

The Honorable Commissioners Court met Monday February 27, 1950 with the following members present: O. A. Beauchamp, County Judge; G. B. Conn, Comm. Prec. #1; E. C. Smith, Comm. Prec. #2; J. R. Thomas, Comm. Prec. #3; H. J. Vickers, Comm. Prec. #4; and Floyd Smith, County Clerk.

BE IT REMEMBERED that on this the 27th day of February, A.D., 1950, the Commissioners' Court of Sabine County, Texas, met in regular call session, with the following members of said Court present and presiding, O. A. Beauchamp, County Judge, G. B. Conn. Prec. No. 1; E.C. Smith Com. Prec. No. 2; John R. Thomas, Com. Prec. No. 3; H. J. Vickers, Com. Prec. No. 4, when the following proceedings were had, to-wit:

ON THIS THE 27th day of February, A.D., 1950, the Commissioners' Court, of Sabine County, Texas, being in regular session, at a regular term of said Court, all members thereof being present, namely: O. A. Beauchamp, County Judge; G. B. Conn, Commissioner Precinct No. 1; E.C. Smith, Commissioner Precinct No. 2; John R. Thomas, Commissioner Precinct No. 3; H. J. Vickers, Commissioner Precinct No. 4; the following proceedings among others were had, to-wit:

WHEREAS, due to recent excessive rains, overflows and cyclones, the public roads of Sabine County, are now practically impassible, and are endangering the lives and property of the citizens of said County; and

WHEREAS, because of the condition of said roads, rural mail cannot be delivered, and schools in said County have become inaccessible; and

WHEREAS, by reason of said public calamity, the Commissioners' Court finds that an emer-

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gency exists, making it necessary for said Court to act at once to provided for the immediate repair and improvement of said roads, to protect the lives, property and welfare of the citizens of said County; and

WHEREAS, in order to make said road repairs and improvements, the Commissioners' Court finds that it is necessary to immediately purchase certain road machinery, so that the work may be done at once under the direct supervision of said Court; and

WHEREAS, this Court further finds that where an extreme emergency exists, as herein set out, the legal requirements with respect to the publishing of notices to bidders is especially waived, and that this Court is authorized to proceed at once with the purchase of said road machinery, and to issue time warrants of said County to evidence the purchase price thereof; and

WHEREAS, the following purchase contract has this day been entered into by and between this Court and Paul J. Bleakley, of San Antonio, Texas;

Hemphill, Texas, February, 27, 1950.

TO PAUL J. BLEAKLEY

San Antonio, Texas.

Sabine County hereby purchases from you the following road machinery and equipment:

Four Allis Chalmers Motorgraders, described as follows:

Two Allis Chalmers Motorgraders, with 12 ft. Moldboards, power controlled, with starting equipment gasoline fuel burning, tandem drive with wide front axle leaning front wheels, weight about 16,000 lbs.;

Two Allis Chalmers Motorgraders, tandem drive wide front axle leaning front wheels, starting equipment gasoline fuel burning, power controlled with 14 ft. moldboards, weight about 18,000 lbs.;

said purchase being made for a total purchase price of THIRTY THREE THOUSAND FIVE HUNDRED AND NO/100 (\$33,500.00) Dollars, and to be paid as follows:

The delivery to said Paul J. Bleakley, of three old tractors, valued at \$1500.00, and the issuance to the said Paul J. Bleakley by Sabine County, Texas, of road machinery warrants, in the sum of \$32,000.00 and to be paid out of the road and bridge funds of said County, and said Warrants bearing interest from date at the rate of 4% per annum, and being 32 Warrants in the sum of \$1000.00, each, and payable \$2000.00 per annum, the first payment being due February 27, 1951, and \$2000.00 per year thereafter until all of said obligation matures; and Sabine County, Texas, reserves the right to pay said Warrants at any time after five years from the date thereof;

SABINE COUNTY, TEXAS

BY: O. A. Beauchamp, County Judge

G. B. Conn, Commissioner Precinct No. 1

E. C. Smith, Commissioner Precinct No. 2

John R. Thomas, Commissioner Precinct No. 3

H. J. Vickers, Commissioner Precinct No. 4

ACCEPTED:

AND WHEREAS, said Commissioner's Court desires to ratify and confirm said contract to purchase the above described road machinery and authorize the issuance and delivery of the Warrants to evidence the purchase price;

THEREFORE, BE IT REMEMBERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF SABINE COUNTY:

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That the contract hereinabove set out covering the purchase of road machinery from Paul J. Bleakley be, and the same is hereby in all things ratified and confirmed as the act and contract of Sabine County, and the said road machinery having been satisfactorily demonstrated, the same is hereby accepted for and in behalf of Sabine County, Texas.

