

## AN ORDINANCE 88-74

DESIGNATING THE COMMONWEALTH BANK AND TRUST COMPANY OF SAN ANTONIO, TEXAS, AS A SPECIAL DEPOSITORY OF FUNDS BELONGING TO THE CITY OF SAN ANTONIO, AND APPROVING THE BOND OF SUCH DEPOSITORY.

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

WHEREAS, THE COMMONWEALTH BANK AND TRUST COMPANY OF SAN ANTONIO, TEXAS, has been duly selected as a special depository for the sum of SEVENTY-FIVE THOUSAND (\$75,000.00) DOLLARS of the funds belonging to or controlled by said City, and said COMMONWEALTH BANK AND TRUST COMPANY has executed and filed with the City Clerk a bond conditioned as required by law, which bond has been approved by the Mayor of the City of San Antonio, Texas, subject to the concurrence of the Commissioners.

SECTION ONE: That the bond of the said COMMONWEALTH BANK AND TRUST COMPANY the same being in the principal sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, executed by the said COMMONWEALTH BANK AND TRUST COMPANY, as principal, and W. R. Wiseman, Hugo Katt, Leo M. J. Dielmann, Thomas H. Jarrell and T. N. Smith, as sureties, be and the same is hereby in all things accepted and approved, and ordered to be filed and recorded by the City Clerk, and retained carefully in the archives of said City.

SECTION TWO: That said COMMONWEALTH BANK AND TRUST COMPANY be and it is hereby designated as a special depository or and for funds belonging to said City, whether general funds, special funds, or special trust funds, or from whatever source derived, not to exceed the sum of SEVENTY-FIVE THOUSAND (\$75,000.00) DOLLARS, all of which has been deposited in or will be deposited in said special depository, for the use and benefit of the City of San Antonio, in conformity with the purpose of such funds, all as provided by law and subject to all the terms, conditions and provisions imposed by the laws of the State of Texas, and Charter and Ordinances of the City of San Antonio, for such matters made and provided.

SECTION THREE: That the Commissioner of Taxation, as exofficio City Treasurer, be and he is hereby ordered to cause to be transferred to and deposited in said special depository, herein designated, city funds and moneys so that the aggregate deposit of the funds or moneys to the City belonging, shall not exceed SEVENTY-FIVE THOUSAND (\$75,000.00) DOLLARS. That the COMMONWEALTH BANK AND TRUST COMPANY as such depository shall pay to the City of San Antonio, interest at the rate of three per cent per annum upon all daily balances of such deposits, to be computed and paid monthly.

SECTION FOUR: That in accordance with the proposal and bond of said bank, it has obligated itself to lend to the City of San Antonio, or to purchase warrants issued by said City, in such amounts as the Board of Commissioners of said City of San Antonio may desire to borrow, or to obtain, to meet the general expenses of said City for the current fiscal year, in such sums per month as may be desired by said City, the total loan to the City of San Antonio, or the amount of its warrants, to be purchased by the said depository, however, not to exceed ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, for the current fiscal year, ending May 31st, 1925. The City is to pay interest on all such loans and pay interest on all warrants issued by said City and paid by said Bank for the City of San Antonio, provided warrants are issued instead of notes, from the date of such notes or from date of payment of such warrants until paid at the rate of five per cent per annum; a lien is hereby created in favor of the COMMONWEALTH

BANK AND TRUST COMPANY upon the current revenues of said City, for said fiscal year, to secure the payment of all principal sums that may be loaned to said City, or that may be advanced by said COMMONWEALTH BANK AND TRUST COMPANY upon the purchase of warrants, that may be issued by the said City, together with interest thereon at the rate of five per cent per annum from the date such loan is made or from date of payment of such warrants by said bank for the City of San Antonio.

SECTION FIVE: All matters and things concerning such depository, and all things in connection with the City funds or moneys to be deposited therein and all business with said depository shall be subject to and governed by the laws of the State of Texas, and by the Charter and Ordinances of the City of San Antonio.

SECTION SIX: This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent therefrom, and the same shall take effect immediately.

PASSED AND APPROVED this 14 day of July, A. D. 1924.

ATTEST: Fred Fries  
CITY CLERK.

John W. Tobin.  
MAYOR, CITY OF SAN ANTONIO, TEXAS.

THE STATE OF TEXAS,  
COUNTY OF BEXAR.

KNOW ALL MEN BY THESE PRESENTS: That we, the COMMONWEALTH BANK AND TRUST COMPANY, a banking institution, duly organized and existing under the laws of the State of Texas, as principal, and W. R. Wiseman, Hugo Kott, Leo M. J. Dielmann, Thomas H. Jarrell and T. H. Smith as sureties, are held and firmly bound and obligated unto the City of San Antonio, a municipal corporation, in the State of Texas, and County of Bexar, in the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS for the payment of which in and unto the said City of San Antonio, at San Antonio, Texas, well and truly to be made, we and each of us do hereby bind, ourselves, our heirs, executors, administrators and successors jointly and severally by these presents.

