

10-14-1940

Commissioners Court met in Regular Session, County Judge, J. P. Maberry and all Commissioners E. A. Cobb, W. C. Henderson, J. M. Holloway and M. O. Holmes being present

Motion made, seconded & carried that County Clerk be instructed to issue warrants on Special Road Dist #1 Available funds for \$28952.97 dollars this being Engineers Estimate #7 and being the final estimate on Contract dated Feb. 23, 1940 with Brown & Root Inc. Also County Clerk is instructed to issue warrant on Special Road Dist #1 available in the amount of \$26975.88 this being Engineers Estimate #3 and final on Contract dated June 28, 1940, Warrant to be issued to Brown & Root Inc.

Motion made, seconded & carried that County Clerk be authorized to issue warrant on Special Road Dist #1 Available fund to R. F. Davis Engineer as per statement attached hereto - Gilmer, Texas. October 11, 1940. Special Road District No. 1, Upshur County, Texas, in account with R. F. Davis - Amounts due under Contract: - 5% of Final Estimate of Contract Dated Feb. 23, 1940 in the amount of \$231,288.73 - \$11564.43

Less Previous Payments; \$4722.99; \$472.04; \$823.83;		
\$1130.92; \$613.07; \$517.58; \$489.28 - Total	- - - - -	8769.71
		<u>\$2794.72</u>

5% of Final Estimate of Contract Dated June 28, 1940, in the amount of \$93,336.57		
Less Previous payments; \$1800.00; \$564.17; \$763.04		4666.83
Balance due on Contract dated June 28, 1940	- - - - -	<u>3127.21</u>
		1539.62

5% of Gravel Payments made in September: Alford \$118.50		
Hamilton \$178.75; Brawley \$135.38; Mackey \$261.70;		
Fenton \$53.25; Morgan \$22.50; Blear \$87.13; Briggs \$21.75		
Tullos \$301.03; Morgan \$35.88; O'Byrne \$211.08 - Total	--- \$1426.95	<u>71.35</u>
Total - Final payment		\$4405.69

Certified Contract - R. F. Davis, Engineer

These final payments are being made after inspection and acceptance of roads by Commissioners and citizens Committee composed of R. E. O'Byrne, R. N. Smith, J. M. Salter, W. E. Witcher & Bert Cain.

On motion made, seconded & carried the Resignation of C. C. Coppedge as Justice Peace Prec #2 w as accepted.

Motion made, seconded & carried that resignation of Charles Rogers as Constable of Justice Precinct #2 be and is accepted.

Motion made, seconded & carried that Charles Rogers be and is appointed as Justice of Peace of Justice Prec #2 to fill unexpired term of C. C. Coppedge resigned.

Motion made, seconded & carried that Charlie Lansdale be and is appointed Constable of Justice Prec #2 to fill out the unexpired term of Charles Rogers resigned.

Motion made, seconded & carried that the Resignation of H. L. Elwell Dist Clerk be and is accepted effective Nov. 1st, 1940 and that Archie Owens be and is appointed to fill out the unexpired term.

On Motion made, seconded & carried Blanche Monk was allowed \$50.00 to be applied on Cork leg - Voucher to be issued to Hedgecock Limb Co. on Gen Fund.

On Motion made, seconded & carried the Paupers Oath of D. R. Holman was approved and he was declared to be a pauper and was allowed medical assistance for his wife.

Motion made, seconded & carried that Precinct #1 be loaned \$12000.00 from R - B Fund and that this amount be transferred from R & B to R & B #1 and is to be paid back to R & B in two payments \$6000.00 in 1941 and \$6000.00 in 1942.

Motion made, seconded & carried that Petition for public road as below be granted and that said road is established and declared to be a public road and same is ordered opened -

AA3620

PETITION FOR PUBLIC ROAD

THE STATE OF TEXAS |

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

We, the undersigned citizens, free-holders, residing in the precincts through which the following described proposed road will run, pray that a public road of the first class, 60 feet in width, be established in said County, having its points of beginning and ending as follows:

FIELD NOTES: Beginning at a point 517 feet East of the point where the Old Big Sandy Gladewater Highway crosses Big Sandy Creek; Thence N 19 deg 30' East through the property of Texas Pacific Coal & Oil Co. to the intersection of the Haigwood Eaton property Thence East along the South boundary of the Eaton property and the North line of the T. J. Kelly Est. land and across the Southland Life Ins. Co. land to the Mrs. J. W. Hamlett land; Thence in a North Easterly direction across said Hamlett land to the West line of the G. W. Glenn 103 acre tract; Thence along the West line of the Glenn tract and its adjoining tract to the South line of the C. H. Wertz tract; Thence East along the South line of the Wertz and E. T. Mackey tracts to the West line of the 52 acre A. B. Reynolds tract; Thence South along the west line of the Reynolds tract to the South line of said tract; Thence East to the West line of the old M. B. Briggs land; Thence in a S E direction to the intersection of the S. E. Reynolds land; Thence East to an intersection with a public road on the East line of the Robt. Wilson tract; Thence with said road to the intersection with the Gladewater-Gilmer Highway.

