

April 18, 1941.

ORDER AUTHORIZING ROAD MACHINERY WARRANTS

THE STATE OF TEXAS |
COUNTY OF TITUS |

ON THIS the 18 day of April, 1941, the Commissioners' Court of Titus County, Texas, convened in regular session at a regular term of said Court, with all members thereof present, viz:

ED DICKSON,	COUNTY JUDGE,
T. L. GARRETT,	Commissioner Precinct No. 1
MORRIS WHITE,	Commissioner Precinct No. 2
ED NUGENT,	Commissioner Precinct No. 3
NORMAN GOODWIN,	Commissioner Precinct No. 4
FLOYD KEITH,	County Clerk

AND PASSED the following order:

IT APPEARING affirmatively that the Commissioners' Court of Titus County has determined that it is to the best interest of Titus County and to its citizens and taxpayers, and particularly to the public roads of said County, that Titus County should purchase: One Power control ten (10) foot grader; One Scarfire attachment, and One Tractor of not less than Sixty (60) horsepower, for use in the construction and maintenance of the public roads of Titus County;

AND IT FURTHER APPEARING affirmatively that the Commissioners' Court has caused notice to be published once each week for at least two consecutive weeks in a newspaper of general circulation published in said County, the first of which publications was at least two full weeks before the date set for receiving bids, which notice is as follows:

NOTICE TO BIDDERS

THE STATE OF TEXAS |
COUNTY OF TITUS |

NOTICE IS HEREBY given that sealed bids addressed to Ed Dickson County Judge, of Titus County, Texas, at the Courthouse of Mount Pleasant, Texas, will be received until 10:00 A. M. on the 14th day of April, 1941, for the purchase of road machinery to be used in the construction, improvement and maintenance of the public roads of said County, briefly described as follows:

- One (1) Power control ten (10) foot Grader;
- One (1) Scarfire attachment,
- One (1) Tractor of not less than Sixty (60) horsepower.

The County reserves the right to reject any and/or all bids.

It is the intention of the Commissioners' Court of Titus County to issue time warrants in payment for such road machinery and contracts therefor in the maximum amount of not exceeding \$7,000.00, bearing interest at the rate of not exceeding 5% per cent per annum, and maturing serially over a maximum period of not exceeding eight years from their date.

ED DICKSON,
County Judge.

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AND IT FURTHER APPEARING to the Court that on April 14, 1941, the day provided in said notice, the Commissioners' Court of said County did receive bids for the purchase of such road machinery, and did award contracts therefor as follows:

- (a) Contract with J. D. Adams Co. for the purchase of
 one grader & one scarf attachment at the price of \$ 2,275.00
 making \$2,275.00 to be paid in warrants;
- (b) Contract with R. B. George Mch. Co. for the purchase of
 One sixty horsepower tractor at the price of \$ 4,400.00
 to be paid in warrants;

THE AMOUNTS to be paid the respective companies in warrants, as above set out, are as follows:

J. D. Adams Co.	\$ 2,275.00
R. B. George Mch. Co.	\$ 4,400.00

Total - - \$ _____

AND IT FURTHER APPEARS, and the Court affirmatively so finds that, in order that the warrants that are being issued in payment for such road machinery may be made in even \$500.00 denomination, except Warrant No. 1 for \$675.00, the J. D. Adams Co., in consideration of \$275.00 paid by R. B. George Mch. Co., has assigned and transferred to said R. B. George Mch. Co., a \$275.00 interest in and to the above mentioned \$275.00 claim against Titus County. Said transfer is hereby approved.

IT FURTHER APPEARS, and the County affirmatively so finds that said road machinery has been received by Titus County, in good condition and that they have been inspected by this Court and found to be in accordance with the contracts therefor, and that said used road machinery has been delivered in part payment therefor, as hereinbefore set out, and that the County is indebted to the respective companies therefor as follows, to-wit:

To R. B. George Mch. Co.	\$ 4,675, less the above mentioned \$275.00 assignment,
aggregating	\$ 4,400.00.
To J. D. Adams Co.	\$2,000.00, plus the above mentioned \$275.00 assignment,
aggregating	\$ 2,275.00.

