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Southwestern Telegraph and Telephone Co. DALLAS, TEXAS

An Ordinance.

An Ordinance prohibiting the erection, construction, or building, of any wooden building, or structure of any description, except it be of Brick, Concrete, Rock or Stone, within the hereinafter described territory; and prohibiting the moving of any wooden building, now within said fire limits, or without said fire limits to any place within the same, or to repair, or improve any wooden building now within said fire limits with shingles, or any other combustible material

in case of damage or decay without first having obtained a permit from the city council of the city of Eagle Lake, and providing a penalty therefore:

Be It Ordained by the city council of the city of Eagle Lake, Texas, that the territory hereinafter described shall be and is hereby declared to be the fire limits of the city of Eagle Lake, Colorado county Texas, on any part or parts of which it shall be unlawful for any person, firm, corporation or association of persons to erect, place, construct or build any wooden building or structure of any description, except that it be constructed of brick, concrete, or stone.

Beginning at a point on the S. line of the S. A. & A. P. Railway company's right of way, opposite the alley between the J. C. Westmoreland, and the McCarty property:

Thence with the S. line of the S. A. & A. P. Company's right of way to the intersection of the N. line of the G. H. & S. A. Railway Company's right of way.

Thence W. with the N. line of the S. A. & A. P. Company's right of way to a point opposite the dividing line between the Mrs. Susie Frazar property, and the Eldridge property, now owned by Mrs. Susie Frazar, E. to the intersection of Church Street:

Thence N. along Church Street, with the dividing line between the G. E. Boothe property, and the W. A. Dallas property to the L. J. Burger livery stable.

Thence S. along the line between the said livery stable and the W. A. Dallas property, to the N. line of the G. H. & S. A. Railway Company's right of way.

Thence in a Westerly direction along the N. line of the G. H. & S. A. Railway Company's right of way to a point opposite Callison Avenue:

Thence along said Avenue in a southerly direction across Main Street along said alley way hereinafter described to the place of beginning.

Be It Ordained by the city council of the city of Eagle Lake,

Colorado County, Texas: That it shall be unlawful for any person, firm, corporation or association of persons to move any wooden building now within, the said fire limits herein set forth, or without said fire limits, to any place within the same, or to overhaul, or to add to, or repair, or improve any wooden building within the fire limits, with shingles or any other combustible materials in case of damage by fire, or storms, or natural decay, without first having obtained a permit from the city council.

Any person, firm, corporation or association of person violating either of preceding ordinances, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$25.00 nor more than \$100.00. Each day that said structure shall remain on the premises shall be deemed and constitute a separate offense.

All ordinances and parts of ordinances in conflict herewith, be, and the same are hereby repealed.

E. L. MOONEY
H. E. CAREY
Ordinance Committee

NOTICE!

I will be out of the city from November first to twenty-first. I wish to thank all my friends and patients for the support they have given me during my stay here, and to ask them to give me a share of their dental work upon my return. With many thanks for the past, and best wishes for a future acquaintance, I am,

E. C. BECK, D. D. S.

Mrs. S. H. Nixon of Luling is the guest of her cousin, Mrs. G. A. Stoermer.

\$10.00 Reward.

For any person finding a gold watch, Elgin movements, 17 jewel, hunting case. Lost in Mr. Yates' field near Eldridge. Finder please return to Welford & Cooper's saloon and receive reward.

Plant strawberries after next heavy rains. Best plants at lowest prices at

Eagle Lake Nurseries.

LUMBER NOTICE

We have opened up a new lumber yard in Eagle Lake with a complete stock of

LUMBER-SHINGLES-SASH-DOORS
BLINDS-LIME-SAND-CEMENT
BUILDERS' HARDWARE

In fact we carry everything necessary to build any kind of a house

from the smallest to the largest. We cater to the wishes of the trade with the goods and the prices and solicit

to be a part of your business.

