

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE IN FORT WORTH, TEXAS, ON THE
14TH DAY OF JUNE, 1950, AT 2:00 P.M.

The call of the roll disclosed the presence or absence
of Directors, as follows:

PRESENT

Joe B. Hogsett
Houston Hill
Dan H. Priest
W. L. Pier

ABSENT

Gaylord J. Stone

Also present were Sidney L. Samuels, General Attorney for the Dis-
trict, and C. L. McNair, General Manager of the District.

Director Hogsett acted in his capacity as President, and
Director Priest acted in his capacity as Secretary, whereupon pro-
ceedings were had and done as follows:

1.

The Directors had previously received a copy of the
Minutes of a meeting held on May 12, 1950, at 10:30 A.M. Having
found no objections thereto, it was ordered that they be approved,
signed and placed on record.

2.

Attached to these minutes as Exhibit "A" is a statement of
the financial condition of this District to which referance is made.
Exhibit "A" shows that interim voucher-checks #1408 to #1429, in-
clusive, for the total sum \$2,604.43 had been issued since the last
meeting; also proposed voucher-checks #1430 to #1453, inclusive,
for the total sum \$3,014.76. There was full consideration of the

proposed voucher-checks and the data to support same, whereupon, Director Hill moved, seconded by Director Pier, that the issued voucher-checks above listed be confirmed, and that the accounts payable be approved as covered by the proposed voucher-checks and that such checks be issued and delivered to the respective persons entitled to receive them. It was so ordered, subject to the usual audit.

3.

The monthly report of the Auditors, Pitner & Adams, for the month of April, 1950, was ordered received and filed.

4.

The monthly report dated June 14, 1950, of Mr. C. L. McNair, General Manager of the District, for the month of May, 1950, was received, presented and ordered filed as Exhibit "B" to these minutes.

5.

Mr. McNair presented certain proposals for lease of the District's lands for the year 1950, which he recommended for approval, as follows:

<u>PROPOSAL OF</u>	<u>APPROX. ACRES</u>	<u>TOTAL CONSIDERATION</u>
Fort Worth Transit Company	9.46	\$ 200.00
Chas. T. Groce	54.15	50.00

Upon consideration of each of the above lease proposals Director Pier moved, seconded by Director Priest, that the said proposals be approved and closed in the usual manner, subject to the payment of the agreed rentals and execution of written contracts in the form required by the District. It was so ordered.

6.

It was brought to the attention of the Board that a request had been made by John Bourland, former Tax Assessor and Collector for Tarrant County, requesting that the bond he had executed to the District for faithful performance of his duties as Assessor and Collector of taxes for Tarrant County Water Control and Improvement District Number One be released and discharged. The bond of which he made mention was executed by the U. S. Trust and Guaranty Company, a corporation with headquarters in Waco, Texas, and is dated the 19th day of January, 1948. On motion of Director Pier, seconded by Director Priest, the matter of the bond and the release requested thereof by John Bourland, was referred to the General Attorney of the District for report thereon.

7.

Direction having heretofore been made to Freese & Nichols, Consulting Engineers of the District, to fix and define the present boundaries of the District by metes and bounds and to prepare a map depicting such boundaries and disclosing the true area of the District, Mr. Marvin C. Nichols, a member of the Firm of Freese & Nichols, did produce before the Board the present boundaries of the District, defined by metes and bounds, to which the said Freese & Nichols, acting by and through Mr. Marvin C. Nichols, did certify under date of the 12th day of June, 1950, to be the area and boundaries of such District, as of January 1, 1950, as defined, and did prepare a map based on such findings to be and become, when approved, the official map of Tarrant County Water Control and Improvement District Number One.

Thereupon, such boundaries, thus defined, were read before the members of the Board and the Board being satisfied that such boundaries had been accurately marked off, defined and delineated by metes and bounds, on motion of Director Hill, seconded by Director Pier, did adopt such findings and report by said Engineering Firm as the official area and boundaries of Tarrant County Water Control and Improvement District Number One, as of January 1, 1950. All Directors present voted for such approval and such approval was then and there ordered of record.

