

SPECIAL SESSION-April 7, 1942

THE STATE OF TEXAS |
COUNTY OF TITUS |

On this the 7 day of April, 1942, the Commissioners Court of Titus County, Texas, met in special meeting at a special term of said Court, with the following members present, to-wit:

ED DICKSON,	County Judge,
T. L. GARRETT	Commissioner Precinct #1
MORRIS WHITE	Commissioner Precinct #2
ED NUGENT	Commissioner Precinct #3
NORMAN GOODWIN	Commissioner Precinct #4
FLOYD KEITH,	County Clerk, and Ex-Officio Clerk of the Commissioner's Court

and the following proceeding were had to-wit:

IN THE MATTER OF AUTHORIZING CO. TREASURER TO DEDUCT FROM PAYMENT OF APRIL 10, 1942, GENERAL FUND BOND COUPONS WHICH WILL BE DUE TITUS CO. AVAILABLE SCHOOL FUND, IN THE AMOUNT OF \$57.30, AND TO PAY \$57.30 TO C. N. BURT & COMPANY OUT OF GEN CO. INT. & SINKING FUND.

Motion was made by Commissioner Goodwin seconded by Commissioner Garrett that the County Treasurer be authorized and directed to deduct from the payment of the April 10, 1942, General Fund Bond Coupons which will be due the Titus County available school fund, the amount of \$57.30 and pay the amount of \$57.30 to C. N. Burt & Company, Dallas, Texas, which is the amount still due said C. N. Burt & Company, but interest adjustment at the time the Permanent School Fund purchased \$9,000.00 General Fund Refunding 4 1/2% bonds; and the County Clerk is hereby authorized to issue a warrant against the General County Int. & Sinking Fund accordingly.

Ed Dickson, County Judge.

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

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

AYES: Commissioners Garrett, White, Nugent and Goodwin.

NOES: None.

The County 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 a 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 15th day of May, 1942, 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 Twenty Five Thousand (\$25,000.00) Dollars, bearing interest at the rate of four and one-fourth (4 $\frac{1}{4}$ %) per cent per annum, and maturing serially in such installments as may be fixed by the Court, the maximum maturity or final installment to be not later than fifteen (15) years after the date of said bonds, for the purpose of taking up, cancelling, refunding and in lieu of a like amount of interest bearing time warrants described as follows:

Titus County Road and Bridge Warrants, Series 1941, dated December 15, 1941, bearing interest at the rate of Four and one-half (4 $\frac{1}{2}$ %) per cent per annum, numbered Thirty One (31) to Fifty (50), both incl., of the denomination of Five Hundred (\$500.00) Dollars, each aggregating Ten Thousand (\$10,000.00) Dollars, and maturing serially \$4,000.00 April 15, 1953, and \$6,000.00 April 15, 1954.

Titus County Road and Bridge Time Warrants, Series 1942, dated March 10, 1942, bearing interest at the rate of Four and one-half (4 $\frac{1}{2}$ %) per cent per annum, numbered One (1) to Thirty (30), both inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating Fifteen Thousand (\$15,000.00) Dollars, and maturing serially \$500.00 on April 15th each of the years 1943 to 1947, inclusive; \$1,000.00 April 15, 1948; \$1,500.00 on April 15, 1949; \$2,000.00 April 15, 1950-51; \$3,000 April 15, 1952; and \$1,000.00 April 15, 1953.

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 ___ day of April, 1942.

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 7 day of April, 1942.

ATTEST: Floyd Keith,
County Clerk and Ex-officio Clerk,
Commissioners' Court, Titus County,

Ed Dickson, County Judge, Titus County, Texas.

