

The Baird Star

Our Motto—"Tis Neither Birth, Nor Wealth, Nor State, But The Get-Up-And-Get That Makes Men Great."

FIFTY-SECOND YEAR

BAIRD CALLAHAN COUNTY TEXAS FRIDAY OCTOBER 6, 1939

NUMBER FORTY-THREE

Sixth District Pythian Sisters Convention Meet Here Today

AROUND TOWN

With Otto B. Grate

Ya' know, the old Prof. would be in a darned pickle if someone were to ask him to list his occupation. It would probably go down as "Loafing" for we couldn't possibly list this column as "Work—heck no" its fun, and its just plain old playing. The only thing we would like to be sure of is that going along on these trips is as pleasant for you as commenting upon them is to us.

Fall in Texas is a glorious time of the year. Its a bit early yet for autumn leaves but in a few more week Spring Gap and other wooded places in the country will be a riot of color, at the present however there is just a great deal of autumnal beauty along the road sides where the purple spikes lift their royal heads and the Dusty Miller and thistles glorify the range lands. There is something definitely Texas in these sturdy fall flowers for they bloom in the face of drought and heat and stand upon their staunch stems and flaunt courage in the face of disaster.

Yep, fall is really here and they say there is no surer sign than when the ants, flies, and other insects come indoors. Reeves Hickman and Jack Flores and a few other notable's came in the office the other day slinging slinging jabs left and right. Of course (as anyone who knows me can testify) this little ray of sun shine just smiled and endured it. Seriously the best part of being in town is seeing the gang and exchanging the banter.

The daring young man on the rapeegee has nothing on the white fur-ball of a feline which occupies the A. P. Grocery. We emptied the bottle and swore and reserved a place on the wagon when we looked up the other day and saw the pussy silhouetted against the sky as it tripped lightly along the building tops. We later found out that it wasn't us but that the kitty really follows that route.

Have you made a call on Mrs. Kelton to see her newly completed rock flower house? Its rally a nifty outfit and Mrs. Kelton keeps a supply of flowers there which would be hard to top in the most up to the minute shop in a large city.

Another new place of business or rather, just an old reliable in a new location, is Mr. Mills White-Way Grocery in East Baird. Mr. Mills has moved into an especially constructed rock building and though the old place was a neat store the new one of native stone is certainly an improvement. Mr. Mills serves the neighborhood with a complete line of groceries and kitchen commoditie.

Any unusual flower specimen can be seen in the yard of Mrs. Arthur Johnson. It is a Spanish Sun Flower which Mrs. Johnson has coddled since she procured it on a trip to El Paso this summer, better drop by and have a look. Mr. John Risinger, head of the Science department in the High School, and a group of students have unearthed a piece of what undoubtedly must have been a part of the skeleton of some prehistoric animal. It looks like it might have been the hind leg of Ally Oop's charger and is really some drum stick. The bone is on display in the window of the Bowls Hardware.

Outstanding show of the week will be "Confessions of A Nazi Spy". Manager Stone is to be complimented on procuring the picture and to wait until now to spring it. Had it been here several months ago when it was released it would have been merely another tale of sabotage and international relations but now, with Europe in the Hodge Podge of war and America pulling pro and con on the Dyes Investiga-

New Ford's Now On Display At Earl Johnson Motor Co.

It's always big news when the Ford Motor Company introduces a new model. It means that another far-reaching step has been taken in automotive engineering and in the attainment of new standards of motor car comfort, design and performance.

This year the Ford Motor Company presents the greatest line of cars in its thirty-seven year history. They are the new Ford V-8, the new De Lux Ford V-8 and the new Mercury 8 for 1940! You and the members of your family are cordially invited to see these new cars at a special showing in the Earl Johnson Motor Company's showrooms today. Drop in any time. Examine these new Ford-built cars.

Special Services At Presbyterian Church

Rev. R. A. Walker will observe his 9th anniversary as pastor of the Baird Presbyterian church Sunday at 11 o'clock.

There will be special music and the history of the church the Old School Presbyterian, the Cumberland Presbyterian Church and the present U. S. A. Church by Mrs. Lee Ivey. The public is cordially invited to attend and all members of the church are urged to be present. Services also at 7:30 p. m.

Little Baby Dies

The new born baby girl, Mary Jo, of Mr. and Mrs. J. B. Misener died a short while after birth at the Griggs hospital Monday night. Funeral services for the baby were held at the grave side in Ross cemetery at 10 o'clock. Tuesday morning the rites being conducted by Rev. Hamilton Wright pastor of the Methodist church.

Wylie funeral home were in charge of the arrangements. Survivors are the parents and a little brother Jimmie.

W. H. Hatley Seriously Hurt

W. H. Hatley, farmer, living in the Ione community is a patient in the Griggs hospital suffering from serious injuries received Monday, when a peanut thrasher drawn by a team was overturned.

Mrs. Harrison Hammons returned Monday from a visit with her sons, Willie Hammons and Clarence Hammons and family in Houston.

The picture is as up to the minute as tomorrows head-lines. This may sound more like a press agent palaver than a criticism but "Confessions of A Nazi Spy" is really no weak tea. It is based on fact and proudly proclaims that. It is certainly the hardest hitting story to come out on the Spy Racket.

Spotlight of the week goes to Mrs. G. W. Jones. Mrs. Jones is certainly a good neighbor and one of the finest people you could ever know. I'm sure of her being a good neighbor because our "Boss" and Editor lived next door to Mrs. Jones when she moved to Baird in 1887 and she heartily endorses what I say. Maybe you remember when Mrs. Jones helped with the "Cozy Cafe" down next to the rail road. Mrs. Jones did the cooking and I wonder if she still makes pies as she did then. Baird owes part of its population to those pies for they attracted people as sugar does bees. We wish that we had some nice silken adjectives to drop into Mrs. Jones deserving lap but the fact visitors and at 8:30 the dance that she has so many, many friends who smile when they talk of her speaks better for her than all of the words in the world.

Death Claims LaFern Bryant

LaFern, 16 year old twin daughter of Mr. and Mrs. Walter S. Bryant, of the Bethlehem community died at 2:18 o'clock Tuesday morning at the Griggs hospital following a few days illness from peritonitis.

Funeral services were held at the Methodist Church at 4 o'clock Tuesday afternoon with Rev. Hamilton Wright, pastor, conducting the rites, assisted by Rev. Edward Sifford, pastor of the Bethlehem Methodist church which LaFern had been a member since early childhood.

Flower girls were: Junior girls of Baird High School of which LaFern had been a member since early childhood.

After being prepared for burial Tuesday morning the body was carried to the home of Mr. and Mrs. Ashby White in West Baird to await the funeral hour.

LaFern is survived by her parents, five brothers and three sisters. They are: Scott, Roy Dupree, Bernie and Lynn Bryant. Mrs. Tommie Stanley and LaFern Bryant, all living in and near Baird and Mrs. Forrest Lane of Lamesa. All were at her bedside when death came.

LaFern and LaVern Bryant youngest children of Mr. and Mrs. Walter S. Bryant, prominent residents of Callahan county were born at the Bryant home in the Bethlehem community on June 8, 1923 and had celebrated their 16th birthday the past June. The sisters were devoted to each other and were spoken of by their young friends as "the Bryant Twins". They were constant companions, looked and dressed alike and even relatives were sometimes unable to distinguish them. They were both Juniors in Baird high school taking an active part in all school activities. They were flag bearers in the Red Battalion, Baird High School, Pep Squad and high school students and teachers attended the funeral.

The floral tokens were beautiful silent tribute to the love and esteem in which this lovely girl was held. The church was filled to capacity, many being unable to find seats.

Meeting To Begin

Beginning Sunday, Oct. 8, Bro. Floyd Embree, the local Minister will begin a meeting at the Church of Christ.

Services each evening at 7:30. Everyone is urged to come and hear the simple gospel preached.

Firemen Hold Enthusiastic Meeting

The Mid-West Texas Firemen's Association held an enthusiastic meeting here yesterday attended by some one hundred visiting firemen and their ladies.

