

signing by the Mayor, and it is so ordered and provided hereby.

PASSED AND APPROVED this the 22nd day of September, A. D. 1921. by a four-fifths (4/5) vote of the Commissioners.

ATTEST:

O. B. Black,  
Mayor, City of San Antonio,  
Texas.

Ben A. Cordell,  
City Clerk.

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AN ORDINANCE. *OF-258*

Granting the Grayburg Pipe Line Company the right to construct, maintain and operate an oil pipe line along the route specified herein, and prescribing the terms, conditions and consideration of such grant.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

SECTION ONE: That the Grayburg Pipe Line Company, a corporation existing under and by virtue of the laws of the State of Texas, and having a place of business in the City of San Antonio, Bexar County, Texas, be and it is hereby granted, subject to the provisions of Section Two herein, for a period of twenty-five years, the right, privilege and franchise to construct, maintain and operate an oil pipe line from the city limits of the City of San Antonio, to the refinery of the Grayburg Oil Company, located near the Concepcion Road in said City, the route of which pipe line shall be as follows: Beginning on the south line of the city limits of the City of San Antonio, Bexar County, Texas, at the intersection of said south line with the Concepcion Road, thence in a northerly direction along with, and up said Concepcion Road, crossing East Mitchell Street, continuing up Concepcion Road to a point opposite the refinery of the Grayburg Oil Company, thence into said refinery.

Section Two: That the rights, privilege and franchise herein granted shall be, and are subject to the following conditions and stipulations, the agreement to which, as the contract and covenant of the said Grayburg Pipe Line Company, is the consideration of, and condition precedent to the granting of said rights and privileges and franchise by the City, said conditions and stipulations being as follows:

(a) That the said Grayburg Pipe Line Company shall pay to the city of San Antonio the sum of \$40.00, which sum shall be due and payable on the first day of January, during each and every year during the life of said franchise.

(b) That said Pipe Line Company shall and will construct its pipe line in a good and workmanlike manner, and same shall be properly cared for and maintained so that no harm or damage will be suffered by the city or citizens thereof, by reason of said pipe line, nor will the street or streets along which said pipe line may be laid, suffer any damage by reason of the construction or maintenance thereof, and that said Pipe Line Company shall place in the same good state of repair, as the same may be at the time any excavation may be made thereon, all streets and public highways over which said pipe line may run, and on which any excavation may be made in the laying or maintaining of such pipe line.

(c) That the said Grayburg Pipe Line Company shall and will pay to the City of San Antonio all proper yardage charges for opening and excavating any street or streets through which said pipe line may run, as is provided by a certain ordinance regulating the making of cuts, openings, excavations, etc., in public places, streets, alleys or highways, requiring bond of indemnity and certain deposits and providing penalties, which Ordinance was passed on the 11th day of July, 1918; and shall in all respects fully comply with all the provisions of such Ordinance, whenever any cuts, openings or excavations are made in any public street or highway, in connection with the laying or maintaining of said pipe line.

(d) That said Pipe Line Company shall construct and maintain its pipe lines in such manner as not to interfere with any sewer, drain, conduit, main or pipe for water or gas or other underground or public utility structure, appurtenance or private connection therewith, and in such manner as to permit the full and proper use and service of the same.

(e) That the grant herein made shall not be deemed or considered exclusive and the City hereby reserves the right hereafter, to construct and maintain or to authorize the construction and maintenance in any of the streets or other public places, over which said pipe line may run, of all sanitary sewers, storm sewers, or other oil pipe lines and water, gas or other underground lines or structures or service connections therewith, whether owned by the City or other persons, and the grant of franchise herein made shall not at any time interfere with the right of the City, or such other persons of reasonable ingress or egress, at all times for the construction, maintenance, inspection or repair of such underground lines or structure, provided, however, that the provisions of this paragraph shall not be deemed or construed to permit any such other underground lines or structures as may be hereafter laid to interfere with the said Grayburg Pipe Line Company in the reasonable exercise of the rights and privileges granted to it by this franchise.

