

R & B FUND.

Balance Last Report, Filed Aug. 1, 1933 - - - - -	\$ 1254.80	
To Amount received since last Report - - - - -	731.42	
By Amount paid out since last Report, Ex. "C" - - - - -		215.45
Amount to Balance - - - - -	1985.62	1770.17
Balance - - - - -	1770.17	1985.62

R & B INST. & SINKING FUND.

Balance last Report, Filed Aug 1, 1933 - - - - -	2005.30	
To Amount received since last Report - - - - -	101.01	
By Amount paid out since last Report, Ex - - - - -		0 0
Amount to Balance - - - - -	2106.31	2106.31
Balance - - - - -	\$2106.31	2106.31

C H & J. FUND.

Balance last Report, Filed August 1, 1933	664.48	
To Amount received since last Report - - - - -	219. 06	
By Amount paid out since last Report - - - - -		451.12
Amount to Balance - - - - -	883.54	452.42
Balance - - - - -	\$432. 42	883.54

SPECIAL 1, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	1966.15	
To Amount received since last Report - - - - -	159.80	
By Amount paid out since last Report - - - - -		1395.94
Amount to Balance - - - - -	2105.95	710. 01
Balance - - - - -	710.01	2105.95

SPECIAL NO. 2, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	5234.67	
To Amount Received Since last Report - - - - -	197.76	
By Amount paid out since last Report, Ex " "		4582.45
Amount to Balance - - - - -	5432.43	849.98
Balance - - - - -	849.98	5432.43

SPECIAL NO. 3, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	238.62	
To Amount Received since last Report - - - - -	7.62	
By Amount paid out since last Report, Ex. - - - - -		237.15
Amount to Balance - - - - -	246.44	9.29
Balance - - - - -	\$ 9.29	246.44

SPECIAL 4, FUND.

Balance last Report, filed Aug. 1, 1933 - - -	436.90	
To Amount received since last Report - - - - -	12.12	
By Amount paid out since last Report, Ex. - - -		98.00
Amount to Balance - - - - -		351.02
	449.02	449.02
Balance - - - - -	\$351.02	

SPECIAL 5, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	245.86	
To Amount received since last Report - - - - -	3.25	
By Amount paid out since last Report, Ex. "A" - - -		197.98
Amount to Balance - - - - -		51.13
	249.11	249.11
Balance - - - - -	\$ 51.13	

SPECIAL 6, FUND.

Balance last Report, Filed Aug. 1 1933 - - - - -	397.25	
To Amount received since last Report - - - - -	20.66	
By Amount paid out since last Report, Ex "B" - - -		.00
Amount to Balance - - - - -		217.91
	417.91	417.91
Balance - - - - -	\$417.91	

SPECIAL 7, FUND.

Balance last Report, filed Aug. 1, 1933 - - - - -	196.16	
To Amount received since last Report, - - - - -	19.36	
By Amount paid out since last report, Ex "C" - - - -		.00
Amount to Balance - - - - -		215.52
	215.52	215.52
Balance - - - - -	\$ 215.52	

SPECIAL 8, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	758.15	
To Amount received since last Report - - - - -	73.36	
By Amount paid out since last Report Ex - - - - -		357.00
Amount to Balance - - - - -		474.51
	831.51	831.51.
Balance - - - - -	\$474.51	

CO. BOND FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	32355.53	
To Amount received since last Report - - - - -	3172.13	
By Amount paid out since last Report Ex. " " - - - -		27091.29
Amount to Balance - - - - -		8436.37
	35527.66	35527.66
Balance - - - - -	\$ 8436.36	

AUTO FUND.

Balance last Report Filed Aug 1, 1933 - - - - -	315.39	
To Amount received since last Report - - - - -	.00	
By Amount paid out since last Report, EX. " " - - - - -		315.39
Amount to Balance - - - - -		.00
	315.39	315.39
Balance - - - - -	\$.00	

GEN. INST & SINKING FUND.

Balance last Report, Filed Aug 1, 1933 - - - - -	2017.09	
To Amount received since last Report - - - - -	100.84	
By Amount paid out since last Report Ex. " " - - - - -		8.54
Amount to Balance - - - - -		2109.30
	2117.84	2117.84
Balance - - - - -	\$2109.30	

AUTO 1, FUND.

Balance last Report, Filed Aug 1, 1933 - - - - -	6721.98	
To Amount received since last Report - - - - -	1046.28	
By Amount paid out since last Report, Ex " " - - - - -		6103.11
Amount to Balance - - - - -		1665.15
	7768.26	7768.26
Balance - - - - -	\$1665.15	

AUTO 2, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	1912.59	
To Amount received since last Report - - - - -	798.01	
By Amount paid out since last Report, Ex " " - - - - -		2070.85
Amount to Balance - - - - -		639.95
	2710.60	2710.60
Balance - - - - -	639.75	

AUTO 3, FUND.

Balance last Report, Filed Aug. 1, 1933 - - - - -	4688.79	
To Amount received since last Report, - - - - -	1113.22	
By Amount paid out since last Report Ex "A" - - - - -		5567.97
Amount to Balance - - - - -		2234.04
	5802.01	5802.01
Balance - - - - -	\$2234.04	

AUTO 6, FUND.

Balance last Report Filed Aug. 1933 - - - - -	3741.65	
To Amount received since last Report - - - - -	597.01	
By Amount paid out since last Report, Ex. "E" - - - - -		2144.57
Amount to Balance - - - - -		2194.09
	4338.66	4338.66
Balance - - - - -	\$2194.09.	

4088

Monday Nov. 13, 1933.

Motion made, seconded, and carried that the County Clerk issue warrants to G.W. Owen for assessing taxes for the year 1933, as follows: County Bond Fund-\$1323.19, R & B Bond Fund, \$600.00; Gen. Int. Sinking Fund - \$400.00.

Motion made, seconded, and carried that Rosa Pope be declared a pauper and that Mrs. L. W. Martin be allowed five dollars per month for keeping her, and that Co. Clerk issue warrant each month on general fund.

Bids were opened on bridge to be repaired on White Oak creek and P O Stegall, being the lowest and best bidder, he was awarded the Contract for \$7.00. The County Clerk is instructed to issue warrant for said contract work on Special #6 fund, when Commissioner Davis of Precinct Three accepts the work of Mr. Stegall.

Motion made, seconded, and carried that the County Clerk issue warrant on general fund for \$12.04, made payable to J M Patterson, as refund on 1933 Taxes paid by the said J M Patterson, there being an error in the assessment.

Motion made, seconded and carried that E A Cobb be given the authority to make contracts for moving houses, fences, etc. in connection with the highway construction on State Highway #155, and expense to be paid from R & B fund.

Motion made seconded and carried that Co. Clerk issue warrant to J C Carter for \$100.00 on R & B fund for right of way deed to property on Highway #155, if and when the deed to said right of way is delivered and accepted by the County.

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 1 Class, 60 feet in width, be established in said County, having its points of beginning and termination, course and intermediate points as follows: Commencing at East Springfield School House to Gregg County Line, and ending at Sims Battery Tanks in Precinct No. one the whole distance being 2 1/4 miles; 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 21 day of Sept. 1933.

PETITIONERS:

Mrs. T. E. Graves	Jim Williams
Elizabeth Buie	John Williams
	Daniel Johnson

Nov. 25th, 1933.

Commissioners Court met in called session for purpose of canvassing School Bond election held at Indian Rock School Dist #__ with fuel board in attendance - Results Total No. votes 22. Against Issue of Bonds - 4; Majority for issuance of Bonds & levying tax-18. Motion made by Comr. E. A. Cobb that election be declared carried for issuance of bonds & levying of Tax be made according to Law. Seconded by Comr. J. P. Davis. Carried unanimously.

Motion made by Comar. E. A. Cobb that County reject the damage assessed by Jury of View in favor of Judge J. R. Warren for \$__ and file appeal on same according to law & that proper authorities are instructed to proceed. Seconded by Commr. J. P. Davis. Motion carried unanimously.

Motion made by Commr. E. A. Cobb that County accept damages assessed by Jury of View in favor of Irvin Floyd for \$____. Seconded by Commr. Davis. Motion carried unanimously.

Motion made by Commissioner Cobb and seconded by Commissioner Davis that the bid of Austin Bridge Company be accepted to build bridge over Mill Creek on Longview and Daingerfield public road on Upshur - Gregg County line, the cost to Upshur County being \$1200.00 Motion carried.

PETITION FOR BOND ELECTION IN COMMON SCHOOL DISTRICT

THE STATE OF TEXAS |

COUNTY OF UPSHUR | TO THE HONORABLE COUNTY JUDGE OF UPSHUR COUNTY

WE, the undersigned qualified property taxpaying voters of (a) Indian Rock Consolidated Common School District No. 18 in Upshur County, Texas, (b) - - respectfully pray that an election be ordered to be held in said District to determine whether or not a majority of the legally qualified property taxpaying voters of said District desire the issuance of Schoolhouse Bonds to the amount of Eighteen thousand (\$18,000.00) Dollars, to become due and payable serially as follows (c); \$3000.00 on April 10, 1935 and \$3000.00 on April 10 each year thereafter to and including the year 1940, and bearing interest at the rate of (d) 5 per centum per annum, interest payable (e) - annually, on the faith and credit of said Consolidated Common School District, for the purpose of (f) Constructing and equipping a six room brick Veneer school building and auditorium, within said District, and to determine whether the Commissioners' Court of said County shall be authorized to levy, assess and collect annually while said bonds, or any of them, are outstanding, a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity.

Dated this 28 day of September, A. D. 1933.

