

JUDGE CLINE MAKES A STATEMENT AT THE OPENING OF COURT SESSION THIS MORNING

Gaston Means, Through His Counsel, Stated to the Judge That He Had Never Come Into Court Armed. STATEMENT BY MR. W. G. MEANS Said He Had Told His Sons If Any of Them Entered the Court Armed He Would Ask for His Arrest.

The re-direct examination was taken up by Mr. Cansler. He asked the witness whether or not he had kept monthly statements made to Mrs. King. The witness replied that he had, and last saw them in his home at 11-55 Park Avenue, New York. He had also last seen his diaries at the same place. Mr. Cansler then asked the witness to produce the said diaries and statements. The witness handed over diaries from 1907 to 1913 inclusive, and also stated that there were no further statements in the hands of the state, except those in the file handed in. The file starting August 3, 1915, extending through September 25, 1915 was given to the witness. It contained certain letters of the trust fund in the Woodruff Trust Company. The defense then asked to be allowed to introduce the contents of this file, to which the state objected. The court overruled the objection. The witness read over the diaries and statements thereon, consuming more than half an hour. At its completion the witness stated the copy he had been reading consisted of part original copies and partly of carbon copies. The original copies were always retained by the witness, after being approved by Mrs. King and the report marked by her approval. The duplicate was given to Mrs. King. The copy in court did not contain the sheet bearing her statement that it was correct. The witness said a number of vouchers had been attached to these statements, but these were not attached to the one he was holding.

The other two files turned over by the State were examined by the witness. He stated that they contained none of the monthly statements. The files, said the witness, do not now contain the papers that were in them the last time he saw them in New York city. One of the files did contain some of the papers left in them. M. H. Caldwell, for the defense, read a lengthy extract from the report of the defense, pertaining to business affairs of Mrs. King, about the time of the dissolution of the trust fund in the Woodruff Trust Company. These reports, stated the defendant, were made out covering the entire time he had been business manager for Mrs. King. All these reports, he said, had been left in his library at 1155 Park Avenue, New York city.

Relative to the large amount of money that he had, the witness said he was receiving money from German interests, in return for services in getting supplies through Russia into Germany. The account was opened in the name of Mrs. Means so that in case anything happened to him she could get the use of the money without a settlement of the estate. The witness said he often carried large sums of money in his pocket, so that the allied governments could not trace back and get a line on the shipments that were made.

The witness also stated that he had borrowed from Mrs. King by Means signed also by Mrs. Means, so that in case of his death, Mrs. Means' estate would be liable for the note. Of the full amount borrowed at that time, \$21,000 was later deposited to the credit of Mrs. Means.

Court here took a recess until 2 o'clock this afternoon. SATURDAY'S SESSION. Court resumed its session Saturday afternoon at 2:30 o'clock. The case of Gaston B. Means, Counsel for defense asked permission to delay the cross examination of the defendant long enough to hear a witness from New York who was compelled to return to that city. This was allowed by the court.

A. W. Haywood, lawyer of New York, then took the stand, and corroborated the story told by Means relative to the case of Gen. Burnett. The witness said Means came to him and told of the plot to embroil the United States in war with Mexico, in order that this country would be forced to use all the ammunition it could manufacture here. The witness was asked by Means what to do in the matter, and was told to submit the matter to the attention of Secretary Daniels, which Means said he had done. Mr. Haywood was excused after his testimony.

The defendant resumed the stand and handed several slips of paper, which he acknowledged to be in his own handwriting. These were deposit slips in favor of Mrs. G. B. Means. He also identified power of attorney filed out by himself and signed by Mrs. Means in his favor.

The detestaphone was next brought into the case. He explained that the inventor of the detestaphone came to him and borrowed \$40. Later the inventor came back and wanted to borrow \$80 more, leaving as security this detestaphone. The witness said the instrument had been in its case ever since he got it, except for one case, when he demonstrated to Mrs. King, Mrs. Melvin and Mrs. Robinson in his own apartments just how it worked. He had never tried to have the detestaphone attached to any telephone wire at 1155 Park Avenue.