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

That the purchase of said road machinery, as herein described, be and the same is hereby ratified and approved; and that the claim of R. B. George Mch. Co. for \$4,657.00 less \$275.00 assignment, aggregating \$4,400.00 is hereby approved; and that the claim of J. D. Adams Co. for \$2,000.00, plus the \$275.00, assignment, aggregating \$2,275.00 is hereby approved; and that the \$6,675.00 interest bearing time warrants hereinafter described shall be made payable to bearer and that \$2,000.00 thereof shall be delivered to J. D. Adams Co. and that \$4,675.00 shall be delivered to R. B. George Mch. Co., in payment for the hereinbefore described road machinery.

IT IS FURTHER ORDERED BY THE COURT that for the purpose of paying for such road machinery interest bearing time warrants of said County, to be called "TITUS COUNTY ROAD MACHINERY WARRANTS, SERIES 1941" be issued and made payable to bearer, in the aggregate sum of \$6,675.00, evidencing the debt of said County to said contractors in payment for such road machinery.

Said Warrants shall be numbered from 1 to 13 inclusive, and shall be in the denomination of Five Hundred (\$500.00) Dollars, Except Warrant No. 1 for \$675.00, aggregating \$6,675.00.

They shall be dated April 15, 1941, and shall bear interest at the rate of Five (5%) per cent per annum, payable April 15, 1942, and semi-annually thereafter on October 15th, and April 15th, each year, which interest is a part of the contract price agreed to be paid for such road machinery, and shall be evidenced by coupons attached to each of such warrants.

Principal and interest of such 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.

They shall be made to mature serially according to the following schedule:

NUMBERS	DATE OF MATURITY	AMOUNT
1	Apr. 15, 1942	675.00
2	43	500.00
3	44	500.00
4 & 5	45	1000.00
6 & 7	46	1000.00
8 & 9	47	1000.00
10 & 11	48	1000.00
12 & 13	49	1000.00

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 said County shall be impressed upon each of them. The coupons attached to such warrants may be executed by the fac-simile signatures of the County Judge and the County Clerk, and shall have the same effect as if they had been signed by them.

SUCH WARRANTS shall contain recitals and be substantially in the following form:

NO. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF TITUS

TITUS COUNTY ROAD MACHINERY WARRANT, SERIES 1941

THE COUNTY OF TITUS, in the State of Texas, for a valuable consideration, acknowledges itself indebted and hereby promises and obligates itself to pay to bearer, at the Office of the County Treasurer, of Titus County, at Mount Pleasant, Texas, on the 15th day of April 19__ the sum of

FIVE HUNDRED DOLLARS

in lawful money of the United States of America, with interest thereon from the date hereof at the rate of 5% per annum, interest payable April 15, 1942, and semi-annually thereafter on October 15th and April 15th each year, upon presentation and surrender of warrant or proper coupon; and the Treasurer of said County is hereby authorized, ordered and directed to pay to bearer, said principal sum together with interest thereon, evidenced by the coupons attached hereto, at the above named office.

THIS WARRANT is one of a series of 13 warrants, numbered from 1 to 13, inclusive, in the denomination of \$500.00 each, except Warrant No. 1 for \$675.00, aggregating \$6,675.00, issued for the purpose of evidencing the indebtedness due by said County for the purchase of

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road machinery for use in construction and maintenance of public roads in said County, in accordance with contracts therefor, under and by virtue of the Constitution and Laws of the State of Texas, and pursuant to an order passed by the Commissioners' Court of Titus County, which order is of record in the Minutes of said Court.

The date of this warrant, in conformity with the order above mentioned, is April 15, 1941.

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 of the series of which it is a part, 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 limitations, and that provision has been made for the levy and collection of taxes annually for the payment of the principal and interest of this warrant, and of this series of warrants, 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 date last above written, and registered by the County Treasurer.

COUNTERSIGNED:

County Judge, Titus County, Texas.

County Clerk.

REGISTERED THIS 6 day of _____, 1941.

County Treasurer.

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

NO. _____

\$ _____

ON THE 15TH DAY OF _____, 19____,

the County Treasurer of Titus County, Texas, will pay to bearer, at his Office in Mt. Pleasant, Texas, the sum of

_____ DOLLARS

being _____ months' interest due that date on Titus County Road Machinery Warrants, dated April 15, 1941, Warrant No. _____.

County Clerk.

County Judge.

