

THE STATE OF TEXAS )  
 COUNTY OF TITUS )

On this 10th day of February, 1937, the Commissioners' Court of Titus County, Texas was conveyed in regular session at a regular term of said Court with all the members thereof present, to wit:

C. T. NEUGENT	COUNTY JUDGE
T. J. STRINGFELLOW	COMMISSIONER PREC. #1.
W. J. CODY	COMMISSIONER PREC. #2.
ERNEST BROWN	COMMISSIONER PREC. #3.
G. C. LUNSFORD	COMMISSIONER PREC. #4.
A. B. GILPIN	COUNTY CLERK.

and passed the following orders:

AN ORDER

By the Commissioners Court of Titus County, Texas, authorizing the issuance of \$87,000.00, ~~4~~<sup>4</sup>/<sub>100</sub> Titus County Road Refunding Bonds, Series 4, Providing for the exchange in lieu thereof of a like amount of certain outstanding road bonds of Titus County; Prescribing the form of such bonds, and levying ad valorem taxes to pay the interest thereon and providing a sinking fund to pay the principal at maturity.

SECTION I

IT APPEARING that heretofore on or about April 10, 1935, Titus County issued \$90,000 Titus County Road Refunding Bonds, Series I, dated April 10, 1935, bearing interest at the rate of 5% per annum, interest payable October 10, 1935, and semi-annually thereafter on April 10th and October 10th of each year, numbered 1 to 100 inclusive, in the denominations of \$1,000 and \$500.00, aggregating \$90,000, and reserved the right to redeem such bonds at any interest paying date on or after one year from date thereof by paying par and accrued interest;

SECTION II

AND IT FURTHER APPEARING that bonds Nos. 1 and 2, \$1,000 each, aggregating \$2,000, of said series have been paid; and that bonds Nos. 3 and 4, \$500 each, will mature on April 10, 1937 and will be paid, and that Bonds Nos. 5 to 100 inclusive, thereof, some of them being for \$500 each and others for \$1,000 each, aggregating \$87,000 are still outstanding and unpaid;

SECTION III

AND IT FURTHER APPEARING that said 5% bonds may be called in and refunded by the issuance of a like amount of refunding bonds bearing bonds bearing interest at the rate of ~~4~~<sup>4</sup>/<sub>100</sub> per annum, which will constitute a material saving in interest to Titus County;

SECTION IV.

AND IT FURTHER APPEARING that it is to the best interest of Titus County and of its citizens and property taxpayers that said \$87,000 Titus County Road Refunding Bonds, Series I, dated April 10, 1935, should be refunded, as hereinafter more fully set out;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

SECTION V.

THAT the bonds of said County to be called TITUS COUNTY ROAD REFUNDING BONDS, SERIES 4, be issued for the purpose of refunding the hereinbefore described \$87,000 Titus County Road Refunding Bonds, Series I, under and by virtue of the Constitution and Laws of the State of Texas, and particularly the Bond and Warrant Law of 1931;

SECTION VI.

Such refunding bonds shall be dated April 10, 1937, and shall bear interest at the rate of 4½% per annum, payable October 10, 1937, and semi-annually thereafter on April 10th and October 10th each year. Principal and interest shall be payable in lawful money of the United States of America upon presentation and surrender of bond or proper coupon at the office of the Treasurer of the State of Texas, at Austin, Texas;

SECTION VII.

Such Refunding Bonds shall be numbered consecutively from 1 to 87 inclusive, shall be in the denomination of \$1,000 each, aggregating \$87,000 and shall be made to mature serially as follows:

<u>NUMBERS</u>	<u>DATE OF MATURITY</u>	<u>AMOUNT</u>
1 to 15	April 10, 1938	15,000
16 to 30	April 10, 1939	15,000
31 to 50	April 10, 1940	20,000
51 to 70	April 10, 1941	20,000
71 to 87	April 10, 1942	17,000

SECTION VIII.

Each of said bonds shall be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

The coupons attached to said Bonds may be executed by the fac-simile signatures of the County Judge and the County Clerk, and shall have the same effect as if they had been signed by them.

