

AA1372

IN THE MATTER OF THE COMMISSIONERS COURT SPECIAL SESSION - January 15, 1945

BE IT REMEMBERED that the Commissioners Court of Titus County, Texas, met in Special Session this 15th. day of January at the courthouse in Mt. Pleasant, Texas with the following members

Present to-wit: I

- |                    |               |                      |
|--------------------|---------------|----------------------|
| I, the undersigned | Ed. Dickson   | County Judge         |
|                    | L. C. Banks   | Commissioner Prec. 1 |
|                    | Neil Fleming  | Commissioner Prec. 2 |
|                    | C. H. Wilson  | Commissioner Prec. 3 |
|                    | C. N. Goodwin | Commissioner Prec. 4 |

and the following proceedings were had to-wit:

IN THE MATTER OF WAIVER FOR COLLECTION OF DELINQUENT TAXES BY COUNTY ATTORNEY

WAIVER

STATE OF TEXAS I  
COUNTY OF TITUS I

I, the undersigned County Attorney of Titus County, Texas, do hereby acknowledge that the Commissioners' Court of said County has notified me to file suit for the collection of delinquent taxes in said county. However, due to the fact that it would be physically impossible for me to personally file and handle such suits and, at the same time, to properly discharge the other duties of my office and, to the further fact that the statutes do not provide adequate compensation for a County Attorney to file and prosecute suits for delinquent taxes, but do make adequate provisions for other attorneys to handle the same, I do hereby decline to file such suits and do hereby waive the thirty days' written notice provided in Article 7335, Revised Civil Statutes, and do hereby agree that the Commissioners' Court of said County may contract with some other competent attorney to enforce or assist in the enforcement of the collection of delinquent State and County Taxes.

Witness my hand this the 15th. day of Jan, A. D. 1945.

L. W. Vance, County Attorney  
Titus County, Texas.

IN THE MATTER OF RESOLUTION AND ORDER PASSED BY COMMISSIONERS COURT IN CONNECTION WITH DELINQUENT TAX CONTRACT.

RESOLUTION AND ORDER

On this the 15th. day of January, 1945, at a Special meeting of the Commissioners' Court of Titus County, Texas, there came on for consideration the making of a contract for the collection of delinquent taxes, and motion was made by C. N. Goodwin, County Commissioner of Precinct No. 4, seconded by L. C. Banks, County Commissioner of Precinct No. 1. That subject to approval by the Comptroller of Public Accounts and Attorney General of Texas said Commissioners' Court in behalf of said County do make and enter into a contract with T. R. Florey, Jr., a licensed attorney for the latter to collect delinquent taxes in said County for 10% of the amount of taxes, penalty and interest collected, said contract to end on the 31st. day of December, 1945, with six months thereafter to complete pending suits, requiring said attorney to give bond in the sum of \$5,000.00, and to be on forms currently promulgated and recommended by the State Comptroller.

Said motion being put to vote, it carried by a vote of 4 to 0. Those voting "Aye" were:

- C. N. Goodwin
- L. C. Banks
- Neil Fleming
- C. H. Wilson

## THOSE VOTING "NO" WHERE

NONE

It is therefore ordered that said contract be prepared and executed, submitted to the Comptroller of Public Accounts and Attorney General of Texas, and if approved by them, recorded in the Minutes of this Court.

Ed Dickson,  
County Judge  
L. C. Banks  
Commissioner Precinct #1  
Neil Fleming  
County Commissioner, Precinct #2  
C. H. Wilson  
County Commissioner, Precinct #3  
C. M. Goodwin  
County Commissioner, Precinct #4

SPECIAL SESSION  
JAN. 15, 1945

BE IT REMEMBERED that the Commissioners Court met in Special Session this 15 day of January, 1945 at the Court house in Mt. Pleasant, Texas, with the following members present to-wit:

Ed Dickson	County Judge
L. C. Banks	Comm. Prec. 1
Neil Fleming	Comm. Prec. 2
C. H. Wilson	Comm. Prec. 3
C. M. Goodwin	Comm. Prec. 4

and the following proceedings were had to-wit:

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

Commissioner Goodwin presented for consideration an order and moved its adoption. The motion was seconded by Commissioner Wilson. 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, Banks, Fleming, Wilson and Goodwin.

