

KELLY'S LAWYERS MEET REBUFF

Judge Boies Refuses to Admit Line of Testimony Involving Others Than Kelly Without Complete Foundation.

(Continued from Page One.)

to Mitchell, who examined her. She related that her husband and herself arrived in Macedonia on Saturday morning, June 3, 1912, and lived near the depot for a week and then occupied rooms at the home of Mr. Miller, for whom she was housekeeper, while her husband was Presbyterian preacher in that town.

"Do you remember your husband leaving Macedonia on the evening of Saturday, June 8, 1912?" asked Mitchell.

"I do," she replied.

Describes Kelly's Appearance. Replying to further examination, Mrs. Kelly said her husband wore a Prince Albert coat, gray trousers and carried a satchel which contained a Bible, a theological book, a comb and hair brush.

"Were there any shirts in that satchel?"

"There was none."

"Was there a night shirt?"

"There was not."

"Where did your husband say he was going?"

"To Pilot Grove."

"When did your husband return home?"

"At 7:30 on the next Monday morning."

"Did you examine his grip when he returned?"

"I did and he had the same articles he took when he went away, and wore the same clothes."

Saw No Blood Spots. "Did you notice any blood spots or stains on his clothes?"

"There was none."

"When did you first hear of the tragedy?"

"At 4 o'clock that afternoon. I believe my husband was home all day until he went to get the mail at 4 p. m. He showed me a letter received from Rev. Mr. Ewing. He mentioned that the letter referred to ax murders. Up to that time I had not heard of the tragedy."

The defense offered Mrs. Kelly's testimony of the Ewing letter to prove that that was Kelly's first information of the crime and that persons who said he spoke of crime in Macedonia before the crime was discovered, were mistaken as to their time. W. P. Dinwiddie, former postmaster at Macedonia, already has testified that he delivered the letter in question to Kelly who opened the missive and referred to the ax murder.

Mrs. Kelly testified to a trip of herself, husband, Attorney Sutton, McKenzie and Wilkerson from Illinois to Red Oak last May, when the minister surrendered here to Sheriff Dunn. She said Kelly had been preaching at Alta Pass, Ill. When Wilkerson went for them; that they met Sutton and McKenzie in a hotel in Chicago and then proceeded to Red Oak, where they remained at the Johnson hotel from breakfast time to after dinner before the sheriff took Kelly into custody.

"We came voluntarily from Illinois to Red Oak," she added.

Kelly listened intently to every word his wife uttered. His wife stated she had never been in Villisca. Dr. David I. Rundlette of Sioux Falls, was introduced in the opening examination of Mitchell. As an expert on brain maladies and as having delivered clinical lectures at Boston Hospital for the Insane.

This alienist diagnosed Kelly's case as "paranoid type of dementia praecox, or adolescent insanity. He qualified his statement by explaining that victims of this form of brain disease begin to be affected between the ages of 15 and 18 and the disease gradually progresses through stages known as types.

Administers Powerful Drug. Testifying as to his knowledge of Kelly's case, the doctor said:

"I met Kelly eleven times in the Sioux Falls jail between February 11 and April 30, 1914. He was laboring under intense mental excitement, so much so that on one occasion I administered a powerful drug known as diocin to quiet him. I tested him for sense of pain and discovered that on some days I could insert a pin half way into areas of his back without causing pain. At times he would be hilarious and happy; again he would be morose. There were days when he would apparently be normal. I soon observed symptoms of paranoia, which is slow destruction of thinking powers."

He referred to Kelly's claiming that his food had been poisoned and that somebody was sending poison gas down pipes into his cell, which the doctor explained were delusions such as characterize the paranoic.

Thinks He Is Christ. "He went on a hunger strike and told me he was Christ; that he was going to write a book that would save the world," the witness added.

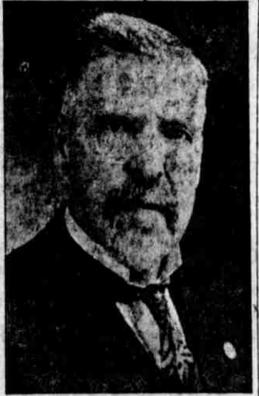
The doctor related that Deputy United States Marshal told of the circumstances of Kelly's indictment for

Guess Who, If You Can! These Portraits Reproduce Photos of Well-Known Real Estate Men as They Looked Years Ago



Group will be printed again in The Sunday Bee with names and present-day pictures.

EX-SENATOR F. F. JONES OF VILLISCA, IOWA POLITICIAN.



Father of Albert Jones, whose name has been brought into the ax murder case by testimony.

sending obscene letters to girls. Witness continued:

"Sex perversity is a symptom of paranoid form of dementia praecox. I was told he wrote letters to girls to pose in the nude and when I asked him how he expected his book could save the world, he replied that he could do no harm; that he was Christ himself. He wanted one girl to take shorthand dictation and do typewriting work while in the nude, marshal told me."

Mitchell: "What do you think the effect would be on the mind of a man in his condition if he were told many times that he had stolen a horse or killed a man?"

Witness: "It would sink in."

