

#### VOLUME XVIII. J. B. SHERRILL, Editor and Publish

Six Speeches Have Been Made, Four for Defendant and Two on Behalf of the State.

CASE IS CONTINUED

ARGUMENT IN MEANS

SEVEN MORE LAW-YERS WILL SPEAK hey Are: Newell, Dooling, Caldwell, for the State and Caldwell, for the state and They Are: Newell, Dooling,

Hartsell, Armfield, Crowell Cansler, for Defendant.

The argument by counsel in the trial of Gaston B. Means was resumed this morning at 9 o'clock, when the six-teenth day's session began. At yes-terday's session, one of the attorneys state, and two for the defer had made their argument, leaving six more speeches for the defense and four for the prosecution still to be made. The order in which these will come will be about as follows:

will be about as follows: P. C. McDuffle for the state, fol-lowed by T. D. Maness and M. H. Caldweil, for the defense; J. F. Newell, followed by L. T. Hartsell and Frank Armfield; John T. Dooling, followed by J. L. Crowell and E. T. Cansler; with L. Campbell Caldwell closing the argument for the state At the opening of court this morn-ing there were only about twenty-five or thirty spectators present, due most likely to the bad weather and the snow on the ground.

now on the ground.

snow on the ground. Phil C. McDuffie, of Atlanta, began his argument for the prosecution at 9:20," after having been compelled to wait for some time until some papers wanted by him had been brought to the court poor the court room.

the coart room. He went into the fact that a woman was killed in this county on the night of August 29th, and in the fact, he said, lurked the grim visage of murder. The man accused of her death was the woman's business manager. She was his benefactor and friend, but had she not exempt the vicibit to line? not carned the right to live?

not earned the right to live? In deciding this case, a motive does not necessarily have to be established, he said, but a motive adds to the weight of the evidence. Taking a look at the financial con-dition of the defendant, the lawyer said that when Means went to New York

and went to work for the Burns Agency, he had not a dollar in any bank o. k. and was living in a cheap flat, working as a detective. His wife's o. k. did not amount to as much as a hundred dollars. After the defendant met Mrs. King he began car-rying large rolls of bills, and the deposits at the bank in his name and the name of his wife began to grow. There name of his wife began to grow. Here is not a single written line to show that any of this money was received from German interest. Not a bit of evidence, besides that of the defendant, has been introduced to show that he received any cash at all from German interest.

The \$25,000 borrowed by the defendant from Mrs. King on a "rubber venture," was never returned, accord-ing to all the papers that have been presented here. The venture fell through, said the defendant, but why was the money, not then returned? This unpaid note was one of the things about which Means was afraid that Mrs. King would "fly the track."

T. D. Mances. T. D. Mances, for the defense, was the next speaker He stated that the only difference between the State and defense was that the former contend-ed the deed was planned, while the de-fense claimed it was an accident. The defense was glad, he said, that Mr. A. B. Melville came here to testi-fy in this case, and the speaker pro-duced a copy of the testimony of this witness, which he said he would make the basis of his remarks. He retriowed the financial transactions of the dead woman and the defendant, showing that the funds of Mrs King were not dissipated by him. Outside of the mon-ey given away by Mrs. King over her own signature only about \$70,500 had been spent out of her money during the time from Angust 7, 1915 until her death—compared with what was spent before she met Gaston Means. Mrs. King spent less money every year since that ovent. When the defendant be-

funds. The bank books of Mrs. King, offer-ed in the evidence by the state, show-ed that the money was placed to her credit, and the money was paid out

over her signature. The revocation of Mrs. Robinson The revocation of Mrs. Robinson's trust fund was made with the know-ledge of Mrs. King, who signed the agreement to pay her mother \$1,000 per month until July 1, 1917, after which she is to receive \$2,500 per month, instead of the \$600 monthly which she formerly received This which she formerly received. This agreement, said the speaker, is still valid, and the whole estate of Mrs. King stands behind this agreement. The reason Mrs. Robinson had re-

