## REGULAR TERM- November 12th, 1951

BE IT REMEMBERED that the Commissioners Court of Titus County, Texas, met in Regular Session at the Courthouse in Mt. Pleasant, Texas, with the following members present, to-wit:

W. W. Mason

County Judge

R. W. Jones

Commissioner Precinct. 1

J. Q. Roper

Commissioner Precinct 2

Eugene Mankins

Commissioner Precinct 3

J. R. Ponder

Commissioner Precinct 4

Thomas J. Hood

County Clerk

and the following proceedings were hed, to-wit:

IN THE MATTER OF APPROVING ACCOUNTS ALLOWED:

Motion was made by Commissioner Ponder and Seconded by Commissioner Jones to approve the accounts allowed as same appear in Warrant Book No. 1. Motion carried unanimously.

IN THE MATTER OF APPROVING OFFICERS MONTHLY EXPENSE ACCOUNTS:

Notion was made by Commissioner Roper and Seconded by Commissioner Ponder to approve the officers monthly expense accounts as follows:

Lynch Harper	Tax Assessor-Collector	\$ 615.77
Alford H. Flanagan	County Attorney	71.88
Grover Ard	Justice of Page #1	31.00
W. W. Mason	County Judge	12.00

Thomas J. Hood County Clerk

639.66

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

IN THE MATTER OF APPROVING COUNTY TREASURER'S MONTHLY REPORT FOR OCTOBER:

Motion was made by Commissioner Mankins and Seconded by Commissioner Ponder to approve the
monthly report of Cecil Franklin, County Treasurer, for the month of October 1951. Motion
carried.

IN THE MATTER OF TITUS COUNTY, TEXAS, HOSPITAL BONDS, SERIES 1951, \$200,000.00

Mount Pleasant, Texas November 13, 1951

Honorable George W. Sparks, Assistant Attorney General, Austin, Texas.

Dear Sir:

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( )

TITUS COUNTY, TEXAS, HOSPITAL BONDS, SERIES 1951 \$200,000.00

We are enclosing herewith for your examination and approval this executed bonds of the subject issue. At such time as you have approved them, kindly deliver them to the Comptroller who has been given instructions as to their disposition.

Thanking you, we are

Yours very truly, TITUS COUNTY, TEXAS

ATTEST:

By/s/ W. W. Maeon, County Judge

/s/ Thomas J. Hood, County Clerk

Mount Pleasant, Texas November 13, 1951

Honorable R. S. Calvert, Comptroller of Public Assounts, Austin, Texas. Dear Sire

TITUS COUNTY, ETEXAS, HOSPITAL BONDS, SERIES 1981, \$200,000.00

You will receive the approved bonds of the above captioned issue from the Attorney General and at such time as you have registered them, kindly deliver them to the American Estional Bank, Austin.

Please forward to McCall, Parkhurst and Growe, 1501 Mercantile Securities Building, Dallas, Texas, three copies each of the Attorney Ganeral's approving opinion and Waiver by the State Board of Education.

Your bill for these papers should be sent to C. N. Burt and Company, Kirby Building, Dallas. Texas.

Thanking you, we are

Yours very truly, TITUS COUNTY, TEXAS

ATTEST :

By /s/ W. W. Mason, County Clerk

/s/ Thomas J. Hood, County Clerk.

Mount Pleasant, Texas November 13, 1951.

The American National Bank, Austin, Texas.

Bentlamen:

TITUS COUNTY, TEXAS, HOSPITAL BONDS SERIES 1951, \$200,000.00

Titus County and the purchaser of the above described bonds have designated your bank as the place of delivery therefor.

This will be your authority to receive such bonds from the Comptroller of Public Accounts and deliver same to C. N. Burt and Company, Dallas, Texas, or their order, when you have received payment therefor in the amount of par and accrued interest to date of delivery.

We will thank you to transmit the proceeds of euch bonds to the First National Bank, Mount Pleasant, Texas, official depository of the County.

