

Estate, and the unknown owners of two tracts of land, by publication, at least five days before the said day of hearing, exclusive of the date of service.

And on the 11th day of October, 1940, upon the day and at the place so appointed for such hearing, service of such notice having been perfected, none of the parties appeared; whereupon we proceeded fully to hear evidence as to the value of the property sought to be condemned, and as to the damages which will be sustained by the owners by reason of such condemnation, and as to the benefits that will result to the remainder of the property belonging to such owners by reason of the condemnation of the said property, and its employment for the purpose to which it is to be condemned, all as required by law, excluding from consideration and from our estimate those injuries or benefits which said owners sustain or receive in common with the community generally, and which are not peculiar to them and connected with their ownership, use and enjoyment of the particular parcel of land.

And thus, having estimated the injuries sustained and the benefits received by the owners by reason of such condemnation, we do accordingly assess the actual damage which will accrue to such owners by such condemnation, as follows:

- H. E. Laird Estate, 4.36 acres - - - - - \$100.00
- Owner Unknown, Lot 3, Block 38, Ore City, Texas, .01 acre - - - - - 10.00
- Owner Unknown, Lot 12, Block 39, Ore City, Texas (.03 acre) - - - - - 10.00
- Phronia E. Paek and H. C. McDaniel, Lot 13, Block 40, Ore City, Texas, (.01 acre) 10.00
- Ferguson & Pate, Lot 6, Block 38, Ore City Texas, .03 acre (.03 acre) - - - - - 10.00
- Lillie Herwald, Lot 13, Block 39, Ore City, Texas, .01 acre, - - - - - 10.00
- C. H. Mauthe, Lot 2, Block 38, Ore City, Texas, .01 acre - - - - - -10.00

And we do now on this the 11th day of October, A. D. 1940, reduce this our decision to writing, and do hereby state, decide and order that the amount of actual damages due said owners of such condemned property by the said State of Texas, County of Upshur, petitioner, is as above specified.

In Testimony Whereof, we have signed this decision and dated it this the 11th day of October, A. D. 1940.

L. Penick
 Dewey Ferguson
 C. O. Baugh, Special Commissioners

Filed Oct. 12, 1940, Tommie Mitchell, County Clerk.

 Oct. 12, 1940.

Commissioners Court met in Special session County Judge J. P. Maberry, Commissioner E. A. Cobb, W. C. Henderson and M. O. Holmes & J. M. Holloway being present:

Bids on purchase of One Motor Grader and one Power Control Grader were opened and the bids of J. B. Adams & Co. were accepted as follows: On Deisel Motor Grader \$5189.30 Less one second hand Adams 301 Motor Grader taken in on exchange at \$1125.00, leaving balance of \$4064.30 and the bid of \$2790.00 for Adams leaving wheel grader less one second hand Adams #125 Grader taken in exchange for \$779.30 leaving a balance of \$2010.70 or a total net difference of \$6075.00 to be on the two machines.

J. P. Maberry
 E. A. Cobb
 W. C. Henderson
 J. M. Holloway
 M. O. Holmes