

IN THE COMMISSIONER'S COURT OF  
UPSHUR COUNTY, TEXAS.

IN THE TAX MATTER OF  
A. H. TARVER  
28 ACRES LEASE HOOPER SURVEY

On this the 18th day of July A D. 1934, came on to be heard and considered by the Commissioners' Court of Upshur County, Texas, the petition of A.H. Tarver, heretofore filed in the County Clerk's Office and with this Court, alleging that the \$4,000.00 drilling rig assessed against the said Tarver for the year 1933 was not in Upshur County during the years 1932 or 1933, and the court after hearing the evidence finds that this fact is true:

And it appearing to the Court that the assessing of the said<sup>A</sup> H. Tarver of the sum of \$4,000.00 was made through error and said drilling rig should not have been assessed.

And it further appearing that the said A. H. Tarver did prior to February 1st 1934 make a legal tender to the Tax Collector of Upshur County, Texas, for all of his taxes, save and except the tax due on the \$4,000.00 Drilling rig erroneously assessed, that the tax collector of Upshur County, Texas, refused to accept the tender made and it further appearing that the said A. H. Tarver has made an offer to Upshur County to pay said County, through the Tax Collector, the sum of \$519.48, being the actual amount of taxes due on all of the property assessed against the said Tarver, except the \$4,000.00 drilling rig, which was assessed as personal property and erroneously, plus the sum of \$25.97 which represents one-half of the penalty that has accrued, making a total of \$545.45 offered by the said Tarver in full payment of his 1933 taxes and it further appearing that this offer should be accepted under the circumstances.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon an immediate payment of the above sum of money by the said<sup>A</sup>. H. Tarver, to the Tax Collector of Upshur County, Texas, the said Tax Collector shall accept said sum in satisfaction and in full payment of the 1933 taxes due by the said<sup>T</sup>arver and shall issue to him a tax receipt on the supplemental roll as of January 31 1934.

Filed July 19, 1934,  
W. M. Smith County Clerk,  
Upshur County, Texas.

THE STATE OF TEXAS  
COUNTY OF UPSHUR

THE COMMISSIONERS' Court of Upshur County, Texas, convened in regular meeting, during a regular term thereof, on this the 8 day of October 1934, at the Courthouse in the City of Gilmer, Texas, with the following members present, to-wit:

- J. R. HINSON, ----- County Judge.
- E. A. COBB, ----- Commissioner Precinct No. 1
- M. F. ROBINSON, ----- Commissioner Precinct No. 2
- J. PRESS DAVIS, ----- Commissioner Precinct No. 3
- MARSHALL HOLMES ----- Commissioner Precinct No. 4
- W. M. SMITH, ----- County Clerk, and Ex Officio  
Clerk, Commissioners' Court.

with the following members absent, to-wit: None, constituting the entire Court, at which time the following among other business was transacted;

Commissioner Cobb, introduced an order and made a motion that it be passed. The motion was seconded by Commissioner Robinson, The motion carrying with it the passage of the order prevailed by the following vote:

AYES: Commissioners Cobb, Robinson, Davis and Holmes;

NOES: NONE.

The County Judge announced that the order had been finally passed. The order as passed is as follows:

AN ORDER AMENDING AN ORDER PASSED JUNE 11, 1934,  
"Authorizing the Issuance of Upshur County, Texas Road,  
Refunding Bonds, Series 1934-A In the amount of  
\$36,000.00 Bearing 5% interest, levying a Tax to  
pay the Principal and Interest as they mature and  
Prescribing the Form of Bond"

WHEREAS, on the 11th day of June 1934, the Commissioners' Court of Upshur County passed an order authorizing the issuance of Upshur County Road Refunding Bonds, Series 1934-A in the amount of \$36,000.00 which order is duly of record in the minutes of the Commissioners Court of said County; and

WHEREAS, it is now considered to be to the best interest of the County that the original order be amended in the particulars hereinafter shown:

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

1. That the first paragraph of the preamble of said order be amended so as hereafter to be and read as follows;

WHEREAS, heretofore under authority of an election duly held in Road District Number One of Upshur County, bonds of said district were issued in the amount of \$100,000.00 dated July 1, 1916, of the denomination of \$500.00 each, numbered One (1) to Two Hundred (200) both inclusive, bearing 5% interest maturing Forty (40) years from date, redeemable at the option of the District on and after the dates hereinafter shown, of which bonds Numbers One (1) to Five (5) inclusive, had been paid before April 26, 1919, and"