ceived nothing since September 1, was because the estate of Mrs. King has not yet been properly administered. In place of being penniless, Mrs. Robinson wil continue to receive \$2,500 per month until the estate of Mrs. King is used up. "If that was a fraud," said Mr. Maness, "I would like for some one to practice such a fraud on

me." That Mrs. King knew what was be ing done when this trust was revoked, is shown by the fact that she signed the securities and a note for \$35,000 borrowed on them. The check given by the bank was made out in the name of Mrs. King and not in the name of **Gaston** Means

Gaston Means. The events leading up to the auto-mobile ride that evening did not in the opinion of Mr. Maness appear to him as if a murder was being con-templated. Why were the different persons invited to go on that ride, if the defordent was planning a murder? the defendant was planning a murder? It was shortly after sundown, and the moon that night had just crossed the meridian. The noise that the defendant heard

when he was at the spring was made by the automatic in the hands of Mrs. King, when she pulled back of the jacket and threw : cartridge into the chamber, said Mr. Maness. The de-fendant looked around on hearing the sound and saw Mrs. King holding the pistol in her hand. Upon attempting to put the pistol back at the instructions of Gaston Menns, the wom-an's foot turned on the exposed root, causing her to fall and accidentally discharge the weapon. The pain caus-ed by the ankle turning would make a ed by the ankie turning would make a person grip whatever was in the hand at the time. Dr. Burmeister, he said, based his whole opinion upon the pres-ence or absence of powder burns or singed hair. Nothing is more uncertain, said the

lawyer, in conclusion, than the manner in which Mrs. King met her death Circumstances have been shown how she could have fired the shot herself and this should cause a reasonable doubt in the minds of the jury, to which doubt the prisoner is entitled to the benefit. He finished his address at 12:35 o'clock.

M. H. Caldwell.



At Many Places in the Country and no Adequate Supply in Sight.

APPEALS FOR AID FROM EVERYWHERE

Dr. Garfield Says That Only a Lessening of Consumption Will Help.-Blame Placed on Railroads.

(By International News Service.)

Washington, Dec. 13.—The fuel situation throughout the country showed no improvement today. There is an acute shortage in many places and nowhere is there an adequate supply. Fuel administrators from all sections are deluging the national fuel administrator with appeals for aid. He however, is able to do little, it was admifted. in fact Dr. Garfield himself has taken the position that only a ssening of consumption will help. The representatives of the coal interests here place the stame on failure of the railroads to get sufficient cars to the mines to move the output. This is sharply denied by the railroad men who say they are moving more coal than ever before in the history of the

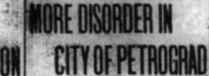
fain ever berote in the instory of the nation. The unusually cold weather for this time of year which prevails all over the country is the real reason, they say. And the rairond men, like Dr. Garfield, believe that the best relief plan is to secure co-operation from coal users. The suggestion has been made to the coal administrator that theatres and institutions that are enirely non-essenianl be asked to shut down for a couple of weeks during the down for a couple of weeks during the holidays. Such action would save fuel in every locality, even in the smaller communities, it is explained. The sug-gestion is one of many now before Dr. Garfield. Munitions, food and fuel now are being preferred for movement on all railroads in the east. An em-bargo has been laid by the railroads on non-essentials but it was stated today that it vary likely will be several days before any effective result can be ex-pected. In the meanwhile another heavy snowstorm would result in very great suffering.

great suffering. The New England states, New York. certain sections of Pennsylvania and Maryland, all of the Central Western states today were bombarding the fuel administrator with telegrams demanding that steps be taken to get an ade-quate supply of fuel to their particular locality. And most of the officials tel-graphing sent duplicates of their apeals to the White House and to sena tors and representatives.

