

JUDGMENT IN FAVOR OF J. A. HARVEY IS AFFIRMED BY COURT

Man Who Fell From Tenth Story of Lipman & Wolfe Building Gets Damages.

OTHER DECISIONS TODAY

Case of Lela Against City of Silveston Is Remanded for Further Evidence.

Salem, Or., July 13.—The supreme court today affirmed the judgment of Circuit Judge McGinn of Portland in favor of the plaintiff in the personal injury suit of J. A. Harvey against Henry Ladd Corbett, Elliott E. Corbett, Hamilton P. Corbett, Patterson, Doyle & Beach and John Doe Frenell.

Harvey obtained damages for personal injuries received May 13, 1912, while at work on the Lipman-Wolfe 10 story building in Portland, when he fell from a scaffold, to a covering about eight feet above the sidewalk.

The Corbetts were owners of the building, and Patterson, Doyle & Beach employed Harvey.

The negligence of the defendants in not providing apparatus to prevent swaying of the scaffold was the basis of the suit. The opinion was written by Justice Egan.

Other decisions today were: J. G. Lela et al., appellant, vs. City of Silveston, appealed from Marion county, suit to enjoin city from improving a street; opinion by Justice McBride. Case remanded to Circuit Judge Galloway for further testimony. S. T. Howard et al. vs. Portland Fire Relief of Oregon, appellant; appealed from Jackson county; suit on an insurance policy; opinion by Justice Eakin. Judgment of Circuit Judge Morrow in favor of plaintiff modified. Hearings were denied in Neer vs. City of Salem and Milwaukee Merchants Fire Insurance company vs. Ramsey.

Former opinion was adhered to in Matlock vs. Matlock.

SMALL BANKERS WERE PAID TO AID SALESMEN

(Continued From Page One.)

paid to the salesman at \$6 per share and disposed of by him for \$20 and \$20 per share.

Government Accountant Testifies.
Hiram House, expert accountant for the government, was first on the stand today. By excerpts taken from the records of the company, he testified that 10 shares of stock purchased by Manfred Owen, a bank cashier of Dayton, Wyo., for \$20 per share in May, 1912, from the U. S. Cashier company through its agent, Bonnewell, was divided as follows: Bonnewell, commission, 33 1/3 per cent, \$6.67; LeMunn, commission, 10 per cent, \$2.00; total commission on \$20 sale, \$8.67; total amount turned into company's treasury, \$11.33; percentage for commissions, 53 1/3 per cent.

This testimony was followed by the statement by House that the records show that 74 shares of stock purchased in 1913 by Burt Salabary of Elmdale, Mont., were transferred from the personal holdings of Menefee, and were sold to Salabary at \$20 a share. At that rate Todd paid \$444 for it, and Salabary paid \$355. Salabary previously testified that Todd said the money was to be used to enlarge the factory, and he was acting as agent for the company.

Miss Hattie Crozier Sales.
House's testimony was called to support the government's contention that Bonnewell and Todd misrepresented things to make sales and that the stock they sold was not the same as the company's stock was in reality Menefee's and was sold on telegraphic advice of LeMunn, who had been a rival machine in the east.

On cross examination by Attorney McHenry of Des Moines for Bonnewell and Todd, House said he had been working about 10 months all told on the cashier company's books and had begun his investigation in June of 1914.

McHenry questioned to bring out the stand taken by the defense that the stock in question was "unredeemable stock." House readily admitted that it belonged to Menefee, something the government wishes to show, and he likewise volunteered the information that Bonnewell and Todd never had anything to do with contracts made by LeMunn and Menefee, but worked on separate contracts.

Farmer Invested \$11,000.
George R. Withrow of Moore, Mont., a farmer, testified that he invested in \$11,000 in stock. He first purchased \$5000 worth at \$20 from an agent of Bonnewell's and later purchased 300 shares at \$20 per share from Bonnewell.