(SEAL)

THE STATE OF TEXAS |
COUNTY OF TITUS |

I, the undersigned, County Clerk and Ex-officio Clerk of the Commissioners' Court of Titus County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an order (and of the minutes pertaining thereto) passed by the Commissioners' Court of Titus County, Texas, on the 7th. day of April, 1942, directing the County Judge to give notice of intention to issue Road and Bridge Refunding Bonds, which order is duly of record in Book ___ page ___, et seq., of the minutes of the Commissioners' Court.

WITNESS MY HAND AND SEAL of the Commissioners' Court this the 7 day of April, 1942.

(SEAL)

Floyd Keith, County Clerk and Ex-officio Clerk of
the Commissioners' Court, Titus County, Texas.

THE STATE OF TEXAS |
 COUNTY OF TITUS |

On this the 7 day of April, 1942, the Commissioners' Court of Titus County, Texas, convened in Special meeting in the Courthouse in the City of Mount Pleasant, Texas, with the following members of the court present, to-wit:

Ed Dickson	County Judge
T. L. Garrett	Commissioner Precinct No. 1,
Morris White	Commissioner Precinct No. 2,
E. E. Nugent	Commissioner Precinct No. 3,
Norman Goodwin	Commissioner Precinct No. 4,
Floyd Keith	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 Nugent introduced a proposed order and made a motion that it be passed. The motion was seconded by Commissioner White. The motion was carried by the following vote:

AYES: Commissioners Garrett, White, Nugent and Goodwin.

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 \$5,000.00
 TITUS COUNTY ROAD AND BRIDGE TIME WARRANTS,
 SERIES 1942, and PASSESSING 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 9th. day of March, 1941, passed an order authorizing the issuance of Titus County Road and Bridge Time Warrants, Series 1942, dated March 10, 1942, \$15,000.00, bearing interest at the rate of four and one-half (4½) 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 for the construction of permanent improvements of its lateral 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	WHAT FOR	AMOUNT
1	3-9-42	Clifton Phillips	Labor	4.00
2	"	Eugene Ahea	Labor	4.00
3	"	Vernie Stotts	"	41.87
4	"	Melvin Storey	Labor	41.15
5	"	Merwin Smith	Labor	4.04
6	"	Ollie Snyum	Labor	34.00
7	"	Ophus Dunn	Labor	35.87
8	"	Jack Hatfield	Labor	39.00
9	"	Gus Thompson	Labor	92.00
10	"	Frank Cox	Labor	72.00
11	"	V. J. Narramore	Lumber	120.62
12	"	Earl Cook	Labor	83.00
13	"	Willie Peacock	Labor	48.50
14	"	Fon Witt	Gravel	3.45
15	"	Walter Welch	Labor	44.00
16	"	Winifred Tabb	Labor	12.00
17	"	Albert Brown	Gravel	4.50
18	"	Frank Sinclair	Labor	8.00
19	"	Ollie Hatfield	Labor	38.15
20	"	Orange Justiss	Labor	31.75
21	"			

