

REGULAR SESSION, December 9, 1940.

BE IT REMEMBERED that the Commissioners' Court of Titus County, Texas, met in Regular Session on the 9th day of December, 1940, at the Court House in Mt. Pleasant, Texas, and the following members were present, to-wit:

C. T. Neugent	County Judge
T. L. Garrett	Commissioner, Pre. 1
W. J. Cody	Commissioner, Pre. 2
Ernest Brown	Commissioner, Pre. 3
O. C. Lunsford	Commissioner, Pre. 4

and the following proceedings were had, to-wit:

IN THE MATTER OF APPROVING MONTHLY REPORTS AND EXPENSE ACCOUNTS for November, 1940:

Motion was made by Commissioner Garrett 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 Chas. W. Robinson, Justice of the Peace. All voted "aye" and the motion carried unanimously.

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

Motion was made by Commissioner Cody and seconded by Commissioner Brown to approve the monthly report and expense account of J. W. Spruill, 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 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 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 Aubrey Redfearn, 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 P. O. Wilhite, Assessor & Collector. 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 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 Floyd Keith, District Clerk. All voted "aye" and the motion carried unanimously.

IN THE MATTER OF CANCELING JESSIE JOHNSON'S GEN.CO.WARRANTS & ISSUING OUT OF R & B FUND:

Motion was made by Commissioner Garrett and seconded by Commissioner Lunaford to cancel three General County Warrants #5168 - Amt. \$57.33; #5365 - \$60.00; #5616 - \$60.00, issued to Jessie Johnson, and to issue out of the Road & Bridge Fund \$177.36 to replace the three General County Warrants. All voted "aye" and the motion carried unanimously.

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IN MATTER OF REPORTING SALE OF TITUS COUNTY LAND:

THE STATE OF TEXAS |

THE COUNTY OF TITUS |

TO THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

I, C. T. Neugent, Special Commissioner, appointed by the Commissioners' Court of Titus County, Texas, to make the sale of certain lands belonging to Titus County, Texas, hereby make the following report:

In accordance with the order of this court made on the 12th day of November, 1940, I caused, on the 12th day of November, 1940, a notice of the sale of said land to be posted at the court house door of Titus County, Texas, a copy of which notice is herewith attached and marked "Exhibit 1", and in accordance with said order, did sell at public auction at the court-house door of Titus County, Texas, on the 25th day of November, 1940, between the hours of ten o'clock A. M. and four o'clock P. M. said land, as shown by the Exhibit, to Luther Pool of Titus County, Texas, for the sum of \$20.00, he being the highest bidder therefor.

I hereby ask the Honorable Commissioners' Court for approval and ratification of the sales so made by me.

C. T. Neugent
C. T. Neugent, Special Commissioner.

At a regular meeting of the Commissioners' Court of Titus County, Texas, on December 9, 1940, with a quorum of said court present, there came on to be considered the matter of the approval and ratification of the sale of certain lands belonging to Titus County, Texas, made by C. T. Neugent, Special Commissioner, acting under the authority of the Commissioners' Court of Titus County, Texas. Whereupon Commissioner Ernest Brown made a motion regarding the sale of said lands and which was seconded by Commissioner G. C. Lunaford; said motion being as follows:

"That the Commissioners' Court of Titus County, Texas, approve and ratify in all things the sale of said lands made by C. T. Neugent, Special Commissioner".

Upon the motion being placed to a vote, all voted "aye".

Done this the 9th day of December, 1940.

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

ATTEST:

A. B. Gilpin
County Clerk

(Commissioners' Court Seal)

AA1872

EXHIBIT I

THE STATE OF TEXAS |
 THE COUNTY OF TITUS |

WHEREAS, at a regular meeting of the Commissioners' Court of Titus County, Texas, on November 12, 1940, there was a quorum of said court present, and came on to be considered the matter of the sale by Titus County of a small tract of land located in Titus County and belonging to Titus County described as follows:

"Being a part of the R. Kirk Survey and beginning at a stake in the E. B. line of the right-of-way of the St. Louis S. W. Ry., same being the S. B. line of the 160 acre tract out of said survey owned by The S. P. Adams estate - THENCE EAST with the S. B. line of said Adams tract 212 ft. to the S. E. corner of the same in the E. B. line of the Kirk Survey - THENCE SOUTH with the E. B. line of the Kirk Survey 1223 ft. to the N. B. line of a county road - THENCE WEST with the N. B. line of said road 100 ft. to the E. B. line of the right-of-way of said railroad - THENCE IN A NORTHWESTERLY DIRECTION with said right-of-way 1219 ft. to the beginning and being the same land described in a deed from John Hargrove to Titus County, dated May 3, 1929, and recorded in Vol. 71 Page 290 of the Deed Records of Titus County, Texas; less, however, all of the above described tract of land that now lies within the right-of-way of the State Highway leading from Mt. Pleasant to Pittsburg".