SECTION IX.

The form of said Bonds shall be substantially as follows:

No. \_\_\_\_\_ \$1,000.00

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF TITUS

TITUS COUNTY ROAD REFUNDING BOND, SERIES 4

KNOW ALL MEN BY THESE PRESENTS: The County of Titus, State of Texas, duly organized under the laws of the State of Texas, for value received, hereby promises to pay to the bearer hereof on the 10th day of April, 19\_\_\_, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, with interest thereon from the date hereof at the rate of \_\_\_ % per annum, interest payable October 10, 1937 and semi-annually thereafter

on the 10th day of April and the 10th day of October each year, principal and interest payable upon presentation and surrender of bond or proper coupon at the office of the Treasurer of the State of Texas, at Austin, Texas, and the County of Titus is hereby held and firmly bound, and its faith and credit and all real and personal property in said county are hereby pledged for the prompt payment of the principal of this bond and the interest thereof at maturity.

This bond is one of a series of eighth-seven bonds, numbered consecutively from 1 to 87 inclusive, in denomination of \$1,000 each, aggregating \$87,000.00, of like date and tenor, except as to maturity, issued for the purpose of refunding an equal amount of outstanding road bonds heretofore legally issued, under authority of Article 3, Section 52 of the Constitution and laws enacted pursuant thereto, as authorized by the Constitution and Laws of the State of Texas, and particularly the Bond and Warrant Law of 1931, and pursuant to an order passed by the Commissioners' Court of said County, which order is of record in the Minutes of said Court.

In addition to all other rights, the holder and/or holders, of this bond and of the series of which it is a part, is and are subrogated to all of the rights held by the holders of the original bonds refunded by this issue of bonds.

The date of this bond, in conformity with the order above mentioned, is April 10, 1937.

AND IT IS HEREBY CERTIFIED AND RECITED that the issuance of this bond and of the series of which it is one, is duly authorized by law, and 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, have happened and been performed in regular and due time, form and manner, as required by law; that sufficient and proper provision for the levy and collection of ad valorem taxes has been made which, when collected, shall be appropriated exclusively to the payment of this bond and of the series of which it is a part and to the payment of the interest coupons hereto annexed as the same shall become due; and that the total indebtedness of said county at the time the original bonds being refunded were issued, did not exceed any Constitutional or statutory limitation; and that the issuance of bonds of which this is one, together with all other indebtedness of said county, as of the date hereof, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, TITUS COUNTY, by its Commissioners' Court, has caused the seal of its Commissioners' 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, and the interest coupons hereto attached to be executed by the fac-simile signatures of the County Judge and the County Clerk as of the date last above written.

COUNTERSIGNED:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Judge

REGISTERED:

\_\_\_\_\_  
County Treasurer

The form of coupon shall be substantially as follows:

No. \_\_\_\_\_ \$ \_\_\_\_\_  
ON THE 10th DAY OF \_\_\_\_\_, 19\_\_\_\_ Titus County, Texas, will pay to bearer at the office of the State Treasurer, at Austin, Texas, the sum of \_\_\_\_\_ DOLLARS in lawful money of the United States of America, being six months' interest on Titus County

Road Refunding Bond, Series 4, dated April 10, 1937, No. \_\_\_\_\_.

County Clerk \_\_\_\_\_

County Judge \_\_\_\_\_

Substantially the following certificate shall be printed on the back of each of said bonds:

COMPTROLLER'S OFFICE }  
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 of said Titus County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF MY OFFICE at Austin, Texas, this \_\_\_\_ day of \_\_\_\_ 19\_\_.

Comptroller of Public Accounts  
of the State of Texas.

SECTION X

IT IS FURTHER ORDERED, and the Commissioners' Court affirmatively finds and adjudges, that the financial condition of the county will not permit such bonds to be made to mature in such installments as will make the burden of taxation to support same approximately uniform throughout the term of said bond issue, unless the maturities as listed herein make the burden of taxation to pay same approximately uniform.