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That the deferred purchase price of said road machinery, to-wit: the sum of

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\$32,000.00, it is hereby declared to be the lawful indebtedness of Sabine County, for which said County has received full value and consideration. That said indebtedness shall be evidenced by the issuance and delivery to said Paul J. Bleakley, his assigns or bearer, 32 Sabine County Road Machinery Warrants, of 1950, numbered from one (1) to thirty two (32) inclusive, and in the sum of \$1000.00 each.

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Said Warrants shall be dated the 27th day of February, 1950, and shall become due and payable serially as follows:

WARRANT NUMBERS	DATE OF MATURITY	AMOUNT
1 and 2	February 27, 1951	\$2000.00
3 and 4	February 27, 1952	2000.00
5 and 6	February 27, 1953	2000.00
7 and 8	February 27, 1954	2000.00
9 and 10	February 27, 1955	2000.00
11 and 12	February 27, 1956	2000.00
13 and 14	February 27, 1957	2000.00
15 and 16	February 27, 1958	2000.00
17 and 18	February 27, 1959	2000.00
19 and 20	February 27, 1960	2000.00
21 and 22	February 27, 1961	2000.00
23 and 24	February 27, 1962	2000.00
25 and 26	February 27, 1963	2000.00
27 and 28	February 27, 1964	2000.00
29 and 30	February 27, 1965	2000.00
31 and 32	February 27, 1966	2000.00

Never Issued

Provided, however, that the County of Sabine, Texas shall have the right to pay any of said warrants at any time after a period of five years from the date hereof by giving thirty days notice.

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Said Warrants shall bear interest from date at the rate of four per cent (4%) per annum, payable February 27, 1951, and semi-annually thereafter on the 27th day of February and 27th day of August each year, which interest shall be evidenced by coupons attached to each of said Warrants.

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Principal and interest of said Warrants shall be payable in lawful money of the United States of America, upon presentation and surrender of said Warrants or proper coupons at the National Bank of Commerce, San Antonio, Texas; Said Warrants shall be signed by the County Judge, attested by the County Clerk, and registered by the County Treasurer, and the seal of the Commissioners' Court of said County shall be affixed to each of said Warrants, and in registering said Warrants, the County Treasurer shall write across the face of same its registered number, the word "Registered," the date of such registration, and shall sign his name officially thereon. Facsimile signatures of the County Judge and County Clerk may be lithographed upon the interest coupons.

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The form of said Warrants shall be as follows:

NO. _____

\$1,000.00

UNITED STATES OF AMERICA
THE STATE OF TEXAS
COUNTY OF SABINE

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SABINE COUNTY ROAD MACHINERY WARRANT OF 1950

THIS IS TO CERTIFY THAT the County of Sabine, in the State of Texas, under and by virtue of a valid and subsisting contract is justly indebted to Paul J. Bleakley, his assigns or bearer, in the principal sum of ONE THOUSAND DOLLARS (\$1000.00) in lawful money of the United States of America, together with interest thereon, from date hereof, at the rate of four per cent (4%) per annum, payable February 27th, 19__, and semi-annually thereafter on the 27th day of February and 27th day of August, of each year; both principal and interest payable at the National Bank of Commerce, San Antonio, Texas, upon presentation and surrender of Warrant or proper coupon; and the Treasurer of said County is hereby authorized, ordered and directed to pay to said Paul J. Bleakley, his assigns or bearer, at said Bank, the sum of ONE THOUSAND DOLLARS (\$1,000.00), on the 27th day of February, 19__, the date of maturity of this Warrant, in full settlement of the indebtedness hereby evidenced, out and from the Road and Bridge Funds, of said County, levied, assessed and collected and created for that purpose.

The County of Sabine reserves the right to pay this Warrant at any time after five years from date thereof, by giving thirty days notice.

This warrant is one of a series of thirty two Warrants, numbered consecutively from one (1) to thirty two (32) inclusive, in the denomination of \$1,000.00 each, aggregating \$32,000.00 issued for the purpose of evidencing the indebtedness due by Sabine County, Texas, to Paul J. Bleakley, his assigns or bearer for the purchase price of road machinery purchased by said County from said Paul J. Bleakley, 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 Sabine County, Texas, on the 27th day of February, 1950, which is recorded in the Minutes of said Court.

The date of this Warrant, in conformity with said order, is February 27, 1950, and it is hereby certified 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 the constitutional or statutory limitations.