(f) The said Grayburg Pipe Line Company shall indemnify and hold harmless the City of San Antonio and its successors from and against any and all liability, cost, expense, claim and suits of whatsoever character arising or which may arise out of the construction, maintenance and operation of said oil pipe line, or any other work or construction incident thereto, and the said Pipe Line Company shall well and truly pay to or on behalf of the said City, all costs, damages and expenses which said City may reasonably incur or be held to pay at any time by reason of any damage, injury or suit, or alleged injury of, or damage to any person or any property, real or personal, resulting or alleged to result thereto, or to be in any manner, or to any extent occasioned by or incident to the construction, operation or maintenance of said Oil Pipe Company, or on account of anything done in connection therewith.

(g) That said Pipe Line Company shall execute and deliver to the City of San Antonio, a bond with two or more good and sufficient sureties, which bond shall be approved by the Mayor as to form and sufficiency, and shall be conditioned that the said Grayburg Pipe Line Company shall and will well and truly do and perform each and all of the acts and things required of it, by Paragraph "f" hereof.

(h) All work in connection with the laying and maintaining of said pipe line shall be done under the supervision and with the approval of the City Engineer of the City of San Antonio, and that such pipe line shall be laid at such depth beneath the surface of the ground as may be required by the City Council, and shall be laid along the lines named and designated by the said City Engineer. The said Grayburg Pipe Line Company shall begin the construction of such pipe line within two months from the date on which this Ordinance shall take effect, and shall diligently prosecute such work to completion after beginning the same, so that the public shall not be unnecessarily inconvenienced in the use of the public street or streets under which said pipe line is to be laid, and that such work shall be prosecuted in such manner as not to block said street or streets, or otherwise interfere unduly with the use of same by the public, during the time of such construction; and that any work done in the maintenance of said pipe line after completion thereof, shall be carried on in the same manner with due regard for the public use of such streets.

(i) All the provisions of this Ordinance, whether or not herein expressly so provided, shall extend to, and become obligatory on any and all persons or corporations to whom said franchise and right, or any part thereof, or any interest therein may be in any manner assigned, or otherwise in any manner transferred or vested, but no transfer or assignment of said privilege, franchise or extension thereof shall ever be made, except as provided in the Charter of said City; and any repudiation, whether by the said Grayburg Pipe Line Company, or any successor, receiver, trustee or other transferee of said franchise, rights of any stipulation, requirement or undertaking herein lawfully made or any failure or refusal to comply promptly with all the terms and conditions herein set forth, shall work a forfeiture of said franchise and all rights herein granted, and shall also authorize the Commissioners of said City to repeal this Ordinance at any time, whereupon all rights, granted hereby shall immediately cease and determine.

(j) Within thirty days after the final reading and passage of this Ordinance, by the Commissioners of the City of San Antonio, and before any rights herein shall vest in the said Grayburg Pipe Line Company, and before this Ordinance shall evidence any consent of this City to the use of said street or streets or other public place as herein provided, the Board of Directors of the said Grayburg Pipe Line Company shall duly pass a resolution authorizing its president to accept the privileges and franchise herein granted, and to agree and obligate said Grayburg Pipe Line Company and its successors and assigns, if any, as its and their contract, to the conditions and stipulations herein set forth, and in form to be approved by the City Attorney of the City of San Antonio, and the president of said Company shall thereupon file with the City Clerk a copy of said resolution duly certified, and the president and secretary of the said Company also shall thereupon lawfully execute, acknowledge and affix the corporate seal of said Grayburg Pipe Line Company to the acceptance of such privileges and franchise, in accordance with such resolution.

