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CITY OF DIBOLL, TEXAS
MINUTES

A special meeting of the City Council of the City of Diboll, Texas, was held on July 10, 1962 at 1:30 in the afternoon in Diboll, Texas.

There were present:

Clyde Thompson, Mayor, Presiding
Eddie Shaw
Calvin Lawrence
Dr. Ed Hoot
Doyne Rich
Charles Hanks

comprising a quorum of the Council.

also:

Ward Burke, Acting Attorney
Alpha Henrich, Acting Secretary

Absent:

None

There being no previous meetings of the Council, no minutes existed for reading or approval.

The Mayor reported that the meeting was called for the purpose of canvassing the votes of the Special Election held at Precinct No. 19, Diboll, Texas, on June 26, 1962.

The votes were then duly canvassed by members of the Council.

The following motion was made by Doyne Rich:

That we find the official count of the Special Election held at Precinct No. 19, Diboll, Texas, on June 26, 1962 to be as follows:

Office of Mayor:

Clyde Thompson	345 votes
Aubrey A. Asher	127 votes
Winston Richard	21 votes
Ronald E. Gilbert	4 votes

Office of Alderman

Billie Brown	184 votes
T. E. Lewis	118 votes
Doyne Rich	252 votes

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Eddie Shaw	218 votes
E. E. Smith	92 votes
H. E. Whitman	116 votes
J. H. Byerly	131 votes
Floyd Franklin	63 votes
Charles J. Hanks	446 votes
Paul B. Hogue	108 votes
Ollie Johnson	179 votes
Calvin Lawrence	255 votes
Edwin Lee Hoot	307 votes
Oscar Pearson (write-in)	1 vote
Ralph Neville (write-in)	3 votes

and move that the following be declared duly elected:

Clyde Thompson, Mayor

Eddie Shaw, Alderman

Calvin Lawrence, Alderman

Dr. Edwin Hoot, Alderman

Doyne Rich, Alderman

Charles Hanks, Alderman

Motion seconded by Calvin Lawrence. Motion carried.

On motion duly made and seconded, the meeting adjourned

Alpha Hemrick
Acting Secretary

APPROVED:

Clyde Thompson
Mayor

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MINUTES OF COUNCIL MEETING
CITY OF DIBOLL, TEXAS
MONDAY, JULY 30, 1962

The regular meeting of the City Council of the City of Diboll, Texas was held on Monday, July 30, 1962 at 7:00 p.m. in the Diboll Elementary School Cafetorium, Diboll, Texas.

Those present were:

Clyde Thompson, Mayor, Presiding
Eddie Shaw
Calvin Lawrence
Dr. Edwin Hoot
Doyne Rich
Charles Hanks

comprising a quorum of the Council.

Also present were:

Alpha Henrich, Acting Secretary
Phillip Leach, Acting Attorney

Absent:

None

Meeting was called to order by Mayor Thompson and was opened with prayer offered by the Reverend Mr. Bill Brunson of the First Methodist Church of Diboll, Texas

Motion was made by Calvin Lawrence, Seconded by Eddie Shaw that Alpha Henrich be appointed temporary City Secretary at a salary of $50.00 per month.

Motion carried.

Minutes of the special meeting of the City Council of City of Diboll, held on July 10, 1962, were read and approved.

Motion by Eddie Shaw, seconded by Calvin Lawrence, that the firm of Burke and Leach, Diboll, Texas, be appointed temporary City Attorneys.

Motion carried.

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On motion duly made and seconded the following resolution was unanimously adopted:

A RESOLUTION CANVASSING RETURNS AND DECLARING RESULTS OF AN ELECTION HELD IN THE CITY OF DIBOLL, ANGELINA COUNTY, TEXAS, ON TUESDAY, JUNE 26, 1962, FOR THE PURPOSE OF ELECTING A MAYOR AND FIVE ALDERMEN FOR THE CITY OF DIBOLL.

WHEREAS, on the 11th day of May, 1962, H. R. Rolston, County Judge of Angelina County, Texas, ordered an election to be held in the City of Diboll, on Tuesday, June 26, 1962, for the purpose of electing the following officers of said City, to-wit, a Mayor and five (5) Aldermen; and,

WHEREAS, due notice of said election was duly issued and posted as required by law, and said election was duly held at the time and place specified; and,

WHEREAS, in said election there were four (4) candidates for the office of Mayor, whose names and the number of votes received by each are as follows, to-wit:

Names	Votes
Clyde Thompson	345
Aubrey A. Asher	127
Winston Richard	21
Roland E. Gilbert	4

and there were thirteen (13) candidates for the office of Alderman, whose names and the number of votes received by each are as follows, to-wit:

Names	Votes
Billie M. Brown	184
T. E. Lewis	118
Doyne Rich	252
Eddie Shaw	218
H. E. Whitman	116
E. E. Smith	92
J. H. Byerly	131
Floyd Frankens	63
Charles J. Hanks	446
Paul B. Hogue	108
Ollie Johnson	179
Calvin Lawrence	255
Edwin Lee Hoot	307

WHEREAS, only legally qualified voters residing within the corporate limits of said City were allowed to vote, said election was in all things duly and legally held and the election returns thereof have been duly filed with the City Council of the City of Diboll, and are here and now duly canvassed by the City Council of said City; and,

WHEREAS, Clyde Thompson received the highest number of votes for the office of Mayor, and Doyne Rich, Eddie F. Shaw, Charles J. Hanks, Calvin Lawrence and Edwin Lee Hoot received the highest number of votes for the offices of Aldermen of the City of Diboll;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS

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Section 1. That said election was duly called, that notice was given in accordance with law and in accordance with the Order of the County Judge calling said election, that said election was held in accordance with law; that the returns of said election have been made by the proper officers; and that said returns have been duly canvassed and the vote received by each person are as shown above.

That Clyde Thompson is the legally elected mayor of the City of Diboll, and that Doyne Rich, Eddie F. Shaw, Charles J. Hanks, Calvin Lawrence and Edwin Lee Hoot are the duly elected Aldermen constituting the City Council of the City of Diboll, Angelina County, Texas, and each and all of said officers shall serve in their respective capacities in accordance with the laws of the State of Texas, until the successor of each has been duly elected and qualified.

ADOPTED AND APPROVED on this the 30th day of July, 1962.

/s/ Clyde Thompson
Clyde Thompson, Mayor of the City of Diboll, Texas

ATTEST:

/s/ Alpha Henrich
Secretary

It was then moved by Calvin Lawrence, seconded by Eddie Shaw that payment be made of the expenses, bills and statements involved in the incorporation of the City of Diboll, as follows:

(1) As presented by Burke & Leach -$100.44

(2) Story-Wright - $8.50

(3) Payment of election officials. (Presiding judge - $12.00 and the three clerks $10.00 each).

Motion carried.

On motion made by Dr. Edwin Hoot, seconded by Calvin Lawrence, the following Ordinance, known as Ordinance No. 1, City of Diboll, was unanimously adopted:

WHEREAS, the councilmen of the Town of Diboll are desirous of adopting and accepting the provisions of Title 28 of the Revised Civil Statutes of Texas, relating to cities, towns and villages and,

WHEREAS, the Town of Diboll contains more than 600 inhabitants and/or contains one or more manufacturing establishments within the corporat limits, now therefore:

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DIBOLL, TEXAS:

Section 1. The provisions of Title 28 of the Revised Civil Statutes of Texas, 1925, insofar as its provisions are applicable to the Town of Diboll, are hereby adopted and accepted.

Section 2. The Town of Diboll shall hereafter be known as the City of Diboll, Texas.

Section 3. The City Secretary of the City of Diboll, be directed to enter this ordinance upon the journal of minutes of the City Council, and a copy of same signed by the Mayor and Attested by the Secretary under the corporation seal, shall be filed and recorded in the office of the County Clerk of Angelina County, Texas.