Following such approval there was exhibited before the members of the Board the map of the area of Tarrant County Water Control and Improvement District Number One, based upon and conforming to the metes and bounds and area defined by such metes and bounds prepared by said Engineering Firm, and it appearing to the Board that said map was competently and accurately prepared and did and does thoroughly depict and delineate the boundaries of the District as of January 1, 1950, on motion of Director Hill, seconded by Director Pier, said map by unanimous vote of the Board was adopted, approved and accepted as the true map of the District, reflecting the area of the District embraced in the boundaries aforesaid, and, further, that such map should be known, identified, described and accepted as the official map of Tarrant County Water Control and Improvement District Number One. It was further ordered by the Board that a copy of such boundaries so prepared by the Engineering Firm, and a true copy of said map, should be furnished to the Assessor and Collector of Taxes of Tarrant County, who is now the duly qualified Assessor and Collector of Taxes for Tarrant

County Water Control and Improvement District Number One.

8.

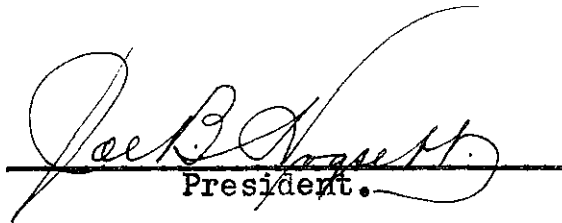
After the official agenda had been disposed of by the Board, there came before it a delegation of citizens residing in what is commonly known as the Brookside Area of Fort Worth, Texas, and also appeared before the Board Mr. Emil B. Eichholtz, who resides in that part of Fort Worth, known as Polytechnic; who is also the owner of a camp site near Eagle Mountain Lake. The delegation from Brookside discussed the question of protection to that area against flood and freshet, and the provisions to be taken to protect property from the flood hazards that overtook that area in the month of May, 1949; Mr. Eichholtz appeared primarily to discuss spillway level and to urge upon the Board his viewpoint concerning the lowering of such level as a shield against floods that might occur while the lake was at spillway level. There was a round-table discussion among the various persons, as well as the members of the Board, Mr. Marvin C. Nichols, the Engineer of the Board, and Mr. McNair, participating.

It was pointed out by Mr. Hogsett, President of the Board, how impracticable it was to keep Eagle Mountain Lake continuously below spillway level and how such action would not afford the protection against floods from heavy rainfall, that was so much desired by those who were present. The discussion took a very wide range after explanation had been sought and obtained from the Board and its Engineer by the visitors, who appeared

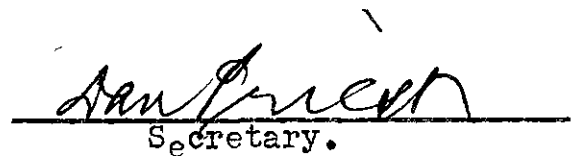
before the Board. They were again given assurance by the Board that whatever was safe, practical and scientific, under the guidance of experienced engineers' advice, would be employed by the District for the benefit of all people concerned, so far as that end could be achieved.

9.

There being no further business before the Board, the meeting thereupon adjourned.



President.



Secretary.

Exhibit "A" to Minutes of June 14,
1950, at 2:00 P.M.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
VOUCHER-CHECKS ISSUED MAY 31, 1950, \$1308 TO #1429, INCLUSIVE.

