

## REGULAR SESSION - October 10, 1949

BE IT REMEMBERED That the Commissioners Court of Titus County, Texas, met in Regular Session on the 10th day of October, 1949 at the Court House of said County in Mt. Pleasant, Texas, with the following members present, to-wit:

W. W. Mason	County Judge
R. W. Jones	Commissioner Prec. 1
J. Q. Roper	Commissioner Prec. 2
Eugene Mankin	Commissioner Prec. 3
J. R. Ponder	Commissioner Prec. 4
Thomas J. Hood	County Clerk

and the following proceedings were had, to-wit:

## IN THE MATTER OF APPROVING MONTHLY ACCOUNTS:

Motion was made by Commissioner Mankins and Seconded by Commissioner Ponder to approve the monthly accounts as same appear of record in Warrant Book No. 1. Motion carried.

## IN THE MATTER OF APPROVING OFFICERS MONTHLY EXPENSE ACCOUNTS:

Motion was made by Commissioner Ponder and Seconded by Commissioner Roper to approve the monthly expense accounts of the following officers, to-wit:

Lynch Harper	Tax Assessor-Collector	\$625.53
Thomas J. Hood	County Clerk	\$537.38
W. W. Mason	County Judge	\$ 27.00
Grover Ard	Justice of Peace #1	\$ 27.00
Bird Old, Jr.	County Attorney	

Upon being put to a vote, said motion carried unanimously.

## IN THE MATTER OF ORDER AUTHORIZING THE ISSUANCE OF WARRANTS:

THE STATE OF TEXAS |  
COUNTY OF TITUS |

On this the 10th day of October, 1949, the Commissioners Court of Titus County, Texas, convened in regular session at a regular term of said Court, at the regular meeting place thereof, at the Courthouse in Mt. Pleasant, Texas, with all members present, to-wit:

W. W. Mason	County Judge
R. W. Jones	Commissioner Precinct No. 1
J. Q. Roper	Commissioner Precinct No. 2
Eugene Mankins	Commissioner Precinct No. 3
J. R. Ponder	Commissioner Precinct No. 4
Thomas J. Hood	County Clerk

and, among other proceedings had, the following order was passed;

WHEREAS, this Court has heretofore determined the advisability and necessity of purchasing certain road machinery and equipment for use on the roads of Titus County, purchasing right-of-way for public roads in the County, and constructing permanent road and bridge improvements in said County; and,

WHEREAS, this Court has heretofore determined the advisability and necessity of issuing interest bearing time warrants against the Road and Bridge Fund of said County to pay claims to be incurred in purchasing right-of-way for public roads in the County, and incidental expenses in connection therewith, constructing permanent road and bridge improvements in the County, and purchasing road machinery and equipment for use on the roads of Titus County; and,

WHEREAS, pursuant to the provisions of Chapter 163, Acts of the Regular Session of the Forty-second Texas Legislature, the County Judge has caused notice of intention of the Commissioners Court to pass an order on this the 10th day of October, 1949, authorizing the issuance of Road and Bridge Warrants for the purpose hereinabove mentioned, to be published for the time and in the manner required by law; and,

WHEREAS, this Court affirmatively finds that said notice of intention to pass the order authorizing the issuance of such warrants was duly given by publication in a newspaper of general circulation published in Titus County, in the manner and for the time provided by law; and,

WHEREAS, no petition has been filed in the office of the County Clerk by ten (10%) per cent of the qualified property taxpaying voters of the County praying this Court to order an election for the purpose of submitting the proposition to issue bonds for said purpose to a vote of the qualified property taxpaying voters of this County, and this Court further finds that no petition of any kind or character in respect to the issuance of the proposed warrants has been filed with the County Clerk or any member of this Court, or any other official thereof; and,

WHEREAS, this Court hereby affirmatively finds and adjudges that the financial condition of said County is such that it will permit the payment of said warrants in the installments or maturities as hereinafter set out without making any unjust burden of taxation to support the same; and,

WHEREAS, it is by this Court considered and determined to be to the best interest and advantage of said Titus County to authorize the issuance of said Road and Bridge Warrants, and it is now the desire of the Court to authorize the issuance of such warrants in accordance with the Constitution and Laws of the State of Texas;

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

I.

