

DORSEY FIGHTS AIR TO BOLSTER UP HIS HARRIS EVIDENCE Calling of More Medical Experts by State Materially Lengthens Frank Trial

MARY PHAGAN CASE OF CENTRAL JURY IN STADIUM

Continued from Page 1. Neither was able to say that there had been any improper or unusual in Frank's talk with Mary. A. K. Kelly, an employee of the street railway company, said that he stood at 1103 1/2 Alabama street, he said he saw Mary Phagan and that she knew Mary Phagan from Forsyth and Marietta streets. His testimony, if believed by the jury, is extremely pertinent to the issue, as it supports Phagan's contentions in two respects—first, that Mary Phagan was not on the car at Forsyth and Marietta streets, and second, that the car was considerably ahead of time. Other street car employees testified that it was unusual for the English avenue car, due at 11:07, to come to the head of the Fair street car, which was at 11:05.

Experts Corroborate Harris' Evidence.

Solitor Dorsey, successful in his endeavor to reopen the question of whether Mary Phagan met her death as a result of the condition of the stomach, called a number of medical experts to the stand. Dr. H. H. Harris, who testified that the girl came to her death within an hour after the digestion began, was corroborated in a measure by the testimony of Dr. Harris, who estimated the time at from half to three-quarters of an hour after the cabbage had been eaten.

Dr. George M. Niles, who holds the chair of gastroenterology at the Atlanta Medical College, swore that digestion could not have progressed in less than an hour under the conditions described. He was quite positive digestion had progressed less than an hour.

Dr. John Funke, professor of pathology and bacteriology at the Atlanta Medical College, testified that he had shown sections of the organs of Mary Phagan by Dr. Harris. Harris had made his experiments and analysis in secret and had consulted no other expert.

Dr. Harris later admitted that he had not made the examination until about a week ago after the charges had been made and he had been asked by Dr. H. T. Dorsey, brother of the Solitor, to inspect the specimens.

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you have. I will exercise that discretion in favor of Mr. Dorsey. You may go on with the question."

Girl Died Within Hour After Eating Cabbage.

Solitor Dorsey had the court state the hypothetical question about the length of time the cabbage Mary Phagan ate had been in her stomach and whether a doctor could determine anything definite about the time of death or whether it would be a will guess.

"To answer that question under the oath I take would be to the court whether the pathologist was thoroughly capable and employed the most modern scientific methods."

"Your honor, I would like to have my answer read to me by the court." The request was granted. "Q. Is every stomach a law unto itself?" A. No.

"Q. What are some of the other possible factors?" A. I didn't say that. "Q. What did they say, then?" A. I said there were probable factors in the cut on the head and strangulation.

"Q. Well, how would that affect digestion?" A. Anything that disturbs the circulation of the blood would affect digestion. "Q. What did you mean by mechanical and lead?" A. The thickness of the stomach, the size and the general appearance.

"Q. How long would it take to digest?" A. It depends entirely on the size of the man. "Q. If a man were color blind would it affect the test?" A. Why, of course not.

"Q. What is the highest degree of activity?" A. Do you want my examination? "Q. No, the science." A. I think it varies from 30 to 40.

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LEO FRANK'S MOTHER ON HER WAY TO COURT

MRS. REA FRANK.



Mrs. Rea Frank, mother of Leo Frank, is seen in a portrait. She is wearing a dark dress and a white collar. Her expression is serious.

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business with you?—A. I could not say.

"Did Frank send a telegram through your company?" A. Yes, on April 23, 1915.

"What was the message?" A. I don't know. "Q. Where did she live?" A. In the city.

"Q. How long have you known him?" A. I don't know him. "Q. Did you know him?" A. No.

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character?—A. Yes. "Q. Is it good or bad?" A. Bad.

"The witness said the general character of Frank for lasciviousness was bad."

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the room on the fourth floor with Mr. Frank?—A. I never did.

"Did you ever see Frank go into the dressing room on the fourth floor?" A. Yes.

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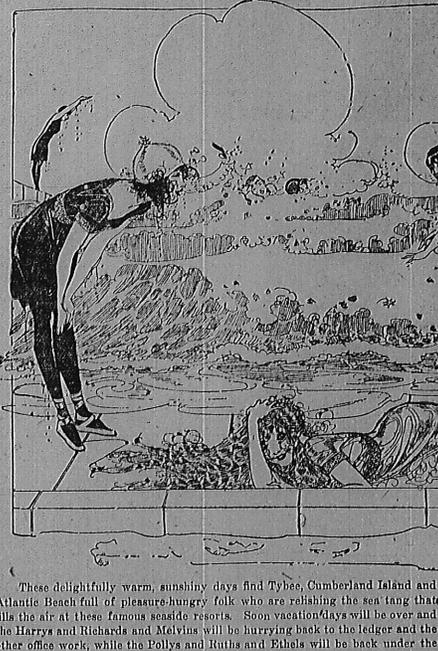
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Little Bobbie's Pa

By WILLIAM F. KIRK
THE Sisters of Song came up to the house again, but this time...

August Days at the Seashore



When Love Is Faithless

By DOROTHY DIX
A YOUNG girl who has loved too deeply, too well, and who has been cast aside like a broken playing card...

Up-to-Date Jokes

After the only things that are absolutely known about our private affairs is what we tell ourselves...

Do You Know--

A sign of politeness in Tibet on meeting a person is to hold up the clasped hand and stick out the tongue...

BEHIND CLOSED DOORS

By ANNA KATHARINE GREEN
One of the Greatest Mystery Stories Ever Written
houses on the fall evening of his intended bride's death...

After the Bath

After the bath, the man who was a young girl's heart and then takes advantage of her weakness...

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Somehow, the impression has gained ground that there isn't much difference between the various makes of typewriters on the market...

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RIVES went up to the forward car of the train—the officers' car—and took a seat in a corner. On the opposite side four young engineers were playing whist, in an extremely amateurish fashion, judging from their frequent laughter.

Baermann, a young German-American, in charge of Main Station No. 4, just two hundred miles out under the bed of the Atlantic, came in and walked past him, pausing with a pleasant greeting as if only waiting for an encouraging sign to sit with his chief during the two-hour trip to the end of the completed boring. But Rives dismissed him with a curt, "Good evening, Baermann," and the subordinate passed on to the far end of the two-hundred-foot car.

Rives wanted to be alone. He was in no mental condition for conversation. He wanted to think. Baermann recognized his desire for solitude and laid it to the worries of a man on whose shoulders rested the responsibility for the welfare of Tunnel City and the great American boring of MacKendree Allan's sub-Atlantic tunnel to Europe.

Being a sincere and serious-minded young engineer, he would have been immeasurably shocked if he had known that the whirl in his chief's brain was due to a woman. "Pardon me, Mr. Rives, but can you tell me where Mr. Allan is?" Rives looked up with a start that was almost guilty. Baermann had returned and was standing over him in deferential attitude. "Mr. Allan—oh—he is in Montreal," he replied, with something of a stammer. "But my case, I will follow it."

"Can you tell me when he will be here again?" "I can't say," replied Rives shortly, and sank down in his seat to indicate that he wished to be alone. "Where was Allan?"

"Where was Allan, indeed? He thought, with bitterness, if Allan had been where he belonged, at the side of his wife, he, Rives, his best friend, would not now be writhing in the torment known only to those who had betrayed a sacred trust. He was the train dashed into the endless cavern at a speed of more than 100 miles an hour his mind went around and around in a deadly, wearisome circle over the events of the past few years—events that had nearly reached an inevitable climax that night on the veranda of Mac Allan's home. Or, rather, Mac Allan's home, for the chief of the great tunnel project was in the house scarcely enough to learn his way about.

"Not more than 112, I think, Mr. Rives," the young man ventured to say. "I have been reading," he asked with a glance at the book. "One of those plays," replied the young man, offering the volume for Rives's inspection. "I was reading, and he closed his book with a proud and pleased smile when Rives dropped into a seat beside him, for the master of the works loved by every man who worked under him.

"We're pretty nearly there, Baermann," observed Rives with a smile, as he glanced at his watch. "We're doing about 118 miles an hour now, isn't it?" "Not more than 112, I think, Mr. Rives," the young man ventured to say. "I have been reading," he asked with a glance at the book. "One of those plays," replied the young man, offering the volume for Rives's inspection.

"I worked," replied the young man seriously. "To that extent I am a fatalist." "Well," said Rives, slowly, after a little pause. "So am I, good-by, Baermann, and—thank you."

"The young man started after him, wondering, as the train slowed to a stop and his chief strode down the car and out into the uncertain darkness, where the electric lights flickered and winked and lit up the temporary terminus of the trans-Atlantic railroad.

"It worked," said Rives to himself, as he swung himself up to a car of a construction that was groping its way into the farther recesses of the boring. "It worked, Baermann is right. We are what we are, and the answer is in the hands of the fittest Powers. So be it. I'll go through with my work here and stick to what I am sure to think is right just as long as I can. There must be a way out."

"There was the next few hours solved all for all time, but in a manner far from his wildest imaginings. The construction train passed out of the mighty steel tube into a great arched gallery of rough stones where men were at work with shoring timbers strengthening weak places against the permanent construction. After nearly fourteen miles of this, the train slowed down to a walking pace. A little more than a mile ahead was the extreme end of the boring. Paralleling and connected with it by cross galleries used for switching construction trains was the duplicate of the gallery through which they had just passed. Leaving the main station a far-

