

March 4, 1950

3. Be it further ordained that the sum hereinabove designated be set aside and appropriated for the purposes herein stated, out of the 1949 General Fund-Mayor's Account, to be paid in such amount or amounts and at such times as may be provided for in said contract of employment.

PASSED AND APPROVED this the ____ day of March, A. D. 1950.

APPROVED: _____
MAYOR

ATTEST:

City Clerk

Commissioner Davis explained that since the suit referred to was filed against the Mayor, the Commissioners and the City Clerk in their official capacities it was perfectly proper that the City pay any legal expenses necessary to defend the suit.

Mayor White contended that the City's legal staff was sufficient to protect the City's interests and for that purpose, no additional counsel was needed.

In general the question of whether or not the suit should be against the Commissioners personally instead of in their official capacity.

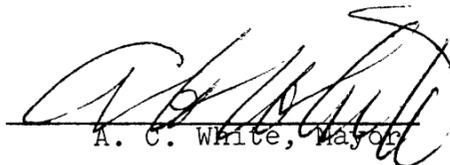
This discussion was entered into by all Commissioners, the Mayor and the City Attorney, the latter explaining his position.

Commissioner South made a statement in which he said he wanted it emphatically understood that no reflection was intended upon the integrity or ability of Mr. Anderson the City Attorney or his staff, but that there might be a conflict of opinions and interests and it was felt that outside advice was needed. After thorough discussion the roll was called, resulting as follows; Ayes, Davis, Hein, Knight and South; Nays, White.

The City Attorney then asked for clarification of the Commissioners' wishes. Are these Attorneys to assist the City Attorney? Who is to be the leading counsel? Commissioner Knight replied that that matter would be clarified later.

On a motion by Commissioner Knight, seconded by Commissioner Hein and carried by a roll call vote to-wit: Ayes, White, Davis, Hein, Knight and South; Nays, None, the meeting was adjourned.

APPROVED


A. C. White, Mayor

ATTEST:


J. Frank Gallagher,
City Clerk

* * *

REGULAR MEETING OF THE COMMISSIONERS OF
THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL, THURSDAY, MARCH 9th.,
1950, AT 10:00 A.M.

PRESENT:

WHITE, DAVIS HEIN, KNIGHT AND SOUTH: Mayor White presiding.

Invocation by Rev. Harold R. Buckhart, pastor of Highland Christian Church.

On a motion by Commissioner Davis, seconded by Commissioner Hein, ^{reading of} the minutes of the previous meeting were dispensed with, motion was carried by a roll call vote to-wit; Ayes, White, Davis, Hein, Knight and South; Nays, none.

THE FOLLOWING PETITIONS WERE PRESENTED:

Commissioner of Streets & Public Improvements;

The petition filed by Maverick Clarke Employees Fund, requesting plat approval of NCB 9478, through 9482.

The petition filed by C. L. Gonzalez, et al requesting a waiver of being assessed for the paving done on Bois D'Arc Street.

The petition filed by Gerard's High School, requesting the closing of a portion of St. Anthony Street abutting the property of St. Gerard High School.

The petition filed by L. E. White, requesting plat approval of NCB 9101.

Commissioner of Fire and Police :

The petition filed by C. E. Middleton, requesting permission to construct a

a barbecue pit at 3909 Main Avenue.

The petition filed by Mrs. A. J. Nunn, ^{et al} requesting an allocation of parking spaces in front of her home and the surrounding neighborhood.

The following Ordinances were introduced by the Mayor and various Commissioners and passed and approved by a roll call vote to-wit: Ayes, White, Davis, Hein, Knight and South; Nays; none.

Comm. Davis:

APPRO. NO. 1142 AN ORDINANCE 11,473

APPROPRIATING \$18,703.80, OUT OF THE U.S. GOVERNMENT TAX ACCOUNT TO PAY NATIONAL BANK OF COMMERCE FOR CREDIT TO ACCOUNT OF FEDERAL RESERVE BANK, WITHHOLDING TAXES FOR THE MONTH OF FEBRUARY, 1950.

