

The Commissioners Court in and for Sabine County, Texas, met in Regular Session January 28th, 1935, with all members present to-wit: Edw. Harper, County Judge, T. R. Smith, Commr. Prect. No. 1, E. C. Smith, Commr. Prect. No. 2, P.H. McGown, Commr. Prect. No. 3, R. W. Chapman, Commr. Prect. No. 4, Zeda Davidson, County Clerk, and Geo. W. Russell, Sheriff, and transacted business, as follows, to-wit:

Accounts were allowed as is shown by account ledger.

On motion made by R. W. Chapman, Seconded by E. C. Smith, with a vote unanimous, it is ordered by the court that Scrip # 1152 issued to Carroll Dickey, in the amount of \$5.00, be cancelled and scrip in lieu thereof be issued for the same purpose on the same fund, but in the amounts of \$3.80 and \$1.20, and Scrip # 539, issued to Allen Willis, in the sum of \$5.00, be cancelled and scrip in lieu thereof be issued for the same purpose on the same fund, but in the amounts of \$2.39 and \$2.61.

On motion by P. H. McGown, second by E. C. Smith, with a vote unanimous, it is ordered by the court that Scrip # 1654, in the amount of \$11.60, issued to O.B. Short, be cancelled, and scrip in lieu thereof, be issued in the same fund, for the same purpose but in the amounts of \$5.60, and \$6.00. and scrip # 1652, in the amounts of \$42.20, issued to J. A. Smith, be cancelled and scrip in lieu thereof be issued, for the same purposes out of the same fund, but in amounts of \$19.20, and \$23.00. And Scrip # 1024, issued to P.H. McGown, in the sum of \$15.00 be cancelled and scrip in lieu thereof, be issued in the same fund, for the same purposes but in sums of \$9.64 and \$5.36.

On motion duly had and carried, it is ordered by the court that the Quarterly report of Edward Harper, be and the same is hereby in all things approved.

On motion by T. R. Smith, seconded by P.H. McGown, with a vote unanimous, it is ordered by the court that the value of taxes on 45 acres on the Thomas Lindsey survey, owned by Tom Hall, which was placed on the unrendered roll at the rate of \$12.00 per acre, be reduced to the value of \$5.00 per acre, and the Tax Collector is hereby authorized to collect taxes on same at the rate of \$5.00 per acre.

On motion made by T. R. Smith, seconded by P. H. McGown, with a vote unanimous, it is ordered by the court that the Quarterly Report of J. L. Payne, County Treasurer, be and the same is hereby approved.

Whereas it has been reported to the court that Lots # 16 to 19 Inc. in Block 70 in the town of Bronson, owned by E. C. Eddings, through error, has been placed on the Taxeroll at the value of \$330.00 which the court considers is an excessive value for said property, and which value the said E. C. Eddings has ask the court to reduce. P.H. McGown, motioned that the property of said E. C. Eddings, be reduced to the value of \$175, which motion was seconded by E.C. Smith. T. R. Smith, motioned that the property be reduced to the value of \$200.00 which was seconded by R. W. Chapman, and there being a tie in the vote, it was voted by Edw. Harper, Co. Judge that the property be reduced to the value of \$175.00, and the Tax Collector is hereby directed to collect taxes at such rate.

In Commissioners' court, Sabine County, Texas.

RESOLUTION.

Whereas, Magnolia Pipe Line Company proposes to pay, and has paid 1934 taxes on its tangible properties in this county, on agreement by the court and its officials that the Judgment of contested intangible tax due shall abide final judgment in Atlantic Pipe Line Company versus State of Texas, now pending, and litigation to determine the validity of such tax, without payment of penalty or interest, and officials of the court desire to evidence such agreement.

Now, therefore it is resolved, that Magnolia Pipe Line Company, is hereby relieved from payment of 1934 intangible tax assessed in this county until such time as the validity of such tax is determined by pending litigation; If the tax is adjudicated valid, the tax may then be paid without penalty and interest, and should this agreement be for any reason ineffective, this resolution now consented to by the court and its legal representatives, County attorney, etc., whose names are endorsed hereon shall constitute an agreement that appropriate judicial action and judgments may be entered to effectuate the same.

Witness our hands, this 28th day of January, A. D. 1935.

Approved: L. E. King, County Attorney,
Sabine County, Texas.

Edw. Harper, County Judge.
T.R. Smith, Commissioner Precinct No. 1.
E.C. Smith Commissioner Precinct No. 2.
P.H. McGown Commissioner Precinct No. 3.
R.W. Chapman, Commissioner Precinct No. 4.

Be it remembered that on the 28th day of January, A. D. 1935, the Honorable Commissioners' Court of Sabine County, Texas, held a special term of said court, at the courthouse of said County, present and presiding, Hon. Edward Harper, Judge of said court, Zeda Davidson, Clerk of said Court, G. W. Russell, Sheriff, of, R. Smith, Commissioner of Precinct No. 1, Ernest Smith, Commissioner, of Precinct No. 2, P.H. McGown, Commissioner of Precinct No. 3, and R.W. Chapman Commissioner of Precinct No. 4, when the following order, among other things, was duly made by said court by unanimous affirmative vote.

"It is ordered by the commissioners' court of Sabine County, Texas, that Ed C. Smith of the City of Center, Shelby County, Texas, his heirs and assigns, be and they are hereby granted the right and privilege to lay pipe lines and other necessary appurtenances in, under and upon the public roads and public highways of Sabine County, and streets and alleys of the cities and towns and in, on and under any other real estate owned and controlled by Sabine County, for the purpose of conducting the business of maintaining, installing, managing and operating a natural gas system in Sabine County, and to maintain and construct all necessary pipe lines and other necessary appurtenances to the conduct of such business in the usual and customary manner under the following terms and restrictions, to-wit:

1. The term of this grant shall be for fifty (50) years from this date, at the end of which time the rights herein granted shall be forfeited.
2. The grantee, his heirs and assigns, shall conduct such gas business in such manner as shall be of benefit to the City of Memphis, and the inhabitants of Sabine County, rendering good and prompt service.
3. Said business and the laying of gas pipe lines shall be conducted in such a manner as not to unnecessarily interfere with the public use of the public roads, highways, streets and alleys and the lines so laid shall be of a sufficient depth as not to interfere with the reasonable use of the same by the public.
4. This Franchise, as well as the rights hereunder, may be assigned by the grantee, as well as by all succeeding Grantees at their option, or the rights of such grantee, or successors hereunder, may be transferred under foreclosure proceedings or judicial sale, or may be trans-

ferred from one holder to a third party by the operation or forfeiture clause of any agreement between such parties, in which case Assignee shall succeed to all of the rights, duties and liabilities, of the Grantee hereunder.

5. Grantee and/or his assigns, shall have twelve months from and after the passage of this order, within which to accept this Franchise, and to begin constructing such natural Gas system; provided that in case of non-acceptance, or of a failure to begin construction within said twelve months, or of a failure to complete construction within six months thereafter, the Franchise and rights herein given, shall become void and shall be forfeited to the county".

There being no further business, court is adjourned.

Attest: Judd Dandson
County Clerk.

Edmund Harper
County Judge.

J. R. Smith
Commissioner Precinct No. 1.

E. C. Smith
Commissioner Precinct No. 2.

J. H. McLean
Commissioner Precinct No. 3.

R. W. Chapman
Commissioner Precinct No. 4.