not to exceed fifty thousand dollars for and during any one year, commencing June 1, 1895; and every proposition to borrow money as aforesaid shall be submitted to the qualified taxpaying voters of the city, and shall distinctly specify the purposes for which the loan is desired and the permanent public improvement to be constructed, and if said proposition be sustained by a majority of said votes cast, such loan shall be lawful. All bonds shall specify

Power of city to borrow money.
Bonds described.
Rate of taxation.
Sinking fund.

for what purpose they were issued, and when sold shall net the city not less than their par value with accrued interest to date of payment of proceeds into the city treasury; and the bonds shall be negotiated in lots as the city council may determine and direct; *provided*, that no debts shall be contracted for the payment whereof such bonds or lot thereof are issued until such bonds or lot of bonds shall have been disposed of and the proceeds thereof paid into the city treasury; and no debt shall ever be created by said city unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and create a sinking fund of at least two per cent thereon; which fund shall not be diverted or drawn for any other purpose; and the city treasurer shall honor no draft drawn on said fund except to pay the interest, or to redêem the bonds for which it was provided; *provided*, the rate of tax shall not exceed one-half of one per cent, and the rate of interest paid shall not exceed six per cent; *provided, also*, no loan shall be made for any other purpose or purposes than those connected with the corporation of said city; and no loan shall be made to aid any private enterprise, railroad, or undertaking not under the management or control of the city council; *provided, further*, that the sinking fund for the redemption of any loan or debt shall be invested, as fast as the same accumulates, in United States interest bearing bonds, bonds of the state of Texas, or in bonds of said city, and the interest of such bonds shall be reinvested, and such bonds shall be sold when necessary to pay the interest or principal of the bonds issued under the provision of this section. [Amendment of 1895.]

Special funds.

Sec. 44. To provide, by ordinance, special funds for special purposes, and to make the same disbursable only for the purpose for which the fund was created.

Sec. 45. To appropriate and provide for the payment of the debts and expenses of the city, and to issue refunding bonds for the purpose of redeeming bonds bearing a higher rate of interest, or paying matured bonds; *provided*, that the bonded debt of the city shall not be increased nor other evidence of debt be issued, exceeding the amount provided for in section 43 hereof, in any one fiscal year, unless authorized by a vote of the property taxpayers as hereinbefore provided. The fiscal year shall commence on the first day of June and terminate on the last day of May following. *Provided, further*, that the bonded debt of the city shall never exceed eight (8) per cent. of the total assessed value of the property in the city, according to the last assessment roll. [Amendment of 1891.]

Payment of debts and expenses.

Refunding bonds.

Fiscal year.

Limit of bonded debt.

Sec. 46. To provide the city with water, to make, regulate and establish public wells, waterworks, pumps, cisterns, fountains, hydrants and reservoirs in the streets and public places and elsewhere within the said city or beyond the limits thereof, for the extinguishment of fires and all other public purposes, as well as for private use for the inhabitants of said city; and regulate and prescribe the rates, prices and terms at which water shall be furnished, for public as well as private purposes, to such inhabitants and to said city; and to make, regulate and establish all irrigation ditches and have entire control of the same, and to regulate, fix and prescribe the rates, prices and terms upon which water may be furnished to such inhabitants. [Amendment of 1889.]

Waterworks.

Water rates fixed by city.

Irrigation ditches.

Sec. 47. To fill up old ditches, wells, pools or other places where stagnant water or foul matter may accumulate to the detriment of the health and convenience of the citizens.

Filling up ditches, wells, etc.

Contagious diseases.
Quarantine laws.
Hospitals and pest-houses.

Sec. 48. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose and to enforce the same within five miles of the city, and to make all ordinances and regulations to prevent the spread of any contagious diseases within the city limits; to establish hospitals and pest-houses. [Amendment of 1891.]

Nuisances.
Slaughter houses, privies, etc.

Sec. 49. To make regulations to secure the general health of the city; and to prevent and remove nuisances, and to make and prescribe regulations for the cleaning and keeping in order all slaughter houses, stock yards, warehouses, stables, privies or other places where offensive matter is kept or liable to accumulate.

Night watch.

Sec. 50. To establish, regulate and support night watch and police and define the duties thereof.

Street lighting.
Telegraph, telephone posts, etc.
Laying and insulation of wires.
Gas pipes in streets.

Sec. 51. To provide for the lighting of the streets and the erection of lamp posts; to exclusively regulate, direct and control the erection and construction of telegraph, telephone and electric light posts, poles and wires; to require the removal or changing of all such posts, poles and wires, and to require the laying of all telegraph, telephone, electric light and all other wires under ground, in such manner and at such depth and with such insulation as the city council shall deem necessary or proper; to exclusively regulate, direct and control the laying and repairing of all gas pipes and gas fixtures in the streets, alleys, sidewalks and elsewhere. [Amendment of 1889.]

Market houses.
Public buildings.

Sec. 52. To erect and establish market houses and market places, and to regulate and govern the same; and to provide for the erection of all other useful and necessary

buildings for the use of the city; and for the protection and safety of all property belonging to the city; and to provide for the safety and protection of private property, where damages are likely to accrue by the action of the elements.

Protection of public and private property.

[Section 53, repealed, 1889.]

Sec. 54. To regulate the police of the city and to assess fines for the breach of any ordinance, and provide for the recovery and collection thereof; and in default of payment, to provide for confinement in the city prison or workhouse, or to hard labor in the city.

Police regulation.

Assessment of fines.

Imprisonment and hard labor.

Sec. 55. To regulate and prescribe the duties and powers and compensation of all officers, agents and employes of the city, except the compensation of the mayor, city marshal, collector, assessor, treasurer, city attorney, engineer and recorder, and to require bonds; to create any office or employ any agent they may deem necessary for the good government and interest of the city, and to change or prescribe additional duties of all such officers and agents; *provided*, that the compensation of all officers shall not be increased or diminished during their term of office, and that all salaries fixed thereby shall take effect from and after the time when this amendment takes effect. [Amendment of 1891.]

Regulation of duties, powers, and compensation of employes.

Creation of new offices.

Employment of agents.

Sec. 56. To require of all officers or agents of the city, elected or appointed in pursuance of this act, bonds and security for the faithful performance of their duties.

Bonds of officers.

Sec. 57. To have the exclusive control and power over the streets, alleys, sidewalks, lanes, avenues and public grounds and highways of the city and to abate and remove encroachments or obstructions thereon; to open, alter, widen, straighten, extend, establish, abolish, regulate, grade, re-

Public streets and alleys.

Sewers and drains.

grade, clean, pave, macadamize or otherwise improve the same; to put drains and sewers therein and to prevent the encumbering thereof in any manner, and to protect the same from any encroachments or injury.

[Section 58, repealed, 1889.]

Care of river and ditches.

Sec. 59. To provide measures to keep the waters of the river and streams pure; to remove all obstructions or dams in said river or streams within the limits of the city; to widen and deepen the channels of said river and streams; to prevent overflows; to alter and establish the channels of any streams, ditches or water courses within the limits of said city when the health, safety or convenience of the city may require such to be done, and to wall up or cover said ditches or canals.

Bridges, culverts, sidewalks, crossways.

Cost of sidewalks to be borne by owner. Method of collecting same.

Sec. 60. To establish, erect, construct, regulate and keep in repair, bridges, culverts and sewers, sidewalks and crossways, and to regulate the construction and use of the same, and to abate and punish any obstructions or encroachments thereon; and the cost of the construction of the sidewalks, as well as the curbing therefor, shall be defrayed by the owner of the lot or block fronting on the sidewalk; and the cost of any sidewalk and curbing constructed by the city shall be collected, if necessary, by sale of the lot, or part of lot or block on which it fronts, together with the cost of collection, in such manner as the city council may, by ordinance, provide; and a sale of any lot or part of lot or block, to enforce the collection of the cost of such sidewalk and curbing, shall convey a good title to the purchaser, and the balance of the proceeds of sale, after paying the amount due the city and costs of sale, shall be paid by the city to the owner; *provided*, that one-fifth of the cost of such sidewalk and curb-

ing shall become delinquent six months after the completion of the sidewalk, and one-fifth every sixth months thereafter, until it is all paid, and if one installment becomes due and is unpaid, the entire amount remaining unpaid shall immediately become delinquent, and collection thereof shall be enforced as hereinbefore provided; such sum shall bear interest from the time of the completion of the work at the rate of eight (8) per cent. per annum. [Amendment of 1889.]

Inspection of foods.
Inspection of hides and skins.

Sec. 61. To provide the mode of inspection of meat, fish, vegetables, fruit, and every article or thing offered for sale in the market places or elsewhere in the city, and to require the hides and skins of animals slaughtered for sale thereat to be brought to said market or markets, or to such other place as may be directed by the city council, that the mark and brands may be examined by some officer authorized by the city council, who shall keep record thereof for public inspection. [Amendment of 1889.]

Removal or destruction of offensive matter.
Dead animals.

Sec. 62. To prevent any person from bringing, depositing, or having within the limits of said city, any dead carcass or other offensive or unwholesome substance or matter; and to require the removal or destruction, by any person who shall have placed or caused to be placed upon or near his premises or elsewhere, any such substance or matter, filth, or any putrid or unsound beef, pork, fish, hides or skins of any kind, fruit or vegetables; and in default, to authorize the removal or destruction thereof by some officer of the city, and to require the owner of any dead animal to remove the same to such place as may be designated.

Regulation of butchers.

Sec. 63. To make such rules and regulations, in relation to butchers, as they may deem necessary and proper.

Improvent of public grounds and cemeteries.

Shade and ornamental trees.

Sec. 64. To provide for the enclosing, regulating and improving of all public grounds and cemeteries belonging to the city; and to direct and regulate the planting and preserving of ornamental and shade trees in the streets, sidewalks and public grounds.

Work-houses, houses of correction, poor-houses and hospitals.

Sec. 65. To erect, establish and regulate one or more work-houses, houses of correction and poor-houses, and provide for the government and support of the same; and to regulate or prohibit the establishment of private hospitals.

Regulation of driving animals through streets.

Sec. 66. To prevent, regulate and control the driving of cattle, horses and other animals into or through the city.

Deadly weapons.

Sec. 67. To prevent the carrying of deadly weapons within the city limits.

Encumbrance of streets.

Awnings and signs.

Rubbish in streets and sidewalks.

Grading of sidewalks

Walling up of ditches

Sec. 68. To prevent the encumbering of the streets, alleys, sidewalks and public grounds with carriages, wagons, carts, hacks, buggies, or any vehicle whatever, boxes, lumber, timber, firewood, posts, awnings, signs or any other substance or material whatever, or in any manner whatever; to compel all persons to keep all weeds, filth or any kind of rubbish from the sidewalks, streets and gutters in front of the premises occupied by them; to require and compel the owners to fill up, grade and otherwise improve the sidewalks in front of and adjoining their property. Also, to compel owners of property through which any water, ditch or dam runs, to wall up the same.

Inspection of buildings.

Prescription of material to be used, etc.

Sec. 69. To inspect the construction of buildings, and to cause unsafe buildings to be made safe or be removed, and to prohibit the use of certain materials deemed unsafe, and to require every person desiring to erect a building in the

city to take out a permit for the same and to keep a register of all buildings, both private and public, erected, of the kind of material used, and of the intended use of such buildings; to prescribe the material to be used in the construction of buildings, the mode and manner of their construction, the thickness of the walls thereof, and the height of such buildings. [Amendment of 1889]

Restraint and regulation of sale of intoxicating liquors in gaming houses, etc.

Sec. 70. To restrain, regulate and prohibit the selling or giving away of any intoxicating or malt liquors by any person or firm, although duly licensed by the state, when the place of business of such person or firm is connected with a house wherein gaming is permitted to be carried on, or where the same is connected with a vaudeville or other place where theatrical performances are held, by whatever named called, when such place or vaudeville has been declared by the city council to be a place where the idle, vicious and evil-disposed persons habitually congregate, or where indecent performances are allowed. [Amendment of March 4th, 1885.]

Census of city.

Sec. 71. To provide for and cause to be taken an enumeration of the inhabitants of the city.

Regulation of billiard tables, pin and ball alleys.

Suppression of gambling and disorderly houses, etc.

Sec. 72. To license, tax and regulate billiard tables, pin alleys, ball alleys; to suppress and restrain disorderly houses, tippling shops and groceries, bawdy houses, houses of prostitution or assignation, gambling and gambling houses, lotteries and all fraudulent devices and practices and all kinds of indecencies.

Licensing hackmen, draymen and porters.

Runners for railroads, etc.

Sec. 73. To license, tax, and regulate hackmen, draymen, drivers of omnibuses, and baggage wagons, porters, and all others pursuing like occupations, with or without vehicles, and prescribe their compensation; and to regulate,

license, and restrain runners for railroads, stages, and public houses. [Amendment of 1889.]

Prohibition of indecent theatrical representations.

Sec. 74. To prohibit and punish the owners, lessees or agents of theatres or other places wherein indecent, lewd or immodest dramatic or theatrical representations are given, and adopt summary measures for removal or suppression of all such entertainments or establishments. [Amendment of March 4th, 1885.]

Regulation of peddlers, pawnbrokers, theatres, etc.

Sec. 75. To license, tax and regulate, suppress and prohibit hawkers, peddlers, pawnbrokers and keepers of theatrical or other exhibitions, shows or amusements.

Occupation tax.

Sec. 76. To license, tax and regulate merchants, commission merchants, hotels, and boarding-house keepers, restaurants, drinking houses or saloons, bar-rooms, beer saloons and all places or establishments where intoxicating or fermented liquors are sold; brokers, pawnbrokers, money brokers, real estate agents, insurance brokers, insurance agents and auctioneers and all other trades, professions, occupations and callings, the taxing of which is not prohibited by the constitution of the state, which tax shall not be construed to be a tax on property.

Taxing public balls, dances, etc.

Sec. 77. To license, tax, regulate and suppress public balls, dances, and all other places of resort and public amusement.

Restraint and punishment of vagrants, beggars, gamblers, prostitutes, etc.

Sec. 78. The city council shall have the right to enact all necessary ordinances to restrain and punish vagrants, mendicants, street beggars and prostitutes; to restrain and control all gambling and punish the keepers of all games and gambling devices with as great a penalty as the same is punished by the statutes of the state. The recorder's court of

the city of San Antonio shall have concurrent jurisdiction of all such misdemeanors, when committed in the corporate limits of the city of San Antonio. [Amendment of March 4th, 1885.]

Sec. 79. To establish standard weights and measures to be used within the city, in all cases not otherwise provided for by law; to require all traders and dealers in merchandise or property of any kind, which is sold by weight or measure, to cause their weights and measures to be tested and sealed by the inspector of weights and measures. The standard of such weights and measures shall be conformable to those established by law. [Amendment of 1889.]

Weights and measures.

Inspector to test and seal.

Standard, formed how.

Sec. 80. To regulate and provide for the inspection and measuring of lumber, shingles, timber, posts and all kinds of building materials, and for measuring all kinds of mechanical work, and to appoint one or more inspectors and measurers thereof; exclusively to provide for the measuring of wood and weighing of hay, and the manner and place of selling same.

Inspection of lumber and building materials.

Measuring wood and weighing hay.

Sec. 81. To prevent and suppress any riot, affray, noise, disturbance or disorderly assembly, in any public or private place in the city.

Riots and disturbances.

Sec. 82. To prevent any immoderate driving or running of horses or other animals in the streets; to punish the driver of the animals; to compel persons to fasten their horses or other animals attached to vehicles or otherwise, while standing or remaining in the streets.

Fast driving.

Fastening of horses.

[Section 83 repealed March 4th, 1885.]

Sec. 84. To prevent the erection of all factories or establishments on the banks of streams or ditches, which will befoul or make impure their waters.

Erection of factories on streams or ditches.

Regulation of weight and quality of foods.

Sec. 85. To regulate the weight and quality of bread to be sold and used in the city, and generally, everything relating to bakers, butchers, tavern-keepers, restaurants, fruit vendors, eating-houses and bar-rooms, except the price of the articles vended.

Impounding of animals.

Penalty may be imposed for allowing to run at large.

Sec. 86. To establish and regulate public pounds, and to regulate the running at large of horses, mules, cattle and sheep; to regulate, restrain and prohibit the running at large of swine or other animals, and to authorize the distraining, impounding and sale of the same for the costs of proceedings and the penalty incurred and to impose penalties on the owners thereof for a violation of any ordinance in relation thereto.

Licensing of dogs

Can restrain running at large.

Sec. 87. To tax, regulate, restrain and prohibit the running at large of dogs and to authorize the distraining, impounding and destruction of the same, and to impose penalties on the owners and keepers thereof.

Restraint of fireworks and noises.

Restraint of practices tending to cause crowds on streets

Sec. 88. To prohibit and restrain the rolling of hoops, flying of kites, firing of firecrackers or firing of firearms or fireworks, use of velocipedes, or use of pyrotechnics or other amusement or practice tending to annoy persons passing in the streets or sidewalks, or to frighten horses or teams; to restrain and prohibit the ringing of bells, blowing of horns and bugles, playing of street organs or other street music, crying of goods and all other noises, practices or performances tending to the collection of persons on the streets and sidewalks, by auctioneers and others, for the purpose of business, amusement or otherwise.

Nuisances affecting public health and comfort.

Sec. 89. To abate all nuisances which may impair or affect the public health and comfort, in any manner they may deem expedient.

Sec. 90. To do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Health regulations.

Sec. 91. To compel the owner or occupant of any grocery, soap, tallow or chandler establishment, any blacksmith's shop, tannery, stable, slaughter house, distillery, brewery, sewer, privy or other unwholesome or nauseous house or place, to cleanse, remove or abate the same, as may be necessary for the health, comfort and convenience of the inhabitants.

Cleansing and purifying of premises.

Removal or abatement of nuisances.

Sec. 92. To direct the location and regulate the management and construction of breweries, tanneries, blacksmith's shops, foundries, livery stables and manufacturing establishments; to direct the location and regulate the management and construction of and restrain, abate and prohibit within the city, slaughtering establishments and hide houses, or establishments for keeping or curing hides, tallow, offal and such other substances as may be rendered, and all other establishments or places where nauseous, offensive or unwholesome business may be carried on.

Regulation of certain establishments that may be offensive.

Power to direct location, and to restrain or regulate construction.

Sec. 93. To regulate the burial of the dead; to purchase, establish and regulate one or more cemeteries; to regulate the registration of deaths; to direct the returning and keeping of bills of mortality and impose penalties on physicians, sextons and others for any default in the premises.

Registration of deaths.

Cemeteries.

Burial regulations.

Sec. 94. To regulate and determine the times and places of bathing and swimming in the waters within said city and to prevent any obscene or indecent exhibition, exposure or conduct.

Bathing and swimming in city limits.

Public nuisances.

Power to punish authors thereof.

Sec. 95. To abate and remove nuisances and punish the authors thereof by penalties, fine and imprisonment, and to define, and declare what shall be nuisances, and authorize and direct summary abatement thereof.

Boxing matches and brutal exhibitions.

Sec. 96. To prevent all boxing matches, sparring exhibitions, cock and dog fighting, bull fighting, and all brutal exhibitions, and punish all persons thus offending.

Breaches of the peace, trespasses, disorderly conduct, etc.

Sec. 97. To prevent all trespasses, breaches of the peace and good order, assaults, assaults and battery, fighting, quarreling, using abusive and insulting language, misdemeanors and all disorderly conduct, and punish all persons thus offending.

Houses of prostitution.

Sec. 98. To prevent and punish the keeping of houses of prostitution within the city, or within such limits therein which may be defined by ordinance, and to adopt summary measures for the removal or suppression, or license, taxation, regulation and inspection of all such establishments. [Amendment of 1891.]

Railroad tracks and switches.

Repair and lighting of streets occupied by tracks.

Lighting, construction, and repair of suitable street crossings.

Speed of engine in city limits.

Sec. 99. To direct and control the laying and construction of railroad tracks, turnouts and switches, or prohibit the same in the streets, avenues and alleys, and location of depot grounds within the city; to require that railroad tracks, turnouts and switches shall be so constructed as to interfere as little as possible with the ordinary travel and use of the streets, avenues and alleys, and that sufficient space shall be left on either side of said tracks for the safe and convenient passage of teams, carriages and other vehicles and persons; to require railroad companies to keep in repair the streets, avenues or alleys through which their track may run, and if ordered by the city council to light the same and to construct and keep in repair suitable crossings

at the intersections of streets, avenues and alleys, and ditches, sewers and culverts, when the city council shall deem necessary; to direct the use and regulate the speed of locomotive engines within said city or prevent, or prohibit the use or running of the same within the city.

Regulation of city railroads.

Sec. 100. Exclusively to prevent, control and regulate everything connected with city railroads, and to make such rules and regulations for the same as the city council may deem necessary.

Filling up, cleansing and repair of lots, drains, sinks, privies, etc.

Sec. 101. To require the owner, agent or occupant of any ground, lots, yard, private drain, sinks and privies to fill up, cleanse, alter, repair, fix and improve the same as may be ordered by the mayor, or any resolution or ordinance of said city; and in the event of any failure, neglect or refusal to comply with such order, the party so failing shall be liable to fine and imprisonment. In the event of there being no person in the city on whom such order can be served, the city may have such work done and such improvements made on account of the owner thereof, and all costs, charges and expenses shall be a lien on the property, on the filing of a memorandum thereof by the mayor, under the seal of the corporation, and recording the same with the district clerk, and the city may enforce said lien and institute suit in the corporate name and obtain judgment against said party for the amount so due as aforesaid, in any court having jurisdiction.

Inspection of educational or asylum buildings.

Sec. 102. To inspect all buildings and establishments for educational or asylum purposes; to see that the inmates thereof are properly treated, and to require all institutions of whatever nature, used as asylums, colleges or boarding schools, to make a report of the number of inmates and san-

itary condition of the same every month, and to enforce the vaccination of all inmates thereof. [Amendment of 1891.]

Enactment, repeal, and enforcement of city ordinances.

Limit of fines and imprisonment.

Sec. 103. The city council shall have the power to pass, publish, amend or repeal all ordinances, rules and police regulations not contrary to the constitution of the state, and necessary for the order or good government of the city, or the trade, commerce and health thereof, or that may be necessary and proper to carry into effect the powers herein vested in the corporation or any of its officers; to enforce the observance of all such ordinances, rules and police regulations, and to punish violations thereof by fines and imprisonment, or either or both, or by work on the streets or other public works, as may be provided by ordinance and required by the judgment of the court; *provided*, that no fine shall exceed two hundred dollars ($200) and no period of imprisonment shall exceed ninety (90) days in the county or city jail, except as herein otherwise provided, and for any fine, penalty and costs imposed by the recorder in the trial of any cause or complaint before him executions may issue to collect such fines and costs, to be levied and executed in the same manner that executions are from courts of justice of the peace. The same shall be issued by the recorder to the marshal, who, in levying on property and selling, shall have like power and authority as the sheriff of the county in executions issued from the district or county courts, and the laws of the state, so far as applicable, shall apply to and be in full force and effect as to the execution issued from the recorder's court, and any person upon whom any fine or penalty is imposed may be committed, until payment of same with costs, and in default thereof may be imprisoned in the city prison or may be required to work on the streets or other public works of the city for such time and in such

manner as may be provided by ordinance, provided such imprisonment shall not exceed ninety (90) days. [Amendment of March 4th, 1885.]

Sec. 104. No police officer shall be liable for damages for any act committed in the proper discharge of his duties. Liability of police officer.

ARTICLE THREE.

POWERS OF THE MAYOR.

Section 105. The mayor shall have power to sign or veto any ordinance passed by the city council. Any ordinance vetoed by the mayor may be passed over the veto by a vote of two-thirds of the whole number of councilmen elected, notwithstanding the veto; and should the mayor neglect or refuse to sign any ordinance, or to return the same with his objections in writing, at the next meeting of the council, the same shall take effect without his signature. Signing and veto powers of mayor.

Sec. 106. All orders and drafts upon the treasurer for money shall be signed by the mayor, and shall be attested by the city clerk. Orders and drafts signed by mayor.

Sec. 107. The mayor shall preside at all meetings of the city council, except as herein otherwise provided, and shall have no vote except a casting vote when the council is equally divided, and shall have the superintending control of all officers and affairs of the city, and shall see that the ordinances of the city and the provisions of this act are complied with. [Amendment of 1889.] Duties of mayor.

Sec. 108. He shall sign the commissions or appoint- Same.

ments of all persons elected and appointed in the city government.

Duties of mayor.

Sec. 109. He shall be a conservator of the peace throughout the city, and shall, at all times, have power by and with the consent of the city council, to appoint any number of special policemen that he may deem necessary to preserve the peace of the city, and dismiss the same at pleasure.

Same.

Sec. 110. He shall, from time to time, communicate to the city council such information, and recommend such measures as in his opinion may tend to the improvement of the finances of the city, the police, health, security, ornament, comfort and general prosperity of the city.

[Section 111 repealed, 1889.]

Powers of mayor.

Sec. 112. The mayor shall have power, when he deems it necessary, to require any officer of the city to exhibit his accounts or other papers, and to make report to the council in writing, touching any subject or matter he may require pertaining to his office.

Same.

Sec. 113. The mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the city, and he shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty; he shall have jurisdiction, as may be vested in him by ordinance, over all places within five miles of the corporate limits of the city, for the enforcement of any health or quarantine ordinance or regulation thereof.

Same.

Sec. 114. The mayor is hereby authorized to call on every male inhabitant of the city, over eighteen years of age and under the age of fifty years, to aid in enforcing the laws

and ordinances of the city; and in case of necessity, to call out the militia within the city to aid in the suppression of any riot or in the enforcement of any ordinance; and any person who shall not obey such call shall forfeit to the city a fine not exceeding five hundred dollars ($500.00.)

Sec. 115. The mayor shall have power to remit fines and forfeitures; to grant reprieves and pardons for all offenses arising under the ordinances of the city, by and with the consent of the council. Powers of mayor.

[Section 116 repealed, 1889.]

Sec. 117. In case of the temporary absence or illness of the recorder, or in case of vacancy in the office of recorder, the mayor shall have like power with the recorder to try all cases of violation of the city ordinances, and it shall be his duty to do so. Same.

Sec. 118. The mayor shall have like power with a justice of the peace to administer oaths of office, and also all other oaths and affirmations, and to give certificates thereof. Same.

Sec. 119. The mayor shall have power to solemnize marriages. [Amendment of 1891.] Same.

ARTICLE FOUR.

POWERS AND DUTIES OF RECORDER AND OTHER CITY OFFICERS.

Section 120. The recorder shall be elected by the qualified voters of the city, and shall hold his office for the term of two years, and until his successor is qualified, and for malfeasance or a failure to perform his duties, may be removed Powers and duties of recorder.

Powers and duties of recorder.

Jurisdiction of recorder's court.

Fines and penalties.

New trials.

by the city council; he shall be the chief judicial magistrate of the city and as such shall hold a court within said city, by the name of recorder's court of the city of San Antonio which said court shall have concurrent jurisdiction and cognizance of all misdemeanors, breaches of the peace, infractions of ordinances and all other causes arising under the laws of said city; and said court shall also have concurrent jurisdiction of all misdemeanors arising under the criminal laws of the state within said city limits in which the punishment is by fine only, or by fine or imprisonment, or by both; *provided*, that no fine shall exceed two hundred dollars ($200) or period of imprisonment exceed ninety (90) days in the city or county jail, except as herein otherwise provided; and, *provided further*, that said court shall have concurrent jurisdiction of all cases for keeping disorderly houses or houses of prostitution within the limits of said city. And said court shall be deemed always open for trial of said cases. Said court shall have full power, authority and concurrent jurisdiction in all cases arising under the ordinances of said city or of the state law as hereinbefore limited; and over any breaches and violations thereof, and of any and all persons thus offending, including vagrants, gamblers, prostitutes and keepers of disorderly houses, and to try and determine all suits, actions and complaints charging a violation of any ordinance or aforesaid laws, and may grant new trials on motion in writing, showing sufficient cause and duly sworn to; and all prosecutions, trials and proceedings had in said court under this act, shall be governed by the laws and rules regulating trials, prosecutions, and proceedings in a justice's court in force at the time, and shall be a bar to prosecutions for the same offense in other courts. The recorder may require of any person arrested under the provisions of this act a bond

Powers and duties of recorder, etc.

for his or her good behavior and to keep the peace, or for his or her appearance before said court, with good and sufficient sureties, which bond, as well as all other bonds taken in any proceeding in said court, shall be payable to the city of San Antonio. He shall have full power and authority to issue subpœnas for witnesses, and to compel their attendance by process of an attachment. He may punish all contempts by fine and imprisonment, or either; may issue subpœnas, writs of capias, warrants of arrest, search warrants, executions and all process known to law which a justice of the peace of this state may lawfully issue, and all of said writs and process shall run in the name of the city of San Antonio, be issued, served and executed in the same manner as the like process would be when issued by a justice of the peace, unless herein otherwise provided. He shall also have full power and authority to administer official oaths and all oaths and affirmations, and give certificate therefor. The recorder shall be ex-officio justice of the peace, and he shall posses and execute in the city, in criminal cases, all the powers and duties of such officer, and shall have the same authority and like power with justices of the peace in the prevention and suppression of crime; *provided*, that in no case shall he entertain jurisdiction in civil suits. The city council may determine what costs, if any, shall be charged for proceedings in, and for all process issued in said court; and the recorder shall perform such other duties as may be prescribed by any ordinance of said corporation that may properly and lawfully be required of said officer as the judge of said court, and as are not inconsistent with the laws and constitution of this state; *provided*, that all money collected from fines, of whatever character, imposed by the recorder, shall be paid into the city treasury for the use of the city. The

Powers and duties of recorder, etc.

recorder shall receive the sum of twelve hundred dollars ($1200) per annum, and be allowed no fees in cases arising from the violation of the city ordinances, but only in state cases, when thereto authorized by the city council. [Amendment of March 4th, 1885.]

Jury fee.

Sec. 121. Persons arraigned for violation of city ordinances, demanding trial by jury, shall deposit with the clerk of the court the sum of three dollars ($3.00), security for the payment of the cost of such jury. [Amendment of 1889.]

Recorder's court.

Sec. 122. The recorder shall be a conservator of the peace, and his court shall be open every day, except Sunday, to hear and determine any and all cases, cognizable before him, and he shall have power to bring parties forthwith before him for trial.

[Section 123 repealed.]

Punishment.

Sec. 124. Any person convicted before the recorder of an offense under the ordinances of the city shall be punished by fine or imprisonment, or both, and hard labor, as may be regulated by ordinance.

City attorney or deputy to prosecute.

Sec. 125. The city attorney shall, by himself or deputy, appear and prosecute all cases in the recorder's court arising under the ordinances of the city.

Assessor shall make assessments.

Sec. 126. The assessor of the city shall make up all the assessments of all property taxed by the city in accordance with this act, and the directions of the city council.

Bond and duties of city treasurer.

Sec. 127. The treasurer of said city shall give bond in favor of the city of San Antonio in such amount as may be required by the city council, and with sufficient sureties, conditioned for the faithful discharge of his duties. He shall

receive and securely keep all moneys belonging to the city, and make all payments for the same upon the order of the mayor, attested by the clerk. He shall keep regular and correct accounts of all the real, personal and mixed property, and shall render a full and correct quarterly statement of his receipts and payments to the city council, and whensoever at other times he may be required by them, and shall do and perform such other acts and duties as the city council may require. [Amendment of 1891.]

[Section 128 repealed, 1889.]

[Section 129 repealed, 1889.]

Bond and duties of city collector.

Sec. 130. The collector shall collect all taxes due the city, and in the event of the non-payment of any taxes shall proceed to sell property to raise the amount of taxes due thereon, and shall, in the performance of such duties, observe the provisions of this act and the ordinances of the city relating thereto. He shall give bond in such amount as the city council may require, with good and sufficient sureties; and the city council may require a new bond whenever, in their opinion, the existing bond is insufficient, and whenever such new bond is required he shall perform no official act until said bond shall be given and approved. He shall, at the expiration of every week, pay to the treasurer all the money by him collected in the same funds received by him, taking duplicate receipts therefor, one of which shall be filed with the city clerk on the next Monday thereafter, and shall report to the city council, at the first meeting of that body in each month, all money so collected and paid; and he shall perform all other duties in such manner as the city council may prescribe. He shall collect all sums due for licenses, give itemized receipts for the same, as well as for all other

moneys paid him for taxes, and for that purpose said collector shall keep a book containing blank receipts, as well as corresponding marginal summaries, and before delivery of any receipt, shall fill up a blank therefor, as well as corresponding summary in said book, leaving therein the corresponding marginal summary as a permanent register of his office, subject to public inspection. He shall produce said register at every regular meeting of the council, and at every special meeting when required. He shall require all persons doing any business for which a license may be necessary, to take out such license. He shall report to the mayor all persons engaged in any business illegally, or without license. He shall give notice to all taxpayers within one week after receiving the tax rolls, by advertising in the official journal of the city, that said taxes are due and payable, and when the same may be paid, and shall generally comply with such rules as the city council may prescribe. [Amendment of 1889.]

Duties and powers of city marshal.

Sec. 131. The city marshal, either in person or by deputy, shall attend the recorder's court while said court is in session, and shall promptly and faithfully execute all writs and process issued from said court; he shall also attend all general and special meetings of the city council. He shall be the chief police officer of the city under the mayor. He shall have like power with the sheriff of the county to execute the writ of search warrant; he shall be active in quelling riots, disorders and disturbances of the peace within the limits of said city, and shall take in custody all persons so offending against the peace of the community, and shall have authority to take suitable and sufficient bail for the appearance before the recorder's court of any person charged with any offense against the ordinances or laws of the city. It shall be his duty to arrest all violators of the public peace, and all per-

sons who shall obstruct or interfere with him in the execution of the duties of his office; or who shall be guilty of any disorderly conduct or disturbances whatsoever; to prevent a breach of the peace, or to preserve quiet and good order. He shall have authority to close any theatre, bar-room, drinking house or other place or building of public resort in the suppression of crime and arrest of offenders. He shall have powers, and execute like power, authority and jurisdiction as the sheriff of a county, under the laws of the state, within the city limits. And he shall give such bond for the faithful performance of his duties as the city council may require, and he shall perform such other duties, and shall be invested with such other powers, rights and authority as the city council may, by ordinance, require and confer, not inconsistent with the constitution and laws of the state.

Duties and powers of assistant city marshal.

Sec. 132. The assistant marshal, or assistant marshals, shall have the same power and authority as the city marshal, and perform the same duties as the marshal.

Duties and bond of city engineer.

Sec. 133. The duties of the engineer shall be fixed by the city council; as well as the amount of bond he shall give for the faithful performance of his duties. [Amendment of 1891.]

Duties of city attorney.

Sec. 134. The city attorney shall, by himself or deputy, appear and prosecute all cases in the recorder's court arising under the ordinances of the city, and shall attend the meetings of the city council to give his advice and counsel; he shall give his opinion upon all legal questions arising under the city government, and shall aid, when called upon, to revise or draw up any ordinance of the city, and shall attend to all legal business of the city of whatever nature. [Amendment of 1889.]

Duties of city clerk.

Sec. 135. It shall be the duty of the city clerk to attend every meeting of the city council, and keep accurate minutes of the proceedings thereof in a book provided for that purpose; engross all laws, resolutions and ordinances of the city council; to keep the corporate seal; to take care of, preserve and keep in good order all the books, records, papers, documents, and files of said city; to countersign all commissions issued to the city officers and license issued by the mayor; and keep a record of (or) register thereof, and to make out all notices required under any regulation or ordinance of the city. He shall draw all warrants on the treasurer, and countersign the same, and keep accurate account thereof in a book kept for that purpose. He shall have power to administer oaths and affirmations, and give certificates thereof. [Amendment of 1889.]

Auditor, duties of.

Sec. 136. The auditor shall be the general accountant of the city, and shall keep in books regular accounts of all receipts and disbursements of the city, and separately under proper heads each cause of receipt and disbursement, and also accounts with each person, including officers who have money transactions with the city, crediting amounts allowed by proper authority and charging each with all warrants drawn in his favor, and specifying the particular transaction to which such entries apply; and he shall perform all such other duties as may be required of him by ordinance. [Amendment of 1889.]

[Section 137 repealed, 1889.]

ARTICLE FIVE.

BOARD OF EDUCATION.

[Repealed.]

ARTICLE SIX.

TAXATION.

Section 172. The city council shall have power within the city, by ordinance, to annually levy and collect taxes for general purposes, not exceeding one (1) per cent on the assessed value of all real and personal estate and property in the city, including all money loaned therein at interest, although the owners thereof may be non-residents. [Amendment of 1889.] General tax.

Sec. 173. To annually levy and collect a poll tax, not to exceed one ($1.00) dollar of every male inhabitant between 21 and 60 years of age, who has resided therein twelve months previous to the assessment of said tax. [Amendment of 1889.] Poll tax.

