

LAWYER VS. DOCTOR

Duran Damage Suit Reaches Expert Testimony Stage.

SIX PHYSICIANS TESTIFY

That Duran Is a Neurasthenic, With No Other Trouble.

The greater and most interesting part of the Duran damage suit against the Rock Island Railway company occupied all the afternoon yesterday in the rendering of expert medical testimony, which testimony was used by the defendant company in an endeavor to establish the fact that the railway accident was not the prime cause of Mr. Duran's present pleasurable condition.

The expert testimony began with the examination of Dr. L. H. Munn of Topeka, chief surgeon of the Rock Island railway. He testified to having examined Mr. Duran at M. Hope in January, 1899, in connection with Dr. Oldham, local surgeon for the railway, and Dr. Kirkwood.

Being asked to state the manner and result of the examination, Dr. Munn said: "We examined him, first, to estimate his mentality; next, to determine what disease he had. We got his height, weight and temperature, manner of his respiration, how he coughed, condition of his skin, condition of his eyes, etc.

Later we gave him a specific examination to determine the state of his nervous system, heart and lungs. We found that his temperature was about normal, but ranged between 98 1/2 and 100, the acceleration being caused by excitement due to the examination.

Next we tested his eyesight to find the existence of a possible nervous derangement. The pupils were not enlarged or contracted. This showing that the functions there were in a healthy condition. Then we tested the motor nerves and muscles that govern motion. We had him smile to see if the muscles of the face worked properly.

We found from this no evidence of organic derangement. We examined his skin to see if there were any symptoms of derangement in the glands or organs that carry nutrition to the skin. We tested the moisture and pliability of his skin and found no evidence of any organic trouble.

We then tested the reflexes where certain phenomena occur in any derangement of the spinal column. We found the condition normal, the reaction being equal on both sides, denoting that responses and sensations were correct, as nature intends them. The superficial reflexes were a little sluggish. We then used a battery to test the muscles of his face, arms and back. The muscles and nerves responded readily, indicating that they were healthy.

We then examined his arms and legs and found that the left limbs were slightly smaller in circumference than those of the right side. This is natural. We then carefully examined his heart and lungs and found no organic derangement. We then gave him the pain-sense test. This is to determine how quickly the sense of pain is felt and the result. In this test he complained a good deal of his back. We paid careful attention to this. We first felt along the spinal cord to determine where the pain was located.

When we found the place of pain we marked it with a lead pencil. Then we felt again and found that the pain would occur at another point. This indicated that there was not a specific injury or derangement of the spinal column, but that the affection was of a general nature. In these pressure tests Duran's pulse did not accelerate as it would have done in a case of great injury. In this entire examination we found that there was no organic trouble whatever in this case.

"Did you examine him again, Doctor?" asked Mr. Evans.

"Yes, sir, we examined him day before yesterday. I was assisted by Dr. Fordyce, Dr. Oldham, Dr. Kirkwood, Dr. C. E. Munn and Dr. M. Hope. We found little or no variation in this and the other examination. No organic trouble, no fracture or injury."

"What would you call Mr. Duran's disease or trouble?"

"Well, I would say that he was what might be termed functional neurosis, or disease of the functional organs."

"Do you think his condition could be improved?"

"Yes, sir, undoubtedly improved by proper treatment, and the chance for his ultimate recovery would be good."

Cross-questioned by Mr. Houston:

"Doctor, you say this man was in bad condition. Now, if he was a sick man, when he is a sick man, is he not?"

"Yes, sir, he is in bad condition."

"Would a railroad collision in which he was injured have anything to do with his condition?"

"Yes, if the soil were favorable it probably would. Any little excitement

INTERNAL IMPROVEMENT ON Grape-Nuts.

"I do not know exactly what internal improvement is going on, but something makes me feel stronger and better since I have been steadily eating Grape-Nuts. They make a most delicious breakfast, and I would not like to do without this food. Is there any of the company's stock for sale? If so, at what price? It should be a most interesting one for your medicine are very popular and sold everywhere. The food, Grape-Nuts, is the best thing in the world in its line, and wins and holds friends wherever it is tried."

The writer is one of the silvermiths on Broadway, N. Y. His name will be given on request to Postum Cereal Co. Ltd., Battle Creek, Mich., makers of Grape-Nuts.

If your Grape-Nuts ever get soft or lumpy from being in a damp place, dry out in a pie pan in the oven before serving.

"Better Be Wise Than Rich."

Wise people are also rich when they know a perfect remedy for all annoying diseases of the blood, kidneys, liver and bowels. It is Hood's Sarsaparilla, which is perfect in its action. It regulates the entire system as to bring vigorous health. It never disappoints.

