

the money was turned over to  
ment it constituted an embezzle-  
defense contended that, inasmuch  
y is charged with "feloniously  
adulently" failing to pay the  
t must be proven by the state  
n is the case. Prosecutor Hooton  
that it is prima facie evidence  
zzlement if the money is not  
ver at the settlement.

W. Smith, for the defense, ar-  
point at length, saying that if  
e could show that at the time of  
ement Ensley said to Robison  
ad some more money, but didn't  
ere it was, but would turn over  
cash to him to cover all claims  
arose, and Robison refused, then  
skirts are clear by reason of his  
of good faith.

Judge James A. Pritchard arose  
his ruling in the matter he had  
pened his mouth when a sharp  
directly above the heads of the  
jury, attorneys and witness  
the room. Visions of a bomb  
before the minds of many for an  
but they were dispersed when a  
wer of splintered glass began to  
it was seen that an electric  
one of the clusters had burst.

### Objection Overruled.

udge overruled the objection and  
was permitted to answer that he  
ived such an offer from Ensley  
refused it. This was a move on  
of the defense to show that  
ad offered all money collected  
whether it was charged against  
whether he was compelled to ac-  
it or not.

aker, for the state, then ques-  
obison to show that Ensley had  
ailed to tell Robison that he  
cted and retained 6 per cent on  
red property taxes.

Ensley tell you," he asked, "that  
retained any amount or any per-  
the money he had collected on  
and treasurer's assessments?"  
sir, I did not know it," replied

were willing to receive all moneys  
e shown on the books, were you

sir."

ou examine the books?"  
sir, I settled with Mr. Ensley on  
s, but I did not give him a re-  
full."

Ensley offer you any of the 6 per  
t had been collected prior to the  
mber settlement on the auditor's  
surer's assessments that was not  
n the settlement sheet?"

Prosecution proceeded to question  
along this line some time before  
explain to them that Ensley was  
errible to him for any collections  
been settled for with the auditor

will be available for many years, is the  
opinion of Bryce Kinney, state gas super-  
visor, expressed in his annual report to  
the Governor, and filed yesterday through  
the office of the state geologist. He has  
faith in the southwestern Indiana field,  
and the district lying a short distance  
southeast of Indianapolis.

As an indication that confidence is felt  
in regard to Indiana's future in oil, Mr.  
Kinney points out that several wells are  
being drilled between Vincennes and  
Rockport, to ascertain if that section be-  
longs to the same oil field now producing  
profitably for northern Kentucky and  
southern Illinois. One of these wells, he  
reports, is producing oil in satisfactory  
quantities.

## ACCUSED OF AUTO SPEEDING.

### C. G. Fisher Arrested Upon Complaint of Motorcycle Patrolman.

Carl G. Fisher, 512 North Capitol ave-  
nue, president of the Indianapolis Motor  
Speedway, was arrested yesterday on a  
charge of exceeding the speed limit for  
automobiles in Indianapolis. The arrest  
was made at the instance of Motorcycle  
Patrolman Stone, who asserts Mr. Fisher  
was driving on North Meridian street  
Sunday afternoon at a speed of forty-five  
miles an hour. Mr. Fisher went to the  
Central Police Station of his own accord  
yesterday afternoon and was notified to  
appear in Police Court this morning at  
9 o'clock.

## BENEDICT WINS ORATORICAL.

### Indianapolis Young Man Will Represent De Pauw in Peace Contest.

Paul Benedict, the son of John L.  
Benedict, 2312 North Pennsylvania street,  
won the primary peace oratorical contest  
at De Pauw University, Greencastle, Ind.,  
last night and will represent that insti-  
tution in the state peace contest which  
takes place under the auspices of Wa-  
bash College at Crawfordsville, Ind., dur-  
ing April. Mr. Benedict is a graduate  
of Shortridge High School in the class of  
1908 and is now a freshman in De Pauw.

## HIGHER COURTS.

### SUPREME COURT MINUTES.

21400. Indianapolis Abattoir Company vs.  
Neidlinger. Marion C. C. Appellant's re-  
ply brief to appellee's answer to appel-  
lant's amended brief.

21558. Kunkle vs. Coleman et al. Pike C.  
C. Appellant's reply brief.

DENIES

INT

Expecting to be  
port of the speci  
to investigate ru  
nection with the  
contract and with  
Mayor Shank, me  
departments and  
at the City Council  
nothing more star  
tion of routine bus  
L. Denny, chairm  
mittee, labored all  
was not finished  
last night, and Co  
for a recess until  
Shank did not app

Members of the  
isfaction over a c  
Board of Public V  
them to indicate t  
in its attitude tow  
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and named the fir  
let the contract.  
refusing to appro  
board's contracts  
were not specific  
given to some hila

Denies Ar

Frank J. Noll J  
said after the mee  
letter himself with  
tions from the boar  
intended to make

A request for  
regarding the ordi  
between Meridia  
streets, south of W  
street. Councilma  
continuance, said  
understanding an  
about the ordina  
that the ordinance  
so that a liquor fir  
liquor license. An  
& Co., liquor deal  
street, who was at  
that the company  
conduct a retail es  
was not to be a

The Council pass  
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vision of the trim  
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lating the manne  
be trimmed.

Police Ordin