You will find enclosed four copies of an undated but signed Treasurer's Receipt which you will be authorized to date and deliver to McCall, Parkhuret and Crowe, 1501 Mercantile Securities Building, Dallas, Texas, when payment has been received for such bonds in accordance with the terms of eale as hereinabove set out.

Thanking you for your attention to this request, we are,

Yours very truly,
TITUS COUNTY, TEXAS

ATTEST :

By /s/ W. W. Mason, County Judge

/s/ Thomas J. Hood, County Clerk.

THE STATE OF TEXAS |

I, The undersigned, duly elected, qualified and acting County Clerk and Ex-Officio Clerk of the Commissioners' Court of Titus County, Texas, do hereby certify that no election has been held or ordered since the election held on April 27, 1947, for the re-allocation of County taxes and I further certify that 12¢ thus allocated to the Permanent Improvement Fund of said County for a period of six years is still in effect and that it has not been altered or changed in any manner since said election.

EXECUTED this the 13 day of November, 1951.

/e/ Thomae J. Hood, County Clerk and Ex-Officia Clerk of the Commissioners' Court, Titue County, Texas.

(SEAL)

THE STATE OF TEXAS !

I, the undersigned, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Titus County, Texas, do hereby certify that said Court passed an order on the 10th day of September, 1951, levying general county taxes for the year 1951 and that in anticipation of the immediate issuance of its Hospital bonds in the amount of \$200,000, there was included in such general tax order a tax of 12¢ on the \$100.00 of assessed value of taxable property for the purpose of providing for the payment of interest and sinking requirements accruing on said bonds subsequent to their date and prior to the next tax collection period beginning October 1, 1952.

EXECUTED this the 13 day of November, 1951.

(SEAL)

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/s/ Thomas J. Hood, County Clerk and Ex-Officio Clerk of the Commissioners to Court, Titus County, Texas.

THE STATE OF TEXAS | COUNTY OF TITUS |

I, the undersigned, duly elected, qualified and acting County Clerk and Ex-Officio Clerk of the Commissioners' Court of Titus County, Texas, do hereby certify that the Commissioners' Court of said County in canvassing returns of the Hospital Bond election held on November 7, 1950, determined that the voting places at which the election was held in each of the voting precincts of said County as set forth in said election returns actually were the places designated in the election order and notice and made a finding to that effect in its order passed November 13, 1950, canvassing said returns and declaring result of such election.

EXECUTED this the 15 day of November, 1951.

(SEAL)

/s/ Thomas J. Hood, County Clerk, and Ex-Officio Clerk of the Commissioners' Court, Titus County, Texas.

THE STATE OF TEXAS I

I, the undersigned, duly elected, qualified and acting County Clerk of Titue County, Texas, do hereby certify that no petition for the establishment of a County Hospital in said County had been presented to the Commissioners' Court of said County within the twelve months! period next preceding October 9, 1950.

EXECUTED this the 13 day of November, 1951.

(SEAL)

/e/ Thomas J. Hood, County Clerk, Titus County, T E X A S

SIGNATURE IDENTIFICATION AND NON-LITIGATION CERTIFICATE
THE STATE OF TEXAS

COUNTY OF TITUS !

WE HERESY CERTIFY that we did officially sign the \$200,000.00 of fitus County, Texas, Hospital Bonds, Series 1951, dated November 15, 1951, maturing serially throughout the years 1954 to 1982, incl. bearing 3%; 3%% interest evidenced by coupons attached thereto, eaid Bonds being numbered 1 to 200 both inclusive, of the denomination of \$1,000 each.

WE DO FURTHER CERTIFY that at the time we eighed said Bonds, and at the time of executing this certificate, we were the duly chosen, qualified and acting officers indicated therein and authorized to execute the 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 Bonde, 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 said Bonds.

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WE FURTHER CERTIFY that neither the corporate existence nor boundaries, nor the title of present officers to their respective offices is being contested, and that no authority or proceedings for the issuance of said Bonds 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 Bonds and that a correct impression of the same also appears upon this certificate.

