

SUTTON CHARGES FRAMEUP ON KELLY

Attorney for Accused Minister
Says Attorney General and
Jones Had Meetings to
Plan Campaign.

(Continued from Page One.)

I will be able to stand it. I will collapse. I will go insane."

Defense Committee Acts.

This afternoon the Kelly defense committee, otherwise known as the "Iowa Protective association," met in the office of Detective Wilkerson and arranged for a mass meeting here Saturday at 4 p. m. in the Heardsley theater. Wilkerson will speak and money will be solicited.

"You just bet we will stand by Kelly with our money. We will double what we have paid if necessary," said C. E. Peterson, treasurer.

Officers of this committee are: Joseph Stillinger, father of the two ax murder victims; Harvey Willett, C. E. Peterson and C. I. Miller.

Brown Held Jury.

Wilkerson said: "I foresaw the result when Brown took his seat in the jury box. I can't conceive how any man could have conscientiously voted for conviction. It is obviously the intention of the state now to undertake to discourage Kelly into an attitude where they can force a plea of guilty out of him by telling him resources for his defense have been exhausted and holding him continuously as prisoner, and by threat of even more prosecutions of murder. Methods of the state have been characterized by unfairness."

T. J. Hysham, local attorney for Kelly, has gone by automobile to Council Bluffs to confer with W. E. Mitchell, senior counsel for Kelly, on the matter of asking Judge Woodruff to countermand his order of last May, committing Kelly to the Logan jail at the instance of Havner. Hysham believes Judge Woodruff will grant the request.

Juror W. C. Brown, who held out from the first, is 55 years of age, a retired farmer and director of Farmers' National bank of Red Oak. He was the last man selected on the jury and was passed to jury box over challenge of defense.

As early as Thursday noon it was rumored that the jury stood eleven to one and that Brown was the lone minority member. Wednesday afternoon the bailiff brought word to the judge that the jury had stopped deliberating and would not even talk of the case among themselves and that Foreman Bruce wanted court to order discharge of the jury.

Juror Brown, when discharged by court, said: "You know the position I am in. I will be subject to enough

criticism and censure anyway. I don't want to make any further statement." Brown stood all the way through on this instruction of the court, which reads: "If you find defendant killed said Lena Stillinger, as charged, but find him not guilty by reason of the fact that he was insane at the time he committed the act, and in case you so find, your verdict shall be: 'We the jury find the defendant, Lyn G. J. Kelly, not guilty by reason of the fact that he was insane at the time act was committed.'"

"Brown's vote in effect, that he believed Kelly guilty, but insane when act was committed, which, according to instructions of court, and laws of Iowa, would mean commitment to an insane hospital at Discretion of court. Eleven stood for acquittal from first to last vote without a break. Twenty ballots were taken.

Break Formalities.

Discharge of the jury was marked by brief formalities, the judge uttering usual words of formal leave taking.

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To Be Held in Jail.

Kelly will be held in the Logan, Ia., jail until further order of court. The only statement Attorney General Havner would make when he left Red Oak shortly before the jury was discharged was: "The indictment against Kelly will not be dismissed."

Takes Change of Venue.

Judge Boies today granted Attorney General H. M. Havner a change of venue from Montgomery county to Harrison county for the trial of case to be heard against Havner on a grand jury indictment returned here September 4, the first day of Kelly's trial.

The petition filed this morning in behalf of Havner was signed by J. M. Parsons, Robert Healy and Lewis Miles, as attorneys.

Guilty Man to Justice.

The attorney general's petition relates that since the Kelly indictment was returned last May thirty-four meetings have been held in Montgomery and other Iowa counties, and also at Omaha, at which public sentiment was aroused to such an extent that he could not have a fair and impartial trial in this county.

Considerable sentiment against Havner has been engendered in this section by Detective J. N. Wilkerson, who was moving spirit in these meetings, including one at Omaha. Havner knows the local situation and has described the handwriting on the wall.

The faction fighting him claims he has been shielding another and mak-

ing Kelly the scapegoat in the ax murder case.

Members of the Kelly defense committee reiterate they are not satisfied that they intend to push their investigations and will yet "bring the guilty man, or men, to justice."

Havner contends he has done his duty as a public official. Havner's effort to get Kelly to Des Moines last May, and finally getting him to Logan on a court order, is one of the features to conjure with in analyzing the local situation, defense committee leaders say.

Woman Causes Indictment.

Havner was indicted last May on the affidavit of Alice Willard, who charged she was willfully oppressed as a witness by Havner at the time of the Kelly grand jury investigation. She charged that Havner kept her in a room two hours under mental duress.

Mrs. Willard was to have been one of the defense's star witnesses in the Kelly trial if the court had permitted Kelly's attorneys to introduce the Jones-Mansfield phase of the case. In his opening statement Mitchell explained that the defense would endeavor to show that the prosecution was protecting somebody.

In Havner's petition filed with Judge Boies this morning Wilkerson's "100 questions" was offered as exhibit A. Wilkerson wrote these questions, directed against Havner, and sold them at his meetings for 10 cents each for the benefit of the Kelly fund. Wilkerson says he sold thousands of them. The gist of Havner's prayer for a change of venue follows:

Havner Alleges Prejudice.

