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THE MEANS CASE IS BEING ARGUED BY COUNSEL TODAY BEFORE MAGISTRATE PITTS

The Defense Did Not Introduce Any Testimony, Resting After Testimony Introduced by the State.

ARGUMENT OPENED BY JUDGE OSBORNE

He Was Followed by Solicitor Clement for the State -Mr. L. T. Hartsell, for Defense, Spoke Next.

Interpret in the preliminary hearing of Gaston B. Means on a charge of murder, continues intense.

Before court opened at 10 o'clock all seats in the Court House were filled and crowds were standing in the aisles and every available space.

The defense did not introduce any testimony and the argument was opened at once.

F. I. Osborne stated that he had concluded after a conference with his associates that there was not evidence enough before the court to hold Gaston B. Means for action of Grand Jury.

He called attention that physical facts were all the State had presented; all the moral evidence was in favor of the defendant, he said.

Upon what does the State rely? The State has charged murder in the first degree, and it is that or nothing—there is no middle ground.

The charge emphasizes that he had calculated his plans, Judge Osborne said, had purchased the pistol, took advantage of the time when his companions were away, and slipped up behind her and shot her.

Dr. Burmeister, after giving full description of the wound and showing tests for powder marks, coupled with facts were no burns or marks on head, had said that Mrs. King could not have shot herself.

Judge Osborne said that Dr. Schultz comes before the court and says it makes no difference whether any powder is on the skin or not.

Dr. Burmeister he said, had experimented with blotting paper, which was quite different from human skin.

Dr. Schultz based his testimony on the pressure on the trigger and on the safety. If she had the pistol in her hand it was impossible to inflict the wound, but who said she was holding the pistol?

The direction of the track of the bullet had been described by Dr. Burmeister. The glancing wound, made with the small pistol does not look like the work of an assassin.

No hair being burned is a strong argument in favor of the defendant. If he had shot her, he would try to

Taking the evidence, the time and place into consideration, he asked that the court commit the defendant to the grand jury.

Mr. L. T. Hartsell spoke of the means family, saying he had known the father and children and knew that none of them would do anything behind one's back.

It is the first time in his practice he ever had been asked to bind over a man of character on circumstantial evidence.

The experts disagreed in their testimony and there is no new evidence brought out.

Continuation of Evidence Yesterday. The following is the evidence produced yesterday following the report in the Tribune:

On August 29 did you see Gaston Means? Yes.

Where? Several times.

That afternoon about supper? Yes, I was eating supper when an automobile came to my house and in a minutes I heard a horn blow.

Who was it? I told him to wait until I finished supper. I got my 20 gauge gun and half dozen cartridges and got in the car and drove to Gaston Means' home.

Who was with you? Mrs. King and I.

Did you know where you were going? No.

Where did you go? Out the Mount Pleasant road to the forks.

Who said turn to the left? I don't know who.

Where did you go then? To Misenheimer spring.

Did you leave the Gold Hill road? Yes we took the old by-road to the water trough.

What did you do then? Got out.

Who? All had gotten out but Mrs. King when I got out, I took my gun out of the case and handed it to her.

Where did you go? On up the road alone.

What time was it? I don't know, but I had finished supper about 6:30.

Was it dark when you got out of the car? It was dusk but the moon was shining.

You walked further down the road beyond the spring? Yes.

How far? About 140 yards.

Looking for rabbits. Where did you leave Gaston and Afion? I think they were loading the rifle.

About 50 feet. At the time was it dark at spring in the shade? Yes.

Have you noticed condition of the ground? Yes.

Near the foot was there not a large root out of the ground? Yes; two or three inches.

And other roots, too? Yes.

Is the place much frequented? Have barbed wire occasionally. Rather public? Yes.

How is the surface? Level or sloping? Pretty steep hill.

You put lead in car and went back and found hat about where head was lying? Yes.

Did you make search for pistol or slippers? No.

Notified her ankle? Yes.

Was she a very large lady? Yes.

Did she have on slippers? Yes.

Court then adjourned until 2:30 p. m.

AFTERNOON SESSION. When court convened at 2:30 o'clock, Capt. W. S. Bingham took the stand for cross examination.

He testified that he went in the automobile after supper to the home of W. G. Means, in company with Gaston Means, the colored chauffeur driving the car.

At the Means home Mrs. Melvin was asked if she wanted to go for a ride, and she declined, saying that she was going to the moving picture show.

Other members of the Means family were asked to go, and they declined.

Mr. Bingham didn't remember who did the driving.

When they reached the watering trough Captain Bingham said that he walked up the road to the bridge which was about 140 yards away.

