

February 8, 1943

THE STATE OF TEXAS ()

COUNTY OF JOHNSON ()

BE IT REMEMBERED, that at a Regular Meeting of the Commissioners' Court of Johnson County, Texas, held on the 8th day of February A. D. 1943, the following members were present to-wit:

Honorable Roy Anderson, County Judge, Commissioner Roy Wyatt, Precinct #1, Commissioner H. Olin Hadley, Precinct #2, Commissioner Dallas Thompson, Precinct #3, Commissioner M W. Roland, Precinct #4, and A. T. Griffin, County Clerk: The following proceedings were had:

Application of S. P. Faulkner for reassessment of the taxes against Lot No. 4, Block No. 113 and the West part of Lot No. 16 and Block No. 108 of the City of Cleburne for the years 1931 to 1941, inclusive was presented. The application being as follows:

THE STATE OF TEXAS ()

TO THE COMMISSIONERS' COURT OF

COUNTY OF JOHNSON ()

JOHNSON COUNTY, TEXAS.

Now comes S. P. Faulkner, who resides in Johnson County, Texas, and respectfully shows the Honorable Commissioners' Court of Johnson County the following:

1. That he is the owner in fee simple of the following described property situated in the city of Cleburne in Johnson County, Texas to-wit: Lot No. 4 in Block No. 113 of said city, and the west part of Lot No. 16 in Block No. 108 of said city. That the said property has been assessed for State, County and School taxes, and said taxes appear by the tax rolls of Johnson County, Texas, to be delinquent for the years 1931 to 1941, inclusive. That the assessment of said real estate for taxes for each and all of said years was and is void and invalid for the following reasons to-wit:

(1) Because said real estate was not rendered for all of said years by the owner thereof and was not assessed at its fair value by the proper officer.

(2) Because the rendition and assessment of said property for the taxes for each and all of said years was for a valuation and amount far in excess of the value thereof, and in excess of the value of real estate of a like nature and quality adjacent to said land and in the same community.

(3) Because the description of said real estate in the assessment list made thereof was not a correct and proper description of the same.

2. By reason of the facts above alleged the assessment of said taxes against said property for each of said years is invalid and void and said property has not been legally rendered or assessed for taxes of any of said years.

Wherefore, petitioner prays the court that the rendition and assessment of said property for taxes for each and all of said years shall be adjudged invalid, void and of no effect, and shall be canceled by judgment and order of this court, and that a list of such property be made and the property be reassessed for taxes for each and all of said years as required and provided for in Articles 7346 et seq., Revised Civil Statutes of Texas, and for general and special relief.

S. P. Faulkner

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the following order be adopted.

IN RE: S. P. FAULKNER ()
DELINQUENT TAXES ()

IN THE COMMISSIONERS' COURT
OF JOHNSON COUNTY, TEXAS.

On this the 8th day of February, 1943, came on to be heard by the Commissioners' Court of Johnson County, Texas, the petition of S. P. Faulkner for an order declaring invalid the assessments for taxes for the years 1931 to 1941 inclusive, on Lot No. 4 in Block No. 113, and the West part of Lot No. 16 in Block No. 108 according to the official map of the City of Cleburne, in Johnson County, Texas; which said property is owned by the said S. P. Faulkner; and after due consideration of the facts, the Commissioners Court is of the opinion and finds, orders and adjudges that the assessments of all taxes

for the years mentioned are invalid and the same are hereby declared to be invalid, and the Tax Assessor and Collector is directed to make a list of such properties in triplicate, the same to show a complete description thereof, for each and all of said years, and present the same to this court for further action. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the following order be adopted.

IN RE: S. P. FAULKNER	()	IN THE COMMISSIONERS' COURT OF
DELINQUENT TAXES	()	JOHNSON COUNTY, TEXAS.

On this the 8th day of February, A. D. 1943, it appearing that an order was heretofore entered by the Commissioners' Court of Johnson County, Texas, declaring and adjudging invalid all taxes assessed for the years 1931 to 1941, inclusive, on Lot No. 4 in Block No. 113 and on the north part of Lot No. 16 in Block No. 108 according to the official map of the City of Cleburne in Johnson County, Texas, owned by S. P. Faulkner and directing the Tax Assessor and Collector to prepare a list of such properties in triplicate together with a complete description of the properties for the years the assessments are found to be invalid, and to present the same to this court; and such list having been presented and submitted to this court, after consideration of the facts, the Commissioners' Court of Johnson County, Texas is of the opinion and orders and decrees that the assessment for the taxes thereon for the years 1931 to 1941, inclusive are invalid and the same are hereby cancelled, and such lists are hereby referred to the Tax Assessor and Collector, who shall proceed at once to make an assessment of said properties, and when completed shall submit the same to this court. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the following order be adopted.