"That there exists in Montgomery county such excitement and prejudice against him that he cannot receive a fair and impartial trial; that immediately after returning the indictment against Kelly public meetings were held in Montgomery county and throughout southeastern Iowa and Omaha, at which meetings the acts and conduct of the defendant in connection with the grand jury investigation were discussed, and unwarranted, unjust and false accusations and charges were made for the purpose of exciting the public mind and creating a false prejudice against the defendant in Montgomery county."

The petition further alleges that thirty-four meetings were held between the time of return of indictment in the murder case and the present time. At each meeting public addresses were made at which the defendant was referred to by name and held up to criticism, censure and denunciation; that meetings were held for the purpose of creating a feeling of prejudice against the defendant, and the result has been that such feeling and prejudice does now exist; that at the public meetings referred to the printed "100 questions" were distributed and the alleged acts and conduct of the defendant in connection with the investigation of the

Willisca ax murders was discussed and publicly criticized and censured, and a paper purporting to be the affidavit of Alice Willard, whom the defendant is charged in the indictment in this case with having oppressed was read.

United Brethren Conference Takes Place at York

York, Neb., Sept. 28.—(Special).—Superintendent S. M. Sinder of York gave his annual report before the

United Brethren conference Wednesday morning.

The conference consists of sixty-five pastoral charges. To cover the field the superintendent traveled through seventy counties in Nebraska, six in South Dakota, two in Colorado and one in Iowa.

Two new men were licensed to preach during the year. The church paid for benevolences more than \$10,000; to pastors for salary, \$50,000; five new churches were built during the year, on charges as follows: Geneva, Logan Center, Marquette, McCook and Shiloh.

Six new parsonages also were built during the year.

Despite the hail-swept districts where the church was represented, all reports were encouraging.

At a laymen's rally Wednesday a movement was begun to organize a Laymen's association for the conference to co-operate on the four year program adopted by the entire denomination.

A big missionary rally will take place Thursday evening, Mrs. E. F. Bowers of York presiding. Dr. N. O. Jones of York, Neb., was chosen conference superintendent.

Thursday morning to take the place of former Superintendent S. M. Sinder of York. Dr. Jones was recently offered the presidency of Leander Clark college at Toledo, Ia., but did not accept. He has been York college evangelist the last year.

T. R. Talks in Minnesota.

Minneapolis, Minn., Sept. 28.—Theodore Roosevelt came here today for the purpose of addressing two patriotic mass meetings tonight under the auspices of Labor's Loyal Legion. This afternoon he will review the troops at Fort Snelling.

THOMPSON, BELDEN & CO.

The Fashion Center for Women

Excellent Exhibits of New Fashions for Milady's Autumn Wardrobe

Fine Silks in Unsurpassed Showings of All That's New

Every piece made with a distinctive purpose in view—every shade and color, just right for a particular occasion.

For Suits, Coats, Dresses, Skirts, Blouses.

Satin de Chine, \$1.50 Both light and dark shades in great variety. 36 inches wide.

Satin Rays is \$2.50 In plain shades and changeable effects. The season's favored weave in twenty-five colors. 36 inches wide.

Belding's Silks Are Here Exclusively

Guaranteed to be satisfactory, and with this advantage, they are not higher in price.

Satin de Chine, \$2.25. Over a score of colors, nothing better for wear. At least see it.

Coatings of the Better Sort

Suitable weaves and colors—Values that can't be duplicated, \$3 to \$6 a yard.

Whatever You Desire in Ribbons

Whatever you may be planning, it will be worth while to see our latest selections. They afford a choice range of New Novelties, as well as an unlimited variety of broad, plain ribbons.

Cooler Days—Warmer Underwear for Women

Ribbed Wool Vests and Pants—Made by "Carter," noted for fine quality and beautiful styling, \$1.35; extra sizes, \$1.50.

Mercerized Union Suits—Fine ribbed garments, low neck, no sleeves, ankle length, \$2 a suit. Silk and Wool Union Suits—In a variety of styles that will prove satisfactory, \$2.75; extra sizes, \$3.25.

Housewear Section Has These Specials

Flannelette Petticoats, 59c. Japanese Kimonos, \$1.19. Dress Aprons, \$1.50.

Worth seeing, because they are so practical and very attractive.

\$5 For a Pair of Fashionable High Shoes for Fall Wear

You'll readily agree that five dollars for high shoes is a very low price—but until you see the styles offered and notice, first hand, the quality of the materials and workmanship, only then will you appreciate this bargain to the fullest extent.

Black Kid Shoes with White Kid tops. Patent Leather Shoes. Brown Kid Shoes with Cloth tops. Black Kid Shoes with Gray Cloth tops.

In addition, there are numerous other fashions that will meet with approval.

Saturday \$5 a Pair

New Fall Fashions

The Fur Shop

—Enlarged facilities to care for interested buyers.

—Larger and better stocks of quality furs.

—It is a fascinating section, indeed.

Furs from world famous houses are here together with specially executed fashions for Thompson-Belden & Co.

