

REGULAR SESSION - May 13, 1940

BE IT REMEMBERED that on the 13th day of May, 1940, the Commissioner's Court of Titus County, Texas, met in a Regular Session, and the following members were present, to-wit:

C. T. Neugent,	County Judge
T. L. Garrett,	Commissioner Precinct No. 1
W. J. Cody,	Commissioner Precinct No. 2
Ernest Brown,	Commissioner Precinct No. 3
G. C. Lunaford,	Commissioner Precinct No. 4
A. B. Gilpin,	County Clerk

when came on to be considered the following proceedings:

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this the 13 day of May, 1940, the Commissioners' Court of Titus County, Texas, convened in Regular meeting during a Regular Term of Court in the Courthouse with the following members of said Court present, to-wit:

C. T. Neugant,	County Judge,
T. L. Garrett,	Commissioner Precinct No. 1,
W. J. Cody,	Commissioner Precinct No. 2,
Ernest Brown,	Commissioner Precinct No. 3,
G. C. Lunaford,	Commissioner Precinct No. 4,
A. B. Gilpin,	County Clerk and Ex-Officio Clerk, Commissioners' Court,

and with the following members absent: None, constituting the entire Court, at which time the following business was transacted:

Commissioner Lunaford presented for consideration an order and made a motion that it be passed. The motion was seconded by Commissioner Brown. The motion carrying with it the adoption of the order prevailed by the following vote:

AYES: Commissioners Garrett, Cody, Brown and Lunaford.

NONE: None.

THEREUPON, the County Judge declared the order finally passed. The order as passed is as follows:

WHEREAS, the Commissioners' Court has heretofore on the 13th day of January, 1940, passed an order authorizing the issuance of \$20,000.00 Titus County Courthouse Improvement Warrants, Series 1940, dated January 15, 1940; and

WHEREAS, said order provides that the warrants shall be delivered to the contractor on estimates approved by the Engineers and thereafter approved by the Commissioners' Court as the work progresses; and

WHEREAS, O. L. Crigler Company, contractors, has presented the second estimate in words and figures as follows:

; and

WHEREAS, said improvements covered by said estimate have been inspected by the Commissioners' Court of said County and found to be in accordance with the specifications adopted by said County, and to be well worth the sum of \$11,078.17, the amount provided in said estimate, and said Commissioners' Court has accepted the labor and materials covered by said estimate for and in behalf of said County of Titus; and

WHEREAS, said estimate herein set out has been duly audited by said Commissioners' Court and found to be correct;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

1. That said estimate covering said labor and materials aggregating the sum of \$11,078.17 which has been presented by the contractors be, and the same is hereby allowed.

AA1372

2. That in accordance with said contract between the County of Titus and O. L. Crigler Company, contractors, there shall be executed and delivered to said contractor "Titus County Courthouse Improvement Warrants, Series 1940", Numbers 2 to 12, inclusive, in the denomination of One Thousand (\$1,000.00) Dollars, aggregating \$11,000.00 dated January 15, 1940, bearing interest at the rate of 5% per annum, being part of an issue of \$20,000.00, authorized to be issued by order of the Commissioners' Court passed on the 13th day of January, 1940, and duly recorded in the Minutes of said Court.

3. That said Titus County, Texas, has received full value and consideration for said warrants numbered as set out above, and the contractors have in all respects fully complied with all of the duties under said contract.

4. Due to the fact that the amount of the estimate, exceeds the amount of warrants, authorized to be delivered hereunder, occasioned by the even denomination of the warrant, the contractor is entitled to a credit of \$78.17, which amount shall be carried forward until the next estimate is approved.

PASSED AND APPROVED this the 13 day of May, 1940.

ATTEST: A. B. Gilpin
County Clerk and Ex-Officio
Clerk, Commissioners' Court,
Titus County, Texas.
(SEAL)

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

THE STATE OF TEXAS |
COUNTY OF TITUS |

We, the undersigned, County Judge, County Clerk and County Treasurer, of the County of Titus, Texas, do hereby certify that said County through its Commissioners' Court has and have duly inspected the labor and materials furnished by O. L. Crigler Company, contractors, covered by estimate No. 2, under contract with said County, dated January 13, 1940, and duly recorded in the Minutes of said Commissioners' Court; that said labor and materials have been accepted by said Commissioners' Court as being in accordance with said contract, and the specifications attached thereto, and that said labor and materials are well worth the price agreed upon and the amount provided in said contract, and that all duties imposed by the contract insofar as said estimate is concerned have been fully performed by the contractors.

WE FURTHER CERTIFY that the claim of said contractors in the sum of \$11,078.17 has been duly audited and allowed by said Commissioners' Court and "Titus County Courthouse Improvement Warrants, Series 1940", dated January 15, 1940, Numbers 2 to 12, inclusive, of the denomination of \$1,000.00 each, bearing 5% interest, issued and delivered to said contractors evidencing the indebtedness due by said County in the amount of \$11,000.00, and that said County has received full value and consideration for said warrants.

WE FURTHER CERTIFY that there is no litigation pending or threatened growing out of the issuance of said warrants nor in any way affecting the titles of the within named officers of said County to their respective offices.

WITNESS OUR HANDS this the 13 day of May, 1940.

(SEAL)

C. T. Neugent
County Judge, Titus County, Texas.
A. B. Gilpin
County Clerk, Titus County, Texas.
D. C. Morgan
County Treasurer, Titus County, Texas.

SUBSCRIBED AND SWORN TO BEFORE ME this the 13, day of May, 1940.