The Association held the meeting in the district court room the program opening at 1 o'clock with James C. Asbury, of Baird, president of the association presiding. Mayor H. Schwartz, in his usual happy manner welcomed the visitors to the City of Baird. At the close of the business session the pumper races and other contests were held on Market Street.

At 6:30 supper was served the fact visitors and at 8:30 the dance that she has so many, many friends who smile when they talk of her speaks better for her than all of the words in the world.

Baird Bears Lose To Anson Tigers

The Baird Bears made a little excursion to Anson last Friday night to suffer a defeat of one point at the hands of a not so impressive Tiger array. The Baird team made the first score of the game with a touchdown as the result of a pass from Finley to Yarborough on Anson's ten yard line. The extra point was tried for with a place kick by Finley but failed to ring up a count. Anson made a touchdown later in the game and also made the extra point and the final score was a 6-7 victory for the opposing team. The game, although not nearly as successful as the Merkel bout, was a better fight. The Bears made a splendid showing with an unbelievably fine defense. There was some excellent work on the part of Charlie Coats with Yarborough and McIntosh coming in for their part of the share in a big way. The Bears suffered a big jolt when Gene Finley was brought down with a broken ankle and it won't be easy to replace him in time for the game with Roby which is to be played this afternoon in the Bears Den, but the odds are still in favor of the local lads. And another thing we want to make mention of this week in the excellent run out of Baird fans at the Anson game last week. It gave the team the degree of encouragement it needed, or whether you realized it or not it makes a great difference in the boys, spirit when they have the backing of the town. Personally, I want to add a lousy cheer for Bairdites in the way they handled the side lines. There was plenty of pep and zeal but not one bit of growling and jeering which so definitely brands a crowd of poor sports. From what your reporter could gather the Baird crowd surprised Anson for the Red and White Rooting Section far exceeded the Anson Boosters and it was home game for them. Coach Bill White asks that the paper convey his appreciation for the interests in the game for he too realizes that large fan following speaks better than anything else to show that town is behind the team and school. More than ever before the boys and the other students are going to need your pulling Friday They need to know that a one point loss last week won't lessen your confidence in them. C'm out to-day and lets razzle-dazzle with 'em.

Your sport writer calls time out to send the best regards of The Star and the town to Gene Finley who suffered a broken ankle in the Anson game. Finley is an outstanding athlete, not only on the field but off. He did his best and if that didn't get the job done he did a little more. He didn't know the meaning of failing to do a thing he started out to do and that is something to admire in anyone. Gene played a good game of football Friday and even laid up with a bum kicker doesn't keep this column from nominating him as the best all district player.

Coats will probably see more (Concluded On Third Page)

Belle Plain News

Miss Clara Nell Hughes returned home Saturday from a weeks visit with relatives in Putnam.

Mrs. J. C. Matson left Sunday for Houston to visit her son Charley Matson, who is ill. Miss Mildred Crawford and Mrs. Bob Morgan and children visited their mother, Mrs. Crawford of Denton Sunday.

Mr. and Mrs. J. E. Warren visited with Mr. Warrens mother in Comanche Sunday.

Crawford Hughes who's attend McMurphy college spent the week end with his parents, Mr. and Mrs. Virgil Hughes.

F. F. A. Boys Launch Lamb Feeding Project

The Baird F.F.A. Chapter launched a wholesale lamb feeding project this week when Supervisor E. E. Jones and a group of boys made a trip to Schleicher County and brought back twenty six lambs. The sheep were brought from the Baugh Stock which has a name throughout the state for good animals. The lambs were taken to Abilene and left at the fair ground to be shown. The lambs did not place in the money although they were easily the most uniform group and had the best individual animals there. The lambs had not been groomed for showing and the excess of wool on their heads was the only point which kept them from winning money in the fair contest. The sheep seem to be excellent stock for wool and with wool forty cents a pound the lambs will easily pay for themselves when clipped. There should be from ten to fourteen pounds on each sheep by next spring. Finished sheep according to the latest statistics will likely bring from ten to twenty dollars a hundred this year, however the conditions are unstable due to the present war situation. Boys who will feed sheep include; Charlie Coats 6, Aubrey Grounds, 2, Arthur Burleson 2, James Browning 2 and R. B. Cooper 2. The boys who accompanied Mr. Jones on the trip to bring in the sheep experienced some new problems. Callahan boys are used to cattle and cattle round ups but rounding up sheep is quite another thing so when the boys were called upon to ride and round up a pasture of 1,150 lambs they had a real job on their hands. The sheep wranglers were Harold Cummings, Ben Glover, and Buddy Brumbaugh.

Ben Lewis Russell, a brilliant young Chapter member handed in a work paper as a matter of duty in the line of class work, outlining a program covering six years. Russell made such a good job of the paper; he convinced himself that it would be a profitable plan to follow. The long time program is proving popular to the boys because they realized that it is thoroughly practical and that is one of the first things an F. F. A. boy is taught to consider.

Swine feeding is going to be good this year. The corn-hog ratio is better than ever now being one hundred pound hog to 12.6 bushel of corn. A person can feed a hog under present conditions and make money even when paying up to one and one half cents a pound for a grain if there is decline in hog prices, in all probabilities the grain prices will drop also and maintain a favorable balance.

R. J. Wylie seems to have a fine calf on his hands. The boys this year are following their supervisor's advice that "blood will tell" and are investing; even at a higher price, in fineblooded animals. Wylie's calf represents the blue blood of the Hereford line. The calf is the son of Safe Way Junior and Miss Domino the 10th. Superior Anxiety and Prince Domino are the greatest individual herefords ever bred.

MRS. FRANK ESTES DISPLAYS DOLLS AT HIGH SCHOOL

On the invitation of Miss Helen Willard, supervisor of the Home Making Chapter in the Baird High School, Mrs. Frank Estes visited the school and gave a Fashion Display of her dolls to the girls from all three of the Home Making classes.

Mrs. Estes talked on the history of American Dress and illustrated the talk with her hand made and authentic dolls.

Band Members Attend Parade In Abilene

Harrison Mathews and part of his band attended the Fair Parade in Abilene Tuesday. The youngsters had some play practice with members of the A C C band and received criticism from the A C C director.

Those to go include: Robert Warren, James Walls, Buck Cargal, John E. Wheeler, Jackie Rutherford, James Powell, Gene Swinson, Bill Fetterly, and Ivadel Mitchell. Billy Frank Alexander, though not a band member, made the trip with the group.

New Chevrolets Coming

The New Chevrolet will be shown by Ray Motor Company, local dealers in their show rooms on Saturday, October 14. See announcement elsewhere in this paper.

Baird Couple Married

Miss Grace Thornton and Mr. James Gillet were united Thursday, September 28 in a ceremony solemnized by the Rev. A. A. Davis, pastor of the Baird Baptist church. Services were held in the Baptist parsonage. The couple were attended by the bride's brother Buddy Thornton.

Mrs. Gillet wore a navy blue crepe dress with matching accessories. Both Mr. and Mrs. Gillet are popular with the young people in Baird and will make their home here where Mr. Gillet is in partnership with his father Mr. Ernest Gillet.

Before You Strike That Match

Stop and think. Is the wind blowing pretty hard? Have I got time to stay and see that the fire will not get out and burn up something else? Think of these things before you strike the match—As you all know fire is very destructive. Only last week two children near Snyder, Texas, lost their lives by fire. This sad affair could have probably been prevented if they had only stopped to think.

You should keep matches out of reach of children, and rats; and open fires should never be left at any time for you can never tell at what time the wind will change. If you are in the habit of keeping gasoline around the house—think before you strike the match. Is the top tight on the gasoline can? Gasoline fumes (or gas) is heavier than air and remain close to the floor and could cause a fire very easily. Never keep oil mops and oily rags in a close closet, as they may cause spontaneous combustion and start a fire at any time. Maybe in the middle of the night. Keep your oil mop in the open air, or in a metal box with a metal cover. Never put pennies or any other metal behind your light fuses. You are inviting a fire to start when you do.