That there shall be issued under and by virtue of the Constitution and Laws of the State of Texas, and more particularly Chapter 163, Acts of the Forty-second Texas Legislature, Regular Session, 1931, interest-bearing time warrants of said Titus County, to be known as TITUS COUNTY ROAD AND BRIDGE WARRANTS, against the Road and Bridge Fund of said County, for the purpose of paying claims to be incurred in purchasing right-of-way for public roads in the County, and incidental expenses in connection therewith, constructing permanent road and bridge improvements in the County, and purchasing road machinery and equipment for use on the roads of said County.

II.

That said warrants shall be made payable to bearer and shall be numbered from 1 to 135, inclusive, and shall be of the denomination of \$1,000.00 each, aggregating \$135,000.00.

III.

That said warrants shall be delivered to and accepted by said claimants or their assignees, in full settlement of the indebtedness due them by Titus County, Texas, after said claims have been duly approved by the County Judge, and audited and allowed by the Commissioners Court of this County.

IV.

That said warrants shall be dated November 1, 1949, and shall become due and payable serially as follows:

WARRANT NUMBERS(Inclusive)	MATURITY DATES	AMOUNTS
1 - 3	November 1, 1956	\$ 3,000
4 - 6	November 1, 1957	3,000
7 - 8	November 1, 1958	2,000
9 - 13	November 1, 1959	5,000
14 - 18	November 1, 1960	5,000
19 - 23	November 1, 1961	5,000
24 - 28	November 1, 1962	5,000
29 - 33	November 1, 1963	5,000
34 - 38	November 1, 1964	5,000
39 - 45	November 1, 1965	7,000
46 - 52	November 1, 1966	7,000
53 - 59	November 1, 1967	7,000
60 - 66	November 1, 1968	7,000
67 - 73	November 1, 1969	7,000
74 - 81	November 1, 1970	8,000
82 - 89	November 1, 1971	8,000
90 - 97	November 1, 1972	8,000

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<u>WARRANT NUMBERS</u> (Inclusive)	<u>MATURITY DATES</u>	<u>AMOUNTS</u>
98 - 105	November 1, 1973	\$ 8,000
106 - 113	November 1, 1974	8,000
114 - 120	November 1, 1975	7,000
121 - 127	November 1, 1976	7,000
128 - 135	November 1, 1977	8,000

V.

That said warrants shall bear interest from date until paid at the rate of four and one-fourth (4-1/4%) per cent per annum, payable November 1, 1950 and semi-annually thereafter on May 1st and November 1st in each year.

VI.

That principal of and interest on said warrants shall be payable at the Office of the State Treasurer, Austin, Texas; interest payable upon presentation of warrant and principal payable upon presentation and surrender of warrant.

VII.

That said 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 shall be impressed upon each of them.

VIII.

That the form of said warrants shall be substantially as follows:

NO. \_\_\_\_\_ \$1,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF TITUS  
TITUS COUNTY ROAD AND BRIDGE WARRANT

THIS IS TO CERTIFY that the County of Titus, in the State of Texas, under and by virtue of valid and subsisting claims, is justly indebted to bearer in the principal sum of ONE THOUSAND DOLLARS (\$1,000.00), in lawful money of the United States of America, together with interest thereon from date hereof, at the rate of four and one-fourth (4-1/4%) per cent per annum, payable November 1, 1950 and semi-annually thereafter on May 1st and November 1st in each year; both principal and interest payable at the Office of the State Treasurer, Austin, Texas; interest payable upon presentation of warrant and principal payable upon presentation and surrender of warrant; and the Treasurer of said County is hereby authorized, ordered and directed to pay to bearer at the Office of the State Treasurer, Austin, Texas, on the 1st day of November, 19\_\_\_\_, the maturity date of this warrant, the sum of One Thousand (\$1,000.00) Dollars, in full settlement of the indebtedness hereby evidenced out of and from the special "Road and Bridge Warrants Fund," of said County levied, assessed and created for that purpose.

This warrant is one of a series of 135 warrants, numbered consecutively from 1 to 135, inclusive, in the denomination of One Thousand (\$1,000.00) Dollars each, aggregating One Hundred Thirty-Five Thousand (\$135,000.00) Dollars, issued for the purpose of paying claims incurred in purchasing right-of-way for public roads in the County, and incidental expenses in connection therewith, constructing permanent road and bridge improvements in the County, and purchasing road machinery and equipment for use on the roads of said County, under and by virtue of the Constitution and laws of the State of Texas and in pursuance of an order passed by the Commissioners Court of Titus County, Texas, which order is recorded in the Minutes of said Court.