Letters dated October 10, 1914, from William Delgarno to the witness was read relative to the price of cotton, and asking witness to pay up on last venture in cotton. Witness said this letter did not refer to any cotton future speculation, but was a letter he had made relative to the price of cotton. The price was not reached, and Delgarno had written him to pay the bet.

A number of regulations for drafts were handed the witness, who identified his signature on them. These were drawn by Merchants Loan & Trust Co. on New York Banks, and were for \$1,000 each in favor of Mrs. Ann M. Robinson. The reason New York drafts were bought was because Mrs. Robinson would deposit them in the Colonial Bank in New York. Another reason was because some of the money was to be sent to California for her property there. With the exception of two of these drafts, the witness said he handed all these drafts to Mrs. Robinson. The two were mailed to her while she was in Asheville. Beginning December 19, 1918, Mrs. Robinson opened an account in the Illinois Trust and Savings Bank, the witness attending to this matter for her.

The suits against Mrs. King brought by French concerns were inquired into by Mr. Dooling. He asked the witness whether it is not fact that one of these suits was for \$218.45 and the other was for \$1,347.50. The witness could not recall if these were the amounts. The suits were later withdrawn, said the witness, after Attorney Carl Schurz had won out for Mrs. King in the matter.

A loan was made by Mrs. King on September 10, 1915, to Mr. and Mrs. G. B. Means, said the witness. The amount was \$25,000, which he borrowed for the business of exporting furs to Germany. This venture fell through, and he returned the loan in amounts ranging from \$3,000 to \$1,000. This money was sent by Mrs. King to Paris in payment of accounts there against the said diaries and statements by her former husband. Two letters were identified by the witness as having been written by him, in which he enclosed checks for \$125 to pay interest one month. These checks were drawn by Mrs. Means on her account in the Lincoln Trust Company. Witness said that after August 29, 1917, a check had been drawn on his wife's account at the Corn Exchange Bank for about \$5,000 remaining in that bank. This was the account over which the witness had power of attorney. He said that the check was drawn with his knowledge. The same thing happened to the balance in the Lincoln Trust Company. A sheet of paper with the name of Mrs. Maude A. King, written on it a number of times, there on was identified by the witness who said he was present when the signatures were made. In the absence of the jury the witness explained that they were made by Mrs. King for the use of a handwriting expert after she had learned that an instrument said to have been signed by her was in existence. By the terms of such instrument, Mrs. King would have renounced any interest in the later will of James C. King, in case one were found. This, he said, was not done in New York State, but he could not recall the place. He thought they were then in a hotel, and he did not recall whether Mrs. Melvin was present. Mr. Cansler interrupted with an objection when the witness was asked where the signatures were made, saying that he saw an "ulterior motive." This, he explained in the absence of the jury, was being asked in order to bring further action against the defendant in future actions.

CIVIL WAR BREAKS OUT IN RUSSIA

Generals Kaledines, Korniloff and Brusloff Have Begun Revolution in South-eastern Part of Empire. THE BOLSHEVIKI PUT TO THE TEST In Orenburg the Bolsheviki Leaders Have been Arrested and the Soldiers Under Them Disarmed.

Civil war has broken out in Russia and the Bolsheviki regime apparently will be put to the test. The Petrograd government has issued a proclamation announcing that Generals Kaledines, Korniloff and Brusloff have begun a revolution in southeast European Russia.

The Bolsheviki announcement declares that Constitutional Democrats are assisting the hetman of the Don Cossacks and his fellow military leaders, who are said to aim at cutting off the food supplies and seizing power from the Black Seas to the Ural mountains as well as the Caucasus. The Bolsheviki troops have been ordered to take the field against the counter-revolution.

General Kaledines is said to be collecting his forces. Gen. Brusloff is leading the revolt in the province of Orenburg and is endeavoring to cut the trans-Siberian Railway at Tzhablinsk. Two towns in the Caucasus are besieged by forces of Gen. Korniloff.

