THE OMAHA DAILY BEE **AK-SAR-BEN DATES** THE WEATHER Carnival.....September 26 to October 6 Electrical Parade, Evening October 3 Daylight Parade.....October 4 Unsettled Military Fireworks October 4 Coronation Ball.....October 5

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OMAHA, WEDNESDAY MORNING, SEPTEMBER 19, 1917-TWELVE PAGES.

Da Traina, at Hotels, News Stands, Etc., 5c. SINGLE COPY TWO CENTS.

STATE'S DRAFT ARMY READY TO LEAVE; **KELLY'S CONFESSION READ TO JURY** Rev. Lyn G. J.K S Confession of Murder DRY LAW IS NOT

Of Eight Versons at Villisca, Ia., Placed

In Evidence at Red Oak Trial By the State

SECOND DRAFT MENLEAVEFOR **CAMP FUNSTON**

First Group Starts at 8 A. M., Second at 8:30 and the Third Goes at 10:55 Tonight.

Bulletin. Washington, Sept. 18.-Mar-shalled for the last time as civilians and under civilian authority, more than 300,000 men of the national army will go forward today to the sinteen cantonments to be trained for the battle against German aucracy. Their next move will be as fighting men toward the battle fields of France.

Greater Omaha's quota of 480 citizen soldiers, the second contingent of drafted men to go from the Gate City to the training camp at Fort Riley, will leave today in three divisions.

The first group, consisting of men of the Fourth and Fifth districts, leave over the Union Pacific at 8 a. m. The second group, comprising men of the Third district, leave at 8:30, while the last group, making up the First and Second district, go at 10:55 tonight:

the court house at 9 yesterday morn- dence most damaging to the defending for roll call and final instruc- ant." tions and a little drilling. Those of the Third district have orders to report at 4 o'clock this afternoon.

Men from the First and Second districts report for call this morning at 10 o'clock.

The South Side's quota will be entertained today instead of yesterday, owing to the later departure. At 5:30 this afternoon, the men will as-semble at the South Side city hall, where they will be greeted by bands and a committee of South Side busi-uses men The south Side business men. They will be escorted to the trying of the cases. Mr. McGuire the Stock Yard's exchange dining hall, has his city prosecutor's duties to at-where they will be guests at a dinner. tend to in addition to prosecuting all

The boys will then be taken to their appeals in district court. train in automobiles. The transportation of 194,000 members of the national army, who con-stitute 40 per cent of the citizen soldiers selected for military service, clared Judge Estelle, begins todap and continues over a five-day period. Requires Many Cars. In handling 194,000 men within the time designated, railroad men figure that it will require all of the available tourist sleepers in the country. This number is placed at 1,500. In addition, the movement will require ap-

ana

would not exist."

Army and Navy Men

Instructs Jury to Decide Cases On Evidence; Beer is Intoxicating Also Declares the Judge.

ON TRIAL, SAYS

JUDGE ESTELLE

Judge Estelle, sitting in law court, in instructing a jury hearing the first liquor appeal case in district court told the veniremen not to take into consideration whether they believed the prohibition law to be good, bad or indifferent, but to decide the case squarely on the evidence.

The case of the state against James Kahout went to a jury at 11 o'clock and immediately another liquor appeal case was begun before twelve other veniremen. Kahout was charged with illegal transportation of several barrels of beer after May 1.- He pleaded not guilty in police court and appealed to district court.

Beer is Intoxicating.

One of Judge Estelle's remarks to

the jury was: "Remember, gentle-men, beer is an intoxicating liquor." Judge Estelle also instructed the jury as to the weighing of testimony of the different witnesses. He told the jury members to carefully consider the fact that policemen and detectives in their quest for evidence are "apt The Fifth district men reported at to remember at a trial only the evi-

> Special Prosecutor McGuire, appointed by Governor Neville to head a drive against bootleggers in Omaha, trained his legal guns on the first state case against the Millard hotel at 11:30 o'clock. The first complaint against the Millard hotel appealed to DR. AVERY TELLS

Red Oak, Ia., Sept. 18.—(Special Telegram.)—The confession made by Rev. Lyn G. J. Kelly at Logan to state and county officers, admitting the Villisca ax mur-

ders is as follows: "I, Lyn George J. Kelly, being first duly sworn on oath, depose and say that I make the following affidavit and confession without any promise or threats having been made to me of any kind whatever and that this is

a voluntary statement: "That I came to Villisca, Ia., the night before the murder of the Moore family.