Mitchell: "What would you say to whether a man who had such troubles as Kelly had, would develop homicidal tendencies toward persons he never knew, nor had any grievances against?"

"Not probable."

Referring to Kelly's preaching at Winner, S. D., at the time he wrote letters to girls, Faville asked the doctor:

"Could Kelly have preached sermons and have carried on this sort of thing?"

"That is characteristic of a sex pervert," the doctor replied.

Mrs. Margaret Landers, Villisca, mother of E. D. Landers, who testified Thursday is 72 years of age. On the witness stand she testified that on Sunday afternoon before the crime

she observed two men going into the Moore yard. One man picked up an ax and drew his hand across the blade. She was positive the men were strangers in Villisca. She gave same testimony in the Jones-Wilkerson slander suit.

Hears Frightful Scream. During the night she heard Mrs. Moore scream: "Oh, God! Oh, God! Oh, Dear! Oh, Dear! Oh, Dear!" She described the men as poorly clad, one shorter than the other and she was positive she had never seen them before.

The prosecution did not cross question her more than a few minutes.

Testimony of Mrs. Cora McCoy, another slander suit witness, was stricken but on motion of prosecution. She referred to two strange men seen in her neighborhood.

Dr. A. W. Fitzsimmons of Omaha, testified that Kelly is a paranoic. He declared the malady is permanent.

The doctor was the first alienist to pronounce Kelly a paranoic. Four other witnesses have declared the minister to be of "unsound mind" and the fifth said he was "nutty." This makes six witnesses on Kelly's mental condition.

The defense declares that evidence showing Kelly at different times claimed to be the grandson of God, President Wilson, a great preacher, a great detective, a great stenographer, shows characteristic self exaltation which is recognized by experts as a symptom of paranoia.

Faville tried to show through Fitzsimmons that Kelly is a victim of dementia praecox, which is abnormal precocity.

Women Witnesses Testify. In the cross-examination of Dr. Fitzsimmons Faville emphasized point that Giteau and Penelagat were believed to have been paranoics and that they were murderers. Faville also brought out the point that a paranoic has the power of memory.

Mitchell brought the point before the jury by asking the doctor if a paranoic when under a delusion cannot differentiate between things he may have done himself and things people say or suggest he may have done.

Other witnesses this morning were J. L. Smith, Dr. J. C. Cooper, Mrs. Ross Moore and Mrs. E. A. Meyers of Villisca, who offered nothing material or important.

BELL-ANS Absolutely Removes Indigestion. One package proves it. 25c at all druggists.

BRITISH DRIVE TEUTONS BACK ON WIDE FRONT

(Continued from Page One.)

went over the top stripped light and as a result of this, coupled with the fine artillery support, they were enabled to negotiate the first stages of the difficult ground rapidly. They had swept through Glencorse wood, Inverness copse and the eastern part of Shrewsbury forest by 8 o'clock, two hours and twenty minutes after the attack began, and other advanced positions were reached with equal rapidity, which is a remarkable achievement in view of the marshy nature of the ground due to heavy rain.

On the left of the line attacked heavy fighting developed on the high ground on either side of the Zonnbeke-Langemarek road. A number of strongly fortified farms were encountered in this region and bombed into submission. Among these was Schuyler farm, a short distance southeast of St. Julien. Schuyler farm held out long against attack and continued to play on the British with machine guns until it was taken. Strong resistance was encountered at a redoubt on the Ypres-Roulers railway west of Zonnbeke. This redoubt is a massive concrete steel structure and it withstood all the shell fire poured against it. The British advanced on two sides and stormed the place with bombs until its occupants raised the white flag. Similar tactics resulted in the fall of another great stronghold northeast of Westhoek.

FARMERS PRESENT DRAFT CASE TO THE PRESIDENT

(Continued from Page One.)

of the selective draft law was rigidly adhered to the problems would be solved.

World Stamp Out Hog Cholera. Representative Sloan today introduced a bill asking for the appropriation of \$1,000,000 to be expended by the Bureau of Animal Industry in cooperation with the authorities of the several states following, the best methods of control and eradication of hog cholera. This bill is an outgrowth of an extended inquiry on the part of Mr. Sloan, who has reached the conclusion that the time has come to make a consistent national, as well as state campaign to reduce to the minimum this disease among hogs.

When Congressman Sloan first

came to congress, nearly seven years ago, he took up the subject of hog cholera, its ravages and th economical loss resulting therefrom in the different states. He appeared before the agricultural committee with the information he had collected to receive a distinctive rebuke at the hands of the chairman. Later in another congress and with another chairman he renewed his efforts for an appropriation to stamp out the disease, or at least control its ravages. A recent bulletin of the Agricultural department shows a reduction of more than 50 per cent in hog cholera throughout the six great hog-raising states where co-operation with the government has been most active, namely, Nebraska, Illinois, Iowa, Missouri, Indiana and Ohio of 65 per cent.

Will Push His Bill. Having systematically gone to work to ascertain just what the states have done to check this disease in food animals, Mr. Sloan said today, he was in a position to push his bill with all the strength at his command.

"If the herd owner can be reasonably assured that the herds of the community and the next state are being systematically purified against this disease, there will be a large incentive for him to clean up and keep clean his own herd," said Mr. Sloan.

