

DIRECTORS SUED BY STOCKHOLDERS

Charged with Reckless and Ruinous Mismanagement WHO THEY ARE.

A Review of the Case and What the Plaintiff will Endeavor to Prove

Prominent Men Connected with It.

GREENWOOD, May 27.—The expected has happened in the matter of the City Bank of this place which closed its doors almost exactly two years ago to the day. Mrs. Lucy M. Seigwald, a stockholder, owning 47 shares of stock, through her attorneys, Messrs. Caldwell & Giles, of Greenwood, has brought suit against the directors of the above named bank, charging them with reckless and ruinous mismanagement, and further that "they had failed to meet in consultation in even two years," that "by gross and outrageous negligence they permitted grossly false statements to be printed in newspapers, whereby persons were led to purchase stock," and lastly that these men "allowed it to be wrecked" through their own personal agent, James F. Davis, called the president of the bank though not owning a dollar's worth of stock in the bank, and therefore these men are responsible personally for the amount of the capital stock.

The complaint is a closely written typewritten document of 17 pages and will be highly sensational when made public. The following is a summary taken from the verification of the complaint: "Wherefore, the plaintiff charges that the said D. A. P. Jordan, president and the said James F. Davis, the personal agent of the defendant directors, styling himself with their sanction President of said bank, have been culpably wasteful of the property of the stockholders; that those two persons, especially the said James F. Davis; have lost securities which he held on loans by neglecting to record mortgages in his possession; that the directors are personally responsible for the misdoings and failures of the said Jas. F. Davis, their own agent."

This is the crux of the whole matter. The directors, all men of wealth, are sued because they allowed Mr. J. F. Davis to act as president of the City Bank when he did not own a single share of stock in the bank, when the state laws require a man to own not less than ten shares, and that by so doing they are themselves responsible for his acts as he was their own agent and not the president in law. The City Bank was organized in 1891, by the late D. A. P. Jordan. He was president and the late Dr. J. C. Maxwell was vice president. James F. Davis was the first cashier. The board of directors is the same now with the exception of G. A. Barksdale, who resigned and the two deceased members, D. A. P. Jordan and Dr. J. C. Maxwell and J. S. Klugh being put in their places. There are no minutes to show for any meeting at which these two men were made directors nor in whose place they were chosen, but they are parties in the action. The complaint goes on to show how in some dozen or more of cases Mr. Davis accepted mortgages for security for loans and it was six months or more in each case before these mortgages were recorded. The most sensational statement is that when the firm of Hall & Rice was in business here, they were allowed to check out \$28,000 without any security whatever, and although W. P. Hall surrendered his handsome home and other property here, yet the bank realized not more than \$10,000 from the sale of this property and that therefore the bank was the loser to the extent of \$15,000 by this carelessness. Although no other stockholders are mentioned in the complaint which has been served by the sheriff on the directors, yet it is understood that a large majority of them approve of the action and the reason that they have not been made parties is that they are "too numerous to mention." The bank had a capital stock of \$60,000, with shares at \$50, the share and therefore had out 1,200 shares. The failure of this bank was the greatest blow ever received by Greenwood and one that has been a keen wound ever since to the people. Two banks have sprung up in town in the place of it, and both are doing well.

The following are the Defendants who are sued for \$60,000: Wm. Bailey, J. S. Marse, E. S. Tinsley, J. S. Klugh and James F. Davis, in his own right, and as President and Receiver of City Bank.—Spartanburg Herald.

"I Thank the Lord!" cried Hannah Plant, of Little Rock, Ark., "for the relief I got from Buckle's Arnica Salve. It cured my fearful running sores, which nothing else would heal, and from which I had suffered for 5 years." It is a marvelous healer for cuts, burns and wounds.—Guaranteed at, Palmetto and Laurens Drug Co. 25cts.

25-CENT COLUMN. FOR SALE—Pure Home made Lard Apply to J. Wade Anderson, Laurens, S. C. 43-1t FOR SALE—A good Cow, fresh in milk. Call 10 days old. Apply to J. H. Sullivan, Laurens, S. C. 43-1t FOR SALE—Choice lot Thoroughbred Berkshire Pigs. Will be ready to deliver in four weeks. James Wham. 41-2t Laurens, R. F. D. No. 5

PERSONAL AND OTHERWISE.