<u>NO.</u>	<u>I S S U E D</u>	<u>T O</u>	<u>C O V E R I N G</u>	<u>AMOUNT</u>
1408	Sidney L. Samuels		(Legal servies as General) (Attorney, May, 1950.)	\$ 300.00
1409	C. L. McNair		(Salary: May, 1950 \$600.00) (Less: Withholding Tax <u>51.10</u>)	548.90
1410	E. B. Cheatham		(Salary: May, 1950 \$350.00) (Less: Withholding Tax <u>27.10</u>)	322.90
1411	Myrtle Hartmeister		(Salary: May, 1950 \$185.00) (Less: Withholding Tax <u>19.50</u>)	165.50
1412	B.W. Bintliff		(Salary: May, 1950 \$225.00) (Less: Withholding Tax <u>17.20</u>)	207.80
1413	Will Massingill		(Salary: May, 1950 \$165.00) (Less: Withholding Tax <u>None</u>)	165.00
1414	W. H. Hutcheson		(Salary: May, 1950 \$175.00) (Less: Withholding <u>9.40</u>)	165.60
1415	J.R. Johnson		(411-7" Cedar Posts @ 25¢ \$102.75) (150-8" " " @ 45¢ 67.50) (Delivered at Will Massingill) (Place at Eagle Mountain.)	170.25
1416	Southwestern Bell Tel. Co.		(Phone Service MA-3398 from) (May 16, 1950 to June 16, 1950.)	18.90
1417	The Southwestern States Tel. Company		Phone Service B. P. Dam	5.55
1418	Texas Power & Light Company		(Electric Service to the Custo- (dian's Res. Bridgeport \$ 8.85) (B. P. Camphouse. . . . <u>2.91</u>)	11.76
1419	Texas Electric Service Co.		(Electric Service to the Custo- (dian's Res. E. M. \$ 8.61) (E. M. Range Lights. . . . <u>6.42</u>)	15.03
1420	Tri-County Electric Cooper- ative, Inc.		(Electric Service for E. M.) (Range Lights from 4-20-50) (to 5-20-50.)	7.44
1421	James E. Robinson		(Labor at E. M. May, 1950:) (. \$162.00) (Less: Withholding Tax <u>None</u>)	162.00
1422	Joe B. Hogsett		Director's Fees, May, 1950	10.00
1423	Houston Hill		" " " "	10.00
1424	Dan H. Priest		" " " "	10.00
1425	Gaylord J. Stone		" " " "	10.00
1426	W. L. Pier		" " " "	10.00
1427	Bennie Paul Starnes		(Labor: B. P. May, 1950) (. \$162.00) (Less: Withholding Tax <u>9.45</u>)	152.55
1428	Brinkley Williams		(Labor repairing Elec. Stove in) (Camphouse near Dam.)	1.50
1429	Continental National Bank, Fort Worth, Texas.		Withholding Taxes	<u>133.75</u>
T O T A L				\$ 2,604.43

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

DISTRIBUTION OF VOUCHER-CHECKS #1408 TO #1429, INCLUSIVE.

Directors	\$	50.00
General Manager		600.00
Legal		300.00
Office		535.00
Land Department		170.25

EAGLE MOUNTAIN LAKE:

Custodian's Salary	\$ 225.00	
Assistant Custodian's Salary	165.00	
Phone Service	18.90	
Electric Service: (Range lights \$ 13.86 (Custodian's Res. <u>8.61</u>)	22.47	
Labor	<u>162.00</u>	593.37

LAKE BRIDGEPORT:

Custodian's Salary	\$ 175.00	
Phone Service	5.55	
Electric Service	11.76	
Labor	<u>163.50</u>	<u>355.81</u>

T O T A L \$ 2,604.43

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE.

VOUCHER-CHECKS #1430 TO #1453, INCLUSIVE.