The date of this warrant, in conformity with said order, is November 1, 1949.

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 have been properly done, have happened and been performed in regular and due time, form and manner, as required by law, and that the total indebtedness of said County, including this warrant, does not exceed any

Constitutional or statutory limitation.

IN TESTIMONY WHEREOF, the County Commissioners Court of Titus County, Texas, has caused the seal of said Court to be hereto affixed, and this warrant to be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, as of the date last above written.

COUNTERSIGNED:

\_\_\_\_\_  
County Judge, Titus County, Texas.

REGISTERED:

\_\_\_\_\_  
County Clerk, Titus County, Texas.

\_\_\_\_\_  
County Treasurer, Titus County, Texas.

IX.

That said warrants shall be executed and delivered as hereinabove provided, in payment of claims approved by the County Judge and audited and allowed by the Commissioners Court of said County; and said Court in auditing and allowing said claims shall designate the numbers of warrants to be delivered to evidence each of said claims so that the proceedings of this Court shall show to whom each of said warrants was delivered and the purpose for which same was delivered.

X.

It is further ordered that in the event it shall not be necessary to issue the full amount of warrants herein contemplated then, in such event, such amount of Titus County Road and Bridge Warrants as shall not be supported and based upon claims duly approved by the County Judge and duly audited and allowed by the Commissioners Court of said County, shall be cancelled and destroyed, the numbers and amounts of warrants so cancelled and destroyed to be made a matter of record upon the Minutes of the Commissioners Court.

XI.

That a special fund, to be designated "Road and Bridge Warrants Fund," shall be, and the same is hereby created and set aside out of the Road and Bridge Fund of Titus County, Texas, which fund, when collected, shall be used to pay the interest on said warrants and the principal thereof at maturity, and for no other purposes;

That to create said fund to pay the interest on said warrants and provide a sinking fund to pay the principal thereof at maturity, there shall be, and there is hereby levied for the year 1950 a tax of and at the rate of ten cents on each \$100.00 valuation of taxable property in Titus County, Texas, out of the Constitutional Road and Bridge Tax of said County; and said tax of and at the rate of ten cents, or so much thereof, or so much more, if any, as shall be necessary, is hereby levied out of the Constitutional Road and Bridge Tax of said County for each succeeding year thereafter while said warrants or any of them are outstanding, on each \$100.00 valuation of taxable property in said County of Titus; and said tax shall be assessed and collected for each of said years, and applied to the purposes named, and to no other.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the Court voted AYE: H. W. Jones, J. Q. Roper, Eugene Mankins, and J. R. Ponder; and the following voted NO: NONE.

W. W. Mason, County Judge  
H. W. Jones, Commissioner Precinct No.1  
J. Q. Roper, Commissioner Precinct No.2  
Eugene Mankins, Commissioner Precinct No.3  
J. R. Ponder, Commissioner Precinct No.4

IN THE MATTER OF RESOLUTION AUTHORIZING COUNTY JUDGE TO PUBLISH NOTICE TO BIDDERS ON MACHINERY:  
THE STATE OF TEXAS  
COUNTY OF TITUS

On this the 10th day of October, 1949, the Commissioners Court of Titus County, Texas, convened in regular session at a Regular Term of said Court, in the Courthouse at Mt. Pleasant, Texas, with the following members present, to-wit:

W. W. Mason  
E. W. Jones  
J. Q. Roper  
Eugene Mankins  
J. H. Ponder  
Thomas J. Hood

County Judge  
Commissioner Precinct No. 1  
Commissioner Precinct No. 2  
Commissioner Precinct No. 3  
Commissioner Precinct No. 4  
County Clerk

when, among other proceedings had, were the following:

Commissioner Jones introduced a resolution and moved its adoption. The motion was seconded by Commissioner Roper. The motion, carrying with it the adoption of the resolution prevailed by the following vote:

AYES: Commissioners Jones, Roper, Mankins, Ponder.

