

The Farmington Times.

VOL. 43

FARMINGTON, ST. FRANCOIS COUNTY, MISSOURI, FRIDAY, MAY 26, 1916.

NO. 19

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MANDAMUS PROCEEDINGS

Asking Court for Order Permitting an Inspection of Doe Run Lead Company's Books

Robert Holmes through his attorneys filed in the St. Francois County Circuit Court this week an alternative writ of mandamus against the Doe Run Lead Company and F. H. Dearing, its secretary and treasurer, for permission to examine the books, records, papers and documents of that company. In his mandamus proceedings he declares that the petition is made in his own behalf and on behalf of those stockholders similarly situated. He sets forth that he (Robert Holmes) is a stockholder of the Doe Run Lead Company, and is the owner of 12 shares of the capital stock of said company, and is also the owner and holder of 3,112 shares of the capital stock of the St. Joseph Lead Company, which owns and controls 97 per cent of the stock of the Doe Run Lead Company, also that he is a stockholder in the Mississippi River & Bonne Terre Railway Company, a subsidiary of the St. Joseph Lead Company. He declares that all three of said companies are closely allied one to another and have common interests in St. Francois county, with officers largely the same in each company.

The writ sets forth that on the 15th day of May, 1916, your petitioner made demand in writing, during business hours, at the office of the Doe Run Lead Company, upon F. H. Dearing, secretary and treasurer and custodian of the books, records, papers and documents thereinafter described; that during business hours, at the office of said company, and at reasonable times, he have access to the right, privilege and opportunity to get together with his duly authorized agents, including an expert accountant and a stenographer, to inspect and examine the books, records, papers and documents of the Doe Run Lead Company, together with the right of his agents to make extracts and memoranda from the same. That in said written demand, petitioner stated his purpose for making the examination, and that although there was a legal duty imposed upon the said F. H. Dearing, in his capacity as secretary and treasurer, to comply with the request, he wrongfully and arbitrarily, although he had the books, records, papers and documents in his possession, refused to permit the petitioner to have access to and to make inspection of the same as demanded.

The petitioner further states, that his purpose in making said demand and his desire to inspect the books and records, is by reason of an injury he believes he has suffered connected with his rights as a stockholder of said company, and states on informa-

tion and belief that from time to time, from May 1, 1910, to the present time, a large number of cars of coal were paid for by the Doe Run Lead Company when in fact said cars of coal were not received or used by said company, and that during said period, he is informed and believes, that it was the practice of officers and agents in charge of the purchase and delivery of coal intended for the consumption of the Doe Run Lead Company, to consign certain cars of coal to said company, and also to consign the same identical cars or cars to either the St. Joseph Lead Company or the Mississippi River & Bonne Terre Railway Company, or both of them, and that by reason of said fraudulent action the Doe Run Lead Company would not actually receive or use the coal so consigned to it and would suffer loss when payment would rightfully be required of it on false invoices rendered to it from time to time, and as a result of said practice petitioner has been caused to lose, as a shareholder in said company and as a shareholder in the St. Joseph Lead Company, large sums of money, and that the value of his stock in said companies has been greatly depreciated.

The petitioner also avers that it is his purpose to bring a bill in equity against the corporation, its officers and others, to stop the practice described, also an action, in his own name and on behalf of other stockholders, to recover from any and all persons who have wrongfully and fraudulently received money from the Doe Run Lead Company in connection with the practice described, and on all sums of money so recovered. Other matters are set forth, and the petition closes by asking the court, because of the refusal to comply with his demand as a stockholder, that it award against the Doe Run Lead Company, its officers and directors, and F. H. Dearing, its secretary and treasurer, custodian of the books, records, papers and documents, a writ of mandamus requiring him to give petitioner, at the office of said company in Bonne Terre, Mo., and at such time as the court may fix as reasonable, access to and the right, privilege and opportunity, together with duly authorized agents, including an expert accountant and a stenographer, to inspect and examine the books, records, papers and documents of the Doe Run Lead Company, together with the right of his agents to make extracts and memoranda from the same, and for such other process orders, remedies and relief as to the court may deem meet and proper.

