HE CONCORD DAILY TRIBUN

CONCORD, N. C. SATURDAY, DECEMBER 1, 1917.

NO. 67.

whom Gaston B. Means was said to have been employed at the time he met Mrs. Maude A. King, arrived in Concord this morning, and has been sitting beside defendant all through the morning session of court. The prisoner at almost every step of the proceedings was in consultation with this newest addition to the defense.

Cabarrus County Court resumed its sitting this morning at 9:30 o'clock on the final day's session of this week. Up to this time the State had not yet completed hearing direct evidence against Gaston B. Means. Attorneys for the defense when asked today as

Cabarrus County Court resumed its sitting this morning at 9:30 o'clock on the final: day's session of this week. Up to this time the State had not yet completed hearing direct evidence against Gaston B. Means. Attorneys for the defense, when asked today as to the time they would consume in hearing testimony for the defense, stated that it would take about the same length of time as the State has taken.

The court room this morning was not filled to capacity, but the seats were soon taken by the hearers who continued to come in.

Edwin F. Mack.

Attended this morning by the State. He stated that he was introduced to the defendant by Mr. Kohn, of the Safety Deposit Bank, of Chicago. On December 13, 1916, according to the witness called the same length of the Central Trust Company and negotiated a loan for \$30,000, giving for security a number of bonds amounting to \$38,000. The note was then read to the court: in one place in the note was a clause saying that the securities were owned by the moderadqued. The bank, on receiving the note was a clause saying that the securities were owned by the moderadqued. The bank, on receiving the note properly, gave to Means a check for \$20,241.67, which was the amount of the note, less discount. This check was endorseed by Means for that bank, and that it was the amount of the note, less discount. This check was endorseed by Means for that bank, and that it was the amount of the note, less discount. This check was endorseed by Means for that bank, and that it was a three of the moderadqued. The bank, on receiving the note properly, gave to Means a check for \$20,241.67, which was the amount of the note, less discount. This check was endorseed by Means for the properly gave to the was the securities were owned by the bank. The note was a check for \$20,241.67, which was the amount of the note, less discount. This check was endorseed by Means in this own the note was a ch

lowing day Means returned to the bank and stated that he had decided not to pay the \$10,000 oir that day, but desired the bank, instead, to sell the securities to the note, pay the note and pay the proceeds to him. He signed a paper at that time, ordering the securities sold, which was done by the bank through its brokers. These securities were sold in blocks until enough had been received to pay the note, and a balance of the proceeds, amounting to \$387.62 was turned over to Means in the form of a cashler's check, dated July 3. This check, with three others, the total amount of the checks being \$3.726.37, was deposited in the Central Trust Company on July three others, the total amount of the checks being \$3.726.37, was deposited in the Central Trust Company on July 12th. The three other checks deposited at that time were drawn on the Central Trust Company, and the witness testified they were in payment of the proceeds from the sale of the remaining accurities at the bank, which has back but and in pursuance to the

order of Means.

The pass book issued to Means by the bank was exhibited, as well as the

No. 1. dated July 19, 1917, to the Central Trust Company, \$1,000 for a New York draft in favor of Afton

Means,
No. 2, dated July 19, 1917, in favor of
G. B. Means, \$1,500,
No. 3, dated July 21, 1917, in favor
of Bing & Bing, landlord of the New
York apartments of Means and Mrs.
King, \$325.00.
No. 4, dated August 5, 1917, favor

Witnesses Told of Bank Accounts Carried At Their Institutions And of Securities Which Were Sold.

WILLIAM J. BURNS

TO AID MEANS

He Arrived This Morning And Has Been Consulted by Defendant at all Stages of Today's Session.

WILLIAM J. BURNS HERE.

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WM. J. BURNS HERE.

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WILLI

The checks against this account were produced and read to the court. Besides a number of checks dated De-cember 18th in favor of members of cember 18th in favor of members of h's family and relatives, the depositor had made out two checks on December 22nd in favor of Mrs. Mary C. Melvin for \$15,000 each, both of which were endorsed by Mrs. Melvin and by a brokerage firm. The most interesting fact brought out by these checks was the large amount of money furnished by Means to W. R. Patterson. There was one check for \$1,000, two checks for \$2,000 and ten checks for \$5,000

John R. Todd of the Minoprio Com-pany, Chicago, was the next State's witness. He met Means in January, 1917, and was asked by Means for statistics on cotton. These were got-ten up and mailed to Means at the Chicago Beach Hotel. Means intro-duced himself and stated he had an account with King Farmura L. Comcago.