Your best insurance against electrical fires is in your fuse plug.

October 9 to 17 has been named as Fire Prevention Week, but why just have one week of fire prevention? Let's all work together and make the other 51 weeks in the year Fire Prevention Week, as well. You can do this if you will only Stop And Think Before You Strike The Match.

Yours for fever fires,
C. D. JONES,
City Fire Marshall.

FOR SALE—Rugs, quilts, bedspreads, vanity sets, scarfs, etc. at my home in East Baird. Jeffe

The annual convention of the Pythian Sisters of District No. 6 will convene in Baird today with Mistletoe Temple No. 51 as host Temple. Some fifty or more visitors are expected.

Several state officers are expected to attend the convention. Among them, State Grand Chief Mrs. Mettie Phillips of Tyler, Past Grand Chief; Mrs. Lula Johnson Santa Anna; Mrs. Jeanette Hensley, Santa Anna; Presiding grand chief and others.

The convention will meet at the K of P hall at 7:30 p. m. with Miss Margaret Schultz of Santa Anna, district deputy grand chief presiding.

The convention will be opened with prayer by Mrs. Lizzie Estes, M R & C of Mistletoe Temple also Mother of District No. 6, followed by the address of welcome by Mayor H. Schwartz and welcome on behalf of District No. 6 by Lula Johnson, S R with the response by Millie Phillips, Grand Chief.

At 6:30 a banquet with Mistletoe Phillips, Grand Chief as guest of honor will be held at the luncheon club room. Following which a night session of the convention will be held.

Temples from Brownwood, San Angelo, Abilene, Gorman, and Eastland will be represented.

Mrs. Roy Hamby of Baird, is District M. R. C. Local Temple officers are: Mrs. Bob Beck, M. E. C. Mrs. Roy Hamby, E. S. Mrs. Mary Kehrer, E. J. Mrs. Fred Estes, Manager Mrs. B. F. Andrews, Past Chief Mrs. E. C. Fulton, Protector Miss Susie Walker, Guard Mrs. Lee Estes, M. R. C. and District Mother.

Mrs. Arthur Johnson, M. of F. Mrs. R. L. Elliott, Sr., is the only charter member of Mistletoe Temple, which was organized in 1904.

Band Members Attend Parade In Abilene

Harrison Mathews and part of his band attended the Fair Parade in Abilene Tuesday. The youngsters had some play practice with members of the ACC band and received criticism from the ACC director. Those to go included, Robert Warren, James Walls, Buck Cargal, John E. Wheeler, Jackie Rutherford, James Powell, Gene Swinson, Bill Fetterly, and Ivadel Dell Mitchell. Billy Frank Alexander, though not a band member made the trip with the group.

Motion Pictures For County Schools

The latest in motion picture machines and screen equipment was received by County Superintendent B. C. Chrisman this week for use in the schools throughout the county.

Ordinary motion pictures with sound can be run on the machine and it is complete with a public address system.

BANK HOLIDAY NOTICE

The First National Bank of Baird will observe COLUMBUS DAY, October 12 (a legal holiday) and will not be open for business on that date.

Epworth League Elect Officers

The Epworth League elected officers this week with the following young people serving: President, Lee Loper. Vice-President, Patsy Mary Mitchell. Secretary-Treasurer, Evalyn Frazier.

The league meets Sunday evenings and they invite any and all of the Baird young people to join their ranks.

THE BAIRD STAR

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Issued every Friday, Baird, Texas

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Miss Gilliland, Editor and Publisher Haynie Gilliland, Asso. Editor

Advertising Rates on Application

The publisher is not responsible for copy omissions, typographical errors, or any unintentional errors that may occur, further than to correct it in the next issue. All advertising orders are ~~accepted~~ on this basis only.

NOTICE: Any reflection upon the character, standing, or reputation of any person, firm, or corporation, which may appear in the columns of The Baird Star, will be gladly corrected upon its being brought to the attention of the publisher.

SUBSCRIPTION RATES, PAYABLE IN ADVANCE	
One Year (In Callahan County)	\$1.50
Six Months	\$1.00
Three Months	.50
One Year (Outside Callahan County)	\$2.00
Six Months	\$1.25
Three Months	.75

No Subscription Accepted for Less Than Three Months

EASTERN STAR

Callahan Chapter O. E. S. will meet in regular session Tuesday evening October 10th.

There will be initiation and all members are urged to be present.

BAPTIST WORKERS

The Baptist Workers Conference of the Callahan Missionary Association will meet with the Eula Baptist Church, Tuesday Oct. 10 Theme, Evangelism and Missions.

ON BAIRD CAMPUSES

By OTTO B. GRATE

There is a shadow on the Campus this week and no less of a shadow in our hearts as we take a last farewell of one of the student body who, from years of association, we have come to love. LaFern Bryant, Junior in the Baird High School, who died Tuesday morning in the Griggs Hospital. We mourn for our friend and send our deepest sympathies to the Bryant family but we really should try and remember that she was really just being a good student. The last bell sounded and like a prompt pupil LaFern laid down her play and scampered off to enroll in that school where we all hope for a place someday; where the Head Master conducts all the lessons and all of the slates are clean, and there are no rebukes or failures and there in the Light we will learn the things which the dark of doubt kept us from understanding before.

In Memory of
LaFern Bryant
June 8, 1923
October 3, 1939

The Baird Band, under the direction of Harrison Mathews, met last week for an election of officers; President, Buck Gargal, Vice-President, Jackie Rutherford, Reporter, Pauline Coats, Business Manager, Ivadel Mitchell, Librarian, Bill Fetterly. A group of the Band went to Abilene to the parade Tuesday morning to take notation on the bands entered and their technique. While we are on the subject of the band anyone who was at the game Friday can tell you that Baird was far and away the better of the two Bands. There is a certain mellow smoothness which the Bairdites have which other bands only hope for, and their showing on the field is something we can all be proud of.

The Red Battalion definitely needs a lift of some kind. For the past few years Baird has had the best organized, best trained, and most impressive array of girls in the district but this year they are just a wee bit on the sleepy side. We talk because there is nothing malicious or fault finding in what we say, we mean this as constructive criticism and nothing else because, after several years of Pep Squad duty in and out of school I can't help but feel like "one of the family." There is nothing wrong with the vocal chords of the girls, what they need is a little more pep on the field. It has always been our opinion that a flag should be carried with an air of pride and respect and with a sort of challenge too, not swung over the shoulder a la fishing pole. Aw, kids, for you are the keenest bunch of Peppers in the state so show that you know it!

These many weeks have gone by the luvva' Pete, snap out of it, and we have not made mention of the bunch responsible for the school paper, "The Bare Facts" so here goes; Editor in Chief, Louis Hill, Associate Editor, Evelyn Frazier, Business Mgr. Jack Ray, Associate Business Mgr. Aubrey Grounds, Art Editor, Sterling Reynolds, Sports Editor, Gene Finley, Social Editor Marion Dyer, Sponsor, Jane Stephens, Typing is done by Nell Lunsford, Cubelle Loper, and Lovelle Perry.

LOST—Ladies Ring white sapphire, band cut into. Treasured—a gift from dead mother. Please return to Gussie Lee Berry.

CITATION BY PUBLICATION

THE STATE OF TEXAS,
COUNTY OF CALLAHAN.

In the name and by authority of the State of Texas and under the provisions of Article 7345b Sec 3 (c) Revised Civil Statutes of Texas 1925 as amended notice is hereby given as follows:

To Joyce Gorman, whose address is, after diligent search and inquiry made by Plaintiff and Plaintiff's Attorney, Unknown to Plaintiff, and the Unknown Heirs of Fay Doyle, Deceased, whose names and addresses are, after diligent search and inquiry made by Plaintiff's Attorney, Unknown to Plaintiff, and to All Persons owning or having or claiming any interest in the following described lot, lots, tract and-or tracts of Land Delinquent to the State of Texas and County of Callahan, to-wit:

FIRST TRACT: South 1/2 of Lot 1, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

SECOND TRACT: 1/2 of Lot 2, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

THIRD TRACT: South 60 feet of South end of Lot 4, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

FOURTH TRACT: South 60 feet off of South end of Lot 5, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

FIFTH TRACT: South 60 feet off of South end of Lot 6, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

SIXTH TRACT: South 60 feet off of South end of Lot 7, Block 17, RR Addition to the town of Clyde, Callahan County, Texas.