- (8)
- 1. E. A. Cobb
- 2. Mat Tillman
- 3. I. W. Floyd
- 4. R. R. Taylor
- 5. Mrs. R. R. Taylor
- 6. Robt. Taylor
- 7. Mrs. Robert Taylor
- 8. W. C. Fowler
- 9. Mrs. W. C. Fowler
- 10. Mrs. I. W. Floyd
- 11. W. T. Griffin
- 12. Mrs. W. T. Griffin
- 13. J. W. Rash
- 14. J. T. Rash
- 15. Fay Cain
- 16. O. O. Cain
- 17. O. A. Cain
- 18. Mrs. Genie Cain
- 19. Mrs. B. A. Fleet
- 20. W. E. Starr
- 21. Milton L. Rash
- 22. Bessie Tillman

ORDER OF BOND ELECTION IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

WHEREAS, on the 9 day of October, A. D. 1933, a petition was presented to me for an election to be held in (a) Indian Rock Consolidated Common School District No. 18 of this County, on the question of issuing bonds for the purpose of (b) Constructing an equipping a six room brick veneer school building and auditorium, within said District, and authorizing a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal as the same becomes due; and

IT APPEARING that said petition bears the requisite number of signatures of qualified property taxpaying voters of said District, and is in every respect in conformity with the law; and

IT FURTHER APPEARING That Upshur County contains a population of 22500 according to the last United States Census; and

IT FURTHER APPEARING that said (a) Indian Rock Consolidated Common School District No. 15, has been heretofore properly established; and

IT FURTHER APPEARING that said District, as so established, contains an area of 31 1/2 square miles and that no other District has been reduced in area below nine square miles by reason of the creation of this District; and

IT FURTHER APPEARING that said District does not embrace any territory that was taken from any other School District (either Common or Independent) that had an outstanding issue of bonds at the date of such inclusion in this District;

NOW, THEREFORE, I, J. R. Hinson, in my official capacity as County Judge of Upshur County, Texas, do hereby order that an election be held on the 15th day of November, A. D. 1933, at (d) Indian Rock School House, in said Indian Rock Consolidated Common School District No. 15, of this County, to determine whether or not a majority of the legally qualified resident property taxpaying voters of said district desire the issuance of bonds to the amount of Eighteen Thousand (\$15,000.00) Dollars, to become due and payable serially as follows (e); \$3000.00 on April 10th, 1933 and \$3000.00 on April 10th of each year thereafter, to and including the year 19___, and bearing interest at the rate of (f) 5 per centum per annum, interest payable (g) -- annually, on the faith and credit of said Common School District, for the purpose of (h) constructing and equipping a six room brick veneer school building and auditorium., within said District, and to determine whether the Commissioners' Court of said County shall be authorized to levy, assess and collect annually while said bonds, or any of them, are outstanding, a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal as the same becomes due.

R. R. Taylor is hereby appointed Presiding Officer for said election and he shall select two Judges and two Clerks to assist him in holding the same and he shall, within five days after said election has been held, make due return thereof to the Commissioners' Court of this County as is required by law for holding a General Election.

All persons who are legally qualified voters of this State and of this County and who are resident property taxpayers in said District shall be entitled to vote at said election, and all voters desiring to support the proposition to issue the said bonds shall have written or printed on their ballots, the words:

"FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF."

And those opposed to the proposition to issue the said bonds shall have written or printed on their ballots, the words:

"AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF."

The Sheriff of this County shall give notice of said election by pasting three notices thereof in three public places within the boundaries of said District for three weeks prior to the date fixed for said election.

Dated this 23rd day of October, A. D. 1933.

J. R. HINSON, County Judge,
Upshur County, Texas.

SHERIFF'S NOTICE OF BOND ELECTION IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS |
 COUNTY OF UPSHUR |

NOTICE IS HEREBY GIVEN THAT AN ELECTION WILL BE HELD ON THE 18th day of November, A. D. 1933 at (a) Indian Rock School House, in (b) Indian Rock Consolidated Common School District No. 18, of this County, to determine whether or not a majority of the legally qualified resident property taxpaying voters of said District desire the issuance of bonds to the amount of Eighteen Thousand & no/100 (\$18,000.00) Dollars to become due and payable serially as follows (c) \$3000.00 on April 10th, 1935, and \$3000.00 on April 10th, each year thereafter, to and including the year 1940., and bearing interest at the rate of (d) 5 per centum per annum, interest payable (e) -- annually, on the faith and credit of said Consolidated Common School District, for the purpose of (f) Constructing and equipping a six room brick venser school building and auditorium, within said District, and to determine whether the Commissioners' Court of said County shall be authorized to levy, assess and collect annually while said bonds, or any of them, are outstanding a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity.

R. R. Taylor has been appointed Presiding Officer for said election and he shall select two Judges and two Clerks to assist him in holding the same and he shall, within five days after said election has been held, make due return thereof to the Commissioners' Court of this County as is required by law for holding a General Election.

All persons who are legally qualified voters of this State and of this County and who are resident property taxpayers in said District shall be entitled to vote at said election, and all voters desiring to support the proposition to issue the said bonds shall have written or printed on their ballots, the words:

"FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF."

And those opposed to the proposition to issue the said bonds shall have written or printed on their ballots, the words:

"AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF."

Said election was ordered by the County Judge of this County by order made on the 23rd day of October, A. D. 1933, and this notice is given in pursuance of said order.

Dated this 26th day of October, A. D. 1933.