2. That a closing Paragraph be added to the preamble of said original order to be and read as follows:

"WHEREAS, all of said \$36,000.00 of bonds hereinabove described, whether designated "Road District Bonds" or "County Bonds" are actually at this time general obligations of Upshur County, having been definitely assumed by the votes of said County at said election, which was held on April 26, 1919 and as such County obligates are to be refunded in order";

3. That Section 1, of said original order be amended so as hereafter to be and read as follows:

"1. That in accordance with the provisions of Article III, Section 52, of the Constitution and laws enacted pursuant thereto, the bonds of said County to be called "Upshur County Road Refunding Bonds, Series 1934 "A" be issued under and by virtue of the Constitution and laws of the State of Texas to the amount of Thirty Six Thousand (\$36,000.00) Dollars, for the purpose of refunding, cancelling and in lieu of a like amount of valid and subsisting bonds of said County above described and more particularly described as follows:

(a) Upshur County Road District No. One Bonds, dated July 1, 1916, bearing 5% interest, being numbered and maturing as follows:

Bonds Numbers 52 to 64, both inclusive; 67, 68, 69, 71 to 78 both inclusive; and 81 to 90 both inclusive aggregating \$17,000.00 now outstanding as County obligations:

(b) Upshur County Road Bonds, Series "B" dated January 1, 1916, bearing 5% interest being numbered and maturing as follows: Bonds Numbers 21 to 32, both inclusive, aggregating \$6000.00:

(c) Upshur County Road District No. Seven Bonds, dated January 1, 1916, bearing 5½% interest, being numbered and maturing as follows:

Bonds numbers 21 to 25, both inclusive; 27 to 34, both inclusive; of the denomina-

tion of \$1000.00 each, aggregating \$13,000.00 now outstanding as county obligations"

4. That the second paragraph of Section 6 of said original order, being a paragraph in the prescribed form of the bond be and the same is hereby amended so as to be and read as follows:

"This bond is one of a series of Seventy Two (72) Bonds, numbered from one (1) to Seventy two (72) both inclusive, of the denomination of Five Hundred (\$500.00) Dollars each, aggregating Thirty Six Thousand (\$36,000.00) Dollars, and issued for the purpose of refunding and cancelling and in lieu of Seventeen Thousand (\$17,000.00) Dollars of Upshur County Road District No. One Bonds, dated July 1, 1916, bearing 5% interest, Six Thousand (\$6,000.00) Dollars of Upshur County Road Bonds, Series "B" dated January 1, 1918, bearing 5% interest, and Thirteen Thousand (\$13,000.00) Dollars of Upshur County Road District No. Seven Bonds, dated January 1, 1916, bearing 5 1/2% interest, all of said Thirty Six Thousand (\$36,000.00) Dollars of bonds now being general obligations of said Upshur County, Texas, having been assumed by the County at an election held on April 26 1919 the specific bonds refunded being described in the order of the Commissioners' Court authorizing this issue of Refunding Bonds, the original bonds having been issued for the purpose of the construction, maintenance and operation of macademized, graveled or paved roads and turnpikes or in aid thereof, within and for said respective road districts, Upshur County, under and in strict conformity with the constitution and laws of the State of Texas, including the provisions of Article III Section 52 of the Constitution and laws enacted pursuant thereto, and pursuant to orders passed by the Commissioners' Court of Upshur County, duly of record in the minutes of said Court; said refunding bonds having been authorized in strict conformity with the Constitution and laws of the State of Texas, including Article III, Section 52 of the Constitution and laws enacted pursuant thereto and by an order passed by the Commissioners' Court of said County, duly recorded in the minutes of said Court".

PASSED AND APPROVED this the 8 day of October 1934.

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

ATTEST:

W. M. SMITH, County Clerk  
and Ex-Officio Clerk,  
Commissioners' Court.

Filed October 8, 1934  
W.M. Smith, County Clerk,  
Upshur County, Texas.

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ORGANIZATION OF BOARD OF EQUALIZATION.

BE IT REMEMBERED THAT on this the 9th day of April 1934, the Commissioners' Court of Upshur County, Texas, was duly convened as a Board of Equalization, at the Regular meeting place at the Court House in the town of Gilmer, Upshur County, Texas, for the purpose of equalizing the values of all taxable property, located in said County for the purposes of taxation for the year 1934, with all members of said Court viz:

- J. R. HINSON - - - - - County Judge.
- E. A. COBB, - - - - - Commissioner of Precinct No. 1.
- M.F. Robinson, - - - - - Commissioner of Precinct No. 2,
- J. P. DAVIS, - - - - - Commissioner of Precinct No. 3,
- M. O. HOLMES, - - - - - Commissioner of Precinct No. 4

present and participating.

That upon convening of said Board, and prior to entering upon their duties as a Board of Equalization, each of the above named members took and subscribed to the following oath: