

THE TAMING OF BROWARD'S WILD, WILD WEST: AN ANALYSIS OF "THE CODE OF THE TOWN OF DAVIE"

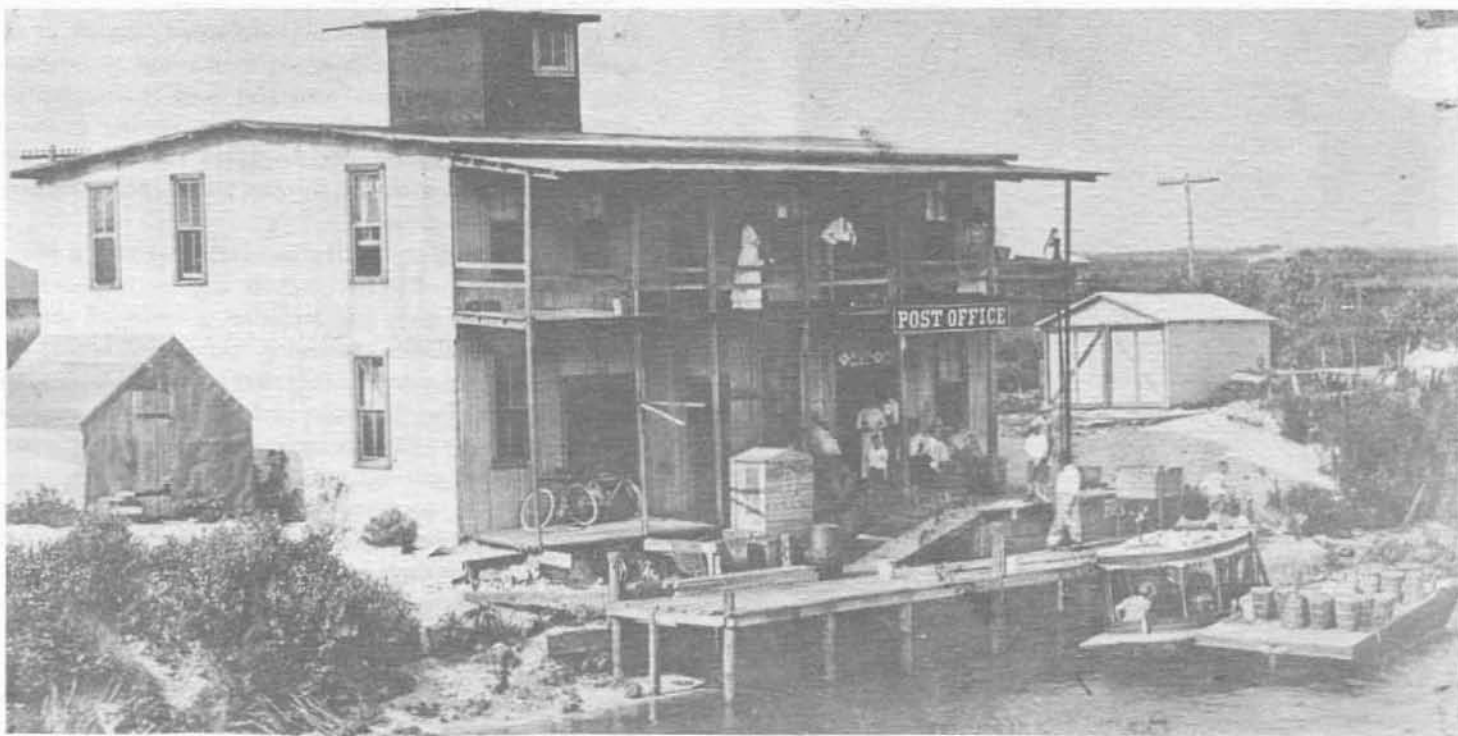
Marlyn Kemper

In 1925, a proposal for incorporation of the town of Davie and adjacent terrain was formulated by community leaders as they crusaded to transform the facilities dotting the landscape and to beat back the rising tide of legal infractions caused by rip-off artists, moonshiners, prostitutes and gamblers in the Davie environs. The following communique sent by Davie resident, Mrs. Ed Middlebrooks, to the Fort Lauderdale Chief of Police reflected the need for incorporation as a deterrent to crime. Mrs. Middlebrooks wrote "I want to ask you if you all can't let us have a good man out at Davie for protection. I declare the drunkenness and misbehavior in front of the store I can't stand and at times they try and do come in the store and cut up, then if a-body tries to get them out, then comes the trouble. We have no phone but hope to ... We also hope to have this place incorporated so we can have protection, but we need it now, especially on Saturday nights, Sunday, and Sunday nights. I live over the store and my husband, my boys, and myself work in the store. I cannot put up with the drunkenness, cursing and bad conduct. I am nervous and do not want any trouble. I try to raise my boys right and they listen to me and I don't want to be bothered with such going on."

On Monday, October 14, 1925, at the unprecedented session in the Davie schoolhouse, forty-eight Davie residents openly optimistic about the proposition