"Bonnewell was accompanied by Henry Redmond, who worked in the bank I did business with," said the witness. "Bonnewell said that the stock was going up to \$30 soon, and would sell at \$40 and he would sell it for me and by the time a note I gave for part of it was due the resale value would pay my note. My note was sold later to the bank and I paid it."

Bonnewell told me the company had patents for all the machines except a currency machine, and that they had the money change machine on the market, and had many orders for the lightning change maker, including one for several thousands of such east-west streetcar company."

Admits Having Seen Machines.
He was cross examined by J. J. Fitzgerald, for the defense and said he saw machines demonstrated and was enthusiastic.

Redmond was enthusiastic too," added the witness. "In fact all the people seemed to think it a good thing."

An Unfailing Way To Banish Hairs

(Beauty Notes)
Ugly hair growth can be removed in the privacy of your own home if you get a small original package of depilatory and mix into a paste enough of the powder and water to cover the hairy surface. This should be left on the skin about two minutes, then removed and the skin washed and every trace of hair will have vanished. No pain or inconvenience can result from this treatment, but be sure you buy real depilatory. (Adv.)

TWO ATTORNEYS IN CASE NOW HOLDING ATTENTION IN FEDERAL COURT



Left to right—Attorney Martin L. Pipes, chief counsel for the defense in the U. S. Cashier trial, and A. P. Dobson, attorney for F. M. LeMunn, former stock sales manager of the concern.

I didn't want to buy that last block of stock though, but Bonnewell said it would go up and I could make a profit on resale so I did."

A. H. Hay, Chinese, and for 22 years a resident of Kailash, Mont., provided much amusement when he told how he boarded Bonnewell, three agents and the Bonnewell family at his restaurant for two months and in exchange took 36 shares of stock at \$12.50, paying \$33.30 in cash and proffering a receipted board bill for \$216.70. Hay's command of English was excellent. His story was much the same as the others except when cross examined by McHenry when he told of a visit to the plant in Kenton in 1912, more than a year after he had invested.

Plant Looked Very Prosperous.
"It looked so good then," said Hay. "That I told them I was going home and tell all the stockholders I knew what I had seen. They had maybe 40 or 50 men at work, and everybody was busy."

"And it looks good now," interposed McHenry. "The company has a bigger plant at Terre Haute."

YES, RESINOL CERTAINLY DOES STOP ECZEMA

Are you an eczema sufferer? Do those ugly patches of eruption start up and itch as though they would drive you frantic? And have you tried treatment after treatment with, at best, only temporary relief? Then you are only going through one experience of thousands of others who at last found that Resinol healed their sick skins for good!

With the first use of Resinol Ointment and Resinol Soap the itching and burning usually stop, and soon all trace of eczema or similar torturing skin trouble disappears, even in severe and stubborn cases. Doctors have prescribed the Resinol treatment for 20 years. Sold by all druggists. Samples Free. Dept. 25-R. Resinol, Baltimore, Md. (Adv.)

HOTEL CORNELIUS

THE HOUSE OF WELCOME

Park and Alder Streets Portland, Or.

In the theatre and shopping district, one block from each carline. Rates \$2 per day and up. With bath, \$1.50 per day and up. Take our Brown Auto Bus.

O. W. CORNELIUS, Pres. H. E. FLETCHER, Manager.

I asked them particularly about patents, and they said no one could infringe on them. They said the money was to be used to enlarge the factory, and Todd said he was agent for the company. In addition to the machines they demonstrated, Todd said they had patents for five others."

Cross Examined by Defense.
McHenry submitted him to a severe cross examination and dwelt long on the fact that the notes given by Mulkey and others were made out either to Mahaffey or Todd. His object was to show that the stock was resale stock, and that the notes, being made to Todd and not to the company, showed this.

"But I understood that Todd was the agent," said Mulkey.

"But if you were loaning money of the bank you wouldn't make the note out to yourself, would you?" questioned McHenry.

"No."

"Well then why did you, a business man, a bank director, fail to ask Todd why the note was made to him and not to the cashier company?"

