

Opinion: Drawing a line in the sand against government overreach



AARON RICE

willing seller and willing, satisfied customers. The Mississippi Board of Licensure for Professional Engineers and Surveyors sued Vizaline. The government board claimed Vizaline was engaged in “unlicensed surveying.” It asked the court to shut down Vizaline, and to force them to hand over all the money they have ever earned.

Vizaline fought back. It obtained legal representation from the Institute for Justice and filed its own lawsuit, arguing that the government’s actions were unconstitutional. Everyone in America has the right to free speech, including the right to take existing, publicly available information, and create a new representation of that same information. Moreover, the government board – which is composed entirely of licensed surveyors and engineers – is not trying to protect the public. It is trying to protect its own industry from competition. Unfortunately, for the board, that is not a constitutionally valid function of government.

While Vizaline’s lawsuit was still ongoing, the Mississippi legislature had an opportunity to stop this government overreach. A bill introduced last session would have clarified that the Mississippi Board of Licensure for Professional Engineers and Surveyors does not have the authority to stop companies like Vizaline from doing business in our state. The legislature missed that opportunity, which is disappointing, given how many of our elected officials campaigned on stopping exactly this type of government overreach.

Vizaline is currently appealing its case in federal court. The Mississippi Justice Institute joined the Cato Institute and the Pelican Institute to

assessed \$163,000 in interest and penalties. The mayor wasn’t in office then and says she doesn’t know why the payments weren’t made.

Peterson says the town has made two offers to settle the debt, but says the IRS has rejected both. Aldermen approved her request to form a fundraising committee to seek private donations for debt repayment.

The mayor says the town is also seeking help from its congressional representatives and is soliciting free legal aid.

file a legal brief supporting Vizaline’s case, and urging the court to uphold all Mississippians’ right to disseminate public information, and to do business free from unnecessary government interference.

So where is the line between proper exercises of government power and government overreach? While the government tries to stop it from drawing lines on paper, Vizaline has drawn a new line in the sand against government overreach. Broadly enforcing vague laws simply to protect industry insiders from competition with new, innovative competitors is not a valid function of government. The Mississippi Justice Institute is proud to stand with Vizaline, and would be proud to stand with any Mississippian facing similar government overreach.

Aaron Rice is the Director of the Mississippi Justice Institute, the legal arm of the Mississippi Center for Public Policy.



May 14, 2018 NOTICE OF PUBLIC HEARING FOR FY2019-2020 PROPOSED BUDGET FOR HOLMES COUNTY CONSOLIDATED SCHOOL DISTRICT Thursday, June 6, 2019, 6:00 p.m. Holmes County Consolidated School District Central Office Board Room, 313 Olive Street, Lexington, MS 39095. The Holmes County Consolidated School District will hold a public hearing on the FY2019-2020 proposed budget. Open Meeting will begin at 10:00 a.m. 5-23,30;6-6b

NOTICE OF SUBSTITUTE TRUSTEE S SALE STATE OF MISSISSIPPI COUNTY OF HOLMES WHEREAS, default has occurred in the performance of the covenants, terms and conditions of a Deed of Trust dated October 4, 2004, executed by CAROL RATLIFF, DANNY RAY RATLIFF, conveying certain real property therein described to EMMETT JAMES HOUSE OR BILL R. MCLAUGHLIN, as Trustee, for UNION PLANTERS BANK, Original Beneficiary, to secure the indebtedness therein described, as same appears of record in the office of the Chancery Clerk of Holmes County, Mississippi filed and recorded October 8, 2004, in Deed Book 2004, Page 3547 ; and WHEREAS, the beneficial interest of said Deed of Trust was transferred and assigned to REGIONS BANK DBA REGIONS MORTGAGE SUCCESSOR BY MERGER TO UNION PLANTERS BANK N.A.; and WHEREAS, the undersigned, Ruben Lublin, LLC has been appointed as Substitute Trustee; and NOW, THEREFORE, the holder of said Deed of Trust, having requested the undersigned so to do, as Substitute Trustee or his duly appointed agent, by virtue of the power, duty and authority vested and imposed upon said Substitute Trustee shall, on June 20, 2019 within the lawful hours of sale between 11:00AM and 4:00PM at the north door of the Courthouse proceed to sell at public outcry to the highest and best bidder for cash or certified funds ONLY, the following described property situated in Holmes County, Mississippi, to wit: THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN HOLMES COUNTY, STATE OF MISSISSIPPI, TO-WIT: FROM THE NORTHWEST CORNER OF THE SE-1/4 OF SECTION 36, TOWNSHIP 17 NORTH RANGE 1 EAST, RUN SOUTH 1 DEGREE 51 MINUTES EAST 598.8 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES EAST 210 FEET; THENCE NORTH 88 DEGREES 9 MINUTES EAST 210 FEET; THENCE NORTH 1 DEGREE 51 MINUTES WEST 210 FEET; THENCE SOUTH 88 DEGREES 9 MINUTES WEST 210 FEET TO THE POINT OF BEGINNING AND CLOSE, AND CONTAINING 1.012 ACRES IN THE NW-1/4 OF SE-1/4 OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 1 EAST. PROPERTY ADDRESS: The street address of the property is believed to be 3505 HOLEMAN ROAD, CRUGER, MS 38924. In the event of any discrepancy between this street address and the legal description of the property, the legal description shall control. Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee. THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 428 North Lamar Blvd, Suite 107 Oxford, MS 38655 rselaw.com/property-listing Tel: (877) 813-0992 Fax: (404) 601-5846 PUBLISHER: 05/23/2019, 05/30/2019, 06/06/2019, 06/13/2019 Ad #156839 05/23/2019, 05/30/2019, 06/06/2019, 06/13/2019 5-23,30;6-6,13b

