

BE IT REMEMBERED that the Commissioners' Court of Titus County, Texas, met in regular session, at the Court House in Mt. Pleasant, Texas, on the 14th day of March, 1938, with the following members present, to-wit: G. T. Neugent, County Judge, and County Commissioners T. J. Stringfellow, Geo. Lunsford, W. J. Gody, and Ernest Brown, and the following proceedings were had:

IN THE MATTER OF APPROVING MONTHLY REPORTS AND EXPENSE ACCOUNTS:

Motion was made by County Commissioner Lunsford and seconded by County Commissioner Stringfellow to approve the monthly expense account of J. T. Leftwich, Assessor-Collector. The motion carried unanimously upon a vote of the Commissioners.

Motion was made by County Commissioner Stringfellow^{and}/seconded by County Commissioner Lunsford to approve the monthly expense account of A. B. Gilpin, County Clerk. Upon a vote of the Commissioners, the motion carried unanimously.

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

Motion was made by County Commissioner Gody and seconded by County Commissioner Lunsford to approve the monthly expense account of Floyd Keith, District Clerk. The motion carried unanimously.

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

Motion was made by County Commissioner Brown and seconded by County Commissioner Stringfellow to approve the monthly expense account H. E. Wilhite, Justice of the Peace. The motion carried unanimously.

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

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

IN THE MATTER OF BORROWING \$4,000.00 from FIRST NATIONAL BANK for ROAD AND BRIDGE FUND:

Be it remembered that on this the 14th day of March, 1938, 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, with the following members present, to-wit:

C. T. Neugent, County Judge, and Commissioners, G. C. Lunsford, T. J. Stringfellow, Ernest Brown, and W. J. Cody, when the following proceedings were had to-wit:

Motion was made by Commissioner G. C. Lunsford and seconded by Commissioner W. J. Cody that the Commissioners' Court of Titus County, Texas, make application to the First National Bank in Mt. Pleasant for a loan amounting to \$4,000.00; said amount of money to be paid to the holders of county warrants issued by the County Clerk of Titus County, Texas, upon the Road and Bridge Fund of Titus County.

The County Judge put the motion for a vote of the members of said court, and upon a unanimous vote of the commissioners, the motion carried and the order was passed.

IN THE MATTER OF RAISING THE SALARY OF DEPUTY SHERIFFS HOLLIS HOLOOMB; AND MELVIN WOOTEN:

Motion was made by County Commissioner T. J. Stringfellow and seconded by County Commissioner G. C. Lunsford that the application of G. R. Ard, Sheriff of Titus County, asking that Melvin Wooten's salary as Deputy Sheriff be fixed at \$100.00 per month, and that Hollie Holcomb's salary as Deputy Sheriff be fixed at \$100.00 per month be granted.

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." All members of said Court voted "aye".

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

IN THE MATTER OF THE ISSUANCE OF WARRANTS FOR PURCHASE OF ROAD MACHINERY:

ORDER AUTHORIZING THE ISSUANCE OF WARRANTS

THE STATE OF TEXAS, [
COUNTY OF TITUS.]

The Commissioners' Court of Titus County, Texas, met in regular session on the 14th day of March, 1938, in the usual meeting place thereof in the courthouse in Mt. Pleasant, Texas, all members of the court to-wit:

C. T. Neugent	County Judge
T. J. Stringfellow	Commissioner Precinct No. 1
W. J. Cody	Commissioner Precinct No. 2
Ernest Brown	Commissioner Precinct No. 3
G. C. Lunsford	Commissioner Precinct No. 4

being present, at which meeting the following order was passed:

WHEREAS, The Commissioners' Court of Titus County, Texas, has heretofore determined the advisability and necessity for the purchase of road machinery, and has caused to be published notices of the time and place when and where the contracts for the purchase of said machinery would be awarded upon competitive bids; and,

WHEREAS, said notices were published in the Mt. Pleasant Daily Times, a newspaper published in Mt. Pleasant, Texas, in said Titus County, which notices were published once a week for two weeks, or fourteen days prior to the dates for letting such contracts for said machinery, to-wit, the 25th day of February 1938 and the 4th day of March, 1938, which notice reads as follows:

NOTICE TO BIDDERS

Bids will be received by Titus County, at the Court House at Mt. Pleasant, Texas, until 10 o'clock A. M. on March 14, 1938, for the purchase of one or more tractors and a used model WK A-C Tractor to be taken as part payment, and notice is given that warrants will be issued in the maximum sum of \$5,000.00, payable serially, last maturity not later than Feb.

