

"For the Issuance of Bonds and the Levying of the Tax in Payment Thereof."

And those opposed shall have written or printed on their ballots the words:

"Against the Issuance of Bonds and the Levying of the Tax in Payment thereof."

C. L. Starkey 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.

Said election was ordered by the county judge of this county by order made on the 7th day of Feb. 1938, and this notice is given in pursuance of said order.

Dated the 7th day of February 1938.

J. W. Bryce, Sheriff, Upshur County, Texas.

SHERIFF'S AFFIDAVIT.

Before me, the undersigned authority, on this day personally appeared J.W. Bryce, known to me to be the sheriff of Upshur County, Texas, and who after being by me first duly sworn, upon his oath, states:

That the above and foregoing notice of election is a true, full and exact copy of the three notices of election therein referred to which he, as such sheriff, made and posted in West Mountain Common School District No. 30 of said County;

That said notices were posted in three public places in said district, to-wit, one at A.C. Blacks Store, one at R.N. Smiths Store, and one at West Mountain School House, on the 7th day of February 1938, which was twenty-one full days before the date of said election.

J. W. Bryce, Sheriff.

Sworn to and subscribed before me this 7th day of February 1938.

Lee L. Johnson, Notary Public,

Upshur County, Texas.

RETURNS OF BOND ELECTION.

THE STATE OF TEXAS, I

COUNTY OF UPSHUR I

TO THE HONORABLE COMMISSIONERS' COURT OF SAID COUNTY:

We, the undersigned officers, holding an election on the 5 day of March 1938 in Common School District No. 30 of said County, upon the question of the issuance of bonds on the faith and credit of said common School district in the amount of \$15,000.00 the bonds to be of the denomination of \$750.00 each, numbered consecutively from 1 to 20, both inclusive, payable serially as follows, to-wit: Seven Hundred Fifty & no/100 Dollars on the 1st day of April 1939, and Seven Hundred Fifty Dollars on the 1st day of April each and every year thereafter to and including the year 1958; with option of redemption in their numerical order at any time after . . . years from their date and bearing 4 per cent interest per annum, payable annually on 1st day of April of each year, for the purpose of Building and equipping a Public Free School Building of Brick Material, and to determine whether the Commissioners' Court of this county shall be authorized to levy, assess and collect annually while said bonds or any of them are outstanding a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and to provide a sinking fund sufficient to pay the principal at maturity hereby certify that at said election there were cast 31 votes, of which number there were cast:

For the issuance of bonds and the levying of the tax in payment thereof,
31 votes.

Against the issuance of bonds and the levying of the tax in payment thereof,
None votes.

Majority for the issuance of bonds and levying of the tax, 31 votes.

That the polls for said election opened at 8 o'clock a.m. and closed at 6 o'clock p.m. We herewith enclose poll list and tally sheet of said election.

Witness our hands, this the 5 day of March 1938.

C. L. STARKEY, Presiding Officer.

Usko Mackey, Judge,

E.W. Banning, Clerk.

PRESIDING OFFICERS CERTIFICATE.

STATE OF TEXAS I TO THE HONORABLE COMMISSIONERS COURT
COUNTY OF UPSHUR I OF UPSHUR COUNTY.

I, C.L. Starkey, Presiding Officer, holding an election on the 5th day of March A.D. 1938, in West Mountain Common School District Number 30, of said County, on the question of issuing Fifteen Thousand Dollars (\$15,000.00) of school house bonds for said District, running 20 years and bearing 4 per centum interest, and levying a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal as the same becomes due,

I hereby certify that at said election there were 31 votes, of which number there were cast:

"For the Issuance of Bonds and the Levying of the Tax in payment thereof" - - - - - 31 Votes

"Against the Issuance of Bonds and the Levying of the tax in payment thereof" - - - - - 0 votes.

I furthermore certify that I, as presiding officer of said election, did not permit anyone to vote in this election who did not own taxable property which had been duly rendered for taxation prior to the date of election, and

That the polls for said election opened at 8 o'clock A.M., and closed at 6 o'clock P.M.

Witness my hand, this the 14th day of March A.D. 1938.

C. L. Starkey, Presiding officer.

Subscribed and sworn to this 14th. day of April A.D.1938.

Lee L. Johnson, Notary Public,

Seal

Upshur County, Texas.

ORDER DECLARING RESULT OF BOND ELECTION. IN COMMON SCHOOL DISTRICT

THE STATE OF TEXAS I IN THE COMMISSIONER'S COURT OF
COUNTY OF UPSHUR I UPSHUR COUNTY:

On this, the 14 day of March A.D. 1938, came on to be considered the returns of an election held on the 5th day of March A.D. 1938, in (a) West Mountain Common School District No. 30, of this County, upon the question of issuing Fifteen Thousand and no/100 (\$15,000.00) Dollars of Schoolhouse Bonds for said District, running twenty years, and bearing 4 per centum interest, and levying a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity, and

IT APPEARING that said election was in all respects legally held and that said returns were duly and legally made and that there were cast at said election 31 votes, of which number there were cast:

"for the issuance of bonds and the levying of the tax in payment thereof" - - - - - 31 Votes.

"Against the issuance of bonds and the levying of the tax
in payment thereof" ----- 0 Votes.

AND IT APPEARING TO THE COURT from said returns that a majority of the legally qualified property taxpaying voters of said District, voting at said election, voted (b) for the issuance of said bonds, the Court does hereby declare the proposition for the issuance of said bonds to have been (c) Adopted, (d) and that this Court is authorized to issue said bonds and to levy and to have assessed and collected said tax.

ORDER AUTHORIZING THE ISSUANCE OF BONDS IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS I IN THE COMMISSIONERS' COURT
COUNTY OF UPSHUR I OF UPSHUR COUNTY:

On this, the 14th day of March A.D. 1938, the Commissioners' Court of Upshur County, Texas, convened in regular session, at a Regular term, the following members thereof, to-wit:

J.P. MABERRY, County Judge.

W. I. RICH, Commissioner, Precinct No. 1.

W. C. HENDERSON, Commissioner, Precinct No. 2

J. P. DAVIS, Commissioner, Precinct No. 3.

Commissioner Precinct No. 4.

being present, and, among other proceedings, passed the following order:

WHEREAS, at an election held for the purpose on the 5th day of March A.D. 1938, a majority of the legally qualified resident property taxpaying voters of (a) West Mountain Common School District No. 30 of this County having at said election voted in favor of the issuance of the bonds hereinafter described and in favor of the tax hereinafter levied:

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY,

TEXAS:

1. That the bonds of said District to be called (a) "West Mountain Common School District No. 30 Schoolhouse Bonds" be issued on the faith and credit of said (a) West Mountain Common School District No. 30, of said County, for the purpose of (b) Building and equipping a Public Free School Building of Brick Material, within said district.

11. That said bonds shall be numbered consecutively from 1 to 20, inclusive, shall be of the denomination of (c) Seven Hundred and Fifty and no/100 (\$750.00) Dollars each, aggregating Fifteen Thousand and no/100 (\$15,000.00) Dollars.

111. That said bonds shall be dated (d) the 1st day of April 1938, shall become due and payable serially as follows (e); \$750.00 on the 1st. day of April 1939 and \$750.00 on the 1st day of April each year thereafter to and including the year 1958. but (f) bonds numbered, both inclusive, may be redeemed at the pleasure of said District at any time after . . . years from their date.