And Your petitioners ask that a Jury of View be appointed to lay out and mark and establish said road and to assess damages.

10 day of April, 1940.

G. H. Morris	James Hershel Fleet
I. M. Day	R. R. Mackey
Mrs. M. E. Ray	O. O. Weathers
E. T. Mackey	A. B. Reynolds
O. J. Phillips	J. H. Pillion
Mr. E. E. Ramey	L. T. Young
H. P. Mitchell	C. J. Mitchell
Mrs. E. M. Eaton	F. D. Long
E. M. Branog	H. K. Lindsey
P. T. Wilson	

Motion made, seconded & carried that petition for public road as below be granted and that said road is established and declared to be a public road and same is ordered opened

PETITION FOR PUBLIC ROAD

THE STATE OF TEXAS |

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

We, the undersigned citizens, free-holders, residing in the precincts through which the following described proposed road will run, pray that a public road of the first class, forty feet in width, be established in said County, having its points of beginning and ending as follows:

FIELD NOTES: Said Center line being located and described as follows: Beginning at a point in the center of the public road running North and South along the West line of the C. S. Witcher survey. Said beginning point being 565 feet North 79 degrees West from the North West corner of the Drury Reed survey, said North West corner being and inner corner

AAJ620

of the C. S. Witcher survey; Thence South 77 degrees 59 minutes East 323 feet to a point the beginning of a curve to the left; Thence along a curve to the left whose radius is 1432.69 feet and whose central angle is 10 degrees for a distance of 250 feet to a point the end of the curve; Thence South 87 degrees 59 minutes East 2606.5 feet to a point the beginning of a curve to the left; Thence along a curve to the left whose radius is 716.34 feet and whose central angle is 26 degrees 02 minutes, for a distance of 325.4 feet to a point the end of the curve; Thence North 65 degrees 59 minutes East 291.8 feet to a point the beginning of a curve to the right; Thence along a curve to the right whose radius is 716.34 feet and whose central angle is 24 degrees 55 minutes, for a distance of 311.5 feet to a point the end of the curve; Thence South 89 degrees 06 minutes East 1042.1 feet to a point the beginning of a curve to the left; Thence along the curve to the left whose radius is 716.34 feet and whose central angle is 30 degrees 14 minutes, for a distance of 377.9 feet to a point the end of the curve; Thence North 60 degrees 40 minutes West 2852.9 feet to a point the beginning of a curve to the left; Thence along a curve to the left whose radius is 191.1 feet and whose central angle is 60 degrees 40 minutes, for a distance of 202.2 feet to a point the end of the curve; Thence North 621.4 feet to a point the beginning of a curve to the right; Thence along the curve to the right whose radius is 5729.65 feet and whose central angle is 1 degree 35 minutes, for a distance of 158.3 feet to a point the end of the curve; thence North 1 degrees 35 minutes East 1000 feet to a point in the center of a county road known as the New Bethlehem - Indian Rock Road.

And your petitioners ask that a Jury of View be appointed to lay out and mark and establish said road and to assess damages.

14th day of September, 1940.

J. A. Cain	E. C. Bell
A. A. Cain	O. O. Cain
B. G. Bell	W. B. Rains
B. A. Fleet	E. L. Cabbiness
F. H. Pyle	

THE STATE OF TEXAS |  
COUNTY OF UPSHUR | I, F. H. Pyle, one of the signers of the within petition, upon my oath, state that notices of the intended application for the opening of said new road were posted for at least twenty days before the first day of the term of the Commissioners' Court at which this petition is presented, exclusive of the day of posting, as follows, to-wit: One at the Court House door in Gilmer, One at Otha James House, and one at John Robertson Store, two other public places in the vicinity of the route of the proposed new road..

F. H. Pyle

Subscribed and sworn to before me, this 21 day of Sept. 1940.

Tommie Mitchell, Notary Public, Upshur Co. Texas.

Seal.

10-14-40

Motion made seconded & carried that County Judge be instructed to run advertisement for bids on Justice Court House to be built in Ore City Justice Prec #2, as per specification with County Judge - Court reserves right to reject all bids-

On Motion made, seconded & carried Court was recessed until 10 A. M. Oct. 15, 1940.

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