

MARCH 13, 1933.

THE COMMISSIONER'S Court met in regular session with the following present: County Judge, J.R.Hinson; Commissioners: E.A.Cobb, M.F.Robinson, J.P. Davis, and M. O. Holmes.

Terms of County Court fixed: County Commissioner's Court of Upshur County, being in regular session on this, the sixteenth day of March A.D. 1933, the following business was transacted, to-wit: Be it remembered, that Whereas, there is some confusion and uncertainty as to when the County Court of Upshur County for Civil and Criminal Business meets in its regular session and for the number of terms, and the length thereof, said Court shall be held;

Therefore, it is ordered and decreed by the Commissioner's Court of Upshur County that the County Court of Upshur County shall hold annually four terms for both Civil and Criminal Business, and that the said terms of the County Court for each year shall be held on the third Monday in February, May, August, and November, and for Civil Business may remain in session at each term for three weeks, and for Criminal Business may remain in session until Saturday Nite, ending at twelve o'clock M. prior to Monday of the succeeding term; provided that said Court shall be open at all times for the transaction of Probate Business.

J. R. Hinson, County Judge.

E. A. Cobb.

J. P. Davis.

M. O. Holmes, County Commissioners,
Upshur County, Texas.

It appearing to the Commissioners Court that the jury fund at the present time shows an overdraft with no prospect of receiving sufficient funds to pay warrants issued against said fund for jury services performed during the year 1933, in the Judgment of the Court constitutes an emergency situation to the extent that additional funds should be secured to supplement same, through a loan of \$5000.00 the amount estimated as needed through the remainder of the year 1933, after being duly considered by the court, a motion was made by Commissioner Cobb, and duly seconded by Commissioner Robinson, that the proposition as made by the First National Bank of Gilmer, Texas, be accepted, and that the County Clerk issue Warrant to said Bank for \$5000.00 plus \$229.13 representing interest on said \$5000.00 at the rate of five per cent per annum for eleven months total \$5,229.13 be made payable eleven months from date, and that a tax levy be made against the jury fund of five cents on each one hundred dollar valuation of taxes assessed for the year 1933, and that the taxes collected from this tax levy be used to pay warrant due to said First National Bank, of \$5,229.13 in February 1934, motion carried.

Motion made, seconded and carried that Mrs. Robinson and son, paupers now being kept by Mrs. Grooms, be transferred into the keeping of Mrs. Franklin, to be fed, clothed etc., and Mrs. Franklin shall receive \$12.00 each per month for same.

Motion made, seconded and carried that Mrs. M.E. Dowling be declared a pauper and that the County Clerk issue a warrant on general fund to the said Mrs. M.E. Dowling for \$5.00 per month, beginning March 13th 1933.

It being made to appear to the Upshur County Commissioners' Court that numerous controversies have arisen concerning the boundary lines between Gregg County and Upshur County, and it further appearing to the Court that the Citizens owning property along and across such County line are uncertain as to the sites of such property and cannot determine in which County to render taxes; and it still further appearing that many differences will probably arise in necessary expenditures and in applying the jurisdiction of the Counties, unless said boundary line is established permanently to the satisfaction of the two counties concerned;

the Court considered the advisability of a joint survey of said Boundary line and adjacent surveys to such boundary line with our neighboring County of Gregg. After full and complete discussion of the matter, and after an indication from the Commissioners of Gregg County that a joint survey was acceptable to them, a motion was made by E. A. Cobb, and seconded by M. F. Robinson and carried unanimously, that Upshur County enter into a contract with Gregg County and that the County Judge of Upshur County be authorized to execute such contract binding Upshur County to the terms thereof.

