

October Term 1921. Oct. 10th, 1921.

BE IT REMEMBERED That there was begun and holden a regular term of the Commissioners Court in and for Titus County, Texas, with the following officers present, to-wit: Hon Dan M. Cook, County Judge, Commissioners W.M.King, L.N.Old, W.M.Edwards, W.A.Flowering and Ulman Brown, County Clerk, when the following proceeding were had to wit: Court open by proclamation Sheriff of Titus County, Texas.

County Commissioner King offered the following order to the Commissioners Court of Titus County, Texas, and made a motion that the same be passed by said court, which motion was seconded by County Commissioner Edwards, The order is in words and figures as follows, to wit:

" It appears to the Commissioners Court of Titus County, Texas, that heretofore, this Court has by written advertisement published in "The Journal", a newspaper published in Titus County, Texas, for more than twelve months prior to September 1st. 1921, requested bids of offers for the labor and material needed to complete the construction of State Highway No. 35, which traverses Titus County, Texas, and the bridges thereon, according to plans and specifications made therefor by the Engineer employed by Titus County, Texas, which said request for bids was published in said newspaper for two weeks prior to this date. In response to said request there was submitted by Smith Brothers, of Crockett, Texas, which was the best bid submitted, for said labor and material, the bid or offer as follows, to wit:

TO THE HONORABLE COMMISSIONERS COURT,
OF TITUS COUNTY. TEXAS.

We, Smith Brothers of Crockett, Texas, a partnership composed of A.F.Smith and J.B.Smith, in compliance with your request for bids or offers to furnish Titus County Texas, the labor and material needed, in accordance with the plans and specifications therefor, not to exceed the aggregate amount of Twenty Thousand Dollars the amount estimated by you and your engineer, to complete State Highway No. 35, which traverses Titus County, Texas, to be furnished and performed under your plans and specifications and the supervision of your body, and the Engineer in the employ of Titus County, Texas, at and according to the table or list of prices as follows, to wit:

Shouldering and clearing ditches at \$422.40 per Mile.

Earth Roadway excavation at \$6.36 per Cubic Yard.

Ditch excavation at \$0.42 per Cubic Yard.

Stripping Pits at \$0.40 per cubic yard.

Scarifying at \$6.00 per 100 foot station.

Crossed timber piles complete in place including labor, hauling and placing at \$6.55 per linear foot.

Lumber complete in place, including labor, hauling and placing at \$22.50 per 1000 feet board measurer.

Treated lumber complete in place, including labor, hauling and placing at \$18.00 per 1000 feet board measurer.

Surfacing hauled first one fourth mile including, loading, unloading, spreading etc at \$0.80 per cubic yard.

Surfacing including loading, unloading, spreading etc. hauled each additional one quarter mile at \$0.11 per Cu. Yd.

Also such additional labor and material at prices provided for in your plans and specifications.

Titus County, Texas, will pay us for such labor and material in fifteen annual installments as follows, to wit:

\$1,500.00 due and payable April 10th, 1923.	1 - 3
\$1,500.00 due and payable April 10th, 1924.	4 - 6
\$1,500.00 due and payable April 10th, 1925.	7 - 9
\$1,500.00 due and payable April 10th, 1926.	10 - 12
\$1,500.00 due and payable April 10th, 1927.	13 - 15
\$1,500.00 due and payable April 10th, 1928.	16 - 18 <i>65</i>
\$1,500.00 due and payable April 10th, 1929.	19 - 21
\$1,500.00 due and payable April 10th, 1930.	22 - 24
\$1,500.00 due and payable April 10th, 1931.	25 - 27
\$1,500.00 due and payable April 10th, 1932.	28 - 30
\$1,000.00 due and payable April 10th, 1933.	31 - 33
\$1,000.00 due and payable April 10th, 1934.	34 - 36
\$1,000.00 due and payable April 10th, 1935.	37 - 39
\$1,000.00 due and payable April 10th, 1936.	40 - 42
\$1,000.00 due and payable April 10th, 1937.	43 - 45

Titus County, Texas, will pay us interest on the said sum of money at the rate of 7 per cent per annum from date until paid, payable semi-annually on April 10th, and October 10th, each year. This interest, however, shall be calculated upon the basis of the date or dates upon which our accounts for such labor and material shall be audited, allowed and ordered paid by the Commissioners Court of said County.

The said principal sum of money shall be evidenced by the warrants of Titus County, Texas, issued against the fifteen cent taxing power authorized by the Constitution and laws of the State of Texas to be levied by the Commissioners Court without an election and the said warrants shall be in form and substance as follows, to wit:

THE UNITED STATES OF AMERICA

THE STATE OF TEXAS.