The note, due in six months, fell due on June 13, 1917. On that day Means called at the bank and asked to be allowed to renew the note, saying that if he had to pay the note he would be forced to sell some United States Steel stock he was carrying. He asked the witness if it would be satisfactory for h m to pay \$10,000 of the note the next day, and the balance in twenty or thirty days. He was told this would be satisfactory. The following day Means returned to the bank and stated that he had decided as reference the Illinois Trust Co. Means said he had 5,000 bales with King, Farnum & Co., brokers. He came to their office several times and later phoned in an order buying 1,000 bales of cotton, the brokers receiving check of G. B. Means in favor of W. R. Patterson, check being No. 36. Means told the witness that he knew what would be in the German Chancellor's speech to the reichstag and showed a little book in which he bank and stated that he had decided and showed a little book in which he said were a number of private telephone numbers, one of which was that of Captain Karl Boy-Ed. He said he was connected with the German government as commercial secret agent, and he was to forward fabrics from this country to Germany, and the German mills would make them better and cheaper.

On February 1, the market went down. The account was closed out

On February 1, the market went down. The account was closed out at a loss of \$6,800 Means said he would settle this up. The total loss on the transaction was \$11,800, less the margin of \$5,000. The account was opened in the name of Means and later changed to W. R. Patterson. Means said the change would have to be wade for business reasons.

Means said the change would have to be made for business reasons.

On cross examination Mr. Todd said that the demands for the \$6,800 to cover the shortage in the account had been mailed to W. R. Patterson and not to Means, and that the account had been left in the name of Means for only a short time. The check for \$5,000 covering the margin on the account of W. R. Patterson was presented by him and Means was in company with him. Means, in the recollection of the witness, first made the check payable to Minoprio & Co., but destroyed that one and gave, instead the check presented in evidence. The witness said he was served first with a supposus from the district attorney of Chicago and later with a subpocen from North Carolina. At the latter time Mr. Ambrose was accompanied the officer.

Making Strong Efforts to Wipe Out the Salients the British Drove Through the Hindenburg Line.

REPULSED WITH HEAVY LOSSES

Violent Fighting on Northern Italian Front, has Stop-Stopped for the Moment. -Austro-Germans Active.

(By The Associated Press) (By The Associated Press)

The Germans are making strong efforts to wipe out the sailents which the British drove through the Hindenburg line toward Cambral. Violent attaining have been harled against the British line all around the Sailents from Moeuvres to Gonnellen a front of about 18 miles, but except near Gonnelleu the Germans were repulsed with heavy losses. heavy los

Crown Prince Rupprecht evidently proposed to make amends for his defeat by crushing the new satient with attacks all along the front and with especially strong efforts at the North-ern and Southern ends and with the apparent plan of driving North and South cutting off the British East of a line from Moeuvres to Gonnelleu. On the North front and West of Cambrai the German attack was crushed by artillery and machine gun fire and

heavy loss inflicted.

A stroke on the southern front brought evident gains, the British being driven back to Vacquerie and to Gouseacurt about one and three fourth miles northwest and southwest of Gonnelleu respectively.

In a counter attack the British re-gainedGousecourt and drove the enemy

from the rige East of Gouzecourt. At other paints, Masniesres and Villers-Guislain, the strong German attack made no impression on the British de-

There has been little except artillery on other fronts. Violent fighting on the Northern Italian front has stopped

The Austro-Germans are reported active behind the lines and are said to be building defences on the eastern bank of the Tagliamento river 28 miles east of the Piave. The allied supreme war council began its sittings today at Versailles.

Versailles.

Spokesmen for the British governments deny that a letter written by the Marquis of Lansdowne expresses the Marquis of the members of the Brit. the views of the nembers of the light the views of the nembers of the light ish cabinet. Lord Landstown says that the letter was entirely his own.

An election in Petrograd of delegates to the constitutional assembly resulted in favor of the Bolaheviki who sained more seats than the constitutional demograps. Silveria is recorted. tional democrats. Siberia is reported to be about to declare its independence,

Ne Guns Captured By Germans, Say the British.