IV. That said bonds shall bear interest at the rate of (g) 4 per centum per annum, payable (h) annually on the 1st day of April of each year.

V. That the principal of and the interest on said bonds shall be payable upon presentation and surrender of bonds or proper coupons, in lawful money of the United States of America, at the office of the State Treasurer, Austin, Texas, or at office of County Treasurer of Upshur County, Texas, or at the Any Bank in Gilmer, Upshur County, Texas, Bank of (j) City of Gilmer, (k) Upshur Co., Tex. at the option of the holder.

VI. That the said bonds shall be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, and the seal of the Commissioners'

H46952r

Court shall be impressed upon each of them. The fac-simile signatures of the County Judge and the County Clerk may be printed or lithographed on the coupons.

VII. That the form of each of said bonds shall be substantially as follows:

No. 1 UNITED STATES OF AMERICA. STATE OF TEXAS. Dollars.
COUNTY OF UPSHUR. \$750.00

(a) West Mountain Common School District No. 30.

SCHOOLHOUSE BOND.

This is to certify that the County of Upshur in the State of Texas, for and on behalf of (a) West Mountain Common School District No. 30, of said County, hereby promises to pay to bearer on the 1st day of April A.D. 1939, the sum of Seven Hundred Fifty and no/100 (\$750.00) Dollars in lawful money of the United States of America, together with interest thereon from the date hereof at the rate of (g) 4 per centum per annum, interest payable (h) annually on the 1st day of April 1939, (i) and the 1st day of April of each year, principal and interest payable upon presentation and surrender of bond or proper coupon at the office of the State Treasurer, Austin, Texas, or at office of County Treasurer of Upshur County, Texas, or at the Any Bank of (j) in the City of Gilmer (k) Upshur County, Texas, at the option of the holder.

This bond is one of a series of Twenty (20) bonds, numbered consecutively from 1 to 20, inclusive, of the denomination of Seven Hundred Fifty (\$750.00) Dollars each, aggregating Fifteen Thousand and no/100 (\$15,000.00) Dollars, issued by the Commissioners' Court of said County on the faith and credit of (a) West Mountain Common School District No. 30, of said County for the purpose of (l) Building and equipping a Public Free School Building of Brick Material within said District, for said (a) West Mountain Common School District No. 30, under and by virtue of Chapter 13, Title 49, R.S. 1925, and amendments thereto, and the Constitution and laws of said State, and in pursuance of an order passed by the Commissioners' Court of Upshur County, Texas, which order in the Minutes of said Court.

(m) The said (a) West Mountain Common School District No. 30 has and hereby reserves the right to redeem this bond at any time after . . . years from its date by paying principal and accrued interest, and, in case the same shall be called in for redemption before maturity, notice thereof in writing shall be given by the President of the District Trustees of said (a) West Mountain Common School District No. 30 to the County Treasurer of said County at least thirty days before the date fixed for redemption, and, should this bond not be presented for redemption, it shall cease to bear interest from and after the date so fixed for redemption.

The date of this bond, in conformity with the order last above mentioned, is the 1st day of April A.D. 1938.

AND IT IS HEREBY CERTIFIED AND RECITED That all acts, conditions and things required to be done and performed precedent to and in the issuance of this bond have been properly done, happened and performed in regular and due form as required by law, and that the amount of this issue of bonds does not exceed and Constitutional or statutory limitation.

IN TESTIMONY WHEREOF, said Commissioners' Court of Upshur County, Texas, has caused the seal of said Court to be affixed hereto and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of the date last above named.

J.P. MABERRY, County Judge, Upshur County, Texas.

Countersigned: B. C. Elwell, County Clerk,

Registered: W. A. Lunsford, County Treasurer, Upshur County, Texas.

VIII. That the coupons attached to said bonds shall be substantially in the following form:

On THE 1st day of April A.D. 1939,

No. 1.

The County of Upshur, Texas, for and on behalf of and upon the faith and credit of (a) West Mountain Common School District No. 30, of said County, hereby promises to pay to bearer at the office of the State Treasurer, Austin, Texas, or at office of County Treasurer of Upshur County, Texas, or at the Any Bank of (i) Gilmer (j) Upshur Co., at the option of the holder, the sum of Thirty and no/100 (\$30.00) Dollars, being Twelve (12) months' interest on (a) West Mountain Common School District No. 30, Schoolhouse Bond No. one dated the 1st day of April A.D. 1938,

B. C. ELWELL,

J. P. MABERRY,

County Clerk, Upshur County, Texas.

County Judge, Upshur County, Texas.

\$30.00

IX. IT IS FURTHER ORDERED BY THE COURT that while said bonds, or any of them, are outstanding and unpaid, there shall be annually levied, assessed and collected, in due time, form and manner, a tax upon all the taxable property in said (a) West Mountain Common School District No. 30 of said County sufficient to pay the current interest on said bonds and create a sinking fund sufficient to pay each installment of the principal as the same becomes due, and to pay the interest on said bonds for the first year and to create a sinking fund with which to pay the principal to become due the first year, there is hereby levied a tax of (n) 45¢ cents on each One Hundred Dollars valuation of all taxable property in said District for the year (c) 1938, and the same shall be assessed and collected and applied to the purpose named.

CERTIFICATE AS TO BOUNDARIES.

We, Fred Covin County Superintendent of Upshur County, and B.C. Elwell, County Clerk of Upshur County, do hereby certify that the boundary lines of West Mountain County Common School District No. 30 have not been changed or in any manner enlarged, reduced, or varied, by any order of any court or board changing the boundary lines of this District No. 30 or changing the boundary lines or territory of any other school district, whereby the boundary lines or territory of this district were affected, or by any act of the Legislature changing the boundary lines or territory of this District No. 30 or by any act of the Legislature changing the boundary lines or territory of any other school district or creating any other school district, whereby the boundary lines or territory of this District No. 30 were affected, since this district was last established by order of Commissioners Court on 14th day of September 1914, which order is of record in Volume 4 page 554.

Fred Covin, County Superintendent of Upshur County, Texas.

B. C. Elwell, County Clerk of Upshur County, Texas.

Dated March 14, 1938.

CERTIFICATE OF THE CLERK OF THE COMMISSIONERS' COURT.

STATE OF TEXAS I

COUNTY OF UPSHUR I

I, B. C. ELWELL, Clerk of the County Court and Ex-officio of the Commissioners' Court of said County, do hereby certify that the above and foregoing copies of - -

(a) Petition to the County Judge for an election for issuance of building bonds;

(b) Certificate of the County Superintendent relative to the Tax levy

- (c) Statement of Indebtedness and Certificate of County Superintendent thereto
- (d) Certificate of the Tax Assessor showing taxable values of said District and certificate of the County Superintendent thereto;
- (e) Order of the County Judge on Petition for election;
- (f) Sheriffs' notice of election;
- (g) Sheriff's affidavit of posting of election netices;
- (h) Returns of election.
- (i) Presiding officers certificate as to the qualifications of voters;
- (j) Order of the Commissioners' Court canvassing the returns and declaring result of the election;
- (k) Order of the Commissioners' Court authorizing the issuance of bonds and levying the tax necessary to provide interest thereon and a sinking fund therefor;
- (l) Certificate of the County Superintendent as to Boundaries without change;

are true and correct copies of the originals now of record on file in my office.