IN RE: S. P. FAULKNER ()
DELINQUENT TAXES ()

IN THE COMMISSIONERS' COURT
OF JOHNSON COUNTY, TEXAS.

On this the 8th day of February, A. D. 1943, it appearing to the Commissioners' Court of Johnson County, Texas that the assessments for taxes for the years 1931 to 1941 inclusive, on Lot No. 4 in Block 113 and on the West part of Lot No. 16 in Block No. 108 according to the official map of the City of Cleburne, Johnson County, Texas, which said property is owned by S. P. Faulkner, were declared invalid and canceled, and the Tax Assessor and Collector directed to reassess the same, and such property having been reassessed and submitted to the Court on this day, after due consideration of the facts, the Commissioners' Court of Johnson County, Texas, is of the opinion and finds that the values fixed therein are proper, and it is ordered that the taxes be computed and assessed at the tax rate in effect for each year mentioned in said order and list, and there shall be added thereto a penalty of ten per cent and six per cent interest to the date of making said list from the date such properties would have been delinquent had the same been properly rendered and assessed, and thereupon the Tax Assessor and Collector is authorized and directed to receive said amounts in full payment and satisfaction of the taxes on said lands for the years mentioned.

Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the property be reassessed and revalued for the years 1931 to 1941, inclusive on the valuation of \$240 for each piece of property for each year. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

The time arrived for receiving bids for the Depository of the funds of the County and the school funds of the County for the following two years the following proposal was read: This being the only proposal received.

THE HONORABLE COMMISSIONERS' COURT

JOHNSON COUNTY,

CLEBURNE, TEXAS

Gentlemen:

Whereas you have notified us that you would on February 8, 1943 receive bids for a County Depository for the next biennial, we hereby submit our bid and proposal to act as depository for Johnson County, its common school districts, and the trust funds of the County and District Clerks, and any other funds over which the Commissioners Court has jurisdiction for the next two years, as follows: Cleburne National Bank agrees to accept as County Depository the account of Johnson County together with its common school districts and the trust funds of the County and District Clerks, and any other funds over which the Commissioners' Court has jurisdiction for the next two years, upon the condition that your Court will designate it as County Depository for the above funds for said period, and to pay interest at the rate of one per cent per annum on all deposits of "County Funds" and said trust funds which have been at the time of their deposit designated a "Time Deposits" not to be withdrawn by check, warrant or otherwise, for a period of not less than six months from the date of said deposit, and then only upon written notice having been given to this bank thirty days in advance of such withdrawal of the deposit. The interest will be calculated to the maturity of each time deposit.

The Cleburne National Bank further agrees to secure the depository account in accordance with Section (c), Article 2547, of the Revised Civil Statutes of 1925, as now amended, which in substance states that the depository bank is authorized to pledge with the Commissioners' Court for the purpose of securing said funds, securities of the following kind in the amount equal to the County funds on deposit in said depository bank, to-wit: United States Bonds, Certificates of Indebtedness of the United States, Bonds of the State of Texas or of any county, town, city, independent school district, common school district, or bonds issued under the Federal Farm Loan Act, or Road District Bonds.

The Cleburne National Bank agrees to place these bonds as a pledge with the Republic National Bank, Dallas, Texas, Federal Reserve Bank, Dallas, Texas, First National Bank, Ft. Worth, Texas, Fort Worth National Bank, Ft. Worth, Texas, they in turn issuing their trust receipt in favor of Johnson County. It being understood, however, that Cleburne National Bank reserves the right to withdraw the securities as the funds are withdrawn and to pledge additional securities as the account is increased as outlined in the above mentioned statute.

Said bank upon acceptance of this bid and proposal, stands ready to execute bonds and perform all acts required by law to legally qualify as such depositories, and execute the depository contract renewing and extending the contract you now hold with us dated February 13, 1941.

As evidence of our good faith we enclose herewith our cashier's check No. A5003 dated this date payable to the order of the County Judge, Johnson County, Texas, for \$10,000.00, which check is to be returned to us immediately in case we are not awarded the depository contract, otherwise to be held by you as a guarantee that we will qualify as your depository subject to conditions set forth in the revised civil statutes governing County Depositories. When we have duly qualified as County Depository the above mentioned cashier's check is to be returned to us.