(By The Associated Press)

British Headquarters in France.
Dec. 1.—In their operation in the Cambral Tegion yesterday, the Germans began a turning movement, but the British were able to pull back most of their troops and guns at the first attack, and saved them from being caught.

morning no British guns were capture by the Germans. The German casualties yesterday were exceedingly large. The British probably lost a considerable number of

There is no concealing the fact that the enemy gave the British uncomfor-table hour or two yesterday, but the situation this morning is not one to

cause particular uneasiness.

Some scattered British in the front line may have fallen into the hands of the Germans, but most ofthe troops are reported to have been withdrawn safely. Some ground has been lost, but unless unforseen events arise, the German plans have been frustrated with the infliction of serious losses to

Fighting is still proceeding today.

The British are continuing counterat-

Germans Claim to Have Made Big Haul (By The Associated Press)

Berlin, via London, Dec. 1. — The Germans yesterday captured 4,000 Brit-ish soldlers and several batteries in

Ingratitude is a kind of weakness. I have never known clever men to be un-grateful.—Goethe.

erson and the margins amounted to 35 000. This was furnished in the form of seven checks which the witness identified. They were each for 5,000, made out by Means to Patter-

nt of Patterson was closed et loss of approximately \$35,

This Number was Six Less Than in 1916 and Four Less Than Two Years Ago. -15 Deaths in 1914.

ALL VICTIMS HAD LITTLE TRAINING

Not a Fatality or Even Serious Injury Occurred in Games Conducted By Expert Directors.

(By The Associated Press)
Chicago, Dec. 1.—Football exacted
a toll of twelve victims during 1917,
which ended with the Thanksgiving games, according to reports to The Associated, press today. The number was six less than in 1916; four less than two years ago.. In 1914 fifteen

deaths occurred.

The defenders of the popular col-lege sport pointed to the fact that not

lege sport pointed to the fact that not a fatality nor even a serious injury occurred in the big universities and colleges, where the game is conducted under expert physical directors.

All of the victims, with one exception, are either high school or players with little or no training, participating in semi-professional games. The majority of the cases show that the players entered the game without the proper knowledge of it and without proper physical condition for so rough a sport.

DOCUMENTARY TAXES GO INTO EFFECT TODAY.

Various Papers to Which War Stamp Must Be Affixed.

Must Be Affixed.

Washington, Dec. 1.—Documentary stamp taxes of the war tax bill go into effect today. Revenue stamps must be affixed to bonds of indemnity or indebtedness, capital stock issues, stock transfers, produce sales on exchanges, drafts, promissory noise, conveyances and deeds, customs house entries, steamship tickets, proxies, assignments of power of attorney, playing cards and parcel post packages. None are required on checks.

All stamps are sold by postoffices except those for stock transfers and produce sales which are distributed through revenue collectors. Millions of dollars in feccipts are expected to reach the transury from this course.

The taxes are similar to those imposed during the Spanish war and by emergency revenue act of 1914.

On capital stock transfers, from which the government expects to derive

which the government expects to derive heavily on stock exchanges, the tax is two cents for each \$100 or fraction of the face value. Stamps are to be affix ed to the stock books, not to the certi-ficate of sale or exchange.

For produce sales on exchanges the tax is 2 cents for \$100 the value of the merchandise covered by the agreement and stamps are to be affixed to the memorandum or bill of sale. The law covers transferred or scratch sales and

sales for future delivery.

Bonds of indebtedness are taxed 5 cents for each 100 of face value or fraction and renewals are taxed as new issues.

Indemnity and surety bonds are sub-

ject to a tax of 50 cents, or one per execution of the bond. olicies of reinsurance are exempt.

A tax of 5 cents is levied on each original issue of certificates of stock either on organization or reorganiz tion, of face value of \$100 or fraction To meet the practice in some states of issuing stock without face value, it is

the actual value if there is no face For drafts or checks payable other than at eight or on demand, and for promissory notes and their renewal, the tax is 2 cents for each \$100 or fracion. This levy will lay a burden parti cularly on the banking business. On nary bank checks are not taxable.

Realty conveyance and deeds are taxed 50 cents where the value of the interest conveyed between \$100 and \$500, and 50 cents for each additional \$500 or fraction. Reduction may be ade of only a lien or en maining on the property at the time

remaining on the property of sale.