Sec. 174. To levy and collect special taxes for special purposes; *provided*, such special taxes shall not exceed one (1) per cent on the property taxed annually. Special tax.

Sec. 175. That the city council shall have power to levy and collect taxes, commonly known as licenses, upon trades, professions, callings and other business carried on, and upon carriages, hacks, coaches, buggies, drays, carts, wagons and other vehicles used in said city, and whether the same are for private or public use; that each and every person and firm engaged in the following trades, professions, callings and business, among others, shall be liable to pay such license tax; but this enumeration shall not be construed to deprive the city council of the right and power to levy and collect other license taxes, and from other persons and firms under the general authority herein granted, Every member in said city, and every person or firm engaged in selling goods, wares or merchandise; every person or firm selling liquor in quantities over a quart; every person or firm keeping a grog-shop, tippling-house, bar-room or drinking License tax.

saloon; every person or firm keeping a place where spirituous liquors, wines, cordials or beer are sold, in quantities less than one quart; every person or firm keeping a billiard table, ball alley, or nine or ten pin alley, or any similar game; every person or firm keeping a tavern, hotel or boarding house; every person or firm keeping a restaurant, eating house, oyster saloon or place of any description where eatables or refreshments are furnished; every person or firm keeping a livery stable or stables; every person or firm selling goods, wares or merchandise at public auction; every person or firm pursuing the occupation of real estate broker, or agent, merchandise, cotton or produce broker, or commission business; any person or firm pursuing the occupation of hawkers, a peddler of goods or any article whatever; every firm or person keeping a brewery, beer-shop or distillery; any person or firm keeping any storage warehouse, or engaged in any manufacturers' business, or keeping an intelligence office; each and every insurance company, or agent of insurance company, shall be liable to pay said city license tax, and every agent of insurance companies shall be held responsible for each association, corporation or company of which he is agent.

License tax.

Sec. 176. Any person or firm pursuing occupations, business, vocations or callings subject to a license tax shall pay on each, and no license shall extend to more than one establishment or include more than one occupation, vocation, business or calling. [Amendment of 1889.]

Consent of two-thirds of aldermen required for tax.

Sec. 177. The city council shall have power to provide, by ordinance, for the assessing and collecting of the taxes aforesaid, and determine when taxes shall be paid by corporations, and when by the individual corporators; *provided*, no tax shall be levied unless by consent of two-thirds of the aldermen elected or appointed under this act.

Sec. 178. The license tax shall be collected by the collector, and shall be paid to that officer by each and every person or firm or corporation owing such license. Upon the presentation of the receipt of the collector the city clerk shall issue the license under the corporate seal of the city, signed by the mayor and city clerk. That if any person shall engage in any business, vocation or occupation which by ordinance is subject to a license tax, without first having obtained said license, he, she or they shall be liable to imprisonment and a fine of ten dollars ($10.00) for each day said violation of said ordinance may continue; and this section shall apply to all persons owing any license and failing to pay the same. Said taxes, commonly known as licenses, laid as herein provided, shall not be construed to be a tax on property within the meaning of any other section of this act.

License tax, how collected. Failure to obtain license, punished how.

Sec. 179. That the term "real estate" or "property," as used in this act, shall be construed to include lots, lands and all buildings or machinery and structures of every kind erected upon or affixed to the same.

Meaning of "real estate," etc.

Sec. 180. That the term "personal estate" or "property," as used in this act, shall be construed to include all household furniture, moneys, goods, capital, chattels, all public stocks, and stocks in corporations, monied or otherwise and generally all property which is not real.

Meaning of "personal property," etc.

Sec. 181. Bonds of the United States, bonds of the state, and of the city of San Antonio, shall not be subject to tax under this act.

No tax on certain bonds.

Sec. 182. That all property exempt from taxation under the laws of the state shall be exempt from taxes imposed or authorized by this act, and the city council may, by ordi-

Property exemp from taxation.

nance, provide for the exemption from taxation of such other property as they may deem just and proper; *provided*, nothing contained under this title of taxation shall be construed to prevent the city council from imposing, levying and collecting special taxes for the improvement of avenues, streams, ditches, streets and alleys, as hereinafter provided.

ARTICLE SEVEN.

COLLECTION OF TAXES.

Powers of city council to collect taxes.

Section 183. The city council may and shall have power to provide by ordinance for the prompt collection of all taxes assessed, levied and imposed by this act, hereby authorized and due to said city, and to that end may and shall have power and authority to sell real as well as personal property. and bring suits therefor in courts of competent jurisdiction, and may and shall make all such rules and regulations and ordain and pass all such ordinances as they may deem necessary to the levying, laying, imposing, assessing and collecting of any of the taxes herein provided for, and all such taxes shall bear interest at the rate of eight (8) per cent. per annum from the date when collection thereof can be enforced. [Amendment of 1889.]

Deed to property sold for taxes.

Sec. 184. The collector shall, when any property has been sold for the payment of taxes, make, execute and deliver a deed for said property to the person or persons purchasing the same; and said deed shall be *prima facie* evidence in all controversies and suits in relation to the right of the purchaser, his, her, or their heirs and assigns, to the premises thereby conveyed, of the following facts:

Sec. 185. 1. That the land or lot, or portion thereof, conveyed was subject to taxation or assessment at the time the same was advertised for sale and had been listed or assessed in the time or manner required by law.

Deed to property sold for taxes.

2. That the taxes or assessments were not paid at any time before the sale.

3. That the land, lot or portion thereof conveyed, had not been redeemed from the sale at the date of the deed, and shall be conclusive evidence of the following facts:

First. That the land, or portion thereof sold, was advertised for sale in the manner and for the length of time required by law.

Second. That the property was sold for taxes or assessments as stated in the deed.

Third. That the grantee in the deed was the purchaser.

Fourth. That the sale was conducted in the manner prescribed by law; and in all controversies and suits involving the title to land claimed and held under and by virtue of such deed, the person or persons claiming title adverse to the title conveyed by such deed, shall be required to prove, in order to defeat the said title, either that the land was not subject to taxation at the date of the sale, that the taxes or assessments had been paid, that the land had never been listed and assessed for taxation or assessment, as required by this act or some ordinance of the city, or that the same had been redeemed according to the provisions of this act, and that such redemption was made for the use and benefit of the persons having the right of redemption under the law; but no person shall be permitted to question the title

acquired by the said deed without first showing that he, she or they, or the person under whom he, she or they claim title, had title to the land at the time of the sale, or that the title was obtained after the sale, and that all taxes due upon the land have been paid by such person, or the persons under whom he claims title as aforesaid; *provided*, however, that the owner of such property shall have the right to redeem the same at any time within two years of the day and date of the sale thereof, upon paying to the purchaser double the amount of taxes for which the same was sold, together with the cost of such sale, and double the amount of all taxes paid by the purchaser since such sale. The collector shall be entitled to charge the following fees: For each levy, one dollar; advertising, two dollars on each piece of property; for a deed, two dollars; for certificate of redemption, one dollar. The collector shall have full power to levy upon all personal property to satisfy any tax imposed by this act. All taxes shall be a lien upon the property upon which they are assessed. And in case any property levied upon is about to be removed out of the city, the collector shall proceed to take into his possession so much thereof as will pay the taxes assessed and costs of collection.

Postponement of sale of property seized for taxes.

Sec. 186. If from any cause the sale of property levied upon or seized for taxes shall not take place at the time first appointed, the collector shall appoint some other time, give like notice and proceed to sell such property in the manner prescribed in the first instance; and in case said property levied upon or seized for taxes cannot be sold on the day advertised, such sale may be postponed from day to day until completed, of which postponement the collector shall give verbal notice at the expiration of sale each day.

Sec. 187. If at any sale of real or personal property or estate for taxes, no bid shall be made for any parcel of land or any goods and chattels, the same shall be struck off to the city, and thereupon the city shall receive, in the corporate name, a deed for said property, and shall be vested with the same rights as other purchasers at such sales, and shall have power to sell and convey the same. Property struck off to city, when.

Sec. 188. If the real estate of any infant, *femme covert*, or lunatic, be sold under this act, the same may be redeemed at any time within one year after such disability be removed. Sale of property of infants, et. al.

Sec. 189. That if any person shall fail, neglect or refuse to pay the taxes imposed upon him or her, and his or her property within the time prescribed by ordinance of said city, the city collector shall at once make out a delinquent list of all persons who have neglected, failed or refused to pay such taxes, adding thereto ten (10) per cent as a penalty for thus refusing, failing or neglecting to pay such taxes; the collector shall, by virtue of his tax lists and assessment roll, levy upon so much property liable to taxation belonging to such persons as may be sufficient to pay his, her or their taxes; and the collector shall give notice of the time and place of sale by advertisement in writing, giving the name of the party (if not unknown property), the property and the amount of taxes, costs and fees due thereupon. Such notice shall be advertised in the official journal of the city, and also posted at the mayor's office, the collector's office and two at different public places in the city; and at the expiration of such notice, and on the day therein specified, the collector shall proceed to sell such property at public auction, in front of the court house door of the county of Bexar, or such other building as may be used for that purpose; *provided*, that when real estate Delinquent tax list.

or property is offered for sale, the smallest portion of ground must be sold for which any person will take the same and pay the taxes, costs and fees.

Notice given by collector.

Sec. 190. The collector after the completion of the assessment roll, as required by ordinance, shall proceed to collect the tax therein mentioned, within the time, and give such notice as may be prescribed by the city council. [Amendment of 1889.]

Duties of assessor.

Sec. 191. It shall be the duty of the assessor, at the expiration of the time fixed by ordinance for the rendition of property, to ascertain what property in the city, subject to taxation, has not been given in; and a list of all such property as is subject to taxation shall be by him presented to the board of appeals, in a supplement to the assessment roll, as unknown, specifying the year for which said tax is due, and the amount thereof, and if said tax is not paid within the time prescribed by law, said property shall be sold at the same time and with like effect as other property.

Omission to assess one year; shall assess next.

Sec. 192. Whenever the assessor shall ascertain that any real or personal property has not been assessed for the past year, he shall assess the same in his next assessment roll (in a supplement thereto) at the same rate as such property should have been assessed, stating the year for which it is assessed, and the taxes thereon shall be collected in the same manner as other assessments. In all cases where any party has omitted to render property for taxation for any former year or years, and such taxes have not been paid, such party shall give such property for assessment for the years thus omitted, and pay said taxes, and the assessor shall enter such property in a supplement to his next assessment roll under the head of "Payments for Former Years." [Amendment of 1889.]

Sec. 193. It shall be the duty of the assessor to assess and return within the time fixed by the board all property subject to taxation, and to make out a list of such property and of persons chargeable with a poll tax, describing as near as possible the quantity, streets and bounds of real estate, and the value of the grounds and that of the improvements separately, and to make out a list of all personal property, and return the same assessed; and all property not returned to the assessor according to the provisions of this act, he shall proceed to assess in the name of the owner, if he be known, and if not, then it shall be assessed by description of the property and last known owner; and the value of all such property shall be determined by the board of revision and appeal, and the same may be sold as in other cases, if the tax be not paid in the time prescribed by law, the assessment to be made according to law, and the directions given by the city council.

Duties of assessor, continued.

Sec. 194. The city council, or at least the mayor and three aldermen, shall sit as a board of appeal and revision, to whom shall be submitted, by the assessor, the tax list, and before whom persons feelings aggrieved may appeal in writing, stating his or her grievance. Said board shall hear and determine all such appeals in a summary manner, correct errors, appraise all property assessed as unknown, and increase or diminish any assessment as they may deem just; *provided*, that no assessment shall be increased unless the owner of such property has been notified to appear before such board and given an opportunity to make his objections to such increase, a copy of which notice shall, with the officers' return thereon, be filed with the city clerk. After the board have revised such tax list the assessor shall make out a correct list and enter the amounts due by each person,

Board of appeal and revision.

as well as the property assessed, and it shall be immediately delivered to the collector who shall give a receipt for the aggregate amount thereof, which shall be charged to him. If, after or before payment of taxes by any person, any error is discovered in amount, such error shall be corrected by the board, on application in writing, and the overcharge, if paid, shall be refunded to the person having paid the same. [Amendment of 1889.]

Inventory of property for assessment.

Sec. 195. Every person, partnership and corporation owning property within the limits of the city shall, within two months after published notice, hand in to the assessor of the city a full and complete inventory of the property possessed by him, her or them, or controlled by him or her as the agent of any person, partnership or corporation, within the said limits, not exempt from taxation, on the first day of March of the current year, verified as may be required by ordinance, and any person failing or refusing to comply with the provisions of this section shall be liable to fine and imprisonment; and the city council shall, by ordinance, clearly define the duties of taxpayers herein and make all necessary rules and regulations to secure the rendition of property and the collection of taxes due thereon, and prescribe the oath to be taken by the person assessing property as aforesaid, for himself or herself, or agent for another. [Amendment of 1889.]

Manner of making out tax lists, etc.

Sec. 196. The city council shall have power, by ordinance, to regulate the mode and manner of making out tax lists or inventories, and the appraisement of property, and to prescribe the form of oath that shall be administered to each person on such rendition of property, and to prescribe how and when property shall thus be rendered, and to prescribe the number and form of assessment rolls and fix

the duties and define the powers of the assessor and collector and adopt such measures as they may deem advisable to secure the assessment of all property within the limits of said city and collect the tax thereupon; and may, by ordinance, provide that any person, firm, or corporation, having property subject to taxation, or being liable for any tax under the provisions of this act, and neglecting to render a list, inventory and appraisement thereof, as required by any ordinance of said city, shall be liable to fine and imprisonment.

ARTICLE EIGHT.

STREETS, AVENUES, ALLEYS, ETC.

Grading and paving streets.

Section 197. The city council shall be invested with full power and authority to grade and macadamize, curb, pave repair or otherwise improve any avenue, plaza, street or alley, whenever they shall declare, by a vote of three-fourths of all the aldermen, that such improvement is for the public interest, [Amendment of March 4th, 1885.]

[Sections 198, 199 and 200 repealed March 4th, 1885.]

Widening streets, etc.

Sec. 201. In the widening or straightening of any street, avenue, alley, plaza, square, park or other highway, the city council shall determine by ordinance the manner and extent of such widening and straightening. Upon the filing of such ordinance and the plan of the proposed widening with the county clerk, it shall be the duty of the county judge to appoint three disinterested freeholders of the city as commissioners, who, after being sworn to act with fidelity and impartiality, shall carefully estimate the value of the property necessary to be taken for such widening or

Widening streets, condemning private property, estimating benefits, etc.

straightening, making a separate estimate in the case of each owner. It shall be thereafter the duty of the commissioners to estimate the benefits accruing to any property on the street, or in the vicinity, that they may consider benefited by such improvements, filing with their report a list of the owners of such property and the amount of the supposed benefit, stated separately in each case. On the filing of such report with the city clerk the city council shall, at their first meeting, or as soon as practicable thereafter, give five days public notice through the official journal, at which time said report will be acted upon (which shall not be less than ten days after the expiration of said notice), and all parties feeling aggrieved by the action of said commissioners may be heard by the council on appeal. The action of the city council shall be limited to the increase of the value of the award for property taken, or decrease of the assessment for supposed benefit to property by the improvement contemplated. The city council, by tendering to the owner of the land taken the amount of the award, may at once enter upon and appropriate said land for the purpose of opening, widening or altering said street, alley, etc. The benefits reported, and as may be revised by the city council, shall be assessed as a special tax against the property reported as benefited and shall be payable at such time as the city council may direct; and said tax shall be a lien on the property until the payment thereof; and the city collector shall proceed to collect the said tax in the same manner as the other taxes are collected; *provided*, that if deemed necessary the city council may proceed by suit in any court of competent jurisdiction as an additional remedy for the collection of any and all taxes of every nature, assessed or levied by the city. [Amendment of 1891.]

Sec. 202. That in addition to the power and authority granted to the city council to collect said assessments as taxes, as aforesaid, they shall have the further and additional remedy of instituting suit in the corporate name, in any court having jurisdiction, for the recovery against any owner of said property, for the amount due for any such work so made as aforesaid, and the city council shall provide, by resolution or ordinance, under the provisions of this act, for carrying out and executing the powers in this title conferred; and may adopt such resolutions and enact such ordinances, and make such rules and regulations as they may deem necessary therefor. [Amendment of March 4th, 1885.]

Suits for benefits to private property.

Sec. 203. Whenever in the opinion of the city council it shall become necessary or proper to appropriate private property for the use of the city for streets, alleys, avenues, boulevards, parks, public squares, plazas, sewers, gas works, water-works, market houses, school houses, or other public purposes authorized by law, such property may be condemned for such use in the following manner: The city council shall declare by ordinance the necessity or propriety of such appropriation, describing the property sought to be appropriated, and stating the name and residence of the owner if known, and if unknown, stating that fact, and shall file or cause to be filed with the city clerk a plat of the property proposed to be condemned. The damages to accrue to the owner of such property by reason of such condemnation shall be assessed by three commissioners, who shall be disinterested freeholders of the city, one to be selected by the owner of the property, one to be selected by the mayor, and the third to be selected by the two thus appointed. The city clerk shall issue to such owner a notice calling upon him to appoint the commissioner to be selected by

Condemnation of private property for public purposes.

Condemnation of private property for public purposes.

him, and such notice shall be accompanied by a copy of such ordinance and a copy of this section of the charter, which notice and copies shall be delivered to such owner by the city marshal. If such owner shall fail to appoint the commissioner to be selected by him, giving the name of such appointee to the city clerk within ten days after the service of such notice and copies upon him, the mayor shall appoint such commissioner. If the two commissioners so appointed can not agree upon the selection of the third, then the county judge of Bexar county shall, upon application of the mayor, appoint such commissioner. Such commissioners, or any two of them, after being duly sworn to perform the duties of their appointment with fidelity and impartiality, shall fix a time and place for the hearing of the parties upon the matter of such assessment, and shall give not less than ten days notice to both parties of such time and place, which notice may be served by any disinterested person capable of making oath to his return, who shall make his return under oath. When the property sought to be condemned is the property of an estate of a deceased person or of a minor, or a person of unsound mind, and such estate has a legal representative, or such minor or person of unsound mind has a guardian, the notice and copies hereinbefore provided for shall be served upon such legal representative or guardian, who shall make the appointment hereinbefore required to be made by the owner and within the time hereinbefore prescribed; otherwise the same shall be made by the mayor. When the property sought to be condemned is the property of a non-resident of this state, such owner shall have twenty days after service of notice and copies in which to appoint the commissioner to be selected by him, and twenty days notice of the hearing before the commissioners after service of

notice thereof. At the time and place appointed for such hearing, or at any other time and place to which the hearing may be adjourned, the said commissioners or any two of them shall proceed to hear evidence and assess the damages to accrue to the owner of the property by reason of its condemnation. For such purpose the said commissioners shall have power to compel the attendance of witnesses and the production of testimony and to administer oaths and punish for contempt as fully and in the same manner as is provided by law for the district and county courts. A report of such assessment, signed by the commissioners making the same, shall be filed by them with the city clerk. The city council shall by ordinance accept or reject such report. If such report be accepted by the city council, the damages so assessed shall be paid to the owner of the property or his legal representative or guardian, as the case may be, or deposited with the city treasurer, subject to the order of such owner, legal representative or guardian, after which such property may at any time be taken for the use of the city. If the report be rejected by the city council, proceedings may be taken anew to assess the damages. If no report be made within thirty days after the appointment of the commissioners, proceedings may be taken anew to assess the damages. [Amendment of 1895.]

Condemnation of private property under general laws of state, also.

Sec. 203a. The method of condemning private property for the use of the city prescribed in Section 203 of its charter, as amended by this act, shall not be exclusive; and private property may also be condemned for the uses of the city for the purposes expressed in said section, by the same proceedings and under the same rules, so far as applicable, as are now provided by the general laws of this state for the condemnation of private property for the use of railroad cor-

porations, or in any other manner or by any other proceedings authorized by the general law of this state for the condemnation of private property for public use. [Amendment of 1895.]

Acquisition of private property for sewers.

Maintenance of sewers within or without city limits.

Sec. 203b. Said city is hereby authorized to acquire by purchrse, gift, devise, or condemnation, any private property or any interest therein, whether such property be situated within or without the corporation limits of said city, which may be necessary or proper for the establishment and maintenance of an efficient system of sewers for said city. Said city is hereby given the right to lay, construct and maintain its sewers in, under, and across or along any public street, highway, or public grounds within or without the corporation limits of said city; *provided*, that due regard shall be had for franchise rights and vested rights in, upon and along said streets, highways and public grounds. [Amendment of 1895.]

Damages paid to owners.

Sec. 204. Such damages shall be paid to the owners of such property, or deposited with the city treasurer, subject to the order of such owners, respectively, before such property shall be taken for the use of the city.

Assessment to be confirmed by council.

Sec. 205. If the assessment of the freeholders be not confirmed by the council, proceedings may be taken anew to assess damages.

ARTICLE NINE.

FIRE DEPARTMENT.

Prohibition of erection of certain buildings, etc.

Section 206. The city council, for the purpose of guarding against the calamities of fire, shall prohibit the erection,

building, placing, moving, or repairing of wooden buildings within such limits within said city, as they may designate and prescribe; and shall, also, within said limits, prohibit the moving or putting up of any wooden building from without said limits; and shall, also, prohibit the removal of any wooden building from one place to another, within said limits; and shall direct, require and prescribe, that all buildings within the limits so designated and prescribed as aforesaid shall be made or constructed of fire-proof material; and to prohibit the rebuilding or repairing of wooden buildings within the fire limits, when the same shall have been damaged to the extent of fifty (50) per cent of the value thereof, and to prescribe the manner of ascertaining such damages; to declare all dilapidated buildings to be nuisances, and to direct the same to be repaired, removed or abated, in such manner as they shall prescribe and direct; to declare all wooden buildings within the fire limits, which they may deem dangerous to contiguous buildings, or in causing or promoting fires, to be nuisances, and to require and cause the same to be removed or abated, in such manner as they shall prescribe.

Regulation of construction of chimneys.

Sec. 207. The city council shall have power to prevent and prohibit the dangerous construction and condition of chimneys, flues, fireplaces, stove pipes, ovens, or any other apparatus used in or about any building or manufactory, and to cause the same to be removed or placed in a secure and safe condition, when considered dangerous.

Regulation of depositing of ashes.

Sec. 208. To prevent the deposit of ashes in places where they would be liable to produce fire, and to direct the police or other persons appointed, to enter into all buildings and enclosures to examine if they are in a safe condition, and to cause them to be made safe.

Regulation of water supply for fire.

Sec. 209. To regulate the supplies of water for the extinction of fires.

Regulation of certain factories, etc.

Sec. 210. To prevent the carrying on of manufactories and works dangerous in promoting and causing fires.

Fire-works and fire-arms.

Sec. 211. To prevent the use of fire-works and fire-arms.

Storing of powder and explosive materials.

Candles and lights in stables, etc.

Sec. 212. To direct, control and prohibit the keeping and management of houses or any building for the storing of gun-powder, and other combustible, explosive and dangerous materials within the city; to regulate the keeping and conveying of the same, and the use of candles and other lights in stables or other like houses.

Regulation of partition walls, etc.

Sec. 213. To regulate and prescribe the manner and order the building of parapet and partition walls, and partition fences.

Regulation of scuttles in roofs, etc.

Sec. 214. To compel the owners or occupants of houses, or other buildings, to have scuttles in the roofs, and stairs or ladders leading to the same.

Fire regulations for public safety.

Sec. 215. And generally to establish such regulations for the prevention and extinguishment of fires as the city council may deem expedient.

Fire department.

Sec. 216. The city council shall have power to organize such fire department as they may deem necessary, and adopt any system of fire companies they may deem wise and expedient, voluntary or paid; and all volunteer companies shall be subject to the control of the mayor and city council.

MISCELLANEOUS.

Section 217. The city council, by ordinance, shall have power to provide for the sale of personal property for the personal taxes due from the owners thereof, or assessed upon the property to be sold.

Sale of personal property for taxes

Sec. 218. Every ordinance imposing any penalty, fine, imprisonment, or forfeiture of its provisions, shall, after the passage thereof, be published in every issue of the official journal of the city of San Antonio for ten days, and proof of such publication by the printer or publisher of such newspaper, taken before any officer authorized to administer oaths, and filed with the city clerk, shall be *prima facie* evidence of the legal publication and promulgation of such ordinances in all courts and places. All such ordinances shall take effect and be in force from and after expiration of such publication provided; but no ordinance shall be passed unless same shall have been read at three separate meetings of the city council, except when otherwise determined by a two-thirds vote of all the aldermen. [Amendment of 1889.]

Publication of ordinances imposing fines, etc.

Sec. 219. All ordinances of the city, when printed and published by authority of the city council, shall be admitted and received in all the courts and places without further proof.

Ordinances admitted as proof, when.

Sec. 220. The style of the ordinances shall be: "Be it ordained by the city council of the city of San Antonio," but may be omitted when published in the form of book or pamphlet.

Style of ordinances.

Sec. 221. All ordinances, regulations and resolutions now in force in the city of San Antonio, and not in conflict with this act, shall remain in force under this act until

What ordinances to be in force.

altered, modified or repealed by the city council after this act shall take effect.

Removal of dangerous buildings.

Sec. 222. Whenever in the opinion of the city council, any building, fence, shed, awning, or any erection of any kind or any part thereof is liable to fall down and endanger persons or property, they may order the owner, owners, or the agent of the same, to take down and remove the same, or any part thereof, within such time as they may direct, and punish by fine and imprisonment, or either, the owner, owners, or agent thereof, for any neglect, failure or refusal to comply therewith. The city council shall, in addition, have the power to remove the same, on account of the owner of the property or premises, and assess the expense on the land on which it stood, or to which it was attached; and shall, by ordinance, provide for such assessment, the mode and manner of giving notice, and the means of recovering any such expense. [Amendment of 1889.]

Suit on bonds for good behavior.

Sec. 223. Whenever any person has been required by the recorder, or mayor acting as recorder, to give bond or bonds for good behavior, or any other bond, and complied with such order and been guilty of a violation or infraction of any such bond, the city, in its corporate name, may sue in any court having jurisdiction for the recovery of the penalty of such bond. [Amendment of 1889.]

Suspension and revocation of licenses.

Sec. 224. In all cases where, by any provisions of this act, or by any ordinance passed in pursuance thereof, a person is required to obtain a license for any calling, occupation, business or vocation, and has, on complaint before the recorder, been adjudged guilty of violating any rule, regulation or ordinance of the city council in relation thereto, the recorder, in addition to fine and imprisonment, or either, may suspend or revoke the license so granted.

Sec. 225. Warrants drawn upon the city treasurer for payment of money shall be for immediate payment, and will not be received for taxes or other dues due the city, and are not to be considered a circulating medium; and the mayor is forbidden to draw warrants upon the treasurer only under specific appropriation, and not beyond the amount appropriated by the city council for all purposes under the city government.

Warrants not to be received for taxes, etc.

Warrants to be drawn, when.

Sec. 226. Two-thirds of the aldermen shall be a quorum to transact all business. [Amendment of 1889.]

Quorum of council.

Sec. 227. The mayor shall cause a quarterly exhibit of the financial affairs of the city, to be published in the official journal. The mayor shall also, within thirty days after the close of every fiscal year, cause to be published in pamphlet form, for general distribution, an exhibit of the financial condition of the city for such fiscal year, which exhibit shall specify the number and date of each warrant drawn, the amount thereof, the name of the person to whom the same was issued, and for what purpose or account the same was drawn. Every taxpaying citizen shall, during office hours have the right to examine any and all books, vouchers, records, and papers belonging to the city, and in the custody of its officers, and shall have the right to take copies, and it shall be the duty of the proper custodian of a paper or record appertaining to the city or its business, to produce and exhibit any such paper or record demanded to be inspected by any such citizen. [Amendment of 1891.]

Quarterly exhibit of financial condition of city.

Publication of exhibit of financial condition of city.

Right of certain citizens to examine books and papers.

Sec. 228. The city council shall choose a city printer, and regulate the price of printing and advertising.

City printer.

Sec. 229. The policemen of the city shall have power

Powers of policemen

to arrest all offenders against the law of the state or ordinances of the city, by day or night, and keep them in the city prison to prevent their escape until they can be brought before the proper officer, unless such offender shall give a good and sufficient bond for his or her appearance for trial. [Amendment of 1889.]

Powers of policemen.

Sec. 230. The policemen of the city, and assistant marshal or marshals, in the discharge of their duties, shall be subject to the orders of the mayor and marshal only. The city marshals and policemen may arrest any person committing any offense against the peace of the city, or a breach of any city ordinance committed in their presence, or on complaint of any person, without a warrant. Policemen serving warrants for the arrest of persons shall be deemed the deputies of the city marshal, and shall have the same powers as constables under the state laws, within the city limits.

Marshal subject to orders of mayor.

Sec. 231. The marshal, in the discharge of his duty, shall be subject to the orders of the mayor only.

[Section 232 repealed, 1889.]

Exemption of property belonging to city.

Provision to be made for the payment of city's debts.

Sec. 233. Lands, houses, moneys, debts due the city, and personal and real property, and assets of every description, belonging to the city, shall be exempt from execution and sale; but the city shall make provision, by taxation or otherwise, for the payment of any and all indebtedness due by the city.

Rights, actions, etc., accrued to the city prior to this act.

Sec. 234. All rights, actions, penalties and forfeitures in suit or otherwise, which have accrued under the law heretofore in force shall be vested in and presented by the corporation hereby created; and no suit pending shall be affected by the passage of this act, but the same shall be prosecuted

or defended, as the case may be, by the corporation hereby created.

Sec. 235. All property, real or personal or mixed, belonging to the city of San Antonio, is hereby vested in the corporation created by this act; and the officers of the said corporation, now in office, shall respectively continue in the same until superseded in conformity to the provisions hereof, but shall be governed by this act from and after it takes effect.

Property vested in corporation.

Sec. 236. Whenever a majority of the inhabitants qualified to vote for member of state legislature, on any territory adjoining the present limits of the city of San Antonio, to the extent of half a mile in width, shall vote in favor of becoming a part of said city and any three of them may make affidavit before the mayor, who shall certify the same to the city council of said city, and said city council may, or by ordinance, receive them as part of said city; from thenceforth the territory so received shall be a part of said city, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens, and bound by all acts and ordinances made in conformity thereto, and passed in pursuance of this act.

Expansion of territory and jurisdiction of city.

Sec. 237. The cemetery lots which have or may be hereafter laid out and sold by said city for private places of burial, shall, with the appurtenances, forever be exempt from taxes, executions, attachment or forced sale.

Exemption of cemetery lots.

Sec. 238. No person shall be an incompetent judge, justice or juror, by reason of his being an inhabitant or freeholder in the city of San Antonio, in any action or proceeding in which said city may be a party in interest. [Amendment of 1889.]

No disqualification of judges, etc., by reason of being inhabitants of city.

Powers of city council to provide penalties and punishments.

Sec. 239. When, by the provisions of this act, the city council have power to pass ordinances on any subject, they may prescribe any penalty not exceeding two hundred dollars ($200.00) for the violation thereof, and imprisonment not to exceed three months; and in case of the imposition of a fine and non-payment, may provide that the party convicted be committed to jail or house of correction, or be required to work on the alleys, avenues, streets, or any public work of the city, for such time as the city council may by ordinance provide.

Exemption of city from giving bond in suits.

Sec. 240. It shall not be necessary in any action, suit or proceeding in which the city of San Antonio shall be a party, for any bond, undertaking or security, to be executed in behalf of the city; but all such actions, suits and proceedings shall be conducted the same as if such bond, undertaking or security had been given; and for all purposes of such actions, suits or proceedings, the city shall be liable in the same manner and to the same extent as if the bond, undertaking or security required in other cases had been duly given and executed.

[Section 241 repealed, 1889.]

Exemption of members of city council from jury service.

Compensation and fines for attendance or absence.

Sec. 242. The members of the city council shall be exempt from jury service during their term of office. Each member of the city council shall receive five dollars ($5.00) for every meeting attended and be fined in like sum for every meeting which he fails to attend, without sufficient excuse for each absence.

[Section 243 repealed, 1889.]

[Section 244 repealed, 1889.]

Sec. 245. Whenever any person shall be removed from any office, or the term for which he was appointed or elected has expired, or he has resigned or ceased to act in such official capacity, he shall deliver over to his successor all books, papers and effects in any way appertaining to his office. Every person violating this provision shall be guilty of a misdemeanor, and shall be deemed an offender within the meaning of any law of the state punishing such offense, and in addition thereto shall, on conviction before the recorder, be fined in any sum not exceeding five hundred dollars ($500) and imprisonment for any time not exceeding six months, or either; and any officer who shall have been intrusted with the collection or custody of funds belonging to said city, who shall be in default to said city, besides being liable to criminal prosecution and a civil action for debt, shall thereafter be incapable of holding any office under said city until the amount of his defalcation shall have been fully paid to said city, with twelve (12) per cent interest.

Office-holder to turn over books, papers, etc., when vacating office.

Sec. 246. That no member of the city council shall hold any office or employment under the city government while he is a member of said city council, unless herein otherwise provided; and no member of the city council, or any officer of the corporation, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from city treasury, or by an assessment levied by an ordinance or a resolution of the city council, nor be the surety of any person having a contract, work or business with said city, for the performance of which security may be required.

Member of city council not to hold office under city government.

Not to be interested in contract with city, etc.

Sec. 247. Resignation by any officer authorized to be elected or appointed by this act, shall be made to the city

Resignation of city officers, how made.

council in writing, subject to their approval and acceptance; *provided*, that nothing in this section contained shall apply to appointments by the mayor; any such appointee wishing to resign, shall present his resignation to that officer, in writing, for his action.

Disposition of fines, etc.

Sec. 248. All fines, forfeitures and penalties for the breach or violation of any provision of this act, or of any regulation, order or ordinance of the city, shall, when collected, be paid into the city treasury for the use and benefit of said city.

Compensation of city officials.

Sec. 249. The officers of the city of San Antonio herein named shall receive from the city the following compensation, and no more:

1. The mayor shall receive the sum of three thousand six hundred dollars ($3,600) per annum.

2. The city auditor shall receive one thousand eight hundred dollars ($1,800) per annum.

3. The recorder shall receive the sum of one thousand two hundred dollars ($1,200) per annum.

4. The city marshal shall receive the sum of two thousand dollars ($2,000) per annum.

5. The city attorney shall receive the sum of two thousand dollars ($2,000) per annum.

6. The collector shall receive the sum of two thousand seven hundred dollars ($2,700) per annum and shall pay his own clerks or assistants.

7. The assessor shall receive the sum of two thousand dollars ($2,000) per annum.

8. The treasurer shall receive the sum of one thousand two hundred dollars ($1,200) per annum.

9. The engineer shall receive the sum of two thousand dollars ($2,000) per annum. [Amendment of 1891.]

Sec. 250. All acts done by the acting mayor and council, and officers appointed to office by the commander of the Fifth Military District, or the council and mayor so appointed, shall be deemed and held by the courts of the state to be as valid and binding on the said city and its inhabitants as though the same had been done by officers elected in accordance with the charter of said city heretofore in force.

Acts done by acting mayor and council to be valid.

Sec. 251. The salaries of the officers named in the preceding section shall be payable monthly out of the city treasury, at the end of each month, on warrants drawn by the mayor and attested by the clerk, in accordance with said section, from and after the passage of this act. [Amendment of 1891.]

Salaries to be paid, when.

Sec. 252. That all acts and parts of acts heretofore passed by the legislature of the state of Texas, incorporating the city of San Antonio, or amendatory to such acts, and conflicting with this act, are hereby repealed.

Prior acts repealed.

Sec. 253. This act shall be deemed a public act, and may be read in evidence, without proof, and judicial notice shall be taken thereof in all courts and places.

Act to be a public act.

Sec. 254. That this act shall take effect and be in force from and after its passage.

Act takes effect, when.

LIST OF
Charters and Amendments.

THE FIRST CHARTER OF THE CITY OF SAN ANTONIO.

The first charter held by the present city of San Antonio was granted by authority of the king of Spain, in the year 1733 or 1734, to the people and inhabitants of the town of San Fernando, now San Antonio. In the case of Lewis vs. San Antonio, 7 Texas Rep., 289, a cause involving the title to lands lying within the corporate limits and claimed by the city of San Antonio, decided by the supreme court of Texas in the year 1851, the court (per Lipscomb, J.) uses the following language:

"There were several bills of exception taken on the trial, and many grounds of error have been presented for our consideration. I propose, however, before examining them, to first discuss the grounds on which the corporation relies in support of the claims it has set up to the lands in controversy. And first, the ancient grant, the existence of an ancient deed in the archives of the corporation, embracing the lands in controversy, has been proved conclusively. That this deed was in the archives, the place to which it belonged, as late as the year 1834, is also fully proved; that it purported to be absolute and unconditional on its face, emanating from the authority of the king of Spain; that it bore

date in 1733 or 1734; that it was sewed or stitched into a book, with other papers relating to the foundation of the town; that the deed was the last in the book; that on an occasion of very great public excitement, when the indignation of the people was aroused by what they supposed to be an attempted fraud on their rights by their delegate to the congress of Coahuila and Texas, Balmaceda, in procuring a decree of the congress for two leagues of land to the town, the corporate authorities instituted a vigilant search for the deed and found it, as previously stated. This was in the year 1829. It has never been seen since 1834."