SECTION THREE: Upon the passage of this Ordinance, by the Commissioners and the approval thereof by the Mayor, together with the publication thereof as required by the City Charter of franchise granted by the City, said Ordinance shall take effect as herein and by law provided, and the same shall hereafter be in full force and effect, subject to all the conditions, stipulations and provisions herein contained. Read the first time at a regular meeting of the Commissioners held on the 21st day of September A. D. 1921, and ordered published as aforesaid.

Read the second time at a meeting of the Commissioners held on October 3rd, A. D. 1921.

PASSED AND APPROVED this 6th, day of October A. D. 1921.

Attest:

Ben A. Cordell,  
City Clerk.

O. B. Black,  
Mayor, City of San Antonio.

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## AN ORDINANCE

OF-259

Authorizing H. E. Dickinson and the SAN ANTONIO WATER SUPPLY COMPANY to lay and install certain water mains and fire hydrants, and imposing conditions.

WHEREAS, H. E. DICKINSON is desirous of opening an addition within the City of SAN ANTONIO, which addition is to be known as ROSE TERRACE, and the said H.E. DICKINSON further desires to open certain streets in said Addition, and to lay and install certain water mains and fire hydrants in and upon certain proposed streets of such Addition, and

WHEREAS, the said H. E. Dickinson and the San Antonio Water Supply Company, a corporation, have entered into an agreement governing the manner in which, and the terms upon which such water mains and fire hydrants shall be laid and installed, and

WHEREAS, it is agreeable to the City of San Antonio that such water mains and fire hydrants shall be laid and installed, subject to the conditions hereinafter set out

NOW THEREFORE, be it ordained by the Commissioners of the City of San Antonio,

SECTION ONE: That H. E. Dickinson and the San Antonio Water Supply Company, a corporation, be, and they are hereby authorized and granted permission to lay and install certain water mains and fire hydrants from the said proposed Rose Terrace Addition to mains of San Antonio Water Supply Co., which shall be laid along the route, and be the size indicated upon the plat hereto attached, and made a part of this Ordinance; and are further authorized and empowered to install fire hydrants at the points designated on said plat.

SECTION TWO: As a part of the agreement granting the permission given in Section one hereof, it is expressly agreed and stipulated that the water mains laid in pursuance with the authority hereby given shall never be considered and included as a part of the mains agreed upon to be laid per annum, by the San Antonio Water Supply Company, in its contract with the City of San Antonio, which contract bears date of the 2nd day of April, A. D. 1914. And it shall be considered at all times hereafter that the mains laid in pursuance with the authority herein granted, shall have been laid by virtue of the private contract between H. E. Dickinson and the San Antonio Water Supply Company, and not by virtue of the contract of the City of San Antonio, with the San Antonio Water Supply Company. As a further condition to the permission herein granted, it is expressly agreed and stipulated that the City of San Antonio shall never be charged any rental or other manner of consideration or charge for the fire hydrants installed in accordance with the permission herein granted, unless and until such Addition is accepted by said City, and the location of such hydrants accepted and approved.

SECTION THREE: Any action of the said H. E. Dickinson and the San Antonio Water Supply Company in laying mains and installing fire hydrants in accordance with said plat hereto attached, and made a part hereof, shall be deemed and construed to be a full acceptance of this Ordinance, and a full agreement by said parties to each and all of the conditions and stipulations herein contained.

SECTION FOUR: The authority herein granted, and the passage of this Ordinance shall not be deemed or construed as an acceptance of the proposed Rose Terrace Addition; but the acceptance of said Addition shall be accomplished only in the manner provided by the CHARTER of the City of San Antonio.

PASSED AND APPROVED on this, the 20th day of October, A.D., 1921.