Section 4. That this ordinance shall take effect immediately upon its passage and approval.

Passed and approved this the 30th day of July, A. D. 1962.

ATTEST: APPROVED:

/s/ Alpha Henrich
City Secretary

Clyde Thompson
Mayor

On motion made by Eddie Shaw, seconded by Calvin Lawrence, the following Ordinance, known as Ordinance No. 2, City of Diboll, was unanimously adopted:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS

Section 1. The official publication of the City of Diboll be designated as the FREE PRESS, Diboll, Texas.

Section 2. The official publication hereby designated for the first year shall continue for all succeeding years but may be changed to some other publication by succeeding governing bodies by the adoption of an ordinance making the change.

PASSED AND APPROVED, this the 30th day of July, 1962.

ATTEST: APPROVED.

/s/ Alpha Henrich
Secretary

/s/ Clyde Thompson
Mayor

On motion made by Calvin Lawrence, seconded by Charles Hanks, the following ordinance, known as Ordinance No. 3, City of Diboll, Diboll, Texas, was unanimously adopted:

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS:

Section 1 . The fiscal year for the City of Diboll shall begin on the 1st day of October of the calendar year 1962 and shall terminate on the 30th day of September of the next succeeding calendar year.

Section 2. The fiscal year hereby fixed for the first year of incorporation shall continue for all succeeding years but may be changed to some other date by succeeding governing bodies by the adoption of an ordinance making the change.

PASSED AND APPROVED this the 30th day of July, A. D., 1962.

ATTEST:

/s/ Alpha Henrich
Secretary

APPROVED:

/s/ Clyde Thompson
Mayor

On motion duly made by Charles Hanks, seconded by Eddie Shaw, the following ordinance, known as Ordinance No. 4, City of Diboll, Diboll, Texas, was unanimously adopted:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS:

Section 1. Any and all persons wishing to appear before the City Council, City of Diboll, Texas, shall notify the City Secretary, either in writing or verbally, at least seventy-two (72) hours prior to the hour of the next scheduled council meeting, giving the name of the person to appear and information pertinent to subject to be discussed.

Section 2. Any exceptions to Section 1, this Ordinance, shall be determined by a majority vote of the Aldermen.

Section 3. This ordinance shall continue for all succeeding years but may be changed by succeeding governing bodies by adoption of an ordinance making the change.

Section 4. This ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 30th day of July, A. D. 1962

ATTEST:

s/s Alpha Henrich
Secretary

APPROVED:

/s/ Clyde Thompson
Mayor

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On motion made by Charles Hanks, seconded by Calvin Lawrence, the following resolution was unanimously adopted: 2

WHEREAS, the City of Diboll requires capital for payment of current accounts and operating expenses, and

WHEREAS, there are no funds available in the city treasury for use in the usual operating expense of the City of Diboll, now therefore;

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF DIBOLL, DIBOLL, TEXAS

THAT, the mayor and city secretary be empowered to borrow an amount of money not to exceed one thousand dollars ($1,000.00) to pay current bills and to facilitate the operation of the city government.

ADOPTED AND APPROVED THIS 30th day of July, A. D., 1962.

ATTEST: APPROVED:

/s/ Alpha Henrich
Secretary

/s/ Clyde Thompson
Mayor

On motion made by Doyne Rich, seconded by Calvin Lawrence, the following resolution was unanimously adopted: 3

WHEREAS, the Aldermen of the City of Diboll, Texas, are desirous of a city government operated in the most efficient manner, giving the greatest number of services for the least expenditures, and

WHEREAS, the Texas League of Municipalities offers to its membership guidance in operation of city governments, the exchange of ideas and communication with other city governments, as well as other numberous benefits and services, now therefore

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF DIBOLL, DIBOLL, TEXAS

THAT the City of Diboll join and affiliate with the Texas League of Municipalities and pay the prescribed yearly dues when funds are available.

ADOPTED AND APPROVED THIS 30th day of July, A. D., 1962.

ATTEST: APPROVED:

/s/ Alpha Henrich
Secretary

/s/ Clyde Thompson
Mayor

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The Mayor then made the following committee appointments:

Charles Hanks and Calvin Lawrence to contact the utility companies now servicing the City of Diboll with respect to obtaining a two per cent (2%) gross revenue tax from the utility companies, and, to explore any other sources of revenue.

Doyne Rich, Dr. Edwin Hoot and Eddie Shaw to review the needs of the City for city employees and appointments to fill any municipal vacancies.

There being no further business the meeting adjourned at 8:30 o'clock p.m. on the day of convening thereof with the next meeting being subject to the call of the mayor.

Alpha Henrich
Secretary

APPROVED:

Clyde Thompson
Mayor

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MINUTES OF COUNCIL MEETING
CITY OF DIBOLL, TEXAS

Monday, September 24, 1962

The regular meeting of the City Council of the City of Diboll, Texas, was held on Monday, September 24, 1962, at 7:00 p.m. in the Diboll Elementary School Cafetorium, Diboll, Texas.

Those present were:

Clyde Thompson, Mayor, Presiding
Eddie Shaw
Charles Hanks
Calvin Lawrence
Dr. Edwin Hoot
Doyne Rich

comprising a quorum of the Council.

Also present were:

Alpha Henrich, Secretary
Ward Burke, Attorney

Meeting was called to order at 7:00 p.m. by Mayor Thompson and was opened with prayer offered by the Reverend Mr. Dan Smith of the First Baptist Church of Diboll, Texas.

On motion by Dr. Edwin Hoot, seconded by Calvin Lawrence, reading of the minutes of previous meeting was dispensed with since each alderman had been furnished a copy of said minutes .

Minutes were approved without correction or addition.

The chair called for a list of current accounts. Accounts approved for payment were:

Matlock Printing Company $86.65.

There were no other outstanding accounts.

Calvin Lawrence reported to the Council that the special committee on revenue had no definite report for this meeting.

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Upon recommendation by Mayor Thompson, a vote of commendation and appreciation was given by the Council to Mr. Kenneth Nelson for placement of markers indicating the four corners of the city limits of the City of Diboll.

Upon motion by Doyne Rich, seconded by Eddie Shaw, the following ordinance, Known as Ordinance No. 5, City of Diboll, Diboll, Texas, was unanimously adopted:

AN ORDINANCE FIXING SPEED LIMITS FOR MOTOR VEHICLES ON ALL PUBLIC STREETS AND HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE TOWN OF DIBOLL, TEXAS, AT 45 mph., EXCEPT IMMEDIATELY ADJACENT TO PUBLIC SCHOOLS AND SCHOOL GROUNDS WHERE THE LIMIT IS 25 m.p.h.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS:

That, the speed limit for all types of motor vehicles on all public streets, and highways located and situated within the corporate limits of the Town of Diboll, Angelina County, Texas, except as otherwise provided, is hereby fixed at forty-five (45) miles per hour in all instances, except on Willow, Pine, White Oak, Ash and School Streets and Hendrix Avenue as said streets and avenues run immediately adjacent to the public schools or public school property or grounds, and on Dennis Street (also known as Farm Road No. 58) from its intersection with U. S. Highway No. 59 to its intersection with Carter Drive, where the speed limit is hereby fixed at twenty-five (25) miles per hour.

Passed and approved this the 24th day of September, 1962.