THE CONDITIONS OF THIS OBLIGATION, HOWEVER, ARE SUCH THAT

WHEREAS, the above bounden principal has been duly selected by the Commissioners of the City of San Antonio as a special depository of funds belonging to or controlled by the City, not to exceed the sum of SEVENTY-FIVE THOUSAND (\$75,000.00) DOLLARS, as specified in the ordinance prepared for the designation of such depository, which ordinance is hereby referred to and made a part hereof, and said depository has obligated itself to pay to the City of San Antonio, interest on the average daily balances of all such funds deposited with it, by said City, at the rate of three per cent per annum to be computed and paid monthly; and further obligates itself to lend to the City of San Antonio, or to purchase warrants issued by said City of San Antonio in such amounts as the Board of Commissioners of said City may desire to borrow or to obtain to meet the general expenses of said City, for the current fiscal year in such sums per month as may be desired by said City, the total loan to the City of San Antonio, or the amount of its warrants to be purchased by the principal herein, however, not to exceed ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS; the City is to pay interest on all loans, and pay interest upon warrants issued by said City and paid by said Bank for the City of San Antonio, at the rate of five per cent per annum, from date such warrants are paid by said Bank, and from date of notes, if notes are issued, provided warrants are issued instead of notes; a

lien is hereby created in favor of said banking institution, the principal herein, upon the current revenues of said City, for said fiscal year, to secure the payment of all principal sums that may be loaned to said City or that may be advanced by the principal herein, upon the purchase of warrants that may be issued by said City, together with interest thereon at the rate of five per cent per annum from <sup>the</sup> date of such loan is made or such warrant or warrants are issued until the same are paid, and

WHEREAS, the further conditions of this obligation are such that the said banking institution shall well and faithfully perform the duties and obligations devolving upon it as such depository, by the law of the State of Texas, the Charter and Ordinances of the said City, and shall well and truly pay, upon presentation, all warrants and checks properly drawn upon it by the City against any and all funds so deposited or created and applicable to the payment of any such warrant or check, and that all funds and moneys of the City of San Antonio so deposited, together with all special trust funds so deposited by said City, shall and will be faithfully kept, and with the interest thereon, properly and correctly disbursed, paid over and accounted for, according to law and the Charter of said City, and the City shall be kept free from all losses thereon; and it is further agreed by all parties hereto, including each of the sureties hereon, that this bond shall be held to be an independent common law obligation, in accordance with its face and tenor, as well as a bond required by statute, charter and ordinances for the purpose of protecting the City from all losses by reason of any funds belonging to or controlled by the City, being deposited in said COMMONWEALTH BANK AND TRUST COMPANY, as such depository, and all proceedings and pre-requisites herein stated or required by law, as preliminaries to the selection of such depository, shall be conclusively presumed to have been duly and regularly had and performed, before the execution of this bond, wholly and regardless of defects and omissions, if any, in such preliminaries, and that at the time when this bond is presented to the City for approval, the names of all securities expected to join in this bond, appear as signatories hereto.

It is further provided that if the Commissioners of the City of San Antonio shall at any time deem it necessary for the protection of the City it may, by resolution, require the COMMONWEALTH BANK AND TRUST COMPANY, as such depository, to execute a new bond or give additional surety and upon failure of said COMMONWEALTH BANK AND TRUST COMPANY, as such depository to do so, within five days after the service of a copy of a resolution on said depository, the Commissioners of the City of San Antonio may proceed to select another depository in the manner provided by law.

NOW THEREFORE, if said depository, the principal herein, aboved named, shall well and truly comply with each and all of the terms, and conditions of this obligation, and protect the City of San Antonio against all loss by reason of any funds now deposited in or that may hereafter be deposited in said COMMONWEALTH BANK AND TRUST COMPANY, belonging to or controlled by the City, then in such case, this obligation shall be and become null and void, otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, witness the hand and corporate seal of said Bank, this 14th day of July, A. D. 1924.

COMMONWEALTH BANK AND TRUST COMPANY,  
Principal

By W. R. Wiseman  
President.  
W. R. Wisemann  
Hugo Kott.

ATTEST: T. N. Smith.  
Cashier.

Approved by the Mayor and Commissioners by  
Ordinance passed and approved July, 14, 1924.  
Fred Fries.  
City Clerk.

Leo M. J. Dielmann.  
Thomas H. Jarrell  
T. N. Smith.  
Sureties.

## AN ORDINANCE 09-75

DESIGNATING THE TEXAS STATE BANK AND TRUST COMPANY OF SAN ANTONIO, TEXAS, as a special City Depository, and approving the bond of such depository.