Which said lot, lots, tract and-or tracts are delinquent for taxes due Plaintiff State of Texas and Callahan County exclusive of interest penalties and costs in the sum of \$562.01, and there are included in this suit all interest, penalties and costs thereon allowed by law; and which said lot, lots, tract and-or tracts are delinquent for taxes due State of Texas and Callahan County, exclusive of interest, penalties and costs in the sum of \$562.01 and there are included in this suit all interest, penalties and costs thereon allowed by law.

You are hereby notified that suit has been brought by State of Texas and Callahan County and that said suit is now pending in the District Court of Callahan County, Texas 42 Judicial District, and the file number of said suit is 72 and each and all parties to this suit shall take notice of and plead and answer to all and plead and answer to all claims and pleadings now on file in said cause by all other parties herein and you commanded by service of this citation which will be served by publication of this notice one time a week for two consecutive weeks prior to the return day hereof to appear and defend such suit on the first day of the next term of the District Court of Callahan County State of Texas to be held at the Court House thereof in the City of Baird, Texas on the Fifth Monday in October, 1939 being the 30th day of October, A. D. 1939, and if you cause why judgment shall not be rendered condemning said lot, lots, tract and-or tracts, and ordering foreclosure of the constitutional and statutory tax liens thereon for taxes due the parties as set out above together with all interest, penalties and costs allowed by law.

Witness, Raymond Young, Clerk of the District Court of Callahan County, Texas.

Given under my hand and seal of said court in the City of Baird, Callahan County, Texas, this 21 day of September, A. D. 1939.

Raymond Young, Clerk of District Court, Callahan County, Texas, 42 Judicial District.

Issued this 21 day of September, A. D. 1939.

Raymond Young, Clerk of District Court, Callahan County, Texas, 42 Judicial District.

Issued this 21 day of September, A. D. 1939.

CITATION BY PUBLICATION

The State of Texas
To the Sheriff or any Constable of Callahan County, Greeting:

You Are Hereby Commanded to summon L. A. Castro and the unknown heirs of L. A. Castro by making publication of this Citation once in each week for four successive weeks previous to the return day hereof, in some newspaper published in your County, if there be a newspaper published therein, but if not, then in the nearest County where a newspaper is published, to appear at the next regular term of the District Court of Callahan County, to be held at the Court House thereof, in Baird, Texas, on the Fifth Monday in October, A. D. 1939; the same being the 30th day of October, A. D. 1939, then and there to answer a petition filed in said Court on the 23rd day of September, A. D. 1939, in a suit, numbered on the docket of said Court as No. 10052, wherein L. A. Warren, Russell T. Vaughn, Frank Hatch, Lola E. Kurtz, individually and as community administratrix of the estate of Otto Kurtz, deceased, F. E. Clark and wife, Leila Clark, W. T. Reddell, S. A. Bacon, G. E. Cotton, Chas. Folkes, A. O. Highers, F. L. Elliott, are Plaintiffs and F. R. Plummer, Mrs. Mary E. Townsend, a widow, L. A. Castro and

the unknown heirs of L. A. Castro, Cora Formby, individually and as administratrix of the estate of V. M. Formby are Defendants, and said petition alleging that plaintiffs and defendants are the joint owners of the oil, gas, and other mineral lying in, on, and under al of the Southeast Quarter of Sur. 304, S. P. Ry Co lands, Callahan County, Texas, except a 21 acre tract out of the Northeast corner thereof heretofore sold to H. Culwell, and that the defendant L. A. Castro and the unknown heirs of L. A. Castro are the owners of the undivided one acre interest in said oil, gas, and other minerals; that the defendants Mary E. Townsend and F. R. Plummer are claiming some right, title, and interest in and to said minerals which is a cloud on the title and should be removed; and praying for a partition of the minerals interest and the removal of the cloud on the title.

Herein Fail Not, and have you before said Court, at its aforesaid next regular term, this writ with your return thereon, showing how you have executed the same.

Given Under My Hand and the Seal of said Court, at office in Baird this the 26th day of September, A. D. 1939.

RAYMOND YOUNG, Clerk,
42nd District Court, Callahan County. 42-4t.

CITATION BY PUBLICATION

The State of Texas
To the Sheriff or any Constable of Callahan County, Greeting:

You Are Hereby Commanded to summon Roland Adolph Gray by making publication of this Citation once each week for four successive weeks previous to the return day hereof, in some newspaper published in your County if there be a newspaper published therein, but if not, then in the nearest County where a newspaper is published, to appear at the next regular term of the District Court of Callahan County, to be held at the Court House thereof, in Baird, Texas, on the Fifth Monday in October, A. D. 1939, the same being the 30th day of October, A. D. 1939, then and there to answer a petition

filed in said Court on the 8th day of September, A. D. 1939, in a suit, numbered on the docket of said Court as No. 10049, wherein Elva May Dick Gray is Plaintiff and Roland Adolph Gray is Defendant, and said petition alleging that plaintiff has been a bonafide inhabitant of the State of Texas for twelve months, and has resided in Callahan County for a period of six months preceding filing of her petition; that she was married to defendant in Arizona in the year 1938 and lived with him as husband and wife until April, 1938; plaintiff alleges cruelty of plaintiff in that he would use abusive language toward her and would strike her on the slightest pretext, and that on the occasion of their separation the defendant choked plaintiff causing her physical and mental suffering; that such cruelty was of such a nature as to render their future living together insupportable. Plaintiff seeks a divorce and restoration of her maiden name, and for general relief.

Herein Fail Not, and have you before said Court, at its aforesaid next regular term, this writ with your return thereon, showing how you have executed same.

Given Under My Hand and the Seal of said Court, at office in Baird this the 26th day of September, A. D. 1939.

RAYMOND YOUNG, Clerk,
42nd District Court, Callahan County. 42-4t.

CARD OF THANKS

We wish to express our sincere thanks to all for their kindness and sympathy shown us in the illness and death of our beloved LaFern. We appreciate from the depths of our hearts every kind deed, word and every flower and will treasure always the memory of your kindness to us in our hour of sorrow.

Sincerely,
Mr. and Mrs. W. S. Bryant,
and family.

FOR SALE—Genuine Blue Flame Automatic Brooder. Five Hundred Chick Capacity. Practically new. See Mrs. Frank Estes.

LOST—Schaeffers Fountain Pen mottled light and dark green, pen was left on window ledge at postoffice after closing, hours Tuesday evening of last week. I prize the pen as it was a gift from Dr. Rumph and will appreciate it if finder will return same to me. Mrs. S. P. Rumph, Baird, Texas.

THE FORT WORTH STAR-TELEGRAM delivered on the porch Morning, Evening and Sunday. See, R. B. COOPER, Agent.

State Fair of Texas

DALLAS

October 7th to 22nd

Extremely Low Round Trip Rates

From Baird

SUNDAY ROUND TRIP COACH FARE

On sale only for trains arriving Dallas before 4:00 P. M. each Sunday during the Fair, limited to leave Dallas before midnight on date of arrival; no further reduction for children; no baggage checked.

\$2.60
Round Trip

WEEK-END ROUND TRIP, COACH RATE Round Trip **\$3.45**
Good in chair cars and coaches

ROUND TRIP, FIRST CLASS **\$5.40**

For trains arriving Dallas each Saturday and Sunday during the Fair; limited to leave Dallas before midnight Monday following date of sale. Half fare for children.

SEASON LIMIT ROUND TRIP, COACH RATE Round Trip **\$5.20**
Good in chair cars and coaches

ROUND TRIP, FIRST CLASS **\$6.90**

On sale daily October 5 to 22, inclusive; return limit, October 24. Half fare for children.

