

### Cutter Laboratory Suit for Damages Received by Jury

Oakland, Calif.—A jury of eight women and four men began deliberations today in the \$365,000 damage suit against Cutter Laboratories of Berkeley.

The jury received the case after hearing instructions from Superior Judge Thomas J. Ledwith. Since this is a civil case, only nine jurors need to agree on a verdict.

The suit was filed by the parents of two Southern California children who contracted polio after being inoculated with Cutter-made vaccine.

The children are Anne Elizabeth Gottsdanker, 8, Santa Barbara, who seeks \$300,000; and James Randy Phipps, 4, Monrovia, who seeks \$65,000. To Set Pattern

The outcome of the suit is expected to set a pattern for a number of other suits pending against the Berkeley firm.

Melvin Belli, attorney for the plaintiffs, had the two children walk before the jury in the climax of his closing arguments. He claimed that Cutter had failed to live up to the guarantees it offered for its products.

"Whose risk was it?" he asked. "It was Cutter's—not Anne or Randy's. They bought a warranty."

Earlier, defense attorney Wallace Sedgwick said the failure of the vaccine was not Cutter's fault.

"Witness after witness, scientist after scientist, has made it absolutely clear that the tests were not adequate to prevent what happened here," Sedgwick said.

"The most qualified men in the United States made an investigation and could find no negligence."

### Plans Discussed For Annual Auction

Plans for the annual television auction sponsored by the Crater Lions club were discussed at a meeting earlier this week.

No date has been set for the auction, but club members said it would be no later than March 16. Proceeds will be used to purchase equipment for the new Rogue Valley Hospital.

At another meeting, the story of literature, music and art was presented by Herbert Cecil of Southern Oregon college, Ashland. Two new members were accepted. They are Greg Orr and Dick McLaughlin.

### Salem Man Killed By Electric Train

Salem — Everett L. Drake, 55, Salem, was killed here Wednesday when he was struck by a freight train on Oregon Electric Railroad tracks.

The body was found by a railroad trackman about 50 feet from the point of impact. Police said Drake was hit by a northbound train and then his body was dragged south by a later train.

Crewmen of both trains reported they saw no one and railroad officials theorized Drake may have been riding on one of the trains.

### General Alarm Fire Levels Lumber Mill

Bellingham, Wash.—A general alarm fire destroyed nearly all of the Larson Lumber Mill on Lake Whatcom here today before it was brought under control.

The fire broke out about 6:30 a.m. and raged out of control for three hours.

The firm's shingle and shake mill, the main sawmill containing the lathes, the machine and electric shop and the water tower were destroyed.

Damage was estimated by an official of the firm at \$100,000.

### 13th Generator on Line at Chief Joseph

Seattle — Army Engineers said the 13th generator went on the line at Chief Joseph Dam at 12:01 this morning, leaving just three to go to complete the initial installation of 16 units.

Each generator, powered by a 100-horsepower turbine, has a rated capacity of 64,000 kilowatts and all 13 on the line are operating, engineers said.

### Bishop Dagwell Honored at Portland

Portland — The Rt. Rev. Benjamin D. Dagwell, bishop of the Episcopal Diocese of Oregon, was honored Wednesday as Portland's first citizen of 1957.

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LOCAL SWEET SPANISH  
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