

The Cherokee Scout

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SUIT STARTED FOR RECOVERY OF \$46,091.83

E. A. Davidson, President of Defunct Bank, Made Defendant in Action Started This Week

Suit for the recovery of \$46,091.83 was begun Tuesday in Cherokee Superior Court against E. A. Davidson, president of the Cherokee Bank when it closed last October, and others, as a result of what is described as "the hopelessly insolvent condition" of the bank, which condition is alleged to have been "directly brought about as a result of the unlawful, wrongful, negligent and criminal acts and conduct of the defendant, E. A. Davidson, and other agents" of the bank. At the same time attachment issued against the property of Mr. Davidson pending the outcome of the suit.

The complaint and affidavit of attachment lists Gurney P. Hood, Commissioner of Banks for North Carolina, and E. F. Gill, liquidating agent for the Cherokee Bank, as plaintiffs; and E. A. Davidson and wife, Mrs. Stella Davidson; S. C. Dinkins, of Fulton County, Ga.; Harry P. Cooper, trustee; and Fulton National Bank of Atlanta, Ga., as defendants. It is signed by Hill & Gray, attorneys for the plaintiffs; J. D. Mallonee, attorney for individual depositors of the bank; and E. F. Gill, as affiant. Suit was instituted February 23rd, and service of summons was acknowledged on the same day by Mr. Davidson through his attorney, J. N. Moody. Defendants have thirty days in which to file an answer.

The complaint is a rather voluminous document, covering twenty-two typewritten pages of legal cap paper. The first part contains information identifying and locating the defendants, and then charges that in the matters set forth in the complaint, J. B. Storey, cashier of the defunct bank, and who is now facing charges of embezzlement of the bank's funds, acted in concert and collusion with E. A. Davidson and J. W. Davidson in injuring and defrauding said bank, its creditors and depositors, in making loans to said J. W. Davidson, a director of said bank, and to partnerships and corporations, thereafter named, in which said J. W. Davidson was interested, largely in excess of the amounts allowed by law, to-wit: in excess of twenty percent of the capital stock of said bank, i. e., \$17,500., and of its permanent surplus, which permanent surplus plaintiffs are informed and believe was nothing, and at a time when said E. A. Davidson knew, or in the exercise of reasonable care should have known, that said J. W. Davidson and said partnerships and corporations were hopelessly insolvent.

Then follows a list of 26 notes of the partnerships and corporations in which J. W. Davidson was interested, and personal notes on which he was taken as security, some as the only security, and some with others as security, totaling \$23,210.23, excluding \$146.26 as overdrafts of Griffiths, Inc., and Davidson & Mallonee. A detailed descriptive recital of each note is then given with the allegations in each instance.

Denies Signature
One of the notes, purporting to be a note to J. B. Carringer for \$1266.42 dated April 10, 1930, due July 10, 1930, endorsed by J. W. Davidson and Mack Carringer, is alleged to appear to be a forgery, that said J. B. Carringer denies that he ever executed the note, or authorized anyone to do so for him, and that a serious controversy exists between plaintiffs and said J. B. Carringer over the genuineness of the signature.

One paragraph alleges that E. A. Davidson loaned or permitted to be loaned to E. C. Mallonee, who was employed by J. W. Davidson as clerk in his clothing store, upon the sole endorsement of the said J. W. Davidson, the sum of \$3,460 of the bank's monies; that the plaintiffs are informed and believe that said loans were in truth and in fact knowingly made to, or for the benefit of, said J. W. Davidson, and the said E. C. Mallonee, with the intent and purpose to aid said J. W. Davidson in unlawfully and wrongfully obtaining funds of said bank, permitted the said J. W. Davidson and said E. A. Davidson to wrongfully and fraudulently use his name as a maker of said notes, all in furtherance of a fraudulent scheme on their part to keep the records of said bank from showing that said loans were in truth and in fact made to said J. W. Davidson and at a time when his total direct and indirect liabilities to said bank already exceeded the amount permitted by law.

(Continued on page 8)

Annual Basketball Tournament To Be Held At Cullowhee

Western Carolina Teachers College, Cullowhee, February 15.—The annual High School Basketball Tournament will be held at the college March 3, 4, and 5 in which the following schools are invited to participate: Murphy, Andrews, Marble, Almond, Bryson City, Quail, Whitaker, Franklin, Sylva, S. C. I. Waynesville, Glenville, Cullowhee, Webster, Rosman, Brevard, Hayesville, Gdgen, Elf, Robbinsville, Highlands, Clyde, Fines Creek, Bethel and John's Creek. The following members of the faculty are members of the Tournament Committee: Miss Alice Benton, chairman, general direction; P. L. Elliott, registration; Mrs. Lucy Posey, housing; Miss Nannie M. Tilley, publicity; Miss Thelma Howell, finance.