to form and establish a municipal government with corporate privileges and powers signed a notice in compliance with the revised statutes of the state of Florida to be printed in the 1925 editions of the Fort Lauderdale newspapers appearing on October 14, October 21, October 28, November 4 and November 11. In addition to delineating the area to be embraced within the corporate limits, the notice announced the upcoming meeting of all qualified voters living within the specified territorial boundaries on Monday, November 16 for discussion and endorsement of the municipal incorporation proposal. In the interim, the signers of the notice actively campaigned to persuade and convince other residents to lend support to the bid for consolidating the town of Davie and contiguous territory. Programs for future development, particularly for the construction of sewers, bridges, sidewalks, roadways and buildings and the creation of public squares and parks, struck a chord of sympathy.

On the day of decision, the voter turnout at the Davie schoolhouse was lighter than anticipated. Each individual was handed a written ballot imprinted with the phrases "for incorporation" and "against incorporation." The final tally, tabulated by Sam Rooney, Mrs. M.E. Henry and George Kennick, showed that twenty-eight favored the drive for change and two were opposed. Following the ratification of the results of the election, the incorporate name of the new municipality was officially established as Davie; and "Davie,



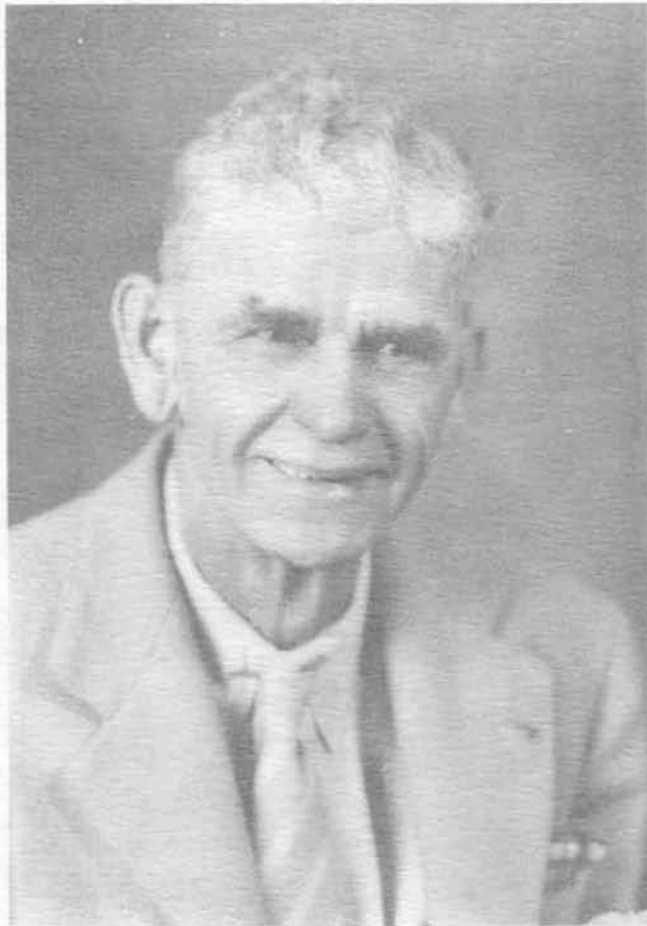
BROWARD COUNTY HISTORICAL COMMISSION,
DAVIE HISTORICAL SOCIETY COLLECTION

Davie General Store, Ca. 1916.