<u>NO.</u>	<u>I S S U E D</u>	<u>T O</u>	<u>C O V E R I N G</u>	<u>A M O U N T</u>
1430	Danciger Building		Office Rent, June, 1950	\$ 260.00
1431	Fort Worth Typewriter Exchange		(2 Ribbons for Typewriter \$2.50) (1 Box Patrician Carbon <u>3.50</u>)	6.00
1432	Nobby Harness Company, Inc.		(1 Sponge \$ 3.50) (1 Brief Case 29.38)E. M. (1 Can Saddle Soap <u>.50</u>)	33.38
1433	Shaw Bros. Welding		(Fabricate Base for power Unit EM	38.50
1434	The Babcock Company		(500 Buff Letters Transmittal) (licenses \$ 9.50) (2000 8½x11 Canary Plain) (16# 7.50) (1000 Kraft Envelopes <u>10.70</u>)	27.70
1435	Trinity Lumber Company		(5 rolls 90# Roofing @ 3.00 \$15.00) (2# Roofing Nails @ 20¢ .40) (2 Joints Galv. Flue @ 1.50 3.00) (4 Sx. Cement @ \$1.00 <u>4.00</u>)	22.40
1436	Gary-Nees Company		(1 Sx. Cement for land) (markers-BP \$1.25) (Misc. Paint supplies for) (Custodian's Res. B.P. . . <u>6.70</u>)	7.95
1437	Majestic Reproduction Co.		Two Photostats	.75
1438	A.B.Blue		Sharpen 1 large Circle Saw E. M.	2.00
1439	Continental Oil Company		Oil & Gas for District's Chevrolet	8.14
1440	Gowin Tractor Company		(Repairs for Ford Tractor:) (Parts \$ 34.38)E. M. (Labor <u>17.50</u>)	51.88

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

VOUCHER-CHECKS #1430 TO #1453, INCLUSIVE.

<u>NO.</u>	<u>I S S U E D</u>	<u>T O</u>	<u>C O V E R I N G</u>	<u>AMOUNT</u>
1441	Marion Herring Boat Works, Inc.		Oil & Gas--E. M. Patrol Boat	\$ 26.38
1442	Roberts & Rhea		(F42R4592 Centennial Vacancy) (Permit. 5-22-50 to 8-22-50) (Ford Place.)	3.60
1443	Tri-County Electric Cooperative, Inc.		(6-1-50, Servicing Green Light) (at Station "C", E. M. Range) (Lights.)	2.00
1444	Banner Garage & Service Station		(Oil, Gas, Servicing & Parking) (District's Chev. Sedan during) (the month of May, 1950.)	48.98
1445	Southwestern Bell Telephone Company		(Phone Service FO-2848 from) (6-1-1950 to 6-30-1950 \$10.88) (Tolls.65)	11.53
1446	Magnolia Petroleum Company		(Oil & Gas:) (Boats & Equipment, E. M.)	115.92
1447	J. Edwin McKee, Postmaster		300 Three-cent Postage Stamps	9.00
1448	C. L. McNair		(Reimbursement to him for) (moneys expended by him for) (account of the District) (4-17-50 to 6-13-50, Incl.)	7.05
1449	Fort Worth Office Supply Co.		(Office Supplies \$ 5.60) (Furniture. 387.62)	393.22
			(Premium 6-4-50 to 6-4-51) (Central Surety & Ins. Corp.) (Policy No. K635363, Employer's) (non-ownership Liability on) (Automobiles. \$ 18.20)	
1450	Glenn Walker, Collett & Rigg		(Premium 6-12-50 to 6-12-51) (Federal Ins. Co. Policy) (#A3275622 on District's) (Automobiles. 242.40)	
			(Premium 6-12-50 to) (6-12-51 American) (Motorists Ins. Co.) (Policy #J132761 on) (District's Autos. \$226.96) (Less: 15% Savings <u>34.12</u> <u>192.84</u>) (Pol. #J131677) (Exp. 6-12-50.)	453.44
1451	Well Machinery and Supply Co.		(Maintenance Supplies EM \$ 6.63) (Portable Gasoline Hoist <u>795.97</u>) (Eagle Mountain)	802.60
1452	Owen T. Funk		(Engineering & Surveying services) (5-1-50 to 5-31-50, incl.) (159 hrs. @ \$2.50 per hr. \$397.50) (Overhead charge. 65.37) (Auto Mileage 803 Mi.) (@ 7½¢ per mile. 60.22) (Labor. <u>159.25</u>)	682.34
1453	Gaylord J. Stone		(Used in issuing duplicate of) (voucher-check #1170 for \$10.00) (dated Dec. 22, 1949, which had) (been lost.)	
T O T A L				\$ 3,014.76

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE.