Each school receiving an invitation to enter the tournament will be allowed to enter one girl's team and one boy's team or both. The following teams have won since 1925: 1925 Waynesville girls, S. C. I. boys; 1928 S. C. I. Boys; 1926 Iotla Girls; Sylva Boys; 1927 Franklin Girls; Waynesville Boys; 1928 S. C. I. Girls; Hayesville Boys; 1929 Waynesville Girls; Waynesville Boys; 1930 Bethel Girls, Webster Boys; 1931 Bethel Girls, Almond Boys. As Bethel girls have won in the last two tournaments, it is expected that much interest will be manifest on their part as well as among all teams and visitors.

The girls will be cared for in Moore Dormitory and the boys in Davies Hall and in the community. The following community people have opened their homes for visiting players while they are here: Mrs. H. T. Hunter, Mrs. W. E. Bird, Mrs. David H. Brown, Mrs. Carrie Bryson, Mrs. Mollie Fisher, Mrs. L. A. Ammons, Mrs. M. Q. Tuttle, Mrs. John Clayton, Mrs. E. Norton, Mrs. Hershel Green, Mrs. Victor Brown, Mrs. H. Bueck, Mrs. Grindstaff, Mrs. Keller, Mrs. Freeman, Mrs. McGuire, Prof. Frank H. Brown.

ANDREWS LOCALS

Mrs. J. L. Welch of Asheville and Miss Blanche Welch of Crossnore, N. C. and Mrs. Elton Corley of Augusta, Ga., were visiting Mr. and Mrs. Troy Parham on last Sunday.

Messrs. J. N. Moody and son, Howard, attorneys, were business visitors in Andrews on last Monday.

Mr. W. T. Holland is suffering with a mashed foot as the result of having a cross tie to fall on it.

Mr. Grady Hogsd left Andrews on Tuesday of this week for Oteen hospital where he will be for several days under observation and treatment.

The many friends of Rev. R. S. Eskridge, pastor of the Andrews Presbyterian church will learn with regret of his recent rather serious illness. Last report from him was to the effect that he was slowly improving. Rev. Eskridge is at his home near Swannaona, N. C.

Mrs. Giles Cover and daughter, Eleanor, were in Asheville last Saturday and Sunday.

Mr. B. H. Mintz of Marble was a business visitor in Andrews on Wednesday of this week.

Dr. N. E. Adams, of Murphy was a business visitor in Andrews on Monday of this week.

The many friends of Mrs. E. F. Troutman will be glad to know that she is rapidly recovering from a rather severe attack of flu.

Mrs. L. O. Caldwell left Andrews the later part of last week for Newport, Tenn. to attend the funeral and burial of her sister.

Mr. R. T. Heaton was out of town on business on Monday of this week.

Mr. R. B. Slaughter of Rebbinsville was a business visitor in Andrews on Monday of this week.

Mrs. Abernathy, nee Lillian Carpenter of Copperhill, Tenn. is visiting several days with her parents, Mr. and Mrs. D. C. Carpenter.

The Andrews Croquet club has organized with C. A. Brown, J. H. Christy, L. B. Nichols and Walter J. Miller as charter members. Time of meeting every afternoon fit for playing—place the lot beside J. H. Christy's home.

Fifteen Catawaba County poultrymen have had their flocks county-tested for the production of accredited eggs for hatching purposes.

Mrs. F. C. West Died On February 12th

Mary Carolina West was born April 11th, 1902. She professed faith in Christ at an early age and lived a consistent Christian to the end. She was married to Rev. F. C. West February 12th, 1922, and died February 12th, 1932. She leaves five children and a host of friends and relatives to mourn their loss.

She was a loving faithful wife, and mother showing friendship to all she met. Many hearts are saddened by her sudden going. Her husband and children was always first in her thoughts. She died in the fullest triumph of the Christian faith.

We miss you oh, we miss you Mother
And our home is dark as night
Bue we'll meet you in that city
Where there is no pain or night.

Rev. F. C. West Died 19th Of Pneumonia

Rev. Frederick Clyde West died of pneumonia fever February 19th. He was born at Beavertown, N. C. in Haywood County, September 19th, 1878, making him 53 years and 5 months old.

He was married to Lelia Rymer, February 5th, 1898, and to this union was born five children, three now living and two dead.

After the death of his first wife he was married to Mary Roberson of Shoal Creek, Cherokee county, and to this union was born six children, five now living.

He professed faith in Christ at an early age. And early in life the Lord called him to preach. He has devoted most of his life to the ministry. He loved to preach and was devoted to his church, and the cause of the Lord. Always waiting for an opportunity to serve his church and people.

