

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

THURSDAY, JANUARY 3, A.D.1918, 4 P.M.

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

Minutes of previous meeting were ordered approved.

## ----MEMORIALS AND PETITIONS----

His Honor. the Mayor, submitted the following appointments for members of the Board of Trustees of the Carnegie Library for two years, beginning January 1, 1918.

William Aubrey, M.E.Buckley, William Campbell, Mrs Clayton S.Scott, Dr. Frederick Terrell, Mrs Henry P. Drought, Miss Elizabeth Houston, and Otto A. Pfeiffer.

The appointments were confirmed by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann and Lowther.

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The City Attorney submitted the following, which was read and adopted:

December 27, 1917

In re telephone poles for Collins Co.

Honorable Mayor and City Commissioners,  
San Antonio, Texas.

Gentlemen:

Referring to the request by the Collins Company to maintain five telephone poles on Crockett Street, in order that they may have a direct connection with the central fire station for an electric alarm, I beg to advise that I see no legal objection to the City's granting them such a permission if the Board of Commissioners desires to do so.

I would recommend that the permission be in the nature of a temporary license, subject to revocation at the will of the City, and that the license be required to place the poles in a safe and proper condition and to so maintain same under the direction of the City authorities.

The petition is returned herewith.

Very truly yours

R.J.McMillan.

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The following communication was read and ordered filed:

San Antonio, Texas, Jan; 2, 1918.

To the Honorable Mayor and Board of City Commissioners:

Gentlemen:

Although not officially notified, I have learned through the public press; that during my absence from the City, this Honorable Board deemed it proper and necessary to suspend me from office.

I therefore most respectfully request that charges be filed against me setting out the specific complaint and charges upon which this Honorable Board's action was based, and that the same be set out in the form and manner as by law provided in such cases, and that I be given a speedy public trial.

Very respectfully submitted,

J.Ed. Wilkins.

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Petition of Williams and Robinson for permit to erect a tent at Pine and Carson Streets was read and referred to Building Inspector.

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The following petitions were read and referred to Commissioner of Streets and Public Improvements:

Jitney car owners, requesting improvement of Avenue E, between 4th and 6th Streets.

H.A.Kibby, re sanitary sewers in Sandmeyer Street.

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The following petitions were read and referred to Commissioner of Fire and Police:  
For street light, Hood and Shirley Streets.

Motor Car Supply Co. for permit to install gasoline tank.

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Petition of W.J.McLane, by attorney, for reduction of taxes, was read and referred to Commissioner of Taxation.

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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, Coy, Lambert, Heuermann and Lowther.

AN ORDINANCE

Granting permit to F.A.Gartner to construct a sanitary sewer in Carson Street.

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

Section 1. That permission is hereby granted F.A.Gartner to construct an (8") eight sanitary sewer in Carson Street, beginning at manhole at Calhoun Street with a drop manhole and extending to a point one hundred forty feet (140') according to plat, line and grade made by the City Engineer hereto attached; the cost of said sewer being estimated about One Hundred and no/100 (\$100.00) to be paid by the said F.A.Gartner. The final cost to be filed with the City Engineer within ten (10) days after completion of the sewer.

Section 2. Said sewer when completed to become the property of the City of San Antonio and part of its public sewer system.

Section 3. The City Engineer is hereby directed to collect the sum of Thirty five dollars (\$35.00) for each and every connection made with said sewer main or house service going into said main and pay the same over to said F.A.Gartner, not later than the 10th day of each month in which said connection is made until the actual cost has been made being the actual cost of said sewer shall have been collected and paid over as aforesaid, when no further connection fee of Thirty Five (\$35.00) shall be collected.

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.

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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, Coy, Lambert, Heuermann and Lowther.

AN ORDINANCE

Granting permit to the Western Union Telegraph Company to lay underground conduit.

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

That, the Western Union Telegraph Company be and is hereby granted permission to construct an underground conduit of vitrified clay tiles, or creosoted pine wood duct 4x4, embodied in three inches of concrete, in Medina Street from W.Commerce Street to Durango Street, said conduit to be laid not less than four feet under the present grade surface of Medina Street and along the West side thereof.