Mr. James Alton of Greenville visited friends in the city last week.

Miss Emmie Meng will leave today for a visit to Kingstree.

Dr. Moseley of Tylersville was in the city Monday.

Miss Talulah Caine has returned from a visit to Virginia.

Miss Annie Gilkerson has returned from a visit to Clinton.

Mr. W. J. Adair of Clinton was in the city on Friday.

Mr. W. M. Myers of Huntington was among the city's visitors last week.

Mr. Duck Young of Milton was in the city last week.

Dr. H. M. Babb of Rapley was in the city Saturday.

Mr. S. M. Garrett of Worrior creek section was in town last week.

Mr. J. O. Templeton of Rocky Spring vicinity was on our streets yesterday.

Mr. Oscar Lanford of Lanford Station was in town yesterday.

Mr. John C. Davis of Clinton was in the city on yesterday.

Mr. Dudley Young is at home for his vacation. He has been attending college in Marion, Ala.

Mr. Richard Patterson of Lanford Station was among the visitors last Saturday.

Miss Mamie McCuen of Princeton is spending some time with her sister, Mrs. W. L. Taylor.

Mrs. J. Bennett Townsend and children of Anderson, are visiting her father, Sheriff T. J. Duckett.

Mrs. T. J. Weathers and daughters of Bellview were visiting in the city last week.

Mr. Coke Gray, who was thought to be in for a serious spell of sickness, is very much better.

Messrs. Jno. H. Hunter, A. C. Workman and Reeder Workman of the Hope-well section were in town on Saturday.

Mrs. Carrie Vance is visiting her daughter, Mrs. Banks, in Columbia this week.

Mr. W. H. Pinson of the Mt. Pleasant neighborhood was in the city last week.

Master Walter Wharton is visiting his aunt, Mrs. J. T. A. Ballew, at Lisbon.

Mr. J. A. Roland of Wofford will spend two weeks at home before commencement.

Mrs. W. L. Wait of Conway, has returned to her home after a short visit to Mrs. Watson.

Mr. Theo. Gray and sons of Alabama spent Thursday in the city with relatives.

Mr. and Mrs. C. W. Garrett and children spent Sunday with Mr. and Mrs. W. H. Garrett.

Mr. O. B. Simmons attended the Bankers convention which met at Anderson last week.

Mrs. S. E. Dunlap and little grand children, Margaret and Thornwell Dunlap, of Mountville were in the city on Saturday.

Messrs. W. D. Byrd and W. L. Taylor have returned from Johns Hopkins where they both underwent successful operations.

Miss Flora Simpson returned to her home at Tumbling Shoals last week from Columbia, where she has been in school for the past few months.

Mr. and Mrs. J. W. Copeland, Jr., and Misses Katherine Copeland and Margaret Parrott of Clinton were in the city last week for a few hours.

Mr. Geo. Willard of Watts Mill is visiting his mother, Mrs. S. J. Willard, and family of High Shoals, Oconee county, Georgia.

Mr. E. Paul Allen, who has been principal of the schools at Princeton and Barksdale, has been elected principal of the Cross Hill school for the next term.

The Palmetto Drug Co. has just received and is putting in place a magnificent Soda Fountain. They will be ready to dispense cold drinks from it today.

Mrs. Gray Better. The condition of Mrs. Dial Gray, who has been critically ill for several days, is more encouraging.

Miss Tocoa Caine is also better.

Church of the Epiphany. The Episcopal Church is being wired for electric lights. Everything will be in readiness by Sunday night. Service and sermon at 8:30 o'clock. Come and bring some one with you.

Children's Day at New Prospect. Those who were fortunate enough to attend Children's Day at New Prospect on last Saturday, returned delighted with everything. The programme was one of the most attractive that they have ever had and they always have a good one. Dr. W. J. Langston of Greenville was the orator of the day.

Mr. Drummond's Illness. Mr. J. S. Drummond, who has been in a critical state of health for some time, is gradually sinking. It is not probable he will survive many days longer.

His sister, Mrs. Wm. Means of Moore's, and daughter, Mrs. Parsons of Fountain Inn, are with him, as are also his sons, Messrs. Guy Drummond of Spartanburg, James Drummond of Fountain Inn and Wm. Drummond of Barksdale.