CITY OF DIBOLL

by /s/ Clyde Thompson
Clyde Thompson, Mayor

ATTEST:

/s/ Alpha Henrich
City Secretary

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The following resolution offered by Calvin Lawrence, 4 seconded by Eddie Shaw, was accepted unanimously:

WHEREAS, the City of Diboll is desirous of protecting the life and limb of its school children, and

WHEREAS, no safety measures are now provided for the school children in crossing U. S. Highway 59, and

WHEREAS, no funds are available in the treasurey of the City of Diboll, and

WHEREAS, the Highway Department of the State of Texas has made a traffic survey which indicates the need of safety devices for the protection of school children in the crossing of U. S. Highway 59, and

WHEREAS, the Highway Department of the State of Texas has offered to place traffic control lights at the school crossing on U. S. Highway 59 within the city limits of the City of Diboll, without cost to the City of Diboll or its populace, and

WHEREAS, the Superintendent of the Diboll Schools has volunteered the services of the Diboll High School personnel for the operation of the safety devices

NOW THEREFORE BE IT RESOLVED that the City of Diboll hereby accepts the offer of the Highway Department of the State of Texas to install such safety devices and traffic control measures which the aforementioned survey determined to be urgent and necessary; with such safety devices and traffic control measures to be installed at the earliest practicable date.

Motion by Dr. Edwin Hoot, seconded by Charles Hanks, that the estimated population of the City of Diboll be set at 3,004, such estimate being determined by multiplying the national average of family size by the number of electrical meters located within the corporate limits; and that this figure be posted on the north and south city limits signs.

Motion carried.

Motion by Charles Hanks, seconded by Calvin Lawrence, that the City of Diboll enter into an agreement with Angelina County, Commissioner of Precinct 1, for the upkeep and repairs of streets within the Diboll city limits on a cost basis , with estimates of cost of work to be submitted to Alderman Doyne Rich prior to the performance of such work; and with Alderman Rich to assume all responsibility for the performance of the agreement.

Motion carried.

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Motion by Calvin Lawrence, seconded by Eddie Shaw that the Mayor be authorized to initiate negotiations with the officials of Southern Pine Lumber Company, owners of Diboll Water Company, regarding the possibility of the City of Diboll purchasing the Diboll Water Works and Sewer system and, if Southern Pine Lumber Company officiare are agreeable to negotiations, then the Mayor is authorized to secure the service of and enter into contract with F. S. Woodruff & Company, Consulting Engineers, Fort Worth, Texas, for the purpose of appraising and evaluating the holdings of Diboll Water Company and the Diboll Sewer System.

Motion carried unanimously.

On motion by Calvin Lawrence, seconded by Dr. Edwin Hoot, the regular meeting date for the city council of the City of Diboll was set as the fourth Monday night of each month.

The Mayor read a letter fromthe Texas League of Municipalities inv-ting the Council to meet with the League at Boggy Slough Club house on Thursday, September 27, 1962.

Meeting adjourned at 8:00 p.m. on the day of convening thereof.

RESPECTFULLY SUBMITTED

Alpha Henrich

Alpha Henrich, City Secretary

APPROVED:

Clyde Thompson

Clyde Thompson, Mayor

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MINUTES OF COUNCIL MEETING
CITY OF DIBOLL, TEXAS

Monday, October 29, 1962

The regular meeting of the City Council of the City of Diboll, Texas, was held on Monday, October 29, 1962, at 7:00 p.m. in the Diboll Elementary School Cafetorium, Diboll, Texas.

Those present were:

Clyde Thompson, Mayor, Presiding

Charles Hanks

Calvin Lawrence

Dr. Edwin Hoot

Doyne Rich

comprising a quorum.

Those absent were:

Eddie Shaw (Resigned)

Also present were:

Alpha Henrich, Secretary

Ward Burke, Attorney

Meeting was called to order at 7:00 p.m. by Mayor Thompson and was opened with prayer offered by Mr. Stacey Cooke.

On motion by Doyne Rich, seconded by Calvin Lawrence, reading of minutes of previous meeting was dispensed with since each Alderman had been furnished a copy of said minutes.

Minutes were approved without correction or addition.

Mayor Thompson recognized Mr. R. B. Stroud of the Texas Power & Light Company who presented a proposed franchise between Texas Power and Light Company and the City of Diboll, along with a rate schedule for residential and commercial consumers within the corporate limits of the City of Diboll. Mr. Stroud also read an ordinance entitled:

AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Motion was made by Alderman Edwin Hoot that the franchise ordinance be approved as read. Motion seconded by Calvin Lawrence. Said Ordinance, known as Ordinance No. 6, was passed and adopted with the vote being as follows:

Those voting Yes were:
Calvin Lawrence
Dr. Edwin Hoot
Charles Hanks
Doyne Rich

There were no Noes.

Motion carried.

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Mr. R. B. Stroud then read an ordinance entitled:

AN ORDINANCE APPROVING CERTAIN RATE SCHEDULES FILED BY TEXAS POWER & LIGHT COMPANY IN THE CITY OF DIBOLL, TEXAS, AND PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Motion was made by Calvin Lawrence, seconded by Charles Hanks, that the ordinance be approved as read. Said ordinance, known as Ordinance No. 7, was passed and adopted with the vote being as follows:

Those voting Yes were:
Calvin Lawrence
Dr. Edwin Hoot
Charles Hanks
Doyne Rich

There were no Noes.

Motion carried.

Alderman Charles Hanks and Calvin Lawrence stated they had not yet developed any negotiations with Lufkin Telephone Exchange and/or United Gas Corporation. Mayor Thompson reappointed Mr. Hanks and Mr. Lawrence to continue this study.

Mayor Thompson read letter of resignation submitted by Alderman Eddie Shaw.

A motion was then offered by Charles Hanks, seconded by Doyne Rich, that Mr. Shaw's resignation be accepted with regret.

Motion carried.

Upon motion made by Calvin Lawrence, duly seconded by Charles Hanks, the following Ordinance, Known as Ordinance No. 8, was passed and adopted:

AN ORDINANCE PRESCRIBING THE PROCEDURE FOR CANDIDATES TO FILE FOR THE OFFICES OF MAYOR, ALDERMAN, AND OTHER OFFICES FOR THE CITY OF DIBOLL, TEXAS: PROVIDING FOR ELECTION OFFICERS, PLACE AND MANNER OF HOLDING CITY ELECTIONS AND PROVIDING FOR NOTICE.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting Yes were:
Charles Hanks
Dr. Edwin Hoot
Calvin Lawrence
Doyne Rich

There were no Noes.

Mayor Thompson recommended that a city election be called on November 14, 1962, to fill the vacancy of alderman on the City Council created by the resignation of Alderman Eddie Shaw.

Recommendation was placed in motion form by Dr. Edwin Hoot, seconded by Doyne Rich.

There

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Those voting Yes were:
Doyne Rich
Dr. Edwin Hoot
Calvin Lawrence
Charles Hanks.

There were no Noes.

Motion carried.

Mayor Thompson then declared the City Election would be held on Wednesday, November 14, 1962, at the Fire Hall in Diboll, Texas, to elect one alderman for the unexpired term vacated by Eddie Shaw.

On motion by Calvin Lawrence, seconded by Dr. Edwin Hoot, the following Ordinance, Known as Ordinance No. 9, was unanimously adopted:

AN ORDINANCE PROVIDING THAT ALL OFFICES OF THE CITY OF DIBOLL, TEXAS, EXCEPT MEMBERS OF THE GOVERNING BODY, SHALL BE FILLED BY APPOINTMENT AS SET OUT IN THIS ORDINANCE: PROVIDING THAT OFFICERS WHO HAVE BEEN ELECTED BY VOTE OF THE PEOPLE SHALL BE ALLOWED TO SERVE UNTIL THE EXPIRATION OF THEIR TERMS OF OFFICE.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting Yes were:
Charles Hanks
Dr. Edwin Hoot
Calvin Lawrence
Doyne Rich

There were no Noes.

Ordinance was unanimously adopted by council.