J. M. SEAGO, Sheriff,
 Upshur County, Texas.

AFFIDAVIT OF POSTING OF ELECTION NOTICES

THE STATE OF TEXAS |
 COUNTY OF UPSHUR |

BEFORE ME, the undersigned authority, on this day personally appeared J. M. Seago Sheriff, well known to me, and who, after being by me first duly sworn, upon his oath, said,

That he posted a true copy of the within Election Notice in three public places in said District, to-wit: One at Indian Rock School House, One at Thornton's Store; and one New Bethlehem Baptist Church House, on the 26 day of October, A. D. 1933, which was not less than twenty days before the date of said election.

J. M. Seago, Sheriff.

Sworn to and subscribed before me, by J. M. Seago, Sheriff on this the 27 day of Oct. A. D. 1933.

W. H. McClelland, Notary Public,
 Upshur County, Texas

SEAL.

RETURNS OF BOND ELECTION IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS |

COUNTY OF UPSHUR | TO THE HONORABLE COMMISSIONERS' COURT OF SAID COUNTY.

WE, the undersigned officers, holding an election on the 15th day of November, A. D. 1933, in (a) Indian Rock Consolidated Common School District No. 19, of said County, on the question of issuing \$15,000.00 of Schoolhouse Bonds for said District, running 6 years and bearing 5% per centum interest, and levying a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal as the same becomes due,

HEREBY CERTIFY that at said election there were cast 26 votes, of which number there were cast:

"FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" - - - 22 Votes.

"AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" - - - 4 Votes.

MAJORITY (b) FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF - - - 18 Votes.

That the polls for said election opened at 8 o'clock A. M. and closed at 6 o'clock P. M.

We herewith enclose poll list and tally sheet of said election.

Signed this, the 15th day of November, A. D. 1933.

R. R. TAYLOR, Presiding Officer.

I. W. Floyd, Judge

Mrs. Cleon Floyd, Judge

Mrs. I. W. Floyd, Clerk

Cleon Floyd, Clerk.

ORDER DECLARING RESULT OF ELECTION

On this the 25th day of November, A. D. 1933, came on to be considered the returns of an election held on the 15th day of November, 1933, in Consolidated Common District No. 18, of this County upon the question of issuing Eighteen Thousand Dollars (\$18,000.00) of schoolhouse bonds for said district, to become due and payable serially as follows: \$3000.00 on April 10, 1935, and \$3000.00 on April 10 each year thereafter to and including the year 1940, and bearing interest at the rate of 5 per centum per annum, interest payable annually, on the faith and credit of said Consolidated Common School District, for the purpose of Constructing and equipping a six room brick veneer school building and auditorium, and levying a tax on all taxable property of said district sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity, and it appearing that said election was in all respects legally held and that said returns were duly and legally made and that there were cast at said election 26 votes, of which number there were cast:

For the issuance of the bonds and the levying of the tax in payment thereof - - - 22 votes

Against the issuance of the bonds and the levying of the tax in payment thereof - 4 votes

And it appearing to the court from said returns that a majority of the qualified property taxpaying voters of said district, voting at said election, voted in favor of issuing said bonds, the court does hereby declare the proposition for the issuance of said bonds to have been adopted, and that this court is authorized to issue said bonds and to levy and have assessed and collected said tax.

ORDER AUTHORIZING THE ISSUANCE OF BONDS.

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

on This the 25th day of November, 1933, the commissioners court

convened in special session, all the members thereof.

J. R. Hinson, County Judge.

E. A. Cobb, Commissioner Precinct No. 1

M. F. Robinson, Commissioner Precinct No. 2

J. P. Davis, Commissioner Precinct No. 3

M. O. Holmes, Commissioner Precinct No. 4.

being present, and, among other proceedings, passed the following order:

WHEREAS, at an election held for the purpose on the 18th day of November, 1933, a majority of the qualified property taxpaying voters of Consolidated Common School District No. 18 of this county having at said election voted in favor of the issuance of the bonds hereinafter described, and in favor of the tax hereinafter levied.

THEREFORE, be it ordered by the Commissioners Court of Upshur County:

I.

That the bonds of said district to be called "Consolidated Common School District No. 18, Schoolhouse bonds" be issued on the faith and credit of said Consolidated Common School District No. 18 of said County for the purpose of Constructing and equipping a six room brick veneer school building and auditorium.

II.

Said bonds shall be numbered consecutively from 1 to six, inclusive, shall be of the denomination of \$3000.00 each, aggregating \$18,000.00.

III.

They shall be dated the 10th day of December, 1933, shall become due and payable serially as follows: \$3000.00 on April 10, 1935 and \$3000.00 on April 10th each year thereafter, to and including the year 1940.

IV.

They shall bear interest at the rate of Five (5%) per cent per annum, payable annually on April 10th, of each year.

V.

Principal and interest shall be payable upon presentation and surrender of bonds or proper coupons in lawful money of the United States at the office of the Treasurer of the State of Texas at Austin, Texas, or at office of county treasurer of Upshur County, Texas, or at the First National Bank in the City of Gilmer, State of Texas, at the option of the holder.

VI.