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

WHEREAS, the TEXAS STATE BANK AND TRUST COMPANY has been duly selected as a depository of funds for the City of San Antonio, to the extent of TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, and has executed and filed with the City Clerk a bond conditioned as required by law, which bond has been approved by the Mayor of the City of San Antonio, Texas, subject to the concurrence of the Commissioners.

SECTION ONE: That said bond, the same being in the sum of TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, executed by said TEXAS STATE BANK AND TRUST COMPANY, as principal, and W. J. Walthall, Walton D. Hood, Wm. H. Russell, H. M. Compton, Robt. S. Yantis, A. Martinez, L. A. Kerr, U. H. Rische and A. C. Wollenhaupt, as surties, dated the 14th day of July A. D. 1924, be and the same is hereby in all respects accepted and approved by the said Board of Commissioners, and ordered to be filed and recorded by the City Clerk of said City, and retained carefully in the archives of said City of San Antonio.

SECTION TWO: That said TEXAS STATE BANK AND TRUST COMPANY be and it is hereby designated a special depository of and for funds belonging to said City, whether general funds, special funds, or special trust funds, or from whatever source derived, not to exceed the sum of TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, all of which have been or will be deposited in said special depository for the use and credit of the said City of San Antonio, in conformity with the purpose of such funds, all as provided by law, and subject to all terms, conditions and provisions imposed by the Statutes and Laws of the State, and Charter and Ordinances of the City of San Antonio, for such matters made and provided.

SECTION THREE: That the Commissioner of Taxation, as ex-officio City Treasurer be and he is hereby ordered and directed to permit to remain, or transfer or cause to be transferred to said special depository herein designated, City funds and moneys so that the aggregate deposit of funds or moneys to the City belonging shall not exceed TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS. That in accordance with proposal and bond of said special depository, interest at the rate of three and one-half per cent, per annum, computed and paid monthly, shall be collected from said depository on daily balances of all funds so deposited and remaining to the credit of said City in said depository.

SECTION FOUR: That in accordance with the proposal and bond of said Texas State Bank and Trust Company, it has obligated itself to lend to the City of San Antonio, or to pay warrants issued by said City, in such amounts as the Board of Commissioners of said City of San Antonio may desire to borrow or to obtain to meet the general expenses of said City for the current fiscal year, ending May 31st, 1925, in such sums per month as may be desired by said City; the total loan to the City of San Antonio, or the amounts of its warrants to be paid by the said depository, however, not to exceed the sum of THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS, for the current fiscal year. The City is to pay interest on all such loans, or pay interest upon all warrants issued by said City paid by said Bank from the date payments of such warrants are so made by said Bank, and from the date of notes in the event notes are given to evidence said indebtedness, at the rate of five per cent per annum; a lien is hereby

created in favor of said Texas State Bank and Trust Company upon the current revenues of said City for said current fiscal year, to secure the payment of all principal sums that may be loaned to said City, or that may be advanced by the said TEXAS STATE BANK AND TRUST COMPANY, upon the payment of warrants that may be issued by said City, together with interest thereon at the rate of five (5) per cent per annum from the date of such loan or the date of payment of any such warrants.

SECTION FIVE: All matters and things concerning such depository and all things in connection with the City's funds or moneys to be deposited therein, and all business with said depository shall be subject to and governed by the Laws of the State of Texas, and by the Charter of the City of San Antonio.

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

PASSED AND APPROVED on this 14th day of July, A. D. 1924.

John W. Tobin.  
 Mayor, City of San Antonio, Texas.

ATTEST:

Fred Fries  
 City Clerk.

THE STATE OF TEXAS,  
 COUNTY OF BEXAR.

KNOW ALL MEN BY THESE PRESENT: that We, the TEXAS STATE BANK AND TRUST COMPANY, of San Antonio, Texas, a banking institution duly organized and conducted under the laws of the STATE OF TEXAS, as principal and W. J. Walthall, Walton D. Hood, Wm. H. Russell, H. M. Compton, Robert S. Yantis, A. Martinez, L. A. Kerr, U. H. Rische, and A. C. Wollenhaupt, as sureties, are held and firmly bound and obligated to the City of San Antonio, a municipal corporation in the State of Texas, County of Bexar, in the sum of TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS for the payment of which in and unto said City of San Antonio, at San Antonio, Texas, well and truly made, we and each of us do hereby bind ourselves, our heirs, executors, administrators and successors, jointly and severally, by these presents:

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT

WHEREAS, the above abunden principal has been duly selected by the Commissioners of the City of San Antonio, as special depository for the sum of TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, and the said TEXAS STATE BANK AND TRUST COMPANY as such depository has obligated itself to pay to the City of San Antonio interest on the average daily balances of all such funds deposited with it by the said City of San Antonio, at the rate of three and one-half percent per annum, to be computed and paid monthly; and further obligates itself to lend to the City of San Antonio, or pay warrants issued by said City in such amounts as the Board of Commissioners of said City may desire to borrow or to obtain to meet the general expenses of said City for the current fiscal year, in such sums per month as may be desired by said City, the total loan to the City of San Antonio, or the amount of its warrants to be paid by the principal herein for the City of San Antonio, however, not to exceed the sum of THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS for the current fiscal year. The City is to pay interest on all such loans

er interest upon warrants issued by said City and paid by the said Bank for the City of San Antonio, provided warrants are issued instead of notes, from the date of such notes or from the date of payment of such warrants by said Bank for said City, until paid, at the rate of five per cent per annum. A lien being created in favor of said Bank, the principal herein, upon the current revenues of said City, for said fiscal year, to secure the payment of all principal sums that may be owing to said Bank on account of notes executed and delivered to said Bank, or warrants paid by said Bank for said City, together with interest thereon at the rate of five per cent per annum from the date of such loan, or payment of such warrants by said bank for said City.

WHEREAS, the further conditions of this obligation are such that said banking institution shall well and truly perform the duties and obligations devolving upon it as such depository by the Laws of the State of Texas, the Charter of the City of San Antonio, and Ordinances of said City, and shall well and truly pay, upon presentation, all warrants and checks properly drawn upon it by said City, against any and all funds so deposited or credited and applicable to the payment of any such warrant and check and that all funds and moneys of the City of San Antonio so deposited, together with all special trust funds so deposited by said City, shall and will be faithfully kept, and the interest thereon properly and correctly disbursed, paid over and accounted for, according to law, and the Charter and Ordinances of said City. And the City shall be kept free from all loss thereon.

It is further agreed by all parties hereto, including each of the sureties, that this bond shall be held to be an independent common law obligation in accordance with its face and tenor, as well as the bond required by Statute, Charter and Ordinances for the purpose of protecting the City from all loss by reason of the funds belonging to or controlled by the City being deposited with said TEXAS STATE BANK AND TRUST COMPANY, as such depository, and all proceedings and pre-requisites herein stated or required by law, as preliminaries to the selection of such depository, shall be conclusively presumed to have been duly and regularly had and performed, before the execution of this bond, wholly and regardless of defects or omissions, if any, in such preliminaries, and that at the time when this bond is presented to the City for approval the names of all securities expected to join in this bond, appear as signatories hereto.

It is further provided that if the Commission of the City of San Antonio shall at any time deem it necessary for the protection of the City, it may by resolution, require the said TEXAS STATE BANK AND TRUST COMPANY as such depository, to execute a new bond or give additional surety, and upon failure of said TEXAS STATE BANK AND TRUST COMPANY as such depository to do so, within five days after the service of a copy of such resolution on said depository, the Commissioners of the City of San Antonio, may proceed to select another depository in the manner provided by law.

NOW THEREFORE, if said depository, the principal herein above named shall well and truly comply with each and all of the terms and conditions of this obligation, and protect the City against all losses by reason of any funds now deposited in or that may hereafter be deposited in said TEXAS STATE BANK AND TRUST COMPANY, belonging to or controlled by the City, then in such case this obligation shall be and become null and void, otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, Witness our hands and the corporate seal of said Bank, this 14th day of July, A. D. 1924.

THE TEXAS STATE BANK AND TRUST COMPANY,  
Principal,

By L. A. KERR,  
Its President.

ATTEST:

W. J. WATKINS,  
Cashier.

WALTON D. HOOD

WM. H. RUSSELL.

H. M. COMPTON.

A. MARTINEZ.

Sureties.

L. A. KERR.

U. H. RISCHE.

ROBT. S. YANTIS.

A. C. Wollenhaupt.

Sureties.

Approved by the Mayor and Commissioners by Ordinance passed and approved this 14th day of July, A. D. 1924.

Fred Fries.  
City Clerk.

AN ORDINANCE *88-76*

DESIGNATING THE ALAMO NATIONAL BANK OF SAN ANTONIO, TEXAS, AS A GENERAL DEPOSITORY OF FUNDS BELONGING TO THE CITY OF SAN ANTONIO, AND APPROVING THE BOND OF SUCH DEPOSITORY.

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

THAT WHEREAS, the ALAMO NATIONAL BANK of San Antonio, Texas, has been duly selected as a general depository of approximately ONE-FOURTH of all the funds belonging to or controlled by said City, and the said The Alamo National Bank has executed and filed with the City Clerk a bond conditioned as required by law, which said bond has been approved by the Mayor of the City of San Antonio, Texas, subject to the concurrence of the Commissioners,

SECTION ONE: That the bond of the Alamo National Bank, same being in the principal sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), executed by the said Alamo National Bank, as principal, and Ernest Steves, Otto Meersheidt, Ernest L. Brown, C. C. Gibbs, Geo. C. Vaughan, Joseph Courand, J. B. Martindale, William Green, and G. A. C. Halff, as sureties, be and the same is in all things accepted and approved by the Board of Commissioners, and ordered filed and recorded by the City Clerk and retained in the archives of the City of San Antonio.