LEGAL NOTICES

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ESTATE OF KENNY F. SMITH, SR., DECEASED CAUSE NO. 2017-0105 ANNIE LOU SMITH, PETITIONER SUMMONS BY PUBLICATION STATE OF MISSISSIPPI COUNTY OF HOLMES TO: TO ANY AND ALL KNOWN OR UNKNOWN HEIRS AT LAW OF KENNY F. SMITH, SR., DECEASED, WHOSE NAMES, POST OFFICE AND STREET ADDRESSES ARE UNKNOWN AFTER DILIGENT SEARCH AND INQUIRY: You have been made a Respondent in the Chancery Court of Holmes County, Mississippi, by Annie Lou Smith and Keynetta Smith, Co-Administrators of the Estate of Kenny F. Smith, Sr., Deceased, seeking a determination of the heirs-at-law of Kenny F. Smith, Sr., Deceased. You are summoned to appear and defend against the Petition to Determine Heirs filed against you in this action at

9:00 o'clock A.M. on June 19, 2019, in the courtroom of the Honorable Robert George Clark, III, Chancellor in the Chancery Court of Madison County, Mississippi, located Canton, Mississippi, to show cause, if any, why the relief sought in said Petition should not be granted by the Court. Failure to appear at the time and place mentioned herein may result in a judgment against you for the relief demanded in said Petition. You are not required to file an answer or other pleading, but you may do so if you wish. ISSUED UNDER MY HAND AND SEAL OF SAID COURT, this, the 13 day of May, 2019. HENRY LUCKETT, CLERK (Seal) HOLMES COUNTY CHANCERY COURT By: /s/ Charlie Luckett D.C. DEREK L. HALL, PC 1911 Dunbarton Drive Jackson, Mississippi 39216 Phone: (601) 202-2222 Fax: (601) 981-4717 5-16,23,30b

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ADMINISTRATION OF THE ESTATE OF CLAIBORNE DAVENPORT, DECEASED CIVIL ACTION, FILE NO. 18-00102 SUMMONS BY PUBLICATION THE STATE OF MISSISSIPPI COUNTY OF HOLMES TO: Clyde McCain Charlie Logan Lola Logan Mattie Logan Jake Logan Patricia Bell Tripp Scott Bell, III Libby Miles Crystal Miles Valda Jones Dwyler Jones Joe Logan, Jr. Odesser Logan Gilbert Jerry Logan Lorenzo Logan Katrina Davenport Dwayne Davenport Delexter Smallwood Annetta Smallwood David Wayne Smallwood Johnny Smallwood Earline Walton believed to be non-residents of the State of Mississippi, who are not to be found in this state on diligent search and inquiry by Successor Executrix and whose whereabouts, place of abode, and post office address are unknown to Plaintiff after having made diligent search and inquiry to ascertain the same, but whose last known address was not believed to be in the State of Mississippi. You have been named an heir in the Petition filed in this Court by Joyce Logan Hurley, Successor Executrix, seeking to sell real property owned by the Estate of Claiborne Davenport, Deceased. You are summoned to appear and defend against said Petition filed against you in this action at 9:00 o'clock A.M. on the 20th day of June, 2019, at the Holmes County Chancery Courthouse, Lexington, Mississippi, and in case of your failure to appear and defend a judgment will be entered against you for the things demanded in the Petition. You are not required to file an answer or other pleading but you may do so if you desire. Issued under my hand and official seal of said Court, this the 13th day of May, 2019. HENRY LUCKETT (Seal) HOLMES COUNTY CHANCERY CLERK By: /s/ Charlie Luckett D. C. JIM ARNOLD 435 East Beacon Street Philadelphia, MS 39350 Telephone: 601-656-6914 Facsimile: 601-656-6958 E-Mail: jarnoldlawoffice@att.net 5-16,23,30b