The following report of a jury of View was made, March 13, 1933, We the undersigned Jury of view appointed by the Commissioners Court of Upshur County to assess damages etc.. on Chambers and James Road do hereby make the following report to the said Commissioners' Court We find that in changing the course of the above named Public Road to the location as shown in petition to your honorable body, that no damages be assessed against Upshur County by reason of such change in the Course of said Public Road,

Respectfully submitted,

Dave Jones.
C.C.Castle.
R.C.Chambers.
Roy Bell
Tommie Stokley,

Motion was made, seconded and carried that said report be received that the committee be discharged that all papers filed with the County Clerk be made a part of the minutes of this Court that said road be designated as asked for in the petition filed with this Court as follows, To alter and change Public Road, BEGINNING at bridge on Walnut creek; Thence due East across old P.B.& I.O. Ry. to intersection N. W. Lester 3 acre tract; Thence North and along James School 2 acre tract; Thence East to Longview & Ore City Public Road, all right of way to be furnished by A. J. Swanner, and all costs of Court in case of appeal and all expense incident to the changing of the course of said road, be without expense to Upshur County, and Upshur County through the Commissioner of Precinct One, will have charge of said Public road after same has been placed in condition by A. J. Swanner.

PETITION FOR A PUBLIC ROAD.

TO THE HONORABLE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

We, the undersigned, freeholders, residing in the Precincts through which the following described proposed Road will run, due notice of same having been posted as required by law, pray that a Public Road of the 4th Class, 30 feet in width, be established in said County, having its points of beginning and termination, course and intermediate points as follows:

COMMENCING at To alter & change Public Road. BEG. at bridge on WalnutCreek; Thence due East across old P.B. & I.O. Ry. to intersect W.F. Lester 3 acre tract; Thence North along James School 2 acre tract; Thence East to Longview & Ore City Public Road, all right of way to be furnished by A. J. Swanner, and all costs of Court in case of appeal, and that Upshur County be without expense, in changing said roads, course, in Precinct No. 1, the whole distance being about 1/2 mile, and your Petitioner prays that a Jury be appointed to lay out and survey said Road, and to assess damages. And your Petitioners will ever pray, etc..

Dated the 10th day of January 1933.

PETITIONERS

Roy Covin
Louie Covin
L. D. Covin
C. R. Russell
Howard Jones
G. W. Jones
E. C. Palhter
A. J. Swanner

PETITIONERS

H. B. Lester
F. M. Lester
H. C. Beavers
L. Howell
Leroy Foster
J. W. Beaty
Mrs. J. A. Foster

PETITIONERS.

W. W. Lester.
Roy C. Bell.
Grace Bell.
Tomie Stokley.
Harvey Stokley.
R. C. Chambers.
J. V. Stokley.
W. H. Reed.

Filed February 22, 1933,
W.M. Smith, County Clerk,

FEBRUARY 14, 1933.

BE IT REMEMBERED that on this day came on to be heard the petition of Roy Covin and twenty two other legally qualified voters residing in and near the community of James in Upshur County, Texas, asking that a certain road in the James Community be changed and the distance shortened, said petition reading as follows:

"PETITION FOR A PUBLIC ROAD"

TO THE HONORABLE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

We, the undersigned, freeholders, residing in the precincts through which the following described proposed Road will run, due notice of same having been posted as required by law, pray that a Public Road of the 4th Class, 30 feet in width, be established in said County, having its points of beginning and termination, course and intermediate points as follows:

COMMENCING at To alter & change Public road Beg. at bridge on Walnut creek; Thence due East across old P.B. & I.O. Ry. to intersect W.W. Lester 3 acre tract; Thence North along James School 2 acre tract; Thence East to Longview & Ore City Public Road, all right of way to be furnished by A.J. Swanner, and ending at _____ in Precinct No. 1, the whole distance being about 1/2 mile; and your Petitioners pray that a Jury be appointed to lay out and survey said Road, and to assess damages. And your Petitioners will ever pray, etc..

Dated the 10th day of January, 1933"

It appearing to the Court that the proposed change of said road will materially shorten said road, and that said change would be beneficial to the public generally, and that said application or petition by the said Roy Covin and twenty two other qualified voters should in all things be granted.

It is, therefore, ordered by the court that said proposed change in said road be and is hereby granted.

It is further ordered by the Court that Tom Stokley, Jr., Ray Bell, Charlie Castle, R.C. Chambers and Dave Jones, freeholders in the County, be and are hereby appointed as a Jury of view, a majority of whom may proceed, with or without the County Surveyor, to lay out, survey and describe such road or such change in said road in keeping with the petition hereinbefore copied to the greatest advantage to the public, and that said road or the changed portion of said road be traced with certainty, and that said jury of view make its written report to the next term of said court, including the field notes containing the proposed change.

Filed February 22, 1933
W.M. Smith, County, Texas.