Rheumatism—"My mother, eighty years old, has received much benefit from taking Hood's Sarsaparilla for rheumatism, and recommends Hood's to others." Mrs. Ed. Peterson, Kibbey, Mont.

Catarh in Head—"My daughter had catarh in the head and Hood's Sarsaparilla cured it. We take it as blood medicine and tonic and it keeps us well all summer." Mrs. Ed. Peterson, Kibbey, Mont.

New Life—"As a spring tonic and blood purifier Hood's Sarsaparilla overcomes that tired feeling and gives our whole family new life." Wm. Ringel, 813 5th Ave., Peoria, Ill.

Grip Cold—"My boy had a terrible grip cold and was very much run down. Hood's Sarsaparilla made him well; is growing strong and fleshy." Mrs. Thos. S. Osborn, Norwalk, Ct.

Hood's Sarsaparilla NEVER Disappoints

Hood's Pills cure liver ills; the non-drugging and only cathartic to take with Hood's Sarsaparilla.

would irritate the trouble. The death of a sister or any sudden shock. If he was previously in bad health, would a railroad accident tend to make him worse?"

"Yes, sir."

"Doctor, when called upon to treat a patient, do you mean to say that you treat him wholly from objective instead of subjective evidences?"

"I do not consider that in treating a patient fairly and rightly?"

"Why, yes, in such cases as this, I do, certainly. For instance, if a man has a pain in the belly, I should not cut into his belly to find the cause of that pain. I should certainly take the objective symptoms."

"Do you mean to say, Doctor Munn, that when you are called to the bedside of a sick man to prescribe for him or diagnose his case without inquiring into his history from the time he was a child?"

"Well, in some cases, I—"

"Answer my question squarely."

"Yes, sir."

"Well, you might not recollect the cause of a shock in a railroad accident?"

"Not within itself. There would have to be something back of it."

"You say this case will get well, do you doctor?"

"Yes, sir, under proper treatment."

"What is his condition now?"

"Totally disabled for labor."

"Was he, a year ago, when you examined him?"

"Yes, sir, for the time being."

"If this man was an average good man on September 13, 1898, when he met with the accident, and his sister met her death, wouldn't you attribute his present condition to that accident?"

"Well, he might have had low vitality and an inherited disease, when this shock would have brought that disease out."

"Then he might have gone through life without the disease developing, had it not been for the accident?"

"Yes, sir, he might have done so."

Dr. Oldham was next called, but his testimony was about the same as Dr. Munn's, inasmuch as they made the examinations together. He explained the difference between functional and organic diseases, saying that functional derangements were curable, while organic diseases were not. He therefore ventured the opinion that Mr. Duran could be brought back to his former condition of health by proper treatment and care.

Dr. C. E. Munn of Topeka, who has had an extended practice and is a surgeon in the United States army, was next called to give an expert opinion as to the condition of Mr. Duran. He said the plaintiff's trouble was solely and purely neurasthenia. In his examination with the other physicians he found no organic trouble whatever.

"The man is neurasthenic, from causes enacted before his birth," said Dr. Munn. "Having been born under unfavorable physical conditions, he was and ever since has been unbalanced in his nervous system."

"What are his present condition and symptoms, doctor?"

"Poor fellow, he is out of the sphere of health now, and no pill, powder or potion will do so much for him as cheerful surroundings and proper care. He is now mentally and physically in a bad way."

IN A COFFEE BOILER

Moonshiner Hits Upon Clever Distilling Device.

BROUGHT TO JAIL HERE

Has Been in Prison More Than Half His Life.

Yesterday a real moonshiner was taken out of the Wichita jail and sent to Fort Worth, Texas. He was brought here by United States Deputy Marshal Fred Trigg, who was taking him to Fort Worth from the Leavenworth penitentiary, where he has just finished a year's sentence. Mr. Trigg said that the fellow was a real, genuine old-time moonshiner. J. P. Marrow of everywhere.

The illicit whiskey man is but 21 years old and told Mr. Trigg that he had been moonshining ever since he was 18. He had originally come from Georgia, the father land of all moonshiners. However, this one came to the flint hills west of Fort Worth early in his career and has been in that vicinity ever since.

The fellow is a natural born criminal and has already served three jail sentences and one term in the penitentiary for plying his trade. He is rather proud of his achievements and told Mr. Trigg that in his life he had made enough moonshine whisky to float the Oregon.

Even though he is just out of prison, he is going back to Fort Worth to answer to another charge of moonshining. It seems that after he had been apprehended and before he was convicted he was out on bail and during that time he went back to distilling. He denies this last charge and is going to fight the case. He has plenty of money and has engaged two of the best lawyers to defend him.