Perhaps Fatal Stab

What may result in a fatal stabbing occurred Saturday afternoon, about 5:30 o'clock, at Elvins, in which Jess Forsythe was the aggressor, stabbing a baker, late of St. Louis, who had but recently gone to work in the Elvins Bakery. Forsythe stabbed the baker twice, once under the right shoulder blade, and again in the left side, which stab probably entered a lung. His recovery is doubtful, though he is getting along very well at this writing.

Just what the trouble was about we have been unable to learn, but some kind of family trouble appears to be mixed up in the affair. The baker and his assailant were supposed to be good friends up to the time of the stabbing. The baker boarded but one or two doors removed from the Forsythe home, and it seems that when Forsythe returned home Saturday evening he found the baker there, when a quarrel is supposed to have resulted. Both were thought to have been drinking, in which case there is no need of searching further for a "reason."

Forsythe was brought to Farmington and lodged in jail, but on Monday he was released on bond. Preliminary hearing has not been set, pending the result of the wounds.

Hanged Himself

Otto Forbes, of Flat River, hanged himself Saturday evening in a shed at the rear of his residence. Life was extinct when the body was found. The suicide was about 25 years old, worked about the mines, and leaves a wife, and child about a year old.

Forbes is said to have been drinking, and it is the supposition that despondency was the cause of his rash act, from which his wife and baby of necessity are the real sufferers.

A Suggestion

We suggest to the managers of the Farmington Free Public Library that they make arrangements to keep the Library rooms open on Sunday afternoons, for the benefit of the many men and youths who every Sunday are seen sitting or standing around after the mails arrive reading the papers. There are numbers who would avail themselves of the comfortable rooms Sunday afternoons, learn to appreciate the advantages there offered, and interest themselves personally in the Library and make it more popular. Think over the suggestion.

AN ANNUAL OBSERVANCE

The Services and Basket Dinner of the Christian Church at Libertyville Last Sunday

Last Sunday the Christian Church at Libertyville gave its annual church gathering and basket dinner in connection with the services of the day. This church is, perhaps, the mother of the Christian or Disciples denomination in Southeast Missouri, though the old Antioch Christian Church in Madison county is said to be a competitor for this honor. Both congregations, however, were organized about the same time, and the honors may be equally divided between them.

The first minister of the Christian Church to preach a sermon at Libertyville was named McMurry, but our informant did not remember his first name. This was back in the thirties of the nineteenth century, and before there was any church organization. A church organization was formed by Elder James Lunsford (the title "Reverend" being eschewed by ministers of the Disciples or Restoration Movement) along in the late thirties or early forties, the first deacons being Samuel Kinkead and Zeno Blanks. The congregation held services in a log school house at first, and then Mr. Kinkead made a deed to the church of the ground on which the present house of worship stands, and a frame structure was erected thereon. After a few years this building was burned, and the congregation went back to the old log school house to worship; it in turn, was also destroyed by fire. Moses Baker had a lot of brick on hand which he had made and burned, and a brick school house was erected and made large enough to admit of the congregation worshipping in it. Fire seems to have followed the movements of the congregation, for the brick school house was shortly a victim of the flames, but in no way daunted, the congregation went about erecting a brick church on the site desired to it by Mr. Kinkead. This was along in 1856, and the building still stands, now about sixty years old. It was built by John Samuels, a devout and earnest member of the faith.

Some of the earlier ministers who officiated for the congregation and have long since passed to their reward, were James Lunsford, Alexander Proctor, who afterwards went to Independence, Mo., where he served as pastor of the Christian church continuously for over forty years, Jacob Greth, John Phoenix and Dr. John C. Farmer, father of Mrs. Mary Counts of Farmington. Some of the more prominent families of Cook Settlement who were associated with the movement, many of whose descendants still live in that vicinity, were the Kinkeads, the Bakers, the Sebastians, the Blankens, the Harrises, the Shaws, the Grahams and the Lawrences; and among some of the older living descendants of these early families, whose faces are set toward the evening twilight of life, who were present last Sunday, were Mrs. Sophia Shaw, Mrs. Mary Baker Phillips, Rollo Sebastian, N. A. Kinkead and J. C. Crow.