"NOES" None

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

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

NO.	DATE	PAYEE	WHAT FOR	AMOUNT
793	1-5-45	S.W. Gas & Elec. Co.	Lights for Co Barn	1.00
799	1-5-45	City of Mt. Pleasant	Water Bill	1.05
801	1-6-45	E. C. Hughes	Labor with truck	12.00
806	1-8-45	James A. Thomson	Cement	8.80
807	1-8-45	Albert Sargent	Labor	12.00
808	1-8-45	Odie Denny	Labor	15.00
809	1-8-45	Bill Thomas	Labor	3.00
810	1-8-45	Harris Hunter	Labor	3.00
812	1-8-45	George Cromer	Labor	10.50
813	1-8-45	Wus Thompson	Labor	60.00
814	1-8-45	W. H. Whitten	Lumber	45.95
815	1-8-45	Mt. Pleasant Btry Co.	Recharge on batteries	33.40
818	1-8-45	Driggers Lbrs. Co.	Cement	3.80
820	1-8-45	Jones & Barbee	Wash & Grease	3.15
821	1-8-45	Daniel Tire Shop	Tire repairs	1.25
822	1-8-45	Spencer-Harris Mach. Co	Parts	21.25
823	1-8-45	Daffer Truck & Impl.	Repairs & Parts	121.30
824	1-8-45	C. R. Hosford Garage	Parts & repairs	2.50
825	1-8-45	Ivan-Prizzell Pts.	Parts	9.70
826	1-8-45	Mayfield Garage	Parts & repairs	18.90
827	1-8-45	Keith & Barrett	Tire Repairs	15.45
828	1-8-45	Johnson-Justiss	Parts & repairs	84.15
829	1-8-45	Joe Dalby	repairs	.75
830	1-8-45	Mt. Pleasant Motors	Repairs	38.38
831	1-8-45	Bascom Hepkins	Layouts	7.50

NO	DATE	PAYEE	WHAT FOR	AMOUNT
833	1-8-45	Floyd D. Thomas	Hardware	24.60
834	1-8-45	O. B. Goolby	repairs	86.95
835	1-8-45	Wilson Hardware	hardware	1.70
836	1-8-45	Brown's Tire Co	repairs	8.50
839	1-8-45	O. C. Falls	repairs	3.50
859	1-9-45	Aubrey Radfeern	Layouts	6.30
861	1-9-45	C. N. Woodwin	Expenses	25.00
862	1-9-45	L. C. Banks	Expenses	25.00
863	1-9-45	A. A. Brown	Gravel	3.60
864	1-9-45	Mrs. N. A. Brown	Gravel	2.10
866	1-9-45	Bryant Garrett	Gravel	5.63
870	1-15-45	J. T. McRoberts	Lumber	166.44
871	1-13-45	First Natl. Bank	Withholding tax-Inter Revs. Co.	73.38
876	1-15-45	Lee Trompson	Service	70.00

WHEREAS, all of the above mentioned scrip warrants were and are valid obligations upon the Road & Bridge Fund of said County; and there may not be sufficient funds on hand in said Road & Bridge Fund to pay said Warrant 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 1945, 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 1944, 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 vehicles paid in said county for the year 1945 from and with which to repay 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 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 payment of same by said Bank to the holders thereof at the rate of 5% per annum.

PASSED AND APPROVED this the 25th day of January, 1945.

Attest: Mrs. J. A. Glass,  
County Clerk.

Ed Dickson, County Judge,  
Titus County, Texas.

## BOND

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, T. R. Florey, Jr. of Mt. Pleasant, Texas, as Principal and UNITED STATES FIDELITY AND GUARANTY COMPANY of Baltimore, Md., as surety, are held and firmly bound unto Ed Dickson, County Judge of Titus County, Texas, and his successors in office in the just and full sum of Five Thousand and No/100 (\$5,000.00) Dollars, for payment thereof we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said T. R. Florey, Jr. has by means of a written agreement dated January 15th, 1945, entered into a contract with the Titus County for the collection of certain delinquent State and County Taxes, during the term beginning January 15th, 1945, and ending Dec. 31st, 1945, a copy of which agreement is by reference made apart hereof.

NOW THEREFORE THE CONDITION OF THIS OBLIGATION is such that if the said T. R. Florey Jr. shall faithfully perform the contract on his part and shall fully indemnify and save harmless the said County of Titus from all costs and damage which it may suffer by reason of his failure so to do, and shall fully reimburse and repay the said County of Titus all outlay and expense which the said County may incur in making good any such default then this obligation shall be null and void; otherwise it shall remain in full force and effect.

Signed and sealed this the 15th. day of January 1945.

T. R. Florey, Jr.

Principal.

UNITED STATES FIDELITY AND GUARANTY CO. OF  
BALTIMORE, MD., SURETY

By T. C. Walker,  
Attorney in Fact.

(SEAL)

APPROVED THIS THE 15th. day of January 1945, in open Comm. Court.

Ed Dickson	County Judge
L. C. Banks	Comm. Prec. #1
Neil Fleming	Comm. Prec. #2
C. H. Wilson	Comm. Prec. #3
C. N. Goodwin	Comm. Prec. #4

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IN THE MATTER OF APPOINTING MRS. O. B. HOPWOOD TO COLLECT TAXES IN TALCO.  
To the Honorable Commissioners' Court Titus County, Texas.

I hereby make application for Mrs. O. B. Hopwood to collect taxes in Talco from January 22, 1945 to January 31, 1945.

Signed W. W. Mason-Tax Assessor-Collector  
Titus County, Texas.

Motion was made by Commissioner Fleming, seconded by Commissioner Goodwin to grant the above application for appointment of Mrs. O.B. Hopwood as Deputy Tax Collector.

Motion submitted all voted "Aye" motion carried.

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There being no further business, motion by Commissioner Banks seconded by Commissioner Wilson to adjourn. All members voted "Aye" motion carried.  
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