Past due interest hereon shall bear interest at the rate of 6% per annum; and in the event this warrant or any interest coupon hereto attached is not paid at maturity thereof, and same is placed in the hands of an attorney for collection, or if collected by legal proceedings of any kind, the County of Sabine agrees to pay 10% additional on the amount of principal and interest then due as attorneys' fees.

IN TESTIMONY WHEREOF the County Commissioners' Court, of Sabine County, Texas, has caused the seal of said Court to be hereto affixed, and this Warrant to be signed by the County Judge, and attested by the County Clerk, as of the date last above written.

County Judge, Sabine County, Texas.

ATTESTED:

County Clerk, Sabine County, Texas.

NO. _____

Registered this the 27th day of February, 1950.

County Treasurer, Sabine County, Texas.

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The form of interest coupons shall be substantially as follows: except Coupon No. 1, which shall be in the sum of \$40.00 and cover 12 months interest:

NO. _____

\$20.00

ON THE 27TH DAY OF _____ THE COUNTY OF SABINE, in the State of Texas, will

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be justly indebted to Paul J. Bleakley, his assigns or bearer, in the sum of TWENTY (\$20.00) DOLLARS: and the County Treasurer is hereby authorized, ordered and directed to pay to said Paul J. Bleakley, his assigns or bearer, on said date, at the National Bank of Commerce, San Antonio, Texas, out of and from the Road and Bridge Funds, of said County, said amount, the same being six months' interest on SABINE COUNTY ROAD MACHINERY WARRANT OF 1950, NO. _____, dated February 27, 1950, to which this coupon is attached and is a part thereof.

County Clerk

County Judge.

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The following assignment may be printed on the back of each of said Warrants.

ASSIGNMENT

THIS IS TO CERTIFY that Paul J. Bleakley has received the within principal Warrant and the annexed coupons from Sabine County, Texas, in part payment of the purchase price of road machinery purchased from said Paul J. Bleakley by said County, and, for value received, said Paul J. Bleakley hereby transfers, assigns, sells and delivers, without recourse in any event, to bearer, all right, title and interest held by said Paul J. Bleakley in and to the same, and also the proportionate part of the contract price and debt due by said County to said Paul J. Bleakley, with interest thereon, which is evidenced by this principal Warrant and the annexed coupons; and said bearer is hereby subrogated to all the rights, liens, claims or title, whether in law or in equity, which are or may be secured to said Paul J. Bleakley by said contract, and the bearer hereof is hereby authorized to collect the same and give full acquittance thereof in the name of said Paul J. Bleakley.

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BE IT FURTHER ORDERED BY THE COURT that all taxes hereafter accruing to the Road and Bridge Funds of Sabine County, Texas, or so much thereof as may be necessary be, and the same are hereby set aside, pledged and appropriated, and shall be exclusively used to pay the hereinbefore described machinery Warrants, together with interest thereon, and for no other purpose.

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That to create fund to pay the interest on said Warrants and provide a sufficient sinking fund to pay the principal thereof as same becomes due, there is hereby levied for the current year, and for each succeeding year thereafter while said warrants, or any of them, are outstanding, a tax of and at the rate of Fifteen cents out of the Constitutional Road and Bridge Taxes of said County, on each One Hundred Dollars Valuation of taxable property in said County, and said tax shall be annually assessed and collected and applied to the purposes named; provided that there shall be applied to machinery Warrants issued herein, any and all other available Road and Bridge Funds of said County, and there is hereby appropriated and set aside out of such available funds all amounts in excess of the road and bridge requirements each year, so that in addition to the tax levy herein made to pay said Machinery Warrants, such excess funds shall be used, if necessary to retire the indebtedness herein contracted and created, and also to enable said County to exercise its option to pay all of said Warrants after the expiration of the five years option period reserved by the County.

THE ABOVE AND FOREGOING ORDER passed by the unanimous vote of the Commissioners' Court of Sabine County, Texas, on the 27th day of February, 1950.

O. A. Beauchamp.
County Judge, Sabine County, Texas.

G. B. Conn
Commissioner Precinct No. 1

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E. C. Smith
Commissioner Precinct No. 2

John R. Thomas
Commissioner Precinct No. 3

H. J. Vickers
Commissioner Precinct No. 4.

There being no other business, we were adjourned.

O. A. Beauchamp, County Judge _____

G. B. Conn, Comm. Prec. #1 _____

E. C. Smith, Comm. Prec. #2 E. C. Smith

J. R. Thomas, Comm. Prec. #3 _____

H. J. Vickers, Comm. Prec. #4 _____

Attest: Floyd Smith
Floyd Smith, County Clerk