DISTRIBUTION OF VOUCHER-CHECKS #1430 TO #1453, INCLUSIVE.

General Manager	\$	64.17
Office		320.58
Engineering Service		682.34
Insurance		457.04
Furniture		387.62
Land Department		23.65

EAGLE MOUNTAIN LAKE:

Patrol Boat Expense	\$	3.50	
Brief Case for use by Custodian		29.38	
Sharpening Circle Saw		2.00	
Repairs on Ford Tractor		51.88	
Oil & Gas for E. M. Boats & Equipment		142.30	
Servicing Range Light at Station "C"		2.00	
Maintenance Supplies		7.13	
Portable Gasoline Engine Hoist		<u>834.47</u>	1,072.66

LAKE BRIDGEPORT:

Paint Supplies for Custodian's Res.	\$	<u>6.70</u>	<u>6.70</u>
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T O T A L \$ 3,014.76

CONDITION OF FUNDS

	<u>MAINTENANCE FUND</u>	<u>INTEREST AND SINKING FUND</u>
BOOK BALANCE: May 12, 1950	\$ 157,208.64	\$ 140,829.59
RECEIPTS: Taxes, Penalty & Interest	1,399.97	4,999.90
Land Rentals	260.00	---
Boat Licenses	1,193.00	---
Cities Service Oil Company: Oil and Gas Royalty	16.93	---
Miscellaneous	<u>.60</u>	<u>---</u>
	\$ 160,079.14	\$ 145,829.49
Less: Disbursed by vo-cks. #1408 to #1429, inclusive.	<u>2,604.43</u>	<u>---</u>
	\$ 157,474.71	\$ 145,829.49
Less: Disbursed by vo-cks. #1430 to #1453, inclusive.	<u>3,014.76</u>	<u>---</u>
BOOK BALANCE: June 14, 1950	\$ 154,459.95	\$ 145,829.49

NOTE: The Interest and Sinking Fund now owns \$450,000.00 par value United States Government Securities.

The Maintenance Fund now owns \$200,000.00 par value United States Government Securities.

BOARD OF DIRECTORS

JOE B. HOGSETT, PRES.
 HOUSTON HILL, VICE-PRES.
 DAN H. PRIEST, SEC'Y
 GAYLORD J. STONE
 W. L. PIER

TARRANT COUNTY WATER CONTROL AND
 IMPROVEMENT DISTRICT NUMBER ONE

DANCIGER BUILDING - COR. 5TH AND THROCKMORTON STS.

PHONE 3-2848

SIDNEY L. SAMUELS,
 GENERAL ATTORNEY

C. L. MCNAIR, GENERAL MANAGER

ED. B. CHEATHAM,
 OFFICE MANAGER

FORT WORTH 2, TEXAS.

June 14, 1950.

Exhibit "B" to Meeting
 of June 14, 1950, at
 2:00 P.M.

To: The Board of Directors,
 Tarrant County Water Control and
 Improvement District Number One.

REPORT FOR THE MONTH OF MAY, 1950.

Gentlemen:

We repaired the roof of the dwelling on the J. D. Craft Tract No. 254, and furnished six spools of wire and 120 posts for a fence built by tenant, E. L. Smith, on the west line of the R.A. Pope Tract, No. 258, adjoining J. W. Ford on the West.

The Eagle Mountain Dam and levee have been mowed. The vegetative cover is improving, and the lower slope that was covered with earth in March, has a fair covering of bermuda.

The rainfall for May was above normal. Eagle Mountain reports 6.51 inches and Bridgeport 5.89 inches. The rainfall this year has favored vegetative growth, and I have observed clear water run off in many places on the Upper West Fork Watershed after heavy rains.

