

OCALA EVENING STAR

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OCALA, FLORIDA, WEDNESDAY, JULY 29, 1908.

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A MUCH TANGLED AFFAIR

In Which Marion County People are Interested—Difficulties that Beset the Receiver of the Defunct St. Petersburg State Bank.

(St. Petersburg Times, July 25.)

If there is any one thing that some St. Petersburg people have done more than anything else, it is to get into a tangle. The tangle in the case of the defunct St. Petersburg State Bank, which has been the subject of a long and complicated legal history, is a case in point. It is a case that has been the subject of much speculation and has attracted the attention of many of the city's business men.

Receiver Trice and his attorney, Col. E. R. Gunby, once upon a time came to St. Petersburg to try to make the people understand it, but parties who were then about to establish a second bank here as a rival of Mr. Trice's didn't want the people to understand, and turned the meeting into a farce by attacking Mr. Trice instead of permitting the audience to listen and try to understand. Since when we guess Receiver Trice and Attorney Gunby haven't cared much whether the people of St. Petersburg understand or not, but they have certainly been sawing wood trying to get something out of that old Globe Phosphate Mine for the depositors. Probably any other receiver with a less bump of determination—or stubbornness—and any other less tenacious attorney would have petered out long ago and been licked, but as it is they still expect to get a very fair sized chunk of money for the depositors.

Occasionally an angry depositor still jumps at Receiver Trice, and one wrote him the other day that an attorney was about to be employed to get after him; to which Mr. Trice replied that he hoped it would be done, as by the time the depositors waded through the labyrinth of legal actions involved in the case they would know so much more than they do now which would be a good thing all around.

Away back in the long ago John A. Bishop organized the Globe Phosphate company by persuading a number of Marion and Citrus county men to put their lands into a jackpot and accept in lieu chips—literally chips or shares in the company, for which they never received a red cent. Bishop controlled the company, and issued against the lands \$200,000 mortgage bonds. With these bonds he did various tricks, some \$20,000 of them going to Banker Agnew of Ocala at 20 cents and being turned into his bank by him at 100 cents—for which, among other things, Banker Agnew later went to the penitentiary. Some were sold to the St. Petersburg State Bank, which Bishop also controlled. When Agnew's bank busted a court order permitted the purchase of the Agnew stock by the St. Petersburg bank, and in one way or another it finally became owner of all of the stolen goods.

Then Bishop, who was the St. Petersburg bank, wanted to foreclose the mortgage and get the lands, but as he had swindled the original owners out of their property he knew it would be impossible to foreclose with ease and dispatch through the courts of that circuit. Bishop was a resourceful boss, and proceeded to buy a half interest in five acres of land in Pasco county, which under the company's charter he was able to include in the company's lands, and which then enabled him to begin foreclosure proceedings in this circuit. Which he did. For this important job he employed Thos. M. Shackelford and N. B. K. Pettigill, two Tampa lawyers, agreeing that they should receive \$15,000 for it. Old creditors and numerous other claimants fought it, but the case was won by Bishop—or the St. Petersburg bank—the legality of the 5-acre deal was established, and the jurisdiction of Judge Wall, and a decree of sale was issued—which Shackelford and Pettigill did not fail to see contained a cinch for their \$15,000.

And there the matter stood when the bank busted, Mr. Trice was appointed receiver and Mr. Gunby was his attorney got into the game.

Cleaning up all other odds and ends Mr. Trice had some \$7,000 and the Globe Phosphate mine as the only possible things in sight for the depositors, and the first thing that came up in the mine case was the demand of Shackelford & Pettigill for their \$15,000. Messrs. Trice and Gunby didn't want them to have so much, for the reason that it was an exorbitant charge, that Shackelford had earlier in the game agreed to a settlement at \$7,500, and the depositors needed the money.

The story of the legal maneuvering that followed would fill a book, and none but a lawyer could write or understand it—but Shackelford and Pettigill stuck for \$15,000 and the court decreed awarding it could not be got around. Mr. Trice desired to sell the mine but Shackelford & Pettigill would not permit a sale until they first received their \$15,000 and there was nothing to pay it with, and Mr. Trice didn't want to pay it anyway. Mr. Trice had not made his regular reports at this time because he had some money from the wreck that the court would not permit him to pay the depositors yet and he didn't want the fact known because Shackelford & Pettigill were watching to swoop down upon it. Finally they decided to smoke him out and began proceedings to compel him to report and demanding his removal as receiver. This will be remembered by those St. Petersburg depositors who chuckled so

much at the time, thinking that Mr. Trice was to get it in the neck, when it really it was themselves. Forced to show up Mr. Trice admitted having some \$7,000 and the court promptly ordered it handed over to Shackelford & Pettigill. And it went.