AA1372

NO	DATE	TO WHOM ISSUED	WHAT FOR	AMOUNT
22	3-9-42	Geo. Campbell	Labor	78.85
23	"	Wuck Self	Gas & Oil	30.63
24	"	W. A. Hayden	Nails	6.75
25	"	Willie Peacock	Labor	3.00
26	"	Jim Jordan	Labor	2.00
27	3-10-42	Pittsburg Foundry & Machine Co.	Parts	1.50
28	"	Dalby's Garage	Parts & Repairs	51.25
29	"	Times Rev. Print Co.	Printing-Stationery	4.00
30	"	Ark. Fuel Oil Co.	Gas	9.50
31	"	J. D. Adams Co.	Parts	116.96
32	"	Continental Oil Co.	Wash & Grease	1.50
33	"	Mt. Pleasant Stry. Co.	1 Battery	12.00
34	"	Allen Patrick	Labor	24.00
35	"	Jackson Serv. Sta.	Gas	7.34
36	3-11-42	Irvin-Bandlin	Labor & Parts	45.82
37	"	Driggers Lbr. Co.	Sed Material	2.32
38	"	Gulf Oil Corp.	Gas & Oil	1.80
39	"	Deffer Truck & Imp. Co.	Labor & Parts	48.18
40	"	McClure-Harris Co.	Parts	1,044.50
41	"	G. C. Garrett	Nails	22.00
42	"	Magnolia Petr. Co.	Gas & Oil	367.68
43	"	The Texas Co.	Gas & Oil	26.47
44	"	C. C. Clark	Parts & Tires	211.31
45	"	C. N. Burt	2x \$5000.00 h & b Wts.	100.00
46	"	Ivan Brizzell Pts. Co.	Parts	7.23
47	3-12-42	Wuck Self	Gas & Oil	30.55
48	"	Thomas McKelvey	Labor	3.00
49	"	Ray Ciroles	Blacksmithing	10.55
50	"	Tommie Brown	Labor	2.00
51	"	O. B. Goolsby	Parts & Labor	2.85
52	"	Jess Rogers Co.	Hdw.	.50
53	"	Dalby's Garage	Parts & Labor	3.50
54	"	McClure-Harris	Parts	20.85
55	"	C. R. Hosford	Parts & Labor	30.90
56	"	Wilson Hdw.	Hdw.	1.20
57	"	Humble Oil Co.	Gas & Oil	5.01
58	"	Ray Davis	Labor	8.00
59	"	Gus Thompson	Labor	77.10
60	"	Melvin Story	Labor	30.00
61	3-12-42	Marvin Smith	Labor	69.00
62	"	Jack Hatfield	Labor	23.00
63	"	Larl Cook	Labor	37.00
64	"	Frank Cox	Labor & Use of car	100.00
65	"	Jim Jordan	Labor	4.00
66	"	Ray Davis	Labor	7.00
67	"	Bob Hodge	Labor	3.00
68	"	Ira Mason	Labor	5.00
69	"	Calvin Wresman	Labor	8.00
70	"	H. F. Sinclair	Labor	4.00
71	"	Ophus Dunn	Labor	35.38
72	"	Geo. Campbell	Labor	66.80
73	"	Walter Welch	Labor	40.00
74	"	Jackson Serv.	Gas & Oil	13.67
75	"	Western Auto	Parts	13.09
76	"	Ollie Lynum	Labor	36.84
77	"	Geo. Capehart	Labor	8.00
78	"	Willie Peacock	Labor	60.00
79	"	Vernie Stotts	Labor	66.00
80	"	Ollie Hatfield	Labor	37.78
81	"	Orange Justice	Labor	72.00
82	"	Ray Davis	Labor	8.00
83	"	Lee Thompson	Road Supt	70.00
84	"	The Texas Co.	Gas & Oil	549.27
86	3-26-42	McLemore Auto Parts	Tires & tube	16.25
90	4-7-42	Johnson-Justice Motor Co.	Truck & Tractor repairs	201.65
89	"	Commercial Recosetting Co.	Filing	98.00
88	"	Irvin-Bandlin Chev. Co.	Truck repair	31.75
87	"	C. N. Burt & Co.	Part fee	100.00
				\$5,008.08
Aggregating - - - -				8,008.08

WHEREAS, said bank has agreed to accept in lieu thereof said interest-bearing time warrants in the amount of \$5000.00 being credited on the books of the County with a balance of \$8008, 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 1942, dated March 10, 1942, numbers twenty-one to thirty, both inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating

\$5000.00.

2. That the bank be credited on the books of the County in the further sum of \$9.08, representing the excess of claims over and above the aggregate amount of warrants thus delivered to said bank, which amount shall be carried forward on the next installment delivery of warrants.

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 7 day of Apr. 1942.

ATTEST: Floyd Keith, County Clerk and Ed Dickson, County Judge, Titus County, Texas.
Ex-Officio Clerk of the Commissioners' Court.