On May 16th, I made an inspection of the watershed in the vicinity of the Chico oil field and found no indication of pollution.

CONDITION OF LAKES.

<u>RESERVOIR</u>	<u>LAKE LEVEL</u>	<u>DATE</u>	<u>CAPACITY-ACRE FEET.</u>
Bridgeport	821.7	6- 1-1950	247,300
Bridgeport	<u>815.3</u>	5- 1-1950	<u>191,400</u>
Gain	6.4 ft.		55,900
Eagle Mountain	648.98	6- 1-1950	212,810
Eagle Mountain	<u>648.16</u>	5- 1-1950	<u>205,440</u>
Gain	.82 ft.		7,370
Total gain in storage May, 1950			63,270 ac. ft.

Respectfully,

C. L. McNair
 C. L. McNair, General Manager.

CLM:mh

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE IN FORT WORTH, TEXAS, ON THE
14TH DAY OF JUNE, 1950, AT 2:00 P.M.

The call of the roll disclosed the presence or absence
of Directors, as follows:

PRESENT

Joe B. Hogsett
Houston Hill
Dan H. Priest
W. L. Pier

ABSENT

Gaylord J. Stone

Also present were Sidney L. Samuels, General Attorney for the Dis-
trict, and C. L. McNair, General Manager of the District.

Director Hogsett acted in his capacity as President, and
Director Priest acted in his capacity as Secretary, whereupon pro-
ceedings were had and done as follows:

EXCERPT. NO. 6

It was brought to the attention of the Board that a re-
quest had been made by John Bourland, former Tax Assessor and
Collector for Tarrant County, requesting that the bond he had
executed to the District for faithful performance of his duties as
Assessor and Collector of taxes for Tarrant County Water Control
and Improvement District Number One be released and discharged.
The bond of which he made mention was executed by the U. S. Trust
and Guaranty Company, a corporation with headquarters in Waco,
Texas, and is dated the 19th day of January, 1948. On motion of
Director Pier, seconded by Director Priest, the matter of the bond
and the release requested thereof by John Bourland, was referred
to the General Attorney of the District for report thereon.

See other side this sheet

*See minutes March 23, 1954
January 1954, Feb. 1954 -*

*Mr. Samuels has not made a report thereon up to June 30, 1952
OCTOBER 5, 1953.*

The Directors said not to deposit Cashiers Check No. B+92301
of the Fort Worth National Bank until Mr. Samuel had a
clearance on John Dowland from the County Auditor.

I wanted to deposit the check in the Interest and Savings
Fund but Mr. Pier said not to deposit the check until Mr. Samuel
had a clearance from the County Auditor.

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD AND PRESIDENT

FORT WORTH CLAIM DIVISION

D. B. LAMB DIN, MANAGER
1603 FORT WORTH NATIONAL BANK BUILDING
FORT WORTH 2, TEXAS

APR - 9 1948

47-128 Bond

April 8, 1948

Tarrant County Water Control & Improvement
John Bourland

Tarrant County Water Control & Improvement Dist. #1
Capps Building
Fort Worth, Texas

Gentlemen:

Attached hereto is a draft for \$445.00 representing the unearned premium on the bond of John Bourland which the Maryland Casualty Company executed as surety in the penalty of \$50,000.00 as Tax Assessor and Collector for the Tarrant County Water Control and Improvement District #1, said bond being dated December 26th, 1946. As you know, the Maryland Casualty Company petitioned the Commissioner's Court to be relieved of liability of the above bond as the Maryland Casualty Company has been released from all further liability under the attached bond, we are tendering you a return premium beginning December 17, 1947, as we have no liability on the bond after that date due to the fact that Mr. Bourland's office was closed between December 17th and December 31st.

Very truly yours,

D. B. Lambdin
D. B. Lambdin, Manager

DBL:jf
Enc.

