

No. 532 EQUITY.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS.

Filed for record April 1st, 1936, at 11:30 O'clock A.M.

S.G. GARY, PLAINTIFF

VS.

SABINE COUNTY ET AL.
DEFENDANTS.

CERTIFIED COPY OF JUDGMENT.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION.

S. G. GARY, PLAINTIFF

VS.

SABINE COUNTY ET AL,
DEFENDANTS.

No. 532 Equity.

Be it remembered that on this 26 day of March A. D. 1936, this cause came on regularly to be heard and all parties appeared by their respective attorneys and announced ready for trial; the pleadings of the parties being read, the evidence adduced, and the argument of counsel having been heard;

IT IS CONSIDERED, ORDERED AND ADJUDGED AND DECREED AS FOLLOWS:

1. That the plaintiff, S. G. Gary, do have and recover of and from the defendant, Sabine County, Texas, the sum of Four Thousand Nine Hundred Sixty-one and 22/100 (\$4,961.22) dollars with interest thereon from this date until paid at the rate of six per cent (6%) per annum, the same being the amount of the principal and interest now due on coupons Nos. 9 to 14 inclusive of Thirty (\$30.00) dollars each, to each of the Sabine County Road and Bridge Funding Warrants Nos. 3 to 27 Inclusive, for one Thousand (\$1,000.00) dollars each, dated the 15th day of May, A. D. 1928, and sued upon herein.

2. That the above mentioned original Sabine County Road and Bridge Funding Warrants, Nos. 3 to 27 inclusive, each for the sum of One Thousand (\$1,000.00) dollars, dated the 15th day of May, A. D. 1928, and due as follows:

<u>No. of Warrants.</u>	<u>Date of Maturity.</u>	<u>Amount.</u>
3	April 10, 1936	\$1000.00
4	" 10, 1937	1000.00
5	" 10, 1938	1000.00
6 and 7	" 10, 1939	2000.00
8 and 9	" 10, 1940	2000.00
10 and 11	" 10, 1941	2000.00
12 and 13	" 10, 1942	2000.00
14 and 15	" 10, 1943	2000.00
16, 17 and 18	" 10, 1944	3000.00
19, 20 and 21	" 10, 1945	3000.00
22, 23 and 24	" 10, 1946	3000.00
25, 26 and 27	" 10, 1947	3000.00

TOTAL - \$ 25,000.00

be and the same are each and all adjudged and decreed to be valid warrants against Sabine County, Texas, and against the Road and Bridge Funds of said County, and to constitute a valid and existing indebtedness against said county and against the Road and Bridge Funds of said County.

3. That the preliminary injunction heretofore on the 17th day of January, 1936, granted and issued in this case, enjoining and restraining the defendant Edward Harper, as County Judge and the defendants, T. R. Smith, E. C. Smith, P. G. McGown, and R. W. Chapman, as County Commissioners and composing the County Commissioners' court of Sabine County, Texas, and each of them and their respective successors in office from creating any further debts and obligations and from drawing and issuing, and from authorizing the drawing and issuing of any further warrants and scrip against the Road and Bridge Funds of Sabine County, Texas, derived from ad valorem taxes and enjoining and restraining the defendant J. L. Payne, as County Treasurer of Sabine County, Texas, and his successors in office from paying any claim, warrant or scrip or any sum of money out of or from the Road and Bridge Funds of Sabine County, Texas, derived from ad valorem taxes except in payment of this judgment and the twenty-five funding warrants and coupons attached thereto, and hereafter to mature and as described in paragraph 2 above, be and

the same is hereby made permanent as hereinafter provided.