In Orenburg the Bolsheviki leaders have been arrested and soldiers under them disarmed. In the new Ukrainian Republic the middle class is reported to be assisting Gen. Kaledines in opposition to the workmen and soldiers council. The proclamation of the Bolsheviki denounces the Constitutional Democrat party and its leaders, including Michael Roganok, the former president of the Duma and Mikulok, the former foreign minister.

It has not been unexpected in the European capitals that a strong effort will be made to oust the Bolsheviki from power. For some time General Kaledines has been gathering his forces in the Don region where he has been pointed by former officers and leaders of the old provisional government and has been reported to hold most of Russia's fold reserve and probably controls the Dan coal region and a great portion of the grain growing territory around the Black and Azov Seas.

The uprising in Portugal has resulted in the formation of a new cabinet. The fighting was confined to Lisbon and the immediate neighborhood and the government troops surrendered after two days of hostilities. The British and French troops have taken over from the Italian sections of the fighting fronts between Lake Garda and the Adriatic. The British are stationed along the upper Piave but the position of the French has not been disclosed. The Austro-Germans have not renewed their violent attacks along the Asiago Plateau, the strong defense of the Italians apparently having forced a sensational infantry activity to allow for the reforming of the army. There has been artillery activity between the Brenton and Piave and along the Piave where the Italian artillery and airships have been attacking enemy camps and communications behind the lines.

On the front in France there has been no more infantry activities and fighting has been confined to the Cambria and Ypres areas. Outpost encounters and raids have occurred on the Cambria front and near Lens. A German effort to enter the French lines near Bezonvaux, in the Verdun region has been repulsed by the French with considerable casualties to the enemy.

JERUSALEM SURRENDERS Andrew Bonar Law Makes Announcement Today. Hotels to Conserve Food. Winoia, Linn, Dec. 10.—The effects of the war on the hotel business will be discussed and plans to conserve food will be perfected at the annual convention of the Minnesota, North Dakota and South Dakota Grocers' Association, which met in this city today for a two-day session. The association embraces in its membership the proprietors, managers and chief clerks of the leading hotels of the three States. State Food Administrator George Poocock of St. Paul is scheduled to address the convention.

Suffrage Leaders in Capital. Washington, Dec. 10.—Delegates to the annual convention of the American National Woman Suffrage Association continued to arrive in the capital in large numbers today. Meetings of the executive council and of the standing committees of the association were held during the day. The regular business sessions of the convention will not begin until Wednesday.

NEW RAILROAD SCHEDULE. Time of Arrival of Trains at Concord as Now in Effect. A change of schedule went into effect on the Southern Railway yesterday. Many trains are affected. The time of arrival of trains is now as follows:

Table with 2 columns: Train Name, Arrival Time. Includes entries like No. 20-4:25 a. m., No. 44-5:00 a. m., No. 31-4:17 a. m., No. 37-4:08 a. m., No. 11-10:00 a. m., No. 36-11:28 a. m., No. 45-3:20 p. m., No. 46-3:45 p. m., No. 12-4:45 p. m., No. 33-5:05 p. m., No. 35-5:10 p. m., No. 32-9:30 p. m., No. 42-10:10 p. m., No. 30-12:55 a. m.

DOOLING'S CROSS EXAMINATION OF MEANS. Asked if He Received a Dunning Letter, Means Shouts, "If I Did You Stole It."

Special to New York Herald. Concord, N. C., Friday.—Hostility that threatened to develop into serious trouble marked the cross-examination today of Gaston Bullock Means, on trial here for the alleged slaying of Mrs. Maude King, by John T. Dooling, Assistant District Attorney of New York. Means himself precipitated the most serious disruption of the court room decorum when, resenting the import of one of Mr. Dooling's questions as to whether he had received a dunning letter, Means from the witness stand pointed his finger at the cross-examiner and shouted, "If I did, you stole it."