(SEAL)

J. A. Ward
Notary Public in and for Titus County, Texas.

SIGNATURE CERTIFICATE OF CONTRACTOR

THE STATE OF TEXAS |
COUNTY OF TITUS |

THE UNDERSIGNED, O. L. Crigler Company, contractors, hereby certifies that it has received from the County Officers of the County of Titus, Texas, "Titus County Courthouse Improvement Warrants, Series 1940", numbered 2 to 12, inclusive, of the denomination of One Thousand (\$1,000.00) Dollars, aggregating \$11,000.00, dated January 15, 1940, and bearing interest at the rate of five (5%) per cent per annum, in payment for labor and materials which have been furnished by said O. L. Crigler Company, to the said County.

WITNESS ITS SIGNATURE this the 13 day of May, 1940.

O. L. CRIGLER COMPANY
By O. L. Crigler
Its Owner

I HEREBY CERTIFY that I am acquainted with the signature of O. L. Crigler, Owner of O. L. Crigler Company, and that the foregoing is such genuine signature.

C. E. Lee, Cashier
The First National Bank Bank
Mount Pleasant, Texas, Texas

(BANK SEAL)

SIGNATURE IDENTIFICATION AND NON-LITIGATION CERTIFICATE

STATE OF TEXAS |
COUNTY OF TITUS | SS.

WE HEREBY CERTIFY, that we did officially sign the Titus County, Texas, Courthouse Improvement Warrants, Series 1940, drawing 5 per cent interest, payable semi-annually and delivered herewith, said warrants being dated January 15, 1940 being of \$1,000.00 denomination, numbered ___ to ___ both inclusive, being part of an issue aggregating \$20,000, maturing serially throughout the years 1941 and 1942.

We, the undersigned, being at the date of such signature and now the duly chosen, qualified and acting officers indicated therein and authorized to execute same.

WE DO FURTHER CERTIFY that no litigation of any nature is now pending or threatened restraining or enjoining the issuance and delivery of said warrants; or the levy and collection of taxes to pay the interest and principal, or in any manner questioning the proceedings or authority by which same is made, or affecting the warrants thereunder; and

That neither the corporate existence nor boundaries, nor the title of present officers to their respective offices is being contested, and that no authority nor proceedings for the issuance of said warrants have been repealed, revoked or rescinded.

WE FURTHER CERTIFY that we are acquainted with the official seal of said Commissioners' Court of Titus County, Texas and that an impression of said official seal is affixed to each of said warrants and that a correct impression of the same also appears upon this certificate. That the fac-simile signatures of County Judge and County Clerk appear upon the coupons attached to

AA1372

said warrants.

Executed and delivered at Mt. Pleasant, Texas this ____ day of May 1940.

SIGNATURE	OFFICIAL TITLE
C. T. Neugent	County Judge
A. B. Gilpin	County Clerk
D. C. Morgan	County Treasurer

I DO HEREBY CERTIFY that the signatures of the officers subscribed above are true and genuine.

C. E. Lee
Cashier

(BANK SEAL)

THE FIRST NATIONAL BANK
MOUNT PLEASANT, TEXAS

Dated at Mt. Pleasant, Texas, this 13 day of May, 1940.

BIDS ON COURTHOUSE FURNITURE AND PAVING:

The following bids were opened and read:

O. L. Crigler Co.	\$36,211.25	(including venetian blinds)
Wallace & Bowden	35,309.39	
Black's Furniture Repair Shop	3,000.00	(furniture only)
L. W. Pelphrey	37,850.00	
C. W. Burgess	15,498.00	
C. A. Bryant Co. Inc.	36,499.00	

O. L. CRIGLER BID ACCEPTED:

Motion was made by Commissioner Brown and seconded by Commissioner Cody to accept the bid of O. L. Crigler Co. on the Courthouse furniture and paving, for \$35,061.25. All voted "aye" and the motion carried unanimously.

IN THE MATTER OF ACCEPTING ESTIMATES OF O. L. CRIGLER & FRED E. HESS:

Motion was made by Commissioner Lunsford and seconded by Commissioner Brown to accept the Estimate #4 on the Courthouse in the amount of \$10,703.55, and Fred E. Hess commission of \$374.62. All voted "aye" and the motion carried unanimously.

o o - - -
MONTHLY REPORTS AND EXPENSE ACCOUNTS APPROVED: (for April, 1940)

Motion was made by Commissioner Lunsford and seconded by Commissioner Brown to approve the monthly report and expense account of J. W. Edwards, Justice of the Peace. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly report and expense account of C. W. Robinson, Justice of the Peace. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of Morris Rolston, County Attorney. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of A. B. Gilpin, County Clerk. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of P. O. Wilhite, Assessor-Collector. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of G. R. Ard, Sheriff. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of Floyd Keith, District Clerk. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly expense account of Aubrey Redfearn, Constable. All voted "aye" and the motion carried unanimously.

IN THE MATTER OF EMPLOYING AUDITOR FOR YEAR 1940: (C. L. WEST)

Motion was made by Commissioner Lunsford and seconded by Commissioner Cody to employ C. L. West and Co. to audit all the County records for the year 1940, and to pay \$750.00 for the audit. All voted "aye" and the motion carried unanimously.

IN THE MATTER OF APPROVING ANNUAL REPORTS OF COUNTY OFFICERS:

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the following:
the Annual Reports of County officials, as per Auditor's Report:

Morris Rolston
D. C. Morgan
A. B. Gilpin
C. T. Neugent
P. C. Wilhite
Floyd Keith
G. R. Ard
Aubrey Redfearn
C. W. Robinson

IN THE MATTER OF ACCEPTING SAMPLE OF FURNITURE SUBMITTED ~~REPRESENTATIVE OF~~, FOR O. L. CRIGLER:

Motion was made by Commissioner Garrett and seconded by Commissioner Brown that the metal furniture of Wilhite Equipment Co. and the wood furniture as manufactured by American Seating Co., as per sample submitted and as called for in plans and specifications, is acceptable and in accordance with O. L. Crigler Co. All voted "aye" and the motion carried unanimously.

