

3-7-52

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

Motion made, seconded and carried to grant the application of Noble Ray, Tax Assessor-Collector and to appoint the following deputies at a salary of \$175.00 each per month. The County Clerk is authorized to issue warrants on the Salary fund for the salaries to Horace Lyle for three months, R. R. Mathis for two months, Luther Palmer for two months, J. L. Turner for four months.

H. L. Elwell

Jim Shockey

E. H. Shaw

J. E. Venn

Horace Morris

3-10-52

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

Motion made, seconded and carried to place the name of Opal Mathis on the paupers list effective March 1, 1952.

Motion made, seconded and carried to pay \$50.00 per month on the doctor bill of Mrs. Clinton Moore. Clerk is authorized to issue check to Clinton Moore on General Fund for not more than two months.

Motion made by J. E. Venn and seconded by Jim Shockey to accept the resignation of Wm. A. Messer as Assistant County Agent and approve the application of Rayburn E. Morgan, as Assistant County Agent, effective April 1, 1952, at a salary of \$100.00 per month.

H. L. Elwell

Jim Shockey

E. H. Shaw

J. E. Venn

Horace Morris.

3-10-52

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

Motion made, seconded and carried to employ Maurice Love to make a complete Delinquent Tax Roll at a price of .08 per line. The State of Texas and the Schools to pay their pro rata portion of the cost as per valuation.

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

This Agreement is hereby made and entered into by and between Upshur County, Texas, hereinafter called "First Party", who is acting by and through its duly authorized Commissioners' Court and Tax Assessor-Collector of Upshur County, Texas, and Maurice Love, of Red River County, Texas, hereinafter called "Second Party":

W I T N E S S E T H

WHEREAS, the records of the office of the Assessor and Collector of taxes for Upshur County, Texas, reveal that there are more than two years' taxes delinquent which have become delinquent since December 31, 1949, and which have not been included in the compiled delinquent tax records of said Upshur County, Texas, and

WHEREAS, Senate Bill No. 407, Chapter 128, Acts 1935, of the Forty-fourth Legislature, as amended by House Bill No. 406, Acts 1951, of the Fifty-first Legislature, directs and authorizes the collector of taxes of Upshur County, Texas, to cause to be compiled a delinquent tax record of all such delinquent taxes, which are not barred by said act; and pro-

vides for the payment of the cost thereof, such cost in no cause to exceed a sum equal to eight cents (8¢) per item or written line of the original copy of such record;

NOW, THEREFORE, it is hereby agreed by and between said "First Party" and "Second Party" as follows:

1.

"Second Party" hereby agrees that he will furnish the necessary labor and perform the services necessary to compile and deliver a delinquent tax record, complete with reconciliation statement and ready for binding, of all delinquent taxes for the years 1919 to 1950, both years inclusive, which are not barred by said Senate Bill 407 as amended by House Bill 406, and which have not already been compiled as provided by said Article.

2.

"Second Party" further agrees that he will prepare, on the standard forms provided for such purpose, an Original compiled list of such delinquent taxes and two duplicates, one duplicate of which is to be delivered by "Second Party" to the State of Texas, and which shall be submitted to the Commissioners' Court of Upshur County, Texas, for correction and/or approval on or before the 1st day of July, 1952.

3.

"First Party" agrees that upon approval of said compiled list by the Commissioners' Court of Upshur County, Texas, it will pay to said "Second Party" for his services a sum equal to eight cents (8¢) per item or written line of the original copy of such record. Such payment shall be made by the Tax Collector of Upshur County, Texas, proportionately from each the State and County taxes, and other taxes due taxing units which are collected by said Tax Collector, first collected from such record.

IN TESTIMONY WHEREOF, the respective parties hereto have hereunto set their hands, this 10 day of March, 1952.

COUNTY OF UPSHUR, STATE OF TEXAS

By H. L. Elwell, County Judge

Jim Shockey, Commissioner, Precinct No. 1

E.H. Shaw, Commissioner, Precinct No. 2

J. E. Venn, Commissioner, Precinct No. 3

Horace Morris, Commissioner, Precinct No. 4

Noble Ray, Tax Assessor and Collector

FIRST PARTY

Maurice Love,

SECOND PARTY.

