

## MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, OCTOBER 29TH, A.D.1917, 4 P.M.

PRESENT: Honorable Sam C. Bell, Mayor, presiding, and Commissioners Lambert, Heuermann and Lowther.

Minutes of previous meeting were ordered approved.

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----MEMORIALS AND PETITIONS----

The following petitions were read and referred to City Assessors Office:

F.S. Harrison, for correction of assessment.

R.A. Menger, for correction of assessment.

Citizens, for arc lamp at River Avenue and Queen Anne Court, and at Tampico and Sabinas Streets, were read and referred to Commissioner of Fire and Police.

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Commissioner Heuermann introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Lambert, Heuermann and Lowther.

No. 165

**MB-932** AN ORDINANCE

Appropriating money to pay Interest Coupons.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

Section 1. That the sum of \$4867.50 be and is hereby appropriated to pay interest coupons as follows:

Out of General Sinking Fund	\$992.50	
Sinking Fund Impt. Dist, No. 1	587.50	
" " " " No. 3	100.00	
" " " " No. 8	1925.00	
" " " " No. 9	1175.00	
" " " " No. 11	75.00	
" " " " No. 12	12.50	\$4867.50

Section 2. That the sum of \$7.30 be and is hereby appropriated out of the 1917 General Fund to pay exchange on the transfer of above amount to New York.

Section 2. That the sum of \$7.30 be and is hereby appropriated out of the 1917 General Fund to pay exchange on the transfer of above amount to New York.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

No. 166. Commissioner Heuermann introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Lambert, Heuermann and Lowther.

**-733** AN ORDINANCE

Directing the payment of salaries and wages for services rendered by officers and employes of the City of San Antonio for the month of October, 1917, and appropriating money therefor.

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

That the following sums of money, or so much thereof as may be necessary, be and the same is hereby appropriated for the payment of officers and employes for the several accounts and departments as specified in the attached schedule as salaries or wages for services rendered to the City during the month of October 1917 as per pay rolls:

1917 General Fund	\$71,815.65
Cemetery Fund	260.00
	<u>\$72,075.65</u>

for which respective amounts city warrants shall at once be issued and delivered to said respective payees, providing that all persons performing services for the City for uncertain periods, may be paid on pay on pay rolls certified to be correct by the Com-

missioner of the department or the Chief of the division in which they are engaged, and each person so paid shall thereupon receipt said pay roll, all as provided by City Charter.

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Commissioner Heuermann introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Lambert, Heuermann and Lowther.

No. 167                      *118-934* AN ORDINANCE

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the Mayor be and he is hereby authorized to issue warrants for the payment of wages to City Day Laborers for the week ending Oct. 25, 1917, and that the following sums be and are hereby appropriated out of the several General and Special funds for that purpose, to-wit:

1917 General Fund            \$2077.30

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Commissioner Heuermann introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Heuermann, Lambert and Lowther.

*-935* AN ORDINANCE

WHEREAS, the following bonds have been redeemed and paid off by the City of San Antonio, to-wit:

Property Condemned Bonds, issue of Sept. 15, 1890, Nos 29, 30, 31, 32, 34, 35, 36, 37, retired March 15, 1917	\$8000.00
Street Improvement Bonds, issue of Sept. 15, 1890, Nos 24 and 25	2000.00
Electric and Fire Alarm System Bonds issue of Sept. 15, 1890 Nos, 14 and 15, retired Sept. 15, 1917	2000.00
School Building Bonds, i ssue of Sept 15, 1890 Nos. 41, 42, 44, 50	4000.00
	<u>\$16000.00</u>

and Whereas, it desired to make <sup>the</sup> payment and cancellation of said bonds a matter of record, therefore

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

That each and all of said bonds together with interest coupons attached thereto, having this day been cancelled as provided in paragraph C of Section 18 of the Finance Ordinance, be and they are hereby ordered delivered to the City Auditor to be by him pasted in the books kept for that purpose and safely kept by him as records of his office.

