

11-2-1940

Commissioners Court met in Special Session Co. Judge and all Commissioners being present

Bids on Justice Court building at Ore City opened and the bid of D. C. Ferguson being the only bid and being considered reasonable and a good bid the same was accepted and the building was ordered built on the lot which was donated free to the County. The Amount of bid as accepted being for \$341.97 to be paid when building is completed and accepted.

On motion made, seconded & carried the County Judge was instructed to run advertisements for bids on One Power Controlled 12 ft Grader, one second hand Adams #121 power controlled Grader to be taken in trade - Bids to be read until 10 o'clock 23rd day of Nov. 1940.

Motion made, seconded & carried that County Judge be authorized to run advertisement for bids on One Truck with Hydraulic Dump bed complete - Bids to be received until 10 o'clock the 23rd of Nov. 1940.

Motion made, seconded & carried that Mrs. Henry Hill be allowed \$10.00 as transportation for her child, Ruby to Tubercular Sanatorium at Sanatorium, Texas

E. A. Cobb

W. C. Henderson

J. M. Holloway

M. O. Holmes

Nov. 11, 1940.

Commissioners Court met in Regular Session County Judge, J. P. Maberry, Commissioners

E. A. Cobb, W. C. Henderson, J. M. Holloway and M. O. Holmes being present

On Motion made, seconded & carried the Resignation of E. H. Freeman as Justice of the Peace of Justice Prec #5 was accepted.

On Motion made, seconded & carried S. C. Morgan was appointed Justice of the Peace of Justice Prec. #5 to succeed E. H. Freeman resigned. Appointment effective on filing of bond and acceptance of same.

Election returns of General Election held on 5th day of November 1940 were canvassed and following results were found. Reference is hereby made to official records on file in County Clerks office for tabulated results. Motion, made, seconded & carried that those shown in official records as having received the largest number of votes for County and Precinct Offices hereby be and are declared elected and County Clerk and County Judge be instructed to mail results of District and State Offices to Secretary of State in Austin. Further motion made, seconded & carried the following be declared elected their names being written on the Democratic Ballot - Lee Andrews for Justice of the Peace of Justice Prec. #2 S. C. Morgan as Justice Peace of Justice Prec #5.

Motion made, seconded & carried that County Clerk be authorized to issue warrant for \$3.42 on the R & B Fund payable to Road Dist #1 available fund same being a transfer because of error in issuing warrant #4155.

Paupers Oath of H. D. Heath on Re-investigation was approved and on Motion made, seconded & carried he was declared to be a Pauper and was allowed Medical Attention for his wife.

Motion made, seconded & carried that County Clerk be authorized to issue warrant on R & B #3 Fund in the sum of \$85.35 to John Milner Co. at Ft Worth, Texas for Payment of Invoice #K11424.

Motion made, seconded & carried that Trust Receipt #18830 Treasury Certificate on pledge with Commissioners Court be and hereby is released and County Treasurer so instructed to release same to Farmers & Merchants Nat'l Bank of Gilmer, Texas, as the Road Dist #1 Avail-

able fund for which this Security was pledged having been exhausted.

Returns of Election for Consolidating Independence Spring School Dist #9 with Coffeyville Consolidated School Dist #7 canvassed and results found to be 42 votes for and one vote against consolidation.

PETITION FOR CONSOLIDATION ELECTION

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

TO THE HONORABLE COUNTY JUDGE OF UPSHUR COUNTY:

We, the undersigned residents, legally qualified voters of Ind. Springs Common School District No. 9, in Upshur County, Texas, desire to consolidate the said Ind. Springs Common School District No. 9 with the Coffeyville Consolidated Common School District No. 7 forming thereby the Coffeyville Consolidated Common School District No. 7, in Upshur County, Texas; and we hereby make application to the County Judge of Upshur County, Texas, for an order for an election to be held in said Independent Springs Common School District No. 9, in Upshur County, to determine whether or not the above named school districts may be consolidated.

Dated this the 11 day of Oct. 1940.