"He was their agent," and to this declaration Mulkey clung throughout the remainder of his examination.

Testimony Is Unshaken.
Walter McHenry of Des Moines, attorney for H. M. Todd and B. F. Bonnewell, made his first active appearance in the trial yesterday afternoon when he cross-examined Burt Salabary, Elmdale, Mont., sheepman, and Jonas Hanson, a stockraiser of Kailash, Mont., both "investors" in the Cashier company stock. Salabary purchased in all \$2550 in stock, part of it from Todd and the remainder from Bonnewell.

McHenry, who is big, and handles his bass voice aggressively, found in Salabary a small, soft voiced man, but one who was more than equal to all verbal onslaughts. Through noisy ridicule, stern questions, and satiric queries, the witness smiled, kept his poise and emerged with his direct testimony unshaken. McHenry succeeded in getting him to admit that the advice of an old time friend did much toward determining him to buy stock. He also admitted that he still has confidence in the machines which were exhibited to him when he bought in 1913.

Tells of "Being Led."

In addition to telling how he had been led into "investing" Salabary contended that he thought Todd was an agent for the company and so represented himself to be said that Bonnewell was the same. This was brought out when the defense called to the attention of the court the stock receipts held by Salabary in which the word "agent" had been crossed out and volunteered the declaration that Bonnewell and Todd at the time were selling

private stock and not that of the company.

Later, said Salabary, he heard the Cashier company had gone broke, and for this reason delayed payment of a note for stock held by Bonnewell. His letters to Bonnewell and Bonnewell's replies were introduced in evidence. In answer to Salabary, Bonnewell explained the recorders in Portland its dissolution, etc., and said that was a mere incident.

"You may rest assured that what you have seen in these papers amounts to nothing," runs the letter, which concludes with an invitation to visit the Terre Haute plant at Bonnewell's expense and investigate.

Renewed Confidence Shown.

In reply Salabary showed renewed confidence. He wrote in part: "Was well pleased with your letter. I didn't want to make expense for nobody. Where you say in your letter that things is all right, then it is all right."

His letter ended with promises to pay the balance due for his stock when his "wool money" came in. Later he testified he paid the money.

Hanson's story was much the same as Salabary's. On June 1, 1913, he purchased 150 shares of a par value of \$10 per share, at \$20 per share, from Bonnewell. It cost him \$3000.

"At that time," said the witness, "Bonnewell said there would be a dividend of 30 per cent and that they were putting out one machine a day then. He said the company had patents to three machines he showed me." Here the witness identified the bank cashier machine, the lightning change maker and the new style adding machine.

"He also told me," continued the witness, "that they had a big order from a streetcar company at St. Louis for the lightning change maker."

Offer Is Made.

After selling the first block, Hanson said Bonnewell came back a couple of weeks later with a block of 50 shares which he represented as the sale stock and offered at \$25 per share. He hesitated long, he said, but finally, on an offer of a 12 per cent rebate, he took that also.

On cross-examination McHenry asked him whether he did not consider a proposition of being an agent himself and in furtherance of this ambition offer to sell 700 shares and divide with Bonnewell. "Yes," admitted Hanson, but I backed out because we found that the representations had been exaggerated.

Manford W. Owen, cashier of a bank at Dayton, Wyo., was the next "investor" to take the stand for the government. Under direct examination by Reams he said he purchased 15 shares from Bonnewell at \$30 per share on May 24, 1913, and had previously purchased 100 shares from another salesman.

Bonnewell, he said, promised a divi-

dend of at least 50 per cent by December 31, 1912. He paid \$75 in all and gave his note for the balance and on July 17, 1913, asked that his note be cancelled on account of false representations. Bonnewell, he asserted, said the stock was so good that the dividends on all his holdings would take care of the last note. The records show the note was cancelled by the company December 11, 1913.