That the facsimile signatures of County Judge and County Clerk appearing upon the coupons attached to said Bonds are hereby adopted as their own signatures.

Executed and delivered at Mount Pleasant, Texas, this the 13 day of November, 1951.

SIGNATURE

OFFICIAL TITLE

W. W. Mason

County Judge

Thomas J. Hood

County Clerk

Cecil Franklin

County Treasurer

(OFFICIAL SEAL)

I DO HEREBY CERTIFY that the signatures of the officers subscribed above are true and genuine.

Louise Bates, Asst. Cashier

(BANK SEAL)

The First Mational Bank, Mt. Pleasant, Texas.

Dated at Mount Pleasant, Taxas, this 13 day of November, 1951.

THE STATE OF TEXAS

COUNTY OF TITUS !

I, the undersigned, District Clerk in and for Titus County, Texas, do hereby certify that since the election was held in said County, on the 7th day of November, 1950, authorising the issuance of \$200,000.00 Hospital Bonds for Titus County, there have been no suits filed and there are now no suits pending affecting the election, the order authorising the issuance of the bonds or said bonds.

WITNESS MY HAND and seal of eaid Court this the 13 day of November, 1951.

/s/ J. H. Rudd, District Clerk in and for

(SEAL)

Titus County, Texas.

IN THE MATTER OF TRANSFERRING PUNDS:

Motion was made by Commissioner Roper and Seconded by Commissioner Fonder to transfer \$800.00 out of each precinct fund into the Road and Bridge Fund. Upon being put to a vote, was unanimously adopted.

IN THE MATTER OF TRANSPERRING FUNDS:

Motion was made by Commissioner Mankins and Seconded by Commissioner Roper to transfer \$1000.00 from the Jury Fund into the Permanent Improvement Fund. Motion carried unanimously

IN THE MATTER OF CLOSING ROAD:

The State of Texas | County of Titus |

TO THE HONORABLE COMMISSIONERS! COURT OF SAID COUNTY:

Section 1987 Section 1981

)

The undersigned freeholders in Precinct No. 3 in said County, citizens of said Precinct and County, represent that the hereinafter described road has served its purpose and is no longer needed as a public road; that it has ceased to be needed by the public due to the fact that other roads have been constructed which serve the public properly, and that said road sought to be closed should not be maintained by the County; that it would be to the best interest of the public to close said road. Said road sought to be closed is described as follows:

BEGINNING at a point on the old Mt. Pleasant-Talco Road, formerly State Highway 49 at the intersection of said highway and that certain county road known as the Eickhoff Switch road, said place of beginning also being at the SE corner of a tract of land owned by W. W. Beall out of the Wm. Gann Survey;

THENCE WEST along the NB line of the E. Hobb Survey and into the M. V. Delgado Survey,
Abet. No. 167, to approximately the center of said M. V. Delgado Survey;

THENCE NORTH across the M. V. Delgado Survey and across the O. A. Brown tract of land in the L. Weaver Survey, Abst. No. 594, turning west and crossing Paris & Mt. Pleasant RR Co. right-of-way, said road turning north at about the WB line of said L. Weaver survey and going North approximately to a tract of land owned by J. A. Moore in the L. Weaver survey, Abst. No. 595:

THENCE turning West to a point in said road, being the SE cor of the Mrs. A. V.
McLeroy tract of land in the L. Weaver survey, Abst. 595, and also being the SW corner of the
J. A. Moore tract of land in the L. Weaver survey.

WHEREFORE, premises considered, they pray for an order of said court closing said road to the public.

4th day of October, A. D. 1951.

Farris A. Brown

Mrs. Pelix Jones

O. E. Jones

Mrs. Farris A. Brown

H. V. Bonham

Felix Jones

Jerry Jones

Evelyn Bonham

Georgie Jones

M. R. Jones

Oren Sens

Motion was made by Commissioner Ponder and Seconded by Commissioner Roper that the road in Precinct #5 going west off of the Old Highway 49 just North of the Hoffmann farm known as the road to Eickhoff Switch described by a patition of a number of property owners of that vicinity be closed. Notion was adopted.