111. I further certify that the order of the Commissioners' Court canvassing returns and declaring results of the election was passed on the 14th day of March A.D.1938, at a Regular term of said court a quorum being present, and appears of record in book 8 page 194, minutes of said court, and that the order authorizing the issuance of the bonds was passed at a Regular term of said court, and a quorum being present, and appears of record in book 8, page 199, said order having been duly signed by the County Judge and the members of said court.

B. C. Elwell, Clerk, County Court and ex-officio Clerk
Commissioners Court of Upshur County, Texas.

Seal

THE STATE OF TEXAS I
COUNTY OF UPSHUR I To - - The Commissioners Court of Upshur County, Texas:

The Upshur-Rural Electric Cooperative Corporation, a non-profit sharing Corporation, duly incorporated, chartered, existing and doing business under and by virtue of the laws of the State of Texas with its principal office and place of business in the City of Gilmer, Upshur County, Texas, hereby applies to your Honorable Court for right of way or easement privileges for the purpose of building, constructing, maintaining and operating power and/or electric lines on, across and along the public roads of Upshur County, Texas, and also upon, over and across all streets and alleys in any unincorporated town in said county for the purpose of transmitting electric energy to persons residing in the rural communities of said county who are not at this time receiving central station services.

H46952r

SHERIFF'S RETURN.

Came to hand on the 22 day of Jan. A.D. 1938, at . . . o'clock . . . M,
and executed on the 22 day of Jan. A.D. 1938, by posting a copy of the within citation for
ten days, exclusive of the day of posting, before the return day hereof, at the Court
House Door of Upshur County, Texas.

Fees: Posting citation - \$1.00 J. W. Bryce, Sheriff, Upshur County, Texas.

mileage. . . miles .10
\$1.10

Issued Jan. 22, 1938, B.C. Elwell, Clerk, By Edith Hogg, Deputy.
Filed Jan. 27, 1938,

ORDER TO SELL Lot No. 1 Block 52 Gilmer.

Motion made, seconded and carried that report of Otis T. Dunagan as below
be and is approved. Carried unanimously. Here follows copy of report.

TO THE HONORABLE COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS.

On the 22nd of January 1938, you appointed me commissioner to sell Lot No. 1
in Block No. 52 of the town of Gilmer, Upshur County, Texas, as shown by the map and plat
of said town.

That in pursuance to your order appointing me commissioner to sell said
property for the county, I gave notice by posting that in pursuance of your order and the
notice which I gave, I did on January 29, 1938, at 1:30 P.M. offer said property for sale
at the West door of the court house in the town of Gilmer, Upshur County, Texas, and
received one bid for said property. W.J. Green, of Gilmer.

The bid made by the W.J. Green, of Gilmer was the highest and only bid
received by me at the sale of said property, and I recommend that said property be sold to
the said W.J. Green. The said Otis T. Dunagan, as Commissioner, did on Jan. 29 1938, at
1:30 o'clock P.M. offer said property for sale at the court house door in Upshur County,
Texas, as required by the order of the court appointing him and in keeping with his notice
of sale. W.J. Green being the highest and only bidder at said sale, offered the sum of
\$10.00 in cash.

That upon motion of commissioner W.I. Rich, seconded by commissioner
W.C. Henderson, that Otis T. Dunagan, commissioner, be authorized, ordered and directed to
execute deed to said property in favor of W.J. Green of Gilmer for and in consideration
of \$10.00 to be paid by W.J. Green and delivered to Upshur County, Texas, said court unanimously
voted to so instruct the said Otis T. Dunagan.

Otis T. Dunagan Commissioner. "NOTICE". Notice is hereby given that
the commissioners' Court of Upshur County, Texas, has appointed me Commissioner to sell at
public auction to the highest bidder Lot No. 1 Block No. fifty-two (52), according to the
plat and plan of the town of Gilmer, in pursuance to said order and appointment, I will sell
to the highest bidder said property at the court house door of Upshur County, Texas, in the
town of Gilmer on saturday January 29, 1938, at 1:30 P.M. I reserve the right, however
to reject any and-or all bids. Possession to be given upon execution of deed.

Order authorized Otis T. Dunagan to execute deed. Be it remembered that
on this the 29 day of January, 1938, came onto be heard and considered the report of Otis
T. Dunagan, heretofore appointed by an order of this court commissioner to sell certain
property belonging to Upshur County, Texas, Viz: Lot No. 1 Block No. 52 according to the
plat and plan of the town of Gilmer.

It is ordered, adjudged and decreed by the commissioners' Court, in
regular session, that Otis T. Dunagan, heretofore appointed commissioner by said court to



Filed Jan. 29, 1938.

COUNTY HOME DEMONSTRATION AGENT.

COUNTY OF UPSHUR, Commissioners' Court of Upshur County, in session 1 . . Term A.D. 1938

Environ Biol Fish

1

45154

COUNTY OF UPSHUR. I, B. C. Elwell, Clerk of the County of Upshur County do hereby certify that the foregoing is a true and correct copy of the original order of the Commissioners' Court of Upshur County, Texas, passed on the 10th day of January 1938, as the same appears of record in my office in Book 8 page 187.

Seal B. C. Elwell, County Clerk.

ORDER TO LEASE LAND FOR GRAZING PURPOSES IN BAYLOR & THROCKMORTON COUNTIES.

THE STATE OF TEXAS |

COUNTY OF UPSHUR | On this the 22nd day of March, A.D. 1938, the Commissioners' Court of Upshur County, Texas, convening in special session, with the County Judge, J.P. Maberry, W.I. RICH, Commissioner of Precinct No. 1, W.C. Henderson, Commissioner of Precinct No. 2, J.P. Davis, Commissioner of Precinct No. 3, and M.O. Holmes, Commissioner of Precinct No. 4, of said county, and B.C. Elwell, County Clerk, present; when, among other business transacted, the following order was passed and made, to-wit:

Motion was duly made by Commissioner W.I. Rich and seconded by Commissioner M.O. Holmes, that the Commissioners' Court of Upshur County, Texas, having heretofore determined the advisability and necessity of leasing for grazing purposes only, the Upshur County School Lands lying and being situated in Baylor and Throckmorton Counties, Texas; and the highest and best offer for said lease having been W.H. Portwood, of Baylor County, Texas, as shown by bids recorded in the minutes of this court; that lease contract and agreement for grazing purposes, as hereinafter set forth, be entered into by and between Upshur County, Texas, acting by and through the Commissioners' Court of said County, and the said W.H. Portwood, which contract and agreement shall be as follows, to-wit:

THE STATE OF TEXAS |

COUNTY OF UPSHUR | KNOW ALL MEN BY THESE PRESENTS:

That his lease contract and agreement for grazing purposes, made and entered into by and between Upshur County, Texas, hereinafter referred to as Lessor, acting herein by and through the Commissioners' Court of Upshur County, Texas, pursuant to an order of said court duly made and entered upon the Minutes of said court on March 22, 1938, and W. H. Portwood, of Baylor County, Texas, hereinafter referred to as Lessee, and in consideration of the mutual promises and agreements herein set forth, WITNESSETH:

1. The said Upshur County, Texas, hereby leases and lets to the said W.H. Portwood for grazing purposes only, and for a term of five (5) years beginning on the 1st day of May, A.D. 1938, and ending on the 30th day of April, 1943, the following described lands, to-wit:

Lying in the counties of Throckmorton and Baylor and State of Texas, and being 17,712 acres of land, more or less, being the same land conveyed or patented to Upshur County by the State of Texas by patent numbers to-wit:

1st. Two leagues of land granted to the Commissioners' Court of Upshur County by patent No. 494, Vol. 11, dated July 5th, 1856, being Abstract No. 825 and to which patent and the record thereof in the general land office in Austin Texas reference is here made and said record is made a part hereof for full description of said land including field notes.

