

THE OCALA BANNER.

THE NEWSPAPER.—"WHAT IS IT BUT A MAP OF BUSY LIFE: ITS FLUCTUATIONS AND VAST CONCERNS."—COWPER.

VOL. 41, NO. 18.

OCALA, FLORIDA, FRIDAY, OCTOBER 26, 1906.

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—AND—

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HAPPENINGS ABOUT TOWN.

MISS SARA ELIZABETH HARRIS.
Local Editor.

Mr. J. N. Strobhar, of Pannasoffkee, was in the city Monday.

Br. Wm. Sinclair was up Monday from his orange grove at Candler.

Mr. Alex Holly, of Orlando, made a flying business trip to our city Monday.

Mr. and Mrs. Steve Civils, of Sparr, were among the shoppers in the city Monday.

Miss Eloyse Smoak returned home Monday afternoon from a brief visit to relatives at Lowell.

Mr. George Tylor went down to Dunnellon Monday afternoon to look after some property interests.

Mr. John W. Pearson spent Sunday visiting his son and daughter-in-law, Mr. and Mrs. Earl Pearson, at Apopka.

James M. Dell of Gainesville, is the guest of her parents, Mr. and Mrs. C. A. Liddon on Ocklawaha avenue.

Mr. and Mrs. C. M. Brown, Jr., are the proud parents of a little baby girl, which arrived Friday.—Miami Metropolis.

Judge W. S. Bullock, and States Attorney Davis returned to Sumterville Sunday afternoon to hear a murder case.

Miss Daisy Bell, who has been spending several months in Asheville, N. C., with her sister, Mrs. Hardy C. Croom, arrived home Sunday.

Dr. and Mrs. William Herbert Powers announce the birth of a son, William Harris Powers, the little one having arrived at their home on Orange avenue Monday morning at eight o'clock.

Mr. Frank Reagan, after spending several days in Ocala with friends, returned to his home at Brooksville Sunday afternoon. Mr. Reagan has many friends in Ocala who are always glad to welcome him back to his former home.

Mr. E. B. Duncan, Ocala's popular A. C. L. agent, reached home Sunday night from his extensive trip through the west. While away he visited a large number of the most important points in the far west and had a very splendid trip.

Mrs. J. J. Dickinson has as her guest her granddaughter, Mrs. Stickney, of Newberne, N. C. Mrs. Dickinson and Mrs. Stickney are at the Lenox, where the venerable widow of the late brave General Dickinson makes her home.—Jacksonville Metropolis.

Mr. C. A. Tice, of Daytona, a thoroughly competent and first class printer, arrived in Ocala Sunday and has accepted a position in the job department of this paper and the Ocala Banner now, more than ever, is prepared to do quickly the very best plain, neat and ornamental job printing and solicit your orders.

Captain T. H. Johnson has returned from a visit to Lakeland. While there he disposed of one of his big orange groves. He still has two left. He says that people down there are applying the red fungus to destroy the white fly and that it is doing its work beautifully. It is not only destroying the fly but is restoring to the leaves their glossy color and turning the russet oranges into bright ones. He thinks that the red fungus will ultimately rid the state of the white fly pest. We hope that his predictions may be realized.

Frank Durand came up from Dunnellon to spend Sunday with his mother.

Mrs. James Engesser went down to Dunnellon Monday to join Mr. Engesser who has recently taken up his residence in the Phosphate City.

Prof. P. Wilson Green, of Bellevue, and Mr. W. A. Reilly, of Citra, were among the enterprising Marion countyites in the city Monday.

Mr. Sam Christian has gone to his old home at Anniston, Ala., to visit relatives and he will also go to Birmingham to attend the Alabama home coming.

Mr. A. J. Harrison, of York, at present connected with the Gainesville & Gulf railway at York, was in town Monday on business connected with the company.

Mr. George McGahagin, one of the A. C. L.'s most popular conductors who is in charge of the Dunnellon and surrounding phosphate mine trains, was in town on a visit Monday. George's Ocala friends always enjoy giving him a hearty grip and welcome to his old stamping grounds.

Mr. Allan Rodgers, who several years ago did such valuable work on the hard roads of this county, is now located at Inverness, and has the hard roads building of Citrus county in charge. He is a thorough road builder and Citrus is to be congratulated upon securing his services. Mr. Rodgers was in Ocala Monday making preparations to begin work at once.

City Council Meeting.
A special called meeting of the city council was held Tuesday night to hear the preliminary report of Ludwig and company, the Atlanta firm of electrical engineers engaged to inspect and test the new machinery recently installed in the city electric light plant.

The full and detailed report will be prepared after Mr. Ludwig's return to Atlanta and be presented at the next regular meeting of the council.

Enough, however, was shown to indicate that the tests and examination were entirely satisfactory and that we can look forward to an improved service.

After informal discussion on lighting questions and the day and night service the council adjourned at 8:50 after a session of little over an hour. The members present were: Gates Ford, Weathers, Owen, Chace, Carmichael and Sage. The mayor, city attorney, marshal, superintendent electric light plant and several citizens were also present.

