

GRAND JURY TO PASS ON MEANS CASE

(Continued from Page One)

came to the conclusion that the woman could not have killed herself without taking the powder marks into consideration.

"The only thing on which these experts agree," he continued, "is that the woman was not accidentally shot."

Mr. Osborne then began an extended discussion of the experiments which the State's experts made.

The theory of the experts that Mrs. King could not have brought the pistol muzzle to bear on the spot where she was shot in the back of the head, rests upon the supposition that when the weapon was discharged, she held it in her right hand and fired it in the usual manner.

He contended she could have held the weapon and fired it with her thumb. L. T. Hartsell, of counsel for Means, demonstrated to the court such a method of holding the weapon as Mr. Osborne described, and the latter asserted it could be fired in that manner to inflict a wound similar to that which killed Mrs. King.

Mr. Osborne argued that Mrs. King did not deliberately shoot herself. "No one seeking to commit suicide," he said, "would shoot themselves in the back of the head, but would fire at the front of the head."

On the same grounds he contended that if Means had determined to kill the woman he would have shot her in such a manner as would enable him to claim she shot and killed herself purposely.

Gaston Means would not have asked his friend, Mr. Bingham, to join him and Mrs. King and Afton Means on the automobile ride the night the woman was killed if he had intended to kill her, Mr. Osborne argued. He also asserted Means had asked Mrs. Mazie Melvin, sister of Mrs. King, to accompany them. Means also would not have wanted even his own brother along if he had planned murder, the defendant's counsel argued.

When Mr. Osborne closed his plea for dismissal, Solicitor Clements addressed the court.

The Solicitor argued that the State had presented sufficient evidence to warrant Magistrate Pitts, if he were trying the defendant before a jury, to send the case to the jury. He also took up the claims of the defendant as to Means' character.

"Your honor know this defendant when he was a boy here and was his classmate at college," said the solicitor, "but neither of us know anything about his character since he left here to live in New York."

The solicitor said that Means would not have bought an automatic shooting steel jacketed bullet merely for target shooting, but that he had bought such a weapon to make sure of killing the woman.

He said the State's evidence showed the pistol was in Means hands only a few hours before the shooting.

The solicitor contended that Gaston Means sent Ernest Eury, the negro chauffeur, away from the spring after the party had arrived there and that Bingham and Afton Means already had gone off, leaving Gaston Means alone with the woman. Then the shot was fired, he added.

Mr. Clement then dwelt on testimony of Dr. Burmeister and Dr. Schultze that the woman could not have shot herself in the position in which the wound was made.

"It seems to be the purpose of the defense to reflect upon the character of these experts," he said, and added:

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MEANS ASKS THAT SEIZED PAPERS BE HANDLED TO COURT

(Continued from Page One)

"We are going to keep the papers in our possession until the 31st of October, when the writ is returnable," he said, "then if the court orders us to turn them over, we will do so."

Solicitor Clement later in answer to a question as to what action would result from the serving of the writ.

If the defense could find any ground for criticizing the fact that outside experts had been brought here that "I take it all on my shoulders as I am responsible for their coming here."

L. T. Hartsell then began a plea for dismissal, taking up Means' character and arguing that no motive had been shown for the death of the woman.

Hartsell devoted much of his argument to the publicity given the case and to New York and Chicago authorities sending experts and investigators to aid the prosecution.

He contended that the testimony of the experts was wrong, reiterating that by using the pistol in question, he could shoot himself as Mrs. King was shot. Of this, he offered a demonstration which he contended would result in the same kind of wound if the pistol were held in the left hand and the trigger pulled with the thumb when the finger pressed the safety catch.

After Mr. Hartsell finished it was announced that the defense would make a total of eight speeches. recess was then taken.

Official denial by Frank I. Osborne, leading counsel for Gaston B. Means, that application for a writ of habeas corpus has been made at Gastonia, N. C., for his client, left the way clear here today for the resumption of the preliminary hearing of Means, accused of the murder of Mrs. Maude A. King.

The report that Means had sought a habeas corpus reached counsel for the prosecution here late last night when E. T. Cansler, one of Means' attorneys, conferred with Superior Court Judge Webb at Gastonia. Judge Webb later declined to discuss the conference and Mr. Cansler hurried to Charlotte. Mr. Osborne's denial came after the prosecution gave currency to the report here, and it was understood Mr. Cansler in Charlotte early today also denied that such application had been made.

The State was ready today for the defense to contest its claim that Mrs. King came to her death at Means' hands and a pistol in her own hands as a local coroner's jury decided.