## Governor of Ohio Seizes Coal.

Washington, Dec. 13.-The fuel administration today had been "officially advised" of the action of the gov-ernor of Ohio, who yesterday seized 1,500 cars loaded with coal and diverted it to points where most needed. Governor Cox had been advised, fuel administration officials said, that Homer Johnson. Ohio state fuel ad-ministrator, had full authority to di-

vert coal if he were satisfied that it really was needed. Any action taken by Governor Cox rould simply lead to confusion and



There is an Acute Shortage As a Result of the Counter Revolution Started by the **Cossacks Under Generals** Kaledines And Korniloff.

> FIGHTING IN THE STREETS OF CITY

The Bolsheviki Forces Placed Machine Guns on Roofs of Buildings to Sweep the

Thoroughfares. (By International News Service.)

Copenhagenfi, Dec. 13. -- Disorder have again broken out in Petrograd

as a result of the counter revolution started by the Cossacks under General Kaledines and General Korniloff. Information was received here to day that fighting took place in the streets and the Bolsheviki forces place

ed machine guns on the roofs of build-ings along the Nevsky Prospect to sweep the thoroughfare, the most prominent in the Bussian capital. ritles is only 5,000

Contradictory reports have been re-cived as to the outcome of fighting in the Mohiloff district. Indications, however, are that the Bolsheviki however, are that the Bolsheviki forces have been defeated, Ensign Kelensko, of the Bolsheviki,

it is reported, withdrew soldiers from the front which have given rise to the report that the Russians have begun to demobilize. Germany and Austria, it is reported,

Germany and Austria, it is reported, have placed their terms in the hands of the Bolsheviki commissioners. These terms are said to contain a promise from the German government to support the Bolsheviki government at Petrograd from "domestic enemies."

A cablegram to the International News Service last week stated that certain units of the Russian army on the Eastern front were being disband ed following the conclusion, of the temporary armistice.

Bolsheviki Denounce Cossack Leader Stockholm, Dec. 13.—The Bolsheviki government at Petrograd has issued a proclamation denouncian the leaders of the Cossack revolution as traitors and threatening them with summary punishment if captured, says a report

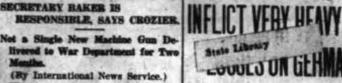
winning in the field and warn the people not to treat with the revolutionaries. West of the Don river, north of

forces from the eastern front.

## Body of Armed Americans to Guard the Munition Plants.

(By International News Service.) Washington, Dec. 13,-The United States Guard, the body of armed Americans that will take over the guarding of munitions plants, rail-roads and like essentials of warfare located in this country, was created

today. The first increment will be twenty five thousand men divided into forty is and



Price Five Cents.

(My International News Service.) Washington, Dec. 13.—Responsibility for the army's failue to have any ef-fective number of machine guns was placed directly upon Secretary of War Baker this afternoon by Major General William Crosser, chief of ordnance testifying before the Senate military affairs committee in the investigation of the army.

affairs committee in the investigation of the army. The general had just finished teiling the committee that there were only about 350 machine guns in the whole army and that not a single new one was delivered to the war department for more than two months after the declaration of war. He gave the com-mittee a brief explanation of this con-dition. dition

"Your explanation does not satisfy me", said Senator Chamberlain, chair-man of the committee bluntly. "It does not satisfy me either", the general replied. "Well who is responsible?"

demanded Senator Chamberlain. "The Secretary of War," blurted out the General. "He has to be." Another Startling Fact.

Washington, Dec. 13.-Just before the United States entered the war last April, small arms manufacturers in the country were making 10,000 rifles daily for the Allies,

Today, nine months after the declaration of war, with hundreds of thousands of American soldiers unarmed the average daily preduction of

Disconcerting fact was made known today in the Senate Military Affairs committee in cross-examining General William Crozier, chief of ordnance, in the investigation into the condition of the army.

### THE GERMANS HAVE FAILED SIGNALLY.

Hoped by Submarine and Land Offensive to Incline England to Peace.