NOES: None

The resolution is as follows:

RESOLUTION

AUTHORIZING AND INSTRUCTING THE COUNTY JUDGE TO PUBLISH NOTICE TO BIDDERS ON CERTAIN ROAD MACHINERY AND NOTICE OF THE COUNTY'S INTENTION TO PAY FOR SAID MACHINERY OUT OF AN ISSUE OF ROAD AND BRIDGE WARRANTS HERETOFORE AUTHORIZED.

WHEREAS, heretofore, on this October 10th, 1949, the Commissioners Court of Titus County, Texas, has authorized the issuance of \$135,000.00 TITUS COUNTY ROAD AND BRIDGE WARRANTS, dated November 1, 1949, for the purpose of paying claims to be incurred in purchasing right-of-way for public roads in the County, and incidental expenses in connection therewith, constructing permanent road and bridge improvements in the County, and purchasing road machinery and equipment for use on the roads of Titus County; and

WHEREAS, the Commissioners Court now deems it advisable and necessary to purchase certain road machinery, and that warrants of the above described issue be issued and delivered in payment of the claims to be incurred for such purpose; and

WHEREAS, it is proper and necessary that the County give notice to bidders on said machinery;

THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS:

That the County Judge be, and he is hereby authorized, ordered and directed to do all things necessary and/or convenient to have published the notice to bidders required by Chapter 163, Acts of the Regular Session of the Forty-second Legislature of Texas; that said notice shall signify the intention of the Commissioners Court of said County to pay the cost of said road machinery by the issuance and delivery of TITUS COUNTY ROAD AND BRIDGE WARRANTS, dated November 1, 1949, bearing four and one-fourth (4-1/4%) per cent interest per annum; said warrants in a total aggregate amount of \$135,000.00, having been authorized by order adopted by the Commissioners Court on October 10th, 1949, maturing serially during the years 1956 to 1977, inclusive.

PASSED AND APPROVED this the 10th day of October, 1949.

ATTEST:

Thomas J. Hood, County Clerk.

W. W. Mason, County Judge, Titus County, Texas.

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IN THE MATTER OF APPROVING BOND FOR SAM BENEFIELD, DEPUTY CONSTABLE PRECINCT NO. ONE:  
Motion was made by Commissioner Jones and Seconded by Commissioner Ponder to approve the Bond of Sam Benefield, Deputy Constable Precinct 1 in the amount of \$1,000.00. Motion carried.  
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IN THE MATTER OF APPROVING MONTHLY AND QUARTERLY REPORT OF AD S. ROGERS, COUNTY TREASURER:  
Motion was made by Commissioner Mankins and Seconded by Commissioner Jones to approve the monthly report for September and third quarterly report for Ad S. Rogers, County Treasurer. Motion carried.  
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IN THE MATTER OF APPOINT ELECTION MANAGER FOR VOTING BOX NO. TWO - GREENHILL:

Motion was made by Commissioner Jones and Seconded by Commissioner Ponder to appoint Willie Blackstone as Manager of Green Hill Voting Precinct #2 to take the place of W. M. Page, dec'd.  
Motion carried unanimously.

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IN THE MATTER OF RAISING SALARY FOR NAUTY BYRD FOX:

Motion was made by Commissioner Roper and Seconded by Commissioner Ponder to pay Nauty Byrd Fox \$125.00 per month for Secretary to the County Agent and Home Demonstration Agent effective October 15, 1949, out of General County Fund. Motion carried unanimously.

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IN THE MATTER OF PAYING NATIONAL GUARD \$12.50 PER MONTH:

Motion was made by Commissioner Mankins and Seconded by Commissioner Jones to assist the National Guard by paying \$12.50 per month on their rent, payment to be made to the American Legion Post in Mt. Pleasant, Texas, to be paid out of General County Fund. Motion carried.

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IN THE MATTER OF AGREEMENT WITH THE EXTENSION SERVICE OF A & M COLLEGE:

Motion was made by Commissioner Mankins and Seconded Commissioner Roper that the County enter into an agreement with The Extension Service of the A & M. College System of Texas, pledging \$200.00 in support of a Horticulturist who will serve the several counties in Northeast Texas. Motion carried unanimously.

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IN THE MATTER OF ADVERTISING FOR BIDS ON TRUCKS:

Motion was made by Commissioner Mankins and Seconded by Commissioner Roper that the Commissioners Court advertise for bids on the following: Two Chevrolet 1½ ton trucks and one International 1½ ton truck K-8-6 model. Motion carried unanimously.