IN THE MATTER OF PAYING JNO. I. CHESLEY FOR CONCRETE PIPES:

Motion was made by Commissioner Lunsford and seconded by Commissioner Brown that the Commissioners' Court pay out of the Road & Bridge Time Warrants Fund \$1920.00 to Jno. I. Chesley, for 600 feet of concrete pipes. The County Judge put the motion before the Court for a vote, and all voted "aye" and the motion carried unanimously.

AA1372

IN THE MATTER OF ISSUING TITUS COUNTY IMPROVEMENT WARRANTS IN THE AMOUNT OF \$32,000.00:

Upon motion of Commissioner Brown, seconded by Commissioner Cody and unanimously carried, the court approved contracts for the purchase and installation of equipment and furniture and for paving the Courthouse Square, as per list attached, and authorized the issuance of \$32,000 warrants in payment therefor, and levied a tax in payment thereof, as per written order, at a rate sufficient to pay interest and principal of such warrants.

ORDER RATIFYING CONTRACT AND AUTHORIZING WARRANTS IN PAYMENT FOR EQUIPMENT AND FURNITURE AND PAVING THE COURT HOUSE SQUARE

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this 13th day of May, 1940, the Commissioners' Court of Titus County, Texas, convened in regular session at a regular term of said Court with all members thereof present, viz:

- C. T. NEUGENT, County Judge
- T. L. GARRETT, Commissioner Precinct #1
- W. J. CODY, Commissioner Precinct #2
- ERNEST BROWN, Commissioner Precinct #3
- G. C. LUNSFORD, Commissioner Precinct #4
- A. B. GILPIN, COUNTY CLERK

and passed the following order:

IT APPEARS AFFIRMATIVELY TO THE COURT that on or about the 22nd day of April, 1940, this Court made and entered an order declaring its intention to purchase equipment and furniture for the newly remodeled and reconditioned courthouse and to pave the courthouse square, and declared its intention to make payment therefor by the issuance of time warrants in the maximum amount of not exceeding \$32,000.00, and bearing interest at the rate of 5% per annum, with maximum maturity date not later than 1950, and directed the County Judge to cause notice to be published accordingly.

IT FURTHER APPEARS AFFIRMATIVELY that the County Judge of this County caused such notice to be published on April 26 and May 3, and May 10, 1940 in the Mt. Pleasant Daily Times, a newspaper of general circulation published in the City of Mt. Pleasant in said Titus County, returnable on May 13, 1940, the first of which publications was at least two full weeks before the date set for receiving bids, a copy of which notice is as follows, to-wit:

NOTICE TO BIDDERS AND TO ALL INTERESTED PERSONS

The State of Texas |
County of Titus |

Notice is hereby given that sealed bids addressed to C. T. Neugent, County Judge, at the Courthouse in Mount Pleasant, Texas, will be received until ten o'clock a. m. on the 13th day of May, 1940, at which time the bids will be opened and considered by the Commissioners' Court of Titus County, Texas:

For the purchase and installation of equipment and furniture for the newly remodeled and reconditioned courthouse of Titus County in Mount Pleasant, Texas;

Also for furnishing all materials and labor thereunto necessary and paving the courthouse square in Mount Pleasant, Texas.

Plans and specifications of the courthouse equipment and furniture, also plans and specifications for paving the courthouse square, may be seen at the office of the County Judge of Titus County and the rooms where such equipment and furniture are to be installed and the

courthouse square to be paved may be inspected at said courthouse in Mount Pleasant, Texas.

The Commissioners' Court reserved 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, Texas, to issue interest bearing time warrants for the purpose of paying for the hereinbefore described courthouse equipment and furniture and paving the courthouse square and the contracts therefor and the professional services incident thereto in the maximum amount of not exceeding \$32,000.00 bearing interest at the rate of 5% per annum with maximum maturity date 1950.

C. T. NEUGEHT, County Judge.

IT FURTHER APPEARS AFFIRMATIVELY that pursuant to said notice, on the 13th day of May, 1940, the date set out in said notice, this Court did receive and consider bids therefor, and did award contract therefor to O. L. CRIGLER COMPANY, and that in accordance therewith this Court has made and entered into contract with said O. L. CRIGLER COMPANY for the purchase and installation of equipment and furniture for the newly remodeled and reconditioned courthouse of Titus County and for furnishing all materials and labor thereunto necessary and paving the courthouse square in Mt. Pleasant, Texas, and has agreed to pay the said O. L. CRIGLER COMPANY therefor the sum of \$35,061.25, and that \$32,000.00 thereof is to be paid by interest bearing time warrants, as hereinafter more fully set out.

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

I

That the hereinbefore described contract between Titus County and O. L. CRIGLER COMPANY, Contractor, be and the same is hereby ratified and approved.

II

That for the purpose of making payment for the hereinbefore described public improvements, interest bearing time warrants of said County, to be called TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS, SERIES 2 OF 1940, be issued and made payable to O. L. CRIGLER COMPANY or bearer, in the aggregate amount of \$32,000.00, evidencing the debt of Titus County to said contractor for such public improvements.

III

Such warrants shall be dated May 20, 1940, and shall bear interest at the rate of 5% per annum, interest payable April 10, 1941, and semi-annually thereafter on October 10 and April 10 each year. They shall be numbered consecutively from 1 to 32 inclusive, shall be in denomination of \$1,000.00 each and shall be made to mature as follows:

NUMBERS	MATURITY	AMOUNTS
1-2-3-	April 10, 1941	\$3,000.00
4-5-6	April 10, 1942	3,000.00
7-8-9	April 10, 1943	3,000.00
10-11-12	April 10, 1944	3,000.00
13-14-15	April 10, 1945	3,000.00
16-17-18	April 10, 1946	3,000.00
19-20-21	April 10, 1947	3,000.00
22-23-24	April 10, 1948	3,000.00
25-26-27-28	April 10, 1949	4,000.00
29-30-31-32	April 10, 1950	4,000.00

AA1372

IV

Principal and interest of these 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.