THE FORT WORTH NATIONAL BANK ³⁷⁻⁵ / ₁₁₁₃ No. B 592301

PAY TO THE ORDER OF

APR 1 - 1948

37-5
1113

FORT WORTH, TEXAS

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT No. 1

\$445.00

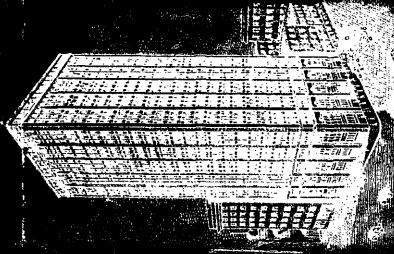
FORT WORTH NATIONAL BANK **Husband & Doets**



Handwritten signature

CASHIER'S CHECK *re*

VICE PRESIDENT
ASST. CASHIER
PRESIDENT & CASHIER



ST. LOUIS, MO. U.S.A.

FOR DEPOSIT ONLY
PAY TO THE ORDER OF

CONTINENTAL NATIONAL BANK
FRANCO, ILL.

TARGET C... WATER CONTROL and
IMPROVEMENT DISTRICT NUMBER ONE

BY *J. R. ...*

A. R. ...
MAR 23 1954

*Director's
File*

April 22, 1948

Maryland Casualty Company,
1603 Fort Worth National Bank Bldg.,
Fort Worth 2, Texas.

Attention: Mr. D. B. Lambdin, Manager.

IN RE: 47-128 Bond of John Bourland, Tax
Collector for Tarrant County Water
Control and Improvement District
Number One.

Dear Sirs:

We are herewith returning to you cashier's check on Fort Worth National Bank, No. B 592301, dated April 1, 1948, in the sum of \$445.00, payable to order of Tarrant County Water Control and Improvement District Number One, executed by J. A. Cozby, vice-president and cashier of Fort Worth National Bank of Fort Worth, Texas.

We beg leave to advise you that this bond is still in effect and that no ground for cancellation exists thereon of which any official notification has been made or given to the Tarrant County Water Control and Improvement District Number One, nor to its Board of Directors.

John Bourland, in virtue of his selection by the Board of Directors of such District, under the Statutes governing such matters, became and was the tax assessor and collector of Tarrant County Water Control and Improvement District Number One. We are not advised of any breach on that bond by Mr. Bourland, nor was any communication addressed to this Board under which it was claimed that such bond on which Maryland Casualty Company appears as surety, had been violated or breached by Mr. Bourland. We may add with propriety, that if any notice was served upon the County Commissioners of Tarrant County, such notice would relate to the official status of John Bourland as Collector and Assessor of County taxes and of taxes for the State of Texas.

Maryland Casualty Co.
1603 Ft. Worth Nat. Bank Bldg.
Fort Worth, Texas.

Page 2.
April 22, 1948

We, therefore, as hereinbefore stated, return to you the cashier's check which was enclosed in your letter of April 8, 1948, and expect to continue to hold the Maryland Casualty Company as a surety on the bond heretofore given to this District by John Bourland in his official capacity as assessor and collector of taxes for Tarrant County Water Control and Improvement District Number One.

This letter with the cashier's check is sent you in response to the instructions of the Board of Directors of this District.

Kindly acknowledge receipt of the enclosure and oblige.

Very truly yours,

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE.

By C. R. McParr
General Manager.

CLM:mh
Enc. Cashier's check.

CC: Dubose, Rutledge & Miller,
Fort Worth National Bank Bldg.,
Fort Worth 2, Texas.