Before any parcel post package may be accepted by a postoffice it must bear, in addition to the regular postage, revenue stamps amounting to one cent for each 25 cents postage or fraction.

The entry of goods at a customs house for consumption or warehousing bonne for consumption or warehousing

house for consumption or warehousing is taxable 25 cents when the value is not more than \$100., 50 cents when the value is between \$100 and \$500, and \$1 when the value exceeds \$500.

Passage tickets to trans-Atlantic, South America, or other ports not in the United States.

South America, or other ports not in the United States, Canada or Mexico are taxed according to a sliding scale running from \$1 on tickets costing between \$10 an \$30, to \$5 for tickets costing between \$10 an \$30, to \$5

een \$10 an \$30, to \$5 for tickets sting more than \$60, Proxies for voting at any meeting, cept of religious, charitable, frater-il, educational or literary organisa-

Provost Marshal Crowder Announces All Records of The Assembling of Congress District and Exemption Boards Open to the Public.

NO INCLINATION TO CAUSE INJUSTICE

Only Exceptions Are the Answers to Questions of Mental and Physical Conditions and as to Dependents.

(By The Ass

Washington, Dec. 1.—Provost General Crowder announced today that all records kept by local and district boards. Adjutant General and other erson in connection with registra-on, examination, selection and mob-ization of registrants under the seective draft will be open to the public for inspection during the usual

business hours except answers to questions as to physical and mental conditions and dependents.

General Crowder said officials had no inclination to cause injustice or curbarrassment to registrants. The rules and regulations make it a misdemeanor to divulge the physical con-ditions or decednents of a registrant to persons other than those directly connected with the administration of law and one years imprisonment will be imposed for the violation.

SHOULD CONFINE ITSELF TO THE WAR

ident Wilson Says Congress Sho Vigorously Prosecute War, (By The Associated Press.)

Washington, Dec. 1 .- President Wil son believes congress should confine almost entirely to the coming session of the legislature to a vigorious pro-secution of the war. He is expected to tell Congress so in his opening ad dress, which will be delivered in the Hall of the House at 12:80 o'clok Tuesday. All arrangements were made today at the White House with Speaker Clark and Vice President

Marshall for a joint session.

The president continued at work on his address today, transcribing notes into finished form, but his address will be kept open until the last minute.

THE COTTON MARKET.

Comparatively Quiet Prices 2 to 19

Points Higher.

(By The Associated Press)

New York, Dec. 1.—The cotton market was comparatively quiet early today with fluctuations irregular. There was some further trade buying but scattered business contributed to the evening of accounts of over the week end pending a better line on the week end pending a better line on the approaching government reports. Prices are 2 points to 19 higher but more active ones generally 2 to 6 points above last night's closing figures.

Cotton closed barely steady. December 30.05, January 29.38, March 29.09, May 28.87, July 28.54

Cotton futures opened steady. December, 30.20; January, 29.50; March, 29.18; May, 29.02; July, 28.69.

BUSSIAN AMBASSADOR

Offense Was Participation in the In-ter-Allied Conference. (By The Associated Press)

Petrograd, Dec. 1.-Maklakoss, the Russian Ambassador to France, has been declared dismissed from the post by Trotzsky, the Bolsheviki commis-sioner of foreign affairs. This action was taken because of the Ambassa-dor's participation in the inter-allied conference, which is considered a state ffence and entailing a heavy penalty.

Death of Mrs. John Dent.

Mrs. John Dent died at her home on McGill street at 10 o'clock today. For more than a year she had been a patient sufferer, and for more than a month she has been drawing near to the end. She fully realized her condition. Early today she called her family around her bedside and told them not to grieve for her as she was

them not to grieve for her as she was ready to, go, and Counseled all to be ready to meet her.

Before her marriage she was Miss Jane Ellasbeth Benson, and was born near Woodleaf in 1857. For haif a century she has been a faithful member of the Presbyterian church. Besides her husband Mrs. Dent leaves four living children. Mrs. W. J. Holshouser, Mrs. Ada Crowell and Sidney Dent, of Concord and Mrs. Maggie Dees, of Charlotte. The funeral arrangements have not been completed but she will probably be burled at Unity church near Woodleaf sometime tomorrow, and if so the funeral will be preached at Unity church by her pastor Rev. H. F. Beaty.

illes Case to Go to Jury Today

MRS. MAUDE KING, GIVES TESTIMONY IN COUR

CONGRESSMEN GATHER.

