

IS HIS MIND WEAK?

Prosecution in the Truskett Murder Trial Rests Its Case.

Defendant's Attorneys Attempt to Prove His Mind Affected.

BLAMES THE OIL CO.

Had Suffered Wrongs at the Hands of Neeley.

Frightened, He Carried a Revolver as Means of Protection.

Independence, Kan., March 25.—After devoting less than a court day to presenting its testimony, the prosecution in the Truskett murder trial rested its case last evening.

Charlton then made the opening statement for the defense, and the first witness for Truskett was being heard when court adjourned.

Charlton said the defense would prove that Truskett's mind had been affected by wrongs he had suffered at the hands of oil companies of which J. D. S. Neeley, the slain man, was the head.

Charges that Neeley was of a mean disposition were also made by Charlton. He said that Neeley, who was angry had a habit of placing his right hand to his hip as if about to draw a gun.

"Truskett did not meditate on shooting Neeley," said the attorney. "He had been frightened until he carried a revolver as a means of self-protection."

Charlton then took up the shooting in detail, this marking the first time that Truskett's entire story of what happened in the toilet room, had been heard.

"Truskett did not know Neeley was in that room when he entered," said Charlton. "When they met, Truskett spoke to him in a friendly manner and asked if they could not settle their troubles amicably. He closed by saying he would see Neeley later."

"You can see me right now," cried Neeley, starting toward Truskett and moving his right hand to his hip pocket.

"Truskett asked him three times to stop, but when Neeley gave no heed in his warning, he fired. Neeley continued to advance, and Truskett fired again."

The attorney devoted a considerable part of his speech to the trouble between Neeley and Truskett over some oil land that both were trying to obtain from Robert Goodman, an Indian boy. According to the attorney, Truskett and his nephew leased some land belonging to Goodman, paying \$2,000 for it. Soon thereafter Neeley's companies, said Charlton, spirited Goodman out of the state and kept him away from Truskett until Goodman was of a legal age. Then the paid him \$5,000 for a deed to the land.

SIXTEEN LIVING COUSINS.

Topeka Woman Included as Heir in Spurgeon Estate.

Port Scott, March 25.—Early next month the estate of the late Mrs. Lucinda Spurgeon, who died in Port Scott home two years ago, will be turned over to the county treasurer and applied to the state school fund because her heirs could not be located.

Mr. and Mrs. Spurgeon, an aged couple, lived just across the Second street bridge for years and conducted a little pop stand there. They owned some real estate and had some money. The estate was found to consist of between \$100 and \$200 and was converted into cash by E. W. Minturn, administrator. Every effort to locate heirs was exhausted and recently Probate Judge Russell set a day next month for final settlement and turning the money over to the state.

The law, Mr. Morris has been advised for some time of the situation and came here at his earliest opportunity to investigate and determine what steps to take. He furnished the administrator a complete record of the family tree, showing the names and places of residence of sixteen living cousins of the late Mrs. Spurgeon, who survived her husband and whose estate goes to her heirs. These sixteen cousins are scattered over Ohio, Indiana, Illinois, Missouri and Oklahoma. One of them, Mrs. J. J. Morton of North Topeka, Kan., was called up over the phone today by Mr. Sheppard and when advised of the facts readily consented Mr. Morris' statement. She will come down to help prove the claim.

Mrs. Spurgeon, it seems, was Miss Lucinda Miller, the only child of a daughter of Martin S. Morris. She lived for a long time with Mrs. Morton at Topeka. A complete genealogy of the family, showing the descendants of the different branches, was made up today and it shows just who are still living and who are dead.

STATEMENT NOT OFFICIAL.

Dean Templin's Plan to Limit Number of K. U. Students.

Lawrence, Kan., March 25.—Chancellor Stricker stated last night with reference to Dean Templin's plan to limit the number of students at K. U.: "The statement of Professor Templin was not official. It is simply a plan by which he hoped to compensate for the lack of sufficient appropriations. The matter will not be considered officially for some time."

LOCKED IN WITH A SUICIDE.

Kansas Woman Saw Her Husband Shoot Himself.

Wichita, Kan., March 25.—Edward F. Spellman, 50 years old, locked himself and wife in a room in a private residence here yesterday afternoon and shot himself in the head. He lived only ten minutes after the shoot-

ing.

