

# CRACK SHOTS STOP KORNILOFF'S MEN

### Forces of the Government Meet Rebels Near Petrograd, Where First Clash of the Revolt Takes Place.

(Continued from Page One.)

grad newspaper, as punishment for printing prominently Korniloff's proclamations while publishing those of M. Kerensky in contracted form.

The new commander-in-chief of the Russian army, Major General Bruyevich, who formerly was attached to the staff of General Brusiloff, one-time commander-in-chief, has from the first been devoted to the provisional government.

### Disensions in Camp.

The government had received information that disensions have broken out in General Korniloff's camp. The army sent against Petrograd, the vice premier declared, had been deceived, having been told that General Korniloff's only aim was to drive the Bolsheviks out of the capital. The government had taken measures to undeceive the soldiers on this point.

In an interview Vice Premier and Minister of Finance Nekrasoff informed the Associated Press that General Sprjevalski, commander on the Caucasian front, and Lieutenant General Dmitri Tcherbachevski, commander on the Roumanian front, had definitely declared their allegiance to the government.

From General Studueyeff, the commander on the western front, no news has been received, but from his attitude there is reason to believe he remains loyal.

The attitude of General Klembovsky, commander on the northern front, is still enigmatical. He based his refusal to accept the post of commander-in-chief on the fact that the position on his front required his special attention.

Asked by the government for an explanation of why he allowed General Korniloff's army to pass through Pskoff, he replied that these troops were not subordinate to him. The government, Vice Premier Nekrasoff said, had told General Klembovsky he must either define his attitude or resign.

**Kerensky Voted Special Powers.** General Bokomski, the chief of staff, the vice premier added, was the chief conspirator. There was evidence the conspiracy had been prepared carefully, whereas the government was caught wholly unawares.

The constitutional democrats, M. Nekrasoff said, had no part in the plot, and no members of that party had been at General Korniloff's headquarters.

M. Nekrasoff concluded as regards the composition of the provisional cabinet that M. Yorueneff, minister of public works, and Prof. Kokoshine, the state controller, were the only ministers who had definitely resigned.

The attitude of M. Oldenburg, minister of public instruction, and of M. Kartasseff, procurator of the holy synod, is doubtful.

Premier Kerensky, the vice premier stated, has been offered special powers and he has the support of the whole country.

Generals Denikine and Valuff, commanding the southwest and western fronts, respectively, have joined General Korniloff, according to announcements in Petrograd newspapers given out by the semi-official news agency.

An earlier report from Petrograd said that General Denikine had been placed under arrest.

**Moscow Under Martial Law.** All elements in the population of Moscow, according to reports received here, emphasize assurances of support to the provisional government, which have already been given by the municipal council.

General Verkhovsky called all the officers of the garrison together in the public square and was given assurance that they would support Premier Kerensky. The St. George Cavaliers have made a special offer of their services and there appears to be unity among the workmen's groups.

Vladimir Furishkevich, the well known reactionary under the old regime, who was arrested at Dvinsk and later released, is reported again to be in custody.

The provisional government today declared that a state of war exists in the town and district of Moscow. Petrograd is said to have sufficient provisions to last four or five days. The government has issued an order doubling the fixed prices of cereals. The order also provides for increased remuneration for freight on these foodstuffs.

**Scenes at Winter Palace.** The interior of the winter palace was a remarkable sight owing to the extraordinary precautions which first were taken early yesterday when hope of a compromise was finally lost.

Inside the newly erected partition in the grand corridor and outside M. Kerensky's office were stationed 200 sailors of the Second Baltic corps. During the afternoon students of the school of marines were brought into the palace as well as parts of the Preobrazhensky and Litovski regiments, while in the courtyard were armed motor cars.

Elsewhere in the city there was little military show, but all through the night posts of five and six infantrymen paraded the streets and occupied the courtyards. The city so far has been quiet.

M. Kerensky is receiving resolutions from army and navy units promising to support him. The Council of Workmen's and Soldiers' Delegates sent telegrams to the telegraph operators' unions declaring that the operators by refusing to work for Korniloff could help to crush the revolt.

# TWELVE MEN ARE PICKED IN KELLY CASE

### Attorney Sutton Protests Juror Brown, Whose Selection Was Allowed When He Said He Knew Much About Case.

(Continued from Page One.)

understand any juror to have so stated," the judge replied.

