

Be it remembered that on this the 12th day of January A.D.1920 there was begun and holden a regular term of the Commissioners Court of Titus County, Texas at the Court House thereof in the town of Mt. Pleasant, Texas, with the following members present to wit: J. W. Tabb, County Judge, A.P. Smart, W.A. Lee, T.B. Brown and W.M. King, Commissioners, and C. T. Neugent, Clerk. Court was opened by a proclamation of the Sheriff of Titus Co. Texas, when the following proceedings were had to wit:

In the Matter of the Resignation of Louis E. Lee as J.P. Precinct No. 6. | January 12th., 1920.

On this day came on to be considered by the Commissioners Court of Titus County, Texas the resignation of Louis E. Lee as Justice of the Peace of Precinct No. 6 Titus County Texas when Commissioner Lee made a motion which was seconded by Commissioner Smart that the resignation be in all things accepted. County Judge put the motion for a vote of the members of said court with the request that as many as favored the motion to vote "aye" and those opposed to vote "no". Commissioner Lee, Smart, Brown and King voted "aye". The County Judge declared the motion carried and the order passed.

In the Matter of Appointing J.A. Lee Justice of the Peace of Precinct No. 6. | January 12th., 1920.

On this day came on to be considered by the Commissioners Court of Titus County, Texas the application of J. A. Lee asking to be appointed Justice of the Peace of Precinct No. 6 of Titus County, Texas, when Commissioner Smart made a motion which motion was seconded by Commissioner Brown; that J.A. Lee be appointed Justice of the Peace of Precinct No. 6 of Titus County, Texas to fill out the unexpired term of Louis E. Lee or to serve until the appointment of his successor. The County Judge put the motion for a vote of the members of said court with the request that as many as favored the motion to vote "aye" and those opposed to vote "no" Smart, Brown, Lee and King voted "aye". The county judge declared the motion carried and the order passed.

OFFICIAL BOND OF J.A. LEE | January 12th., 1920.  
APPROVED.

On this day came on to be considered the Official Bond of J.A. Lee as Justice of the Peace of Precinct No. 6 Titus County, Texas, when Commissioner Smart made a motion which was seconded by Commissioner Brown that said bond be in all things approved. The County Judge put the motion for a vote of the members of said court with the request that as many as favored the motion to vote "aye" and those opposed to vote "no" Commissioner Smart, Lee, Brown and King vote "aye" The motion carried.

In the Matter of Designating a Public Highway. | January 12.1920.

On this day came on to be considered by the Commissioners Court of Titus County, Texas, the matter of granting a Public Road beginning at a point on the Mt. Pleasant and Gascon Public Road about 100 yards south of Chappel Hill School House; thence to a point in the Pittsburg and Gascon Road about 200 yards south of the old Hilliard place, now owned by W. M. Henderson. Commissioner Smart made a motion that the above described road be designated a Public Road seconded by Com. Lee. The County Judge put the motion, Smart, Lee, King and Brown voted "aye" County Judge declared the motion carried and the order passed.

In the matter of designating a Public Highway. | January 12th.1920.

On this day came on to be considered by the Commissioners Court of Titus County, Texas, the matter of designating a Public Highway Beginning at the line between Morris and Titus Counties on Concord Road; thence west about one mile to Cookville and Concord Road, Commissioner Smart made a motion which was seconded by Brown that the above described road be

designated as a Public Highway. County Judge put the motion with the request that as many as favored the motion to vote "aye" and those opposed to vote "no" Smart, King, Lee and Brown voted "aye" The County Judge declared the motion carried and the order passed.

MONDAY, JANUARY 12th., 1920.

Re: FRANKLIN COUNTY LEVEE IMPROVEMENT DISTRICT NO. 2.

On this the 12th day of January, 1920, a day of a regularly held session of the Commissioners' Court of Titus County, Texas, at which all members of said Court including the County Judge were present and acting, came on for consideration the hearing of the petition of E.E. Dismukee, J.W. Coney and others, dated the \_\_\_ day of \_\_\_\_\_ 1919, for the formation of a conservation and reclamation district in said Franklin and Titus Counties, Texas, with metes and bounds as follows:--

Situated in Franklin and Titus Counties about 16 miles NE from Mt. Vernon, Texas, on the South bank of Sulphur River, Beginning at a stake on the south bank of Sulphur River on the east line of the San Antonio and Mexican Gulf Ry survey; Thence south 4400 ft; North 85-1/2 East 280 ft; South 61 east 200 ft; South 640 ft; East 2291 ft; South 4195 ft; west 350 ft; North 100 ft; west 100 ft; South 100 ft; west 1535 ft; North 100 ft; west 1535 ft; North 100 ft; west 100 ft; south 105 ft; East 710 ft; South 100 ft; East 100 ft; North 100 ft; East 1525 ft; North 245 ft; west 145 ft; North 955 ft; east 100 ft; North 100 ft; west 100 ft; North 2900 ft; south 71 East 1384 ft; North 80 east 360 ft; North 84 east 350 ft; North 34 west 765 ft; South 85-1/2 east 1110 ft; North 3-1/2 East 380 ft; north 71 west 820 ft; North 4 west 920 ft; North 45-1/2 west 4010 ft; north 52-1/2 west 1060 ft; -- Thence 520 ft. along the Bank of Sulphur River to the place of beginning, containing approximately 343 acres of land, to be known as Franklin County Levee Improvement District No.2.