For Complete Information
PLEASE CONTACT
OUR AGENT
J. A. FLORENCE
Phone 284 or 236

Ride the Train and Relax



SUCCESS Story!

Of course you remember when we introduced Thriftane—our leaded gasoline in the lower price range—early this year. Well, there's been time enough now for us to see how people take to it, and we're delighted to tell you that it's very, very popular indeed; our sales of Thriftane have gone steadily up. . . . This proves to us that there was a definite need for Thriftane, and that we rendered a real service to buyers of lower priced gasoline when we put Thriftane on the market. We made it possible for them, first, to secure leaded quality at a price within their reach; second, to buy a gasoline at thrifty price made to specified quality characteristics backed by our guarantee; third, to charge Thriftane on Humble credit cards; fourth, to get the last word in service—Humble service—with every purchase. . . . Now, it may be that you're a possible Thriftane user but not a Humble customer—we meet one occasionally! If you are, you'll find it much to your advantage to try Thriftane—to stop at the nearest Humble sign and fill up with this leaded gasoline in the lower price range. Why not today?



A TEXAS INSTITUTION MANNED BY TEXANS

© 1939 BY HUMBLE OIL & REFINING CO.

That Lustrous Beautiful Look . . .

You CAN have it all the time! There's no secret about it. It's simply a sign of regular, expert care. Come here regularly for your beauty needs—you'll be amazed what really expert work can do!



We are featuring the
FEREL DESTIN BEAUTY PREPARATIONS
Have your hair made beautiful with a treatment of our Eugene Hair Cream.
We are also featuring
PERMANENT WAVES FOR SCHOOL GIRLS

We Feature the Paul's Permanent Wave Method
MODERN BEAUTY SHOP

OFFICERS

TOM WINDHAM, President
HENRY JAMES, Vice-President
ACE HICKMAN, Vice-President
A. R. KELTON, Vice-President
BOB NORRELL, Cashier
HOWARD E. FARMER, Asst. Cashier
C. V. JONES, Asst. Cashier

DIRECTORS

TOM WINDHAM
ACE HICKMAN
A. R. KELTON
HENRY JAMES
BOB NORRELL

REPORT OF CONDITION OF

The First National Bank of Baird, Texas

AT THE CLOSE OF BUSINESS OCTOBER 2, 1939

RESOURCES

Loans and Discounts	\$157,801.18
State Warrants and Other Securities	51,080.44
Banking House and Fixtures	6,810.00
Other Real Estate	4,421.09
Stock in Federal Reserve Bank	1,900.00
Other Assets	574.13

CASH:	
U. S. Bonds and U. S. Obligations	\$449,208.38
State of Texas and Other Bonds	70,611.39
Bills of Exchange	23,543.03
Cash and Due From Banks	500,516.01
TOTAL	\$1,266,465.65

LIABILITIES

Capital	\$50,000.00
Surplus	13,250.00
Undivided Profits	23,702.52
Reserves	4,750.00
DEPOSITS	1,174,763.13



TOTAL **\$1,266,465.65**

The Above Statement is Correct.

BOB NORRELL, Cashier.

SPECIAL
 MEN'S SHIRTS (Finished) 10¢
 Will Call Monday, Wednesday and
 Friday of Each Week.
 Call Phone No. 131
Abilene Laundry Co
 GROVER GILBERT
 Representative, Baird, Texas

Dr. V. E. HILL
 DENTIST
 X-RAY
 Office, Upstairs, Telephone Bldg.
 BAIRD, TEXAS

TOM B. HADLEY
 CHIROPRACTOR
 14 Years' Practice in Baird
 Since August, 15, 1922
 Office: Three blocks east of Court

GRIGGS HOSPITAL
 X-Ray Laboratory and
 Special Diagnosis
 DR. R. L. GRIGGS
 Local Surgeon T. & P. Ry. Co.
 Physician and Surgeon
 DR. RAY COCKRELL
 Physician and Surgeon
 Office Phone 340—Baird, Texas

SAM GILLILAND
 SHEET METAL AND PLUMBING
 Sinks, Bath Tubs, Gas Stoves
 Windmills, Tanks
 ELECTROLUX REFRIGERATORS
 (Gas and Kerosene)
 HOME OWNED AND OPERATED
 Baird Sewer Office Phone 224

Here's How!
 to get the MOST out of LIFE

VISIT THE Rose Festival AT TYLER
 Why not plan to enjoy one of Texas' most famous sights, the Rose Festival at Tyler, October 13, 14, 15. See a million roses in bloom. This never-to-be forgotten event will be one of the high spots of your fall fun. The trip is lovely at this time of year and wherever you go you'll find your old favorite SOUTHERN SELECT to refresh you and make life more fun.

Don't get in a rut—there's lots to see, do and enjoy and fall is a grand time for a good time. When you plan good times be sure to include **Southern Select**—the natural companion of enjoyment and good fellowship.

ENJOY IT AT HOME TOO
Southern Select BEER
 Geo. H. Jewell, Distr.
 823 N. Breckenridge, Breckenridge, Texas
 GALVESTON-HOUSTON BREWERIES, INC.

B. F. RUSSELL
 ATTORNEY AT-LAW
 (Office in Miller Building 2nd door north of City Hall)
 Baird, Texas

Dr. M. C. McGOWEN
 DENTIST, X-RAY
 Office, First State Bank Building
 BAIRD, TEXAS

L. L. BLACKBURN
 ATTORNEY-AT-LAW
 BAIRD, TEXAS

RANCH LOANS
 Ranch Loans Made 5 1-2 per cent. Annual or semi-annual interest, ten years' time. No application accepted for less than three sections, 640 acres each, and as many more as desired. Prompt service.

RUSSELL-SURLES ABSTRACT COMPANY
 Baird, Texas

Wylie Funeral Home
 AMBULANCE SERVICE
 Lady Embalmer and Attendant
 Flowers for All Occasions
 Phones 68 and 38
 Baird, Texas

Methodist Church

Senior League Sunday evening elected following officers: President, Lee Loper; Vice-President, Patsy Mary Mitchell; secretary-treasurer, Evalyn Frazier, program chairman, Lewis Hill. Miss Burma Warren is sponsor. Come join this youth organization. It meets at 7 each Sunday evening in the basement.

All juniors are urged to be present at 7 in the auditorium next Sunday for reorganization of the band and election officers. The pastor will be in charge till a sponsor has been elected.

All children from 7 to 12 invited to come.

Dr. C. A. Bickley, district superintendent preached Sunday evening conducted fourth quarterly conference thereafter. Pratically the old board of stewards were re-elected. One new member was added. The new board consists of W. A. Fetterly, W. O. Wylie Jr., J. Brice Jones, A. Rod Kelton, J. E. Alexander, Ace Hickman, J. H. Grimes, Bob Norrell, Dr. V. E. Hill, Hugh Ross Jr., Ben L. Russell Jr., J. A. Brashear, Howard Farmer, Olaf Hollingshead. One or two will later be appointed and confirmed at a later quarterly conference. Hugh Ross Jr., was re-elected general superintendent of Sunday Schools; assistants elected are: Adult Department, Ace Hickman; Young Peoples, Mrs. V. E. Hill; Children's, Mrs. Carroll McGowen. T. E. Powell is assistant general superintendent.

Annual conference is just a little over a month away. Those who have not paid benevolences are urged to do so at once leaving with a steward or with Howard Farmer at the bank. At the annual conference all Methodist preachers will be assigned for another year of pastorate. Conference is held at Lubbock this year.

Sunday School attendance has been climbing almost every Sunday. All so attendance on church, especially the evening hour.

We resume our revival meeting—nipped after the third service when the pastor was injured—at Belle Plain beginning Oct. 22 and running a week or ten days. Likewise we propose a week revival locally before conference, announcement to be made momentarily.

Come Sunday. New faces appearing almost every service. We have two messages you'll like Sunday. We try to inspire to closer walk with Christ. Everybody welcome.

SECOND GRADE NEWS

We have been having a good time. Our Teacher's name is Miss Dorothy Ward. We have five books. Their names are: arithmetic, geography, language, our neighbors and spelling. We like them very much.

