

WEATHER FORECAST

Probably rain tonight in the east Sunday fair and cooler.

Salisbury Evening Post

MEMBER OF THE ASSOCIATED PRESS

ONE EDITION 2 CENTS

VOL. 13, NO. 216.

SALISBURY, NORTH CAROLINA, SATURDAY, SEPT. 15, 1917.

PRICE TWO CENTS

DEMAND ON MEANS CERTAIN DOCUMENTS

Solicitor Clement Secures Order From Judge Cline, Now Holding Court in Salisbury.

MEANS REFUSES TO GIVE UP PAPERS DEMANDED

Papers and Documents in Possession of N. Y. District Attorney to Be Sent to Salisbury

Hayden Clement, Esq., solicitor of this judicial district, who on Monday, September 24th is to re-open the King killing case at Concord, made affidavit in due form for possession of certain papers and documents believed to be in the possession of Gaston B. Means and Mrs. Melvin, sister of Mrs. Maude A. King, and who is now in Concord. This affidavit was presented to Judge E. B. Cline, who is now presiding over the Rowan Superior court in Salisbury. Judge Cline then issued an order on the Sheriff Caldwell, of Cabarrus county, instructing that official to demand of Gaston Means and Mrs. Melvin the papers and documents enumerated in the affidavit of Solicitor Clement.

These papers were served on the above parties by officers acting for the sheriff of Cabarrus Friday afternoon and word to Solicitor Clement last night was to the effect that Gaston B. Means had refused to surrender the papers demanded. Solicitor Clement was unable to say last night what the next step would be. Judge Cline had retired for the night and no further action was outlined at that time.

The affidavit of Solicitor Clement, sworn to before a notary public, and presented to Judge Cline, and the latter's order on Sheriff Caldwell, of Cabarrus county, follow:

North Carolina, Rowan county. In the matter of the Death of Mrs. Maude A. King.

To Honorable E. B. Cline, Judge presiding and holding the Court of the Fifteenth Judicial District:

Hayden Clement, being duly sworn, says: That he is the Solicitor of the Fifteenth Judicial District, and that he is now investigating the facts and circumstances relative to the death of Mrs. Maude A. King in Concord, N. C., on August 29th, 1917; that he has reason to believe, does believe, that Gaston B. Means and Mrs. Melvin are now in Concord and that they have in their possession certain papers, cancelled checks, letters, telegrams, bank books and other documentary evidence, including a purported Will of the husband of Mrs. Maude King, and that said papers will have an important bearing upon said investigation now pending; and that in his opinion there is grave danger that said papers, cancelled checks, letters, telegrams, bank books and other documentary evidence now in the possession of Gaston B. Means and Mrs. Maize Melvin will either be destroyed or removed from the jurisdiction of this Court.

This affiant is also advised by Hon. Edward Swann, district attorney of New York, that he has in his possession certain documentary evidence which will be of great assistance in the investigation of this matter; that in the opinion of this affiant it is absolutely necessary that all of the afore mentioned documents be impounded and preserved in a safe place awaiting further developments.

Wherefore, affiant prays: That this Court serve an order on Gaston B. Means and Mrs. Maize Melvin to immediately turn over and deliver to the Sheriff of Cabarrus county all papers, cancelled checks, letters, telegrams and other documentary evidence bearing upon or in anywise connected with their transactions with Mrs. Maude A. King, together with the purported Will of the late husband of Mrs. Maude A. King, and that the same, together with the documentary evidence now in the possession of Hon. Edward Swann be impounded to await further development.

Dated this, the 13th day of September, 1917. HAYDEN CLEMENT.

North Carolina; Rowan county. In the matter of the Death of Mrs. Maude A. King.

To the Sheriff of Cabarrus county, Greeting:

It appearing from the affidavit of Hayden Clement, hereto attached that Gaston B. Means and Mrs. Maize Melvin are now in Concord, Cabarrus county, and that they have in their possession certain papers, cancelled checks, letters, telegrams, bank books and other documentary evidence some of the same belonging to Mrs. Maude A. King, deceased, and the others bearing upon and connected with their transactions with Mrs.

REBELLIOUS LEADERS IN RUSSIA ARRESTED

Generals Korniloff, Lokomsky Romanovsky Now in Charge of Provisional Government.