The city of San Antonio claimed title to the lands sued for under the above grant and also by a charter granted to said city by the Republic of Texas, December 14th, 1837. The jury in the court below found in favor of the existence of such ancient grant, and in favor of the city, and the supreme court sustained the verdict. The title of the city to said land is therefore perfect.

LIST OF SUBSEQUENT CHARTERS AND AMENDMENTS.

Second. An act to incorporate the town of Nacogdoches and other towns therein named, by the Republic of Texas, June 5th, 1837.—Laws Republic of Texas, vol. 1, p. 239.

Third. Act of incorporation, December 14th, 1837.—Vol. 2, Laws Republic of Texas, p. 39.

Fourth. Act supplementary, January 26th, 1839.—First session of the Third congress, p. 107.

Fifth. An Act of incorporation, January 14th, 1842.—Sixth congress, Republic of Texas, p. 35.

Sixth. Act to incorporate the city of San Antonio, January 24th, 1852.—Voted upon and rejected by the people.

Seventh. An Act to amend the Act of January 14th, 1842.—November 26th, 1855.

Eighth. An Act of incorporation, July 17th, 1856.

Ninth. Act of incorporation, August 13th, 1870.

Tenth. Amendments to Sections 5, 6, 24, 33, 46, 131, 135, 189 and 230, made by the people at an election held December 15th, 1874.

Eleventh. Amendments to Sections 5, 24, 43 and 45, April 18th, 1879, by Sixteenth legislature.

Twelfth. Act of March 4th, 1885, to repeal Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 27, 28, 30, 31, 83, 198, 199 and 200; and to amend Sections 2, 4, 5, 6, 29, 33, 43, 45, 70, 74, 78, 103, 120, 197, 201, 202 and 203 of an act entitled "An Act to incorporate the city of San Antonio and grant a new charter to said city," approved August 13th, 1870; and to repeal "An Act to incorporate the city of San Antonio," approved July 17th, 1856, and an act to amend the "Act to incorporate the city of San Antonio." approved February 11th, 1860; also, an act to amend an act entitled "An Act to incorporate the city of San Antonio and grant a new charter to said city," approved April 18th, 1879.

Thirteenth. An Act of April 3rd, 1889, amending Sections 1, 4, 5, 6, 24, 34, 35, 37, 38, 39, 40, 43, 45, 46, 51, 55, 60, 61, 69, 73, 79, 107, 121, 130, 134, 135, 136, 172, 173, 176, 183, 190, 192, 194, 195, 201, 218–222, 223, 226, 229, 238, 249, and adding Sections 255 and 256.

Fourteenth. Act of April 29th, 1891, entitled "An Act to amend Sections 5, 24, 29, 37, 43, 45, 48, 55, 98, 102, 119, 127, 133, 201, 203, 227, 249 and 251, of the charter of the city of San Antonio, approved August 13th, 1870, and all acts amendatory thereof."

Fifteenth. An Act to amend Sections 43 and 203 of an act incorporating the city of San Antonio, approved August 13, 1870, and of the acts amendatory thereof, passed by the Twenty-second Legislature, being Chapter 24 of said acts, and to add Sections 203a and 203b thereto.

PART I.

REVISED CODE

OF

CIVIL ORDINANCES

OF THE

CITY OF SAN ANTONIO.

[REVISED BY THEODORE HARRIS..]

REVISED CODE

OF

CIVIL ORDINANCES

OF THE

CITY OF SAN ANTONIO.

[REVISED BY THEODORE HARRIS.]

CHAPTER ONE.

ALDERMEN.

Section 1. Every person who may be elected or appointed alderman to represent any ward of the city in the city council shall have his residence in the ward he was elected to represent, and shall have resided there at least six months next prior to his election. If any alderman moves his residence from the ward in which he was elected, he shall thereby vacate his office, and the same shall be filled according to section 37 of the city charter.

Residence of aldermen.

CHAPTER TWO.

THE ALAMO.

WHEREAS, The city of San Antonio did, by virtue of a resolution of the city council, passed February 20th, 1883, propose to the state authorities that in the event of the pur-

chase by the state of the Alamo, the city would take charge of the said building, to the end, that the object of the purchase, to-wit: its preservation as a monument, sacred to the memory of the martyrs who so gallantly perished in the defense of the liberties of their country, should be prevented from desecration by vandal hands, and as far as possible from destruction by the ravages of time; and,

WHEREAS, By virtue of a joint resolution in the Nineteenth legislature, the governor of the state has formally transferred the said Alamo building to the custody of the city, now, therefore,

Be it Ordained by the City Council of the City of San Antonio:

City accepts custody of Alamo.

Section 1. That in conformity with the resolution of the city council, above recited, the city of San Antonio hereby accepts the trust imposed by the aforesaid joint resolution of the Nineteenth legislature, and will carry into effect all the conditions imposed thereby, in good faith.

Mayor authorized to appoint custodian.

Sec. 2. That the mayor be, and is hereby, authorized by and with the consent of the city council, to appoint some suitable person as custodian of the Alamo.

Duties and salary of custodian.

Sec. 3. It shall be the duty of the custodian of the Alamo to keep the building in a cleanly and proper condition, open at all times between the hours of 8 a. m. and 5 p. m., and on Sundays from 8 to 9 a. m. and 4 to 5 p. m., to the inspection of strangers and other visitors. He shall escort visitors inspecting the building, and prevent any defacement of the walls or other acts in any manner injurious to the property in his charge by such visitors and others. He shall have and execute in the discharge of the duties imposed by this ordinance, the power and authority of a regular police-

man, and shall receive for his services a salary of fifty dollars ($50.00) per month.

Sec. 4. The city council shall from time to time, as occasion may require, enact all other needful and proper regulations necessary to carry into effect the obligations assumed, as hereinbefore recited.

City council to enact regulations, etc.

CHAPTER THREE.

CITY ATTORNEY.

Section 1. It shall be the duty of the city attorney, by himself or assistant, to appear and prosecute all cases in the recorder's court, arising under the ordinances of the city; to institute suits on behalf of the city for the recovery of any and all lands heretofore or hereafter sold and conveyed to the city by the city collector for city taxes; he shall attend upon the meetings of the city council, and, when called upon, give his advice and counsel; he shall advise the officers of the city government, and give his opinion upon such legal matters and questions affecting the interests of the city as may from time to time be referred to him, and, generally, to perform such other professional duties as may from time to time be required of him by the city council.

Duties of city attorney.

Sec. 2. The city attorney shall, at the expiration of his term of office, deliver over to his successor all books, papers and effects in any way appertaining to his office.

City attorney shall deliver papers, etc., to his successor.

Sec. 3. The office of assistant city attorney is hereby created, and the salary of said office is fixed at one hundred and twenty-five dollars ($125.00) per month. The assistant

Assistant city attorney. Duties prescribed.

city attorney shall be appointed by the mayor, by and with the consent of the city council.

Sec. 4. It shall be the duty of the assistant city attorney to supervise the prosecution of violation of the criminal ordinances of the city; to specially attend to the collection of delinquent taxes, and to assist the city attorney in all the legal business of the city; and he shall perform such other duties of a like nature which may be required by the city council.

CHAPTER FOUR.

CITY ASSESSOR.

Duties of city assessor.

Section 1. The city assessor, elected under the charter, shall perform such duties as may be prescribed by the mayor and board of aldermen. He shall give bond in the sum of five thousand dollars ($5,000.00), conditional for the faithful performance of his duties.

CHAPTER FIVE.

CITY AUDITOR.

Oath and bond of city auditor.

Section 1. The city auditor, elected under the charter, shall before entering upon the duties of his office, take and subscribe an oath before some officer, authorized to administer oaths, well, truly, and faithfully to discharge the duties of his office, as they are now, or may hereafter be defined by ordinance, or resolution of the city council, and give a bond in the sum of three thousand dollars ($3,000.00), signed by himself and not less than two sureties, to be approved by the city council.

Sec. 2. He shall be the general accountant of the city, and shall keep, in books, regular accounts of all receipts and disbursements of the city, and separate, under proper heads, each cause of receipts and disbursements, and also an account with each person, including officers who have money transactions with the city, crediting amounts allowed by proper authority, and charging each with all warrants drawn in his favor, and specifying the particular transactions to which such entries apply. Duties of auditor

Sec. 3. He shall establish proper rules for the government of his office, and prescribe the form of account, and of all certificates and receipts to be attached thereto, to be approved by the mayor. He shall keep the accounts of the city, general and special, in a systematic and orderly manner, in a form of double entry bookkeeping. Same.

Sec. 4. He shall examine, adjust, and audit all unsettled accounts, claims, and demands against the city for the payment of which any money may be drawn from the city treasury, when such claims or demands are certified and presented in proper form and are duly authorized by charter or ordinance, and after having examined the same, with all accompanying documents, and having found them all correct, he shall certify thereon the true state of such claim or demand, setting forth the date of the appropriation, and on what page of the proceedings of the city council the same was authorized, and then present the same to the finance committee for their approval, before being paid; *provided* that, for the payment of officers or employees authorized by charter, ordinance, resolution, or by contract, duly approved by city council, only the approval of the mayor is needed. Same.

Shall furnish certain copies and information when required.

Sec. 5. The auditor, when required, shall furnish the mayor, city attorney, city council or committees thereof, copies or abstracts of any books, accounts, records, vouchers or documents in his office, or any information in relation to anything pertaining to his office, or the revenue of the city, and shall at all times permit the mayor, or any member of the council, or any other officer interested, to examine any books, papers, or documents in his office.

Shall make transfer on books, when.

Sec. 6. Whenever the council shall, by ordinance or resolution, appropriate any money out of the municipal revenue, or out of any special fund, or shall transfer money from one fund to another, the auditor shall immediately make such transfer on his books, in accordance with such ordinance or resolution, and if any appropriation be made by ordinance or resolution on behalf of any public work, the auditor shall, as soon as the work is completed, transfer the balance remaining to the account or fund to which it was originally appropriated.

Auditor to have access to books, etc.

Sec. 7. To enable the auditor to execute the provisions of this ordinance, it is hereby made the duty of all city officers having any books, records, or accounts in their possession, to allow the auditor free access to the same to make such examination as he may deem necessary.

Books to be kept by auditor.

Sec. 8. The auditor shall keep the following books, and as many others as the council shall from time to time ordain:

First. A head ledger, and auxiliary books showing the totals of all other books.

Second. A record of claims with appropriate columns and headings, wherein shall be entered any account allowed or paid, showing on what account it was due, the name of claimant and the amount claimed, amounts allowed, amounts

rejected, the fund paid from, and such other information as may be desired.

Third. A bills payable book, into which shall be entered all bonds, notes, bills, and other written obligations given or payable by the city, with the name of the maker, payee and holder, and the time when payable, principal and rate of interest.

Fourth. A bill and account receivable book, into which shall be entered all demands and claims held by the city against other persons or corporations, whether written obligations or open accounts, whether for sale of lands, or property or other things, or for rent or other consideration, which shall represent the names of the debtors, character of claims and obligations, the amount thereof and when due and payable.

Fifth. A register of bonds of the city, with appropriate columns and headings, representing date of issue, to whom issued, on what account, when payable, showing amount of bonds, rate of interest, and amount of semi-annual coupons, and all necessary information in regard to such bonds.

Sec. 9. It shall be the duty of the auditor to countersign and seal every receipt given by the treasurer to the collector, and make an entry upon his books of the amount and source from which the funds were received, and no receipt given by the treasurer shall be valid unless countersigned and sealed by the auditor. Receipts.

CHAPTER SIX.

CITY CLERK.

Section 1. It shall be the duty of the city clerk to prepare and submit to the finance committee, on or before the 15th day of March and September of each fiscal year, a Duties of city clerk.

detailed statement of the receipts and expenditures of the city.

Finance committee to examine accounts of city clerk.

Sec. 2. It shall be the duty of the finance committee to examine the accounts submitted by the city clerk, with the vouchers for each expenditure made, and report to the city council the result of such examination. Such report, when made and approved by the council, shall be published in the official journal of the city.

Sec. 3. The office of assistant city clerk shall be, and the same is hereby created. He shall be appointed by the mayor, by and with the consent of the city council. The assistant city clerk shall be deemed the deputy of the city clerk. He shall perform such duties as may be required of him and receive such salary as may be fixed by the city council.

Salary of city clerk.

Sec. 4. The salary of the city clerk shall be sixteen hundred dollars ($1,600) per annum, payable monthly.

CHAPTER SEVEN.

CITY COLLECTOR.

All moneys to be turned over to city collector and by him to city treasurer.

Section 1. All moneys received by any officer of the city government, for or on account of the city, shall be paid over to the city collector and be by him turned over to the city treasurer.

City collector to make deeds, when and how.

Sec. 2. The city collector shall be and is hereby directed to make a deed or deeds to the city of San Antonio of all property sold by him for taxes and bid in by him for the city. The said deed, or deeds, shall state the cause of sale, the property, or which portion thereof is sold, the price for which it was sold, the name of the party against whom

the taxes were assessed, if known, if not, say "Unknown," the date of sale, and shall specify that the same was sold subject to the right of redemption within two (2) years from date of sale upon the payment of double the amount of taxes due thereon at the time of sale, together with all interest, penalties and costs, which were due at the time of sale, or which may legally accrue thereafter.

Mayor to have what deeds recorded.

Sec. 3. It shall be the duty of the mayor, upon the receipt of such deed, or deeds, herein required to be made by the collector, to have the same duly recorded in the office of the county clerk.

CHAPTER EIGHT.

CONTRACTS AND PURCHASES.

Contracts for improvements.

Section 1. All improvements that may be ordered to be let out by contract shall be contracted for with the lowest and best bidder at the option of the city council, after public notice of at least five days, and all tenders shall be received at the mayor's office, marked for what work intended, and addressed to the mayor, who, with one member of the public improvement committee or city engineer, shall sign a record of all such bids, kept in a bound book, and also of their award in each and every case, which award shall be reported to the city council for final action.

City has right to reject bids.

Bids re-advertised for, when.

Sec. 2. The city reserves the right to reject any and all bids, and in the event of a failure on the part of the successful bidder for any public work to furnish good and sufficient security for the performance of his contract, or to complete his contract with the city, the work shall again be advertised for bids, as in the first instance.

Specifications in contracts.

Bonds to secure city against liens, etc.

Sec. 3. Each and every contract for public work shall be let upon written specifications, and the manner of inspection and approval of the work, upon completion, shall be set forth in the contract, as well as the manner of payment; and the mayor shall require, from every contractor for work done for the city, good and sufficient bond securing the city against all liens, suits and damages, arising from a failure on the part of the contractors to pay either for labor or material, or both.

Inspection of contract work.

Sec. 4. Upon the completion of any contract it shall be the duty of the contractor to call upon the city surveyor and engineer, who, with at least a majority of the public improvement committee, shall carefully examine the work, and certify whether or not the work is done in accordance with the plan and specifications, and the said contractor shall then present his bill to the board of aldermen at its first subsequent meeting, accompanied by the certificate of the surveyor and engineer, and at least a majority of the public improvement committee, for payment.

Contracts for current needs of city.

Sec. 5. No contract or purchase on behalf of the city of San Antonio for any of the current expenses of said city shall be made unless the same is authorized by law or is under an appropriation adequate for its fulfillment, nor when practicable without due advertisement in newspapers, or by posters or circular letters, sent to principal dealers, or by both these methods combined, giving as many days notice as possible.

Street labor excepted.

Sec. 6. Nothing in Section 1 of this ordinance shall apply to the employment of labor under the supervision of the street commissioner's department.

Sec. 7. When because of an emergency it is impracticable to give notice by advertisement, posters or circulars. inviting proposals, or when such proposals have been invited and no bids received, the purchase may be made, or services engaged in open market by the mayor, who shall report the same to the city council, at the next regular session, for its approval.

Mayor authorized to contract, when.

Sec. 8. Information in regard to supplies or services for which proposals have been invited shall be furnished on application to all persons desiring it.

Information to be furnished, when.

Sec. 9. Bidders for supplies shall be informed of the kind, quantity and quality of the articles desired, place, time and rate of delivery, and conditions of payment. They shall be furnished all information available and be permitted to examine the standard samples where they are deposited.

Bidders to be informed of kind, quantity, etc.

Sec. 10. Bidders for labor will be informed of the nature and extent of the services required, when they are to be performed, and the time allowed for performance. They will be furnished with or allowed to examine plans and specifications of all works upon which they desire to bid, and, in general, will be furnished with any information needed to enable them to act understandingly.

Bidders for labor to be informed, how

Sec. 11. No bidder shall be informed directly or indirectly of the name of any person intending to bid, or not to bid, or to whom information in respect to proposals has been given.

Certain information to be withheld.

Sec. 12. Proposals shall be prepared in strict accordance with the advertisement or circular of instructions.

Preparation of proposals.

Numbers and prices, how expressed.

Sec. 13. Numbers and prices will be written in words as well as expressed in figures; however, when there are many items, such as stationery, and the amounts involved are inconsiderable, figures only need be used.

Erasures and interlineations.

Sec. 14. Erasures or interlineations must be explained by the bidder over his signature.

No assistance to be given.

Sec. 15. No assistance will be given in the preparation of proposals by any city officer or employee.

Proposals kept, how.

Sec. 16. Proposals received prior to time of opening shall be securely kept, so that they can not be tampered with. Proposals received after the time fixed for opening shall not be opened or considered.

Samples to accompany bids.

Sec. 17. Samples of material shall, when practicable, accompany bids, and material delivered shall be fully up to the sample on which award was made.

Proposals to be opened by the mayor.

Sec. 18. All proposals shall be opened by the mayor, who shall make an abstract of same and submit them to the council with his recommendations.

Award made, how.

Sec. 19. Award shall be made on the bid found to be the most advantageous to the city.

Right to reject or accept.

Sec. 20. The city reserves the right to reject any or all bids, or to accept any bid in whole or in part.

No officer to be interested in work or contract, etc.

Sec. 21. No officer of the city of San Antonio shall be directly or indirectly interested in any work, business or contract, the expense, price, or consideration of which is paid from the city treasury, or by an assessment levied by an ordinance or resolution of the city council.

Sec. 22. Any willful violation of Section 21 of this chapter by any officer of the city of San Antonio, shall be ground for removing him from his office. Punishment.

CHAPTER NINE.

CITY COUNCIL—RULES AND REGULATIONS.

Rule 1. Eight aldermen shall constitute a quorum for the transaction of all business. Quorum.

Rule 2. The city council shall meet in regular session on the first, second, third and fourth Mondays in each month, except during the months of June, July and August, when it shall meet on the first and third Mondays. The hour of meeting shall be at 4 o'clock p. m. Any member who fails or refuses to attend any regular meeting of the city council shall be fined five dollars ($5.00) for each meeting he so fails or refuses to attend, unless he be absent from the city, which absence shall have been previously reported to the mayor, or unless his excuse for non-attendance, made in open council, shall be deemed sufficient by the council, who thereupon may remit the fine. Time of meeting.

Rule 3. At the hour of meeting the mayor shall take the chair, call the council to order and direct the clerk to call the roll. A quorum being present, he shall direct the clerk to read the minutes of the previous meeting. He shall then announce: "Corrections of the minutes are now in order." After correction of the minutes and their approval, the mayor shall sign the same. Mayor to open meeting, how.

Rule 4. In the absence of the mayor, the mayor *pro tem* Mayor pro tem.

shall preside over the council, and in the absence of both, a quorum being present, a temporary presiding officer may be selected from among the members upon nominations for that purpose.

Order and decorum.

Rule 5. The presiding officer shall preserve order and decorum, and no member shall address the council from any other than his own seat.

City marshal to preserve order.

Rule 6. The city marshal shall preserve order in the hall, and prevent any conversation, noise or other cause of disturbance or confusion.

Member not to leave, unless, etc.

Rule 7. No member shall leave the hall during the session of the council, except by permission of the mayor, or in case of his refusal, by majority vote of the aldermen present.

Order of business.

Rule 8. The order of business for the city council shall be as follows:

1. Calling the roll.
2. Reading, correcting and approval of the minutes.
3. Memorials and petitions.
4. Reports of standing committees, each committee to be called in its regular order.
5. Reports of special committees.
6. Unfinished business.
7. Communications from the mayor.
8. New business.
9. Adjournment.

Committee reports.

Rule 9. Reports of committees shall be considered as in the nature of recommendations, and where there is no

objection shall be considered as received without a vote. The adoption of a committee report by vote of the council shall have the effect of changing it from a recommendation into an order.

Rule 10. No member shall vote on any question, on the adoption or rejection of which he is pecuniarily interested. Member not to vote, when.

Rule 11. The vote on all ordinances, resolutions and nominations shall be taken by ayes and nays, unless otherwise ordered by a majority vote of the aldermen present. In taking the ayes and nays, the roll shall be called alphabetically. Votes, how taken.

Rule 12. Every motion shall be reduced to writing, if the mayor or any member of the board so desires, and every written motion shall be inserted in the minutes, with the name of the member making it, unless it be withdrawn, which can be done only by consent of the council at the same meeting at which it was offered. Motion to be reduced to writing, when.

Rule 13. When a motion is made to refer any subject, and different committees are proposed, the vote shall be taken first on referring it to the standing committee, and then to the special committee. Motion made to refer.

Rule 14. When a question is under debate, no motion shall be received, but, first, to adjourn; second, to reconsider; third, to lay on the table; fourth, previous question; fifth, to postpone to a day certain; sixth, to postpone indefinitely, and seventh to commit or amend; which several motions shall have precedence in the order named, and the motion to adjourn shall always be in order, and which, with the motion to lay on the table, shall be decided without debate. Order of motions.

Previous question seconded, how.

Rule 15. The previous question must be seconded by three members, and when so seconded, brings the council to a direct vote on the main question.

Motion debated, when.

Rule 16. A motion shall not be debated until the same has been seconded, and the chair has announced "are you ready for the question."

Blanks.

Rule 17. In filling blanks, the longest time and the largest sums shall be voted on first.

Member rising to speak.

Rule 18. When any member is about to speak in debate, or offer any matter for the consideration of the council, he shall rise from his seat and respectfully address the chair, and shall confine himself to the question under debate, and avoid personality in his language. When two or more members rise at once to address the council, the presiding officer shall name the member who is entitled to the floor.

Members called to Order.

Appeals from chair.

Rule 19. If any member, in debate or otherwise, transgresses the rules of the council, the mayor, or any member, may call him to order. The member so called to order shall immediately take his seat, unless permitted to explain. If no appeal is taken, the decision of the chair shall be submitted to. In all cases of appeal from the decision of the chair, the vote shall be taken by ayes and nays, and a majority vote of all the aldermen present shall be necessary to set aside such decision.

Time of debate limited.

Rule 20. No member shall speak more than ten minutes to debate any resolution or amendment thereto, except by leave of the council, and no member shall speak twice on the same subject, except the mover of the resolution, who shall have the privilege of closing the debate, but not until every member choosing to speak shall have spoken.

Rule 21. There shall be thirteen standing committees appointed by the mayor at the commencement of each fiscal year, as follows: Standing committees.

First—FINANCE COMMITTEE, four members.

Second—ASSESSMENT COMMITTEE, four members.

Third—POLICE COMMITTEE, three members.

Fourth—GAS, WATER AND ELECTRIC LIGHT COMMITTEE, three members.

Fifth—STREETS AND BRIDGES COMMITTEE, three members.

Sixth—STREET CLEANING AND HOSPITAL SANITATION COMMITTEE, three members.

Seventh—PARKS AND PLAZA COMMITTEE, three members.

Eighth—FIRE AND FIRE LIMITS COMMITTEE, three members.

Ninth—SEWER COMMITTEE, three members.

Tenth—TELEGRAPHS, TELEPHONES AND RAILWAYS COMMITTEE, three members.

Eleventh—PUBLIC IMPROVEMENTS COMMITTEE, three members.

Twelfth—PETITIONS, ORDINANCES AND RULES COMMITTEE, three members.

Thirteenth—SCHOOL BOARD, the mayor and four members.

Rule 22. It shall be the duty of any committee to meet on the call of any two members thereof, if the chairman be absent or decline to appoint a meeting. If the chairman or any member habitually neglects his duties, he may be removed therefrom at any time by the mayor, by and with the consent of the council. The standing committees of the city council shall meet in the council chamber every Thursday at 4 o'clock p. m., preceding a regular council meeting, and any two members shall constitute a quorum for the transaction of all business. Time of committee meetings. Chairman or member of committee may be removed.

Election of mayor pro tem.

Rule 23. The council shall at their first meeting in March of each year, elect one of their number to act as mayor *pro tem*, when, from any cause, the mayor is unable to perform the duties of his office.

Ordinances necessary, when.

Ordinances adopted, how.

Rule 24. All appropriations, imposing of penalties, fixing of tax rates and creating and abolishing of offices, shall be done by ordinance, and all ordinances shall be read at three several meetings of the city council, before receiving final action, unless otherwise ordered by a two-thirds vote of all the aldermen elected, who may suspend the rule and pass the ordinance at one meeting; *provided* that no ordinance shall be adopted unless it receives the vote of a majority of all the aldermen elected.

Ordinances appropriating money.

Rule 25. All ordinances of the city council requiring the appropriation or expenditure of money, shall be referred to and acted upon by the finance committee, and shall thereafter be adopted only with the concurrence of two-thirds of all the aldermen elected.

Ordinances imposing tax.

Rule 26. All ordinances imposing a tax, shall be adopted only after having received a two-thirds vote of all the aldermen elected.

Appointments, how made.

Rule 27. All appointments made by the mayor shall be submitted to the council for approval, or rejection, except firemen in the fire department, employees in the street commissioner's department, and in the department of street cleaning and sanitation, and employees of the city hall and city hospital, and chainmen and rodmen in the engineers department.

Interested parties not to appear before council.

Rule 28. During the session of the council, and when any question is pending before them, it shall be against the

rules to allow discussion by the parties interested, or through their attorneys. Any one desiring to state his case, must come before the committee having the matter in charge.

Rule 29. The decision of the chair shall be binding on the council on all points not covered by these rules, unless otherwise ordered by a majority vote of those present and participating. Chair's ruling decisive.

Rule 30. Additional rules or amendments hereto may, from time to time, be proposed but shall not be adopted until they have been read at three several meetings, unless the rules are suspended (which may be done by a two-thirds vote) when they may be read a second time and may then be passed by the affirmative vote of two-thirds of all the aldermen elected. Additional rules, how adopted.

CHAPTER TEN.

DISBURSEMENTS.

Section 1. All of the current expenses of the corporation shall be paid out of the general fund, and by drafts drawn by the mayor and countersigned by the city clerk, who shall also certify to the approval of the finance committee thereon; *provided*, that salaries of officers created by charter and ordinance, paupers, hospital accounts and payments under contracts approved by the city council, need not have the above specified endorsement, but shall state on what account drawn. Current expenses, how paid.

Sec. 2. For the purpose of securing the creditors of the corporation, all of the moneys collected under the special tax ordinance now in force, or to be hereafter enacted, shall form Creditors of city, how secured.

a special fund for the payment of the principal and interest of the indebtedness of the corporation, and said special fund shall be exclusively applied to the payment of said principal and interest; and the city treasurer shall not pay any moneys out of the said special funds, unless upon special drafts, drawn by the mayor and countersigned by the clerk, each and everyone of said drafts to state upon what matured city liability it is issued.

Mayor to authorize purchase, etc.

Sec. 3. It shall be unlawful for any officer or employee of the city to make any purchase, or otherwise incur any indebtedness for the city, without written authority from the mayor.

Mayor to certify accounts, etc.

Sec. 4. The mayor is hereby directed and required to certify to all accounts for purchases made and labor employed for the benefit of the city, as to their correctness and necessity therefor.

CHAPTER ELEVEN.

EIGHT HOUR DAY.

Hours of work, and wages for labor.

Section 1. In the employment of laborers and mechanics eight hours shall constitute a day's work, and the minimum wages paid for the same shall be one dollar and fifty cents ($1.50) per day.

CHAPTER TWELVE.

ELECTIONS.

City Elections.

Section 1. The mayor, and in case of vacancy in that office or in inability, failure or refusal of the mayor to act,

then any two aldermen shall order all city elections, and when any election is ordered at least twenty days notice shall be given by notice posted up at the places designated for holding the election in each ward and by proclamation published in the official journal.

Writs and forms of returns.

Sec. 2. All writs and forms of returns shall be furnished the several presiding officers by the city clerk, in which writs shall be stated particularly the officer or officers to be chosen, the day of election and within what time the returns shall be made and to whom made.

Presiding officers; judges of election; managers of election, etc.

Sec. 3. The mayor or other authority ordering the election shall appoint the presiding officers, and the city council shall select the judges of election, but on failure of the city council to select, or refusal or failure of those selected to act, then the presiding officer of each election precinct shall, on or before the day of election, select two judges and two clerks from the different political parties, if demanded, so far as practicable, who, together with the presiding officer, shall be the managers of election; and the presiding officer shall administer to each of them an oath that they will each well and truly conduct the election without partiality or prejudice and agreeably to law, according to the best of their skill and understanding; and one of the judges shall thereupon administer the same oath to the presiding officer.

Oaths administered, by whom.

Sec. 4. All presiding officers, judges and clerks of elections are hereby authorized to administer all oaths necessary or proper in the discharge of their duties as such, and to administer all oaths connected in any way with the holding of elections.

Polls open, when.

Sec. 5. At all elections in this city the polls shall be open from 8 o'clock a. m. till 6 o'clock p. m.

Persons disqualified to vote.

Sec. 6. The following classes of persons shall not be allowed to vote, to-wit:

1. Persons under twenty-one years of age.
2. Idiots and lunatics.
3. All paupers supported by the city or county.
4. All persons convicted of any felony.
5. All soldiers, marines and seamen employed in the service of the army or navy of the United States.

Qualifications of voters.

Sec. 7. Every male person, subject to none of the foregoing disqualifications, who shall be a citizen of this state, and of the United States, or shall have declared his intention to become a citizen as provided by law, and who shall have resided within the limits of this city for six months immediately preceding an election, shall have the right to vote for mayor and all other elective officers, *provided* that all electors shall vote in the ward wherein they respectively reside. The residence of a married man, if not separated from his wife, shall be where his family resides, and that of a single man where he boards and sleeps, and he shall not vote in any other precinct or ward, and should any single man board in one ward or precinct and sleep in another, then his residence shall be in the ward or precinct in which he sleeps.

Votes to be sworn, when.

Sec. 8. It shall be the duty of the presiding officer or judges of election, when requested by any by-stander, to swear any person offering to vote, as to his residence, and to have placed in writing opposite his name the word "sworn," and any person voting at any other place than that of his

residence shall be guilty of a misdemeanor, and be punished as provided by the state law governing such cases.

Clerks to keep poll lists.

Ballots not to be unfolded or examined.

Sec. 9. Each of the clerks of an election shall keep a poll list upon which he shall write and number the name of each person who votes at the time of his voting, and one of the judges of election, in every case, shall receive the ballot, and at the time of receiving it shall write upon it the voter's number, corresponding with the number on the clerk's poll list, and shall immediately place the ballot in the ballot box. No officer of election shall unfold or examine the ballot received. Nor shall they examine the same by comparing it with the clerk's list of voters when the votes are counted out, nor shall they permit the same to be done. Nor shall they examine or permit to be examined the ballots subsequent to the same being received into the ballot box, except in cases specially provided by law. A violation of any of the provisions of this section shall be punished as provided by the laws of the state.

Counting of votes, how and when.

Ballots, how prepared.

Tally lists to be kept.

Sec. 10. Immediately after closing the polls the officers of election shall proceed to count the votes in the presence cf two qualified voters of the city, of good repute, and of different political parties, if such can be conveniently obtained, and shall continue such count without interruption, until all the ballots voted at such election are counted. No ballot which is not numbered, as provided in Section 9, shall be counted. Nor shall any two or more ballots folded together be counted; and where the names of two or more persons are upon a ballot for the same office, when but one person is to be elected to that office, such ballot shall not be counted for either of such persons. All ballots shall be written or printed on plain, white paper, without any peculiar

sign, vignette, device or stamp, or mark, except the writing or printing in black ink or black pencil, of the names of the candidates and the several offices to be filled, except the name of the political party whose candidates are on the ticket; *provided*, such ballots may be written or printed on plain, white foolscap, legal-cap or letter paper; *provided*, that all ballots containing the name of any candidate pasted over the name of any other candidate shall not be counted for such candidate whose name is so pasted, and any ticket not in conformity to the above shall not be counted. In counting out the votes, each clerk shall keep a tally list, showing each vote counted, and for what person or persons counted, and for what office or offices, and when the counting is completed each clerk shall certify his tally list to be correct and shall sign such certificate officially.

Returns of election, when and how made.

Mayor to receive returns.

Duplicate to be kept twelve months.

Election returns opened, when and how.

Certificate of election to be delivered, when and how.

Sec. 11. When the ballots have all been counted, the managers of election shall immediately make out returns of the same, signed by them, which shall be sealed up in an envelope, and they shall also place all the ballots voted, together with one poll list and one tally list, in a wooden or metalic box, and shall securely fasten the box with nails, screws or locks, and shall forthwith deliver said box and the returns of election to the mayor of the city, or in case of his absence to the city clerk, who shall file them in his office, and deliver them to the mayor on the day appointed to compare the polls. A duplicate of such returns and tally list shall be kept by the presiding officer for twelve months from the day of election. On the Monday next following the day of election, and not before, the mayor and one or more members of the city council shall open the election returns and estimate the result, recording the state of the polls, in each precinct, in a book to be kept for that purpose; *provided*, that in the event of a

failure from any cause, to compute the votes on the Monday following the election, then said votes shall be computed upon the earliest practical day thereafter. After an estimate of the result of an election has been made, the mayor shall deliver to the candidate or candidates, for whom the greatest number of votes have been polled, a certificate of election, naming the office to which he has been elected, the number of votes polled for him and the day on which the election was held, and shall sign the same and cause the seal of the city to be thereupon impressed.

Judges of election have powers of peace officers.

Sec. 12. The judges of election, while in the discharge of their duties, shall have the power of a peace officer to preserve order and keep the peace.

Safeguards and regulations of election.

Sec. 13. In all municipal elections held in the city of San Antonio under the provisions of an act of the legislature of the state of Texas, entitled "An act to provide for the registration of all votes in all cities containing a population of ten thousand inhabitants, or more, and to protect the purity of the ballot in said cities, and to provide penalties for the violation of the same, approved April 12th, 1892," the following safeguards and regulations shall be observed to secure a fair exercise of the election franchise:

Polling places, how constructed.

a. The polling places in the several wards of the city shall be provided with a guard rail, so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot boxes, or compartments, or booths, at which electors are to prepare their ballots for voting. The arrangements shall be such that neither the ballot boxes, nor the voting booths, nor the electors while preparing their ballots, shall be hidden from the view of

those just outside of the said guard rail, or from the judges, and yet the same shall be far enough removed and so arranged that the elector may conveniently prepare his ballot for voting with secrecy. There shall be provided in each polling place not less than one such compartment, or booth, for every fifty electors to vote at such polling place; and every polling place shall have at least three of such compartments, or booths, which shall be made with three sides closed, and the front side open, and in size thirty-two inches wide, thirty-two inches deep and six feet four inches high, containing a shelf, and shall be arranged with hinges to fold up when not in use, convenient for storage.

Mayor or aldermen to provide voting booths, etc.

The mayor, or upon his failure to act, any three aldermen of the city, shall provide, at the expense of the city, voting booths or compartments and guard rails required by this ordinance. During the election and counting of ballots, no person, other than the judges and clerks of election, and the electors admitted, as provided by the terms of said act of of the legislature, for the purpose of preparing their ballots and voting, shall be admitted or permitted to be within said rail.

Ballots furnished, how.

Ballots prepared, how.

b. All ballots used in said elections shall be furnished by the city council at the expense of the city, and shall be prepared in accordance with a form to be determined by the city council at least two days prior to said elections; *provided,* however, that the name of each candidate shall not appear on any one ticket more than once; and, *provided further,* that if the city council shall fail to furnish such ballots, any candidate at such elections may furnish for the use of voters at said elections ballots of a form not in conflict with existing laws.

c. The city council, at least two days prior to said elections, in addition to the presiding officers already provided for by law, shall, upon nomination of each of the executive committees of each of the opposing parties or tickets, respectively, at said elections, appoint at least two judges and clerks of election of and for each of such opposing parties or tickets, which said judges and clerks so appointed shall be duly qualified electors at said election. *Provided further*, that when no such nominations are made, the council shall elect such officers at the last meeting prior to the election.