We made some silent helpers last week and they help us in our arithmetic.

FOR SALE OR TRADE—Nice 5 room home, filling station and grocery, located 12 miles south of Lamesa on Highway 87, paved road. For sale or will trade for stock farm. You will be surprised at this property. H. Richardson.

BEDROOM FOR RENT—Large, rent bed room nicely furnished. 211 modern conveniences. 40-tf. Mrs. A. R. Kelton.

Federal Loans

If interested in refinancing or purchasing farm on long terms per cent interest through Federal Land Bank and supplemental and Bank—foreclosed farms and other real estate for sale; small town payment and easy terms on advance with cheap rate of interest or write, M. H. PERKINS, Sec-Treas., Citizens N.F.L.A., Clyde, Tex

Personal

Mrs. W. C. McDaniels of Hawley visited her aunt Mrs. Price McFarlane this week.

Mr. and Mrs. Ed Switzer and daughter Joan of Big Spring spent the week end with relatives in Baird.

Mrs. Linwood Hays of Breckenridge spent the week end with her mother, Mrs. J. E. Gilliland and family.

Cliff Johnson and Donald Melton of the Holmes Drug Co. attended a convention of druggists in Sweetwater Tuesday.

Mrs. J. T. Lawrence will spend the week end with Jim Tom Lawrence at Texas Tech, she will make the trip with Mr. and Mrs. Carl Hensley of Abilene who will visit their son Carlisle.

Mr. and Mrs. Arthur Johnson and daughter Goley Charleen visited their son Vernon Johnson in Big Spring Sunday. The Johnson's also attended the funeral of Ed Loyd.

Mrs. Mary Keher visited her son Ernie Kehrer in Big Spring Sunday and also the Golsby family. Mrs. Kehrer attended the funeral services for Ed Loyd which were held in Big Spring.

Mrs. Nannie Mitchell and daughters Miss Ruth Mitchell of Spherville and Mrs. Flora Gandy of Lipan visited Mrs. Mitchell's sister Mrs. Henry Lambert and family Sunday.

Mesdames L. L. Blackburn, Fabian Bell, Frank Bearden, James Ross and C. H. Siadous left Monday for Austin to attend the annual State Convention of Women's Federated Clubs.

Mr. and Mrs. C. C. Andrews have had their entire family visiting them the past week. Out of town visitors included their son, Fred Andrews of Long Beach, California, son Roy Andrews and wife and daughters of Longview and daughter Mrs. Louis Mackay and her daughter, Mrs. Troy Leadbetter from Gilmer.

"APPLES, AAA PULETS House to rent. Visit our orchard for finest, juiciest, sweetest apples for winter supply. Best AAA White Leghorns Pulets, cheap. Good 8-room Clyde home, \$30. SHANKS NURSERY & POULTRY FARM. 1-2 mile north of Clyde." 43-2t

BAIRD CAMPUSES

(Concluded From First Page) play in to-days game than previously and there is some talk that White will groom him for quarter back, however the chances are that L.W. McIntosh will be put into position as Coats knee makes it impossible for him to play an entire game. Bobby Owens is runner up to call signals. The only trouble with the Baird Ball Club, if you want to hunt flaws, is in the tackle. They could be stronger and perhaps when the boys tuck a few more games under their belts they will improve. The backfield just can't be beat.

There is a movement on foot to close the stores for the game and in that case it looks like the entire population will be out in War Paint this afternoon.

Starting line up run something like this:

- Left End - Arthur Burleson
- Left Tackle - Ralph Wylie
- Left Guard - Bobby Owens Capt
- Center - Ben Russell
- Right Guard - Jurald Watts
- Right Tackle - Lewis Hill
- Right End - James Browning
- Quarter Back - L. W. McIntosh
- Left Half - Roy Wylie
- Right Half - Bill Yarborough
- Full Back - J. C. Cook

CITATION BY PUBLICATION

THE STATE OF TEXAS To the Sheriff or any Constable of Calahan County, Greeting: You Are Hereby Commanded to summon Will Wallace by making publication of this Citation once in each week for four successive weeks previous to the return day hereof, in some newspaper published in your County, if there be a newspaper published therein, but if not, then in the nearest County where a newspaper is published, to appear at the next regular term of the 42nd District Court of Callahan County, to be held at the Court House thereof, in Baird, on the 5th Monday in October A. D. 1939 the same being the 30th day of October A. D. 1939, then and there to answer a petition filed in said Court on the 5th day of May A. D. 1939, in a suit, numbered on the docket of said Court as No. 10035, wherein Clydyne Wallace is Plaintiff and Will Wallace Defendant, and said petition alleging and being a suit for divorce and as grounds therefor alleging that defendant without cause of provocation on the part of plaintiff left her with the intention to permanently abandon her, such abandonment taking place on or about the 27th day of August, A. D. 1939 and that since which time they have not resided together as husband and wife; and further alleging that one child, Jamie Louise Wallace was born of their said marriage and that neither plaintiff nor defendant have any separate or community property; and plaintiff praying for a divorce from the defendant, the custody and control of their said child, for costs of court and for special and general relief both in law and in equity. Herein Fail Not, and have you before said Court, at its aforesaid next regular term, this writ with your return thereon, showing how you have executed the same. Given Under My Hand and the Seal of said Court, at office in Baird, this the 28th day of September A. D. 1939. Raymond Young, Clerk 42nd District Court, 43-4t Callahan County.

FOOD

As You Like It

When you eat here you have a wide choice of delicious, expertly prepared and served dishes . . . you enjoy good food and good service at a price easy on the purse.

Quality Cafe
 ESTES & ESTES, Props.
 Baird, Texas

NORVELL'S GROCERY AND MARKET

- SPECIALS FOR SATURDAY, OCT. 7**
- Bewley's Best FLOUR 48 Lbs. \$1.49
 - Pure Cane SUGAR (limit) 10 Lbs. 59c
 - Jewel SHORTENING, 8 Lb. Carton 75c
 - Jewel SHORTENING, 4 Lb. Carton 42c
 - Mexican Style BEANS, 3 Cans 25c
 - Admiration COFFEE 1 Lb. Can 27c
 - Admiration Coffee, 3 Lb. Glass Jar 79c
 - Bright & Early Coffee, 3 lb. glass jar 69c
 - TOKAY GRAPES Per Pound 5c
 - LETTUCE, Per Head 6c
 - BANANAS, Per Doz.—15c 2 Doz.—25c
 - CABBAGE 2 Lbs. For 5c
 - APPLES Per Doz. 15c
 - CRANBERRIES Per Lb. 19c
 - SLICED BACON Per Lb. 21c
 - BOLOGNA Per Lb. 15c
- PHONE 297—WE DELIVER

TRAVELERS CHEQUES

The safe way to carry your money. They are acceptable readily the world over. The cost is nominal. **The First National Bank of Baird** Baird, Texas. Member Federal Deposit Insurance Corporation

OTIS BOWYER L A W Y E R BAIRD, TEXAS
Otis Bowyer, Jr. ATTORNEY-AT-LAW 1507 First National Bank Building Phone 2-2066—Dallas, Texas

SEE IT OCT. 14 AT YOUR LOCAL CHEVROLET DEALERS

New 1940 CHEVROLET

Eye it You'll know it's FIRST in beauty the moment you see its refreshing new "Royal Clipper" styling!

Try it You'll know it's FIRST in all-round performance with economy the moment you drive it!

Buy it You'll know it's FIRST in dollar value—the economy leader—the biggest buy in the lowest price range!

"Chevrolet's FIRST Again!"



WE GIVE YOU THESE HITS

MATINEE DAILY, 2 P. M.

FRI. NITE, SAT. MATINEE

He Fights For Texas

Bill Elliott in "LONE STAR PIONEERS"

SATURDAY NITE ONLY

You'll go crazy when the Jones Family gets a baby—

"EVERYBODY'S BABY"

SAT. PREV., SUN.-MON

Get Your Tickets at 10 o'clock. See last Sat. Nite Show and Prev For ONE PRICE

NOTICE—A Change in Program: We bring you the picture that shocked the world; made in Hollywood behind closed doors—It throbs with Human Interest, showing for the first time German Spies in the heart of America. Do you Dare See It and Believe It?

