

ord BLS
2AN ORDINANCE **OF-43**

(4) Amending the Finance ordinances of the City by adding certain provisions thereto.

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

That the finance ordinances ~~be~~ of the City be, and they are hereby amended by adding thereto the following provisions with reference to loans made to the City as provided by the charter and ordinances, to-wit:

Whenever at the end of any fiscal year, it shall appear that the collections of the City taxes and revenues for the general fund of such fiscal year have been insufficient for the full payment at maturity of the principal and interest of any sums borrowed by the City against the general fund for such expiring fiscal year, then and thereupon all collections of general fund taxes and revenues of the City for any and all previous fiscal years shall be and become a special fund; and, in so far as not otherwise pledged or appropriated previous to the expiration of such fiscal year, such back tax collections shall stand pledged as additional and cumulative security for the due payment of all sums so borrowed for previous fiscal years, together with the interest contracted to be paid thereon; and all such back tax collections are hereby created and declared to be a special fund which shall be held and applied as aforesaid until all loans to the City on account of any and all previous fiscal years shall be wholly paid and satisfied; and all such loans shall have priority according to the dates of the same.

And in consideration that the present city depositories, viz. the Alamo National Bank and the State National Bank, will make to the City the loans authorized by the ordinances passed and approved on May ____ 1917, the City hereby contracts and agrees that all back tax collections made or to be made by the City on account of any and all previous fiscal years, and not otherwise heretofore pledged or appropriated, shall stand pledged to the holders of notes of the City issued for fiscal year 1916, and shall be applied to the payment thereof as aforesaid until said notes and interest are fully paid and satisfied, all in accordance with the general provisions herein above set forth.

PASSED AND APPROVED, this the 31st day of May, 1917.

Attest:

Fred Fries,

City Clerk.

Clinton G. Brown,

Mayor City of San Antonio.

Repeals Ord. June 14-15
O. B. P. 33

AN ORDINANCE **OF-44**

Requiring the grubbing and removal of weeds, brush, rubbish and any and all other objectional, unsightly or unsanitary matter from any lot or lots or parcels of real estate within this 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 thereof; 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 therefor and providing for foreclosure of such liens; repealing all ordinances and parts of ordinances in conflict herewith, and declaring an emergency.

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

Section 1. Nuisance. Whenever and wherever weeds, rubbish, and all other objectional unsightly or unsanitary matter of whatever nature, shall exist, covering or partly covering the surface of any lot or lots or parcel of real estate situated within the corporate limits of this City, or when of said lot or lots or parcels of real estate, as aforesaid, shall have the surface thereof filled with holes or be in such condition that the same holds or is liable to hold stagnant water therein, or if from any other cause shall be in such condition as to be liable to cause disease or produce, harbor or spread disease germs of any nature, or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious, the same shall constitute and is hereby declared to constitute a public nuisance, the prompt abatement of which is hereby declared to be a public necessity. Said lot or lots or parcels of real estate, in addition to the ground within their respective boundaries, shall be held to include all lots or parcels of ground lying and being adjacent to and extending beyond the property line of any such lot or lots or parcels of real estate to the curb line of adjacent streets, where a curb line has been established, and eight feet beyond the property line where no curb-line has been established on adjacent streets, and also the center of adjacent alleys.

Section 2. WORDS DEFINED. The word "weeds" as herein used shall include all rank and uncultivated vegetable growth or matter which has grown to more ~~than~~ than one foot in height, or which regardless of height is liable to become an unwholesome or a decaying mass or breeding place for mosquitos or vermin; the word "brush" as herein used shall include all trees or shrubbery under seven feet in height which are not cultivated and cared for by the person owning or controlling the premises; the word "rubbish" shall include all refuse, rejected tin cans, old vessels of all sorts, useless articles, discarded clothing and textiles of all sorts, and in general all litter and other things usually included within the meaning of said term; the words "any and all other objectional, unsightly or unsanitary matter of whatever nature" shall include all uncultivated vegetable growth, objects and matter not included within the meaning of the other terms as herein used, which are liable to produce or tend to create an unhealthy, unwholesome or unsanitary condition to the premises of the locality generally where situated.