Filed for Record March 10, 1952, at 2:31 o'clock P. M. James Poole, County Clerk, Upshur County.

H. L. Elwell

Jim Shockey.

E. H. Shaw

J. E. Venn .

Horace Morris

ABC361

3-12-52

There was presented to me, H. L. Elwell, County Judge of Upshur County, Texas, on March 12, 1952, a petition properly signed by more than 20 of the legally qualified tax paying voters residing in Common School District No. 19 of Upshur County, Texas, and upon such presentation, I issued an order calling for an election to be held on the 5th day of April, 1952, at the New Diana School which said date is not less than 20 days nor more than 30 days from the date of filing said petition for the purpose of converting the said Common School District into an Independent District for School purposes.

H. L. Elwell

PETITION FOR ELECTION TO CONVERT

Common School District to Independent School District

THE STATE OF TEXAS

COUNTY OF UPSHUR

TO THE HONORABLE H. L. ELWELL, COUNTY JUDGE OF SAID COUNTY:

We, the undersigned, legally qualified property taxpaying voters residing in New Diana Common School District No. 19, of said county, which said School District maintains a first-class High School of twelve grades, offering sixteen or more credits, respectfully pray that an election be ordered in said School District for the purpose of determining if said New Diana Common School District No. 19 shall be converted into an Independent School District, as provided by Article 2742j, Revised Civil Statutes of the State of Texas.

WITNESS OUR HANDS, this the ____ day of ____ 1952

B. D. Rodgers	Mrs. Louie Covin	Leon Willeford
Mrs. Claudie Mae Rodgers	James L. Weeden	Olen Martin
E. B. Jones	Mrs. James Weeden	Jack Martin
Mrs. E. B. Jones	Neal Jones	John B. Wallace
Mrs. S. T. Buie	Mrs. Neal Jones	Delmo Lawson
S. T. Buie	C. B. Buie	Ben Martin
D. D. Cobb	Mrs. C. B. Buie	Tom Moughon
R. D. Lancaster	R. A. Penn	
H. S. McKellar	E C Logan	
Mrs. E. L. Carrington	E. L. Carrington	
Lefoy S. Foster	Mrs. J. E. Buib	
Tom Nobles	C. J. Collier	
Mrs. Jack Nobles	Mrs. C. J. Collier	
Louie Covin	W. L. Lancaster	
C. D. East	Sam C Foster	
Roy East	J. C. Holcomb	
Russell Gowen	S. J. Foster	
Irene Dunbar	C H Marten	
J T McCullough	O. H. Smith	
W. E. Riskey	O. L. Hickey	
Mrs. Jack McWhorter	Mrs. O. H. Smith	
Jack McWhorter	Belle Hickey	
W. S. Jones	H. S. Jones	
Mrs. W. S. Jones	R. A. Moughon	
E. B. Helms	Frank Lawson	
T. M. Nobles	Jim Shockey	
Mrs. T. M. Nobles	Mrs. Jim Shockey	

Filed March 12, 1952, James Poole, County Clerk, Upshur Co. Tex.

ORDER FOR ELECTION TO

CONVERT COMMON SCHOOL DISTRICT TO INDEPENDENT SCHOOL DISTRICT

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

WHEREAS, on the 12 day of March, 1952, there was presented to me the petition of 64 persons asking that an election be ordered to determine whether or not New Diana Co-Line Common School District No. 19, of Upshur-Harrison Counties, Texas, shall be converted into an Independent School District as provided by Article 2742j, Revised Civil Statutes of the State of Texas.

It appearing that said petition is signed by at least twenty (or a majority) legally qualified voters residing in said Common School District, and that said Common School District maintains a first-class High School of twelve grades, offering sixteen or more credits, and said petition is otherwise in conformity with law;

Therefore, I, H. L. Elwell, in my capacity as County Judge of Upshur County, Texas, do hereby order that an election be held in said Common School District on the 5 day of April, 1952, which date is not less than twenty days, nor more than thirty days from the date of the filing of said above mentioned petition, for the purpose of determining whether said New Diana Co.-Line Common School District No. 19 shall be converted into an Independent School District as provided by Article 2742j, Revised Civil Statutes of the State of Texas. Said Election shall be held at the following place in said Common School District, and the following named persons are hereby appointed officers for said election.