Just why more citizens do not attend these meetings where matters of such importance to themselves are determined is an Ocala mystery. Their presence would at least indicate to the members of the council an interest in their gratuitous work for the city.

Benjamin P. Calhoun Dead.
Hon. Benjamin P. Calhoun, one of the most widely known attorneys in the state died at his home in Palatka Saturday afternoon of pneumonia.

Mr. Calhoun at the time of his death was states attorney from the eighth judicial circuit and was very highly esteemed throughout the state. He was a member of a very prominent family and was born in New York and has lived most of his life in Florida.

He leaves a wife and several sons.

Mr. and Mrs. William Tydings, of Silver Springs, spent Tuesday in the city.

Mr. E. R. Martin, of the Cotton Plant neighborhood, was transacting business in Ocala Tuesday.

Mr. F. M. Harp, of Citra, a prominent turpentine distiller, was a visitor to our city Tuesday.

HYMENEAL.

Taylor—McCoy.

Miss Maggie McCoy, daughter of Mr. and Mrs. R. D. McCoy, of Istachatta, and Mr. Pierce Taylor, were married at the home of the bride's grandmother, Mrs. Ida Peters, Oct. 14, 1906, at 9 o'clock.

It was a quiet wedding there being only a few relatives and friends present.

The bride is one of Istachatta's most popular young ladies and has many loving traits of character, which have won many friends for her. The groom was formerly of Lake City, having been in Istachatta only a few months, but during that time he has proven himself to be a young man of many sterling qualities.

Cobb—McLeran.

Last Thursday night Mr. Albert E. Cobb and Miss Nellie McLeran were married at the residence of the bride's parents, Mr. and Mrs. A. M. McLeran. The wedding was a beautiful home event and there were several attendants.

The young bride is the daughter of one of the most influential men in that section. He is a prominent Methodist and attended the conference in this city last winter as a lay delegate from his church.

The groom is in business with the bride's father and they will make their home at Wellborn.

Making a Plaything of the Supreme Court.

The New York World prints this from its Washington correspondent:

"President Roosevelt is in search for a man to fill the vacancy in the supreme court created by the retirement of Associate Justice Brown, and is doing every thing possible to avoid selecting a man who holds states' rights doctrine. He is not making any secret of this fact, either. The constitution requires him to make his selection, but imposes no limitations on him. It is an unwritten law that requires him to choose men supposed to be learned in the law."

In the Kansas City Star we find this dispatch from a Washington representative:

"The president has let it be known that he has selected a man to fill the vacancy caused by the retirement of Justice Brown whom he considers safe on the question of states' rights and the negro. In the selection of this man he endeavored to secure a man of high ability who could look at the cases brought before him from a national point of view."

Commenting upon this the Louisville Courier-Journal says:

Intent upon the establishment of such a program, having done what he could in the past to accomplish the exaltation of the nation and the reduction of the state by means of legislation and administration, it ought not to be surprising—even though it be regrettable—to read that he proposes to cap the climax and to insure the absolute elimination of the state by juggling the supreme court. The thought of abolishing the state by any procedure is revolutionary; to do it by packing the supreme court and making that august tribunal subservient to the executive is not far short of treason.

President T. J. I. Brown of the Tampa mid-winter fair, has returned from a most important and highly successful trip to New York, where he procured for appearance at the coming State Fair to be held at Tampa, Nov. 14th to 29th, the most magnificent and costly amusement attraction ever brought south of the Mason and Dixon line. In short, he contracted for appearance at the fair which has pleased several million residents and visitors of Chicago. He was met in New York by P. M. Barnes, manager of the great White City, Chicago's great amusement resort, upon which millions of dollars have been spent, and closed the contract for the hippodrome as above stated. The cost of bringing the Hippodrome to Tampa will amount to over \$20,000, from which it is worthwhile traveling hundreds of miles to see. The contractors of the Fair Association are determined to stop at nothing in making the coming fair an even greater success than that of last year, and will do so regardless of expense. While visiting other cities on his trip, President Brown secured 130 of the fastest running and harness horses of the Southern circuit, necessitating the immediate erection of a large number of additional stables. He also secured many other attractions, and advertised Florida and the State Fair extensively in the east and west.

The loss of life of those employed on the Florida East Coast railway extension amounted to 135; the loss of property \$150,000.

Miss Esther Weathers who has been visiting friends several months at Cincinnati and Chicago, is now the guest of friends at Bloomington, Ill., for a short while. On Friday Miss Weathers was the guest of honor at a very beautiful reception at the country club at Bloomington.

THE LAW OF THE CASE.

Ample Power to Restrain the Drainage Commissioners.

The statement is frequently made that the board of drainage commissioners, in addition to being granted extraordinary powers, are not responsible to the legislature or anybody else for their actions.

This is an error, arising generally from ignorance doubtless, but an error all the same. It is true that the amendment does not specify that the commissioners shall make reports to the legislature, but there are ample provisions for this in the state constitution, which is not set aside by the amendment; for while the amendment creates a board and confers upon it certain powers, it does not relieve the individuals composing it of their duties under the constitution and laws of the state.