Section 3. Penalty Any owner, lessee, or occupant, whether a natural person or corporation, or any agent, servant, representative or employe of any such owner, lessee or occupant, including any person having ownership, occupancy or control of any lot or lots or parcel of real estate (or any part thereof or interest therein) situated within the limits of this City, on which there exists any nuisance as herein defined, who shall allow or permit any such nuisance to be created or to remain and continue if created and established, or who shall fail, refuse or neglect to remove or abate such nuisance by grubbing or removing such weeds, brush, rubbish or other objectional, unsightly or unsan-

-itary matter of whatever nature as the case may be, or by filling in, draining, levelling, or otherwise regulating said lot or lots or parcels of real estate, so as to prevent stagnant water standing therein, within ten days from the date of service of notice thereof, as hereinafter provided, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than One (\$1.00) Dollar nor more than One Hundred (\$100.00) Dollars, and each day during such failure, refusal or neglect shall continue shall constitute a separate offense.

Section 4. Notice Whenever the existence of any such nuisance as herein defined, on any lot or lots or parcel of real estate situated within the corporate limits of this City, shall come to the knowledge of the City Health Officer, or his assistants, it shall be his or their duty and he or they shall forthwith cause a written notice identifying such property to be issued to the person, firm or corporation owning or having possession or control of same, requiring the abatement of such nuisance by grubbing and removing such weeds, brush, rubbish or other objectional, unsightly or unsanitary matter of whatever nature, ~~or~~ as the case may be, or by filling in, draining, leveling, or otherwise regulating said lot or lots or parcels of real estate, so as to prevent stagnant water standing therein, within ten days from the date of service of said notice, in default of which the City may at once cause the same to be done and pay therefor, and charge the cost and expense incurred in doing or having such work done or improvements made to the owner of such property, and fix a lien thereon, as hereinafter provided.

Section 5. Service of Notice. The City Health Officer shall cause the notice above provided to be served by any policeman or sanitary officer or inspector of this City, by delivering the same to the person to be served or by leaving same at his place of residence, if within the corporate limits of this City, and if a firm or corporation, by service upon any officer, agent, or other representative thereof authorized by law to accept service of citation; or if the person, firm or corporation to be served with such notice shall reside within the limits of the City, the posting of a letter addressed to such person at his post office address, if known, shall be sufficient service of such notice; or if such person, firm or corporation be a non-resident and his post-office address be not known or if he cannot be found after a diligent search, service may be made by publication of such notice to some newspaper published in this City, such publication to be made as many as two times within ten consecutive days; and the officer serving said notice, or causing publication thereof to be made, shall make due return thereof to the City Health Officer on a copy of said notice, showing the date and manner of service.

Section 6. Nuisance abated by the City at owners cost.

In the event of the failure, refusal or neglect of the owner of any such premises or property to cause said nuisance to be removed or abated in the manner and within the time heretofore provided, and the City Health Officer shall file a written report thereof to the Commissioners of the City of San Antonio showing due service of the notice herein provided upon the owner or owners of such premises or property, and describing said property, said Commissioners, if of the opinion that such nuisance exists and is being maintained, shall at once authorize, direct and empower said City Health Officer, with further notice to said owner or owners of such property or premises, to proceed at once to abate such nuisance by grubbing and removing such weeds, brush, rubbish and any and all other objectionable, unsightly or unsanitary matter of whatever nature, as the case may be, or by filling in, draining, leveling, or otherwise regulating said lot or lots or parcels of ~~land~~ real estate, so as to prevent stagnant water standing therein, and charge the necessary cost and expense of procuring such work and improvements to the