At New Dian School Building, in James, Texas, in said School District with Tollie Oliver as Presiding Judge, and Ott Penn and Willie Jones, Clerks.

The ballots for said election shall have written or printed thereon the following:
"FOR CONVERTING"
"AGAINST CONVERTING"

Each voter shall mark out with black ink or black pencil one of the above expressions, thus leaving the other as indicating his vote.

Nons but legally qualified voters residing in said Common School District shall be allowed to vote at said election. The sheriff of this County shall give notice of said election by posting three copies of this order at three different places within the boundaries of said Common School District, which posting shall be done not less than twenty-one days prior to the date fixed for said election. Then five days after said election, the officers holding the same shall make returns of the result thereof to the Commissioners' Court of this county as required by law for holding a gneral election.

Dated this the 14 day of March, 1952

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

Filed March 14, 1952, at 4:26 o'clock P. M. James Poole, County Clerk, Upshur County, Texas.

NOTICE OF ELECTION

TO CONVERT COMMON SCHOOL DISTRICT TO INDEPENDENT SCHOOL DISTRICT

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

TO THE LEGALLY QUALIFIED VOTERS RESIDING IN New Diana County Line Common School District No. 19 of Upshur-Harrison Counties, Texas;

TAKE NOTICE that an election will be held on the 5th day of April, 1952, in New Diana

ABC364

County Line Common School District No. 19 of Upshur-Harrison Counties, Texas, at the place, in the manner and on the proposition set forth in the attached copy of an order for election, duly entered by the County Judge of Upshur County, Texas, on the 14th day of March, 1952, said attached order for election being made a part of this notice for all intents and purposes.

DATED this the 14th day of March, 1952.

OREAR WATSON, Sheriff, Upshur
County, Texas.

SHERIFF'S AFFIDAVIT OF POSTING NOTICE

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

BEFORE ME, the undersigned authority, on this day personally appeared Orear Watson, known to me to be the Sheriff of Upshur County, Texas, who after being by me first duly sworn, upon his oath, says:

That the foregoing is a true and correct copy of the Notice of Election to convert New Diana Common School District No. 19 into an Independent School District under Article 2742j, giving notice of the election therein mentioned and that he posted a true and correct copy of said Notice of Election at three different places, to-wit:

1. One at Otis Smit's store, Graceton;
2. One at Herbert Taft's store, New Diana; and
3. One at M. M. Lester's store, Ashland;

within the boundaries of said Common School District on the 14th day of March, 1952, which posting was done not less than twenty-one days prior to the date fixed for said election.

Orear Watson, Sheriff,
Upshur County, Texas.

SWORN TO AND SUBSCRIBED before me by Orear Watson, this the 15th day of March, 1952

Leta Fowler, Notary Public,
Upshur County, Texas.

Seal.

FILED FOR RECORD March 17, 1952, at 9:49 o'clock A. M. James Poole, County Clerk, Upshur Co.

ORDER & NOTICE OF TRUSTEE ELECTION

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

WHEREAS New Diana Co.-Line Independent School District of Upshur & Harrison Counties, Texas, has fewer than 500 scholastics and is subject to the terms and provisions of Article 2746a, and

WHEREAS on the first Saturday in April, 1952, being April 5, 1952, a trustee election will be held in said School District for the purpose of electing 7 members to the Board of Trustees of said School District, and

WHEREAS the statutes of the State of Texas do not clearly provide the procedure to be followed in trustee elections of an Independent School District for fewer than 500 scholastics, and for this reason this election order and notice, together with an election order and notice by the Board of Trustees of said School District should be passed to eliminate any question concerning said election;

NOW, THEREFORE, I H. L. Elwell, in my capacity as County Judge of Upshur County, Texas, do hereby order that an election be held in said School District on the 5 day of April, 1952, for the purpose of electing 7 members to the Board of Trustees of said District, that

all requests by candidates to have their names placed upon the ballot for the above mentioned election shall be in writing and filed with me not later than ten days before the date of said election.

That said election shall be held at the following place and the following named persons are hereby appointed officers for said election:

At New Diana Building, in James, Texas, in said School District, with Tollie Oliver as Presiding Judge and Ott Penn and Willie Jones, Clerks.