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The following was read and ordered recorded.

STATE OF TEXAS  
COUNTY OF BEXAR.

We, Chas F.A. Hummel, City Auditor, and Fred Fries, City Clerk of the City of San Antonio, do hereby certify that we have compared the signatures of the Mayor, City Clerk and City Treasurer affixed to the following bonds of the City of San Antonio, to-wit:

Property Condemned Bonds, dated Sept. 15, 1890, numbered 29, 20, 21, 32, 34, 35, 36, 37.

Street Improvement Bonds, dated Sept. 15, 1890, numbered 24 and 25.

Electric Fire Alarm System Bonds, dated Sept 15, 1890, numbered 14 and 15.

School Building Bonds, dated Sept. 15, 1890, numbered 41, 42, 43 and 50, with the

signatures of said officials of record in our respective offices, and hereby declare that the signatures of Bryan Callaghan, Mayor E.P. Claudon, City Clerk, and Ferd Herff Jr. City Treasurer, are the genuine autographic signatures of said officials as they appear upon said bonds hereinbefore mentioned, and heretofore redeemed and paid by

said City of San Antonio.

Witness our hands and the Seal of the City of San Antonio this 27th day of September, 1917.

Chas. F.A. Hummel  
City Auditor

Fred Fries  
City Clerk

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Commissioner Heuermann introduced the following ordinances, which were read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Heuermann, Lambert and Lowther.

CITY OF SAN ANTONIO.  
COUNTY OF BEXAR  
THE STATE OF TEXAS      **MB-936** AN ORDINANCE

Providing for borrowing for borrowing Sixty Thousand Dollars from the Alamo National Bank of San Antonio Texas for the use of the City.

(For full text of this ordinance see Contract Book Vol A, page 159)

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THE STATE OF TEXAS  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO      **-937** AN ORDINANCE

Providing for borrowing Sixty Thousand Dollars from the State National Bank of San Antonio, Texas for the use of the City.

(For full text of this ordinance see Contract Book Vol A. page 163)

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Commissioner Lowther made the following recommendations, which were adopted:  
That petition of National Park for permit to erect metal roof be granted. Adopted.  
That petition of J.K. Burke for permit to erect theatre on J.K. Burr land be granted.  
That petition of Stires Out Door Adv. Co. for permit to erect bill boards at Houston Street Bridge be not granted.

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Commissioner Heuermann introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Lambert, Heuermann and Lowther.

No. 168      **-938** AN ORDINANCE

Authorizing the City Attorney to compromise suit No. B-12193, in the District Court for the Seventy Third Judicial District, of Bexar County, Texas, styled W.M. Locke vs City of San Antonio, and making appropriation therefor.

WHEREAS, the City Attorney recommends that suit No. B-12193, in the District Court for the Seventy Third Judicial District, of Bexar County, Texas, styled W.M. Locke vs City of San Antonio, be compromised by agreement, to be entered as the decree of the court, as outlined in the agreement submitted with said recommendation, both of which are attached hereto and made a part hereof; and

WHEREAS, it appears to the Commissioners to be to the best interest of the City of San Antonio to compromise said suit as outlined in said proposed agreement; THEREFORE,

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

1st. That said compromise agreement is in all things approved, and the City Attorney be and he is hereby directed and authorized to have said agreement entered on behalf of the City of San Antonio as the decree of Court in said suit.

2nd. That there be and is hereby appropriated out of the general fund for the fiscal year 1917 the sum of \$250.00 Two Hundred and Fifty Dollars, warrant for which shall be made payable to Ryan & Matlock, to pay the Attorneys fees as provided in the fifth paragraph of said agreement.

In re W.M.Locke vs City of San Antonio.

October 29, 1917.

To the Honorable Mayor and Commissioner of the City of San Antonio.