Said bonds shall be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer, and the seal of the Commissioners' Court shall be impressed upon each of them; the facsimile signatures of the County Judge and County Clerk may be lithographed on the coupons.

VII.

The form of each of said bonds shall be substantially as follows:

No. 1

\$3000.00

THE UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF UPSHUR

Consolidated Common School District No. 18 Schoolhouse Bond.

THIS IS TO CERTIFY that the County of Upshur, in the State of Texas, for and on behalf of Consolidated Common School District No. 18 of said County, hereby promises to pay to bearer — years from date hereof the sum of Three Thousand (\$3000.00) Dollars, in lawful money of the United States of America, together with interest thereon from the date hereof at

the rate of Five (5%) per cent per annum, payable on the 10th day of April of each year, principal and interest payable upon presentation and surrender of bond or proper coupon at the office of the treasurer of the State of Texas at Austin, Texas, or at the office of County Treasurer, of Upshur County, Texas, or at the First National Bank in the City of Gilmer, State of Texas, at the option of the holder.

This bond is one of a series of Six bonds, numbered consecutively from 1 to 6, inclusive, of the denomination of Three Thousand (\$3000.00) Dollars each, aggregating Eighteen Thousand (\$18,000.00) Dollars, issued by the Commissioners Court of said County on the faith and credit of Consolidated Common School District No. 18 of said county, for the purpose of Constructing and equipping a six room brick veneer school building and auditorium for said Consolidated Common School District No. 18 under and by virtue of Chapter 13, Title 49, R. S. 1925, and the Constitution and laws of said State, and in pursuance of an order passed by the Commissioners Court of Upshur County, which order is of record in the minutes of said court.

The said Consolidated Common School District No. 18 has and hereby reserves the right to redeem this bond at any time after five years from its date by paying principal and accrued interest, and in case, the same shall be called in for redemption before maturity, notice thereof in writing shall be given by the President of the District Trustees of said Consolidated Common School District No. 18, to the County Treasurer of said County at least thirty days before the date fixed for redemption, and should this bond not be presented for redemption it shall cease to bear interest from and after the date so fixed for redemption.

The date of this bond, in conformity with the order above mentioned, is the 10th day of December, 1933.

AND IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required to be done precedent to and in the issuance of this bond have been properly done, happened and performed in regular and due form as required by law, and that the amount of this issue of bonds does not exceed any constitutional or statutory limitation.

In Testimony Whereof, said Commissioners Court of Upshur County has caused the seal of said Court to be hereto affixed and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County treasurer as of the date last above named.

J. R. Hinson, County Judge

Countersigned:

W. M. Smith, County Clerk

Registered:

W. A. Lunsford, County Treasurer.

VIII.

The coupons attached to said bonds shall be substantially in the following form:

No. 1 \$150.00

The County of Upshur, Texas, for and on behalf of and upon the faith and credit of Consolidated Common School District No. 18 of said County, hereby promises to pay to bearer at the office of the Treasurer of the State of Texas, at Austin, Texas, or office of County Treasurer of Upshur County, Texas, or at the First National Bank in the City of Gilmer, State of Texas, at the option of holder on the 10th day of April, the sum of One Hundred and Fifty (\$150.00) Dollars, being 12 months' interest on Consolidated Common School District No. 18, Schoolhouse Bond No. 1, Dated - - -

J. R. Hinson, County Judge, Upshur County, Texas.

W. M. Smith, County Clerk, Upshur County, Texas.

UPSHUR COUNTY.

1. Contract dated: January 26, 1934.
2. Made with E.S. Fritchard.
3. Beginning January 26, 1934, Ending January 25, 1936.
4. Allowing period of _____ year in which to prosecute to final judgment suits filed prior to _____ terminating date of contract.
5. Applies to delinquent taxes for the years 1885 to 1934, inclusive.

COMPENSATION.

Redemption Collections Form 115 10%
 Insolvent Collections Form 114 _____
 Supplement Collections Form 113A _____

Approved: February 27, 1934.

CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES.

THE STATE OF TEXAS
 COUNTY OF UPSHUR

KNOW ALL MEN BY THESE PRESENTS:

Whereas, the Commissioners' Court after having given to the County Attorney (or District Attorney where there is no County Attorney in said County) thirty days' written notice to file delinquent Tax suits and upon his failure or refusal to do so, and a record thereof having been made in the minutes of said court: and

WHEREAS, the Commissioners' Court of Upshur County, Texas, joined by the Comptroller of Public Accounts of the State of Texas, deem it necessary and expedient to contract with some competent person to enforce the collection of all delinquent state and County Taxes of every kind and character, for a per cent of said taxes, penalties and interest actually collected and paid to the collector of taxes, as provided in Chapter 21, Acts of the Third Called Session of the Thirty-eighth Legislature, Article 7335, Revised Civil Statutes, 1925; Chapter 8, Acts fourth Called Session of the Forty-First Legislature, Article 7335a Vernon's Ann. Civ. St; and Chapter 229, Acts of the Forty-Second Legislature, Article 7264a, Vernon's Ann. Civ. St; and

WHEREAS, after making an investigation into the competency experience and ability of E.S. Fritchard whose post office address is Fort Worth Texas, 1209 Fort Worth National Bank Bldg., as to his fitness for said work, and after considering the same, are of the opinion that he is a proper party to take such steps as may be necessary to enforce or assist in the enforcement of the collection of such delinquent taxes by the preparation, filing and pushing to a speedy conclusion all suits for the collection thereof; and that he has no official connection with any County office within said County, and that he is not related within the second degree by affinity or within the third degree of consanguinity to any member of the Commissioners' Court, the tax collector, or County or District Attorney now holding office in said County.