COUNTY OF TITUS.

Titus County, Texas, Road and Bridge warrants, series 1921.

No. \$500.00.

On April 10th, 19__, the County Treasurer of Titus County Texas, will pay to Smith Brothers, of Crockett, Texas, a partnership composed of A.F. Smith and J.W. Smith, the sum of Five Hundred Dollars, from the special fund of said County, designated "Titus County Texas, Road and Bridge Warrants, Series 1921", with interest thereon from date at the rate of seven per cent per annum until paid, payable semi-annually on April 10th, and October 10th, each year, which interest is evidenced by interest coupon warrants hereto attached. Both principal and interest, as provided for by this warrants and the attached interest coupon warrants, shall be payable at the office of the County Treasurer of Titus County, Texas, or at Hanover National Bank, New York City, N.Y., at the option of the holder.

This warrant is one of a series, numbered 1 to 40, both inclusive, issued by Titus County, Texas, by virtue of the power and authority of the Constitution and Laws of the State of Texas for the purpose of evidencing the debt of said County to Smith Brothers, of Crockett, Texas, for labor and material furnished to said County under the terms of a contract, of date October 10th, 1921, for the construction of a public Road, State Highway No. 35, and the bridges thereon for said county. Said contract has been ratified and adopted by the Commissioners Court of said County and the accounts of Smith Brothers for such labor and material have been presented to and audited, allowed and ordered paid

by said court by its orders duly passed and not of record in its minutes and this warrant by said orders has been ordered issued and delivered to Smith Brothers.

It is recited and certified that each and every condition precedent required by the Constitution and Laws of the State of Texas to happen and be performed prior to the issuance of this warrant has happened and been performed in the time and manner required prior to the issuance thereof; that no limitation of either such Constitution or law has been or will be exceeded in the issuance of this warrant and that due and proper provision has been made for the payment of this warrant and the interest thereon as said Constitution and Laws require and provide.

WITNESS our hand this the 10th. day of October A.D. 1921, the date of this warrant as fixed by the order providing for its issuance.

Jan M. Cook
County Judge, Titus County, Texas.

County Clerk, Titus County, Texas.

Registered this the
_____ day of _____ A.D. 1921.

County Treasurer, Titus County, Texas.

The form of the interest coupon warrants which shall evidence the interest on said sum of money and which shall be attached to the said principal warrants shall be in form and substance as follows, to-wit:

No. \$17.50

On April 10th. 19____
October 10th. 19____, The County Treasurer of Titus County, Texas, will pay to Smith Brothers of Crockett, Texas, the sum of Seventeen and 50/100 Dollars for the special fund of Titus County, Texas, designated "Titus County, Texas, Road and Bridge Warrants, series 1921", at the office of the County Treasurer of Titus County, Texas, or at Hanover National Bank, New York City, N.Y., at the option of the holder. Said amount being six months interest on "Titus County, Texas, Road and Bridge Warrants Series 1921", numbered

This the 10th. day of October A.D. 1921.

Jan M. Cook
County Judge, Titus County, Texas.

County Clerk, Titus County, Texas.

Register No
Registered October 10th. 1921.

County Treasurer, Titus County, Texas.

The Commissioners Court of said County will, for the purpose of providing for the payment of said principal sum and the interest thereon as it matures, create a special fund, named "Titus County, Texas, Road and Bridge Warrants, series 1921", and cause to be levied against all taxable property within said County a rate of tax out of said taxing power sufficient to pay said principal sum and the interest thereon as it matures and will cause such tax to be levied, assessed and collected for each of the years said principal sum and the interest thereon, or any part of the same shall be outstanding

and unpaid and direct that such tax be paid into said special fund and be appropriated exclusively to the purposes named.

We will comply with all provisions of law to make this bid or offer effective as well as all provisions of law having to do with the execution of this contract.

Witness our hands this 10th. day of October A.D. 1921.

SMITH BROTHERS, of Crockett, Texas,
By J.R. Smith.

It further appears that the foregoing bid is the best bid made to said court and that the makers thereof are able and capable to perform it.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of Titus County, Texas, that the foregoing said bid or offer of Smith Brothers of Crockett, Texas, be and the same is in all things accepted by Titus County, Texas:

That the warrants named and described in said bid shall be issued and delivered to Smith Brothers in the form and substance described in said bid to evidence the value of the labor and material furnished to Titus County, Texas, by them under the terms of said bid and this acceptance thereof and the plans and specifications made therefor and approved by this court and the supervision of this court and its engineer and shall have presented their accounts for the same to this court, which accounts shall be audited, allowed and ordered paid by this court:

That said sum of money which, under this contract, shall bear 7% interest per annum from date until paid, payable semiannually on April 10th. and October 10th. each year and shall be evidenced by interest coupon warrants as described in said bid or offer and which interest as also the principal sum shall be payable as the said bid provides.

