

## SPECIAL SESSION

## IN THE MATTER OF CALLING ELECTION FOR REPRESENTATIVE OF THE 35TH DISTRICT:

WHEREAS, On the fourth day of August, A.D. 1939, Virgil A. Fielden, the duly elected and qualified State Representative of the 35th District of Texas composed of Titus and Morris Counties, did tender his resignation and was on the same date accepted; and,

WHEREAS, Section 13 of Article 3 of the Constitution of the State of Texas provides that in the event a vacancy occurs in either house that the governor shall issue writs of election to fill the vacancy, and in the event the governor fails to issue such writ within twenty days after the vacancy occurs the returning officer of the district is authorized to order an election to fill such vacancy; and,

WHEREAS, It has been more than twenty days since said vacancy occurred and the governor of the State of Texas has failed to call an election to fill the vacancy; and it being to the best interest of Titus and Morris Counties and to the citizens of said counties to have a State Representative at all times; now,

## THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, C. T. Nugent the returning officer for the 35th Representative District of Texas, do hereby order an election to be held at the various voting precincts in said district on the 23rd day of September, A.D. 1939; which date is more than twenty days and less than ninety days from the date of this order.

BE IT FURTHER ORDERED, That those wishing their names to be placed upon the ballot shall file the notice thereof with the County Judge of Titus County and the County Judge of Morris County not later than twenty days before the date said election is ordered to be held.

BE IT FURTHER ORDERED, That said election shall be held in conformity with the laws governing general elections and, the officers of general elections, as appointed by the Commissioners' Courts, shall be the officers of and hold said election in the various election precincts for which they are appointed.

BE IT FURTHER ORDERED, that the voters voting in said election shall possess the same qualifications as are required of voters in a general election.

BE IT FURTHER ORDERED, that the sheriff of Titus County and the sheriff of Morris County shall give notice of this election by posting a copy of such notice of election at each voting precinct, and make due return thereof.

Witness my hand at Mt. Pleasant, Texas, this at 25th day of August, A.D. 1939.

C. T. Neugent

STATE OF TEXAS |  
COUNTY OF TITUS |

## KNOW ALL MEN BY THESE PRESENTS:

That in conformity with an order issued by C. T. Nugent, the returning officer of the 35th Representative District, calling for an election to be held on the 23rd day of September, A.D. 1939, to fill the unexpired term of Virgil A. Fielden, Representative of the 35th Representative District, who resigned from said office on the 4th day of August, A.D. 1939; I, C. T. Nugent, County Judge of Titus County Texas, do hereby order an election to be held at the various voting precincts in Titus County Texas on the 23rd day of September, A.D. 1939, for the purpose of electing a Representative of the 35th Representative District of Texas to fill the unexpired term of Virgil A. Fielden, who resigned said office on the 4th

day of August, A.D. 1939.

BE IT FURTHER ORDERED, That in conformity with the order calling said election that any person wishing his name to be placed upon the ballot as a candidate for said place shall file with me, as well as with the County Judge of Morris County, an application to have his name placed upon the ballot not later than 20 days before the date at which said election is ordered.

BE IT FURTHER ORDERED, That said election shall be held in conformity with the laws governing general elections, and the officers of general election as appointed by the Commissioners' Court of Titus County, shall be the officers of and hold said election.

BE IT FURTHER ORDERED, That the voters in said election shall possess the same qualifications as are required of voters in a general election.

BE IT FURTHER ORDERED, That the sheriff of Titus County Texas give notice of said election by posting a copy of the notice of election in each voting precinct in said county and make due return thereof.

Given unto my hand this the 25th day of August, A.D. 1939.

G. T. Neugent  
County Judge of Titus County Texas

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NOTICE OF ELECTION

Notice is hereby given that an election will be held at the various voting precincts in Titus and Morris Counties on the 25th day of September, A.D. 1939, for the purpose of electing a Representative to fill the unexpired term of Virgil A. Fielden, who resigned said office on the 4th day of August, A.D. 1939.

Said election shall be held in conformity to the laws governing general elections and the officers appointed by the Commissioners' Courts of Titus and Morris Counties shall be the officers of said election.

The qualifications of those voting at said election shall be the same as is required for a general election.

Give unto my hand this the 25th day of August, A.D. 1939.

G. T. Neugent  
County Judge Titus County Texas.

Came to hand on the 25th day of August, A.D. 1939, an order calling an election for Representative of the 35th District and executed on the 25th day of August, A.D. 1939, by posting copies of the notice of said election at the following places:

- One copy at Each voting box in Titus County Texas in election precinct number 1.
- One copy at Court House in election precinct number 2.
- One copy at Green Hill in election precinct number 3.
- One copy at Marshall Springs in election precinct number 4.
- One copy at Monticello in election precinct number 5.
- One copy at Maple Springs in election precinct number 6.
- One copy at Cookville, in election precinct number 7.
- One copy at Hickory Hill in election precinct number 8.
- One copy at Mt. Pleasant, Texas in election precinct number 9.
- One copy at Talco, Texas in election precinct number 10.
- One copy at Argo in election precinct number 11.

One copy at Winfield, Texas in election precinct number 12.  
 One copy at Lone-Star in election precinct number 13.  
 One copy at N. W. Mt. Pleasant in election precinct number 14.  
 One copy at S. E. Mt. Pleasant in election precinct number 15.  
 One copy at North Mt. Pleasant, Texas.

TO WHICH CERTIFY, Witness my hand this the 25th day of August, A.D. 1939.

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

15-Notices \$15.00  
 122 - Mileage 9.15  
 Total 24.15

By: Melvin Wooten  
 Deputy.

Came to hand 25th day of August 1939 and executed 25th day of August 1939 by posting Notices at each voting Box in Titus County, Texas.

BE IT REMEMBERED that the Commissioners' Court of Titus County, Texas, met in a special called meeting on the 25th day of August, 1939, for the purpose of a hearing on the County Budget for the year 1940. All members of the Court were present, and the following motion was passed:

Motion was made by Commissioner Lunsford and seconded by Commissioner Cody that the Budget for Titus County for the year 1940 be approved by the Commissioners' Court.

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 vote "aye", and those opposed vote "no".

All members of said Court voted "aye", and the County Judge declared the motion carried and the order passed.

The above minutes read and approved.

ATTEST: \_\_\_\_\_  
 County Clerk.

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