SECTION TWO: That the Alamo National Bank be, and it is hereby designated as a general depository of and for ONE-FOURTH of the funds belonging to and controlled by the City of San Antonio, on deposit with all banks; whether general funds, special funds, or special trust funds, or from whatever source derived; all of which have been, or will be be, deposited in said general depository, for the use and benefit of the City of San Antonio, in conformity with the purpose of said funds, as provided by law, and subject to all terms, conditions and provisions imposed by the laws of the State of Texas, and the Charter and Ordinances of the City of San Antonio, for such matters made and provided. Said Alamo National Bank as such depository, shall pay to the City of San Antonio interest at the rate of three per cent per annum upon all such deposits, to be computed and paid monthly.

SECTION THREE: That in accordance with the proposal and bond of said Alamo National Bank, it has obligated itself to lend to the City of San Antonio, or to pay warrants issued by said City of San Antonio, in such amounts as the Board of Commissioners of the City of San Antonio may desire to borrow, or obtain to meet the general expenses of said City, for the remainder of the current fiscal year, in such sums per month as may be desired by said City; provided, however, that said Alamo National Bank shall not be required to lend to the City of San Antonio, or to pay its warrants, where such loan, if made, or the warrants, if paid, together with all previous loans made to the City of San Antonio, and all previous warrants issued by the City and paid by said Bank for the fiscal year beginning with the first day of June, A. D. 1924, and ending on the 31st day of May, 1925, in excess of one-half of ninety per cent (90%) of the estimated uncollected and unpledged revenue for the fiscal year 1924, said fiscal year beginning June 1st, 1924, and ending May 31st, 1925. The City is to pay to the Alamo National Bank, interest on all such loans, and pay interest upon all warrants issued by said City and paid by said Bank, provided warrants are issued instead of notes, from the date of such notes or from the date of payment of said warrants by said Bank for the City of San Antonio, until June 10, 1925, at the rate of five per cent per annum, payable monthly, and at the rate of six per cent per annum from and after June 10th, 1925, until paid.

At the option of the Alamo National Bank, the City of San Antonio shall, so far as is legally permissible, issue to said Bank as required by it, notes in lieu of warrants previously cashed by said bank, said notes to be in denomination of \$25,000.00 each, payable at San Antonio, Texas, on or before June 10th, 1925, and to bear interest at the rate of five per cent per annum, payable monthly, as it accrues, and at six per cent per annum after maturity, said bank to be provided with satisfactory evidence and legal opinions showing said notes to be legally issued obligations of the City of San Antonio and that they are secured by First Lien on all of the uncollected, unpledged revenue of the City of San Antonio.

A lien is hereby created in favor of said Alamo National Bank, on the current general fund revenue of the City of San Antonio, for said fiscal year, to secure the payment of all principal sums that may be loaned to said City, or that may be advanced to said Alamo National Bank, upon warrants that may be issued by said City, together with interest thereon at the rate of five per cent per annum from the date such loan is made or such warrant or warrants are issued and paid by said Bank until June 10, 1925, and at the rate of six per cent per annum from June 10, 1925, until paid.

SECTION FOUR: All matters and things concerning such depository and all things in connection with the City funds or moneys, to be deposited therein and all business with said depository shall be subject to and governed by the laws of the State of Texas, and by the Charter of the City of San Antonio.

SECTION FIVE: This ordinance is hereby declared to be of urgent importance, for reasons of public welfare apparent herefrom, and the same shall take effect immediately after its passage.

PASSED AND APPROVED, this 14<sup>th</sup> day of July, A. D. 1924.

John W. Tobin.  
Mayor, City of San Antonio, Texas.

ATTEST: Fred Fries.  
City Clerk.

BOND OF CITY DEPOSITORY

STATE OF TEXAS        ↓  
 COUNTY OF BEXAR       ↓  
 CITY OF SAN ANTONIO ↓

## KNOW ALL MEN BY THESE PRESENTS:

That we, THE ALAMO NATIONAL BANK, of San Antonio, Texas, a banking institution duly organized and conducted under the laws of the United States, as Principal, and Ernest Steves, Otto Meerscheidt, Ernest L. Brown, C. C. Gibbs, Geo. C. Vaughan, Joseph Courant, J. B. Martindale, William Green and G. A. C. Halff, as sureties, are held and firmly bound and obligated unto the City of San Antonio, a municipal corporation of the State of Texas, and County of Bexar, in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for the payment of which in and unto said City well and truly to be made we do hereby bind ourselves, our heirs, executors, administrators and successors, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION, HOWEVER, ARE SUCH that, whereas the above bounden principal has been duly selected by the commissioners of said City as a GENERAL DEPOSITORY OF AND FOR ONE-FOURTH, more or less, of the funds belonging to or controlled by said City, except as otherwise specified in the ordinance prepared for the designation of such depository, the form of which ordinance is hereto attached; and said depository has obligated itself to pay to the City interest on daily balances of all such funds at the rate of three per cent (3%) per annum, to be computed and paid monthly; and has further obligated itself to lend to the City one-half of such amounts as the Board of Commissioners of said City may desire to borrow to meet the expenditures of said City for each current fiscal year during the continuance of said agreement as based on the tentative budget of said City for such year, the City to pay interest on all such loans from the date thereof at the rate of five per cent (5%) per annum; the City to secure such loans and issue notes therefor; all as provided by the Finance Ordinances of the City, with the right reserved by the bank to cancel such depository contract on thirty (30) days' written notice; and