On motion by Doyne Rich, seconded by Charles Hanks, the following ordinance, known as Ordinance No. 10, was read and adopted:

AN ORDINANCE PROVIDING THAT A RECORDER BE APPOINTED TO PRESIDE OVER THE CORPORATION COURT INSTEAD OF THE MAYOR.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting in favor of this ordinance were:
Doyne Rich
Charles Hanks
Dr. Edwin Hoot
Calvin Lawrence

There were no N0es.

Ordinance was unanimously adopted by the Council.

Calvin Lawrence then offered motion that George S. Smith be appointed to serve as City Recorder. Motion was seconded by Charles Hanks. Motion carried unanimously and Mr. Smith was thereby appointed City Recorder. Mayor Thompson instructed the City Secretary to so advise Mr. G. S. Smith.

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Motion by Dr. Edwin Hoot, seconded by Charles Hanks, the following ordinance, known as Ordinance No. 11, was read and adopted:

AN ORDINANCE CREATING THE OFFICE OF FIRE MARSHALL, PRESCRIBING THE DUTIES THEREOF, PROVIDING FOR ITS MAINTENANCE, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting in favor of this ordinance were:
Dr. Edwin Hoot
Charles Hanks
Calvin Lawrence
Doyne Rich

There were no Noes.

Ordinance was unanimously adopted by the council.

Doyne Rich then offered motion that G. P. Johnson be appointed to serve as Fire Marshall. Motion was seconded by Charles Hanks. Motion carried unanimously and Mr. Johnson was thereby appointed City Fire Marshall. Mayor Thompson instructed the City Secretary to so advise Mr. Johnson.

Motion by Doyne Rich, seconded by Dr. Edwin Hoot, the following ordinance, known as Ordinance No. 12, was unanimously adopted:

AN ORDINANCE OFFERING REWARD FOR ARREST AND CONVICTION OF A PERSON FOR ARSON

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting in favor of this ordinance were:
Doyne Rich
Dr. Edwin Hoot
Charles Hanks
Calvin Lawrence

There were no Noes.

Ordinance was unanimously adopted by the Council.

Followinga brief discussion, it was agreed that six posters be printed stating that there is a reward offered by the City of Diboll for arson convictions and that six of said posters be posted "under glass" in six public buildings. The six buildings recommended were as follows: (1) Post Office; (2) Temple High School, (3) Diboll Elementary School; (4) Diboll Senior High School, (5) Fire Hall, and (6) Diboll Public Library.

Mayor Thompson instructed the City Secretary to notify the City Fire Marshall of this agreement and to work with him in getting the posters printed and on display.

It was further agreed that at a later date the Council would notify the Board of Insurance Commissioners, Austin, Texas, of the ordinance offering a reward for arrest and conviction of a person for arson by forwarding to them a copy of the ordinance along with an affidavit from the First Marshal that posters had been printed and placed under glass in six public buildings and also send to them a copy of the poster.

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On motion by Doyne Rich, seconded by Charles Hanks, the following ordinance, known as Ordinance No. 13, was adopted:

AN ORDINANCE PROVIDING FOR THE MAINTENANCE OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF DIBOLL, COUNTY OF ANGELINA, TEXAS, HEREBY REFERRED TO AS A MUNICIPAL MAINTENANCE PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OR OTHER AUTHORIZED CITY OFFICIALS, TO EXECUTE AND AFFIX THE CORPORATE SEAL AND ATTEST SAME. A CERTAIN AGREEMENT BETWEEN THE CITY AND THE STATE OF TEXAS, PROVIDING FOR THE MAINTENANCE AND USE OF THE SAID MAINTENANCE PROJECT; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHOULD BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

Copy of said ordinance is attached hereto and is hereby made a part of these minutes.

Those voting in favor of this ordinance were:
Doyne Rich
Charles Hanks
Calvin Lawrence
Dr. Edwin Hoot

There were no Noes.

Ordinance was unanimously adopted by the Council.

Calvin Lawrence offered motion giving any and all necessary officials authority to prepare of cause to be prepared an application for Public Works Grant with the Housing and Home Finance Agency - Community Facilities Administration. Motion seconded by Charles Hanks.

Those voting in favor of this motion were:
Calvin Lawrence
Charles Hanks
Doyne Rich
Dr. Edwin Hoot

Those voting against were: None

Motion carried.

On motion by Dr. Edwin Hoot, seconded by Charles Hanks the following Ordinance, Known as Ordinance No. 14, was adopted:

AN ORDINANCE DECLARING THE NECESSITY FOR CITY-WIDE COOPERATION BETWEEN THE LOCAL GOVERNMENT AND ITS CITIZENS WITH RESPECT TO CIVIL DEFENSE; AND EXEMPTING THE CITY FROM LIABILITY, PURSUANT TO THE TERMS OF SECTION 7 ARTICLE 6889-4 R.C.S. OF TEXAS, AND FURTHER EXEMPTING CERTAIN PRIVATE INDIVIDUALS OWNING AND CONTROLLING REAL ESTATE FROM LIABILITY IN CONNECTION WITH THE LOCAL CIVIL DEFENSE PROGRAM.

Copy of said ordinance is hereto attached and is hereby made a part of these minutes.

Those voting in favor of said ordinance were:
Dr. Edwin Hoot
Charles Hanks
Calvin Lawrence
Doyne Rich

There were no Noes.

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Ordinance was unanimously adopted by Council.

A letter from Mrs. Eloise Hanks, representing the Diboll Garden Club, was read. The letter requested that an ordinance be presented to the Council for consideration of designating the City of Diboll as a bird sanctuary.

On motion by Doyne Rich, seconded by Calvin Lawrence, the following Ordinance, KNown as Ordinance No. 15, was unanimously adopted:

AN ORDINANCE DECLARING THE CITY OF DIBOLL A DESIGNATED BIRD SANCTUARY

Copy of said ordinance is hereto attached and is hereby made a part of these minutes.

Those voting in favor of this ordinance were:
Doyne Rich
Calvin Lawrence
Charles Hanks
Dr. Edwin Hoot

There were no Noes.

Ordinance was unanimously adopted by the Council.

The Mayor then called for the outstanding accounts payable as of October 29, 1962. The following were approved for payment:

Smith Municipal Supplies Dallas, Texas	$ 46.50
Southern Pine Lumber Company	5.10

There being no further business, the meeting adjourned at 8:05 p.m. on the day of convening thereof.

RESPECTFULLY SUBMITTED

_____
City Secretary
City of Diboll, Texas

APPROVED:

_____
Mayor

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MINUTES CITY COUNCIL MEETING CITY OF DIBOLL, TEXAS

NOVEMBER 5, 1962

A call meeting of the City Council of the City of Diboll, Texas, was held on November 5, 1962, at 2:00 p.m. in the Southern Pine Lumber Company offices at Diboll, Texas.

Those present were:

Dr. Edwin Hoot
Calvin Lawrence'
Charles Hanks
Doyne Rich

comprising a quorum.

Those absent were:

Clyde Thompson, Mayor

Also present were:

Ward Burke, City Attorney
Alpha Henrich, City Secretary

In the absence of the Mayor, City Attorney Ward Burke called the meeting to order.

Motion offered by Calvin Lawrence that Dr. Edwin Hoot be acclaimed Mayor Pro Tem. Motion seconded by Charles Hanks. Motion carried unanimously.

Mayor Pro Tem Hoot recognized Mr. Ward Burke, who in turn, introduced Mr. P. G. Woodruff of R. S. Woodruff and Associates, Consulting Engineers of Fort Worth, Texas.

Mr. Woodruff detailed to the Council the necessary steps in filing applications with the Housing and Home Finance Agency, United States of America.

