

REGULAR SESSION

238

BE IT REMEMBERED that the Commissioners' Court of Titus County, Texas, met in Regular Session at the Court House of said County in the City of Mt. Pleasant, Texas, on May 10, 1937, with the following members present, to-wit:

G. T. Neugent, County Judge, and County Commissioners Lunsford, Stringfellow, Cody and Brown.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Lunsford to approve the monthly report of Justice of the Peace J. W. Spruill. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Stringfellow that the expense account and monthly report of A. B. Gilpin, County Clerk, be approved. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Cody that the Court approve the monthly report and expense account of Justice of the Peace H. E. Wilhite. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Stringfellow that the monthly report and expense account of G. R. Ard, Sheriff, be approved. The motion carried unanimously.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Lunsford to approve the monthly report and expense account of J. W. Edwards, Justice of the Peace. The motion carried unanimously.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Brown to approve the monthly report of Loyd Graf, constable. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Brown that \$250.00 be transferred from the Permanent Improvement Fund over to the Operating Fund. The motion carried unanimously.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Brown that the Court approve the monthly report and expense account of Aubrey Redfearn, constable. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Brown to approve the monthly report and expense account of Morris Rolston, County Attorney. The motion carried unanimously.

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Cody to approve the monthly report and expense account of J. T. Leftwich. The motion carried unanimously.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Brown to approve the bond of Mabel Cody, Deputy County Clerk to A. E. Gilpin. The motion carried unanimously.

Motion was made by County Commissioner Stringfellow and seconded by County Commissioner Lunsford to approve the application and bond of J. B. Meadows, Deputy Tax Assessor and Collector. The motion carried unanimously.

(Order for cancellation of certain bonds -- see next page)

CANCELLATION ORDER

THE STATE OF TEXAS |
 COUNTY OF TITUS |

On this 10 day of May, 1937, the Commissioners' Court of Titus County, Texas, was convened in regular session at a regular term of said Court, with all the members thereof present, viz:

C. T. NEUGENT	County Judge
T. J. STRINGFELLOW	Commissioner Prec. #1
WILLIAM CODY	Commissioner Prec. #2
ERNEST BROWN	Commissioner Prec. #3
G. C. LUNSFORD	Commissioner Prec. #4
A. B. GILPIN	County Clerk

and passed the following order:

IT APPEARING that on or about May 15, 1935 the Commissioners' Court of Titus County, Texas, authorized the issuance of \$155,000 Titus County, Texas, authorized the issuance of \$155,000 Titus County Road Refunding 5½% Bonds, Series Two, dated April 10, 1935, numbered 1 to 155 inclusive, in denomination of \$1,000 each, aggregating \$155,000.00 for the purpose of refunding an equal amount of then outstanding road bonds of said county, including Titus County Special Road Bonds, Series VI, dated September 10, 1919, serial numbers 448 and 449, \$1,000 each;

AND IT FURTHER APPEARING that said Titus County Special Road Bonds, Series VI, dated September 10, 1919, Numbers 448 and 449 have been paid off, and that therefore the refunding bonds which were made ready to take their place should be cancelled;

AND IT IS THEREFORE ORDERED by the Commissioners' Court that Titus County Road Refunding 5½% Bonds, Series II, serial numbers 117 and 118 dated April 10, 1935, be cancelled, and the Comptroller of Public Accounts is hereby authorized and requested to cancel said bonds and after cancellation to return them to the County Treasurer of Titus County,

AND IT FURTHER APPEARING that on or about September 15, 1936 the Commissioners' Court of Titus County authorized the issuance of Titus County Road Refunding 5% Bonds, Series III dated October 10, 1936 numbered 1 to 140 inclusive, in denomination of \$1,000 each, aggregating \$140,000 for the purpose of refunding an equal amount of the hereinbefore described Titus County Road Refunding Bonds, Series II, including the two bonds above described to be cancelled, and that therefore the refunding bonds made ready to take their place should be cancelled;

AND IT IS THEREFORE ORDERED By the Court that Titus County Road Refunding 5% Bonds, Series III, dated October 10, 1936, serial numbers 139 and 140, \$1,000 each, be cancelled, and the Comptroller of Public Accounts is hereby authorized and requested to cancel said bonds and after cancellation to return them to the County Treasurer of Titus County.