- | | |
|----------------------|-----------------------|
| Mrs. W. S. Childress | Bill Melton |
| W. S. Childress | D. M. Smith |
| Earlie Collier | Ruth E. Smith |
| Gladys Collier | Pink Williams |
| J. K. Stewart | Florida Williams |
| Mrs. J. K. Stewart | W. L. Huchingson |
| Cub Hawkins | Mrs. W. L. Huchingson |
| Agnes Henson | H. C. Maddox |
| A. D. Henson | Belle Stewart |
| N. L. Stewart | Mrs. Jewell Nix |
| W. R. Nix | Chester Collier |
| Mrs. Chester Collier | Laura E. Collier |
| Mrs. Jessie Melton | W. W. Hawkins |
| M. L. Hawkins | Mrs. Ina Shirley. |
| Lonnie Shirley | |

COUNTY JUDGE'S ORDER

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

Whereas, on the 11 day of October 1940, a petition was presented to me for an election in (a) Common School District No. 9 of this county on the question of authorizing the said district to consolidate with the (c) Coffeyville Consolidated Common School District No. 7 thereby forming the (d) Coffeyville Consolidated Common School District No. 7 of this County, said petition bearing the requisite number of signatures or resident, qualified voters of said district and being in every respect in conformity with law;

Now, therefore, I, J. P. Maberry in my official capacity as County Judge of Upshur County, Texas, do hereby order that an election be held on the 2nd day of November, 1940, at (b) Independent Springs (White) School House (a) Common School District No. 9 of this County to determine whether a majority of the legally qualified voters of that district desire to consolidate the said district with the (c) Coffeyville Consolidated School Districts, thereby forming the Coffeyville Consolidated Common School District No. 7 of this County.

J. K. Stewart is hereby appointed presiding officer of said election and he shall select

AAJ620

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 qualified voters of said district shall be entitled to vote at said election, and all voters who favor the consolidation of the aforementioned school districts shall have written or printed on their ballots the words: "For the Consolidation."

And those opposed to such consolidation shall have written or printed on their ballots the words: "Against the Consolidation".

Dated this the 11th day of October, 1940.

J. P. Maberry, County Judge of
Upshur County, Texas.

JUDGE'S NOTICE OF ELECTION

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

Notice is hereby given that an election will be held on the 2nd day of November, 1940 at (a) White School House in Independent Springs Common School District No. 9 of this County to determine whether a majority of the legally qualified voters of that district desire to consolidate the said district with the (c) Coffeyville Consolidated Common School Dist. #7 School Districts, thereby forming the (d) Coffeyville Consolidated C. S. D. No. 7 of this County.

J. K. Stewart 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 the State and County and who are resident qualified voters in said district shall be entitled to vote at said election and all voters who favor the consolidation of the aforementioned school districts shall have written or printed upon their ballots the words: "For Consolidation".

And those opposed to such consolidation shall have written or printed on their ballots the words: "Against Consolidation".

Dated the 11th day of October, 1940.

J. P. Maberry, County Judge of
Upshur County, Texas.

JUDGE'S AFFIDAVIT OF PUBLISHING AND POSTING ELECTION NOTICE

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

Before me, the undersigned authority, on this day personally appeared Gordon Anderson known to me to be the County Sheriff of Upshur County, Texas, and who, after being by me first duly sworn, upon his oath, says:

1. That the above and foregoing notice of election is a true, full and exact copy of the notice of election therein referred to which he, as such County Sheriff, caused to be posted a true copy of said notice in three public places in said district, to-wit: One at Ind. Spgs. School House, one at Nix's Store, and one at New Mt. Col. School, on the 11 day of Oct. 1940, which was not less than twenty full days before the date of said election.

Sworn to and subscribed before me by Gordon Anderson on this the 18 day of Oct. 1940.

Lee L. Johnson, Notary Public,

Seal.

Upshur County, Texas.

ELECTION RETURNS

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

TO THE HONORABLE COMMISSIONERS COURT OF SAID COUNTY:

We, the undersigned officers, holding an election on the 2 day of November, 1940, in (a) Common School District No. 9 of said County upon the question of consolidating the said district with the (c) Coffeyville C. S. Dist #7 thereby forming the (e) Coffeyville Consolidated C. S. Dist #7 in said County, hereby certify that at said election there were cast 43 votes, of which number there were cast:

For the Consolidation - - - - - 42 votes
Against the Consolidation - - - - 1 vote
Majority for the Consolidation - - 41 votes

That the polls for said election opened at 8 o'clock a. m. and closed at 7 o'clock pm
We herewith enclose poll list and tally sheet of said election.

Signed this the 2 day of November, 1940.

