

**THE TUOMEY HOSPITAL.**

**CONDITIONS OF BEQUEST EXPLAINED BY EXECUTORS.**

A Complete Statement of all Matters of Public Interest Connected With the Hospital Endowment Provided for in the Wills of the Late T. J. Tuomey, and Mrs. Ella Tuomey.

**Editor Daily Item:**

Inasmuch as the Tuomey Hospital is a matter of general public interest, the undersigned deem it proper to make the following statement for the information of all persons concerned. We regret that Mr. Neill O'Donnell is at the present time absent in the North so that he cannot join us in the statement.

There are two separate wills involved in the proposition.

First. Timothy J. Tuomey died in October, 1897, leaving of force his last will and testament by which he appointed Messrs. R. D. Lee, Neill O'Donnell and Dr. S. C. Baker executors thereof.

By the terms of his will, inter alia, he bequeathed to his widow the usufruct of his Manning Avenue farm and his Bells' Mill plantation for and during the term of her natural life. He then provided that upon her death, the said two tracts of land should constitute a permanent endowment for a charity hospital to be located in the City of Sumter for the benefit of the respectable sick poor people of this city.

He mapped out in his will an elaborate scheme for the creation of the necessary funds for the establishment of said hospital, and for its conduct and management thereafter. But Mr. Tuomey left no ready money with which to carry out his benevolent purposes. On the contrary, he directed that his Executors should diligently improve his Bells' Mills plantation in order to render it attractive to tenants, and that they should rent out these lands and should accumulate from the net rents, from year to year, the sum of at least \$25,000.

He further directed that when said fund should be thus accumulated his Executors should purchase a suitable lot; which being done, he directed that they turn said lot and said fund over to a Board of seven Trustees, consisting of his three Executors, the Mayor of the City of Sumter, and two members of City Council and that these six should select a seventh member residing outside of the limits of the city of Sumter which Board of seven Trustees should erect said hospital and thereafter care for and manage the institution.

His widow, under the terms of the said will, enjoyed the rents, income and profits of the testator's estate up to the time of her death, which occurred late in the year of 1909.

The Bells' Mills plantation came into the possession of the executors, say on January 1, 1910, and they have had control of the same for only two full years, to wit: 1910 and 1911. The Executors found the estate in a very badly run-down condition and as the testator directed them to improve the property and make it more attractive to tenants, they have spent the greater portion of the income for the past two years in carrying out that object and are still far from putting the property in a desirable condition.

The income from the plantation for the years 1910 and 1911 amounted to approximately \$4,300 per annum. The executors, however, for the present year, have been enabled to increase the rental value of the same to \$6,000.

Out of the rents received for the years 1910 and 1911, the Executors have purchased and now hold a lot in the City of Sumter known as the old Catholic church lot, containing one acre, for which they paid the sum of \$3,000. The remainder of the income, after the payment of taxes, etc. has been expended in building and repairing tenant houses, barns and other out buildings, including a comfortable residence for the General Manager, who is employed at a moderate salary to live on the plantation and look after the interests of the estate. This gentleman is Mr. R. J. Kolb, under whose administration, the Executors have caused the plantation to be laid out by Mr. Palmer, a civil engineer of repute, into some eighty-six farms, of about twenty-five acres each.

This map of the plantation, carrying out the idea of a permanent, systematic subdivision of the estate, will be preserved in permanent form for future use.

The foregoing are the only expenses to which the trust estate has been subjected, except the commissions allowed by law, equal to five per centum, in the aggregate, upon all receipts and disbursements. Mr. O'Donnell has had the active charge, more especially in these matters and has for the past two years rented out all of the lands and collected all of the rents. In view of this fact, Mr. O'Donnell has retained the entire

commission of five per centum each year.

It is to be hoped that the increased rents of the present year 1912, with no extraordinary expenses attached, will enable the Executors to make a substantial start for the accomplishment of the object of Mr. Tuomey's will in accumulating the sum of \$25,000 wherewith to erect the hospital.