ULTIMATE FATE OF THREE MEN CAUSING DISCUSSION

Rebellion Is Now Definitely at an End—Actual Military Revolutionary Committee Committed Suicide.

(By Associated Press.) Petrograd, Sept. 15.—General Korniloff, leader of the recent rebellion against the provisional government, and General Lokomsky, the commander of the Northern front, who refused to take command of the Russian armies after General Korniloff was deposed, have been arrested.

News of the arrest of General Korniloff was first conveyed in a telegram received by Kerensky from Alexeff, the chief of staff. So far only the following details have been received:

"At 10 o'clock last night Korniloff and Lokomsky and Romanovsky were arrested."

General Korniloff's rebellion has come definitely to an end with his arrest and that of General Lokomsky, commander of the Russian northern front who joined the commander-in-chief in the revolt. The actual military leader in the rebellious movement, Kaymoff, is dead from self-inflicted wounds.

The ultimate fate of the arrested leaders is causing wide discussion in Russia.

The Russian army on the Riga front continues to display a fighting spirit and has scored new advances. Three additional towns have been occupied by the Russians, one of these occupations following the defeat of Germans on the road to Pskoff.

The heavy attacks by the Germans north of Couriers wood on the Verdun front yesterday netted little advantage. Paris reports they were ejected last night from the greater part of the trenches occupied.

Two surprise attacks were launched by the troops of the Crown Prince in the Champagne but were repulsed.

On the Flander front the British last night advanced their lines slightly by attacks east of Westhoek. They held the ground gained during the day near St. Jullien in the fact of a German counter blow.

Maude A. King, deceased, and that they also have in their possession a purported Will of the late husband of Mrs. Maude A. King, and that said papers, etc., have an important bearing upon an investigation now pending relative to the death of Mrs. Maude A. King, and that there is grave danger that the said papers, cancelled checks, letters, etc., will be lost or destroyed;

Now, therefore, you are hereby commanded to forthwith make demand upon and receive from Gaston B. Means and Mrs. Maize Melvin all papers, cancelled checks, letters, telegrams, bank books and other documentary evidence belonging to Mrs. Maude A. King, or in any manner related or connected with their alleged transactions with Mrs. Maude A. King, together with the purported Will of the late husband of Mrs. Maude A. King, and that you forthwith deliver the same to J. F. McCubbins, clerk of the Superior court of Rowan county.

It is further ordered, that the said J. F. McCubbins immediately impound and safely keep in his safe or vaults all of the said documents herein referred to.

It is further ordered, that all the documentary evidence now in the possession of Hon. Edward Swann be sent to the said J. F. McCubbins and by him also impounded and safely kept in his safe or vaults awaiting further developments in the matter of the death of Mrs. Maude A. King.

It is further ordered, that the Clerk of the Superior Court immediately mail a certified copy of this order to Hon. Edward Swann, District Attorney of New York.

Dated this, the 13th day of September, 1917. E. B. CLINE, Judge presiding.

Solicitor Has Nothing New. Solicitor Clement was seen this morning and stated that there was nothing new in the case and nothing further could be given out for publication at that time. Again at noon Mr. Clement was seen and asked if any new developments had transpired and stated that so far as he knew there was nothing. When asked as to what the next move would be, especially in the matter of Gaston B.

(Continued on Page 3.)

BAXTER CAIN TO DIE NOVEMBER 9

Slayer of Abell Harris Sentenced to Die in the Electric Chair at Raleigh on Friday.

JUDGE CLINE SPEAKS OF STRONG CHAIN OF EVIDENCE

Condemned Man Will Be Taken to the Penitentiary to Await the Day of Execution.

The last duty performed by Judge E. B. Cline in disposing of the criminal docket of Rowan Superior court, September term today was the passing of the death sentence on Baxter Cain, colored, convicted of first degree murder for the killing of Abell Harris, also colored, at the car barns of the street railway company in this city on the night of August 24th.

The prisoner was brought into court and Solicitor Clement prayed the judgment of the court. Attorney Price then made a few remarks and stated that the agent for the artificial limb company of which Cain had purchased a leg and for which he paid \$50 the morning after the killing, had arrived in Salisbury after all of the evidence was in and had stated that Cain was not being pressed for the balance due on the leg. He found no fault with the jury and spoke of the great duty the court was called upon to perform.