SECTION XI

IT IS FURTHER ORDERED that in addition to all other rights, the holder and/or holders of the Refunding Bonds herein authorized shall be subrogated to all the rights of the holders of the original bonds being refunded by the Refunding Bonds herein authorized.

SECTION XII

IT IS FURTHER ORDERED that the hereinbefore described bonds being refunded by this order are hereby declared to be valid, subsisting, legally binding and unsatisfied obligations of Titus County, and that said county does not have or claim any offset or counterclaim against any portion thereof, and that all things required to be done by law in the issuance of said original indebtedness refunded herein have happened and been performed in due time, form and manner as required by law; that the County received full and lawful value of all of said bonds refunded hereby; that all acts heretofore performed by the Commissioners' Court and by the several County officials in reference thereto are hereby expressly ratified, and said original bonds are hereby ratified; that all acts required by law and all things required by law to have happened, in reference to the Refunding Bonds herein authorized, have happened and been performed in due time, form and manner as required by law.

SECTION XIII

IT IS FURTHER ORDERED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS: That to pay the interest on said bonds and create a sinking fund with which to pay the principal as it matures, a tax at a rate sufficient for said purpose is hereby levied against all taxable property in said county for the year 1937 and for each succeeding year while said bonds or any of them are outstanding;

And to pay the interest on said bonds and create a sinking fund with which to pay the principal at maturity, such tax of and at the rate of 65 cents on each One Hundred Dollars' valuation of taxable property in said county is hereby levied for the year 1937 and the same, or so much thereof as may be necessary, and as much more as may be necessary, is hereby levied for each succeeding year while said bonds or any of them are outstanding;

And there shall be calculated each year while any of said bonds are outstanding and unpaid what rate of tax is necessary to provide current interest and the required amount of the principal for such year, or proportionate part thereof, and a tax at such rate on each One Hundred Dollars' valuation of taxable property in said County, shall be levied, assessed and collected during each of said years, and said tax of and at the rate so found to be necessary for each of such years is hereby levied, and is ordered to be levied, assessed and collected;

And the taxes levied and collected shall be applied to said purpose and to no other purpose.

The taxes heretofore levied for the payment of the bonds which are being refunded hereby, and particularly the taxes for the year 1936, whether already collected or yet to be collected, are hereby ratified, brought forward and appropriated to the payment of the Refunding Bonds which are being issued to take the place of said outstanding bonds; and the sinking funds on hand to the credit of the bonds being refunded shall be credited to the sinking funds of the Refunding Bonds that are being issued to replace such outstanding bonds and the uncollected taxes which have been levied for the payment of the bonds being refunded shall, when collected, be credited to the interest and sinking fund of the Refunding Bonds that are being issued to take the place of such outstanding bonds.

The taxes levied to support said original bonds that are being refunded are continued in full force and effect until and as said original bonds are surrendered for exchange. All taxes heretofore levied to support said original bonds are hereby appropriated, and all accumulated interest and sinking funds belonging to said original bonds are hereby appropriated to the interest and sinking fund of these issues, subject to this proviso, that said outstanding bonds shall be so protected until surrendered for exchange.

SECTION XIV

IT IS FURTHER ORDERED that the County Judge shall be and he is hereby authorized to take and have charge of all necessary records pending investigation and approval by the Attorney General and shall have control of said bonds during said time. After the record shall have been approved, the County Judge is authorized to leave the bonds in the office of the Comptroller of Public Accounts, pending their exchange for the original bonds and pending their registration, which may be at one time or in installments.

SECTION IV

THE COMPTROLLER shall not register said bonds except as and when there shall be surrendered to him said original bonds that are being refunded aggregating in amounts the respective amounts of the bonds then to be registered. The holder and/or holders of said original bonds that are being refunded shall be entitled to the accrued interest on the refunding bonds, as compensation for not drawing interest on the original bonds beyond the date of these refunding bonds, to wit, April 10, 1937.

