

VVV
PORTIS MAN ACCUSED!

At a recent session of the United States District Court in Topeka, the case of the government against J. E. Kissell of Portis, Kansas, came up for disposition. Mr. Kissell was charged with sending some matters of the nature of comic valentines through the mail. Mr. Kissell who was represented legally by Harvey McCaslin of Osborne and Ed Rooney of Topeka, declared that he was not guilty and that he would not personally contest the case. Mr. Rooney, attorney for Mr. Kissell, was present, and filed a motion to require the government to set out copies of the alleged improper mail matter. This request of Mr. Rooney was sustained by Judge Hopkins.

As soon as the specimens of the mail were set out, Mr. Rooney then moved the court to quash the indictment and throw the same out of court for the reason that indictment did not state a violation of the laws of the United States. Mr. Rooney argued the matter to the court and the court sustained him.

The court in sustaining the motion of Mr. Rooney, stated that it was a common thing for him, the Judge, to receive more severe letters and cards than those exhibited, every day, and thought nothing of the matter. Judge Hopkins reprimanded the District Attorney's office and told them that he thought they were uselessly wasting the money of the government when there were more important things to get after and prosecute.

After the sustaining of Mr. Rooney's motion, Mr. Kissell was discharged and freed of all accusations.

In view of the foregoing statements which are true, Mr. Kissell, whose name was connected with action that was said to be defamatory, offensive and scurrilous, would like to ask a question or two.

Who instigated the proceedings mentioned?

And why?