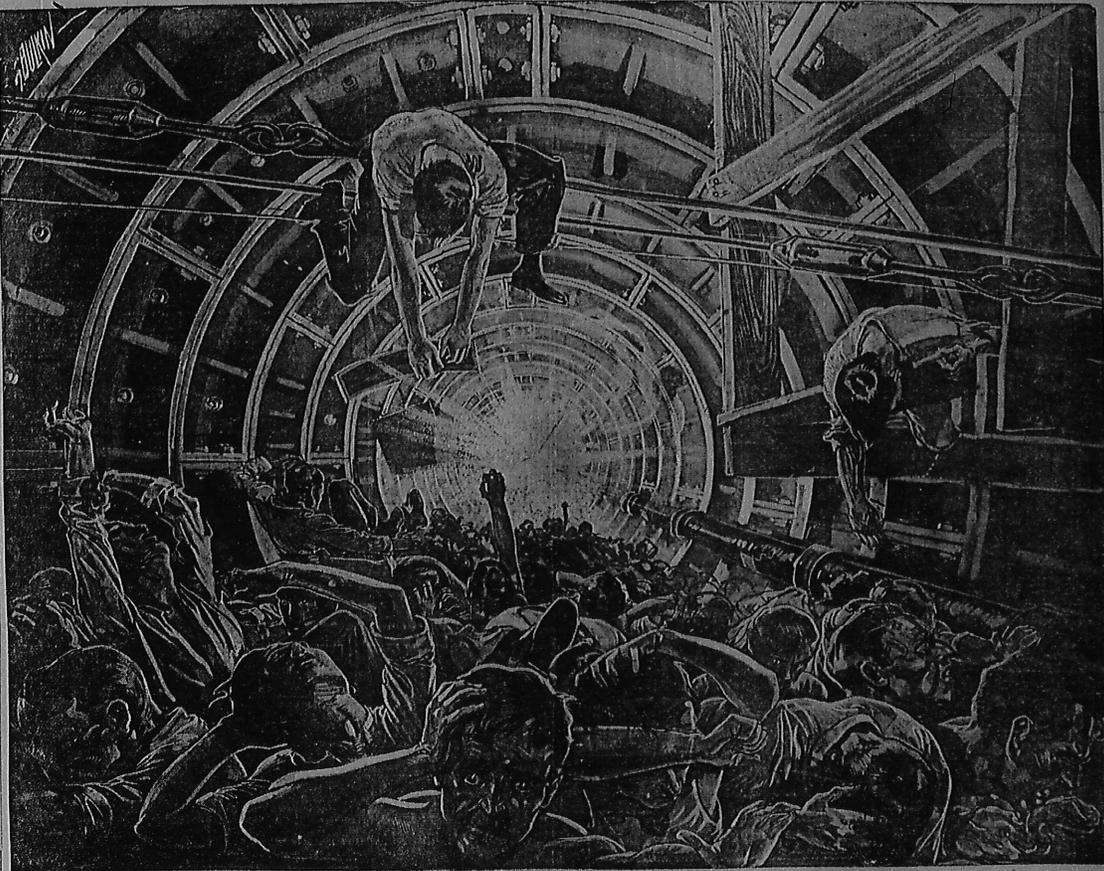
off road grew into a hellish, ear-splitting clamor that shrieked and echoed up and down the galleries as if the demons under the sea were protesting against the invasion of their home. The air was filled with dust and blinding pungent odors and vapors that made the eyelids prickle and scoured the throat like a file. The heat was terrific—118 degrees Fahrenheit.

"In the tunnel." Dropping off the train, Rives walked briskly ahead, picking his way through the hurt-bury and tumult of an inferno. In this dark mile and a quarter, nearly three thousand men were at work, and beyond them was the monster drilling machine in the wake of which they toiled frantically to keep from being buried by the debris it wrenched out of the solid earth. Sound warnings of the constant blasts were impossible and Rives, half a mile from the end of his journey, passed a half-naked, calm little Japanese, mounting guard over a searchlight battery that threw a steady white glare up the boring until the time for the blast. Then it suddenly turned green—the monster drill backed away and the workers threw themselves on their faces behind the danger-sons until their muffled roar and the white glare told them the danger was over.

Rives made for the giant drill, dazed by Allan, and looking like a monster and devil, taking fitting vengeance against the face of the sloping rock into which it burrowed, and these, tipped with drills of diamonds, Allan's "diamond steel"—sank into came back each like a tiny deposit of high explosive at the end of the hole. The tiny barrier like worms sinking into soft loam. When the centrifugal, stinging, pillar, sweating, Mr. Rives! Mr. Rives! Mr. Rives!

"It isn't our loving each other that makes it so bad," he said to himself. "It's the fact of our mutual knowledge." "What could he deduce? For more than an hour he grappled with the problem from every angle; he could not leave without some very acceptable excuse to Allan.

"I can't go up to him," he reflected at last, with whimsicalness of



A Scene in the Great Trans-Atlantic Tunnel Following a Frightful Explosion, Which is Fully Described in the Accompanying Installment—A Vivid Word-Picture That Will Give You a Glimpse Into the Future of Things as They Will Be.

"Then you think that all of us are bound in our conduct in life by certain immutable lines of our character?" "Undoubtedly," replied the young man seriously. "To that extent I am a fatalist."

"Well," said Rives, slowly, after a little pause. "So am I, good-by, Baermann, and—thank you."

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debris and human beings before it in one horrible rack of ruin. In an instant it was all over. The roar died down in the distance like a great ball rolling away. There followed a terrible stillness. There was one long-drawn scream of agony and then a light leaped up higher and higher.

The tunnel was burning! For fifty miles that devastating roar carried terror through the works. The laborers dropped everything where they stood and leaped upon the construction trains, empty, full or half-filled, and the engineers turned on the power for their lives and ran for the entrance at an insane speed, with hundreds of men clinging to the cars in clusters of living terror. Then came a few feet. And then—nothing.

A Voice. Rives first recovered the power of sight. He seemed to be surrounded by walls of fire, and then he was conscious of a fearful heat. In the leading flames one opening appeared. He staggered out through the flames and discovered that he had been inside the burning derrick. A voice was saying over and over again in his ear: "Oh, God! Oh, God! Oh, God!"

As his mind rallied more and more he found out it was his own voice. He put his hand to his head and touched a bare scalp. His hair was gone. One of his trouser-legs was bare, smoldering, and mechanically he had got out the sparks with his bare hand, and the stooping picked him forward on his face. He got to his hands and knees and was conscious that a voice was calling his name.

"Mr. Rives! Mr. Rives! Mr. Rives!"

chanically, painfully and surely, over broken timbers and jagged rocks and other things unrecognizable. Nearly three thousand men had been at work in that mile and a half nearest the explosion, and until he heard the voice Rives supposed he was the only one alive.

To Be Continued Tomorrow.

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THE ATLANTA GEORGIAN

Published Every Afternoon Except Sunday... By THE GEORGIAN COMPANY...

Mrs. Young Retains Her Place as School Chief—and Chicago Rejoices.

Chicago Needed Mrs. Young. Mrs. Young, So Far as Personal Comfort and Ease Are Concerned, Did NOT Need Chicago.

Ella Flagg Young, perhaps the best of teachers, and one of the ablest women in the United States, will continue her work at the head of Chicago's public school system.

A VERY FORTUNATE THING FOR CHICAGO, FOR THE FATHERS AND THE MOTHERS AND THE CHILDREN.

Certain narrow-minded and entirely worthless members of the school board, types of the men who think that woman is fit for no higher occupation than waiting on THEM, had succeeded in forcing Mrs. Young to resign.

These gentlemen have, however, discovered very promptly that the public's opinion of woman, of her ability and of her importance, is somewhat higher than that of the politicians whose chief interest is making money out of school books or lading out patronage.

Inasmuch as the matter is settled, it is well to say that in continuing her work and gladly tying herself down once more to a daily grind of detail and hard work, Mrs. Young is controlled by love of the children and by her sense of duty.

The editor of this newspaper, while hoping that she would continue her best possible work as the head of a great school system, gladly offered her the position of chief teacher for the fathers and mothers that read this newspaper.

We invited Mrs. Young, in case her ignorant enemies should make it impossible for her to continue in her school work, to write three or four times a week, or as often as she thought it necessary, letters of advice to parents and teachers and children to be published in our newspapers.

And we offered her \$10,000 a year to do this work, stipulating that while the contract would be binding upon us, it would not be binding upon her at all should she at any moment choose to resume her life of active teaching.

This we mention in order that the school authorities, with chins twice as deep as their foreheads and with about half as much intellect in their whole brains as Mrs. Young has in her little finger, may know that she keeps her place as a hard-working school chief, not for the salary that is paid, since she might have earned as much by doing one-quarter as much work.

Mrs. Young stays with the Chicago School Board and will continue the work that uses up every ounce of energy and vitality from a sense of duty to the teachers, the parents and the children and from a sense of duty to herself.

IT IS A PITY THAT POLITICIANS WHO MANAGE THE SCHOOLS OF THE COUNTRY COULD NOT GET FROM MRS. YOUNG A LITTLE OF THAT SENSE OF DUTY.

Baseball as an Antidote for Revolution.

Czar Nicholas has just issued an imperial ukase creating for his revolution-ridden Russia a "Ministry of Sport." He believes that royal encouragement of athletics will help to stamp out nihilism and check the popular and growing diversion of bomb throwing at grand dukes on the Nevadii Prospect.

A remarkable edict for this descendant of Michael Romanoff, who has heretofore religiously followed the rigid, conventional customs of his autocratic ancestors. It is a progressive step, to say the least, and may foreshadow the awakening of "Darkest Russia" from sluggish subservience to centuries of despotism or drench the nation once again in blood.

General Voyekoff, the first Minister, began the new department by forming a council of leading citizens to prepare athletics for the Olympic games at Berlin in 1916.

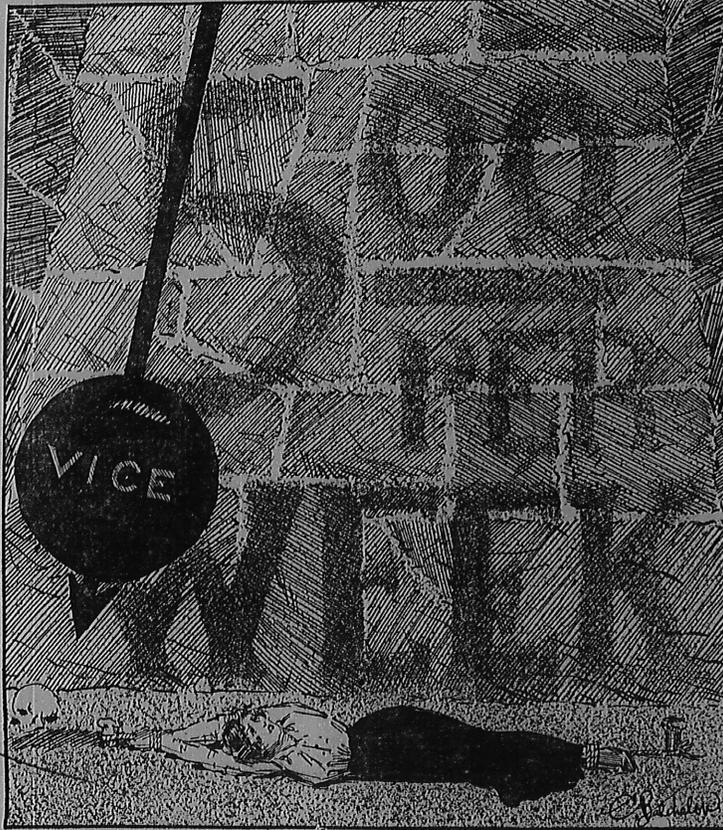
The nations pre-eminent in commerce and warfare have won great glories in the fields of sport. England, Germany, France and the United States furnish evidences of the value of cricket, broadswordmanly sculling and baseball.