Wobbly Nerves?

It may be from too much coffee.

Quit, and try

POSTUM

"There's a Reason"

MISS SADIE L. MOSSLER, ASSISTANT PROFESSOR OF JOURNALISM, AT AGRICULTURAL COLLEGE.



Miss Sadie L. Mossler has just been elected to the assistant professorship of the department of industrial journalism at the Agricultural College of Kansas. Miss Mossler is the only woman in the world holding such a position, and in fact, who has ever held a position in a department of journalism.

ing. Illness and financial trouble caused the suicide. Mrs. Spellman witnessed the shooting. The Spellmans came to Wichita from Andover, Kansas, to do some shopping. Spellman formerly was a Santa Fe railroad engineer in Illinois. He had retired from service owing to illness.

LOOKING FOR HIS WIFE.

Mrs. Dayton Left Note Saying She Had Left With Children.

Salina, Kan., March 25.—James Dayton, a former Salina man, is in Salina looking for his wife, who disappeared from her home in the northern part of the state. Up until four years ago, Mr. Dayton was living in Salina, and was in the employ of Glenn York, wiring houses for electricity, and while he was living in Salina he married a Miss Northrup.

Four years ago he moved away from Salina, and settled on a farm in the northern part of the state. Last fall he sent for his sister-in-law to come and make them a visit. She went, and spent the winter with them. A week ago she secured a position in the town near where they were living, and Mr. Dayton took her to town, and when he returned to his home he found a note, stating that his wife had left, taking the children, and for him not to look for her. He immediately came to Salina, thinking that she was here, but so far has not found her.

FROST HURTS THE APRICOTS.

Temperature Down to 24 and Saline County Fruit Suffers.

Salina, Kan., March 25.—Many apricots died over Saline county last Thursday night. A temperature of 24, eight degrees below the freezing point, accompanied with a heavy frost, was too much for the blossoms.

The apricots began to come out early in the week and by Wednesday many apricot trees were covered with blossoms. But it is more than probable that 75 per cent of these blossoms were killed over night.

"A temperature of 28 degrees with any kind of a frost will kill," said a fruit man, "will cause much damage to blossoms. I do not see how any blossoms can escape a temperature of 24."

So far as is known nothing but apricots were damaged for none of the other fruit trees are blossoming.

DOPE FIEND BROKE JAIL.

He Also Took a \$25 Overcoat Along With Him.

Junction City, Kan., March 25.—The dope fiend who has been in the city jail for several days, undergoing confinement, made his escape Thursday night, and took with him Henry Church's \$25 overcoat. The police have not yet figured out how he escaped, unless the key in the grating door was left in the lock. Next morning the jail door was open, and Mr. Dope Fiend was gone. It is presumed that one of the policemen left the key in the lock, and if this was the case it was easy for the man to unlock the door.

TRAMPS ENTER CARS.

Seven Have Been Broken Into the Past Four Days.

Wellington, Kan., March 25.—The Santa Fe is having trouble at the Roland hill, west of town about three miles. The trains go very slow up this hill and it affords the tramps and robbers a good chance to get in their work. This morning four shoe boxes were found on this hill. The boxes were empty. In the past four days seven cars have been broken into as trains ascended this hill. The matter being looked into today by Deputy Sheriff Alvord and Santa Fe Officer Walters.

PRISONERS CLEANING PARK.

Seven of the Jail Birds Were Put to Work at Junction City.

Junction City, Kan., March 25.—The seven city prisoners, equipped with rakes and other gardening utensils, were put to work in the city park this morning under guard, and spent the day in cleaning up the place, and getting it ready for spring. By working the prisoners it is possible to clean up the park much more quickly than if one or two men were employed to do the work, and at less expense to the city.

ELDORADO MAN VINDICATED.

Malpractice Suit Decided in Favor of Dr. Regier.

ElDorado, March 25.—The malpractice suit brought against Dr. Regier of Elbing by Charles Sichelbower, which has been tried at ElDorado closed and the verdict which was rendered by the jury vindicated Dr. Regier.

SET FIRE TO GOLF CLUB.

Sparks From Engine Do Much Damage to Newton Golf Club.

