

STATE OF MICHIGAN. )  
( ss.  
COUNTY OF MUSKEGON )

Amanda Mixer, being by me duly sworn, deposes and says that she is seventy-five years of age and has resided at and near the City of Hastings, Michigan, continuously for a period of fifty years, where she still continues to live; that she had formerly resided in the <sup>State</sup> ~~City~~ of New York where she married Lyman N. Mixer in the year 1848, and removed to the State of Illinois in the year ~~1850~~ <sup>1856</sup> where she resided a short time moving the same year to Hastings aforesaid; that in the year 1856 or 1857 while she and her husband were residing near Hastings, a cancer appeared on the mouth and in the throat of her husband and spread rapidly, soon involving his pallet and nose, and although carefully treated by the best medical skill in that vicinity, his entire mouth, nose and upper lip became involved so that his life was despaired of by his friends and family; that in the year of <sup>1856</sup> he made a journey to Bennington in the State of Vermont, to consult a specialist in cancer diseases, who had been recommended to him, but after staying there and being treated by him for three months or thereabouts, he returned to Hastings aforesaid, having received little or no benefit from any source, the cancer continuing to spread, and causing him great suffering, his nose being eaten off and his mouth terribly sore and his lip badly swollen, until all hope of ever being freed from the dreaded and loathsome disease was abandoned. Believing that he could not recover, affiant and her husband in the year 1862 journeyed together to the State of New York, to her husband's father's home, as it was his desire to die, and be buried among the family dead in their burial lot at Victory, in said State. That on reaching his father's house, which had always been his boyhood home, his awful condition was the subject of much comment and anxiety by his family and friends

family by that time consisted of five children, viz: Nevell, and everything was done for his comfort that anyone could suggest, but notwithstanding the care he received, he continued to grow worse. That during the labors in his behalf in that vicinity, the attention of one Dr. Kyle of the Village was called to him, and notwithstanding said doctor gave him and the family little or no hope that medical skill could do him, he prescribed a medicine which he had then commenced to use for ailments of that nature, advising the family that while there was life there was hope, even in a case so malignant as the one in question, and affiant says that immediately her husband began to take said medicine under the instruction of said Dr. Kyle, and soon to the relief of her husband, his family and friends, a substantial cure appeared to be in progress and continued until a permanent and certain recovery was had, and affiant and her husband returned to Hastings, happy in the thought that after nearly nine years of suffering from the loathsome cancer, he was a well man, although terribly disfigured by the absence of his nose and the scar that remained on his lip and cheek, during the balance of his life.

That as soon as it became known in Hastings and vicinity that an astonishing cure had been effected in my husband's affliction, people came from miles around to verify the story of the cure, and soon the fame of the medicine had spread over Michigan and the middle west; that persons suffering from cancer and kindred maladies, came from far and near for advice and medicine, until on the suggestion and advice of affiant, she and her husband commenced to manufacture and sell the medicine, and the name of Mixer's Cancer & Scrofulous Syrup became a household word all over America, and it is in explanation of her work in that direction and the assistance of her family therein and of the incidents following thereafter, that she makes this her affidavit; That her

family by that time consisted of five children, viz: Newell, Charles W., Curtis G., Walter and Fanny; that in the business of marketing said medicine, her husband travelled much in its interests, taking orders, advertising it and interviewing persons effected with cancer; that during all of said time, this affiant prepared and put up all the medicine sold by the family or any of its members and in fact had the general overseeing of its manufacture, bottling and shipping; that her husband after said cancer was cured as aforesaid, became a well and strong man and lived to be seventy-five years of age dying in the year of 1903, in the full and complete enjoyment of all his faculties, no recurrence of a cancer or anything of that nature appearing on any part of his body after the year 1862 before mentioned; that during all of the preparing and bottling said medicine, this affiant was treated by her husband as a half owner in the business and profits of selling the same should there be any, and that thereafter said business was considered by the entire family as a family property and that she had well earned by her care and treatment of her husband during his affliction, at least one half of any profit that might arise in the future from the business, and that the same could be handed down to her children as a rich inheritance for all to share alike when she and her husband had passed away, and that the manufacture and sale of Mixer Cancer & Scrofulous Syrup should be the controlling and absorbing business of the Mixer family and be kept and controlled by them and their children,