WHEREAS, the further conditions of this obligation are such that the said banking institution shall and will faithfully perform all the duties and obligations devolving upon it as such depository by law, or by the charter and ordinances of said City, and especially what is known as the "Finance Ordinances" of the City; and shall and will well and truly pay upon presentation all warrants and checks properly drawn upon it on behalf of said City against any and all funds so deposited or credited, whenever any such fund or funds shall be in said depository or chargeable thereto and applicable to the payment of any such warrant and check; and that all funds and moneys of the City of San Antonio so deposited, together with all special trust funds so deposited by said City, shall and will be faithfully kept, and with the interest thereon, properly and correctly disbursed, paid over and accounted for according to law, and the charter and ordinances of said City.

And it is further agreed by all parties hereto, including sureties, that this bond shall be held to be an independent common law obligation in accordance with its face and tenor, as well as a bond required by statute, charter and ordinance; and all proceedings and prerequisites herein recited or required by law as preliminaries to the selection of such depository shall be conclusively presumed to have been duly and regularly had and performed before the execution of this bond; wholly regardless of defects or omissions, if any, in such preliminaries; and that at the time when this bond is presented to the City for approval the names of all sureties expected to join in this bond appear as signatories hereto:

NOW THEREFORE, if the said depository or principal herein before named shall

well and truly comply with all the terms and conditions of this obligation, then and in such case this obligation shall be and become null and void; otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, witness our hands, and the corporate seal of said bank, and of each incorporated surety, if any, this 8th day of July, A. D. 1924.

ATTEST: Thos. R. Lentz.  
CASHIER

ALAMO NATIONAL BANK,  
SAN ANTONIO, TEXAS.  
PRINCIPAL

By Ernest Steves.  
PRESIDENT.

Ernest Steves.

Otto Meersheidt.

Ernest L. Brown.

Geo. C. Vaughn.

C. C. Gibbs.

Jos. Courand.

J. B. Martindale.

Wm. Green.

G. A. C. Halff.  
Sureties.

Approved by the Mayor and Commissioners by Ordinance passed and approved this 14th day of July.

Fred Fries.  
City Clerk.

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AN ORDINANCE *08-77*

AUTHORIZING THE ISSUANCE, EXECUTION AND DELIVERY OF CITY OF SAN ANTONIO PROMISSORY NOTES, TO EVIDENCE MONEY BORROWED FOR THE USE OF THE CITY OF SAN ANTONIO IN ANTICIPATION OF THE RECEIPTS OF TAXES AND REVENUES FOR THE CURRENT FISCAL YEAR; PLEDGING AS SECURITY <sup>RIT</sup> FOR SUCH LOAN THE UNCOLLECTED TAXES AND REVENUES OF SAID CITY FOR SAID YEAR.

WHEREAS, the City National Bank of San Antonio, Texas, and the Alamo National Bank of San Antonio, Texas, have submitted a proposition to the Commissioners of the City of San Antonio to loan to said City the funds required to pay the current expense debts, incurred during the present fiscal year, and to pay the current expenses of said City for the remainder of said fiscal year; and to accept from said City, to evidence such loans, promissory notes bearing five per cent (5%) interest per annum, which proposition has been accepted by said Commissioners; therefore,

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

SECTION 1: That for the purpose of paying off the debts of the City of San Antonio, incurred for current expenses during the present fiscal year, beginning June 1, 1924, and to pay the current expenses of said City for the remainder of said fiscal year, ending May 31, 1925, there shall be borrowed and secured from the City National Bank, of San Antonio, Texas, an advance of money for said purpose in the amount of ONE MILLION ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$1,150,000.00), and there shall be borrowed and secured from the Alamo National Bank, of San Antonio, Texas, an advance of money for said purpose in the amount of ONE MILLION ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$1,150,000.00), which amounts do not exceed the current estimated income of said City for said fiscal year,

SECTION 2: That to evidence said loans, promissory notes of the City of San Antonio shall be executed and delivered to said City National Bank of San Antonio, Texas, and said Alamo National Bank of San Antonio, Texas, under and by virtue of the Charter of said City, and the Constitution and laws of the State of Texas.