IN THE MATTER OF ORDER AUTHORIZING THE ISSUANCE OF ROAD AND BRIDGE REPUNDING BONDS;

## THE STATE OF TEXAS COUNTY OF TITUS

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On this the 12th day of November, 1951, the Commissioners' Court of Titus County,

Texas, convened in regular session at a regular term thereof at the Courthouse in Mt. Pleasant,

Texas, with the following members of the Court present, to-wit:

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W. W. Mason
R. W. Jones
J. Q. Roper
Eugens Mankins
J. R. Ponder
Thomas J. Hood
County Judge,
Commissioner Frecinct No. 1,
Commissioner Frecinct No. 3,
Commissioner Frecinct No. 4,
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when, among other proceedings had, were the following:

Commissioner Eugene Mankins introduced an order and made a motion that it be adopted, The motion was seconded by Commissioner J. R. Ponder. The motion, carrying with it the

adoption of the order, prevailed by the following vote:

AYES: Commissioners R. W. Jones, J. Q. Roper, Eugene Mankins and J. R. Ponder. NORS: None.

The County Judge announced that the order had been finally passed. The order is as follows:

WHEREAS, the Commissioners Court of Titus County, Texas, has heretofore passed an order authorising the issuance of TITUS COUNTY ROAD AND ERIDOE WARRANTS, dated November 1, 1949, Numbered 1 to 155, inclusive, in the denomination of \$1,000 each, aggregating \$155,000. 00, bearing 4-1/4% interest per annum, and maturing on November 1st, \$3,000 in each of the years 1956 and 1957; \$2,000 in 1958; \$5,000 in each of the years 1959 to 1964, inclusive; \$7,000 in each of the years 1959 to 1964, inclusive; \$7,000 in each of the years 1970 to 1974, inclusive; \$7,000 in each of the years 1975 and 1976; and \$8,000 in 1977; of which issue there are now outstanding and unpaid \$77,000.00 werrants, being Warrante Numbers 1 to 77, inclusive; and,

WHEREAS, the Commissioners Court deems it sdivsable and to the best interest of Titus County, Texes, to cancel and refund said \$77,000.00 outstanding warrants by the issuance of refunding bonds in lieu thereof; and,

WHEREAS, the County Judge was heretofore directed to give notice of the intention of the Commissioners Court to refund said warrants, as required by Chapter 163, Acts of the Forty-second Lagislature of Texas, Ragular Session; and,

WHEREAS, said notice was duly given by publication of said notice of intention to refund said warrants in a newspaper of general circulation published in said County, and which notice was published once a week for three consecutive weeks, the date of first publication thereof being at least thirty (50) days prior to November 12, 1951, the data set for passage of the order authorizing the issuance of the refunding bonds; and.

WHEREAS, the Commissioners Court affirmatively finds that no petition was presented to the Court to submit the question as to the issuance of said refunding bonds for such purpose to a referendum vote; and,

WHEREAS, it is now in order that the Gommissioners Court proceed with the issuance of said refunding bonds;

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

ı.

That the bonds of Titus County, Texas, to be known as "TITUS COUNTY ROAD AND ERIDGE REFUNDING BONDS, SERIES OF 1951," be issued under and in strict conformity with the Constitution and Laws of the State of Texas, in the principal sum of Seventy-seven Thousand (\$77,000.00) Dollars, for the purpose of canceling, refunding and in lieu of a like amount of outstanding warrants of the issue hereinabove described.

II.

That said bonds shall be numbered consecutively from 1 to 77, inclusive, and shall be of the denomination of One Thousand(\$1,000.00) Dollars each, aggregating Seventy-seven Thousand (\$77,000.00) Dollars.

III.

