

REGULAR SESSION - June 10, 1940

BE IT REMEMBERED that on the 10th day of June, 1940, the Commissioners' 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. F. Cody, | Commissioner Precinct No. 2 |
| Ernest Brown, | Commissioner Precinct No. 3 |
| G. C. Lunsford, | Commissioner Precinct No. 4 |
| A. B. Gilpin, | County Clerk, |

and the following proceedings were had to wit:

IN MATTER OF NOTICE OF INTENTION TO ISSUE ROAD & BRIDGE REFUNDING BONDS :

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this the 10 day of June, 1940, the Commissioners' Court of Titus County, Texas, convened in regular meeting, with the following members of the Court present, to-wit:

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

and passed the following order:

Commissioner Brown introduced a proposed order and made a motion that it be passed.

The motion was seconded by Commissioner Garrett. The motion was carried by the following vote:

AYES: Commissioners Garrett, Cody, Brown, and Lunsford.

NOTES: None

The Judge announced that the order had been passed. The order as passed is as follows:

AN ORDER
DIRECTING THE COUNTY JUDGE TO GIVE NOTICE OF INTENTION
TO ISSUE ROAD AND BRIDGE REFUNDING BONDS.

WHEREAS, it is considered to be to the best interest of the County to refund certain outstanding interest-bearing time warrants issued against the Road and Bridge Fund of said County;

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS;

1. That the County Judge be and he is hereby authorized and directed to insert in a newspaper of general circulation published in Titus County, Texas, a notice of the County's intention to issue Road and Bridge Refunding Bonds; that said notice be published in accordance with law for the period of time required by law; that said notice be substantially in words and figures as follows, to-wit:

"NOTICE OF INTENTION TO ISSUE ROAD AND BRIDGE REFUNDING BONDS.

Notice is hereby given that on the 12th day of July, 1940, the Commissioners' Court of Titus County, Texas, will pass an order authorizing the issuance of Road and Bridge Refunding Bonds of said County in the maximum amount of Thirty Thousand (\$30,000.00) Dollars, bearing interest at the rate of not to exceed Four and One-half (4½%) per cent per annum, maturing serially in such installments as may be fixed by the Commissioners' Court, the maximum maturity date being not more than thirteen years from date, for the purpose of taking up, cancelling, refunding, and in lieu of a like amount of interest-bearing time warrants described as follows:

\$10,000 TITUS COUNTY Road and Bridge Warrants, Series of 1940,
dated April 10, 1940, Numbers One (1) to Ten (10), and
bearing interest at the rate of 6% per annum.

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\$20,000 TITUS COUNTY Road and Bridge Warrants, Series 1940, dated April 1, 1940, Numbers One (1) to Forty (40), and bearing interest at the rate of 5% per annum.

This notice is given in accordance with the provisions of Chapter 163, Acts of the Regular Session of the Forty Second Legislature.

Executed by order of the Commissioners' Court passed on the 10th day of June, 1940.

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

2. That the County Judge be authorized, ordered, and directed to do any and all things necessary and/or convenient to carry out the purpose of this order.

PASSED AND APPROVED this the 10th day of June, 1940.

ATTEST: A. B. Gilpin
County Clerk and
Ex-officio Clerk,
Commissioners' Court,
Titus County, Texas.
C. T. Neugent
County Judge, Titus County, Texas.

(SEAL)

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ORDER AUTHORIZING DELIVERY OF \$8,000 TITUS COUNTY R & B TIME WARRANTS, SERIES 1940:

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this the 10th day of June, 1940, the Commissioners' Court of Titus County, Texas, convened in regular meeting in the Courthouse in the City of Mount Pleasant, Texas, with the following members of the Court 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. Lunsford, Commissioner Precinct No. 4,
A. B. Gilpin, County Clerk and Ex-Officio Clerk,
Commissioners' Court,

with the following members absent: None, constituting the entire Court, at which time the following proceedings were had.

Commissioner Lunsford introduced a proposed order and made a motion that it be passed. The motion was seconded by Commissioner Garrett. The motion was carried by the following vote:

AYES: Commissioners Garrett, Cody, Brown & Lunsford

NOES: None.

The County Judge announced that the order had been passed.

The order as passed is as follows:

AN ORDER

AUTHORIZING THE DELIVERY OF \$8,000
TITUS COUNTY ROAD AND BRIDGE TIME WARRANTS,
SERIES 1940, AND PRESCRIBING THE FURTHER
DUTIES OF THE COUNTY OFFICIALS AND THE HOLDER
OF SAID WARRANTS IN CONNECTION THEREWITH.