Then, the mine being the only resource for the balance of their \$15,000 Shackelford & Pettigill became as anxious as anybody for a sale. Knowing that the property would not bring a price at a forced sale, Mr. Trice asked permission to buy it as receiver, which petition was granted by Judge Wall, and Receiver Trice became the owner.

And then other troubles came in. One Williamson, representing a bunch of the original land owners who were so roundly swindled, filed some kind of suit against Receiver Trice. And Mr. Walter Ray, of Ocala, or some other seaport, a man of means and determination, who claimed to have bought the land, or some of it, at some time, and got a deed for it, and not having been made a party to the foreclosure still owned them, also filed some action against Receiver Trice—and this Mr. Ray is the man who has held up the deal ever since Shackelford & Pettigill were fixed up.

Mr. Ray has as his attorney Mr. Bob Anderson, of Ocala, who is about as keen as they make them, and what he and Ray haven't thought of doing to hold that mine they will probably think of later. Shrewd efforts were made to get Judge Bullock of the other district in charge, and the latter once appointed another receiver, and did other things, and his procedure was reversed by the supreme court several times, accompanied by sharp reprimands.

Mr. Trice finally negotiated a sale of the mine to Mr. W. N. Camp, of Ocala, for \$25,000, conditioned, of course, upon being given a good title and peaceable possession, no penny of the money to be paid to the depositors until these terms should be carried out. Mr. Trice has the money, and after several fights, in which several of Mr. Trice's agents were arrested and jailed. Mr. Camp has been put in possession, but the title is not yet settled.

Mr. Trice has won successive suits from Ray, only to be met by new ones. Sometime ago, tired of these amended bills, Mr. Gunby asked Judge Bullock to throw the latest one out, which was done. Ray promptly appealed to the supreme court, which sustained him, and the matter is once more open in the lower courts.

Mr. Ray's latest bill, which the Times man was permitted to see in Mr. Gunby's office the other day, goes way back and seeks to wipe out everything pertaining to the St. Petersburg bank, charging fraud in that 5-acre jurisdiction deal, and in most everything else that John A. Bishop did. Mr. Gunby was preparing a demurrer to the bill, and is confident that he and Mr. Trice will eventually win out for the depositors but he cannot say when—probably when the supreme court tires of permitting Ray to file amended bills.

In the meantime, it would be only fair, as well as sensible, for St. Petersburg people to remember that Mr. Trice is a servant of the courts, and absolutely powerless to dispose of a cent of the money in his charge except by order of the court—and no such order will come until Mr. Camp's title to the mine is made good.

There is more catarrh in this section of the country than all other diseases put together, and until the last few years doctors pronounced it a local disease, and prescribed local remedies, and by constantly failing to cure with local treatment pronounced it incurable. Science has proven catarrh to be a constitutional disease and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, Ohio, is the only constitutional cure on the market. It is taken internally in doses from ten drops to a teaspoonful. It acts directly on the blood and mucous surfaces of the system. They offer one hundred dollars for any case it fails to cure. Send for circulars and testimonials. Address: F. J. Cheney & Co., Toledo, O. Sold by all druggists, 75c. Take Hall's Family Pills for constipation.

OXFORD BARBECUE AND PICNIC

The annual barbecue and picnic will be held at Oxford Saturday, August 1st. Everybody is invited. Don't forget to bring well filled baskets. Governor Broward is expected to be present and speak to "the great-hearted people."

THE COMMERCIAL BARBER SHOP

Opens into the lobby of the Ocala House.

Offers the very best service of skilled workmen with modern appliances. Strictly sanitary. Electric fans, electric massages.