NOW, THEREFORE, This Contract made and entered into by and between the County of Upshur Texas, a body politic and corporate, acting herein by and through its Commissioners Court joined by the Comptroller of Public Accounts of the State of Texas, hereinafter styled First Party, and E.S. Fritchard of the County of Tarrant, State of Texas, hereinafter styled Second Party;

WITNESSETH:

1.

First party agrees to employ and does hereby employ Second Party to collect by suit or otherwise, and to aid and assist the local officers in the enforced collection of all delinquent State and County Ad Valorem taxes, penalty and interest, and all delinquent taxes, penalty and interest, and all delinquent taxes, penalty and interest due any and all political subdivision or defined districts of said County and State which receive their taxes through the County Tax Collector of said County (except taxes of independent School Districts and incorporated cities and towns) and shown to be delinquent upon the tax records of said

County from 1885 to the date of the termination of this contract, both inclusive (including such personal property or insolvent taxes as the Commissioners' Court and Second Party mutually deem collectable).

2.

Second Party further agrees to bring down to date the "Delinquent Tax Record" of said County covering the period from February 1, 1885, to and including the taxes delinquent or to become delinquent for the year 193_ as provided in Article 7321, Revised Civil Statutes, 1925 and the same shall be prepared so as to secure the approval of the Commissioners' Court of said County, and the comptroller of Public Accounts at Austin, Texas. The said Delinquent Tax Record shall be made in triplicate on forms furnished by the Comptroller, and shall be prepared so as to secure the approval of the Commissioners' Court of said County and the Comptroller of Public Accounts at Austin, Texas. One copy shall be retained in the Collectors office, one copy delivered to and preserved by the County Clerk, and one copy sent to the Comptroller. (This paragraph may be stricken out if the conditions of the records are such as would make necessary a recompiling of the Delinquent Tax Records.)

3.

Second Party is to call to the attention of the County Tax Collector or other officials any errors, double assessments, or other discrepancies coming under his observation during the progress of the work, and all charges on the tax rolls that show from 1885 to the date of the termination of this contract to be delinquent, which are caused through error, conflicts, double renditions, illegal assessments, etc. A cancellation certificate shall be prepared on forms furnished by the State Comptroller of Public Accounts, Austin, Texas, showing how such errors came about and which shall be sufficiently full and complete as to justify the Commissioners' Court in ordering a cancellation certificate issued and that will meet with the approval of the Comptroller of Public Account, Austin, Texas.

4.

Second party hereby agrees and obligated himself to communicate with each and every person, firm, association and corporation owing any of said taxes with the view of collecting same and shall, before filing suits for the recovery of delinquent taxes for any year or years, prepare and mail delinquent tax notices to the owner or owners of said property at their last known address covering all delinquent taxes shown to be due on the tax rolls of said county, as provided for in Article 7324, Revised Civil Statutes, 1925, as amended by Chapter 117, Page 196, Acts of the Forty-Second Legislature, Regular Session. In the event the taxes, together with penalty and interest are not paid within thirty (30) days from the date such statements and notices are mailed, then Second Party shall prepare, file and institute as soon as practical thereafter, a suit for the collection of said taxes, penalty, and interest, which suit shall include all past due taxes for all previous years on such tract or tracts, and where there are several lots in same addition or subdivision delinquent, belonging to the same owner or owners all said delinquent lots shall be made the subject of a single suit, and which suit shall be prosecuted with dispatch to final judgment and sale, unless said taxes are sooner collected.

5.

Second Party, where it is necessary to prepare and file suits for the enforced collection of delinquent taxes on real property, shall make and furnish an abstract of the property which shall show the amount of delinquent taxes due against each and every tract, lot or parcel of land, and shall show the number of acres so delinquent and a correct description of the property, the year delinquent, how it was charged upon the tax rolls, the correct name of owner or owners of the property at the time it became delinquent, the person from whom and the date that he or they derived title to said property, and the volume and page of public records that his or their deed or other title evidence is of record, and the date that each subsequent change of ownership occurred down to the present ownership; it shall further show the name of any and all

outstanding lien holders and leasehold interest of record, and all other information necessary for the proper preparation and filing of suit or suits for the collection of the delinquent taxes.

6.

In order that the tax collector may be able to verify and attest the correctness of commissions claimed by second party, as evidence of service and to entitle him to the commissions provided for in this contract, Second Party shall file with the tax collector prior to time of payment, copies of such communication, tax notices or abstracts which shall be preserved by the tax collector in such manner as will make them easily accessible for purposes of verification, and for use in tax suits.

