

THE STATE OF TEXAS    ()

August 12, 1946

COUNTY OF JOHNSON    ()

On this the 12 day of August, 1946, The Commissioner's Court of Johnson County, Texas, convened in Regular meeting during a regular term of Court, with the following members present, to-wit:

Roy Anderson,	County Judge,
Ray Wyatt,	Commissioner Precinct No. 1,
H. Olin Hadley,	Commissioner Precinct No. 2,
Verne Maddox,	Commissioner Precinct No. 3,
M. W. Roland,	Commissioner Precinct No. 4,
A. T. Griffin,	County Clerk and Ex-Officio Clerk, Commissioner's Court,

and with the following members absent: None, constituting the entire Court, at which time the following among other proceedings were had:

Commissioner Wyatt introduced a proposed order and made a motion that it be passed. The motion was seconded by Commissioner Hadley. The motion carrying with it the passage of the order prevailed by the following vote:

AYES: Commissioners Wyatt, Hadley, Maddox and Rowland.

NOES: None.

The order as passed is as follows:

#### AN ORDER

BY THE COMMISSIONERS' COURT OF JOHNSON COUNTY, TEXAS, AUTHORIZING THE ISSUANCE OF JOHNSON COUNTY, TEXAS, HOSPITAL BONDS, SERIES 1946, IN THE AMOUNT OF \$300,000.00,

BEARING INTEREST AT THE RATES HEREINAFTER SET FORTH: LEVYING A TAX TO PAY THE PRINCIPAL AND INTEREST AS THEY MATURE; PRESCRIBING THE FORM OF BOND; PRESCRIBING THE DUTIES OF THE VARIOUS OFFICIALS AND THE STATE OFFICIALS IN REFERENCE THERETO, AND REPEALING ALL ORDINANCES OR RESOLUTIONS OR PART THEREOF IN CONFLICT HEREWITH.

WHEREAS, on the 14<sup>th</sup> day of June, 1946, there was presented to this Court a petition signed by the requisite number of qualified electors of Johnson County, Texas, praying that an election be ordered to determine whether or not the bonds of said County shall be issued in the amount of \$300,000.00, for the purpose of providing funds for purchasing a site and establishing and constructing and equipping a County Hospital in and for said County and for all other necessary permanent improvements in connection therewith, and whether or not a tax shall be levied upon all taxable property in said County for the purpose of paying the interest on said bonds, and to create a sinking fund for the redemption thereof at maturity; and

WHEREAS, this Court, pursuant to said petition, on the 14<sup>th</sup> day of June, 1946, ordered that an election be held throughout said County on the 9<sup>th</sup> day of July, 1946, as prayed for; and

WHEREAS, Notice of said election was given as is required by law; and

WHEREAS, said election was duly and legally held on the 9<sup>th</sup> day of July, 1946, and the result of said election was duly certified and returned to this Court by the judges and officers thereof; and

WHEREAS, on the 12<sup>th</sup> day of July, 1946, this Court considered the several returns and canvassed the same and found that there were cast at said election 2704 votes, of which number 2407 were cast "FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" and 297 were cast "AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" and this Court thereupon by order duly entered declared that the proposition so submitted was sustained and

adopted by a majority of the resident, qualified electors who own taxable property in said County and who have duly rendered the same for taxation voting at said election: and

WHEREAS, this Court has examined into and investigated the legality of the proceedings of said election and finds that the same was duly and legally held; that the notice required by law to be given has been duly and legally given; and that said election was conducted in strict conformity with all of the requirements of law;

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF JOHNSON COUNTY, TEXAS:

1. That the bonds of said County to be known as "Johnson County, Texas, Hospital Bonds, Series 1946", be issued under and by virtue of the Constitution and laws of the State of Texas, and particularly under the provisions of Article 4478, Revised Civil Statutes of Texas, 1925, for the purpose of providing funds for purchasing a site and establishing and constructing and equipping a County Hospital in and for said County and for all other necessary permanent improvements in connection therewith.