WHEREAS, a motion made by Commissioner Brown and seconded by Commissioner Garret_ was duly adopted by said court as follows:

"Be it ordered by the Commissioners' Court of Titus County, Texas, that the above described tract of real estate be sold at public auction to the highest bidder for cash on the 25th day of November, 1940, after due notice and advertisement thereof as is hereinafter stated.

Be it further ordered that C. T. Neugent, County Judge of Titus County, Texas, be appointed Special Commissioner for the purpose of making the above sale for and on behalf of said county, and he is hereby ordered to give notice of said sale by posting a written notice thereof at the courthouse door in Titus County for ten days preceeding the day of sale; advertising that said tract of land will be sold at public auction for cash at the courthouse door in said county on the 25th day of November, 1940, between the hours of 10:00 A. M. and 4:00 P. M.; and that said commissioner is hereby given the right and authority to reject any and all bids for said tract of land, if in his judgment the highest bid for said tract is not reasonable and fair.

Be it further ordered that after making said sale the Special Commissioner, C. T. Neugent, will make the deed in conformity with this order for and on behalf of said county, shall duly acknowledge the same, conveying to the purchaser of said tract all the right, title, interest and estate which the county had in and to above described tract of land".

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in accordance with said order of the Commissioners' Court, as above set out, I, C. T. Neugent, Special Commissioner, do hereby give notice that I will on the 25th day of November, 1940, at the court house door of Titus County, Texas, between the hours of 10:00 A. M. and 4:00 P. M. sell at public auction to the highest bidder for cash said tract of land, and in accordance with the order of the Commissioners' Court will reject any and all bids that are, in my judgment, not reasonable and fair, and in the event the bids for said tract of land are, in my judgment, fair and reasonable, I will, in accordance with said order, execute to the purchaser thereof a deed.

Done and posted this the 12th day of November, 1940.

C. T. Neugent
 Special Commissioner

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IN THE MATTER OF CANVASSING RETURNS OF BEER ELECTION:

THE STATE OF TEXAS |
THE COUNTY OF TITUS |

On this the 9th day of December, 1940, the Commissioners' Court of Titus County, Texas, met in regular session for the December term with the following members present, to-wit:

- C. T. Naugent, County Judge
- Lester Garrett, Commissioner Pre. 1
- W. J. Cody, Commissioner Pre. 2
- Ernest Brown, Commissioner Pre. 3
- G. C. Lunsford, Commissioner Pre. 4

Came on to be considered the matter of canvassing the votes and certifying the results of a local option election held throughout Titus County, Texas, on the 29th day of November, 1940, on the question of whether or not the sale of beer containing alcohol not exceeding four per cent (4%) by weight should be prohibited in said county and upon a canvass of said return the court finds as follows:

ELECTION PRECINCT	FOR PROHIBITING SALE OF BEER CONTAINING ALCOHOL NOT EXCEEDING 4% BY WEIGHT	AGAINST PROHIBITING SALE OF BEER CONTAINING ALCOHOL NOT EXCEEDING 4% BY WEIGHT
No. 1	157	153
No. 2	101	17
No. 3	113	16
No. 4	93	47
No. 5	54	80
No. 6	167	57
No. 7	158	79
No. 8	141	162
No. 9	143	157
No. 10	124	2
No. 11	183	97
No. 12	48	3
No. 13	223	166
No. 14	135	148
No. 15	240	126
TOTAL	2080	1310

THEREFORE, KNOW ALL MEN BY THESE PRESENTS: Be it the order of the Commissioners' Court of Titus County, Texas, that the result of the local option election held in Titus County, Texas, on November 29, 1940, be declared as follows:

FOR PROHIBITING THE SALE OF BEER CONTAINING ALCOHOL NOT EXCEEDING FOUR PER CENT. (4%) BY WEIGHT 2080 votes
AGAINST PROHIBITING THE SALE OF BEER CONTAINING ALCOHOL NOT EXCEEDING FOUR PER CENT. (4%) BY WEIGHT 1310 votes

Be it the further order of the Commissioners' Court of Titus County, Texas, that in conformity with Art. 666-37 of the Penal Code of Texas, 1925, as amended, that at the end of thirty days from this day of declaring the result of said election that the sale of beer containing alcohol not exceeding four per cent. (4%) by weight shall be absolutely prohibited throughout Titus County, Texas, until such time as the qualified voters in Titus County, Texas, may hereafter by a majority decide otherwise.