FEBRUARY 22, 1933

MR. G. W. MATHIS
JAMES, TEXAS.
Featherstone
Longview, Texas.
Port Boliver & Iron Ore Railroad Company,
Longview, Texas,

GENTLEMEN:

You, and each of you, are hereby notified, that we, the undersigned have been appointed by the Commissioners' Court of Upshur county, Texas, as a jury of view to lay out

and establish a certain public road, or to change a certain public road in and near James, as heretofore prayed for by Roy Covin and twenty two other resident, qualified, tax-paying voters, and that we will, on March 6, 1935, meet at a point where the railway line of the Port Bolivar & Iron Ore Railroad Company intersects the South boundary line of A.J. Swanner's land and the North boundary line of G.W. Mathis' land, the same being about 400 yards South of the location of the old depot of the Port Bolivar & Iron Ore Railroad Company at James, Texas, being at a point of the proposed change of said road, to assess damages incidental to the opening of said road.

If you desire to present a claim against the County of Upshur for damages in connection with the opening of said road, please be on hand at said above designated place on March 6, 1935 at 10 A.M.

This notice is issued to Mr. Featherstone individually and as agent for the Port Bolivar & Iron Ore Railroad Company,

Yours very truly,

C. C. Castle.
Tomie Stokley.
Dave Jones.
R. C. Chambers.
Roy C. Bell.

THE STATE OF TEXAS

COUNTY OF UPSHUR

TO THE HONORABLE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

We, the undersigned, freeholders of Upshur County, Texas, who have heretofore been appointed as a jury of view to lay out a certain road described in petition of Roy covin and twenty two other qualified voters, hereby acknowledge receipt of a copy of said order, and hereby waive the service of said copy by the Sheriff of Upshur County, Texas, and agree to serve as a jury of view to lay out and establish said road to the best interest of the public generally.

C. C. Castle.
Tomie Stokley.
Dave Jones.
R.C. Chambers.
Roy C. Bell.

Filed March 2, 1935,
W.M. Smith, County Clerk.

OATH TO BE DELIVERED TO JURY OF VIEW.

THE STATE OF TEXAS

COUNTY OF UPSHUR

I, C. C. Castle, do solemnly swear that I will lay out the road now directed to be laid out by the order to us directed from the Commissioners' Court according to law, without favor or affection, malice or hatred, and to the best of my skill and knowledge, so help me god.

C. C. Castle.

Subscribed and sworn to before me, this 1st day of March A.D. 1935.

Roy Covin, Notary Public,

(SEAL)

Upshur County, Texas.

OATH TO BE DELIVERED TO JURY OF VIEW.

THE STATE OF TEXAS

COUNTY OF UPSHUR

I, Tommie Stokley, do solemnly swear that I will lay out the road now directed to be laid out by the order to us directed from the Commissioners' court according to law, without favor or affection, malice or hatred, and to the best of my skill and knowledge, so help me god.

Tommie Stokley.

Subscribed and sworn to before me, this 1st day of March A.D. 1933.

Roy Covin, Notary Public,
Upshur County, Texas.

(SEAL).

OATH TO BE DELIVERED TO JURY OF VIEW.

THE STATE OF TEXAS
COUNTY OF UPSHUR

I, Dave Jones, do solemnly swear that I will lay out the road now directed to be laid out by the order to us directed from the Commissioners' Court according to law, without favor or affection, malice or hatred, and to the best of my skill and knowledge, so help me god.

Dave Jones.

Subscribed and sworn to before me, this 1st day of March A.D. 1933.

Roy Covin, Notary Public,
Upshur County, Texas.

(SEAL).

OATH TO BE DELIVERED TO JURY OF VIEW.

THE STATE OF TEXAS
COUNTY OF UPSHUR

I, R.C. Chambers, do solemnly swear that I will lay out the road now directed to be laid out by the order to us directed from the Commissioners' Court according to law, without favor or affection, malice or hatred, and to the best of my skill and knowledge, so help me god.

R. C. Chamblers,

Subscribed and sworn to before me, this 1st day of March A.D. 1933.

Roy Covin, Notary Public,
Upshur County, Texas.

(SEAL)

OATH TO BE DELIVERED TO JURY OF VIEW.