"Lou Emerson met me at the depot and I went to his home for supper. I was taken out from there to Henry Emerson's by Lou Emerso, where I stayed over night, and I returned to Villisca at 6:30 o'clock Sunday evening, coming directly to Rev. Mr. Ewing's home, where I took supper and afterwards went with him to church.

"After church I returned home with Rev. Ewing and his wife and stayed up and visited with him until 11 or 11:30 o'clock, when he showed me to my room, and asked me if I would mind sleeping alone, as they were going to sleep in the tent. I said, 'No,' as I was intending to go to sleep at once.

"I undressed and went ot bed, but was restless, being over-tired. I heard a noise outside like a windmill and opened the door on the balcony; stood outside on the balcony to see what the noise was, but found nothing. Then I came back and shut the door and tried to sleep, but could not. My head was hot. I began to feel sick and wanted to get a walk, so I dressed and went outside.

"I went downstairs to the front door and left the house by the front door. I walked across to the Presbyterian church. I did not intend to go any further, but my mind was working on a sermon on a text called 'Slay Utterly,' as I had been hearing and reading sermons on that text, and a voice said, 'Go on,' I went on because I was in the grip of something and that I did not understand.

"I felt that God wanted me to 'slay utterly,' and I, did not know where I was going or where I was. I got down near the end of the street and saw a shadow on the side of the house, going from the back to the front, and God told me to follow that shadow. I walked on a little bit further, still thinking about my sermon and wanted to know where that shadow began. I went hunting the shadow to the back of the house. I did not know who lived there, but I kept on hearing that voice, 'Slay utterly.' "I said 'Yes, Lord, I will. I was walking in the dark-

ness around the house, trying to find that shadow, and accidentally saw an ax. I picked it up and went to where the shadow went, for God wanted me to follow that shadow. I went around toward the front door. A voice says, 'Go in. Do as I tell you; slay utterly.'

"I saw no light, but I had to do as God told me and I dare not turn back because somebody was urging me on-I did not know who. I did not know where I was. I went right ahead because I heard that voice and as soon as I got in the house someone whispered, 'Come up higher,' out of the night and I went up a flight of stairs, because I thought I was going up Jacob's ladder.

"I walked through the middle room into the further room. I don't know what I went there for, only I was driven by an impulse and a voice. I saw some children lying there. The Bible says, 'Suffer little children to come unto me,' and I said, 'They are coming, Lord.'

"Before I knew what I was doing I started sending those children somewhere, I did not know, and I had to do as God told me and slay utterly. And so to obey God. I used the ax and did not realize where I was hitting them, only I was trying to do what God wanted me to do.

"After killing the children, I went into the room where the parents were, and I don't remember which of them I struck first, as my head was all wrong, and I kept on hearing voices. I slayed utterly, by using the ax, led by this imulse that I did not seem able to control.

"I then went downstairs and wanted to lay down and rest, and saw a room and went in, not knowing who was there, but found two children in bed, and God said, 'More work yet.' Before I knew what I was doing, I continued my sacrifices, by killing these two children with the ax, as I had to offer blood sacrifices. "To the best of my memory, I left the ax in the house, and returned to the Ewing home, and went back to bed and got up in the morning and caught the 5:19 train for Macedonia, arriving home about 7:30.

"LYN GEORGE J. KELLY."

"Subscribed and sworn to before me this 3st day of igust, 1917. LYNN J. IRWIN, "Clerk of District Court, August, 1917.



tion from Allies for

Von Luxburg.

Parade Streets to

STATE RESTS IN MURDER CASE; **DEFENSE CLAIMS MINISTER 'OBSESSED' THATHEIS GUILTY**

Details of Murder as Told by Accused Man to Jailors at Logan, Read in Court; Kelly Declares He Does Not Remember Signing Document; Outline of Course of Defense.

By EDWARD BLACK. (Staff Correspondent for The Omaha Bee.)

Red Oak, Ia., Sept. 18 .- (Special Telgram.) - The climax of an eventful day in the trial of Rev. L. G. J. Kelly, for the Villisca ax murders, came this afternoon when Attorney F. F. Faville read in calm deliberate tones the confession made by Kelly and offered in evidence by the state. A few minutes latter the prosecution rested its case.