Appointment of judges and clerks of election by city council.

d. No ballot shall be prepared at said elections for any elector who declares to the presiding officer that he can not read or write, or that by blindness or other physical disability, he is unable to prepare his ballot, except in the presence and with the assistance of a judge appointed of and for each of said opposing parties or tickets, and nominated by the said executive committees thereof, and no ballot cast at said elections shall be counted except in the presence, and with the cognizance of at least one of the judges and one of the clerks appointed of and for each of such opposing parties or tickets, and nominated by the said executive committees thereof.

Preparation of ballots in event of disability of elector.

Counting of ballots.

e. If the city council shall fail to appoint said judges and clerks as hereinbefore provided, or if the judges and clerks so appointed shall fail to act, the executive committees of each of the opposing parties or tickets at said elections which shall have nominated such judges or clerks, shall have the right to appoint the same or other duly qualified electors, not exceeding in number two judges and two clerks for each party respectively, to fill such vacancies and act as judges and clerks for said election.

Appointment of judges and clerks by others than city council, when.

CHAPTER THIRTEEN.

ELECTION PRECINCTS.

Election precincts.

Section 1. The territory embraced within the limits of the city of San Antonio is hereby divided into election precincts for the purposes of city elections with boundaries as follows:

WARD NO. ONE.

Precinct One—Commences at a point in the center of the San Antonio river on Commerce street bridge, thence along West Commerce street across the San Pedro Creek to Laredo street, thence south along said Laredo street to the track of the San Antonio and Aransas Pass railway, thence along said track to the center of the river at the Aransas Pass railway bridge, thence along the middle of said river to the place of beginning.

Precinct Two—Commences at a point in the center of the San Antonio river on the Aransas Pass railway bridge, thence along the center of said river to the city limits, thence west and north along the city limits to the International and Great Northern railway track, thence along said track to Parral street, thence along said Parral street to Laredo street, thence along said Laredo street to the San Antonio and Aransas Pass railway track, thence along said San Antonio and Aransas Pass railway track to the place of beginning.

WARD NO. TWO.

Precinct Three—Commences at the intersection of Durango and South Laredo streets, thence along Laredo to Parral street, thence along Parral street to the International and

Great Northern railway track, thence along said track to west city limits, thence northwardly along said city limits to Durango street, thence eastwardly along Durango street to place of beginning. Election precincts

Precinct Four—Commences at the intersection of West rce street and Laredo street, thence westwardly 'est Commerce street and New Hampshire avenue city limits, thence southwardly along city limits to ro street, thence eastwardly along Durango street to n Laredo street, thence northwardly on Laredo street the place of beginning.

WARD NO. THREE.

Precinct Five—Commences at San Pedro creek on West Commerce street, thence northwardly up said creek to Delgado street, thence westwardly on Delgado street to Salado street, thence in a southerly direction down said Salado street to West Commerce street, thence eastwardly along West Commerce street to place of beginning.

Precinct Six—Commences at corner of Salado and West merce stre hence in a northerly direction along said Salado street to lgado street, thence eastwardly on Delgado street to n Pedro creek, thence up said creek to Fredericksburg ad, thence in a northerly direction up said road to Cincinnati avenue, thence westwardly on Cincinnati avenue to North Brazos street, thence in a southerly direction down North Brazos street to West Commerce street, thence eastwardly along West Commerce street to the place of b ring.

t *Seven*—Commences at corner of North Brazos and mmerce streets, thence westwardly along West

ction precincts.

Commerce street and New Hampshire avenue to west city limits, thence north along west city limits to north city limits, thence east along north city limits to Fredericksburg road, thence southeastwardly down said road to Cincinnati avenue, thence westwardly along Cincinnati avenue to North Br[illegible] street, thence southwardly along North Brazos st[illegible] place of beginning.

WARD NO. FOUR.

Precinct Eight—Commences on San Pedro cr[illegible] Fredericksburg road, thence up said creek to Myrtle av[illegible] thence eastwardly along Myrtle avenue to Rock Quar[illegible] road, thence northwardly along said road to Josephi[illegible] street, thence along said Josephine street to the S[illegible]n Anton[illegible]o river, thence up said river to north city limits, thence west along said limits to Fredericksburg road, thence in a southeasterly direction down said road to place of beginning.

Precinct Nine—Commences on San Pedro creek at Fr[illegible]d-ericksburg road, thence down said creek to West Commerce street, thence eastwardly along West Commerce street to Main avenue, thence northwardly along Main aven[illegible] Myrtle avenue, thence westwardly along [illegible]yrtle avenu[illegible] San Pedro creek, thence down said cre[illegible] to place of be-ginning.

Precinct Ten—Commences at intersection of Main avenue and West Commerce street, thence northwardly along Main avenue to Myrtle avenue, thence eastwardly along Myrtle avenue to Rock Quarry road, thence northwardly along Rock Quarry road to West Josephine street, thence eastwardly along said Josephine street to the San Antonio rive[illegible] down said river to West Commerce street, thence [illegible]d-ly along said West Commerce street to the place o[illegible]ng.

WARD NO. FIVE.

Precinct Eleven—Commences on the San Antonio river at Comm[illegible] street, thence eastwardly along East Commerce street to [illegible]estnut street, thence northwardly along Chestnut street to Nolan street, thence westwardly along Nolan street to Nacogdoches street, thence southwestwardly along Nacogdoches street to Fourth street, thence northwestwardly along Fourth street to the San Antonio river, thence [illegible]wn said river to place of beginning. Election precincts.

Precinct Twelve—Commences on the San Antonio river at Fourth street, thence up said river to the intersection of the Madre ditch, thence down said Madre ditch to Ninth street, thence eastwardly along Ninth street to Chestnut street, thence southwardly along Chestnut street to Nolan street, thence westwardly along Nolan street to Nacogdoches street, thence southwestwardly along Nacogdoches street to Fourth street, thence northwestwardly along Fourth street to place of beginning.

WARD NO. SIX.

[illegible]cinct Thirteen—Commences at Madre ditch on Duval [illegible] thence eastwardly along Duval street to Austin [illegible]eet, thence northwardly along Austin street to Mason [illegible]eet, thence eastwardly along Mason street to North New [illegible]els avenue, thence northwardly along said New [illegible]unfels avenue to Carson street, thence eastwardly along C[illegible]son street to east city limits, thence north along said city lim[illegible]ts to north city limits, and west along said north limits to the San Antonio river, thence down the river to the Madre ditch, thence down said Madre ditch to place of beginning.

Precinct Fourteen—Commences on Alamo ditch on Duval

ection precincts.

street, thence eastwardly along Duval street to Austin street, thence northwardly along Austin street to Mason street, thence eastwardly along Mason street to North New Braunfels avenue, thence northwardly along said avenue to Carson street, thence eastwardly along Carson street to east city limits, thence south along city limits to Dawson street, thence westwardly along Dawson street to Chestnut street, thence northwardly along Chestnut street to Ninth street, thence westwardly along Ninth street to Madre ditch, thence up said ditch to place of beginning.

Precinct Fifteen—Commences at corner of Dawson and Chestnut streets, thence southwardly along Chestnut street to East Commerce street, thence eastwardly along East Commerce street to east city limits, thence north along said city limits to Dawson street, thence westwardly along Dawson street to place of beginning.

WARD NO. SEVEN.

Precinct Sixteen—Commences on East Commerce street on east city limits, thence southwardly along said city limits to the south city limits, thence westwardly along said south city limits to a point where a line due north would strike Hackberry street at the intersection of Westfall avenue, thence north along said line to Westfall avenue, thence eastwardly along Westfall avenue to South Pine street, thence northwardly along South Pine street to East Commerce street, thence eastwardly along East Commerce street to place of beginning.

Precinct Seventeen—Commences on the south city limits where a line due north would strike the intersection of Hackberry street and Westfall avenue, thence west along south city limits to San Juan road, thence northwardly along said

San Juan road and Presa street to South Alamo street, thence northwardly along Alamo street to Water street, thence northeastwardly along Water street to Victoria street, thence southeastwardly along Victoria street to Peach street, thence northwardly along Peach street to Nevada street, thence eastwardly along Nevada street to Pine street, thence southwardly along Pine street to Westfall avenue, thence westwardly along Westfall avenue to Hackberry street, thence in a line due south to the city limits at place of beginning. Election precincts.

Precinct Eighteen—Commences at intersection of Nevada and South Pine streets, thence northwardly along Pine to East Commerce street, thence westwardly along East Commerce street to Water street, thence southwestwardly along Water street to Victoria street, thence southeastwardly along Victoria to Peach street, thence northwardly along Peach street to Nevada street, thence eastwardly along Nevada street to place of beginning.

WARD NO. EIGHT.

Precinct Nineteen—Commences at corner of Water and East Commerce streets, thence westwardly along East Commerce street to the San Antonio river, thence down said river to Martinez street, thence eastwardly along Martinez street to South Alamo street, thence northwardly along South Alamo street to Goliad street, thence southeastwardly along Goliad street to Water street, thence northeastwardly along Water street to place of beginning.

Precinct Twenty—Commences at corner of Goliad and Water streets, thence southwestwardly along Water to South Alamo street, thence southwardly along South Alamo and Presa streets and San Juan road to the south city limits,

thence west along south city limits to the San Antonio river, thence up said river to Martinez street, thence easterly along Martinez street to South Alamo street, thence northwardly along South Alamo street to Goliad street, thence southeastwardly along Goliad street to the place of beginning.

Defining certain words used in this chapter.

Sec. 2. Wherever the words "street," "avenue," "road," "river," "creek," or "track" are used hereinbefore, the same shall be understood to mean the center of such street, avenue, road, river, creek, or track; and wherever the word "down" or "up" are used in reference to a river or creek, the word "down" shall be understood to mean in the direction of the flow of such river or creek, and the word "up" shall be understood to mean in a direction opposite to such flow, and in either case the course shall follow the meanders of such river or creek and along the center thereof.

CHAPTER FOURTEEN.

CITY ENGINEER.

Oath and bond of City Engineer.

Section 1. The city engineer shall, before he enters upon the duties of his office, take and subscribe the oath of office in the manner prescribed by the charter, and shall enter into bond with two or more good and sufficient sureties, in the sum of ten thousand dollars ($10,000), for the faithful discharge of his duties.

Salary of city engineer.

Sec. 2. The city engineer shall hereafter receive a salary of two thousand dollars ($2,000) per annum, payable monthly. The city engineer is to furnish his own vehicle and horses, for which he is allowed the sum of twenty dollars ($20.00) per month extra for forage.

CHAPTER FIFTEEN.

MAYOR PRO TEMPORE AND MESSENGER.

Duties of mayor pro tem.

Section 1. The board of aldermen shall elect one of their number to act as mayor *pro tempore*, who shall act as mayor when that official may be unable to perform the duties of his office by reason of absence or sickness, and the alderman so elected shall be vested with all the duties of mayor until the mayor shall resume his office and the said mayor *pro tempore*, when acting in that capacity, shall receive the same salary as the mayor for the time being.

Janitor of city hall.

Sec. 2. The mayor is authorized to appoint a messenger who shall perform the duties of janitor of the city hall, who shall receive such salary as may be fixed by the mayor and city council.

CHAPTER SIXTEEN.

OFFICERS, REMOVAL OF.

Charges against officers, how made.

Section 1. Whenever charges in writing shall be made by the mayor or any three aldermen for malfeasance, misfeasance or nonfeasance against any officer of the city elected by the people or appointed by the council, except policemen of this city, the said charges shall be presented to the city council, which, after being read and discussed, shall be voted upon, and if a majority of all the aldermen, elected or appointed, shall vote in favor of the sufficiency of the charges, then the said officer shall be furnished with a copy of the charges, and cited to appear at the next regular meeting of the council to answer thereto.

Removal of officers from office, when.

Sec. 2. If, after the charges have been presented and acted upon, as provided in the foregoing section, the officer

shall fail or refuse to appear and answer at the time set to hear and determine the cause, the said charges shall be considered as proven, and said officer declared guilty, as charged, and be removed from office.

Action taken upon charges, how.

Sec. 3. Any officer against whom charges have been preferred in accordance with Section 1 of this ordinance, and who shall appear in answer thereto, after hearing all the necessary evidence in the case, a vote shall be taken "whether the charges are sustained," upon which the yeas and nays shall be called, and if it shall appear that two-thirds of all the aldermen, elected or appointed, have voted yea, the said charge shall be declared by the mayor to be sustained, and the said officer be removed from office, and the vacancy thus created be filled as provided in Section 24 of the charter.

Removal of officers elected by city council.

Sec. 4. The council may remove any officer of the city, elected by it, by resolution declaratory of its want of confidence in said officer; *provided*, two-thirds of all the aldermen elected or appointed shall vote in favor of said resolution.

Salaries and compensation of certain officers fixed, when and how.

Sec. 5. As soon as practicable after each biennial city election, and the qualification of the newly elected mayor and aldermen, the city council shall fix and establish the salaries or compensation to be paid all officers appointed by the mayor or elected by the council, whose salaries are not fixed by the city charter.

Salaries established to take effect, when; not to be increased or diminished, when.

Sec. 6. The salaries or allowances fixed or established, in conformity with the terms of this chapter, shall take effect on the date said salaries are fixed, and shall not be increased or diminished during the term for which said officers may be or have been elected or appointed.

Sec. 7. All officials or agents, or employees of the city, who are required to give bond, shall furnish such bondsmen as are in no way connected with the management or control of any of the corporations operating under franchises granted by the city; and no bond shall be approved that is not in compliance with this ordinance.

Vacancy in elective office, filled how.

Sec. 8. In the event of any vacancy in any elective office by death or otherwise, occurring more than nine months before the next regular election, the said vacancy shall be filled temporarily by appointment by the mayor and confirmation by the council, and the person so appointed shall qualify and hold said office until an election is held to fill said vacancy as provided by the charter and the person so elected has duly qualified, and which election shall be held within thirty days from the date of the vacancy.

CHAPTER SEVENTEEN.

ORDINANCES.

Ordinances passed, how.

Section 1. All ordinances and resolutions of a general character which may be offered shall be read at three several meetings of the city council before receiving final action thereon, except when ordered otherwise by a two-thirds vote of the full board.

Ordinances repealed how.

Sec. 2. No ordinance shall be repealed by any general terms, such as "coming in conflict with any subsequent ordinance," but in all cases the ordinance or section of an ordinance intended to be repealed shall be specifically mentioned and distinguished by the title and date of the same, when practicable, and the number of the section.

Ordinances amended, how.

Sec. 3. No ordinance shall be amended by reference to the subject matter only, but the particular section or sections designed to be amended shall be re-ordained at length, incorporating the amendment.

No ordinance repealed shall be revived by implication.

Sec. 4. No ordinance or resolution which has been repealed shall be revived by implication.

CHAPTER EIGHTEEN.

PAUPERS.

Mayor authorized to assist needy persons.

Section 1. The mayor is authorized to provide such assistance as in his judgment may be necessary for the support of sick or disabled persons, and to draw on the city treasurer for such amount as may be necessary to provide such assistance.

Burial of paupers.

Sec. 2. The mayor is hereby authorized to cause to be buried all paupers dying within the corporate limits of this city, and to draw on the city treasurer for an amount not to exceed ten dollars ($10.00) to cover the expenses thereby incurred.

CHAPTER NINETEEN.

PRIVATE PROPERTY, TAKING OF, FOR PUBLIC USE.

Steps to be taken by city council and city clerk in condemning private property,

Section 1. Whenever the city council shall deem it necessary to take private property for the use of the city, and the amount of compensation due the owner of such property can not be agreed upon, the city council shall, by resolution, state the particular property sought to be taken, the name of the owner and his residence (if known), which

said resolution shall be filed with the city clerk, who shall immediately notify the owner or agent of the property (if known) of the filing of such statement.

Notice served, how.

Sec. 2. Such notice shall be served by delivering a copy of the same to the party, or his agent, and may be served by any city policeman.

Return of notice.

Sec. 3. The person serving said notice shall return the original notice to the city clerk, with his return in writing thereon, stating how and when the same was served.

Property of minor or estate of decedent.

Sec. 4. When the property in controversy is the property of the estate of a deceased person, or of a minor, and such estate has a legal representative, or such minor has a guardian, the notice shall be served on such legal representative or guardian.

Property of non-resident of state, or unknown person.

Sec. 5. When the property in controversy belongs to a non-resident of the state, or to an unknown person, or to a person whose residence is unknown, such notice may be served upon such owner by publication, in such manner as is provided for service of citation by publication in civil suits pending in the district courts of the state.

Damages assessed, how.

Sec. 6. The damage to accrue to the owner, by reason of the taking of private property for the use of the city, shall be assessed by three disinterested freeholders of the city, one to be selected by the owner of the property, one to be selected by the mayor, and the third to be selected by the two thus appointed.

Appointment by commissioners.

Sec. 7. In the event that the owner of the property shall fail to appoint the commissioner hereinbefore provided for within ten days from the service of the notice of the city

clerk hereinbefore provided for, the mayor shall appoint such commissioner. In the event that the two commissioners can not agree upon the selection of the third, then the said commissioner shall be appointed by the county judge of Bexar county upon application by the mayor.

Commissioners to be sworn.

Sec. 8. Said commissioners shall be sworn by the city clerk to perform their duties with fidelity and impartiality.

Time and place of hearing, notice of.

Sec. 9. Said commissioners shall, without delay, appoint a day and place for hearing said parties, and shall notify said parties in writing of the time and place selected for said hearing, which notice shall be served in the same manner as the notice provided for in Section 1.

Commissioners appointed, governed how.

Sec. 10. The commissioners so appointed in the assessment of damages, shall be governed and controlled by articles 4459, 4460, 4461 and 4462 of the revised statutes of the state of Texas, the city occupying the position the railroad company occupies in said sections.

Decision of commissioners, how rendered.

Sec. 11. When the said commissioners shall have assessed the damages, they shall reduce their decision to writing, stating therein the amount of damages due to the owner of such property, if any be found to be due, and shall date the same and sign it, and shall file the said assessment, together with all other papers connected, with the city clerk without delay.

Possession of property taken, when and how.

Appeal taken, how.

Sec. 12. Upon the approval of said report by the city council and the payment or deposit of the amount of damages awarded in the city treasury, subject to the order of the owner of the property taken, the city shall be authorized to enter upon and take possession of the property thus con-

demned; *provided*, however, if any party whose property is sought to be taken, be dissatisfied with the decision of such commissioners, he may, within ten days after the same has been filed with the city clerk, file his opposition thereto in writing, setting forth the particular cause or causes of his objections, whereupon the city council shall proceed to hear and pass upon said objections, and their action upon said objections shall be entered upon the minutes of the council and be final between the parties.

CHAPTER TWENTY.

PROPERTY BELONGING TO CITY.

Officials to make quarterly return of city property in their possession.

Section 1. All officials of the city of San Antonio having in their charge any property belonging to the city shall take a quarterly inventory of such property, beginning the 1st day of January of each year, and each three months thereafter, enter same on a return in alphabetical order, according to the class to which it belongs, and take up on the return from time to time, as received, all property purchased or otherwise acquired by the city, giving dates of receipt. The number and amounts of the articles on hand and received during the period up to and including the first day of each quarter, will represent the property to be accounted for. From this shall be deducted such property as may have been disposed of by proper authority and amounts expended (as for instance, stationery or other expendable property), separate entry to be made in each instance. The total amounts disposed of and expended deducted from the total on hand and received, will show the balance on hand to be accounted for, and shall be the accountability to be carried forward to the next quarterly return.

Certain city property to be branded.

Sec. 2. All articles of property belonging to the city of San Antonio shall be at once properly branded "City," when practicable, except animals.

Certain city property to be repaired or condemned.

Sec. 3. All property belonging to the city of San Antonio becoming unserviceable shall be inventoried, and said inventory shall be submitted by the officer directly responsible for same to the mayor, who shall take such action as may be proper to either repair, break up and use serviceable parts, or condemn altogether, and dispose of same by sale or destruction. Condemned property sold shall be indelibly marked or branded "condemned" before being turned over to the purchaser.

Certain city property to be dropped from returns.

Sec. 4. The officer accountable shall drop from his return all property sold, destroyed, condemned, or being repaired, using the report of the mayor of the disposition made of the condemned property as his voucher for doing so.

Returns of property, made how.

Sec. 5. All returns of property shall be rendered to the mayor and by him referred to the auditor for examination.

Errors discovered in returns.

Sec. 6. All errors or irregularities found shall be noted by the auditor, who shall, through the mayor, notify the accountable officer of the error or irregularity found. All officers rendering returns upon being notified of errors in their accounts, shall within ten days of such notification make the necessary corrections on their retained papers and report the same to the mayor, who shall refer such explanations, if satisfactory, to the auditor for file with the accounts to which they pertain.

Sec. 7. An officer failing to make satisfactory explanation of errors, or who fails to make any explanation, shall be charged with the money value of the property, and such charge shall be deducted from the salary of such officer on the next following pay roll, or from any sums due him from the city.

Officials to be charged with value of certain property, when.

Sec 8. All returns rendered under this ordinance shall reach the mayor not later than five days after the end of each quarter.

Returns to be handed in, when.

Sec. 9. When an officer who is accountable for city property dies the mayor shall at once appoint a committee of three aldermen whose duty it shall be to take an inventory of such property, make up the return and close his accounts. All deficiencies found, to be charged and collected as prescribed for the living.

When officer dies, property to be inventoried, how.

Sec. 10. If the amount of money due an officer by the city is inadequate to pay for shortages in property, the sureties on the officer's bond shall be required to make settlement.

Sureties on officer's bond liable, when.

Sec. 11. Return of property shall be made in duplicate; one copy to be sent to the mayor, the other to be retained by the officer making the same.

Returns to be in duplicate.

Sec. 12. Losses of city property by theft, fire, or unavoidable accident, shall be at once reported by the officer accountable for such property to the mayor, who shall at once appoint a committee of three or more aldermen to investigate the cause of and determine and fix the responsibility for such loss. The officer accountable for the property shall submit in writing a list of the property lost or

Losses of city property by theft, fire, etc

destroyed, and affidavits setting forth all the circumstances of the case. The committee shall make full investigation and submit a report of its proceedings and findings to the council through the mayor.

Money for property lost or destroyed, collected how.

Sec. 13. When an officer accountable for property is held responsible for its loss or destruction by the council, the money value of same shall be charged against him, and collection made as prescribed by ordinance covering indebtedness of officers. He shall carry on his return all such property until it is paid for and drop it on the receipt for such payment; the receipt to be accompanied by a list of the property paid for, and the receipt and list to be the officer's voucher for dropping the property from his return.

When officer is held blameless for loss or destruction of city property, etc.

Sec. 14. When an officer is held blameless for loss or destruction of property for which he is accountable, he shall use the report of the committee in the case, approved by the council, as a voucher for dropping the property from his return.

CHAPTER TWENTY-ONE.

REQUISITIONS FOR SUPPLIES.

Requisitions to be made, when.

Section 1. Requisitions for property required for the use of the city shall be made semi-annually by the proper officer of the city, and shall be computed as follows:

Officer to ascertain amount for preceding six months.

Sec. 2. The officer making the requisition will ascertain from the returns of the preceding six months the amounts consumed. These amounts will be entered under the head "Consumed during the past six months."

Sec. 3. Under the next head, "Required for the period of this requisition," will be entered amounts that the officer believes will be actually needed. In this he will be governed by increased or decreased demands.

Amounts needed for next six months.

Sec. 4. Under the next head, "On hand in good order on date of the requisition," will be entered the amounts on hand at that date, and these amounts deducted from amounts "Required" will show amounts to be supplied.

Amount on hand good order.

Sec. 5. Under head "Remarks" should be entered the kinds, brands, sizes, etc., of the article required.

Kinds, brands, siz etc.

Sec. 6. When the amounts under head "Required" are greater than those "Consumed" in the past corresponding period, the reason for the increased demand shall be stated. If the reason for increased demands are not given, or they are not satisfactory, the increased amounts will not be allowed.

When reason to be given for quantity.

Sec. 7. Requisitions should reach the mayor twenty days before the property is required for use, to enable him to submit them to the council, have all requisitions abstracted, advertise for, receive and act on proposals for furnishing same.

Requisitions to reach mayor, when

Sec. 8. When from any unexpected emergency a special requisition becomes necessary, the reasons for same must be fully explained.

Special requisitions.

Sec. 9. All requisitions will be submitted to the mayor and by him to the council with such recommendations as he may deem proper.

Requisitions to be submitted by mayor to council.

CHAPTER TWENTY-TWO.

ROCK QUARRIES.

Mayor to rent rock quarries.

Section 1. The mayor is hereby authorized and required to rent the rock quarries belonging to the city; the rent of said quarries shall be paid at least semi-annually in advance in United States currency, and for such sum not less than ten dollars ($10.00) per month for each quarry section, and for such length of time as the mayor may deem best, not less than one year; and should the lessees of said quarries fail or refuse to pay the rent therefor in accordance with the requirements herein, said quarries shall be deemed vacant, and the mayor shall thereupon proceed to lease the same anew, under the provisions of this ordinance.

CHAPTER TWENTY-THREE.

STREET COMMISSIONER.

Street commissioner to take oath.

Section 1. The street commissioner shall, before he enters upon the duties of his office, take and subscribe to an oath before some officer authorized to administer oaths, well, truly and faithfully to discharge the duties of his office as they are now or may hereafter be defined by ordinances or resolutions of the council.

Duties of street commissioner.

Sec. 2. It shall be his duty to supervise all work upon the streets, alleys, plazas or public squares of the city, control all workmen employed by the city upon the streets; keep a correct account of the time of said workmen, and of all other work and services which may be done and performed, and make correct report of same; he shall remove or cause to be removed all filth, dirt, or other nuisances that may be found in the manner heretofore prescribed by ordinance.

Sec. 3. It shall be his duty also to exercise a general supervision over the construction of all railways which may at any time hereafter be constructed to run through the streets of the city; to notice that they conform to the proper grade of such streets as may be established by the city engineer, so as not to impede the passage of carriages or other vehicles through said streets; and in case of any violation of contract by any party or parties invested by the city council with the right to construct such railways through the streets of said city, it shall be his duty to forthwith notify the city engineer and report the same to the city council. Duties of street commissioner.

Sec. 4. It shall be his duty, in case the city council contract with any private parties for any public work, to generally supervise the same, and to see that said contract or contracts are faithfully performed, and in case of any violation of said contract to report the same to the city council. He shall have specially in charge the prevention of any obstruction in the streets, alleys, plazas, parks or other public places of the city, and cause the same to be removed. Same.

Sec. 5. It shall be the duty of the street commissioner to inspect the streets, public highways and public grounds of the city, and to see that all the provisions relating thereto be strictly observed, and to report to the recorder all infractions thereof; and he shall do and perform such other duties as may be required of him by the mayor. Same.

Sec. 6. It shall be unlawful for the street commissioner, either directly or indirectly, to have any pecuniary interest in any contract, material to be furnished or labor to be performed with or for the city, or be interested in any Street commissioner not to have pecuniary interest in any contract, etc.

work, business or contract, the expense, price or consideration of which is paid from the city treasurer; nor shall he be surety of any person having a contract, work or business, with said city.

Salary of street commissioner.

Sec. 7. The street commissioner shall receive an annual salary of fourteen hundred and forty dollars ($1,440.00), payable monthly, for his services, and shall hold his office until his successor is elected and qualified.

No increase in street force, when.

Sec. 8. There shall be no increase in the number of laborers employed on the streets of the city by the street commissioner at any time within thirty days prior to any election of city officers.

CHAPTER TWENTY-FOUR.

SCHOOL FUND.

Moneys from sales of city lands to go to school fund.

Section 1. All moneys derived from the sale of city lands heretofore sold, or hereafter to be sold, in accordance with Section 8 of the charter of 1842, and acts of the legislature subsequent thereto, are hereby declared to belong to the city public school fund.

City public school fund to be credited, when.

Sec. 2. It shall be the duty of the city clerk, at the expiration of each fiscal year, to credit the city public school fund with six (6) per cent interest on the balance that may be due the said fund at that date.

Expenditures for public schools, how charged.

Sec. 3. All expenditures of money from the city treasury on account of city public schools shall be appropriated

from the general fund and charged to the account of the city public school fund.

CHAPTER TWENTY-FIVE.

SQUATTERS.

Sec. 1. The mayor is hereby authorized to execute on behalf of the city leases to squatters on city property, with a view of obviating the running of limitation against the city in favor of such squatters, such leases to be at the will of the city.

Leases to squatters on city lands.

CHAPTER TWENTY-SIX.

TAXES.

Section. 1. There shall be annually levied and collected by the city of San Antonio upon all real and personal property situated within said city, for general purposes, an *ad valorem* tax of not exceeding one dollar ($1.00) on the one hundred dollars ($100.00) cash valuation thereof, estimated in lawful currency of the United States, and not exceeding one dollar ($1.00) on the one hundred dollars ($100.00) cash valuation upon all such property for special purposes; and a poll tax not to exceed one dollar ($1.00) upon every male inhabitant of said city over the age of twenty-one years and not over the age of sixty years, and who has resided within said city twelve months next prior to the assessment of said tax. The city council shall, on or before the first regular meeting of March in each and every year, fix the rate per centum of *ad valorem* taxes and special taxes, and the amount of the poll taxes to be assessed and collected for the current fiscal year.

Ad valorem tax.

Poll tax.

Tax rate to be fixed when.

What property subject to taxation.

Texas Revised Statutes. Title CIV, Chapter 2, adopted for guidance.

Sec. 2. All property, real, personal, or mixed situated in said city, shall be subject to taxation, and the same shall be rendered and listed for taxation, and the definitions of properties, terms and things stated in Chapter two, Title one hundred and four, of the Revised Civil Statutes of Texas of 1895, are hereby adopted for guidance in assessing property in the city of San Antonio.

Publication of notice, when.

Sec. 3. On the first day of June of each year the city assessor shall publish in the official journal of the city a notice requiring every person, firm, partnership or corporation owning or controlling property within the limits of the city on the first day of June of each year, liable to taxation, to render such property to him for taxation by said city on or before the first day of September of each fiscal year.

Inventory to be handed in, when, how and by whom.

Sec. 4. Every person, partnership, or corporation owning property within the limits of the city shall, not later than the first day of September of each fiscal year, hand in to the assessor of the city, at his office, a full and complete inventory of all property and the value thereof, possessed or controlled by him, her, them, or it, as the owner or as the agent of any person, partnership or corporation within said city on the first day of June of the current fiscal year, and not exempt from taxation, which inventory shall be verified as hereinafter prescribed. In the case of a partnership or corporation the duty of handing in such inventory shall devolve upon each member of such partnership, and upon the secretary, president and treasurer of such corporation, and upon every other person having charge of such partnership or corporation within the city, which inventory shall be verified by the written affidavit of such person or of such member of such partnership, or of such secretary, president

or treasurer of such corporation, or such other person having charge of such partnership or corporation within the city, and the affidavit shall be as hereinafter prescribed.

Form of oath required.

Sec. 5. The assessor shall require each party rendering property to him for taxation to subscribe to the following oath, which shall be printed at the bottom of each inventory, to-wit:

"I,..... ....., (filling the blank with the name of the person subscribing) do solemnly swear (or affirm) that the above inventory rendered by me contains a full, true and complete list of all taxable property owned by me, and held in my own name, or held by me for..... .....or of which I have the custody, as agent, guardian or administrator, in this city, subject to taxation by the laws of this state and the ordinances of this city, on the first day of June, ..., (filling the blank with the year), and that I have true answers made to all questions propounded to me touching the same, so help me God."

Assessor to take list of personal property, when and how.

Sec. 6. After the first day of June it shall be the duty of the assessor also to proceed to take a list of all personal property in said city, and assess the value thereof in the manner following, to-wit: By calling upon the person, or by calling at the office, place of business or residence of the person, partnership or corporation, and listing the property as required by law, in his, their or its name, and requiring the person or member of such partnership, president, secretary, or other person in the control of such corporation to make a statement as to the same, under oath, as prescribed in the preceding section of this ordinance, and shall proceed to so assess until the first day of September of each year.

Failure to make oath or subscribe.

Sec. 7. Should any property be listed or assessed for taxation after the first day of September of any year, or should the assessor or his deputy fail to administer the oath, or attest the same as herein prescribed, or should the party rendering property for taxation fail to subscribe to the list, yet the assessment shall nevertheless be as valid and binding to all intents and purposes as if made in strict pursuance of law and this ordinance.

Notice left at residence or office, when.

Sec. 8. If any person who is required by this ordinance to list property shall be sick or absent when the assessor calls for a list of his property, the assessor shall leave at the office, or usual place of residence or business, of such person a written or printed notice, requiring such person to call at his office and render a list of his property at such time as the assessor may designate in said notice, and the assessor shall note in a book the date of leaving such notice.

Neglect or refusal to list property.

Sec. 9. In every case where any person, whose duty it is to list any property for taxation, has refused or neglected to list the same when called on for that purpose by the assessor, or has refused to subscribe to the oath in regard to the truth of his statement of property, or any part thereof, when required by the assessor of taxes, the assessor shall note in a book the name of such person who refused to list or swear; and in every case where any person required to list property for taxation has been absent or unable from sickness to list the same, the assessor of taxes shall note in a book the name of such person and cause of such failure.

Failure to obtain statement of real or personal property before September 1st.

Sec. 10. In all cases of failure to obtain a statement of all real or personal property in this city subject to taxation, from any cause, before September 1st of each year, it shall

be the duty of the assessor of taxes to ascertain the kind and value of such property and assess the same, as he believes to be the true and fair value thereof, whether the owner thereof be known or unknown, which assessment shall be called the unrendered roll, and shall be presented to the board of revision and appeals in a supplement for their approval; and such assessment, when approved, shall be as valid and binding as if such property had been rendered by the proper owner thereof.

In case of failure to render property, same shall be assessed, when.

Sec. 11. Whenever the assessor shall ascertain that any real or personal property has not been assessed for the past years, he shall assess the same in his next assessment roll or inventory (in a supplement) at the same rate as such property should have been assessed, stating the year for which it is assessed, and the taxes thereon shall be collected in the same manner as other assessments. In all cases where any party has omitted to render property for taxation, for any former year or years, and such taxes have not been paid, such party shall render such property for assessment for the years thus omitted and pay his taxes, and the assessor shall enter said property in the supplement to his next assessment roll, under the head of "Payments for Former Years."

Board of appeals and revision.

Sec. 12. When the assessments of all property shall have been made as hereinbefore provided, which shall be completed on the first day of November, or as soon thereafter as possible, the mayor and four aldermen, who shall have been appointed by the mayor, shall sit as a board of appeals and revision, and to them shall be submitted by the assessor, the tax lists or inventories made up by him; and all

persons who may feel aggrieved at their assessments, may appeal to said board, in writing, stating such grievance; the board shall hear and determine all such appeals in a summary manner, correct errors, appraise all property assessed as unknown, and increase or diminish any assessment as they may deem just; *provided*, that no assessment shall be increased unless the owner of such property has been notified to appear before said board, and given an opportunity to make his objection to such increase. And a copy of such notice shall, with the officer's return thereon, be filed with the city clerk. The minutes of the proceedings of said board shall be regularly kept under their direction, and shall show the action of the board upon the matters referred to, or acted upon by them. And after said board shall have fully revised the assessment lists for such fiscal year, they shall so certify upon said minutes at the close of the record of the proceedings of such fiscal year, which certificate shall be signed by each member of said board. Said board shall sit from day to day until all their duties are performed.

Poll tax.

Sec. 13. It shall also be the duty of the assessor to assess a poll tax, as levied by the city council, on every male inhabitant of the city, between twenty-one and sixty years of age, who has resided therein twelve months previous to the first day of the fiscal year for which said tax is levied, and he shall enter the same upon the tax list or inventory.

Tax rolls, how made out.

Sec. 14. After the board of appeals and revision has revised such tax list or inventory, the assessor shall make out two rolls from the lists or inventories so corrected and approved by the board, one of which rolls shall show all property rendered, and poll taxes due thereon, and the other roll shall show all unrendered property and poll taxes due

thereon. He shall then make out, for the use of the collector, a roll and enter thereon the amounts due by each person, as well as the property assessed, both rendered and unrendered. In making out such corrected roll for the use of the collector, a separate page of such roll, or more than one page if necessary, shall be assigned to each property owner, and upon each page of the roll there shall be made out a detachable stub with corresponding numbers, name of owner, and amount of all taxes on said roll; also a detachable receipt for the amount of taxes due from the corresponding property owner, or for the portion thereof shown on the corresponding page, as the case may be. The pages of the roll and also the stub and receipts to be consecutively and correspondingly numbered to run throughout consecutive volumes. The official signature of the city assessor shall be by him written upon the margin of each receipt, and he shall have the same bound in a good and substantial manner and prepare a complete index thereto.