The annual gathering and basket dinner has long been a notable feature of the Libertyville Church, and last Sunday's gathering was a delightful counterpart of the many that had preceded. Fully four hundred people were on the ground, and but for the heavy rain Saturday night and

the threatening look of the clouds the crowd would have been larger. There were people there from Fredericktown, Farmington, Flat River, Elvins, Bonne Terre and other points. Of course they could not all get into the little church building to join in the service, but strolled about the ground and enjoyed the meeting with and greeting of friends, for it didn't rain and the weather was fine. Rev. J. M. Bailey, pastor of the Farmington Christian Church, conducted the services, and being in good fettle delivered one of his best sermons. Rev. J. O. Snodgrass of Fredericktown was to have delivered the afternoon discourse, but for some reason did not arrive, and Mr. Bailey was pressed into service for a second sermon, although a pair of anxious young lovers were awaiting in Farmington for him to come and launch their lifeboat out onto the matrimonial sea.

But we have skipped the noon hour. Immediately after the morning service, crowds were seen carrying tempting looking baskets towards a long table that had been provided for the occasion, where they were emptied and a feast fit for the gods was spread. If you have ever been to an old-fashioned picnic—and of course you have—you may have an idea of the bountiful refreshments that gladdened the eyes and whetted the appetites of the already hungry crowd. It was enough to make the despicent and dietetic forget his delicate stomach and to suffer afterwards, comforting himself with the grim satisfaction, "Well, it was worth it."

The old-time hospitality and cordiality of Libertyville—we mean that large area of rich agricultural country surrounding the few houses that go by that name—are perennial growths whose roots are deeply imbedded in the soil of human love and kindness. There was no stilted formality, and it made the visitor's heart feel good and at home as some bronze-faced stalwart son of the soil extended a cordial hand with the self-introducer remark, "my name's so-and-so," as if he were really glad to see you there—and he was; or as some sweet motherly-faced woman held out her gentle hand while her eyes smiled a welcome which you realized was as genuine as the heart that beat beneath the motherly bosom; and the charming young women and girls with faces as fresh and fair as the first blush of dawn, and young men and boys with glad faces looking out upon life with the courage and hope of undaunted youth. It was a moving picture of rural life, beauty and wholesomeness, pleasing the eye and gladdening to the heart, causing one to realize that God is good and bountiful in his blessings to mankind—a gracious Father to be worshiped and praised and served.

The writer is glad to have been with these gatherings continue in their annual rounds to bless and brighten the lives of these gracious people, drawing them closer and closer together in their mutual, social and religious relations, until in one universal chord they sing with spirit and understanding.

"Blessed be the tie that binds
Our hearts in Christian love."

Civic League

The Woman's Civic League of Farmington was temporarily organized at the Public Free Library rooms Wednesday afternoon, May 10th. The organization grew out of a called meeting of ward leaders in the cleanup day movement. All members voted enthusiastically for the formation of a civic improvement league.

One of the most important interests of the league will be the promotion of sanitation and cleanliness. The beautifying of Farmington will be one of the main objects of the organization. An annual assessment of one dollar, payable quarterly, was decided upon by the members, and every woman interested in the civic welfare of her city is urged to become a member.

Tuesday, May 23d a permanent organization was effected. Miss Beeson acted as chairman of the meeting until the following officers were elected: President, Mrs. Frank Weber; Vice President, Mrs. W. A. Gardner; Secretary and Treasurer, Mrs. Barney Pelty.