IT IS FURTHER ORDERED that the County Judge and the County Clerk and the County Treasurer are hereby authorized and directed to execute and deliver \$ _____ of the hereinbefore described warrants to _____, and \$ _____ thereof to _____, without any 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 Road and Bridge Tax, against all taxable property in said County for the year 1941, and for each succeeding year while said warrants or any of them are outstanding;

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And to pay the interest on said warrants and to create a sinking fund with which to pay the principal at maturity, such tax or and at the rate of 1½ cents on each One Hundred Dollars' valuation of taxable property in said County is hereby levied for the year 1941, 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 on each One Hundred Dollars valuation of taxable property in said County within the limits permitted by the Constitution and Laws of Texas, 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 foregoing order having been read, it was moved by Commissioner Garrett, and seconded by Commissioner Nugent that the same be passed; and upon the question being called it was unanimously passed, Commissioners GARRETT, WHITE, NUGENT, GOODWIN voting AYE; and no one voting NO.

Ed Dickson
COUNTY JUDGE

OFFICERS SIGNATURE NON-LITIGATION CERTIFICATE

THE STATE OF TEXAS I
COUNTY OF TITUS X

WE, the undersigned officer of Titus County, Texas, hereby certify that we did officially sign the following described warrants:

THIRTEEN TITUS COUNTY ROAD MACHINERY WARRANTS, dated April 15, 1941, numbered 1 to 13, both inclusive, in denomination of \$500.00 each, except No. 1 for \$675.00, aggregating \$6,675.00, bearing interest at the rate of 5% per annum, and maturing serially on April 15, 1942 to 1949.

WE FURTHER CERTIFY that at the time of signing said warrants and also at the time of executing this certificate, we were and are the duly elected, qualified and acting officers of said County as indicated on this certificate, and are authorized to execute said warrants.

WE FURTHER CERTIFY that there is no litigation either pending or threatened restraining or enjoining the issuance and delivery of said warrants or the levy and collection of taxes in payment thereof, nor in any manner questioning the proceedings and authority by which said warrants are issued, and that none of the proceedings authorizing the issuance of said warrants, have been repealed.

WE FURTHER CERTIFY that neither the corporate existence nor the boundaries of said county nor the titles of the present officers to their respective offices are being contested.

WE FURTHER CERTIFY that we are acquainted with the official seal of the Commissioners' Court of said County and that said seal is affixed to each of said warrants, and that a correct impression of said seal is also affixed to this certificate.

WE FURTHER CERTIFY that the coupons attached to said warrants are executed by the fac-simile signatures of Ed Dickson, County Judge, and Floyd Keith, County Clerk.

WE FURTHER CERTIFY that we delivered said warrants in payment for the purchase of road machinery for use in the construction and maintenance of public roads of said county, in

accordance with orders of the Commissioners' Court of said County.

WE FURTHER CERTIFY that Titus County does not have or claim any offset or counterclaim against the hereinbefore described warrants.

WITNESS OUR OFFICIAL SIGNATURES and the Seal of the Commissioners' Court of said County, this the 30 day of Apr., 1941.

Ed Dickson, County Judge
Floyd Keith, County Clerk
D. C. Morgan, County Treasurer.

(Seal)

I HEREBY CERTIFY that the foregoing signatures of the above officers are genuine.

Modest DuBose Cashier
FIRST NATIONAL BANK
MT. PLEASANT, TEXAS

(BANK SEAL)

FINANCIAL STATEMENT
TITUS County, Texas.

I. TAXABLE VALUES

Assessed value of real estate for the year 1940 as shown by last approved assessment rolls	\$ 7,639,166.64
Assessed values of personal property for the year 1940 as shown by last approved assessment rolls	\$ 1,222,415.00
Total	\$ 8,861,571.64

Estimated Population of _____ County, Texas

II. GENERAL TAX RATE

Actually levied for year 19____, _____

III. BONDED INDEBTEDNESS

(See exhibit attached)

IV. TIME WARRANTS

(See exhibit attached)

FLOATING DEBT

Total tax levy necessary per annum to pay indebtedness of all kinds \$ _____

STATE OF TEXAS,)
COUNTY OF TITUS)

I hereby certify that the above and foregoing statement is a true and correct account of the indebtedness of TITUS County, Texas, of every character on the date above written, as shown by the records of my office.

ATTEST: Floyd Keith
County Clerk TITUS County, Texas
D. C. Morgan
County Treasurer TITUS County, Texas.

I HEREBY CERTIFY, That the above statement as to the taxable values of TITUS County, Texas, is true and correct, as shown by the assessment rolls of said County last approved.

