

RECEIVER APPOINTED

THE GASTONIA BANKING CO.

Order to Appear Before Judge Allen December 15th, to Show Cause Why Receivership Should Not Be Granted—Complaint Alleges That Defendant Company is Insolvent and Has Been Conducting the Business in an Unsafe and Unsound Manner—Sergeant Charge-Manager, Management of John E. Love, President of the Bank.

The proceedings in regard to the receivership for the Gastonia Banking Company, whose insolvency was announced yesterday's Observer, were yesterday afternoon before Judge W. H. Allen, presiding over the present trial term of Mecklenburg Superior Court.

Upon motion of Mr. Tillett, attorney for the North Carolina Corporation Commission, plaintiff, J. E. Love, president of the bank, was appointed temporary receiver for the company. A bond of \$20,000 was named, and as soon as this is given, Mr. Leeper is directed to take charge of the property and the effects of the bank, and to hold until a further order of the court.

It was further ordered that the defendant appear before Judge Allen, in the Superior Court at Lincolnton, on Tuesday, December 13th, to show cause why the receivership should not be made permanent. In addition it was ordered that a copy of the order and complaint be served on the defendant by Sheriff C. B. Armstrong, of Gaston county, and that he appear at the next term of Mecklenburg Superior Court, on the third Monday in January, to answer the complaint of the plaintiff.

By consent of all parties, it was ordered that the cause be referred to the Gaston county Superior Court, and Clerk Russell was directed to send the papers and order to the clerk of Gaston Superior Court.

Section 4 of the complaint, as made out by the Corporation Commission, plaintiff, is of much interest, containing, as it does, the full reasons and causes for the closing of the bank.

That plaintiff commission is informed and believes and so alleges that said bank is insolvent and has been conducting its business in an unsafe and unsound manner and is jeopardizing the interests of its depositors; that said bank is carrying as part of its assets real estate and fixtures to the amount of \$46,872.78, which it has no title whatever or at least that no title has been recorded for the same, although the said bank has been requested and required by the commission from time to time to have title made to the bank and such title duly recorded, and the defendant through its officer has promised and agreed to have the title executed and recorded, but has failed to do so; that the title for said real estate and fixtures so far as the records disclose is in John P. Love, the president of the bank; that the said bank has re-discounted notes and bills, large amounts for which it is paying 8 per cent. interest and is paying 5 per cent. on its certificates of deposit and has failed to keep a sufficient reserve in available funds to meet its liabilities, although required by the bank examiner from time to time so to do and that it has failed to remit large sums collected by it for other banks and parties, although the same have been called for a considerable length of time and although the defendant was warned by the bank examiner that the bank would be closed if such collections were not remitted; that said company now has cash items amounting only to the following sums, viz: Gold coin, \$30; silver coin, \$81; national bank notes, \$88.

That the said bank has invested in stock of the Gastonia Cotton Manufacturing Company to the extent of \$100,000 and that the president of the bank is the principal owner of said corporation, and that said stock is not worth the high price at which it was purchased when the investment was made, although the said banking company paid full price for the same, and although the said president knew at the time that the said investment was unsafe and insecure; that the Gastonia Cotton Manufacturing Company, a corporation which is practically owned by John P. Love, president of the defendant, owes the defendant the sum of about \$40,000 unsecured; that on the 21st of November, 1904, the defendant secured overdrafts in said bank amounting to \$1,453.89 and that the president of the bank well knowing the condition of the bank and under the control of the president and chief officer of the Avon Mills and of the Gastonia Cotton Manufacturing Company, secured from the bank in the way of overdrafts for the Avon Mills the amount of \$10,890, and the Gastonia Cotton Manufacturing Company in the amount of \$2,494, which are wholly unsecured, and also overdrafts for himself individually to the amount of \$1,000, which is likewise unsecured; that there has never been any formal meeting of the directors of the defendant, but the affairs have been managed by John P. Love, who has assumed complete charge of the management of the defendant; that a copy of the report made on November 2, 1904, of the condition of the defendant is hereto attached, marked "Exhibit A," and that the condition of the condition of the bank at the time the said bank examiner took charge on November 2, 1904, marked "Exhibit B," and the same are asked to be taken as a part of this complaint.

RESOURCES

Table listing financial resources: Loans and discounts, Demand loans, Overdrafts, Cash, Gold coin, Silver coin, National bank notes, United States notes, LIABILITIES, Capital stock paid in, Surplus fund, Undivided profits, Reserves and taxes paid, Notes and bills discounted, Time certificates of deposit, Deposits subject to check, Due to banks and bankers, Cashier's checks outstanding, Items collected and held, EXHIBIT A, EXHIBIT B.

LIABILITIES

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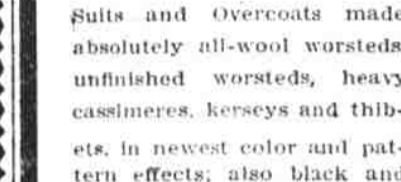
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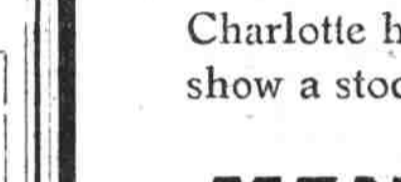
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