ADVERTISEMENT FOR BIDS Sealed, written formal bid proposals for the following Project's bid proposals will be received by: City Clerk of the City of Durant, Mississippi, at the City Hall, 385 Mulberry Street, Durant, MS 39063 until 2:00 P.M. (Local Prevailing Time) Tuesday, June 25, 2019, at which time and place they will be publicly opened and read aloud. Alterations & Addition to: HUNTER ENGINEERING COMPANY 33814 Hunter Blvd. Durant, MS 39063 A Pre-Bid Conference concerning the project will be held at the site, on Thursday, June 13, 2019, beginning at 10:00 A.M. Attendance at the pre-bid conference is non-mandatory for those contractors desiring to submit bids on the Project. Your attendance at the pre-bid is strongly suggested. The City of Durant reserves the right to reject any and all bids and to waive informalities, also to withhold the acceptance of any bid if approved, for forty-five (45) calendar days from the date the bids are opened. The successful bidder must comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u). CDBG regulations governing the grant require that, to the greatest extent feasible opportunities for contracting, subcontracting, training and employment arising in connection with this CDBG project will be extended to Section 3 businesses and Section 3 residents. Minority and Woman Owned Business Enterprises are solicited to bid on this contract as prime contractors and are encouraged to make inquiries regarding potential subcontracting opportunities, equipment, material and/or supply needs. The City of Durant is an Equal Opportunity Employer, and hereby notifies all bidders will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, national origin, age, disability, sexual preference, marital or veteran status, or any other legally protected status in consideration for an award. The successful bidder must comply with the Davis-Bacon Act which requires that all laborers and mechanics shall be paid at rates not less than those determined by the Department of Labor to be prevailing for the locality in which the project is located. It is NOTED the funding for this Project is from several sources and applies to various segments of specific areas of construction. This requirement will be addressed in SECTION 01 02 70 – APPLICATION FOR PAYMENT. Specifically, the Schedule of Values will be subdivided by the items of Work which applies to the various sources of funding. EXAMINATION OF DOCUMENTS Plans, specifications, and contract documents are on file and open to public inspection at Brumfield, Ward & Associates, 1050 Northpark Drive, Suite C, Ridgeland MS or the CITY of DURANT, 385 Mulberry Street, Durant, MS 39063 along with various Contractor Plan Room Service Providers. PROCUREMENT OF DOCUMENTS UPON REQUEST; Copies of Proposal forms, detailed specifications, drawings, and other contract documents may be obtained from: BRUMFIELD WARD & ASSOCIATES ARCHITECTS, PA 1050 Northpark Drive, Suite C, Ridgeland MS 39157 601.982.0341 try@trarch.com Requestor: Please provide: Company Name; Contact Person and Telephone; Physical Address; Email Address and Certificate of Responsibility (COR) number. The complete set of documents is available to potential bidders at no charge via a DropBox link. The Architect will respond with instructions to access the DropBox link. Printed copies or documents on CD are available by contacting Micro Printing and Blueprint, Jackson, MS at (601) 355-9543 and arranging payment directly to them. Printed or CD copies are not required to be returned, and payment to the printer is non-refundable. An estimated cost of \$150.00 is required for full-size documents. Bid documents are On File at the following locations: Associated Builders & Contractors 4200 Old Brandon Road Jackson MS 39232 Associated General Contractors 2093 Lakeland Drive Jackson MS 39206 BID SECURITY: Bid Security in the form of a Bid Bond, Certified Check or Cashier's Check in an amount equal to five percent (5%) of the bid shall be furnished by each bidder as required by the Contract Documents, submitted as outlined herein. 5-16,23,30b