WHEREAS, the Commissioners' Court, of Titus County, Texas, has heretofore on the 16th day of March, 1940, passed an order authorizing the issuance of Titus County Road and Bridge Time Warrants, Series 1940, \$20,000.00, bearing interest at the rate of five (5%) per cent per annum, and has provided therein the method of completing the delivery of said warrants from time to time in installments; and

WHEREAS, arrangements have been made with First National Bank, Mt. Pleasant, Texas, to assemble duly approved claims and accounts against the County of persons furnishing materials or performing services or labor in connection with the County's construction program in which the United States Government is cooperating with the County through the Works Progress Administration for the construction of permanent improvements of its roads including bridges, culverts, other structures on and hard surfacing of lateral roads, and to accept from the County said interest-bearing time warrants in an amount equivalent to said claims so acquired by said bank; and

WHEREAS, said bank has acquired up to this time claims and accounts against the County described as follows:

| No. | Date | To Whom Issued | Purpose | Amt. |
|-----|---------|---------------------------|-----------------------|--------------|
| | | Credit from last delivery | | \$ 4.00 |
| 5 | 5/22/40 | Jno. I. Chesley | Concrete pipes | 1992.40 |
| 6 | 5/28/40 | " | " | 1988.80 |
| 7 | 5/31/40 | " | " | 1979.40 |
| 8 | 6/7/40 | " | " | 1989.00 |
| 9 | 6/10/40 | C. H. Burt & Co. | R & B Warrant Expense | 160.00 |
| | | | | \$ 8, 113.60 |

Aggregating \$ 8,113.60; and

WHEREAS, said bank has agreed to accept in lieu thereof said interest-bearing time warrants in the amount of \$8,000, being credited on the books of the County with a balance of \$113.60, to be taken into consideration at the time of the next succeeding installment delivery;

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

1. That the County Judge, County Clerk and County Treasurer be and they are hereby authorized, ordered and directed to accept from said First National Bank the claims hereinabove described and simultaneously with receiving said instruments to deliver to said bank said Titus County Road and Bridge Time Warrants, Series 1940, Numbers 13 to 28, both inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating \$8,000.

2. That the bank be credited on the books of the County in the further sum of \$113.60, representing the excess of claims over and above the aggregate amount of warrants thus delivered to said bank.

3. That the proper officers of said bank execute a certificate and receipt reflecting the surrender of said claims and accounts and the delivery and receipt of said warrants; that the County Judge, County Clerk and County Treasurer execute and deliver to said bank a proper certificate and receipt showing the receipt for said claims and the muniments of title and the fact of the delivery of said warrants to said bank.

PASSED AND APPROVED this the 10th day of June, 1940.

ATTEST: A. B. Gilpin
County Clerk and Ex-Officio
Clerk of the Commissioners'
Court.

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

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THE STATE OF TEXAS |
COUNTY OF TITUS |

On this the 10 day of June, 1940, we, C. T. Neugent, County Judge, A. B. Gilpin, County Clerk and D. C. Morgan, County Treasurer of Titus County, Texas, do hereby certify that concerning all that certain list of original claims which is contained in the order of the Commissioners' Court of said County authorizing the delivery of \$8,000 Titus County road and Bridge Time Warrants, passed June 10, 1940, recorded in the minutes of said Court, which said list is hereby incorporated herein by reference;

That each of said original items were for claims and demands for which the County was legally liable, and for which the County received full value, and the amount of such claims was not in excess of any Statutory or Constitutional limitation or appropriation; that no litigation or question is threatened or pending affecting said claims or any of them, and that the same now constitutes valid and binding items of indebtedness against Titus County, incurred for proper road and bridge purposes, and that none of said items of indebtedness were issued for purposes other than permitted by law.

EXECUTED this the 10 day of June, 1940.

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

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

(SEAL)

D. C. Morgan
County Treasurer, Titus County, Texas.

SUBSCRIBED AND SWORN TO BEFORE ME this the 10 day of June, 1940.

