

SUES TO PROTECT "HOFSTRA" NAME

Insect Powder Firm Will Fight Use of Trade Mark in Court.

CONSPIRACY CHARGED

Alleged Defrauding of Public to "Cash In" on Local Product's Popularity.

Charging a conspiracy to defraud the public into buying unknown products under the impression that they are products of the plaintiffs and to "cash in" on its good will and established business acquired through five years of intensive salesmanship and merchandising and the expenditure of more than \$100,000 in advertising, the Hofstra Manufacturing company filed an injunction suit in the district court late yesterday afternoon against the newly organized Edward C. Hofstra company and J. W. Sanders and Edward C. Hofstra its president and secretary, asking that they be enjoined from using the word "Hofstra" for the purpose of establishing in the suit it is charged that Edward C. Hofstra, J. W. Sanders and others conspired to defraud and mislead the public and to take an unfair advantage of the plaintiffs by pre-empting the rights of the plaintiffs by wrongfully manufacturing and selling products coming within the purview of their business and in violation of a contract existing between the Hofstra Manufacturing company and the defendant, Edward C. Hofstra.

The petition stated that in the conduct of their business and exploiting their products they have given prominence to the word "Hofstra" for the purpose of establishing the word as a trade name; that prior to the beginning of their business the name of the defendant Edward C. Hofstra had no value in trade, either locally or abroad; that as a result of the plaintiffs' advertising and merchandising efforts the word "Hofstra" has been taken out of the category of proper and available names and has become a trade name, synonymous with and descriptive of the plaintiffs' products, and that wherever such word is used it is thought of in connection with the business of the plaintiffs; that Mr. Hofstra told W. C. Steger of the Steger Investment company that the Hofstra Manufacturing company had spent about \$100,000 advertising his name and he may as well "cash in" on it; that he further told E. L. Tallman, a local oil man, that his sole object in organizing the new company was to "break" G. N. Wright, who was then president of the Hofstra Manufacturing company.

It is further alleged that Sanders had full knowledge of the contract existing between Hofstra and the Hofstra Manufacturing company; that by reason of his connection with the category of proper and available names, a wholesale house, he knew of the success of the plaintiff company and the popularity and good will of its products and conspired with Mr. Hofstra as above mentioned.

The petition further charges that the defendants, through their salesmen and representatives, are taking orders for the plaintiff's products without authority or consent and that use of the word "Hofstra" in their advertising and business is calculated to deceive not only ordinary consumers but the trade as well into dealing with the defendant company under the impression that their transactions are with the original Hofstra Manufacturing company. To the extent that it works a lasting injury and inconvenience to the plaintiffs by causing confusion in the post-office, express office, telegraph office and railroad offices to the extent that mail, express, freight and telegrams intended for the plaintiff are diverted to the defendants.

The petition is signed by J. Burr Gibbons president and general manager of the Hofstra Manufacturing company, W. A. Brownlee, cashier of the Exchange National bank is secretary-treasurer of the plaintiff company. The Hofstra Manufacturing company is one of the most spectacular merchandising successes in the southwest. Its products are sold by thousands of retail stores throughout the United States and is used by many industrial and public institutions in this country and in foreign countries, according to the petition.

PERMANENT HAIR WAVING

Is waterproof and harmless to the hair. See us for further information. New York Hair Shop and Beauty Parlor, 319 S. Main Street, Phone 4312.

The Mortuary

Ellis. Walter Ellis, 74 years old, died at the Sand Springs hospital Sunday night after an illness extending over several months. Funeral two months ago, Mr. Ellis stepped on a buckle to a horse supporter and poisoning developed from the cut. About four weeks ago it was necessary to amputate a toe and for a while the condition of Mr. Ellis improved. Last week his condition became worse and a leg was amputated just above the knee. His condition grew rapidly worse until death claimed him.

Mr. Ellis was an oil broker and was one of the most popular oil men in the state. His activities carried him into all parts of the United States and also the oil fields of Mexico. He first started into the oil game in Texas, later going to Wyoming and about eight years ago coming to Oklahoma. He was one of the first men in the Garber-Billings field and later became associated with S. W. Parrish in the oil brokerage business.

Funeral services will be held at the Stanley-McCune chapel at 2 o'clock this afternoon, with the Rev. Rolf P. Crum officiating. Burial will be in Rose Hill.

Cooper. G. W. Cooper, 57 years old, died early yesterday morning as a result of injuries received in an automobile accident on the Broken Arrow road about two weeks ago. He is survived by his wife, Mrs. Frances A. Cooper, and one daughter and two sons living at Kingston and a daughter living at Red Fork. The body will be shipped to Joplin for interment.

Lee. Stephan A. Lee, 64 years old, of Bruner station, died Sunday morning at his residence. Besides his wife he is survived by six sons and four daughters. Funeral services will be held at 10 o'clock Thursday morning at the residence. Interment will be in the Sand Springs cemetery.