owner or owners of said property; said work to be done by contract, let to the lowest bidder or by labor employed by and performed under the supervision of said Health Officer, or his duly authorized representative, as in his discretion may be deemed most expeditious; and when such work and improvements have been completed, said City Health Officer shall cause a statement to be filed in the office of the County Clerk of Bexar County, Texas, showing the cost and expense of said work, the date performed, a brief description of the property improved sufficient to identify same, and the name of the owner and owners thereof, if known; and the amount shown by said statement to have been expended by said City on said property, together with ten per cent interest from the date of such payment, shall be a privileged lien thereon, second only to tax liens and liens for street improvements. For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure had in the name of this City, in any court having jurisdiction; and the statement as made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

Section 7. Repeal and Construction. The ordinance passed and adopted by the Commissioners of this City on the 14th day of June, 1915, entitled "An ordinance requiring the clearing of weeds, brush and rubbish from property in this City, declaring same a public nuisance, providing for the removal of the same at the cost of owners, and declaring penalties for the violation thereof", as well as all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; and in the event any part or provision of this ordinance shall be found to be, for any reason, void or unenforceable, such defect shall not be deemed to affect this ordinance further than to avoid the particular objection to same, and shall not be held to invalidate any other provision or any other and lawful application of the same provision of this ordinance; and all remedies, penalties and other provisions contained in this ordinance shall be deemed to be cumulative of any and all other provisions.

WHEREAS, the importance of this ordinance to the health of the people of this City and the fact that there is no adequate means at this time to require the removal and abatement of the nuisance herein defined creates an urgent necessity for the immediate preservation of the public health, this ordinance shall take effect and be in force from and after its passage and approval.

Passed and approved this 11th day of June, A.D. 1917.

Attest:

Fred Fries,
City Clerk.

Sam C. Bell,
Mayor City of San Antonio.

Affidavit of Publisher.

State of Texas
County of Bexar
City of San Antonio.

Before me, the undersigned authority, on this day personally appeared

H. L. Beach

, who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Light, 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: June 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st and 22nd 1917.

H. L. Beach

Sworn to and subscribed to before me this July 5 1917.

Fred Fries
City Clerk

AN ORDINANCE

OF-45

Regulating the keeping of dogs within the ~~sixty~~ limits of the City of San Antonio and requiring the registration and licensing thereof; providing a place for the impounding of dogs running at large in violation thereof, and regulating the keeping of all dogs impounded; providing for the disposition of all dogs impounded and defining the duty of the Chief of Police and other Police officers with reference to dogs affected with hydrophobia, mange, or other infectious, contagious, or dangerous disease; providing for disposition of vicious dogs; and providing penalties for violation thereof.

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

Section 1.1. It shall hereafter be unlawful for any person, firm or corporation to own, control or keep any dog over three months of age within the limits of the City of San Antonio, unless the owner or keeper thereof shall register the same as hereinafter provided, and shall pay to the City Collector an annual license fee of One (\$1.00) Dollar for each dog so kept; provided that it shall be unlawful for any dog to be at large upon the streets, alleys or public grounds of said City unless the same shall be at all times under the control of its master, or its master's servant or agent, by means of a ^{chain} ~~change~~ rope or cord of sufficient strength to control the actions of said dog, or such ^{other} personal presence and attention as will reasonably control its actions and conduct.

Section 2. Any person, firm or corporation who shall hereinafter keep a dog within the limits of the City of San Antonio shall apply to the City Collector for a license, paying the fee therefor as above provided, and have each dog registered in a book kept by the City Collector for that purpose, which said record shall show in numerical order the name of the owner or person having control of or keeping said dog and also a brief description of each dog so registered; said City Collector shall thereupon cause to be issued and delivered to such person a tinplate or metal tag, bearing a number corresponding with the registration number and bearing the date of the fiscal year in which such registration shall be made, and the license obtained by said registration shall expire on the 31st day of May thereafter;

Section 3. There shall be erected and maintained under the supervision of the Chief of Police, or some police officer designated by him, comfortable pens suitable for the confinement of all dogs found running at large in violation of the provisions of this ordinance, which said pound or pen shall be kept in a sanitary condition, and all dogs taken up and impounded therein shall be properly watered and fed while confined in said pens, and those bearing license plates or metal tags, as hereinbefore provided, shall be kept in separate compartments ^{or} stalls.