2. That said bonds shall be issued in the amount of Three Hundred Thousand (\$300,000.00) Dollars, numbered consecutively from One (1) to Three Hundred (300), both inclusive, of the denomination of One Thousand (\$1,000.00) Dollars each, shall be dated August 1, 1946, and shall become due and payable as follows:

BONDS	MATURITY DATES	AMOUNTS
1 to 16, both incl.,	August 1, 1947,	\$16,000.00
17 to 32, " "	August 1, 1948,	16,000.00
33 to 49, " "	August 1, 1949,	17,000.00
50 to 66, " "	August 1, 1950,	17,000.00

67 to 83, “ “	August 1, 1951,	17,000.00
84 to 101, “ “	August 1, 1952	18,000.00
102 to 122, “ “	August 1, 1953	21,000.00
123 to 143, “ “	August 1, 1954	21,000.00
144 to 164, “ “	August 1, 1955	21,000.00
165 to 186, “ “	August 1, 1956	22,000.00
187 to 208, “ “	August 1, 1957	22,000.00
209 to 230, “ “	August 1, 1958	22,000.00
231 to 253, “ “	August 1, 1959	23,000.00
254 to 276, “ “	August 1, 1960	23,000.00
277 to 300, “ “	August 1, 1961,	24,000.00

3. That said bonds shall bear interest from their date at the rates as follows:

Bonds Nos. 1 to 143, both incl., - 1-3/4% per annum;

Bonds Nos. 144 to 300, “ “ - 1-1/4% per annum,

payable February 1, 1947, and semi-annually thereafter on August 1<sup>st</sup> and February 1<sup>st</sup> of each year until fully paid.

4. The County reserves the right to redeem Bonds Numbers One Hundred Eighty Seven (187) to Three \_ (300), both inclusive, prior to maturity on any interest payment date on and after August 1, 1956, at their par value plus accrued interest, provided thirty (30) days' notice is given before the date so fixed for prior payment, and provided at the time said call is made, funds are placed in the place of payment sufficient to pay the bonds called and accrued interest thereon to the date fixed for prior payment. Said notice shall be in writing mailed to the place of payment and a copy of said notice shall be published in a financial journal published in the City of New York for at least one time, the date of said publication to be not less than thirty (30) days prior to the date fixed for said prior redemption. If, upon the happening of the above conditions said bonds are not presented for payment as hereinabove provided, they shall not thereafter bear interest.

5. That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond or proper coupon at the Mercantile National Bank at Dallas, Dallas, Texas.

6. That each of the bonds shall be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer and the seal of the Commissioners' Court shall be impressed on each of them.

7. That the fac-simile signatures of the County Judge and County Clerk shall be lithographed or printed on the coupons attached to said bonds and shall have the same effect as if they had been signed by them.

8. That said bonds shall be in substantially the following form:

No. \_\_\_\_\_

\$1,000.00

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF JOHNSON

HOSPITAL BOND

SERIES 1946

The County of Johnson, in the State of Texas, for value received, hereby acknowledges itself indebted to and promises to pay to the bearer hereof on the 1<sup>st</sup> day of August, 19\_\_, the sum of ONE THOUSAND DOLLARS in lawful money of the United States of America, with interest thereon from date hereof at the rate of (\*%) per cent per annum, interest payable February 1, 1947, and semi-annually thereafter on the 1<sup>st</sup> day of August and the 1<sup>st</sup> day of February of each year, principal and interest payable upon presentation and surrender of bond or proper coupon at the Mercantile Bank at Dallas,

Dallas, Texas, and for the prompt payment of this bond at maturity and the interest thereon as it accrues, the full faith and credit and all taxable property in said County are hereby irrevocably pledged.

This bond is one of a series of Three Hundred (300) bonds of like tenor and effect except as to number, interest rate, right of prior redemption and maturity, numbered from One (1) to Three Hundred (300), both inclusive, of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating Three Hundred Thousand (\$300,000.00) Dollars, issued for the purpose of providing funds for purchasing a site and establishing and constructing a County Hospital in and for said County and for all other necessary permanent improvements in connection therewith, in strict conformity with the Constitution and laws of the State of Texas, particularly Article 4478, et seq. of the Revised Civil Statutes of Texas, 1925, and pursuant to an order passed by the Commissioners' Court of Johnson County, Texas, which order is recorded in the minutes of said Court.

The date of this bond in conformity with the order above mentioned is August 1, 1946.

\*\* (The County reserves the right to redeem this bond prior to maturity on any interest payment date on and after August 1, 1956, by paying the par value thereof plus accrued interest to date fixed for payment, provided thirty (30) days' notice in writing is given to the place of payment, and by publication of such notice in a financial publication having general circulation in New York City. Said notice shall appear in said publication in at least one issue, the date of said issue being not less than thirty (30) days prior to the date so fixed for redemption, and if this bond is called for payment in said manner and money is placed in said place of payment prior to the date so fixed for redemption sufficient to pay the principal and interest to said date, if this bond is not so presented for payment it shall not thereafter bear interest).