—STARRING—

Edward G. Robinson

Francis Lederer

Paul Lukas

—in—

"CONFESSIONS OF A NAZI SPY"

The game that means death to lovers who play it.

BARGAIN DAY 10c To All

A Picture Filled with Heart Jerks You'll weep with joy as LOYD NOLEN becomes a hero in—

"UNDER COVER DOCTOR"

WEDNESDAY and THURSDAY

Fresh from Each Dawn I Die

GEORGE RAFT

in a story of a Man Who Really Stole A Million.



LEGAL NOTICE

THE STATE OF TEXAS, COUNTY OF CALLAHAN

CITY OF BAIRD. An ordinance of the City of Baird, Texas, a city duly and legally incorporated under the general laws of the State of Texas, regulating and imposing duties and restrictions on certain public utilities now enjoying or which may hereafter enjoy any franchise or public privileges; providing for the regulation of rates; authorizing hearing after notice for the purpose of regulating, determining, fixing, altering and changing rates and compensation to be charged and collected by public utilities; providing for the passage of ordinances, resolutions and orders in relation thereto; providing for an appeal by any person, firm or corporation affected, and for the giving of bond during the pendency of any appeal or suit defining the terms "rate", "Corporation", "Person", "Public Utility", or "Utility", "Gas", "City Council", or "Council", as used in this ordinance; prohibiting any gift or rebate of or on any service rate, commodity, or as to rate or service; prohibiting the making or granting of any unreasonable preference or advantage to any person, firm or corporation; providing that each public utility or person, firm or corporation engaged in such an enterprise shall submit its books, records and schedules to the Council for inspection, submit to investigation and inspection; and providing for the attendance of witnesses upon any hearing; providing that the City Council shall have jurisdiction in the regulation, compensation, regulation of rates, charges and/or fares of all public utilities; giving to the City Council the right to fix

values of all public utilities; providing for the fixing of reasonable standards for measurement of quantity, quality, pressure, initial voltage, or any other conditions pertaining to the supply of the product, commodity or service furnished and/or rendered by any public utility; providing for a system of accounts to be kept by each utility and for the filing of reports; and prescribing penalties, fines and forfeitures for any violation thereof.

Be it ordained by the City Council of the City of Baird, Texas:

ARTICLE I.

Section 1. As used in this ordinance the following terms are to be defined as indicated.

(A) The term "corporation" means a private corporation, an association, a joint stock company or a business trust.

(B) The term "person" means a natural person, or a partnership of two or more such persons having a common interest in a joint enterprise.

(C) The terms "public utility" or "utility" includes persons and corporations or their lessees, trustees, receivers, agents and servants, now or hereafter owning and/or operating in the City of Baird, Texas, any wires, poles, lines, conduit lines, pipes, pipelines, plant property, or equipment, while using any of the streets or alleys within the City of Baird, Texas, for the purpose of carrying on its business, or for the sale of any of its commodities or services to the citizens of Baird, Texas, in either one or more of the following lines, to-wit:

The producing, manufacturing obtaining, conveying, distributing or delivering gas; and by "gas" is meant natural gas, artificial gas, mixed gas, either or all for public use or service for compensation.

The owning, leasing, or operating of pipes, pipelines or any part thereof, manholes or any and all appliances of what soever character, in, over or under any street or alley, within the City of Baird, Texas, in the construction, maintenance and/or operation in the transportation or conveyance of sewerage, or in the operation of any sanitary-sewerage disposal plant or any part thereof in the City of Baird, Texas, for compensation.

The producing, generating, transmitting, conveying or delivering of electricity for the production of light, heat or power for public use or for the use of any person, firm or corporation within the City of Baird, Texas, for compensation.

(D) The above definitions are cumulative, not exclusive, and any person, including the City of Baird, Texas, engaged in any phase of the gas, electric power, electric light or sanitary sewerage business, or any one or more of such businesses, within the City of Baird, Texas, in such manner as to be affected with the public interest, is declared to be a public utility and subject to all the provisions of this ordinance.

(E) The term "public utility" shall, for rate making purposes only, include any person or corporation as hereinabove defined (including the City of Baird, Texas) producing, generating or furnishing any of the foregoing services and/or commodities to any other person or corporation, or for distribution to or for the public.

(F) The term "rate" means and includes every compensation charge, fare, toll, rental and classification; or any of them demanded, charged, observed or collected by any public utility for any service, product or commodity offered by it to the public or to any person, firm or corporation within the City of Baird, Texas, and any rules, regulations, practices or contracts affecting any such compensation, charge, fee, toll, rental or classification.

Every rate made, demanded, or received by any public utility within the City of Baird, Texas, or by two or more public utilities within the City of Baird, Texas, or by two or more public utilities jointly, shall be just and reasonable and every public utility shall furnish adequate, efficient and reasonable service.

ARTICLE II.

Section 1. The words "city council" and/or "council" when used in this ordinance shall refer to the governing body of the City of Baird, Texas, to-wit: The City Council of the City of Baird, Texas.

Section 2. For the performance of the duties of the City Council and the enforcement of this ordinance relative to public utilities, such City Council may appoint, employ or remove such engineers, accountants, statisticians, assistants, inspectors, clerks, examiners and such subordinates as may (from time to time) be reasonable and necessary to gather data and information as to the reasonableness of rates to be fixed, charged and collected by any public utility within the City of Baird, Texas; and it may appoint, on such terms as may be advisable, counsel and attorneys who are skilled in rate matters, and such counsel and attorneys shall advise the Council and represent it and the City of Baird, Texas, in conjunction with the City Attorney, in all litigation and Court Proceedings under the direction of the City Council; and the said Council shall have the power and authority to have brought before it at any reasonable time any officers, manager, agent, servant or employee of any public utility doing business in the City of Baird, Texas, and compel them,

either jointly or severally, to testify and to give evidence; and to submit evidence to the City Council at any hearing or investigation before said Council in any matter or matters involving the fixing of rates or compensation to be charged and collected by such public utility; and shall have the power and authority to compel any manager, agent, servant or employee of any public utility to bring before the City Council any and/or all records, books, or accounts of such public utility and to submit the same to the City Council for inspection and/or investigation provided for in this ordinance, or which at any time may be held within the discretion of said Council.

Section 3. In all matters coming before the City Council pertaining to public utilities, a majority of the City Council shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the City Council. The act of a majority of the City Council shall be the act of such Council. All investigations, hearings, or inquiries shall be held by the City Council, under its direction and authority.

ARTICLE III.

Section 1. Within ten days (10) after the final passage of this ordinance every public utility within the City of Baird, Texas, or every public utility doing business in the City of Baird, Texas, shall file with the City Secretary of the City of Baird, Texas, schedules showing the rates or compensation being charged each of its patrons or customers in the City of Baird, Texas, for service or sale of its services, commodity and/or commodities to each person, firm, partnership or corporation; and thereafter, under such rules and regulations as the City Council may from time to time prescribe, upon demand of the City Council, every public utility as herein defined shall file with the City Council, within such time and in such form as the City Council may designate schedules showing the rates being charged, demanded and collected by such utility for service or sale of its services, commodity and/or commodities to all persons, firms, partnerships or corporations in the City of Baird, Texas. The utility shall keep copies of such schedules open for public inspection under such rules and regulations as the City Council may prescribe.

Section 2. No public utility doing business within the corporate limits of the City of Baird, Texas, shall, directly or indirectly by any device whatsoever, or in any wise, manner or method make any gift or rebate of its services, commodity and/or commodities, nor change, demand, collect or receive from any person, firm, partnership, or corporation less compensation for any service rendered or to be rendered to any of its patrons and customers by such utility than that prescribed from time to time by the City Council; nor shall any person receive or accept any service or any of the utility's commodities for a compensation less than that prescribed in such schedules or rates as may from time to time be established by the City Council; provided, however, that no public utility shall be prohibited from charging or collecting whether directly or indirectly, a greater compensation than that prescribed by ordinance where the City Council elects merely to prescribe minimum rates.