Be it further ordered by the Commissioners' Court of Titus County, Texas, that copies of this order be posted at three (3) public places within Titus County, Texas, and the County Judge is hereby authorized to enter upon the minutes of the Commissioners' Court the place to which such notices have been posted.

Be it further ordered by the Commissioners' Court of Titus County, Texas, that the Clerk of this court copy this order into the minutes of the Commissioners' Court of Titus County, Texas.

Done this the 9th day of December, 1940.

C. T. Neugant, County Judge
T. L. Garrett, Com. Pre. 1
W. J. Cody, Com. Pre. 2
Ernest Brown, Com. Pre. 3
G. C. Lunsford, Com. Pre. 4

ATTEST:

A. B. Gilpin
County Clerk

(SEAL)

THE STATE OF TEXAS |
THE COUNTY OF TITUS |

TO THE SHERIFF OR ANY CONSTABLE OF TITUS COUNTY, TEXAS - GREETING:

WHEREAS, at a regular meeting of the Commissioners' Court of Titus County, Texas, on December 9, 1940, said court canvassed the returns of a beer election held throughout Titus County, Texas, on November 29, 1940, and found as a result of said election that the sale of beer containing alcohol not exceeding 4% by weight was prohibited by a majority vote in said county and on said date passed its order prohibiting the sale of beer in said county after a period of thirty (30) days from said date, and in conformity with Art. 666-38 of the Penal Code of Texas ordered the posting of the order declaring the results of said election and order prohibiting the sale of beer, at three public places in Titus County, Texas.

NOW, THEREFORE, THIS IS TO COMMAND YOU that you post the herewith enclosed three copies of the order of the Commissioners' Court of Titus County, Texas, declaring the result of said election and prohibiting the sale of beer in Titus County after thirty (30) days from this date, at three public places in Titus County and make due return thereof.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9th day of December, 1940.

(SEAL) A. B. Gilpin
County Clerk, Titus Co., Tex.

Came to hand on December 9, 1940, at 10:55 o'clock, A. M. and executed on December 9th, 1940, as follows:

One copy posted at Old Bank Building, Winfield, in Titus County, Texas, at 11:25 o'clock A.M.;

One copy posted at Court House, Mt. Pleasant in Titus County, Texas, at 11 o'clock A.M.;

One copy posted at School House Door, Cookvills in Titus County, Texas, at 2:35 o'clock

P. M.

Fees - 3 \$3.00
Mileage-32 2.40
TOTAL - \$5.40

G. R. Ard
Sheriff, Titus Co., Tex.
By Melvin Wooten & Hollis Holcomb, Deputies

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THE STATE OF TEXAS |
THE COUNTY OF TITUS |

In conformity with an order of the Commissioners' Court of Titus County, Texas, made on December 9, 1940, requiring the posting of three notices at public places in Titus County, Texas, of the order of the Commissioners Court of Titus County, Texas, declaring the results of an election held on November 29, 1940, on the matter of the sale of beer containing alcohol not exceeding four per cent (4%) by weight in Titus County, Texas, and prohibiting the sale of beer containing alcohol not exceeding four per cent (4%) by weight in Titus County after thirty (30) days from said date, said notices were posted by the Sheriff of Titus County, Texas, at public places on the 9th day of December, 1940, at Old Bank Building, Winfield; School House, Cookville and Court House, Mt. Pleasant, Tex. within said county; the return of the Sheriff is hereto attached.

The clerk of the Commissioners' Court will enter this notice and the return of the Sheriff upon the minutes of the Commissioners' Court of Titus County, Texas. This the 10th day of December, 1940.

C. T. Neugent
County Judge, Titus Co., Tex.

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IN THE MATTER OF PAYING ROAD & BRIDGE SCRIP WARRANTS:

BE IT REMEMBERED that on the 9th day of December, 1940, the Commissioners' Court of Titus County, Texas, met in Regular Session at the Court House of said County in the City of Mt. Pleasant, with the following members, present, to-wit:

C. T. Neugent County Judge
T. L. Garrett Commissioner, Pre. 1
W. J. Cody Commissioner, Pre. 2
Ernest Brown Commissioner, Pre. 3
G. C. Lunsford Commissioner, Pre. 4

There came on to be considered the matter of payment of certain scrip warrants issued by the said Titus County, Texas, against the Road & Bridge Fund of said County.