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SAYS THAT IT ISN'T SO

Mr. J. R. Parrott Denies the Story that Mr. Flagler has Sold the East Coast Railway

Jacksonville, Fla., July 29.—Owing to the fact that ever since the publication in last Saturday's issue of the Tallahassee Sun of a story that Henry M. Flagler had disposed of the Florida East Coast Railway company, repeated rumors to that effect have been more or less current throughout the state, and an effort was made yesterday morning to secure definite information on the subject from the high officials of the East Coast road.

When seen at his office Vice President J. C. Parrott absolutely denied that there was any foundation for the story and declared, "You can positively say for me that there is not one word of truth in the story that is being circulated that Mr. Flagler has disposed of the East Coast railway to the Atlantic Coast Line or any other parties."

A MANY TIME PRIZE WINNER

National expositions are a good index to the actual merit of the products exhibited. The judges are always experts of high standing, and their decision is made only after careful examination and exhaustive tests. It will, therefore, be a revelation to many to learn that—while lard is the most commonly used cooking fat—a vegetable oil cooking fat called COTTOLENE was awarded Grand Prize (highest award) at the Louisiana Purchase exposition, and cakes and pastry prepared with COTTOLENE also won a Grand Prize. Gold Medals (representing highest awards in each case) were also granted COTTOLENE at the Charleston Exposition and Chicago World's Fair. In fact, wherever it has been exhibited in competition with other cooking fats, COTTOLENE has in every case received highest award.

Eminent chemists and cooking experts unite in declaring that, in purity, wholesomeness, economy and results, COTTOLENE is far superior to lard.

DREW THE LINE ON THE DARKEY

Joe Lee of Florida Wasn't Allowed in the Dining Room of the Leading Cincinnati Hotel

Cincinnati, July 29.—Joseph E. Lee, the colored republican "boss" of Florida, was a problem for the local arrangements committee and the notification committee, incident to the formal notification of Nominee Taft.

Lee is a member of the notification committee, and when he presented himself at the aristocratic Sinton Hotel, with other members, all white, the manager of the hotel made a determined protest against receiving the negro as a guest.

There was much discussion between the local and notification committees and the management of the hotel finally agreed to permit Lee to occupy a room, although he is the first negro ever so received at the Sinton, with the understanding that it was to be done very quietly and that the negro should not be served in the dining room.

Lee was therefore escorted by a back entrance to a room and was told to make himself as inconspicuous as possible. While the other members of the notification committee enjoyed a sumptuous meal in the big dining hall of the hotel, Lee took his meal in the solitude and silence of his room. But the Florida black "boss" was "there" at the Taft residence and sat with the committee as prominently and as any of the members.

IF YOU KNEW

The merits of the Texas Wonder, you would never suffer from kidney, bladder or rheumatic trouble. \$1 bottle two months' treatment. Sold by druggists or by mail. Send for testimonials. Dr. E. W. Hall, 2926 Olive street, St. Louis, Missouri.

A NEGRO BURNED ALIVE

Terrible Vengeance Meted Out by Texans to the Perpetrator of a Heinous Crime

Dallas, Tex., July 29.—While Tad Smith, a young negro of eighteen years, charged with having committed a criminal assault upon Viola Delancy, at Clinton, Hunt county, yesterday, was being brought to this city the officers who had him in charge were suddenly confronted by a mob of citizens who demanded that the prisoner be turned over to them at once.

The negro was bound with chains to a large lightwood tree and sufficient fagots piled around him to completely destroy his body, thousands of people lending their aid in arranging his funeral pyre. When the fagots had been placed in position the match was applied and kerosene oil poured on the mass to start the blaze, which was kept burning slowly until the body had been entirely consumed. The writhings of the creature as he slowly met his death were watched by a large concourse of people, who afterwards dispersed quietly to their homes without further trouble.

WAR AGAINST CONSUMPTION

All nations are endeavoring to check the ravages of consumption, the "white plague," that claims so many victims each year. Foley's Honey and Tar cures coughs and colds perfectly and you are in no danger of consumption. Do not risk your health by taking some unknown preparation when Foley's Honey and Tar is safe and certain in results. Sold by all dealers.

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Special Rates by the Week. Satisfaction Guaranteed.

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Is now open under the management of I. M. MABETTE. The house will be conducted on a higher plane than ever before, thoroughly renovated and refurbished. Rooms single or ensuite, with or without private baths. Fine fishing and the best surf bathing in the world.

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Rates \$1 per day and upward according to location of rooms. Thoroughly equipped garage and livery in connection.