He was a devoted father, loving his home and family. He leaves eight children, six grandchildren, one adopted son, Lincoln E. West, and a host of friends to mourn his death. But as we mourn thank God he is resting on that bright shore where parting comes no more.

Man immerses from mysterious obscurity and is borne upon the flowing stream of time to a spiritual destination, realms of immortality and as he nears those ever-blooming shores, the eye of faith is quickened as he beholds its perennial glories—redeemed perfected and made glorious in the image of him who has said I am the Way the Truth and the Life.

Father's gone and left us lonely
And we'll see his face no more.
But we know he is waiting for us on that bright eternal shore.

Oh! dear Father how we miss you
And our hearts are full of pain
But we're coming dearest dady
Soon to be with you again.

Death Removes Six From Pension Rolls

Six names were dropped from the Confederate pension list of Cherokee county during 1931 because of death. The Veterans and widows who answered the call were: James B. Henson, of Culberson, James Humphrey of Murphy, Norma McRae, of Grandview, Mrs. Eliza J. Sneed, of Murphy, Mrs. Mary J. Pullum, of Andrews, and Mrs. W. E. Waldroup, of Brass-town.

The application of two widows, Mrs. Norma McRae, and Mrs. James N. Wiggins, were approved at the recent meeting of the pension board and will be passed on to the State board for final approval.

Veterans and widows now drawing pensions are: S. E. King, Iowa S. Leatherwood, M. A. Logan, S. A. Martin, Sallie Martin, Lizzie Mattoy, Lizzie Mayfield, Martha A. Moss, Malinda McDonald, Nancy Palmer, Mary E. Robinson, Elizabeth C. Stephens, Marcilla M. Taylor, E. C. Wees, Vina Welch, N. L. Williams, Harriett A. Keener, William H. Arrowood, Andy Earwood, A. Ful ton, U. E. Kelly, D. P. Puett, Wesley Raxton, J. E. Stewart, J. G. Tatham, Jane Adams, Sophronia Aldridge, Allie Bell, Docia Byers, Sadie Earwood, Elmira Hall, Rebecca E. Hall, Myra Hughes and Ruth Huskins.

A Little Loved One

(In Memory of Homer Stiles)
God has called little Homer away.
But we hope to meet him again some day.
But he is better off I know.
Free from this world of sorrow and woe,
God knows best what to do
For I know some day he'll call me
or you to Heaven above
Where there is no sick or sorrow,
but love,
We hope to meet him again some where
Homer is resting over there.
A FRIEND

Associated Charities Paid For January

Following is an additional list of members of Associated Charities paid up for January, 1932:

Mrs. E. E. Adams, Chm. B. W.M.U.
Mrs. T. S. Evans.
Mrs. Clyde Gennett.
Mrs. Neil Davidson.
Mrs. Jerry Davidson.
Mrs. Bessie Deweese.
Mrs. J. D. Warrick.
Mrs. C. K. Turner.
Mrs. W. B. Gartrell.
Mrs. J. M. Barnett.
Mrs. Haynor Rogers.
Mrs. Walter Sneed.
Mrs. W. H. Murray.
Mrs. Ralph Moody.
Miss Sara Cook.
Mrs. Ruth Carringer.
Miss Hattie Axley.
J. H. Hampton.

This is the incomplete report that Mrs. Adams was unable to get in on time for last week's publication, except the last two names, which were handed in by Mr. Gray.

The report for January from the different workers shows that during the month of January help was given to fifty-one children and thirty-eight adults, eighty-nine in all, and to many of these food and clothing was given as many as three times. Based on the number given aid, eighty-nine, figures show that five and three-fourths percent of the population of our community are needing aid, and are getting it through the Associated Charities. This percentage is much lower than many of our surrounding cities and towns. The percentage of the population of Asheville receiving aid from their three charities organizations amounts to twelve percent of their population, or something over six thousand people.

The officials of the Associated Charities are enthusiastic over their work, and can not but be proud of the work done to date. It is encouraging to them that so much interest is shown in the work by the people of the community, as is evidenced by their splendid support and by the fact that the number of the members increases with each report. Suggestions will be appreciated from any residence of the community, and particularly from any member of the Associated Charities, which may enable the board of directors to give more aid to the needy. The board will also appreciate anyone telling them of the need of some child or adult which has not come to their attention. A call to Mrs. G. W. Ellis or Mr. R. W. Gray will receive immediate investigation.

Signed
Edw. E. Adams, Sec. Treas.
Associated Charities.

PATRICK

Mrs. Emiline Allen and Mrs. E. M. Hamby were the guests of Mrs. Mary West Sunday.

Mrs. Bertha Martin and children and Mrs. Edith Reid and children were the guests of their sister, Mrs. Grace McHan, Sunray afternoon.