If Czar Nicholas has the sagacity of a Peter the Great he will have his new Ministry of Sport investigate the splendid merits of American baseball. Then, by drafting unpopular grand dukes into service as umpires the unhappy populace may change its deadly missiles to mere words and empty pop bottles.

PERTINENT PARAGRAPHS

- *The "reformer" may not be afraid of Uncle Sam, but the "reformer" boy can make him jump through a hoop every time.
When a woman is satisfied with her husband-in-law it is considered evidence of the meeting of the sexes.
North Carolina's tough laws its members to "barring" tobacco growers. Just needed 'em out.
Minnesota taxes 6,000 bachelors and makes them willing to pay for the privilege.
The philosopher can always make the best of the other fellow's woe.
Lewyer using a saloonkeeper trying to collect his fee.

The Pit and the Pendulum.



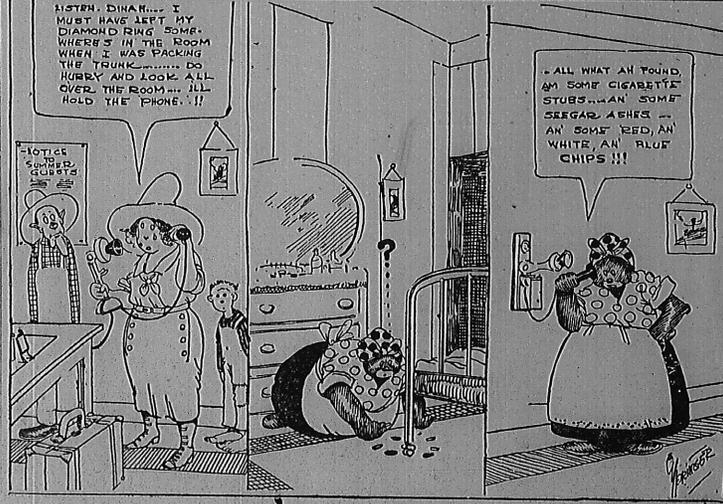
By ELLA WHEELER WILCOX.

Bound hand and foot in the pit I lie, And the wall about me is strong and high; Stronger and higher it grows each day, With maximum labor and minimum pay, And there is no ladder whereon to climb To a fairer world and a brighter time. There is no ladder, there is no rope, But the devil of greed has given a hope, He swings before me the pendulum—Vice; I know its purpose and know its price.

And the world's good people all know it too, And much they chatter and little they do, I have sent up my cry to the hosts of men Over and over and over again; But should I cry once to the devil, ah, he Would hurry to answer and set me free. For Virtue to Virtue must ever call thrice, But once brings an answer when Virtue calls Vice.

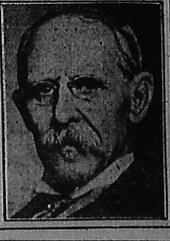
Bound hand and foot in the pit I lie While the pendulum swings and the days go by. In "Edgar Allan Poe's story, 'The Pit and the Pendulum,' the victim is bound hand and foot, face upturned to a huge, knife-edged pendulum which swings back and forth across his body, the blade dropping closer to his heart at each swing.)

When the Wife's Away.



Mysteries of Science and Nature.

Ultra-Violet Rays Would Destroy Life on Earth Did They Not Themselves Form a Protecting Obstruction to Passage.



By GARRETT P. SERVISS

ONE of the most astonishing announcements recently made in the name of science is that a means may be discovered, with the aid of the ultra-violet rays from the sun, to free man from the necessity of continually cutting the soil in order to furnish himself with food.

If this expectation should be fully carried out mankind would no longer be forced, as they have been ever since the loss of Adam's paradise, to earn their bread in the sweat of their brows. That necessity has hitherto rested upon man because the plants of the fields possess a kind of secret laboratory in which they utilize the power of the sunbeams for transforming mineral substances into foodstuffs.

But now the French chemist, Berthelot and Gauduchon, have found out a way, with the aid of the ultra-violet rays, to imitate, to a certain extent, the action of the plants. Their experiments give rise to the hope that, after a while, we shall be able to make in the laboratory, out of nitrogen, chalk, carbonic acid and water, a number of alimentary or edible substances, like those which heretofore have been furnished only by plants.

Believe That Sunstroke Is Caused by Ultra-Violet Rays.

The ultra-violet rays, which form the basis of this modern scientific miracle, are contained abundantly in the sun's radiation, but they are invisible to the eye. They can also be produced artificially by means of the mercury vapor lamp. It is with these artificially produced rays that the experiments have been performed.

They are of very short wavelength, and most of those coming from the sun are intercepted by the atmosphere. If it were not so life would probably be impossible on the earth because the ultra-violet rays have a deadly effect when they fall unimpeded upon an animal organization. It is believed that sunstroke is due to the effect of these rays. They are also fatal to microbes, and have been utilized for the destruction of many kinds of noxious germs.

Recently the Automobile Club of Paris has installed in its headquarters a swimming tank whose water is freed from all germs by means of a large mercury vapor lamp immersed beneath the surface. The deadly rays pass out

through a lens of quartz, which is transparent to them, and quickly destroy all the floating germs in the water around the lamp. Drinking water is purified in a similar manner.

The ordinary mercury vapor lamp would be dangerous to the eyes but for the fact that the glass of the tubes in which the light is produced is opaque to these rays. It allows the luminous rays to pass, but obstructs the ultra-violet ones. Quartz, on the contrary, allows all the rays to pass.

Ultra-Violet Rays Create Obstruction to Their Deadly Passage.

These same rays are being extensively employed in medicine. The celebrated Flourens rays, used for the cure of maladies of the skin, are of this character. They have a strong photographic power, and are able to produce many chemical reactions that can not be produced otherwise.

One of the wonderful things about the ultra-violet rays proceeding from the sun is the fact that they themselves appear to produce in the atmosphere of the earth the obstruction which prevents their own passage, except in a very small quantity. This is due to their transforming atmospheric oxygen into ozone, for the ozone thus formed intercepts the very rays which have produced it. There is very little ozone in the air, but the quantity existing is usually sufficient to shield us from the deadly rays whose action upon the atmosphere has created it.

If the air were suddenly stripped from the earth it is believed that the ultra-violet rays falling unimpeded upon its surface would swiftly destroy all animal life.

Rays May Be Used in the Future for War Purposes.

A luminous suggestion has been made by Professor Houllevre, of Marseille, based upon the destructive power of the ultra-violet. May it not be possible, he says, that some day a wicked mastermind of science will construct a machine capable of sending out an invisible beam of ultra-violet radiation to a distance of hundreds of yards, which will blind the eyes of any person upon whom it may be directed? The terrors of such a weapon in the hands of an aviator may easily be imagined without going into details.

Science Questions

By EDGAR LUGEN HARKIN. WHEN the United States Government surveyors divided the land into townships and sections as the bounds of civilization moved ever onward, toward the West, they had first to locate standard base lines with all possible accuracy. These lines, marked by corner stones, were located with great precision by means of astronomical observations. The standard meridians, lines due north and south, were determined by observing Polaris, the North Star, when above and below the true celestial pole. The poles of the celestial sphere are the exact points where the axis of the earth would be if extended out both ways to infinity. The extension of the north end of the axis of the earth into space is the absolute north. But this line or point actually moves. And every object in the entire universe moves; therefore, if astronomers at great pains locate the true celestial pole, in a few years it will be useless, because the equator and axis of the earth are in motion. This mysterious motion completely upset the ancient Hindu, Babylonian, Assyrian, Arabian, Sazalian and Greek astronomers, and temple and pyramid builders. They would locate, orientate their huge buildings with all the precision possible without telescopes, and all would be well for a century or two. Then a north and south line through their buildings would no longer point toward the North Star. And a star that at the time of the building of the temples sent its ray at instant of rising into the center of the eastern gate now did so no longer. This fact had a profound effect on the hierophants of all antiquity. It was an insoluble mystery. A number of years ago I published a monograph on this fascinating subject, entitled "The Waning of the Light of Egypt." The Egyptian and Greek astronomers watched this majestic motion of the equator and axis of the earth during centuries without securing a clue to its cause. None among the human race was able to even surmise the hidden cause until the mighty brain of Newton rose to supernatural heights, discovered the true cause, and explained it for all coming generations. The equator and axis of the earth move, and, of course, the entire solid globe has to move to displace these imaginary lines among the stars.

DORSEY FIGHTS HARD TO BOLSTER UP DR. HARRIS' EVIDENCE Calling of More Medical Experts by State Materially Lengthens Frank Trial

DR. CLARENCE JOHNSON, OF CRIMINAL VIOLENCE, SAYS DR. DORSEY 'PUNKED' STATE

Continued from Page 1. Neither was able to say that there had been anything improper or unusual in Frank's talk with Mary Phagan...

Dr. Clarence Johnson, a well-known Atlanta specialist, on being asked a hypothetical question embracing the condition in which the cabbage in Mary Phagan's stomach was found...

Dr. John P. Hume, professor of pathology at the University of Georgia, testified that he had been shown sections of the organs of Mary Phagan by Dr. Harris...

Dr. Frank Latta admitted that he had not made the examination until about a week ago after the charges had been made...

This expert corroborated Dr. Harris in his declaration that Mary Phagan was a victim of criminal violence, but he fell somewhat short of substantiating Harris on the point...

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Girl Died Within Hour After Eating Cabbage

Solicitor Dorsey had the court stenographer read the hypothetical question about the length of time the cabbage Mary Phagan ate had been in her stomach...

The answer was: "To answer that question under the oath I have taken I would have to know whether the pathologist was thoroughly careful and employed the most modern scientific methods."

Q. Well, assume that he was, doctor?—A. If a capable pathologist found there was only combined hydrochloric acid with due consideration of other conditions as possible factors...

Q. What are some of the other possible factors?—A. I did not state that. I said there were probable factors in view of the condition on the head and strangulation.

Q. What do you mean by mechanical condition?—A. The thickness of the stomach, the size and the general appearance.

Q. If it depends entirely on the eye of the physician?—A. Anything that affects the circulation of the blood would affect digestion.

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LEO FRANK'S MOTHER ON HER WAY TO COURT

Mrs. Rra Frank, mother of Leo Frank, was seen on her way to court today. She was accompanied by her attorney...