Saturday Hudson Seal is Featured

Muffs, throws, capes, coats and coats, rich, beautiful, lustrous; the finest to be had.

Muffs, \$18, \$22.50, \$27.50. Throws, \$40 up to \$145.

Capes and Coatees, priced from \$55 to \$325.

Coats, \$185 to \$500.

Second Floor

The Blouse Store Has To Offer

The season's favorite Georgettes in a variety of new blouse models that show distinctive designs and novel trimmings. Very fine Georgette Blouses, \$5.95, \$6.50, \$6.95, \$7.50.

Second Floor

Planning Ahead in Needleworking

Things one make are so much more prized, but waiting until the last minute is poor policy, as past seasons have shown. Begin now. Look over the new Scarfs and Pillows and Centerpieces that are different, also a host of Novelties await your viewing.

Lesson every day, 10 A. M. to 12; 3 to 5 P. M. Children's class Saturday mornings from 9 to 12.

Special Attention Given to Knitting.

Artneedlework, Third Floor

Tailored Suits, \$25, \$35, \$45 and \$50

You'll find these suits to be of unusual excellence of fabric and workmanship. Shown in all of the favored Autumn shades and particularly distinctive in designs and details of trimmings. There is no extra charge for alterations.

Fall and Winter Coats, \$25 to \$150

So unlimited in scope is this collection, embracing, as it does, a really wonderful variety of new modes, fabrics and colors. A very special value is a pom-pom coat lined throughout and priced, \$45.

Navy Serge Dresses, \$18.75, \$25 and \$35

The vogue of serge is upon us. No wardrobe can be considered complete without a serge dress. Styles are practical and sure to prove serviceable, besides being very distinctive and attractive. The most recent note is that of the Chinese design in embroidery.

Private Display Rooms at Your Disposal.

Attractive New Millinery \$5, \$7.50, \$8.50 and \$10

Featuring Saturday, Trimmed Millinery, in which one will find innumerable clever copies of much higher priced models. Quite unusual styles in all desirable colors. A combination that makes this showing one of particular attractiveness.



Millinery, Second Floor

Hose for Every Occasion All Qualities—All Prices

Black Cotton Hose with split soles, a medium weight, 50c a pair.

Balbriggan Hose, a very fine quality, with garter tops and double soles, 50c a pair.

Silk Lisle Hose in gray and navy blue, 65c a pair.

Silk Hose in white, colors and black, with lisle tops and soles, \$1.35 a pair.

Royal Society Package Goods

Nearly every one is familiar with Royal Society—but even so, it will be a distinct pleasure to see the new patterns for Fall. There is so much that is new. Lessons every day, 10 A. M. to 12; 3 to 5 P. M.

Artneedlework, Third Floor

Warmer Sleeping Garments for Children

These cool nights make warmer sleeping garments for the little folks a necessity. Mothers will find a great many desirable styles and qualities ready for selection.

Infants' Knit Gowns of medium or heavy weight cotton, 50c, 85c, \$1.00.

Infants' White Flannelette Gowns, the necks and sleeves tape trimmed, 65c.

Dr. Denton's Sleeping Garments for Children, sizes 1 to 10 years. Priced according to size, from 70c to \$1.20.

Children's Heavy Knitted Sleeping Garments of white cotton, sizes 2 to 8 years, \$1 to \$1.35. Children's Flannelette Gowns, Sleeping Garments and Pajamas, in white and colors, 1 to 16 year sizes. All prices.

Third Floor

The House of Menagh

1613 FARNAM STREET

"The Store For Gentlewomen"

Our Enormous Dress Sale is in Full Swing Saturday Will be the Last Day

350

Beautiful Silk and Serge Costumes

Dresses of unusual smartness and value are here in great variety for Saturday's selling.

Serge Dresses

Made up of best quality materials, in brown, navy and plum. Trimmings of buttons and silk braid—plaited back and loose belts. They are shown in all sizes. Values up to \$59.50—

\$19.50 to \$39.50

Silk and Satin Dresses

Very fashionable, in stunningly effective combinations. Satin with georgette, satin with velvet, silk with georgette, and crepe meteor. Most pleasing effects are produced by the beautiful trimmings of braids and embroidery. Colorings are navy, green, taupe, burgundy, brown and black. Values up to \$75,

\$19.50 to \$59.50

Afternoon and Evening Gowns

These beautiful dresses just arrived, comprise a collection of indescribably charming gowns. Hand embroidered models in soft, rich satins combined with georgette, velvet with satin, net and crepe meteor, in most bewitching shades. These dresses will not only assure you of being beautifully gowned, but correctly.

Values to \$60.00—

\$19.50 to \$49.50

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See 15th St. Window Display.

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Shows the Most Exclusive Merchandise in Omaha CLOTHING, FURNISHINGS AND HATS PAUL JONES' MIDDY BLOUSES MISSES' SWEATERS

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Next Week, the Ak-Sar-Ben Special, with Kathleen Clifford, Bert Baker and Co. and Billie Burke's "Motor Boating."

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Matinee, 25c to \$1.00; Tonight, 25c to \$1.50.

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In a New Romantic Comedy THE MAN FROM WICKLOW

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