Mr. and Mrs. Oliver Taylor and baby were guests of Mrs. Rose Ann Picklesimer and family Sunday.

Mr. and Mrs. Lee Horton and baby Joy, and Mrs. John Picklesimer were the guests of Mr. and Mrs. Perlie Croft at Farner, Tenn., on Thursday.

Mr. and Mrs. Elmer Smith and children attended the funeral of Mrs. Smith's little nephew at Wehuty, N. C., one day last week.

Mr. John Picklesimer was the dinner guest of Mr. Will Edford Sunday.

Mrs. Jane Burger, who has been seriously ill, is reported some better at this writing.

Rev. J. J. Baines, of Alarka, N. C., is visiting his parents, Mr. and Mrs. S. G. Baines.

Mr. Elmer Smith and little son made a business trip to Postell, N. C., Friday.

Mr. and Mrs. Quinn Picklesimer and children, of Hiwassee, were the guests of the former's parents, Mr. and Mrs. Tom Picklesimer, Sunday.

The Rev. J. N. Marr filled his regular appointment at Liberty church Saturday and Sunday and preached two very interesting sermons.

Mr. Polie Hamby, of Hiwassee, was a business visitor of Mr. John Picklesimer Saturday.

LIONS CLUB HOLDS MEET TUES. NIGHT

Make Plans For Annual Cherokee County Dinner To Be Given Here March 8th

Plans for the annual Cherokee County dinner, in which only products grown in the county are used, with the exception of coffee, sugar, salt, etc., were made by the Lions Club which held its regular meeting Tuesday night at the Regal Hotel.

The dinner in years past has proven one of the most success affairs of the Lions, and this year it is hoped to make it the most successful of any of the annual events. A number of visitors have been invited, together with the committee of the 5-10 year farm program of the county. The Lions are making this farm program their major endeavor or activity this year. The club has been instrumental in the past of helping and aiding the farmers of the county toward better markets and better products.

A number of committees reported on the activities, one of the reports of which was to the effect that encouraging negotiations were under way for getting the hosiery mill started, and the committee stated that some definite announcement would probably be forthcoming in a few days.

A number of interesting letters were read, including one from Lions International expressing condolence to the club and family in the loss of Lion Sid Padley, one from B. W. Sipe, a former member of the club; and one from J. L. Brown, secretary of the Asheville Lions Club.

It was voted to take the matter of a fish hatchery for Cherokee county up with the state authorities and see what could be done toward securing one for this section.

The club was invited to attend the closing exercises of the John C. Campbell Folk School at Brasstown on Thursday afternoon at 5 o'clock.

Abe Hembree was elected to membership in the club, and invitation extended to meet with the club at its next gathering.

PEACHTREE

The play "Always in Trouble" will be given in the Peachtree school auditorium, Friday evening, Feb. 19. Only a small admittance fee will be charged.

Rev. Cloyd Pipes spent the week-end at Culberson.

Mr. Dave Linderman of Coker Creek, Tenn. was a business visitor here last Thursday.

Mr. Gather Lovingood has been called to the bedside of his son, Mr. Oscar Lovingood of Canton, N. C. who is critically ill.

Mrs. W. H. Sudderth and Mrs. H. S. Sudderth are spending a few days with their sick father, Mr. Dock Puitt, of Marble.

Mr. Lloyd Hendrix and Miss Nellie Hendrix motored to Wayneville Tuesday.

Miss Hazel Watkins entertained a number of her friends with a Leap Year-Valentine party Saturday night. Many games were played by the crowd. Those present were: Misses Mamie Adams, Minnie Ferguson, Nellie Hendrix, Vonah Lunsford, Hattie and Florence Walsh, Imogene Betty, and Kate Robinson, Ida, Opal, Oval Sudderth, Frances and Hazel Watkins, Messrs. John Herbert of Warne, Willard, Dock, Guy, Troy and Neal Sudderth, Nelson, and Newt Leatherwood, Troy and Arnold Millsaps, Edgar and Carmon Robinson, Max Ferguson, Carl Nelson, Howard Watkins, Max Witt, Loy and John Lunsford and Andrew Walsh.

Rev. Ellis Panther preached at the Peachtree Baptist church Sunday at 11 o'clock.

Mr. John Shanks returned to Copperhill Sunday where he has employment.

The B. Y. P. U. is improving nicely since new officers were elected. Rev. Cloyd Pipes was elected president, Nelson Leatherwood, Vice-president, Miss Beulah Robinson, secretary, Miss Minnie Ferguson quiz leader, Misses Vanah Lunsford, Imogene Robinson and Messrs. Nelson Leatherwood, R. C. Pipes were elected Grays Guards, Mr. Lloyd Hendrix choir leader and Miss Minnie Ferguson organist.