

Highway Department of Texas, and a certain outfit composed of mules, harness, working implements, trucks, wagons and camping outfit etc now in same to C W Burgess.

C W Burgess agrees to finish up said contract and do and perform all duties and obligations due by C W Bryce, to the County as said contract provides, except that he C W Burgess does not and will not, pay or obligate himself to pay, any claim or claims against C W Bryce for labor or material used in his part performance of said contract which have been created or have accrued to, and including this date, or otherwise, except retainage, which is involved in contracts with G N Swan, and Mackey Brothers; this will be paid by C W Burgess when these men finish their present work; and it is accepted by the Engineer for Upshur County and the State Highway Engineer, C W Burgess does not, and will not, agree to employ these men to do any other work than they now have laid out; He, C W Burgess however, does and will obligate himself to pay all claims which may be incurred for labor and material which may or shall be used in the performance of the balance of said contract, and agrees to execute a bond payable to C W Bryce, and Upshur County, Texas, conditioned and payable as required by law for bonds in such cases.

All regulations, supervisions, plans, and specifications, etc, applying to the performance of said contract will continue, and will and do apply to C W Burgess in the completion thereof, and C W Burgess agrees to finish the performance of said contract

It is agreed from this date henceforth C W Burgess will and shall be entitled to receive from Upshur County, Texas, and the State Highway Department of Texas, all moneys which have already been earned by C W Bryce, under said contract from both said County and State not yet paid, together with all moneys which shall hereafter be earned in the completion of said contract.

This contract to take effect and be enforceable as of this date when it shall have been approved by the Commissioners Court of Upshur County, Texas, and also the State Highway Engineer.

WITNESS our hands this the 4th day of April, A.D. 1921.

(SIGNED) C. W. BURGESS.
C. W. BRYCE.

Be and the same is not approved, ratified, adopted, and in all things consented to by Upshur County, Texas; and it is further ordered that all funds earned under said contract by C W Bryce, but which have not been paid to him will now as said contract provides be paid to C W Burgess, and that all other monies hereafter earned under said contract will be paid to C W Burgess.

It is further ordered that the County Depository of Upshur County, Texas, will not pay any monies from funds set aside to pay for the labor and material on said contract except upon order of this court, and approval of the State Highway engineer of Texas and said monies now in and accumulating in the depository from bond sale, and from the State is now set aside to pay for this said contract.

The County Judge put said motion for a vote of the members of the Commissioners Court of Upshur County, Texas, with the request that as many as favored the motion would vote "Aye" and all those opposed would vote No.; Whereupon County Commissioners, C W Jones, Jerry Dean, G W McIntosh and A W Tucker, voted "Aye", and none voted "No".

The County Judge declared the motion carried and the said order passed.

The foregoing minutes of the Commissioners Court of Upshur County, Texas, read, and in all things approved this April 4th, 1921.

Attest: T A Cook, County Clerk.

J. R. MELVIN, County Judge.

BE IT REMEMBERED, that the Commissioners Court of Upshur County, Texas, met in a regular session at the Court house of said County in the City of Gilmer, Texas, on the 11th day of April, A.D. 1921 with the following members present, to-wit: J R Melvin County Judge, C W Jones, Jerry Dean, G W McIntosh, A W Tucker, County Commissioners, and T A Cook, County J W Bryce, Sheriff, and H V Davis, County Attorney, when the following proceedings were had to-wit:

For minutes of accounts allowed see Minutes of Accounts Vol. 5, page 227 to 232 both inclusive

It is ordered by the Court that the rendition of G W Jones, on 80 acres of land in Upshur County, be reduced from \$8.00 to \$6.00 per acre.

It is ordered by Commissioners court that a duplicate warrant be issued to F C Fox in lieu of warrant # 1397 road & Bridge, fund same to be issued out of Special #7 for the amount of \$7.00 original warrant being lost.

THE HONORABLE COMMISSIONERS COURT OF UPSHUR COUNTY TEXAS
IN SESSION APRIL 11th 1921.

Gentlemen:

I hereby make application to your honorable body for a permit and franchise in the town of Big Sandy, where I am now operating an electric light plant to obtain from your honorable body of the free use of the streets, alleys and roads for the purpose of erecting poles, guyes and other apparatus on which to string wires and etc., for the erection and extension of a light system in said town.

E. PARKER.

Came on to be considered the above application of E parker for a franchise permit and easement in the town of Big Sandy, including and embracing the City limits of the town of Big Sandy, in wick to erect, change, extend and build a system of poles, wires conducts and to sink guy poles, dead men for braces and to do and perform such other things in along and upon the streets and curbs in the town of Big Sandy, for the promotion and erection of an electric light systems.

That the said parker is to have the free use of said streets, for said purpose, and this permit shall be in force and effect for a period of twenty five years from the date hereof.

It is ordered by the Court that the tax rendition of Roberts & Oliver on stock and merchandise be reduced from \$10,000.00 to \$7,500.00

It is ordered by the Commissioners Court, in session that county warrant #462, register #276, for amount of \$145.16 issued against the general County funds in favor of George D Barnard & Co. for stationery, be paid out of the Court house funds of the County and the County Treasurer is directed to pay said warrant in accordance with this order.

It is ordered by the Commissioners Court in regular session the 12th day of April 1921 that Tick Eradication be carried on in Upshur County, through the year 1921, and necessary appropriations are made for same.