This bill has been taken up with Mr. Pinchot, head of the Live Stock Conservation organization, under Mr. Hoover, who has given it his approval and co-operation.

Failure of R. L. Metcalfe to reach Washington today, has postponed the meeting of the Omaha delegation now in the city with General Gorgas, chief of the medical department of the army, in behalf of the location of a re-making camp for invalided soldiers at Omaha. It is understood an interview with General Gorgas will be asked for tomorrow.

Our Fireproof Warehouse Was Built to meet all the requirements. It gives you absolute protection for your household goods at a reasonable cost.

Separate Locked Rooms Piano Rooms, Silver Vaults, etc.

OMAHA VAN & STORAGE CO.

Phone Doug. 4163. 806 So. 16th St.

Will German Intrigue Unite North and South America in War For Democracy?

The proper way to murder, according to a German nobleman in the diplomatic service, is to do it "without leaving a trace." This noble character represented William II (more or less accurately) at the capital of Argentina, and his message to Berlin telling them how to do their own specialty, as some think it, was part of a dispatch coolly advising Germany to submarine steamers of the neutral nations that harbored him as a guest. "The present disclosure," remarks the Harrisburg Patriot, "ought to be the means of lining up the Argentine with the other South American Republics against the Germans as further evidence that the Western Hemisphere is united against the things for which Germany stands."

In THE LITERARY DIGEST for September 22d, there is a very illuminating article which covers from every angle the recent diplomatic clash involving Germany and Sweden against Argentina. There are a number of other striking articles covering the news of the world in this number of the "Digest." Some of these are:

Kerensky Emerges from Russian Revolution Stronger than Ever Korniloff, by His Blood and Iron Methods, Might Have Been Able to Give Russia Law and Order, and Success at the Front. Kerensky Will Do Both and Also Preserve the Gains of the Revolution.

Newspapers in the Enemy Tongue Distilleries Interned for the War A Greater Serbia to Come Selling Titles in England Counterfeit Daylight The Firefly's Lighting Plant Shakespeare's Macbeth a Parallel to the Present War Japan's "Sincerest Flattery" Our Tyranny Over the Negro Raiding the "Rough Necks of the World"

Germany's New Peace Minister German Trade a Peace Condition When Our Soldiers Speak French An Artist's Work in War Surgery Saving Our Supply of Tin When the Movies Injure Health The Future of Reims How the Red Cross Money Goes When Tommy Atkins Prays Personal Glimpses Investment and Finance

An Unusually Attractive Collection of Illustrations Form Your Judgment on All the Evidence

Don't be satisfied with hearing only one side, and that in all probability garbled, of the news of the day. Hear all the evidence, exactly as presented by the different parties and schools of thought, with coloring or distortion, and then weigh the facts, as given, and make your decision. This is the only way in which you can arrive at a fair knowledge of what is going on in the world in all lines of endeavor. By reading THE LITERARY DIGEST each week, which you can do easily in a couple of hours, you can arrive at this result and will know all the facts before you form your conclusions. Think of what this will mean to you in breadth of vision and clearness of view.

September 22d Number on Sale To-day—All News-dealers—10 Cents

Advertisement for The Literary Digest, featuring a circular logo with 'This is a Mark of Distinction to Be a Reader of The Literary Digest' and the publisher's name: FUNK & WAGNALLS COMPANY (Publishers of the Famous NEW Standard Dictionary), NEW YORK.

Advertisement for Resinol, a skin treatment. It includes an illustration of a woman's face and text: 'Skin troubles are unsightly! Resinol heals eruptions. Only those who have undergone them can realize the mental and physical discomforts which many skin affections cause. The distressing appearance and the intolerable itching and burning too often make life really miserable. Yet Resinol Ointment, aided by Resinol Soap, generally overcomes these troubles promptly, even if they are severe and long-established. The Resinol treatment stops itching instantly. Resinol Ointment and Resinol Soap are sold by all druggists. Why don't you try them?' The Central Furniture Store logo is also present.

Advertisement for Skiblue Enamelware and Aluminum kitchenware. It features an illustration of various kitchen items like a coffee pot, kettle, and pans. Text includes: 'The Newest Thing in Kitchenware', 'Brick Red or Terra Cotta colored Granite. Smooth, sanitary and attractive. A useful piece to hang on every nail. Just the pieces you need at your fingers' tips.', 'Read These Every-Day Low Prices and Get Yours While the Assortment is Unbroken.', and a list of items with prices: Coffee Pot, 1 quart...29c; Coffee Pot, 2-quart...36c; Berlin Kettle, 8-quart...45c; Handled 6-qt. Collander 24c; Lipped Sauce Pan, 6-qt. 26c; Tea Pot, 1-quart...29c; 10-quart Dish Pan...69c; Pudding Pans, Bakers, Ladles, Dippers, from...10c to 33c; Large 10-quart Preserving Berlin Blue Enamelled Kettle...95c. It also mentions 'The values offered in these varied assortments of kitchen utensils afford every housewife the one real chance of the season to lay in a supply NOW of every needed article among the list.'