1, 1941, bearing interest at the rate of 6 per cent per annum, interest payable semi-annually.
The right is reserved to reject all bids.

C. T. Neugent,
County Judge, Titus County, Texas.

WHEREAS, this Court did at the time and place specified in said published notice receive and open bids for the purchase of said road machinery and did canvass said bids and has determined that the bid of the J. D. Adams Company was the lowest and best bid received for the purchase of one International Model T-40 (Gas) Tractor, wide tread with 20" track shoes, crankcase guard, radiator guard and front bumper and starter. Engine equipped with removable sleeve type cylinders, full pressure lubrication and hand controlled governor. Selective gear type transmission with five speeds forward and one reverse. Adjustable drawbar and factory installed power takeoff assembly; and it appearing that no petition with the requisite number of signatures has been presented to this court requesting a referendum on said proposed contract or contracts, and it further appearing that the requirements of Chapter 163, Acts of the regular session of the Forty Second Legislature, have been fully complied with and that the awarding of these contracts and the incurring of the obligations herein proposed will not exceed any Constitutional or Statutory limitations, and in consequence thereof this Court entered into a contract with the said J. D. Adams Company for the purchase of said machinery for the contract price of Three Thousand and No/100 (\$3,000.00) Dollars, and one used A-C Model WK Tractor in trade; said purchase price to be paid as follows: One Thousand and No/100 (\$1,000.00) Dollars in legally issued county road warrants payable February 1, 1940; and Two Thousand and No/100 (\$2,000.00) Dollars in legally issued county road warrants payable February 1, 1941; all bearing interest at the rate of Six per cent (6%) per annum payable August 1, 1938, and semi-annually thereafter on February 1st and August 1st each year;

WHEREAS, said court has determined the necessity for the purchase of said road machinery and such purchase or purchases were submitted to competitive bids and it has been determined by this court that the offer of the J. D. Adams Company to furnish said machinery is the lowest and best bid received, and in consequence thereof this Court has entered into a contract with said J. D. Adams Company for the purchase price of said machinery; and

WHEREAS, the contract entered into by and between the Court and said Company is in substance as follows:

Said J. D. Adams Company proposes to sell to Titus County one International Model T-40 (Gas) Tractor, delivered at Mt. Pleasant, Texas for Three Thousand and No/100 (\$3,000.00) Dollars and one used A-C Model WK Tractor in trade, all payable in legally issued county road warrants bearing six per cent (6%) interest and payable; One Thousand and No/100 (\$1,000.00) Dollars on February 1, 1940; and Two Thousand and No/100 (\$2,000.00) Dollars on February 1, 1941.

WHEREAS, said contract has been duly considered and is for the best interest of Titus County:

AND, IT APPEARING That the purchase price of said machinery or so much thereof as is payable out of the funds of this year, is included in the County Budget finally adopted by this Court, and which is now on file with the Clerk of this Court, and that this expenditure is in strict compliance with said budget as finally adopted by this Court, and it further appearing that the payment of the amount of money so contracted to be paid by Titus County for this year has been anticipated by this Court from the estimated revenues available to cover the budget finally adopted by this Court;

THEREFORE, IT IS ORDERED BY THIS COURT that said contract be ratified and approved,

and the same is hereby now ratified, confirmed, approved and adopted, and this Court declares said contract to be the act and contract of the Court of Titus County, Texas, and shall have effect according to its tenor and purport.