(SEAL)

W. W. Mason
Notary Public in and for Titus County, Texas.

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THE STATE OF TEXAS |
COUNTY OF TITUS |

I, C. E. Lee, Cashier, of First National Bank, Mt. Pleasant, Texas, do hereby certify that said bank has received from

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

of said County "Titus County Road and Bridge Time Warrants, Series 1940", dated April 1, 1940, Numbers 13 to 28, inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating \$8,000 of a total issue of \$20,000.00, bearing interest at the rate of five (5%) per cent per annum, which said Road and Bridge Time Warrants were duly and legally authorized by an order duly and legally passed by the Commissioners' Court of said County on March 16, 1940, recorded in the minutes of said Court.

I DO FURTHER CERTIFY that the said bank is the owner and holder of the following described claims and accounts issued against the Road and Bridge Fund of said County;

(The list of claims are fully described in the order passed by the Commissioners' Court on June 10, 1940, to which list as contained in said order reference is here made for all purposes).

I DO FURTHER CERTIFY that the said bank has delivered to said County Officials the

above described claims, in lieu of and in full satisfaction of the above mentioned Titus County Road and Bridge Time Warrants this day received by said bank from said County Officials.

WITNESS MY HAND this the 10 day of June, 1940.

(BANK SEAL)

G. E. Lee
Cashier of the First National Bank, Mt. Pleasant, Texas.

SUBSCRIBED AND SWORN TO BEFORE ME this the 10 day of June, 1940.

(SEAL)

Lorene Wright
Notary Public in and for Titus County, Texas.

THE STATE OF TEXAS |
COUNTY OF TITUS |

We, C. T. Neugent, County Judge, A. B. Gilpin, County Clerk, and D. C. Morgan, County Treasurer, of the County of Titus, Texas, have this day received from the First National Bank, Mt. Pleasant, Texas, the owner and holder thereof, the following described claims, issued against the Road and Bridge Fund of said County:

(The list of claims and accounts are fully described in the order passed by the Commissioners' Court on June 10, 1940, to which list as contained in said order reference is here made for all purposes).

WE FURTHER CERTIFY that we have this day cancelled and destroyed said original claims.

WE FURTHER CERTIFY that in lieu of said foregoing claims against the Road and Bridge Fund of said County, we have delivered to the said First National Bank, Titus County, Texas, Road and Bridge Time Warrants, Series 1940, dated April 1, 1940, Numbers 13 to 28, inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating \$8,000, bearing interest at the rate of 5% per annum, which said warrants were authorized by an order duly and legally passed by the Commissioners' Court of said County March 16, 1940, recorded in the minutes of said Court, and that said County received full value and consideration for said warrants.

AND WE DO FURTHER CERTIFY that there is no litigation pending or threatened growing out of the issuance of said original claims nor said issue of Road and Bridge Time Warrants, Series 1940, nor in any way affecting the titles of the within named officers to their respective office.

WITNESS OUR HANDS this the 10 day of June, 1940.

C. T. Neugent
County Judge

A. B. Gilpin
County Clerk

D. C. Morgan
County Treasurer.

SUBSCRIBED AND SWORN TO BEFORE ME this the 10 day of June, 1940.

(SEAL)

W. B. Wright
Notary Public in and for Titus County, Texas.

SIGNATURE IDENTIFICATION AND NON-LITIGATION CERTIFICATE

STATE OF TEXAS |
COUNTY OF TITUS | SS.

AA1372

WE HEREBY CERTIFY, that we did officially sign the Titus County Road and Bridge Time Series 1940 Warrants, drawing 5 per cent interest, payable semi-annually and delivered herewith, said warrants being dated April 1, 1940 being of \$500.00 denomination, numbered ___ to ___ both inclusive, being part of an issue aggregating \$20,000.00, maturing serially throughout the years 1942 to 1952, inclusive.

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 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 the County Judge and County Clerk appear upon the coupons attached to said warrants.

Executed and delivered at Mt. Pleasant, Texas this ___ day of June 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.

(Bank Seal) C. E. Lee, Cashier
THE FIRST NATIONAL BANK
MOUNT PLEASANT, TEXAS

Dated at Mt. Pleasant, Texas, this ___ day of June, 1940.

IN THE MATTER OF PAYING C. N. BURT & CO. FOR EXPENSE IN CONNECTION R & B WARRANTS:

Motion was made by Commissioner Lunsford and seconded by Commissioner Garrett, that the Commissioners' Court pay to C. N. Burt & Co. \$160.00 for expense in connection with Road & Bridge Warrants; said account payable out of the Road & Bridge Time Warrant Fund. All voted "aye" and the motion carried unanimously.