WITNESS my official signature this the 19 day of APRIL, 1941.

(SEAL)

W. W. Mason, Deputy
County Tax Assessor TITUS County, Texas

STATEMENT OF INDEBTEDNESS - TITUS COUNTY, TEXAS.

BONDED INDEBTEDNESS:

PURPOSE	DATE	INT.	MATURITY	AMOUNT OUTSTANDING	ISSUED UNDER CONSTITUTION ART/SEC.
R.D. #1	3/15/16	5%	3M 3/15/42-45 3M 3/16/46 5M 3/15/47-48 5M 3/15/50-54	\$48,000.00	3/52
R.D. #3	3/15/16	5%	\$500 1942/44 1M 1945; 500 1946/48; 1M 1949; 500 1950/52; 1M 1953; 500 1954/56;	9,000.00	3/52
R.D.#5	6/1/18	5½%	1M 6/1/41; 2M 1942 1M 1943-47 2M 1948	10,000.00	3/52
R.D. #8	5/10/16	5%	2M 1941-51 1M 1952	23,000.00	3/52
Sp. Rd.	1/10/19	5½%	20M 1942/47; 8M 1948	128,000.00	3/52
Rd. Ref.	4/10/37	4½%	Ser. 1942 to 52	17,000.00	3/52
Rd. Ref.	10/10/36	5%	Ser. 1941/53	85,000.00	3/52
Rd. Ref.	4/10/40	3½%	Ser. 1942/45	19,000.00	3/52
R&B Ref.	7/10/39	4½%	2M 4/10/42; 3M 1943; 4M 1944-48; 2M 1949	27,000.00	8/9
Gen. Fd.	10/10/39	5%	1M 1946-54	9,000.00	8/9
Per. Imp.	6/10/40	3½%	8500 1941 8M 42-43 7 M 44-45 6M 46-48	56,500.00	
RD. Ref	9/10/40	4%	5M 1943-46	20,000.00	8/9
R & B Fd.	7/1/40	4½%	2M 4/1/42-48 4M 1949; 6M 1950-51	30,000.00	8/9
Gen. Fd.	5/28/40	4½%	Ser. 1942/57	59,250.00	8/9
WARRANT INDEBTEDNESS:					
Rd Moh.	5/10/37	5½%	1M 1941	1,000.00	8/9
R & B	3/14/38	6%	1M 1942	1,000.00	8/9
R & B	8/10/37	6%	1M 8/10/41	1,000.00	8/9
Courthouse Imp	9/15/40	5%	1M 1943-45 2M 1946-47	7,000.00	8/9
PRESENT ISSUE					
Rd. Moh Wts.	4/15/41	5%	675 4/15/42 500 4/15/43-44 1M 4/15/45-49	6,675.00	8/9

CERTIFICATE OF NO-PROTEST

THE STATE OF TEXAS |
 COUNTY OF TITUS |

WE, the undersigned County Judge and County Clerk, respectively, of Titus County, Texas, hereby certify that since the advertisement for bids, and giving notice of intention to issue time warrants, being

\$6,675.00 TITUS COUNTY ROAD MACHINERY WARRANTS,
 bearing 5% interest dated 4/15/41,
 Numbered 1 to 13 inclusive, in
 denomination of \$500.00, except No.
 1 for \$675.00 Maturing serially on
 4/15 from 1942 to 1949, both inclusive.

NO PROTEST or other objection to the issuance of such warrants has been made to the County Judge or Commissioners' Court of Titus County, Texas, by 10% or any other number of citizens of Titus County.

WITNESS OUR OFFICIAL SIGNATURES this the 18, day of April, 1941.

Ed Dickson, County Judge,
 Floyd Keith, County Clerk

(SEAL)

TITUS COUNTY, TEXAS.

 Commissioners Court
 Titus Co.
 Mt. Pleasant, Texas
 April 19, 1941

Received of Ed Dickson, County Judge of Titus County Texas. Check #7294 for \$195.00 Said check being the amount of deposit with bid submitted by McClure-Harris Company with County Judge, for bid on one Allie-Chalmers Tractor. This bid was not accepted.

A. M. White
 Agent for McClure-Harris Co.

 The above minutes read and approved.

ATTEST: Floyd Keith
 County Clerk

Ed Dickson
 County Judge.