Said warrants, as said bid provides, shall be due and payable to discharge the maturities of the principal sum provided in said bid as the value of the said labor and material to be determined as provided by said bid and the laws of the State of Texas, as follows, to-wit:-

- Nos. 1, 2 & 3 due and payable April 10th. 1923.
- Nos. 4, 5 & 6 due and payable April 10th. 1924.
- Nos. 7, 8 & 9 due and payable April 10th. 1925.
- Nos. 10, 11 & 12 due and payable April 10th. 1926.
- Nos. 13, 14 & 15 due and payable April 10th. 1927.
- Nos. 16, 17 & 18 due and payable April 10th. 1928.
- Nos. 19, 20 & 21 due and payable April 10th. 1929.
- Nos. 22, 23 & 24 due and payable April 10th. 1930.
- Nos. 25, 26 & 27 due and payable April 10th. 1931.
- Nos. 28, 29 & 30 due and payable April 10th. 1932.
- Nos. 31, & 32 due and payable April 10th. 1933.
- Nos. 33 & 34 due and payable April 10th. 1934.
- Nos. 35 & 36 due and payable April 10th. 1935.
- Nos. 37 & 38 due and payable April 10th. 1936.
- Nos. 39 & 40 due and payable April 10th. 1937;

For the purpose of paying the principal and interest on said sum of money as it matures there is now created a special fund, which is designated "Titus County, Texas, Road and Bridge Warrants, Series 1921" and there is appropriated out of the tax levy of 6 cents for roads and bridges for Titus County, Texas, for the year 1921, the sum of Fourteen Hundred Dollars, which amount when collected is ordered placed to the

credit of said special fund and appropriated to the payment of the interest on said sum of money which shall accrue for the year 1922, and there is now levied out of the fifteen cent taxing power authorized by the Constitution and Laws of Texas to be levied for the purpose of roads and bridges for the year 1922 and each and every year thereafter while said warrants and the interest thereon or any part thereof shall be outstanding and unpaid, a tax of six cents upon each and every one hundred dollar valuation of taxable property within Titus County Texas, which shall be assessed and collected and placed to the credit of said special fund and appropriated exclusively to the payment of the said sum of money and the interest thereon and that said warrants be executed and delivered to Smith Brothers as their accounts for said labor and material shall have been presented and ordered paid."

The County Judge of Titus County, Texas, put the said motion for a vote of the members of the Commissioners' Court of Titus County, Texas, with the request that as many as favored the motion would vote "AYE" and all those opposed would vote "NO". Whereupon County Commissioners Edwards, Fleming, King and Old voted "AYE"; None voted "NO".

The County Judge declared the motion carried and the order passed.

The foregoing minutes of the Commissioners Court of Titus County, Texas, read and in all things approved this the 10th. day of October A.D. 1921.

D.M. Cook, County Judge,
Titus County, Texas.

ATTEST: Ulman Brown, County Clerk,
Titus County, Texas.

Continued.

IN THE MATTER OF APPROVING *
TAX ROLLS FOR 1921. * October 12th, 1921.

On this day came on to be considered by the Commissioners Court of Titus County, Texas, Tax Rolls of 1921 prepared by the Tax Assessor Homer Hamilton, when Commissioner King made a motion and seconded by Commissioner Old that same be approved. The County Judge put the motion before the members of said Court for a vote with the request that as many as favored said motion to vote "Aye" and those oppose to vote "No" all of said Commissioners voted "Aye" and the County Judge declared the motion carried and the order passed.

In the matter of approving accounts

Motion by Commissioner Old and seconded by Commissioner Edwards to allow accounts as the same entered in Minutes of accounts allowed Vol. 2 pages 99 and 100, and amended said motion to allow Quittie Nimms Janitor at the Court House the sum \$44.00 per month effected October 1st, 1921, until the further orders of this Court, The County Judge put the motion before the members of this Court for a vote with the request that as many as favored said motion to vote "Aye" and those oppose to vote "No" all of said Commissioners voted "Aye" The County Judge declared the motion carried and the order passed.

In the matter of allowing *
Superintendents of Cattle Dipping. * October, 10th, 1921.