Upon motion by Charles Hanks, seconded by Calvin Lawrence, the following resolution was adopted:

RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATE OF AMERICA, FOR A GRANT UNDER THE TERMS OF PUBLIC LAW 345, 84TH CONGRESS, AS AMENDED BY THE PUBLIC WORKS ACCELERATION ACT.

WHEREAS, under the terms of said Public Law 345, as amended, the United State of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

Now Therefore, be it Resolved by the City Council of Diboll, Texas:

1. That Mayor Clyde Thompson be and he is hereby authorized to execute and file an application of behalf of City of Dibell, Angelina County, Texas, with the Housing and Home Finance Agency, United State Government, for a grant to aid in the financing the construction of new paying and repair old paving.

2. That R. S. Woodruff, City's Consulting Engineer be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

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Those voting Yes for the Adoption of the resolution were:

Charles Hanks, Calvin Lawrence, Doyne Rich.

There were no Noes.

Upon motion by Calvin Lawrence, seconded by Charles, the following resolution was unanimously adopted:

RESOLUTION PROVIDING FOR INCREASE IN PLANNED TOTAL EXPENDITURE FOR CAPITAL IMPROVEMENT PROJECTS:.

WHEREAS, under the terms of Public Law 87-658 , approved September 14, 1962, the United States of America has authorized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects:

NOW THEREFORE, Be It Resolved by the City Council of Diboll:

1. That as of the date of filing of an application by City of Diboll, Angelina County, Texas, (hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of new paving and paving repairs the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was NIL for the fiscal year ending December 1962 and NIL for the fiscal year ending December, 1963.

2. That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will (is hereby) increased by $50,000.00 for the fiscal year ending December, 1962 and Nil for the fiscal year ending December, 1963 for a total increase of $50,000.00 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal Funds).

3. That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by Articles 1015, 1016 & 1026; Chapters 8 & 9, Title 28, Revised Civil Statutes of Texas.

Those voting yes were Calvin Lawrence, Charles Hanks, Doyne Rich

There were no Noes.

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On motion by Charles Hanks, seconded by Calvin Lawrence, the following resolution was unanimously adopted:

RESOLUTION IS AUTHORIZING FILING OF APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE TERMS OF PUBLIC LAW 345, 84TH CONGRESS, AS AMENDED BY THE PUBLIC WORKS ACCELERATION ACT

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

NOW THEREFORE, be it Resolved by the City Council of Diboll, Texas:

1. That Mayor Clyde Thompson be and is hereby authorized to execute and file an application on behalf of the City of Diboll, Angelina County, Texas, with the H using and Home Finance Agency, United States Government, for a grant to aid in financing the construction of a public library building.

2. That R. S. Woodruff & Associates, City's Consulting Engineer be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

Those voting Yes for the adoption of the resolution were:
Charles Hanks, Calvin Lawrence and Doyne Rich.

There were no Noes.

On motion by Charles Hanks, seconded by Calvin Lawrence, the following resolution was adopted:

RESOLUTION PROVIDING FOR INCREASE IN PLANNED TOTAL EXPENDITURE FOR CAPITAL IMPROVEMENT PROJECTS.

WHEREAS, under the terms of Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act, approved September 14, 1962, the United States of America has authorized the making of grants to a State or local government to aid in financing the construction of a specific public works project, provided the proposed or planned total expenditure of said public body for capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works project:.

NOW THEREFORE, be it Resolved by the City Council of Diboll, Texas:

1. That as of the date of filing of an application by the City of Diboll Angelina County, Texas. (Hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of a City Library Building the applicant had a capital improvements plan or capital budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was NIL for the fiscal year ending 1962 and NIL for the fiscal year ending 1963.

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2. That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be (is hereby) increased by $32,130.00 for the fiscal year ending 1963 and NIL for the fiscal year ending ----, for a total increase of $32,130.00 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).

3. That said total increase in the proposed or planned total expenditur for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by Articles 1015, 1016 & 1026, Chapters 8 and 9, Title 28, Revised Civil Statutes of Texas.

Those voting Yes for the adoption of the resolution were:

Charles Hanks, Calvin Lawrence and Doyne Rich.

There were no Noes.

There being no further business the meeting adjourned at 3:20p.m. the same day of convening thereof.

Respectfully submitted

_____
City Secretary

ATTEST:

_____
Mayor

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MINUTES OF COUNCIL MEETING
CITY OF DIBOLL, TEXAS

Monday, November 26, 1962

The regular meeting of the City Council of the City of Diboll, Texas, was held on Monday, November 26, 1962, at 7:30 p.m. in the Diboll Elementary School Cafetorium in Diboll, Texas.

Those present were:

Clyde Thompson, Mayor, Presiding

Charles Hanks

Calvin Lawrence

Dr. Edwin Hoot

Doyne Rich

comprising a quorum.

Those absent were:

None

Also present were:

Alpha Henrich, Secretary

Ward Burke, Attorney

Phillip Leach, Attorney

Meeting was called to order at 7:30 p.m. and was opened with prayer offered by Alderman Calvin Lawrence.

On motion by Calvin Lawrence, seconded by Doyne Rich, reading of minutes of previous meeting was dispensed with since each alderman had been furnished a copy of said minutes.

Minutes were approved without correction or addition.

Mayor Thompson called for canvassing of the votes of the Special Election held at the Fire Hall, City of Diboll, on Wednesday, November 14, 1962, for the purpose of electing one alderman to fill the unexpired term of Mr. Eddie Shaw.

The votes were then duly canvassed by members of the Council.

The following motion was made by Doyne Rich: That we find the official count of the Special Election held at the Fire Hall, City of Diboll, Diboll, Texas, on November 14, 1962, to be as follows:

Office of Alderman:

Oscar M. Pearson	6
Nolan B. Hall	178
Aubrey A. Asher	21

and move that Nolan B. Hall be declared duly elected.

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Motion seconded by Calvin Lawrence. Motion carried.

Those voting for:

Charles Hanks
Dr. Edwin Hoot
Doyne Rich
Calvin Lawrence

There were no Noes.

Mayor Thompson then administered the oath of office to Nolan B. Hall and Mr. Nolan Hall was seated as a member of the Council.

Discussion was held regarding the sale and usage of fireworks within the city limits of the City of Diboll. No action followed the discussion.

Mr. Ward Burke discussed with the Council the legal requisites' of setting up a Corporation Court.

Calvin Lawrence offered a motion to give Burke & Leach authority to prepare all necessary ordinances under which a Corporation Court would operate and to order any and all necessary supplies for the operation of the Corporation Court. Notion was seconded by Nolan Hall. Motion carried.

Those voting Yes were:

Calvin Lawrence
Nolan Hall
Charles Hanks
Dr. Edwin Hoot
Doyne Rich

There were no Noes.

Mayor Thompson recognized Mr. Joe C. Denman who discussed the problems of limited parking space in the Village. Mr. Denman requested a "Loading Zone" be designated in three parking spaces in front of the Laundremat. During discussion with Council, several suggestions for alleviating the parking problem were offered, including one that the Mayor write to the owner and/or manager of each business located in the Village, calling to his attention the limited parking space and asking for suggestions and help toward a solution of the problem. No other action was taken by the Council.

Mayor Thompson advised the Council that the State Highway Department was in the process of installing traffic lights on Highway 59 in Diboll and that it was also making a traffic survey regarding speed limits within the city limits of the City of Diboll.

On motion by Dr. Edwin Hoot, the following current accounts were approved for payment:

Story-Wright	.66
The Steck Company	6.45
Matlock Printing Co.	12.40

Motion seconded by Calvin Lawrence. Motion carried unanimously.

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Calvin Lawrence offered motion that the regular meeting date of the December meeting be set for December 10 instead of December 24. Motion seconded by Dr. Edwin Hoot. Motion carried.

Those voting Yes were:

Calvin Lawrence
Dr. Edwin Hoot
Nolan Hall
Doyne Rich
Charles Hanks

There were no Noes.