The manner of holding said election shall be governed as near as may be by the Election Code of this state, and I shall furnish, at the expense of said School District, all necessary ballots and other election supplies requisite to said election.

Immediately after said election has been held, the officer holding the same shall make returns of the result thereof to me and return the ballot boxes and other supplies of said election for safekeeping, and the Commissioners' Court shall canvass the returns of said election and notify the candidates and the Board of Trustees of said School District.

A copy of this order, together with a copy of the order of the Board of Trustees of said School District, shall serve as notice of said election, and said orders shall be posted in three different places in said School District, which posting shall be done not less than ten days prior to the date of said election.

Dated this the 14 day of March, 1952.

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

FILED FOR RECORD March 14, 1952, at 4:27 o'clock P. M. James Poole, County Clerk, Upshur Co.
H. L. Elwell- Jim Schokey- 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 January 1, 1952 to Mar. 31, 1952, inclusive:

JURY FUND.

Balance last Report, Filed Dec. 31, 1951	22,752.39	
To Amount received since last Report	272.92	
By Amount paid out since last Report		1,418.10
Amount to Balance		21,607.21
	<u>23,025.31</u>	<u>23,025.31</u>
Balance	\$21,607.21	

ROAD AND BRIDGE FUND

Balance last Report, Filed Dec. 31, 1951	101,562.41	
To Amount received since last Report	10,761.81	
By Amount paid out since last Report		3,540.70
By Amount transferred to other Funds, since last report		48,000.00
Amount to Balance		60,783.52
	<u>112,324.22</u>	<u>112,324.22</u>
Balance	60,783.52	

GENERAL COUNTY FUND

Balance last Report, Filed Dec. 31, 1951	51,695.74	
To Amount received since last Report	10,227.14	
By Amount paid out since last Report		15,641.11
Amount to Balance		46,281.77
	<u>61,922.88</u>	<u>61,922.88</u>
Balance	46,281.77	

ABC36-1

R & B 1 FUND

Balance last Report, Filed Dec 31, 1951	11,893.56	
To Amount received since last Report	4,298.76	
To Amount transferred from other funds since last Report	12,000.00	
By Amount paid out since last Report		19,804.61
Amount to Balance		<u>8,387.71</u>
	<u>28,192.32</u>	<u>28,192.32</u>
Balance	8,387.71	

R & B 2 FUND

Balance last Report, Filed Dec 31, 1951	11,334.21	
To Amount received since last Report	3,144.83	
To Amount transferred from other Funds, since last Report	12,000.00	
By Amount paid out since last Report		15,374.84
Amount to Balance		<u>11,104.20</u>
	<u>26,479.04</u>	<u>26,479.04</u>
Balance	11,104.20	

R & B 3 FUND

Balance last Report, Filed Dec. 31, 1951	2,372.14	
To Amount received since last Report	3,357.57	
To Amount transferred from other Funds, since last Report	12,000.00	
By Amount paid out since last Report		15,419.00
Amount to Balance		<u>2,310.71</u>
	<u>17,729.71</u>	
Balance	2,310.71	

R & B 4 FUND

Balance last Report, Filed Dec. 31, 1951	3,587.84	
To Amount received since last Report	3,509.61	
To amount transferred from other Funds, since last Report	12,000.00	
By Amount paid out since last Report		14,363.60
Amount to Balance		<u>4,733.85</u>
	<u>19,097.45</u>	<u>19,097.45</u>
Balance	4,733.85	

ROAD DIST. 1-B AVAIL. FUND

Balance last Report, Filed Dec. 31, 1951	15,999.72	
By Amount paid out since last Report		56.00
Amount to Balance		<u>15,943.72</u>
	<u>15,999.72</u>	<u>15,999.72</u>
Balance	15,943.72	

PERM. IMP FUND

Balance last Report, Filed Dec 31, 1951	17,025.27	
To Amount received since last Report	1,241.51	
By Amount paid out since last report		2,517.68

ABC364

Amount to Balance		<u>15,749.10</u>
	18,266.78	<u>18,266.78</u>
Balance	15,749.10	