The assessor shall thereupon in each volume of such roll certify to the correctness thereof, which roll, with annexed stubs and receipts, shall be delivered by the assessor to the auditor, not later than March 31st, taking his receipt therefor, and the auditor shall deliver the same to the collector, who at the same time shall give to the auditor a receipt for the aggregate amounts of taxes thereon. The auditor shall thereupon charge to the collector, upon the books of his department, the aggregate amount on such rolls as shown by such receipts.

The form for the above described roll shall be as follows:

Name..... Page.....

City of San Antonio, Texas.

Assessment Roll of Taxable Property, Real and Personal. Rendered for Assessment for the Fiscal Year ....., beginning June 1, ..., and ending May 31, ...

.....Assessor

VALUATION.

Personal Property, $. .....

Real Estate, - - $.....

Total, - - $.....

TAXES.

Ad Valorem Tax. - $.....

Poll Tax, - - - - $.....

Total Tax, $.....

Interest, - - - - .....

Penalty, - - - - .....

Costs. - - - - - .....

Total. - - $.....

RES	LOT NO.	BLOCK NO.	O. C. L. NO.	CITY BLOCK NO.	NAME OF STREET OR SUBDIVISION	VALUE

Paid..... .....CITY COLLECTOR.

By..... .....Assistant.

This Stub to be filed with Auditor with Monthly Report of Collections.

Tax Receipt No......

OFFICE OF

City Tax Collector,

SAN ANTONIO, TEXAS.

RECEIVED of .....

.....

he following amounts, in payment of City Taxes for the Fiscal Year...., beginning June 1, ... and ending May 31st, ...

VALUATION.

Personal Property, $.....

Real Estate, - - - $.....

Total, - - $.....

TAXES.

Ad Valorem Tax, $.....

Poll Tax, - - - $.....

Total Tax, - $.....

Interest, - - - .....

Penalty, - - - .....

Costs, - - - .....

Total, - - $.....

Paid

.....

.....

.....

City Tax Receipt No.....

TAX RATE
ON $100 VALUATION.

General Fund, - $....
Sinking Fund, - ....
School Fund, - - ....
Total Tax, - $....

—OFFICE OF—

CITY TAX COLLECTOR,

SAN ANTONIO, TEXAS.

RECEIVED OF .....
.....the sum of
..... Dollars
..... Cents, in payment of City Taxes for the Fiscal Year....., beginning June 1,....., and ending May 31, ...

VALUATION.

Personal Property, $.....
Real Estate, - - $.....
Total, - $.....

TAXES.

Ad Valorem Tax, - $.....
Poll Tax, - - - $.....
Total Tax, - $.....
Interest, - - - - .....
Penalty, - - - - .....
Costs, - - - - - .....
Total, - - $.....

ACRES	LOT NO.	BLOCK NO.	O. C. L. NO.	CITY BLOCK NO.	NAME OF STREET OR SUBDIVIBION	VALUE

City Assessor.

Dated: San Antonio, Texas,.....

.....CITY COLLECTOR.

FISCAL YEAR .. ....

By.....Assistant.

Collector shall begin collection, when.

Publication of notice.

Taxes become delinquent, when.

Interest and penalty

Sec. 15. Immediately upon receipt of the tax rolls, as provided for in this ordinance, the collector shall commence the collection of taxes. He shall give notice to all taxpayers by advertising in the official journal of the city, that said taxes are due and payable, and without any penalty, interest or costs thereon, if paid before the first day of June, but which publication shall in no manner delay or suspend his action in enforcing the collection of taxes. The collector shall attach to his roll a copy of such published notice, certifying the same to be a correct copy thereof, and certifying when and in what manner the same was published. All *ad valorem* and poll taxes shall become delinquent on the first day of June next following the levy of the same, and if not paid before said time, shall bear interest from said date at the rate of eight (8) per cent per annum until paid, and in addition thereto a penalty of ten (10) per cent upon such taxes shall be added and collected from such delinquent for such failure, neglect or refusal to pay the same before said first day of June; *provided*, that the provisions of this section as to the time when taxes shall become delinquent and fixing penalty therefor, shall not apply to the taxes due on the rolls of the fiscal year beginning June 1st, 1898, and ending June 1st, 1899, but such taxes for said year shall become delinquent, bear interest and have the penalty added on and from the first day of August, 1899.

City collector shall receipt, how.

Sec. 16. The city collector shall not be authorized to receipt for any *ad valorem* and poll taxes of a current year except upon the receipts issued by the assessor. When such taxes are paid he shall sign the page of the roll from which the receipt is detached; and the roll shall show the same identical items as the receipt which is detached therefrom. The middle stub, which shows each and every item of

taxes appearing on the roll and receipt, shall be detached when paid, and said stub shall be filed with the collector's monthly report to the auditor.

No interest or penalty to be remitted. Reduction to be entered, how.

Sec. 17. The collector shall not remit any interest, or penalty, and it is his imperative duty to charge said interest and penalty in addition to the taxes when paid after the date fixed when taxes shall become delinquent. And in such cases he shall enter upon the roll, stub and receipt the amount of interest, penalty and costs due and received from each party. In the event of any reduction by the city council of valuation or remission of poll taxes erroneously assessed, the assessor shall enter upon the roll, stub and receipt the amount so remitted, keeping a memorandum thereof, and shall report the same to the auditor.

Occupation tax receipts. Dog licenses.

Sec. 18. All occupation taxes shall be receipted for by the collector only upon printed receipts furnished and countersigned by the auditor. And all dog licenses shall be issued only upon receipts furnished by the auditor, and no receipt shall be given for more than one dog. All occupation receipts issued by the collector shall have duplicate stubs which shall be signed by him at the time of payment in like manner as the receipt. One of these stubs shall be filed with the collector's monthly report to auditor, and the other stub to be retained by him until he makes his annual settlement; *provided*, that in the payment of a dog license, only one stub shall be necessary.

Special collection receipted how.

Sec. 19. The city collector in receiving other special collections shall always give a receipt therefor to the party paying same, and shall keep duplicate stubs, which shall show the same identical items and amounts as the receipt

given. One of said stubs shall likewise be filed with his monthly report to the city auditor, the other to be retained until he makes his final settlement.

Collector to keep itemized daily cash book.

Sec. 20. The collector shall keep an itemized daily book, in which he shall daily enter each and every item of taxes received, and all other collections made by him. This record shall conform to the blanks furnished by the auditor for making itemized monthly reports. It shall show the date, the number of each receipt, from whom received, the amount of same, including every item collected of *ad valorem* and poll taxes, interest, penalty and costs separately. It shall also show each item of occupation taxes and other special collections made; *provided*, that the collector be not required in this record to give the name of each party paying dog license, but shall only give the number of receipts included in the day's collections from that source. At the close of each day's collections this record shall be footed up and shall show the total amount of all receipts from all sources during said day, and the source from which derived.

Collector to furnish auditor with statement, when.

Collector to deposit, when.

Treasurer to receipt when.

Sec. 21. The collector shall, each morning, (Sundays and legal holidays excepted) furnish the auditor with a summarized statement of his total collections made on the last previous day, on blanks furnished by the auditor for that purpose. He shall on each Saturday afternoon, not later than 3 p. m. furnish a statement to the auditor showing the total collections made by him during the week, and the funds to which they belong. And after securing a deposit warrant for the same, shall deposit the said amount with the city treasurer; and to enable him to do so he may close his office at 12 o'clock noon on all Saturdays; *provided*, that he shall not be required to make this weekly report and deposit during

the months of April, May and June, until each following Monday afternoon. And *provided further*, that should the collector desire to deposit his daily collections with the treasurer oftener than provided for above; he may do so, and the treasurer is authorized to receive whatever amount the collector desires to deposit, giving a special receipt therefor, and opening a special account with the collector for that purpose, giving him credit in this account for any such deposits made until the close of the week, when the weekly statement shall be furnished, showing the proper funds to which these collections, so deposited, belong. The treasurer shall then, upon a deposit warrant from the auditor, receipt for the total weekly deposit, and credit the proper funds with the said amounts.

Collector to make itemized report, when and how.

Sec. 22. At the end of each month the collector shall, on forms to be furnished by the city auditor, make an itemized report under oath, to the auditor, showing each and every item of collections made by him, including ad valorem and poll taxes, interest, penalty and costs, occupation taxes, license and all other collections from every source whatsoever. The report shall be accompanied by a summarized statement showing full disposition of all such collections made by him. He shall then pay over to the treasurer all the moneys remaining in his hands from collections and receipts during the month, thereby closing his monthly report, and showing full disposition of all funds collected. He shall keep on file in his office the triplicate deposit warrants receipted by the treasurer, showing all payments made to said officer. The city collector shall make oath to his monthly report before the city clerk, and shall then present said report, together with the stubs of tax receipts and other collections to the city auditor, who shall within three days compare said

report with said stubs, and if the same agree in every particular as regards names, dates and amounts, he, the auditor, shall audit and approve the same and make proper entries upon the books of his department,

Final adjustment of collector's accounts, when and how.

Sec. 23. The city collector shall finally adjust his accounts and make an annual settlement of same with the city auditor on or before the 31st of May of each year. The manner of this settlement shall be prescribed by the auditor, and will mainly be as follows: The collector shall deliver to the auditor all the receipts of the previous year's taxes furnished to him by the auditor and the assessor, and with same shall furnish two itemized statements of each and every amount of taxes remaining unpaid, on forms to be furnished by the auditor. These forms shall include the following:

A list of delinquent taxpayers owning personal property only.

A list of all erroneous assessments and amounts refunded.

A list of delinquent real estate, and such other forms as may be provided by the auditor. These shall be made in duplicate, one to be retained permanently in the auditor's office, the other to be delivered to the city attorney.

City council to approve collector's statement, when and how.

The collector shall also in like manner deliver to the auditor all of the unused and unpaid occupation receipts and dog licenses which have been furnished to him by the auditor, together with an itemized statement of the number and amount of each series of occupations, amount of each unpaid receipt, etc. The auditor shall then carefully compare said statement with said unpaid receipts and if found correct shall present same to the finance committee of the city council

who shall approve same, and the auditor shall then give credit to the collector upon his books for the total amount of taxes remaining unpaid.

Sec. 24. All other city officers authorized to receive the city's funds shall, upon forms furnished by the auditor, give a receipt for amounts paid to them, keeping duplicate stubs therefor, which stubs shall show the same identical items and the amounts as the receipt detached therefrom.

Receipts by other city officers.

Sec. 25. Every city official authorized to receive moneys for the city, whether taxes, license, rents, fines, office fees or of any nature whatsoever shall be required at the end of each month to make an itemized monthly report under oath before the city clerk, and shall file said report with the city auditor. This report shall be made upon proper forms to be furnished by the auditor and shall show all the collections made by them. All such collections made by all city officials shall be paid directly to the city treasurer and no other. When said officials file their monthly reports with the auditor, they shall immediately procure the proper deposit warrant, and deposit said total collections with the treasurer.

Reports of all city officers authorized to receive money, to be made, when and how.

Sec. 26. The city auditor shall open a collection account with each and every official making collections for the city, of any kind, and shall charge them in said account with the total collections reported by them at the close of each month, and credit them with the amount deposited with the city treasurer, upon the return of the duplicate deposit warrant, properly receipted by the treasurer.

Auditor to open collection accounts, with whom and how.

Sec. 27. The city treasurer shall not receive any money from any source except upon the authority of the city auditor. Whenever the city collector, or any other official

Treasurer to receive no money except upon authority of auditor.

has funds to deposit with the treasurer, covering collections made by them, or any special payments made to them for the city, they shall first procure a deposit warrant from the auditor issued in triplicate (the auditor retaining a stub) stating that the city treasurer is authorized to receive from the officer named, the amount designated for account of the proper fund for which said deposit is made. The city treasurer will then receive said money and properly receipt for same on the back of each warrant, the original to be retained by the treasurer, the duplicate to be returned to the auditor, and the triplicate to be retained by the officer making said deposit and to be permanently filed in his office. The amount so paid will then be charged to the city treasurer, and credit given to the officer making said deposit by the auditor upon the books of his department.

Failure of officers to file reports with auditor.

Sec. 28. If the city collector or other officer required to make reports of collections to the auditor shall have failed at the end of each month, or within three days thereafter, to file said report with the auditor, and deposit with the city treasurer all the funds collected by him, he shall be requested by the auditor to do so, and should he fail to comply with said request by the next meeting of the city council, the auditor shall report to the mayor and council.

Enforcement of speedy collection of taxes.

Officers failing to comply with provisions of this chapter, punished how.

Sec. 29. To enforce the prompt and speedy collection of taxes, and to provide for the proper accounting of same, the auditor shall, with the approval of the mayor, prescribe and furnish the forms to be used by the city collector and other city officers authorized to receive city funds, of whatever nature, and shall prescribe the mode and manner of collecting and stating their accounts, and shall adopt such regulations deemed necessary in regard thereto. It shall be

his imperative duty to enforce a strict observance of all the provisions of this ordinance. Any officer who shall fail to comply with the provisions of this chapter shall be reported by the auditor to the mayor and city council, who shall be authorized to declare him guilty of official misconduct, and shall immediately take steps for his removal from office; and in the event the city auditor shall fail to comply with the provisions of this chapter the mayor shall report the matter to the city council, which shall be authorized to declare him guilty of official misconduct, and shall immediately take steps for his removal from office.

Occupation tax receipts.

Dog tax receipts.

Sec. 30. The auditor shall furnish all occupation tax receipts to the collector, which receipts shall be similar to those furnished by the comptroller of the state of Texas to county collectors, and such receipts shall cover all occupation taxes which the city is authorized to collect under the state laws, ordinances and the city charter. And the collector shall be charged upon the books of the auditor with the face value of each receipt so delivered to the collector, who shall be held responsible for the same until his annual settlement with the auditor, at which time he shall return to the auditor all unused tax receipts and receive credit therefor. He shall furnish in like manner the receipts for all dog licenses and tags accompanying same, charging the collector with the amounts represented therein, likewise holding him responsible for same until his annual settlement, when he shall receive credit for the unused receipts and tags.

Changes in amounts of original receipts

Separations upon receipts.

Sec. 31. All changes in the amounts of original receipts shall be by order of the council, directing what change is to be made, and shall be made by the auditor, who shall keep a book in which all such orders shall be recorded; provided

Partial payments of taxes.

Erroneous assessments of poll taxes.

that when it is desired to pay on any property less than all the property embraced in such receipt, the assessor shall make out a receipt for the property so desired to be paid on, which receipt when made shall be at the same valuation as was given such property in the original assessment, and which shall be delivered by the assessor to the collector, after the assessor makes a note across the face of the original receipt, stub and roll, designating the property paid on in such manner as will enable the property embraced in said original receipt, and not paid on, to be readily distinguished from that paid on. Where one or more separations have been made upon a receipt, the collector shall not receive the balance due upon the original receipt, but whenever any party desires to pay the balance due thereon, he shall pay the same upon a receipt likewise issued by the assessor. Whenever any person shall desire to make partial payments of taxes upon real estate other than homesteads, in any receipt where personal property is also included therein, he shall be required to pay such proportionate part of taxes due on said personal property as the value of the real estate he pays upon bears to the total value of real estate included in said original receipt. *Provided*, in case of poll taxes being erroneously assessed on the rolls by the assessor, where parties are over or under age, or are non-residents, the assessor may, upon affidavit of said party or other sufficient evidence, make corrections of same upon the rolls, stubs and receipts, keeping a record thereof, and so reporting to the auditor.

No officer allowed to make reductions of taxes, etc.

Sec. 32. No officer shall be allowed to reduce, diminish or remit any portion of any tax, interest or penalty due to the city.

Failure to pay taxes.

Sec. 33. If any person, firm or corporation shall fail or

refuse to pay taxes imposed upon his, their or its property, on or before the first day of June of each year, the city collector shall seize, levy upon, and sell so much personal property belonging to such person, firm or corporation, whether a resident or non-resident, as may be sufficient to pay his taxes, together with all interest, penalty and costs accruing thereon, and proceed to sell the same. And in making sales of personal property the collector shall give notice of the time and place of sale, together with a brief description of the property levied on and to be sold, at least ten days previous to the day of sale, by advertisement, in writing, to be posted at the court house door of Bexar county and two other public places in the city of San Antonio; and said sale shall take place at the court house door of Bexar county and by public auction. In all cases where any dealer of merchandise, wares, or goods of any kind subject to *ad valorem* or occupation taxes, under the provisions of the ordinances of this city, shall after rendition or assessment of the same, or after becoming liable for any occupation tax, become bankrupt, or make an assignment, then the collector shall at once present to the receiver or assignee of said dealer, for payment, the amount due on said taxes; and in case of failure of said receiver or assignee to at once pay the amount of such taxes, the collector shall levy upon, seize and sell so much of said merchandise, wares or goods as will satisfy the amount of such taxes, interest, penalty and costs due thereon, and the said taxes, until paid, shall constitute a prior lien on the said merchandise, wares or goods.

Sales of personal property, when and how made.

Bankruptcy or assignment of merchant.

Sec. 34. When a purchaser at a sale of personal property shall have paid the amount bid by him, he, the collector, shall deliver the property so sold to him, and shall execute and deliver to said purchaser a certificate of purchase, and

Purchasers of personal property at tax sales.

the proceeds of same shall be appropriated to the payment of the taxes, interest, penalty and costs, for which the same was sold, and all costs incurred in making the sale; and if there be a residue, after the payment of said taxes and charges, the same shall be paid over to the person whose property was sold, or deposited in the city treasury subject to his order.

Delinquent tax list.
Penalty added.
Levy upon property by collector.
Notice of tax sale, how given.
Delinquent property how sold.
Fees of collector for delinquent sale.

Sec. 35. If any person shall fail, neglect or refuse to pay the taxes upon him, her, or it, or his, their or its property, within the time prescribed by this ordinance, the city collector shall make out a delinquent list of all persons who have failed, neglected or refused to pay such taxes, adding thereto ten (10) per cent as a penalty for thus refusing or neglecting to pay such taxes, and shall by virtue of his tax list and assessment roll, levy upon so much property liable to taxation, belonging to such persons, as may be sufficient to pay all such taxes, interest, penalty and costs. And the collector shall give notice of the time and place of sale by advertisement, in writing, giving the name of the party, if known, and if not known stating such fact, and giving a description of the property, and the amount of taxes, interest, penalty and costs due thereon. Such notice shall be published in the official journal of the city, and shall also be posted at the mayor's office, the collector's office, and two other different public places in the city. At the date mentioned in the advertisement the collector shall proceed to sell such property at public auction, in front of the court house door of Bexar county; *provided*, that when real estate is offered for sale, the smallest portion thereof, for which any person will take the same and pay taxes, interest, penalty and costs, and fees, shall be sold. For such advertisement

and levy the collector shall be allowed such fees as are provided by the charter of the city of San Antonio.

CHAPTER TWENTY-SEVEN.

TAXES, OCCUPATION.

City collector to file list of persons who have paid occupation tax, when and how.

Section 1. It shall be the duty of the city collector on the first business day of every month to file in the office of the city auditor a list of all persons and corporations pursuing taxable occupations, who have paid their occupation tax to the city. Said list shall separate the various occupations subject to such taxes, and shall be arranged alphabetically, and opposite each name the date of expiration of the occupation tax receipt shall be noted.

Partial payments not to be received.

Sec. 2. It shall be unlawful on the part of the collector to receive partial payments on account of occupation taxes, but the same shall be received by him only for the full periods authorized by the laws of the state.

City auditor to file list of delinquents in occupation taxes with city marshal, when.

Sec. 3. After said list of persons and corporations, who shall have paid their occupation taxes, shall have been by the collector deposited in the office of the city auditor, it shall be the duty of said auditor to furnish the city marshal a true copy of said list and to retain the original in his office.

Duty of marshal in regard to delinquent occupation taxes.

Sec. 4. After receiving said copy from the office of the auditor, it shall be the duty of the marshal, assistant marshals and all city police officers under the direction of the marshal to make diligent inquiry concerning all other persons pursuing occupations, callings and professions subject to occupation taxes, according to the laws of the state, and

through the marshal, without delay to report their names and occupations to the city attorney, together with the names of the witnesses by whom the facts may be proved.

Duty of city attorney in regard to delinquent occupation tax.

Sec. 5. Thereupon it shall be the duty of the city attorney to institute proceedings and prosecutions against all delinquents, in accordance with existing ordinances.

CHAPTER TWENTY-EIGHT.

DELINQUENT TAXES.

List of delinquent taxes to be given assistant city attorney, when.

Section 1. When the city collector has made his annual settlement and delivered to the auditor the rolls, receipt books of all uncollected taxes, together with the lists of all delinquent taxes, and has received credit for all of the uncollected taxes, on the books of the auditor, the auditor shall deliver same to the assistant city attorney, in charge of the collection of back taxes.

How to pay delinquent taxes.

Sec. 2. Any person desiring to pay delinquent taxes of previous years shall first proceed to the office of the assistant city attorney, who shall make statements of all taxes due, together with all interest, penalty and costs, and shall prepare receipts covering same.

This receipt shall be on forms furnished by the auditor and similar to the receipts originally issued by the assessor.

He shall then upon a book specially prepared for the purpose and furnished to him by the auditor, enter a full description of every receipt so issued. He shall then sign his name on the margin of said receipt and together detach the receipt and middle stub and deliver same to the collector, which shall then be his authority to receive the amount due thereon.

When said amount is paid to the collector he shall receipt for same by signing the receipt and the stub. He shall then detach the receipt from the stub, giving same to the party so paying, and keep on file the stub until the close of the month, which shall be filed with his monthly report to the auditor.

Sec. 3. No receipt for back taxes of previous years shall be given by the collector except upon a receipt furnished and countersigned by the assistant city attorney.

Receipts for back taxes, how given.

Sec. 4. The assistant city attorney shall at the close of each month make an itemized report under oath of all receipts furnished by him to the collector during the month, and shall file said report with the auditor.

Itemized report to be filed, when.

Sec. 5. The auditor shall then compare the monthly report of the assistant city attorney together with the collectors monthly report of collections of all back taxes and if they agree, he shall approve same. He shall then enter upon the record of delinquent taxes in his office all of said payments made during the month, giving opposite the property on which the payments were made, the date of payment and number of receipt.

Auditor's duties in regard to certain reports.

Sec. 6. The provisions of this chapter shall cover all payments made on back taxes after the thirty-first day of May 1899.

These provisions cover all payments from, when.

CHAPTER TWENTY-NINE.

TREASURER.

Section 1. The treasurer of this city shall, before he enters upon the duties of his office, take and subscribe to an

Oath and bond of city treasurer.

oath before some officer authorized to administer oaths, well, truly and faithfully to discharge the duties of his office, and enter into bond, with two or more good and solvent securities, to be approved by the mayor and city council, in the sum of one hundred thousand dollars ($100,000), payable to the city of San Antonio, said bond to be conditioned for a strict account and payment of all moneys that may come into his hands, and for the faithful performance of all duties that are or may be imposed upon him by the charter and ordinances of this city.

Duties of city treasurer.

Sec. 2. The city treasurer shall keep regular and correct accounts, and render full and correct quarterly statements of his receipts and disbursements for the city, stating each fund separately, to the city council, and, whenever at other times he may be required by them, shall do and perform such other acts and duties as the city council may require, and for his services shall receive a commission of one and one half (1½) per centum on all moneys that may come into his hands by virtue of his office; *provided*, such commission shall not exceed twelve hundred dollars ($1200) per annum; and further, *provided*, that such commission shall not be charged upon the amount remaining in his hands and transferred to his successor in office, and at the expiration of his term of office he shall turn over to his successor all books, papers, accounts, etc., pertaining to his office.

Certain fines and rents set aside, how.

Sec. 3. All fines accruing from the recorder's court shall be set aside, with the market rents, for the payment of the police.

Separate statements to be made, how.

Sec. 4. The city collector and city treasurer shall be, and are hereby, required, in making their monthly reports, to make out separate statements of all moneys collected and

paid out by them appertaining to the general and special funds.

CHAPTER THIRTY.

WARDS.

City divided into efght wards.

Section 1. As provided by Section 4, of the charter, the city shall be and is hereby divided into eight wards, the boundaries whereof shall be as follows, to-wit:

WARD No. 1.—Beginning at the intersection of the San Antonio river and West Commerce street, thence along West Commerce street to South Laredo street, thence south along South Laredo street to Parrall street, thence west along Parrall street to I. & G. N. R. R. track, thence in a southwesterly direction along said I. & G. N. R. R. track to west city limits line, thence south and east along the city limits to San Antonio river, thence northerly with the meanders of the river to place of beginning.

WARD No. 2.—Beginning at the intersection of West Commerce street and Laredo street, thence south along South Laredo street to Parrall street, thence west along Parrall street to I. & G. N. R. R. track to west city limits, thence north along city limits to New Hampshire avenue, thence east along New Hampshire avenue and West Commerce street, thence along West Commerce street to place of beginning.

WARD No. 3.—Beginning at the intersection of West Commerce street and San Pedro creek, thence west along West Commerce street and New Hampshire avenue to west city limits, thence north and east along city limits to Fred-

City divided into eight wards.

ericksburg road, thence southeast and along Fredericksburg road to the San Pedro creek, thence in a southerly direction with the meanders of the creek to the place of the beginning.

WARD NO. 4.—Beginning at the intersection of West Commerce street and San Antonio river, thence west along West Commerce street to the San Pedro creek, thence in a northerly direction with the meanders of the creek to the Fredericksburg road, thence northwest along the Fredericksburg road to the north city limits, thence east along the city limits to the San Antonio river, thence in a southerly direction with the meanders of the river to the place of beginning.

WARD NO. 5.—Beginning at the intersection of the San Antonio river and East Commerce street, thence southeast along East Commerce street to Chestnut street, thence north along Chestnut street to Ninth street, thence along Ninth street to Madre ditch, thence in a northerly direction with the meanders of the ditch to the San Antonio river, thence in a southerly direction with the meanders of the river to the place of beginning.

WARD NO. 6.—Beginning at the intersection of East Commerce street and Chestnut street, thence north along Chestnut street to Ninth street, thence along Ninth street to Madre ditch, thence in a northerly direction with the meanders of the Madre ditch and the San Antonio river to the north city limits, thence east and south along the city limits to East Commerce street, thence northwest along East Commerce street to New Braunfels avenue, thence north two blocks on New Braunfels avenue to East Commerce street, thence along East Commerce street to place of beginning.

WARD NO. 7.—Beginning at the intersection of East

Commerce and Water street, thence east along East Commerce street to New Braunfels avenue, thence south two blocks on New Braunfels avenue to East Commerce street, thence southeast along East Commerce street to east city limits, thence south and west along the city limits to San Juan road, thence northeast along San Juan road to Presa street to South Alamo street, thence north along South Alamo street to Water street, thence northeast along Water street to place of beginning.

WARD NO. 8.—Beginning at the intersection of East Commerce street and San Antonio river, thence southeast along East Commerce street to Water street, thence southwest along Water street to South Alamo street, thence south along South Alamo street to South Presa street and San Juan road to south city limits, thence west along city limits to San Antonio river, thence in a northerly direction with the meanders of the river to the place of beginning.

CHAPTER THIRTY-ONE.

WEIGHER, PUBLIC.

Public weigher.

Section 1. The mayor, by and with the consent of the city council, shall appoint some suitable person to perform the duties of the office of public weigher.

Standard of weights and measures.

Sec. 2. The standard of weights and measures used in the city of San Antonio shall be conformable to those established by law.

Oath and bond of public weigher.

Sec. 3. The person appointed city public weigher shall take the oath of office prescribed by law, and shall give a bond in the sum of two hundred dollars ($200.00), payable to

the city of San Antonio, conditioned for the faithful performance of the duties of his office.

Duties of public weigher.

Sec. 4. It shall be the duty of the city public weigher to correctly weigh all corn, hay, sheaf oats, fodder or other long forage, and such other like commodities as may be offered to be sold by weight in the markets to the citizens of San Antonio, and shall give to the owner or agent a certificate showing the date on which said commodity was weighed, and the gross as well as the net weight of the same.

Same.

Sec. 5. He shall be provided by the city with a well-bound book, in which he shall enter the names of all persons weighing articles, for which certificates may be given, retaining stubs of certificates issued, showing the names of the owner or agent, the kind of article or produce weighed, the date of weighing, the gross and net weight, and fees collected for the same.

Public weigher to have powers of police officer.

Sec. 6. He shall have and exercise in the discharge of his duties, all the powers and authority of a police officer; and it shall be his duty to arrest or cause to be arrested and brought before the recorder of the city, all persons violating the provisions of this ordinance.

Entitled to collect certain fees.

Sec. 7. He shall be entitled to collect from the owners or agents of the articles weighed, the sum of ten cents per load; *provided*, that in the weighing of coal, he shall be entitled to charge only at the rate of ten (10) cents per ton, or fraction thereof.

Compensation of public weigher.

Shall receipt for fees, how.

Sec. 8. The city publlc weigher, as provided for in this chapter, shall receive as compensation for his services all of the fees collected under Section 7 hereof; *pro-*

vided, that he shall receipt for fees only upon blanks furnished by the city auditor, and keep a strict account of all such fees collected, and make a sworn statement to the auditor at the end of each month, showing a detailed statement of all fees collected, and shall file with the said report the duplicate stubs from all the receipts so issued; *and provided further*, that all fees so collected shall not amount to more than sixty dollars ($60) per month, in which event all fees in excess of that sum shall be turned in to the city treasurer, as belonging to the city.

Shall report to auditor, how.

Fees in excess of $60 per month, how disposed of.

TAX ORDINANCES.

An Ordinance

To Levy an occupation tax for the fiscal year, ending February 28th, 1887.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there be and is hereby levied, for the municipal year, begining March 1st, 1886, and ending February 28th, 1887, from every person, firm or association of persons pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed on such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state and ordinances of the city.

[Passed and approved October 20th, 1886.]

An Ordinance

To Levy an occupation tax for the fiscal year, ending February 29th, 1888.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be levied and collected

from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of Texas, one-half of the state tax so imposed on such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state, and that all occupations heretofore taxed by the city, which have not been taxed by the state, shall continue to pay the same rate of occupation tax as heretofore established.

[Passed and approved October 3rd, 1887.]

AN ORDINANCE

To levy an occupation tax for the fiscal year, ending February 28th, 1889.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be levied and collected from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of Texas, one-half of the state tax so imposed on such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state, and that all occupations heretofore taxed by the city, which have not been taxed by the state, shall continue to pay the same rate of occupation tax as heretofore established.

[Passed and approved November 19th, 1888.]

AN ORDINANCE

To levy an occupation tax for the fiscal year, ending February 28th, 1890.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be levied and collected from every person, firm, or association of persons pursuing

any of the occupations taxed by the laws of Texas, one-half of the state tax so imposed on said occupations, subject to such limitations and restrictions as may be imposed by the laws of the state, and that all occupations heretofore taxed by the city, which have not been taxed by the state, shall continue to pay the same rate of occupation tax as heretofore established.

[Passed and approved May 23rd, 1889.]

An Ordinance

To levy an occupation tax for the fiscal year 1892.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be levied and collected from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of the state of Texas one-half of the state tax so imposed on such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state, and that all occupations heretofore taxed by the city, which have not been taxed by the state, shall continue to pay the same rate of occupation tax as heretofore established.

[Passed and approved February 25th, 1892.]

An Ordinance

To levy an occupation tax for the fiscal year ending May 31st, 1893.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there be and is hereby levied for the municipal year beginning June 1st, 1893, and ending May

31st, 1894, from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed on such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state and the ordinances of the city.

[Passed and approved June 19th, 1893.]

AN ORDINANCE

To levy a poll tax and ad valorem tax for the support of the city government for the fiscal year ending February 28th, 1887.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there be and is hereby levied for the municipal year beginning March 1st, 1886, and ending February 28th, 1887, on every male inhabitant of this city who has resided in this city six months prior to March 1st, 1886, between the ages of twenty-one and sixty years, not otherwise exempt by the laws of the state, a poll tax of one dollar ($1.00).

Sec. 2. That there be and is hereby levied for general purposes, for the municipal or fiscal year ending February 28th, 1887, on all property, real and personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of the city, an *ad valorem* tax of and at the rate of eighty-five (85) cents upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there be and is hereby levied a special tax of twenty (20) cents on every one hun-

dred dollars ($100.00) valuation on all property mentioned in Section 2 hereof.

Sec. 4. That to provide for the payment of the indebtedness of the city, for the construction and furnishing of the city hospital, there be and is hereby levied on all the real and personal property of this city, subject to taxation, a special tax of ten (10) cents on every one hundred dollars ($100.00) valuation.

Sec. 5. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of May, 1882, that there be and is hereby levied for the municipal year 1886, a special tax of ten (10) cents on every hundred dollars ($100) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

[Passed and approved October 20th, 1886.]

An Ordinance

To levy a poll and ad valorem tax for the support of the city government for the fiscal year ending February 29th, 1888.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year commencing March 1st, 1887, and ending February 29th, 1888, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempted by the laws of this state, who has resided in this city six months prior to March 1st, 1887.

Sec. 2. That there shall be and is hereby levied for

general purposes, for the municipal or fiscal year ending February 29th, 1888, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of the city, an *ad valorem* tax of and at the rate of ninety-four (94) cents upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of twenty (20) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in the second section thereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of March, 1882, that there shall be and is hereby levied for the municipal year 1887 a special tax of six (6) cents on every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

[Passed and approved October 3rd, 1887.]

AN ORDINANCE

To levy a poll and ad valorem tax for the support of the city government, for the fiscal year ending February 28th, 1889.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year commencing March 1st, 1888, and ending February 28th, 1889, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one (21) and sixty (60) years, not otherwise exempted by

the laws of this state, who has resided in this city six months prior to March 1st, 1888.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending February 28th, 1889, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of the city, an *ad valorem* tax of and at the rate of eighty-four (84) cents upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of twenty (20) cents on every one hundred dollars ($100.00) valuation on all property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of March, 1882, that there shall be and is hereby levied for the municipal year 1888, a special tax of six (6) cents on every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

[Passed and approved November 19th, 1888.]

An Ordinance

To levy a poll and ad valorem tax for the support of the city government for the fiscal year, ending February 28th, 1890.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for

the municipal year commencing March 1st, 1889, and ending February 28th, 1890, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempted by the laws of this state, who has resided in this city six months prior to March 1st, 1889.

Sec. 2. That there shall be and is hereby levied for general purposes for the municipal or fiscal year, ending February 28th, 1890, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of eighty (80) cents upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of twenty-five (25) cents on every one hundred dollars ($100.00) on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of March, 1882, there shall be and is hereby levied for the municipal year, ending 1889, a special tax of ten (10) cents on every hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

[Passed and approved February 17th, 1890.]

AN ORDINANCE

To levy a poll and ad valorem tax for the support of the city government for the fiscal year ending February 28th, 1891.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year commencing March 1st, 1890, and ending February 28th, 1891, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempted by the laws of this state, who has resided in the city six months prior to March 1st, 1890.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending February 28th, 1891, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of ninety (90) cents on every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of ten (10) cents on every one hundred dollars ($100.00) on all the property mentioned in the second section hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th of March, 1882, there shall be and is hereby levied for the municipal year 1890, a special tax of ten (10) cents on every one hundred ($100.00) valuation of real

and person property of this city, subject to taxation, for the support and maintenance of the city public schools.

[Passed and approved February 3rd, 1891.]

AN ORDINANCE

To levy a poll and ad valorem tax for the support of the city government for the fiscal year ending May 31st, 1892.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year ending May 31st, 1892, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city six months prior to June 1st, 1891.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending May 31st, 1892, on all property, real or personal, within the city limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of one dollar and five cents ($1.05) upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of interest on the bonded debt of the city and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of .0295 cents on every one hundred dollars ($100.00) valuation on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an elec-

tion held on the 8th day of March, 1882, there shall be and is hereby levied for the municipal year 1891-92, a special tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That to provide for the payment of the completion of the city hall building there shall be and is hereby levied for the municipal year ending May 31st, 1892, a special tax of .0165 cents on every one hundred dollars ($100.00) valuation on all the property mentioned in Section 2 hereof.

[Passed and approved February 25th, 1892.]

AN ORDINANCE

To levy a poll and ad valorem tax for the support of the city government of the city of San Antonio for the fiscal year ending May 31st, 1893.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year ending May 31st, 1893, a poll tax of one dollar ($1.00) on every male inhabitant of this city, between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city six months prior to June 1st, 1893.

Sec. 2. That there shall be and is hereby levied, for general purposes, for the municipal or fiscal year, ending May 31st, 1893, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad*

valorem tax of and at the rate of one dollar ($1.00) upon every one hundred ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of thirty-one (31) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in the second section hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of March, 1882, there shall be and is hereby levied, for the municipal year of '92 and '93, a special tax of ten (10) cents on every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That to provide for the payment of the completion of the "city hall" building, there shall be and is hereby levied for the municipal year ending May 31st, 1893, a special tax of nine (9) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in the second section hereof.