The league will meet at four o'clock p. m. the first Thursday of each month in the Public Library rooms, the next meeting being June 1st. Following is a list of the members:

Mrs. A. Bartells, Mrs. O. W. Bleack, Miss S. V. Beeson, Miss Kathlyn L. Black, Mrs. W. B. Campbell, Mrs. M. P. Cayce, Mrs. Henry Dalton, Mrs. Russell Doss, Mrs. Vernon Doss, Mrs. Robert Forsyth, Mrs. W. A. Gardner, Mrs. P. D. Giessing, Mrs. J. Howell, Mrs. W. A. Karsch, Mrs. J. W. Karsch, Miss Emma Lang, Miss Sevard, Mrs. Geo. Patton, Mrs. Barney Pelty, Mrs. Chas. Nelson, Mrs. Frank Weber, Mrs. T. C. Young, Mrs. Hugh Mitchell, Mrs. Henry Dalton, Mrs. Genevieve F. Logan, Miss Gerty Pelty and Mrs. E. A. Rozier.

This section of the country was visited by another refreshing and much needed rain Saturday night.

"What Is It?"

The manner in which the query in last week's Times, "What Is It?" was received by many, and their hearty acquiescence in such query, is indeed most encouraging to the Times in its effort to "throw the light on" dark places. It is indeed a real pleasure to struggle for the rights of the people when such efforts meet with such hearty response. Again we ask, "is the Electric Line a railroad or a street car line?" We would be glad to hear from our readers on this question.

Cannons Mounted

Picket Post G. A. R. secured four instead of one of the old civil-war cannons to be mounted on the Court House grounds. Concrete foundations upon which to mount them were put in the past week and the guns placed in position to be unveiled next Tuesday, National Memorial Day. One stands at each corner of the Court House yard, and remind one somewhat of a fortification. The guns are old 12-pound mountain Howitzers.

YOUNG LUTHERAN PEOPLE GIVE ENTERTAINMENT

Wednesday evening the young people of the Lutheran Church gave a fine entertainment that was greatly appreciated and enjoyed by a large audience. The program consisted of ten numbers, embracing piano duets, vocal, piano and violin solos, a reading, two dialogues, a humorous chorus and a good night chorus. The young people acquitted themselves admirably in each and every number to the great delight of their friends. The entertainment was given in the old church building, which makes a suitable hall for just such purposes.

Announcement

Hon. John T. Barker

Attorney General of Missouri and candidate for the Democratic Gubernatorial nomination, will speak in the Court House in Farmington, TUESDAY, MAY 30, at 1:30 P. M.

You should not fail to hear him, and he may help you decide the question of whom you will support for the office of Governor in the August primary. If you believe in the things he advocates, then your support would be appreciated.

Anyway, John T. Barker is one of the big and brainy Democrats of the State, and you should not miss this opportunity of hearing him.



Sad Death of Mrs. J. N. Burks

Mrs. Amanda C. Burks (nee Marshall), wife of former State Senator Jasper N. Burks, died at her home in Farmington, after a lingering illness of nearly two years, on Wednesday, May 24, 1916, in the 63rd year of her age. Mrs. Burks had recently been to Chicago on two occasions to be treated, returning home several weeks ago with no encouragement of recovery. She was born at Coldwater, Mich., and was married to Jasper N. Burks, in St. Genevieve county, Mo., in February, 1868, and the following named children and her bereaved husband survive her: Flora, wife of Harry E. Horn, Salt Lake, Utah; Aramah J. Burks, Denver, Colo.; Ed and Miss Hattie Burks of Farmington; Vest Burks, Rogers, Mich.; Cleve, wife of C. W. Whitney, and Bird, wife of Elmer Ferguson, Chicago, the latter of whom were with her when she passed through the portal of death into life. She also leaves one sister and two brothers—Mrs. Luther Yarrington, Andrew and Amos Marshall of Fredonia, Kansas—and five grandchildren.