(Full text in Ordinance Book T. page.537

COMM. KNIGHT

APPRO. NO. 1143 AN ORDINANCE 11,474

ACCEPTING PROPOSAL OF F. M. REISING, DOING BUSINESS AS F. M. REISING CONSTRUCTION COMPANY, FOR CONSTRUCTION OF THE WEST SIDE SEWER MAIN SECTION THREE: AUTHORIZING THE MAYOR TO EXECUTE CONTRACT: AND APPROPRIATING \$172,857.80 OUT OF THE SANITARY SEWER PLANT * SYSTEM A-47 FUND.

(Full text in Ordinance Book T. page. 538

APPRO. NO. 1144 AN ORDINANCE 11,475

APPROPRIATING \$1.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND PAYABLE TO TEXAS AND NEW ORLEANS RAILROAD COMPANY FOR RENTAL ON PIPE CROSSING NEAR BASSE ROAD CROSSING.

(Full text in Ordinance Book T. page. 538

APPRO. NO. 1145 AN ORDINANCE 11,476

APPROPRIATING \$1.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 fund, to pay Eugene J. Roth damages for REMOVING OBSTRUCTIONS ON A PERMANENT SEWER EASEMENT NECESSITATED BY THE CONSTRUCTION OF THE SALADO CREEK SEWER MAIN, SECTION FIVE.

(Full text in Ordinance Book T. page.538

APPRO. NO. 1146 AN ORDINANCE 11,477

APPROPRIATING \$3772.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND, TO PAY TEXAS EXPLORATION SURVEYS, INC., AND TRINITY TESTING LABORATORIES INC., IN ACCORDANCE WITH CONTRACTS.

(Full text in Ordinance Book T. page.539

APPRO. NO. 1147 AN ORDINANCE 11,478

APPROPRIATING \$2,110.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND TO PAY REGULAR SEMI-MONTHLY PAYROLL.

(Full text in Ordinance Book T. page.538

APPRO. NO. 1148 AN ORDINANCE 11,479

APPROPRIATING \$1,292,50 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY REGULAR SEMI-MONTHLY PAYROLL

(Full text in Ordinance Book T. page. 539

APPRO. NO. 1149

AN ORDINANCE 11,480

APPROPRIATING \$7,477.75 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY COLGLAZIER & HOFF, INC., AND JOSE TREVINO, IN ACCORDANCE WITH CONTRACTS.

(Full text in Ordinance Book T. page. 540

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MAYOR WHITE:

APPRO. NO. 1150

AN ORDINANCE 11,481

APPROPRIATING \$847.57 OUT OF THE ADVERTISING FUND TO PAY CLAUDE ANIOL AND ASSOCIATES FOR MAGAZINE ADVERTISING.

(Full text in Ordinance Book T. page. 540

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APPRO. NO. 1151

AN ORDINANCE 11,482

APPROPRIATING \$118.00 OUT OF THE COMMERCE BUILDING FUND PAYABLE TO OTIS ELEVATOR COMPANY FOR MAINTENANCE OF ELAVATORS.

(Full text in Ordinance Book T. page. 540

COMM. KNIGHT

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APPRO. NO. 1152

AN ORDINANCE 11,483

MAKING CONTRACT WITH HELLAND AND SELIGMAN, LTD., FOR PROFESSIONAL SERVICES IN CONNECTION WITH CERTAIN CONSTRUCTION FOR THE SANITARY SEWERAGE SYSTEM, IDENTIFIED AS ITEMS FOUR AND FIVE: AND APPROPRIATING \$5,802.50

(Full text in Ordinance Book T. page. 541

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COMM. DAVIS.

AN ORDINANCE 11,484

GRANTING THE PETITION OF THE MOST REV. ROBERT E. LUCEY, FROM CITY TAXES ON LOTS 27, 28, 29 & 30, BLK. 11, NCB 7410 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 542

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AN ORDINANCE 11,485

GRANTING THE PETITION OF THE MOST REV. ROBERT E. LUCEY, ARCHBISHOP, FROM CITY TAXES ON LOT 9 & W 51.73 FEET OF 8, BLK. 16, NCB 521, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 543

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AN ORDINANCE 11,486

GRANTING THE PETITION OF CENTRAL BAPTIST CHURCH FROM CITY TAXES ON LOT 1, BLK., 9, N.C.B. 3011, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS.