Section 4. It shall be the duty of the Chief of Police or other officer taking up and impounding dogs found running at large in violation of this ordinance, except as hereinafter provided, to carry said dog or dogs to the public pound, there to be confined and detained until the following Monday at 10.30 O'clock a.m., if taken up after six o'clock p.m. on Wednesday and before six O'clock p.m. on Saturday, and until 10.30 O'clock a.m. on Thursday if taken up and impounded after six O'clock p.m. on Saturday and before six o'clock p.m. on Wednesday; and as soon as possible notice shall be posted at the door of the Police Station, briefly describing each of said dogs and giving the number of the tag and the name of the owner in each case where the dog bears the license tag; and it shall also be the duty of said Chief of Police to cause a list, briefly describing all dogs in the pound at six O'clock p.m. on Saturday, to be *published*

in the following Sunday issue of some newspaper published in said City; and to publish in Thursday morning's paper a similar list, briefly describing all dogs in the pound at six o'clock p.m. on Wednesday; said published notices shall also state the time and disposition to be made of all dogs described in said lists that are not redeemed or taken out as herein provided.

Section 5. It shall be the duty of the Chief of Police, or other officer having charge of said pound, to deliver to the owner thereof, or his agent all dogs thus taken up, impounded and advertised, when application therefor shall be made, at any time before 10.30 O'clock a.m. on the following Monday or Thursday as the case may be; provided, that the owner ~~or his~~ or his agent shall pay a penalty of Two (\$2.00) Dollars for each dog, together with a fine of twenty five (25¢) cents for each day so impounded, to cover the cost of keeping said dog. In the event any dog shall not be redeemed as above provided, on or before 10.30 O'clock a.m. on Mondays and Thursdays, respectively, as hereinbefore provided, it shall be the duty of said officer to offer for sale at public outcry at or near said pound and sell to the highest bidder for cash any and all dogs impounded under the provisions of this ordinance; provided that no dog shall be sold for less than (\$2.00) Two Dollars; and provided further that any dog or dogs not redeemed or purchased as herein provided shall be immediately killed, and it shall be the duty of the officer having charge of said pound to immediately dispatch and kill each of said animals and to deposit the carcasses in such place as may be designated for such matter.

Section 6. Every dog which is mad, or which has hydrophobia, or which shows symptoms thereof, shall, if possible, be at once securely confined until the diagnosis is accurately made. Every dog that has been exposed to such disease shall be at once confined to some secure place for such length of time as to show that such exposure has not given such dog said disease, and the body of any dog that has died of such disease or which, being suspected to have such disease, has been killed, shall not be disposed of except as directed by the Board of Health.

Section 7. It is hereby made the duty of the Chief of Police, or other police officer of the City of San Antonio, to kill and exterminate any and all dogs at large, when said dogs are, or appear to be, affected with hydrophobia, mange or other infectious, contagious or dangerous disease; provided, that it shall not be necessary to impound or advertise such dogs by posting notice, or otherwise, but it shall be the duty of said police officer to kill and exterminate any and all such dogs instanter, except those affected or appearing to be affected with hydrophobia, which shall be so killed after diagnosis accurately made, as provided in Section 6 hereof.