Section 3. No public utility shall as to rate, service, commodity and/or commodities, make or grant any unreasonable preference or advantage to any corporation or person, or subject any corporation or person to any prejudice or disadvantage. Neither a public utility nor the City Council shall determine any question of fact arising under this section.

Section 4. Every utility described in this ordinance is hereby declared to be engaged in a business which is affected with the public interest and is subject to the jurisdiction, control and regulation of the City Council in accordance with the provisions of this ordinance and laws of Texas.

ARTICLE IV.

Section 1. For the purpose of determining, fixing and regulating the charges, fares, rates or compensation and/or prescribing maximum and/or minimum rates of any public utility now enjoying or that may hereafter enjoy any franchise granted by the City of Baird, Texas, or exercise any other public privilege in the City of Baird, Texas, or for the purpose of prescribing the kind of service to be furnished by such utility and the manner in which it shall be rendered, and for the purpose of altering or changing such rules, regulations and compensation from time to time, the City Council, shall, at the request of the public utility affected, or upon call of the chairman of the Council, or upon call of a majority of the Council, either at a regular or special meeting of such Council, have a hearing before said Council.

Section 2. The City Council shall cause at least ten (10) days' prior notice, by registered mail, addressed to the local agent or representative to be given to any public utility, person, firm or corporation which may be affected by such hearing. Such notice shall state the time and place of such meeting as well as the purpose thereof. Said notice shall be addressed to the local agent or representative of said public utility.

Section 3. In order to ascertain all the facts necessary for a proper understanding of what is or should be a reasonable rate or compensation the public utility shall, on demand, submit to the City Council, or any person designated by it, for inspection, its books, records and schedules or rates charged, as well as the rates proposed to be charged, and the City Council shall have full power to compel the attendance of witnesses for such purpose at any hearing before the Council.

Section 4. After such notice and hearing, the City Council shall, from time to time, determine and fix such rates and/or prescribe such maximum and/or minimum rates and enforce such schedules of rates to be charged and collected by such public utility for its services, commodity and/or commodities furnished to its patrons or to any person, firm, partnership or corporation in the City of Baird, Texas. Such rates so established or fixed shall be just, fair and reasonable rates or charges for the services, commodity and/or commodities furnished by the public utility. And all rates and/or regulations for transmitting, carrying, conveying, producing, transporting, distributing, selling and delivering such services, commodity and/or commodities within the City of Baird, Texas, shall be fair and reasonable.

Section 5. The City Council on its own motion, after notice and hearing, may change, alter or modify any existing rate, rates or regulations, and amend or substitute an entirely new rate structure and make such further schedule of rates and/or regulations but such ordinances, resolutions or orders as may be consistent with fair and reasonable rates to be charged the patrons of such public utility within the corporate limits of the City of Baird, Texas, for the service rendered, commodity and/or commodities furnished. And any utility affected by any schedules of rates or other regulations fixed by the City Council, or any person, firm or corporation thus affected by any schedules of rates or other regulations, fixed by the City Council, or any person, firm or corporation thus affected may petition such Council to hold a hearing with a view to proper revision of the rates or regulations complained of.

Section 6. The Council shall have original regulation jurisdiction in the regulating, compensating and fixing of the charges, fares or rates of any public utility, person, firm or corporation now enjoying or which may hereafter enjoy the privilege of any franchise or which may exercise any other public privilege as hereinabove set forth in this ordinance; and any public utility, person, firm or corporation which shall desire to contest any rate schedule, rates, compensation or regulation as may (from time to time) be fixed by the City Council shall have the right to appeal therefrom to any Court of competent jurisdiction.

Section 7. No utility shall unreasonably discriminate in favor of or against any person, firm or corporation, either in apportioning the supply of its services, commodity and/or commodities or in its charges therefor.

ARTICLE V.

Section 1. The City Council, may, after notice and hearing, as hereinafter provided for, upon its own motion or complaint, ascertain and fix just and reasonable standards, classifications, regulations, practices or services to be furnished, imposed, observed and followed by any utility; ascertain and fix adequate and reasonable standards for the measurement of quantity, quality, pressure, initial voltage and other conditions pertaining to the supply of the product, service, commodity and/or commodities furnished or rendered by any utility; prescribed reasonable regulations for the examination and testing of such products, service, commodity and/or commodities, and for the measurement thereof; establish and approve reasonable rules, regulations, specifications and standards to secure the accuracy of all specifications and standards and to secure the accuracy of all motors and appliances for such measurement; and to provide for the examination and testing of any and all appliances used for the measurement of the product, service, commodity and/or commodities of any utility.

Section 2. The City Council may, after notice and hearing, ascertain and fix the value of the whole or any part of the property of any utility, insofar as such valuation is material to the exercise of the jurisdiction of the City Council; and may revalue such property from time to time; and also ascertain the value of all new construction, extensions and additions to the property of such utility.

Section 3. Each utility shall establish a system of accounts to be kept as may be ordered and directed by the City Council. In any case where a utility is required by Federal regulations to keep its books or accounts in some particular form or manner, such practice with such Federal regulations shall be deemed compliance with the regulations of the City Council, provided that the City Council shall have the power to impose such additional regulations as it may deem proper.

Section 4. Each utility shall permit the City Council, its officers and employees (during all reasonable hours) to enter upon

any premises occupied by such utility for the purpose of making the examination, tests and exercising any power provided for in this ordinance; and shall permit the setting up and use on such premises of any apparatus and/or appliance necessary therefor. Such utility shall have the right to be represented at the making of such examination, test and/or inspection.

Section 5. Each utility shall file with the City Council annual reports in such form and of such content as the City Council may require and special reports concerning any matters about which the City Council is authorized to inquire or to keep itself informed. All reports shall be made under oath when required by the City Council.

Section 6. The City Council may, on its own motion, and when ever it may deem necessary in the performance of its duties, investigate and examine the conditions and management of any utility. In conducting such investigation the City Council may proceed, either with or without hearing as it may deem best, but it shall make no order without affording the parties affected thereby a hearing.

Section 7. In all hearings before, or investigations made by the City Council it may issue subpoenas duces tecum and all other necessary processes in proceedings pending before it, and such process or processes may be served by any person authorized by law to serve process or processes of courts or record.

Section 8. In any investigation or hearing before the City Council, it, or any other party to the proceedings, may cause the depositions of witnesses to be taken in the manner prescribed by law for the taking of depositions in civil cases.

ARTICLE VI.

Section 1. Any public utility coming under the provisions of this ordinance or any manager, agent, servant or employee of any public utility, failing or refusing to subject himself or herself to the jurisdiction of the City Council as provided for in this ordinance, and failing or refusing to obey any order or ordinance of said City Council legally promulgated hereunder, after reasonable notice and opportunity to do so, shall be liable to a penalty as hereinafter provided.

Section 2. Any person or corporation who violates any provisions of this ordinance, or who fails, omits, or neglects to obey or comply with any lawful order or ordinance or any part or its provisions thereof, legally promulgated by the City Council, involving any of the matters herein contained, upon conviction in a court of competent jurisdiction, shall be fined in any sum not to exceed \$100.00 for each offense; and each day of such violation, omission or neglect to obey or comply with such order or ordinance promulgated hereunder shall be deemed a separate offense.

Section 3. In construing and enforcing the provisions of this ordinance relating to penalties, the act, omission or failure of any official agent or employee of any corporation, or other person acting within the scope of his employment, shall in every case be deemed also to be the act, omission or failure of such corporation.

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Section 4. All penalties accruing under this ordinance shall be cumulative and suit may be brought by the said City in any court having jurisdiction of the cause of action against the offending utility for the recovery of such penalties, and a suit for the recovery of one penalty shall not be a bar to or affect the recovery of any other penalty or forfeiture, nor shall it be a bar to any criminal prosecution.

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