

THE DESOTO COUNTY NEWS.

VOLUME XXI.

ARCADIA, FLORIDA, THURSDAY, NOVEMBER 16, 1916.

NUMBER 3.

The News is the Official Paper of the Board of Public Instruction of DeSoto County, also Publishes All the County Commissioners Reports and Proceeding

MANDAMUS IN CASE OF BOND ELECTION DENIED BY HON. F. A. WHITNEY, JUDGE

OF THE TENTH JUDICIAL CIRCUIT. THE COURT BEING OF THE OPINION THAT THE RETURN SETS OUT SEVERAL REASONS THAT JUSTIFY THE COMMISSIONERS' COURSE AND MAKE THAT THE ONLY PROPER COURSE THEY COULD TAKE.

ONLY A QUALIFIED AND CONDITIONAL

PETITION PRESENTED BY THE RELATORS. THE CONDITIONS ARE UNAUTHORIZED BY LAW. WHILE THOSE ELEMENTS MIGHT MAKE A BETTER LAW, YET THE COMMISSIONERS, AND THE COURT AS WELL, MUST DEAL WITH THE QUESTION AS AUTHORIZED BY THE STATUTE.

Judge F. A. Whitney, of the tenth judicial circuit, yesterday denied the writ of mandamus in case of J. L. Livingstone, D. L. McSwain, J. A. Simmons, Ed. Scott, F. E. Platt, E. J. Yelvington and S. Rosin against the DeSoto county commissioners in calling a bond election for the funding of good roads, as follows:

In the circuit court of the tenth judicial circuit of the State of Florida, in and for DeSoto county, J. L. Livingstone, D. L. McSwain, J. A. Simmons, Ed. Scott, F. E. Platt, E. J. Yelvington and S. Rosin, Relators, vs. L. W. Whitehurst, W. G. Welles, John Hagan, D. L. Skipper and W. M. Whitten, as Board of County Commissioners, DeSoto County, Florida. Respondents, Mandamus.

This cause coming on for hearing upon return to alternative writ of mandamus, exceptions to paragraphs 2, and part of paragraph 3, paragraphs 4, 5 and 6, of said return and replication as to the remaining part of said return, and objection to said replication; and the court having heard argument of counsel for the respective parties, and being advised in the premises:

It is ordered and adjudged that re-

lators' exceptions to paragraph 4 of said answer, be and the same is hereby sustained; that the other exceptions of relators' be and the same are overruled. The court being of the opinion that the return sets out several reasons that justify the commissioners' course and make that the only proper course they could take, but among them the court is of the opinion that the return shows there has been no qualified petition, presented, as contemplated by law, but only a qualified or conditional petition. The conditions are unauthorized by law, and while those elements might make a better law if they were embodied in the statute, yet the commissioners, as the court, must face the law as they find the legislature has enacted it. The commissioners can not reject the conditions as merely immaterial as they can not tell that the petitions would have been made except for the conditions recited in them. They can not accept part and reject part.

Peremptory writ denied, unless relators desire to take evidence on questions of fact raised.

Done and ordered in chambers, at Arcadia, Florida, this the 16th day of November, A. D. 1916.

F. A. WHITNEY, Judge.

ELECTION CALLED BY COUNTY COMMISSIONERS FOR DEC. 19TH

IN PART OF DISTRICT NO. 2 ON A PETITION OF TWENTY-FIVE PER CENT. OF THE FREE HOLDERS OF THE PINE LEVEL AND OTHER COMMUNITIES ASKING THAT A SPECIAL ROAD AND BRIDGE DISTRICT BE CREATED FOR ROAD AND BRIDGE BUILDING PURPOSES. THE VOTING PRECINCTS INCLUDED IN THIS PROPOSED DISTRICT ARE: LIMESTONE, PLATT, OAK HILL, PINE LEVEL, LILY AND OWENS.

Wednesday, November 8th, 1916.

The Honorable Board of County Commissioners reconvened, with Chairman Whitehurst presiding, and all commissioners present.

The county judge filed his report.

The sheriff filed his report.

The tax collector filed his regular monthly report.

The board then went into executive session to consider their answer to the writ of mandamus filed before Judge Whitney.

Moved by Commissioner Whitten and seconded by Commissioner Welles, that the comptroller be and he is hereby requested to permit the Atlantic Coast Line Railroad Company to redeem all of block 5, town of Punta Gorda, at a valuation of \$10,000, the assessed value being considered excessive. Upon discussion it was decided to defer final action on the matter until a specific request for same be made by the Atlantic Coast Line Railroad Company.

Moved by Commissioner Whitten, and seconded by Commissioner Welles that the clerk of this board be and he is hereby authorized to provide a loose leaf minute record to be used as Commissioners' Minutes No. 6. Upon discussion final action was deferred pending a reply to inquiries addressed to the comptroller and to the attorney general by Commissioner Skipper.