Judge Cline before passing sentence, made a few remarks in which he touched on some phases of the case. He was deeply moved by the solemn duty which he was about to perform, pronouncing the death sentence on a human being, but it was a duty from which no one should shirk. He said it was not the first time he had been called upon to perform a like duty and that when such confronted him he felt that "this cup might pass from me." Judge Cline was very much affected and said after the performance of such a sad and solemn duty one always felt as though something had gone out of his life.

In touching on the case Judge Cline indicated the belief of the court that the jury could not have done otherwise than returned the verdict it did. He said the state had wound about the prisoner a chain of circumstantial evidence that was almost unswerving, and that it left no room to connect any other person with the crime. He said the torn one dollar bill paid by the prisoner to Mr. Denny at the hotel the next morning and of a like bill having been taken in by a car conductor and deposited in the safe was in his opinion the strongest link in the unbroken chain of evidence. This coupled with the fact that \$27.20 in small change was found in the prisoner's barn and this money together with the amount paid for the leg being identically the amount shown to have been deposited in the robbed safe, on the night of the murder made a chain of evidence conclusive to him. The other evidence was touched upon.

Judge Cline in his remarks preceding the pronouncing of the death sentence said the murder of Abell Harris was one of the foulest ever coming under his recollection.

Judge Cline referred to the unusual and unforeseen incident occurring after a jury had been selected and the prisoner arraigned, in which one juror stated that he had conscientious scruples against imposing the death penalty on circumstantial evidence, and of making a mistrial of the case, drawing another jury and proceeding. He said he hoped the prisoner would not place too much reliance on securing another hearing on this point. His Honor said he could only point him to One who was able to give help and urged the condemned man to place his hope in Him. The judgment of the court was then pronounced, the prisoner standing, and it was to effect that he be taken by the sheriff of the county to the state prison in Raleigh and there confined until Friday, November 9th, on which day he should be put to death in the electric chair.

At the close of this solemn ceremony Baxter Cain was led back to jail by three deputies to remain until he is taken to the penitentiary to await the execution of the court's judgment, or until his case is disposed of by the Supreme court, it being understood that his case will be carried before that tribunal.

The condemned man stood up during Judge Cline's talk and showed not a quiver, although the half-way smile that had been on his face during the coroner's investigation and afterward, disappeared and he had a far away look. He walked back to his seat and then was taken in charge by officers, not murmuring a word the whole time.

MADAM HAVE YOU JOINED A COMMUNITY KITCHEN



Here is a community kitchen, which some well-known women have established at Woodmere, L. I., to show cooks how to preserve surplus fruits and vegetables against a possible scarcity this winter.

The kitchen is being run in conjunction with the Community Farm,

which occupies thirty acres of the old golf links of the Woodmere Club. A certain amount of acreage has been given over to the raising of perishable vegetables, which will be sold to the members of the community, as they are or put up in the canning kitchen. The kitchen serves the rich and poor alike. Both are taught to

preserve their vegetable and fruit surplus, which to a large extent in former years has gone to waste.

The photo shows members of the Community Kitchen blanching vegetables and sterilizing jars, showing also the specially designed gas stove, which gives free access to the boilers.

GERMAN U-BOAT IS SEEN OFF COAST

S. O. S. Calls Sent Out by an Unknown Ship Said to Have Been Shelled by Submarine.

INCIDENT OCCURRED OFF EASTERN COAST OF U. S.

British Ships Report They Were Cautioned to Look Out for Undesired Craft on This Side.

(By Associated Press.)

An Atlantic Post, Sept. 15.—A British steamer arriving here today reported that early this morning a wireless S. O. S. call was heard stating that the ship from which the message came was being shelled by a German submarine, at a location 65 miles southeast of Nantucket lightship. The name of the ship attacked did not come clear, only the words "addy," presumably the last half of the name, being caught.

Additional information that the submarine was in the Eastern Atlantic being brought by another British liner arriving here today from an English port. The officer of the liner said he was instructed to watch out for U-boats when nearing the American coast.

The place where the ship is reported to have been attacked is in the vicinity where a German submarine sunk five vessels on a visit to American waters in October 1916.

U. S. 53 under command of Lieutenant Hans Rose appeared in Newport harbor October 7th and after three hours stay put to sea. The next report of her activity was when the American steamer Kansan, since sunk, was stopped off Nantucket but allowed to proceed after establishing her identity.