Section 8. Whenever affidavit shall be made before the Judge of the Corporation Court that any dog has bitten or attacked any person in the City, and it shall appear that the person so bitten or attacked was not at the time trespassing upon the person or property of the owner or keeper of said dog, (and was not otherwise in fault,) then the Judge of the Corporation Court shall, upon proof thereof, fine the owner or keeper in any sum not exceeding Fifty (\$50.00) Dollars for each and every offense; and the Judge of the Corporation Court, where it is proven that such dog has bitten any person, shall direct the owner or keeper of any such dog to kill or remove such dog permanently beyond the City limits, and a failure or refusal to do so within twenty four hours after receiving such order shall be deemed an offense, and the offender may be fined in any sum not exceeding Fifty (\$50.00) Dollars for each and every day thereafter, until such dog shall be killed or removed, and it shall be the duty of any police officer who may find such dog at large within the City, after service of the above said notice, to kill or destroy said dog.

Section 9. Country people visiting the City with dogs shall be ~~be~~ required to confine the same to their vehicles while in the City, and upon failure to do so shall be liable to all the penalties and forfeitures imposed upon the residents of the City.

Section 10. Each and every owner ~~and~~ ^{or} keeper of a dog running at large in the streets ~~of the City~~, alleys or public grounds of the City of San Antonio in violation of the provisions hereof, or each and every person keeping a dog or dogs within the limits of said City without procuring a license, as herein provided, shall be deemed guilty of an offense, and upon conviction thereof in the corporation Court shall be fined in any sum not less than One (\$1.00) Dollar nor more than Fifty (\$50.00) Dollars; provided that each day the said dog shall run at large or shall be kept without a license, in violation of this ordinance, shall be deemed a separate offense.

Section 11. Chapter Thirteen of Harris' revised Criminal Ordinance, 1899, and all other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed; and in the event any part or provision of this ordinance shall be found to be, for any reason, void or unenforceable, such defect shall not be deemed to affect this ordinance further than to avoid the particular objection to same, and shall not be held to invalidate any other provision or any other and lawful application of the same provision of this ordinance; and all remedies, penalties or other provisions contained in this ordinance shall be deemed to be cumulative of any and all other provisions.

PASSED AND APPROVED this 21 day of June, 1917.

Attest:
Fred Fries,
City Clerk.

Sam C. Bell,
Mayor City of San Antonio.

Affidavit of Publisher.

State of Texas.
County of Bexar.
City of San Antonio.

Before me, the undersigned authority, on this day personally appeared N. L. Beach, who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Daily Light, 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: June 24-25-26-27-28-29-30, July 1-2-3 1917

N. L. Beach

Sworn to and subscribed to before me this _____ 19

July 5 1917.

Fred Fries
City Clerk.

AN ORDINANCE OF-46

Regulating the keeping within the limits of the City of San Antonio, animals of the monkey, ape or baboon tribe or family, or any species or varieties thereof, and providing a penalty for violation hereof.

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

Section 1. It shall hereafter be unlawful for any person, firm or corporation to keep within the limits of the City of San Antonio any animal of the monkey, ape or baboon tribe or family, or any species or varieties thereof, unless the same shall be at all times securely confined on the premises of the owner or keeper thereof, either in the house or residence of such person or in cages or pens located at some place on said premises, which said cages or pens and all animals therein confined shall be kept in a clean, healthy and sanitary condition, free from obnoxious or disagreeable odors, and shall be generally kept and controlled so as not to disturb, molest or annoy in any manner the public or those residing in the vicinity thereof; provided that said cage or pens shall be constructed in accordance with the rules and regulations governing the erection and construction of buildings within the City limits and shall be at all reasonable times subject to the inspection of the City Health Officer, or other sanitary Inspector; provided further, that no two animals shall be confined in the same pen or cage unless said pen or cage shall be located not less than three hundred feet from any house, hotel, flat, apartment or other building occupied as a dwelling or place of abode by any person or persons other than the owner or keeper of said animals; provided further, that any such animal may be taken upon the streets, alleys or public grounds of said City if the same shall be at all times under the control of its master, or its master's servant or agent, by means of a chain, rope or cord of sufficient strength to control same, and also such other personal presence and attention as will control and govern its actions and conduct.