McMURRY LUMBER COMPANY

We are sorry to note that Mrs. A. Mersfelder is very ill at her home in this city. Her daughter, Mrs. May Dobbins, came up from San Benito Wednesday to be with her. Mr. Andrew Mersfelder of Glen Flora was also here this week to see his mother. Miss Kate Griffin of this city is visiting Miss Willie Dobbins at San Benito during Mrs. Dobbins' absence.



Warm Floors Insure the Children's Health

Cole's Hot Blast Heater on top of the fire burns the coal from the top—burns the gas, which is wasted with all other stoves. The force of this down draft forces the heat to the base which is made of steel—cannot burn out—and heats the floor.

Thousands of testimonials have been written regarding the base heating qualities of

Cole's Original Hot Blast Heater

The ideal heating stove is one which radiates all the heat thrown off from the fuel—into the room—instead of letting it go up the chimney.

The durable heater is the one which will withstand the severe use, year after year, which a heating stove is necessarily subjected to. Sheet steel is used for the body of the heater and is used as radiating surface only in Cole's Hot Blast heater. It gives over the heat to the room and the chimney only from quality gray cast iron is used.

Cast iron withstands the wear of the heat from active combustion better than any other material, and the large, sensitive, sheet metal body and base radiate all the heat into the room.

Burns Soft Coal, Slack, Lignite, Hard Coal, Wood and lighter fuel.

Make your selection now.

Steady Even Temperature Day and Night. Price \$12.00 and upward According to Size and Finish.

The Frank Stephens Co.

Eagle Lake, Texas

To the Public!

On September 18th the grand jury returned an indictment against the Commissioners' Court, charging it with failure to perform certain duties imposed by law. The punishment of the members of that Court by fine, or even by removal with its stigma of disgrace, is a matter of little concern to the public, but the failure of an officer to perform his official duties is a proper matter of inquiry by every citizen of Colorado county. We therefore present the facts to the people, and let them be the judges. The indictment is as follows:

"The Grand Jurors for the County of Colorado, State of Texas, do hereby certify that on the 12th day of August, 1912, being the 14th day of May, 1912, being the 14th day of August, 1912, and beginning on the 14th day of May, 1912, and ending on the 14th day of August, 1912, the said County of Colorado, Texas, on or about the 12th day of August, A. D. 1912, and anterior to the presentment of this indictment, in the County of Colorado and State of Texas, as were then and there duly qualified County Commissioners of said Colo-

rado County, Texas, and as such Commissioners and County Judge they were members of and then and there constituted the Commissioners' Court of said County, and they did then and there, as such Commissioners unlawfully and willfully fail, neglect and refuse as it was then and there, their duty under the law to do, to make and cause to be made a tabular statement of the assets, expenditures and indebtedness of said County at each regular term of said Court, to-wit: At the August Term 1912, of said Court specifying therein the names of the creditors, and the items of indebtedness, and the names of persons to whom moneys had been paid with the amounts paid each, accompanied with a sworn affidavit in writing, setting out the cash and other assets made to and filed in said Court by E. C. Burtischell, County Treasurer of said County for the quarter ending the 12th day of August, 1912, and beginning on the 14th day of May, 1912, and ending on the 14th day of August, 1912, and the said County of Colorado, Texas, do hereby certify that the foregoing is a true and correct copy of the original indictment filed in said Court on the 18th day of September, 1912.

Given under my hand and the seal of said Court, at office in Columbus, this 18th day of September, 1912. W. C. Papenburg, Clerk."

It will be seen that the main body of the indictment is for an alleged failure to make a tabular statement at the August term of the court for the preceding quarter, as provided by Art. 399 penal code. In reply to this we will say, that this tabular report was made by Hon. John Hastedt, County Clerk, presented to the Commissioners' Court on August 13th, 1912, and duly approved by order entered on page 295, in volume 9 of the Minutes of court.

A copy of the statement was posted on the bulletin board of the court house where it yet remains, and the original is now on file in the Clerk's office where it was at the time the indictment was found. Upon examination of the records for many years back, our efficient clerk, Mr. Hastedt, has been unable to find a single instance where the Commissioners' Court ever failed to approve the report of the Finance Ledger, on the record date of each regular term, as the law provides.

In the same count, the latter portion of the indictment attempts to charge the Court with a failure to make and publish an affidavit of the approval of the Treasurer's quarterly report at the August term, as well as the civil statutes, requires this to be done when the Treasurer's report is approved. As a matter of fact this affidavit was not made, or published at the August term, for the reason that the Treasurer's report was not approved. The report was not approved for the reasons set forth in the order of the Court on August 17, as recorded on page 294 and 295 of Minute Book, Volume 9, which order is self-explanatory, and is as follows:

"This day came on to be considered the Quarterly report of County Treasurer E. C. Burtischell for the quarter ending August 12, 1912; and the court after carefully examining and checking the same upon the receiving and disbursing ledgers, and finding the accounts and report correct as to all statements therein made, entered its order of approval upon the various accounts and entries referred to in said report. But, the court further finding that there ought to have been in the county depository on the said 12th day of August in the various funds belonging to the county, the sum of \$22,802.75; and it further appearing that the depository at said time did not have said sum of money to the credit of the County Treasurer, but had the sum of \$17,782.95 only, which was \$5,019.75 short of the amount as shown by the said report and books;

Foreman of the Grand Jury.

The State of Texas, County of Colorado (H. W. C. Papenburg, Clerk of the District Court of Colorado County, Texas, do hereby certify that the foregoing is a true and correct copy of the original indictment filed in said Court on the 18th day of September, 1912.

and the said E. C. Burtischell, County Treasurer, appearing before the court and stating that he was unable to produce same, and making the short- as shown by the discrepancy between his books and the statement of the depository; it is therefore ordered, that the said report as a whole be not approved, and that the County Attorney proceed to collect from the said E. C. Burtischell, County Treasurer, the sum of \$5,019.75 so shown to be short, and that if necessary in the collection of the same, that he file suit therefor in the district court of Colorado county, the State of Texas.

County of Colorado: I, John Hastedt, County Clerk of Colorado County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the order entered in the minutes of the Commissioners' Court of Colorado county, Texas, at the regular term of said court, to-wit: on the 17th day of August, A. D. 1912, in acting upon the County Treasurer's quarterly report for the quarter ending Aug. 12th, 1912, as the same appears of record on pages 294 and 295, in Vol. 9, of the minutes of said court. Witness my hand and seal of office in the city of Columbus, this 5th day of October, A. D. 1912.

JOHN HASTEDT, Clerk County Court, Colorado Co.

The trial of this case was had in the District Court on October 4th, when the record evidence introduced by the state disclosed

that the defendants did not introduce any evidence, and thereupon, the District Attorney in

open court stated that the evidence did not sustain the charge and requested the court to instruct the jury to return a verdict of "not guilty," which was done.

No criticism or censure is here intended for the grand jury. It was composed of honorable men, who acted from the lights before them at the time. As long as their action was in good faith and with proper motives, they deserve credit, even though, they may have made a mistake. In justice to the grand jury we will say, that if they had understood the matter as it actually existed, this indictment would never have found a place upon the docket of our courts. Mr. Holt, the county attorney, was not present to advise the grand jury at the time the matter was under consideration.

Commissioner Roberts who is 72 years of age and confined in a hospital in San Antonio, is not here to sign this statement, nor was he able to be present at the trial. His presence was waived by his attorneys.

Respectfully,
W. S. GRIFFITHS, County Commissioner.

JOHN J. BIRD, J. J. MANSFIELD, County Judge, Colorado Co.

COMING!

Jennings Brothers Show Company

Under Canvas—Three Days—Eagle Lake—Commencing

Monday, October 14

High Class Dramas, Vaudeville and Music.