IT IS HEREBY CERTIFIED AND RECITED AND REPRESENTED that the issuance of this bond and the series of which it is a part is duly authorized by law and a majority of the resident, qualified electors who

own taxable property in said County and who have duly rendered the same for taxation, voting at an election duly and legally held for that purpose in said County on the 9<sup>th</sup> day of July, 1946; that all acts, conditions and things required to be done precedent to and in the issuance of this series of bonds and of this bond have been properly done and performed and have happened in regular and due time, form and manner as required by law; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it accrues and to provide a sinking fund for the redemption of said bonds as they mature; and that the issue of bonds of which this is one, together with all other indebtedness of said County is within every debt and other limit prescribed by the Constitution and laws of said State.

IN TESTIMONY WHEREOF, Johnson County, Texas by its Commissioners' Court, has caused the seal of its Court to be affixed hereto and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the printed or lithographed fac-simile signatures of the County Judge and County Clerk as of the 1<sup>st</sup> day of August, 1946.

Roy Anderson, County Judge,  
Johnson County, Texas.

Countersigned:

A. T. Griffin, County Clerk and Ex-Officio Clerk,  
Commissioners' Court, Johnson County, Texas.

REGISTERED:

Vivian Gentry, County Treasurer,  
Johnson County, Texas.

\*(Bonds Nos. 1 to 143, both incl., 1-3/4% per annum;

Bonds Nos. 144 to 300, “ “ 1-1/4% per annum)

\*\* (This paragraph should be omitted from Bonds Nos. 1 to 186, both inclusive).

9. That the interest coupons attached to said bonds shall be substantially as follows:

No. \_\_\_\_\_

\$ \_\_\_\_\_

ON THE 1<sup>ST</sup> DAY OF

\_\_\_\_\_, 19 \_\_\_\_

The County of Johnson, in the State of Texas, hereby promises to pay to bearer at the Mercantile National Bank at Dallas, Dallas, Texas, the sum of \_\_\_\_\_ (\$\_\_\_\_\_) Dollars in lawful money of the United States of America, being \_\_\_\_ months' interest due that day on Johnson County, Texas, Hospital Bond, Series 1946, dated August 1, 1946, No. \_\_\_\_\_.

A. T. Griffin, County Clerk

Roy Anderson, County Judge.

10. That substantially the following certificate shall be printed on the back of each bond hereby authorized to be issued:

OFFICE OF COMPTROLLER        ()

STATE OF TEXAS                 ()

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation upon said Johnson County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND and seal of office at Austin, Texas,

\_\_\_\_\_, Comptroller of Public

Accounts of the State of Texas.

11. That a special fund to be designated "Johnson County, Texas, Hospital Bonds, Series 1946 Fund", shall be created and is hereby created and the proceeds of all taxes collected for or on account of this series of bonds shall be credited to said fund for the purpose of paying the interest and providing a sinking fund for the redemption of said bonds at maturity and said fund shall be used for no other purpose; that to create said fund a tax of thirteen (13¢) Cents on the \$100.00 valuation of taxable property in Johnson County is hereby levied against all of the taxable property in said County, real and personal, for the year 1946, out of the Permanent Improvement Fund Tax of the County to support said bonds; that each year thereafter while any of said bonds or interest are unpaid and at the time other County taxes are levied during said years there shall be computed and ascertained what rate of tax based upon the latest approved tax rolls of said County will be necessary, requisite and sufficient to fully make, raise and produce in each of said years the amount of interest and principal to be paid in that year and for each of said years there is hereby levied and ordered to be assessed and collected against all of the taxable property in said County a tax of and at such rate as shall be necessary as aforesaid and that such taxes when collected shall be appropriated and applied to the purposes named.

12. That the County Judge be and he is hereby authorized to take and have charge of all necessary records pending investigation by the Attorney General and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General, registration by the Comptroller and their actual delivery to the purchaser thereof.

PASSED AND APPROVED this the 12 day of August, 1946.

Roy Anderson, County Judge.

Attest:

Johnson County, Texas.

A. T. Griffin, County Clerk and Ex-Officio Clerk,  
Commissioners' Court, Johnson County, Texas.

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A motion was made by Commissioner Wyatt and seconded by Commissioner Maddox to hold a hearing on the 1947 Budget on August 31, 1946 at 9:00 a.m. Commissioners Wyatt, Hadley, Maddox and Roland voted "Aye'.

A motion was made by Commissioner Maddox and seconded by Commissioner Hadley, that all properly approved accounts be allowed and ordered paid. Commissioners Wyatt, Hadley, Maddox and Roland voted "Aye".

A motion was made by Commissioner Roland and seconded by Commissioner Hadley to lease the County Farm to W. G. Whitehead for the year 1947 for the sum of \$1200.00 which is to be paid on January 1, 1947. Commissioners Wyatt, Hadley, Maddox and Roland voted "Aye".

Attest: \_\_\_\_\_ County Clerk \_\_\_\_\_ County Judge

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