Gentlemen:

In regard to suit No. B-12193, in the Seventy Third District Court of Bexar County, Texas, styled W.M.Locke vs City of San Antonio, the plaintiff agrees to settle the matters in controversy in the manner set out in the proposed agreement submitted herewith, which is to be entered as the court in said suit, provided the same is approved by you.

Mayor Bell, Commissioner Lambert and the writer, after viewing plaintiffs premises, went over the matters in controversy with the plaintiff and his attorneys, and are of the opinion that the compromise outlined in said agreement is the best settlement obtainable in said matter, and that it is to the interest of the City of San Antonio to accept same.

I, therefore, recommend that said agreement be approved and that your City Attorney be authorized to compromise said suit by having the agreement entered as the decree of court.

Respectfully submitted,

R.J.McMillan

No. B-12193

W.M.Locke  
-vs-

City of San Antonio..

In the District Court,  
73rd Judicial District,

Bexar County, Texas

It is agreed by and between plaintiff, W.M.Locke, and the defendant, City of San Antonio, to settle the above entitled and styled cause in the following manner;

1st; The defendant agrees to raise the house owned and occupied by plaintiff, situated upon lots 4 and 5, in Block 411, fronting on Fannin Street, three feet above a level with Fannin Street as Fannin Street will appear when properly filled in, and to place said house, when so raised, in as good condition as it now is, and to supply any broken timber and material necessary to place said building on a proper foundation so as to make it substantial; said house to be set on good substantial cedar posts, to be approved by the plaintiff, properly set in concrete and to fill in said lots to the level of Fannin Street; to raise the barn on said lots three feet above the level with Fannin Street as said street will appear when properly filled in, and replace the same in as good condition as it now is, and to re-construct and build the shed or buggy house that was torn down by the City while raising an embankment on the North end of said lots, to the satisfaction of the plaintiff; all of which is to be done at the expense of the City of San Antonio and without any expense to the plaintiff, and at the earliest possible date.

2nd. The City of San Antonio agrees to build and maintain a substantial rock and cement retaining wall along and around the east side and north end of said lots 4 and 5, block 411, said retaining wall to begin at the end of the cement retaining wall now on the North side of Fannin Street, and to run from thence to the monument stone on the old river line established by the City, near the northeast corner of said lot No. 5, block 411, thence northwesterly in a curved line to meet the retaining wall now being erected by the City on the north line of lot No. 3, Block 411.

3rd. The City of San Antonio agrees to build a good and substantial concrete sidewalk according to the specifications adopted and now in force by City Ordinance

for the construction of sidewalks, along the entire front of said lots 4 and 5 facing on Fannin Street, and to scatter the dirt as it is filled in on said lots, and to level off said lots when the filling in is completed, so as to leave the same clean and free from trash, rocks and holes. And it further agrees to furnish to the said W.M.Locke all the rock necessary to enclose and protect the plants and trees growing on said premises.

4th. The City of San Antonio agrees to raise said house and barn and to reconstruct said buggy house before any of the filling in of the lots is done, and to complete the raising of said houses, the filling in of said lots, the building of said retaining wall, the levelling off of said premises and the construction of said construct in front of said lots as soon as it can be done with due regard to other work that the City may have on hand, but in any event to complete all of said work within a period of one year from this date.

5th. The City of San Antonio agrees to pay an attorneys fee to Ryan & Matlock amounting to the sum of \$250.00, and all costs incurred in said suit.

6th; The plaintiff, W.M.Locke, hereby agrees in consideration of the above agreements on the part of the defendant, City of San Antonio, to accept the same as full and complete satisfaction of all damages sustained by him.

7th; The above agreement to be entered as the judgement of the court and enforced accordingly.

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On motion, duly seconded and carried, the meeting adjourned to reconvene Wednesday, October 31st at 11 A.M.

ATTEST:

  
CITY CLERK.

APPROVED

  
MAYOR