

Be it Remembered, That on this the 12th day of Aug. 1912, there was begun and holden a regular session of the Honorable Commissioners Court of Upshur County, Texas, at which were present Hon. W.A. Phillips, Judge presiding,
 J.M. Todd, Commissioner Precinct No. 1, L. J. Dalrymple, Commissioner Precinct No. 2,
 A. Earp, Commissioner Precinct No. 3, W.R. Arrington, Commissioner Precinct No. 4,
 L.A. Latch, Sheriff, H.V. Davis, County Attorney, J.C. McDonald,
 County Clerk, and the following proceedings were had, to-wit:

Court was opened at 10 o'clock A.M. by proclamation of Sheriff at Court House door when the following proceedings among others were had to wit:

In Re Contract with C.L. Wilson and O.C. McElrath for Building public roads and order for issuance of script for payment thereof. In Commissioners Court, Upshur County, Texas, August 14th 1912.

WHEREAS, the Commissioner's Court of Upshur County entered into a contract with O.C. McElrath and C.L. Wilson for building certain public roads in Upshur County, which contract is recorded on Page 301-318 Book No. 4, Minutes of Commissioner's Court, and here now referred to; and,

WHEREAS, in the Order providing for issuance of interest bearing warrants to pay for same, said order provides for issuance of \$25,870.00 of such warrants: and,

Whereas, a mistake was made in the calculations of rate of taxes to be levied sufficient to pay interest and provide a sinking fund to pay said warrants as they mature, said order making a levy of only 5 1/4 cents on the \$100.00 valuation of taxable property in said County, which order is entered on Page 327 in Book 4, Minutes of the Court and is dated June 12, 1912, and is here now referred to: and,

WHEREAS, the tax levied by said order is sufficient to pay interest on and pay at maturity only \$15,500.00 of such warrants: and,

WHEREAS, the work as provided for in said contract has been performed only in part:

IT IS THEREFORE ORDERED that warrants to the amount of \$15,500.00 be issued under said order and no more, and the Clerk of this Court is directed to issue only the said amount of said order and contract:

And said Contractors are directed to proceed with the work as called for and provided for in said contract, except as to the Gilmer and Quitman road by way of Rosewood, Gilmer and Ore City road and the old Cherokee trace road; and said contract is here now modified so as to exclude therefrom the Gilmer and Quitman road, Gilmer and Ore City road and the old Cherokee trace road, in all other respects to remain in full force.

We agree to the modifications of the Contract above referred to as stated in foregoing order.

McElrath & Wilson,
 By O.C. McElrath.

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The above and foregoing Minutes, from page next term This the day of 1912, having been examined, are approved and Court ordered adjourned until

Attest:

County Clerk.

W.A. Phillips

County Judge.

THE N.Y. PRINTING HOUSE

Be it Remembered, That on this the _____ day of _____ 190____, there was begun and holden a _____ session of the Honorable
 Commissioners Court of Upshur County, Texas, at which were present Hon _____, Judge presiding,
 _____, Commissioner Precinct No. 1, _____, Commissioner Precinct No. 2,
 _____, Commissioner Precinct No. 3, _____, Commissioner Precinct No. 4,
 _____, Sheriff, _____, County Attorney,
 County Clerk, and the following proceedings were had, to-wit:

In matter of notifying Road _____
 Overseers to cut dead timber _____ In Commissioners Court, Upshur County, Texas.
 and repair bridges and culverts. _____ August 20th 1912.

It is ordered by the Commissioners Court of Upshur County, that all road overseers now holding Commissions be and they are hereby directed and ordered to cut all dead timber now standing within reach of the Public Roads and where full time of 5 days has not already been consumed in road work, said overseers are directed and ordered to repair Bridges and Culverts where needed in addition to their road work. The expense of lumber, nails and hauling to be paid for by the County. Failure to comply with this order will subject said Road Overseers to prosecution by the member of the Commissioners Court in whose Precinct such Road Overseer resides, and it is further ordered by the Court that the County Judge give notice of this order by publication of same in all the Newspapers of Upshur County for at least one issue of such papers.

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In-Re cancellation Contract _____
 W.L.Kay for 3 miles Road more _____ In Commissioners Court, Upshur County, Texas.
 or less Big Sandy to Waters _____ August 20th 1912.
 Bluff. _____

Whereas on the 14th day of June 1912 this Court made and entered into a written contract with W.L.Kay to build, drain, grade and otherwise improve a certain public road from the town of Big Sandy to Sabine River Steel bridge designated in said Upshur County as The Waters Bluff Road, a part of old Gilmer and Tyler road a distance of 3 miles more or less upon certain conditions in said Contract specified, said contract being recorded upon the Minutes of this Court Vol. 4 pages 310 to 313.

AND, WHEREAS, the said W.L.Kay is unable to comply with the 1st Clause in said Contract with reference to securing Right of Way 60 ft in width free of any cost to Upshur County thereby making it impossible for him to complete said road by September 1st 1912 as originally contemplated.

AND, WHEREAS, the said W.L.Kay is willing to surrender said Contract, and release Upshur County from any further obligations to him for the building of said road under said Contract above specified.

AND, WHEREAS, the Commissioners Court is willing to and agrees to release the said W.L.Kay from any further obligations to it for the building of said road under said Contract.

It is therefore considered and ordered by the Court that said Contract above referred to between the Commissioners Court of Upshur County, and W.L.Kay be and the same is hereby cancelled and held for naught by united consent of both parties thereto.

(Ordered that Court adjourn until August 27th, 1912)

The above and foregoing Minutes, from page _____ to page _____, having been examined, are approved and Court ordered adjourned until next term. This the _____ day of _____ 190____

Attest

County Clerk.

County Judge.