Owen testified further that Bonnewell had told him the National Cash Register company was going to buy many machines and on cross examination McHenry produced a letter purporting to be from the National company and asked Owen if he did not see the statement in the communication. This letter was not offered as evidence nor read. Owen said he never saw the letter to the best of his recollection.

You have had experience enough to

know this was speculation," asked McHenry.

"Yes."

"And yet you mean to tell me that dividends would enable you to pay the amount of your note?"

"Yes."

"You a business man and you believed that?"

"Yes."

"That's all," snapped McHenry, and Hiram House, government expert, was called to the stand.

WEALTHY MAN IS KILLED

Vancouver, B. C., July 13.—(P. N. S.)—Henry Beers, a capitalist, was killed this morning by being struck by a jitney at the entrance to Granville street bridge. Beers stepped suddenly from the sidewalk and attempted to board a streetcar, when he was hit.

Ye Liberty Bell

Will be on exhibition in Portland on the Southern Pacific track opposite the Courthouse, between Salmon and Taylor, on Thursday, July 15, from about 7:00 A. M. until 12 noon.

Low Round Trip Fares

From all points, Brooks, Silveston and all intermediate points and from McMinnville and intermediate points to Portland on sale July 15, good for return same date.

Full particulars at City Office, 80 Sixth St., Cor. Oak, 4th and Yamhill, Union Depot or East Morrison Depot, or any Agent of the

SOUTHERN PACIFIC

John M. Scott, Gen'l Passenger Agent, Portland, Ore.

Thin for Years—

"Gains 22 Pounds in 23 Days"

"I was all run down to the very bottom," writes F. Gagnon. "I had to quit work, I was so weak. Now, thanks to Sargol, I look like a new man. I gained 22 pounds in 23 days."

"Sargol has put just 10 pounds on me in 14 days," states W. D. Roberts. "It has made me sleep well, enjoy what I ate and enabled me to work with interest and pleasure."

"I weighed 132 pounds when I commenced taking Sargol. After taking 20 days I weighed 144 pounds. Sargol is the most wonderful preparation for flesh building I have ever seen," declares D. Martin, and J. Meier adds: "For the past twenty years I have taken medicine every day for indigestion and got thinner every year. I took Sargol for forty days and feel better than I have felt in twenty years. My weight has increased from 150 to 170 pounds."

When hundreds of men and women—and there are hundreds, with more coming every day—living in every nook and corner of this broad land, voluntarily testify to weight increases ranging all the way from 10 to 35 pounds given them by Sargol, you must admit, Mr. and Mrs. and Miss Thin Reader, that there must be something in this Sargol method of flesh building after all.

Hadn't you better look into it, just as thousands of others have done? Many thin folks say: "I'd give most anything to put on a little extra weight," but when someone suggests a way they exclaim, "Not a chance. Nothing will make me plump. I'm built to stay thin." Until you have tried Sargol, you do not and cannot know that this is true.

Sargol has put pounds of healthy "stay there" flesh on hundreds who doubted, and in spite of their doubt. You don't have to believe in Sargol to grow plump from its use. You just take it and watch weight pile up, hollows vanish and your figure round out to pleasing normal proportions. You weigh yourself when you begin and again when you finish and you let the scales tell the story.

Sargol is absolutely harmless. It is a tiny concentrated tablet. You take one with every meal. It mixes with the food you eat for the purpose of separating all of its flesh producing ingredients. It prepares these fat making elements in an easily assimilated form, which the blood can readily absorb and carry all over your body. Plump, well-developed persons don't need Sargol to produce this result. Their assimilative machinery performs its functions without aid. But thin folks' assimilative organs do not. This fatty portion of their food now goes to waste through their bodies like unburned coal through an open grate. A few days' test of Sargol in your case will surely prove whether or not this is true of you. Isn't it worth trying?