J. K. Stewart, Presiding Officer.
Cub Hawkins, Judge.
Clythe Melton, Judge
W. S. Childress, Clerk.

ORDER DECLARING RESULT OF ELECTION

On this day came on to be considered the returns of elections held on the Second day of November 1940, in each of the following school districts of this County; (a) Coffeyville Consolidated C. S. D. 7 and Independent Springs C. S. D. 9 upon the question of consolidating the said aforementioned contiguous school districts, thereby forming the (e) Coffeyville Consolidated C. S. D. #7 of Upshur County, Texas, and it appearing that said elections were in all respects legally held, that said returns were duly and legally made, and that the said returns show that a majority of the votes cast in each of said elections favored the consolidation; the Court does hereby declare the proposition for the consolidation of the said Districts adopted and the (e) Coffeyville Consolidated C. S. D. #7 duly and legally created as of this date, said consolidated district being described by metes and bounds as follows, to-wit:

Beginning at a point where the West line of the Robert Asher survey crosses Medlin Creek; Thence down said creek with its meanders the general course of which is S 40 E 520 vrs. to a point where the North line of Mrs. Armstrong's land crosses said creek; Thence N 60 E with the North line of said tract and the North line of a tract known as the Martin tract at 2564 vrs. pass the N W Corner of A. J. Laird tract and at 4164 vrs. the N E Corner of said Laird tract; Thence N 30 W 380 vrs. to W A Wells N W Corner; Thence N 60 E 1056 vrs. the N E corner of said tract; Thence S 30 E 288 vrs. to Jeff Wheeler's N W Corner; Thence N 60 E with the North line of said tract 2165 vrs to the N E Corner of said tract on the West bank of Big Cypress Bayou; thence up Big Cypress with its meanders the general course of which is N 45 W 155 vrs N 82 W 892 vrs. N 21 W 692 vrs. pass the N E Corner of R M Wadkins survey; N 4 E 726 vrs. North 800 vrs. pass the N E Corner of George Martin survey, N 38 W 136 vrs. West 136 vrs N 50 W 74 vrs. N 64 W 57 vrs. S 87 W 43 vrs. S 74 W 60 vrs. N 31 W 139 vrs. S 71 W 175 vrs. pass N E Corner of L. C. Luckell survey, N 63 W 172 vrs. N 31 W 375 vrs. N 26 W 830 vrs. pass the N E Corner A. Lowery survey, N 30 W 435 vrs. N 11 E 262 vrs. and N 49 W 295 vrs. to the S E Corner of the A. Butler survey and the N E Corner of the John Lowery survey; Thence S 60 W with the North line of said John Lowery survey 5816 vrs. to the N W corner of said survey;

