

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

TUESDAY, MAY 22nd, A. D. 1928, 10:00 A. M.

PRESENT: Honorable C. M. Chambers, Mayor, presiding, and Commissioners, Bushick, Rubiola, Steffler, Wright.

Came on to be heard the proposition of the Texas Transportation Company evidenced by ordinance prepared by said company, and form of decree in certain litigations between said company and the City, and the City Attorney's report thereon, all of which was ordered filed for reference; which, being considered by the Commissioners it is upon motion of Commissioner Phil Wright, seconded by Commissioner Paul Steffler, ordered that the report of the City Attorney be in all things approved except that referred to in Paragraph Five of said City Attorney's report, which Paragraph Five is as follows:-

5th: The City ordinances require all street railway corporations using bridges over the City's streams to pay twenty per cent thereof as the condition sina quo non for such use. The San Antonio Public Service Company complies with this requirement and has always promptly paid such twenty per cent of cash price immediately on certificate of the City Engineer.

The Texas Transportation Company's franchise does not permit it to use any City bridge but expressly limits its right to cross the river on a bridge or trestle of its own, It has always used its own trestle until now, but I am informed that the City is planning the new bridge over the river at Grand Avenue made provision, at an increased cost, for a heavier structure to take care of the company's traffic.

I am informed that the contract price for this bridge is \$41,000.00 and therefore, the company's part is \$8,200.00. I have no idea that the City will permit the company to use this bridge until such \$8,200.00 is first paid; in other words the same procedure must be applied to this case as is applied to the Public Service Company.

If, however, such use is permitted before such sum of money is paid, I shall feel it my duty, (unless affirmatively directed by the Board of Commissioners otherwise), to immediately bring suit and take such steps as may be required to enforce this.

If, the City exempts this instance it should repeal the law altogether and no longer require the Public Service Company to pay twenty per cent of the cost of bridges used by it.

I am informed that the Transportation Company says it is too poor to pay this, and therefore, would like to have it exempted, in other words, it would like to have special privileges not accorded to others, but at the public expense.

And as to this it is ordered that said Texas Transportation Company be allowed to construct its tracks across said bridge without the payment of said \$8200,00 referred to in said City Attorney's report. Vote upon roll call being as follows, to-wit: "Aye"; Chambers, Bushick, Rubiola, Steffler and Wright; "Nay" none.

Mayor Chambers announced that he had appointed Walter Tatsch, City Auditor for the term expiring May 31, 1929, and requested confirmation, upon roll call the appointment was confirmed by the following vote to-wit;; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

The petition of R. T. pruit requesting approval of a plat vacating a sub-division known as Sunshine Heights and a petition of the same owner requesting approval of another plat of the same sub-division was granted, and the plats ordered approved by the following vote to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

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

ATTEST: *W. S. Steed*
CITY CLERK.

APPROVED *W. M. Chambers*
Mayor.