(Full text in Ordinance Book T. page. 543

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AN ORDINANCE 11,487

GRANTING THE PETITION OF BAPTIST TEMPLE FOR EXEMPTION FROM CITY TAXES ON LOT N. 190 FT OF S. 390 FT OF 55, BLK, 6, NCB 7525, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 543

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AN ORDINANCE 11,488

GRANTING THE PETITION OF BAPTIST TEMPLE FOR EXEMPTION FROM CITY TAXES ON LOT 24 BLK. 16, NCB 3284 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 544

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March 9, 1950

AN ORDINANCE 11,489

GRANTING THE PETITION OF BAPTIST TEMPLE FOR EXEMPTION FROM CITY TAXES ON LOTS 18 & 19 BLK. 19, NCB. 3194 IN THE CITY OF SAN ANTONIO BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page.544

AN ORDINANCE 11,490

GRANTING THE PETITION OF MOST REV. ROBERT E. LUCEY ARCHBISHOP FOR EXEMPTION FROM CITY TAXES ON LOT 18, BLK 3, NCB 2178, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 544

AN ORDINANCE 11,491

GRANTING THE PETITION OF SOUTH FLORES BAPTIST CHURCH FROM CITY TAXES ON LOTS 26,27 and 28 NCB. 8602, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 545

AN ORDINANCE 11,492

GRANTING THE PETITION OF MOST REV. ROBERT E. LUCEY, ARCHBISHOP, FOR EXEMPTION FROM CITY TAXES ON LOTS 1 TO 8, INC. BLK, 3, NCB 7291, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

(Full text in Ordinance Book T. page. 545

AN ORDINANCE 11,493

ACCEPTING THE ATTACHED BID PROPOSAL AND MAKING CONTRACT WITH THE STANDARD PRINTING COMPANY SAN ANTONIO, TEXAS TO FURNISH THE CITY OF SAN ANTONIO ASSESSOR'S DEPARTMENT WITH 300 BINDERS AT A PRICE OF \$280.65 AND MAKING PAYMENT FOR SAME OUT OF APPROPRIATION #924 ASSESSOR'S DEPARTMENT.

(Full text in Ordinance Book T. page. 545

COMM. HEIN:

AN ORDINANCE 11,494

ACCEPTING THE ATTACHED BID PROPOSAL AND MAKING CONTRACT WITH THE ROYAL TYPEWRITER COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PARKS AND PLAZAS WITH ONE ROYAL TYPEWRITER WITH AN UNDERWOOD TRADE-IN FOR THE PRICE OF \$96.75 AND PAYING FOR SAME OUT OF APPROPRIATION #924 PARKS AND PLAZAS.

(Full text in Ordinance Book T. page. 545 -

AN ORDINANCE 11,495

MAKING AND MANIFESTING A CONTRACT BY AND BETWEEN THE CITY OF SAN ANTONIO AND A CO-PARTNERSHIP COMPOSED OF EFFIE MAY THURMOND AND JIMMIE V. THURMOND AND KNOWN AS PAK-MOR MANUFACTURING COMPANY.

(Full text in Ordinance Book T. page. 546

AN ORDINANCE 11,496

AN ORDINANCE DIRECTING REMOVAL OF HIDALGO STATUTE FROM ROMANA PLAZA TO LA VILLITA

(Full text in Ordinance Book T. page.547

March 9, 1950

AN ORDINANCE 11,497

AUTHORIZING THE MAYOR TO EXECUTE PIPE LINE (SEWER) CROSSING, ACCEPTING SAID EASEMENT, FROM GUY A THOMPSON, TRUSTEE, INTERNATIONAL-NORTHERN RAILROAD COMPANY, DEBTOR.

(Full text in Ordinance Book T. page. 547

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AN ORDINANCE 11,498

AMENDING AN ORDINANCE (NO.11211) PASSED AND APPROVED ON THE 12th DAY OF JANUARY, 1950, AND RECORDED IN ORDINANCE BOOK "T" PAGE 407 AND WHICH SAID ORDINANCE ACCEPTED A PROPOSAL OF H. W. LEWIS EQUIPMENT CO., FOR FURNISHING AN ALLIS-CHALMERS MODEL "D" MAINTAINER SO AS TO HEREAFTER READ AS FOLLOWS: "AN ORDINANCE MAKING AND MANIFESTING A CONTRACT OF HIRE WITH OPTION TO PURCHASE, BY AND BETWEEN THE CITY OF SAN ANTONIO AND THE H. W. LEWIS EQUIPMENT COMPANY, A CORPORATION."