[Passed and approved April 17th, 1893.]

AN ORDINANCE

To levy a poll, ad valorem and occupation tax for the support of the city government of the city of San Antonio for the fiscal year ending May 31st, 1894.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year ending May 31st, 1894, a poll tax of one dol-

lar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city six months prior to June 1st, 1893.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending May 31st, 1894, on all property, real and personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of, and at the rate of one dollar ($1.00) upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of thirty (30) cents on every one hundred dollars ($100.00) valuation on all property mentioned in the second section hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of March, 1882, there shall be and is hereby levied for the municipal year 1893-94, a special tax of ten (10) cents on every one hundred dollars ($100.00) and also in accordance with an ordinance passed on February 6th, 1894, and ratified by the property taxpayers at an election held on February 28th, 1894, there shall be levied for the municipal year 1893-94, an additional tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the municipal year beginning June 1st, 1894, and ending May

31st, 1895, from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed upon such occupation, subject to such limitations and restrictions as may be imposed by the laws of the state and the ordinances of the city.

[Passed April 16th, 1894.]

AN ORDINANCE

To levy a poll, ad valorem and occupation tax for the support of the city government of the city of San Antonio, a tax to pay interest on the bonded debt of said city, and maintain sinking fund, together with a tax for the support and maintenance of the public schools of said city, all for the fiscal year ending May 31st, 1895.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year ending May 31st, 1895, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city six months prior to June 1st, 1894.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending May 31st, 1895, on all property, real and personal, within the limits of the city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of one dollar ($1.00) upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is

hereby levied a special tax of forty-five (45) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day May, 1882, there shall be and is hereby levied for the municipal year 1894-95, a special tax of ten (10) cents, and also in accordance with an ordinance passed on February 28th, 1894, there shall be levied for the municipal year 1894-95, an additional tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the municipal year beginning June 1st. 1894, and ending May 31st, 1895, from every person, firm or association of persons pursuing any of the occupations taxed by the laws of the State of Texas, one-half of the state tax imposed upon such occupations, subject to such limitations and restrictions as may be imposed by the laws of the state and the ordinances of the city.

[Passed and approved April 29th, 1895.]

AN ORDINANCE

To levy a poll, ad valorem and occupation tax for the support of the city government of the city of San Antonio, a tax to pay interest on the bonded debt of said city and maintain sinking fund, together with a tax for the support and maintenance of the public schools of said city, all for the fiscal year ending May 31st, 1896.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied

for the municipal year ending May 31st, 1896, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city twelve months previous to June 1st, 1895.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending May 31st, 1896, on all property, real and personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of ninety-three (93) cents on every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of fifty-two (52) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of May, 1882, there shall be and is hereby levied for the municipal year 1895–96 a special tax of ten (10) cents, and also in accordance with an ordinance passed on February 6th, 1894, and ratified by the property taxpayers at an election held on February 28th, 1894, there shall be levied for the municipal year 1895–96 an additional tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the municipal year beginning June 1st, 1895, and ending May

31st, 1896, from every person, firm or association of persons pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed upon such occupations, subject to such limitations and restrictions as may be imposed by the laws of the state and the ordinances of this city.

[Passed and approved March 3rd, 1896.]

AN ORDINANCE

To levy a poll, ad valorem and occupation tax for the support of the city government of the city of San Antonio, a tax to pay interest on the bonded debt of said city and maintain the sinking fund, together with a tax for the support and maintenance of the public schools of said city, all for the fiscal year ending May 31st, 1897.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal year ending May 31st, 1897, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who has resided in this city twelve months previous to June 1st, 1896.

Sec. 2. That there shall be and is hereby levied for general purposes, for the municipal or fiscal year ending May 31st, 1897, on all property, real and personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of ninety-six and a half cents (96½) upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of fifty-three and a half (53½)

cents on every one hundred dollars ($100.00) on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers, at an election held on the 8th day of May, 1882, there shall be and is hereby levied for the municipal year 1896–97 a special tax of ten (10) cents; and, also, in accordance with an ordinance passed on February 6th, 1894, and ratified by the property taxpayers at an election held on Febauary 28th, 1894, there shall be levied for the municipal year 1896–97 an additional tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the municipal year beginning June 1st, 1896, and ending May 31st, 1897, from every person, firm or association of persons, pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed upon such occupations, subject to such limitations and restrictions as may be imposed by the laws of the state and the ordinances of this city.

[Passed and approved April 19th, 1897.]

AN ORDINANCE

To levy a poll tax, ad valorem and occupation tax for the support of the city government of the city of San Antonio, a tax to pay interest on the bonded debt of said city and maintain the sinking fund, together with a tax for the support and maintenance of the public schools of said city, together with a special tax for the construction of a market house on Paschal square, all for the fiscal year ending May 31st, 1898.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied

for the municipal year ending May 31st, 1898, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who resided in this city twelve months previous to June 1st, 1897.

Sec. 2. That there shall be and is hereby levied for the general purposes for the municipal or fiscal year ending May 31st, 1898, on all property, real or personal, within the limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of sixty-eight (68) cents upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of fifty-two (52) cents on every one hundred dollars ($100.00) valuation on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers, at an election held on the 8th day of May, 1882, there shall be and is hereby levied for the municipal year ending May 31st, 1898, a special tax of ten (10) cents, and also in accordance with an ordinance passed on February 6th, 1894, and ratified by the property taxpayers at an election held February 28th, 1894, there shall be levied for the municipal year 1897-98 an additional tax of ten (10) cents upon every one hundred dollars ($100.00) valuation of real and personal property of this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the fiscal or municipal year beginning June 1st, 1897, and ending May 31st, 1898, from every person, firm or association of persons pursuing any of the occupations taxed by the laws of the state of Texas, one-half of the state tax imposed upon such occupations, subject to such restrictions and limitations as may be imposed by the laws of the state and ordinances of the city.

Sec. 6. That there shall be and is hereby levied for the municipal year beginning June 1st, 1897, and ending May 31st, 1898, a special tax of ten (10) cents on the one hundred dollars ($100.00) valuation for the purpose of erecting a market house on Paschal square.

[Passed and approved March 7th, 1898.]

AN ORDINANCE

To levy a poll tax, ad valorem and occupation tax for the support of the city government of the city of San Antonio, a tax to pay interest on the bonded debt of said city and maintain the sinking fund, together with a tax for the support and maintenance of the public schools of said city; all for the fiscal year ending May 31st, 1899.

Be it Ordained by the City Council of the City of San Antonio:

Section 1. That there shall be and is hereby levied for the municipal and fiscal year ending May 31st, 1899, a poll tax of one dollar ($1.00) on every male inhabitant of this city between the ages of twenty-one and sixty years, not otherwise exempt by the laws of this state, who resided in this city twelve months previous to June 1st, 1898.

Sec. 2. That there shall be and is hereby levied for the general purposes for the municipal or fiscal year ending May 31st, 1899, on all property, real and personal, within the

limits of this city, not otherwise exempted by the constitution and laws of this state and ordinances of this city, an *ad valorem* tax of and at the rate of one dollar ($1.00) upon every one hundred dollars ($100.00) valuation.

Sec. 3. That to provide for the payment of the interest on the bonded debt of the city, and to create a sinking fund for the ultimate payment thereof, there shall be and is hereby levied a special tax of fifty (50) cents on every one hundred dollars valuation on all the property mentioned in Section 2 hereof.

Sec. 4. That in accordance with an ordinance heretofore passed and ratified by the property taxpayers at an election held on the 8th day of May, A. D. 1882, there shall be and is hereby levied for the fiscal or municipal year ending May 31st, 1899, a special tax of ten (10) cents, and also in accordance with an ordinance passed on February 6th, 1894, and ratified by the property taxpayers at an election held on February 28th, 1894, there shall be levied for the municipal year 1898–99 an additional tax of ten (10) cents on every one hundred dollars ($100.00) valuation of real and personal property in this city, subject to taxation, for the support and maintenance of the city public schools.

Sec. 5. That there shall be and is hereby levied for the fiscal or municipal year beginning June 1st, 1898, and ending May 31st, 1899, upon every person or association of persons pursuing any occupation taxed by the laws of the state of Texas, one-half of the state tax imposed upon such occupations, subject to such limitations and restrictions as may be imposed by the laws of the state of Texas and ordinances of the city.

[Passed April 3rd, and approved April 7th, 1899.]

PART II.

REVISED

CRIMINAL ORDINANCES

OF THE

CITY OF SAN ANTONIO.

[REVISED BY THEODORE HARRIS.]

REVISED

CRIMINAL ORDINANCES

OF THE

CITY OF SAN ANTONIO.

[REVISED BY THEODORE HARRIS.]

CHAPTER ONE.

THE ALAMO.

Articles not to be sold in Alamo building or on premises.

Penalty.

Section 1. Any person or persons offering for sale any article whatever in the Alamo building, or on the sidewalk in front of same, or on the ground belonging to the state in connection with the Alamo, shall be deemed guilty of an offense, and be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00).

CHAPTER TWO.

ANIMALS.

Animals not to run at large in city.

Section 1. It shall be unlawful for horses, mules, jacks, jennets, cattle, sheep, goats, and swine to run at large in the city of San Antonio.

Public pound to be provided.

Sec. 2. It shall be the duty of the marshal to provide a public pound, and to gather up, or cause to be gathered up, all horses, mules, jacks, cattle, sheep, goats and swine found

Animals at large to be impounded.

Sale of impounded animals.

running at large in the limits hereinafter described, except goats, which shall be gathered up in any part of the city limits, and he shall impound said animals, and after giving five days notice by publication in the official journal, and by notice posted on the door of the county court house, police headquarters and the main market house, sell same to the highest bidder for cash; *provided*, however, that the owner or his agent may redeem any animal so impounded at any time before the day of the sale by paying for each sheep, goat, calf or pig, fifty (50) cents and ten (10) cents a day additional for each day or a part of day such animal may have been impounded; and all animals, such as hog, horse, mule, jack, cow or steer, the sum of two dollars ($2.00) for impounding fee and fifty (50) cents per day additional for each day or part of day such animal may be impounded, to cover expenses of feeding and care of such animals, and in case of sale the expenses of advertising and sale of said animals shall be added to the cost herein provided, and the remainder of the purchase money shall be disposed of as is provided by Section 4 of this ordinance.

Disposition of unsold animals.

Sec. 3. If at any time of sale no purchaser should be found for any of the animals impounded under the provisions of this ordinance, such animal shall be disposed of in such manner as the city marshal may deem most advantageous to the interest of the city, according to the spirit and intent of this ordinance.

Money received from sale of animals to be used, how.

Sec. 4. All moneys received by virtue of the provisions of this ordinance shall be appropriated.

First. To the payment of all expenses incurred in catching, impounding, keeping and selling said animals, as provided in Section 2, and if there be any balance remaining

after paying said expenses, the same shall be turned over to the city treasurer, subject to the demand of the owner.

Pound limits.

Bulls not permitted to run at large in city limits.

Penalty.

Sec. 5. This chapter shall be restricted in its application to the following limits, to-wit: To what is known and shown on the map of the city as the two mile circle, except in such place or places as the present pound limits may go beyond such two mile circle, where it shall remain as it now is; *provided*, that it shall be unlawful for the owner, agent or person having in charge any bull over one year of age, to permit such bull to run at large in any portion of the city limits. *Provided further*, that no animal within the pound limits, as herein defined, shall have a bell or other noisy instrument attached to it, whether confined or driven through the streets. Any such owner, agent, or person in charge, violating any of the provisions of this section shall be deemed guilty of an offense, and upon conviction therefor before the recorder, shall be fined in any sum not less than five dollars ($5.00), nor more than two hundred dollars ($200.00).

Animals may be driven beyond pound limits when.

Sec. 6. It shall be the duty of all persons owning such animals as are named in this ordinance, within the limits described herein, to have the same securely penned, and such owners shall be allowed to drive their animals beyond the described limits in the morning before 8 o'clock, and to drive the same within the said limits after 5 o'clock in the evening, and in charge of competent persons, and they shall be responsible for any damage which may be done by such animals.

Penalty for turning loose impounded animals.

Sec. 7. Any person or persons rescuing or turning loose impounded animals by destroying the fence, or otherwise, shall, upon conviction before the recorder, be fined in

any sum from five dollars ($5.00) to twenty-five dollars ($25.00).

Loose stock not to be driven within what limits.

Sec. 8. It shall be unlawful for any person to drive loose stock through any of the streets of the city of San Antonio within the following limits, to-wit: Commencing on the south side of the iron bridge over the river at Grand avenue, thence east with Grand avenue to intersection of Walnut with Austin street, south along the line of the G. H. & S. A. railroad tracks to where said tracks cross the S. A. & A. P. railroad tracks, thence west along track of S. A. & A. P. railroad to South Laredo street, thence north on the line of South and North Frio street to North Laredo street, thence along the San Pedro creek to San Pedro park, thence east to Crockett place or avenue to Rock Quarry road, thence south to Jones street to place of beginning.

Wild horse or animal not to be driven or ridden in city limits.

Sec. 9. It shall be unlawful for any person to ride or drive any wild horse, or other wild animal, in or through the streets, alleys, or plazas of this city.

Penalty for driving animals into pound limits, etc.

Sec. 10. Any person who shall be convicted before the recorder of driving animals named in this ordinance from outside of, to, or within the limits prescribed herein, for the purpose of impounding, or having the same impounded, shall be fined in a sum not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), and, in default of payment of the fine, be committed to the city prison.

Cruelty to animals defined.

Penalty.

Sec. 11. Any person who shall kill, maim, wound, disfigure, poison or cruelly and unmercifully beat and abuse any horse, ass, mule, cattle, sheep, goat, swine, dog or other domesticated animal, or who shall use any such animal which may, from diseased condition, accident or otherwise, be un-

able to perform the work, shall be guilty of the offense of cruelty to animals, and shall be punished by a fine not less than five dollars ($5.00) nor more than two hundred dollars ($200.00), or imprisonment in the city jail not to exceed three months, or by both such fine and imprisonment.

Torturing animals.

Sec. 12. If any person shall torture any animal, or wound, maim or otherwise inflict any unusual punishment, or who shall, for the purpose of exhibition or amusement, inflict pain by sword, spear, darts, etc., upon any animal, shall be guilty of an offense.

Keeping of wild animals.

Penalty.

Sec. 13. The keeping of any wild animals, such as bears, panthers, wildcats, etc., in any manner so as to endanger life or property, or so as to be a nuisance to the neighborhood, within the limits of this city, is hereby declared to be an offense, and any person who shall keep any such animals, upon conviction before the recorder, shall be fined in any sum not exceeding two hundred dollars ($200.00).

Wild animals, how kept.

Penalty for escape.

Sec. 14. Any person desiring to keep any such animals, described in the preceding section, shall have them confined in a cage, well secured by iron bars, and, if they be permitted or allowed to escape, shall, upon conviction before the recorder, be fined in any sum not less than five dollars ($5.00) nor more than two hundred dollars ($200.00).

Penalty for animals described in Section 1, found at large.

Sec. 15. It shall be unlawful for any of the animals mentioned in Section 1 of this chapter to run at large within the limits defined in Section 5 of this chapter. The owner of any of said animals found running at large within said limits shall be deemed guilty of an offense, and upon conviction before the recorder, shall be fined not less than one dollar ($1.00) nor more than twenty dollars ($20.00).

Penalty for violation of Sections 6, 8, 9 and 12.

Sec. 16. Any person found guilty of a violation of Sections 6, 8, 9 and 12 of this chapter, shall be deemed guilty of an offense, and upon conviction before the recorder, shall be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100.00).

CHAPTER THREE.

BALLS, PUBLIC.

Public Balls.

Section 1. All public balls in this city shall be unlawful, unless by permit from the mayor; every public ball shall be attended during the whole time thereof by at least one policeman, who may be commissioned by the mayor for that purpose; it shall be discretionary with the mayor to grant or refuse any permit for a ball.

Penalty.

Sec. 2. Any person or persons violating the provisions of this ordinance shall be fined not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) for each and every offense, or in default of payment shall be imprisoned not less than two nor more than ten days.

CHAPTER FOUR.

BAR-ROOMS AND THEATRES.

Sale of liquors to minors or habitual drunkards.

Penalty.

Section 1. Any retailer of ardent spirits, or other person, who shall sell or give any habitual drunkard, or minor under fourteen years of age, within the city limits, any intoxicating drink or vinous or fermented liquor, shall, for each and every such offense, on conviction thereof before the recorder, be fined not less than two dollars ($2.00) nor more

than ten dollars ($10.00), and in default of payment shall be committed to the city prison, or condemned to labor on the public works of the city, as provided in general ordinance.

Good order in coffee houses, restaurants, etc.

Penalty.

Sec. 2. It shall be the duty of every keeper of a coffee house, restaurant, bar-room, the proprietor or keeper of every public house, to maintain good order within the same, and to prevent all persons who may be therein from disturbing the peace and tranquility of the neighborhood by cries, vociferations, songs or any music or disturbance; and every person keeping any of the above enumerated houses, who shall permit or tolerate such disorders within his or her house, shall be fined not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00).

Good order in theatres and places of amusement.

Sec. 3. It shall be unlawful for the owner, leeses, manager, or proprietor of any theatre or other place of amusement within the city to permit any vociferous language, loud hallooing, cursing or swearing, within such theatre or place of amusement; but the same shall be conducted in a peaceable and orderly manner, so that no inhabitant of the neighborhood may be disturbed thereby.

Indecent theatrical shows.

Sec. 4. It shall be unlawful for any person, firm or corporation to establish, run, operate or control, or be concerned in establishing, running, operating or controlling any indecent, obscene or vulgar theatre, or other like place of amusement.

Indecent actions in theatres.

Sec. 5. It shall be unlawful for any proprietor or agent, actor or actress, in the employment or under the control or direction of such proprietor, running, operating and controlling any theatre, variety show or like place of amusement, to act in any indecent, vulgar or obscene manner, or to

dress himself or herself in any obscene, vulgar or indecent style, or to sing any vulgar, obscene or indecent song, or to act or to take part in any obscene, vulgar or indecent play, amusement, entertainment or dance.

Penalty for violation of Sections 3, 4 and 5.

Sec. 6. Any person found guilty of a violation of Sections 3, 4 and 5 of this chapter, shall, upon conviction before the recorder, be fined in any sum not less than twenty-five dollars ($25.00) and not exceeding two hundred dollars ($200.00), except where any section herein shall provide for a special penalty for violation thereof.

CHAPTER FIVE.

BATHING.

Bathing in public. Penalty fixed.

Section 1. All persons are expressly forbidden to bathe or swim in San Antonio river, or in the San Pedro creek, after 5 o'clock a. m., and before 8 p. m. Also at any time to bathe in an unbecoming manner, or to remain naked on the river bank in sight of those passing by or residing near the same, under a penalty, in either case, of not less than two dollars ($2.00) nor more than five dollars ($5.00). Should the person convicted fail to pay such fine, he shall be committed to jail for not less than two days nor more than five days.

CHAPTER SIX.

BIRDS.

Killing or capture of certain birds, etc.

Section 1. It shall be unlawful for any person or persons to kill or capture any mocking-bird, or other native singing bird, within the city limits, or to rob or destroy the nest of any such bird or birds within said limits.

Sec. 2. It shall be unlawful for any person or persons to sell, or offer for sale, within the city limits, mocking-birds, or other native singing birds. Sale of certain native birds.

Sec. 3. Any person violating any of the provisions of the preceding sections shall be deemed guilty of an offense, and upon conviction before the recorder, shall be fined not less than five dollars ($5.00) nor more than twenty-five ($25.00). Penalty prescribed for violation of Sections 1 and 2.

CHAPTER SEVEN.

BRIDGES.

Section 1. It shall be deemed an offense for any person to ride or drive any animal or vehicle over any street or road bridge across the San Antonio river, within the city, at a faster gait than a walk, and any person guilty of a violation hereof, shall, on conviction therefor before the recorder, be fined in a sum not less than one dollar ($1.00) nor more than twenty-five dollars ($25.00). Fast driving over bridges. Penalty.

Sec. 2. It shall be deemed an offense for any person to ride, lead or drive any animal or vehicle over any foot-bridge within this city, or to attempt to do so; and any person violating this provision shall, on conviction therefor before the recorder, be fined not less than one dollar ($1.00) nor more than ten dollars ($10.00). Driving animal over foot bridge. Penalty.

CHAPTER EIGHT.

BUILDINGS.

Section 1. It shall be unlawful for any person or persons to erect any buildings in this city without first applying Erection of buildings without permit.

Registry of permits. Penalty prescribed.

to the mayor for a permit, which application shall be in writing, giving the number of the lot, the name of the street, plaza or alley upon which said building is proposed to be erected, the kind of material to be used in the construction of the same, and the purpose of the said building, and any person who shall obtain a building permit, either from the mayor or city council, shall commence the erection of such building within six months after the date of such permit, or forfeit any rights he may have by virtue of the same. It shall be the duty of the city clerk to keep a registry of all said buildings. Any person or persons failing to comply with this section shall be fined not less than five dollars ($5.00), nor more than ten dollars ($10.00), and for each and every day they continue to construct said building without taking out said permit, or after the forfeiture of the same.

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Sec. 2. Whenever the city council shall declare that any building, fence, shed, awning, or wall, or any part thereof, is liable to fall down and endanger persons or property, the city marshal shall give three days' notice, in writing, to the owner, agent, or occupant of said premises, to take down or remove the same, and should said owner, agent or occupant fail or refuse to do so, the street commissioner shall proceed, forthwith, to remove the same at the expense of the owner of the property on which said premises are situated or attached; said expense to be a lien on the lot or ground upon which said building or structure is situated, to be collected in accordance with law.

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Sec. 3. It shall be the duty of every person or persons building on any street within the limits of the city, to keep the premises well lighted during all night for the protection of persons; and where excavations are made, the same shall

be protected by a substantial fender, or fence, for the prevention of accidents; and any person or persons failing to comply with the provisions of this section, shall be held responsible for any and all damages resulting from not complying with said provisions; and shall also, upon conviction before the recorder, for his, her or their failing or refusing to comply with the same, be fined in any sum not less than three dollars ($3.00), nor more than ten dollars ($10.00), and in default of payment, be committed to the city jail for not less than three nor more than eight days.

Excavations to be protected. etc.

Penalty affixed.

Sec. 4. It shall be unlawful for any person or persons, corporation or association of persons, owning property which abuts on any of the streets, plazas or squares of this city, to build or cause to be built any gates, doors, or blinds, on said property, which swing or open toward the street and across the sidewalk, or any portion of the sidewalk, excepting public buildings, such as churches, theatres and concert halls, which shall be required to open outwards.

Doors to buildings abutting on streets to swing inward.

Doors to public buildings an exception; required to swing outward.

Sec. 5. All persons, corporations or associations of persons, owning property upon which any of the gates, doors or blinds, swing or open outward across the sidewalk or any portion of the sidewalk, shall have sixty days after the passage of this ordinance to change them so as to comply with Section 4 of this chapter.

Sixty days given to comply.

Sec. 6. Any person violating either of Sections 4 or 5, of this chapter, shall upon conviction thereof before the recorder, be fined in any sum not less than five dollars ($5.00) nor more than fifty dollars ($50.00).

Penalty affixed to Sections 4 and 5.

Sec. 7. The numbering of all houses fronting on public streets shall be in conformity with the system hereinafter set forth.

Numbering of houses.

Commerce street divides city north and south. San Antonio river divides city east and west. Names of certain streets to have certain prefixes.

Sec. 8. Commerce street, with its continuations to the the city limits, shall divide the city north and south, and the San Antonio river shall divide the city east and west. Each street or avenue crossing the established east and west base line shall have the word "north" or "south" prefixed to its name proper, according as the line of established base line, and each street crossing the San Antonio river or the established north and south base line shall have the word "east" or "west" prefixed to its name proper, according as the line of such street shall be east or west of said river or established north and south base line.

Other streets, how numbered.

Sec. 9. On streets that do not cross or commence at Commerce street, or cross or commence at the river, the assignment of numbers thereto shall commence at the base line of districts as shown by the adopted map.

Uniformity of numbering.

Numbers, how to be made.

Sec. 10. To insure uniformity and regularity in the numbering of houses, all houses shall hereafter be numbered on their fronts and in so conspicuous a manner that the number may be easily discernible and read from the opposite side of the street, and such number shall be of any durable material, *provided* the figure be not less than four inches in depth and wide in proportion to depth, and every house shall be numbered with and bear the number given the owner, agent or occupant thereof by the official numberer of the city of San Antonio, and said official is hereby required to furnish to any person applying to him for the same the correct number of the house or premises owned, occupied, managed or controlled by such person; *provided*, that if any house shall be located too far back from the street for a number on its front to be easily seen and read from the opposite side of the street, or the front of the house

may be hidden or the view obstructed by trees, plants, shrubbery or other objects, then the numbers of such houses and premises shall be placed on a plank or post in a conspicuous part of the premises whereon such house is located.

Odd and even numbers.

Sec. 11. The odd numbers shall apply to the north and west sides of the streets, and the even numbers to the south and east sides of the streets. The first block will be numbered from 100 up, the second block from 200 up, the third block from 300 up, and so on.

Allowance of numbers to vacant tracts.

Sec. 12. Tracts of land longer than 500 feet that have not as yet been sub-divided in blocks and streets, will be allowed 10 numbers to about every 250 feet.

Old numbers to be removed.

Penalty prescribed.

Sec. 13. Any old number in conflict with the number given by the official numberer shall be removed within sixty days from the passage of this ordinance by the owner, agent or occupant of the house or premises, and any person refusing or neglecting to remove the same shall be guilty of an offense and upon conviction before the recorder shall be fined in a sum not less than one dollar ($1.00) nor more than five dollars ($5.00).

Refusal to number, how punished.

On and after the passage of this ordinance, all owners of houses or premises, or their authorized agents, who shall, after due notice given them by the official numberer, refuse or neglect to place the proper number on their house or premises, in accordance herewith, and all owners of houses or premises, or their authorized agents, who shall refuse or neglect to place the number on their houses or premises in such a conspicuous manner that the number may be easily discernible and read from the opposite side of the street, shall be guilty of an offense, and upon conviction before the

recorder, be fined in a sum not less than one dollar ($1.00) nor more than five dollars ($5.00).

Price of numbers.

Sec. 14. Any person wishing to purchase a number from the city shall be furnished by the official numberer at forty-five (45) cents for three figures and sixty (60) cents for four figures, and the money so received shall be turned over to the collector by the official numberer each day.

Street signs.

Sec. 15. The official numberer shall also direct the putting on now or hereafter of the street signs.

Mayor to advertise for bids for numbering.

Official numberer.

Sec. 16. The mayor shall advertise for bids to perform the work herein contemplated, and require from the successful bidder such bond for the faithful performance of his contract as the mayor may deem necessary, and the person to whom the contract is awarded shall be the official numberer of the city.

Duties of official numberer.

Sec. 17. It is hereby made the duty of the official numberer to report to the city council at each regular meeting the names of the streets on which and how many numbers he has put up. His tenure of office shall be at the pleasure of the mayor.

CHAPTER NINE.

BOOT BLACKS.

Boot blacks, how licensed.

Section 1. Any person desiring to pursue and follow the occupation of boot black shall pay to the city marshal the sum of twenty-five (25) cents in advance, and the city marshal shall then deliver to said person a tin plate or badge, which shall bear such stamp or design as said marshal shall indicate, and shall be worn by the person receiving the same in

some conspicuous place about his person, and said badge shall authorize the person holding the same to pursue such occupation only during good behavior, and at the pleasure of the mayor.

Sec. 2. The city marshal, on said person complying with Section 1 of this ordinance, shall designate a place or beat, on the public sidewalk or street, where the said person may pursue and follow his said occupation,

City marshal to designate place or stand.

Sec 3. The badge provided for in Section 1 of this ordinance shall not be transferable.

Badge not transferable.

Sec. 4. All persons permitted to pursue the occupation hereinbefore provided for shall be under the immediate supervision and control of the city marshal and police, and it shall be unlawful for any person to pursue and follow said occupation without first complying with Sections 1 and 2 of this ordinance; and it shall be unlawful to pursue said occupation at any other place or beat than that indicated by the city marshal.

Boot blacks under supervision of city marshal.

Sec. 5. Any person violating any of the provisions of this ordinance shall be fined in any sum not exceeding five dollars ($5.00) for each offense.

Penalty affixed.

CHAPTER TEN.

CONCEALED WEAPONS.

Section 1. If any person, within the corporate limits of the city of San Antonio, shall carry on or about his or her person, saddle, or in his saddle bags, any pistol, dirk, dagger, sling shot, sword cane, spear, or knuckles made of any metal

Carrying concealed weapons.

Penalty.

or any hard substance, bowie knife, or any other kind of knife manufactured or sold for purposes of offense or defense, he or she shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

What persons exempted.

Sec. 2. The preceding section shall not apply to a person in actual service as a soldier of the United St tes army or as a militia man, nor to a peace officer or policeman engaged in the discharge of official duty, or person summoned to his aid, or other person authorized or permitted by law to carry arms at the places therein designated, nor to a revenue or other civil officer engaged in the discharge of official duty, nor to the carrying of arms on one's own premises or place of business, nor to persons traveling, nor to one who has a reasonable ground for fearing an unlawful attack upon his person, where the danger is so imminent and threatening as not to admit of the arrest of the party about to make such attack, upon legal process.

CHAPTER ELEVEN.

DISORDERLY HOUSES.

Disorderly house defined.

Section 1. A disorderly house is one kept for prostitution, or where prostitutes are permitted to resort or reside, for the purpose of plying their vocation, or any theatre, play house or house where spirituous, vinous, or malt liquors are kept for sale, and prostitutes, lewd women, or women of bad reputation for chastity, are employed, kept in service, permitted to display or conduct themselves in a lewd, lascivious, or indecent manner, or to which persons resort for the purpose of smoking or in any manner using opium.

Sec. 2. Any room or part of a building or other place appropriated or used for either of the purposes mentioned in Section 1 hereof, is a disorderly house within the meaning of this chapter. Further defined.

Sec. 3. Any owner, lessee or tenant who shall keep or be concerned in keeping, or knowingly permit the keeping of a disorderly house, in any house, building, edifice or tenement owned, leased or occupied by him, shall be deemed guilty of keeping or being concerned in keeping, or knowingly permitting to be kept, as the case may be, a disorderly house, and shall be punished by a fine of two hundred dollars ($200.00) for each day he shall keep, be concerned in keeping, or knowingly permit to be kept such disorderly house; any owner having information that his house is being kept, used, or occupied as a disorderly house, shall be held guilty of knowingly permitting his house to be kept as a disorderly house under this ordinance, unless he shall immediately proceed to prevent the keeping, using, or occupying of such house for such purpose by giving such information to the city marshal against such lessee, tenant or occcupant for violation of this act, or take such other action as may reasonably accomplish this result. What persons subject to penalty. Penalty affixed.

CHAPTER TWELVE.

DITCHES AND IRRIGATION.

Section 1. The office of ditch commissioner is hereby abolished. Office of ditch commissioner abolished.

Sec. 2. The office of superintendent of street cleaning and sanitation is hereby created, and the salary of such officer is fixed at one hundred dollars ($100.00) per month. Office of superintendent of street cleaning and sanitation created. Salary.

Duties of superintendent, etc.

Sec. 3. It shall be the duty of the superintendent of street cleaning and sanitation, as herein provided for, to have full charge and control of the collection and disposition of garbage, the sweeping and the sprinkling of the streets, and the cleaning of the ditches and the river, together with the distribution of water for the purpose of irrigation, and the collection of rents therefor, as hereinafter provided, and to perform such other duties as may be prescribed by ordinance.

Ditches to be kept in repair, by whom.

Sec. 4. Any person or persons entitled to or owning water in any ditch or ditches, within the limits of this city, shall keep or cause to be kept, the banks, locks or abutments of said ditch or ditches on their own premises in good condition and repair.

Penalty affixed for neglect or refusal.

Sec. 5. Any person entitled to, owning or using water of any ditch or ditches, within the limits of this city, who shall, by neglecting or refusing to keep the banks, locks or abutments to said ditch or ditches, in good repair, overflow or cause to be overflowed any public street, lane or alley, shall be subject to the penalty of a fine not less than five dollars ($5.00) nor more than ten dollars ($10.00) for each offense.

Duties of superintendent, etc.

Sec. 6. The superintendent of street cleaning and sanitation shall make an estimate of the probable cost of necessary repairs, cleaning and all other ordinary expenses properly chargeable to the irrigation of lands within the city limits during each coming year, and shall present the same for approval or revision at the first regular meeting of the city council in the month of December of each year, which sum, after deducting one-third part thereof, shall be assessed and levied as a special irrigation tax upon all persons

who shall make use of the water for irrigating purposes, in proportion to the number of hours and quantity of water they may individually require; but any person not owning property capable of irrigation, or who shall not signify to the said superintendent his intention of using the water aforesaid, and who shall actually not make use of the water aforesaid, shall not be assessed.

Dams and water-gates to be kept in repair, by whom.

Sec. 7. The persons entitled to water from either of the ditches shall be, and are hereby, required to keep in repair all dams and water-gates, other than those on their own lots, either by voluntary contributions or by equal assessment of the cost and expense thereof on their property, which assessment shall be made by the said superintendent according to the value of the property entitled to irrigation, as shown by the city assessment list books. The dam and water-gates referred to in this section are those in which all have a common interest, such as the dam where the ditch commences, and such dams or water-gates as are for the benefit of all parties.

Penalty for neglect or refusal.

Sec. 8. Should any person fail, neglect or refuse to clean, deepen or widen any ditch in which he is interested, after due notification by the said superintendent, and after the lapse of five days thereafter, said person or persons shall be liable to a fine of not less than five dollars ($5.00) for the first offense, together with the expense of cleaning, deepening or widening, and all accruing costs, and for each subsequent failure, neglect or refusal, an additional five dollars ($5.00).

Assessments paid, how.

Sec. 9. It shall be the duty and is hereby required of all persons entitled to irrigation, to pay the amount of their assessment for the same to the city collector of this city, who shall give a receipt therefor, together with a certificate

of the hours and quantity of water to which they may be respectively entitled, signed by said collector; the said payments must be made to the city collector at his office, on or before the 30th day of April; each and every year; and no person shall be entitled to use any water from any of the irrigating ditches until he, she or they shall have paid the amount due by them for said water.

List to be made out, etc.

Sec. 10. A list shall be made out by the said superintendent of the owners or persons who may be entitled to water from any of the irrigating ditches of this city, and shall be deposited with the collector at his office for public inspection, together with the certificates signed by him of the amount of water and hours of irrigation, to which the persons having a right are entitled.

Penalty affixed.

Sec. 11. Any person or persons violating any of the provisions of Section 9, shall be subject to a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) for each and every offense

Further duties of superintendent.

Sec. 12. The further duties of the said superintendent shall be as follows: He shall, during the months of January and February of each year, clean, or cause to be cleaned, in a thorough and uniform manner, at equal width and uniform depth, all the public irrigating ditches within the corporate limits of the city, and shall at all times keep the same free from obstructions and in good order; and all deposits thrown therefrom, whenever the same shall be of so filthy a character, and in such quantity as to endanger the health of persons living in the vicinity, he shall move or cause to be removed to the places designated for the removal of garbage.

Cleansing of private ditches to be done, by whom.

Sec. 13. Section 12 shall not be construed to include the cleansing of private irrigation ditches in the duties of the

said superintendent, but it shall be the duty of the persons using the water from such private irrigation ditches to clean the same at their own expense, and a failure or refusal to do so, within five days after having been notified by the said superintendent, shall be deemed a violation of this ordinance.

Further duties of superintendent.

He shall see that the banks, locks, gates, abutments and aqueducts of the ditches are constantly kept in a condition to prevent the overflow of the public streets, plazas, lanes and alleys of private property, when the same would be thereby damaged.

He shall keep in good order and repair all dams and water gates in which there is a common interest, and whenever it may be necessary to secure a just and lawful distribution of the water, he shall furnish locks for the common water gates, and shall superintend and control the proper opening and closing of the same, in accordance with the rights of the persons entitled to irrigation. He shall supervise and control the opening of all lateral ditches, and regulate and control the use of water from the same, in accordance with the rights of the person entitled to its use.

He shall make out a correct water list, to be completed by the last day of March of each year, of all owners of, or persons who may be entitled to water from the several ditches, which list shall state the number of hours, and the exact hours and day of each month to which each person is entitled to water, and from what ditch. He shall, as soon as made, file a copy of such list in the mayor's office, which shall be copied by the city clerk in a book kept for that purpose, for public examination.

Persons entitled to water, when.

Sec. 14. Any person desiring to use water in said ditches

shall make application at least ten days before the first day of April for a portion of said water.

Statements to be furnished, to whom and by whom.