DIDN'T SIGN SAYS KELLY.

A solemn hush hung over the crowded courtroom while the impressive doucument was being read to the

Kelly sat with his head on his hand and appeared unmoved during the reading of the incriminating words.

"I have no recollection of signing that paper. I remember them sweating me from 8 o'clock in the evening **DEFENSE PLEA** to seven next morning," were the words of the prisoner to Attorney Sutton.

Preacher's Counsel Attempts to Preacher's Counsel Attempts to of the crime of another.

STATE ENDS ABRUPTLY.

The suddeness with which the prosecution brought its case to a conclusion, surprised not only the defense, but others who believed the state's testimony would be further prolonged, as nearly 100 witnesses had been sum-Red Oak., Ia., Sept. 18 .- (Special moned.

Telegram.)-That Rev. Lyn G. J. The only witnesses offered by the prosecution in connection with the confession, were Paul E. Roadifer, contention presented by the defense in the trial of the minister for the J. Irwin, clerk of the district court octuple ax murder at Villisca five at Logan. Roadifer went into details county attorney at Logan, and Lynn to state that the confession was made as a voluntary act, without promise of reward or leniency. The state called foryt-eight witnesses in making its case and the four attorneys on that side are satis-Experts say victims of paranoia fied they have made a strong case live under the delusion that they are against the minister.

proximately 5,000 day coaches. Generally speaking, the tourist sleepers will be used for the transportation of the men living farthest from the cantonments, while the day

(Continued on Page Two, Column Four)

Head of Shipping Board

Washington, Sept. 18.—Chairman Hurley of the shipping board and William Blackman, conciliator of the Department of Labor, will leave tomorrow for San Francisco to undertake adjustment of labor troubles in plants building ships for the govern-

Hurley today appealed to President Gompers of the American Federation of Labor to stop the strikes which are holding up government shipbuilding on the Pacific coast. A conference will be held today be-

tween Mr. Hurley and Mr. Gompers. Chairman Hurley also conferred today with Secretary Daniels on the navy's settlement of wage demands in government ship yards.

Court-Martial Triail

Of Negro Rioters Open cases of measles and mumps still are

San Antonio, Tex., Sept. 18 .- The court-martial trial of negro soldiers implicated in the Houston riot will be open to the public, it was announced at the headquarters of the Southern department today. Newspapers will be allowed to have representatives present and take the testimony. It is expected the trial will be held in E Paso in about two weeks.

Trainload of Troops to

Hold I. W. W. in Check

Portland, Ore., Sept. 18.-Colonel C. E. Dentler, U. S. A., announced here today he would send a special trainload of troops to Astoria, Ore., tonight to prevent Industrial Workers of the World from endeavoring to coerce employes of the Hammond lumber mill there to strike in sympathy with Seattle strikers against

Fen-hour lumber. The Hammond mill is working on aeroplan spruce.

Seven Hundred Carpenters

On Strike at Houston, Tex.

Houston, Tex., Sept. 18 .- Approximately 700 union carpenters, engaged in government construction work at Camp Logan and the aviation camp here, struck today as the result of the failure of contractors to meet their demands that none but union labor be employed.

Canada Jails Anti-Draft Ortator on Charge of Treason

Montreal, Sept 18 .- Paul Emile Mongeau, an anti-conscriptionist orforces yesterday occupied a section of the Austro-German fortified posiator, was arrested today on a charge of treason. He is the third to be taken tions in the region of Varnitza, says here on this charge for publicly op-posing conscription. Mongeau plead-ed not guilty when arrainged and was of Riga, the statement adds, there released on bail. was no change in the situation

the city council to give Mr. McGuire some assistance, as his duties at pres-**Chancellor Scores Prussianism** ent are too many for one man," deand Pacifists in His Con-

Dollar a Year Men Are Not on the Job Lincoln, Sept. 18.-(Special.)-Dr. Samuel Avery, chancellor of the University of Nebraska, in his convoca-To Push the War

tion to the students today, scores Prussianism and tells of the splendid work for the war which is being done Washington, Sept. 18 .- Well-paid employes in places of prominent men by the university. His subject was "The University and the War," and he now giving their services to the government at nominal pay, such as \$1 a year, were urged on the house today said in part: by Representative Dupre of Louisi-