Section 2. It shall hereafter be unlawful for any person owning, controlling or keeping any such animals hereinbefore described who shall own, operate, manage or drive any street car, jitney, motorbus, motor vehicle, automobile or other means of transportation carrying passengers for hire, to have or keep any such animal on any such vehicle when in public service within said City, regardless of the manner of control or keeping of said animals.

Section 3. Any person, firm or corporation keeping, within the City limits, any of the animals hereinbefore described for breeding purposes, whether male or female, shall keep the same securely confined in sanitary pens or cages, located at least five hundred yards from any dwelling, residence or house occupied as a dwelling or place of abode by any person or persons other than the owner or keeper of any such animal or animals, and shall pay to the City Collector an annual license fee of One (\$1.00) Dollar for each female and Two (\$2.00) Dollars for each male so kept.

Section 4. It is further provided that nothing herein shall be construed to prohibit or interfere in any manner or form with any public zoo or menagerie, maintained by any person or association within the City limits, the regulation and control of which is governed by any other ordinance or resolution of said City.

Section 5. Any violation of the provisions of this ordinance is hereby declared to be a public nuisance, the prompt abatement of which is necessary for the preservation of the public health and safety, and any person or persons owning or keeping any such animal in violation of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the corporation Court shall be fined in any

sum of not less than One (\$1.00) Dollar nor more than Twenty five (\$25.00) Dollars; provided that each day said nuisance shall be maintained in violation hereof shall be deemed a separate offense.

PASSED AND APPROVED this 21st day of June, A.D.1917.

ATTEST:

Sam C. Bell

Mayor of the City of San Antonio.

Fred Fries

City Clerk.

Affidavit of publisher.

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

Before me, the undersigned authority, on this day personally appeared N. L. Beach, who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Light, 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: June 24-25-26-27-28-29-30, July 1-2-3 1917.

N. L. Beach

Sworn to and subscribed to before me this July 5 1917

Fred Fries
City Clerk.

AN ORDINANCE. **OF-47**

Amending the ordinance of March 10th, 1917, regulating local street transportation, by amending sections Two and Three of said ordinance, and providing penalties.

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

That the ordinance of March 10th, 1917, passed by the Commissioners of the City of San Antonio and entitled "An Ordinance regulating local street transportation", which ordinance defines a business district and prohibits the operation of certain motor busses for hire therein, be and the same is hereby amended so that Sections Two and Three thereof will hereafter read as follows:

Section Two. No licenses shall hereafter be granted or issued to any person, firm or corporation authorizing the operation of a motor buss in any public street, or in any part of any public street, included within said business district; and for the better disposition of traffic in the streets of this City, and for other reasons of public safety, it is hereby ordered that all termini, routes and schedules specified in any licenses heretofore issued and authorizing the operation of motor busses in any part of said business district, shall be and they are hereby altered, on the initiative of the Commissioners, so that the same shall not include any part of said business district after the 18th day of September, 1917; but all such licensees shall be then authorized to surrender their licenses and to receive corrected licenses, or to surrender such licenses and to receive the pro rata unearned part of the license fees paid, all as provided in Section Ten and Eleven of said ordinance of March 8, 1915; provided that such motor busses licensed and operating back and forth into Camp Wilson and to the postoffice may be operated on Avenue D and Avenue E, and on Houston street in front of the postoffice solely for the purpose of passing from Avenue E to Avenue D; and such vehicles shall enter Houston street from Avenue E and depart therefrom by Avenue D; and provided further that all such licensees desiring to surrender their licenses and receive corrected licenses not including any part of said business district, shall on or before the 18th day of September, 1917, surrender such existing licenses and file with the City Clerk request in writing for corrected licenses, and in such written request shall specify for that part of their present routes included in said business district, other streets not included in said business district.

Section Three. It shall, after the 18th day of September, 1917, be unlawful for any person, firm or corporation to operate or cause to be operated any motor bus on any street of this city within said business district, except said motor busses licensed to be operated back and forth into Camp Wilson, and operated as hereinbefore required.