Mr. Trigg also said that, although Kentucky and Tennessee get the credit for being the great moonshine districts, Georgia is the true center of moonshine land. Unlawful whisky making is also much more common than is generally supposed. It is an actual fact that a still, under the guise of a coffee boiler, was patented and the officials had not the least suspicion as to its true character.

This contrivance looks like a large coffee pot with a lid that can be fastened down tight. It is provided with a screen to hold the mash in the bottom of the pot. Out of the side projects a tube that looks for all the world like a spout. Mash and water are put in the boiler and a condenser is attached to the spout and the still is ready for business. When placed on a kitchen stove and properly operated, the apparatus will make ten gallons a day. As the boiler without the condenser is patented and bears a trademark it would never arouse any suspicion if the condenser were out of sight.

FREE KINDERGARTEN Board of Officers Elected at a Meeting Yesterday.

It will be of interest to many to know that the free kindergarten project on the West Side is progressing. At a meeting held at the Friends' university an organization was effected, board and officers elected, committees appointed and work will proceed in systematic order. Miss Fannie Crocker, an experienced kindergarten, will have charge of the school when started.

PUT IN LODGE NAME Resolutions From Lodges That Have No Names.

Every day the Eagle gets lodge resolutions of regret and condolence on the death of some member of the order and in nearly half the cases the committee neglects to give the name of the lodge. Such resolutions are never published. They cannot be. It would be like publishing a personal without giving anybody's name. Put in the name of your lodge.

BRAKEMAN KILLED Jim Huffman Run Over by a Train at Rago.

James Huffman, a brakeman on the Hutchinson and Southern on the north-bound freight Friday, and while doing some switching at Rago, fell between cars and was cut to pieces, causing instant death. Huffman lived in Hutchinson and was unmarried. He carried insurance in the A. O. U. W. for \$2,000.

TRIP TO OLD MEXICO Mr. and Mrs. Mordock Leave for Southern Republic Today.

Mr. and Mrs. Victor Mordock will start today for a trip in Old Mexico. They intend to stop at the principal cities and places of interest, and turn back homeward at the City of Mexico. The trip is given them by Mrs. M. M. Mordock.

SAFE AND EFFECTIVE. A Certain Cure for a Common and Annoying Disease.

Many people suffer from piles because after trying the many salves, ointments and lotions without relief or cure, have come to the conclusion that a surgical operation is the only thing left to try and rather than submit to the shock and risk of life of an operation, prefer to suffer on.

Fortunately, this is no longer necessary, as a new preparation has been discovered, which cures every form of piles, without pain, inconvenience or detention from business.

It is in the form of suppositories, easily applied at night, is absolutely free from cocaine, opium or any injurious drug whatever, and no matter how severe the pain, gives instant relief, not by deadening the nerves of the part affected, but rather by its healing, soothing effect upon the congested, sensitive membranes.

The name of this preparation is Pyramid Pile Cure and is undoubtedly the most effective, safest and most extensively sold of any pile cure that has ever been placed before the public.

This reputation has been secured by reason of its extraordinary merit and the reasonable price at which it is sold, all druggists from Maine to California selling it at 10c for full sized treatment, and in many cases a single package has been sufficient.

A person takes serious chances in neglecting a simple case of piles, as the trouble soon becomes deep seated and chronic, frequently developing into fatal, incurable rectal diseases like fistula and cancer of rectum.

Any druggist will tell you the Pyramid is the safest and most satisfactory pile cure known to the medical fraternity.

A little book on cause and cure of piles mailed free by addressing Pyramid Co., Marshall, Mich.

There's Nothing Nicer.. For your lady friends than a Handsome, Fancy Box of our Delicious

Chocolate Bon-Bons and Fine Candies

and if our name is on the box, the Quality and Purity is unquestioned. Let us put up a box of Assorted Creams for you to take along when you call upon her this afternoon.

We sell the best Shoes going for the lowest price ever marked on them.

Bon-Ton and Kandy Bakery Phone 122 116 N. Main.

AT Cash Henderson's What is a Bargain?

The answer to this simple question will be given in 169 different ways at the "Big Store" this week. We have exactly 169 bargains to offer. We don't believe in combinations, and never did. It deprives a merchant of the excitement of bargains, and we can't get along without that. It costs us nothing, for when we divide our profits with the people our sales double. Do you see the philosophy of bargains now?

119-121 N. MAIN STREET.

