

We it Remembered, That on this the 20th day of Dec. 1912, there was begun and holden a Special session of the Honorable Commissioners Court of Upshur County, Texas, at which were present Hon. W.H. McClelland, Judge presiding,  
 J.E. Glover, Commissioner Precinct No. 1, L.J. Dalrymple, Commissioner Precinct No. 2,  
 A. Earp, Commissioner Precinct No. 3, W.R. Arrington, Commissioner Precinct No. 4,  
 B.C. Buie, Sheriff, C.E. Florence, County Attorney, J.C. McDonald,  
 County Clerk, and the following proceedings were had, to-wit:

IN MATTER OF TIME WARRANTS FOR BUILDING PUBLIC ROADS. In Commissioners Court, Upshur County, Texas. DECEMBER 20th, 1912.

Whereas, the Commissioners Court of Upshur County, Texas, on October 24th 1912, made a contract with O.C. McElrath and C.L. Wilson for improving and building certain public roads in Upshur County, and at same time, to pay for said work, made and entered an order providing for issuance of Time Warrants, aggregating the sum of \$14,000.00, to bear interest at six per cent per annum and providing for levy and collection of tax sufficient to pay the interest and create a sinking fund to pay said warrants, when they mature, which order is entered upon the minutes of the Commissioners Court in Book 4, page 353; and

Whereas, only a portion of the work contracted has been performed and it is agreed by and between Upshur County, acting by its County Judge, and Commissioners Court, and the said O.C. McElrath and C.L. Wilson, that the work so contracted be discontinued, and that said contractors be paid for the work done under said contract, to-wit: \$8481.40, accounts for which has been duly audited and allowed, by issuance and delivery of warrants to that amount in accordance with the terms of said order, but of the denomination hereinafter stated;

It is, therefore, ordered by the court that there be issued and delivered to O.C. McElrath and C.L. Wilson warrants against the road and bridge fund of Upshur County, to bear interest at the rate of six per cent per annum, interest payable semi-annually, on the 1st of March and of September in each year, without coupons, and as of this date, to become due and of the denomination as follows:

\$83.30	due in Two Years;
\$350.00	" " Two years;
350.00	" " Three years;
75.00	" " Four years;
203.35	" " Four "
101.00	" " " "
350.00	" " Five "
350.00	" " Six "
350.00	" " Seven "
350.00	" " Eight "
350.00	" " nine "
424.55	" " Ten "

Also \$ 48.35	due in Two Years;
200.00	" " two "
200.00	" " three "
200.00	" " four "
200.00	" " five "
200.00	" " six "
200.00	" " seven "
200.00	" " eight "
200.00	" " nine "
291.00	" " ten "

Also \$444.55	due in two Years;
330.00	" " three "
330.00	" " four "
330.00	" " five "
330.00	" " six "
330.00	" " seven "
330.00	" " eight "
330.00	" " nine "
330.00	" " ten "
150.00	" " ten "

And whereas, it is not necessary that the amount of tax be levied, and collected as provided in said order, for the entire issue of \$14,000.00;

It is further ordered that for the purpose of paying the interest on said warrants as herein provided, and to create a sinking fund to pay said warrants at maturity, as sufficient amount thereof, to-wit; a tax of two and three-fourths (2 3/4) in the one hundred (100) dollars valuation of the general levy for road and bridge purpose heretofore levied, for the current year, be and

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:

said tax of two and three-fourths cents on the \$100 valuation is hereby relieved for the current year and each succeeding year for ten years from the date hereof.

It is further ordered that said tax be known as the road and bridge special tax, and that the same be annually assessed and collected, and the fund arising therefrom is here now designated and set apart as a special fund to pay said warrants and the interest thereon.