Respectfully submitted,

H. C. Custard, President.

Motion made by Commissioner Thompson, seconded by Commissioner Wyatt, that the proposal of the Cleburne National Bank to act as Depository for the County and School Funds for the next two years be accepted and that the County Judge be authorized to execute the contract. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that all properly approved bills be allowed and ordered paid. Commissioners Wyatt, Hadley Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Wyatt, seconded by Commissioner Thompson that no notice having been filed against the petition to close a road signed by eight freeholders of Precinct #1, that said road be closed as follows: Commencing at its intersection with Bates and Tom Griffin Road at the N. W. corner of T. S. Jackson Estate 118 ½ acre tract of land in I. Batterson and R. Tandy Survey:

Thence East between said Jackson land and K. Davis land to a corner at the Hughes place, a distance of about ¾ of a mile.

Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Wyatt, seconded by Commissioner Thompson that the bond of T. E. Peyton, Justice of the Peace of Precinct 32, be approved. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Wyatt, seconded by Commissioner Thompson, that the bond of John Prestridge, Justice of the Peace of Precinct #4, be approved. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the duly elected Justice of the Peace of Precinct No. 6, having failed to qualify and having stated to the County Judge that he did not intend to qualify as Justice of the Peace and petitions having been presented and signed by thirty-seven qualified voters of Precinct #6 requesting the W. M. Fairless be appointed Justice of the Peace. The said W. M. Fairless is hereby appointed Justice of the Peace of Precinct #6. Commissioners Wyatt, Hadley, Thompson and Roland voted "Aye". Motion carried.

Motion made by Commissioner Thompson, seconded by Commissioner Hadley that the following named persons be appointed election judges for the general elections to be held in the county during the year 1943.

Box 1 – Cleburne – Mrs. Marlin Russell and W. H. Griffith

Box 2 – Cleburne – Mrs. Violet Harless and S. M. Ballew

Box 3 – Cleburne – E. L. Harris and Mrs. E. W. Rawls

Box 4 – Cleburne – N. A. Adams and A. M. Stark

Box 5 – Rio Vista – Doyle Hall and G. W. Smith

Box 6 – Brazos Valley – Mrs. L. E. Wilbanks and E. B. Kinser

Box 7 – Bono – H. J. Dickey and H. H. Kennon

Box 8 – Lone Willow – W. M. Farmer and Will Roten

Box 9 – Cresson – E. W. Fidler and L. Duvant

Box 10 – Godley – L. D. Garrett and O. J. McNally

Box 11 – Joshua – George King, Sam West and B. E. Doggett

Box 12 – Burleson – Clayton Griffing, J. Hillery and E. J. Thompson

Box 13 – Egan – Miss Elta Martin and Mrs. Russell McGowan

Box 14 – Lillian – Dick Withers, E. A. Angel and W. B. Eskridge

Box 15 – Lone Star – Mrs. Betty Adams and Sid Sells

Box 16 – Venus – Jess Roten and Jake Wells

Box 17 – R. L. Carter and W. E. Laird – Grandview

Box 18 – Will Benton and H. W. Pitts – Grandview

Box 19 – Barnesville – Roy Couch and I. M. Kiker

Box 20 – Alvarado – Tom Senter, Dick Mallicote and J. V. Robinson

Box 21 – E. L. Prestridge, Jim Ezell and Knox Duncan – Alvarado

Box 22 – Highland – Lee Ince and Ronald Coke

Box 23 – Parker – J. L. Hankins and Rube Clements

Box 24 – Keene – Ollie Glassford and Bob Watson

Box 25 – Cleburne – Mrs. Lois White and Mrs. O. T. Smith

Box 26 – Cleburne – Mrs. Lena Reeves and Kenneth Darden

Box 27 – Cleburne – A. F. Gibson, Mrs. W. E. Nowlin and Mrs. W. C. Pendley

Box 28 – Cleburne – A. C. White, Ed Bauldwin and B. B. Barnes

Box 29 – Cleburne – S. Q. Waldrip and Porter Glass

Commissioners Wyatt, Hadley, Thompson and Roland voted “Aye”. Motion carried.

Motion made by Commissioner Thompson and seconded by Commissioner Roland that the Court adjourn, subject to the call of the County Judge. Commissioners Wyatt, Hadley, Thompson and Roland voted “Aye”. Motion carried.

Attest:

County Clerk
Johnson County, Texas

County Judge, Johnson County,
Texas.

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