(Full text in Ordinance Book T. page. 548

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AN ORDINANCE 11,499

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF LEONARD DYKE AND WIFE, MARY CECILIA DYKE.

(Full text in Ordinance Book T. page. 549

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AN ORDINANCE 11,500

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF PAUL M. SOMERS & MARIAN SOMERS.

(Full text in Ordinance Book T. page. 549

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AN ORDINANCE 11,501

ACCEPTING THE PROPOSAL OF, AND CREATING CONTRACT WITH ELMO DANIELS, FOR FURNISHING WATER TRUCK, WITH OPERATOR, MAINTENANCE AND FUEL.

(Full text in Ordinance Book T. page. 550

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AN ORDINANCE 11,502

ACCEPTING PROPOSAL OF, AND CREATING CONTRACT WITH MRS. EUNICE BEYNON AND MRS. THELMA B. PAHLMAN FOR GRAVEL.

(Full text in Ordinance Book T. page. 550

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AN ORDINANCE 11,503

ACCEPTING THE ATTACHED BID PROPOSAL AND MAKING CONTRACT WITH THE ALAMO IRON WORKS, SAN ANTONIO, TEXAS TO FURNISH THE CITY OF SAN ANTONIO STREET DEPARTMENT WITH ONE LOT OF STEEL TO BE USED IN THE CONSTRUCTION OF WARE BOULEVARD CULVERT AND PAYING FOR SAME IN THE AMOUNT OF \$692.55 OUT OF THE STREET AND BRIDGE C-45 FUND.

(Full text in Ordinance Book T. page. 551

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AN ORDINANCE 11,504

ACCEPTING EASEMENT FROM EUGENE J. ROTH, FOR PUBLIC DRAIN ACROSS THE MISSION BROADCASTING COMPANY'S 4.907 ACRE TRACT OUT OF THE G. NUNEZ SURVEY NO.151, COUNTY BLOCK 5096

(Full text in Ordinance Book T. page. 551

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March 9, 1950

AN ORDINANCE (no number)

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE BOUNDARIES OF THE CITY, SAID TERRITORY BEING A TRACT OF LAND CONTAINING APPROXIMATELY 39.13 ACRES, ROBERT PATTON SURVEY NO. 1, LYING BETWEEN THE MO. PAC., R.R. AND BROADWAY AND SOUTH OF THE HARRY WURZBACH HWY., BEXAR COUNTY, TEXAS.

(Read for the first time and ordered published)

AN ORDINANCE (no number)

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE BOUNDARIES OF THE CITY, SAID TERRITORY BEING A PART OF AND OUT OF THE N.W. CORNER OF COUNTY BLOCK NO. 5131, IN BEXAR COUNTY, TEXAS.

(Read for the first time and ordered published)

AN ORDINANCE 11,505

ACCEPTING THE PROPOSAL OF, AND CREATING CONTRACT WITH F. M. SCHAEFER, DOING BUSINESS AS F.M. SCHAEFER CONSTRUCTION CO., FOR EXCAVATING LAKE DRIVE: AND MAKING PAYMENT OF \$400.00 OUT OF APPROPRIATION #924.

(Full text in Ordinance Book T. page. 551

COMM. SOUTH

AN ORDINANCE 11,506

ACCEPTING THE BID PROPOSALS OF THE ROYAL TYPEWRITER COMPANY AND UNDERWOOD CORPORATION TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT UNDER SUPERVISION OF THE COMMISSIONER OF FIRE AND POLICE WITH TYPEWRITERS AS LISTED BELOW FOR A SUM OF \$1,155.11 AND MAKING PAYMENT FOR SAME OUT OF APPROPRIATION #924, FIRE AND POLICE AND BUILDING INSPECTION DEPARTMENT.