It is further provided that whereas the claims of said contractors have been audited and non interest bearing warrants issued for the amounts due them, respectively:

No. 3782,	McElrath & Wilson	\$ 960.00
No. 3783,	" " "	\$ 1000.00
No. 3792,	" " "	2532.50
No. 3793,	" " "	3023.25
No. 3795,	C. L. Wilson	775.00
No. 3796,	O.C. McElrath	1041.30
No. 3810,	McElrath & Wilson	1495.35
No. 3829,	J.C. Wilson	300.00
No. 3828,	" " "	144.00
		<u>\$11271.40</u>

Which warrants include work under separate contract and order, which provides for issuance of \$2790.00.

And, whereas, the warrants provided for in this order and the order for warrants in sum of \$2790.00 as entered on page 352, in Vol. 4, minutes of this court, are to be issued and delivered upon the surrender for cancellation of non interest bearing warrants herein set out;

It is, therefore, ordered that the clerk of this court be and is hereby directed to issue and deliver the warrants as herein provided and the warrants for \$2790.00 aforesaid upon the surrender to him for cancellation the non-interest bearing warrants above set out.

It is further ordered that only the warrants as provided herein be issued under the order of date October 24th 1912, entered on page 353, as aforesaid, and that said order be and is modified and limited by the terms of this order, and to that extent only.

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IN MATTER OF TIME WARRANTS | In Commissioners Court, Upshur County, Texas.  
FOR PUILDING PUBLIC ROAD. | DEC. 20th 1912.  
RESCINDING ORDER. |

Whereas, by an order dated October 24th 1912, and entered upon the minutes of the Commission Court of Upshur County, Texas, in Vol. No. 4 page 348, provision is made for the issuance of time warrants aggregating \$16,310.00 to bear 6% interest per annum, which warrants were to take up, and in lieu of, a like amount of warrants bearing 8% interest, and to run 10 years, redeemable at the option of the County and

Whereas, the said 8% warrants have already been issued under the original order made June 12th 1912, and entered upon the minutes of said court in Vol. 4, page 289; and

Whereas, the negotiations for taking up said 8% warrants with 6% warrants have failed and have never become effective;

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.

THE PUBLIC RECORDS OF TEXAS

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:

It is, therefore, ordered by the court that the said order of October 24th 1912, aforesaid, be cancelled and held for naught, and said original order is declared to be in full force and effect for all purposes as fully as if the said order of October 24th 1912, had not been made, and that the taxes as therein provided be levied, collected and applied in accordance with said original order.

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IN MATTER OF TIME WARRANTS | In Commissioners Court, Upshur County, Texas.  
 FOR BUILDING PUBLIC ROAD, | DEC. 20th 1912.  
 RESCINDING ORDER. |

Whereas, by an order dated October 24th 1912, and entered upon the minutes of the Commissioners Court of Upshur County, Texas, in Vol. No. 4, page 349, provision is made for issuance of time warrants, aggregating \$1550.00, to bear six per cent per annum, which warrants were to take up, and in lieu of, a like amount of warrants bearing 8% interest, and to run ten years, redeemable at option of the County; and

Whereas, the said 8% warrants have already been issued under the original order made June 12th 1912, and the amended order, made August 24th 1912, which said original and amended order is entered upon the minutes of the Court in Vol. 4, pages 330 - - - respectively; and

Whereas, the negotiations for taking up said 8% warrants, with said 6% warrants, have failed, and has never become effective;

It is, therefore, ordered by the court that order of October 24th 1912, be cancelled and held for naught, and said original order, and the amendment thereto aforesaid is declared to be in full force and effect for all purposes, as fully as if the said order of October 24th 1912, had not been made, and that the taxes as therein provided, be levied and collected, and applied in accordance with said original and amended order.

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IN RE TRANSFER OF | In Commissioners Court Upshur County, Texas.  
 COUNTY FUNDS. | Dec. 20th, 1912.

It is ordered by the Commissioners Court that \$500.00 from Jail fund be transferred to the General fund of Upshur County,

The above and foregoing Minutes, from page 362 to page 366, having been examined, are approved and Court ordered adjourned until next term. This the 20 day of Dec 1902

Attest: \_\_\_\_\_ County Clerk. *W.H. McClellan* County Judge.