NOTICE OF SUBSTITUTE TRUSTEE S SALE STATE OF MISSISSIPPI COUNTY OF HOLMES WHEREAS, default has occurred in the performance of the covenants, terms and conditions of a Deed of Trust dated July 1, 2011, executed by FREDIE MCKAY, MAUDIE MCKAY, conveying certain real property therein described to STEWART TITLE COMPANY OF MISSISSIPPI, as Trustee, for REVERSE MORTGAGE SOLUTIONS, INC., Original Beneficiary, to secure the indebtedness therein described, as same appears of record in the office of the Chancery Clerk of Holmes County, Mississippi filed and recorded July 11, 2011, in Deed Book 2011, Page 2683 ; and WHEREAS, the beneficial interest of said Deed of Trust was transferred and assigned to Reverse Mortgage Solutions, Inc.; and WHEREAS, the undersigned, Ruben Lublin, LLC has been appointed as Substitute Trustee; and NOW, THEREFORE, the holder of said Deed of Trust, having requested the undersigned so to do, as Substitute Trustee or his duly appointed agent, by virtue of the power, duty and authority vested and imposed upon said Substitute Trustee shall, on May 30, 2019 within the lawful hours of sale between 11:00AM and 4:00PM at the north door of the Courthouse proceed to sell at public outcry to the highest and best bidder for cash or certified funds ONLY, the following described property situated in Holmes County, Mississippi, to wit: THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF MISSISSIPPI, COUNTY OF HOLMES, AND IS DESCRIBED AS FOLLOWS: COMMENCE AT AN IRON PIN S 00 DEGREES 10 MINUTES 02 SECONDS W FROM THE NORTH-EAST CORNER OF SECTION 11, T13N, R1E, HOLMES COUNTY, MISSISSIPPI; THENCE S 00 DEGREES 10 MINUTES 02 SECONDS WEST 840.94 FEET TO AN IRON PIN ON A FENCE LINE AND THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 10 MINUTES 02 SECONDS WEST 368.74 FEET, ALONG SAID LINE, TO AN IRON PIN; THENCE WEST 117.01 FEET TO AN IRON PIN ON A FENCE LINE; THENCE NORTH 00 DEGREES 08 MINUTES 19 SECONDS WEST 369.09 FEET, ALONG SAID LINE, TO A POINT ON A FENCE LINE, THENCE SOUTH 89 DEGREES 49 MINUTES 58 SECONDS EAST 118.98 FEET, ALONG SAID LINE, TO AN IRON PIN AND THE POINT OF BEGINNING CONTAINING 1.00 ACRE, MORE OR LESS IN THE NE ¼ OF SECTION 11, TOWNSHIP 13 NORTH, RANGE 1 EAST, HOLMES COUNTY, MISSISSIPPI, AND COMMENCING AT AN IRON PIN LOCATED 1078.78 FEET SOUTH 1 DEGREES, 10 MINUTES 02 SECONDS WEST OF THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 13 NORTH, RANGE 1 EAST, HOLMES COUNTY, MISSISSIPPI, AND RUN SOUTH 0 DEGREES 11 MINUTES 05 SECONDS W FOR A DISTANCE OF 11.81 FEET TO AN IRON PIN MARKING THE POINT OF BEGINNING; THENCE RUN S 0 DEGREES 11 MINUTES 05 SECONDS W FOR A DISTANCE OF 468.48 FEET TO A METAL FENCE POST; THENCE RUN S 0 DEGREES 02 MINUTES 36 SECONDS W FOR A DISTANCE OF 361.59 FEET TO AN 8 INCH FENCE POST; THENCE RUN N 89 DEGREES 43 MINUTES 38 SECONDS W FOR A DISTANCE OF 361.53 FEET TO AN IRON PIN; THENCE RUN N 0 DEGREES 10 MINUTES 02 SECONDS E FOR A DISTANCE OF 327.14 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF THE EBENEZER-COXBURG ROAD; THENCE RUN ALONG SAID ROAD BOUNDARY N 68 DEGREES 52 MINUTES 09 SECONDS E FOR A DISTANCE OF 387.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.29 ACRES, MORE OR LESS, AND BEING SITUATED IN THE E 1/2 OF THE E 1/2 OF THE NE 1/4 OF SECTION 11, T13N, R1E, HOLMES COUNTY, MISSISSIPPI. PROPERTY ADDRESS: The street address of the property is believed to be 7930 EBENEZER COXBURG RD., LEXINGTON, MS 39095. In the event of any discrepancy between this street address and the legal description of the property, the legal description shall control. Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee. THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 428 North Lamar Blvd, Suite 107 Oxford, MS 38655 rselaw.com/property-listing Tel: (877) 813-0992 Fax: (404) 601-5846 PUBLISHER: 05/02/2019, 05/09/2019, 05/16/2019, 05/23/2019 Ad #155562 05/02/2019, 05/09/2019, 05/16/2019, 05/23/2019 5-2,9,16,23b

Delta town seeks private donations

Associated Press

A Mississippi Delta town government is seeking private donations to pay off nearly \$350,000 in tax debt and penalties.

The Bolivar Commercial reports Mound Bayou Mayor Eulah Peterson told aldermen on Tuesday that the city failed to pay \$182,000 in federal payroll taxes from 2010 to 2016. Since then, the Internal Revenue Service has