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 Titus County shall be impressed upon each of them.

V

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

No. _____ \$1,000.00

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF TITUS
TITUS COUNTY PERMANENT IMPROVEMENT WARRANT,
SERIES 2 OF 1940

The County of Titus in the State of Texas, for a valuable consideration, acknowledges itself indebted and hereby promises to pay to O. L. CRIGLER COMPANY or bearer, at the office of the County Treasurer of Titus County, in Mt. Pleasant, Texas, 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 date hereof at the rate of 5% per annum, interest payable April 10, 1941 and semi-annually thereafter on October 10th and April 10th each year; and the County Treasurer of Titus County is hereby authorized, ordered and directed to pay to O. L. CRIGLER COMPANY or bearer, said principal sum, together with interest thereon as the same respectively mature.

This warrant is one of a series of thirty-two warrants, numbered consecutively from 1 to 32 inclusive, in denomination of \$1,000 each, aggregating \$32,000.00, issued for the purpose of evidencing the indebtedness due by Titus County in payment for the purchase and installation of equipment and furniture for the newly remodeled and reconditioned courthouse of Titus County and paving the courthouse square in Mt. Pleasant, Texas, in said County, in accordance with contract therefor, under and by virtue of the Constitution and laws of the State of Texas, and pursuant to orders made and entered by the Commissioners' Court of said County, which orders are of record in the Minutes of said Court.

The date of this warrant, in conformity with the order above mentioned, is May 20, 1940.

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 this series of warrants 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 ad valorem taxes annually for the payment of the principal and interest of this warrant and the entire series of which this is one 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 20th day of May, 1940, and registered by the County Treasurer.

COUNTERSIGNED: _____ County Judge, Titus County, Texas.
County Clerk

REGISTERED this ___ day of _____, 1940

County Treasurer

The form of coupon to be attached to such warrants shall be substantially as follows:

No. _____ \$ _____

ON THE 10TH DAY OF _____, 19____

the County Treasurer of Titus County, Texas, will pay to O. L. CRIGLER COMPANY or bearer, at the Office of the County Treasurer of Titus County, at Mt. Pleasant, Texas, the sum of

_____ DOLLARS

being _____ month's interest due that date on Titus County Permanent Improvement Warrant, Series 2 of 1940, dated May 20, 1940, No. _____

County Clerk

County Judge

On the back of each of said warrants there shall be printed substantially 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.

O. L. CRIGLER COMPANY

By _____

These warrants shall be executed and delivered in payment for the hereinbefore described public improvements only upon the claims therefor being approved and allowed and ordered so paid by 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 Permanent Improvement Tax, against all taxable property in said County for the year 1940, 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 seven cents on each One Hundred Dollars valuation of taxable property in said County is hereby levied for the year 1940, 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, and a tax at such rate, within the limits permitted by the Constitution and laws of Texas, shall be levied, assessed and collected during each of such 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.

The foregoing order was read and it was moved by Commissioner Brown and seconded by Commissioner Cody that same be passed, and upon the question being called it was unanimously passed, Commissioners GARRET, CODY, BROWN and LUNSFORD voting AYE; and no one voting NO.

G. T. Neugent
County Judge

ORGANIZATION OF BOARD OF EQUALIZATION

BE IT REMEMBERED that on this the 13th day of May, 1940, the Commissioners' Court of Titus County, Texas was duly convened as a Board of Equalization, at the regular meeting place at the court house in the town of Mt. Pleasant, Titus County, Texas, for the purpose of equalizing the values of all taxable property, located in said county, for the purposes of taxation for the year 1940, with all members of said court, viz.:

C. T. Neugent	County Judge,
T. L. Garrett	Commissioner of Prect. No. 1,
W. J. Gody	Commissioner of Prect. No. 2,
Ernest Brown	Commissioner of Prect. No. 3,
G. C. Lunsford	Commissioner of Prect. No. 4,

present and participating.

That upon convening of said Board, and prior to entering upon their duties as a Board of Equalization, each of the above named members took and subscribed to the following oath;

"I, _____, a member of the Board of Equalization of Titus County, Texas, for the year A.D., 1940, hereby solemnly swear:

That in the performance of my duties as a member of such Board for said year I will not vote to allow any taxable property to stand assessed on the tax rolls of said county for said year at any sum which I believe to be less than its true market value, or, if it has no market value, then its real value; that I will faithfully endeavor, and as a member will move to have each item of taxable property which I believe to be assessed for said year at less than its true market value, or real value, raised on the tax rolls to what I believe to be its true cash market value, if it has a market value, and if not, then to its real value, and that I will faithfully endeavor to have the assessed valuation of all property subject to taxation within said county, stand upon the tax rolls of said County for said year at its true cash market value, or if it has no market value, then its real value. I solemnly swear that I have read and understand the provisions contained in the Constitution and Laws of this State relative to the valuation of taxable property, and that I will faithfully perform all of the duties required of me under the Constitution and Laws of this State. So help me God."

Titus County, Mt. Pleasant, Texas.

13th day of May, 1940.