The retort by Means caused a murmur of excitement to run through the crowd of spectators who packed the court room. Means' lawyer, E. T. Cansler, was on his feet instantly, protesting the indignity of Means' conduct. Dooling, however, pointed his finger at the witness and said, "You stole it."

Justice E. B. Cline stopped the verbal row temporarily by directing the stenographer to read the objectionable question and answer to him. Then he ruled that the question did not tend to impeach the witness, but he caused to be written into the record an admonition that the defendant should not have made the remark he did. Means' lawyers rallied quickly to the witness' defense.

Mr. Cansler entered vigorous protest against the form of Mr. Dooling's questions to Means and declared that, regarding the all men are human, he could not accept responsibility for what might happen if the character of the cross-examination was not altered. At the suggestion of Justice Cline that the trial be permitted to proceed "calmly," Mr. Dooling smilingly asserted his readiness to forget the tilt. Means, glowering at the man he blames for placing him in his present predicament, explained to Hayden Cansler, prosecutor, Judge Cline and the jury that he was sorry for what had occurred. He ignored Mr. Dooling, but no official recognition dignified the prisoner's action.

Court adjourned for the day just as the rumpus ended, and the Means sympathizers gathered in groups and expressed their displeasure at the presence in Concord of Mr. Dooling and the New York policemen who accompanied him here. Mr. Dooling however, gathered up his papers and walked to his hotel.

Opposition to Mr. Dooling's participation in the trial has been manifest from the start, so far as Means' supporters are concerned. Because of his familiarity with the contents of paper relating to Means' handling of Mrs. King's affairs which were seized by Mr. Dooling in the prisoners New York apartment, he was designated to conduct the cross-examination. Through all of his direct examination Means repeatedly declared his inability to give definite answers, because the dunning papers had been withheld from him and had hindered him in a proper preparation of his defence.

Mr. Dooling's first question to Means showed the tension under which those participating in the trial were laboring. "I did live," began Means. "Oh, answer the question," said Mr. Dooling, raising his voice sharply. "Demand Show of Courtesy." Instantly Means' lawyer was on his feet. "I demand, Your Honor," said Mr. Dooling, "that counsel be compelled to show to this witness the same courtesy that is due from gentleman to gentleman."

A murmur of approval ran through the court room. Justice Cline endeavored to smooth the ruffled waters by asking that either one be calm. Means finally answered that he was present place of residence was the Cabarrus County Jail. Although the court room squabble was soon ended, it was plain that Means' supporters were displeased with Mr. Dooling and his "New York tactics." In the streets tonight Mr. Dooling was being loudly denounced and frequent predictions were made that he would not continue as Means' cross-examiner.

Although Mr. Dooling declined to comment on the situation, it was known late tonight that many of the New York witnesses who accompanied him here urged strongly that he withdraw from further participation in the case. Mr. Dooling was opposed to such course, and it is understood, will renew cross-examination of Means when court opens to-morrow.

ARMISTICE SIGNED SAYS BERLIN REPORT Central Powers Sign Armistice With Russian and Rumanian Powers. Berlin, Dec. 10.—The military office of the central powers have signed an armistice with the Russian and Rumanian armies on the Rumanian front between the Danube and the war office officially announced today.

Supreme Court Reconvenges. Washington, Dec. 10.—The Supreme Court of the United States reconvened today, following the two weeks' recess over the Thanksgiving holidays. One of the most important cases docketed to receive the early attention of the supreme tribunal is a test case brought to determine the constitutionality of the Selective Draft Law. Altogether there are seven suits pending before the court involving this issue. Among them are those of Emma Goldman and Alexander Berkman, sentenced to two years' imprisonment and fines for urging men of conscription age not to register.

Jellies and Preserves for Soldiers. The Red Cross and the Daughters of the American Revolution have combined their efforts in trying to secure jellies and preserves for the ill at the base hospital at Camp Greene. The need is urgent and if you can spare some of your own home made ones they will be greatly appreciated. Please try to send these or notify Mrs. T. T. Smith on North Union street, before the 15th.