"Since the recognition by the government of the United States that a "The greatest cause of delay in our state of war exists between our peowar activties," he said, "is the avaple and the imperial German governlanche of men who have descended ment, I take it that no American citi-Goes to Settle Strike upon Washington to 'do their bit' free zen fails to support fully the governof charge. If you go down to see ment of the United States in feeling, them on Thursday you learn that they speech and conduct unless he is af have left town to return Tuesday and flicted with one of the following ailif you go back on Tuesday you learn they have just gone out to lunch. If ments, namely, partial foreignism partial treason or partial idiocy. we had paid employes who were re-

"The last term could be more acsponsible to someone this condition curately expressed in the vernacular

HOW UNIVERSIT

HELPS THE WAR

vocation Address to

Students.

but students use the vernacular too freely at all times. Of these three Representative Gillette of Massachusetts defended the "dollar-a-year classes the only one for whom I have men," insisting that their positions any respect or tolerance are those probably would be filled by "deservwho are afflicted with foreignism, and ing democrats" if they were to retire. for those I do have a very definite sympathy and often a profound re-spect, much as I deplore that atti-

Enjoying Fine Health "Scholarship is one of the most Washington, Sept. 17 .- Generally practical things in the world, because good health for the navy, afloat and scholarship molds thought. Scholarashore, was reported today by Sur-geon General Braisted, who said ship may degenerate, to be sure, into monastic and the academic, but the there was little serious illness. Some scholarship at its best means ultimate action, because to a large measure it reported from the Atlantic fleet with controls the thoughts of men. Yet measles less prevalent than mumps. scholarship as a thing by itself is neiaveraging only ten cases a week for the whole force afloat. ther good nor bad,

'It can be used as German philoso-Conditions also are excellent at the (Continued on Page Three, Column Four.) shore stations, except at San Francisco, where there are a number of **Urge Federal Guarantee to** cases of measles and mumps.

Prevent Live Stock Loss

Washington, Sept. 17 .- Federal

a means of encouraging increase of

Will Teach Horseshoeing

To 20,000 National Army Men Boston, Sept. 18 .- Twenty thousand members of the new national army will learn horseshoeing under expert craftsmen selected by the Master Horseshoers' association through a

Small producers complain that feed plan proposed at the annual convenprices are too high now to justify tion of the association today. With the consent of the War defattening or raising new animals and partment the association will pay the difference between the \$51 wage of and feeders during the fall and early the enlisted instructors and the civilwinter.

ian wage schedule. **U. S. Grant Exempt From**

Military Service; Wife

San Jose, Costa Rica, Sept. 18 .-Bismarck, N. D., Sept. 18 .- Ulysses Diplomatic relations between Costa Grant will not have a chance to Rica and Germany are considered make himself as famous as the man he severed as a result of steps taken by was named after, in this war with the government today. General Tinoco, the president, discovered that German residents here had Germany, for the North Dakota district exemption board here has exempted him from military service on the ground that he has a dependent joined with some of the followers of former President Gorzales in conwife and as a result a great name is lost to the military annals of the state. spiring against the government.

Costa Rica Breaks All

Two Bishops Appointed By the Apostolic Legation

Roumanians Take Part Of Austrian Positions Petrograd, Sept. 18 .- Rumanian

Washington, Sept. 18 .- Appoint-ment of two bishops of the Roman Catholic church were announced today at the apostolic legation here. They are: Bishop of Denver, Mt. Rev. rancisco.

of St. James. This honor was conferred upon Ambassedor Page in recognition of his representative position as a diplomat, his public services in pro-moting friendship and good feeling between the people of Great Britain and the United States and also "in anothe United States and also "in and the United States and and the appreciation of th heroic conduct of his country in joining Great Britain and her allies in the great war."

Edinburgh Honors

GERMANY DENIES OFFERING PEACE TERMS TO U. S.

Foreign Office Refutes Statements Appearing in Papers that Kaiser Had Outlined Terms.

the expelled German minister the Berlin, Monday, Sept. 17 .- (Via London, Sept. 18.)-The German forusual courtesies.

eign office in a statement given to the Associated Press today denies stories Police in Autos appearing in Danish and other foreign newspapers to the effect that the German government has indirectly communicated its peace terms to Washington or had sought sounding

San Francisco, Sept. 18 .- Ninety ausentiment in the United States. comobiles, each manned by two po-The German foreign office further licemen, patrolled lines of the United informed the Associated Press that Railroads in certain districts today in the rumors were promptly discreda determined effort to prevent a reited on the strength of the peace currence of widespread rioting which terms ascribed to Germany and furbegan yesterday when striking iron ther by the fact that there was no ocworkers and sympathizers, according casion for Germany to address the to police reports, joined car strikers Washington government in this rein outbreaks of violence. spect.