OATH OF BOARD OF EQUALIZATION

"I, as a member of the Board of Equalization of Titus County, Texas, for the year A.D. 1940, hereby solemnly swear:

"That in the performance of my duties as a member of such Board for said year, I will not vote to allow any taxable property to stand assessed on the tax rolls of said County for said year at any sum which I believe to be less than its true market value, or, if it has no market value, then its real value; that I will faithfully endeavor, and as a member will move to have each item of taxable property which I believe to be assessed for said year at less than its true market value, or real value, raised on the tax rolls to what I believe to be its true cash market value, if it has a market value, and if not, then to its real value; and that I will faithfully endeavor to have the assessed valuation of all property subject to taxation within said county, stand upon the tax rolls of said county for said year at its true cash market value, or, if it has no market value, then its real value. I solemnly swear that I have read and understand the provisions contained in the Constitution and Laws of this State relative to the valuation of taxable property and that I will faithfully perform all of the duties required of me under the Constitution and

AA1372

and Laws of this State. So help me God."

C. T. Neugent
County Judge

T. L. Garrett
Commissioner Precinct No. 1

W. J. Cody
Commissioner Precinct No. 2

Ernest Brown
Commissioner Precinct No. 3

G. C. Lunsford
Commissioner Precinct No. 4

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 13th day of May, 1940, by

C. T. Neugent County Judge

T. L. Garrett Commissioner Precinct No. 1

W. J. Cody Commissioner Precinct No. 2

Ernest Brown Commissioner Precinct No. 3

G. C. Lunsford Commissioner Precinct No. 4

each.

A. B. Gilpin
County Clerk, Titus County

Titus County, Mt. Pleasant, Texas

13th day of May 1940.

ORDER DIRECTING THE COUNTY CLERK

TO ADVERTISE MEETING OF THE BOARD OF EQUALIZATION

BE IT REMEMBERED that the Board of Equalization in and for Titus County, Texas, having been in session on this 13th day of May, A.D., 1940, the following order was, upon motion of Commissioner G. C. Lunsford, and duly seconded by Commissioner W. J. Cody, unanimously carried and adopted, to-wit:

The County Clerk is hereby authorized and directed to give notice of meeting of the Board of Equalization by publication in a newspaper, published in Titus County, Texas, for at least ten days prior to said meeting of said Board.

The County Clerk is also instructed to give individual notice to all taxpayers whose properties are raised, if their addresses are known.

C. T. Neugent
County Judge

Titus County, Mt. Pleasant, Texas.

13th day of May A.D., 1940.

NOTICE BOARD OF EQUALIZATION

In obedience to the order of the Board of Equalization, regularly convened and sitting, notice is hereby given that said Board of Equalization will be in session at its regular meeting place in the court house in the town of Mt. Pleasant, Titus County, Texas, at 10 o'clock A. M., on Wed., the 19th day of June, 1940, for the purpose of determining, fixing and equalizing the value of any and all taxable property located in Titus County, Texas, for taxable purposes for the year 1940, and any and all persons interested or having business with said Board are hereby notified to be present.

A. B. Gilpin
County Clerk, Titus County, Texas.

Titus County, Mt. Pleasant, Texas,
13th day of May, 1940.

THE STATE OF TEXAS |
COUNTY OF TITUS |

BE IT REMEMBERED, That on this the thirteenth day of May, A.D., 1940, The Commissioners' Court of Titus County, Texas, duly met and organized, now sitting as a Board of Equalization, convened for the purpose of reviewing all renditions made to Titus County for the year 1940 and after reviewing said renditions and hearing evidence pertaining to the value of the property rendered for the year 1940 by the following named people, companies and corporations, it is the opinion of the Board of Equalization that the following named persons, companies and corporations should be cited to appear before the Board of Equalization to show cause why their renditions should not be raised and/or lowered, and the County Clerk of Titus County is hereby ordered and directed to cite the following named persons, companies and corporations to be and appear before said Board of Equalization on the 19th day of June, A.D. 1940 in the Court House in the town of Mt. Pleasant, Texas.:

NAME	ADDRESS
Bell, Mrs. L. P. Bell	Abilene, Texas
Riley, Mrs. Chas., Tr.	c/o Mrs L. P. Bell, Abilene, Texas
Murrie, Mrs Helen, Tr.	"
Murrie, Miss Katherine,	"
Merritt, Mrs. T. G., Tr.	"
James, Mrs. Floy Murrie	"
Doak, Mrs. R. A.	"
American Liberty P. L. Co.	c/o Carlton Meredith, Dallas, Texas
Byars, B. G.	"
Byars & King	"
Byars & Pounds, Inc.	"
G. M. W. Oil Co.	"
Gray & Wolfe	"
Grelling, L. A.	"
Henderson, H. M.	"
Housh, C. N.	"
Housh & Thompson, Inc.	"
Howze Oil Co.	"
Hinton, W. B.	"
Hugus, D. F.	"
Iowa-Payne Oil Co.	"
Johnston, L. C.	"
Jones-O'Brien, Inc.	"
Lilienstern et al	"
Luse, H. T.	"
Luse, W. P.	"
McAdams, J. B.	"
McClanahan, Mrs. F. L.	"
McClanahan & Venable Oil Co.	"
McCutchin Drlg. Co.	"
Moore, R. E.	"
Moore, R. E., Tr.	"
Nenney, W. F.	"
O'Brien, R. J. et al	"
Pendleton, Miss Gertrude O.	"
Peveto, R. L.	"
Stephens, John B.	"
Windsor, Gertrude Ann	"
Windsor, John H.	"
Windsor, W. C.	"
Windsor, W. C., Jr.	"
Witt, J. E.	"
Rushing, J. S.	c/o Nolan L. Rushing, El Dorado, Ark.
Rushing, Mrs. Louise McHenry, Tr.	"
Powlodge, Mrs. Thelma Rushing, Tr.	"
Bryson, Miss Myrtle	"
McHenry, Mrs. C. P.	"
Rushing, Mrs. Alice	"
Ritchie, C. G.	"
Sklar Oil Corp.	c/o L. F. Crosby, Dallas, Texas
Rudman, I.	"
Mainard, Kenneth, Tr.	c/o Shurmon & Kirkwood, Ft. Worth, Tex.
Reimler, J. F., Tr.	"
Sabine Royalty Corp.,	"
Sells Pet., Inc.	"
Cowan, Richard T.	"
McAlester Fuel Co.	"
Adams & Lyles	Lockhart, Texas
Adams, Fred J.	"
Adkisson, Albert	Ft. Worth, Texas
Amerada Pet. Corp.	Tulsa, Okla.
Arkansas Fuel Oil Co.	Shreveport, La.
Arkansas Louisiana Gas Co.	"
Badt, May Irvin	Dallas, Texas
Bank, First Natl., Tr. For Gladys Westbrock	Ft. Worth, Texas

