

BOND GUARANTYING TITLE

THE STATE OF TEXAS 0
 0
COUNTY OF EL PASO 0

KNOW ALL MEN BY THESE PRESENTS: That we, the Frankl
Irrigation Company, a Corporation duly incorporated under the
Laws of the State of Texas, having its principal office and place
of business in the City and County of El Paso, State of Texas,
acting herein by and through Felix Martinez, its President, and
R A Hughes, its Secretary, thereunto duly authorized, Cameron O
Coffin and John J Mundy, of the City and County of El Paso, State
of Texas, as principals, and A. Courchesne, Z. T. White, Horace
B. Stevens and D. P. Stewart -----
of the City and County of El Paso, State of Texas, as sureties,
are held and firmly bound to pay to the United States of America,
its successors or assigns, the sum of Fifty Thousand Dollars
(\$50,000.00) in lawful money of the United States, for the payment
whereof we bind ourselves, our successors, heirs, executors, admin
istrators and assigns firmly by these presents; signed with our
hands and sealed with our seals this the 14th day of October, A D
1912.

The condition of this obligation is such that,

WHEREAS, the United States proposes to purchase from the
said Franklin Irrigation Company the Canal System and appurtenant
properties, constituting the Franklin Canal, situated in El Paso
County, Texas, and more particularly described in deed of the
Franklin Irrigation Company to the United States, dated the 14th
day of October, A D 1912, and title to said Canal property rests
in part on foreclosure proceedings and to parts of its right of
way rest on prescription and limitation, and as to part of its
course, the right of way lies within a tract popularly termed the
Chamizal, sovereignty of which is claimed by the Republic of
Mexico; and,

WHEREAS, the said Cameron O Coffin and John J Mundy
held lease and option on the aforesaid properties, conveyed by the

deed aforesaid, and are to receive a portion of the consideration to be paid under the said conveyance by the said Franklin Irrigation Company, and are, therefore, required by said Company to join, as principals, in this bond, the said lease and option having been released and abrogated, and for convenience the conveyance is made directly from the said Franklin Irrigation Company to the United States by the deed aforesaid; and,

WHEREAS, the vendor, the Franklin Irrigation Company, and the said Cameron O Coffin and John J Mundy, as well, warrant the title and covenant to defend the vendee of said Company, the United States, in peaceable possession and quiet enjoyment of all of its said property and to indemnify the United States for and against all loss, expense, damage, costs, attorney's fees or expenditures the United States may in any wise incur, pay, assume or become liable for in the defense of or to perfect its title to such properties;

NOW, THEREFORE, the condition of this obligation is such that if the Franklin Irrigation Company, Cameron O Coffin and John J Mundy, principals as aforesaid, pay or cause to be paid to the United States all loss, expense, costs, damages, attorney's fees or expenditures of any kind that the United States may incur, become bound for, or assume, in defense of or to maintain or assure its right to quiet possession, use and enjoyment of said properties, and every part thereof, or to perfect its title thereto, arising out of or caused by any claim now existing, including that of the Republic of Mexico, and will well and successfully defend each and every such claim, then this obligation to be void, otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, the said Franklin Irrigation Company has duly affixed its signature, through its said President, attested by its Secretary, with its seal affixed, and the said Cameron O Coffin and John J Mundy, as principals, and said sureties to this bond have duly affixed their hands and seals, at the City of El Paso, Texas, this the 14th day of October, A D 1912.

ATTEST:

C. A. Hughes
Acting SECRETARY

THE FRANKLIN IRRIGATION COMPANY

By

Robert Martin
President.