SECTION XVI

THE COMPTROLLER is authorized to accept from J. R. Phillips Investment Company of Houston, Texas, or upon their order, the original bonds that are being refunded, and is authorized to deliver to said J. R. Phillips Investment Company, or upon its order, said Refunding Bonds herein authorized as and when issued, in accordance with written instructions to be given by the County Judge.

CouT. Neugent, County Judge  
T. J. Stringfellow, Comm. Proc #1  
Ernest Brown, Comm. Proc. #3

W. J. Gody, Comm. Prec. #2  
 Geo. Lunsford, Comm. Prec. #4

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 TO THE HONORABLE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS.

I, G. R. Ard Sheriff of Titus County, Texas.

I hereby make application for the following deputies, to-wit:

Clyde Keith Office Deputy and his salary at \$75.00 per month.

Melvin Wooten Deputy Sheriff his salary at \$75.00 per month.

G.R. Ard, Sheriff of Titus County, Texas.

Subscribed and sworn to before me, this 16th day of Feb. AD 1937.

(SEAL)

Floyd Keith, Clerk District Court,  
 Titus Co. Texas.

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 On this the 10th day of February, 1937, at a regular session of the Commissioners' Court, came on to be considered the matter of appointing Judges to hold the General Election for the year 1937. Where Commissioner Geo. Lunsford made a motion, seconded by W. J. Gody that the following named persons be appointed to hold General Election for the ensuing year, to-wit:

*W. E. Halls*  
 Precinct #1, Clarence Blake, Presiding Judge, John Merritt, Chas. Grissom, J. B. Rowland, Judges.

*R. R. Holman*  
 Precinct #2, W. M. Edge, Presiding Judge, Raymond Brown, Louis Craton, Walter Freeman.

Precinct #3, G. W. Kebane, Presiding Judge, C. W. Fleming, Robert McCollum & S. R. Landrum, Judges.

Precinct #4, A. A. White, Presiding Judge, Jack Taylor, Roy Scott and J. W. Thompson, Judges.

*W. W. Blalock*  
 Precinct #5, W. E. Duke, Presiding Judge, Alfred Blalock, W. W. Blalock, Judges.

*Jim Coffey*  
 Precinct #6, Jim Coffey, Presiding Judge, Verne Adams, Edgar Huffman & Fred Witt.

*Ernest Traylor*  
 Precinct #7, Ernest Traylor, Presiding Judge, Sherman Callaway, Parker Traylor & Tom Bell Judges.

*Birdell D.*  
 Precinct #8, F. W. Stephenson, Presiding Judge, J. R. Hart, J. A. Petty & H. L. Hess, Judges.

*John Hargrove*  
 Precinct #9, John Hargrove, Presiding Judge, Jim Morris, Bud Cato & Oscar Goodlow, Judges.

Precinct #10, A. A. Cameron Presiding Judge, Clyde Raney, John McKelvey & Willard Cameron Judges.

*T. W. Holmes*  
 Precinct #11, T. W. Holmes Presiding Judge, A. B. Gody, G. W. Tallafarro, Chas. Brantley Judges.

Precinct #12, J. I. Hasley, Presiding Judge, A. H. Smith, Chas. Gilbreath, Judges.

Precinct #13, J. A. Davis, Presiding Judge, C. E. Lee, T. E. Anderson & R. F. Lindsay, Judges.

Precinct #14, S. H. Spurgens, Presiding Judge, Homer Hamilton, Sam Austin, W. M. Henderson, Judges.

Precinct #15, Bob Gregory, Presiding Judge, G. L. Keith, Bob Wilkes & Fred Marcere, Judges.

The County Judge put the motion for a vote of the Commissioners' Court with the request that as many as favored it vote "Aye" and those opposed to vote "No". County Commis-

ioners Lunsford, Stringfellow, Cody and Brown all voted "Aye", None voted "No". The County Judge declared the motion carried and the order passed.

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The above minutes read and approved in open court.

ATTEST:

          A. B. Gilpin            
County Clerk.

          C. M. Meigs            
County Judge