That said bonds shall bear interest from date until paid at the rate of three and three-fourths (3-3/45) per cent per annum, payable November 15, 1952 and semi-annually thereafter on May 15th and November 15th in each; that principal of and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of

bonds or proper coupons at the OPPICE OF THE STATE TREASURER, AUSTIN, TEXAS.

IV.

That said bonds shall be dated NOVEMBER 15, 1981, and shall become due and payable as follows:

BOND NUMBERS (Inclusive)	MATURITY DATES	AMOUNTS
1 - 3	November 15, 1958 November 15, 1957	\$ 3,000 3,000
7 - 8	November 15, 1958	2,000
9 - 13 14 - 18 19 - 23 24 - 28 29 - 33 34 - 38 39 - 45 46 - 52 53 - 59 60 - 66 67 - 73	November 15, 1959 November 15, 1960 November 15, 1961 November 15, 1962 November 15, 1963 November 15, 1964 November 15, 1966 November 15, 1966 November 15, 1966 November 15, 1967 November 15, 1969 November 15, 1969	5,000 5,000 5,000 5,000 5,000 5,000 7,000 7,000 7,000 7,000
74 - 77	November 15, 1970	4,000

The Commissioners Court hereby affirmatively adjudges that the financial condition of said County will not permit the issuance of said refunding bonds in such installments as will make the burden of taxation to support the same approximately uniform throughout the term of said bond issus, save and except as said object is accomplished by the schedule of maturities hereimabove set out, which maturities are hereby found to be necessitated by the financial condition of said County.

٧.

That each of said bonds 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 Titus County, Texas, shall be impressed upon each of them. That the facsimile signatures of the County Judge and County Glerk may be lithographed, engraved or printed upon the interest coupons attached to said bonds and shall have the same affect as if they had been signed by said officers.

VI.

That the form of said bonds shall be substantially as follows;

UNITED STATES OF AMERICA

NO.

\$1,000

STATE OF TEXAS

COUNTY OF TITUS

TITUS COUNTY ROAD AND HRIDGE REFUNDING BOND

SERIES OF 1951

THE COUNTY OF TITUS, a duly organized and existing political sub-division of the State of Texas, acknowledges itself indebted to, and FOR VALUE RECEIVED, hereby promises to pay to bearer, the sum of

ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, on the 15th day of November, 19\_\_\_, with interest thereon from date hereof at the rate of three and three-fourths (3-3/4%) per cent per annum, interest payable November 15, 1952, and simi-annually thereafter on May 18th and November 15th in each year, as evidenced by the coupons hereto attached, until the principal aum shall be paid.

Both principal and interest of this bond are payable at the OFFICE OF THE STATE TREASURER, AUSTIK, TEXAS.

THIS BOND, is one of a series of seventy-seven (77) bonds, numbered consecutively

from One (1) to Seventy-seven (77), inclusive, of the denomination of One Thousand(\$1,000.00) Dollars each, aggregating Seventy-seven Thousand (\$77,000.00) Dollars, issued for the purpose of refunding, canceling and in lieu of a like par amount of outstanding indebtedness of Titus County chargeable against its Road and Bridge Fund; and this bond, and the series of which it is a part, is issued in strict conformity with the Constitution and Laws of the State of Texas, and in pursuance of an order duly passed and adopted by the Commissioners Court of Titus County, Texas, which order is duly recorded in the Minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REFRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said County, have been done, have happened and been performed in regular and due time, form and manner as required by law; that the faith and credit of said County are hereby irrevocably pledged for the prompt payment of the principal of and interest on these bonds at maturity; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on these bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said County is within every debt and other limit prescribed by the Constitution and Laws of the State of Texas.

IN ADDITION to all other rights, the holder or holders of this bond, and of the series of which it is a part, is and are subrogated to all the rights, and has and have all of the remedies of the holders of the original indebtedness refunded by this issue of bonds.

IN WITNESS WHEREOF, the Commissioners Court of Titus County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, and the interest coupons hereto attached to be executed by the facsimile signatures of the County Judge and the County Clerk. The date of this bond, in conformity with the order above referred to, is November 15, 1951.