Back of all stands the power of the legislature to impeach and remove from office any man on that board for misfeasance (or malfeasance) in office, even though a specific crime should not be committed, and, again, the liability of any official who is guilty of a violation of law, to be tried in the courts as a common felon, in addition to removal forever from office in the state.

More than this the constitution and the laws specify duties upon the officers composing the proposed board that they should not evade, assuming they should desire to do so.

The drainage commission would be composed of the governor, the comptroller, the treasurer, the attorney general and the commissioner of agriculture of the state.

All except the governor are bonded officials—the treasurer in the sum of one hundred thousand dollars, for a faithful performance of their duties. The duties of the attorney general and the commissioner of agriculture, as specified by law, do not seem to have any particular bearing upon them as members of the drainage commission, but duties of other officers do. The duties of the administrative officers are prescribed in article 4, of the state constitution.

Section 9, provides that the governor shall communicate by message to the legislature at each regular session information concerning the condition of the state. Certainly, the work of the drainage commission, of which he would be chairman, should be reported as a part of the "condition of the state" and a self-respecting legislature would lose no time in impeaching a governor who would refuse to inform them upon such an important matter.

Section 23, provides that the comptroller shall examine, audit, adjust and settle the accounts of all officers of the state, and he is under penal bond for the faithful performance of these duties.

Section 24, provides that "the treasurer shall receive and keep all funds, bonds, and other securities, in such manner as shall be prescribed by law; and shall disburse no funds nor issue bonds, or other securities, except on order of comptroller, countersigned by the governor, in such manner as shall be prescribed by law."

Section 27, provides that the administrative officers shall make full reports of all acts, receipts and expenditures of their respective offices to the governor at the beginning of each regular session of the legislature, or whenever the governor shall require it, and further says, "Either house of the legislature may at any time call upon any officer of this (executive) department for information required by it." It is provided elsewhere in the constitution that the accounts of the officers shall be inspected by a joint committee of five from the senate and house of representatives, appointed each session.

I have emphasized several words and phrases in the above sections of the constitution for the benefit of the astute editors and constitutional lawyers who do not seem to be aware that they are there.

The opponents of the amendment would have us believe that if it is adopted the legislature will be legislated out of the question entirely, in spite of the proposed amendment which reads "The legislature may provide for the assessment of benefits derived from lands by reason of such drainage, and the collection and the proceeds therefrom shall be paid to the board of drainage commissioners to be used by them for such drainage purposes."

If the language of the amendment itself, the plain provisions of the state constitution, the numerous acts of the legislature passed to make effective the constitutional checks upon the executive officers, the liability to impeachment and criminal prosecution, and ultimate responsibility to the people at the polls does not make the proposed board of drainage commissioners a responsible body, responsible to the courts, responsible to the legislature, responsible to the people, then what in the name of common sense do we need to make them a responsible body? We anxiously await suggestions.—Albert H. Roberts, of St. Petersburg, in the Tampa Tribune.

The busy season

May make it necessary for you to borrow some money. We are ready to accommodate all legitimate lines of industry and trade.

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Albert Williamson on the Broward-Beard Debate.

"Candor is a vice as well as a virtue," but if some friend would ask our candid opinion, we would be compelled to acknowledge that Broward made a monkey of John Beard in that drainage debate last Thursday night.

Mr. Beard is eminently capable of making a finished address to a board of college professors. But he is no match for Broward in the rough and tumble elements of Florida politics.

We once heard a noted evangelist say that the devil never went nearer a certain little village than a high hill overlooking it; that he simply looked on and saw that everything was going on as well as he could wish and "went his way rejoicing."

So it was with this drainage proposition. Its friends make appointments to discuss it with only such orators as they, themselves, choose.

In this case, Barrs, Broward and Company were the sole judges as to the qualifications of the speakers. Beard was chosen because he was said to be "dead easy."

It was truly a nice audience; but before Mr. Beard had concluded his opening address it was plain that the crowd was with Broward. For even from a legal point of view the latter had the best of the argument.

"'Tis true, 'tis pity and pity 'tis 'tis true!' But it is a fact nevertheless, that the high "muckmucks" who have managed this farce comedy have made a most bunglesome sort of a job of it.

It has truly been a case of "Won't you walk into my parlor said the Spider to the Fly?"

Thus far the promoters of this drainage proposition have made every single appointment for every speaking and have arranged every detail in connection therewith and they have played with the passions and prejudices of the anti-drainage forces as children play with toys.

They make the appointments to speak, and in every single instance they have made the anti-drainage fellows "pay the freight."

It's "heads I win and tails you lose!" They catch them "gwine and comin'" and still these people who imagine themselves politicians cannot catch on.—Jacksonville Floridian.

Ex-Senator J. R. Burton, of Kansas, has begun serving his sentence in the United States penitentiary. His wife and daughters followed him to the prison doors! What a lesson this carries with it! From a seat in the United States senate to prison cell. With what proud elation the wife and daughters entered the society circles of the capital city and how their spirits must have been crushed when the prison doors closed upon their husband and father. The brunt of one's evil doing after all falls heavier upon others than upon one's self.

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For Sale.

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