The surface of said street shall be restored to the original condition by the said Telegraph Company after completion of the work, and the City Engineer is hereby instructed to make the necessary arrangements with said Telegraph Company to insure the performance of the requirements herein stipulated.

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.

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Commissioner of Taxation recommended that petition of D.D.Harrigan for reduction of assessment be not granted; and that petition of C.S.Fowler for correction of assessment be granted. Adopted.

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Commissioner Coy introduced the following ordinance, which was read and adopted

MP-93

-94

by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann, Lowther.

THE STATE OF TEXAS  
COUNTY OF BEXAR.

MC-95

WHEREAS, by virtue of the ordinance passed by the Commissioners of the City of San Antonio on June 11, 1917, of record in Ordinance Book "F", page 252 et seq, W.A.King, the City Health officer of San Antonio, did on or about November 22, 1917, file for record with the County Clerk of Bexar County, Texas, an affidavit which appears of record in Vol 522 page 227 of the records of Bexar County, Texas, creating a lien in favor of the City of San Antonio, to secure the payment to said City of the sum of 11.10 with ten per cent per annum interest thereon from August 9, 1917, amounting to 45¢, plus 75¢ additional for recording, making a total of \$12.30 representing the cost of removing brush, weeds, etc, off of certain property then owned by Howard A.Trigg, and now owned by C.Baumberger, and which said property was described in said affidavit as being Lots 18, 19 and part of Lot 20, on the south side of West Houston Street, but which is correctly described as lots Nos. 18 and 19, and the west 20 feet of Lot No. 20, in Block No. 4, New City Block 2288, on West Commerce Street, in San Antonio, Bexar County, Texas; and,

WHEREAS, said ordinance above mentioned does not provide any method for releasing the liens which may be so created by virtue thereof; and,

WHEREAS, the said C.Baumberger has filed a petition with the City Commissioners and has attached thereto and tendered the full amount now owing, to-wit: \$12.30 and has requested that a release of said liens be executed and delivered to him. now therefore,

BE IT ORDAINED by the Commissioners of the City of San Antonio, that Sam C. Bell the Mayor of the City of San Antonio, be and he is hereby authorized and directed, to execute on behalf of and in the name of the City of San Antonio, a full and absolute release to the said C.Baumberger and Howard A.Trigg, releasing them from all liability, and the above described property from all liens created by virtue of the above mentioned affidavit and proceedings; and to deliver said release to the said Baumberger, without further expense to him.

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

No. 242

AN ORDINANCE

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

That the following sums of money be appropriated out of the following funds to pay Merchants Bills of December, 1917, to-wit: Out of 1917 General Fund for the following Depts.

City Hall Expenditures	\$540.70	
Police	3425.70	
Health	403.50	
Police & Fire Station	213.60	
Fire	3413.30	
Fire Alarm	122.10	
Engineering	325.40	
Parks & Plazas	1627.30	
Street Maintenance	1368.50	
Street Cleaning and Sanitation	1134.50	
Market & Market aHouse	856.40	
Lights	4232.80	
Water	5457.30	
Sewer Construction	325.70	
Rivers & Ditches	154.00	
Repair Shop	1254.60	
Plumbing & Sewer Inspection	114.60	
Municipal Farm	350.00	
Contingencies	80.00	
Cemetery	15.00	
Making total out of 1917 General Fund		\$25,415.00
Incinerator Fund		\$25,836.00

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.

-96-

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

No. 243

AN ORDINANCE

MC-97  
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 December 31, 1917, and that the following sums be and are hereby appropriated out of the several ~~and~~ General and Special funds for that purpose, to-wit:

1917 General Fund	\$2335.60
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Commissioner Lowther recommended that petition of W.L. Albert for building permit be not granted. Adopted.

Commissioner Lowther submitted the name of Coy C. Vandever as Extra Policeman, and the appointment was confirmed by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann and Lowther.

Commissioner Lowther introduced the following resolution, which was read and adopted.