AAJ620

Thence S 67 W 1300 vrs. to the S W Corner of 200 acre tract known as the J A Brady tract; Thence North 165 vrs. to the S E Corner of a tract known as the J A L Davis tract; Thence West with the South line of said tract 1119 vrs. to the S W Corner of said tract in the West line of A. Butler survey; Thence S 30 E with the West line of said survey at 625 vrs. the N E Corner of Newsom School District, same being the S E Corner of the E. Wilkerson survey; Thence S 60 W 1590 vrs. to the N W Corner of the S C Minor survey; Thence S 30 E 120 vrs. the N E Corner of T. C. R. R. Survey; Thence S 70 W 318 vrs. to a stake in East line of Cox School District No. 6; Thence South 153 vrs. to the S E Corner of said Cox School District; Thence S 80 W with the South line of said Cox School District 2840 vrs. to a corner of said Cox District in the East line of a tract of land on the William Little survey known as the John McCurdy place; Thence S 10 W with the East line of same 270 vrs. to the S E Corner of the John McCurdy place; Thence S 70 W with the South line of McCurdy place and the South line of a tract known as the Collier tract 2180 vrs. to the N W Corner of a tract owned by Mary Newsom in the East line of a survey in the name of J B Goy; Thence South said line 97 vrs. to the S E Corner of a 712 acre tract on said Goy survey owned by J M Spratt; Thence S 70 W with the South line of same 1344 vrs. to the Gilmer & Daingerfield road, at a point where said road crosses Spratt Creek; Thence with said road and its meanders the general course of which is S 35 W 72 vrs. S 15 W 88 vrs. S 25 W 180 vrs. S 41 W 763 vrs. the pass junction of road leading from the Philip Hudgins place to the Gilmer & Daingerfield road; S 38 W 1522 vrs. the Gilmer Beat line 2180 vrs. cross the Coffeyville & Simpsonville road at 2826 vrs. intersect the Gilmer & Coffeyville road; Thence with said road the general course of which is West 72 vrs. S 87 W 108 vrs S 20 W 144 vrs S 46 W 84 vrs. S 15 W 324 vrs. South 216 vrs. S 10 W 288 vrs. S 25 W 180 vrs. S 13 W 331 vrs. to point where the North line of Lone Mountain School District crosses said road; Thence East with North line of said district 1260 vrs. to the N E Corner of same; Thence South 500 vrs. to the N W Corner of Sand Hill School District No. 50 on the crest of Parker Mountain; Thence Eastward with the crest of said mountain and the line of Sand Hill District the general course of which is N 75 E 174 vrs. N 54 E 1463 vrs. S 74 E 324 vrs. N 58 E 241 vrs. East 796 vrs. to the N E Corner of a survey in the name of Chas. Stanley; Thence S 20 E with the East line of said survey 612 vrs. to a point where Lot House Spring Branch crosses said line; Thence down said branch with its meanders the general course of which is East 1450 vrs. to a point where said branch empties into Holly Creek; thence down said creek with its meanders the general course of which is S 45 E 1069 vrs. to a point where the North line of the E. T. Wilburn survey crosses said creek; Thence East with the North line of said survey and the South line of T. F. Brittian survey and Jackson Loyd survey at 800 vrs. the S W corner of said Loys survey and at 1670 vrs. the S E Corner of said survey and at 2738 vrs. a corner in the North line of School District No. 44 same being the S W Corner of District No. 8; Thence North 2193 vrs. to a stake in the South line of a 200 acre tract on John Parker survey owned by S G Newsom; Thence N 70 E with the line of said tract and the South line of a 59 acre tract 2225 vrs. to the S E Corner of said 59 acre tract; Thence North with the East line of same 552 vrs. to the N E Corner of same in the South line of A. Jackson survey; Thence N 70 E 1890 vrs. to the S E Corner of said Jackson survey; Thence N 20 W 120 vrs. to a corner in Medlin Creek at a point where the East line of said A. Jackson survey crosses said creek; Thence eastward with said creek and its meanders to the place of beginning.

We, the Commissioners of Upshur County have this day canvassed the returns of said election and declared the results indicated above.

E. A. Cobb, Pr. 1

J. M. Holloway, Pr. 3

W. C. Henderson, Pr. 2

M. O. Holmes, Pr. 4

Dated this the 11th day of November, 1940.

Approved: J. P. Maberry, County Judge.

Returns of an Election for Consolidating Coffeyville C S D #7 with Independent Springs C S D #9 were canvassed and results found as follows: For Consolidation 53 votes Against Consolidation 1 vote.

PETITION FOR CONSOLIDATION ELECTION.

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

TO THE HONORABLE COUNTY JUDGE OF UPSHUR COUNTY:

We, the undersigned residents, legally qualified voters of Coffeyville Consolidated Common School District No. 7, in Upshur County, Texas, desire to consolidate the said Coffeyville Consolidated Common School District No. 7, with the Independent Springs Common School District No. 9 forming thereby the Coffeyville Consolidated Common School District No. 7, in Upshur County, Texas; and we hereby make application to the County Judge of Upshur County, Texas, for an order for an election to be held in said Coffeyville Consolidated Common School District No. 7, in Upshur County, to determine whether or not the above named school districts may be consolidated.

Dated this the 11 day of Oct. 1940.

- | | |
|-------------------------|----------------------|
| H. L. Lunsford | Jewell Farmer |
| J. P. Morgan | C. G. Lansdale |
| Mrs. H. R. Lavender | Mrs. C. C. Lansdale |
| H. R. Lavender | A. N. Newsom |
| Lillie Rape | Maggie Newsom |
| Lonnie Rape | E. D. Boren |
| Mrs. W. L. Andrews | Leona Boren |
| Mrs. Maude Higginbotham | W. A. Cox |
| H. S. Higginbotham | Etta Cox |
| J. W. Higginbotham | Drew Ellison |
| H. E. Higginbotham | Myrtle Ellison |
| Hugh Melton | Mrs. J. B. Orr |
| Marie Melton | W. W. Orr |
| A. W. Lavender | Howard Morgan |
| Sam A. Davenport | J. D. Baird |
| C. W. Williamson | Mrs. J. D. Baird |
| Mrs. H. L. Lunsford | V. D. Davenport |
| G. N. Murrell | W. L. Andrews |
| Mrs. G. N. Murrell | Mrs. V. D. Davenport |
| H. H. Madison | C. L. Davenport |
| Mrs. Jewell Madison | W. J. Davenport |
| W. M. Freeman | Mrs. C. L. Davenport |
| Mrs. A. W. Lavender | Arthur Granberry |
| Mrs. Arthur Granberry | Maylee Granberry |