O. B. BLACK  
Mayor, City of San Antonio, Texas.

ATTEST:

BEN A. CORDELL-----

AN ORDINANCE *OF-260*

Amending an ordinance passed and approved on the 29th day of July, A.D.1918, entitled "An ordinance for the licensing and regulation of driverless automobiles, hired or leased to the public for use upon or over the streets or throughfares of the City of San Antonio", by inserting Section One-A, declaring the use of public streets and highways by driverless automobiles to be a public franchise or privilege in the nature of a franchise; and by the inserting of Section Ten-A providing for the punishment of any person driving or using any driverless automobile upon the streets and public highways of the City of San Antonio, where the provisions of the laws regulating driverless automobiles have not been fully complied with, and declaring an emergency.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

SECTION ONE: That the ordinance passed and approved on the 29th day of July, A.D.1916, and entitled "An ordinance for the licensing and regulation of driverless automobiles, hired or leased to the public for use upon or over the streets or throughfares of the City of San Antonio, be and the same is hereby amended by the insertion of Section 1-A, immediately after and following ~~the~~ Section One of said ordinance, which Section One-A shall read as follows:

SECTION ONE-A. The use of the streets or throughfares of the City of San Antonio by any person whomsoever for the purpose of operating or causing to be operated thereon any driverless automobile or automobiles, as defined in the ordinance passed and approved on the 29th day of July, A.D.1918, and providing for the licensing and regulating of driverless automobiles, is hereby declared to be a public franchise or privilege in the nature of a franchise, and a business, occupation and public utility, the exercise of which is conditioned upon and subject to the grant, authorization, license and regulation by ordinance of the City Commissioners of the City of San Antonio; and no person shall make such use of the streets or highways of said City of San Antonio, or exercise thereon any such franchise or privilege, or operate or cause to be operated any such driverless automobile on said streets or highways, unless the operation of such vehicle shall have been first authorized by the grant of such franchise or privilege, and a written license issued under the authority of an ordinance of the City Commissioners of the City of San Antonio, and unless such person shall thereafter comply with all regulations of such matters now or hereafter lawfully established and in effect by ordinance of the City Commissioners of the City of San Antonio.

And that said ordinance be further amended by the insertion of Section 10-A, immediately after and following Section Ten thereof, which Section Ten-A shall read as follows:

Section 10-A. It shall be unlawful for any person or persons to use or drive any driverless automobile or automobiles upon any street or throughfare or public place within the corporate limits of the City of San Antonio, unless the person, firm, corporation or association of persons from which such automobiles or automobiles have been hired or leased have procured license, and given bond as required by the ordinances of the City of San Antonio, for the operation of such driverless automobiles, and shall have in all things fully complied with all the provisions of said ordinances providing for the licensing and regulation of driverless automobiles. Any person, violating this Section, or failing or refusing to comply with the provisions hereof, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Section Twelve of said Ordinance providing for the licensing and regulation of driverless automobiles.

Section Two. The provisions of Section One-A and Ten-A hereby adopted shall be deemed and considered a part of said ordinance passed and approved on July 29, 1918, and entitled "An ordinance for the licensing and regulation of driverless automobiles, hired or leased to the public for use upon or over the streets of thoroughfares of the City of San Antonio" the same as if originally included and adopted with said ordinance, and shall be construed in connection with all of the other provisions of said ordinance.

Section Three. This ordinance being of urgent importance, for the immediate preservation and protection of the public safety and welfare, and on account of the further facts apparent upon the facts thereof, and being passed by a four fifths vote of the Commissioners, shall take effect immediately after its passage and approval.

PASSED AND APPROVED on this the 3rd day of November, A.D.1921.

O.B.Black,  
Mayor, City of San Antonio, Texas.

ATTEST:

Ben A. Cordell, City Clerk.

THE STATE OF TEXAS:  
COUNTY OF BEXAR:  
CITY OF SAN ANTONIO:

Before me the undersigned authority, on this day personally appeared

H. D. Druce who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Evening News, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the ordinance hereto attached has been published in every issue of said newspaper on the following days, to-wit:

Nov 7-8-9-10-11-12-14-15-16

1921.

H. A. Druce

Sworn to and subscribed before me this 14th day of November 1921.

Jas. Simpson  
Asst City Clerk.