That said Sections Two and Three of said ordinance of March 10th, 1917, and all ordinances and parts of ordinances in conflict herewith, be and the same are hereby in all things repealed; provided that the remainder of said ordinance of March 10th, 1917, including the penalty clause contained in section 5 thereof, shall remain in full force and effect, together with the two substitute sections here now passed.

Passed and approved this 21st day of June, A. D. 1917.

SAM C. BELL,

Mayor of the City of San Antonio.

ATTEST:

Fred Fries,
City Clerk.

State of Texas
County of Bexar.
City of San Antonio.

Befor me, the undersigned authority, on this day personally appeared

H. L. Beach

, who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Light, 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: June 24-25-26-27-28-29-30, July 1-2-3, 1917

H. L. Beach

Sworn to and subscribed before me this July 5-1917

Fred Fris
City Clerk.

AN ORDINANCE OF-48

(X)

Granting to and conferring upon the San Antonio Traction Company and the San Antonio Gas and Electric Company the right to transfer and assign unto the San Antonio Public Service Company, a corporation incorporated under the laws of the State of Texas, all of the rights, privileges and franchises of any and every nature whatsoever now possessed and enjoyed by the said San Antonio Traction Company and the San Antonio Gas & Electric Company, subject to all of the limitations, duties and obligations imposed upon the said San Antonio Traction Company and the San Antonio Gas & Electric Company, and to the requirements and limitations of this ordinance.

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

Section 1. The San Antonio Traction Company and the San Antonio Gas & Electric Company are hereby granted full and complete right and authority to transfer and assign unto the San Antonio Public Service Company, a corporation incorporated under the laws of the State of Texas, with its principal office in the City of San Antonio, Bexar County, Texas. all rights, privileges and franchises of any and every nature whatsoever heretofore granted to and now existing in and enjoyed by the San Antonio Traction Company and San Antonio Gas & Electric Company; said transfer and assignment to be made within ninety days after this ordinance shall become effective.

Section 2. The rights given to said Companies in Section 1 are subject to the conditions hereinafter set forth. All the limitations, duties, contracts, forfeitures and obligations imposed on or required of either of said Companies at this time shall be imposed on and required of the San Antonio Public Service Company.

Section 3. In accepting the provisions of this ordinance the San Antonio Public Service Company agrees that the City shall hereafter have the right to pass all ordinances not in direct conflict with the laws of this State fixing and regulating the rates, prices and terms at which Gas and Electricity shall be furnished for public and private purposes to the City and its inhabitants. And it is expressly understood and agreed that the City, though consenting to the assignment of these franchises to this one company, shall nevertheless have the right, in fixing such rates, prices and terms upon gas and electricity, to do so separately and independently of the matter of the earnings, or profits, or losses, or investment of the Company in the transportation branch of its service, and in the same manner and to the same extent as if said branches of its service were still separate and distinct corporations.

Section 4. The San Antonio Public Service Company shall keep an accurate set of separate books and accounts, showing the income, cost of operation, maintenance and permanent improvements of each of its plants, to-wit, its gas plant, its electric light plant, and its transportation plant, which books shall be open to the inspection of the City Commissioners or their authorized representatives.

Section 5. The rights granted herein shall not be exclusive, but the City specifically reserves the right to grant franchises to other corporations for the supply of gas, electricity or transportation.

Section 6. The San Antonio Public Service Company hereby agrees that it will cause a line to Sputh San Antonio, Bexar County, Texas, to be built and im actual/operation, and continuous within ninety days from the date upon which this ordinance becomes effective.

Section 7. This ordinance shall not take effect until the San Antonio Public Service Company shall, by proper resolution, filed with the City Commissioners of San Antonio, accept all of the provisions and limitations of this ordinance, which acceptance shall be filed on or before ninety days after the final passage of same.