	County Judge, Titus County, Texas.
COUNTERSIGNED:	County Clerk, Titus County, Texas.
REGISTERED:	country crack, I idea country, Idame.
ALEGA DA LETADO S	County Treasurer, Titus County, Texas.
	VII.
That the form of interest coupons	attached to each of said bonds shall be substanti-
ally as follows:	
NOON THE 15TH DAY OF	. 19
THE COUNTY OF TITUS, in the State	of Texas, hereby promisss to pay to bearer, in
lawful money of the United States of Ame	rics at the Office of the State Treasurer, Austin,
Texas, the sum of(\$	) Dollars, being months' interest
then due on TITUS COUNTY ROAD AND BRIDGE	REFUNDING BOND, SERIES OF 1951, dated November 15,
1951, No	•
COUNTY CLERK	COUNTY JUDGE
	VIII.
That substantially the following	certificate shall be printed on the back of each bon
OPPICE OF COMPTROLLER	

REGISTER NO.

I HEREBY CERTIFY that there is on file and of record in my office a certificate of

STATE OF TEXAS

the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law and that he finds that it has been issued in confirmity with the Constitution and Laws of the State of Texas, and that it is a valid and binding obligation upon said Titus County, Texas, and said bond has this day been registered by me.

WITHESS MY HAND and seal of office at Austin, Texas, this

COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS

IX.

IT IS FURTHER ORDERED by the Court, that while said bonds, or any of them, are outstanding and unpaid, there shall be and it is hereby ordered that there be levied, assessed and collected in due time, form and manner a tax upon such \$100.00 valuation of all taxable property in Titus County, Texas, out of the Constitutional Road and Bridge Tex of said County sufficient to pay the current interest on said bonds and create a sinking fund for the payment of the principal thereof at maturity, and there is hereby levied for the year 1952 out of the Constitutional Road and Bridge Tax of said County, a sufficient tax on each \$100.00 valuation of taxable property in said County, and the same shall be assessed and collected and applied to the purpose named; and while said bonds, or any of them, are outstanding and unpaid, a tax for each year at a rate from year to year, as will be ample and sufficient to provide funds to pay the interest on said bonds and provide the necessary sinking fund to pay the principal, full allowance being made for delimpuencies and costs of collection, shall be, and is hereby levied for each year, respectively, while said bonds, or any of them, are outstanding and unpaid, and said tax shall be assessed and collected and applied to the payment of the interest on and principal of said bonds.

x.

That all moneys in the sinking fund and all taxes heretofore levied or in process of collection for the benefit of the warrants being refunded by said refunding bonds, shall be and the same are hereby appropriated and transferred to the benefit of said refunding bonds.

XI

That the County Judge of Titus County shall be and he is hereby authorized to take and have charge of all necessary orders and records pertinent to said refunding bonds pending their investigation by the Attorney General and the County Judge shall also take and have charge of the bonds herein authorized pending their approval by the Attorney General and their registration by the Comptroller of Public Accounts. The State Comptroller is hereby authorized to accept from James C. Tucker & Company, Austin, Texas, or their duly authorized agents, in installments or otherwise, the obligations hereby refunded, and after cancelation thereof, to register a like amount of the bonds herein authorized and deliver same to James C. Tucker & Company, or their agent.

PASSED AND APPROVED this 12th day of November, 1951.

/s/W. W. Mason

COUNTY JUDGE

/s/R. W. Jones

COMMISSIONER PRECINCT NUMBER 1

/s/J. Q. Roper

COMMISSIONER PRECINCT NUMBER 2

/s/J. R. Ponder

COMMISSIONER PRECINCT NUMBER 4

There being no further business before the Court, Motion was made by Commissioner Ponder and

Seconded by Commissioner Jones to adjourn, Motion carried.

The above and foregoing minutes were read and approved this the 50th day of Hovember, 1951. ATTEST:

Thomas J. Hood, County Clark

W. W. Mason, County Judge

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