2nd. Two leagues of land situated in Baylor and Throckmorton Counties granted by the State of Texas to the Commissioners' Court of Upshur County by patent No. 722, Vol. 12, being Abstract No. 567 and to which patent and the record thereof in the General Land Office in Austin, Texas, reference is here made for further description and field notes and said record is made a part hereof for full description of said land. Said four leagues of land being known as Upshur County School land and located in Throckmorton and Baylor Counties.

11. The rental for such lease is and shall be the sum of forty-seven ⁶⁸(47) cents per acre per year, or a total of Forty-one thousand, six-hundred twenty-three and 20/100 (\$41,623.20) Dollars, payable in five equal annual installments of Eight Thousand Three Hundred Twenty-four and 64/100 (\$8,324.64) Dollars each, the first of said payments being due on or before the first day of May, A.D. 1938, and like annual payment being due on or

before the first day of May in each of the years 1939, 1940, 1941 and 1942, covering the respective twelve-month periods of this lease. All sums to be paid by Lessee hereunder are to be paid at Gilmer, Texas.

111. Failure upon the part of the said W.H. Portwood to pay any of said installments of rental when due hereunder shall entitle Upshur County, Texas, to forfeit the balance of the term of this lease at the option of said county, acting by and through its Commissioners' Court. In such event and in case said land shall then be let for grazing purposes for the remainder of the term herein mentioned, then and in such event the said W.H. Portwood shall be liable for the balance, if any, remaining as unpaid difference between the rental provided for in this lease and the amount for which said county may let such land for grazing purposes only in case of such forfeiture.

1V. All improvements heretofore made and now on the herein leased lands shall remain the property of Upshur County, Texas, and all improvements that may be made thereon by Lessee, his heirs and assigns, during the term of this lease, shall become the property of Upshur County, Texas, upon the expiration of this lease from any cause. This includes all fences, cross-fences, corrals and tanks, as well as any and all other improvements which may be now upon or may hereafter be made or placed upon said lands, all of which are intended to be covered hereby in the same manner as if fully, definitely and particularly set forth, itemized and described herein.

It is understood and agreed, however, in this connection, that if any outside fencing is necessary upon said lands, then and in said event Upshur County shall bear the reasonable cost thereof which may be deducted from any succeeding rental payment hereunder by Lessee, W. H. Portwood, in the event he does such fencing or causes it to be done. Provided, however, that no such charge shall be made against Upshur County without first the approval for such fencing being given by the Commissioners' Court of said Upshur County.

V. It is distinctly and expressly understood and agreed that Lessor, Upshur County, Texas, specifically reserves and excepts all oil, gas and other minerals in to, underlying and that may be produced from the above described lands, and all such oil, gas and other mineral rights are specifically excepted and reserved to the lessor county.

VI. The rights of Lessee hereunder shall be subordinate and subject to the rights of Upshur County, Texas, and its lessees and assigns, under any valid or subsisting lease or leases for oil, gas and other mining purposes, to mine, drill and explore the above described lands for oil, gas and other minerals and to produce, save, market and remove same therefrom, and to lay, erect, construct, build, maintain and operate such pipe lines, telephones and telegraph lines, houses and structures as may be necessary and proper for the drilling, mining and exploring of said lands for oil, gas and other mineral purposes, producing, saving, marketing and removing the same therefrom.

In no event, however, shall any such mineral lessee from the lessor county, or the heirs or assigns of such mineral lessee, have the right to use water on the above described lands from any water hole, wells, creeks or tanks now on said land or which may be constructed thereon by lessee, W. H. Portwood, or his heirs or assigns.

It is understood and agreed by the parties hereto that Lessee shall have the right to sub-let all or any portion of the above described premises for grazing purposes only, and that all the covenants, terms and conditions of this lease shall extend, apply to and firmly bind the heirs, successors and assigns of the respective parties hereto as fully as the respective parties are themselves bound; but that no sub-lease or assignment by the Lessee shall in any manner release him from his liability and obligation to pay the rentals provided for by this lease.

IN TESTIMONY WHEREOF these presents are executed in triplicate, either copy of which shall have all the force and effect of an original, on this the 22nd day of March A.D. 1938.

J.P. MABERRY, County Judge, Upshur County, Texas.

W. I. RICH, Commissioner, Precinct No. 1

W. C. HENDERSON, Commissioner, Precinct No. 2

J.P. DAVIS, Commissioner, Precinct No. 3.

M. O. HOLMES, Commissioner, Precinct No. 4

Forming and Constituting the Commissioners' Court of Upshur County, Texas, and acting for and in behalf of said County:

LESSOR

W. H. PORTWOOD, LESSEE.

THE STATE OF TEXAS

I

COUNTY OF UPSHUR

I

BEFORE ME, the undersigned authority, on this day personally appeared J.P. Maberry, County Judge of Upshur County, Texas, W. I. Rich, Commissioner of Precinct No. 1, W.C. Henderson, Commissioner of Precinct No. 2, J.P. Davis, Commissioner of Precinct No. 3, and M.O. Holmes, Commissioner of Precinct No. 4, of said county, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that he executed the same for the purposes therein stated, and in capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22nd day of March, A.D. 1938.

Seal

Edith Hogg, Notary Public, Upshur County, Texas.

THE STATE OF TEXAS

I

COUNTY OF UPSHUR

I

BEFORE ME, the undersigned authority, on this day personally appeared W. H. Hereford, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22nd day of March, A.D. 1938.

Edith Hogg, Notary Public,

Seal

Upshur County, Texas.

After discussion, said motion was duly voted upon and adopted, the members of the Commissioners' Court voting as follows: Commissioners W.I. Rich, W.C. Henderson, J.P. Davis, and M.O. Holmes each voted "Aye". Said motion was thereupon duly declared to have been adopted.

It is, therefore, Ordered by the Commissioners' Court of Upshur County, Texas, that lease contract and agreement for grazing purposes be entered into by and between Upshur County, Texas, acting by and through the Commissioners' Court of said County, and the said W.H. Portwood, which contract and agreement will be as above set forth.

J.P. MABERRY, County Judge, Upshur County.

W. I. RICH, Commissioner, Precinct No. 1.

W.C. HENDERSON, Commissioner, Precinct No. 2

J.P. DAVIS, Commissioner, Precinct No. 3.

M.O. HOLMES, Commissioner, Precinct No. 4.

Filed March 22, 1938.

GRAZING LEASE CONTRACT - BAYLOR AND THROCKMORTON COUNTIES.