Mrs. Burks was a woman of quiet, domestic nature, lovingly attached to her family, and whose place in their lives and hearts can never be filled, but whose memory will remain with them as a sweet incense. She was a devoted Christian woman, faithful in all the walks of life, and a consistent member of the Baptist Church—one of the charter members of the Farmington Baptist congregation. She and Mrs. Lizzie Lloyd Turley of St. Louis were the only two surviving charter members of the church here. The sympathy of all our people goes out to the bereaved husband and children in this greatest sorrow that has cast its shadow over their lives. The funeral will take place this (Friday) afternoon, services to be conducted at the Baptist Church, and interment will take place at the K. of P. Cemetery.

Ready Response

The article in last week's Times, on "Farmington Can Get Free Mail Delivery," has met with such a ready response on the part of several citizens as to give this paper much encouragement to continue its fight for a Bigger and Better Farmington. There is much alertness among the business element of Farmington to take hold of anything that promises for the betterment and upbuilding of this city, and to the Times management it is a genuine pleasure to work in connection with such a live bunch of citizens.

As "prosperity is gauged by the pay roll," it is therefore important that no opportunity should be overlooked to add to the city's pay roll even when one additional salary is concerned. In this matter of obtaining free mail delivery for Farmington, it means at least two—possibly three—salaries added. It also means added convenience to every resident within the confines of Farmington. And it can be secured at no cash outlay—only a little co-operation. Do you ask: "Is it worth while?"

Annual Recital

The pupils of the Schubert School of Music will give a recital in the High School Auditorium, on June 8th and 9th. Look out for the additional announcement of this event in the Times next week.

Too Much Oil

Generally speaking, Farmington streets are now in splendid condition, being properly graded, fairly smooth, and with a liberal coating of oil on the surface, which will result in preserving them in their present condition, as well as checkmating the dust nuisance.

On a few streets, however, the oil has been spread a little too thickly. Especially is this true on West Columbia street, where the second sprinkling was a trifle too heavy to secure the best results. It is too heavy to permit of absorption within a reasonable time, and has made the street surface more or less "muddy." An excess of oil on the streets is really worse than an insufficient amount, as it must either be worn in or carried away by passing vehicles when once it is turned loose, and such process takes time. And in the meantime it is impossible to compute the inconvenience and destruction caused from this excess oil on floors, rugs and carpets, as it is impossible to keep from tracking it, even from many of the crossings. It would have been far better to have waited until mid-summer to have applied the second sprinkling. However, when the oil is beaten in, or dissipated, even Columbia street will be most inviting.

Masonic Cemetery

Editor Farmington Times:— Will you kindly give this letter space since it is to bear testimony of a long needed improvement which is now in process of being made. Anyone who has had loved ones buried in the Masonic Cemetery, in the past years, has had many days of sorrow and pain at the neglected condition of many of the graves and of the whole cemetery. In fact, if strangers had seen it, they would be justified in saying very uncomplimentary things of our town's civilization.

Now the work going on gladdens the heart, for the terrible overgrowth of Yucca and of many vines is being cut down, the trees trimmed up, the grass mowed, the heavy weeds pulled out, and when all has been hauled away, the citizens of Farmington, one and all, may feel proud of the cemetery. If in addition each lot holder would see to it that every grave is in order, that such vines as cover the stones and make an underbrush were removed, the cemetery would look still better.

If those who plant flowers in their lots would study the right kind, another beauty would result. For instance, everyone knows that the Dorothy Perkins and Bridal roses are beautiful but they need trellises to climb upon. When they climb over stones, obliterating the name and discoloring the stone, and also making a tangle on the ground, they are not things of beauty but things of ugliness and discomfort. This is true of certain lilies, so use thought when planting flowers, and keep the great law of love in mind, that we must do our small part in this world's life in harmony with the life of others.

The old name for a cemetery was "God's Acre." Let each lot holder join hands with the company and help to claim and put this God's Acre in order and keep it in beauty. Memorial Day will be next Tuesday. Let us endeavor to care for our lots in the cemetery at once.

A LOT OWNER.

Mrs. John C. Crow of Libertyville visited in town this week.