NEW YORK IS IN THE GRIP OF A BLIZZARD

Railroad Service Between New York and the West is Seriously Crippled.—Severe Loss to Shipping. ONE TRAIN WAS 13 HOURS LATE Man Found Dead From Exposure After he Had Burned His Last Piece of Furniture to Keep Warm.

(By International News Service.) New York, Dec. 10.—New York is in the grasp of a "Norwester". The blizzard came from the Great Lakes states and is scheduled to spend fury on the Atlantic seaboard. Shipping on the Atlantic coast sustained severe losses.

Railroad service between New York and the west is seriously crippled. At 6 o'clock this morning the mercury stood at 11 degrees above zero in New York. Railroad managers say the storm is the worst in years, particularly in the suddenness of the cold. In coming trains encountered the storm just west of Buffalo where, in several instances, the snow drifts were six feet deep.

Pennsylvania and New York Central trains are running far behind their schedules. One of the New York Central trains pulled in from Chicago 13 hours late. In this city one death from exposure is reported. The body of Henry Kirschner was found in his home after he had burned his last piece of furniture in the final effort to keep warm. Many of the poorer class, caught without sufficient fuel are suffering. Many reports of loss of property and lives are being received today by shipping interests. Six lives were lost when three barges founded off Jamestown, R. I. Three barges were sunk between the Delaware and Virginia Capes.

THE WEATHER TOLL Eight are Dead at Cleveland and Five at Pittsburg.—Suffering Intense. (By International News Service.) Cleveland, Dec. 10.—Eight are dead, and the suffering is reported great among the poor. Telegraph and telephone wire traffic is crippled today as the result of the first cold wave of the season.

Temperature ranging from 4 to 12 degrees below zero, were reported from Detroit. Storm Warnings. Washington, Dec. 10.—The weather bureau today ordered storm warnings displayed from Delaware breakwater to Eastport, Maine.

Zero Weather in New York. New York, Dec. 10.—Zero weather for New York State was predicted at the Federal weather bureau today. It is declared the drop in temperature will be accompanied by winds of exceptional velocity. At 10 o'clock the mercury stood at 10 above and steadily going downward, declared the weather prognosticator.

Chicago in Winter's Grip. Chicago, Dec. 10.—Chicago today is in the grip of the most severe cold spell of the winter. At 6 o'clock this morning various thermometers registered five degrees below zero. John Risnik, an engineer, was scalded to death when a broken wheel, believed to have cracked because of the cold, caused his engine to overturn. Lake shipping is greatly hampered. Trains on railroads leading into Chicago are meeting with delay.

Five Dead at Pittsburg. Pittsburg, Dec. 10.—Five deaths was the toll of the blizzard and cold wave that has held Pittsburg in its grip for the last 48 hours. Snow fell to a depth of six inches. At 10 o'clock today the official thermometer registered five degrees below zero. The forecast announced that it would drop ten below before tonight.

SUPREME COURT UPHOLDS NORTH CAROLINA LAW Requiring all Common Carriers to Keep Record of Liquor Shipments. (By International News Service.) Washington, Dec. 10.—The Supreme court today upheld the North Carolina law requiring all common carriers to keep a record of consignees of liquor shipments. The case was brought by the Seaboard Air Line which contended that the law conflicted with the Hepburn rate law, which set forth the books which should be kept by the railroad companies.

BLUEBIRD PHOTOPLAYS, Inc. Introduces The Smiling Canadian FRANKLIN FARNUM And the Winsome Comedienne BROWNIE VERNON In Elmer Clifton's Production of Jack Cullinan's Mystery Comedy "A Stormy Knight" The wonderful outcome of a chase after Lave's Will-O'-the-Wisp Thrilling—Sensational—Exciting A 60 Laugh Power Comedy Drama AT THE THEATORIUM TODAY.

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