7.

Second Party shall prepare or aid and assist the County or District Attorney in preparing all petitions, citations, notices by publication, personal service citations, notices by posting, judgments, notices of sale, orders of sale and any and all other things necessary or required to be done for the collection of all the delinquent taxes, and shall render all necessary and proper assistance to each of the other officers to the end that all taxes, assessed or unknown now delinquent, or that may become delinquent during the life of this contract and be so reported on Comptrollers' Forms provided therefor, may be collected, and when collected are not made, to assist in reducing same to final judgment and sale.

8.

It being further agreed and understood that Second Party shall furnish at his own expense, all stationery, legal blanks or forms, stamps, envelopes and printing, together with all labor necessary to complete said contract; and that Second Party shall pay off and discharge any and all bills for abstracting and other expenses incurred in the prosecution of said work, and it is hereby understood and agreed that said first party shall not be responsible for the payment of such expense or any part thereof.

9.

First Party agrees to pay to Second Party as compensation for the services required hereunder 10 per cent (not to exceed 15 per cent of the amount collected) of all delinquent taxes, penalty and interest of the years covered hereby, actually collected and paid to the collector of taxes during the term of this contract, of which Second Party is instrumental in collecting as evidenced by copies of communications, tax notices or abstracts filed with the tax collector prior to the payment of such tax, including collection of taxes on property not appearing on the assessment rolls discovered by said Second Party, as and when collected, following the end of each month within the period of this contract, accordingly as the collector makes up his monthly reports; provided cost of collecting delinquent taxes shall not exceed the amount of penalty and interest (Chapter 229, Sec. 3, Regular Session, Forty-second Legislature) The per cent of compensation here referred to shall be contingent upon the collection of such taxes as by act of the Legislature as required to be collected. Should any remission of taxes appearing on the delinquent records or of penalty and interest accrued thereon be made by legislative enactment effective during the period of this contract the same shall not be collected nor commission allowed thereon.

10.

The County Tax Collector is hereby authorized, ordered, and directed to deduct the above specified per cent of said taxes, penalty and interest to which Second Party is entitled, each month at the time he prepares his monthly statements or reports of delinquent taxes collected and before any distribution of such taxes is made to the several funds of the County and the State of Texas, and to deliver same to Second Party.

11.

Second Party at the end of each month, or as soon thereafter as the collector shall have made up his report showing the collections made for such month, make up in triplicate a report of collections out of which he himself is entitled to Commission under the terms of this contract. Said report shall be made on form prepared and furnished by the Comptroller and after having been signed and sworn to by Second Party and attested by the Tax Collector,

together with an itemized statement of expenditures incurred by Second Party by virtue of this contract, shall be attached to and accompany the Tax Collectors monthly report.

12.

This contract shall be in force from Jan. 26th 1934 to Jan. 25th 1936, both dates inclusive, and at the expiration of said period this contract shall absolutely terminate, subject to the right of the Commissioners' Court and the State Comptroller to sooner terminate this contract for cause by giving thirty (30) days written notice of such intention with a statement of the cause or reason for such termination, after giving second party a reasonable opportunity of explaining or rectifying the same. In case of such termination, second party shall be entitled to receive and retain all compensation due up to the date of said termination. No contract shall be drawn for such length of time as will make it to include more than two years' taxes falling delinquent during the pendency of such contract. Neither shall any contract terminate prior to December 31 nor continue in force longer than June 30 next following the date of delinquency (7-1) of the last years' taxes covered by the contract. Under the above regulations no contract can continue in force for a period longer than 3 years nor shorter than 6 months.

Note. The purpose of these regulations are to give time, following date the last years' taxes become delinquent, to send out notices, granting days (30) for payment and to bring suit if not paid, but also to force termination of the contract prior to the date another years' taxes become delinquent; otherwise by reason of the law requiring suits to cover all taxes delinquent for all years for which they are due on property covered in the suit, would tend to make the contract self-perpetuating, or else force the bringing of suit and foreclosure without due and just consideration for the tax payer. (These regulations are not intended to apply to an extension of a contract where such extension by the contracting parties with the approval of the Attorney General is deemed to be the best interest of the State and County.

13.

Second Party shall furnish a good and sufficient bond, payable to the County Judge and to his successors in office, in the sum of Two Thousand Dollars (not to be less than \$1,000.00) accordingly as the Commissioners' Court deems just and proper) to be executed by a solvent surety company, conditional upon the specific performance of the terms hereof, including the making of reports of collections out of which he is entitled to commission, together with itemized statement of expenditure, and further conditional that he shall forthwith pay over to the Tax Collector any money or commissions paid him by mistake or through error to which he is not entitled under the terms of this contract.

14.

It is further understood and agreed that this contract is for personal services and is not transferable or assignable without the written consent of approval of First Party. It is also agreed that the Commissioners' Court of said County shall furnish suitable space in or near the Courthouse as convenient to the records of said County as may be for the purpose of carrying out this contract.

15.