While he was at this bridge he saw an automobile coming toward Concord, the engine of the machine indicating that it was a Ford.

The engine was still with in hearing distance when he heard a pistol shot, and Gaston Means called to him in a few seconds to come there quick.

When the party was ready to get into the automobile, Captain Bingham says that he picked up the rifle, and took the cartridges out of the magazine.

He then snapped the rifle, and a cartridge which was in the chamber fired. These two shots were the only ones that he said he heard.

On the redirect examination by Solicitor Clement, Captain Bingham told of putting the body in the automobile, saying it was limp and so heavy that it took some time to get this accomplished.

He had finished his supper, he went out on the front porch. The main circumstance which convinced him that the wound could not be self-inflicted.

Hypothetical questions were put before him by the attorney, some of which the pathologist declared were impossible.

He said that the presence of absence of powder burns and singed hair was only necessary in determining whether the muzzle of the weapon were close to or far away from the skin when the shot was fired.

At the conclusion of the evidence of the expert witness, the State rested its case.

The defense asked for a few minutes for a conference. They returned and in a short time came into court with a request that the court take a recess until 10 o'clock tomorrow.

In order to give them time to confer and arrange their defense. The state offered no objection to the request, and court adjourned at 4:35 o'clock.

Afternoon Session. When court assembled this afternoon E. T. Causler said the defendants papers were in charge of the district attorney agents from New York, and the only way to get them was by order from Judge Webb restraining them from taking papers from state.

The attorney general stated that the documents would be held, and that when Judge Webb asked for a reckoning he would receive it.

TWO MEN KILLED IN EXPLOSION. Explosion Occurred in Oil Tanker at Richmond Early This Morning.

Richmond, Va., Sept. 25.—Two men were killed early today in an explosion which tore on the Standard Oil Tanker A. Moffett as she lay at her pier here.

The explosion, according to Mr. Brooks, superintendent as chairman for the Standard Oil Company, was probably caused by an explosion of gas while the men were cleaning the hold.

Eight Bombs Dropped in London Last Night. London, Sept. 25.—Reports from Kenilworth town said that about eight bombs were dropped in last night's raid.

IREDELL COUNTY NEGRO IS ELECTROCUTED TODAY. Charley Williams, Who Killed Deputy Sheriff, Executed in State Prison.

Raleigh, Sept. 25.—Charley Williams, a negro convict of having killed a deputy sheriff who attempted to arrest him at Morrisville, Iredeed early last June, was executed at the State penitentiary this morning.

Germanus Use Liquid Fire. Paris, Sept. 25.—Liquid fire was used by the Germans in an attack on the French lines in the Beaumont region north of Verdun last night.

Thirty Belgians Put to Death. Amsterdam, Sept. 25.—Advices have been received from the frontier by the Telegram to the effect that about thirty residents of Ghent, Belgium, have been put to death in the last three weeks on charges of espionage.

Experience is the father of wisdom and memory the mother.

Neglecting To Save. THE YOUNG MAN OF TWENTY is indifferent to the future, possibly living at home with his parents, and earning a small salary that is all spent for dress and pleasure.

AT THE AGE OF THIRTY he begins to realize the power of money and the necessity of commanding money, and he is not saving. He is now awakening to the fact that he must save for old age.

AT THE AGE OF FORTY, still trying to save, but not getting ahead very fast as he is not saving systematically. ARRIVES AT THE AGE OF FIFTY, with a position but NO MONEY. He realizes he is going back and must in a few years be dependent on someone.

MORAL: Get started or get your children started toward wealth and happiness by SAVING A LITTLE EACH WEEK AND MONTH. It is the only way to provide for a RAINY DAY AND THE FUTURE. START TODAY.

October First Begins a new interest quarter in our Savings Department; 4 per cent. interest compounded every three months. Deposits made on or before October 10th bear interest from the first. The CONCORD NATIONAL BANK Concord, N. C.

AT THE THEATRIUM TODAY J. WARREN KERRIGAN The Famous Dramatic Star in Henry Mele's Extraordinary Mystery Drama, "Hand in the Dark" UNIVERSAL WEEKLY The World's Latest News in Moving Pictures. TOMORROW Ruth Stonehouse in "WINNING PAIR"

New Interest Quarter In our Savings Department will begin October 1 All Deposits made before the 10th, bear interest from the 1st. Call at Bank and get particulars regarding Safes displayed in our window. CITIZENS BANK AND TRUST COMPANY CHAS. B. WAGONER, President. JOHN FOX, Cashier. M. L. MARSH, Vice President. A. F. GOODMAN, Asst. Cashier.