

THE STATE OF TEXAS

June 20, 1958

COUNTY OF JOHNSON

At a special called meeting of the Commissioners' Court of Johnson County, Texas, at Cleburne, Texas, this the 20th day of June, 1958, the following members were present: H. G. Littlefair, County Judge, Manning Coward, Commissioner of Precinct No. 1; Sam Evans, Commissioner of Precinct No. 2; Jimmie Walters, Commissioner of Precinct No. 3; and Marvin Roland, Commissioner of Precinct No. 4.

This meeting was called for the purpose of setting the bond of Judge Atwood McDonald as Special County Judge of Johnson County, Texas, in Probate, Case No. 7382, styled, Estate of J. E. Sexton, Deceased.

Motion was made by Commissioner Roland, seconded by Commissioner Coward, that the bond of Judge Atwood McDonald, Special County Judge, Johnson County, Texas, in Probate, Cause No. 7382, Estate of J. E. Sexton, Deceased, be set in the amount of One Thousand and no/100 dollars (\$1,000.00), and that the premium for said bond be paid by Johnson County, Texas.

All voted aye

The following documents were filed for record in the Minutes of the Commissioners' Court of Johnson County, Texas, this the 20th day of June, 1958;

1. Telegram;

Cleburne, Texas

May, 16, 1958

Hon. Price Daniel

Governor of Texas

Capital Building

Austin, Texas

Pursuant to Article No. 1932 and/or Article No. 1933 this is to certify that I am disqualified as County Judge of Johnson County, Texas, to act in Probate Case No. 7382, J. E. Sexton Estate, for the following reasons:

1. Due to previous business relations on matters pertaining to Johnson County with Mrs. Agnes Kirk, principal beneficiary under alleged will.

2. Because of such relations my opinions have become fixed.

3. I would be interested in this case due to decisions that will have to be made concerning large sums of money that would come into the County's funds and would have to be administered under my administration.

4. And for other reasons.

The attorneys in this case are unable to agree on a special judge. Therefore, I submit that I am disqualified, and request that you appoint a special Judge in said case.

H. G. Littlefair

County Judge

2. Commission:

In the name and by the authority of THE STATE OF TEXAS

To all to whom these presents shall come - GREETINGS:

Know ye, that ATWOOD MCDONALD is hereby commissioned Special County Judge, Johnson County, No. 7382, Estate of J. E. Sexton under the laws of the State of Texas with all rights, privileges, and emoluments appertaining to said office.

In testimony whereof, I have hereunto signed my name and caused the Seal of State to be affixed at the City of Austin, this the 17th day of June, A.D. 1958.

(SEAL)

s/s Price Daniel

THE STATE OF TEXAS

Governor of Texas

ATTEST: s/s Zollie Steakley

Secretary of State

3. Oath:

THE STATE OF TEXAS ()

COUNTY OF JOHNSON ()

I, Atwood McDonald, do solemnly swear, that I will faithfully execute the duties of the office of special County Judge of the County of Johnson, of the State of Texas, in Cause No. 7382, styled Estate of J. E. Sexton, Deceased, on the Docket of the County Court of Johnson County, Texas, in Probate, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear, that I have not directly nor indirectly paid, offered, or promised to pay, contributed nor promised to contribute any

money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected.

So held me God.

s/s Atwood McDonald

SUBSCRIBED AND SWORN TO by the Atwood McDonald, before me, on this the 20th day of June, A. D. 1958.

(seal)

/s/ Margaret Powell, Notary
Public in and for
Johnson County, Texas

4. Oath:

THE STATE OF TEXAS ()
COUNTY OF JOHNSON ()

I, Atwood, solemnly swear that I will not be directly or indirectly interested in any contact with or claim against the County of Johnson, State of Texas, during the time I shall serve as Special County Judge of Johnson County in Cause No. 7382, styled Estate of J. E. Sexton, Deceased, on the Docket of the County Court of Johnson County, Texas, in Probate, except such warrants as may issue to me as fees of office.

So help me God.

/s/ Atwood McDonald

SUBSCRIBED AND SWORN to by the said Atwood McDonald, before me, on this the 20th day of June, A.D. 1958.

(SEAL)

/s/ Margaret Powell, Notary
Public in and for
Johnson County, Texas

5. Bond:

THE STATE OF TEXAS ()
 () KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF JOHNSON ()

That we, Atwood McDonald, as Principal, and Glens Falls Insurance Company as Surety, are held and firmly bound unto the Treasurer of the County of Johnson, State of Texas, in the sum of One thousand and no/100 (\$1,000.00) dollars, for the payment of which, will and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally.

Whereas, the above bounden Atwood McDonald has been appointed Special County Judge of the County aforesaid in that certain Cause bearing No. 7382, styled, Estate of J. E. Sexton, Deceased, pending on the Docket of the County of Johnson, State of Texas, in Probate: The condition of the above obligation is such that if the said Atwood McDonald, special County Judge as aforesaid, shall pay over to the person or officers entitled to receive it all moneys that may come into his hands as a special County Judge; and shall pay over to his county all moneys illegally paid to him out of County Funds, as voluntary payments or otherwise, and shall not vote or give his consent to pay out County funds except for lawful purposes, the above obligation shall be void; otherwise, to remain in full force and effect.

WITNESS OUR HANDS this 20th day of June, A.D. 1958.

s/s Atwood McDonald

Principal

Glens Falls Insurance Company

GLENS FALLS INSURANCE COMPANY *1849*

Surety

(SEAL)

By s/s E.L. Reid, Attorney

Motion was made by Commissioner Roland, seconded by Commissioner Evans, that the bond and oaths of Honorable Atwood McDonald, to act as Special Judge, Johnson County, Texas, in Probate, Case No. 7382, Estate of J. E. Sexton, Deceased, be in all things approved.

All voted aye

The Deputy Sheriff made a proclamation at the Courthouse door that the election of a special judge of the Probate Court is about to be made by the practicing lawyers present:

The following practicing lawyers were present:

Robert M. Mahanay

Fred Erisman

Angus G. Wynne

Earl Roberts

Gordon L. Welborn

Gean B. Turner

John M. Smith

Bedford S. Wynne

Willard B. Baker

Jack C. Altaras

Glyndon M. Hague

Clarence A. Abramson

H. G. Littlefair

Ted W. Myatt

Newton C. Chaney

Atwood McDonald

A nomination was made by Fred Erisman that the Honorable Atwood McDonald be elected as special Judge of the Probate court of Johnson County, Texas in the Estate of J. E. Sexton, Deceased, Cause No. 7382, and seconded by Angus G. Wynne, and a vote by individual ballot was taken thereon and all Attorneys present as listed above voted unanimously for Atwood McDonald as special Judge.

There being no further business, court is hereby adjourned.

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<u>County Clerk</u>	County Judge
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