Said petition came on for hearing and it appearing that such petition is in due form and is signed and acknowledged as required by law by the owners of the majority of the acreage of the proposed district, and it further appearing that due and proper notice of this hearing has been given in accordance with the requirements of law. Came the petitions and also came the Hon. Arthur A. Stiles, State Reclamation Engineer, in person and filed his report as required by law, and also furnished to the Court such supplemental information as was required, and evidence being heard upon said petition, and it appearing to the Court that the proposed improvements within and for said district are feasible and practicable, and are needed and would be conducive to public health and would be a public benefit and a public utility.

The Court so find, and does now adjudge such proposed improvements are feasible and conducive to public health and are needed, and would be a public benefit and a public utility.

It is further ordered and adjudged that the prayer of said petitioners be granted, and that a conservation and reclamation district to be known as Franklin County Levee Improvement District No.2, be, and the same is hereby created and established with boundaries heretofore set out, which district shall be a body corporate with full authority to effect the reclamation protection and improvements of the land and other property within its boundaries, which said district shall have and may exercise all of the rights, powers and privileges conferred by Chapter No.44 of the General Laws of the 4th called session of the 35th Legislature providing for contemplated reclamation districts, and which are conferred by other laws and constitutional purposes in said act mentioned and referred to, and any indebtedness and levy of taxes to fully carry out each and all of the purposes of its organ-

isation, and for the payment of its obligations and the maintenance and obligation of the district.

Ordered in open Court this 12th day of January A.D. 1920.

J.W.Tabb, County Judge.  
A.P.Smart, Commissioner Precinct No.1.  
W.A.Lee, Commissioner, Precinct No.2.  
W.M.King, Commissioner, Precinct No.3.  
T.B.Brown, Commissioner, Precinct No.4.

STATE OF TEXAS )  
COUNTY OF TITUS ) ORDER AUTHORIZING ISSUANCE OF BONDS AND LEVY OF TAXES:

RE: FRANKLIN COUNTY LEEVE IMPROVEMENT DISTRICT NO. 2.

On this the 12th day of January, A.D. 1920, the Commissioners' Court of Titus County, Texas, convened in Regular session, at which all members were present and acting there came on to be considered the matter of the issuance of Levee Improvement Bonds by and for Franklin County Levee Improvement District No.2 of Franklin County, Texas, as said levee improvement district has been established by previous orders of this Court, and it appearing that maps, profiles and estimates have been made and filed in said matters as required by law from which the amount of bonds hereinafter mentioned, appear to be reasonably necessary and proper to pay for the proposed improvements and the maintenance thereof for a period not to exceed two years plus ten per cent additional to meet emergencies, modification and changes lawfully made.

And it further appearing that the amount of bonds to be issued will not exceed the cost of construction of the improvements to be made according to the adopted Plan of Reclamation approved by the State Reclamation Engineer, and the cost of maintenance of such improvements for such years as estimated by him, plus ten per cent additional to meet emergencies, modification and changes lawfully made, and will not exceed the estimate made by the State Reclamation Engineer before the election hereinafter mentioned and voted on at such election, and said Commissioners' Court at its January term, 1920, passed the following order, to-wit: "The Commissioners' Court of Franklin County, Texas, January term, 1920, and on this the 13th day of January, 1920, in the matters of the petition of E.E.Dismukes, J.W.Coney and others praying for the issuance of bonds and levy of taxes in payment thereof by the Levee Improvement District fully described and designated in said petition by the name of FRANKLIN COUNTY LEEVE IMPROVEMENT DISTRICT NO. 2, be it known that an election held for said purpose in said district on the 20th day of December, 1919; a majority of all the qualified resident property tax payers voting at said election, voted in favor of the issuance of bonds and the levy of taxes; there having been cast at said election three votes, and said voters cast as follows:

"For the issuance of bonds and the levy of taxes in payment therefor," three votes

"Against the issuance of bonds and the levy of taxes in payment therefor," none voted

Majority for the issuance of bonds and the levy of taxes in payment therefor, three votes.