Sec. 15. The said superintendent shall furnish the mayor, on Saturday of each and every week, a statement of the number of hands employed during the week and the amount necessary to pay them, and on the approval of such statement the mayor is authorized to pay said employees upon the certificate of the superintendent. The said superintendent himself shall render to the city council, at the first regular meeting thereof in each month, a true and accurate statement, verified by his oath, of the amount expended by him during the previous month, in the discharge of his duty.

Unauthorized persons using or interfering with ditches subject to penalty.

Penalty affixed.

Sec. 16. Any person who shall use the water, or who shall unlawfully interfere with any lock or gate in any of the main or branch ditches, when such person is not authorized or entitled to use the same for irrigation, shall be deemed guilty of an offense, and upon conviction before the recorder, shall be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00); and, if by such interference, any person legally entitled to the water should be deprived of its use, he or they so offending shall be liable to such person for all damages growing out of such illegal appropriation, diversion or stoppage of water as aforesaid.

Apportionment of water.

Sec. 17. The said superintendent is hereby authorized to distribute such amount of water as the city shall be entitled to from the main San Pedro ditch, to such persons within the proper limits as may apply for the same for irrigating purposes, and the superintendent shall issue to such persons certificates, and place their names on the water list,

and they shall be required to make payment in advance, and be governed by all regulations and rules in reference to irrigation, as in the case of other applicants.

Sec. 18. It shall be the duty of all persons using water for irrigating purposes from the main, or main branch ditches, to construct the necessary water-gates at their own expense, and a failure to do so, within five days after notification by the superintendent, shall be deemed a violation of this ordinance; and upon such failure or refusal the superintendent is authorized to make the neccessary water-gates at the expense of the person or persons failing or refusing.

Duties of persons using water.

What constitutes violation.

Sec. 19. When a private irrigating ditch crosses any of the public streets, it shall be the duty of all persons irrigating from such ditch to construct and keep in repair, at their own expense, good, substantial bridges across such public street.

Private ditch crossing streets, etc.

Sec. 20. The superintendent may enter the private grounds of any individual in the discharge of his duties, and any resistance offered him in the discharge of his duties shall be deemed a violation of this ordinance, and upon conviction before the recorder of the city, shall be punished by a fine of not less than ten dollars ($10.00) nor more than seventy-five dollars ($75.00)

Powers of superintendent.

Penalty for interfering with superindent.

Sec. 21. Whenever a fire shall occur and the alarm of fire is given, by the ringing of bells or otherwise, it shall be the duty of all persons using or controlling the water in any of the irrigating ditches of this city, in the vicinity of, or situated at such point from whence the natural flow of the water in said ditches is or may be in the direction of the

Duties of water users in case of fire.

fire, to immediately remove any and all obstructions to the flow of the water in the directions of and to the vicinity of said fire, until all danger has ceased.

General penalty affixed.

Sec. 22. This ordinance shall be enforced under the direction of the said superintendent. Any person or persons violating its provisions, when no penalty is specially provided, shall be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00), to be recovered before the recorder of the city.

Branch ditches constructed, how.

Sec. 23. All branch ditches hereafter opened or constructed shall be upon and inside the fence line or lines of the land or lands sought to be irrigated therefrom, and it shall be unlawful for any such ditch to run through the streets or alleys, except when necessary to cross the same; and whenever it becomes necessary to do so, the parties interested in the opening of said ditch shall construct all necessary bridges, culverts, etc., at their own expense.

Branch ditches to remain, how.

Penalty affixed.

Sec. 24. All branch ditches now in use and that may have been opened by authority heretofore granted, shall remain as originally located, unless the same can be made to conform to the provision of the above section without detriment to the parties interested; and any person violating the provisions of this section shall, upon conviction before the recorder, be fined in a sum not less than ($5.00) nor more than fifty dollars ($50.00).

Course of certain ditches.

Sec. 25. There shall be opened two irrigating ditches, one on the west side of the San Pedro creek, to commence at the crossing of the San Pedro avenue and Upper Labor ditch, and the other on the east side of the San Antonio river, commencing on the east bank of the Alamo ditch, at the junction

of North Eighth street, both to be made according to the plans and specification prepared by G. Freisleben, city engineer; the ditch west of the San Pedro to be called Alazan ditch, and the ditch east of the San Antonio river to be called San Antonio valley ditch.

Controlled how.

Sec. 26. The said ditches shall be exclusively controlled, regulated and governed by the laws and ordinances now in force, or that may be hereafter adopted, for regulating and controlling the time, mode and manner of erecting, repairing, cleaning, guarding and protecting the dams, ditches, roads, streets and bridges appertaining to irrigation and the property connected therewith.

Assessments of certain land owners.

Failure to pay assessments and using water punished, how.

Penalty affixed.

Sec. 27. The assessments on land owners on the line of the San Antonio valley ditch and the Alazan ditch, made to assist in the construction of said ditches, by committees of land owners, are hereby confirmed and approved, and they, their heirs and assigns shall have the right and privilege to use the waters of said ditches for irrigating and other purposes, subject to the ordinances and regulations controlling the irrigating system of the city; *provided*, that any person or persons who have been duly assessed by the said committees and have failed or refused to pay the amount assessed, or any part thereof, when the same becomes due and payable, shall be deprived of the rights and privileges herein granted; and any such person or persons, their heirs, agents or assigns, so failing or refusing to pay, and using any water out of said ditches for the purpose of irrigation, shall, on conviction therefor before the recorder of this city, be fined in a sum not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each and every offense, and in default of payment be confined in the city jail for not less than five days nor more than twenty days.

Upon failure to pay certain assessments, reinstated, how.

Sec. 28. Any person or persons having failed to pay the amount assessed and due by them after the completion of the San Antonio valley ditch and the Alazan ditch, may hereafter, by paying double the amount of that assessment to the city collector and for the benefit of the city of San Antonio, be reinstated in all the rights and privileges hereby granted.

Unlawful to place gates or obstructions in ditches.

Sec. 29. Hereafter it shall be unlawful for any person or persons, to place or cause to be placed in any of the irrigation ditches of this city, any gate, dam, or obstruction whatsoever, which will interfere or impede in any way the free flow of the water therein; except at such times as such persons are entitled to use the water as designated by the said superintendent.

Escape of water regulated, how.

Sec. 30. Persons entitled to the use of the water as designated by the said superintendent shall at all times allow an escape of ten per cent; said ten per cent to be allowed to escape at the bottom, or through an aperture of the necessary dimensions, in the middle of the dam.

Penalty affixed.

Sec. 31. Any person or persons violating the provisions of Sections 29 and 30 of this chapter, shall upon conviction therefor, before the recorder, be fined in any sum not less than five dollars ($5.00) nor more than two hundred dollars ($200.00)

CHAPTER THIRTEEN.

DOGS.

Dog tax.
Licenses, how given.
Penalty affixed.

Section 1. Any person owning a dog or dogs of three months of age or upwards within the limits of the city of San Antonio, and desiring to keep the same, shall pay to the city collector the sum of one dollar ($1.00) for each dog owned

and the city collector shall give a license to keep his dog or dogs so paid for, from the first day of March of each and every year. And the city collector shall then deliver to the holder a tin plate or medal for each dog, which medal shall bear some stamp to be determined by the mayor, and the holder shall securely fasten the same to a collar, which shall be worn by the dog at all times; and the license issued for each year shall be numbered from one upwards, and a list of the same shall be posted or kept in the office for the inspection of any person interested; and any person keeping any dog or dogs contrary to the provisions of this section shall be deemed guilty of an offense, and upon conviction therefor before the recorder, shall be fined in a sum not less than two dollars ($2.00) nor more than five dollars ($5.00).

Dog pound.

Dogs released from pound, how.

Dogs not released, disposed of, how.

Penalty affixed for interfering with dog-catchers.

Sec. 2. There shall be erected a pound suitable for the confinement of all dogs running at large in violation of Section 1 of this chapter, which shall be under the supervision and control of the city marshal. It shall be the duty of the city marshal to cause all dogs over three months of age found running at large without having on their necks a collar and an appropriate medal as provided for in Section 1 of this chapter of the revised city ordinances, to be taken up and impounded in said pound, and no dog so impounded shall be released until the owner pay to the city collector the license tax thereon, together with twenty-five (25) cents per day for every day or part of a day it shall have remained in said pound. All dogs not claimed or redeemed as heretofore provided for within three days after the impounding of the same shall be disposed of by the city marshal in such manner as he may deem advisable. Any person who shall resist, hinder, abuse, insult or interfere with any person authorized to take up and impound dogs shall, upon conviction

before the recorder, be fined in any sum not less than five dollars ($5.00) and not exceeding two hundred dollars ($200.00).

Licensed or unlicensed sluts in heat, not to run at large.

Penalty affixed.

Sec. 3. Any person who shall suffer or permit, after notice, any slut belonging to him or her, whether licensed or not, to run or be at large while in heat, shall be deemed guilty of an offense, and upon conviction therefor before the recorder, shall be fined in a sum of not less than one dollar ($1.00) nor more than five dollars ($5.00), and said slut shall be liable to be impounded as other dogs not licensed.

All dogs to be muzzled at certain times.

Dogs to be destroyed, when.

Sec. 4. It shall be lawful for the mayor of the city, at any season or time, whenever there are, in his opinion, mad or rabid dogs within the city, and the public health is thereby endangered, to issue his proclamation forbidding the running at large of any dogs not muzzled; and he may offer for their destruction such premium as to him shall seem proper; and he may require any and all policemen to destroy any dog found at large in violation of such proclamation.

Persons attacked by dog, owner liable when.

Penalty affixed.

Dog to be killed, when.

Failure to kill or remove, punished, how.

Sec. 5. Whenever affidavit shall be made before the recorder that any dog has bitten or attacked any person in the city, and it shall appear that the person so bitten or attacked was not at the time trespassing upon the person or property of the owner or keeper of said dog, then the recorder shall, upon proof thereof, fine the owner or keeper in any sum not exceeding fifty dollars ($50.00) for each and every offense, and the recorder, where it is proven that such dog has bitten any person, shall direct the owner or keeper of any such dog to kill or remove such dog permanently beyond the city limits, and a failure or refusal to do so within six hours after receiving such order shall be deemed an

offense, and the offender may be fined in any sum not exceeding fifty dollars ($50.00) for each and every day thereafter, until such dog shall be killed or removed, and it shall be the duty of any police officer who may find such dog at large within the city, after service of the above said notice, to kill or destroy said dog.

Country people visiting city with dogs, required to do, what.

Liable to what penalties.

Sec. 6. Country people visiting the city with dogs shall be required to confine the same to their vehicles while in the city, and upon failure to do so shall be liable to all the penalties and forfeitures imposed upon the residents of the city; and it shall be the duty of the mayor of the city to prescribe all necessary rules and regulations for the enforcement of this ordinance, and it shall be the duty of the police to see that it is enforced in all parts.

CHAPTER FOURTEEN.

DRAINAGE.

Drainage of rain water.

Section 1. The drainage of rain water from roofs to street gutters shall only be by pipes laid under pavements, or if on the surface of pavements, by neatly constructed and durable channels, to be never more than six inches wide, and from one and a half to three inches deep.

Allowing drain water to run promiscuously, deemed nuisance, when.

Sec. 2. The allowing of drain water to run promiscuously onto pavements, or the constructing of drain gutters in such manner as to annoy or interfere with public travel, and the allowing to remain of obnoxious gutters and spouts now existing, shall be deemed a nuisance and is hereby prohibited.

Penalty affixed.

Sec. 3. The owner or owners of property violating any

of the provisions of Sections 1 and 2 above, after ten days notice to remedy the same is given to such persons or their agents by the city marshal, or one of the policemen, shall be fined not less than one dollar ($1.00) nor more than five dollars ($5.00) for each and every such offense or day or fraction of a day he, she or they may be so offending, or in default of payment of said fine shall be imprisoned not more than five days nor less than one day.

CHAPTER FIFTEEN.

ELECTIONS.

Saloons to be closed on election day.

Penalty affixed.

Section 1. During the entire day of an election for city officers it shall be unlawful for any bar-room, saloon or other place, house or establishment where vinous, malt or spiritous or intoxicating liquors are sold or given away, to be open; any person having charge of any such place or establishment, refusing to close the same when ordered by proper authority, shall be deemed guilty of a misdemeanor, and, upon conviction before the recorder, shall be fined in any sum not less than ten dollars ($10.00), nor more than one hundred dollars ($100.00).

Voting or attempting to vote twice, punished how.

Disturbance at elections and interfering with voters, punished how.

Sec. 2. Any person who shall vote, or attempt to vote, more than once at the same election, shall be deemed guilty of a felony, and punished upon conviction as provided by the state law. Any person who shall disturb any election by inciting or encouraging a tumult or mob, or shall cause any disturbance in the vicinity of any poll, or voting place, or any person who shall wilfully aid or abet, or advise any one not legally qualified in voting or attempting to vote at any election, or any person or persons who shall by force or intimidation obstruct, or attempt to obstruct or influence any

voter in his free exercise of the elective franchise, shall be deemed guilty of an offense and punished as provided by the state law.

Sec. 3. It shall be the duty of the mayor to see that all complaints for violation of such of the provisions of this ordinance as are specially provided for under the state law, are properly presented and prosecuted in the courts of the county or state, having jurisdiction of the offense, as defined by the state election law.

Mayor to see that all complaints are prosecuted.

CHAPTER SIXTEEN.

ENGINEER, CITY.

Sec. 1. The following shall be the scale of fees to be charged by the city engineer for work done by him; and said fees are to be turned over to the city collector, as hereinafter provided:

Fees charged by city engineer.

a. For giving street or alley lines in front of any house lot, alley or plaza, free of charge.

Street or alley lines free of charge.

b. The grade or curb line in front of any house lot for the construction of a sidewalk shall be furnished by the city engineer free of charge.

Grade or curb lines, free of charge.

c. For giving track lines for railroads, street railroads, for telegraph or telephone lines, or waterworks line or gas or electric light lines, or other companies or individuals desiring to use the streets of the city, a charge of fifty (50) cents for each one hundred feet or less shall be made.

Track lines, etc., 50 cents per 100 feet.

d. The city engineer shall not do work for private parties other than set forth, and all ordinances or parts of ordinances in conflict with this section are hereby repealed.

City engineer not to do work for private parties.

City engineer to collect fees in advance.

Fee book to be kept.

Money collected to be turned over, when and how.

Report to be made, when.

Sec. 2. The city engineer is hereby authorized and required to collect the fees fixed and agreed upon under the foregoing schedule in advance, and only the payment of same in advance shall be binding as an engagement on the engineer, and shall take proper precedence of other not purely public work. A fee book shall be kept by the city engineer, where all payments are to be duly entered, and all moneys collected by him to be turned over at the end of every week to the collector, and receipt taken from said collector, and monthly report made of work done and fees collected to the city corporation.

Duties of city engineer.

Sec. 3. It shall be the duty of the city engineer to establish throughout the city initial points and monuments, and from such points to extend the surveys of the city. And it shall also be his duty, when called upon to do so, to locate, establish and survey all lines of property, public or private, in this city, and to make all surveys and calculations for grading, leveling or other work to be done on streets, alleys, squares, sidewalks, plazas, bridges, culverts or sewers, to make all plans and specifications for public work, to draw all maps or plats of land within the city limits that may be required by the mayor or city council; *provided*, that when any line of any street or property has been surveyed or located by the city engineer and surveyor, the same shall not be changed by him or his successor without good cause shown and an order of the city council.

Surveys of lots, etc., to conform to what

Field notes to be filed, how.

Penalty affixed.

Sec. 4. All surveys of lots, parts of lots or blocks within the limits of the city of San Antonio hereafter made shall conform to and extend from the initial points and monuments established by the city engineer, in accordance with Section 5, and the field notes of all surveys herein provided

for, whether made by a public or private surveyor, shall be filed in the office of the city engineer and by said city engineer recorded, if by him approved and found to comply with the provisions of this ordinance, in a book regularly kept for that purpose. Any person violating any of the provisions of this section shall be deemed guilty of an offense and, upon conviction before the recorder, shall be fined in any sum not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00).

City engineer to transcribe from certain records, etc.

Sec. 5. The city engineer shall be and is hereby directed to transcribe from the county and city records, and all that can be otherwise obtained, and plat on the official map of the city, all subdivisions of lands or lots lying within the corporate limits, heretofore made by the owners thereof, showing all streets and alleys within such subdivisions.

City engineer to keep certain records, etc.

Not to absent himself from city, etc.

To make reports, when.

Sec. 6. The city engineer and surveyor shall keep suitable records of all surveys made by him, showing by plans of the lots and other places surveyed, how the same was done. He shall not absent himself from the city without leave of the city council, and shall make such reports as may be required of him, either by the mayor or city council.

Injury of initial points or monuments.

Penalty affixed.

Sec. 7. Any person or persons who shall remove, deface or otherwise injure or interfere with any initial point or monument, stake or stone set for the line or corner of any survey made by the city engineer and surveyor shall, upon conviction before the recorder, be fined in any sum not less than five dollars ($5.00) nor more than one hundred dollars $ 100.00), or in default of payment, be confined in the city jail.

City engineer to keep certain books and records.

Sec. 8. He shall keep a blotter, or day book, in which he shall enter all work done daily for the city or private par-

ties. He shall keep a register containing a list of all maps and drawings, which maps and drawings shall be numbered and kept in one or more portfolios as city property. He shall keep a record book of all surveys made, new streets opened, or streets widened, of street or sidewalk grades established, etc., which record book shall be deemed city property and transferred to his successor in office.

Subdivisions of property to be submitted to city engineer.

Duties of city engineer in regard thereto.

Sec. 9. In all subdivisions of property which have been made or which may hereafter be made by the respective owners thereof, and in all cases where the lands of the city of San Antonio are hereafter subdivided or laid out into streets or alleys, or where new streets or grounds are donated, granted or dedicated to the public for any purpose, a map or plat thereof shall be submitted to the city engineer of said city, who shall examine the same and submit it to the city council for their approval or rejection, together with his recommendation as to whether the same should be approved or not and giving his reason therefor. Should said map or plat be approved by said council, the same shall be recorded in a book kept for that purpose by the city engineer, and said map or plat shall be filed in the city engineer's office as part of the records of his office, and copies thereof may be made by the city engineer; *provided*, that no map of inferior workmanship, or containing incorrect calculations, shall be accepted by the said engineer or recorded in said book.

Duties of property owners subdividing lands.

All property owners or their agents subdividing lands within the city limits shall set permanent stone monuments at each street intersection within their respective subdivisions and at the beginning and ending of every curve, wherever streets are laid out in curves, and all such subdivisions and monuments shall conform to the present monu-

mented districts of said city, and must be in all cases properly connected by the angles and measurements to the monumented districts aforesaid; and all maps or plats presented for record, as herein provided, shall be carefully compiled, fully explaining the plan of such subdivision in detail, and the location of such monuments shall be subject to the approval of the city engineer.

Property owners to submit maps, when and how.

All persons making subdivisions of property within the city limits shall present the maps or plats thereof to the city engineer of said city for his action within five days after making the same, the said maps or plats to remain on file in the engineer's office, he to furnish copy of same when called upon.

General penalty affixed.

Sec. 10. Any person failing or refusing to comply with any of the provisions of this chapter, where no penalty is otherwise provided, or who shall erect any improvement upon any lot fronting upon any street, avenue, plaza or alley, without first obtaining from the city engineer the line of such street, avenue, plaza or alley, shall be deemed guilty of an offense, and, upon conviction thereof before the recorder, shall be fined in any sum not less than five dollars ($5.00) nor more than one hundred dollars ($100.00) for every such offense.

Each day of failure to constitute separate offense.

Sec. 11. Every day of failure to comply with any of the provisions of Sections 9 and 10 hereof shall constitute a separate offense.

City engineer in establishing lines, shall report to city council, what.

Penalty affixed.

Sec. 12. If the city engineer, when establishing the lines of any street or alley, finds fences, buildings or other structures as improperly located thereon, and in order to properly adjust the same it becomes necessary for one party to recede and the opposite party to advance their lines, he

shall report the facts to the city council, and in the meantime no authority shall be given by the engineer to any one to advance his line until the opposite party has retired to the proper or adjusted line, nor shall it be lawful for any property owner on such street to do so, unless specially authorized by act of the city council; and any person violating this ordinance, upon conviction before the recorder, shall be fined not less than five dollars ($5.00) nor more than two hundred dollars ($200.00), and this ordinance take effect from and after its passage.

CHAPTER SEVENTEEN.

FIRE DEPARTMENT.

Mayor to have supervision of property of fire department.

Section 1. From and after the first day of March, A. D. 1891, the mayor shall take charge of all engines, reels, hose carts, engine houses, and all other property belonging to the city of San Antonio connected with its fire department, and all fire service, and shall have the immediate supervision and control thereof.

Mayor authorized to appoint chief of fire department and other employees.

Sec. 2. The mayor shall be and is hereby authorized, with the consent and approval of the city council, to appoint one chief of the fire department, and such a number of men and employees as may be deemed necessary by the said mayor and council to properly manage the engines, trucks and hose and other appliances necessary to be used for the extinguishment of fires.

Chief to have control of employees. Salaries to be fixed by city council.

Sec. 3. All the employees in the fire departmet shall be under the immediate control of the chief, and he, as well as all other employees, shall receive such salaries and pay as may be fixed by the city council.

Sec. 4. It shall be unlawful for any person to touch or tamper with any of the city fire alarm boxes or fire alarm wires, or to send in a fire alarm except in case of actual fire, or to tamper with or open the city fire hydrants, or to use the water from the same except it be under the immediate control of the chief of the fire department, the mayor, or city council, and then only for the extinguishment of fires, practice of the fire department, flushing the gutters, sprinkling the streets and plazas with hose or sprinkling carts by persons authorized by the mayor or city council, and repairing of the hydrants, and any person violating any of the provisions of this section shall, upon conviction before the recorder, be fined not less than twenty-five dollars ($25.00), nor more than two hundred dollars ($200.00).

Unlawful to tamper with fire alarm boxes, fire hydrants, etc.

Penalty affixed.

Sec. 5. The following shall be and are hereby declared to be the first fire limits: Beginning at Convent bridge, thence up the river to Fourth street, thence along Fourth to Nacogdoches street and Bowie street, thence along Bowie street to East Commerce street, thence along East Commerce street to Water street, thence along Water to Alamo street, thence along Alamo to Martinez street, thence along Martinez street to the river, thence along the river to Guilbeau street, thence along Guilbeau street to San Pedro creek, where continuation of Guilbeau street intersects said creek, thence along San Pedro creek to public alley leading into Laredo street, thence along Laredo to Durango street, thence along Durango to San Saba street, thence along San Saba street to Morales street to the San Pedro creek, thence along said creek to Romana street, thence along Romana street to Augusta street, thence along Augusta street to the place of beginning.

First fire limits.

Unlawful to make repairs in inner fire district, when.

Sec. 6. It shall be unlawful for any person to build or repair any building with lumber or other combustible material, whether ironclad or otherwise, when such building has been damaged to the extent of fifty per cent of the value thereof, privies and open sheds when covered with metal excepted, or to roof or repair the roof of any building with material not fire proof, or to remove any lumber or ironclad buildings from one place to another within the following boundaries, which are hereby declared to be the Inner Fire District, to-wit: Beginning at the river, where the continuation of Travis street will intersect river, thence along Travis street to Avenue D, thence along Avenue D to Third street, thence along Third street to the alley connecting with same on the east end, thence along said alley to Nacogdoches street, thence along Nacogdoches street to Bonham street, thence along Bonham to East Commerce street, thence along East Commerce to Alamo ditch, thence along said ditch to North street, thence along North street to Alamo street, thence to Nueva street, thence along Nueva street to East street, thence along East street to Obraje street, thence along Obraje street to the San Antonio river, at a point where the continuation of Obraje street would intersect the river, thence along the river to the point of beginning. The extent of damages to buildings, as aforesaid, shall be ascertained by the board of fire directors and certified by the chief of the fire department to the city council.

Permits granted, when.

Outside, or beyond the limits designated herein, and within the fire limits designated in Section 5 hereof, lumber and ironclad buildings, when roofed with fire-proof material, may be erected; *provided*, that the premises shall be first inspected by the fire committee and permission granted by the city council; *provided however*, that no permit shall be granted

for any such building until plans and specifications for such building or buildings have been first submitted to said fire committee and by them approved; and the person or persons granted any such permit shall conform such building strictly with plans and specifications so submitted and approved.

Ironclad buildni defined. What constitutes offense.

By an ironclad building is meant a skeleton wood frame covered with sheet iron, not less in thickness than No. 26, and 24x28 inch sheets, to be put on in whole sheets where space will permit and to be nailed not more than two inches from centers. Any person who shall erect any building or begin to erect any building without complying with the provisions hereof shall be deemed guilty of an offense. Each and every day he continues to erect such building or allows the same to remain contrary to any of the provisions of this section shall constitute a separate offense.

Open sheds. defined

Sec. 7. The term "open sheds," as contained in Section 6 hereof, is hereby defined and declared to mean a structure erected for the purpose of shelter without enclosing walls or wooden floors. Such shed shall not be located on the front part of any lot, nor shall it be used as a dwelling.

Stove pipes and flu regulated, how.

Sec. 8. It shall be unlawful for the owner or occupant of any building to place or allow any naked stovepipe to be run through the floor or roof of any building, or through the wall or side of any lumber or frame building, except there shall be placed a stone or earthen crock, or double tin or galvanized iron cylinder, through which such pipe shall extend, and such pipe shall be at least four inches from any wood work, and all pipes, flues or chimneys shall extend two and a half feet above the roof; and if any flue pipe or chimney come in contact with the eave of any adjoining building, such flue,

pipe or chimney must be raised so as to obviate any danger to such building.

Chimneys and flues to be cleaned, when.

Neglect or failure constitutes offense.

Sec. 9. It shall be the duty of every owner or occupant of any house within the limits of the city to have their chimneys and flues thoroughly cleaned and swept three times in every year—once in the month of January, once in the month of April, and once in the month of September. In case any chimney or flue shall take fire from the neglect of the owner or occupant of the building in not having the said chimney or flue swept or cleaned, he, she or they owning or occupying the building shall be deemed guilty of an offense.

Chimney sweeps, duties, appointment and fees.

Sec. 10. There shall be appointed by the mayor one or more chimney-sweeps for each ward, whose duty it shall be to sweep and clean the chimneys and flues of any citizen calling on them to do so. Chimney-sweeps shall be entitled to charge and receive for each chimney swept or cleaned the sum of twenty-five (25) cents.

What constitutes offense on part of occupant of house or sweep.

Sec. 11. Any person who shall fail or refuse to pay the fee allowed to any chimney-sweep, shall be deemed guilty of an offense. In case any chimney or flue which has been cleaned or swept by any regularly appointed chimney-sweep, shall take fire such chimney-sweep shall be deemed guilty of an offense.

Chimneys and flues, how constructed.

Sec. 12. It shall be unlawful for any builder or mechanic to build or construct, or any owner or occupant of any building to allow to be built or constructed, any chimney or flue in such a manner as to let any piece of wood, lumber or other combustible material into any wall nearer to a chimney or flue than eight inches.

Sec. 13. The chief of the fire department, while in the performance of his duties at a fire, shall have and may exercise the powers of a policeman; and any person who shall obstruct or hinder him in the discharge of his duties shall be guilty of an offense.

Chief of fire department to have power of policeman at fires.

Sec. 14. It shall be the duty of the city police to keep away from the vicinity of any fire all idle or suspicious persons lurking near the same, and they may compel any person or persons to aid in extinguishing the fire, and to render any other necessary and reasonable assistance that the occa sion may require, and they shall have power to arrest any person or persons who shall refuse or fail to obey their orders, and to place them in the city prison or to keep them in custody to await a trial before the recorder's court for the offense committed.

Duties of police at fires.

Sec. 15. It shall be the duty of the city police to use all means in their power to ascertain the cause and origin of all fires that may occur, and to forthwith report such information to the mayor of the city.

City police to ascertain cause of fires and report to the mayor.

Sec. 16. Any person violating any provisions of Sections 8, 9, 10, 11, 12 and 14, or found guilty of any offense defined thereby, shall, upon conviction, pay a fine of not less than three dollars ($3.00) nor more than twenty-five dollars ($25.00), and in default of payment may be committed to the city jail for not less than three days nor more than fifteen days.

Penalty affixed to sections 8, 9, 10, 11, 12 and 14.

Sec. 17. No person or persons shall be allowed to collect or permit to accumulate in or about any building, yard or premises any material or refuse of a combustible or worthless nature, such as shavings, straw, paper, chips, etc.,

Certain refuse shall not collect or accumulate, when.

but shall have the same removed on Friday of each and every week.

Hay stacks, ricks of long fodder, etc., not to be kept in fire limits.

Penalty affixed.

Sec. 18. It shall be unlawful for any person or persons to erect or keep any stack or rick of hay, fodder, oats, straw or other long forage, or to pack or keep such hay, fodder, oats, straw or other long forage in bales, within the fire limits of this city, unless hereinafter provided; and any person or persons violating the provisions of this section shall, upon conviction before the recorder, be fined in a sum of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) for each and every day so offending, or be confined in the city jail for not less than five days nor more than twenty-five days.

Hay stacks, ricks of long fodder, etc., not to be kept outside of fire limits, unless, etc.

Penalty affixed.

Sec. 19. It shall be unlawful for any person or persons to erect, keep, or cause to be erected, or kept, any stack or rick of hay, fodder, oats, straw, or other long forage, or to pack or keep such hay, fodder, oats, straw or other long forage in bales outside of the fire limits of this city, unless the same be stacked or packed and kept at least twenty yards from any building, or stored in a well secured building; it is *further provided*, that any quantity of hay exceeding eight thousand pounds, whether in one or several stacks, shall not be less than sixty yards from any house or building; and any person or persons violating the provisions of this section shall, upon conviction before the recorder, for each and every day so offending, be fined in a sum of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00), or in default of payment be confined in the city jail for not less than three nor more than twelve days.

Storage of hay, straw, etc., in fire limits.

Sec. 20. If any person or persons desire to keep hay, fodder, oats, straw or other long forage within the fire limits

of this city, he or they shall be required to keep the same well secured in a covered and closed house, barn or stable, the quantity kept not to exceed eight thousand pounds.

Hay, fodder, oats or straw, in bales bound with wire or iron hoops, are exempt from quantity; *provided*, said building is of stone or brick, covered with tin roof.

Hay, straw, etc. bound with wire exempt from quantity.

Sec. 21. It shall not be lawful for any person or persons to have in his, her or their possession within the fire limits of this city any wood, coal, plank or staves, shingles or other lumber, or any material that may occasion hazard or danger of fire, unless the same shall be secured in such manner as shall be considered by the mayor or chief of the fire department to be safe from any danger of fire. Any person or persons refusing after three days notification to remove the said articles shall be fined in the sum of twenty-five dollars ($25.00) for every day such neglect or refusal shall continue, to be recovered on complaint before the recorder of this city.

Wood, coal, etc. to be kept, how.

Notice to be given to remove, etc.

Penalty affixed.

Sec. 22. It shall be unlawful for fires of any kind to be kindled or made in any camp yard in this city, in the open air, but such fires shall be made in a chimney or fireplace constructed for that purpose, in such manner as not to endanger the adjacent buildings. For each and every violation of this ordinance the owner or keeper of such yard shall be fined not less than five dollars ($5.00) nor more than ten dollars ($10.00) to be recovered before the recorder of the city.

Unlawful for fires to be kindled in open air, etc.

Penalty affixed.

Sec. 23. It shall be unlawful for any person to leave an oil lamp lighted during the night in any store, warehouse, bank or other public building within the first fire limits of this city, unless the room where such lamp is left lighted is occupied by some person during the whole of such time.

Oil lamp not to be kept lighted, unless, etc.

Penalty affixed to Section 23.

Sec. 24. Any person found guilty of a violation of any of the provisions of the foregoing section shall be fined in any sum not less than five dollars ($5.00) and not exceeding two hundred dollars ($200.00), except where a special penalty is provided.

Fire apparatus to have right of way. Penalty for obstructing way of same.

Sec. 25. Fire engines, hose carriages, vehicles transporting fire apparatus and police patrol wagons, shall have right of way over all streets of the city; and any person who shall obstruct the passage of any fire engine, hose carriage or other vehicle transporting fire apparatus. or any police patrol wagon, shall be deemed guilty of an offense, and upon conviction therefor before the recorder, shall be fined in any sum not less than five dollars ($5.00) nor more than two hundred dollars ($200.00).

Permit required to erect tent in fire limits.

Penalty.

Sec. 26. It shall be unlawful for any person to erect or cause to be erected within the fire limits, any tent or other structure of canvas or like material, without first obtaining a permit from the city council, under a penalty of not less than ten dollars ($10.00), and not exceeding two hundred dollars ($200.00), for each and every day such structure is permitted to remain in said limits.

Opera houses and theatres to have fire alarm boxes.

Sec. 27. The owners of opera houses and theatres shall place within said opera houses and theatres at their own expense, fire alarm boxes of the pattern and system in use in the city of San Antonio.

Penalty affixed to Section 27.

Sec. 28. Any person or corporation violating Section 27 of this chapter, shall be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for each and every such offense; *provided*, that each and every day that said opera houses or theatres are without said fire alarm boxes shall constitute a separate offense.

CHAPTER EIGHTEEN.

FINES.

Section 1. In all cases where a fine, or fine and imprisonment only, are provided for by ordinance of the city as as a punishment for offenses committed in violation of any of the city ordinances, in default of immediate payment of the fine, the defendant shall be committed to the city prison, or put to hard labor on the public works of the city, under the direction of the police, until the fine is paid, allowing one dollar ($1.00) per day until the sum amounts to that of the fine, and where imprisonment is imposed by ordinance as part of the penalty, the defendant shall be immediately committed to the city prison.

Default in payment of fines.

Defendant to be imprisoned or put to hard labor.

$1 per day allowed in working out fines.

Sec. 2. Should a prisoner refuse to labor when directed by virtue of an order or judgment of the recorder's court, and not excused by reason of the city physician's certificate of disability, then the officer having him or her in charge shall place the person so refusing in solitary confinement and feed him or her on bread and water only, until he or she may consent to work as required, or until the fine is satisfied at the rate provided for in the preceding section.

Refusal of prisoner to labor.

Solitary confinement.

Sec. 3. Any prisoner wishing to be excused from labor under this ordinance, shall apply to the city physician for an examination, and that officer shall certify as to the fact, and if he officially certifies that the prisoner is unable to work, then he shall be excused; *provided*, the city physician's certificate shall not release the prisoner from confinement in the city prison for the time required to make the sum of the fine, unless the city physician shall further certify that the imprisonment would cause great bodily injury to, or endanger the life of the prisoner.

Prisoner to be excused from labor when.

City marshal to collect all fines and report.

Sec. 4. The city marshal shall collect all fines imposed by the recorder, and make report of all fines collected or uncollected, under oath, at the expiration of each month, to the city council.

CHAPTER NINETEEN.

FISH, PROTECTION OF.

Fishing prohibited, when.

Section 1. If any person shall catch any fish from the San Antonio river or any of its tributaries within the corporate limits of the city of San Antonto, by use of hook and line, nets, traps or any contrivance whatsoever, between the first day of February and the first day of July of each year, he shall be fined not exceeding fifty dollars ($50.00).

Dams, weirs, etc., on San Antonio river.

Penalty affixed.

Sec. 2. All persons, firms or corporations, who have erected, or may hereafter erect, or who may be operating any mill dam, water weir, or other obstruction on the San Antonio river or any of its tributaries within the corporate limits of the city of San Antonio shall, within thirty days after the passage of this ordinance, construct and keep in repair fishways, or fish ladders, at such mill dams, water weirs or obstructions, so that at all seasons of the year fish may freely ascend above such dams, weirs or obstructions, and any firm, corporation or person owning such mill dams or obstructions, who shall fail or refuse to construct or keep in repair such fishways or fish ladders shall be fined not exceeding one hundred dollars ($100.00) nor less than twenty-five dollars ($25.00) for every such neglect or refusal.

City engineer to inspect dams, weirs, etc.

It shall be the duty of the city engineer to carefully inspect such dams, weirs or obstructions each year between the 1st and 31st of January, and to serve notice on the owner

or operator thereof to comply with the terms of this ordinance, and if the requirements hereof are not complied with within thirty days thereafter it shall be the duty of the city engineer to report the fact to the city attorney for prosecution of the delinquent.

Sec. 3. In the event of the conviction of any person under this ordinance and the collection of the fines herein provided for, one-half of said fine shall be paid to the informer upon the certificate of the city attorney.

One-half of certain fines to be paid informer.

Sec. 4. Upon the application of any reputable person residing upon property abutting on the San Antonio river or its tributaries, or upon any lake, pond or other waters within the corporate limits of the city, the mayor shall have the right to appoint him a "special policeman" without pay, but with authority to make arrests for the violation of this ordinance only; *provided*, that such special appointee shall have the same right to a moiety of any fine imposed by reason of any information given by him, as other informers.