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

Motion was made by Commissioner Lunsford and seconded by Commissioner Garrett, that the Commissioners' Court pay to Jno. I. Chesley \$1627.00 for concrete pipes, out of the Road & Bridge Time Warrant Fund. All voted "aye" and the motion carried unanimously.

IN MATTER OF PAYING CERTAIN ACCOUNTS OUT OF R & B TIME WARRANT FUND:

Motion was made by Commissioner Lunsford and seconded by Commissioner Garrett to pay the following accounts out of the Road & Bridge Time Warrant Fund:

| | | |
|-----------------------|-----------------|----------|
| Wilson Hdw. | Hdw. W. P. A. | \$ 78.85 |
| Mt. Pleasant Lbr. Co. | Lumber W. P. A. | 32.79 |
| Bess Rogers Co. | Hdw. W. P. A. | 36.80 |
| R. H. Meadows | Hdw. W. P. A. | 95.05 |

All voted "aye" and the motion carried unanimously.

MONTHLY

IN MATTER OF APPROVING REPORTS & EXPENSE ACCOUNTS (MAY, 1940):

Motion was made by Commissioner Garrett and seconded by Commissioner Brown to approve J. W. Spuill's monthly report & expense account, - Justice of Peace. All voted "aye" and the motion carried unanimously.

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

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the expense account of Loyd Graf, Constable. All voted "aye" and the motion carried unanimously.

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

Motion was made by Commissioner Lunsford and seconded by Commissioner Brown 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 Lunsford 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 Lunsford 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 cancel the order passed May 17, refunding \$10,000.00 6% Warrants into 5% Bonds. All voted "aye" and the motion carried unanimously. (see Vol. 6, Page 28)~~

~~Motion was made by Commissioner Brown and seconded by Commissioner Garrett to establish~~

IN MATTER OF EXCHANGING REFUNDING WARRANTS INTO BONDS:

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to cancel the order passed May 17, refunding \$10,000.00 6% Warrants into 5% Bonds. All voted "aye" and the motion carried unanimously. (see Vol. 6, Page 28)

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IN MATTER OF ESTABLISHING PUBLIC ROAD IN PRECINCT 2:

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to establish a public road in Precinct No. 2, as per petition attached. All voted "aye" and the motion carried unanimously. The petition is as follows:

Article 6705

TO THE COMMISSIONERS COURT OF TITUS COUNTY: TEXAS

WE, the undersigned freeholders of Precinct No. 2, Titus County, Texas, do hereby petition the Commissioners' Court of Titus County, Texas, to designate and maintain the following described road situated in Commissioner Precinct No. 2, Titus County, Texas, as a second class road, to-wit:

Beginning at Bascom Brown place about 3 and one half miles north of Winfield, Texas, in Titus County, on the Winfield-Daffney road, thence east to B. F. Hunnicut west bound; across Hunnicut land to Connors Brothers West Boundary line, thence North to the Northwest corner of Connors Brothers Land, thence north and east through Hunnicut land to F. Lee south Boundary line, thence north and west across the said Lee's land, to Bill Beck's south boundary line, thence north to Bill Beck's north boundary line, thence east to Thomas Caldwell west boundary line, thence south to Caldwell southwest corner, thence with his south boundary line to the northeast corner of the old Watson place and terminating and intersecting the road from Winfield to Bridges Chappel and said road being approximately four miles long.

The applicants herein, shall post a written copy of this petition or application for a period of at least 20 days notice before a hearing is had hereon and before said petition is heard; said notices being posted, one at the Courthouse door of Titus County, Texas, and two others at public places in the vicinity of the route of such road.

Witness our hands this the 4th day of May, 1940.

Ross Brown
J. M. Beck
Loyd Garretson
Frank Boyett
B. D. Brown
Pat Duffell
W. A. Thomas
Jessie Cowley
Onie Hanks

FRED E. HESS, ENGINEER

CERTIFICATE OF PAYMENT.

THIS COPY TO OWNER

Job No. 122

Date June 10, 1940

Certificate No. 1

Amount \$6,796.10

Mount Pleasant, Texas

To Titus County Texas

This is to certify that O. L. Crigler Company the Contractor for the general contract on Courthouse Improvement, is entitled to 1st payment as per contract amounting to Sixty seven hundred ninety six & 10/100 (\$6,796.10).