In furtherance of the prosecution's attempt to have Means bound over to the grand jury, Dr. William Burmeister, of Chicago, and Dr. Otto Schultze, of New York, testified during the State's presentation of its case when the hearing opened yesterday that it would have been a physical impossibility, in their opinion, for the wealthy widow to have shot herself in the back of the head where she received her fatal wound on the night of August 29 at a small spring near here.

Besides the experts, five other witnesses testified for the prosecution, bringing out that on the trip, Mrs. King was accompanied by Gaston Means who was her business representative, and by Capt. W. S. Bingham, a friend, and Afton Means, a brother of Gaston Means. Details of the woman's death were gone over minutely, but no mention was made of Means' management of the fortune she inherited from her husband, J. C. King, of Chicago, nor of investigation by New York authorities of allegations of Means' connection with German agents, while he and his wife were living in New York with Mrs. King.

Lengthy conferences by the eight attorneys representing Means followed the resting of the State's case late yesterday.

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NAME COMMITTEE TO GET PATROL BOAT (Continued from Page Six)

lism Company, was named to work with the committee previously appointed.

The parking ordinance was freely discussed. Mr. C. W. Polvogt raising objection to anything of a drastic nature and was supported by others. The committee that recently appeared before City Council and urged passage of ordinance prohibiting parking of cars on Front street in the downtown section and on certain parts of Princess street, reported that Councilman J. M. Hall, who was designated together with City Attorney Ruark to draft such an ordinance, favored drastic measures, his idea being that a car should only be allowed to stop sufficiently long in the restricted area to discharge or take on passengers. Rotarians believed this would defeat the ordinance as the people would not stand for an ordinance of this nature. The committee will go into the matter thoroughly and it is believed that an ordinance can be passed that will permit the stopping of cars on the streets mentioned for a period in excess of 15 or 20 minutes.

President Moore called attention of members to the poor attendance of late on the meetings and steps will be taken to determine why attendance has been so very poor of late, the object being to bolster it up.

POLITICAL TROUBLE AGAIN IN FINLAND (By Associated Press.)

Petrograd, Sept. 25.—A renewal of political excitement in Helsinki, Finland, is reported in the press. The Diet, which was dissolved and prevented from assembling recently, will make another attempt on Friday to resume sittings.

Letish workmen who have escaped from occupied Russian territory, report that six members of a local council of soldiers' and workmen's delegates have been shot for refusing to assist in the construction of military works.

STORM IS MOVING IN THIS DIRECTION (By Associated Press.)

Washington, Sept. 25.—The tropical disturbance which first made its appearance on Sunday night of Jamaica, was apparently central this morning near the South coast of extreme western Cuba, and still was moving northwestward, according to reports to the Weather Bureau.

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For further information as to "ads," call 175, but for telegraph service call "Postal Telegraph."

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NORFOLK NAVY YARD STRIKE UNSETTLED (By Associated Press.)

Washington, Sept. 25.—The situation at the Norfolk navy yard, where the first general strike ever called at a navy yard, became effective yesterday, was unchanged today, according to advices to the Navy Department. Trades that went out yesterday, comprising all but the machinists, electricians and ship fitters, were still out, about half the yard force being involved.

EXPLOSION KILLS TWO OIL TANKER (By Associated Press.)

Richmond, Cal., Sept. 25.—Two men were killed here early today, in an explosion which tore out the forward works and superstructure of the Standard Oil tanker J. A. Moffett, as she lay at her pier here.

The explosion, according to J. F. Brooks, superintendent at Richmond for the Standard Oil Company, was probably caused by an explosion of gas while the men were cleaning the hold. More than 60,000 gallons of oil which had been pumped aboard, escaped destruction.

The Moffett, of 4,012 net tons, arrived yesterday from Vancouver, in and was on her way here.

San Francisco seven miles away. Officials of the Standard Oil Company of California said the pier had been closely guarded before and since the Moffett's arrival and discounted any possibility of explosives having been put aboard.

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TITLE OF PRINCE FOR HINDENBURG (By Associated Press.)

London, Sept. 25.—Emperor William has decided that on October 2, the seventieth birthday of Field Marshal von Hindenburg, addresses shall be delivered in all the schools in Germany by the teachers, who will point out to their pupils the value of the Field Marshal to the fatherland, says an Exchange Telegraph dispatch from Amsterdam.

Money is to be collected on that day for the Hindenburg fund for the sick and wounded. It is said, adds the correspondent, that Emperor William will grant Field Marshal von Hindenburg the title of Prince.

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(Continued tomorrow).

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