Commissioner Lunsford presented for consideration an order and moved its adoption. The motion was seconded by Commissioner Cody. After due consideration and discussion of said order by the Court, the County Judge put the motion for a vote of the members of said court and the said vote is as follows:

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

NOES: None.

The said order is in words and figures as follows, to-wit:

"WHEREAS, certain scrip warrants are ordered issued by Titus County, Texas in payment of accounts for current expenses, and which scrip warrants are described as follows:

Warrant No.	Date	Payee	What For	Amount
5618	11-30-40	R. B. Allen	Janitor	\$ 60.00
5620	11-30-40	C. T. Neugent	Ex-Officio	175.00
5621	11-30-40	T. L. Garrett	"	116.66
5622	11-30-40	G. C. Lunsford	"	116.66
5623	11-30-40	Ernest Brown	"	116.66
5624	11-30-40	W. J. Cody	"	116.66

5625	11-30-40	Les Thompson	Ex-Officio	75.00
5700	12-9-40	Baker's Tin Shop	Funnel for Tractor	2.50
5709	12-9-40	Mrs. Louise Blythe	Gravel	22.35
5712	12-9-40	Ed Cook	Gravel	4.50
5713	12-9-40	W. L. Justiss	Fresno & team	59.50
5714	12-9-40	W. R. Conkle	Labor	3.00
5715	"	L. D. Johnson	"	24.00
5716	"	George Campbell	"	57.23
5717	"	C. H. Reese	"	69.28
5718	"	Nolan Hays	Lumber	90.44
5719	"	John Traylor	Labor	51.00
5720	"	Ray Carson	"	10.50
5721	"	J. A. Furr	"	12.00
5722	"	Durward Stanley	"	11.25
5723	"	Robert Price	"	24.00
5724	"	Luther Morris Cook	Gravel	4.05
5725	"	Ned Cornelius	Labor	27.00
5726	"	Murl Bean	"	26.25
5727	"	Joe Littlefield	"	62.70
5728	"	Howard Morris	"	26.25
5729	"	J. B. Osborn	Blacksmithing	8.75
5730	"	Herbert Kelley	Labor	27.00
5731	"	C. W. Graf	Gravel	13.40
5732	"	Henry Mason	"	4.40
5733	"	Herman Crain	"	4.60
5734	"	Wilbur Mason	"	1.20
5735	"	Calvin Homer	Labor	31.50
5736	"	R. T. Montgomery	"	31.50
5737	"	Reed Johnson	"	60.00
5738	"	Lloyd Eller	"	28.50
5739	"	Ray Circle	Blacksmithing	37.05
5740	"	Bob Benefield	Labor	33.00
5741	"	Luther Banks	"	29.00
5742	"	Hollie Banks	"	80.00
5743	"	Eugene Mankins	"	44.80
5744	"	Ernest Van Zandt	"	67.22
5745	"	Gus Storey	"	31.50
5746	"	George Byrd	"	10.50
5747	"	R. C. Hall	"	4.50
5748	"	Gus Thompson	Gravel	3.75
5749	"	Leonard Justiss	Labor	50.90
5750	"	Vernon Sinclair	"	17.49
5751	"	R. G. Nicholson	Lumber	93.26
5752	"	Orange Justiss	Labor	24.66
5753	"	Walter Welch	"	41.00