(By The Associated Press) The Germans have been conducting submarine offensive of great magnitude of complement to their offensive on the land in hope of inclining Great Britain toward peace but have failed, signally in their naval as well as their military efforts according to a high naval authority in London.

naval authority in London. The counter measures of the entente forces by the American contingent are becoming increasingly successful, it is declared. Recently the production of new tonnage as nearly equalled the tonnage sunk and the destruction of submarines has reached a point close-ly approaching the maximum capacity of the Germans for turning out U boats. boats.

### DOES TURKEY WANT A SEPARATE PEACE?

No Disposition on Part of U.S. Government to Discuss Peace in Any Form.

(By International News Service.) Washington, Dec. 13 .- Swiss reports that Turkey might negotiate a "sepa-rate peace" with the Entente reaching here today, were characterized as "in-teresting" by administration officials. But they furnished no basis for gen-eral comment. So far as this governeral comment. So far as this govern-ment is concerned there is no dis-position anywhere to discuss peace in any form. Both Turkey and Bulgaria may initiate negotiations officials say, but until they do there is no disposi-ton to consider such action probable.

# ARGUMENT IN DRAFT CASES.

Begun Before Supreme Court Today .-Nine Separate Suits.



NO. 76.

pulse the First Massed Attacks of Germans in Several Days.

## HEAVY ARTILLERY BATTLE GOES ON

Weather Conditions on Italian Front Becoming More Favorable to Defenders of Venitian Planes.

(By The Associated Press)

In Petrograd the Bolsheviki continue their efforts to gain control of the con-stiuent assembly, although available returns from the recent elections show that the Bolsheviki alone hardly have a majority in the assembly. Orders for the arrest and trial of the leaders of the Constituent Democrat party, most of whom are supporting the Cossack revolt, has been issued by the Bolsheviki.

Field Marshal Haig's troops have met and repulsed the first massed attacks, on the western fronts, in sever-al days and have inflicted heavy losses on the Germans. An attack was made on a front of one mile, east of Bullecourt, and between that town and Queant, and had it succeeded might have had a tactical effect upon the salient before Cambria. After heavy bombarding the Bava-

After heavy bombarding the Bava-rian troops went forward in massed formation. The British line held ex-cept on the right and the Germans were driven back with heavy losses. On the right the enemy gained a short length of trepet which was destroyed in the bombardment preceding the attack. No further attempts with in-fantry were made, the Germans con-tenting themselves with masses of ar-tillery fire against the British position in this area.

Between Bullecourt and Ypres the German artillery has been active, but no attacks have developed. The heavy enemy bombardment is continuing in the Champaign region, cast of Rheims. A German surprise attack aganist French positions in this region was without results. Northeast of Verdun the heavy artillery battle goes on without cessation. Weather conditions in the Italian

front are becoming more favorable to the defenders of the Venetian to the defenders of the Venetian planes. Show is falling and the Ital-ians hope this aid will help in ham-pering the ogensive efforts of the Aus-tro-Germans. Between the Brenta and the Blane the the Piave the enemy attacked as the snow began falling and gained sever-al small hill positions. In counterat-tacks the Italians regained the lost ground.

British shipping losses last week show an increase over the previous week, 21 vessels being lost through week, 21 vessels being lost through mines and submarines, according to the latest reports, while 17 were such the week before. There was a crease in the number of ships of parts than 1600 tons, however, the total for the past week being 14, a reduction of two. The number of ships attacked unsuccessfully reached 11, the highest formes in several weeks. figures in several weeks.

DEMAND FOR SPECIF

rom Haparanda today. The Bolsheviki leaders claim to be

Vitosi the Korniloff forces are report-ing to be pressed bock by Bolsheviki

UNITED STATES GUARD WAS CREATED TODAY.