A RESOLUTION

WHEREAS, on the 27th day of December, A.D. 1917, a report was made to the Mayor and City Commissioners in reference to vice conditions in the City of San Antonio, in which report certain charges were made against Fred H. Lancaster, Chief of Police of the City of San Antonio, with the recommendation that he be removed from office; and

WHEREAS, it was stated in said report substantially,

First That the Police Department was inefficient and disorganized, and that the Chief of Police, Fred H. Lancaster, had been ~~unable~~ unwilling or unable to organize a Police Department which would or could enforce the law;

Second; That although the Commission had ordered gambling closed about June, 1917, and that it was closed under orders of the Chief of Police but remained closed only a short time when it re-opened and public gambling continued until about November 22, 1917; that the Chief of Police knew or ought to have known that gambling had not remained closed, and that the orders of the Commission to keep it closed were being disobeyed;

Third; That during both the months of June and November, 1917, the Chief of Police ordered gambling houses closed but did not order the arrest or prosecution of any of the gamblers, although he knew they were violating the law in operating.

Fourth; That the Chief of Police has taken no active interest in the enforcement of the laws against gambling and prostitution, that he has issued a few formal orders but has not followed ~~up~~ same up or seen to their execution.

Fifth. That the Chief of Police was derelict in his duty in not seeing that the resolution of the Commission adopted about June, 1917, in reference to gambling and prostitution, ~~was~~ obeyed.

Sixth; That the Police Department generally, under the command of the command of Chief of Police, has not co-operated with the vice squad in the enforcement of laws against gambling and prostitution; and

WHEREAS, The Commission of the City of San Antonio did suspend the said Fred H. Lancaster pending a hearing on the charges made in said report; and

WHEREAS, the said Fred H. Lancaster has requested a trial;

THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that said report of December 27, 1917, be ordered filed with the City Clerk, and that the charges contained therein against said Fred H. Lancaster, Chief of Police, and as substantially outlined herein, shall constitute and be written charges against said Lancaster.

BE IT FURTHER RESOLVED that beginning upon the 8th day of January, 1918, at 10 o'clock a.m. the Commissioners of the City of San Antonio will sit as an investigating body for the purpose of inquiring into said charges, and after hearing testimony will decide whether or not the said Fred H. Lancaster, Chief of Police, shall be reinstated and continued in office or removed from said office.

That a copy of this resolution be immediately served upon the Chief of Police by some person competent to certify to the fact of service, and that a return thereof be made to the City Clerk.

Commissioner Lowther introduced the following resolution, which was read and adopted.

A RESOLUTION

WHEREAS, on the 27th day of December, A.D. 1917, a report was made to the Mayor and City Commissioners in reference to vice conditions in the City of San Antonio, in

which report certain charges were made against J.Ed. Wilkins, Judge of the Corporation Court of the City of San Antonio, with the recommendation that he be removed from office; and

WHEREAS, it was stated that the Judge of the Corporation Court, J.Ed Wilkins, had failed to impose sufficient fines to prevent the continuation of gambling and prostitution, and although he had been repeatedly remonstrated with by the Mayor, his average penalties ranged from \$10.00 to \$25.00, with once in a while a fine of \$50.00 or \$100.00, but that the maximum penalties provided by law were not being imposed, and by reason of such inadequate penalties his action did not discourage the commission of crime but discouraged the Police Department, and encouraged violators of the law; and

WHEREAS, acting under said report the Commission suspended temporarily the said Judge of the Corporation Court, who desires a trial on the merits of the charges presented;

THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that ~~the~~ said report of December 27th, 1917, be ordered filed with the City Clerk, and that the charges contained therein against J.Ed Wilkins, Judge of the Corporation Court, and as substantially outlined herein, shall constitute and be written charges against said Wilkins.

BE IT FURTHER RESOLVED that beginning upon the 10th day of January, 1918, at 10 o'clock a.m. the Commissioners of the City of San Antonio will sit as an investigating body for the purpose of inquiring into said charges, and after hearing testimony will decide whether or not the said J.Ed Wilkins, Judge of the Corporation Court, shall be reinstated and continued in office or removed from said office.

That a copy of this resolution be immediately served upon the Judge of the Corporation Court by some person competent to certify to the fact of service, and that a return thereof be made to the City Clerk.