Cameron. Funeral services for Mrs. S. C. Cameron, formerly of this city, who died at Fort Worth yesterday morning, will be held at 4 o'clock this afternoon at the residence of E. J. McJunkin, 701 North Cheyenne. Burial will be in Rose Hill cemetery. Mrs. Cameron is survived by her husband and a father who lives in Chicago. Mr. and Mrs. Cameron resided at Fort Worth from Tulsa about six months ago.

Steele. Funeral services for T. H. Steele, pioneer oil man who died while undergoing an operation at a local hospital Saturday, will be conducted

at 4 o'clock this afternoon at the residence of E. J. McJunkin, 701 North Cheyenne. Burial will be in Rose Hill cemetery. Mrs. Cameron is survived by her husband and a father who lives in Chicago. Mr. and Mrs. Cameron resided at Fort Worth from Tulsa about six months ago.

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from the residence, 1601 South Boulder, at 5:30 o'clock this afternoon.

Mr. Steele was 74 years old and had spent most of his life in the oil game. He was born at Harbor Creek, Penn., February 16, 1846. He followed the trend of the oil industry from the Pennsylvania fields through Ohio, Indiana, Kansas, and Oklahoma. For the past 12 years he has been actively in charge of the operation of the Kawneer oil and Gas company in both Illinois and Oklahoma.

In addition to his wife, Mr. Steele is survived by two sons, J. H. Steele, 1209 Santa Newell, and T. H. Steele, Robinson, Ill.; one daughter, Mrs. H. Clyde Tarme, Santa Paula, Cal.; one sister in Ocala, Fla.; and one brother in Oakland, Cal.

"FRAME UP" CHARGED

Hotel Man and Seven Guests Face Charge of Gambling—Testimony Conflicting.

P. A. Hurst, proprietor of a hotel at 24 1/2 North Boston avenue, was placed on trial in police court yesterday, charged with conducting a poker game in his hotel, but testimony offered by the newly appointed officers was conflicting and the case was continued until next Saturday.

Hurst, who was arrested with seven other men at 2 o'clock Sunday morning, declared he had permission from police officials to operate a "friendly" game for the benefit of his guests. The hotel man said he believed the trial was a "frame up" on the part of a night clerk whom he had discharged several weeks ago. The discharged man, threatened to spread reports that professional gambling was permitted in the place, Hurst declared.

The arresting officers declared they had been informed by a man whose name was not divulged, that he had lost \$50 playing poker in the place. They also testified they had watched the place for some time from the top of a signboard near the hotel, and had seen several players "cash in" poker chips, but were not able to raid the place on account of the alertness of a "look-out".

The officers also testified Hurst threatened they "would lose their jobs within three days" if they persisted in raiding the place. Judge Moroney continued the case until Saturday for further investigation and instructed the officers to produce the witness who told him he had lost the money in the hotel.

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GOOD NEWS!

ECZEMA Is Only Skin Deep

and may be instantly relieved and quickly healed by CRANOLENE the Cranberry Cream treatment—used externally.

PROOF

"Cranolene cured me of Eczema and I had the disease for 25 years. It also cured my little 18-month old daughter of the same trouble. It did for us what no other treatment would do—cured us in days. We used Cranolene May 1916."—R. H. Enoch, On March 20, 1920, four years after, Mr. Enoch again writes: "My little girl and I are both well. We are freed of Eczema, and we give four Cranolene the praise."

SCIENCE has discovered that the mild acid-like juice found under the skin of the common table cranberry quickly destroys the tiny parasite that causes Eczema and most skin troubles. This cranberry juice has been combined with soothing, cooling, healing oils. The result is CRANOLENE, an amazing cream that stamps out the cause of Eczema and restores the skin to its natural health and color.

Your druggist is authorized to sell CRANOLENE on a written guarantee to cure your money back. If he will not do this, write immediately to Cranolene Co., Dept. M., Girard, Kas. for free treatment.

In Jars, 25c and \$1

CRANOLENE "Heals Where Others Fail"

City Briefs

WASH HUDSON, local attorney, left last night on a business trip to Wichita Falls, Texas.

PETITION FOR voluntary dissolution of the D. C. and D. Drilling company was filed in superior court yesterday.

PETITIONS FOR divorce were filed in district court yesterday by Carl Crossley against Myrtle Crossley, Chester A. Baker against Mary A. Baker, Lonnie Mills against Lizzie Mills.

SEEKING INFORMATION as to the whereabouts of Leroy W. Hemmus and A. W. Hemmus, a letter was received yesterday by the sheriff's office from J. A. Brall of the Stevens News, Stevens, Ouachita county, Ark. Relatives of the men believe they are at present in this section of Oklahoma.

LAYFETTE HAMPHLEN, charged with assault and battery upon the person of O. W. Partain, an employee of the Oklahoma Iron works, entered a plea of guilty at his trial before Justice H. J. Gray yesterday and was fined \$10 and costs. The assault charge resulted from a fight between the men June 19.

JUDGMENT FOR \$1,000 damages for alleged illegal seizure of furniture valued at \$200, the property of Bert Foraker of Bixby, was filed in district court yesterday by Foraker against W. E. Adelman and the Adelman Furniture company of Bixby. The petitioner claims the furniture company had no legal right to take possession of the goods.

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