THE STATE OF TEXAS

I

COUNTY OF UPSHUR

I

KNOW ALL MEN BY THESE PRESENTS:

That this lease contract and agreement for grazing purposes, made and entered into by and between Upshur County, Texas, hereinafter referred to as Lessor, acting herein

by and through the Commissioners' Court of Upshur County, Texas, pursuant to an order of said court duly made and entered upon the Minutes of said court on March 22, 1938, and W.H. Portwood of Baylor County, Texas hereinafter referred to as Lessee, and in consideration of the mutual promises and agreements herein set forth, WITNESSETH:

1. The said Upshur County, Texas, hereby leases and lets to the said W.H. Portwood for grazing purposes only, and for a term of five (5) years beginning on the 1st day of May, A.D. 1938, and ending on the 30th day of April, 1943, the following described lands, to-wit:

Lying in the Counties of Throckmorton and Baylor and State of Texas, and being 17,712 acres of land, more or less, being the same land conveyed or patented to Upshur County by the State of Texas by patent numbers to-wit:

1st. Two leagues of land granted to the Commissioners' Court of Upshur County by patent No. 494, Vol. 11, dated July 5th, 1856, being Abstract No. 825 and to which patent and the record thereof in the general land office in Austin Texas reference is here made and said record is made a part hereof for full description of said land including field notes.

2nd. Two leagues of land situated in Baylor and Throckmorton Counties granted by the State of Texas to the Commissioners' Court Upshur County by patent No. 722, Vol. 12, being Abstract No. 567 and to which patent and the record thereof in the General Land Office in Austin, Texas, reference is here made for further description and field notes and said record is made a part hereof for full description of said land. Said four leagues of land being known as Upshur County School land and located in Throckmorton and Baylor Counties.

11. The rental for such lease is and shall be the sum of forty-seven (47¢) cents per acre per year, or a total of Forty-one thousand, six hundred twenty-three and 20/100 (\$41,623.20) Dollars, payable in five equal annual installments of Eight Thousand Three Hundred Twenty-four and 64/100 (\$8,324.64) Dollars each, the first of said payments being due on or before the first day of May, A.D. 1938, and like annual payment being due on or before the first day of May in each of the years 1939, 1940, 1941 and 1942, covering the respective twelve-month periods of this lease. All sums to be paid by Lessee hereunder are to be paid at Gilmer, Texas.

111. Failure upon the part of the said W.H. Portwood to pay any of said installments of rental when due hereunder shall entitle Upshur County, Texas, to forfeit the balance of the term of this lease at the option of said county, acting by and through its Commissioners' Court. In such event and in case said land shall then be let for grazing purposes for the remainder of the term herein mentioned, then and in such event the said W.H. Portwood shall be liable for the balance, if any, remaining as unpaid difference between the rental provided for in this lease and the amount for which said county may let such land for grazing purposes only in case of such forfeiture.

1V. All improvements heretofore made and now on the herein leased lands shall remain the property of Upshur County, Texas, and all improvements that may be made thereon by Lessee, his heirs and assigns, during the term of this lease, shall become the property of Upshur County, Texas, upon the expiration of this lease from any cause. This includes all fences, cross-fences, corrals and tanks, as well as any and all other improvements which may be now upon or may hereafter be made or placed upon said lands, all of which are intended to be covered hereby in the same manner as if fully, definitely and particularly set forth, itemized and described herein.

It is understood and agreed, however, in this connection, that if any outside fencing is necessary upon said lands, then and in said event Upshur County shall bear the reasonable cost thereof which may be deducted from any succeeding rental payment hereunder

H46952r

by Lessee, W.H. Portwood, in the event he does such fencing or causes it to be done.

Provided, however, that no such charge shall be made against Upshur County without first the approval for such fencing being given by the Commissioners' Court of said Upshur County.

V. It is distinctly and expressly understood and agreed that Lessor, Upshur County, Texas, specifically reserves and excepts all oil, gas and other minerals in, to, underlying and that may be produced from the above described lands, and all such oil, gas and other mineral rights are specifically excepted and reserved to the lessor county.

VI. The rights of Lessee hereunder shall be subordinate and subject to the rights of Upshur County, Texas, and its lessees and assigns, under any valid or subsisting lease or leases for oil, gas and other mining purposes, to mine, drill and explore the above described lands for oil, gas and other minerals and to produce, save, market and remove same therefrom, and to lay, erect, construct, build, maintain and operate such pipe lines, telephones and telegraph lines, houses and structures as may be necessary and proper for the drilling, mining and exploring of said lands for oil, gas and other mineral purposes, producing, saving, marketing and removing the same therefrom.

In no event, however, shall any such mineral lessee from the lessor county, or the heirs or assigns of such mineral lessee, have the right to use water on the above described lands from any water hole, wells, creeks or tanks now on said land or which may be constructed thereon by lessee, W.H. Portwood, or his heirs or assigns.

It is understood and agreed by the parties hereto that Lessee shall have the right to sub-let all or any portion of the above described premises for grazing purposes only, and that all the covenants, terms and conditions of this lease shall extend, apply to and firmly bind the heirs, successors and assigns of the respective parties hereto as fully as the respective parties are themselves bound; but that no sub-lease or assignment by the Lessee shall in any manner release him from his liability and obligation to pay the rentals provided for by this lease.

IN TESTIMONY WHEREOF these presents are executed in triplicate, either copy of which shall have all the force and effect of an original, on this the 22nd day of March, A.D. 1938.

J.P. MABERRY, County Judge, Upshur County, Texas.
W. I. RICH, Commissioner, Precinct No. 1.
W.C. HENDERSON, Commissioner, Precinct No. 2.
J.P. DAVIS, Commissioner, Precinct No. 3.
M.O. HOLMES, Commissioner, Precinct No. 4

Forming and Constituting the Commissioners' Court of Upshur County, Texas, and acting for and in behalf of said county;

LESSOR

W. H. PORTWOOD, LESSEE.

THE STATE OF TEXAS

COUNTY OF UPSHUR

I BEFORE ME, the undersigned authority, on this day personally appeared J.P. Maberry, County Judge of Upshur County, Texas, W. I. Rich, Commissioner of Precinct No. 1, W.C. Henderson, Commissioner of Precinct No. 2, J.P. DAVIS, Commissioner of Precinct No. 3, and M.O. Holmes, Commissioner of Precinct No. 4, of said county, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that he executed the same for the purposes therein stated, and in capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22nd day of March, A.D. 1938.

Seal

Edith Hogg, Notary Public, Upshur County, Texas.

THE STATE OF TEXAS

COUNTY OF UPSHUR

I BEFORE ME, the undersigned authority, on this day personally appeared W. H. Portwood, known to me to be the person whose name is subscribed to the foregoing