Fred. E. Hess, Engineer

By Fred E. Hess

(SEAL)

Status of Contract

| | | | |
|------------------------|------------|-------------------------|-------------------|
| Total Estimate | \$7,551.22 | Original Contract | \$ 33,461.25 |
| Less 10% retained | 755.12 | Additions ordered | none |
| Total due Contractor | 6,796.10 | Sub total | 33,461.25 |
| Less previous payments | none | Deductions ordered | in contract price |
| Net amount due | 6,796.10 | Present Contract | 33,461.25 |
| | | Total payments made | 6,796.10 |
| | | Balance due under cont. | 26,665.15 |

Remarks: Works progressing satisfactorily.

Date June, 10, 1940.

Received from Titus County Texas (Owner) the sum of Sixty seven hundred ninety six and 10/100 (\$6,796.10) Dollars, as per the above certificate.

O. L. Crigler Company (Contractor)

By O. L. Crigler

PRELIMINARY ORDER DECLARING INTENTION TO ISSUE REFUNDING BONDS AND DIRECTING THAT NOTICE BE PUBLISHED:

The State of Texas |
County of Titus |

On this the 10th day of June, 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 | Com. Prec. No. 1 |
| W. F. Cody | Com. Prec. No. 2 |
| Ernest Brown | Com. Prec. No. 3 |
| G. C. Lunsford | Com. Prec. No. 4 |
| A. B. Gilpin | County Clerk |

The Commissioners Court of Titus County, Texas does hereby declare that it is the intention of said court on the 12th day of July, 1940 to pass all necessary orders to provide for the issuance of Titus County Permanent Refunding Bonds, in the maximum amount of \$56,500.00, bearing interest at the rate of not exceeding 3½% per annum, with maximum maturity date not

later than 1950, and to issue such refunding bonds for the purpose of refunding an equal amount of Titus County Permanent Improvement Warrants bearing interest at the rate of 5% per annum; and the County Judge is hereby authorized and instructed to cause notice to be published accordingly.

The foregoing order was read, and it was moved by Commissioner Cody and seconded by Commissioner Brown 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.

G. T. Neugent
County Judge.

The above minutes read and approved.

ATTEST: _____
County Clerk.

County Judge.

ORDER APPROVING CLAIMS AND AUTHORIZING
PERMANENT IMPROVEMENT WARRANTS IN PAYMENT THEREOF.

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this 10th day of June, 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:

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

and passed the following order:

It appears that the Commissioners' Court of Titus County has recently purchased and installed equipment and furniture for the newly remodeled and reconditioned Courthouse of Titus County, and has employed Fred Hess, Engineer, to render the Engineering Services thereunto necessary, and C. D. Jessup, Attorney, to render the legal services thereunto necessary, also that the County has purchased Courthouse furniture and fixtures, from O. L. Crigler Company at the agreed price of \$1500, and that all these persons have agreed to accept payment in interest bearing time warrants, as hereinafter more fully set out.

And it further appears that Fred Hess has rendered such Engineering Services and has made claim for payment therefor in the amount of \$2000, and that said O. L. Crigler Company has furnished and delivered to Titus County such furniture and fixtures and has made claim for payment therefor in the amount of \$1500, and that C. D. Jessup has rendered the appropriate Legal Services in accordance with agreement therefor, and has made claim for payment therefor in the amount of \$1000.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of Titus County, Texas, as follows:

I.

That the hereinbefore described claims of, to-wit:

| | |
|--|------------|
| Claim of Fred Hess for Engineering Services, | \$2,000.00 |
| Claim of C. D. Jessup for legal services, | 1,000.00 |
| Claim of O. L. Crigler Company for furniture and fixtures | 1,500.00 |

are, each and all, hereby approved, allowed and ordered paid by the execution and delivery to them or their assigns, the hereinbefore described interest bearing time warrants.

II.

That for the purpose of making payment for the hereinbefore described services and claims, interest bearing time warrants of said County, to be called TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS, SERIES 3 OF 1940, be issued and made payable to bearer, in the aggregate amount of \$4,500.00, evidencing the debt of Titus County to said persons for such public improvements and services in connection therewith.

III.