Attorney Mitchell referred to "Mr. Jones" frequently during the day. "Do you have any opinion as to the innocence or guilt of Mr. Jones?" was one form of his questions.

Another was: "If the innocence or guilt of Mr. Jones were at issue in this case, would your opinion in any way prevent you giving this defendant a fair and impartial trial?"

Mr. Brown, who was the center of this legal stress and strain, is 56 years of age and is a farmer of Red Oak township. He was the thirty-first man to be passed, the limit of thirty-two being reduced one by the state waiving its tenth peremptory.

**Those Stricken Out.** Clerk Brody then read the names of the following nineteen who had been stricken on peremptories: Mel Edwards, B. J. Alquist, S. T. Woodling, E. V. Hart, Floyd M. Pratt, C. E. Bacon, J. A. Baird, J. A. Johnson, J. S. Baxter, B. T. Black, W. J. Langdon, Earl Jackson, Will Jones, D. H. Petty, Theodore Scheerburth, C. M. Swanson, Edwin Berggren, George M. Kerrhard and J. S. Baxter.

The twelve who remained in the jury box arose while the clerk administered formal oath.

**Court Cautions Jury.** In his instructions to the jury Boies said: "The law presumes that you are to try this case on testimony that shall be heard from lips of witnesses permitted to testify and to be governed by instruction of the court regarding the law on the case."

"You are to take into consideration no other testimony, talk to no one, and if anyone attempts to talk to you, or in your presence, it is your duty to walk away."

"If anyone should knowingly communicate his ideas to you, report him to the court. Avoid making up your mind until you hear all testimony."

"You owe it to the state, defendant and to yourselves to observe these instructions. You will feel it a hardship during the case, but you will be given exercise and arrangements will be made for your comfort."

"Remember that the examination of jurors was not testimony. You will sleep in the court house and will be in charge of one or more bailiffs at all times."

"Any communications jurors may wish to make to families or friends will be made through the bailiff."

**Prisoner Relieved.** Kelly appeared relieved when the jury was completed. He turned to Attorney McKenzie to inquire what he thought of the jury.

McKenzie reassured the prisoner, who scrutinized the twelve men with new interest.

"We are still confident we will acquit our man. I have my fighting clothes on," remarked Attorney Mitchell.

Attorney General Havner was so pleased that the jury selection was out of the way that he attended a picture show this evening.

One of the duties of the jury bailiff is to censor the newspapers read by jurors by clipping references to the trial.

Detective Wilkerson, who occupies a seat with counsel for the defense, invoked judicial wrath again during the afternoon when Attorney Hess called attention of the court to a remark made by Wilkerson to Mitchell in tones audible to some of the jurors.

"Don't let that occur again, or the temptation to repeat it will be removed," announced the court.

A feature of the examination of jurors during the last two days was the appearance of R. E. Wolfe, H. S. Petty and A. T. White, brothers-in-law of W. R. Finlayson, cashier of the Vilisca National bank of which F. E. Jones is president.

Relationship disqualified them.

Joe Stillinger, father of two of the Vilisca victims, was in courtroom all day as he was summoned in the third special venire. His name was not reached.

Arthur Hersman, a Red Oak carpenter, brought the big laugh of the day when he replied: "I could be a fair and impartial juror for one side, but not for the other."

Kelly has taken a liking for Deputy

# Sheriff Smith, who accompanies him to and from the court house. Last night when the prisoner had a bad case of nerves and could not sleep, he asked for Smith, who was sent for.

# The Mysterious Stranger.

Attorney W. E. Mitchell, representing Kelly, believes he has a line on "the mysterious stranger," who figured in the examination of veniremen by the defense.

Mitchell says his name is "Reese," and he is described as a tall, dark man, representing himself as an oil salesman. Gasoline and automobile lubricating oil are his line ostensibly, Mr. Mitchell asserts.

He has been seen in Stanton and as soon as the expose was made in the Montgomery county court house he changed his field of activities.

The defense in the Kelly trial has inferred that he might be a state agent working surreptitiously in connection with the impelling of a jury.

**Cheer Up Kelly.** Names are being called from the third special venire of forty. C. M. Miller, the first man called from the new list, is a brother of Clarence Miller, secretary of Kelly defense committee.