PRICE ON HEAD OF AMERICAN SOLDIER

German General Offers Four Hundred Marks for First American, Dead or Alive, Brought to His Lines.

(By Associated Press.)

British Headquarters in France and Belgium, Sept. 15.—The German general commanding the 11th reserve division recently put a price of 400 marks on the first American soldier brought, dead or alive, in his lines.

RED CROSS NURSES

Workers of the American Red Cross Arrive in France—Sister of Secretary Lansing.

(By Associated Press.) Bordeaux, France, Sept. 15.—A steamship arrived today from New York having aboard 15 American Red Cross workers, among them being three sisters of Secretary of States Robert Lansing. They were assigned to a canteen station.

Miss Marie Eloise Kinard has returned to the State Normal College at Greensboro.

ECKHARDT DENIES USING CRONHOLM

German Minister to Mexico Says That He Barely Knows Charge and Did Not Use Him.

DENIES KNOWLEDGE OF WASHINGTON CHARGES

Declarer That It Is a Case of American Intrigue to Discredit Germany and Her Diplomats

(By Associated Press.)

Mexico City, Sept. 15.—Heinrich Von Eckhardt, the German minister to Mexico, in a statement made tonight, denied everything in connection with the disclosures that had been made at Washington to effect that he had been employing a former Swedish Charge de Affaires to convey information to the Berlin office.

Von Eckhardt declared further that he did not know personally the Charge de Affaires who was named as having been so used. He said that only in a formal way had he even met the man, then being introduced at a reception for foreign representatives by the personal whose duty it was to formerly present diplomats to each other. He said that it was only an American intrigue for the purpose of bringing discredit to Germany and her diplomatic representatives.

Von Eckhardt declared further that he had not sent any communication through Folke Cronholm, and that he never had suggested that he be decorated for his services.

In Which the Minister is Brought Into the Intrigue.

Washington, Sept. 14.—The State department published today the second chapter in the history of the intrigue between Germany and Sweden, whereby the Stockholm foreign office allowed its diplomatic representatives in neutral countries to act as shields for the Kaiser's representatives in violation of neutrality.

Today's chapter consists of an intercepted cablegram from Herr von Eckhardt, the German minister at Mexico City urging the Chancellor to have the Kaiser decorate Folke Cronholm, the Swedish charge, for abusing his diplomatic immunities by secretly handling correspondence for Berlin. In asking that the Kaiser decorate the Swedish minister, von Eckhardt enjoined the Chancellor that secrecy must be preserved lest the Allies discover Cronholm's dual activities.

"He is the only diplomat through whom information from a hostile camp can be obtained," vonEckhardt cabled to his superior in urging the claims of his Swedish friend.

British Steamer on Fire.

(By Associated Press.) A South American Port, Sept. 15.—A British steamer bound from a North American port for South America put in here today on fire, which threatened the lives of the passengers and crew. Among the first class passengers were a number of Americans.

GOLDSBORO HAS NEAR CLOUDBURST

People Forced to Flee From Their Homes in Their Night Clothes to Places of Safety.

GREAT DAMAGE INFLICTED TO PROPERTY AND CROPS

Washout on Atlantic Coast Line Causes Train Wreck and Killing of One Trainman.

(By Associated Press.)

Goldsboro, Sept. 15.—As a result of the hardest rainfall in the history of Goldsboro and Wayne county the tenement house district of the city was flooded by three feet of water this morning and two bridges, one of concrete, were washed away when a stream known as "Big Ditch," which passes through the lower end of the city was flooded out of its banks. No lives were lost so far as known.

The rain started at 5 o'clock Friday afternoon and continued until 7 o'clock his morning. The water is now rapidly receding. The damage reported to property and crops amounts to thousands of dollars. Reports coming from the county are that crops are badly damaged if not totally destroyed in some sections. Several large mill pond dams are reported to have broken loose and bridges over small streams are reported to have been washed away.

At 10 o'clock this morning many sections of the city are still under water and many dead animals can be seen in the wake of the rushing waters. Street railway and other traffic has been demoralized.

Meagre reports from nearby towns report the damage heavy there. While no deaths are reported many people had narrow escapes and were forced to leave their homes early in the morning in their night clothes. In the eastern part of the city men carried their wives and children to safety in water up to their necks.