IT IS FURTHER ORDERED THAT the J. D. Adams Company having furnished said machinery in accordance with the terms of its contract and the said machinery having been inspected by this Court and found in all respects satisfactory, is well worth the price agreed upon and that Titus County has received full value and consideration for the purchase price to be paid, it is hereby accepted by said Commissioner's Court; and

IT IS FURTHER ORDERED THAT in accordance with said contract, interest bearing warrants of Titus County, Texas, be issued numbered one (1) to three (3) inclusive in the denomination of Warrant Number One (1) One Thousand and No/100 (\$1,000.00) Dollars and Warrant Number two (2) One Thousand and No/100 (\$1,000.00) Dollars and Warrant Number three (3) One Thousand and No/100 (\$1,000.00) Dollars, all aggregating Three Thousand and No/100 (\$3,000.00) Dollars.

They shall be dated March 14, 1938, and shall mature serially as follows:

WARRANT NO.	DATE OF MATURITY	AMOUNT
1	February 1st 1940	\$1,000.00
2	February 1st 1941	\$1,000.00
3	February 1st 1942	\$1,000.00

They shall bear interest at the rate of six per cent (6%) per annum from date until paid, interest payable August 1, 1938, and semi-annually thereafter on February 1st and August 1st of each year, which interest is a part of the contract price agreed to be paid for said machinery, principal and interest payable in lawful money of the United States of America at First National Bank Mt. Pleasant, Texas.

Said warrants shall be signed by the County Judge, attested and countersigned by the County Clerk, registered by the County Treasurer, and the seal of the Commissioner's Court shall be impressed upon each of them; the facsimile signatures of the County Judge and County Clerk may be lithographed on the interest coupons.

Said warrants shall be in substantially the following form:

No. _____ UNITED STATES OF AMERICA \$ _____
 STATE OF TEXAS
 COUNTY OF TITUS
 TITUS COUNTY ROAD WARRANT

THIS IS TO CERTIFY that, for value received the County of Titus in the State of Texas is justly indebted and hereby obligates itself to pay to J. D. Adams Company, or Bearer, on the 1st day of February A.D. 19____, at First National Bank Mt. Pleasant, Texas, the sum of One Thousand and No/100 (\$1,000.00) Dollars, in lawful money of the United States of America with interest thereon from date thereof at the rate of six per cent (6%) per annum, interest payable August 1, 1938, and semi-annually thereafter on the 1st day of February and August of each year, upon presentation and surrender of proper coupons and the treasurer of said county is hereby authorized, ordered and directed to pay to said J. D. Adams Company, or bearer, said principal sum, together with interest thereon, evidenced by coupons attached hereto, payable at First National Bank, Mt. Pleasant, Texas. In the event the sum or sums of money evidenced by this warrant and annexed coupons shall not be paid at maturity the same shall thereafter bear interest at the rate of six per cent (6%) per annum until fully paid, and in default of such payment and this warrant or any of the annexed coupons shall be placed in the hands of an attorney for collection, or suit is instituted thereon, the County of Titus hereby promises and is obligated to pay the holder hereof ten per cent (10%) additional as attorney's fees.

THIS WARRANT is one of a series of warrants of like date and tenor, except as to maturity, numbered one (1) to three (3) inclusive, in the denomination of Warrant Number One (1) One Thousand and No/100 (\$1,000.00) Dollars, and Warrant Number Two (2) One Thousand and No/100 (\$1,000.00) Dollars, and Warrant Number Three (3) One Thousand and No/100 (\$1,000.00) Dollars, aggregating the sum of Three Thousand and No/100 (\$3,000.00) Dollars, issued for the purpose of evidencing the indebtedness of Titus County to J. D. Adams Company for one International Model T-40 (Gas) Tractor, according to contract and notice of letting the same under and by virtue of the Constitution and laws of the State of Texas, including the provisions of Chapter 163, Acts of the Regular Session of the Forty-Second Legislature, and pursuant to an order passed by the Commissioner's Court of Titus County on the 14th day of March, A. D. 1938, which order is duly recorded in the Minutes of said Court.

THE DATE OF THIS WARRANT, conforming to the order above mentioned is March 14, 1938.

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 have been properly done, have happened and been performed in regular and due time, form and manner, as required by law, and that the total indebtedness of said County, including this warrant, and all other of this series, does not exceed any Constitutional or Statutory limitation.

IN TESTIMONY WHEREOF, the Commissioner's Court of Titus County has caused the seal of said Court to be hereto affixed and this warrant to be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, as of date of last above written.