SALARY FUND

Balance last Report, Filed Dec. 31, 1951	12,349.95	
To Amount received since last report	11,279.03	
By Amount paid out since last Report		14,611.56
Amount to Balance		<u>9,017.42</u>
	<u>23,628.98</u>	<u>23,628.98</u>
Balance	9,017.42	

PERM. SCHOOL FUND

Balance last Report, Filed Dec. 31, 1951	368.17	
To Amount received since last Report	610.00	
Amount to Balance		<u>978.17</u>
	<u>978.17</u>	<u>978.17</u>
Balance	978.17	

ROAD DIST. SAINT. & SINKING FUND

Balance last Report, Filed Dec 31, 1951	5,231.47	
To Amount received since last Report	679.40	
By Amount paid out since last Report		4,249.50
Amount to Balance		<u>1,661.37</u>
	<u>5,910.87</u>	<u>5,910.87</u>
Balance	1,661.37	

UPSHUR CO. LAW LIBRARY FUND

Balance last Report, Filed---		
To Amount received since last Report	7.00	
Amount to Balance		<u>7.00</u>
	<u>7.00</u>	<u>7.00</u>
Balance	7.00	

ROAD DIST. 3-A FUND

Balance last Report, Filed Dec. 31, 1951	1,029.27	
By Amount paid out since last Report		228.50
Amount to Balance		<u>800.77</u>
	<u>1,029.27</u>	<u>1,029.27</u>
Balance	800.77	

RECAPITULATION

Upshur County Law Library Fund	7.00	
Jury Fund, Balance	21,607.21	Grand Total
Road and Bridge Fund Balance	60,783.52	
General County Fund Balance	46,281.77	
Salary Fund Balance	9,017.42	
R & B 1 Fund Balance	8,387.71	
R & B 2 Fund Balance	11,104.20	
R & B 3 Fund Balance	2,310.71	
R & B 4 Fund Balance	4,733.85	
Perm. Imp. Fund Balance	15,749.10	
Rd Dist #3A	800.77	
Rd Dist #1B	15,943.72	

Perm. School	978.17	
Rd. Dist #3A Int & Sinking	1,661.37	199,366.52

LIST OF BONDS AND OTHER SECURITIES ON HAND

Securities Owned by Perm. School Fund

4 Series G Govt. Bonds	\$500.00	2000.00
6 Series G Govt. Bonds	1000.00	6000.00
1 City of Gilmer Bond	1000.00	1000.00
8 Bonds Common School Dist #36		<u>2250.00</u>
Total		11,250.00

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

BEFORE ME, the undersigned authority, on this day personally appeared H. A. Wheeler, County Treasurer of Upshur County, who being by me duly sworn, upon oath, says that the within and foregoing report is true and correct.

H. A. Wheeler, County Treasurer.

Sworn to and subscribed before me, this 8 day of April 1952.

James Poole, Clerk,
County Court Upshur County, Texas.

Seal.

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

BEFORE ME, James Poole, County Clerk, Upshur County, Texas, on this day personally appeared H. L. Elwell, County Judge, Jim Shockey, Commissioner Precinct No. 1; E. H. Shaw, Commissioner Precinct No. 2; J. E. Venn, Commissioner, Precinct No. 3 and Horace Morris, Commissioner, Precinct No. 4; who after being duly sworn by me state under their oath, that they have examined the foregoing County Treasurer's Report, of Upshur County, Texas, and find the same to be correct to the best of their knowledge and belief.

James Poole, County Clerk,
Upshur County, Texas.

H. L. Elwell, County Judge

Jim Shockey, Commissioner, Precinct No. 1

E. H. Shaw, Commissioner, Precinct No. 2

J. E. Venn, Commissioner, Precinct No. 3

Horace Morris, Commissioner, Precinct No. 4

SUBSCRIBED AND SWORN to before me, this 8 day of April, A. D. 1952.

James Poole, County Clerk, Upshur
County, Texas.

Seal.

Filed April 8, 1952, at 9:57 o'clock A. M. James Poole, County Clerk Upshur County.

3-22-52

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

Motion made, seconded and carried that series D Bonds of 1919 and optional May 15, 1952, numbers 189, 191, 192, 194, 195, 197, 198, 200 and 201 be called for payment

H. L. Elwell

Jim Shockey

E. H. Shaw

J. E. Venn

Horace Morris