Following a discussion regarding the speed of traffic on Carter Drive, there was a motion by Doyne Rich that the City of Diboll be responsible for ordering and installing traffic control signs for residential areas providing individuals or groups of citizens wish to pay for the cost of the signs. Motion seconded by Nolan Hall. Motion carried unanimously.

There being no further business, the meeting adjourned at 8:45 p.m. on the day of convening thereof.

Respectfully submitted

Alpha Henrich
City of Diboll, City Secretary

ATTEST:

Clyde Thompson
Mayor, City of Diboll

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MINUTES OF COUNCIL MEETING
CITY OF DIBOLL, TEXAS

MONDAY, DECEMBER 10, 1962

The regular meeting of the City Council of the City of Diboll, Texas, was held on Monday, December 10, 1962, at 7:30 p.m. in the Diboll Elementary School Cafetorium in Diboll, Texas.

Those present were:

Clyde Thompson, Mayor, Presiding

Charles Hanks

Calvin Lawrence

Dr. Edwin Hoot

Nolan Hall

comprising a quorum.

Those absent were:

Doyne Rich

Also present were:

Alpha Henrich, Secretary

Philip Leach, City Attorney

Meeting was called to order by Mayor Thompson at 7:30 p.m. and was opened with prayer offered by Alderman Calvin Lawrence.

On motion by Calvin Lawrence, seconded by Nolan Hall, reading of the minutes of previous meeting was dispensed with since each alderman had been furnished a copy of said minutes.

Minutes were approved without correction or addition.

Motion by Dr. Edwin Hoot, seconded by Charles Hanks, that the following ordinance, Known as Ordinance No. 16 be adoped.

AN ORDINANCE DEFINING THE WORDS AND PHRASES PERTAINING TO THE CORPORATION COURT OF THE CITY OF DIBOLL, TEXAS: PROVIDING FOR THE REGULATION AND TRANSACTION OF BUSINESS, THE DUTIES AND AUTHORITY OF OFFICERS: PROVIDING FOR THE ISSUANCE OF WARRANTS AND OTHER PROCESSES, THE SETTING AND FORFEITURE OF BAIL BONDS: PROVIDING FOR COURT COST AND OTHER FEES: PROVIDING FOR PENALTIES FOR VIOLATION OF PROVISIONS OF THIS ORDINANCE BY VARIOUS FINES IN AMOUNTS FROM ONE DOLLAR TO TWO HUNDRED DOLLARS: MAKING PROVISION FOR TITLE OF THIS ORDINANCE, CONSTITUTIONALITY AND REPEAL OF INCONSISTENT ORDINANCES.

Copy of which is hereto attached and is hereby made a part of these minutes.

City Attorney, Philip Leach, read aloud the entire ordinance to the Council.

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Motion for adoption of the ordinance carried.

Those voting Yes were: Dr. Edwin Hoot, Charles Hanks, Nolan Hall, Calvin Lawrence.

There were no Noes.

Mayor Thompson asked Philip Leach, City Attorney, to discuss with the Council provisions of a proposed ordinance to provide for traffic administration; enforcement, obedience to traffic regulations and negligent collision; traffic control devides; speed regulations; turning movements and required signals; special stops; providing for right-of-way; regulating driving on a right side of roadway; overtaking and passing; regulating pedestrians' rights and duties; regulating method of parking; regulating stopping, standing or parking in specified places; regulating stopping for loading or unloading; prohibiting stopping, standing or parking on certain streets; providing for use of flares; providing for inspection of vehicles; regulating accident reports, reckless driving and starting parked vehicles; providing for miscellaneous rules; providing for penalties for violation of ordinance by various fines in amounts from one dollar to two hundred dollars; providing for disposition of parties to a crime and procedure upon arrest; and making provisions for title of ordinance, constitutionality and repeal of inconsistent ordinances.

Discussion was hel and it was agreed that the City Council would take more time to study the proposed ordinance pertaining to traffice regulations and that the Mayor would call a meeting of the Council to take formal action upon same within the week.

On motion by Calvin Lawrence the following current accounts were approved for payment.

Burke & Leach	$45.00
Institute of Public Affairs	2.55

Motion seconded by Nolan Hall. Motion carried.

Philip Leach reported to the Council that the City of Diboll had placed an order totaling $68.90 for supplies for operation of the Corporation Court.

Mayor Thompson reported to the Council that the State Highway Department had completed its traffic flow survey on Highway 59 within the City of Diboll. From the results of the survey, the following speed limits were recommended for Highway 59 within the city limits of Diboll: From city limits to Diboll Airport - 60 mph; From airport to Treating Plant Road - 55 m.p.h.; From Treating Plant road to Booker Street - 45 mph.; From Booker Street to KSPL Station - 55 mph; from KSPL Station to south city limits - 60 mph.

There being no further business, the meeting adjourned at 9:15 p.m. on the day of convening thereof.

Respectfully submitted.

Alpha Henrich
City Secretary - City of Diboll

ATTEST:

Clyde Thompson
Mayor

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ORDINANCE NO. 16

AN ORDINANCE DEFINING THE WORDS AND PHRASES PERTAINING TO THE CORPORATION COURT OF THE CITY OF DIBOLL, TEXAS; PROVIDING FOR THE REGULATION AND TRANSACTION OF BUSINESS, THE DUTIES AND AUTHORITY OF OFFICERS; PROVIDING FOR THE ISSUANCE OF WARRANTS AND OTHER PROCESSES, THE SETTING AND FORFEITURE OF BAIL BONDS; PROVIDING FOR COURT COST AND OTHER FEES; PROVIDING FOR PENALTIES FOR VIOLATION OF PROVISIONS OF THIS ORDINANCE BY VARIOUS FINES IN AMOUNTS FROM ONE DOLLAR TO TWO HUNDRED DOLLARS; MAKING PROVISION FOR TITLE OF THIS ORDINANCE, CONSTITUTIONALITY AND REPEAL OF INCONSISTENT ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS:

CORPORATION COURT ORDINANCE

Section 1. JUDGE TO BE KNOWN AS "CITY JUDGE":

The Corporation Court shall be presided over bythe City Recorder as Judge, who shall be known as the "City Judge", who shall be designated in accordance with the terms of the ordinances of the City.

Section 2. APPOINTMENT OF SUBSTITUTE JUDGE IN ABSENCE OF TEMPORARY DISABILITY OF CITY JUDGE:

In the absence or temporary disability of the City Judge, the City Council shall appoint some person to perform the duties of the City Judge during such absence or disability. Such person so appointed, while acting as City Judge, shall have the same powers and perform the same duties as the City Judge.

Section 3. APPOINTMENT OF CLERK; DUTIES:

The City Secretary shall be Clerk of the Corporation Court. The Clerk of the Corporation Court shall keep minutes of the proceedings of the Court, issue all process and generally perform all the duties of the clerk of a court as prescribed by law for a court clerk insofar as the same may be applicable.

Section 4. JURISDICTION:

The Corporation Court of the City shall have jurisdiction within the territorial limits of the City, in all criminal cases arising under the ordinances of the City, and shall also have jurisdiction, concurrently with the justice court

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of the precinct in which the city is or may be situated, in all criminal cases arising within the territorial limits of the City, under the criminal laws of the State of Texas, in which punishment is by fine only and where the maximum of such fines may not exceed TWO HUNDRED & NO/100 ($200.00) DOLLARS.

Section 5. OPEN FOR TRANSACTION OF BUSINESS AT ALL TIMES:

The Corporation Court shall hold no terms, but shall be deemed at all times open for the transaction of business, but each defendant shall be entitled to at least twenty-four (24) hours notice of any complaint against him if such time be demanded. The City Judge shall compel the attendance of persons accused before him for any violation of law or ordinance, and shall compel the attendance of witnesses by subpoena, or attachment, inthe same manner as is or may be provided by law in trials before a justice of the peace. The City Judge shall preserve order and decorum during the session of his court.