Newton, Kan., March 25.—The Golf club has been the loser by fire twice recently, both occasions being due to sparks from the engines of passing trains on the Missouri Pacific road. The first fire amounted to about \$25 damage, while one which occurred

the money. Last year this farm averaged nearly 30 bushels of wheat per acre.

Mr. Walton purchased this farm seven years ago at \$12.50 per acre, which was considered a good price at that time, but we predict, with the present development of this county, the present owner will be able to sell, should he desire, at a profit.

JUROR LOSES HIS MIND.

Worried Over Charges Against Him for Attempt to Influence Jury.

Hutchinson, Kan., March 25.—So worried that he could not sleep nights because of the charges preferred against him of attempting to influence grand jurors in the Natzger case, the federal court at Wichita, Lewis Evans has now lost his mind. Evans, a young farmer and stockman of Lane county, was taken to a sanitarium yesterday. He was drawn as a juror in the federal court at Wichita at the September term. It was this jury which considered the matter of Natzger v. Natzger, a Wichita banker, charged with buying stolen stamps. Accusations were made that Evans, among others, had endeavored to influence the jury in favor of Natzger to prevent his indictment. For this Evans was indicted last week by the federal grand jury.

STATE HAS VIOLA ROBBERS.

The Prosecution Will Be First Under New Law Increasing Penalties.

Wichita, Kan., March 25.—The five men charged with robbing the Viola, Kan., postoffice and bank March 7, have been turned over to the state by District Attorney Harry Bone. They will be prosecuted on a charge of blowing the safe of the Viola State Bank. The men are Fred H. Thelen, Fred Baird, Ed Harold, Thomas Hedmond and A. I. Long. Long will be used as a witness against the other men.

The prosecution of the men will be the first under the new law fixing increased penalties for bank robbers. The law passed by the last session of the legislature provides imprisonment from ten to thirty years. The five men have already been arraigned in the federal court and will be tried there during the July term of court.

GAS COMPANY WINS.

Judge Pollock Holds It Has a Right to Raise Price of Gas.

Independence, Kan., March 25.—The Kansas Natural Gas company has won its fight against the city officials and citizens of Independence. In a decision announced by Federal Judge Pollock yesterday, the court held, in effect, that the gas company has a right to raise the price of gas in Independence to 20 cents a thousand feet. The present rate is 5 cents a thousand feet.

The fight against the higher rate began when the city enjoined the gas company from enforcing it. This suit was brought in the county court here. After an unfavorable decision, the gas company took the case to the federal court.

PLAN TO TOUR EUROPE.

K. U. Students Will Make the Trip on Motorcycles.

Lawrence, Kan., March 25.—A tour of Europe on motorcycles is being planned by two students of the University of Kansas, Albert Manglesdorf, a junior engineer, and Isalah Brook, a freshman in the college of liberal arts and sciences. The trip will start July 1, to be gone a year. The boys will travel through the Netherlands, Belgium, Germany, France, Italy and Spain. One of the objects of their trip is to gain themselves with the different languages spoken in these countries. Both speak German fluently and plan to spend a large part of their time writing the places of historical interest along the Rhine.

HE KILLED A BIG EAGLE.

Measured Seven Feet and Three Inches From Tip to Tip.

Tonganoxie, March 25.—An eagle that measured seven feet three inches from tip to tip was killed by George Holder on Stranger east of town. The proud bird of freedom was not dispatched until Mr. Holder had taken several shots. He observed the predatory fowl and followed it until he brought it down. Several eagles have been killed near here of recent years, but this is the largest yet brought in.

ENGINEER A SUICIDE.

Edward Spellman Blew His Brains Out With a Revolver.

Wichita, Kan., March 24.—Edward Spellman, known for a score of years on this branch of the Santa Fe system as "the left handed engineer," blew his brains out with a revolver shortly before noon at 323 North Topeka street yesterday. He had just purchased a farm near Andover and was preparing to move there. Despondency over ill health is supposed to have been the cause for this act.

KILLED IN WYOMING.

Floyd Manchester, a Former Yates Center Boy Meets Death.

Yates Center, Kan., March 25.—J. C. Manchester received a telegram yesterday stating that his son Floyd had been seriously injured at Cheyenne, Wyo., and about two hours later he received another message stating that the young man had died. Mr. Manchester was a railroad brakeman and met death while making a car coupling.