The revocation of the trust fund in favor of Mrs. Anna L. Robinson was effected when she was in a weak and helpless condition, and she was ignorof what she was signing, said Mr. McDuffie. The paper authorizing the Merchants Loan & Trust Company to pay Mrs. Robinson \$1,000 per month. executed at the same time, but the duplicate copies were still in the hands of the defendant, and had never been turned over to that bank.

The second will, said the speaker, was the "vehicle of fraud," by which the defendant drained money out of Mrs. King. If he had found a will, why Mrs. King, if he had found a will, why was it not put into the probate court, where it belonged, instead of having all this investigation made by the whole crowd under the direction of the defendant? Why, instead of having the will probated, did they go to the Northern Trust Company, and try to make some kind of arrangements with

them with regard to taxes? The smudge on the left hand of Mrs King was not caused by firing the 22 Colt automatic pistol, as contended by the defense, said the lawyer. This he said, was proven conclusively by Capt. Jones, when he fired in the court

Capt. Jones, when he fired in the court room, the pistol that caused Mrs. King's death. The pistol that caused Mrs. King's death. The pistol that caused mrs. It is the pistol that caused Mrs. Start and the start of the witness-es who testified here may have been any of Capt. Jones, this would be accom-plished by shortening or weakening the spring in the automatic pistol. The absence of the hat worn by Mrs. King was a strong fact that speaks against the defendant, said father of the defendant is a learned lawyer, he said, and he should have known the value of this article as a piece of evidence. Then, too, the switch worn by Mrs. King was destroyed or done away with by the undertaker. Why was not this evidence brought into court?

12.54

into court? The speaker closed his argument at 11:05 o'clock, with an appeal to the jury to do their duty without fear or favor, and if they had no doubt in the the of in their verdict

ney for the defense. He stated that the question for the jury to decide was not whether Gaston B. Means was a swindler, or whether Mrs., Robinson is a pauper: but whether or not the defendant murdered Mrs. King.

Mrs. Gaston Means had made a speech which outweighed all the opinions of Dr. Burmeister and Dr. Schultz, said the speaker, when she took the automatic pistol and put it in the position it was bound to have been held in order to send the bullet in the course of the one which tore through the brain of Mrs. King.

Court took a recess at this point until 2 o'clock this afternoon.

# WEDNESDAY AFTERNOON'S PROCEEDINGS.

At the convening of court. Wednesday afternoon at 2 o'clock, Judge Frank I. Osborne concluded his argument for the defendant, Gaston Means. He took up the matter of pro-bability of Mrs. King's having shot herself, saying that the accidental thing is that which happens wheth it was not considered probable. The testimony given by Dr. Burmeister and Dr. Schultz, said Judge Osborne, was simply their opinions, but he added that wisdom was not born, nor will it die with either of them. On the other hand, the defense has the opinions of six reputable physicians whom the jury know, and who are headed by Dr. Wilder, who says that Mrs. King could have fired the shot.

The experiments with blotting pa he said, did not prove how the hu skin would be marked by pov grains. The tests made on hu skin showed that the powder gr ents with blotting pape sich showed that the powder did not show if the pistol were l did not show if the passes. Then, to much as six inches away. Then, to human hair was not singed at a di human hair was not singed at a di tance greater than three opinion of Dr. Burmist Th ter was base pon the assumption that they are all the pistol in the usual way. The all the pistol in the usual way. The all the pistol is no evidence as to how the pistol is no evid beld.

beld. Dr. Schultz, said the lawyer. not put on the stand to act for the (Continued on last Page.) truck fat

M. H. Caldwell was the next attor-ev for the defense. He stated that of law. What is to be done about the -besides being a violation Ohlo seizures, officials will not decide until officially advised of just what Governor Cox has done.

"Keeps Hands Off," Says Garfield

Washington, Dec. 14.-"Keep hands off". Fuel Administrator Garfield this afternoon sent word to Governor Cox, of Ohio, with a further intimation that criminal prosecution would follow any attempt by the Ohio executive to interfore in the coal situation.