The rent of the Manning Avenue farm amounted to some \$300 or \$400 and during the life time of the testator's widow, to wit: in the year 1907, she applied to the Court of Common Pleas in a suit against the Executors of her husband's will, for permission to sell the Manning Avenue farm for the sum of \$25,000 and to invest the proceeds of sale in good and safe securities at eight per centum per annum interest, thus yielding to the life tenant a very much increased income per annum beyond the previous rental value of this property. At the November term, 1907, Judge Prince presiding, made a Decree authorizing the sale of the Manning Avenue farm for the aforesaid price and directed that the corpus, or principal, should be invested in good and safe securities and that the annual interest thereon should be paid to the testator's widow during her life time but that the principal sum should be kept and preserved by the Executors as a permanent endowment for the uses of the hospital.

The Executors were required to execute a bond in the penal sum of \$50,000 conditioned for the faithful discharge of their duties as to this fund. Mrs. Tuomey received the interest upon this investment until the time of her death, and the Executors have no authority to use the corpus in erecting the proposed building.

All monies that have been received have passed into the hands of Mr. O'Donnell, acting Treasurer, and all securities upon these investments are likewise in his personal custody.

Second: Mrs. Ella Tuomey, widow of the testator, died on November 23, 1910, leaving of force her last will and testament, and appointed R. D. Lee, Esq., sole Executor thereof.

By the terms of her will, she bequeathed the sum of \$35,000 as a supplementary fund to aid in carrying out the benevolent object provided for in her deceased husband's will. The testatrix well knew that she did not have sufficient available means wherewith to meet this bequest and she therefore provided in her will that her Executor should stand seized and possessed of the Tuomey block in the City of Sumter and collect the annual rents accruing therefrom until her bequest should be fully satisfied. Her Executor is carrying out this provision at the rate of about \$3,000 per annum; and, including what funds the testatrix left on hand, after paying numerous other personal and charitable bequests, has paid over into the hands of Mr. O'Donnell, up to this time, the sum of \$26,000. There remains, therefore, to satisfy this bequest, for the building of the hospital, a balance of \$9,000, with perhaps some interest.

Negotiations are now pending with her devisee, to wit: her nephew, L. Arthur O'Neill, Jr., who will become the owner of the Tuomey block upon the payment in full of his bequest, whereby it is hoped that he will be willing to raise this balance of \$9,000 and interest and thus satisfy, in full, her bequest of \$35,000.

The wills of Mr. Tuomey and of Mrs. Tuomey, containing the above provisions, are on file in the office of the Judge of Probate, where all parties interested may consult the same. The legal proceedings whereby Judge Prince authorized the sale of the Manning Avenue farm are enrolled in the office of the Clerk of Court of Common Pleas and may likewise be inspected. The annual returns of Mr. O'Donnell, the active Executor of the estate of T. J. Tuomey, are under oath and are filed in the office of the Judge of Probate, and the annual returns of Mr. Lee, as Executor of Mrs. Tuomey, are likewise under oath and are on file in the same office, where they may be inspected.

**SUMMARY:**

From the foregoing, it must be apparent that the charitable object mapped out by Mr. Tuomey in his will is a huge and complicated scheme, requiring much time to build up the fund of \$25,000 directed by him to be raised in order to establish the same.

The treasurer of the funds, under both wills, to wit: Mr. O'Donnell, now has in hand, in the form of good and safe securities, the sum of \$26,000 paid over by the Executors of Mrs. Tuomey's will and also has, not only the securities representing the proceeds of the sale of the Manning Avenue farm, to wit: \$25,000 (which is held as a permanent endowment fund), but likewise the accrued interest upon the same since the death of the life tenant. These cash funds will probably amount to about \$30,000 and the Board of Trustees may, in their discretion, begin at an early

date to establish and erect the Tuomey hospital.

Inasmuch, however, as Mr. Tuomey expressly desired that the rents of the Bells' Mills plantation, to the extent of \$25,000, should be used for that purpose, and inasmuch as Mrs. Tuomey, by her will, expressly directed that the further sum of \$35,000 should be added thereto, for the purposes aforesaid, the Executors, as at present advised, have deemed it proper to gather in all of these funds, amounting to upwards of \$50,000, before beginning the erection and establishment of the hospital upon a firm, sound and permanent basis, designed to be a lasting and continuing charity for all time to come.