THE STATE OF TEXAS
COUNTY OF UPSHUR

I, Roy C. Bell, do solemnly swear that I will lay out the road now directed to be laid out by the order to us directed from the Commissioners' Court according to law, without favor or affection, malice or hatred, and to the best of my skill and knowledge, so help me god.

Roy C. Bell.

Subscribed and sworn to before me, this 1st day of March A.D. 1933.

Roy Covin, Notary Public,
Upshur County, Texas.

(SEAL).

Filed March 2, 1933,
W.M. Smith, County, Clerk

It is ordered that Molly Mayfield be issued a warrant on the general fund by the County Clerk, for \$5.00 per month for March, April and May said money to be used for medical treatment.

It is ordered that the following described road be designated as a Public Road of the third Class, 30 feet in width, having its points of beginning and termination, course and intermediate points, described as follows: COMMENCING at State Highway #155 Camps store, Thence about 1/2 mile North to Taylor place, Thence East about 400 yards to S.W. corner of R.C. Barnwell farm, Thence North about 3/4 mile to Gilmer and Stamps road; It is further ordered that all right of way be furnished without expense to Upshur County and that said road be

opened and put in passable condition.

It is ordered by the Court that County Clerk issue warrant for \$5.00 to Mrs. Eva Jones for 3 months March, April and May.

Motion made by Commissioner Cobb that no person or persons be declared a pauper or receive any aid from the County until and after there has been placed before Commissioners' Court a sworn statement by person desiring aid, setting forth all facts as to their financial condition. Said statement shall also be sworn to by two reputable citizens. Said statement shall be filed with the County Judge 30 days before court may take action. Motion carried, Commissioners Cobb, Davis and Holmes voting aye, and Commissioner Robinson voting No.

It is ordered by the Court that the following described road be designated as a public road of the second class, 30 feet in width, having its points of beginning, and termination course and intermediate points as follows: COMMENCING at Simpsonville and Jefferson Road near the Oak Hill church, running South about 700 yards, Thence Southwest 300 yards Thence due South to the J. R. Penn place. Said road being in Precinct 4, Upshur Co., Tex. the whole distance of said road being one & one-fourth miles.

Motion made by Commissioner Cobb, that County employ W.M. Burkes, for the months of March and April 1933, at a salary of Fifty Dollars per month for the sole and only purpose of assisting and signing the Federal Crop Loans for Upshur County, farmers it being understood that the said W. M. Burkes employment for above purposes will terminate April 30, 1933, without any notice from the County whatsoever. The motion was seconded by Commissioner Robinson, and carried unanimously.

Motion made, seconded and carried that the County Judge be instructed to accept an offer from Dallas Union Trust Company to sell Upshur County \$8000.00 Upshur County 5 $\frac{1}{2}$ Road Bonds due in 1960, at 85.

E.A. COBB.

M.F. Robinson.

J.P. Davis.

M.O. Holmes.

MARCH 20, 1933.

The Commissioners Court met in special session with the following present:

J. R. Hinson, County Judge; E. A. Cobb, J.P. Davis, and M. O. Holmes, Commissioners.

Motion made by Commissioner Cobb, and seconded by Commissioner Davis, that the Farmers and Merchants National Bank, of Gilmer Texas, and The First National Bank of Gilmer, Texas, be selected as depositories of Upshur County, Funds for two years, at a rate of interest of one and one-half per cent per annum on daily balances, with the Farmers and Merchants National Bank as clearing house and to be finally accepted on the approval of securities, Motion carried.

Motion made by Commissioner Cobb, that the County Clerk issue warrant for \$508.28 on the general interest and sinking fund to the County Bond Fund said amount being the balance due on interest on 25 general interest and sinking warrants due November 1, 1932, to the County Bond Fund on that date, \$750.00 interest was due, while only \$691.72 was paid, leaving a balance of \$58.28.

MARCH 25,

The Commissioner's Court met in Special Session with the following present:

J. R. Hinson, Co. Judge, Commissioners' Cobb, Robinson, Davis and Holmes.

Motion made, seconded and carried that the County Judge be given authority to purchase \$20,000 Road Bonds Upshur County 5-1/2 per cent at a price not to exceed 86 and five thousand dollars road and bridge funding Warrants of Upshur County, at a price not to exceed 96.