

The Commissioners court of Sabine County, Texas, met in Special Session, January 23, 1934, with the following members present, to-wit: Edw. Harper, County Judge, H. E. White, Commr. Prec. No. 1, P.H. McGown, Commr. Prec. No. 3, R. W. Chapman, Commr. Prec. No. 4, Zeda Davidson County Clerk, and transacted business as follows:

On motion by H.E. White, second by P.H. McGown, it ordered by the court, that the following petition, be and the same is hereby in all things, granted: Petition being as follows:

The State of Texas )  
County of Sabine ) To the Honorable Commissioners' court of said County:  
The undersigned freeholders in precinct No. 1, in said County, represent that for the convenience of themselves, and of the public generally, they desire a new public road to be opened, beginning at R. T. Watson's old field on Pologocho creek, and terminating at the lles place on the Hemphill and Sabinetown road.

Wherefore they pray for the appointment of a jury of view to lay out and mark said road, and that the same be opened and established as a public road. This 27th day of November, A. D. 1933.

T. C. Jackson.  
A. Bordray.  
Ernest Sharbno.  
C. J. Ward.  
H. M. Maund.  
Mrs. Lillian Cordray.  
W. B. Maund.  
G. H. Maund.  
M. S. Morris.

On this day came on to be considered the question of the purchase of a car for the sheriff, and upon the written opinion of the County attorney, that such action is legal, and on motion by R. W. Chapman, seconded by H.E. White, with a unanimous vote for same, it was ordered by the court that scrip for \$285.00 be issued, out of the General County Current Expense fund, for the above purpose, to the Hemphill Motor Company, with the stipulations that said amount be repaid out of the salary of the Sheriff, for the last three months of the year of 1934.

The following being the ruling submitted by the County attorney:

The State of Texas,  
County of Sabine,  
Hemphill, Texas, Jan. 23, 1934.

Hon. Edward Harper,  
Co. Judge Sabine County, Texas.

Dear Mr. Harper:

At your request I am giving to you my opinion as to whether or not, the County Commissioners court, acting for the County, are within the law, and their province in furnishing to the Sheriff, of the County a Car or any payment or part payment on a car.

Yes, its my idea and judgment from the law as I read and understand it, that it is within the province of the Commissioners court to furnish to the Sheriff of the County a car. The car however would necessarily have to be paid out of the proper fund, would be my idea of the matter.

The Statutes of this State provide that a County may furnish to the Sheriff of the County a car. I do not think and understand that the same is Mandatory, that is, that the court would necessarily have to furnish one, but it can be done legally, according to law, is my interpretation of the law relative thereto;

Thanking you for my favors, I am

Yours truly,

L. E. King, County Attorney for Sabine  
County, Texas. (L. E. King County  
S. Co. Texas.)

Accounts were allowed, as shown by account ledger.

There being no further business court is adjourned.

234

Attest:

*Freda Davidson*  
County Clerk.

*Edwin Harrison*  
County Judge, Sabine Co., Tex.

*H. G. White*  
Commr. Prec. No. 1.

*E. G. Smith*  
Commr. Prec. No. 2.

*P. H. McLean*  
Commr. Prec. No. 3.

*P. W. Chapman*  
Commr. Prec. No. 4.