

Motion made, seconded and carried that \$10.00 be allowed Co. Health Unit each mo. to pay small bills. Co. Clerk authorized to issue warrants on Gen. Fund.

Motion made, seconded and carried that the following amounts be paid the personal of the Co. Health Unit.

Blanche McPeck \$125 per mo.

Dolores Bailey \$ 75 per mo.

W. R. Ross \$ 50 per mo.

Co. Clerk authorized to issue warrants on Gen fund at close of each mo.

Motion made, seconded and carried that Co. Health Unit be authorized to purchase plumbing equipment to the amount of \$100 for installation in the health unit offices and to arrange an installation contract to be approved by the Commissioners Court.

Motion made, seconded and carried that Co. Clerk be authorized to withhold the Victory Tax and to keep appropriate records thereof as per provisions of law governing same.

Motion made, seconded and carried that Rhody Wheeler be paid \$100.00 per mo. Co. Clerk authorized to issue warrants on R & B effective Feb. 1, 1943.

Sid Buie

E. A. Cobb

H. S. Taff.

Feb. 1, 1943.

Commissioners Court met on above date in special session with County Judge, Sid Buie and Commissioners E. A. Cobb, H. S. Taff, L. G. McKinley and G. L. Hart present.

Motion made, seconded and carried that the official Bonds of E. N. Calvert, J. P. Preet #3 and Paul Ferguson, Constable Prec't No. 2 be approved.

Motion made, seconded and carried that Co. Clerk be authorized to issue warrant to F & M Bank, Gilmer, Tex. for Bond Payment due Feb. 15, of \$90,000 plus interest at 1 5/8% amounting to \$2154.45, same to be made on Road Dist. #1 sinking fund.

Motion made, seconded and carried that the R. O. W. on highway #26 be condemned said R. O. W. described by metes and bounds by the highway Dept. An offer for purchase being turned down & delayed beyond time allowed Co. to secure said R.O.W.

Motion made, seconded and carried that C. L. Warrick be employed to do the plumbing as per agreement, for \$100.

Motion made, seconded and carried that \$2 be allowed Mrs. Mollie McGee each mo. for rent effective Dec. 1, 1942. Co Clerk authorized to issue warrants on Gen. Fund same being rent for A. I. Davis, a pauper.

Motion made, seconded and carried that no extra help be paid for from Co. funds, unless such help is first approved by the Court.

Sid Buie

E. A. Cobb

H. S. Taff.

Feb. 8, 1943.

Commissioners Court met on above date in regular session with Sid Buie, Co. Judge, and commissioners E. A. Cobb, H. S. Taff, L. G. McKinley and G. L. Hart.

Motion made, seconded and carried that the resignation of D. D. Cobb as Constable Prec't #8 be accepted.

Motion made, seconded and carried that C. A. Bramon be appointed Constable in Prec't #8.

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Motion made, seconded and carried that the official Bond of G. A. Brannon as Constable Prec't #8 be accepted and approved.

Motion made, seconded and carried that Upshur Co. purchase approx. \$50,000.00 in Defense Bonds, Cash value Co. Clerk authorized to issue warrant on County Bond Fund.

Motion made, seconded and carried that Upshur Co. purchase approximately \$1000 cash value, in defense bonds for the Permanent School Fund of Upshur Co. Co. Clerk authorized to issue warrant on Per. School fund for said bond.

Motion made, seconded and carried that defense bonds, in the amt. of \$1500 cash value, be purchased from C & J fund. Co. Clerk authorized to issue warrant on C & J fund to meet payment of said bond.

Motion made, seconded and carried that Upshur Co. condemn the herein described tract of land for the purpose of securing dirt for building a section on highway #26.
(Copy of Petition)

"THE STATE OF TEXAS

VS

C. S. TURNER

TO THE HONORABLE SID BUIE, JUDGE OF SAID COURT:

Now comes the State of Texas, acting herein by and through the Commissioners Court of Upshur County, composed of Sid Buie, County Judge, and E. A. Cobb, Commissioner of Precinct No. 1; H. S. Taff, Commissioner of Precinct No. 2; L. G. McKinley, Commissioner of Precinct No. 3; and G. L. Hart, Commissioner of Precinct No. 4, of said county, hereinafter referred to as Petitioner, and complains of C. S. Turner, hereinafter called defendant, and represents and alleges:

1. That Sid Buie is the duly elected and qualified County Judge of Upshur County, Texas, and that E. A. Cobb, H. S. Taff, L. G. McKinley, and G. L. Hart are the duly elected and qualified Commissioners of Upshur County, Texas; that the residence of the defendant C. S. Turner is Morris County, Texas, where service may be had upon him.