It is estimated by the Executors that the annual interest of the endowment fund of \$25,000 proceeds of the sale of the Manning Avenue farm, amounting at the present rates of interest to some \$2,000 per annum, and also the annual rents from the Bells' Mills plantation, amounting to approximately \$6,000 per annum, (the two funds aggregating about \$8,000 per annum) may be sufficient to pay the annual expenses of the Tuomey hospital when once established. There will be the salaries of physicians, surgeons and trained nurses to be paid, fuel, provisions and medicines to be provided and the general up-keep of the establishment maintained. Judging from the best information we have been able to obtain from gentlemen having charge of similar institutions, this \$8,000 may prove sufficient for these purposes.

By special act, the Legislature, at its last session, exempted the property from all further payment of taxes. We wish to express our thanks to the present delegation for this valuable service.

The Executors are earnestly endeavoring to carry out the wills of both of these good and charitable people, according to the intent and spirit of the same, and it is to be hoped that the public may not become impatient, and will give the Executors credit for their efforts faithfully to perform this sacred trust.

The Executors will personally be pleased at all times, to give any information in their power, to all interested enquirers.

Respectfully submitted,

R. D. LEE,

S. C. BAKER,

R. D. LEE,

Executors of the will of T. J. Tuomey, Executor of the will of Mrs. Ella Tuomey.

**The Price of Meat.**

On Friday last the meat packers again announced a further increase in the price of meat from half a cent the pound on beef to a cent and a half the pound on pork. In New York the retail market showed advances of as much as five cents the pound. In the meantime it is announced from Washington that Attorney General Wickersham approves the plan for the dissolution of the Beef Trust.

It will be recollected that a Chicago jury acquitted the packers who were brought before it for trial. It is impossible for the Sherman law to be broken civilly unless it is broken criminally, yet these very men who now say that they will voluntarily dissolve their trust because they know it to be illegal were declared innocent by a jury. It is but natural that the price of meat has been going up ever since. Why should it not?

No traveler has recounted his journeys through Latin-America without speaking of the vast natural cattle ranges, of the cheapness with which cattle are raised on the plains. The world has no scarcity in meat. There is an apparent scarcity in the United States only because our laws refuse entrance under favorable conditions



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to meats not domestically raised. The dining table of every American is taxed. The mere mention of a disposition to remove this tax sends the packers into spasms of greed and the price of meat advances. The American people indeed love to be humbugged.—News and Courier.

**The Tight Skirt Banished.**

Chicago, Aug. 22.—The short, tight skirt was officially banished from the realm of fashion today by an edict of the Chicago Garment-makers' association at the Hotel Sherman. The form-defining jacket goes with the short skirts. Instead will be a skirt that hangs just to the ankle and a three-quarter length coat effect.

**Marriage License Record.**

Marriage licenses were issued to the following Thursday: Mr. James Henley Mills and Miss Mary Stuart Brunson. Also to the following colored couples: Julius Howard and Matilda Edwards, Mayesville; Boykin Hill and Perlee Woods, Sumter.

Friends, Judge Ira B. Jones will be elected by a handsome majority if every true, law-abiding citizen in South Carolina will do his duty and we believe they will do it.—Hartsville Messenger.

**WOMEN'S WOES.**

**Sumter Women Are Finding Relief at Last.**

It does seem that women have more than a fair share of the aches and pains that afflict humanity; they must "keep up," must attend to duties in spite of constantly aching backs, or headaches, dizzy spells, bearing-down pains; they must stoop over, when to stoop means torture. They must walk and bend and work with racking pains and many aches from kidney ills. Sick kidneys cause more suffering than any other organ of the body. Keep the kidneys well and much suffering is saved. Read of a remedy for kidneys only that is endorsed by people you know.

Mrs. R. K. Brown, 204 W. Liberty street, Sumter, S. C., says: "For over a year I was greatly annoyed by kidney and bladder trouble and nothing brought me relief until I obtained a supply of Doan's Kidney Pills at China's Drug Store. They were so beneficial in every way that I have no hesitation whatever in recommending them."

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