Special policeme may be appointe along San Antoni river, etc.

CHAPTER TWENTY.

GAMING.

Section 1. If any person shall, within the city of San Antonio, keep or exhibit, for the purpose of gaming, any gaming table or bank of any name or description whatever, or any table or bank used for gaming which has no name, or shall, in any manner, be interested in keeping or exhibiting any such table or bank at any place he shall be punished by a fine of not less than twenty-five dollars ($25.00) or more than one hundred dollars ($100.00) and imprisonment in the city jail not less than ten nor more than ninety days.

Keeping or exhib ing gaming tab or banks proh ited.

Penalty affixed.

What is included by foregoing section.

Sec. 2. It is intended by the foregoing section to include every species of gaming device known by the name of table or bank of any kind whatever. This provision shall be construed to include any and all games which, in common language, are said to be "played," "dealt," "kept" or "exhibited."

Certain games specified.

Sec. 3. Lest any misapprehension should arise as to whether certain games are included within the meaning of the foregoing sections, it is declared that the following games are within the meaning and intentions of said sections: "Faro," "Monte," "Vingt-en-un," "Rouge-et-noir," "Roulette," "A B C," "Chuck-a-luck," "Reno" and "Rondo," but the enumeration of these games shall not exclude any other properly within the meaning of the two preceding sections.

On information or complaint sufficient to state, what.

Sec. 4. On any information or complaint for the class of offenses named in the three next preceding sections it is sufficient to state that the person accused kept a table or bank for gaming, without giving the name or description thereof, or without stating that the bank, or table, or gaming device, was without any name, or that the name was unknown.

In prosecutions, sufficient to prove, what.

Sec. 5. In prosecutions under this ordinance it shall be sufficient to prove that any game therein mentioned was played, dealt, or exhibited, without proving that money or other articles of value were won or lost thereon.

Certain words defined.

Sec. 6. The words "played" and "dealt" shall have the meanings attached to them in common language; the word "exhibit" is intended to signify the act of displaying the bank, or game, for the purpose of obtaining betting.

Sec. 7. If any person within the city of San Antonio shall bet or wager at any gaming table or bank, such as are mentioned in the preceding sections, or shall bet or wager any money or other thing of value, at any of the games included in the preceding sections, he shall, upon conviction, be fined in any sum not less than ten dollars ($10.00) nor more than twenty-five dollars ($25.00).

Person betting or playing to be fined.

Penalty.

Sec. 8. If any person shall, within the city of San Antonio, permit any gaming prohibited under the provisions of this ordinance to be played in his house or a house under his control, or upon his premises, or upon premises under his control, the said house being a public place, he shall, upon conviction in the recorder's court, be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00.)

Owner or agent of premises to be fined.

Penalty.

Sec. 9. If any person shall, within the city of San Antonio, rent a room or house for the purpose of being used as a place for playing, dealing or exhibiting any of the games prohibited by the provisions of this ordinance, he shall, upon conviction in the recorder's court, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

Renting of rooms or houses for gaming.

Penalty.

CHAPTER TWENTY-ONE.

GAS AND WATER PIPES AND FIXTURES.

Section 1. Any person or persons who shall interfere with any of the fixtures, pipes, lamp posts, lanterns, lights or any object or material pertaining to the gas lights in this city, shall, upon conviction before the recorder, pay a fine of not less than five dollars ($5.00), nor more than twenty-five dol-

Interference with lamp posts, gas pipes, and fixtures.

Penalty.

lars ($25.00), or, on failure, be confined in the city jail not less than three days nor more than thirty days.

Duties of persons laying and repairing water pipes.

Sec. 2. It shall be the duty of each and every person, company or corporation who may hereafter enter upon or make excavations in any street, alley or public place, in the city of San Antonio, for the purpose of laying, constructing or repairing pipes, appurtenances, fixtures, for the distribution of gas and water, as soon as the work is completed, to replace the streets, alleys and public places with the same material that adjoining portions of the streets and alleys are constructed of, at his or its own proper cost and expense, and keep such parts of streets, alleys and public places free from all depressions and elevations, in a good condition, for not less than twelve months; and if at any time the improvements, repairs or the lowering of the grade to any street, alley or public place, construction of sewers, or any other public work, should require the taking up, or removing or relaying of any pipes or appurtenances, such person, company or corporation shall, on notification given it by the mayor, promptly attend to and do such work at its own proper cost and expense.

Special fund required to be paid by such persons.

Mayor authorized to repair streets out of special fund, when.

When said fund expended new deposit required.

Sec. 3. In order to insure a faithful compliance with Section 2 of this ordinance such person, company or corporation shall be required to pay into the city treasury, before commencing to lay pipe, the sum of five hundred dollars ($500.00) as a special fund to be used by the street commissioner, under the direction of the mayor, in making necessary repairs and changes as such persons, company or corporation shall be liable to make under the provision of this ordinance. Whenever, in the opinion of the mayor, any street, alley or public place upon which pipes and appurte-

nances have been laid, or hereafter may be laid, by such person, company or corporation, shall become out of repair on account of use thereof by them, or whenever it becomes necessary to take up any pipes or appurtenances on account of construction or reconstruction of streets, alleys or public places, or any other improvements, the mayor shall notify such person, company or corportion, by mail or otherwise, to cause the same to be repaired, or cause such changes or removals to be made as are necessary, and if the said company shall fail or refuse to obey such notice within the time prescribed therein, then the mayor shall cause the repairs to be made, or work to be done by the street commissioner, same to be paid for out of the special fund heretofore provided. Whenever a part or the whole of said five hundred dollars ($500.00) has been expended for the purpose hereinbefore mentioned, the mayor shall notify the said company to pay so much more money into the city treasury as shall bring the fund up again to five hundred dollars ($500.00).

CHAPTER TWENTY-TWO.

GOOD ORDER.

[For general penalty clause, see Section 26.]

Persons abusing beating, etc., another, guilty of an offense.

Section 1. Any person who shall abuse, beat, wound, provoke, insult or disturb any person or persons in this city shall be deemed guilty of an offense.

Indecent exposure.

Insulting behavior to female, etc.

Sec. 2. If any person or persons shall exhibit or expose themselves naked or disguised, or in any indecent or offensive manner to any person passing in the highways of the city, or to persons living in the neighborhood, or shall rudely, insultingly or offensively accost any female, or shall

relieve the calls of nature in any place exposed to the public sight or gaze, or upon any public street or plaza, such person or persons shall be guilty of an offense.

Fighting and inciting others to fight. Riotous conduct.

Sec. 3. If any person or persons shall fight (except in self-defense), or if any person or persons shall incite or in any manner encourage others to fight, or in any manner to break the peace, or shall by word or act be engaged in riotous conduct, or shall in any manner aid, abet, incite or encourage others to be engaged in riotous or any unlawful conduct, under this ordinance, they shall be deemed guilty of an offense.

Drawing of pistol, gun, knife, etc.

Sec. 4. If any person shall, within the city limits, draw any pistol, gun, knife, sword-cane, club or any other instrument or weapon, whereby death may be caused, in a threatening manner, or for the purpose of intimidating others, such person shall be deemed guilty of an offense.

Unlawful to throw stones, fly kites, play ball in streets or skate or ride bicycles on sidewalk, etc.

Sec. 5. It shall be unlawful for any person or persons within the populated limits of the city to throw stones or other missiles, or to fly kites, or to roll hoops, or to shoot with bow and arrow, or to shoot or discharge any stone or other missile with or from a sling or from an elastic spring, or to play at ball in the streets, public places or highways of the city, or to go upon roller skates, bicycles or velocipedes upon the sidewalks of the city.

Breaking windows, injuring or defacing houses or other property.

Sec. 6. Any person who may break, or cause to be broken, intentionally, any glass, window, sash, blind, door, gate or fence, or in any manner mar, deface or injure any house, building or other property on premises within the city limits not his, her or their own, shall be deemed guilty of an offense.

Sec. 7. Any person or persons who shall run before, under or against any animal or animals being ridden or driven through the streets of the city, for the purpose of frightening them or checking their progress, or of alarming the rider or driver, or to the endangering of their own persons, shall be deemed guilty of an offense.

Running before horses, etc.

Sec. 8. If any person shall be found drunk, or under the influence of intoxicating liquor, upon the streets or in any public place within the limits of the city, or be found in such condition upon any private property or in any private place not his own, without the consent of the owner, lessee or manager of such property or place; or if any person shall use any annoying or insulting language towards any person, or shall make any threatening, indecent, annoying or insulting gestures or movements towards any person or persons, he or she shall be deemed guilty of an offense; and upon conviction thereof, before the recorder, shall be fined in any sum not less than ($1.00) nor more than one hundred dollars ($100.00) for each and every such offense.

Drunken persons; insulting language; indecent gestures, etc.
Penalty.

Sec. 9. If any person shall shoot or discharge any gun or firearms within the corporate limits of the city of San Antonio he shall be deemed guilty of an offense, and upon conviction therefor, before the recorder, shall be fined in any sum not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00); *provided*, that this section shall not be construed to apply to any gun club, shooting association or shooting gallery discharging guns or other firearms upon their own grounds, nor to persons shooting in any shooting gallery having a permit from the mayor or city council permitting the same, nor to officers and soldiers of the United States army discharging any guns or other firearms upon

Shooting of fire arms in city limits.
Exemptions.
Penalty.

any grounds over which the United States exercise exclusive jurisdiction.

Discharge of firecrackers, etc.

Sec. 10. It shall be unlawful for any person to shoot or discharge firecrackers or rockets upon the public streets of this city within the populated districts of the city.

Loud or obscene language; swearing; indecent exposure; rude display of weapons, etc.

Sec. 11. If any person shall go into any public place, or into or near any private or public house, or along any public street, highway or alley, and there use any loud or vociferous, or obscene or indecent language, or shall swear or curse, or shall expose his or her person in an indecent manner, or shall rudely display any pistol or other deadly weapon, such person shall be deemed guilty of an offense.

Fast driving in city limits; driving on sidewalks, etc.

Sec. 12. If any person or persons shall, upon the plazas, streets or other highways of the city, immoderately ride or drive, either under the saddle, in harness or otherwise, any horse or other animal or animals, or shall so ride or drive as to endanger the safety of any person or persons, or shall ride or drive on the sidewalks or banquettes of the city, such person or persons shall be deemed guilty of an offense, and it shall be the duty of the police of the city to, and any person may, at once stop and arrest such person or persons.

Riding bicycles faster than eight miles an hour.

Sec. 13. It shall be unlawful for any person to ride on a bicycle, on or along any of the public streets, alleys, avenues, plazas or squares of this city at a rate of speed faster than eight miles an hour.

Lamp required on bicycles at night.

Sec. 14. It shall be unlawful for any person to ride on a bicycle on or along any of the public streets, alleys, avenues, plazas or squares of this city during the night without a lighted lamp attached to such bicycle.

Sec. 15. All bicycles used on any of the streets, alleys, avenues, plazas or squares of this city shall have attached to the handle bar a bicycle bell, and it shall be the duty of any person riding on any such bicycle when approaching, and at a distance not closer than fifteen feet of any vehicle drawn by horses or other animals, or persons on foot or riding, to give warning of such approach by sounding the bell attached to such bicycle at least three times.

Bells required on bicycles.

Sec. 16. Any person violating any of the provisions of Sections 13, 14 and 15 of this chapter shall be deemed guilty of an offense, and upon conviction thereof before the recorder's court, be fined in any sum not less than five dollars ($5.00) or more than twenty-five dollars ($25.00) for the first offense, and not less than ten dollars ($10.00) or more than fifty dollars ($50.00) for each subsequent offense.

Penalty affixed.

Sec. 17. If any person or persons shall at any time resist, hinder, abuse or insult, by words or otherwise, any officer of the city, in the lawful discharge of his duty under any ordinance of the city, such person or persons shall be deemed guilty of an offense.

Resisting or hindering an officer.

Sec. 18. It shall be unlawful for any person, not a passenger thereon, to get on, or cling to, any street or other railroad car when in motion.

Getting on or clinging to street or railroad car in motion.

Sec. 19. It shall be unlawful for any person or persons to use or leave any horses or other animals so as to in any way obstruct the sidewalks or banquettes, or to tie any animal to the lamp posts, or in any alley of the city; and it shall be unlawful for any person or persons to stand or sit upon the plazas, streets, sidewalks or banquettes of the city, so as to impede the progress of pedestrians, or to place goods

Tying of horses, etc.

Impeding progress of pedestrians, etc.

Goods for sale on sidewalks, etc.

wares, merchandise, or any other article, in or upon such streets, plazas, sidewalks or banquettes; *provided*, the mayor may authorize persons to display or sell on Alamo, Main or Military plazas, such articles as he may deem proper. Any person violating the provisions of this section shall be deemed guilty of an offense.

Duty of city police to preserve good order.

Person interfering guilty of offense.

Sec. 20. It shall be the duty of the city police, diligently and on all occasions, to preserve the peace and good order of the inhabitants of the city, and to protect them in the full enjoyment thereof, and any person or persons doing any act or acts, having a tendency to mar or interrupt the same, shall be deemed guilty of an offense, the same as if specially provided for in this ordinance.

Sparring matches in public place.

Sec. 21. It shall be unlawful for any person to fight with or without gloves, or to give a sparring match in any in any public place, theatre, opera house or other place where the general public are admitted, whether a fee for admittance is demanded or not.

Penalty affixed to Section 21.

Sec. 22. Any person violating any of the provisions of Section 21 shall, upon conviction before the recorder, be fined in any sum not less than twenty-five dollars ($25.00), and not exceeding two hundred dollars ($200.00.)

See Ordinance Book F. 628 5/6/22 S.T.

Exhibition of indecent or lewd pictures.

Sec. 23. It shall be unlawful for any person to exhibit or display, sell or offer for sale any indecent or lewd picture or other representation of a lascivious character, at any place where persons passing along the public streets might ordinarily see the same.

Interfering with parades or processions.

Sec. 24. It shall be unlawful for any person to interfere in any manner with any other person engaged in forming or proceeding with a procession or parade for legal purposes, on the streets or plazas of San Antonio.

Sec. 25. Any violation of the provisions of Section 24 shall be punished by a fine of not more than twenty-five dollars ($25.00). Penalty affixed Section 24.

Sec. 26. Any person violating any of the provisions of any of the sections of this chapter wherein a penalty is not specially provided shall, upon conviction before the recorder, be fined not less than five dollars ($5.00) nor more than two hundred dollars ($200.00).

CHAPTER TWENTY-THREE.

GUNPOWDER AND OTHER EXPLOSIVE SUBSTANCES.

Section 1. It shall be unlawful for any person to have or keep within the limits of the city of San Antonio, powder or other explosive substances, except as herein provided. Powder or ot plosive

Sec. 2. Merchants or other persons may keep within one and one-half miles of Main plaza fifty pounds or less of powder or other explosive substances at any one time between the hours of 6 o'clock a. m. and 6 o'clock p. m., and not over twenty-five pounds over night, *provided*, this quantity shall at all times be kept in a safe and secure box or canister completely closed. Merchan powde

Sec. 3. Vehicles employed to carry powder or other explosives about the city for sale or distribution shall not carry more than two hundred pounds at any one time, and said vehicle shall be so arranged as to effectually cover u and protect the kegs or packages from accidental fire. Veh ov wl Ma

Sec. 4. Vehicles employed to carry powder explosive substances from any railroad depot t

azines for storage shall not carry more than five hundred pounds at a time through the city, and shall not pass through any densely populated portions of the city, but shall cross the river at either the Arsenal or Grand avenue bridge.

Search warrant to issue, when.

Sec. 5. Upon affidavit being made before the recorder that powder or other explosive material is being carried through or stored in the city contrary to the provisions of this ordinance, it is hereby made the duty of said recorder to issue a search warrant authorizing the city marshal or other peace officer to search the premises where said powder or other explosive substance is alleged to be stored, and it is hereby made the duty of the city marshal, or other peace officer receiving said warrant, to search the premises therein named, and seize and take possession of all powder or explosive material found stored therein contrary to the provisions hereof, and keep the same subject to the order of the court.

ixed to 2, 3, 4,

Sec. 6. Any person violating any of the provisions of this chapter shall be fined in any sum not less than twenty-five dollars ($25.00) and not exceeding two hundred dollars ($200.00), and in addition thereto may be confined in the city jail not exceeding sixty days.

CHAPTER TWENTY-FOUR.

HACKS AND VEHICLES.

Section 1. The following tariff of prices, which shall posted in a conspicuous place in such hacks, is hereby es- hed for licensed hacks and carriages for hire in this h the person or persons owning, driving or controll- are hereby authorized to charge, and it shall be

unlawful for such person or persons to ask or receive more than the rates hereby established:

a. For carrying each person or passenger a distance not to exceed one-half of a mile, twenty-five (25) cents; when there are more than two passengers going to the same destination, seventy-five (75) cents for all.

b. For each person or passenger a distance not to exceed one mile, fifty (50) cents; where there are more than two passengers going to the same destination, not more than one dollar and twenty-five cents ($1.25) for all.

c. For each and every person or passenger to a distance of over one mile, or to any point inside of the city limits, seventy-five (75) cents; for two or more passengers going to the same destination, one dollar and fifty cents ($1.50) for all.

d. When passengers desire to remain not more than ten minutes after reaching their destination and then return, the hacks or carriages carrying them shall be required to wait said time for them, and the passenger or passengers shall be required to pay one-half of the fare and sum herein established for their return trip, except when there is but one passenger going not over one-half a mile, in which case he shall pay twenty-five (25) cents for the return trip.

e. No extra charge shall be made for carrying baggage of a passenger, if the same does not exceed seventy-five pounds in weight, or one trunk not exceeding one hundred pounds in weight, and for extra baggage the person or persons in charge of such hack or carriage conveying the same may demand twenty-five (25) cents for each trunk, or for one hundred pounds or fraction thereof.

f. When any hack or carriage is hired for, or used for an hour or more, the owner or driver or person in charge of

the same may charge one dollar and fifty cents ($1.50) for the first hour, and one dollar ($1.00) for every subsequent hour that the same may be used or employed by the same person or persons, and for attendance upon funerals the charge shall be by the hour at the rate hereinbefore established.

Tariff for hack or carriage price between 10 p. m. and 5 a. m.

Sec. 2. After 10 o'clock p. m., and before 5 o'clock a. m., the owner, driver or person in charge of any hack or carriage, may charge fifty (50) cents per hour more than the rate herein established for the carriage of passengers; but shall not charge more than two dollars ($2.00) for the first hour, and one dollar and fifty cents ($1.50) for each subsequent hour that the same may be used or employed by the same person or persons.

Unlawful to refuse hire of hack or carriage.

Sec. 3. Whenever any hack or carriage for hire may be unemployed, it shall be the duty of the owner, driver or person in charge of such hack or carriage, and they are hereby required to carry any person or persons, who wish it, to any point of this city for the sums and rates herein established, and it shall be unlawful for them to refuse to do so.

Persons refusing to pay fares guilty of disorderly conduct.

Sec. 4. Any person or persons refusing to pay the fares, as herein established, after being carried to their destination, or place where they leave such hack or carriage, if demanded without delay by the owner, driver or person in charge of such hack or carriage, shall be guilty of disorderly conduct.

Penalty affixed to Sections 3 and 4.

Sec. 5. Any person or persons violating any of the provisions of Sections 3 and 4 shall be fined not less than one dollar ($1.00) nor more than ten dollars ($10.00), for each and every offense, or, in default of payment, be imprisoned not less than one nor more than five days.

Sec. 6. All hacks, carts, drays, carriages and two-horse wagons for hire shall take such stands upon the plazas of the city as may be assigned to them by the chief of police of the city of San Antonio, and shall be under such rules and regulations as may be prescribed by the said chief of police.

Certain vehicles to occupy stands designated by city marshal.

Sec. 7. It shall be unlawful for any hack or carriage for hire, cart or dray, unless loading or receiving or unloading passengers or goods, to remain alongside or within fifty feet of the sidewalks of any of the plazas of the city.

Unlawful for certain vehicles to remain within 50 feet of sidewalks, when.

Sec. 8. Any and all licensed hack drivers shall furnish and keep to each licensed hack or carriage used in the city limits, two side-lights or lanterns, to be used at night as long as the hack or carriage shall remain employed after night, and any person failing to comply with this section, shall, on conviction, be fined in a sum not less than three dollars ($3.00) nor more than ten dollars ($10.00), and in default of payment, be committed to the city jail for not less than three days nor more than five days.

Side lights to be placed on certain vehicles, when.

Penalty affixed.

Sec. 9. It shall be unlawful for any wagon or cart to stop in Main or Market street, or in any other street, unless loading or unloading freight, or from necessity, of which the recorder shall be the judge.

Unlawful for wagons and carts to stop, where.

Sec. 10. All Mexican carts in the business portion of the city, unless loading or unloading, shall take their stand on the Military or Alamo plaza, and there remain until the owner or owners, or person in charge thereof, shall drive the same out of the city or into some private enclosure; but no, wagon, cart or other vehicle shall remain upon the said plazas or either of them, all night.

Mexican carts to take stand, where.

Unlawful to leave vehicles untied, when.

Sec. 11. It shall be unlawful for the owner, driver or person in charge of any hack, wagon, buggy or other vehicle to leave such vehicle alone in any plaza, street, avenue, lane, alley or other public place within the limits of the city of San Antonio, unless the same be left in charge of some competent person over the age of 14 years, or securely tied to some suitable and immovable object; *provided*, that vehicles using only one horse or like animal may be tied to any ordinary iron buggy weight, said weight to weigh, however, not less than ten pounds.

Penalty affixed.

Any person violating any of the provisions of this section shall be deemed guilty of an offense, and upon conviction therefor before the recorder shall be fined in any sum not less than one dollar ($1.00) nor more than two hundred dollars ($200.00).

Unlawful to drive wagons, etc., loaded with certain materials, where.

Penalty affixed.

Sec. 12. It shall be unlawful for any person to drive any wagon, cart or dray loaded with cotton, rock, brick, sand, lumber, wood, hay, coal, straw, fodder, wool or hides, or any other substance upon West Commerce street, except on that part of the same lying between the intersecting streets thereon, from North Flores to Casino streets, for the purpose of loading or unloading such wagons, carts or drays. Any person violating any of the provisions of this section shall be deemed guilty of an offense, and upon conviction therefor before the recorder, shall be fined in any sum not less than five dollars ($5.00) nor more than two hundred dollars ($200.00).

Obstructing or impeding thoroughfares.

Sec. 13. Any teamster, wagoner, cartman or coachman, or driver of any other vehicle, who shall stop his team at any hour of the day or night in any public thoroughfare within the limits of this corporation, so as to impede or ob-

struct the free passage of the same, shall be liable to the penalty hereafter provided.

Sec. 14. Any person violating any one of Sections 6, 7, 9, 10 and 13, shall on conviction, be fined not less than three dollars ($3.00) nor more than one hundred dollars ($100.00).

Penalty affixed to Sections 6, 7, 9, 10 and 13.

Sec. 15. It shall be unlawful for any person or corporation in said city to run, or keep for public use or hire, any of the vehicles hereinafter mentioned, without having first obtained a license therefor, and given a bond and paid the license dues prescribed in this chapter.

License to be obtained and bond given.

Sec. 16. Every person or corporation desiring to keep for public use or hire, any of the vehicles hereinafter described, shall obtain from the city clerk a license, in which shall be described the vehicle, number of animals to be used, and the period for which said license shall be in force, and all owners or persons running hacks or 'busses shall execute a bond in the sum of two hundred dollars ($200.00) for each hack or 'bus, with two or more securities, to be approved by the city clerk, payable to said city, and conditioned as follows: "That said person or persons shall well and truly perform and discharge each and all the duties and obligations devolving upon said person or persons, and incumbent upon the same under the ordinances of the said city, relating to and regulating and prescribing the duties of drivers of hacks and like vehicles." Every owner or driver of any vehicle hereinafter named, shall also pay the following license dues, to-wit: For each and every dray, furniture cart, grocery wagon, float, truck or city express wagon, drawn by not more one animal, as license dues, the sum of two dollars and fifty cents ($2.50) and the cost of numbering, not to exceed twenty-five (25) cents; for every truck, float, or four-wheeled vehi-

Obtaining license.

Amount and description of bond.

Amount of certain licenses.

cle used for transportation of merchandise, baggage, etc., and drawn by two animals, or running any other of the vehicles mentioned in the preceding portion of this section which may be drawn by more than one animal, as license dues, the sum of five dollars ($5.00) and the cost of numbering, not to exceed twenty-five (25) cents for each vehicle. For each and every hack or omnibus for the transportation of passengers, for hire, or for the use and covenience of the guests of hotels, as license dues, the sum of five dollars ($5.00); for each and every buggy kept for hire, as license dues, the sum of one dollar and fifty cents ($1.50) and the cost of numbering, not to exceed twenty-five (25) cents each.

License numbers to be affixed to vehicles.

Sec. 17. All drays, carts, trucks, floats and grocery wagons shall have affixed to them a number, painted on a plate, corresponding to the number on the license, and the color of said number shall be changed annually; and all omnibusses and public hacks shall have painted on the sides and front of each of the lamps, in distinct and legible figures not less than two inches in size, a number in colors to be designated annually by the city clerk, corresponding to the number of the license on each vehicle, and all buggies shall have affixed to them, under the cushion, a number plate, the color to be changed annually.

Duration of licenses.

Sec. 18. All license dues provided for in the preceding sections of this ordinance shall run from the first day of May of one year to the first day of May of the next year; *provided*, that such license dues may be issued at any time during the year for the unexpired portion thereof, upon payment of a proportionate sum of the annual dues.

Sec. 19. All hack drivers, or drivers of other public conveyances, who shall fail to halt when called on to do so by the marshal, or any member of the police force, shall be guilty of an offense.

Drivers of public conveyances to halt, when.

Sec. 20. The city marshal, by and with the advice and consent of some authorized agent of the International and Great Northern Railroad Company, and of the Galveston, Harrisburg and San Antonio Railroad Company, and of the San Antonio and Aransas Pass Railway Company, shall, as soon after the passage of this ordinance as practicable, assign a stand at the several depots of said companies where hacks, carts, drays, wagons and other vehicles shall receive and discharge their freight or passengers, and also a place where they shall stand while waiting for freight or passengers.

City marshal to assign stands for certain vehicles.

Sec. 21. Any person or corporation failing to comply with Sections 15 and 19 of this ordinance shall pay a fine of not less than three dollars ($3.00) nor more than fifty dollars ($50.00) for each offense, upon conviction before the recorder of the city.

Penalty affixed to Sections 15 and 29.

Sec. 22. It shall be unlawful for the driver of any hack, cart, dray, wagon or other vehicle, to receive or discharge his freight or passengers at any other place within the depot grounds of said railroad companies than at the place indicated by the city marshal under the provisions of this ordinance, and it shall be unlawful for them to go up to such stand unless called there to receive freight and passengers.

Freight and passengers to be received and discharged, where.

Sec. 23. It shall be unlawful for any runner or driver of any hack, cart, dray, wagon, or other vehicle, or the run-

Certain persons prohibited entering depot buildings, when.

ner for any hotel, or any other persons, to go upon the platform or enter any of the depot buildings of any railroad company of this city at the time of the arrival or departure of trains, or at any other time, and solicit passengers or freight.

Unlawful to drive across funeral processions, except etc.

Sec. 24. It shall be unlawful for any person to drive his vehicle and horses into or across the line of a funeral procession, except at such places as may be indicated to the funeral managers.

Penalty affixed to Sections 22, 23 and 24.

Sec. 25. Any person violating or failing to comply with any of the provisions of Sections 22, 23 and 24, shall, upon conviction before the recorder, be fined in any sum not less than five dollars ($5.00) nor more than two hundred dollars ($200.00).

CHAPTER TWENTY-FIVE.

HEALTH REGULATIONS.

[For General Penalty Prescribed, See Section 41.]

Places of deposit for carcasses.

Section 1. The mayor shall be and is hereby authorized and empowered to expend all necessary money for the establishing, opening and maintaining places of deposit and burial, one east and one west of the river, and of carrying and depositing and burying therein all carcasses, filth and dirt.

Disposition of carcasses, decaying matter, etc.

Sec. 2. Upon the establishment of such burial place and place of deposit of said notice, the citizens or residents of each side of the river shall be required to move, without delay, all dead bodies or carcasses, the cleanings of stables, pens, etc., and all manner of filth and corruption, decaying

and putrid matter, or anything that would jeopardize public health, that may be or accumulate upon his, her or their premises, or which he, she or they may have caused to accumulate, and to carry and deposit same at the burial place established for that side of the river.

All filth and dirt to be disposed of where.

Sec. 3. All filth and dirt taken from any public street, lane, square or alley by the city cartman or cartmen shall be hauled and deposited in one of said places of deposit, and all dirt or filth of every kind removed or required by ordinance now passed, or hereafter to be passed, to be removed from any house, privy, yard, enclosure or lot, shall be immediately carried and deposited by the owner or occupant thereof in the place of burial or deposit established for that side of the city in which said house, privy, yard, enclosure or lot may be situated.

Minors and wards to be vaccinated.

Sec. 4. Every person being the parent or guardian, or having the care, custody or control of any minor or other individual, shall (to the extent of any means, power and authority of said parent, guardian or other person that could properly be used or exerted for such purpose) cause and procure such minor or individual to be promptly and effectively vaccinated, that such minor or individual shall not be liable to take the small-pox.

Minors and wards to be guarded against contagious diseases.

Sec. 5. No parent, guardian or custodian of any child or other individual shall permit such person to be unnecessarily exposed to the taking, or to the infection, of any contagious disease.

Meat and food not to be sold by certain persons.

Sec. 6. No meat or food of any kind shall be sold or offered for sale to the public by persons living in houses wherein small-pox or other contagious diseases prevail. It

Police to destroy certain articles.

shall be the duty of the police to seize and destroy any articles herein referred to that may be found in the market places or elsewhere for sale in violation of this section.

Penalty affixed to Sections 2, 3, 4, 5 and 6.

Sec. 7. Any person violating any of the provisions of Sections 2, 3, 4, 5 and 6, shall be deemed guilty of an offense, and upon conviction shall be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100.00), and in default of payment be committed to prison any number of days, not exceeding thirty, in the discretion of the recorder.

City council to guard against introduction of contagious diseases, etc.

Sec. 8. The city council may take such measures as they may deem effectual to prevent the introduction of any pestilential, contagious or infectious disease into the city; and for that purpose may order the examination and detention of any person coming from any place infected, or believed to be infected, with such disease.

Mayor may order removal or destruction of certain articles, when.

Sec. 9. The mayor, upon the advice of the city physician, may order the removal from beyond the city limits, or destruction of any bedding, wearing apparel or other like property, which shall be suspected of being tainted or infected with pestilence, or which shall be likely to pass into such a state as to generate or propagate disease.

City physician to be health officer of city.

Powers, etc.

Sec 10. The city physician shall be the health officer of the city. He shall have power and authority to abate, or cause to be abated, all nuisances affecting the health of the community, as also, weeds, herbs, etc., and to do all acts, and make all needful regulations for the promotion of health, or for the suppression of disease.

Powers and duties of city physician.

Sec. 11. He shall direct the mode, and designate the proper materials or disinfectants to be used by individuals in

cleaning their premises and in cleaning and disinfecting their sinks and privies, and any person who shall violate, refuse or fail to comply with any order, rule or regulation issued by the health officer under this ordinance shall be, upon conviction before the recorder, fined not less than five dollars ($5.00) nor more than two hundred dollars ($200.00), and for any failure or refusal to comply with any order or notice of the health officer when a particular time is specified for the execution of such regulation, order or notice, the person so offending shall be liable to a fine, as herein provided, for every day he shall fail or refuse to comply with the same.

Punishment of persons violating the health regulations.

Penalty affixed.

Sec. 12. All persons exposing fruit for sale within this city shall keep the same fully protected and covered by mosquito bars or other like covering.

Fruit exposed for sale to be covered, how.

Sec. 13. Any person or persons failing to comply with Section 12 of this ordinance shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars ($10.00) nor more than twenty-five dollars ($25.00), and each day shall constitute a separate offense.

Penalty affixed to Section 12.

CHAPTER TWENTY-SIX.

HEALTH, BOARD OF

Section 1. The board of health of the city of San Antonio shall consist of a president and four members, to be appointed by the mayor. The mayor and city physician shall be *ex-officio* members of the board of health, and shall be entitled to a voice and vote in all its proceedings.

Board of health composed, how.

Mayor and city physician ex-officio members.

Sec. 2. The members of the board of health, as herein provided for, shall serve without pay, except during the

Pay of members.

prevalence of an epidemic when they each shall receive five dollars ($5.00) for each meeting so attended.

Duties of board of health.

Sec. 3. It shall be the duty of the board of health to hold regular sessions at least once a month in the council chamber at the city hall, and these and all other meetings shall be attended by the assistant city clerk, who shall act as secretary and keep a record of the proceedings.

Board of health subject to whom.

Powers and duties.

Sec. 4. The board of health are subject to the general ordinances of the city council. They shall have general supervision of all matters appertaining to the sanitary condition of the city, including the city hospital, jail, alms house, schools, and all health institutions, and shall see that all the sanitary ordinances of the city are strictly enforced.

Report to be made when and how.

Sec. 5. The board shall, on or before the first day of March of each year, make an annual report of the affairs of the health department to the city council, and shall include therein the report of the city physician, and all other matters under their charge, and at the same time furnish a detailed statement of the amount of money that will be required for the department during the ensuing fiscal year; and the council may provide for the raising of such amount, or so much thereof as in their judgment may be necessary. This money shall constitute the health fund. All expenditures shall be subject to approval by the city council in the same manner as all other branches of the city government.

Assistant city clerk to be secretary of board, etc.

Sec. 6. The assistant clerk of the city shall perform the duties of secretary of the board, and shall keep all its records, books and papers, and perform such other duties as may be prescribed by said board.

When notice given of building infected by contagious disease, etc.

Sec. 7. Whenever notice shall have been given to the board that any public building is unfit for habitation by rea-

son of being infected with disease liable to be contagious, they may communicate such fact to the mayor, who shall issue an order to be served upon the owner, agent or lessee requiring all persons to vacate; and within twenty-four hours, or sooner, the building must be vacated.

Every physician to report, what.

Sec. 8. Every physician in the city shall report to this board in writing, immediately after his first professional visit, every patient he shall have laboring under the following diseases: Typhoid, typhus, yellow fever, Asiatic cholera, small-pox, or other contagious or infectious diseases, and every death from such disease immediately after it shall have occurred.

Every householder shall report, what.

Superintendent of schools to be notified, etc.

Sec. 9. Every householder shall also report, in person or in writing, to this board the names of all the inmates of his or her house who he shall have reason to believe are sick of typhoid, typhus, yellow fever, cholera, small-pox, or any other contagious disease he might consider dangerous to the public health. The superintendent of public schools shall in like manner be notified of locations of contagious diseases, and should he find any attendants in the schools who reside in said houses, he shall refuse them admittance to the public schools, only admitting them again upon presenting a certificate from the health board that there was no longer danger from contagion.

Use of certain public vehicles prohibited, without, etc.

Sec. 10. No person shall use, or hire, or permit any others to use, without consent of the board of health, any public vehicle which has been driven or used for the conveyance or removal of any person afflicted or dead with small-pox.

Yellow flag to be displayed on certain premises, when.

Sec. 11. When a case of small-pox, Asiatic cholera or yellow fever is reported to the board of health, the city

physician shall immediately visit the premises where the person is, and, upon personal inspection, shall cause a yellow flag to be erected in a conspicuous place upon the premises, the same to remain during continuance of disease.

Removal of persons with contagious diseases.

Sec. 12. No person shall remove a small-pox or cholera patient or person suffering with any contagious disease without the consent of the city physician or his assistants, Such person may, however, be removed to the hospital, pest house or such other place or places as the board of health may designate.

Detail of health and sanitary inspector.

Duties of same.

Sec. 13. The chief of police may, upon application of this board, detail not to exceed four of the regular police force to act as health and sanitary inspectors, one for each ward. It shall be their duty to report all violations of city ordinances detrimental to public health, all gutters or sewers that may not be in good order or have become foul. Also all privies, standing water or stagnant pools; to cause the removal of all dead animals, garbage and filth; to report any locality that may be infected with low fevers of any kind of epidemic, report all persons who are using the streets as sewers, emptying slops and refuse therein, and to see that they are brought before the recorder, and made to understand, through penalties imposed, that they cannot persist in such acts. If this board find the city ordinances do not reach all such cases, they will ask the city council to make rules that will have the desired effect.

Record of births, deaths, etc.

Fine prescribed.

Sec. 14. The board shall cause to be kept in their office a record of all the births, deaths and interments in said city, which shall be open for the inspection of any person during office hours. Physicians failing to make such report shall be fined by ordinance.