The clerk was ordered to return the surety bond of the Florida Crushed Rock Company their contract having been completed to the satisfaction of the board.

Mrs. Lizzie Miller and children were allowed \$10 as temporary relief.

Bids were opened for clearing and grubbing in Special Road and Bridge District No. 5, W. R. Langford, W. B. Best and B. E. Woods filed bids. The same were laid over for further consideration at another time.

Moved by Commissioner Whitten, seconded and carried, that the contract for furnishing 4,000 to 5,000 cubic yards of shell on division No. 1 of the Punta Gorda Special road and bridge district, signed by A. P. Hatch, be approved, and the chairman and clerk be and they are hereby authorized to execute the same, and that the bond of the said A. P. Hatch, accompanying the said contract in the sum of \$1,000, with B. A. Wagnon and Joshua Mizel as sureties, be accepted and approved, and that said contract and bond be filed by the clerk.

Moved by Commissioner Whitten, seconded and carried, that the petition of John Yewans and twenty-seven others asking for a road beginning at the quarter post on the south line of section 19, township 39 south, range 24 east, and running north 1-320 feet, thence west to range line, be received, and that John E. Williams, Zeke McLenon and Edgar Tipples be appointed to view and mark said road and make report as provided by law.

Moved by Commissioner Skipper, seconded by Commissioner Hagan and carried, that the petition of S. J. Whitener and sixty-three others praying for a change in the proposed route of the road recently granted to run from the Bowling Green and Fort Green road to the Wauchula and Fort Green road, be granted, and that V. W. Surrency, S. J. Whitener and G. W. Futch be appointed to view and mark out said road in accordance with said petition.

Thursday, November 9th, 1916.

The Board of County Commissioners reconvened with Chairman Whitehurst presiding and all commissioners present.

A committee from the Arcadia Civic League, composed of Mesdames Annie Hollingsworth and C. H. Smith, appeared before the board and petitioned that benches be placed on the south and east side of the court house yard, along the walks, and that signs be placed at all bridges in the county indicating the name of the stream which the said bridge crosses, the road, etc.

Moved, seconded and carried that the following citizens be allowed a re-

duction in their personal taxes, on account of erroneous assessment:

W. W. Bateman, cattle, \$120.00.

J. W. Collins, hogs and cattle, \$50.00.

W. J. Albritton, cattle, \$380.00.

J. H. Langford, cattle and sheep, \$420.00.

A committee representing the DeSoto County Fair appeared before the board seeking an appropriation for premiums to be offered for agricultural products.

Moved, seconded and carried, that the finance committee of this board be and they are hereby authorized to let contracts for the necessary repairs to the jail roof and to have the jail painted.

Moved, seconded and carried, that the work of the Franz Safe and Lock Company in repairing the jail, which contract has just been completed, be accepted and that warrant be drawn for the balance due them.

Deputy sheriff's bond of Tom W. Whidden, with R. L. Cowart and J. W. Rainey as sureties, was approved.

The clerk was instructed to insert the following advertisements in the Zolfo Truth:

Notice.

The Board of County Commissioners of DeSoto County, Florida, invite bids for the purchase of \$18,000.00 of negotiable 6 per cent. coupon bonds, especially validated by the court, of the Zolfo Special Drainage District No. 10, DeSoto County, Florida, said bonds being in the denomination of \$100.00 each, dated August 1st, A. D. 1916, and payable, principal ten years after date and interest annually, at the office of the treasurer of DeSoto county, Florida, in lawful money of the United States of America. The said bonds being issued for the purpose of constructing a drain in said special drainage district.

All bidders for said bonds shall accompany their bids with a certified check in the sum of \$100.00, payable to the Board of County Commissioners.

Bids will be received up to noon of December 4th, 1916, at Arcadia, Florida.

The board reserves the right to reject any and all bids.

Dated at Arcadia, Fla., this 9th day of November, 1916.

Notice.

The Board of County Commissioners of DeSoto County, Florida, invite bids for the digging and construction of the canals and laterals to be constructed in Zolfo Drainage District No. 10, as per plans and specifications outlined and established by the drainage committee of said drainage district, and the said board will receive bids at the court house in Arcadia, Florida, up to noon on the 4th day of December, 1916.

The successful bidder will be required to enter into a good and sufficient bond for the faithful performance of his contract.

All bids must be accompanied by a certified check payable to the Board of County Commissioners in the sum of \$100.00 to show good faith.

The board reserves the right to reject any and all bids.

Dated at Arcadia, Fla., this 9th day of November, 1916.

Blaizers' report of R. D. Albritton, W. B. Connor and W. P. Albritton was received, and the following declared a public road: Beginning at corner of V. W. Surrency and G. W. Futch property on Bowling Green and Fort Green road, and run due south on quarter section line to intersection of Wauchula and Fort Green Springs road.