AA1372

Barber, Mrs. J. G. Est.	Talco, Texas
Batson, Aubrey W.	Los Angeles, Calif.
"	"
Bauchman, A. B.	Sequin, Texas
Belcher, C. W.	Talco, Texas
Belcher, J. M.	"
Blackburn, Mrs. J. H.	"
Burke, J. Afton	Corsicana, Texas
Burke, J. Harry	"
Byrd-Frost, Inc.	Dallas, Texas
Byrd, D. H.	"
Cameron, Wm. & Co., Inc.	Waco, Texas
Canadian Explr. Co.	Denver, Colo.
Cates, W. C.	Blytheville, Ark.
Catlett, J. G. Inc.	Tulsa, Okla.
Cato, Mrs. Edith	Talco, Texas
Cato, W. D.	"
Cities Service Oil Co.	Bartlesville, Okla.
Cox, Edwin B. & Jake L. Hamon	Dallas, Texas
Community Public Serv. Co.	Ft. Worth, Texas
Continental Oil Co.	Ponca City, Okla.
Cornelius, Miss Alma	Talco, Texas
Crawford, Mrs. W. H.	"
Davey, M. A., Jr.	Palestine, Texas
Davis, Mrs. N. B.	Talco, Texas
Davis, Mrs. Pat	"
Davis, Mrs. T. S.	"
Dean Bros	Ft. Worth, Texas
Decker Tool & Sup. Co.	Electra, Texas
Deep Rock Oil Corp.	Tulsa, Okla.
East Texas Refg. Co.	Dallas, Texas
Edson Pet. Co.	Houston, Texas
Edwards, Mrs. W. T.	Talco, Texas
Fishback, Mrs. M. E. H.	"
Foster Pet. Corp.	Bartlesville, Okla.
Frick-Reid Sup. Corp.	Tulsa, Okla.
Frost, Jack	Dallas, Texas
Fry, A. W.	Talco, Texas
Gilbert, Mrs. Francis O.	Huningdon, Tenn.
Graf, C. W.	Talco Texas
Graf, Lloyd	Talco, Texas
Griffith, T. B. & W. Charlton	Terrell, Texas
Gulf Oil Corp.	Houston, Texas
Hargrove & McLain	Talco, Texas
Hargrove, Mrs. John	"
Harper, Mrs. R. H.	"
Harpser, R. H.	Wichita Falls, Texas
Harrison & Dillard	Tyler, Texas
Hawkins J. C. &/or J. M. Faison	Talco, Texas
Hazelwood, M.	"
Helton, R. S.	Longview, Texas
Hollandsworth Drlg. Co.	Dallas, Texas
Horne Oil Co. & R. C. Horns	Houston, Texas
Hughes Tool Co.	Houston, Texas
J. K. Hughes Oil Co.	Mexia, Texas
Hughea, W. H.	Talco, Texas
Humble Oil & Refg. Co.	Houston, Texas
Hunt Oil Co.	Dallas, Texas
Hyde, C. E.	Ft. Worth, Texas
Imperial Royalties Co.	Tulsa, Okla.
Keith, W. O. & Belle	Cookville, Texas
Kennedy, W. A.	Pittsburg, Texas
Key, Mrs. Garra	Ft. Worth, Texas
King, W. M.	Talco, Texas
Lake, P. G.	Tyler, Texas
Land, W. A. Est.	Mt. Pleasant, Texas
Lawson, Helen Oliver	Woodville, Texas
Leake, Mrs. N. A.	Talco, Texas
Leavell, Lorna Carr	Fulton, Mo.
Lott, H. L.	Mineola, Texas
Lott, Mrs. Vivian	"
Lucey Pet. Co.	Dallas, Texas
Lyles, Geo.	e/o A.D. Brinkerhoff, Kilgore, Texas
Magnolia Pet. Co.	Dallas, Texas
Mangrum, Mrs. Jennie	Columbia, Tenn.
Mid-Continent Pet. Corp.	Tulsa, Okla.
Monnig Dry Goods Co.	Ft. Worth, Texas
Moore Gro. Co.	Tyler, Texas
Moore, J. A.	Talco, Texas
The North Central Texas Oil Co., Inc.	Shreveport, La.
Omega Oil Corp., Inc.	San Antonio, Texas
Ownby, Haynes B. Drlg. Co., Inc.	Dallas, Texas
Pan American Life Ins. Co.	New Orleans, La.
Parker, J. B.	Elkhart, Texas
Patrick, Ben. L.	Mt. Pleasant, Texas
Peacock, C. A.	Mineola, Texas
Perryman, J. T., Jr.	Ft. Worth, Texas
Petroleum Rectifying Co.	Houston, Texas
Republic Ins. Co.	Dallas, Texas
Republic Sup. Co.	Houston, Texas
Riley, Elizabeth M., Tr.	Dallas, Texas
Rubey, A. C., Jr.	Dallas, Texas
Rubey, Wm. B.	"