25 People--Band and Orchestra

CLEAN -- MORAL -- REFINED

POPULAR PRICES:
15c for children. 25c for adults. 10c for reserved seats. Doors open at 7:30. Curtain rises at 8:30.

Eagle Lake Steam Laundry

Will Clean and Press that Winter Suit and Overcoat. Make them look like new. All kinds of

DRY CLEANING--PRESSING--DYEING

Hats Cleaned and Blocked :: Phone 142

O. R. Davis, Funeral Director and Embalmer.

EAGLE LAKE, TEXAS

Day Phone 98 Night and Sunday Phone 143

San Antonio & Aransas Pass

TIME TABLE

No. 1, West bound, 11:45 a. m.
No. 3, West bound, 11:33 p. m.
No. 2, East bound, 4:00 p. m.
No. 4, East bound, 4:40 a. m.

For further information, telephone or call on FRANK DOUGLASS, Local Agent.

THE EAGLE LAKE INSURANCE AGENCY



A Store Full OF Good Things to Eat!

WE PAY CASH FOR CHICKENS, TURKEYS, EGGS AND BUTTER

At Max. M. Landa's, the Sanitary Grocery. New groceries coming in every day. Our lines are the best only large cities handle. Come and see for yourselves. Our prices are from 5 to 25 per cent cheaper than any city. Give us a trial as we can please you. See our lines and read our prices

10 cans Van Camp's hominy.....25c	10 bars White Lily soap.....25c	Received this week fresh oat meal, Grape Nuts, Post Toasties, Cream of Wheat, Shredded Biscuit, Puffed Rice, Puffed Wheat, fresh and salted crackers, pretzels, oysterettes and lots of other good things to eat.	flour, and Heinz olives, spiced and sweet pickles, mince meat.
3 can Pineapple.....25c	Five lbs. lump starch.....25c	Over 250 cases fancy groceries received, the best ever brought to Eagle Lake, the famous Sunbeam brand in the following goods:	A call will convince you that we can serve you with the world's best groceries.
York State sourkraut, can.....10c	3 cans lye.....25c	Maple syrup, coffee, corn, preserves, jams, asparagus, sardines, pineapple, peaches, plums, candies, soap, teas, salmon, pan cake	Try our Tidal Wave or Ambrosia flour.
6 cans potted ham.....25c	3 cans Heinz tomato soup.....25c		Place your order with us for seed potatoes as we will save you 75c on every sack.
3 can Clipper tomatoes.....25c	40c asparagus tips.....25c		The best lines of fruit to be had are here.
Two cans Fort tomatoes.....25c	20c sardines, two cans for.....25c		In vegetables we handle cauliflower, lettuce, tomatoes, celery, beets, green peas and turnips, received fresh every few days.
Two cans peas.....25c	7 can good sardines.....25c		
2 cans strawberries.....25c	Herring and tomato sauce can 20c		
2 cans raspberries.....25c	Kipper herring, can.....20c		
2 cans gooseberries.....25c	3 cans Libby's chili.....25c		
Two cans peaches.....25c	3 cans Vienna sausage.....25c		
3 cans French peas.....50c	3 cans baking powder.....25c		
6 bars octagon soap.....25c	4 1-2 lbs green pea berry coffee 1.00		
6 bars Crystal White soap.....25c	4 1-2 lbs green Rio coffee.....1.00		
6 bars Fairy soap.....25c	4 lbs parched coffee.....1.00		
6 bars tar soap.....25c	John Bremoid coffee 4lb can \$1.25		
7 bars Silk soap.....25c	Jackson Square coffee, bucket, \$1		
7 bars Clairrette soap.....25c			

Received this week: Norway Mackerel, new Cranberries, new Olives and Asparagus, glazed Cherries and glazed Fruit, new Prunes, White Cherries, Pineapple, Raspberries and a fine line of Candy.

MAX M. LANDA :: The Sanitary Grocery