Such warrants shall be dated June 10, 1940, and shall bear interest at the rate of 5% per annum, interest payable April 10, 1941, and semi-annually thereafter on October 10th and April 10th, each year. They shall be numbered consecutively from 1 to 9 inclusive, shall be in denomination of \$500.00 each, and shall be made to mature as follows:

| NUMBERS | MATURITY | AMOUNT |
|---------|----------------|-----------|
| 1 | April 10, 1944 | \$ 500.00 |
| 2 - 3 | April 10, 1945 | 1000.00 |
| 4 - 5 | April 10, 1946 | 1000.00 |
| 6 - 7 | April 10, 1947 | 1000.00 |
| 8 - 9 | April 10, 1948 | 1000.00 |

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. _____

\$ 500.00

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF TITUS

TITUS COUNTY PERMANENT IMPROVEMENT WARRANT

SERIES 3 OF 1940

The County of Titus in the State of Texas, for a valuable consideration, acknowledges itself indebted and hereby promises to pay to 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

FIVE HUNDRED DOLLARS

in lawful money of the United States of America, with interest thereon from date hereof at the

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rate of 5% per annum, interest payable April 10, 1941 and semi-annually thereafter on October 10th end April 10th each year; and the County Treasurer of Titus County is hereby authorized, ordered and directed to pay to bearer, said principal sum, together with interest thereon as the same respectively mature.

This warrant is one of a series of nine warrants, numbered consecutively from 1 to 9 inclusive, in denomination of \$500.00 each, aggregating \$4,500.00, issued for the purpose of evidencing the indebtedness due by Titus County in payment for the purchase and installation of equipment and furniture and services in connection therewith for the newly remodeled and reconditioned courthouse of Titus County in accordance with contracts 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 June 10, 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 10th day of June, 1940, and registered by the County Treasurer.

County Judge, Titus County, Texas.

COUNTERSIGNED:

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 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 3 of 1940, dated June 10, 1940, No. _____.

County Clerk.

County Judge

It is affirmatively found and so ordered that Titus County does not have or claim any offset or counterclaim to said warrants or any of them, and that the County Judge and the County Clerk and the County Treasurer of Titus County are hereby authorized and directed to execute and deliver these warrants to said claimants, or to their assigns, without any further order 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 one cent 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.

C. T. Neugent
County Judge.

The above minutes read and approved.

ATTEST: _____
County Clerk

County Judge.

Follow-Up Order

TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS.

SERIES II OF 1940

THE STATE OF TEXAS |
 COUNTY OF TITUS |

On this 10th day of June, 1940, the Commissioners' Court of Titus County, Texas, convened in regular session at a Regular term thereof, with the following named members present, viz:

| | |
|-----------------|--------------------------|
| C. T. NEUGENT, | County Judge |
| T. L. GARRETT, | Commissioner Precinct #1 |
| W. J. GODY, | 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 that on the 13th day of May, 1940, the Commissioners' Court of Titus County made and entered an order ratifying and approving the contract between Titus County and 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, the County Seat of Titus County, and made provision to pay therefor to the extent of \$32,000.00 by the issuance of Thirty-two Titus County Permanent Improvement Warrants, Series II of 1940, dated May 20, 1940, bearing interest at the rate of 5% per annum, numbered 1 to 32, inclusive, in denomination of \$1,000 each, aggregating \$32,000.00, and maturing serially on April 10, 1941 to 1950, inclusive.

AND IT FURTHER APPEARS AFFIRMATIVELY TO THE COURT that said O. L. Crigler Company, contractor, has at its own expense furnished labor and materials thereunto necessary and has supplied and installed such Courthouse equipment and furniture in said remodeled and reconditioned Courthouse and has furnished materials and labor thereunto necessary and paved the Courthouse Square in Mt. Pleasant in accordance with contract therefor to the extent of \$7,165.67 as follows:

AND THAT SAID Contractor has presented claim therefor in the amount of \$7165.67, and that said claim has been audited and approved by this Court, and has been found to be a correct charge therefor, and that same should be allowed and ordered paid.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of Titus County, Texas, that the above mentioned claim of O. L. Crigler Company, contractor, is hereby approved, allowed and ordered paid by the issuance, execution and delivery of interest-bearing time warrants of said county briefly described as follows:

\$7000 TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS, SERIES II OF 1940, dated May 20, 1940, bearing interest at the rate of 5% per annum, numbered 1 to 7, inclusive, in denomination of \$1,000 each, aggregating \$7000.00 and maturing serially, being a portion of an entire authorized issue of \$32,000 such warrants.

And the County Judge and the County Clerk and the County Treasurer of Titus County are hereby authorized, ordered and directed to execute and deliver said warrants to said contractor in payment of the hereinbefore described claim.

And it is hereby acknowledged that Titus County has received full value and consideration for the above described warrants and does not have or claim any offset or counterclaim thereto.

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

C. T. Neugent
County Judge

The above minutes read and approved.

ATTEST: _____
County Clerk.

County Judge.