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

No. 244

AN ORDINANCE

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of ten and 15/100 Dollars be and is hereby appropriated out of the General Fund of 1917 to pay T.W.Gates for 4½ days services rendered as policeman to Dec 31, 1917 he ~~being~~ ~~required~~ having resigned from Police Department and left the City.

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

No. 245

AN ORDINANCE

Appropriating \$250.00 to pay for galvanized tank for Incinerator ~~XXXX~~ Plant.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$250.00 or so much thereof as may be necessary be and the same is hereby appropriated out of the Incinerator Fund to pay Gafford Culvert & Machinery Co. for one galvanized iron water tank for Incinerator Plant.

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Commissioner Lambert submitted a statement of Health Department of notices served on parties to clear weeds and brush from certain lots, which was read and ordered filed.

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

AN ORDINANCE

Directing the City Health Officer to improve certain lots and parcels of real estate in the City of San Antonio, in order to abate nuisances being maintained thereon by removing all weeds and brush, and to charge the expense and cost thereof to the respective owners of said properties, and to cause a lien to be fixed thereon to the amount of such cost and expense.

WHEREAS, the City Health Officer has reported that on certain lots or parcels of real estate situated within the limits of the City of San Antonio, nuisances exist and are being maintained by an excessive growth of weeds and brush, detrimental to public Health and that after due service of notice so to do the owners of said premises or property have severally failed and refused to abate same, in violation of the provisions of the provisions of the ordinances of said City in such cases made and provided; and

WHEREAS, the Commissioners of the City of San Antonio find that said nuisances exist and are being maintained as aforesaid; that due notice has been given to and duly served upon each owner, respectively, requiring the abatement of the nuisances being maintained upon their respective premises, and each of said persons has failed or refused to comply therewith; that it is necessary for the protection of the public health that said respective lots or parcels of real estate be improved by removing such growth of weeds and brush, and that said nuisances shall be abated;

MC-98

-99

-100

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

That the City Health Officer be and is hereby authorized and directed, without further notice to the persons hereinafter named to at once remove all weeds and brush on the lots or parcels of real estate hereinafter described, at the cost and expense of the respective owners thereof, whose names are set opposite description of the several lots or parcels of land to be so improved; to charge the amount thereof to said owners and said property respectively, and to cause a statement showing the name of such owner, the description of the property so improved and the amount of the cost of said improvements when completed, to be filed in the office of the County Clerk of Bexar County, Texas, fixing a lien upon said lots or parcels of land respectively, all as provided by an ordinance entitled "An Ordinance requiring the grubbing and removal of weeds, brush, rubbish and any and all other objectionable, unsightly or unsanitary matter from any lot or lots or parcels of real estate within the City, and the levelling, filling in, draining and regulating of the surface of any of said lots or premises so as to prevent stagnant water standing therein, declaring the same a public nuisance and fixing penalties for violation hereof; also providing that such work and improvements may be made by the City at the cost of the owners of said lots or premises, fixing a lien therefore and providing for foreclosure of such liens; repealing all ordinances and parts of ordinances in conflict therewith, and declaring an emergency," passed and approved on the 11th day of June A.D. 1917, which is hereto referred to and made a part thereof. The description of the several lots or parcels of real estate hereby ordered improved, and the names of the respective owners thereof, are as follows, to-wit:

J.F. Carl, San Antonio, Texas, Lot No. 2, Block 1744 on East Myrtle Street. Lots Nos 17, 18, 19 and 20 Block 2964 on the corner of Gillespie and East Courtland Streets, Lots Nos. 7, 8 and 9, City Block 2997 on Jones Avenue and Kendall Streets. Lots Nos. 8, 9 and 10, City Block 2964, corner East Dewey Place and Kendall Street.

M. Cavanaugh, San Antonio, Texas, Lots Nos. 17 and 18, City Block 1368 on Lamar Street.

J.D. Childs, San Antonio, Texas, Lots Nos. 23 and 24, City Block 3285 on the north side of Drexel Avenue.

J.M. Choate, San Antonio, Texas, Lot No. 9, City Block 2611, on the south side of Lubbock Street.