Two Days Off.

Washington, D. C., Dec. 1.—With the assembling of Congress but two days away senators and representatives from near and far are arriving in from near and far are arriving in Washington today by every train. Pre-liminary business, including the swearing in of the three new members of the House, will take up the opening session. Tuesday is likely to be devoted in both houses to the reception of the President's message, and after that the lawmakers will be expected to get down to business immediately.

The coming session promises to equal The coming session promises to equal if not to exceed in importance any in the history of the nation. Pressing questions relating to the world-war are bound to be considered. Individual members of both branches have been in England and in the actual theatre of war operations in France, and these statesmen will undoubtedly bring home first-hand information for the guidan

f their colleagues. It is possible that the question as o a formal declaration of war against Austria will be presented. Thus far it is understood the Administration has not signified any change of attitude on that matter. But it is by no means certain that the question will not be brought before Congress, without er couragement from the President.

There is some decided public senti-nent in favor of such a declaration which may find expression early in the session. Some Administration lea-ders are still hopeful, however, that the course of events may make it possible for the United States, if the present status is maintained, to enter negotiations with Austria on a basis which would no longer exist if there was a formal declaration of war against the great Central Powers and ally Ger-

Legislation affecting the railroads is expected to occupy a prominent place on the agenda. There is likely to be a renewal of the proposition to permi the roads to pool and combine under governmental restriction and regula tion. It is not thought that govern ment ownership of the roads will be seriously considered at this session.

ELKS' MEMORIAL

EXERCISES TOMORROW ddress to Be Delivered By Hon. A

L. Brooks, of Greensboro-Program Devotional exercises will be held at Central graded school building at 3:30 p. m. Sunday by the Concord Lodge of Elks No. 857 to the memory of their Elks No. 857 to the memory of their departed brothers. Exalted Ruler A. B. Palmer has secured Hon. A. L. Brooks, a noted speaker and a prom-inent lawyer of Greensboro, N. C., to deliver the memorial address. Music will be rendered by Mrs. J. B. Womble, Mrs. J. G. Pickard, Mr. Lloyd McKay, Mr. Ed. Sherrill and Miss Mary Levis Harris accompanier The

Mary Lewis Harris, accompanist. The following is an outline of the program:

March, Chopin.
Quartette (a) "Out Blessed Fath-rland,"— Thickstun. (b) "The Melw Eve"-Story. Opening ceremonies.

Prayer—L. A. Bikle, chaplain. Hymn: "Shall We Meet Beyond the Roll call of absent brothers.

Quartette: "Jesus is Mine"-Rock Solo: "There is a Fold Whence None Can Stray," Draper—Mrs. Wom-

Address, Hon. A. L. Brooks, of Quartette: "I Will Lay Me Down and Sleep," Sudds.

Closing ceremonics.
Ode: "Auld Lang Syne."
Benediction—Dr. L. A. Bikle. The public is cordially invited to at-

tend these exercises. SWANN WANTS MEANS

CASE DISPOSED OF HERE, Will Pay Expenses of N. Y. Witne Personally If It Becomes Necessary.

Special to News and Observer. New York, N. Y., Nov. 30 .- District Attorney Edward Swann, when asked today about the payment of the expenses of his assistant, John T. Dooling, and of Otto H. Schultz and other witnesses from this county in Concord N. C., attending the trial of Gaston B. Means, said that no bill of any

kind had yet been tendered. "The only expenses attached to it is the railroad fares and hotel bills," said Mr. Swann. "They will probably amount to not more than \$1,000. A the controller, who must pass on all these items, or if New York county should object to paying these expenses then I myself will pay them by draw-ing my own personal check for the amount.

"In my opinion it is better to aid the prosecutor in North Carolina to convict Means of murder than to try to bring him here and convict him o embezziement and forgery. It would be much cheaper to New York county to have the Means case disposed of in forth Carolina.
"Without the witnesses whom I have

furnished to the prosecution Mean could not be convicted of murder. I is probable that the county commis-gioners at Concord will pay the expen-ses of the New York witnesses, but in the absence of any specific under-standing to that effect I have taken the responsibility of seeing that these wit-nesses at present in Concord give their testimony.