Q. Did you ever see Leo Frank in the room on the fourth floor with Mrs. Phagan?—A. Yes, I did.

Q. How long have you known him?—A. I don't know him exactly, except I know him when I saw him and know about him.

Q. Did you know his general character for lawlessness?—A. Yes, I did.

Q. How long have you known him?—A. I don't know him exactly, except I know him when I saw him and know about him.

Q. Did you know his general character for lawlessness?—A. Yes, I did.

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Character of Leo Frank

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Q. Did you know his general character for lawlessness?—A. Yes, I did.

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FRANK ON STAND; TRIAL ENDS

EXTRA THE ATLANTA GEORGIAN EXTRA

Read for Profit--GEORGIAN WANT ADS--Use for Results

VOL. XII. NO. 15.

ATLANTA, GA., WEDNESDAY, AUGUST 20, 1913.

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2 CENTS. MAKE NO CHANGE

LEAD MADE HUERT A RECALL DEFI

U. S. Envoy Went to President's Room at Midnight and Forced Retraction.

Special Cable to the Atlanta Georgian, MEXICO CITY, Aug. 20.—The story of how President Huerta sent an ultimatum to the United States "ultimatum" to the United States "ultimatum" Monday night demanding immediate recognition of Mexico by the United States was told today for the first time.

President Huerta, in replying to the note from President Wilson, offering suggestions for the facilitation of Mexico, rejected all President Wilson's proposals and declared that the Mexican regime must be recognized by the United States within twelve hours.

The Mexican Ministers knew the contents of the note, having had a hand in its formation. Acting Foreign Minister Camba objected to the aggressive tone, but War Minister Blumentritt and Minister of the Interior Uruiz thought that the tone of the note was no stronger than the occasion demanded.

Accordingly this note, which had all the qualifications of an international ultimatum, was transmitted to the United States Embassy, Mr. O'Shaughnessy and John Lind, the special envoy from President Wilson, who in the last few days had been in Mexico.

Both were amazed at the tone of the note and the frequent threats of war unless the United States recognized Mexico.

Mr. O'Shaughnessy declared Mr. Huerta at once, declared Mr. Lind.

Mr. O'Shaughnessy's special envoy had not been invited to the National Palace, being persons not known to the Mexican Government, and in spite of the fact that the hour was nearly midnight, Mr. Lind and Mr. O'Shaughnessy jumped into an automobile and sped to the National Palace.

Light was blazing in the presidential suite so the belated visitors knew that Huerta was at home, but "was he at home" in an official sense to his visitors? That was the important question.

Mr. O'Shaughnessy was recognized by the sentries at the gate, but they turned questioning eyes upon Mr. Lind who stood impatiently awaiting entrance.

"It is official business, we must enter and see the President," declared the Chamberlain.

After a slight delay the men were permitted to enter the visitor's chamber. Almost immediately Huerta entered. The President had discarded the military uniform and was dressed in civilian attire.

Talks plainly to Huerta.

In spite of the infringement on diplomatic usage, Mr. Lind proceeded right away to enter upon his diplomatic mission. He took Huerta to the disconcerting consequences which must necessarily follow the transmission of the ultimatum to Washington.

So carefully did he talk that the hard lines of determination in the President's face relaxed and he listened patiently with few interruptions.

Huerta got up and paced up and down the room as he replied to the envoy. He said that he believed the course of the United States would wreck the Mexican Government, but that he did not want to plunge his already impoverished country into a war. He finally consented to cut out the demand for recognition from his reply.

When he had finished, although he was covered on passage could induce him to return to his room.

Continued on Page 10, Column 1.

RACING RESULTS

AT TORONTO.

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LONG-HOPPER BRIDGE FOR ALABAMA ROUTES

By HUGH GRANT. (Sundays American Representative with Pathfinders). ANNISTON, Aug. 26.—That the campaign inaugurated by Harry Sunday American for a trans-continental highway from Atlanta to Birmingham has assumed the form of a "long-hopper" bridge for Alabama routes.

Mr. Ferguson settled the controversy for the present by agreeing to take the Asheville route, which was urged by a delegation of four headed by Probate Judge Herrin, of Blaine, who motored to Asheville Tuesday morning. The other route through Pell City and Haverhill, which had been suggested, will be tried out on the second trip.

The tourists resumed the journey to Birmingham Wednesday morning and are scheduled to arrive here Thursday at noon. A representative of the Birmingham News, who relieved the American representative here, accompanied the party to the Macon City. Ovation All Along the Route.

The new road, which the Tallapoosa has never been tried out before by long-distance tourists. It is much shorter than the old route through Pell City and Haverhill, and probably will be selected as the official trans-continental route in this section.

The Tallapoosa boosters showed the tourists every courtesy and manifested much enthusiasm over the moister campaign being conducted by the American. According to members of the party, Harrison County, Ala., now has about 1,800 miles of roads and is preparing to develop more.

Mr. Ferguson was forced to decline the offer to buy a new building on the Asheville route. The Asheville route is a 44,000-trader which is being used throughout the country. The Asheville route is a 44,000-trader which is being used throughout the country.

Two Farmers Held For Hog Stealing. STATIONERS, Aug. 26.—Wesley Waters and Henry Barnes, white farmers, and brothers-in-law, living 15 miles from Stationers, have been arrested on warrants charging hog stealing.

Chinese Rebel Chief In Search of Funds. Special Cable to The Atlanta Georgian. TOKYO, Aug. 26.—Dr. Sun Yat-sen, first president of China and one of the leaders of the present revolution in Southern China, who arrived at Yokohama yesterday, left today for Osaka.

Buffalo Bill Weeps As Pet Horse Is Sold. DENVER, COLO., Aug. 26.—Colonel W. F. Cody, "Buffalo Bill," wept as his famous horse, Isam, which he has ridden for nearly 25 years, was put on the auction block.

Columbus' Ships Are Ready for Canal Trip. CHICAGO, Aug. 26.—Replicas of the three ships in which Christopher Columbus crossed the Atlantic will leave Chicago on a week from today to sail through the Panama Canal to the Pacific Coast to San Francisco.

ATLANTA ASKS ROTARY MEET. BUFFALO, Aug. 26.—Delegates from Atlanta are collecting in Atlanta for next year's convention of the International Association of Rotary Clubs, which will be held in Buffalo, N. Y., in 1914.

College Men Will Be the Orators at Suffrage Meeting

College men will make equal suffrage take Wednesday afternoon at 3 o'clock, when members of the Atlanta Equal Rights Association will meet at the Georgia Hotel.

Manufacturers Propose to Lease Top Floors of Chamber of Commerce Building. The success of the proposed Atlanta Manufacturers' Exposition was practically assured at the luncheon given by a number of manufacturers by the Chamber of Commerce at the Hotel Astley.

State Chemist Orders Pure Milk Campaign

A state-wide milk investigation has been started by Dr. R. E. Stallings, State chemist, with K. W. Atkins in direct charge of the work. The investigation will touch every dairy and factory supplying the public with milk and the adding of bad conditions will result either in immediate orders or in the arrest or prosecution of the offenders.

Boys' High Class '10 Plans Big Reunion

The annual reunion of the class of 1910, the High School, has been announced for August 31. A room has been secured from Harry Birminghams, 1200 North Georgia street, for \$100 a week until the boys get ready to leave. It is expected that some 250 or 300 of the class will be present.

Booster Bulletins at Railway Stations

W. H. Leahy, in charge of the industrial and statistical bureau of the Chamber of Commerce, is making arrangements with the American Railway Union for the distribution of booster bulletins at railway stations.

Boiler Explosion Kills Four and Injures Two

BEACH SPRING, MISS., Aug. 26.—A boiler at the sawmill of William B. Johnson, which exploded Monday night, killed four men and injured two others.

Fram Off for Colon; To Go Through Canal

Special Cable to The Atlanta Georgian. PANAMA, Aug. 26.—The Panama Canal Commission has accepted the invitation of the United States to undertake the improvement of the sanitation work on the Canal.

Col. Gorgas Accepts South African Task

Special Cable to The Atlanta Georgian. JOHANNESBURG, Aug. 26.—Colonel William C. Gorgas, chief sanitary official of the Panama Canal Commission, has accepted the invitation of the South African Government to undertake the improvement of the sanitation work on the Rand.

THE PLAY THIS WEEK

Box Office Opens at Bijou. The sale of seats for the opening performance of the Jewell Kelly company will begin Thursday morning at 10 o'clock. The opening performance will be "The Jewell Kelly company firm in the city."

ATLANTA-MADE GOODS EXHIBIT ASSURED

Manufacturers Propose to Lease Top Floors of Chamber of Commerce Building. The success of the proposed Atlanta Manufacturers' Exposition was practically assured at the luncheon given by a number of manufacturers by the Chamber of Commerce at the Hotel Astley.

Atlanta's Aquatic Athletes Ready for Lakewood Events

Atlanta's best aquatic athletes will compete in long and short distance swimming races and in fancy high diving from a 42-foot ladder Wednesday afternoon in the latest event of the season at Lakewood Park.

Mystery in Death of Countess Tarnowska

Special Cable to The Atlanta Georgian. ST. PETERSBURG, Aug. 26.—Countess Tarnowska, who was shot and killed in Venice three years ago and completely in the murder of Count Kerensky, was found dead last year, was found dead on St. Petersburg. The police still are investigating in an effort to determine whether it is a case of suicide or murder.

Come-Back Party Is Planned By Cannon

CHICAGO, Aug. 26.—Speaker Joseph P. Cannon and all of the other defeated Illinois Republican candidates for Congress defeated in the last November election are planning a "come-back" party in 1914. Those who went down to defeat in the Democratic landslide and who will seek "vindication" besides Cannon include William B. McKinley, John A. Steiwer, George W. Feltus, Charles E. Fuller, George E. Fox, William A. Rostenberg and William W. Wilson.

Musogee Likely to Reduce Its Tax Rate

COLUMBUS, MISS., Aug. 26.—The Musogee County Commissioners will meet in a few days to fix the tax rate for 1914. The rate has been four mills for several years, and there has always been a healthy balance in the treasury.

Czar Creates Sports Ministry for Russia

Special Cable to The Atlanta Georgian. ST. PETERSBURG, Aug. 26.—The Russian state leaders admit the Czar is creating a Ministry of Sports. It is expected that football will act as an antidote to the revolutionary movement.

Amazon of Mexico, Pascuala, Captured

DOUGLAS ARIZ., Aug. 26.—Dorva Pascuala, Amazon and military physician, passed through Agua Prieta today a prisoner on her way to Hermosillo.