On this day came on to be considered by the Commissioners Court of Titus County, Texas, the matter of allowing all of the Superintendents of Cattle Dipping the sum of \$120.00, per month, effected October 15th, 1921, and said warrants issued on that day for the month of Sept. 15th, to October 15th, shall be issued for the sum \$120.00, each, and hereafter for like sums until the further order of this Court, When Commissioner King

made a motion and seconded by Commissioner Old that same be allowed, The County Judge put the motion before the members of said Court for a vote with the request that as many as favored said motion vote "Aye" and those oppose to vote "No" all of said Commissioners voted "Aye" The County Judge declared the motion carried the order passed.

In the Matter of Indexing Records of §
§ Deed of Trusts Titus County, Texas. § October, 10th, 1921.

On this day came on to be considered by the Commissioners Court of Titus County, Texas, the matter of Indexing Deed of Trusts of Titus County, Texas, when Commissioner Edwards made a motion and seconded by Commissioner King to allow Ulman Brown, County Clerk, the sum of \$72.00, to have said Index made for said County, The County Judge put the motion before the members of said Court for a vote with the request that as many as favored said motion to vote "Aye" and those oppose to vote "No" All of said Commissioners voted "Aye" The County Judge declared the motion carried and the order passed.

In the matter of allowing §
§ J.A. Moore, 10% on warrant for § October 10th, 1921.
§ Anthrax Service. §

Motion by Commissioner King and seconded by Commissioners Fleming to allow J.A. Moore, 10% additional on warrant for Anthrax Service. The County Judge put the motion before the members of said for a vote with the request that as many as favored said motion to vote "Aye" and those oppose to vote "No", The County Judge declared the motion carried and the order passed.

The above and foregoing minutes read and approved in open Court this the 10th day of October, A.D. 1921.

Attest _____ Clerk.

Sam M. Coe
County Judge, Titus County, Texas.

COMMISSIONERS, Court of Titus County Texas continuing in regular session on October, 10th 1921, with each and all members present.

County Commissioner King offered the following order to the Commissioners Court of Titus County Texas, and made a motion that the same be passed by the Court, which motion was seconded by County Commissioner, Edwards. The order in words and figures is as follows, to wit:

" It appears to the Commissioners Court of Titus County, Texas that Smith Brothers as required by law, have caused to be made and executed abroad to guarantee the performance of their contract with Titus, County, Texas of this date, by the terms of which they agree to furnish labor and material to Titus County, Texas for the purpose of Constructing Roads and Bridges for said County and that said bond as filed with this court is in words and figures as follows, to wit:

The State of Texas, }
County of Titus, }

KNOWN AND MEN BY THESE PRESENTS:

WHEREAS, on October 10th 1921, Smith Brothers, a partnership composed of A.F. Smith, and A.F. Smith, and J.H. Smith, of Crockett, Texas, and Titus County, Texas made and entered into a contract by the terms of which Smith Brothers became liable and obligated to furnish labor and material to Titus County, Texas, for the construction, of roads and bridges for said County according to plans and specifications adopted therefor by the County, under the supervision of the Engineer of said County and the Commissioners Court at the prices named and stated in said contract to the aggregate amount of \$20,000.00

Now therefore, in consideration of the promises and as the law in such cases provides, we Smith Brothers, as principal and the other subscribers hereto, as sureties, acknowledge ourselves to be indebted to and to owe Titus County Texas, in the sum of TWENTY THOUSAND, Dollars conditioned that if Smith Brothers, furnish such labor and material to Titus County, Texas, as such contract provides, and pays all accounts that they incur for said labor and material or any part thereof as the law in such cases provides this obligation shall be void, otherwise enforceable as the law provides.

WITNESSES, our hands this the 10th day of October, A.D. 1921

Smith Brothers,
J.W. Smith,
Principal.

O.W. Caudle, E.L. Garrison
Surety.

It further appears to the Commissioners Court of Titus County, Texas, that the said bond is in proper form and conditioned and payable as the law requires and that the sureties subscribed to the same are good and sufficient.

It is, therefore, ordered, adjudged and decreed by the Commissioners Court of Titus County, Texas that said bond be and the same is in all things approved."

The County Judge put the motion for a vote of the members of the Commissioners Court of Titus County Texas, with the request that as many as favored the motion would vote "AYE" and all those opposed would vote "NO" Whereupon, County Commissioners, Edwards Fleming, King and Olds, voted "AYE" None voted: "NO" The County Judge declared the motion carried and the order passed.

The foregoing minutes read and approved this the 10th day, of October, A.D.

1921

D.M.Cook, County Judge, Titus County Texas.

ATTEST.

Ulman Brown, County Clerk.