COUNTY JUDGE'S ORDER

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

Whereas, on the 11th day of October, 1940, a petition was presented to me for an election in (a) Common School District No. 7 of this county on the question of authorizing the said district to consolidate with the (c) Independent Springs Common Dist #9 School District thereby forming the (d) Coffeyville Consolidated Common School District No. 7 of this County, said

AAJ620

petition bearing the requisite number of signatures or resident, qualified voters of said district and being in every respect in conformity with law;

Now, Therefore, I, J. P. Maberry in my official capacity as County Judge of Upshur County, Texas, do hereby order that an election be held on the 2nd day of November, 1940, at (b) Newsom School House in said (A) Common School District No. 7 of this County to determine whether a majority of the legally qualified voters of that district desire to consolidate the said district with the (c) Independent Springs Common School District #9 thereby forming the Coffeyville Consolidated Common School District No. 7 of this County.

H. L. Lunsford is hereby appointed presiding officer of 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 qualified voters of said district shall be entitled to vote at said election, and all voters who favor the consolidation of the aforementioned school districts shall have written or printed on their ballots the words: "For the Consolidation". And those opposed to such consolidation shall have written or printed on their ballots the words: "Against the Consolidation."

Dated this the 11th day of October, 1940.

J. P. Maberry, County Judge of
Upshur County, Texas.

JUDGE'S NOTICE OF ELECTION

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

Notice is hereby given that an election will be held on the 2nd day of November, 1940, at Newsom School House in Coffeyville Common School District No. 7 of this County to determine whether a majority of the legally qualified voters of that district desire to consolidate the said district with the Independent Springs Common School District, thereby forming the Coffeyville Consolidated C.S. D. No. 7 of this County.

H. L. Lunsford 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 the State and County and who are resident qualified voters in said district shall be entitled to vote at said election and all voters who favor the consolidation of the aforementioned school districts shall have written or printed upon their ballots the words: "For Consolidation." And those opposed to such consolidation shall have written or printed on their ballots the words: "Against Consolidation".

Dated the 11th day of October, 1940.

J. P. Maberry, County Judge of
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 Gordon Anderson well known to me, and who, after being 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 Cedar Springs School House; One at Lavender's store; and one at Newsom School House; on the 11 day of October, A. D. 1940, which was not less than twenty days before the date of said election.

Gordon Anderson

Sworn to and subscribed before me, by - - - - - on this, the 18 day of October, A. D. 1940.

Lee L. Johnson, Notary Public in and for
Upshur County, Texas.

Seal.

ELECTION RETURNS

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

TO THE HONORABLE COMMISSIONERS COURT OF SAID COUNTY:

We, the undersigned officers, holding an election on the 2 day of November, 1940, in (a) Common School District No. 7 of said County upon the question of consolidating the said district with the (c) Independent Springs C. S. D. #9 School District thereby forming the (e) Coffeyville Consolidated C. S. D. #7 in said County, hereby certify that at said election there were cast 54 votes, of which number there were cast: For the Cpnsolidation 53 votes - Against the Consolidation - 1 votes, Majority for the Consolidation - 52 votes. That the polls for said election opened at 8 o'clock a.m., and closed at 7 o'clock p. m. We herewith enclose poll list and tally sheet of said election.

Signed this the 2 day of Nov. 1940.

- H. L. Lunsford, Presiding Officer.
- G. N. Murrell, Judge
- L. D. Rape, Judge
- W. L. Andrews, Clerk
- W. W. Orr, Clerk

ORDER DECLARING RESULT OF ELECTION

On this day came on to be considered the returns of elections held on the Second day of November 1940, in each of the following school districts of this County; (c) Coffeyville Consolidated C. S. D. 7 and Independent Springs C. S. D. 9 and upon the question of consolidating the said aforementioned contiguous school districts, thereby forming the (e) Coffeyville Consolidated C. S. D #7 of Upshur County, Texas, and it appearing that said elections were in all respects legally held, that said returns were duly and legally made, and that the said returns show that a majority of the votes cast in each of said elections favored the consolidation; the Court does hereby declare the proposition for the consolidation of the said Districts adopted and the (e) Coffeyville Consolidated C. S. D. #7 duly and legally created as of this date, said consolidated district being described by metes and bounds as follows, to-wit:

Beginning at a point where the West line of the Robert Asher survey crosses Madlin creek; thence down said creek with its meanders the general course of which is S 40 E 520 vrs to a point where the North line of Mrs. Armstrong's land crosses said creek; Thence N 60 E with the North line of said tract and the North line of a tract known as the Martin tract at 2564 vrs. pass the N W Corner of A. J. Laird tract and at 4164 vrs. the N E Corner of said Laird tract; Thence N 30 W 380 vrs. to W A Wells N W Corner; Thence N 60 E 1056 vrs. the N E Corner of said tract; Thence S 30 E 288 vrs. to Jeff Wheeler's N W Corner; Thence N 60 E with the North line of said tract 2165 vrs, to the N E Corner of said tract on the West

AAJ649

bank of Big Cypress Bayou; Thence up Big Cypress with its meanders the general course of which is N 45 W 155 vrs. N 82 W 892 vrs. pass the N E Corner of R. M. Wadkins survey; N 4 E 726 vrs. North 800 vrs. pass the N E Corner of George Martin survey, N 38 W 136 vrs. West 136 vrs. N 50 W 74 vrs. N 64 W 87 vrs. S 87 W 43 vrs S 74 W 60 vrs. N 31 W 139 vrs. S 71 W 175 vrs. pass N E Corner of L C Luckell survey N 63 W 172 vrs. N 31 W 375 vrs. N 26 W 830 vrs. pass the NE corner A. Lowery survey, N 30 W 435 vrs. N 11 E 262 vrs. and N 49 W 295 vrs. to the S E Corner of the A. Butler survey and the N E Corner of the John Lowery survey; Thence S 60 W with the North line of said John Lowery survey 5816 vrs. to the N W Corner of said survey; Thence S 67 W 1300 vrs. to the S W Corner of 200 acre tract known as the J A Brady tract; Thence North 165 vrs. to the S E Corner of a tract known as the J A L Davis tract; Thence West with the South line of said tract 1119 vrs. to the S W Corner of said tract in the West line of A. Butler survey; Thence S 30 E with the West line of said survey at 425 vrs. the N E Corner of Newsom School District, same being the S E Corner of the E. Wilkerson survey; Thence S 60 W 1590 vrs to the N W corner of the S C Minor survey; Thence S 30 E 120 vrs. the N E Corner of T C R R Survey; Thence S 70 W 318 vrs. to a stake in East line of Cox School District No. 6; Thence South 153 vrs. to the S E Corner of said Cox School District; Thence S 80 W with the South line of said Cox School District 2840 vrs. to a corner of said Cox District in the East line of a tract of land on the William Little survey known as the John McCurdy place; Thence S 10 W with the East line of same 270 vrs. to the S E Corner of the John McCurdy place; Thence S 70 W with the South line of McCurdy place and the South line of a tract known as the Collier tract 2180 vrs. to the N W Corner of a tract owned by Mary Newsom in the East line of a survey in the name of J. B. Goy; Thence South said line 97 vrs. to the S E Corner of a 712 acre tract on said Goy survey owned by J. M. Spratt; Thence S 70 W with the South line of same 1344 vrs. to the Gilmer & Daingerfield road, at a point where said road crosses Spratt Creek; Thence with said road and its meanders the general course of which is S 35 W 72 vrs. S 15 W 88 vrs. S 25 W 180 vrs. S 41 W 763 vrs. the pass junction of road leading from the Philip Hudgins place to the Gilmer & Daingerfield road; S 38 W 1812 vrs. the Gilmer Beat line 2180 vrs. cross the Coffeyville & Simpsonville road at 2826 vrs. intersect the Gilmer & Coffeyville road; Thence with said road the general course of which is West 72 vrs. S 57 W 108 vrs. S 20 W 144 vrs. S 46 W 84 vrs. S 15 W 324 vrs. South 216 vrs; S 10 W 288 vrs. S 25 W 180 vrs. S 13 W 331 vrs. to point where the North line of Lone Mountain School District crosses said road; Thence East with North line of said district 1260 vrs. to the N E Corner of same; Thence South 500 vrs. to the N W Corner of Sand Hill School District No. 50 on the crest of Parker Mountain; Thence Eastward with the crest of said mountain and the line of Sand Hill District the general course of which is N 75 E 174 vrs. N 54 E 1463 vrs. S 74 E 324 vrs. N 58 E 241 vrs. East 796 vrs. to the N E Corner of a survey in the name of Chas. Stanley; Thence S 20 E with the East line of said survey 612 vrs. to a point where Lot House Spring Branch crosses said line; Thence down said branch with its meanders the general course of which is East 1450 vrs. to a point where said branch empties into Holly Creek; Thence down said creek with its meanders the general course of which is S 45 E 1069 vrs. to a point where the North line of the E T Wilburn survey crosses said creek; Thence East with the North line of said survey and the South line of T. F. Brittian survey and Jackson Loyd survey at 800 vrs. the S W corner of said Loys survey and at 1670 vrs. the S E Corner of said survey and at 2738 vrs. a corner in the North line of School District No. 44, same being the S W Corner of District No. 8; Thence North 2193 vrs. to a point in the South line of a 200 acre tract on John Parker survey owned by S. G. Newsom; Thence N 70 E with the line of said tract and the South line of a 59 acre tract 2225 vrs. to the S E corner of said 59 acre tract; Thence North with the East line of same 552 vrs to the N E Corner