Broward County, Florida" was selected to appear on the corporate seal.

The chairman of the meeting, Frank Stirling, then announced that the nomination for a mayor of Davie was up for grabs; not surprisingly, following his nomination by H.M. Viele, the canny and energetic Stirling was elected. The next item on the agenda was the selection of town council members. The aldermen chosen were Walter Henry for Ward One, the area north of the south New River canal; W.H. Aires for Ward Two, Aires Road; Ray Jenne for Ward Three, Dania Road; C.E. Viele for Ward Four, Viele Road; and William Brumby for Ward Five, Brumby Road. The meeting was adjourned following the designation of C.L. Walsh as town clerk and A.C. Brown as town marshal.

The most memorable undertaking performed by the corporation's newly recruited officials was the formulation of a landmark document updating Davie's existing laws and ordinances. Originally called Zona, the settlement located north of Miami adjacent to the Everglades along the south New River canal, was renamed Davie following the purchase by speculator R.P. Davie of Colorado of 27,500 acres of swampland at two dollars an acre when drainage of the Glades, sponsored by Napoleon Bonaparte Broward, was in full swing.



COURTESY FORT LAUDERDALE HISTORICAL SOCIETY, INC. Frank Stirling

Land travel through the sparsely inhabited Davie countryside had at one time been so risky that it was often abandoned in favor of water transportation. In fact, boats were just about as numerous as settlers. By way of illustration, toward the end of the festivities in 1915 marking the creation of Broward County, one hundred Davie residents came to Fort Lauderdale by barge waving banners and flags and singing the tune "It's a long way to Davie." Reaching Davie even by craft was no easy feat as pioneer C. Edward Viele discovered when he lost all his furniture in a capsized boat in the midst of the New River.

Over the ensuing years, laws and ordinances had proliferated somewhat chaotically. To reform some of the musty rules and procedures, in January, 1926, council members Ray Jenne, W.H. Aires and William Brumby were assigned to compile the most pertinent legal data for the government publication entitled "The Code of the Town of Davie." By any standards, the completed version reflecting the spirit of reform represented a significant accomplishment. Subsequent to the posting of the typewritten chronicle on the door of the town hall and at the public market place for a period of four weeks, "The Code of the Town of Davie" was swiftly adopted as the law of the town of Davie at a meeting of the town council held at the town hall on Tuesday, June 15, 1926. All ordinances and parts of ordinances not contained within the Code were repealed.

At the outset, "The Code of the Town of Davie" effectively streamlined procedures for conducting government and business transactions and established guidelines for policymaking during town council sessions. Corporate officers, namely, the mayor, the marshal, the tax assessor, the tax collector, the clerk and treasurer, and the aldermen were empowered to organize a police force; preserve the public health by inspecting all places where food was manufactured, stored, or offered for sale and distribution; stamp out mosquitoes with larvicides; enforce animal laws; and license watchmakers, piano tuners, photographers, sewing machine agents, peddlers, merchants, druggists, realtors, lawyers, hypnotists, street vendors, fortune tellers, horse traders, dentists, and physicians.

Even though legislating conduct is at best a tricky business, Davie officials in their zeal to improve the moral fiber of Davie life included a series of articles regulating residents' behavior. Contained within the Code were sermonets warning that intoxication, nudity, violence, gambling, indecent or lewd behavior, and obscene, profane or offensive language in or near a place of worship would not be tolerated. The conduct of all rogues, tramps, common pipers or fiddlers, stubborn children, runaways, night walkers, brawlers and "persons who neglect their calling or employment, misspend what they can earn, and do not provide for themselves or for the support of their family" was also censored.