County Judge, Titus County, Texas

COUNTERSIGNED:

County Clerk, Titus County, Texas

Registered this the ____ day of _____ A.D. 19 ____.

County Treasurer, Titus County, Texas

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

NO. _____ \$ _____
ON THE 1st DAY OF
FEBRUARY AND AUGUST 19 ____

The County Treasurer of Titus County, Texas, will pay to J. D. Adams Company, or bearer, at _____ Mt. Pleasant, Texas, the sum of \$ _____ said sum being _____ months interest due that day on Titus County Road Warrant No. _____ dated March 14, 1938, to which this coupon is attached and is a part thereof.

County Clerk

County Judge

On the back of said warrants shall be printed the following:

FOR VALUE RECEIVED, J. D. Adams Company hereby transfers, sells and delivers the within warrants, together with interest coupons annexed, to bearer, without recourse on it, and the bearer hereof is hereby subrogated to all claims, liens, rights and title, whether at law or in equity, which are or may be secured to it by said warrant and the contract by authority of which same was issued and the bearer hereof is authorized to collect the same and to give full receipt and acquittance therefor.

J. D. Adams Company

By _____

IT IS FURTHER ORDERED by the Commissioner's Court that a fund be and the same is hereby made and created and shall be set aside out of the Road and Bridge Fund of Titus County, which fund, when collected, shall be used for the payment of interest on said warrants and the principal thereof at maturity, and for no other purpose, than to create said fund to pay the interest on said warrants and provide the necessary sinking fund to redeem them at maturity, a tax of and at the rate of $1/5$ of $1/3$ cents ($1/15$) on each One Hundred (\$100.00) Dollars valuation of all taxable property in Titus County, Texas, is hereby levied for the current year, 1938, out of the constitutional fifteen cents road tax of said County; and that if said fund is insufficient that there is hereby appropriated out of all monies going into the Road and Bridge Fund of Titus County for the year 1938 from automobile taxes, fines, penalties, interest, forfeitures, etc., an amount sufficient to pay the amounts of principal and interest that may become due in the year 1938; that during the year 1938 and each year thereafter while any of said warrants are outstanding and unpaid, and at the time other County Taxes are levied in each of said years, there shall be computed and ascertained what rate of taxes, based upon the latest approved tax rolls, will be necessary, requisite and sufficient to fully make, raise and produce in each of said years the amount of principal necessary to be raised for that year, plus the interest due for that year, upon the amount of this series of warrants outstanding and unpaid, and for each of said years there is hereby ordered to be levied a tax at such rate as shall be found necessary as aforesaid; and all such taxes, when collected, shall be appropriated and applied to the purpose named and no other.

C. T. Neugent	County Judge
T. J. Stringfellow	Comm. Preet. 1
W. J. Gody	Comm. Preet. 2
Ernest Brown	Comm. Preet. 3
Geo. Lunaford	Comm. Preet. 4

ATTEST:
A. B. Gilpin,
County Clerk and ex-officio
Clerk of the Commissioner's
Court of Titus County, Texas.

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS, |
COUNTY OF TITUS. |

I hereby certify that the following notice to bidders was published in the Mt. Pleasant Daily Times on the following dates, to-wit:

February 25th., 1938

March 4th., 1938

NOTICE TO BIDDERS

Bids will be received by Titus County, at the Court House at Mt. Pleasant, Texas, until __ o'clock A. M. on March 14, 1938, for the purchase of one or more tractors and a used model WK A-C Tractor to be taken as part payment, and notice is given that warrants will be issued in the maximum sum of \$5,000.00, payable serially, last maturity not later Than Feb. 1, 1941, bearing interest at the rate of 6 per cent par annum, interest payable semi-annually.

The right is reserved to reject all bids.

C. T. Neugent,
County Judge, Titus County, Texas.

MT. PLEASANT DAILY TIMES
By Hugh C. Cross

SWORN TO AND SUBSCRIBED BEFORE ME this the 17 day of March, A.D., 1938.

(SEAL)

Arlene Russell
Deputy County Clerk, Titus County, Texas.

The above minutes read and approved in Open Court.

County Judge.

ATTEST:

County Clerk.