Cameron O. Coffin *(Seal)*

John J. Mundy *(Seal)*
Principals,

A. Courchesne *(Seal)*

J. T. White *(Seal)*

Horace B. Stevens *(Seal)*

D. P. Stewart *(Seal)*

Sureties,

THE STATE OF TEXAS 0
COUNTY OF EL PASO 0

Before me, the undersigned authority, on this day personally appeared Felix Martinez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of the Franklin Irrigation Company, of El Paso, Texas, and as the President thereof, and for the purposes and consideration therein expressed; and also on this day personally appeared Cameron O Coffin and John J Mundy, A. Courchesne J. T. White, Horace B. Stevens, and D. P. Stewart

known to me to be the persons whose names are subscribed to the foregoing instrument, and severally acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at El Paso, Texas, this the 15th day of October, A D 1912.

My Commission expires

----- day of -----
19-~~12~~----

Geo B Oliver, United States

Commissioner H. D. of Texas, at El Paso

THE STATE OF TEXAS

COUNTY OF EL PASO

We, the undersigned, do solemnly swear that we are worth, in our own right, at least the sum set opposite our respective names, after deducting from our property all that which is exempt by the Constitution and Laws of the State from forced sale, and after the payment of all our debts, of every description, whether individual or security debts, and after satisfying all incumbrances upon our property which are known to us; that we reside in the County of El Paso, State of Texas, and have property in this State, worth the said sum or more;

The said Cameron O Coffin, the sum of \$ 255.000⁰⁰ or more.

The said John J Mundy, the sum of \$ 235.000⁰⁰ or more.

The said A. Courchesne the sum of \$ 100.000⁰⁰ or more.

The said J. P. White the sum of \$ 100.000⁰⁰ or more.

The said Frank A. Thomas the sum of \$ 50.000⁰⁰ or more.

The said D. P. Stewart the sum of \$ 100.000⁰⁰ or more.

Cameron O Coffin
John J. Mundy
A. Courchesne
J. P. White
Frank A. Thomas
D. P. Stewart

Sworn to and subscribed by the above named affiants before me on this the 15th day of October, A D 1912.

~~My Commission expires~~

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Geo B Oliver United States
Commissioner of Deeds Texas at El Paso

THE STATE OF TEXAS

COUNTY OF EL PASO

The undersigned sureties, and each and every of them, on the foregoing bond make the following affidavit, to-wit:

I, the undersigned, being one of the sureties on the foregoing bond of The Franklin Irrigation Company, Cameron O Coffin and John J Mundy do depose and say that I am not a bonded officer or otherwise disqualified under any regulation of the Department of the Interior, or of the Reclamation Service of the United States, known to me, nor am I disqualified under the Regulations annexed to form 7-293-1, 4-09, of the Department of the Interior or United States Reclamation Service, which have been inspected by me on this date, used by the United States and Department aforesaid; that I am a male person over the age of Twenty One years; that I am legally competent to enter into the foregoing obligation; and that I am worth the amount, or more, set forth in the foregoing affidavit of qualification, in unincumbered property not exempt under execution under the Laws of the State of Texas, in which said property is situated, after paying my just debts and liabilities.

P. Purchesne

J. P. White

James B. Stuart

D. P. Stewart

Sworn to and subscribed before me by each of the foregoing sureties whose names appear to the affidavit next above, on this the 15th day of October, A D 1912.

Geo B Oliver United State
Commissioner, W D of Texas
at El Paso

My Commission expires _____, 19____.

CERTIFICATE.

I, James A Smith, Post Master of the City of El Paso, in the County of El Paso and State of Texas, duly commissioned, qualified

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and acting as such, do hereby certify that in my opinion the sureties to the above and foregoing bond are sufficient, and I hereby approve same. I further certify that I am familiar with financial standing of A. Courchesne, Z. T. White, Horace B. Stevens and D. P. Stewart, and estimate that they own real estate in El Paso County, Texas, of value over and above their debts and liabilities amounting to the sum of *Three hundred and fifty thousand* Dollars (\$350,000.00)

Date Oct. 15th, 1912.

Gas A. Smith
Post Master at El Paso, Texas.

BOND.

FRANKLIN IRRIGATION COMPANY, et al.

TO

UNITED STATES OF AMERICA.