"The Code of the Town of Davie," with its emphasis on establishing greater self discipline and moral awareness, was hailed as a major achievement. With the

ratification of the Code, Davie residents envisioned a resolution of scandal tainted activities and an improvement in the quality of life as the reforms enumerated in the Code clarified lines of authority, focused responsibility and outlined policies for the day to day management of public affairs.

BIBLIOGRAPHY

Kemper, Marlyn. "Broward History." FORT LAUDERDALE NEWS AND SUN-SENTINEL, page 5E. October 5, 1975.

Letter from Mrs. Ed Middlebrooks, Davie store near bridge, Davie, Florida, to Fort Lauderdale Chief of Police, October 4th about the need to restore law and order. Three handwritten pages.

"The Code of the Town of Davie"

THE REVISED GENERAL STATUTES OF FLORIDA PREPARED UNDER AUTHORITY OF CHAPTER 6930, ACTS 1915, CHAPTER 7347, ACTS 1917, AND CHAPTER 7838, ACTS 1919 LAWS OF FLORIDA. ADOPTED BY THE LEGISLATURE OF THE STATE OF FLORIDA, JUNE 9, 1919. IN THREE VOLUMES. James E. Calkins, Commissioner, Fernandina, Florida. Deland, Florida: E.O. Painter Printing Company.

"Transcription of the Minutes of the Meeting of the Qualified Voters Residing in the Proposed Incorporate Limits of the Town of Davie held at the Schoolhouse in the Town of Davie on November the 16th, 1925."

Marlyn Kemper received her B.A. from Finch College and M.A. in Anthropology from Temple University. She has authored several series of works in history including a revision STANDARD HISTORY OF THE MEDICAL PROFESSION OF PHILADELPHIA, Konkle and Henry, 1897 (1976). She currently serves as Public Information Officer for the Broward County Historical Commission and writes "Broward History" as a weekly feature of the **Fort Lauderdale News** and **Sun Sentinel**.

HISTORICAL SOCIETY NEWS UPDATE

A survey of the programs of the respective historical societies throughout Broward County reveals numerous activities and a resurgence in membership partially stimulated by the Bicentennial. The following is a list of many of these projects.

Black Historical Society of Broward County (Mary Smith, President)

Guidelines are being devised to aid members in collecting, preserving and displaying the contributions of black citizens to the growth and development of Broward County.

Broward County Archaeological Society, Inc. (Michael Dallett, President)

This active society is excavating several prehistoric sites. Wilma Williams was installed as President of the Florida Anthropological Society when the Broward County Chapter hosted the Florida Anthropological Society's annual meeting in March, 1976.

Broward Genealogical Society (Audrey Sullivan, President)

This organization is involved with projects to assist members in lineage research and in tracing the background of the families that constitute Broward County. Workshops and a variety of programs have been held throughout the year.

Coral Springs Historical Society (James Miller, President)

The Coral Springs Historical Society was organized in May, 1976. Members are making plans for exhibits in the old police station which also housed the first city hall. This building is scheduled to be moved and used as a museum for the city. With the cooperation of Coral Ridge properties, a slide history and oral history are being prepared. A newspaper is published each month indicating historical information.

Dania Historical Society

At the present time, the Dania Historical Society is in the process of reorganization.

Davie Historical Society (Kenneth King, President)

An oral history continues to be collected and plans are currently underway to preserve the Murray and Frances Miller Joiner house.

Deerfield Beach Historical Society (Julie Brugnoli, President)

A Kester cottage has been restored as a pioneer house and is now open to the public. Several articles of furniture which once belonged to George Butler, the first mayor of Deerfield, are displayed in the cottage. Fourteen houses in Deerfield have been listed on the