10

10/10/2017

12345678910111213141516171819202122232425262728293031323334353637383940414243444546474849505152535455565758596061626364656667686970717273747576777879808182838485868788899091929394959697989910010110210310410510610710810911011111211311411511611711811912012112212312412512612712812913013113213313413513613713813914014114214314414514614714814915015115215315415515615715815916016116216316416516616716816917017117217317417517617717817918018118218318418518618718818919019119219319419519619719819920020120220320420520620720820921021121221321421521621721821922022122222322422522622722822923023123223323423523623723823924024124224324424524624724824925025125225325425525625725825926026126226326426526626726826927027127227327427527627727827928028128228328428528628728828929029129229329429529629729829930030130230330430530630730830931031131231331431531631731831932032132232332432532632732832933033133233333433533633733833934034134234334434534634734834935035135235335435535635735835936036136236336436536636736836937037137237337437537637737837938038138238338438538638738838939039139239339439539639739839940040140240340440540640740840941041141241341441541641741841942042142242342442542642742842943043143243343443543643743843944044144244344444544644744844945045145245345445545645745845946046146246346446546646746846947047147247347447547647747847948048148248348448548648748848949049149249349449549649749849950050150250350450550650750850951051151251351451551651751851952052152252352452552652752852953053153253353453553653753853954054154254354454554654754854955055155255355455555655755855956056156256356456556656756856957057157257357457557657757857958058158258358458558658758858959059159259359459559659759859960060160260360460560660760860961061161261361461561661761861962062162262362462562662762862963063163263363463563663763863964064164264364464564664764864965065165265365465565665765865966066166266366466566666766866967067167267367467567667767867968068168268368468568668768868969069169269369469569669769869970070170270370470570670770870971071171271371471571671771871972072172272372472572672772872973073173273373473573673773873974074174274374474574674774874975075175275375475575675775875976076176276376476576676776876977077177277377477577677777877978078178278378478578678778878979079179279379479579679779879980080180280380480580680780880981081181281381481581681781881982082182282382482582682782882983083183283383483583683783883984084184284384484584684784884985085185285385485585685785885986086186286386486586686786886987087187287387487587687787887988088188288388488588688788888989089189289389489589689789889990090190290390490590690790890991091191291391491591691791891992092192292392492592692792892993093193293393493593693793893994094194294394494594694794894995095195295395495595695795895996096196296396496596696796896997097197297397497597697797897998098198298398498598698798898999099199299399499599699799899910001001100210031004100510061007100810091010101110121013101410151016101710181019102010211022102310241025102610271028102910301031103210331034103510361037103810391040104110421043104410451046104710481049105010511052105310541055105610571058105910601061106210631064106510661067106810691070107110721073107410751076107710781079108010811082108310841085108610871088108910901091109210931094109510961097109810991100110111021103110411051106110711081109111011111112111311141115111611171118111911201121112211231124112511261127112811291130113111321133113411351136113711381139114011411142114311441145114611471148114911501151115211531154115511561157115811591160116111621163116411651166116711681169117011711172117311741175117611771178117911801181118211831184118511861187118811891190119111921193119411951196119711981199120012011202120312041205120612071208120912101211121212131214121512161217121812191220122112221223122412251226122712281229123012311232123312341235123612371238123912401241124212431244124512461247124812491250125112521253125412551256125712581259126012611262126312641265126612671268126912701271127212731274127512761277127812791280128112821283128412851286128712881289129012911292129312941295129612971298129913001

10

10

1997

10

1992



2

10

100

[illegible]

FEBRUARY 14, 1938.

Commissioners Court met in Regular session, County Judge & all Commissioners being present.

DR. MADISON RAGLAND. Motion made, seconded & carried that Warrant be issued to Dr. Madison Ragland in the Henry Case for the sum of \$75.00 and clerk authorized to issue on General Fund.

J.M. CHEATHAM. Motion made, seconded & carried that J.M. Cheatham, suffering from cancer of the rectum be allowed \$50.00 as part of Hospital fee at Baylor and Clerk authorized to issue warrant on General Fund to O.G. Sanders, who will take same to Bayor Hospital.

C.C. COPPEDGE. Motion made, seconded & carried that C.C. Coppedge be appointed as Justice Peace Prec. #2 to fill unexpired term of Gus McKinney. Paul Ferguson having formerly been appointed and refusing to qualify. This appointment to become effective when Bond made and other qualifications met.

MYRTIS AMOS. Resignation of Miss Myrtis Amos as Cler- stenographer in Home Demonstration effective on March 1st 1938 accepted and on request of Miss Lorine Stevens H.D. Agent. Miss Ruby Bogue was employed to take her place at Salary of \$75.00 per month beginning March 1st, 1938.

LOVE BEE CARDWELL. Motion made, seconded & carried that \$25.00 be allowed to give Pelegra serum to Love Bee Cardwell same to be given by some competent physician (Dr. Childress) and bill presented to County. Clerk instructed to pay from GENERAL FUND.

A.F. BICKERDIKE & SON. Motion made, seconded & carried that A.F. Bickerdike & son be paid \$750.00 on contract planting lawn. Clerk instructed to issue Warrant on C&J Fund.

FRITCHETT & ABBOTT. Motion made, seconded & carried that Fritchett & Abbott be paid \$1761.78 balance due on 1937 contract and \$3000.00 on 1938 contract. Clerk instructed to issue warrant on County Bond Fund.

ELECTION JUDGES. Motion made, seconded & carried that the following election judges & Managers be named by the Court for the year 1938 and that the voting boxes of Upshur be named, numbered as shown below.

No.	NAME	JUDGE	MANAGER
1-	S.E. GILMER	J.C. McDonald	Fletcher Lovell
2-	N.E. GILMER	Will Cook	Otis Phillips
3-	S.W. GILMER	W.E. Quinn	B.F. Davis
4-	N.W. GILMER	L.G. Martin	W.P. Duncan
5-	GLENWOOD	T.V. Kinnard	Dewey Webb
6-	LAFAYETTE	Will Lindsey	John Douglas
7-	BIG SANDY	Pat Murphy	T.M. Smith
8-	GRACETON	Tom Camp	Obie Oliver
9-	WEST MOUNTAIN	R.M. Smith	Usco Mackey
10-	GRICE	J.T. Allen	Tommie Burnett
11-	BETTIE	J.T. Whitworth	O.B. Winn
12-	EWELL	A.E. Bradshaw	J.R. Brison
13-	SIMPSONVILLE	Thea Spencer	Gal Reaves
14-	SHADY GROVE	W.R. Snow	A.T. Hill
15-	FRITCHETT	Alvin Robertson	Walter Gaston
16-	ROCKY	E. Purdue	J.D. Loyd
17-	KELSEY	Johnie Futrell	J.C. Wade, Jr.

Continued on next page

Experiments

10



10

1

10

1

10

10

~~EHEHENEHE HE HENHENENHNENE NEHNEHENEHNENEHNEHN EN ENE HENEHENEHENEH NEE HENHENEHENEH NEH NEH~~

FEBRUARY 28, 1938.

Commissioners Court met in Special Session, County Judge Maberry, Commissioners W.I. Rich, and W.C. Henderson being present for purpose of opening bids, on car for Sheriff's Department. There being only one bid, that of Long Motor Co. same was opened and bid of \$785.00 on 1938 Tudor 85 HP Motor fully equipped with spare wheel and tire, oil both air cleaner, full of gas & oil delivered F.O.B. Gilmer, Texas, allowance of \$385.00 on 1937 Ford Tudor leaving a balance of \$400.00 in cash, accepted and Clerk authorized to issue warrant on General Fund for the \$400.00 to Long Motor Co. when Sheriff receives car.

CORA THOMAS ESTATE. Motion made, seconded & carried that valuation on 87 acres of Joseph Walker H.R. rendered on rolls in name of Cora Thomas Estate for years 1931 to 1937 inclusive be reduced from valuation as now shown to a valuation of \$500.00 for each of above years instead of \$700.00 for 1931- \$600.00 for 1933, and \$600.00 for 1934 thus making the yearly valuation \$500.00 for each year from 1931 to 1937 inclusive. Collector so instructed.

J. P. MABERRY
W. I. RICH,
W. C. HENDERSON
J. P. DAVIS
M. O. HOLMES

[illegible]

March 14, 1938.

Commissioners Court met in Regular Session. County Judge and all Commissioners being present.

J.W. SHARP. Motion made, seconded and carried that valuation on 40 acres of land in E.L. Ratcliff H.R. rendered on rolls of 1931, 1932, 1933, 1934 for \$360.00 in name of J.W. Sharp be reduced for these years to \$240.00. Collector so authorized.