(Full text in Ordinance Book T. page. 552

MAYOR WHITE

AN ORDINANCE 11,507

MAKING A LEASE BETWEEN CITY OF SAN ANTONIO AND BERT WILCUT, DOING BUSINESS AS SAN ANTONIO AVIATION SCHOOL, AT STINSON MUNICIPAL AIRPORT.

(Full text in Ordinance Book T. page. 552

AN ORDINANCE 11,508

ATHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF SAN ANTONIO AND THE NIK-LOK COMPANY.

(Full text in Ordinance Book T. page. 554

COMM. DAVIS

A RESOLUTION

RESOLUTION AUTHORIZING CITY PURCHASING AGENT TO CALL FOR BIDS FOR PRINTING ADVERTISING PAMPHLETS ON "LA VILLITA"

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COMM. SOUTH

A RESOLUTION

DIRECTING THE CITY PURCHASING AGENT TO ADVERTISE FOR BIDS TO FURNISH THE COMMISSIONER OF FIRE AND POLICE, THE POLICE & FIRE DEPARTMENT WITH CERTAIN EQUIPMENT AND SUPPLIES AS LISTED BELOW ALLOWING TRADE IN PRICES AS A PART PAYMENT AS SPECIFIED. BIDS TO BE OPENED MARCH 23RD., 1950.

A RESOLUTION Mayor White

CALLING FOR BIDS FOR PROPOSED AIR CONDITIONING SYSTEM FOR THE MUNICIPAL AUDITORIUM, CITY OF SAN ANTONIO, TO BE SUBMITTED THURSDAY, MARCH 30, 1950.

March 9, 1950

The following letter was read aloud at the Council Meeting by the City Clerk;

San Antonio, Texas.

March 3, 1950.

Hon. A. C. White, Mayor of San Antonio,
 Commissioner C. Ray Davis,
 Commissioner Henry F. Hein
 Commissioner James W. Knight
 Commissioner Raymond South

Gentlemen:

It is now about nine months since the Public Health Committee of the San Antonio Chamber of Commerce was advised by each and all of you that additional fogging machines would be purchased by the City of San Antonio. Since said date large expenditures have been made by the City of San Antonio, but to date said fogging machines have not been acquired.

We are advised that bids for the purchase of same will soon be opened.

In view of the fact that the City has only one realatively new and effeciently working machine at the present time, it is hoped that three new fogging machines will be promptly purchased and put to use.

At a meeting of the Directors of the San Antonio Chamber of Commerce February 28, the Public Health Committee was authorized to write to you relative to this matter since it had been anticipated that a general fogging of the City would be commenced, with four machines, by March 1st, yet said machines have not even yet been purchased.

Yours very truly,

PUBLIC HEALTH COMMITTEE OF
 SAN ANTONIO CHAMBER OF COMMERCE

By: /s/ Sylvan Lang
 Chairman.

The letter of Mayor White and transmittal letter of the City Clerk, both copied below were presented by the Clerk but on motion of Commissioner Davis and seconded by Commissioner Hein, their reading was dispensed with by the following vote: Ayes, Davis, Hein, Knight and South; Nays; White.

San Antonio, Texas.

March 6, 1950.

COMMISSIONERS OF THE CITY OF SAN ANTONIO,
 Hon. C. Ray Davis, Comm. of Taxation,
 Hon. Henry F. Hein, Comm. of Sanitation, Parks & Public Property,
 Hon. James W. Knight, Comm. of Streets & Public Improvements,
 Hon. Raymond South, Comm. of Fire and Police.

Gentlemen:

Please be advised that I have presented to the Mayor for his approval and signature the following Ordinance to-wit:

"An ORDINANCE PROVIDING FOR THE APPROPRIATION OUT OF THE 1949 GENERAL FUND, MAYOR'S ACCOUNT, OF A SUM NOT TO EXCEED \$7500.00 TO EMPLOY ATTORNEYS AS SPECIAL COUNSEL TO REPRESENT THE CITY, THE MEMBERS OF THE BOARD OF COMMISSIONERS, AND THE CITY CLERK IN CAUSE NO. F-57957, NOW PENDING IN THE 73RD JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED THE STATE OF TEXAS, EX REL, WILLIAM N. HENSLEY, CRIMINAL DISTRICT ATTORNEY OF BEXAR COUNTY, TEXAS, PLAINTIFF, VS. CITY OF SAN ANTONIO, ET AL, DEFENDANTS: AUTHORIZING THE BOARD OF COMMISSIONERS TO ENTER INTO A CONTRACT OF EMPLOYMENT WITH SUCH ATTORNEY; AND APPROPRIATING FUNDS FOR THE PURPOSES STATED".