Essig Bros. Co. Special Suit Sale

To Close Out Quickly Before Inventory, We Offer the Following: All two and three-piece fancy suits, regular \$15.00 and \$18.50 Values. For \$8.50 For \$14.50. This is a SPECIAL VALUE SALE, and These Suits Won't Last Long. Correct Dress For Men. 26 Whitehall St.

7 New Filters Ready At Disposal Plant

It is likely that three filter beds will be put into operation at the city disposal plant at once. The remainder of the beds will be in operation by October 1.

Wilson Cold Toward Suffrage, Says Antis

WASHINGTON, Aug. 26.—In a statement issued here the anti-suffragists assert President Wilson and his administration are cold toward the votes for women question. It says: "The refusal of the President a few days ago to deliver an address to the meeting of anti-suffragists here is taken as sufficient indication of the policy of clearing out the bed and straightening the channel of Peaches Creek."

Whole Town 'Planted' With Dynamite Bombs

JOHANNESBURG, Aug. 26.—Consternation has been caused here by the discovery of a bag of blasting gelatin at the Central Fire Brigade Station. Dynamite and bombs have been found in public buildings, draught stores, throughout town. The inhabitants realize that had not the troops quelled the recent riot the whole city would now be a mass of ruins.

Police After Icemen Giving Short Weight

Being the low man is not such a pleasant occupation these days, for the police department is hot upon his tracks. He happens to be in the short weight class. Half a hundred cases have been made against icemen in the last few weeks for giving short weight and in each instance a heavy fine has been imposed with the promise of a heavier one if the offense is repeated.

German Marine to Have Fair Exhibit

Special Cable to The Atlanta Georgian. HAMBURG, GERMANY, Aug. 26.—Officials of the Hamburg-American Steamship line today declared that the steamship line would have an exhibit at the Panama Exposition in San Francisco in 1915 despite the fact that the German Government refused to participate in the fair.

Monroe Court Next Week

FOURTH.—On next Monday the Annual Term of Monroe Superior Court will convene. Judge J. F. Daniel, of the Flat circuit, is ill at his home in Griffin.

MEADOWS TO GROW ALFALFA

VIDUALE.—Some time in calf-meat has begun to arrive here as alfalfa from Tombs County farmers who are preparing their land for alfalfa crops next season. The first car has already been hauled to the farm of B. H. Meadows.

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DIGGS FINCHES UNDER FIRE OF PROSECUTOR

Holds Child on Lap as He Is Painted as Villain—Jury Gets Case by Night. SAN FRANCISCO, Aug. 26.—Maury I. Diggs, holding his little daughter Evelyn, aged 4, on his lap, sat beside his wife in Federal Judge Van Fleet's courtroom today when attorneys for the Government painted word pictures of him as an arch villain in the episode from Sacramento to Reno of Diggs, Martha Warrington, Drew Cammelt and Lola Norris.

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CZAR PLANS TO BREAK TRIPLE ALLIANCE

Mighty Upheaval in European Politics is Promised as Result of Balkan War. Special Cable to The Atlanta Georgian. MADRID, Aug. 26.—A mighty upheaval of the political condition of the big powers of Europe is reported. This change in the alignment of the world's continental power was brought about by the Balkan war and in the future probably will play an important part in the history of civilization.

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WOMEN ARRANG FRANK'S MORALES State. Witnesses to Attack Character

HOW MADE WHERIA RECALL DEED

U. S. Envoy Went to President's Room at Midnight and Forced Retraction.

Special Cable to The Atlanta Georgian.

MEXICO CITY, Aug. 20.—The story of how President Huerta sent a "ultimatum" to the United States Embassy Monday night demanding immediate retraction of Mexico by the United States was told today for the first time.

President Huerta, in reply to the ultimatum, was transmitted suggestions for the pacification of Mexico, rejected all President Wilson's proposals and declared that the Mexican regime must be recognized by the United States within twenty hours.

The Mexican Ministers knew the contents of the note, having had a hand in its formation. Acting Foreign Minister Gamboa objected to the aggressive tone but War Minister Blandino and Minister of the Interior Terrazas thought that the tone of the note was no stronger than the occasion demanded.

According to this note, which had all the qualifications of an international ultimatum, was transmitted to Charles D'Amfres O'Shaughnessy, of the United States Embassy, Mr. O'Shaughnessy and John Lind, the special envoy from President Wilson, took no time in breaking the seals. They were amazed at the tone of the note, and the truculent threats of war unless the United States recognized Mexico.

"I must see President Huerta at once," declared Mr. Lind.

Despite the fact that the special envoy had not been invited to the National Palace, he was permitted to go to the Mexican government and in spite of the fact that the hour was nearly midnight, Mr. Lind and Mr. O'Shaughnessy jumped into an automobile and sped to the National Palace.

Lights were blazing in the presidential suite so the related visitors knew that Huerta was at home, but was he "at home" in an official sense or his "chambre"? That was the important question.

Mr. O'Shaughnessy was recognized by the sentries at the gate, but they turned questioning eyes upon Mr. Lind who stood impatiently awaiting entrance.

"It is official business, we must enter and see the President," declared the Charge d'Affaires.

After a slight delay the men were permitted to enter the visitors' chamber. Almost immediately Huerta entered. The President had discarded his military uniform and was dressed in civilian attire.

Talks plainly to Huerta. In spite of the infringement on diplomatic usage, Mr. Lind opened his diplomatic work. He told Huerta of the disastrous consequences which must necessarily follow the transmission of the ultimatum to Washington.

So forcefully did he talk that the hard lines of determination in the old soldier's face relaxed and he listened patiently with few interruptions. Huerta got up and paced up and down the room as he replied. He said that he believed the course of the United States would wreck the Mexican Government, but that he did not want to please his already departed country into war. He finally consented to end the demand for retraction from his reply to the Wilson note, although no more definite promise could be made.

Fans at Ball Game Fight Over When 'And How to 'Root'

Electric Chair for Cats Is Projected

PASADENA, CAL., Aug. 20.—Brawl dogs and cats marked for execution by the Pasadena Human Society will be sent to their final journey across the river by a military machine gun according to Dr. E. L. Cooper, president of the society.

Dr. Cooper recently saw one of the animal electric chairs erected in Boston which killed dogs and cats in a fraction of an instant.

Dr. Cooper's present intention is to have the electric chair erected in Pasadena and to have immediate steps taken to humanize one of the chairs by the local humane society.

Perish in Sinking Of River Steamboat

High School Boy Dies In Fall Off Bicycle.

WILLIAM DAVIS, 15-year-old son of E. Davis, of Decatur and a pupil of the Atlanta High School, died Wednesday morning at 8:30 o'clock when he fell from his bicycle while riding along DeKalb avenue in the city.

The accident occurred within a hundred yards of the home of Dr. J. H. Phillips, who was summoned immediately by a neighbor who was riding with him.

Dr. Phillips arrived within ten minutes after the boy plunged from the wheel, but young Davis died before the body was carried to the home of his father, on College avenue, and later was taken to the morgue of P. J. Bloomfield, in Atlanta.

It is not known what caused young Davis to fall from his wheel. He and young Hicks, who are chums, got out their wheels shortly after day light Wednesday morning and rode through Kirkwood and Oakhurst, turning into Decatur at DeKalb avenue, which is a stone and gravel paved thoroughfare.

They had gone but a short distance when the front wheel of young Davis' machine lurched sideways, the boy tried to steady his bicycle, then suddenly threw up his hands and plunged headfirst to the hard pavement. He groaned and turned over on his side.

Young Hicks had frightened when his companion failed to arise called some men who happened to come along on a bicycle.

The boy's father is a banker and also owns manufacturing interests in Dallas, Ga. He recently moved to Decatur, and his family was well known here.

Rep. Harrison to Govern Philippines

WASHINGTON, Aug. 20.—Representative Francis Burton Harrison, of New York, will be nominated today by President Wilson to be governor general of the Philippines.

WIFE OF RAGER SUCCEUMBS TO HURTS WRIT, AIDING RELEASE

Jack McNeil, Widely Noted as Daring Rider, Victim of Accident at Atlanta 'Drome.

Jack McNeil, known in the sporting world as one of the greatest and most daring motorcycle racers who ever circled a saucer track, died early Wednesday morning at the Grady Hospital of injuries received Monday afternoon in practice at Jack Prince's 'Drome. McNeil never recovered consciousness after his fall.

The little Scotman probably was the most popular rider who ever appeared in Atlanta. His riding was a revelation to those unfamiliar with the game. He brought to his work a strong mixture of Scotch alertness and hardy courage, and a wonderful dash and abandon that seemed to bespeak a warm-blooded Latin strain in his ancestry. He was more than a merely brilliant rider; he was really a great marvel.

The injury that caused his death was the result of a strange accident. At the suggestion of some of his admirers, he was riding the wheel at a speed of 100 miles an hour above the banked turns of the 'drome. He fell from his machine to the vertical white rim that topped the bank, sustained by nothing but the centrifugal force attained by a frightful velocity of 80 miles an hour. The rim, not intended to withstand such a strain, yielded, and Jack and his great machine hurtled diagonally from the break to the bottom of the track.

DORSEY SNAPPED IN ACTION IN HOT CLASH AT TRIAL SOLICITOR HUGH DORSEY.

Wife Spurns Court's Advice to Couple to Learn to Forgive

RECORDED PRO TEM PRATTEN Wednesday morning in the bench in police court took occasion to dish out some good advice to promote harmony among young married couples the keynote of which was the admonition to "learn to forgive."

His remarks were particularly directed to Mrs. Laile Allen, of No. 58 Pennell street, and her husband, C. Allen, when Mrs. Allen was arraigned at the instigation of her brother, Mr. Allen, following a clash with her husband recently, is living apart from Allen, but he appeared in court as an active party to the hearing.

Count and Marquis Wounded in a Duel

Plot Bared to England Bank of England

SPECIAL CABLE TO THE ATLANTA GEORGIAN. LONDON, Aug. 20.—Count Pilsa, president of the Hungarian Chamber of Deputies, and Marquis Pallavicini, the Austro-Hungarian Ambassador to Turkey, were both wounded during a duel here today.

The men fought fiercely with heavy cavalry sabres, both receiving deep gashes on the arms and body.

After the duel a reconciliation was effected.

\$1,000,000 Factory Fire in Jersey City

JERSEY CITY, N. J., Aug. 20.—A fire that did \$1,000,000 damage swept through the manufacturing establishment in this city today.