Closing Exercises of the Laurens Mills Schools.

The closing exercises of the Laurens Cotton Mills Schools were held Monday night in the auditorium of the school building.

The exercises consisted in songs and drills by the children and an address by Rev. L. G. Wood, D. D. Rector of St. Luke's Church Charleston, S. C. The children showed careful training and discipline and their exercises were a treat to the large audience that filled the auditorium.

Dr. Wood showed himself a master in the art of instruction and entertainment. For nearly an hour he held the attention of those little children as well as the "grown ups" as if he were reciting fairy tales, instead of driving home truths, with logic and reason.

Those who failed to hear Dr. Wood missed a rare opportunity, for it is not often that one is privileged to listen to a speaker of such interesting force.

The efficient corps of teachers are, Miss Lyl Harris of Laurens, principal, Miss Eleanor Ball of Charleston and Miss Mary Simpson of Laurens assistants.

The population of Watts Mill village was found by Rev. W. D. Hammett in a recent canvass of that mill town to be 506. The canvass was made to ascertain the per cent of professing and of non-professing christians.

The following is an accurate statement of professing christians, Baptist 125, Methodist 42, Presbyterian 16, Lutherans 4, Apostles 3, Episcopalians 1, Adventist 1, total 192.

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Goat the Exception. Not a great while ago, a pe goat which belonged to a little boy in this city strayed off. The boy's father put an advertisement in this paper which brought in the goat. The advertising agent was pleased with the result and suggested to the gentleman that "advertising pays." The reply was "not when you lose a goat."

Bolt - Long Wedding. Married at half past two o'clock Sunday afternoon May 21, at the residence of the brides uncle Mr. J. M. Roberson, Pelzer, S. C. Miss Mattie Bolt, to Mr. Arthur R. Long, the Rev. Woddie, of the first Baptist church, officiating.

Mrs. Long is a daughter of Mr. and Mrs. Ed B. Bolt of Eden this county, but has been holding a position with the Dexter Broom and Mattress Co. of Pelzer for some time.

Mr. Long is a native of Anderson and holds a position with the Pelzer Co.

Coroner's Inquest Concluded. The inquest proceedings as to the cause of the death of Essee Murrill, the negro, who was found in Enoree River more than two weeks ago, were concluded at Lanford last Friday.

There were 15 witnesses examined, but none of the evidence was of sufficient strength to warrant the coroner in making an arrest. Pete Copeland, one of the negroes arrested on suspicion two weeks ago was released, the other three the Solicitor decided to hold for a few days to await developments.

There has been great interest manifested in the investigations. About 600 persons attended the proceedings at Lanford on Friday, quite a number going from this place.

Ascension Day. Divine Service will be in the Episcopal Church on Thursday, (Ascension Day) at 11 o'clock a. m.

A Disastrous Calamity. It is a disastrous calamity, when you lose your health, because indigestion and constipation have sapped it away. Prompt relief can be had in Dr. King's New Life Pills. They build up your digestive organs, and cure headache, dizziness, colic, constipation, etc. Guaranteed at Palmetto and Laurens Drug Co. price 25 cts. 39-5t

RIVAL FLEETS MEET IN KOREAN STRAIT.

Russians Badly Beaten and Nineteen Vessels Lost.

OVER 2,000 PRISONERS TAKEN.

Rear Admiral Captured. Flag Ship Damaged and Rojestvsky's Fate Unknown. Japanese Vessels not Injured.

The great Naval battle, which has been momentarily expected for weeks, between the Russians and Japanese has taken place. The two fleets came together in the straits of Korea last Saturday and the Russians were badly beaten.

The Russian losses as definitely known are 13 vessels destroyed and six captured.

None of the Japanese vessels were injured.

2,000 Russians were taken prisoners, including Rear Admiral Nebagotoff. Rojestvsky's flag ship escaped but is reported as badly damaged, while the fate of the Admiral is not known. Some reports indicate the belief that he was killed.

The reports from London state that the Japanese are pursuing the Russians, picking off a vessel now and then.

Advices show that Rojestvsky's fleet, composed of all his most powerful and effective ships, was completely shattered.

It is thought now that the next move will be towards peace.

Citizens' Meeting. At a meeting of the citizens held in the Court House yesterday at 11 o'clock the tax levy for school purposes was increased for this school district from 2.34 mills to 3 mills.