4. That to create a fund to pay the above money a judgment and decree and to pay the above described Road and Bridge Funding Warrants, Nos. 3 to 27 inclusive, and the coupons thereto attached, and hereafter to mature and the interest that shall hereafter accrue on said judgment, warrants and coupons, according to their face and tenure, you the defendant, Edward Harper, as County Judge, and you the defendants, T. R. Smith, E. C. Smith, P. H. McEown, and R. W. Chapman, as County Commissioners, and as composing the County Commissioners' Court of Sabine County, Texas, and each of you and each of your respective successors in office, are hereby ordered, commanded and required to levy a tax of Eleven Cents on each one hundred dollars valuation of taxable property in Sabine County, Texas, of the fifteen cent tax authorized by law to be levied by Sabine County, Texas, for road and bridge purposes on each one hundred dollars valuation of taxable property in said County, for the year 1936, and for each succeeding year thereafter and until the above rendered judgment and decree, and said above described funding warrants and coupons and all interest thereon, according to their face and tenure, shall have been fully paid and satisfied, and that you order and direct that the special fund be designated "SPECIAL ROAD AND BRIDGE FUNDING WARRANT FUND" created in the order of the Commissioners' court of Sabine County, Texas, dated, passed and adopted on the 14th day of May, A. D. 1928, and recorded in Volume "M" on page 469, et seq., of the minutes of the Commissioners' court of Sabine County, Texas, be re-established and that you order and direct the county Treasurer of Sabine County, and his successors in office to re-establish, re-open and keep open said special fund and account and in and to it shall be paid and credited all taxes and funds and money collected from the above required tax levy of Eleven Cents and that the same shall not be paid out for any purposes other than to pay the above judgment and decree and the above mentioned funding warrants and coupons and the interest thereon.

5. That you the defendant, J. L. Payne, County Treasurer of Sabine County, Texas, and your successors in office, are hereby ordered, commanded and required to re-establish, re-open and keep open on your books and records a special fund and account to be designated "Special Road and Bridge Funding Warrant Fund", which was created in the order of the County Commissioners' Court of Sabine County, Texas, dated, passed and adopted on the 14th day of May, 1928, and recorded in Volume "M" on page 469, et seq. of the minutes of the Commissioners' court of Sabine County, Texas, and to which said special fund and account you shall set aside and credit all ad valorem taxes collected and received by you from the above levy of eleven cents, of the fifteen cent road and bridge Tax of Sabine County, Texas, and also that you set aside in and credit to said special fund Eleven Fifteenths of all delinquent taxes hereafter collected and delivered to and received by you for the road and bridge funds of said County, and from which said special fund and account you shall pay to the plaintiff herein and to his heirs and assigns from time to time on demand, and as you may have funds on hand, the amount of this judgment, interest and cost of suit, and you shall pay to the plaintiff herein, his heirs and assigns, as the owners and holders of the above described road and bridge funding Warrants, Nos. 3 to 27 inclusive, and the interest coupons thereto attached, and to hereafter mature and the interest to accrue thereon as and when the same shall become due and payable and you will pay no other claim, warrant or scrip from said special fund and account, until this judgment and decree and all interest thereon and cost of suit and said Road and Bridge Funding Warrants, Nos. 3 to 27 inclusive, and all coupons thereto, attached and hereafter to mature and all lawful accumulated interest on such funding warrants and coupons which have been fully paid and satisfied.

6. That the plaintiff, S. G. Gary, do have and recover of and from the defendant, Sabine County, Texas, all costs of this suit.

7. That this judgment and decree be duly certified to the Clerk of the County Court.

Sabine County, Texas, for observance and enforcement.

8. That the plaintiff may have all such writs and process necessary to enforce this judgment and decree and compel observance thereto.

9. That this court reserves and retains jurisdiction of this cause and of the parties and subject matter of this suit for the purpose of determining all such reserve questions and of enforcing the conditions, orders, requirements and commands of this decree, and of any further order or orders made herein, and any party to this suit may apply to the court for further orders and directions at the foot of this decree.

O.K. as to form.
J.W. Minton,
Atty. for Defts.

(Signed) Randolph Bryant, Judge,
UNITED STATES DISTRICT COURT.

O.K.
E.B. Robertson,
Atty. for Plff.

United State of America }
Eastern District of Texas }

I, Helen Mathews, Clerk of the United States District Court in and for the Eastern District of Texas, do hereby certify that the annexed and foregoing is a true and full copy of the original Judgment in the case, S.G. Gary, Plaintiff, Vs. No. 532 Equity, Sabine County, et al, Defendants, now remaining among the records of the said Court in my office.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Beaumont, Texas, this 26th day of March, A. D. 1936.

(L.S.)

Helen Mathews, Clerk,
By Della Ashley, Deputy Clerk.