AA1372

Rutherford, P. R.	Houston, Texas
Saltmount Oil Co.	San Antonio, Texas
Samuel, K. H.	Tyler, Texas
Shell Oil Co., Inc.	Houston, Texas
Sheild Oil Co.	San Antonio, Texas
Siler, Roy B.	Houston, Texas
Sinclair Refg. Co.	Ft. Worth, Texas
Skelly Oil Co.	Tulsa, Okla.
Smith, Paul D.	Mineola, Texas
Sun Oil Co.	Dallas, Texas
The Superior Oil Co.	Houston, Texas
Talco Asphalt & Refg. Co.	Mt. Pleasant, Texas
Taltex Refg. Co.	Talco, Texas
The Texas Co.	Houston, Texas
Thompson, Stanley A.	Ft. Worth, Texas
Tidewater Associated Oil Co.	Tulsa, Okla.
Truitt, Mrs. L. J.	Talco, Texas
Vaughn, R. M.	Cooper, Texas
Vickers, R. H.	Smackover, Ark.
Weiniert, H. H.	Seguin, Texas
Williams, B. J.	Texarkana, Texas
" I. N.	"
Wilson, W. E.	Talco, Texas
Zimmerli, John	Dallas, Texas

The American Telephone & Telegraph Co.,	Dallas, Texas
Bowie-Cass Elec. Cooperative Co.	Douglasville, Texas
Humble P. L. Co.	Houston, Texas
Southwestern Associated Telephone Co.	Lubbock, Texas
Southwestern Bell Telephone Co.	Dallas, Texas
Southwestern Gas & Elec. Co.	Marshall, Texas
The Southwestern States Tel. Co.	Brownwood, Texas
The Western Union Telegraph Co.	Dallas, Texas

ORDER RECESSING BOARD OF EQUALIZATION

BE IT REMEMBERED, that the Board of Equalization for Titus County, Texas, having been regularly convened and being in session on this the 13th day of May, A.D., 1940, the following order was upon motion of Commissioner T. L. Garrett, duly seconded by Commissioner G. C. Lunsford, unanimously carried and adopted, to-wit:

There being no further business now necessary to be transacted by said Board of Equalization, it is ordered that said Board do now recess until 10 o'clock A. M., the 19th day of June, A.D., 1940, at which time said Board of Equalization will further resume the transaction of such business as may then come before it.

C. T. Neugent
County Judge

Titus County, Texas
13th day of May, 1940.

ROAD REFUNDING BOND ORDER
SERIES 1 OF 1940, \$25,000

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this 13 day of May, 1940, the Commissioners Court of Titus County, Texas, convened in regular session at a regular term thereof, with the following members of said Court present, viz:

C. T. NEUGENT	County Judge
T. L. GARRETT	Commissioner Precinct No. 1
W.J. CODY	Commissioner Precinct No. 2
ERNEST BROWN	Commissioner Precinct No. 3
G. C. LUNSFORD	Commissioner Precinct No. 4
A. B. GILPIN	County Clerk.

IT APPEARS to the Court that on or about March 15, 1916, for and on behalf of Road District No. 1 of Titus County, Texas, the Commissioners Court of said County issued \$200,000.00 Road Bonds of Road District No. 1 of Titus County, Texas, dated March 15, 1916, bearing interest at the rate of 5% per annum, numbered 1 to 200, inclusive, in denomination of \$1,000.00 each,

and maturing as follows: Numbers 1 to 100, inclusive, on March 15, 1936, \$100,000, and Numbers 101 to 200 thereof serially thereafter \$5,000 on March 15th of each of the years 1937 to 1956, inclusive:

AND IT FURTHER APPEARS that at an election which was duly ordered and held in and throughout Titus County in the year 1919, the property taxpaying voters of Titus County, by more than a two-thirds majority vote, authorized the issuance of county-wide bonds, for the purpose of the purchase and construction of district roads in said Road District No. 1, being Compensation or replacement bonds, to take the place and be in lieu of the hereinbefore described Road District bonds; and that at that time, Numbers 1 to 10, inclusive, of the hereinbefore described Road District Bonds, had been paid; and such county-wide bonds were duly issued, being Titus County Special Road Bonds, Series 1, in the amount of \$190,000.00, dated March 15, 1916, bearing interest at the rate of 5% per annum, in denomination of \$1,000.00 each, numbered from 11 to 200, inclusive, and maturing as follows: Numbers 11 to 100, inclusive, on March 15, 1936, and Numbers 101 to 200 thereof serially thereafter \$5,000.00 each year from 1937 to 1956, inclusive, which Compensation Bonds were made to correspond in all substantial respects to the Road District Bonds to be replaced thereby; and that said Compensation Bonds were duly approved by the Attorney General and registered by the Comptroller, and stamped "non-negotiable" and deposited with the County Treasurer of Titus County, as then provided by law.

AND IT FURTHER APPEARING that on or about the 9th day of February, 1925, by order of the Commissioners Court of said County, said Compensation Bonds, Series 1, were cancelled and burned, and that said Road District Bonds have at all times since said election in 1919, been recognized and treated as full county-wide obligations and have been paid, interest and principal, from county-wide ad valorem taxes;

AND IT FURTHER APPEARS that Numbers 171 to 175, maturing 1951, and Numbers 176 to 180, maturing in 1952, and Numbers 181 to 185 maturing in 1953, and Numbers 191 to 195 maturing in 1955, and Numbers 196 to 200 maturing in 1956, aggregating \$25,000.00 should be refunded as herein-after more fully set out.

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

SECTION I.