SECTION 3: Said notes shall be numbered consecutively from one (1) to ninety-two (92), both inclusive, and shall be of the denomination of Twenty-five Thousand Dollars (\$25,000.00) each, aggregating the sum of TWO MILLION THREE HUNDRED THOUSAND DOLLARS (\$2,300,000.00).

SECTION 4: One-half of said notes, to-wit, all notes bearing odd numbers, such as Nos. 1, 3, 5, 7, and each successive alternate number of said series, shall be payable to the order of the City National Bank of San Antonio, Texas, and one-half of said notes, to-wit, all notes bearing even numbers, such as 2, 4, 6, 8, and each successive alternate number of said series, shall be payable to the order of the Alamo National Bank of San Antonio, Texas, all of which said notes shall be dated the 22d, day of July, 1924, shall become due and payable on or before the 10th day of June, 1925; and shall bear interest at the rate of five per centum (5%) per annum, from date thereof until paid; provided, that interest shall be paid only on cash actually advanced on said notes and only from dates of such advancements.

SECTION 5: Said notes shall be signed by the Mayor, countersigned by the City Auditor, attested by the City Clerk, of said City, and the corporate seal of said City shall be impressed upon each of said notes.

SECTION 6: That to secure the payment of said notes, and all interest thereon, the current revenues of the City of San Antonio, arising from taxation and all other sources, for the

fiscal year June 1m 1924, to May 31, 1925, are hereby irrevocably pledged; and said notes and all interest thereon shall be paid from said current income before such revenues may be lawfully appropriated to any other purpose or object whatsoever.

SECTION 7: That the proceeds of said loan shall be used first to take up and pay off the outstanding indebtedness, incurred for current expenses of said City during the present fiscal year, and the remainder of said proceeds shall be advanced as the notes are delivered by the City and such proceeds shall be deposited to the credit of the City of San Antonio under the provisions of the City Depository Contract, to be used in the payment of the current expenses of said City for the remainder of said fiscal year.

SECTION 8: The form of said notes shall be substantially as follows:

No. \_\_\_\_\_ \$25,000.00

UNITED STATES OF AMERICA,  
THE STATE OF TEXAS,  
COUNTY OF BEXAR.  
CITY OF SAN ANTONIO PROMISSORY NOTE.

- - -

THE CITY OF SAN ANTONIO, a municipal corporation, in the County of Bexar and state of Texas, for value received, acknowledges itself indebted, and hereby promises to pay to the order of the \_\_\_\_\_ (City or Alamo, as the case may be) National Bank of San Antonio, Texas, on or before the 10th day of June, A. D. 1925, the principal sum of

TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)

inlawful money of the United States of America, together with interest thereon from date thereof until paid, at the rate of five per centum (5%) per annum, payable monthly.

This note is one of a series of nine-two (92) notes, numbered from one (1) to ninety-two (92), inclusive, of the denomination of Twenty-five Thousand Dollars (\$25,000.00) each, aggregating Two Million Three Hundred Thousand Dollars (\$2,300,000.00), this day authorized to be issued from time to time by the City of San Antonio, to the City National Bank of San Antonio, Texas, and the Alamo National Bank of San Antonio, Texas, in equal amounts, evidencing loans made to said City by said Banks, for the purpose of paying off certain indebtednesses incurred for current expenses of said City during the fiscal year beginning June 1, 1924, and to supply the needed funds to pay current expenses of said City for the remainder of said fiscal year, ending May 31, 1925; said notes having been issued under and by virtue of the Charter of the City of San Antonio, and the constitution and laws of the State of Texas, and in pursuance of an ordinance passed by the Commissioners of said City on the 14th day of July, A. D. 1924, which ordinance is recorded in Vol. \_\_\_\_\_, page \_\_\_\_\_, et seq., of the Minutes of said City Commissioners.

The date of this note, in conformity with said ordinance, is July 22nd, 1924.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this series of notes, have been properly done and performed, and have happened in regular and due time, form and manner, as required by law; and that the full faith and credit of said City of San Antonio, and the taxes and current revenues of said City for the fiscal year June 1st, 1924, to May 31st, 1925, are hereby irrevocably pledged for the punctual payment of the principal and interest of this series of notes.

IN TESTIMONY WHEREOF the City of San Antonio, Texas, has caused its corporate seal to be hereto affixed, and this note to be signed by the Mayor, countersigned by the City Auditor, and attested by the City Clerk of said City, as of the 22d day of July, A. D. 1924.

CITY OF SAN ANTONIO, TEXAS,

By JNO. W. TOBIN.  
Mayor, City of San Antonio, Texas.

Countersigned:

Attest:

L. H. HEUERMAN,  
Auditor, City of San Antonio, Texas.

FRED FRIES,  
City Clerk, City of San Antonio, Texas.