LETTER READ TO McKNIGHT
HE SAID NO ANSWER RECEIVED
CALL TO HIS ATTENTION AT
NEXT APPOINTMENT
Mr. McKNIGHT Also Called In

RECEIVED
MAY 29 1948

CANTEY, HANGER, MCKNIGHT & JOHNSON

SAMUEL B. CANTEY (1892-1924)
WILLIAM A. HANGER (1905-1944)
W. D. SMITH
SAMUEL B. CANTEY, JR.
ALFRED MCKNIGHT
GILLIS A. JOHNSON
R. K. HANGER
WARREN SCARBOROUGH
J. A. GOOCH
CARLISLE CRAVENS
BYRON SCARBOROUGH
EMORY CANTEY
JACK C. WESSLER
W. B. THOMPSON
PEVERIL O. SETTLE, JR.
J. KIRBY SMITH

FORT WORTH 2, TEXAS

May 27, 1948

Tarrant County Water Control and Improvement
District Number One
Danciger Building, Corner 5th and Throckmorton Streets
Fort Worth 2, Texas

Re: 47-128 Bond of John Bourland, Tax Collector
for Tarrant County Water Control and Improve-
ment District Number One.

Gentlemen:

Your letter of April 22, 1948, addressed to the Maryland Casualty Company, 1603 Fort Worth National Bank Building, Fort Worth 2, Texas, returning check in the amount of \$445.00 payable to the Tarrant County Water Control and Improvement District No. 1, has been turned over to us for reply.

We beg to differ with you that this bond is still in effect. Regardless of any official notification ever given to the Tarrant County Water Control and Improvement District Number One, the writer happens to know that each and every one of these men had knowledge of the closing of the office of John Bourland, Tax Collector of Tarrant County, and furthermore, it is our opinion that the office was closed in accordance with the applicable statutes of the State of Texas. You are further advised that it is not necessary under the laws of this State for there to have been a breach of the bond of the Tax Collector and Assessor for the cancellation of the bond.

We are also further advised that you had actual notice of what was required for John Bourland to open his office of Tax Assessor and Collector after it had been closed, and we have knowledge to the effect that you accepted a bond of John Bourland insofar as the Tarrant County Water Control and Improvement District Number One was concerned, and accordingly we herewith tender to you Cashier's Check No. B 592301 dated April 1, 1948, in the amount of \$445.00 as refund on the unearned premium on the bond had with you in Maryland Casualty Company, and further advise you that in the event of default in any moneys owed to Tarrant County Water Control and Improvement District Number One on the part of John Bourland, Tax Assessor and Collector

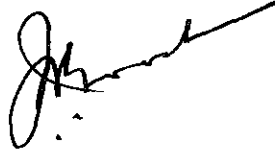


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 after his office was closed in December of 1947, the Maryland
Casualty Company will not in any wise be responsible therefor.

Yours very truly,



JAG:ac
Enc.

2 c.c. Maryland Casualty Company
1603 Fort Worth National Bank Building
Fort Worth 2, Texas
Attention: Mr. D. B. Lambdin

June 22, 1948.


Maryland Casualty Company,
Honorable J. A. Gooch, Attorney therefor:
1603 Fort Worth National Bank Building,
Fort Worth 2, Texas.

Gentlemen:

We wish to make answer to letter dated May 27, 1948, written and signed on behalf of Maryland Casualty Company by Honorable J. A. Gooch.

It is very evident that there is a wide gulf that divides the opinion of Mr. Gooch from that entertained by the law department of the District. If there had been a breach of the bond by the Principal, Mr. Bourland, and notice thereof addressed to some other Body, it would not bind the District. The fact that the members of the Board were unofficially aware of the occurrence of certain events would no more bind the District than if a Judge of a District Court were walking along the streets of the city and should personally observe a motor car collision. Certainly the fact that the Judge observed it would not dispense with proof of the collision in the trial of the case before his court.

We may further say that the statute concerning the opening of the tax collector's office had no relevancy to the Water District, but related solely to the State and County. A breach of the bond must occur before a surety could legally withdraw therefrom. Decisions of the courts are in concert on this question.

 We have heretofore tendered the check which you had sent and the tender still holds good.

Very truly yours,

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE.

By 
President.

CC: Honorable J. A. Gooch,
Sinclair Bldg.,
Fort Worth, Texas.