O. B. Simmons, P. A. Simpson and J. J. Pluss whose terms of office had expired were unanimously reelected trustees.

The treasurer made a statement as to the receipts and expenditures and made the announcement that they had raised the salaries of several of the teachers.

Col. Ferguson, a member of the board of trustees explained that 5 years ago the white attendance of the school was less than 300, now it is more than 400, that it was the aim of the trustees to increase the efficiency of the school in line with its progress.

An auditing committee, consisting of Dr. H. K. Aiken, Albert C. Todd and R. E. Babb were appointed to examine the books of the treasurer and to publish so much of it as would be necessary for the information of the patrons and taxpayers.

The meeting adjourned to convene again next Tuesday to hear the report of the committee.

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STATE AND GENERAL NEWS.

Prof. J. H. M. Beaty, director of the textile department of Clemson College, has resigned to accept the position of assistant to Lewis W. Parker, who is the president of a number of cotton mills.

At a special meeting of the stockholders of the Lockhart Mills a resolution was voted to increase the capital stock of the plant to \$1,300,000.00 by issuing \$655,000.00 of non-convertible, preferred stock, which is to bear 7 per cent interest.

Capt. Richmond Pearson Hobson of the United States Navy, who made himself by sinking the "Merrimac" during the Spanish-American war, was married on last Thursday to Miss Grizelda Houston Hull of Tuxedo, N. Y.

Barron Alfonz de Rothchilds, head of the great French banking house of that name, died on May 26th of bronchitis. He was 78 years old, and probably the most noted financier that has lived during the past century.

Senator B. R. Tillman was thrown from his carriage at Edgefield on Thursday night and narrowly escaped serious injury. He sustained painful cuts about the head, but they are not dangerous. He had just spoken to the graduating class of the S. C. C. I. Miss Lona Tillman, his daughter, also received slight bruises.

The county board of education held a special meeting on Friday, May 26th, to arrange for the teachers summer school. It was decided that the school commence on the 17th of July.

Prof. B. Y. Culbertson was elected instructor of Mathematics, Geography, and Civics, and Prof. H. B. Dominick was elected instructor of Physiology, English, and Pedagogy.

The following is a list of books decided on by the county board for the summer school, Hutchinson's Physiology, Beuhler's English Grammar, Hughes' Mistakes in Teaching, Wentworth's New School Algebra, Wentworth's Practical Arithmetic, Peterman's Civil Government, and Frye's Geography of South Carolina.

The Summer School for the negroes will begin on July 3rd.

COMMENCEMENT AT CLINTON. Clinton, May 29th.—The graded school will close another successful year on Tuesday night, when the graduating exercises will be held in Copeland's Hall.

Prof. Clinkscales of Wofford will be the orator.

Roundhouse Foreman W. F. Waites, testified as to the selection of engine 1010. It came from train 29, which has preference in equipment. It was thoroughly overhauled in the shops and ample experiments and tests made to see that the air brake arrangements, the dynamo and steam heating apparatus were in good order. Mr. Waites also testified as to Mr. Hunter's solicitation about making the trip. He, the witness, and Engineer W. H. Green, and others present at the time of the selection, and Hunter himself, agree that Hunter himself was thoroughly familiar with the road and witness personally knew that he was familiar with the Charlotte division. He added that Hunter, on account of his experience and efficiency and reputation as a careful man had been given preference generally on the Savannah division. Witness knew nothing of Conductor Acker, of the special.

Mr. Maxwell testified that as the train rounded the curve into the Greenville yards, he noticed that the emergency brakes were being applied with great force, the speed being about 35 to 40 miles an hour. Yet witness admitted that the rule required this train to come into the yards under full control. Witness' understanding of "under full control" was that the engine must be in such control as to allow it to be stopped within half the distance the engineer could see. He thought a train running at the speed the Ogdan special was running at, could be stopped within three or four hundred yards. Under the rules the work train had a right to be on the main line at that time.

