

12-18-51

Commissioners' Court met in Special Session with all members present.

Motion made, seconded and carried to authorize County Clerk to issue check on R & B Fund payable to Jack Harrison, Secretary-Treasurer in the amount of \$215.46.

IN THE COMMISSIONERS' COURT
OF UPSHUR COUNTY, TEXAS.

BE IT REMEMBERED that on this the 18 day of December, 1951, there came on for consideration the matter of employing counsel to represent the interest in Upshur County in the controversy over the constitutionality of the constitutional amendments and statutes regarding the state ad valorem tax grant to Brazos River Conservation and Reclamation District and the legislative grant of excess state ad valorem taxes for local use pending in the District Court of Grimes County, 12th Judicial District, styled Guy E. Foster, et al v. Emory Bay, et al, Number 18666.

After duly considering the matter the Court is of the opinion that the controversy is of vital importance to the interests of Upshur County and that counsel should be employed to represent its best interests in the said controversy.

IT IS ACCORDINGLY ordered, adjudged and decreed that Charles W. Black, Esq. of Austin, Texas, Fulbright, Crooker, Freeman & Bates, of Houston, Texas, and Carlos B. Masterson of Angleton, Texas, should be and they are hereby employed and retained to represent the interest of Upshur County along with the interests of the other counties interested in the defense of the above mentioned suit in all courts to which the said suit may be tried or appealed including the United States Supreme Court, and to take such action as they may deem necessary or expedient in the proper representation of Upshur County and the other interested counties.

IT IS FURTHER ordered that a sum of Twenty Five Thousand (\$25,000.00) Dollars for services to be rendered by the aforementioned counsel and expenses incident to the defense of the said suit is to be paid by all the interested counties in the defense of said suit on a pro rata basis, based upon the 1950 assessed valuation of said counties, and that Upshur County should pay \$215.46 as its fair and proportionate part thereof.

IT IS FURTHER ordered and adjudged that the Clerk should be and he is hereby authorized, directed and required to draw a check payable to Jack Harrison, Secretary-Treasurer, for payment by him over to the aforesaid counsel jointly the sum of \$215.46 as and for Upshur county's proportionate part of these said attorneys' fees and expense incident to the defense of said suit to be used and expended by the executive committee of County Judges as and for necessary expenses incident to the defense of said suit. The assessed valuation of Upshur County for the year 1950 is \$21,545,601.00.

PRONOUNCED AND RENDERED in open court this 18 day of December, 1951.

H. L. Elwell, Judge, Upshur County,
Texas.

Seal.

ATTEST:

James Poole, Clerk of the County Court and
Ex Officio of the Commissioners' Court of
Upshur County, Texas.

At a special meeting of the Commissioners' Court of Upshur County, Texas, after due notice with the following present all members and none absent constituting a quorum the foregoing order was duly passed and approved on the motion of Commissioner Mr. J. E. Venn, seconded by Commissioner Mr. Horace Morris, and the following vote thereon was had:

AYES: Four (4)
NAYES: None (0)

H. L. Elwell, Judge, Upshur County, Texas.

Seal.

ATTEST:

James Peole, Clerk of the County Court and
Ex Officio of the Commissioners'
Court of Upshur County, Texas.

Filed for record Dec 19, 1951, at 8:22 o'clock A. M.

Motion made, seconded and carried to transfer \$432.37 from the R & B Fund to General Fund to pay the expenses of the .30 Ad Valorem Tax election held September 1, 1951, and the expense paid from General Fund.

H. L. Elwell
Jim Shockey
E. H. Shaw
J. E. Venn
Horace Morris

Dec. 21, 1951.

Commissioners' Court met in Special Session with all members present.

Motion made, seconded and carried to transfer 1000.00 from R & B Fund to each of the following funds R & B 1, R & B 2, and R & B 4.

H. L. Elwell
Jim Shockey
E. H. Shaw
J. E. Venn
Horace Morris

1, B-52

Commissioners' Court met in special session with all members present.

Motion made seconded and carried to transfer \$12,000.00 from R & B Fund to R & B 1, R & B 2, R & B 3 and R & B 4.

H. L. Elwell
Jim Shockey
E. H. Shaw
J. E. Venn
Horace Morris

TREASURER'S REPORT

REPORT of H. A. Wheeler County Treasurer of Upshur County, Texas, of Receipts and Expenditures from Oct. 1 to Dec. 31, 1951, inclusive:

JURY FUND

Balance last Report, Filed Sept. 30, 1951	23,198.70	
To Amount received since last Report	1,749.52	
By Amount paid out since last Report, Ex. "A"		2,195.83
Amount to Balance		<u>22,752.39</u>
	<u>24,948.22</u>	24,948.22
Balance	22,752.39	