That the hereinbefore described Road District Bonds have been recognized as full county-wide obligations of Titus County and payable from county-wide ad valorem taxes since the election which was held in and throughout Titus County in the year 1919, authorizing the issuance of county-wide bonds to take the place and be in lieu of said Road District Bonds;

IT IS FURTHER AFFIRMATIVELY FOUND, ADJUDGED AND DECREED that since the year 1919, all of said bonds, in form of road district bonds except those that have been refunded, have been recognized and considered full county-wide obligations and have been paid from full county-wide ad valorem taxes, and said recognition of said bonds as full county-wide obligations, is hereby ratified.

AND IT IS FURTHER AFFIRMATIVELY FOUND, ADJUDGED AND DECREED that said Titus County Special Road Bonds, as hereinbefore more fully described, Series 1 in the amount of \$190,000 dated March 15, 1916, were duly authorized by more than a two-thirds vote of the property taxpaying voters of Titus County, voting at an election held for that purpose in 1919, and were duly issued by the Commissioners Court of said County, and were duly approved by the Attorney General of Texas, and were stamped "non-negotiable" and deposited with the County Treasurer of Titus County, as replacement bonds for the hereinbefore described bonds of said Road District No. 1, and that

AA1372

said replacement bonds were, by order of the Commissioners Court of Titus County, cancelled and burned on or about the 9th day of February, 1925;

AND IT IS FURTHER AFFIRMATIVELY FOUND, ADJUDGED AND DECREED that it is to the best interest of Titus County and to its citizens and taxpayers, that the hereinbefore described 5% Bonds, being the \$25,000 more particularly designated to be refunded, should be refunded as hereinafter more fully set out.

SECTION II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Commissioners Court, that the bonds of said County to be denominated "TITUS COUNTY ROAD REFUNDING BONDS, SERIES 1 OF 1940" be issued in the amount of \$25,000 for the purpose of refunding the hereinbefore more particularly described \$25,000 Road Bonds of Road District No. 1, as authorized by the Constitution and Laws of the State of Texas, and particularly the Bond and Warrant Law of 1931.

Such Refunding Bonds shall be dated April 10, 1940 and shall bear interest at the rate of 3½% per annum, payable October 10, 1940 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. They shall be numbered 1 to 25, inclusive, in denomination of \$1,000.00 each, aggregating \$25,000.00, and shall be made to mature as follows, to-wit:

Numbers:	Maturity Dates:	Amounts:
1-2-3-4-5	April 10, 1941	\$5,000.
6-7-8-9-10	April 10, 1942	\$5,000.
11-12-13-14-15	April 10, 1943	\$5,000.
16-17-18-19-20	April 10, 1944	\$5,000.
21-22-23-24-25	April 10, 1945	\$5,000.

SECTION III.

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 facsimile signatures of the County Judge and the County Clerk, and shall have the same effect as if they had been signed by them.

SECTION IV.

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 1 OF 1940

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 date hereof at the rate of 3½% per annum, interest payable October 10, 1940 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 thereon at maturity.

This bond is one of a series of twenty-five bonds, numbered consecutively from 1 to 25, inclusive, in denominations of \$1,000.00 each, aggregating \$25,000.00, 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 of Texas 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 holders of this series of bonds 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, 1940.

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 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 facsimile signatures of the County Judge and the County Clerk as of the 10th day of April, 1940.

COUNTERSIGNED:

County Judge

County Clerk

REGISTERED:

County Treasurer

The form of coupons shall be substantially as follows:

No. _____ \$17.50

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

SEVENTEEN DOLLARS AND FIFTY CENTS

in lawful money of the United States of America, being six months interest due that date on Titus County Road Refunding Bond, Series 1 of 1940, dated April 10, 1940, 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 _____, 1940.

Comptroller of Public Accounts of the
State of Texas

SECTION V.

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 issues, unless the maturities as listed herein make the burden of taxation to pay same approximately uniform.

SECTION VI.

IT IS FURTHER ORDERED that in addition to all other rights, the 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 VII.

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 off-set or counterclaim against any portion thereof, and that all things required to be done by law in the issuance of said original bonds 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 VIII.

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 1940 and for each succeeding year while said bonds or any of them are outstanding;

And to pay the interest on said bonds and to create a sinking fund with which to pay the principal at maturity, such tax of and at the rate of ten cents on each One Hundred Dollars valuation of taxable property in said county is hereby levied for the year 1940 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 principal for such year, 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;

The taxes heretofore levied for the payment of the bonds which are being refunded 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 particularly so much of the 1939 taxes as may be necessary for that purpose is hereby appropriated and set aside for payment of the interest that becomes due on October 10, 1940.

The taxes levied to support said original bonds 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 appropriate 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 IX.

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 X.

The Comptroller shall not register these refunding bonds except as and when there shall be surrendered to him said original bonds aggregating in amounts the respective amounts of the bonds then to be registered.

SECTION XI.

The Comptroller is authorized to accept from J. R. Phillips Investment Company of Houston, Texas, or upon its order, the original bonds, and is authorized to deliver to said J. R. Phillips Investment Company, or upon its order, said Refunding Bonds as and when issued, in exchange for the surrender and cancellation of said original bonds.

The foregoing order was read, and it was moved by Commissioner Garrett and seconded by Commissioner Cody that it be passed, and upon the question being called, it was unanimously passed, Commissioners GARRETT, CODY, BROWN and LUNSFORD voting AYE; and no one voting NO.

C. T. Neugent
County Judge

May 15, 1940.

PAYMENT FOR BUDGET
IN THE MATTER OF ~~THE~~ CONCRETE PIPES/BROM JNO. I. CHESLEY:

Motion was made by Commissioner Lunsford and seconded by Commissioner Garrett to pay Jno. I. Chesley \$1976.00 for concrete pipes, payable out of the Road & Bridge Time Warrant Fund. All voted "aye" and the motion carried unanimously.