FINE FOR WHIPPING WIFE.

Judge Menger Says It Is the Lowest Thing a Man Can Do.

Lawrence, March 25.—"Any man who will strike his wife has no manly principles," said Judge Menger in summing up the evidence in the Henry Parsons assault case. "In my opinion the lowest thing a man can do is to beat a woman. I will therefore fine the defendant \$100 and costs."

FAILURE TO KEEP QUARANTINE.

Has Cost the Children of Brown County Many Weeks in School.

Hiawatha, March 25.—Failure to make people keep quarantine has cost the children of Brown county many weeks in school and much sickness. Twenty-three schools in Brown county have had to be closed, some for as long as six weeks, under quarantine, which the parents did not keep. As a result the disease has spread.

Abilene Banker Is Dead.

Abilene, Kan., March 25.—Thomas H. Malott, president of the Citizens' State bank, and a prominent resident here for many years, died yesterday afternoon, aged 73.

Farm Sells for \$125 an Acre.

New Cambria, March 25.—H. A. Stahl has sold his farm south of the river to Mrs. Anna Schenewerke, the price being \$125 per acre. It is one of the best farms in Saline county.

Homefurnishing Week March 27th to April 1st. Next week we will feature our departments of Rugs, Curtains, Furniture, Art Wares, Silverware, Linens and others. Unusual Value - Giving Will Prevail in Each Department. Do not miss this event—it will pay you big to attend. Remember the date, March 27th to April 1st. Emery, Bird, Thayer Co. Kansas City, Mo.

BUSINESS IS GOOD. Increased Activity Reported in Nearly All Branches. New York, March 25.—Dun's Review says: Although reports from the leading trades and different sections vary considerably, and statistical comparisons do not show uniform gains, conditions on the whole continue to indicate an advance. It is noticeable that retail trade is more satisfactory and many of the important centers make optimistic outlook.

Ponayo Prescriptions. Pronounced Pon-Yo. MEANING "I LEAD ALL" TRADE MARK GUARANTEED TO PLEASE. Ponayo Rheumatic Prescription is considered by medical men to be one of great merit as it neutralizes uric acid in the blood, assists nature to excrete all mineral irritants. It relieves acute, inflammatory and chronic Rheumatism no matter where located. If you are afflicted don't fail to try this remedy. Sold only by MARSHALL BROTHERS—Two Large Stores—2nd and Kansas Avenue and 515 Kansas Avenue The Ponayo Store

Cook & Sons Contractors and Builders 110 West 6th Avenue Office in basement under Wilson Office Supply Company, Topeka, Ks. Special Attention Given to Job Work. Shop Phone 823 Ind, Residence phone 2957 Ring 1 Ind.

Western Foundry & Machine Works TOPEKA, KANSAS Is the third oldest plant in the state. Is equipped to handle anything in the machine and foundry line. Do all kinds of Roll Grinding and Corrugating. Write for catalogue and prices.

New England Restaurant STANDS FOR EVERYTHING THAT'S GOOD TO EAT, QUICK SERVICE AND HOME COOKING, MEALS 15 CENTS AND UP. GIVE US A TRIAL 419 Kansas Ave. F. L. MORRIS, Prop. Are You—Going to Europe? Join an Aldrich-Butterfield Party. THREE DELIGHTFUL TOURS of Europe Fourth Annual—7 to 11 Countries—Experienced Conductors—Best Steamships—Send for Prospectus to Western Bureau of Travel, Topeka, Kan. A DREADFUL SIGHT to H. J. Barnum, of Freeville, N. Y., was the fever sore that had plagued his life for years in spite of many remedies he tried. At last he used Bucklen's Arnica Salve and wrote: "It has entirely healed with scarcely a scar left." Hoals Burns, Boils, Eczema, Cuts, Bruises, Swellings, Corns and Piles like magic. Only \$2 at Campbell Drug Co. See Hoover Ad. On Page 5

The Growth OF CHILDREN depends upon proper nourishment—a balanced ration. The most frequent lack is bone-forming material, causing soft, weak, diseased, crooked bones. Scott's Emulsion supplies every element needed. It's a balanced ration for bone as well as flesh. Every child should have a small dose daily. ALL DRUGGISTS