Washout Causes Train Wreck. Wilmington, Sept. 15.—Thomas Moore, white, a hickman is believed to have been killed when an Atlantic Coast Line freight train was derailed near Rose Hill, 45 miles from here this morning at 2:30 o'clock, the result of a washout. Officials of the company said the engineer and fireman were slightly injured. Nine cars and the engine left the track, which was considerably torn up. This was the only serious accident as the result of last night's storm. Over four inches fell doing big damage to roads, bridges and beach property. The wind attained a velocity of 40 miles an hour.

Central Over North Carolina.

Washington, Sept. 15.—Disturbances in the South Atlantic coast today near the North Carolina coast and northeast gales, accompanied by excessive rains occurred in that vicinity. The central rain area covered the Middle and South Atlantic states. Storm warnings have been displayed from Nantucket to Charleston.

LULA ALLISON FOUND NOT GUILTY MURDER

Statesville Negress Wins Case, Contending Killing of Anna Cullough Was in Defense.

HENRY LEWIS GETS THREE AND A HALF YEARS

For Slaying of Harry Estermerger in East Spencer During a Gambling Game in February

For the first time in a number of years the first week of Rowan Superior court, which is the week devoted to criminal cases, is in session on Saturday. Seldom has the first week run a full week, but three murder cases on the docket for this term made this necessary. However, the criminal docket is nearing an end, all three murder cases having been disposed of, as well as other cases. Court will re-assemble Monday morning with Judge E. B. Cline on the bench and next week will be devoted to the civil docket.

Of the three murder cases disposed of the first was that of Henry Lewis, colored, for the killing of Harry Estermerger, also colored, in a gambling game in East Spencer last February. Lewis is the man arrested in Pittsburg, Pa., and who jumped from a car window while being brought back to Salisbury, this occurring just out of Harrisburg, Pa. After the evidence was all in Lewis' attorneys agreed to submit to murder in the second degree. This was all the solicitor was contending for and the case did not go to the jury. Lewis was sentenced just before court adjourned Friday afternoon, being given three years and six months on the county roads. Judge Cline wanted to be sure he would be kept safe in Rowan, otherwise he would have sent him to the state prison.

The other murder case was that of Baxter Cain charged with the killing of Abell Harris at the car barns in this city. He was found guilty of murder in the first degree. Sentence has not yet been pronounced.

The third murder case was that in which Lula Allison, colored, of Statesville, was placed on trial charged with murder in the second degree for the killing of Anne McCollough, colored, in this city May 30th, at a dance hall. The prisoner contended she acted in self defense, that the deceased had been nagging at her and had knocked her across several chairs, grabbed her in the breast and was making at her with a hat pin when she stabbed her. The jury believed her contention and found her not guilty.

W. H. Welsh and Baxter Sheets, who were convicted of an assault were fined \$30 each and each to pay half of the costs.

Will Bends, a young white man, charged with transporting liquor into the state in a quantity greater than one quart, and for some one else, was found guilty. This case went up from the county court. He was fined \$100 and costs.

John Perkins, colored, was indicted on three counts, being charged with breaking in and entering the Grimes mill, stealing flour and receiving flour knowing it to have been stolen. He was found guilty on the last charge, although the state was getting pretty warm after him on the first and second indictments. He was sentenced to five months on the roads.

In the case of John W. Kerr, adjudged guilty in the county court of having liquor in his possession for the purpose of sale and carried up, the court, after hearing something of the man's past life, his age and financial circumstances imposed a prison sentence of ninety days, not to be enforced, however, within two years unless the defendant violated the prohibition laws during that time.

Two cases regarding payment of special license tax were heard before noon and this ended the criminal docket with the exception of pronouncing the death sentence on Baxter Cain, convicted of first degree murder for the killing of Abell Harris. After this last duty had been performed, at 12:45 the criminal docket was completed and court adjourned until Monday morning at 11 o'clock, at which time the civil docket will be taken up.

Judge Cline spends Sunday at his home in Hickory, returning to Salisbury on No. 36 Monday morning to be here for another week hearing the trial of civil cases.

The city public schools open Monday morning at 9 o'clock at the several school buildings. The pupils will attend the schools as outlined recently by the school board and which was published in the Post.