He has disapproved this Ordinance and has specified his objections thereto in writing, a copy of which is attached, and has returned the same to the Commissioners of the City of San Antonio with such disapproval, on the 6th day of March A. D. 1950, and same has been filed and is being held in my custody.

Yours very truly,

/s/ J. Frank Gallagher,
 City Clerk

Signed copies to-
 Comm. C. Ray Davis,
 " Henry F. Hein
 " James W. Knight
 " Raymond South.

March 9, 1950.

San Antonio, Texas.

March 6, 1950.

To the Board of Commissioners
of the City of San Antonio,
City Hall,
San Antonio, Texas.

Gentlemen:-

Under, and by virtue of, the authority vested in me by Section 26 of the Charter of the City of San Antonio, as Mayor, I herewith notify the Board of Commissioners of said City, and each of you, that I disapprove of the Ordinance passed on the 4th day of March, 1950, the same being;

"AN ORDINANCE PROVIDING FOR THE APPROPRIATION OUT OF THE 1949 GENERAL FUND - MAYOR'S ACCOUNT, OF A SUM NOT TO EXCEED \$7500.00 TO EMPLOY ATTORNEYS AS SPECIAL COUNSEL TO REPRESENT THE CITY, THE MEMBERS OF THE BOARD OF COMMISSIONERS, AND THE CITY CLERK IN CAUSE NO. F-57957, NOW PENDING IN THE 73RD JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED THE STATE OF TEXAS, EX REL, WILLIAM N. HENSLEY, CRIMINAL DISTRICT ATTORNEY OF BEXAR COUNTY, TEXAS, PLAINTIFF, VS CITY OF SAN ANTONIO, ET AL., DEFENDANTS; AUTHORIZING THE BOARD OF COMMISSIONERS TO ENTER INTO A CONTRACT OF EMPLOYMENT WITH SUCH ATTORNEYS; AND APPROPRIATING FUNDS FOR THE PURPOSES STATED".

and I here and now veto said above described Ordinance.

In accordance with the provisions of the Charter, Section 26, I specify my objections to this Ordinances, in writing, this 6th day of March, 1950, as follows:

1st. That this proposed hiring and employment of Special Counsel to represent the Commissioners of the City, who are defendants in a Mandamus suit which seeks to compel them to perform their duties as such, is unconstitutional, illegal, void and not provided for by Charter, for the reason that said Mandamus suit alleges that the Commissioners have exceeded their authority and refused to perform their duties; and, therefore, they do not represent the City of San Antonio.

2nd. That the attempt to appropriate \$7500.00 and set it aside to pay Messrs. Birkhead, Beckman, Stanard, Vance & Wood, and Adrian Spears, as called for in said ordinance is void and illegal and constitutes a diversion of the Public's funds and the taxpaying citizens of this City ought not have to pay the personal attorneys of the Commissioners for their acts in refusing to call an election as requested by the people in a valid petition;

3rd. The City's interests are the same as the State's and the Petitioners' and the Taxpayers' and it ought not be forced to pay the personal legal expenses of the Commissioners in an attempt to defeat the will of the State, the City and its citizens;

4th. That if the Commissioners insist on trying to stay in office until June 1st., 1951, contrary to the intent of the proposed amendments, and draw their salaries, then they ought to pay their own personal attorneys out of their own pockets and not the Public's funds;

5th. Furthermore, I hereby put each Commissioner of the City of San Antonio, and any attorneys employed by virtue of this ordinance, on notice that, if this veto is overridden and any public monies paid out, then I shall instruct the proper authorities to thake action to recover the same from those who are responsible, including any attorney or attorneys, receiving same, for the reason that I believe it would be an unlawful and illegal expenditure.