The assertion made by Mathias Erzberger, the clerical leader in the Los Angeles Doctor Arrested Reichstag, that Germany's mete in re-

Charged With Being a Spy ply to Pope Benedict's peace proposals already was on its way to Rome Los Angeles, Cal., Sept. 18 .- Dr. guarantee against losses in the live also was denied in official quarters. stock industry was discussed with the The center leader informed his elec-Max Kampman, a young physician. was arrested at his home here tofood administration today by repre-sentatives of western stock raisers as meetings which he addressed in Wurtday, charged with violation of the meetings which he addressed in Wurtespionage law. temburg on Sunday. Dr. Kampman, according to fed-

eral authorities, previously had been ordered interned, but had eluded the officers. It was said he came to the Oppose Soldiers' Bill United States shortly before the be-

City several months ago. finance sub-committee on the soldiers' and sailors' insurance bill which passed the house unanimously last

Owen Frank Will Be

George Eide, professor of the Home Sub Coach at Nebraska Life Insurance company of New York, Lincoln, Neb., Sept. 18 .- Owen Frank, Nebraska's star halfback in 1909-10-11, has been appointed as-sistant to Coach E. J. Stewart, of the

to work with the team today.

day. It is expected this number will

Father and Son to

Serve U. S. in France Milwaukee, Sept. 18 .- Benjamin F. **Passed** by Lower House Steinel, for eighteen years a sporting writer on Milwaukee dailies, is on his Washington, Sept. 18 .- The \$7,-000,000,000 war deficiency bill, carway to France to drive an ambulance rying huge appropriations for the in the American service. His 17-year-old son, Jack, already is in army, fortifications and shipping board, passed the house today by France, having enlisted in the marines. Both father and son were outside the age limits of the draft law.

years ago. Judge W. E. Mitchell, Dr. S. K. Strate of Sutton, Neb., Monday whether, he believed Kelly during Argentine Foreign Office Asks time of his residence at Sutton, mani-Madrid to Obtain Protec-

KELLY VICTIM

OF PARANOIA

Show Defendant Suffers From

Mental Disease; Testimony

Bears Out Statement.

BY EDWARD BLOCK.

(Staff Correspondent for The Bee.)

fested symptoms of the disease. Victims Think They Are Persecuted. being persecuted. The disease is characterized by a gradual impairment

Buenos Aires, Sept. 18 .- In private of the intellect and usually by mandasources it was learned by the Assotory delusions producing homicidal tendencies. They generally show eviciated Press today that the Argentine government has asked Spain to dences of bodily and nervous degentake the responsibility of obtaining cration. from the American and British gov-

In another form known as subernments a safe conduct for Count acute hallucinatory paranoia the illuvon Luxburg, the German minister sions are transitory and the victim here, who recently was given his apparently sane except under their passports, arguing that the count is spell. In this form homicidal tendto leave Argentine for Spain on a ency is especially marked, Much of the testimony indicated

Spanish vessel. Accordingly, it was said, the Spanish ambassador has asked the Madrid government to inithat Kelly told people he met that he was being followed by detectives; that tiate negotiations to this end. he was suspected because he was in Villisca on the night of the murder,

The course taken by the Argentine or that because he sent a stained shirt foreign office is not in accordance to a laundry in Council Bluffs, he was with diplomatic usage, but this govunder espionage. Somebody has advanced the theory ernment, it is understood, wishes to escape the necessity of extending to

that Kelly may have been afflicted with transitory dementia during the last five years; that he may have been

living under a dual personality. It has been observed by the transitory-dementia theorists that in most of his conversations, which have been many, relative to the ax murder, he invariably spoke in the third person.

Prevent Riots He told one witness that "the murderer" did not intend to steal anything, but was going to take a watch which appealed to his fancy, and dropped the timepiece when some passersby alarmed him.

He told another witness that "the murderer" had difficulty killing one of the Stillinger girls.