SECTION 9: BE IT FURTHER ORDAINED that John W. Tobin, Mayor of said City be and he is hereby authorized and directed to deliver said promissory notes to the City National Bank of San Antonio, Texas, and the Alamo National Bank of San Antonio, Texas, upon payment by

said banks, or either of them, of the amount designated in each of said notes; said notes to be delivered to said banks in the consecutive numerical order hereinabove designated.

PASSED AND APPROVED this 21st, day of July, A. D., 1924.

JNO. W. TOBIN.  
Mayer, City of San Antonio, Texas.

Attest:

FRED FRIES.  
City Clerk, City of San Antonio, Texas.

San Antonio, June 13, 1924.

The Honorable Mayor  
and City Commissioners,  
San Antonio, Texas,

Dear Sirs:-

For your legally issued Four Million Three Hundred and Fifty Thousand City of San Antonio direct obligation Five Percent bonds, dated January 1st, 1924, and due serially within forty years, and comprising the nine issues for the various improvements, both principal and semi annual interest payable in New York, or San Antonio at option of the holder, we will pay You Par and Accrued Interest and a premium of \$50,000.00.

You agree to furnish us with a complete certified copy of the record of the proceedings in this matter, together with final delivery papers, including non-litigation certificates in a form satisfactory to the Attorney General of Texas and John C. Thomson of New York, and this transaction is made subject to the approval as to the legality of the bonds by both the aforesaid attorneys.

As evidence of good faith we herewith attach check for \$43,500, which shall be applied on purchase price or forfeited by us as full settlement of all liquidated damages in the event we fail to perform and carry out this agreement, but is to be returned to us in case bonds are not approved by said John C. Thomson, whose fee we will pay.

Very respectfully,

First National Company, St. Louis  
Taylor, Ewart & Company, Chicago.  
G. H. Walker & Company, St. Louis.  
Detroit Trust Company.  
Mercantile Trust Company, St. Louis.  
J. E. Jaratt & Company, San Antonio.  
Guaranty Trust Company, New York.  
Ames, Emerich & Co., Chicago.  
Fred Emert & Company, St. Louis.  
Stern Brothers, Kansas City.  
City National Bank, San Antonio.  
Ames, Emerich & Co., Chicago.

By

Natt T. Wagner.J. T. BowmannJos. C. BrownW. R. King. Pres.

This contract shall be fulfilled by August 15th, 1924, otherwise to be of no effect.  
The above proposal and bid is hereby  
formally accepted this 13th day of  
June, 1924, by order of City Commission.

Jno. W. Tobin.  
Mayor.

Fred Fries.  
City Clerk.

## AN ORDINANCE 89-78

Accepting Bid of W. R King and Associates, for the Purchase of \$4,350,000.00, Bonds of the City of San Antonio, Authorized at an Election Held on December 4, 1923.

BE IT ORDAINED by the Commissioners of the City of San Antonio:

That the bid of W. R. King and associates, hereto attached, for the purchase of the bonds of the City of San Antonio, aggregating Four Million Three Hundred and Fifty Thousand (\$4,350,000) Dollars, authorized at an election held on December 4, 1923, said bonds being as follows, to-wit:

- \$2,800,000 Flood Prevention Bonds, denomination \$1,000 each; numbered from 1 to 2,800 inclusive; payable serially in numerical order, \$70,000 bonds on January 1 in each of the years 1925 to 1964, both inclusive;
- 200,000 Public Auditorium Building Bonds, denomination \$1,000 each; numbered from 1 to 200 inclusive; payable serially in numerical order, \$5,000 bonds on January 1 in each of the years 1925 to 1964, both inclusive;
- 100,000 Fire and Police Department Stations Bonds, denomination \$500 each; numbered from 1 to 200 inclusive; payable serially in numerical order, \$2,500 on January 1 in each of the years 1925 to 1964, both inclusive;
- 100,000 Public Park Improvements Bonds, denomination \$500 each; numbered from 1 to 200 inclusive; payable serially in numerical order, \$2,500 bonds on January 1 in each of the years 1925 to 1964, both inclusive.
- 250,000 Opening, Widening and Straightening Streets Bonds, denomination \$1,000 each; numbered from 1 to 250 inclusive; payable serially in numerical order, \$6,000 bonds on January 1 in each of the years 1925 to 1964, both inclusive, except the years 1928 and every fourth year thereafter, when \$7,000 bonds are payable;
- 100,000 Constructing Permanent Bridges Bonds, denomination \$500 each; numbered from 1 to 200 inclusive; payable serially in numerical order, \$2,500 bonds on January 1 in each of the years 1925 to 1964, both inclusive;
- 450,000 Street Paving and Street Markers Bonds, denomination \$1,000 each; numbered from 1 to 450 inclusive; payable serially in numerical order, \$11,000 bonds on January 1 in each of the years 1925 to 1964, both inclusive, except the years 1928 and every fourth year thereafter, when \$12,000 bonds are payable;
- 250,000 Storm Sewers and Drains Bonds, denomination, \$1,000 each; numbered from 1 to