THE STATE OF TEXAS |
COUNTY OF TITUS |

I, the undersigned, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Titus County, Texas, do hereby certify that the above and foregoing is a true, full and correct copy of an order (and of the minutes pertaining thereto) passed on the ___ day of _____, 1942, authorizing the issuance and delivery of \$_____, Titus County Road and Bridge Time Warrants, Series 1942, and prescribing the further duties of the County Officials and of said Bank in connection therewith, which order is duly of record in the minutes of said Court in Book ___, at page ___.

WITNESS MY HAND and seal of said Court this the 7 day of Apr. 1942.

(SEAL) Floyd Keith, County Clerk and Ex-officio
Clerk of the Commissioners' Court, Titus County, Texas.

SIGNATURE IDENTIFICATION AND NON-LITIGATION CERTIFICATE

STATE OF TEXAS |
COUNTY OF TITUS | SS.

WE HEREBY CERTIFY, that we did officially sign the \$5000. of Titus County Road and Bridge Time Warrants Series 1942 drawing 4½ per cent interest, payable semi-annually and delivered herewith, said warrants being dated March 10, 1942 being of \$500.00 denomination, numbered 21 to 30 both inclusive being part of an issue aggregating \$15,000.00, maturing serially throughout the years 1943 to 1953, 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 or 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

AA1372

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 13th. day of April, 1942.

SIGNATURE		OFFICIAL TITLE
Ed Dickson		County Judge
Floyd Keith	(Official Seal)	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
First National Bank
Mt. Pleasant, Tex. Bank.

(SEAL)

Dated at Mt. Pleasant, Texas this 13th. day of April, 1942.

THE STATE OF TEXAS |

COUNTY OF TITUS |

On this the 13 day of April, 1942, we Ed Dickson, County Judge, Floyd Keith, 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 \$5000 Titus County Road and Bridge Time Warrants, Series 1942, passed April 7, 1942 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 13 day of April, 1942.

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

(SEAL)

SUBSCRIBED AND SWORN TO BEFORE ME this the 13 day of April, 1942.

Hazel Rolston, Deputy County Clerk Ex-officio
Notary Public in and for Titus County, Texas.

(SEAL)

- - - () - - -

THE STATE OF TEXAS |

COUNTY OF TITUS |

WE, Ed Dickson, County Judge, Floyd Keith, 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 April 7th, 1942, 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 1942, dated March 10, 1942, Numbers 21 to 30, inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating \$5000, bearing interest at the rate of 4½% per annum, which said warrants were authorized by an order duly and legally passed by the Commissioners' Court of said County March 9, 1942, 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 1942, nor in any way affecting the titles of the within named officers to their respective office.

WITNESS OUR HANDS this the 13th day of April, 1942.

(SEAL)

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

SUBSCRIBED AND SWORN TO BEFORE ME this the 13th. day of April, 1942.

(SEAL)

Hazel Holston, Deputy Co. Clerk & Ex-officio-
Notary Public in and for Titus County, Texas.

- - - () - - -

THE STATE OF TEXAS |
COUNTY OF TITUS |

I, A. G. Daniel, Vice President of First National Bank, Mt. Pleasant, Texas, do hereby certify that said bank has received from

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

of said county "Titus County Road and Bridge Time Warrants, Series 1942", dated March 10, 1942, Numbers 21 to 30, inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating \$5000, of a total issue of \$15,000.00, bearing interest at the rate of four and one-half (4½) 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 9, 1942, 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 April 7, 1942, 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 13 day of April, 1942.

(SEAL)

A. G. Daniel, Vice President of the First National
Bank Mt. Pleasant, Texas.

SUBSCRIBED AND SWORN TO BEFORE ME this the 13th. day of April, 1942.

(SEAL)

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

There being no further business motion was made by Comm. White & seconded by Comm. Nugent to adjourn until regular court day April 13, 1942, all voted "aye" and the motion carried unanimously.