Section 6. SEAL:

The Corporation Court shall have a seal having engraved thereon a star of five points in the center and the words "Corporation Court of Diboll, Texas". The impress of such seal shall be attached to all proceedings except subpoenas, issued out of such court, and shall be used to authenticate the official acts of the City Judge where he is authorized and required to use the seal of office.

Section 7. PROSECUTIONS TO BE COMMENCED BY COMPLAINT:

All prosecutions for violations of law or ordinances of the City shall be commenced in the Corporation Court of the City by complaint, setting forth specifically and within reasonable certainty, the particular act or omission with which the defendant is charged. Such complaint shall be signed and sworn to by the person making the complaint.

Section 8. ISSUANCE OF WARRANT UPON FILING OF COMPLAINT;EXECUTION:

When any complaint shall be filed as is provided for in this chapter, the City Judge shall issue his warrant of arrest which shall be executed by the Chief of Police or any policeman of the City in a like manner as similar process in justice court may be executed by the Sheriff; provided, that nothing herein shall

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be construed as to prevent the Chief of Police or any policeman from making arrests without warrant for any violation of any law or ordinances of the City, when committed in his presence or view, or in any contingencies in which a Sheriff or other officer of the State would by the laws of the State be permitted to make such arrest.

Section 9. ACCUSED ENTITLED TO JURY TRIAL; SUMMONING JURY; FAILURE OF PERSONS SUMMONED TO APPEAR:

In all cases of a misdemeanor, the party charged before the Corporation Court shall be entitled to a trial by jury in the same manner and form as provided by law before a justice of peace. When an application is made for a jury in the trial of a case, the City Judge shall direct the Chief of Police, or any policeman of the City or the Clerk of the Corporation Court, to summon twelve disinterested parties or persons who are qualified voters in the City, to act as jurors to serve as the jury panel. Six of these persons shall be picked in the manner as provided by law in the justice court, to serve as jurors. Any person so summoned who shall fail or refuse to attend without good cause shown may be fined by the Court in any sum not exceeding TWENTY-FIVE & NO/100 ($25.00) DOLLARS, for the use of the City.

Section 10. AUTHORITY OF CITY JUDGE AS TO CONTEMPT, BAIL, RECOGNIZANCES:

The City Judge shall have power to punish all persons guilty of contempt of court to the same extent and under the same circumstances as the County Court. He shall have the power to take recognizances, admit to bail and forfeit recognizances and bail bonds, under the rules and regulations as now govern the taking and forfeiting of the same as in the County Court.

Section 11. CITY JUDGE TO BE GOVERNED BY LAWS OF STATE REGULATING JUSTICE COURTS:

The City Judge, in all matters pertaining to the administration of justice concerning which there are no special provisions, shall be governed by the laws of the State regulating proceedings in justice courts so far as the same may be applicable.

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Section 12. COMMITMENT FOR FAILURE TO PAY FINES AND COSTS:

Any person who, upon conviction shall fail or neglect to pay any fine or cost imposed under any law or ordinance for any breach of or violation of the same shall be imprisoned in the City jail for a sufficient length of time to discharge the full amount of the fine and cost adjudged against him rating such imprisonment at THREE & NO/100 ($3.00) DOLLARS per day for each day thereof.

Section 13. AUTHORITY OF CITY JUDGE TO CONTINUE OR POSTPONE CASES:

The City Judge may, for good cause shown, continue any case pending before him from day to day, or postpone the case to some future day.

Section 14. WHEN NEW TRIAL MAY BE GRANTED:

The City Judge may for good cause shown, grant a new trial to any person convicted before him for any violation of law or ordinance of the City.

Section 15. APPEAL FROM CONVICTION:

In all cases where the defendant is convicted in the Corporation Court, he shall be entitled to an appeal to the County Court of Angelina County, Texas. Notice of such appeal shall be given in open court and shall be noted on the docket of the City Judge. Whenever the defendant shall desire to appeal he shall file with the City Judge a bond, with good and sufficient security, in double the amount of the fine and costs imposed on him. Such bond must be approved by the City Judge. It shall be payable to the City and conditioned that the defendant will prosecute his appeal with effect and will pay such fines and costs as shall be adjudged against him by the County Court, as well as other costs that may have been adjudged against him in the Corporation Court. All appeals shall be perfected within ten days after the date of conviction or the order of the City Judge overruling the defendant's motion for a new trial and such appealed cases shall be transmitted to the County Court of Angelina County, Texas, in the same manner as appeals from the justice court.

Section 16. COURT OF INQUIRY - AUTHORITY OF CITY JUDGE GENERALLY; EXAMINATION OF WITNESSES, ISSUANCE OF WARRANT:

The City Judge, when he has good cause to believe that an offense against any of the ordinances of the City has been, or is about to be, committed, may

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issue subpoenas or attachments for witnesses, may examine witnesses in relation thereto, and if it shall appear from the statement of such witnesses that an offense has been committed, or any offense against the State law has been committed of which the Corporation Court has jurisdiction, the City Judge shall reduce, or cause to be reduced, the statement of such witnesses to writing and cause the same to be sworn to by such witnesses; whereupon, the City Judge shall issue his warrant for the arrest of such offenders. Such warrant shall be returnable before the City Judge at such time as may be directed by the City Judge and the offender shall be tried according to the laws and ordinances of the City.

Section 17. SAME - FAILURE OR REFUSAL OF WITNESS TO TESTIFY:

Any witness summoned under the provisions of the preceeding section who shall fail or refuse to appear and make a statement of facts under oath shall be guilty of contempt of court and may be fined not exceeding ONE HUNDRED & NO/100 ($100.00) DOLLARS and may be attached and imprisoned until he makes such statement.

Section 18. AUTHORITY OF CITY JUDGE TO ADMINISTER OATHS AND SWEAR WITNESSES.

The City Judge shall have power and authority to administer any and all oaths and affirmations and to swear witnesses and jurors in trial before him.

Section 19. PROCEEDINGS TO BE GOVERNED BY RULES PRESCRIBED FOR JUSTICES; PROCEEDINGS TO BE COMMENCED IN NAME OF STATE:

The proceedings before the Corporation Court shall be governed by the same rules which are prescribed by the justice of the peace under the laws of the State insofar as they are applicable. All prosecutions in such Court, whether under an ordinance or under the Penal Code of the State, shall be commenced, "in the name of the State of Texas", and shall conclude, "against the peace and dignity of the State".

Section 20. PROSECUTIONS TO BE CONDUCTED BY CITY ATTORNEY:

All prosecutions in the Corporation Court shall be conducted by the City Attorney or his deputy. If there is no City Attorney, or deputy, or if the City Attorney should be absent, sick or unable to act from any cause, the Mayor shall

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have authority to appoint any competent attorney to conduct any proceedings of any kind in court, but this appointment shall be only temporary.

Section 21. SERVICE OF PROCESS GENERALLY:

Warrants or other process issued by the City Judge shall be directed to the Chief of Police or any policeman of the City, but in case of the absence or inability of such officers, such process shall be directed to any peace officer within the City or County and shall be executed by such officer.

Section 22. SERVICE OF PROCESS OUTSIDE CORPORATE LIMITS OF CITY:

When the party for whose arrest a warrant is issued by the City Judge cannot be found in the City, the same may be executed within the limits of Angelina County, Texas, by the Chief of Police, or any other proper peace officer of the City, or by any peace officer of Angelina County, and may be executed anywhere in the State under the same rules governing warrants of arrest issued by a justice of peace.

