

# \$500,000 Suit In Ninth Day At Little Valley

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## Defense Expected To Call First Witness Friday

Little Valley — Testimony relating to receiving room records of shipments of dining room furniture returned to the Fancher Furniture Company of Salamanca for repairs was presented Wednesday in the Supreme Court action brought by the Salamanca concern asking \$500,000 in damages from the Arabol Manufacturing Company of New York.

William Meyers, Killbuck, shipping and receiving clerk for the plaintiff company, was the only witness heard by Justice Hamilton Ward, Jr. and jury.

During the morning plaintiff's counsel, Clayton M. Smith, Buffalo, presented as exhibits sheets listing defects which he attributed to glue sold by the defendant concern, and which the plaintiff contends resulted in production losses, repairing expenses and loss of prestige and good will valued at half a million dollars.

Defense counsel Ulysses Grant of New York, trying his first law suit in the Cattaraugus County Court house built during the period his grandfather was 18th President of the United States, used approximately 175 Fancher receiving sheets listing defective returned furniture which the defense claims were for causes other than glue failure, or for failure at glued joints before and since Arabol products were in use at the Salamanca plant.

It is expected the defense will call its first witness sometime Friday, the 10th day of the trial.

Volume of incoming shipments of returned dining room furniture, the nature of repairs required, as well as testimony that told of wholesale destruction of table tops and pedestals beyond repair, was related by three employes of the Fancher Furniture Company of Salamanca in Supreme Court here Tuesday.

Their stories brought out under questioning by chief trial counsel Clayton M. Smith of Buffalo for the Fancher Company is part of the plaintiff's evidence being submitted to Justice Hamilton Ward, Jr. and jury of eight women and four men in support of their company's demand for \$500,000 in damages from the Arabol Manufacturing Company of New York.

Thousands of dining room furniture items returned by customers to the Fancher concern for repairs fell apart at glued joints because, the plaintiff asserts, adhesives sold and warranted by the Arabol Company were not suitable for edge-to-edge gluing of wood pieces.

they could be shipped back to the customer.

"Table tops could not be repaired", cabinet room foreman Leo Pavlock of Salamanca told the court and jury, "because when we removed the veneer surface the core underneath fell apart completely. We cut them up and gave the customer a new top."

In each case there appeared to be a failure of the adhesive, he testified. Of the 30 or more men in his department, he estimated 10 were out of production and on repairs for nearly a year until late 1948.

Ulysses S. Grant of New York, chief trial counsel for the defense, learned from Mr. Pavlock that there was no specific inspection of pieces brought into the cabinet room for assembly, but that each workman inspected as he assembled chairs, servers, buffets and tables which comprise the 10-pieces suites retalling from \$800 to \$1,100.

The cabinet room foreman told of personal inspection of joints which allegedly failed at the glue line, and confirmed testimony by other Fancher witnesses that there was a white adhesive residue at each joint. The Arabol Company sold a white glue, the evidence to date indicates.