The blaze originated in the copper case of Charles Heide & Son.

MAUGHTON IS GIVEN RESPIRE OF MONTH

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HARRIS' TESTIMONY CORROBORATED BY EXPERTS FOR STATE

Here are the important developments Wednesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

Two witnesses declare that Frank knew Mary Phagan by name and frequently talked with her, one of them saying that he put his hand on her shoulder.

State renews its attack upon the moral character of the defendant, ten witnesses testifying that it is bad.

Three eminent physicians are called to corroborate Dr. H. M. Harris in his testimony that Mary Phagan came to her death within a comparatively short time after she ate her dinner at home.

Testimony is submitted by two witnesses that they saw Frank and one of his forefathers go into the dressing room on the fourth floor of the pencil factory. One testifies that she noticed the wife. The other says it occurred three or four times to her knowledge. Denial is made by the forefathers.

Street car men testify that the English avenue car on which Mary Phagan came to town recently "cut the wire" at the intersection of the street, according to the State, that Matthews and Hollis, car crew, were taken in town ahead of time.

Employees of street car company swear by car Matthews and Hollis, that they saw that Mary Phagan was not on the car from Marietta and Forghy streets to Broad and Hiram. This dispute is the contention of the defense.

Progress in Attack On Frank's Character

Solicitor Dorsey renewed his determined attack upon the character of Leo M. Frank Wednesday, and for the first time since the testimony of Jim Conley and the insurance man, Ashley Jones, was able to make a little progress in the introduction of the sort of testimony.

Having found the opening, the Solicitor made the most of his advantage, and began the noon recess had arrived ten witnesses, most of them young girls, had sworn that Frank's general character was bad and that his moral character was the same.

The most sensational bit of testimony involved one of the forefathers. Two of the girls who formerly had worked in the factory, Miss Agnes Cato and Miss Maggie Griffin, testified that they had seen Frank go into the dressing room on the fourth floor with Miss Rebecca Carson, who was a witness for Frank only a few days ago.

Mrs. Cato and she had seen the two go into the dressing room on two occasions. Miss Griffin testified it had occurred three or four times to her knowledge.

Miss Carson was called by the Solicitor and indignantly denied that she saw an occurrence ever had taken place.

New Facts Against Sulzer May Be Asked

ALBANY, N. Y., Aug. 20.—If the assembly committee which will outline the course of procedure of the Legislature in regard to the impeachment charges against Governor Sulzer does not believe there is sufficient evidence to bring about the conviction of Mr. Sulzer, the Fraxley procedure committee will be asked to undertake, to produce additional facts of a detrimental character.

McLaughlin-Bundy Team Retains Title

NEWPORT, R. I., Aug. 20.—M. P. McLaughlin and T. S. Bundy retained the national doubles tennis championship today by beating J. R. Hutchinson and R. E. Smith, 6-4, 6-2.

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Continued on Page 10, Column 2.

MORSEY FIGHTS HARD TO BOLSTER UP DR. HARRIS' EVIDENCE
Calling of More Medical Experts by State Materially Lengthens Frank Trial

MARY PHAGAN
DR. JNO. FUNKELSTAND

Continued from Page 1.

he knew Mary Phagan and that she was not in this car from Forsyth and Marietta streets. His testimony, bolstered by the testimony of the car at Forsyth and Marietta streets, and second that the car was considerably ahead of the Fair street car employees testified that it was not unusual for the English avenue car to be at the Fair street car ahead of the Fair street car, which is due at 11:05.

Experts Corroborate Harris' Evidence

Bollicor Dorsey, successful in his endeavor to re-open the question of the time Mary Phagan met her death as judged by the condition of the food found in her stomach, gathered a brilliant array of stomach and intestinal specialists Wednesday to lead in an onslaught against the testimony of the experts called by the lawyers for Leo Frank.

Dr. Clarence Johnson, well-known Atlanta specialist, on being asked a hypothetical question embracing the condition in which the cabbage in Mary Phagan's stomach was found, gave it as his opinion that the girl was not yet dead when she was taken after the digestion began.

This corroborated in a measure, the testimony of Dr. Harris, who testified that the time at from about three-quarters of an hour after the cabbage had been eaten.

Dr. George M. Niles, who holds the chair of gastro-entology at the Atlanta Medical college, swore that digestion could not have progressed more than an hour under the conditions described. He was quite positive digestion had progressed less than an hour.

Dr. John Funks, professor of pathology and bacteriology at the Atlanta Medical college, testified that he had been a member of the jury which convicted Mary Phagan by Dr. Harris, a circumstance which had not been made known until this point in the trial. The defense had charged that Dr. Harris had made his experiments and analysis in secret and had concealed the same.

Dr. Funks later admitted that he had not made the examination until about a week ago after the charges had been made and he had been asked by Dr. B. T. Dorsey, brother of the Solicitor, to inspect the specimens.

Asst. Gen. W. C. Harris

Initially Asked

This expert corroborated Dr. Harris in his declaration that Mary Phagan was a victim of criminal violence, but he fell somewhat short of substantiating Harris on the time the cabbage had been in the stomach before the digestive processes had been stopped by death.

Being pressed for a definite answer on this point, he said:

"One can say positively, but it is reasonable to assume that digestion probably had progressed an hour, maybe a little more, maybe a little less."

Dr. Johnson was extremely cautious in his answers. He dictated his replies slowly and studiously to the court stenographer and picked his words and phrases most carefully.

He said first in reply to questions by the Solicitor that it was his solemn opinion that the digestion of the cabbage and bread in Mary Phagan's stomach had stopped within an hour after they were eaten. Attorney Arnold, however, got the expert to change his answer to "within an hour after digestion had begun," forcing Dr. Johnson to admit that the beginning of digestion many times is delayed by poor mastication or overindulgence of the gastric fluids. The witness would not undertake to say how long it was before the first process of actual digestion had begun in the case of Mary Phagan.

Much surprise was occasioned when it was learned that when Conley had been brought to the court house, he had been identified by persons who could swear to his good character.

Defense Puts Up Hard Battle

A lively argument over the State's proposal to call three or four prominent physicians to controvert the testimony of the defense medical experts marked the opening of the Frank trial Wednesday.

Witnesses Called to Testify

Dr. Harris' testimony was called first by the State to bolster up the case of Mary Phagan.

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LEO FRANK'S MOTHER
ON HER WAY TO COURT



MRS. REA FRANK.

business with you?—A. I could not say.

Q. Did Frank send a telegram through your company on April 27, 1913, to his mother in Atlanta, Ga., to have one dated April 27, 1913, to her?

A. Yes, I received it on April 27, 1913. It was received at 11:30 a. m. and it was dated April 27, 1913. It was received at 11:30 a. m. and it was dated April 27, 1913.

Q. Did you receive any other telegrams from Leo M. Frank on April 27, 1913, to his mother in Atlanta, Ga.?

A. No, I did not.

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character?—A. Yes.

Q. Was it good or bad?—A. Bad.

The witness said the general character of Frank for lasciviousness was bad.

Q. Was he not a good man?—A. No.

Q. Did you ever see Frank on the fourth floor of the building?—A. Yes.

Q. How often did you see him?—A. I saw him several times.

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OBJECTION TO CHARACTER ATTACK PUTS DEFENSE IN AN UNDESIRABLE POSITION

By JAMES B. NEVIN.

The public, that is to say that section of the public willing to be misled and wanting to be convinced according to the facts, should remember, in reading the story of the trial of Leo Frank, that as the story of the trial was the climax of the case, so the statements of Leo Frank were the climax of the defense case.

It should be remembered that both statements are to be weighed carefully and analytically—that conclusions are to be jumped at from neither.

The horror of the Conley story, coupled with its unexplainable details, temporarily averted the public mind into a seeming solidity of opinion hostile to Frank—it carried his conviction to hundreds of minds through the miser fortune of the sinister detail it contained.

By and by, however, the public mind rebounded in a way, and it began talking counsel with itself. And then came a pause, followed by a swing back more or less to the normal.

That is the way it is with the public mind—always wanting to be just, and always more so. If given gain and opportunity, yet prone even to be hurried along heedlessly in the beginning of terrible stories!

It is the tendency of the mind of the crime that not infrequently distorts the public sense of proportion, and makes it unfair to read no less than to 100 other persons concerned.

But the public in the end is just, and it is true to itself. All it asks—all it needs—is a chance to re-examine the balance, after having been knocked this way or that by a stunning and unanticipated blow it was not able to ward off.

Leo Frank's remarkable statement to the jury Monday, certainly one of the most convincing and convincing far as our convictions indicate so, that ever fell from the lips of a defendant in Georgia, all in the direction of the State following the Conley story, and then swung back in the direction of the defense following the Frank statement. It eventually will right itself somewhere midway between the two, and then look to the real evidence as fitting the one or the other.

A woman correspondent writes me: "I have read your articles daily. Tell me truly, are you for Frank or against him? I can not tell from what you say."

Now, in a way, I consider that something of a compliment. I am glad this correspondent does not ask whether I am for or against Frank, for I am neither the one nor the other.

I merely visit the courtroom daily and gather me a morsel of other men's (favors) and naught but the story that binds them to the fact. When the storm signs have seemed fair, for Frank, I have so said it down. When they have seemed ominous, I have so said that down. In all the issues and columns, I have transferred to you in respect of the Frank trial, the wish never has been father to the thought—says that I always have preferred, and all ways shall prefer, to see a man prove himself a gentleman rather than a scoundrel, if he can.

What I do hope to stand for, and try to stand for, and what none of us can afford NOT to stand for, is justice and right, fair play and no special favors, decency and civilization, and the supremacy of the law of the land!

I assure my correspondent that I am neither for nor against Frank, but that I am for truth and right, and in my own way and after my own fashion I undertake to stand by my ideals.

Justice the Real End. Frank Hooper promulgated a platform all can afford to mount and fight upon, when he said before this case came on for trial:

"It is not so much a matter of finding and convicting Leo Frank as it is a matter of finding and convicting the murderer of little Mary Phagan!"

So long as you feel that what you are on and are solid ground; but once you get away from that standpoint, you begin groping and listening to the persuasive plea of your president and your preconceived opinions, no matter what they may be.

When a man is on trial for his life, you don't have to be FOR or AGAINST him—but you DO have to be in favor of a fair trial for him!

Then, when everything has been done in order and according to the best teaching of a thousand years of Anglo-Saxon civilization, even as important as it is, you let the verdict provide for the law, and let another assailant

error and wrong, and you then will be as right as human iniquity and philosophy can make you right.

And after that, you should worry, guest!