2. That the State of Texas is now constructing and laying out and reconstructing a State Highway, designated as such by the Highway Commission of Texas, in Upshur County, Texas, which said Highway is known as designated as State Highway No. 26; that such construction and reconstruction upon said highway is surveyed through, across and upon, and will cross, run through and upon the following described real property, to-wit:

A part of a 200 acre tract in the Ahira Butler Survey, in Upshur County, Texas, more particularly described as follows:

A tract of land, for borrow pit purposes, out of the aforesaid 200 acre tract, described as follows, to-wit: Beginning at a point which is S. 80 deg. 12' W 221 feet from Station 521,00 on the center line of the existing State Highway No. 26; THENCE S 9 deg. 48' E 400 feet to corner; Thence S 80 deg. 12' W. 436 feet to corner; Thence N 9 deg. 48' W. 500 feet to corner; Thence N 80 deg. 12' E. 436 feet to corner; Thence S 9 deg. 48' E 100 feet to the place of beginning and containing 5.004 acres.

3. That in the judgment of said Commissioners Court it is necessary, advisable and expedient to occupy the land hereinafter described, and to run a road across same, in the manner provided by law, for the purpose, use and benefit of a new and wider right of way for the purpose of opening, widening, straightening, construction and building, improvement and maintaining a state highway, to-wit, State Highway No. 26.

4. That for the reasons and purposes above set out, it is necessary that the State of Texas, through the Commissioners Court of Upshur County, acquire, take, hold, occupy and use and own the above described real estate for the purpose of directing, constructing and maintaining the aforesaid road and right-of-way for the State Highway, and that said Commissioners Court has attempted to but cannot agree with said defendant upon the amount to be paid for said lands above described nor for damages, if any there be due said defendant, and occasioned by use of said land, but the commissioners court for the purposes aforesaid have offered said defendant the sum of \$25.00 per acre (\$_____) Dollars, for said land and for damages, if any there be due said defendant, which said sum is the reasonable market value of said property, and is in excess of the damages which would be incurred, if any there be, by running said highway through defendant's land, but said defendant has wholly refused to accept same or to agree with Petitioner upon the value of the land and the damages incurred thereby, if any there be, and Petitioner has been unable to compromise or settle with said defendant; by reason whereof said Commissioners Court has been compelled to institute condemnation proceedings to condemn said lands, which are actually needed for said highway as hereinabove described, and all of which said lands your petitioner is entitled by law to condemn.

WHEREFORE, your petitioner respectfully prays the County Judge of Upshur County, Texas, to forthwith, in the manner required by law, name, designate and appoint three (3) disinterested freeholders, citizens of Upshur County, Texas, as Special Commissioners to assess the value of said above described land and the amount of damages, if any, to be allowed said defendant, and that said decision of said commissioners when reported to the court, as required by law, be recorded in the Minutes of the County Court, as the Judgment of the court, and for all other and further relief, general and special, at law and in equity, to which it may be justly entitled.

Filed Feb. 8, 1943, at 4:18 o'clock P. M.
Robert Taylor, County Clerk, Upshur County.

Leo Presnell, Attorney for the
Commissioners Court of Upshur County,
Texas. "

Motion made, seconded and carried that the following order be copied herein.

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| "The STATE OF TEXAS COUNTY OF UPSHUR | In the Matter of Proceedings by the Commissioners Court of Upshur County, Texas, for the Condemnation of certain property of G. S. Turner. |
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On this the 8th day of February, A. D. 1943, came on to be heard the application of the State of Texas, acting through the Commissioners Court of Upshur County, Texas, under authority of Article 6674n, Revised Statutes, 1925, asking for the appointment of special commissioners to assess damages for a right of way for State Highway No. 26, which is a public road and a State designated highway crossing and running over and across and to run over and across and through certain real estate, situated in Upshur County, Texas, fee simple title to which is owned by G. S. Turner; and the said land and the relief prayed for is fully described and set out in plaintiff's petition on file in this cause, reference to which petition is here made.

And it appearing to the Court that the Commissioners have not been agreed upon by said parties; the court here and now appoints W. C. Henderson, Gerald Shipp and G. W. DeBerry, all disinterested freeholders of Upshur County, Texas, to be special commissioners to assess the damages in said condemnation proceedings, reference to which is here made.

Filed Feb. 20, 1943 at 2:36 P. M.
Robert Taylor, County Clerk, Upshur
County.

Sid Buie, County Judge, Upshur County,
Texas.

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Motion made, seconded and carried that the minute of Jan. 2, 1943, regarding Edgar Bryce be and is hereby revoked and Co. Clerk instructed to void check made in his favor.

Motion made, seconded and carried that the following Election Officials be appointed to hold all State and Co. Elections for the year 1943.