H.C. Carter, San Antonio, Texas, Lots Nos. 13 and part of Lot No. 14, City Block 2284 on the north side of West Houston Street.

Eva S. Vanderhoven, San Antonio, Texas, Lots Nos. 11 and 12, City Block No. A30 on South Presa Street; Lots No. A17 and the southeast  $\frac{1}{4}$  of A17, City Block A30 on Hackberry Street; northeast corner of  $\frac{1}{4}$  of A12, City Block A30 on Buckingham Avenue; Lot No. north west  $\frac{1}{4}$  of A14, City Block A30 on Berkshire Avenue.

Fred and Geo Roll, Sitka Alaska, Lots L 2, 3, 4, 5, 6, 7 and 8, City Block 1645 on the south side of Essex Street.

O.O. Woodman, at Corpus Christi, Texas, Lots Nos. 1 and 2, City Block 2354 on the corner of Cibolo and Saunders Avenue.

J.E. Wilson, Beeville, Texas, Lot No. 18, City Block 65 on the west side of S. Mesquite Street.

Mary E.F. Bates, San Antonio, Texas, the entire block No. 2256 on Travis Street W. Salinas Street, Rosillo Street and Calaveras Street.

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

AN ORDINANCE

Declaring Syphilis, Gonorrhoea and Chanoroid to be contagious, infectious, and communicable diseases, requiring physicians and others treating such diseases to make reports to the Board of Health; authorizing the City Health Officer and the Board of Health to institute such measures for the protection of the public against persons afflicted with such diseases as they are empowered to use to prevent the spread of other contagious, infectious and communicable diseases, and providing penalties.

( FOR FULL TEXT OF THIS ORDINANCE SEE ORDINANCE BOOK "F", PAGE 289 )

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Commissioner Lambert submitted report of City Health Department on Milk Inspections for December, 1917, which was ordered filed.

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

AN ORDINANCE

Amending Section Seventeen of an ordinance entitled "An ordinance creating and organizing the Health Division of the City government, and defining the powers, duties, and scope of said division; and creating and defining the offices and duties of the Board of Health, Secretary of the Health Division, City Health Officer, City Physician, City Chemist and Bacteriologist and other officers; fixing salaries of certain officers; further providing for the control and direction of certain appointive officers, public institutions and branches of the public service by and under said Health Division and the City Health Officer; regulating all ordinances and resolutions in conflict herewith and declaring an emergency", passed and

approved May 18th, 1914; said Section Seventeen relating to City scavengers and scavenger service.

( For full text of this ordinance see Ordinance Book "F", page 290 )  
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Mayor Bell submitted the following resolution, which was read and adopted.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,  
 WHEREAS certain charges in writing have been filed against Fred H. Lancaster, Chief of Police and J. Ed Wilkens, Judge of the Corporation Court, asking their removal from office.

AND WHEREAS a public hearing has been ordered for said charges and at that time it will be necessary to introduce and hear considerable evidence and it is necessary and proper that counsel be appointed to present said charges and the evidence in support thereof.

Therefore BE IT RESOLVED that the Mayor be and he is hereby authorized and empowered to retain counsel for that purpose and to agree upon proper ~~XXXXXXXXXXXX~~ compensation to be paid him, subject to the approval of the Commissioners.

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Bids for constructing Sanitary Sewers in Contract Section No. 50, submitted by Kirkwood & Wharton, Elder Bros. McKenzie Construction Co. and Young and Ramsey, were opened and referred to City Engineer for tabulation.

Bids for laying watermains into the sewer farm tract submitted by Kirkwood and Wharton, and H.M. Truehart were opened and referred to Plumbing Inspector.

Proposal of National Meter Co for same work was not considered, as it was not accompanied by the required deposit.

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The report of the Committee appointed for the purpose of enforcing the Law previously entered upon the minutes of the meeting of the Commissioners of December 27th, 1917, was ordered refiled this day, in connection with a transcript of the evidence taken by said Committee which was offered at this meeting and filed.

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On motion, duly seconded and carried, the meeting adjourned.

ATTEST

  
 CITY CLERK.

APPROVED

  
 M A Y O R