ENGINEER HUNTER'S TESTIMONY. Engineer Hunter failed to demonstrate that his train could be classed other than as extra and that as such should not have come in under full control. His orders gave him right of way over second and third-class trains, but did not change the class of his train, and he had no special orders changing his class and giving him a right to enter without control. He said his interpretation of the rules was that as he was running on a detailed schedule his train was first-class, the schedule being a supplement to the published schedule, but Mr. Baker said that with such a special, the crew's orders would show plainly that its schedule was a supplement and all employees would be notified with a number 31 order. In explaining a question Attorney Bellinger said it was the evident intention of the railroad to place the blame for the wreck on Engineer Hunter.

Mr. Thomas replied that it was a matter of indifference to the road what particular employee was to blame, the wreck itself was sufficient evidence that somebody had blundered, and the road being responsible for the acts of its agents it would not lessen the road's financial responsibility to place the blame on any particular agent.

Engineer Hunter and Conductor Ackers have been discharged.

Ordination Service. The Watts Mill Baptist Church held a special service on Sunday afternoon for the ordination of Mr. Willie Moore as a deacon of that church.

The presbytery consisted of the pastor W. D. Hammett, C. B. Bobo of the 1st church, Rev. M. C. Compton, Cornelius Bishop, and Jno. Moore of the 2nd church, and the deacons of the Watts Mill Church.

Gray Court-Owings Institute. The third annual session of the Gray Court-Owings Institute came to a close last Friday with appropriate and highly interesting exercises.

Mr. W. H. Hamilton was principal of this school during the past session, and it is greatly regretted by those interested that Mr. Hamilton is not to be at the head of this splendid institution next session. He has, however, decided to specialize his profession and with that end in view he expects to spend a few years at some of the leading colleges and universities of this country, including Johns Hopkins.

Drummond - Henderson. Mr. Willie Henderson of the firm of Davis & Roper and Miss Maud Drummond of Lanford Station were married on Sunday afternoon at the home of Mr. Thad R. Simpson. Rev. O. L. Jones officiating.

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OGDEN WRECK INQUIRY ENDED.

Hunter and Acker Must Bear the Brunt. TOO MUCH SPEED.

Ogdan Special only an "Extra" and Had No Right of Way and Must Come Into Yard Under Control.

The Southern's attorney at the hearing before the Railroad Commission a week ago to ascertain the cause of the wreck of the Ogdan special in the Greenville yards on the morning of April 23, assumed the position that Engineer James R. Hunter in charge of the special's engine is entirely to blame for the accident on the ground that he violated the rules of the company in coming into the yards without having his engine "under full control, expecting to find the main track occupied—under such control as would allow him to stop within half the distance he could see"—and that as the special was running as an extra with right of way only over trains of published schedule, the Greenville yardmaster, even in the face of the telegram placed on his hook at 7:18 notifying him that the special would arrive at 7:55, was in no wise responsible and was not to blame for having the freight boxes on the main track.

The main witness put up to outline and define this defense of the road was General Manager Spencer, who said that the telegram to the Greenville office was not sent with the view of conflicting the right of work of shifting trains, as practice showed that it was not safe to supercede these kinds of rules with respect to large yards like those at Greenville, except by a "No. 31" order," which having to be received for and checked back to the dispatcher it was not wise to use on a yard like Greenville's, for the reason that it was bad practice to allow engineers to get into the habit of running specials into such a yard not under full control.

Superintendent Williams, the first witness to be put up, testified as to the care that was used in selecting a crew familiar with the road between Spartanburg and Greenville. He testified that engine 1010 was saved out for the special, and that it was as Engineer Hunter's special request that he was put in charge; this was the engine Hunter had run regularly between Columbia and Savannah.

He denied that Hunter was known as a fast runner. At Mr. Thomas' suggestion Mr. Williams added a copy of his letter to all inferior officers cautioning that every care be used to protect the train and not to run too fast.

Roundhouse Foreman W. F. Waites, testified as to the selection of engine 1010. It came from train 29, which has preference in equipment. It was thoroughly overhauled in the shops and ample experiments and tests made to see that the air brake arrangements, the dynamo and steam heating apparatus were in good order. Mr. Waites also testified as to Mr. Hunter's solicitation about making the trip. He, the witness, and Engineer W. H. Green, and others present at the time of the selection, and Hunter himself, agree that Hunter himself was thoroughly familiar with the road and witness personally knew that he was familiar with the Charlotte division. He added that Hunter, on account of his experience and efficiency and reputation as a careful man had been given preference generally on the Savannah division. Witness knew nothing of Conductor Acker, of the special.

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