HIGHWAY NO. 149. Motion made, seconded and carried that right of way for Highway #149 as per deed filed and being filed for record be paid for as follows- J.A. Ferguson for moving & rebuilding Garage and Deed \$50.00. W.J. Oliver for Deed \$100.00 W.S. Jones for Deed \$75.00; Wm. Shuttlesworth for Deed \$50.00, S.T. Bule for Deed \$140.70, G.B. Stanley for Deed \$100.00, W. A. Jones for Deed \$75.55 G.M. Thornton for Deed \$100.00. Clerk authorized to issue warrants on R&B Fund.

LEASING BAYLOR AND THROCKMORTON COUNTY LANDS FOR GRAZING. Matter of leasing County School land came up-- Prices on same on acreage bases were received from L.T. Mackey at 31¢ Portwood at 47¢, Elliott at 40¢ on Baylor County part, Hunt on Throckmorton County part at 40¢, Bid of Portwood on the whole at 47¢ per acre per year being the best & highest. Accepted pursuant to contract.

W.I. RICH. Motion made, seconded that W.I. Rich be allowed \$20.00 as expense on trip to Seymour in interest of County School land. Clerk authorized to issue on General Fund.

HAMILTON LEASE VALUATION. Motion made, seconded & carried that valuation on Hamilton lease carried on rolls for years 1934 at \$8000.00, 1935 at 1490.00, 1936 at 7200.00 be reduced for 1934 to 4000.00 for 1935, 6500.00 1936 to 4000.00. Collector so instructed.

W. S. SMITH. Motion , made, seconded and carried that warrant be issued to W.S. Smith for \$6.00 on R & B 4 fund, for checking gravel.

A.B. WILSON. Motion made, seconded and carried that warrant be issued to A.B. Wilson for \$39.60 on R&B 3 Fund for dirt, placed on Seago dump.

J.P. MABERRY,
W.C. HENDERSON,
J.P. DAVIS,
M.O. HOLMES
W.I. RICH

J.P. MABERRY,
W. C. HENDERSON,
J.P. DAVIS,
W.I. RICH
M.O. HOLMES.

RAGLANDS CLINIC. Motion made, seconded and carried that Ragland's Clinic be allowed \$50.00 on presentation of bill, on operation for acute appendicitis on wife of George Briggs..

S.B. HENRY. Application of S.B. Henry for \$15.00 to held pay balance hospital bill on his boy. Check to be made to T. Mullinix as he had advanced the money on absence of Commissioners Court. Clerk authorized to issue on General Fund.

March 22, 1938.

BONNER MEMORIAL COUNTY HOME LEASE. Matter of valuation on Bonner Memorial Co. Home lease came up on request of Emerson V. Smith, Trustee in Bankruptcy for the Tri Oil Co. Motion made, seconded & carried that valuation as shown on rolls for years 1933 to 1936 inclusive be reduced from \$2000.00 for 1933, \$8750.00 for 1934, \$10,360.00 for 1935; and \$7890.00 for 1936 to the values of \$1000.00 for 1933, \$4375.00 for 1934; \$5180.00 for 1935, and \$3945.00 for 1936; and Tax Collector is so instructed.

J.P. MAHERRY,
W.I. RICH
W.C. HENDERSON,
J.P. DAVIS
M.O. HOLMES

GRICE COMMON SCHOOL DISTRICT #13- GYMNASIUM BONDS. VOTED MARCH 23. 1938.

PETITION FOR ELECTION FOR ISSUANCE OF BONDS.

THE STATE OF TEXAS. I

COUNTY OF UPSHUR I TO THE HONORABLE COUNTY JUDGE OF UPSHUR COUNTY:

We, the undersigned qualified property taxpaying voters of Grice Common School District No. 13 in Upshur County, (1) . . . pray that an election be ordered to be held in said district to determine whether a majority of the legally qualified property taxpaying voters of said district desire the issuance of bonds, numbered consecutively from one to 20, both inclusive, of the denomination of (a) \$125.00 each, aggregating (b) \$2500.00, to bear interest at the rate of (c) 4 per cent per annum, payable annually on 10th of April of each year, said bonds to be payable serially as follows, to-wit: \$125.00 Dollars on the 10 day of April 1939, and \$125.00 Dollars on the 10 day of April 1940, each and every year thereafter to and including the year 1958; on the faith and credit of said common school district, for the purpose of (f) constructing a gymnasium of wooden material, and to determine whether the commissioners' court of said county shall be authorized to levy, assess and collect annually while said bonds, or any of them, are outstanding, a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity.

Dated this 1 day of March 1938.

A. D. FINNEY
J. S. DACUS

KATE FINNEY
VINA BARTON

J.T. ALLEN
T.H. BURNETT
LEE RENSHAW
LAMON CROSS
M.C. COOK
B. A. FLOYD
E.E. BARTON
J.L. TURNER
ANNIE CROSS
EURA DACUS

W. D. BURNETT
J.H. RIGGS
W.A. DACUS
ADA LARUE
EMMA BURNETT
A.C. KEENINGTON
D. M. DACUS
VIOLA COOK
MYRTIS DACUS

COUNTY SUPERINTENDENT'S CERTIFICATE TO RATE OF BOND TAX. IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS I

COUNTY OF UPSHUR I TO THE HONORABLE COMMISSIONERS' COURT OF UPSHUR COUNTY:

I, Fred Covin, County Superintendent of Upshur County, Texas, do hereby certify:

1. That at a meeting of the District Trustees of (a) Grice Common School District No. 13, in said County, on the 1 day of March A.D. 1938; in which meeting I was present and participated, it was shown that the valuation of all taxable property in said District, according to the latest tax rolls of said County, was

REAL PROPERTY - - - - - \$45,010.00

PERSONAL PROPERTY - - - - - 3,460.00

TOTAL \$48,470.00

2. And that an issue of bonds for said District in the amount of \$2,500.00, running 20 years and bearing 4 per centum interest, would require an annual tax of and at the rate of (b) 50¢ cents on the One Hundred Dollars valuation of all taxable property within said District to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity.

DATED THIS 1st day of March A.D. 1938.

FRED COVIN, County Superintendent of Upshur
County, Texas.

STATEMENT OF INDEBTEDNESS. (WITHOUT DEBT) IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS I (a) Grice Common School

COUNTY OF UPSHUR I District No. 13.

I, A.D. Finney, Secretary of the District Trustees of (a) Grice Common School District No. 13, of said County, hereby certify:

1. That no bonds have heretofore been issued by or on behalf of or on the faith and credit of said District:

2. That said District has not heretofore contracted and does not owe any debt of any description whatever; and

3. That the proposed \$2,500.00 of (a) Grice Common School District No. 13, Schoolhouse Bonds, when issued, will constitute the entire indebtedness of said District.

DATED this 1 day of March, A.D. 1938.

A.D. FINNEY, Secretary of District Trustees of (a)
Grice Common School District No. 13 of Upshur County, Texas.

I, Fred Covin, County Superintendent of Upshur County, Texas, do hereby certify that the above and foregoing Statement is true and correct according to the records of my office.

DATED this 1st day of March A.D. 1938.

Fred Covin, County Superintendent of
Upshur County, Texas.

TAX ASSESSOR'S CERTIFICATE TO TAXABLE VALUES. IN COMMON SCHOOL DISTRICT.