"I have no reason to believe that the

London, Nov. 29 .- The Ru

In a Weak Voice She Tells of Her Connection With Gaston B. Means.-Sat in a Rolling Chair. .

APPEARANCE OF MUCH INTEREST

to "Stop Her!"

Attorney Cansler Appealed to Judge Cline Several Times During Testimony

The afternoon session of court or The afternoon session of court on Friday resumed its sitting with A. Leonard Johnson, secretary and treasurer of the Merchantz Loan and Trust Company, of Chicago, under direct examination by Assistant District Attorney John T. Dooling, of New York. At the morning session he had told of a trust agreement between Mrs. Maude A. King and his bank, whereby Mrs. Anna L. Robinson, mother of Mrs. King, was to receive monthly \$600 of the proceeds of a trust fund of \$125,000 worth of securities placed in the 000 worth of securities placed in the bank by Mrs. King. He also told of the introduction to the bank by Mrs. King of Gaston B. Means, who was her business manager, and of a later risit, in December, 1916, from Means,

with papers executed for the disso-lution of this trust agreement. Before beginning the hearing of evdence in the afternoon session, Judge Cline dictated an order to the sheriff of Randolph county, instructing him to adjourn the next session of court in that county from December 3 to December 10. This allows Judge Cline all of next week to preside at this spe-

all of next week to preside at this special term of court for the trial of Gaston B. Means.

Continuing his testimony Mr. Johnson said when the revocation with order for the delivery of the securities was returned, the securities were ordered by the official to be delivered to Means, which was done on December 9. 1916. The revocation, signed by Mrs. King and Mrs. Robinson, after being identified by the witness, was read in full to the court.

Attached to the revocation was a re-

read in full to the court.

Attached to the revocation was a receipt for the securities received from the bank, which receipt was signed by Mrs. King and Mrs. Robinson. On the bank of this receipt was an order made out in blank ordering the securities delivered to blank. Under this was a receipt for these securities, signed by Gaston B. Means.

ed by Gaston B. Means.

Copy of a letter from the bank to Means in reply to a letter from him was next presented to the witness and identified by him. The letter, relative to making a loan against the trust fund, and declining to make the loan, was read to the court over the objection of the defense. Another letter was presented from the bank to George B. Means, enclosing account of Mrs. King. After December, 1916, the witness next saw Means on one or two ness next saw Means on one or two occasions, and the defendant asked occasions, and the derendant assect about other investments. On Janu-ary 15, 1917, Means called at the bank and arranged for a lean of \$35,000 for Mrs, King. The bank gave its check in favor of Mrs. King for this amount, the check later being endorsed Mrs. Maude A. King by G. B. Means. As collectoral for this lean a number of Maude A. King by G. B. Means. All collateral for this loan, a number of securities were put up at the bank. These securities were some of the securities delivered to Means on December 9, 1916. The note for \$35,000 gives to the bank has not yet fallen due, and now of the principal has yet been none of the principal has yet been paid.

paid.

Mr. Means, the witness said, had come into the bank at various times and purchased drafts payable to the order of Mrs. Anna L. Robinson. These visits were about the first of each month. The witness identified the requisitions signed by Means from time to time for these drafts. Drafts dated November 1 and December I, 1916, to Anna L. Robinson in payment of the returns from the trust fund were presented to the witness and identified by him as having been made by his bank. These were endorsed by Mrs. Robinson, the second one having

identified by him as having been made by his bank. These were endorsed by Mrs. Robinson, the second one having the signature o. k'd by G. B. Means. A series of drafts, each for \$1,000 in favor of Mrs. Robinson, dated January 1, 1917, to September 1, 1917, which were gotton on the requisition of G. B. Means, he paying the same in cash. These drafts were the same kind of blanks formerly sent by the bank to Mrs. Robinson. Means would also re-quest an envelope from the bank each time a draft was issued for him. On February 20, 1917, a draft for \$500 was issued in favor of Afton Means on requisition from G. B. Means. The draft was presented and identified by the witness.

the witness.
On cross examination by Judge Osborne, the witness testified that the signature of Mrs. Anna L. Robinson on the revocation was in the hand writing of Mrs. Robinson, and that Mrs. King's signature was in her own proper signature.

Res. Anna L. Robinson.