Since the Frank statement was delivered, and notwithstanding the fine

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TWO GIRL BRIDES WHO TESTIFIED IN DEFENSE OF FORMER EMPLOYER



Mrs. W. R. Johnson, who before her marriage was employed at the pencil factory.

Wounds of Millen Bride, Shot by Divorced Wife, Fatal—Prisoner Laughs Over Crime.

MILLEN, Aug. 26.—Innocent of the fact that her husband had been fatally shot, Mrs. Florence R. Gobbee, first wife of Judge W. R. Gobbee, is dead from wounds inflicted by Mrs. Edna Perkins Gobbee, divorced second wife of the slain Jenkins County Judge. Mrs. Gobbee died in a hospital here at 10:35 o'clock Tuesday night just a few hours after Judge Gobbee's body had been buried with Masonic honors at Waynesboro, his former home.

Mrs. Edna Perkins Gobbee, who was arrested Monday just after she had shot down her former husband and his young wife, remains a prisoner in the Jenkins County Jail to await trial in Jenkins Superior Court in September, when she will face two charges of murder. According to her attorneys she will waive preliminary hearing and not seek bail.

Laugh Over Tragedy. Mrs. Gobbee was arrested and jailed within 15 minutes after the tragedy. After the shooting she calmly walked by Judge Gobbee's dead body and started toward home. After she had walked a short distance she was overtaken by Sheriff M. C. Johnson, who took her to the jail on the way to the jail she laughed about the shooting. She said she had to kill both, but wanted to kill Mrs. Phagan first. She was shot three times in the back, one ball going through the right lung, one lodging in the left lung and the third piercing the lower stomach through a hip.

Back of the tragedy is a long list of marital troubles ending in Mrs. Edna Gobbee suing Judge Gobbee for divorce. He was wealthy, and in her suit she asked for a large sum as alimony. She gained her divorce, but lost the alimony, and was bitterly disappointed. This was about five years ago.

Married This Year. Early this year Judge Gobbee married Miss Florence Boyer, of Waynesboro, Pa. This was his third marriage. His first wife died years ago.

The last marriage was another bitter disappointment to Mrs. Edna Gobbee. She tried to live home here with her daughter, Miss Sarah Gobbee, 15 years old. There are two other children.

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MRS. GORREE IN MAIL AS DUAL SLAYER

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Uses Wheel Chair in Fleeting Hospital

STAMFORD, CONN., Aug. 26.—Stamford Palmer, 70, a veteran of the Civil War, who is an invalid, wheeled himself from the Soldiers' Home Hospital here over a half mile to the railroad station, where he asked a railroad employe to buy him a ticket for New York, and then got that man and others to carry him aboard an express train bound for New York.

When Palmer's absence was noted, it was made of the New York police, but this didn't find the veteran. It is believed he went to Brooklyn, where he has friends.

100,000 at Work on Roads in Missouri. KANSAS CITY, Aug. 26.—Nearly 100,000 business men and farmers of Missouri took up their picks and shovels at daylight today and began two days of work on the roads of Missouri.

In some places the heat was terrific. Many of the volunteer laborers will not stand the violent exertion, but they stuck to their work.

The slogan of the good roads movement is "Put Missouri out of the mud."

Suffragist Signs Too Gaudy for Hartford. HARTFORD, CONN., Aug. 26.—There were three highly indignant suffragists in this town today. They were Elizabeth Freeman, of New York, veterans of the labor in Albany and to Washington, and Miss Elizabeth MacKenzie and Vera West, of Hartford.

They are conducting a campaign through New England. The police followed them when they were out with a wagon heavily loaded with yellow ribbons, flags and suffragist signs.

They were told that it was a matter of display such signs within the city.

Slain Bride's Mother En Route to Millen. SAVANNAH, Aug. 26.—Mrs. G. W. Boyer, of Waynesboro, Pa., mother of Mrs. Florence Boyer Gobbee, who with her husband, Judge W. R. Gobbee, was killed here at Millen by Mrs. Edna Perkins Gobbee, divorced wife of the judge, reached Savannah today en route to Millen. She learned of the death of her daughter Monday.

Mrs. Boyer stated that on Monday she received a letter from her daughter, in which she spoke of her husband's death and of her own condition.

She said that she was in a very bad condition and that she was unable to do any work.

Militants Destroy Theater With Torch. Special cable to The Atlanta Georgian. CINCINNATI, ENCL., Aug. 26.—Militants destroyed a theater here today by burning down the building.

The building was destroyed within less than an hour, as the interior had been soaked with oil and grease.

EFFORT TO PROVE MORALITY BLOCKED

Important testimony was given late Tuesday by George Kenley, a street car motorman, and M. E. McCoy, a painter of Bolton, both of whom swore they knew Mary Phagan and saw her at about noon on the day of the tragedy. It is the contention of the defense that Mary Phagan did not leave her street car until 11:07 and could not, therefore, have been preparing to meet Stover, who went to Frank's office at 11:05 o'clock on the day of the crime.

Kenley thought it important. McCoy said that he saw the girl not more than three or four minutes after 11 as he was walking south on Forsyth street. He testified that the girl might have been a little earlier than this. He said he had looked at his watch only a short time before.

He admitted on cross-examination that although he had had this information in his possession all of the three and a half months during which the State has been searching for someone who saw the girl just before she entered the factory he had not revealed it until about a week and a half ago. He explained that he had "mistakenly thought it of any account."

Kenley, the motorman, declared that he saw Mary Phagan just as she was coming off the viaduct on her way to the pencil factory. He testified that when she struck him at that point at noon and that it was this way he determined the time of the defense that it was not possible that the car he was on was on schedule, but he thought that was a mistake.

Attorney Rosser asked him what time Mary Phagan could have arrived in town if she had taken a car at 11:05 o'clock, on which she had arrived at 11:10. Kenley estimated that it would be 11:10 or 11:15 at the earliest. It has been accepted by both the State and the defense that it is the approximate time that Mary Phagan left home and 11:10 that she took the car.

Rosser asked Kenley if it was not true that he had made himself a busman's car by his continuing violation of Frank and if he had not on several occasions declared that in the event Frank was freed he would be one of the first to join a lynch party. The witness denied this even though the names of persons to whom he was said to have made the statements were read to him.

Tells of Frank and Mary Phagan. Will Turner, a 15-year-old lad who formerly worked at the pencil factory testified that he saw Mary Phagan "hiding away" from Frank on Monday in March when he entered the factory. He said that Frank appeared to be trying to force his attentions upon the Phagan girl, who was seeking to evade him and get back to work. Solicitor Boyer interpreted this as a circumstance as almost indicative of Frank's attitude toward the murdered girl and almost conclusive of his acquiescence in her death, though he has persistently declared that he had no knowledge of the girl in his factory and not by name.

The Solicitor inquired if there was anything more than that Frank was a man who was a good worker at his employments. There was nothing in the evidence, he testified, which went to disprove Frank's declaration that he did not know the girl by name.

Every effort of the Solicitor along this line collapsed through the day. In the afternoon he called Miss Nellie Wood, who testified at the Coroner's inquest. She was expected to tell the Solicitor in his address to the court of improper advances made to her by Frank. She was prevented from testifying in this respect by the attitude of the court being that Frank was being tried on the charge of murder and not for any other act.

The Solicitor was unable even to get from the witness the general impression that Frank's character was "bad."

The Best Food-Drink Lunch at Fountains. Horlick's Malted Milk.

Insist Upon ORIGINAL HORLICK'S GENUINE. Avoid Imitations—Take No Substitutes.

Rich milk, malted grain, in powder form. More healthful than tea or coffee. Agrees with the weakest digestion. Keep it on your sideboard at home. A quick lunch prepared in a minute.

Purposes nursing the whole body. Lungs, invalids and growing children. Purest nutrition upon the whole body. Lungs, invalids and growing children. Purest nutrition upon the whole body.

Perhaps the initial mistake was made when the defense permitted Conley's first unexplainable charge to go unchallenged. It may have been some complaint as to the legal righteousness, perhaps, but there may have been some complaint as to the propriety of the charge, or perhaps the initial mistake was made there.

Conley's first unexplainable charge to go unchallenged. It may have been some complaint as to the legal righteousness, perhaps, but there may have been some complaint as to the propriety of the charge, or perhaps the initial mistake was made there.

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Davison-Paxon-Stokes Co.

New and Becoming Dresses For Girls Are Priced at 69c

In a few days the early fall school wardrobe must be looked into, and the needs of fresh, new school dresses will be revealed.

Here are new dresses that are intended for just this purpose. They are beautifully made, in eight different styles, of pretty striped lawns, light and dark shades, and effectively trimmed. Sizes 6 to 14 years—priced for to-morrow's sale at 69c each.

Pretty New Dresses for Little Tots at 39c

Every one new—they have just come and will be gladly welcomed by mothers who are now finding their children's wardrobes dilapidated from the hard summer's wear.

These dresses are made of sturdy percales, dotted and figured effects; about six styles—low square neck, short sleeves, long waisted, plaited skirt, with belts 2 to 6-year sizes. Priced at 39c.

A Sale of New P. N. Corsets at Special Prices

\$1.50 for \$2.00 Corsets \$1.00 for \$1.50 Corsets

Every corset in both groups is new. Bought under special conditions to sell for less. New models; extra boning; medium and low busts; extra long; six good supporters attached.

Rich milk, malted grain, in powder form. More healthful than tea or coffee. Agrees with the weakest digestion. Keep it on your sideboard at home. A quick lunch prepared in a minute.

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EVENING EDITION

LEO FRANK'S CHARACTER IS BAD

LEO FRANK'S MOTHER ON HER WAY TO COURT
MRS. REA FRANK.



Defense Refuses to Question Witnesses

DALETON, Aug. 20.—The City Council at the regular meeting last night, discussed the new charter amendment and decided that the body now had authority to do little more than meet and adjourn.

Killed in Runaway After Phoning 'Joke' Report of Auto Hurt

PENNA. Aug. 20.—A few minutes after phoning his daughter that he had been struck by an automobile and injured, R. A. Hendricks, a carpenter, was killed when the horse he was driving ran away.

EXPERTS CALLED BY STATE CORROBORATE HARRIS' TESTIMONY

Miss Myrtle Cato, for three years and a half an employee of the National Pencil Factory, was the first of a number of witnesses called by the State Wednesday to testify against Leo Frank's character. She swore Frank's character was bad.