To another person he said "the murderer" entered the front door of the Moore home. Many other details

he attributed to "the murderer." According to experts, these transi-

tory-dementia persons ask whether it could have been possible for one of Kelly's personalities to have prompted the confession and the other personality to have repudiated it.

Druggists in Convention

Cleveland, O., Sept. 18 .- Nearly 3,000 delegates, representing drug-gists, are here for the nineteenth con-

vention of the National Association of Retail Druggists, which opened that the guarantee plan would prevent Washington, Sept. 18.-Brief hear-the slaughter of thousands of lambs ings were held today by a senate came to Los Angeles from Salt Lake vesterday. The convention is expected to ask a place for a pharmacist on the Council of National Defense and to demand commissions in

the army and navy for pharmacists.

Infantile Paralysiis Closes Schools in Northern Iowa

Des Moines, Ia., eSpt. 18 .- A number of rural schools have been closed

University of Nebraska, and started in the northern, part of Crawford county, in an effort to prevent an Ninetcen men answered the call to epidemic of infantile paralysis. Fortypractice for the 'varsity team yester- three cases have been reported to the large number of the men were banber, as against a total of twenty for



Ottawa, Sept. 18 .- The following American names appear in today's Canadian casualty list: Killed in action A. J. SCHOEMPERLEN, Omaha, Neb

Misssing: S. Whin, San Francisco.

Outline the Defense.

Kelly's defense will involve his mental condition after the Villisca crime, to show that he has been a victim of paranoia, obsessed with the belief he was guilty of the crime of another.

"We expect to make that issue as one of our defenses," said Attorney Mitchell, during examination of Rev.

W. J. Ewing. Rev. Mr. Ewing, now of Deer Rock, Ia., was pastor of the Presbyterian church at Villisca at the time of the ax crime and it was at his home Kelly remained during the night of the murder. This witness was the second called

by the defense this afternoon. Rev. Mr. Ewing was being questioned by attorney Mitchell regarding a visit made by him and Kelly to the moore home two weeks atter the murder.

"Was there any talk between you and Kelly about detectives?" asked Mitchell.

The prosecution entered an objecion on the grounds that it was immaterial and hearsay.

What is your purpose in offering this testimony?" inteposed the court. "To show his mental condition at that time," replied Mitchell.

"I don't undertand why you have raised that issue," rejoined the judge, Then Attorney Mitchell announced taht the defense intended to make it an issue. .

On Monady Attorney Mitchell asked Dr. Strate of Sutton, Neb., whether he believed Kelly was a victim of paranoia.

"Third Degree" Evidence.

In his opening statement Attorney Mitchell charged that during the al-leged "inquisition," or "third degree" of Kelly while at Logan a few weeks ago, Charles Bachelar of Council Bluffs and R. C. Lahman of Missouri Valley were garbed as desperate high-At Cleveland, Ohio At Cleveland, Ohio waymen, handcuffed and placed in the cell with Kelly for mental effect. He referred to these cell mates as "decoy ducks."

At the opening of its case this afternoon R. C. Lahman, editor f the Missouri Valley Times, was called by the defense and examined at length by Mitchell.

When and where did you see Kelly?"

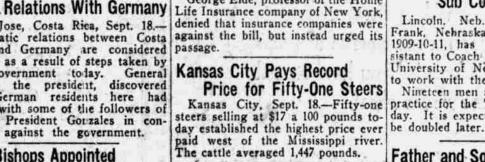
"August 30 at Logan jail. Deputy (Continued on Page Two, Column One)

Norfolk and Madison

Honor Draft Army

Norfolk, Neb., Sept. 18. -(Special.) -Thirty-two Madison county national army men leave Madison for Fort Riley on Wednesday morning. A board of health thus far in Septem- quetted in Norfolk Tuesday and Madison and Norfolk united in giving them a big farewell reception at Madison Wednesday morning.

Man With Canadian Forces Killed in Action , Sept. 18.—The following Big plans are under way in Norfolk to honor approximately 500 national draft army men, who will pass through here on special Northwestern trains at noon Sunday, enroute to the training camp. These men are coming from all points west and north on the Northwestern lines. Residents all along the line are pre-paring to welcome the men when their train passes through the various towns encourte to Omaha. towns enroute to Omaha,



\$7,000,000,000 War Bill

unanimous vote.

Denies Insurance Men

week.