C. T. Neugent	COUNTY JUDGE
T. J. Stringfellow	Comm. Prec. #1
W. J. Cody	Comm. Prec. #2
Ernest Brown	Comm. Prec. #3
Geo. Lunsford	Comm. Prec. #4

THE STATE OF TEXAS |
 COUNTY OF TITUS . |

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

C. T. NEUGENT	County Judge
T. J. STRINGFELLOW	Comm. Prec. #1
WILLIAM CODY	Comm. Prec. #2
ERNEST BROWN	Comm. Prec. #3
G. C. LUNSFORD	Comm. Prec. #4
A. B. GILPIN	County Clerk

and passed the following order:

IT APPEARING AFFIRMATIVELY that the Commissioners' Court of Titus County has determined that it is to the best interest of said County and to its citizens and taxpayers, and particularly to the public roads of said County, the Titus County should purchase four Chevrolet trucks and four dump bodies for use in the construction and maintenance of the public roads of said County;

AND IT FURTHER APPEARING AFFIRMATIVELY that the County Judge of said County has caused notice to bidders to be published once each week for at least two consecutive weeks in the Mt. Pleasant Daily Times, a newspaper of General circulation published in the City of Mt. Pleasant, the county Seat of Titus County, which notice is as follows:

NOTICE TO BIDDERS

Notice is hereby given that sealed bids addressed to C. T. NEUGENT, County Judge, Titus County, Texas, at the Courthouse in Mt. Pleasant, Texas, will be received until 10 o'clock A. M. on the 10th day of May, 1937, at which time the bids will be opened and considered by the Commissioners' Court of Titus County for the purchase of road machinery to be used in the construction and maintenance of public roads of Titus County briefly described as follows, to wit:

Four Chevrolet one and one-half ton trucks and
 Four all-steel one and one-half ton capacity hand dump bodies, for such trucks

The Commissioners' Court reserves the right to reject any and/or all bids and to waive any and/or all technicalities.

It is the intention of the Commissioners' Court of Titus County to issue time warrants in payment for the above described road machinery and contracts therefor in the maximum amount of \$4,000.00 or so much thereof as may be necessary bearing interest at the maximum rate of 5% per annum and maturing serially over a period of 4 years with maximum maturity date May 10, 1941.

C. T. NEUGENT, County Judge
 TITUS COUNTY, TEXAS.

AND IT FURTHER APPEARING AFFIRMATIVELY to the Court that on the date provided in said notice, to wit, the 10th day of May, 1937, the Commissioners' Court of said County did receive bids for the purchase of such road machinery.

AND IT FURTHER APPEARING AFFIRMATIVELY to the Court that the bid of the Irvin Chevrolet Company for the sale of four Chevrolet trucks at \$360.00 each and four dump bodies at \$155.00 each, aggregating \$3960.00 for the total road machinery, to be paid for by the issuance

of \$3960.00 interest bearing time warrants, as hereinafter more fully described;

AND IT FURTHER APPEARING AFFIRMATIVELY to the Court that said trucks and dump bodies have been delivered to Titus County and have been inspected by this Court and have been found to be in accordance with the agreement therefor, and that Titus County is therefore indebted to said Irvin Chevrolet Company for the purchase price thereof, as herein set out;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of said County that the purchase of said four Chevrolet trucks and four dump bodies by Titus County from said Irvin Chevrolet Company at the price of \$3960.00 be and the same is hereby ratified and approved, and Titus County hereby acknowledges receipt of said trucks and dump bodies in good condition, and hereby allows and approves the claim of said Irvin Chevrolet Company in payment thereof in the sum of \$3960.00.

IT IS FURTHER ORDERED BY THE COURT that for the purpose of paying for such road machinery, interest-bearing time warrants of said County, to be called "TITUS COUNTY ROAD AND BRIDGE WARRANTS" be issued and made payable to the Irvin Chevrolet Company, or bearer, in the aggregate amount of \$3960.00 evidencing the debt of Titus County to said contractor in payment for such road machinery.

Such warrants shall be numbered from 1 to 4 inclusive, and shall be in the denomination of \$1000 each, except No. 1 for \$960.00, aggregating \$3960.00.

They shall be dated May 10, 1937, and shall bear interest at the rate of 5-1/2% per annum, payable May 10, 1938 and semi-annually thereafter on November 10th and May 10th each year, which interest is a part of the contract price agreed to be paid for such road machinery, and shall be evidenced by coupons attached to each of such warrants.

Principal and interest of such warrants shall be payable in lawful money of the United States of America, at the office of the County Treasurer of Titus County, at Mt. Pleasant, Texas.

They shall be made to mature serially according to the following schedule:

NUMBERS	DATE OF MATURITY	AMOUNT
1	May 10, 1938	\$ 960.00
2	May 10, 1939	1000.00
3	May 10, 1940	1000.00
4	May 10, 1941	1000 .00

Such warrants shall be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, and the seal of the Commissioners' Court of said County shall be impressed upon each of them. The coupons attached to such warrants shall 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.