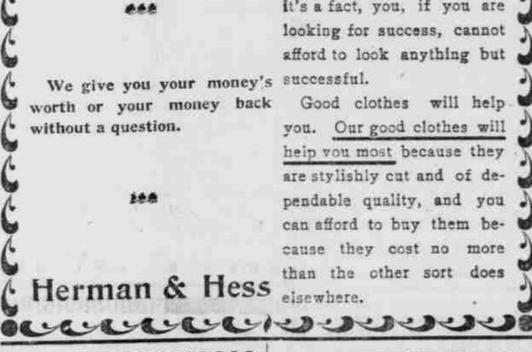
Don't Let the "World" Roll You Down

Remember that the "world" judges a great deal by outward appearances. By the "World," we mean the men and women who people it—especially the women. Of course this may be very wrong of the "World," but as long as it's a fact, you, if you are looking for success, cannot afford to look anything but successful.

Good clothes will help you. Our good clothes will help you most because they are stylishly cut and of dependable quality, and you can afford to buy them because they cost no more than the other sort does elsewhere.

We give you your money's worth or your money back without a question.

Herman & Hess



U WANT A TAYLOR? SEE GLOSSER ABOUT IT 147 N. MAIN ST.

Rough House. That's what awaits the man who buys a poor quality of coal, mixed with dirt and slate. This is impossible if you buy from Jackson. We keep the best quality of all kinds of coal, and deliver it clean, free from slack and dirt. Give us your coal order and you'll get the kind, quality, amount ordered and when wanted.

L. C. JACKSON, Phone 13, 112 South Market.

Will You Come And inspect our Men's and Women's \$3.50 Shoes that we are selling for \$2.75

Most of Our Men's \$3.50 Shoes Have price stamped on bottom of sole and are made by Union Labor

And bear the Union Labor Stamp also. There can be no mistake about their value.

Men's and Women's \$3.50 Shoes \$2.00

Men's and Women's \$2.50 Shoes \$1.75

One lot of Ladies' \$2.50 Shoes \$1.50

Children's \$1.50 Shoes \$1.00

Men's Congress \$2.00 Shoes \$1.00

THESE ARE ALL NEW SHOES

Anything in Odds and Ends at 50 Cents. Men's Rubbers, 25 cents.

WE SELL THE BEST SHOES GOING FOR THE LOWEST PRICE EVER MARKED ON THEM.

126 North Main Street.

Trade at Fulton's—It Pays. We Invite Inspection... And comparison of our Men's all-wool Suits, Cheviots and Cassimeres, best style and finish, \$5 and \$6. Men's all-wool Suits, genuine Auburn Meltons, 18-ounce Worsted, Cheviots, Clays, gray, brown, black and novelties; well tailored; can't be equalled anywhere for less than \$12 to \$15; Fulton's price, \$10. Boys' all-wool Suits, well made, \$1.75. Boys' all-wool Worsted Suits, stylishly tailored, \$2. C. R. FULTON, Wichita's Greatest Clothing Store.

We Help The Doctor to cure the sick by putting up prescriptions right—not nearly or almost right, but right—exactly right. We use pure drugs of a standard strength, and if your doctor knows your complaints and prescribes the proper remedies, we together can accomplish all that pure drugs can possibly accomplish. We are extremely careful in the compounding of prescriptions, know exactly how, and do the very best. That is what makes this a safe place for your patronage, which is earnestly solicited.

Dockum & Higginson, UP-TO-DATE DRUGGISTS, Successors to Wells Miller. 248 N. Main St.

You can't dodge our store or lucky telephone (444) number when in need of Electrical Supplies or Bicycle Repairs. If you do once you won't the second time. MUSSELMAN BROS., 209 North Main Street.

"DON'T BORROW TROUBLE." BUY SAPOLIO 'TIS CHEAPER IN THE END.

You Are Invited... To attend this Special Shoe Sale of fine, new and nobby Footwear. We will take stock February 1, and desire that you come and get some of the many bargains we are giving in up-to-date Shoes. Will You Come And inspect our Men's and Women's \$3.50 Shoes that we are selling for \$2.75. Most of Our Men's \$3.50 Shoes Have price stamped on bottom of sole and are made by Union Labor. And bear the Union Labor Stamp also. There can be no mistake about their value. Men's and Women's \$3.50 Shoes \$2.00. Men's and Women's \$2.50 Shoes \$1.75. One lot of Ladies' \$2.50 Shoes \$1.50. Children's \$1.50 Shoes \$1.00. Men's Congress \$2.00 Shoes \$1.00. THESE ARE ALL NEW SHOES. Anything in Odds and Ends at 50 Cents. Men's Rubbers, 25 cents. WE SELL THE BEST SHOES GOING FOR THE LOWEST PRICE EVER MARKED ON THEM. 126 North Main Street.