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5754	12-9-40	Ollie Hatfield	Labor	41.00
5755	"	Vernie Stotts	"	41.75
5756	"	Luther Cook	"	66.20
5757	"	H. H. Wilmurth	Gas	1.00
5758	"	J. T. McRoberts	Lumber	77.32
5759	"	Claud Parr	Labor	52.50
5760	"	F. D. Thomas	Hdw.	82.70
5761	"	Bus Presley	Nails	11.40
5762	"	City of Mt. Pleasant	Water	6.35
5763	"	Pauline Dale	Extra help-relief off.	32.00
5764	"	Fay Harris	Extra work-Co. Judge	30.00
5765	"	Madden & Falls	Shop Work	29.10
5766	"	Gulf Oil Corp.	Gas & Oil	518.18
5767	"	Humble Oil & Ref. Co.	"	145.31
5768	"	Continental Oil Co.	"	37.13
5769	"	Magnolia Oil Co.	"	111.76
5770	"	Ark. Fuel Oil Co.	"	11.60
5771	"	Jesse Newman	Rent	10.00
5772	"	Harry Grissom	Rent-sewing room	20.00
5773	"	W. W. Pryor	Rent-relief office	20.00
5774	"	Texas State Emp. Serv.	Expense	17.50
5775	"	McClure-Harris Co.	Parts	11.93
5776	"	Texas Co.	Gas & Oil	90.91
5777	"	C. G. Clark	Gas & Oil, & Tires	160.83
5778	"	J. A. Davis	Installing Gas Heaters in sewing room	15.50
5779	"	Mrs. G. R. Ard	Meals	21.35
5780	"	O. L. Taylor	Shovels	7.50
5781	"	A. S. Williams	Lumber	35.96
5782	"	L. O. Bowden	Tires & Gas & Oil	82.80
5783	"	Searoy Stanley	Gas & Oil	3.45
5784	12-10-40	Lottis Wilson	"	4.10
5785	"	G. C. Garrett	Hdw.	8.50
5786	"	Irvin-Sandlin Chev. Co.	Labor & Parts	85.78
5787	"	H. G. Brown	Service-condemnation cases	52.50
5788	"	G. G. Crawford	Parts	13.76
5789	"	Mt. Pleasant Lbr. Co.	Lumber	9.24
5790	"	Bess Rogers Co.	Hdw.	2.50
5791	"	C. E. Jones	Talco Sewing Room	100.71
5792	"	R. B. George Mach. Co.	Parts	3.89
5793	"	Lide's Cash Store	Miss. Sewing Room	31.08
5794	"	O. E. Hosford	Labor & Parts	23.35
5795	"	Mayfield Garage	Parts	4.59
5796	"	Proctor's Drug Co.	Drugs	7.80
5797	"	Mt. Pleasant Motors Inc.	Parts	6.45
5798	"	J. D. Adams Co.	Parts	185.96

5799	12-10-40	O. E. Goolsby	Parts	.60
5800	"	Daffer-Truck & Imp.	Parts	40.42
5801	"	Square Deal Garage	Labor	16.20
5802	"	Wilson Hdw.	Hdw.	1.07
5803	"	Sessions Lbr. Co.	Lumber	33.60
5804	"	G. H. Riddle	5 keys	1.25
5805	"	Charlie Smelser	Gravel	19.12
5806	"	Jessie Johnson	Gen. Co. Warrants #5168, #5365, #5616	177.35
5807	"	Turner Bros.	Funeral-Irene Kinchon	15.00
5808	"	Talco Asphalt & Ref. Co.	Oil	4.77
5809	"	S. W. Gas & Elec. Co.	Storage Relief Office	15.00
5810	"	Ross Hargrove	Wood	1.50
5811	"	Sewell Auto Supply Co.	Parts	7.73
5812	"	R. H. Meadows	Hdw.	11.05
5813	"	Lowry Hdw. & Furn. Co.	Rent - machines	27.50
5814	"	Joe Dalby Garage	Labor & Parts	46.80
5815	"	Johnson-Justiss	Labor & Parts	37.85
5816	"	S. W. Bell Tel. Co.	LD Service	58.85

WHEREAS, all of the above mentioned scrip warrants were and are valid obligations upon the Road and Bridge Fund of said County; and there may not be sufficient funds on hand in said Road and Bridge Fund to pay said warrants when presented, and The First National Bank in Mt. Pleasant, Texas, being the depository for said County, will in due course have such scrip warrants presented to it for payment; and

WHEREAS, it is contemplated that said County will receive about the month of April, 1941, prior thereto and thereafter, certain funds and monies as its part or portion due for automobile licenses and registrations in said County for said year, and it will become a part of the Road and Bridge Fund of said County.

NOW, THEREFORE, be, and it is, hereby ordered by the Commissioners' Court of Titus County, Texas, that there be and is hereby pledged unto The First National Bank in Mt. Pleasant, Texas, its successors and assigns, all of the first funds that may be hereafter collected from and of current revenues for the year 1940, not heretofore pledged and not legally due for sinking fund requirements therefrom, and/or the first monies and revenues due and owing and that may be paid and collected as the County's part or portion of the automobile licenses and/or registrations for and on automobiles or other motor vehicles paid in said County for the year 1941 from and with which to re-pay said Bank for the amounts of the above mentioned scrip warrants, with interest as herein provided, which said Bank has paid, or may hereafter pay, to the holders thereof; and the said Commissioners' Court hereby obligates said County to pay unto the said The First National Bank in Mt. Pleasant, Texas, its successors and assigns, the amount of its aforesaid scrip warrants obligations which said Bank has paid or may hereafter pay unto the holders thereof, together with interest upon each of said warrants from the date of the paying of same by said Bank to the holders thereof at the rate of 6% per annum.

PASSED AND APPROVED this the 9th day of December, 1940.

ATTEST:

County Clerk.

County Judge.

The above minutes read and approved.

ATTEST:

County Clerk.

County Judge.

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