It shall be the duty of the Commissioners' Court and of all other officials of said County to co-operate with and render such reasonable assistance to said Second Party as the circumstances may require, said assistance, however, is not to include the actual performance of the work herein designated to be performed by Second Party; and it being the duty of County Attorney or of the District Attorney (where there is no County Attorney) to actually assist Second Party in the filing and pushing to a speedy conclusion all suits for the collection of delinquent taxes it is hereby provided that where the County or District Attorney (where there is no county attorney) shall fail or refuse to file and prosecute such suits in good faith, the attorney prosecuting suits under this contract is hereby fully empowered and authorized to proceed with such suits without the assistance of said County or district Attorney. In consideration of the terms and compensation herein stated, the second Party, hereby accepts said employment and undertakes the performance of said contract as above stated.

Witness the signatures of all parties hereto in triplicate originals this the 26th day of Jan. A.D. 1934; By J.R.Hinson, County Judge; E.A.Cobb, Commissioner Prect. No.1; K.F.Robinson Commissioner Prect No. 2, J.P.Davis, Commissioner, Prect.No.3; M.C.Holmes, Commissioner, Prect No.4 First Party; E.S.Pritchard, Second Party;

THE STATE OF TEXAS, COUNTY OF DUSHER|| I, The undersigned, County Clerk of said County, hereby certify that the above foregoing is a true and correct copy of a contract recorded in Volume 7 Page 342 in the minutes of the Commissioners' Court of said County. Witness my hand seal of said Court this the 26 day of Jan. A.D. 1934. W.M.SMITH, County Clerk - (SEAL)
THE STATE OF TEXAS; DEPART ENT OF COMPTROLLER: I, undersigned, Comptroller of Public Accounts of the State of Texas, hereby join the Commissioners' Court in the above contract to enforce the collection of delinquent taxes in said County, on this the 27 day of February A.D. 1934.

Geo. H. Sheppard, Comptroller.

Examined and approved, this 26 day of Feb. 1934, -
Scott Gaines, Assistant Attorney General.
filed March 6, 1934,
W.H.Smith, County Clerk.

2/12/34

A Motion was made by M.F. Robinson, and seconded by E.A. Cobb to adopt the Depository report for school funds. The motion carried and the Court authorized the County Clerk, W.M. Smith to approve the report.

Signed: 1. E. A. Cobb.
2. M.F. Robinson.
3. J.P. Davis.
4. M.O. Holmes.

ORDER DECLARING RESULT OF BOND ELECTION.

THE STATE OF TEXAS
COUNTY OF UPSHUR

On this, the 12th day of February A.D. 1934, came on to be considered the returns of an election held on the 3rd day of February A.D. 1934, in East Mountain Common School District No. 31, of this County, upon the question of issuing Thirty Five Thousand Dollars (\$35,000.00) of schoolhouse bonds for said district, One Thousand Dollars (\$1,000.00) due and payable on December 15, 1935, Seventeen Thousand Dollars, (\$17,000.00) due and payable December 15, 1936, and Seventeen thousand Dollars (\$17,000.00) due and payable December 15, 1937, and bearing five per centum (5%) interest per annum, and levying a tax upon all taxable property within said district sufficient to pay the current interest, on said bonds and provide a sinking fund sufficient to pay the principal at maturity, and

It appearing that said election was, in all respects, legally held, and that said returns were duly and legally made and that there were cast at said election forty one (41) votes, of which number there were cast:

"For the issuance of bonds and the levying of a Tax in payment thereof" 41 votes;

"Against the issuance of bonds and the levying of a tax in payment thereof; 1 vote;

And it appearing to the Court from said returns that a majority of the legally qualified property taxpaying votes of said District, voting at said election, voted for the issuance of said bonds, and the Court does hereby declare the proposition for the issuance of said bonds to have been adopted, and that this Court is authorized to issue said bonds and to levy and to have assessed and collected said tax.

J. H. Hinson, County Judge, Upshur County, Tex.
E. A. Cobb, Commissioner, Prec. No. 1
M.F. Robinson, Commissioner, Precinct No. 2
J. P. Davis, Commissioner, Precinct No. 3.
M. O. Holmes, Commissioner, Precinct No. 4

ORDER AUTHORIZING THE ISSUANCE OF BONDS IN
THE EAST MOUNTAIN COMMON SCHOOL.
DISTRICT NO. 31

THE STATE OF TEXAS
COUNTY OF UPSHUR

IN THE COMMISSIONERS' COURT
OF UPSHUR COUNTY.

On this, the 12th day of February A.D. 1934, the Commissioners' Court of Upshur County, Texas, convened in regular session, at a regular term, the following members thereof, to-wit:

J. H. Hinson, County Judge; E. A. Cobb, Commissioner, Precinct No. 1; M. F. Robinson, Commissioner, Precinct No. 2.; J.P. Davis, Commissioner, Precinct No. 3; M. O. Holmes Commissioner, Precinct No. 4; being present, and among other proceedings, passes the following order:

WHEREAS, at an election held for the purpose on the 3rd day of February A.D. 1934, a majority of the legally qualified resident property taxpaying voters of East Mountain