A petition signed by J. A. Steel and twenty others asking that a public road be granted as follows: Commencing at the northwest corner of section 27, township 35 south, range 24 east, thence south to southwest corner section 8, township 36 south, range 24 east, was received and granted, and R. M. Stidham, H. M. Albritton and W. U. Montgomery

(Continued on Second Page.)

MONEY AVAILABLE FOR STREET IMPROVEMENTS IN 3 WEEKS' TIME

STREET BONDS SOLD AT A PREMIUM OF A LITTLE MORE THAN 11 CENTS. ARCADIA WILL SOON BECOME ONE OF THE BEST, IF NOT THE BEST, PAVED CITY IN THE SOUTH, FOR ITS POPULATION AND AREA.

The city of Arcadia is to be congratulated in the splendid bond sale made yesterday, when bonds aggregating \$115,000 were sold to John Nuveen & Company at a premium of \$16,016, thus yielding \$131,016 in revenue for improvements.

The bonds are sold for the purpose of building twelve miles of asphalt pavement, sewerage and water extension, and building city hall.

Of course the actual expenditures for street improvement will be much more than provided for in this bond sale, since the property owners are required to pay two-thirds of the expense of streets and curbing, except that the city pays for all crossings.

The schedule of the issue is as follows:

For street improvements	\$ 90,000
Sewerage extension	21,000
Water extension	19,000
City hall	15,000

Total

\$145,000

The successful bidder, Nuveen & Company, of Chicago, in a list of seventeen competitors, deposited a check for \$1,000 which is to be forfeited in case of default of company to comply with contract, and the company also agrees to pay attorney's fees and to furnish blank bonds, with assurance of its readiness to furnish the cash within a period of three weeks.

Thus it will be seen that Arcadia is soon to take rank as one of the best paved cities of its size in the state, or to be found anywhere in the nation, for that matter.

CONTRACT LET FOR HANDSOME ARCADIA BOOKLET

Which It Is Hoped Will Be Ready for Distribution By the Middle of December. The Committee Desires the Hearty Co-Operation of Citizens to the End That the Largest Possible Number May Be Published.

At a meeting of the Publicity Committee of the Arcadia Commercial Club yesterday afternoon the following members were present: Dr. J. A. Simmons, Andrew Carter, E. R. Jones, F. Morcus and John Pelot.

The only question considered before the committee was that of letting a contract for the publication of an Arcadia Booklet. Mr. G. S. Gardner, secretary of the Commercial Club, presented to the committee a proposition from the United Lithographic and Printing Company, of Rochester, New York, showing a "dummy" submitted by this well known company, which so pleased the members that the committee at once instructed Mr. Gardner to write an acceptance of the proposition.

Mr. H. G. Gates one of Arcadia's most hustling real estate men, was present at the meeting of the committee, and he was so much pleased with the prospectus that he at once authorized his name to be placed for 1,000 of the booklet. In order that the committee may place the largest possible order, Chairman Jones appointed Dr. J. A. Simmons and Mr. John Pelot, who with the assistance of Secretary Gardner, will be a committee to place the matter before the real estate men and the business men of the city, with the hope that a sufficient number may be published in order to give Arcadia and DeSoto county such an advertisement as it has never before had. It is to be hoped that this committee may be received most cordially in this the greatest advertising venture the city has ever undertaken. When you fully understand what is to be done you will want to become a part of it.

The United Lithographic and Printing Company is one of the largest and most reliable of the kind in the United States, which guarantees that the work will be of the very highest class. You will only need to see the prospectus and have explained to you what is contemplated in the contents to enlist your interest. The company agrees to begin the work at once, and the booklet should be ready for distribution before the Christmas holidays.

Paying Weekly Call—

B. A. Brown, who travels for the Consolidated Grocery Company, of Tampa, arrived here this morning from Fort Myers, where he has been on business. Mr. Brown will leave this afternoon for Wauchula.

Visitors From Lakeport—

Mr. and Mrs. J. H. Stanford and little son, of Lakeport, arrived here this morning and are spending a few days in town visiting friends and attending to business. They are guests at the Arcadia House.

ARCADIA SCHOOL IMPROVEMENT ASSOCIATION

Held An Interesting and Instructive Session Last Monday Afternoon at the High School Building. More Than Forty Ladies Present. Meetings Held the First and Third Mondays of Each Month, and All the Ladies of the City Are Cordially Invited to Attend All These Sessions.

The School Improvement Association held a most interesting session at the DeSoto County High School building last Monday afternoon at 3 o'clock.

There were present more than forty ladies and much business of a routine nature was transacted. Mrs. E. D. Trendwell, president of the association, presiding at the meeting.