of same in the South line of A. Jackson survey; Thence N 70 E 1890 vrs. to the S E Corner of said Jackson survey; Thence N 20 W 120 vrs. to a corner in Medlin creek at a point where the East line of said A. Jackson survey crosses said creek; Thence eastward with said creek and its meanders to the place of beginning.

We, the Commissioners of Upshur County, have this day canvassed the returns of said election and declared the results indicated above.

E. A. Cobb, Pr. 1

J. M. Holloway, Pr. 3

W. C. Henderson, Pr. 2

M. O. Holmes, Pr. 4

Dated this the 11th day of November, 1940.

Approved: J. P. Maherry, County Judge.

Motion made, seconded & carried that Tully Reynolds be employed as County Mechanic for upkeep of County Road Building Equipment & Tractors at Salary of \$125.00 per month effective of this date. Clerk will pay Salary from R & B Fund of County.

On Motion made, seconded the Clerk was authorized to increase the Utility on Kurtz Bldg. from \$4.00 per month to \$7.50 per Acct of having to turn Gas back on. To be paid from Gen. Fund.

On Motion made, seconded & carried that Gentry Harris be allowed \$10.00 Ten & no/100 Dollars as transportation to Sanatorium, Tax Acct Tubercular patient. Clerk authorized to issue on Gen Fund of County.

E. A. Cobb

W. C. Henderson

J. M. Holloway

M. O. Holmes.

November 23, 1940.

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

Bids on Grader for Prec #2 were opened and Bid of J. D. Adams Co. for Grader being considered the lowest and best bid one #125 Adams Grader was ordered purchased at price of \$2790.00 less trade in price of \$290.00 for One Adams #121 Second hand grader leaving a net balance of \$2500.00 to be paid - 1/3 cash, balance in two equal payments by warrants of \$833.33 payable April term of Court 1941 and April term of Court 1942 warrants to bear 3% interest. County Clerk to issue warrants as follows \$500.00 on R & B Fund; \$333.34 on R & B 2 Fund and \$833.33 on R & B 2 due April Term of Court 1941 and \$833.33 on R & B 2 due April term of Court 1942.

Bids on Truck for Prec #1 were opened as follows: Gilmer Motor Co. bid for \$1150.00; Marshall Motor Co. bid for \$1150.00; Moody Chevrolet Co. bid for \$1025.00. On motion made, seconded & carried the bid of Moody Chevrolet Co. for \$1025.00 was accepted as being the lowest and best bid - Clerk authorized to issue warrant on Special Road Dist #1 available fund on delivery and acceptance of truck for above mentioned \$1025.00.

Motion made by Commissioner E. A. Cobb, seconded by Commissioner W. C. Henderson that the Board of County and District Road Indebtedness of Texas be requested to deposit with the County Treasurer of Upshur County a balance of \$34733.53 on hand with the said Board and same shall be placed by the County Treasurer to the credit of The Lateral Road Fund of Upshur County, this amount to be used by the Commissioners Court of Upshur County in the Four Commissioners Precincts for the improvement and Construction of Lateral roads. Motion declared carried unanimously.

AAJ620