Said warrants shall contain recitals and be substantially in the following form:

No. _____

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF TITUS

TITUS COUNTY ROAD AND BRIDGE WARRANT

The County of Titus, in the State of Texas, for a valuable consideration, acknowledges itself indebted and hereby promises and obligates itself to pay to the Irvin Chevrolet Company, or bearer, at the office of the County Treasurer of Titus County at Mt. Pleasant, Texas, on the 10th day of _____, 19____, the sum of _____ DOLLARS

in lawful money of the United States of America, with interest thereon from the date hereof at the rate of 5 1/2% per annum, interest payable May 10, 1938, and semi-annually thereafter on November 10th and May 10th each year, upon presentation and surrender of warrant or proper coupon; and the Treasurer of said County is hereby authorized, ordered and directed to pay to the Irvin Chevrolet Company, or bearer, said principal sum together with interest thereon, evidenced by the coupons attached hereto, at the above named office.

This warrant is one of a series of four warrants, numbered from 1 to 4 inclusive, in the denomination of \$1000 each, except No. 1 for \$960.00, aggregating \$3960.00, issued for the purpose of evidencing the indebtedness due the Irvin Chevrolet Company for the purchase of road machinery for use in construction and maintenance of public roads in accordance with contract therefor, under and by virtue of Constitution and Laws of the State of Texas, and pursuant to an order passed by the Commissioners' Court of Titus County, which order is of record in the Minutes of said Court.

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

AND IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required to be done precedent to and in the issuance of this warrant, and of the series of which it is a part, have been properly done, have happened and been performed in regular and due time, form and manner, as provided by law, and that the total indebtedness of said County, including this warrant and the entire series of which it is one, does not exceed any Constitutional or statutory limitation, and that provision has been made for the levy and collection of taxes annually for the payment of the principal and interest of whis warrant, and of this series of warrants, as the same respectively mature.

IN TESTIMONY WHEREOF, the Commissioners' Court of Titus County, Texas, has caused the seal of said Court to be affixed hereto and this warrant to be signed by the County Judge and countersigned by the County Clerk as of the 10th day of May, 1937, and registered by the County Treasurer.

County Judge, Titus County, Texas.

COUNTERSIGNED:

County Clerk

REGISTERED this----day of----, 1937.

County Treasurer.

The form of interest coupon attached to each of said warrants shall be substantially as follows:

No.-----

\$-----

ON THE 10TH DAY OF -----, 19---, the County Treasurer of Titus County, Texas, will pay to the Irvin Chevrolet Company, or bearer, at his office at Mt. Pleasant, Texas, the sum of

-----DOLLARS

being ----- months' interest due that date on Titus County Road & Bridge Warrant, dated May 10, 1937, Warrant No.-----.

County Clerk

County Judge

On the back of each of said warrants there shall be printed the following endorsement:

For value received, the undersigned contractor hereby transfers, sells and delivers the within warrant, together with the interest coupons annexed, to bearer, without recourse, and the bearer hereof is hereby subrogated to all claims, liens, rights and titles, both at law and in equity, which are or may be secured to such contractor by said warrant, and the contract by authority of which the same was issued; and the bearer hereof is authorized to collect the same and to give full receipt and acquittance therefor.

IRVIN CHEVROLET COMPANY

BY -----

IT IS FURTHER ORDERED that the County Judge and the County Clerk and the County Treasurer are hereby authorized and directed to execute and deliver the hereinbefore described warrants to the Irvin Chevrolet Company, without any further orders of this Court.

IT IS FURTHER ORDERED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

That to pay the interest on said warrants 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 out of the Constitutional Road and Bridge Tax, and/or the 15 cents road maintenance tax, against all taxable property in said County for the year 1937, and for each succeeding year while said warrants or any of them are outstanding;

And to pay the interest on said warrants and to create a sinking fund with which to pay the principal at maturity, such tax of and at the rate of six 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 so much more as may be necessary, is hereby levied for each succeeding year while said warrants or any of them are outstanding.

And there shall be calculated each year while any of said warrants 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 within the limits permitted by the Constitution 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 so levied and collected shall be applied to said purpose and to no other purpose.

C T Neugent	County Judge
T.J. Stringfellow	Comm. Prec. #1
W. J. Cody	Comm. Prec. #2
Ernest Brown	Comm. Prec. #3
Geo. Lunsford	Comm. Prec. #4

The above minutes read and approved in open court.

C. T. Neugent
County Judge.

ATTEST:

A. B. Spive
County Clerk.