A. C. White,

M A Y O R
City of San Antonio.

The following bids were opened, read aloud and referred to the Purchasing Agent for tabulation:

TO FURNISH THREE STEEL BUILDINGS:

Capitol Steel Co., Ahl & Company, Braden Steel Company, Star Manufacturing Co., Hone & Nobles; Canamex Co., Ormco Products.

FOR MOWING MACHINES:

Texas Toro Company,

FOR FOG APPLICATORS:

Alamo Exterminator Company, Martin Smith Company, Abash Company.

THE FOLLOWING PETITIONS WERE GRANTED:

The petition of Thos. D. Jones, requesting approval of said premises as a site for a drive-in filling station at Lot #44-45, City Block #6551, Street No. 2605 McCullough.

March 14, 1950

The petition of H. B. Zachry Properties Inc., requesting plat approval of Monticello Heights Unit #1.

The petition of G. W. Delavan, Sr., requesting plat approval of NCB 9797.

The petition of G. W. Delavan, Sr., requesting plat approval of NCB 9149-9650.

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The meeting was recess until Tuesday, March 14, 1950, at 10:00 A.M.

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RECESSED MEETING OF THE COMMISSIONERS OF
THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL, MARCH 14, 1950 AT
10:00 A.M.

PRESENT:

White, Davis, Hein, Knight and South: Mayor White Presiding.

THE FOLLOWING PETITIONS WERE READ AND REFERRED:

Commissioner of Streets and Public Improvements:

The petition filed by the First Congregational Church, requesting that Labor Street be widened at the intersection of South Presa and Carolina Streets.

et al

The petition of W. H. Williams, on behalf of the PTA of Rayburn School, requesting that various streets be cut through from Gerald to the North and Rayburn Drive to the South, and that said streets be graveled.

Commissioners of Fire & Police Commissioner:

The petition filed by Mrs. J. T. Brown et al, requesting the installation of a street light at the intersection of West Glenn Avenue and Edwards street.

The petition of Bell-Kotzebue Company requesting a refund for a building permit fee that was a duplication of a permit obtained by the Highland Park Luthern Church.

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A motion to pass Ordinance #11472 as follows:

(AN ORDINANCE 11,472)

AN ORDINANCE PROVIDING FOR THE APPROPRIATION OUT OF THE 1949 GENERAL FUND-MAYOR'S ACCOUNT, OF A SUM NOT TO EXCEED \$7500.00 TO EMPLOY ATTORNEYS AS SPECIAL COUNSEL TO REPRESENT THE CITY, THE MEMBERS OF THE BOARD OF COMMISSIONERS, AND THE CITY CLERK IN CAUSE No. F-57957, NOW PENDING IN THE 73RD JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED THE STATE OF TEXAS, EX REL, WILLIAM N. HENSLEY, CRIMINAL DISTRICT ATTORNEY OF BEXAR COUNTY, TEXAS, PLAINTIFF, VS. CITY OF SAN ANTONIO, ET AL DEFENDANTS; AUTHORIZING THE BOARD OF COMMISSIONERS TO ENTER INTO A CONTRACT OF EMPLOYMENT WITH SUCH ATTORNEYS; AND APPROPRIATING FUNDS FOR THE PURPOSES STATED.

over the veto of the Mayor made by Commissioner Davis, seconded by Commissioner Knight, passed by the following vote; Ayes, Davis, Hein, Knight, and South; Nays, White.

After the passage of the Ordinance above, Commissioner Davis asked that the meeting be at ease a few minutes to enable the four Commissioners and the Attorneys involved to sign the contract authorized by this Ordinance.

Commissioner Davis then read the following statement;

The employment of special counsel in this case is proper because the suit is against the City of San Antonio and the Board of Commissioners in their official capacities.

Furthermore, such employment is not only proper but necessary because the City Attorney took the position he could not represent the Commissioners in their official capacities in view of differences between them and the Mayor.

The law does not require public officials sued in their official and representative capacities to pay personally the fees and expenses required in defending such suits.

and moved that it be spread upon the minutes. Seconded by Commissioner Knight the Motion carried by the following vote; Ayes, Davis, Hein, Knight and South; nays White.