Prof. Lynch, principal of the high school, made an interesting talk before the ladies, calling especial attention to the necessity for the co-operation of the parents with the teachers in encouraging the pupils to giving more time to home study work, especially upon the part of the high school pupils. High school pupils can not possibly do the work assigned them unless considerable home study is done. Parents should be made aware of the necessity for this extra work in order that their children may make the highest possible grades.

Miss McGaugh also presented the matter of having some exercises in the way of entertainment for the members of the State Teachers' Association that will be in session in this city, Christmas week, and asked the co-operation of the mothers in this matter. This was most cordially assured by those mothers present.

The association meets regularly twice each month, the appointments being the first and third Mondays. The membership of this splendid organization with its possibilities for effective service, should include every lady in the city, and it is to be hoped that other names may be presented at once.

A NEW INDUSTRY FOR ARCADIA

The C. H. & N. Railroad Company today concluded a contract with the Texas Oil Company whereby this company will locate its tanks for the distribution of its products in this vicinity in the industrial district on the C. H. & N. terminals of this city. This information comes from Col. C. B. McCall, the popular traffic manager, who says the C. H. & N. never neglects any opportunity to boost Arcadia and to encourage great industries to locate here.

Pete McDermott will be the district manager for the new company, and it is confidently expected that he will make the business go from the start.

The indications are that quite a large acreage of water melons will be planted the coming season at Fort Myers. One man recently purchased 200 pounds of seeds, while many smaller orders have been placed for seeds, all of which indicates that several hundreds of acres will be planted.

THIRTY-SIX ACRES OF CABBAGE PLEDGED

By the Members of the Peace River Truck Growers' Association. The Truckers Will Plant the "Early Jersey Wakefield" and the "Charleston Wakefield." This Acreage Will Doubtless Be Increased.

The Peace River Truckers' Association held a meeting last night in the court house and after having settled several important questions, heard a speech from the manager of the demonstration farm, Joe Crews, on what to plant for a mid-winter crop. He informed the members of the association about the high prices on cabbage, which likely would be much higher before spring, and it was decided that the association should advocate the planting of cabbage for a mid-season crop. Thirty-six acres were pledged to the association. It was decided to plant the Early Jersey Wakefield and Charleston Wakefield, and to get the seed beds planted immediately.

FLORIDA VEGETABLES MOVING FREELY

Though Lettuce Is the Only Crop That Has Moved in Car Lots. Vegetable Acreage 25 Per Cent. Over That of Last Year. While the Strawberry Acreage Is At Least 50 Per Cent. Less Than Last Year.

Jacksonville, Fla. Nov. 13.—Florida vegetables are moving quite freely and shipments are increasing daily. Lettuce is the only crop that has yet moved in car lots, the first car going to eastern markets November 3. Two cars were rolled November 4. Other vegetables are confined to express shipments in small lots, being widely distributed. Cucumbers are moving quite freely from Arcadia and other points on the Charlotte Harbor division. Peppers, squash, egg plants, okra and beans are moving from Plant City. The Manatee section is about to open up with a rush, as there is a large acreage of nice vegetables that are in splendid condition, and have started to roll. Sanford will soon be

THE ORANGE CROP NORMAL GRAPE FRUIT CROP SHORT

According to President Joshua C. Chase, of the Chase Packing Company. Mr. Chase Thinks the Prospects Are Fine for Continued Good Prices for Both Grape Fruit and Oranges.

Mr. Joshua C. Chase, president of the Chase Packing Company, is in the city today, and will probably be here until Saturday.

The Chase Packing Company is one of the most prosperous and reliable firms in the state in the packing business, owning and operating about 25 packing houses in middle and southern Florida, besides being large shippers of vegetables.

Mr. Chase says the outlook for the citrus fruits of the state as to prices is very bright. He sees no reason why the good prices shall not be maintained during the entire season. He thinks the grape fruit crop is far below the normal, but is of the opinion that the orange crop, including the late bloom, will not be far short of what it was last year.

Mr. Mayo Dade, who is so well and favorably known in this city, is the popular general agent for this hustling firm.

Child Died—

The many friends of little Steve Chewers, Jr., will be sorry to learn of his death Monday morning at their home in the country. Little Steve was just sixteen months of age. Rev. J. E. Trice officiated at the services. The child was buried at Oak Ridge cemetery Monday afternoon at 3 p. m. The child is survived by its parents, Mr. and Mrs. Steve Chewers, and a little sister, Irene. The News extends its hearty sympathy to the family in their bereavement.

It has now been raining gently for the past sixteen hours, one of those gentle spring rains. It will make many thousands of dollars to the vegetable raisers of this section.

In the limelight with heavy shipments of vegetables and celery.

It is estimated that the vegetable acreage planted in the state is fully 25 per cent. larger than last year, while the strawberry acreage will be 50 per cent. less than last year.