Therefore, be it ordered by the Commissioners' Court of Titus County, Texas, that the bonds of said Franklin County Levee Improvement District No.2, be issued in the name of said district under and by virtue of Chapter 44 of the General Laws of the State of Texas, Senate Bill No.22, Acts of the Fourth Called Session of the 35th Legislature for the purpose of making Levee Improvements in said district.

The said bonds be numbered consecutively from One (1) to One Hundred Thirty (130)

inclusive, shall be of the denomination of Thirteen Thousand (\$13,000.00) Dollars. They shall be dated the 5th day of January A.D. 1920, and shall become due and payable serially as follows:

Bonds numbered 1 to 2 inclusive to become due 2 years after date.			
"	"	3 to 4	"
"	"	5 to 6	"
"	"	7 to 8	"
"	"	9 to 10	"
"	"	11 to 13	"
"	"	14 to 16	"
"	"	17 to 19	"
"	"	20 to 22	"
"	"	23 to 25	"
"	"	26 to 28	"
"	"	29 to 31	"
"	"	32 to 39	"
"	"	40 to 43	"
"	"	44 to 47	"
"	"	48 to 52	"
"	"	53 to 57	"
"	"	58 to 62	"
"	"	63 to 67	"
"	"	68 to 73	"
"	"	74 to 79	"
"	"	80 to 85	"
"	"	86 to 92	"
"	"	93 to 99	"
"	"	100 to 107	"
"	"	108 to 115	"
"	"	116 to 124	"
"	"	125 to 130	"

It is further ordered that none of said bonds shall be made payable more than thirty (30) years after the date thereof, and that they shall be issued in serial installments as above shown, and said bonds shall bear interest at the rate of six (6%) per cent per annum, to be represented by coupons attached to such bonds and interest to be payable, the first two installments on January 5, 1921, and January 5, 1922, and thereafter semi-annually of each year until all of said bonds and interest thereon shall have been paid, principal and interest shall be payable upon presentation and surrender of bonds or proper coupons of lawful money of the United States of America at the County Treasurer's office in Franklin County at Mt. Vernon, Texas, or at the First National Bank of Chicago, Illinois, at the option of the holder; the said bonds shall be signed by the County Judge of Franklin County, Texas, and attested by the Clerk of the County Court, he being the County Clerk of said County, and the seal of the Commissioners' Court of Franklin County shall be affixed to each

The fac-simile signature of the County Judge and County Clerk may be lithographed or printed on the interest coupons representing the interest of such bonds said bonds shall be registered by the County Treasurer of said Franklin County; said bonds being issued by the said Franklin County Levee Improvement District No. 2 for the payment of contemplated and estimated levee improvements to be made in said district, and the cost of the maintenance of said improvements for two years, all as estimated by the State Reclamation Engineer of Texas plus ten per cent additional to meet emergencies, modification and changes lawfully made.

It is further ordered that to pay the principal amount of the above named bonds when due, and to pay the interest thereon when the same matures, a tax shall be, and is hereby ordered to be levied, assessed and collected for each of said years upon all the taxable property within said Franklin County Levee Improvement District No. 2, until all of said bonds and interest coupons have been paid. The proceeds of said taxes when collected shall be applied to the purpose of paying said interest, and said bonds and for no other purpose whatsoever.

It is further ordered that the form of bonds and coupons for the above named issue of bonds shall be substantially as follows, with the necessary variations to indicate the

maturities and numbers, to-wit:--

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF FRANKLIN  
LEVEE IMPROVEMENT DISTRICT NUMBERED TWO  
IMPROVEMENT BOND.

NO \_\_\_\_\_

\$100.00

KNOW ALL MEN BY THESE PRESENTS:

That Franklin County Levee Improvement District No.2, of the County of Franklin, in the State of Texas, for value received hereby promises to pay to bearer the sum of One Hundred (\$100.00) Dollars on the 5th day of January 19\_\_\_. In lawful money of the United States of America, together with interest thereon, from the date hereof at the rate of six per cent per annum, payable the first two installments on January 5, 1921, and January 5, 1922, and thereafter semi-annually on July 5th and January 5, of each year this bond is outstanding at the County Treasurer's office of Franklin County at Mt. Vernon, Texas, or at the First National Bank of Chicago, State of Illinois, at the option of the holder thereof. This bond is one of a series of One Hundred Thirty (130) bonds numbered consecutively from One (1) to One Hundred Thirty (130) inclusive, in the denomination of One Hundred (\$100.00) Dollars, issued by Franklin County Levee Improvement District No.2 for the purpose of the construction and maintenance of levees and other improvements in said district as has heretofore been approved by the State Reclamation Engineer of the State of Texas, and is issued by virtue of an election duly and legally called and held for the purpose of determining the question of the issuance thereof, and in pursuance of orders and resolutions adopted by the Commissioners' Court of said Franklin County, Texas, and in pursuance of an order of the Commissioners' Court of Titus County, Texas, in full conformity of all the requirements of the constitution and laws of the State of Texas.