THE STATE OF TEXAS |

COUNTY OF UPSHUR | I, Allen McClelland, Tax Assessor of Upshur County, Texas, respectfully represent:

1. That I have carefully examined the latest approved tax rolls of said County to ascertain the amount of taxable property of (a) Grice Common School District No. 13, of said County;

2. That I find and so certify that according to the tax rolls of said County for the year 1937, which are the latest approved rolls of the County, the total assessed valuation of real property situated and personal property owned in said District, is as follows:

REAL PROPERTY	- - - - -	\$45,010.00
PERSONAL PROPERTY	- - - - -	3,460.00
TOTAL		\$48,470.00

(b) 3. And I further certify that no intangible, rolling stock or other properties not authorized by law to be taxed for District purposes are included in this statement.

ALLEN MCCLELLAND, Tax Assessor. Upshur County, Texas.

I, Fred Govin, County Superintendent of Upshur County, Texas, certify that there is on file in my office an abstract of taxable property for (a) Grice Common School District No. 13, of Upshur County, Texas, and that it shows the facts as follows:

REAL PROPERTY	- - - - -	\$45,010.00
PERSONAL PROPERTY	- - - - -	3,460.00
TOTAL		\$48,470.00

And I further certify that there is authorized in said District 50 cents tax rate for MAINTENANCE PURPOSES and 50 cents tax rate FOR BOND PURPOSES.

FRED GOVIN, County Superintendent of Upshur
County, Texas.

COUNTY JUDGE'S ORDER.

THE STATE OF TEXAS, |

COUNTY OF UPSHUR | Whereas, on the 1st day of March 1938, a petition was presented to me for an election in Grice Common School District No. 13 of this County on the question of issuing bonds for the purpose of (a) Constructing a Gymnasium of wooden material and authorizing a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity, said petition bearing the requisite number of signatures of property taxpaying voters of said district and being in every respect in conformity with law; and, it appearing that Upshur County, contains a population of 25,000 according to the last United States Census; and

It further appearing that said Grice Common School District No. 13 has been heretofore properly established; and

It further appearing that said district as so established contains an area of 16 square miles, and that no other district has been reduced in area below nine square miles by reason of the creation of this district; and (b) / / . . .

It further appearing that said district No. 13 does not embrace any territory that was taken from any other school district (either common or independent), that had an outstanding issue of bonds at the date of such inclusion in this district except as follows, to-wit:

H46952r

Now, therefore, I, J.P. Maberry, in my capacity as county judge of Upshur County, Texas, do hereby order that an election be held on (c) 23 day of March 1938, at (d) School House in said Grice Common School District No. 13 of this County, to determine whether a majority of the legally qualified property taxpaying voters of that district desire the issuance of bonds on the faith and credit of said common school district in the amount of \$2500.00 the bonds to be of the denomination of \$125.00 each, numbered consecutively from one to Twenty, both inclusive, payable serially as follows, to-wit: One Hundred Twenty Five dollars on the 10th day of April 1939, and One Hundred Twenty Five Dollars on the 10th day of April each and every year thereafter to and including the year 1958 and bearing 4% per cent interest per annum, for the purpose of (e) Constructing a Gymnasium of wooden material and to determine whether the Commissioners' Court of this County shall be authorized to levy, assess and collect annually while said bonds or any of them are outstanding, a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal at maturity.

J.S. Dacus is hereby 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.

The ballots for said election shall have written or printed thereon the following:

"For the issuance of bonds and the levying of the tax in payment thereof."

"Against the issuance of bonds and the levying of the tax in payment thereof."

All persons who are legal qualified voters of this State and of this County and who are resident property taxpayers in said district shall be entitled to vote at said election.

The Sheriff of this County shall give notice of said election by posting three notices in three public places in the said district for three weeks before the election.

Dated 1st day of March 1938.

J.P. MABERRY, County Judge, Upshur County, Texas.

SHERIFF'S NOTICE OF ELECTION. FOR THE ISSUANCE OF SCHOOL BONDS.

THE STATE OF TEXAS, I

COUNTY OF UPSHUR I Notice is hereby given that an election will be held on the 23rd day of March 1938, at (a) School House in Grice Common School District No. 13 to determine whether a majority of the legally qualified property taxpaying voters of said district desire the issuance of bonds on the faith and credit of said common school district in the amount of \$2500.00 the bonds to be of the denomination of \$125.00 each, numbered consecutively from 1 to 20, both inclusive, payable serially as follows, to-wit: One Hundred Twenty Five dollars on the 10th day of April 1938, and One Hundred Twenty Five dollars on the 10th day of April each and every year thereafter to and including the year 1958; with option of redemption in their numerical order at any time after . . . years from their date and bearing Four per cent interest per annum, payable annually on 10th day of April of each year for the purpose of (b) Constructing a Gymnasium of wooden material. and to determine whether the commissioners court of this county shall be authorized to levy, assess and collect annually while said bonds or any of them are outstanding a tax upon all taxable property within said district sufficient to pay the current interest on said bonds and to provide a sinking fund sufficient to pay the principal at maturity.

All persons who are legally qualified voters of this State and county and who are resident property taxpayers in said district shall be entitled to vote at said election, and all voters desiring to support the proposition to issue the bonds shall have written or printed on their ballots the words:

"For the Issuance of Bonds and the Levying of the Tax in Payment thereof."

And those opposed shall have written or printed on their ballots the words:

"Against the Issuance of Bonds and the Levying of the Tax in Payment thereof."

J.S. Dacus 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.

Said election was ordered by the county judge of this county by order made on the 1st day of March 1938, and this notice is given in pursuance of said order.

Dated the 1st day of March 1938.

J. W. BRYCE, Sheriff, Upshur County, Texas.

SHERIFF'S AFFIDAVIT.

Before me, the undersigned authority, on this day personally appeared J.W. Bryce known to me to be the Sheriff of Upshur County, Texas, and who after being by me first duly sworn, upon his oath, states:

That the above and foregoing notice of election is a true, full and exact copy of the three notices of election therein referred to which he, as such sheriff, made and posted in Grice Common School District No. 13 of said County:

That said notices were posted in three public places in said district, to-wit, one at J.T. ALLEN'S Store, one at Grice School House, and one at Scarboroughs Blacksmith Shop on the 2 day of March 1938, which was twenty-one full days before the date of said election.

J. W. BRYCE, Sheriff

Sworn to and subscribed before me this 3 day of March 1938.

Seal

Lee L. Johnson.

RETURNS OF BOND ELECTION. IN COMMON SCHOOL DISTRICT.

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

We, the undersigned officers, holding an election on the 23 day of March, A.D. 1938, in (a) Grice Common School District No. 13, of said County, on the question of issuing \$2500.00 of Schoolhouse Bonds for said District, running 20 years and bearing 4 per centum interest, and levying a tax upon all taxable property within said District sufficient to pay the current interest on said bonds and provide a sinking fund sufficient to pay the principal as the same becomes due.

HEREBY CERTIFY that at said election there were cast 47 votes, of which number there were cast:

"FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" - - 40 votes

"AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" - 7 Votes.

MAJORITY (b) for the issuance of bonds and the levying of the tax in payment thereof 33 votes.

That the polls for said election opened at 8 o'clock A.M. and closed at 6 o'clock P.M. We herewith enclose poll list and tally sheet of said election.

SIGNED THIS, the 23 day of March A.D. 1938.

J. S. DACUS, Presiding officer.
P.V. MULLINIX, Judge