If you want a beautiful and well-rounded figure of symmetrical proportions, if you want to gain some solid pounds of healthy stay-where flesh, if you want to increase your weight to normal, weigh what you should weigh, go straight to your druggist today and get a package of Sargol and use it as directed. Sargol will either increase your weight or it won't, and the only way to know is to try it. A single package of Sargol easily enables you to make this test. Sixty days' use of Sargol, according to directions, is absolutely guaranteed to increase your weight to a satisfactory degree or your druggist will refund all the money you have paid him for it. Sargol is sold by



ALL WELL STOCKED DRUGGISTS IN PORTLAND AND VICINITY.

An Easy Way to Get Fat and Be Strong

The trouble with most thin folks who wish to gain weight is that they insist on dragging their stomach or stuffing it with greasy foods; rubbing on useless "flesh" creams or following some foolish physical culture stunt, while the real cause of thinness goes untouched. You cannot get until your digestive tract assimilates the food you swallow in simple form.

Thanks to a remarkable new scientific discovery, it is now possible to combine into simple form the very elements needed by the digestive organs to help them convert food into rich, fat-laden blood. This master-stimulant of modern chemistry is called Sargol and has been termed the greatest of flesh-builders. Sargol aims through its regenerative, reconstructive powers to coax the stomach and intestines to literally soak up the fattening elements of your food and pass them into the blood, which is then carried to every part of your body. You can readily picture the result: that amazing transformation has taken place and you notice how your cheeks fill out, hollows about your neck, shoulders and hips disappear and you take on from 10 to 20 pounds of solid, healthy flesh. Sargol is the result of this amazing transformation has taken place and you notice how your cheeks fill out, hollows about your neck, shoulders and hips disappear and you take on from 10 to 20 pounds of solid, healthy flesh. Sargol is the result of this amazing transformation has taken place and you notice how your cheeks fill out, hollows about your neck, shoulders and hips disappear and you take on from 10 to 20 pounds of solid, healthy flesh.

Excellent results in overcoming nervous dyspepsia and general stomach troubles. It should not be taken by those who do not wish to gain ten pounds or more.

How Thin People Can Put On Flesh

A New Discovery.

Thin men and women—that big, hearty, filling dinner you ate last night, that delicious, succulent, delicious producing nourishment it contained? You haven't gained in all the time since. That food passed through your body like unburned coal through an open grate. The stomach and intestines didn't soak up the fattening elements to pay for the cost of cooking. This is true of thin folks the world over. Their four digestive organs, your functions of assimilation, are sadly out of gear and need reconstruction.

Cut out the foolish foods and funny sawdust diets. Omit the flesh cream rub-ons. Cut out everything that makes you are eating now and eat with every one of those a single Sargol tablet. In two weeks not the difference. Five to eight good solid pounds of healthy "stay there" fat should be the result. Sargol is a scientific combination of six of the best flesh producing elements known to man. Sargol is a safe, harmless and inexpensive. All dealers in healthful food should have Sargol in stock. It should not be taken by those who do not wish to gain ten pounds or more.

Thin People Can Increase Weight

Then men and women who would like to increase their weight with 10 to 25 pounds of healthy "stay-where" fat should try eating a little Sargol with their meals for a few days. The results are a good test worth trying. First weigh yourself and measure your chest and waist. Then take a Sargol tablet with every meal—for two weeks. Then weigh and measure again. It isn't a question of how you look or feel or what your friends say and think. The scales and the tape measure will tell the own story, and any thin man or woman can easily add from five to eight pounds in the first fourteen days by following this simple direction. And best of all, the new flesh stays put.

Sargol does not of itself make fat, but mixing with your food, it turns the fat, sugars and starches of your meals into rich, ripe fat producing nourishment for the tissues and bones of your body. Sargol is an easily assimilated form which the blood can readily accept. All this nourishment now passes from your body as waste. But Sargol stops the waste and does it quickly and makes the fat producing contents of the very same meals you are eating now develop pounds and pounds of healthy flesh. Sargol is safe, pleasant, efficient and inexpensive. All leading druggists and health food stores—forty tablets to a package—on a guarantee of weight increase or money back. (Adv.)