"I always try to be loyal to my conscience, but my mind is so fixed on one point that I would not be considered a fair juror," remarked Miller, who said he contributed to the Kelly fund.

Will Jones of Sherman township farm, was passed to fill state's ninth peremptory. Twelve men had been examined without avail before Jones was reached.

Jones was passed over because of the challenge of the defense.

"Don't brood; don't let your feelings overcome you," was the advice given Kelly by his counsel before court convened this morning.

"I won't," the prisoner replied.

**Sidelights of Kelly Trial.** A man who was being examined for jury service, when asked what newspapers he read, mentioned one as the "Non-Paradise." Asked where it was published, he said he thought it was at Shenandoah. The paper in question is printed at Council Bluffs. The reading certain newspapers has cut quite a figure in examination of veniremen.

Sheriff Dunn states that Kelly frequently screams in his sleep, as if troubled with nightmare.

The ax with which the eight Vilisca victims were slain is here at the county jail.

"Could you voluntarily set aside your opinion if you should be chosen to serve on this jury?" is a typical question asked by Attorney F. F. Fawcett for the state.

"If you hear a case discussed two or three years, you can't help forming an opinion," was an answer made by T. Bennett of Red Oak while being examined for jury service.

The legal battle in prospect over the proposition whether Rev. Lynn and J. Kelly is guilty or not guilty of the Vilisca ax murder, promises to be a notable one. With Attorney General Havner in attendance, as chief counsel for the prosecution there is added interest.

Detective J. N. Wilkerson, who occupies a seat with attorneys for defense, has been working on this case in Montgomery county for three years. A staff of state agents are doing the gum-shoe work for the state.

Kelly is 35 years of age, married eighteen years ago in England and has been in this country ten years. His height is five feet and three inches and weight 135 pounds. His hair is brown and eyes of bluish shade. His hands are small and white, with slender fingers.

with the task of forming a cabinet of national union which should comprise the elements belonging to all parties. As the result of incidents arising at the last moment the union which I had expected failed. Under the circumstances I am going to the president to relinquish the mandate which he confided in me."

According to the *Matin*, M. Thomas refused to collaborate in the cabinet because the retiring premier, M. Ribot, remained in the foreign office. When the new ministers assembled last night M. Thomas rose and said:

"We cannot agree to form part of a cabinet which includes M. Ribot. At a moment when we refused our support to M. Ribot as premier and foreign minister on account of his home policy, which we judged too indulgent, and because of his foreign policy, which we considered ineffective."

him while he holds that same portfolio of foreign affairs.

**Advised to Withdraw.** "Besides, Premier Painleve did not

keep us advised as to the negotiations looking to the collaboration of M. Ribot. Consequently we are unable to deliberate on this question with our party. I cannot, then, personally continue in the cabinet without consulting the opinion of my friends."

Both Prof. Painleve and M. Valrene sought to dissuade M. Thomas from leaving the cabinet, but after a sharp passage of arms between the two socialists they both left the war ministry and went to the ministry of munitions and laid the situation before the delegates. The delegates upheld M. Thomas and instructed the two ministers to withdraw from the cabinet.

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# Report on Houston Riots Shows Trouble Premeditated

Houston, Tex., Sept. 12.—Completing an inquiry into the causes of the recent negro soldier riot which cost the lives of fifteen citizens of Houston, the citizens board filed its report with the city council late today.

The report covers practically every phase of the recent trouble, and deals with the police situation in Houston.

The committee is of the opinion that the riot undoubtedly was precipitated by two arrests of negroes made by Officer Sparke, although sufficient evidence was presented at the hearing to reveal the fact that a serious disturbance was intended by some of the negro soldiers before

leaving and perhaps intensified the crimes which followed.

Continuing, the committee says that the undisputed and convincing testimony of witnesses prove that the negro soldiers went forth to slay the white population indiscriminately, that not one negro was hurt or molested by them, not one negro home was fired into and that the negroes were warned before and during the riot to stay off the streets.

# Fire Destroys Detroit Manufacturing Plant

Detroit, Mich., Sept. 12.—The plant of the Standard Screw company was destroyed by fire this morning. The loss, estimated at \$300,000, is said to be covered by insurance. The plant was working on war orders. It was said crossed wires were responsible. An investigation is being made.

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