Section 23. AUTHORITY OF CITY JUDGE TO ISSUE PROCESS REQUIRING ATTENDANCE OF WITNESSES; FAILURE TO APPEAR OR TESTIFY:

The City Judge shall have power to issue any process necessary to require the attendance of any person as a witness in any case pending before the Corporation Court. Persons failing or refusing to obey any such process may be fined in any sum not exceeding TWENTY-FIVE & NO/100 ($25.00) DOLLARS and shall forthwith be attached. If such witness appears in the Corporation Court and fails or refuses to testify he shall be guilty of contempt of court and may be fined in any sum not to exceed ONE HUNDRED & NO/100 ($100.00) DOLLARS and, in addition thereto, may be imprisoned in the City jail until he testifies as required.

Section 24. BAIL UPON ARREST:

A person arrested for violation of any ordinance of the City, or for the violation of any law of which the Corporation Court has jurisdiction, may be admitted to bail upon executing a bond, payable to the City, with sufficient security to be approved by the City Judge or Chief of Police, or a cash bond in an amount to be determined by the City Judge or Chief of Police, conditioned that he will appear, upon a day and at an hour therein named, before the Corporation Court to

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answer for the violation of the ordinance or law of which he is accused, and there to wait at his trial, and shall appear from day to day and from time to time until a disposition is finally made of his case. Such bond shall be filed with the City Judge.

Section 25. FORFEITURE OF BAIL BOND:

Whenever a person is bound by a bond as mentioned in the preceding section of this chapter and his name shall be called at the door of the courtroom on the day designated in such bond, or anytime during any day thereafter when the case shall be reached on the docket, and he shall fail to appear, the forfeiture of such bond shall be taken.

Section 26. MANNER OF FORFEITURE OF BOND:

A surety bond shall be forfeited in the Corporation Court in the same manner as in the Court of a justice of the peace, but no final judgment shall be entered against the parties to such bond until such parties have been served a writ of scire facias requiring them to appear and show cause, within ten (10) days after the service of such writ, why judgment should not be made final against them.

A cash bond shall be forfeited as prescribed by the preceding section of this chapter. When such bond is forfeited, the cash held under such bond shall be paid into the City Treasury in the same manner as money derived from fines under the provision of this chapter.

Section 27. CRIMINAL DOCKET:

The City Judge shall keep a docket in which he shall enter the proceedings, trials and examinations for criminal offenses had before him, which docket shall show:

1. The style of the action;
2. The nature of the offense charged;
3. The date of the issuance of the warrant and the return made thereon;
4. The time when the examination and trial was had, and if the same was a trial, whether by jury or by himself;
5. The verdict of the jury, if any;
6. Judgment of the Court;
7. Motion for new trial, if any, and the action of the Court thereon;
8. Notice of Appeal, if any;
9. The time when and the manner in which the Judgment was enforced.

Section 28. CITY JUDGE TO FILE TRANSCRIPT OF DOCKET WITH CLERK OF DISTRICT COURT.

At each term of the District Court of Angelina County, Texas, the City

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Judge shall file with the Clerk of the District Court a certified transcript of the docket kept by him, as required in the preceding section, of all criminal cases examined or tried by him since the last term of the District Court, and the Clerk of such court shall deliver such transcript to the foreman of the Grand Jury.

Section 29. CODE OF CRIMINAL PROCEDURE TO BE FOLLOWED:

The provisions of the Code of Criminal Procedure of the State of Texas regulating the amount and collection of jury and witness fees and for enforcing the attendance of witnesses in criminal cases tried before a justice of the peace, shall, so far as practical, govern and be applicable to the trial of cases before the Corporation Court.

Section 30. COST OF COURT:

In accordance with the provisions of Vernon's Texas St., C.C.P., Art. 873, there shall be taxed against such defendant convicted in the Corporation Court of the City the items of cost as set out in the subsequent section of this chapter, and the respective amounts set opposite each of said items shall be collected from each defendant so convicted and, together with the fine imposed when collected, shall be deposited in the General Fund of the City.

Section 31. SAME - PLEAS OF GUILTY:

Whenever the defendant in any prosecution had in the Corporation Court shall plead "guilty" to the charge, the following items of cost shall be taxed against and be paid by any such defendant:

Arrest with or without warrant:	$4.00
Commitment	2.00
Release	2.00
Trial Fee	2.00
Filing and docketing	.50
Taxing Cost	.50
TOTAL	$11.00

Section 32. SAME - PLEAS OF NOT GUILTY:

Whenever the defendant in any prosectuion had in the Corporation Court shall plead "not guilty" to any charge, the following items of cost shall be taxed against and paid by any such defendant upon conviction:

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Arrest with or without warrant	$ 4.00
Commitment	3.00
Release	3.00
Trial Fee	3.50
Filing and docketing	.50
Taxing cost	.50
TOTAL	$14.50

Whenever the defendant in any prosecution had in the Corporation Court shall plead "not guilty" to the charge and demand a trial by jury the following items of costs shall be taxed against and be paid by any such defendant upon conviction:

Arrest with or without warrant	$ 4.00
Commitment	3.00
Release	3.00
Trial Fee	3.50
Filing and docketing	.50
Taxing costs	.50
Jury Fee	5.00
TOTAL	$19.50

Section 33. SAME - COSTS ON APPEAL; FEE BILL:

Whenever any appeal is prosecuted from a judgment of the Corporation Court, it shall be the duty of the Clerk of the Corporation Court to include in his fee bill, incorporated in the transcript of appeal, the total amount of costs hereinabove provided for in the preceding section.

Section 34. SAME - IMPRISONMENT WHEN DEFENDANT UNABLE TO PAY FINE AND COSTS:

When a defendant is convicted of a misdemeanor in the Corporation Court of the City and his punishment is assessed at a precuniary fine, if he is unable to pay the fine and costs adjudged against him, he shall be imprisoned in the City jail for a sufficient length of time to discharge the full amount of fine and costs adjudged against him, rating such imprisonment at THREE & NO/100 ($3.00) DOLLARS for each day thereof.

Section 35. WITNESS FEES; MILEAGE:

Each person subpoenaed to appear as a witness to testify in each case pending before the Corporation Court shall be allowed a fee of ONE & 50/100 ($1.50) DOLLARS for each day actually attended and a mileage fee of eight (8¢) cents per mile for each mile traveled going to and returning from the Court, to be taxed and collected as costs.

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Section 36. FINES:

Fines that may be imposed or that may accrue under the ordinances of the City shall be the same amount and collected as fines are collected in the justice court, except as otherwise provided in the ordinances of the City. All fines shall be paid into the general fund of the City.

Section 37. CONSTITUTIONALITY:

If any part or parts of this Ordinance shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining part or parts of this Ordinance. The City Commission of the City of Diboll, Texas, hereby says and declares that it would have passed the remaining parts of this Ordinance had it known that such part or parts, if any, would be declared unconstitutional.

Section 38. REPEAL OF INCONSISTENT ORDINANCES:

All ordinances or parts of ordinances inconsistent or conflicting with the provision or provisions of this Ordinance are hereby repealed.

Section 39. EFFECTIVE DATE:

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED AND APPROVED on the 10 day of December, 1962.

Clyde Thompson
Mayor, City of Diboll, Texas

ATTEST:

Althea Howell
City Secretary

This is to certify that the foregoing ordinance, known as Ordinance No. 16, was adopted by a two-thirds (2/3) vote of all of the councilmen elected, at a regular meeting of the Council of the City of Diboll, held at 7:30 p.m. the 10th day of December, 1962. the vote being as follows:

Those for the Adoption	Against the Adoption
All Voted For	None Voted Against

Given under my hand and the Seal of the City of Diboll, this the 10th day of December, 1962.

Althea Howell
City Secretary, City of Diboll, Texas