That afterwards by common consent, her oldest son Newell, started out in life for himself and was in no way to share in or have any interest whatever in the business or its profits; that after her sons Charles and Curtis became of age, they started out in business themselves and travelled much in the states of Iowa, Dakota and other states, leaving her and

her husband to conduct alone the business of manufacturing and marketing the Cancer & Scrofulous Syrup, but on their return, it was understood and agreed that Charles Mixer and Curtis Mixer should give their undivided attention to the business and relieve their father and mother of some of its cares and in furtherance of such agreement, each was given a quarter interest in the business which they all continued to work for, but the preparation of the medicine was almost entirely conducted by this affiant; that in the year Charles W. Mixer undertook to absorb and control the business and by a system of grasping and underhanded maneuvers, and taking advantage of the financial misfortune of his brother Curtis G. Mixer, induced him to make a pretended sale to him of his one fourth interest in the business, which contract affiant is informed and believes is of no validity, although acted upon and enforced by said Charles; that the execution of such contract at once bred a spirit of ill-feeling in the entire family to such an extent that said Charles and Curtis are not and have not been on speaking terms, which condition has produced discord and ill-will throughout the entire Mixer family. That in the year by continuation of a policy of greed and a desire to control the entire medicine business, said Charles W. Mixer by another pretended contract, purchased from affiant and her husband their remaining half of the medicine business and since that time has assumed to own and control the entire right to manufacture and sell the same, although the consideration he paid therefor was wholly inadequate as it had been in the case of Curtis G. Mixer and was only received by her husband, herself and said son to relieve them of the anxieties for the small amount of money they then required for their pressing needs.

Affiant further says that some time in the year in order to protect the family in the exclusive use and right

to manufacture the so-called Mixer Cancer & Scrofulous Syrup, obtained a patent therefore, as will appear by reference to the patent office where the same is duly of record. That affiant not fully understanding her rights in the premises allowed her said husband to apply for and receive said patent in his own name, when in fact the formula and the right to use it belonged jointly to her husband and herself and should have stood in the name of both of them, although the formula was not originated by them or either of them, but was given to them by said Dr. Kyle in the manner already described.

That in furtherance of his policy of greed, said Charles W. Mixer obtained from her and her said husband a deed purporting to convey to him their interest in said letter of patent, which deed affiant now alleges would not have been executed had she fully understood the meaning and purport of the same and of the intentions of the said Charles to deprive herself and husband of what she and he considered their sole and only property with which they could earn a livelihood; that she and her said husband were informed and so understood that they were still to receive from the profits of said medicine business, a sufficient sum of money each month to supply them with the necessaries and comforts of life, but affiant alleges that sometime before the death of her husband, said Charles refused and neglected to care for them or contribute anything toward their living, nor has he done so since, but on the contrary affiant is obliged to depend upon the work and labor of her only daughter who supplies her such necessaries of life as she has, said daughter being obliged also to pay for the entire care and maintenance of her minor son now about twelve years of age.

Affiant further says that notwithstanding the pretended sale of the interests of said Curtis G. Mixer and herself to said Charles W. Mixer, and notwithstanding the deed of the letters patent aforesaid, she is desirous that other members

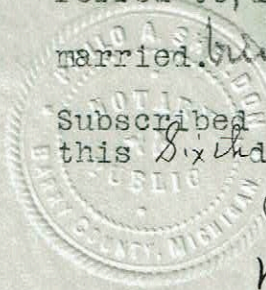
of her family engage in the manufacture and sale of Mixer  
Cancer & Scrofulous Syrup, as she feels that it is theirs by  
every right and equity, but she is informed and believes that  
it is the intention of the said Charles W. Mixer, should any  
step be taken by said members of the family to engage in such  
work, to annoy, harass and perplex them by litigation which  
they, said family, are in no financial condition to litigate,  
said Charles hoping thereby to monopolize said business and  
hinder and bar his mother, brother and sister from using what  
all have considered a sacred inheritance left by their father.

Affiant says that by converting and appropriating the business to his own use, said Charles W. Mixer is now receiving, as she is informed and believes, as profits arising therefrom, the sum of One hundred Dollars per day while she has no income whatever to care for herself except through the hard earned money of her daughter Fanny from whom she derives her entire support. That her son Curtis G. Mixer is entitled in equity to an even share in the profits from such business with Charles W. Mixer and spent many years of his life advancing its interests without having received any adequate profit therefrom; that said Charles W. Mixer now treats affiant as almost a stranger and bears much ill-will towards her because of her sympathy with Curtis G. Mixer in desiring his right in the business to be reserved to him. That he has heretofore engaged in litigation with affiant and her husband and has otherwise for many years harassed and perplexed her, and still threatens to do so further should there be any attempt made to deprive him of the exclusive right therein.

Affiant further says that her son Walter above referred to, died <sup>after</sup> ~~before~~ he attained his majority having never married. *being 23 years of age*

Mrs Amanda Mixer

Subscribed and sworn to before me  
this *Sixth* day of ~~December~~, 1905.



*March 1906*  
Philo A Sheldon

Notary Public. *for 3 years to meet*  
*My com expires July 5, 1907*