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| Graceton | | Tollie Oliver, P. J. Sam Duffey, J. |
| Ashland | | H. E. Hall, P. J. Grover Thurman, J. |
| West Mt. | | Randolph Mackey, P. J. E. M. Banning, J. |
| East Mt. | | C. A. Johnson, P. J. Marshall Salter, J. |
| S. E. Gilmer | | L. L. Berry, P. J. D. J. Chapman, J. |
| Union Grove | | Fred Watkins, P. J. Nolan Vickers, J. |
| Glenwood | | T. V. Kinnard, P. J. Dewey Webb, P. |
| N. E. Gilmer | | John Pickett, P. J. Odis Phillips, J. |
| ORE CITY | | J. W. Williamson, P. J. J. W. Manns, J. |
| COFFEEVILLE | | George Murrell, P. J. Howard Morgan, J. |
| LAFAYETTE | | Will Lindsey, P. J. Sid Reynolds, J. |
| EWELL | | Claude Elwell, P. J. J. N. Horn |
| Big Sandy | | T. W. Smith, P. J. C. E. Kay, J. |
| Pritchett | | Frank Roberts, P. J. T. J. Atkinson, |
| Rockey | | Rastus Hartery, P. J. J. D. Loyd, J. |
| KELSEY | | C. A. Shirley, P. J. Joe Lindsey, J. |
| Johnson Chapel | | Walter Gaston, P. J. Jewel Garlock, J. |
| Latch | | Eoh Long, P. J. Tom Petty, P. |
| Rosewood | | Walt Busby, P. J. J. E. Hymers, J. |
| Rhonesboro | | Crosby Florence, P. J. Wylie Turner, J. |
| S. W. Gilmer | | J. E. Boykin, P. J. Eddie Marshall, J. |
| Shady Grove | | W. R. Snow, P. J. Park Willingham, J. |
| N. W. Gilmer | | W. J. Bryson, P. J. H. M. Quinn, J. |
| Bettie | | Aubrey Johnson, P. J. Dick Whitworth, J. |
| Brumley | | A. J. Hackler, P. J. K. C. Eford, J. |
| Grice | | J. T. Allen, P. J. M. C. Cook, J. |
| Simpsonville | | C. W. Willis, P. J. R. E. Garrett. |

Motion made, seconded and carried that the application of Tax-Col Assessor, Allen McClelland for extra help assessing taxes in 1943 be approved as follows:

J. D. Baird, Prec't No. 1-\$105 per mo.

T. N. Camp, " " 2-\$105 per mo.

C. S. Harris " " 3-\$105 per mo.

T. L. Palmer " " 4-\$105 per mo.

J. B. Amos City of Gilmer, \$100 per mo.

Motion made by G. L. Hart and seconded by L. G. McKinley that The First National Bank, Gilmer, Texas, be named Depository for Upshur Co. funds, and for Upshur Co. School funds and that F & M Bank be named to assist in handling of said funds, each bank placing securities to secure said funds and make pledge contracts in the form required by law to secure Co. funds. No Banking Institution other than the ones mentioned above submitted bids. The F & M Bank shall have on deposit, the Jury fund, R & B Bonds, Co. Bond. The First National Bank shall have on deposit the Gen. Fund, C & J Fund, Salary fund, R & B 1, 2, 3 and 4, and the school funds.

Sid Buie

E. A. Cobb

H. S. Taff.

March 1, 1943.

Commissioners court met on above date in special session with Co. Judge, Sid Buie, and Commissioners E. A. Cobb, H. S. Taff, L. G. McKinley and G. L. Hart present.

Motion made, seconded and carried tht Co. Judge be authorized to advertise for bids for a grazing lease on Upshur Co. School Lands in Baylor and Throckmorton Counties. Said bids to be opened at 10 A M March 16, 1943, and read publicly.

Motion made, seconded and carried that the offices now occupied by the R E A be made available for use of Upshur Co. Ration Board, at the time said R E A moves, and office now occupied by Seed and Feed Loan office be made available for the use of Co. Surveyor. The Feed and Seed Loan office is hereby offered office space in the Co. Rock Bldg.

Sid Buie

E A Cobb

H. S. Taff.

March 8, 1943.

Commissioners Court met on above date in Regular session with Sid Buie, Co Judge and E. A. Cobb, H. S. Taff, L. G. McKinley and G. L. Hart, Commissioners present.

Motion made, seconded and carried that present salary agreement of Jewell Pritchett be terminated as of this date. Co. Clerk authorized to issue warrant on R& B fund for salary up to and including this day for \$40.39.

Sid Buie

E. A. Cobb

H. S. Taff

L. G. McKinley

G. L. Hart.

March 16, 1943.

Commissioners Court met on above date in special session with Sid Buie, Co Judge, and Commissioners E. A. Cobb, H. S. Taff, L. G. McKinley and G. L. Hart present.

The Court met to consider bids for a lease for grazing purposes on the Upshur Co. School lands located in Baylor and Throckmorton Counties after all bids were duly considered the bid of J. A. Young, Meagargel, Texas was considered highest and best bid,

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