It is hereby certified that all acts, conditions and things required by the constitution and laws of the State of Texas to be done, happened and performed precedent to and in the issuance of this bond, have been done, happened and been performed in regular and due form, time and manner, and that the total indebtedness of said levee district including this bond does not exceed any constitutional or statutory limitation.

In testimony whereof, the Commissioners' Court of Franklin County, Texas, has caused the seal of said Court to be affixed hereto and this bond to be signed by the County Judge of said Franklin County, Texas, and attested by the County Clerk of Franklin County, Texas, and registered by the Treasurer of said Franklin County, Texas, and the interest coupons hereto attached to be signed with the lithographed signature of said County Judge and the County Clerk, respectively of Franklin County, Texas, as of the 5th day of January 1920.

*J. M. Tabb*  
County Judge, Franklin  
County, Texas.

Attest: *C. M. Mergent*  
County Clerk, Franklin  
County, Texas.

Registered by me this \_\_\_ day of \_\_\_\_\_ 1920.

\_\_\_\_\_  
County Treasurer,  
Franklin County, Texas.

## FIRST FORM OF INTEREST COUPON:

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

\$6.00

On the 5th day of January, 1921, and 1922 Franklin County Levee Improvement District No.2, promises to pay to bearer at the County Treasurer's office of Franklin County at Mt.Vernon, Texas, or the First National Bank of Chicago, Illinois, at the option of the holder hereof, Six (\$6.00) Dollars lawful money of the United States of America; being twelve months interest then due on its levee improvement Bond No. \_\_\_\_\_ dated the 5th day of January 1920.

\_\_\_\_\_  
County Judge, Franklin County, Texas.

Attest:  
\_\_\_\_\_  
County Clerk, Franklin County, Texas.

## FORM OF SECOND INTEREST COUPON:

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

\$3.00

On the 5th day of (January or July as the case may be) A.D. 19\_\_\_\_, Franklin County Levee Improvement District No.2, promises to pay to bearer at the County Treasurer's office of Franklin County at Mt.Vernon, Texas, or at the First National Bank of Chicago, Illinois, at the option of the holder hereof, Three (\$3.00) Dollars lawful money of the United States of America, being six months interest then due on its levee improvement, Bond No. \_\_\_\_\_, dated the 5th day of January 1920.

\_\_\_\_\_  
County Judge, Franklin County, Texas.

Attest:  
\_\_\_\_\_  
County Clerk Franklin County, Texas.

It is further ordered by the Commissioners' Court of Titus County, Texas, that to pay the interest on said bonds and to create a sinking fund to redeem them at maturity, a tax of seven (\$7.50) and 50/100 Dollars on each One Hundred (\$100.00) Dollars of net benefits assessed against the real property within said levee district shall be levied for the current year 1920, and is here and now levied for said year 1920.

That during each year thereafter while said bonds or any of them are outstanding there shall be computed and ascertained what rate of tax based upon the latest tax rolls of said levee district will be necessary, requisite and sufficient to pay the interest on said bonds and redeem them at maturity, and said tax of and at the rate so found necessary as aforesaid, shall be, and is hereby ordered to be annually levied, assessed and annually collected on all real property in said district, and said money when collected, shall be applied to the purpose named, and none other.

It is further ordered that W.R.Irby, County Judge of Franklin County, Texas, be, and he is hereby authorized to take and have charge of said bonds pending their investigation by the Attorney General and upon their approval shall have authority to negotiate their sale and receive for said levee improvement district the proceeds thereof provided that before the said W.R.Irby shall be authorized to sell any of said levee improvement bonds, he shall execute a good and sufficient bond payable to the supervisors of Franklin County Levee Improvement District No.2 to be approved by the Commissioners' Court of said County for an amount not less than the par value of said bonds so issued, conditioned upon the faithful discharge of his duty.

It is further ordered by the Commissioners' Court of Titus County, Texas, that each and every act and order entered, together with each and every resolution made by the Commissioners' Court of Franklin County, Texas, be, and it is hereby ratified, confirmed

and approved in all things in so far as the same affects Franklin County Levee Improvement District No.2, hereby ratifying and confirming each and every act and resolution so entered and ordered as the same may appear upon the minutes of the Commissioners' Court of Franklin County, Texas.

County Judge, Titus County, Texas.

Commissioner, Precinct No.1.

Commissioner, Precinct No.2.

Commissioner, Precinct No.3.

Commissioner, Precinct No.4.

*JW Tabb  
County Judge*