

R E S O L U T I O N .

WHEREAS, the attention of this Board has been called to the fact that the appropriations allowed by the Excise Board, for the fiscal year 1923-1924, for the Court of Common Pleas, Tulsa County, for the salaries, maintenance and other supplies of operation are about exhausted, and that unless said Court reduces its expenses, for salaries and supplies, that the same will be exhausted before the end of the fiscal year, and

WHEREAS, This Board has been advised that there will be practically no surplus in the Current Expenses of the General Fund for the further appropriation.

THEREFORE, BE IT RESOLVED, That the several Judges of the Court of Common Pleas, the Clerk of the Court of Common Pleas and the Marshall for the said Court of Common Pleas, and all others interested, be and they are hereby notified that this Board, cannot, under the law, allow and pay any claim or claims against the appropriations exhausted and that after said appropriations are exhausted, that this Board will be compelled and will disallow any and all claims for which there is not a sufficient balance of appropriation remaining to pay the same. And,

BE IT FURTHER RESOLVED, That the said Court of Common Pleas, be and it is hereby notified that this Board will not permit any judgments to be rendered or taken against Tulsa County for claims arising and created after the said appropriations are exhausted, and

BE IT FURTHER RESOLVED, That the County Clerk of this County be and he is hereby instructed and ordered to forthwith, and without delay, to serve a true and correct copy of this Resolution upon the several Judges of the said Court of Common Pleas and upon the Court Clerk and the Marshall thereof, and report the manner and form of his service at the next meeting of this Board.

Those voting upon the motion to adopt the Resolution were:

Ed W. Hedgecock
W. L. North
J. S. Shaver

Yes
Yes
Yes

Motion having received all the votes of the Commission, was by the Chairman declared carried and ordered made a matter of record in the Journal of Proceedings of this Board as of this date.

R E S O L U T I O N .

On motion of W. L. North, seconded by J. S. Shaver, the County Clerk was ordered to serve the following communication on all County Officers of Tulsa County:

TO ALL COUNTY OFFICERS:
TULSA COUNTY, OKLAHOMA.

This Board insists that the expenditures of the County for the Current Year be kept within the appropriation allowed by the Excise Board. This can be done only with your co-operation. A recent decision of the Supreme Court of the State holds that a County is not liable for any claim unless the same was expressly authorized or created by the Board of County Commissioners.

For your benefit, we are below giving you the law as defined and laid down by said Court, in the Case of Board of County Commissioners of Tulsa County, Oklahoma, vs Tulsa Camera Record Company:

- "1. One who demands payment of a claim against a County must show some statute authorizing it or that it arises from some contract, express or implied, which finds authority in law, and it is not sufficient that the services performed for which payment is claimed were beneficial.
2. The Board of County Commissioners is the lawfully constituted agency to contract for and bind the County within the lawfully granted powers, and the Board of County Commissioners does not so act in their individual capacity, singularly or collectively, but as a duly assembled body as a Board of County Commissioners in the way and manner provided by law.
3. The County Clerk is not authorized by law to contract for and bind the County in making contracts for supplies and services to be furnished and supplies in connection with the performance of the duties of his office"
4. Record; held, to be insufficient to support judgment for the Plaintiff.

This, then, being the law, the duty of this Board is plain and the law will be enforced to the letter.

If you desire claims paid arising from your Departments, you will also have to follow the law.

No purchases will be authorized, nor confirmed, unless you file a requisition with the County Clerk and obtain a Purchase Order, and no purchase order will be issued unless you have a sufficient unincumbered balance of appropriation to take care of the proposed indebtedness.

Any claims presented to this Board, unauthorized and for which you have no appropriation, or sufficient balance of appropriation will be disallowed and the claimant referred to you for his money.

The County Clerk has been ordered not to accept for filing, claims for supplies etc., unless a Purchase Order is attached thereto, and at the time presented sufficient