

Motion was made by W.L.North, seconded by J.S.Shaver, that Claims Nos. 85342 and 85343, in favor of Sinclair Oil and Gas Co. and Sinclair Pipe Line Company, respectively, be and the same are hereby disallowed. Motion carried.

IN THE MATTER OF APPEALING FROM THE JUDGMENT OF THE  
DISTRICT COURT IN CASE NO. 24782, WESTERN BANK SUPPLY  
COMPANY VS BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY.

The Board of County Commissioners  
Tulsa, Oklahoma.

Gentlemen:-

I am directed by John M. Goldesberry, County Attorney, to make the following report in the above matter, and in which report I concur.

The above cause was instituted by the Plaintiff against said Commissioners to recover the total sum, on two causes of action \$2,078.90 for furniture and supplies furnished and delivered to the Court of Common Pleas for the fiscal year 1922-23, ending June 30th. 1923. On the trial of the case, the Court found as to the facts as follows:

1st. That the furniture and supplies were furnished and delivered to the Court of Common Pleas under the authority and with the understanding made between the Judges of said Court and the former Board of County Commissioners.

2nd. That the former Board of County Commissioners authorized Ira Short, as a member thereof, to enter into the contracts for the purchasing of furniture and supplies.

3rd. That the agreement and understanding was not made a part of the official records of the proceedings of the former Board of Commissioners and was not made while said Board was in session.

4th. That the items sued upon was actually delivered to the Court of Common Pleas.

5th. That the said items were necessary for the use of the said Court in its functional purposes.

6th. That under the law it is made the duty of the Board of County Commissioners to furnish the furniture and supplies sued upon in this case.

7th. That the present Board of County Commissioners acted within its legal right in the disallowance and refusal to pay said claims for the reason that no appropriation was made for the purchasing and payment of said items.

8th. That under the law and findings of facts the County of Tulsa is liable to the said Plaintiff in the amount sued thereon in the two causes of action.

Inasmuch as the above are the findings and facts of law arrived at by the Court, and in these conclusions of law the Court is sustained by the Supreme Court of the State of Oklahoma, we do not recommend that an appeal be taken in this case.

Respectfully,

Ed. O. Cassidy,  
Special Deputy State Examiner and Inspector.

At a regular meeting of the Board of County Commissioners held on the 21st. day of January, 1924, in the office of said Commissioners, in the Court House, in the City of Tulsa, State of Oklahoma, the following resolution was introduced by W.L.North, who moved its adoption and the motion to adopt was seconded by J.S.Shaver, and the Chairman ordered the Resolution read:

R E S O L U T I O N.

BE IT RESOLVED, By the Board of County Commissioners of Tulsa County, State of Oklahoma, that the reports for the last quarter of the calendar year of the following named Justices of the Peace, to-wit: T.S.Price, Ed McLean, Art Stanton, W.H.Foster, E.S.Binning T.D.Jackson and T.L.Powell be audited by the State Examiner and Inspector and a report be made to this Board thereon.

Upon roll call, all members voting in the affirmative, the Resolution was ordered made a matter of record and a certified copy thereof be forwarded to Honorable Fred Parkinson, State Examiner and Inspector, Oklahoma City, Oklahoma.

Motion was made by W.L.North, seconded by J.S.Shaver, that the claim of E.E. HANSON be allowed in the amount of \$10.00. This refers to claim No. 86197. Motion carried.