Dr. Garfield's telegram to Governor Cox follows:

"I must regretfully but firmly request that you do not interfere with the orderly distribution of coal in Ohio under orders issued by my authority byHomer Johnson, Federal Fuel ad-ministrator of Ohio. He has fullest authority to act and F. C. Baird, is cooperating with him. I must insist that state authorities be not permitted to interfere with the action of he United States Fuel administration." to interfere with the action

Christmas Furloughs Banned. Washington Post.

The war department yesterday pu an end to all hopes of the drafted men in national army camps of a homet Christmas unless their homes are within trolley distance of the

Secreary Baker declared t hat

Secreary Baker declared t hat no general furloughs would be granted as had been widely urged. "Many of the men." he said. "are hundreds of miles from home and the expense would be very heavy for them naide from the fact that the discip-line of the camps would be shattered by more than 500,000 men going away.

away. "One hing alone is sufficient rdened the railroads for two mths gathering these men. To throw more than 500,000 men on the rail-road system of the country, already overburdened with war freight and the Christmas rush, would wreck the traffic of the country."

Many parts of the South report emand for women to work on t

relieve regular troops now special duty guarding essential points in the United States. The make up of this body will include men between the ages of 31 and 45. Service will be oluntary enlistment.

The head of the new organization which will take the place of many un-official "home guard" organization will be brigadier General J. McL. Carter, chief of the militia bureau of the Wan department. The highest ranking offi-

cer will be major and it is planned to place in command of the various units applicants for sommissions in the foreign service who were not

fully equipped for that duty.

## THE STOCK MARKET.

Market Opened Steady .- Steel Com mon Sold Up to 821/2

(By International News Service.) New York, Dec. 13 .- The stock market opened steady. Steel common solo up to \$2½, an advance of %, while Bethlehem Steel B rose 1% to 70%. Bepublic advanced % to 70%. Union Pacific decline % to 105% and Baltimore and Ohio sold down ½ to 65,

rose to 66.

Marine preferred rose 1½ to 88½ and the common rose% to 18½. Smelting sold up one point to 68%, while gains of about ½ point were made in Utah and Anaconda. American Beet Sugar decline 4 points to 63.

## THE COTTON MARKET.

d Fairly Active and Firmer To day, Advancing 11 to 30 Points.

(By International News Service.) New York, Dec. 18 .- The cott arket opened gairly active and fig today, s pos. strov nts in first prices with the strongest feature. of the first fifteen minute had reacted sharply with ten points under the open Cotton opened : Deep January, 29:20; March,

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28.55 ; August, 27.20.

(By The Associated Press)

Washington, Dec. 13 .- Arguments in the draft cases growing out of con-victions in Georgia, New York, Ohio, and Minnesota under the selective service act began today in the Supreme Nine separate soits are incourt. volved and because of the number of attorneys desiring to be heard the court granted an extra hour in adlation to the usual thece hour period for argument.

#### Only One Big French Steamer Sunk. (By The Associated Press)

Paris, Dec. 13 .- In the week ending December 8th, only one French steamer of more than 1,600 tons was sunk by German submarines. None under the ton were lost. Three French vor attacked but none were destroyed. fishing vessels were sunk.

Bill for Additional Federal Judge (By The Associated Press) Washington, Dec. 13.— And provid-ing for an additional federal judge in the western district of North Cally ofina, was introduced today by ator Overman. It provides that subsequent vacancies by the dis would not be filled.

No Peace Conditions Subbatta

(By The London D ondition Russinet

In Supplying Arm the Nation's (By The

Washington, hands for ation of delays in a specific ex supplying ar and artillery to the forces were made to enate Military Affairs nations fig Military day by t in a examination of Major in a examination of ance, investigation Commit Genera g the Senate monstrons over all sides questions over conti 0 rdnance chief f sey furnished by n more rapher edge for many

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