U. S. Envoy Went to President's Room at Midnight and Forced Retraction.

Special Cable to The Atlanta Georgian, MEXICO CITY, Aug. 20.—The story of how President Huerta sent an ultimatum to the United States Embassy Monday night demanding immediate recognition of Mexico by the United States was told today for the first time.

Leo Frank's Mother on Her Way to Court

MRS. REA FRANK. Mrs. Rea Frank, mother of Leo Frank, is shown in a portrait. She is wearing a dark dress and a hat.

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Two Farmers Held For Hog Stealing

STATESBORO, Aug. 20.—Wesley Waters and Henry Barnes, white farmers and brothers-in-law, living 10 miles from Statesboro, have been arrested on warrants charging hog stealing, their accusers being J. A. Brannen and Harvey L. Alderman.

Verdi's 'Aida' Given With 300 Performers

Special Cable to The Atlanta Georgian, MILAN, Aug. 20.—In the vast Roman amphitheater at Verona, which holds 30,000, the most original and elaborate performance ever attempted is being given of Giuseppe Verdi's Egyptian opera, "Aida," in honor of the composer's centenary.

High School Boy Dies In Fall Of Bicycle.

WILMINGTON, Aug. 20.—The 15-year-old son of E. Davis, of Decatur, and a pupil in the Atlanta High School, was killed Wednesday morning at 4:30 o'clock when he fell from his bicycle while riding along Dekalb avenue in Decatur.

Dalton City Council Shorn of Its Power

DALTON, Aug. 20.—The City Council at the regular meeting last night, discussed the new charter amendment and decided that the body now had authority to do little more than meet and adjourn.

Experts Called by State Corroborate Harris' Testimony

Miss Myrtle Cato, for three years and a half an employee of the National Pencil Factory, was the first of a number of witnesses called by the State Wednesday to testify against Leo Frank's character. She swore Frank's character was bad.

7 Perish in Sinking Of River Steamboat

KEOKUK, IOWA, Aug. 20.—Divers today went to the bottom of the deepest part of the Mississippi River channel here making preparations for raising the sunken steamer Henry Jones and recovering the bodies of seven persons who were drowned when the boat was struck by a storm yesterday afternoon.

Columbus' Ships Are Ready for Canal Trip

CHICAGO, Aug. 20.—Replicas of the three ships in which Christopher Columbus crossed the Atlantic will leave Chicago one week from today to sail through the Panama Canal and up the Pacific Coast to San Francisco.

Dr. Carr Near Death When Car Hits Auto

Dr. W. M. Carr was assembling the parts of a badly wrecked automobile Wednesday and finishing his lunch when the collision with a street car in front of the residence on Luckey street did not result fatally.

Mrs. Sulzer's School Friends Raising Fund

DENVER, Colo., Aug. 20.—Mrs. Stephen T. Parsons and her sister, Mrs. Henry Billman of Denver, school friends of Mrs. William Sulzer, wife of the New York Governor, are forming a combination of childhood friends to raise a fund to assist Mrs. Parsons in her fight to retain office.

Banks New Railroad Line Across Georgia

LORNE, Aug. 20.—R. L. Williams, Jr., a Mason lawyer and former resident of Forsyth, is promoting the plan to build a new railroad to connect Columbus and Augusta.

THE WEATHER.

Forecast for Atlanta and Georgia—Fair Wednesday and Thursday.

Rep. Garrison to Govern Philippines

WASHINGTON, Aug. 20.—Representative Francis Burton Harrison, of New York, will be nominated today by President Wilson to be governor General of the Philippines.

Col. Gorgas Accepts South African Task

Special Cable to The Atlanta Georgian, JOHANNESBURG, Aug. 21.—Colonel William C. Gorgas, chief sanitary official of the Panama Canal Commission, has accepted the task of supervising the improvement of the sanitation work in the Rand, subject to the approval of the United States Government.

Amazon of Mexico, Pasouala, Captured

DOUGLAS ARIZ, Aug. 20.—Donna Pasouala, Amazon and military pilot, passed through Agua Prieta today a prisoner on her way to El Estero.

Toads May Save The South Millions

JACKSON, Miss., Aug. 20.—Reports of Mississippi's Agricultural Department believe the garden toad offers the solution of the boll weevil problem, that has cost the South millions of dollars.

DR. HARRIS FIGHTS HARD TO BOLSTER UP DR. HARRIS' EVIDENCE
Calling of More Medical Experts by State Materially Lengthens Frank Trial

MARY PHAGAN VICTIM OF MARITAL VIOLENCE, SAYS DR. JOHNSON ON STAND

Continued from Page 1.
States case instead of in the rebuttal. He said that the defense had not attempted to cover any new points through the physicians they had on the stand and that these experts were questioned solely with the purpose in view of discrediting Dr. Harris.

Endless Process Seen by Arnold.
He said he would not be allowed, said Arnold, "it will mean that it is to be simply an endless process. I never heard of such a thing before. If a wild and reckless case like this is permitted to call all the medical experts he wishes to bolster up the testimony of Dr. Harris, I shall call back all of the experts we had on the stand."

The argument was held beginning late Tuesday afternoon when Dr. Clarence Johnson, a well-known Atlanta specialist, was called to the stand just before adjournment. He and Arnold entered their objections to the instant that Dr. Johnson had along the same line as he had questioned Dr. Harris when he was making his presentation in case against the defendant.

"I just want to question this man in rebuttal of the defense's witnesses," insisted the Solicitor. "They testified that Dr. Harris was making a wild and reckless case when he declared that Mary Phagan was killed within three-quarters of an hour after she ate and left home. I want to prove by Dr. Johnson and the other experts that Dr. Harris was based on scientific principles that are well known to the physicians who specialize along these particular lines."

The Solicitor said that he had plenty of authorities to support him. He stood on the imminence of the testimony in rebuttal and asked the judge to adjourn until Wednesday morning so that he might have time to look them up. The Solicitor told Dr. Johnson to go to the witness stand and make his statement upon substantial physical and physiological facts and that it was in no sense a wild guess. It was the plan to recall Dr. Johnson to the stand again as soon as court resumed Wednesday.

Expert Permitted to Answer State's Query.
Dr. Clarence Johnson was called to the stand by Dr. Harris and resumed his argument on the admissibility of evidence supporting Dr. H. P. Harris. "I have this picture," said Dorsey, "it has been the well-rehearsed practice to follow this course. I have never been able to put my finger on a specific authority, though I have looked for it for some time. However, I think your honor will recall that it is the uniform practice to allow the State to make out a prima facie case and go into the rebuttal. It is within the discretion of the court to allow a case to be reopened even after the State and the defendant have rested."

"What I want to know is," said Judge Ross, "if you want to reopen this whole case."

"I have a right to do that," said Dorsey. "Where would this thing end?" asked the judge. "They would have the right to rebut."

"Of course the court would not allow your course," said Dorsey. "It is more absurd," asked Arnold, "than for the State to bolster up its testimony after the matter is closed."

"I am simply testifying to scientific truth. The witness was excused and Dr. G. M. Niles, another stomach and intestinal specialist, and a professor at the Atlanta Medical College, and also Dr. J. W. Harris, who was summoned. Dorsey questioned him?"

"Does science recognize that a man who ate cabbage, I would say, a very healthy normal stomach has certain fundamental relations to all other healthy normal stomachs?"

"In answer to the hypothetical question embracing the case of Mary Phagan, Dr. Niles answered: 'Yes, the ordinary process of the course of digestion there should be pure hydrochloric acid in the course of one hour. I am answering my question without regard to any psychic or physical shock. I am not going so much by the appearance of the cabbage as by the statements of the results of the laboratory tests.'"

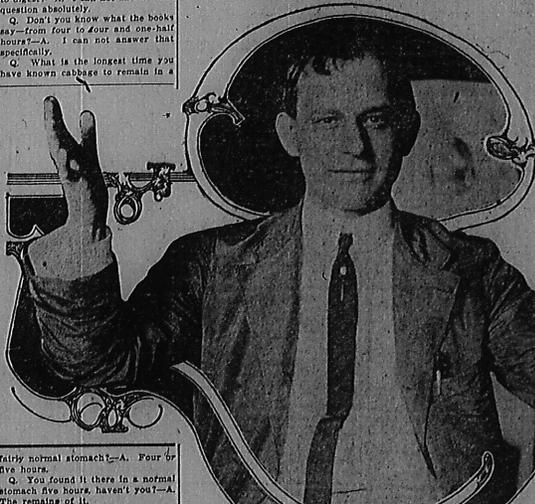
"What have you to say about variations of diseased stomachs?" asked Dorsey. "There are wide variations. Stomachs have hydrochloric, but where they are very marked. I would not call them normal."

"There is nothing that differs so much as individual digestion, is there?" asked Dorsey. "I would say that a man's stomach is a very individual thing. I do not answer that specifically."

"What is the longest time you have known cabbage to remain in a stomach?" asked Dorsey. "I would not answer that question absolutely."

"Do you know what the books say about your stomachs in one hour?" asked Dorsey. "I can not answer that specifically."

DORSEY IN ACTION IN CLASH OVER EVIDENCE SOLICITOR HUGH DORSEY.



Continued from Page 1.
a fugitive from justice, whereas Thaw is a fugitive from an institution for the insane.

They pointed to Thaw's behavior to uphold the contention that no matter what his condition in the past he is now sane and rational. The facts that Thaw has not broken any Canadian laws and that no indictment exists against him across the border were emphasized. They offered many suggestions to his lawyers and in a way seemed to be their plot. He looked very solemn and impressive as he gave his opinions of his own case.

"My idea is that speed is the requisite thing," Thaw told them. "The Canadian Government and the United States Government were both represented by able counsel who represented Thaw's efforts to gain his liberty on a writ of habeas corpus. They contended that the law governing Thaw's case is very plain and they pointed to precedents."

"The defendant's own statement makes it inadmissible," Dorsey looked on his table for a copy of Frank's statement, but did not find it. He continued addressing the court.

"While this jury is out I want to say that I want to put up a witness who will say he saw Frank go into the dressing room on the fourth floor with a woman."

"You have already ruled on that," Dorsey said. "This is a specific instance to rebut and impeach the statement of the girls on the fourth floor. We want to show that Frank was in the dressing room with a female."

Judge Ross: "You can show his general character for lawlessness. You don't know about the other. You will probably have to call the woman and put the question to her and then seek to impeach her."

The jury was called back in Train Held Up in Outskirts of City. PORTLAND, OREG., Aug. 20.—Passengers on the Soo-Spokane express train on the Oregon-Washington Railroad and Navigation line were forced to stand in lines and give up their money and valuables to day when five masked men held up the train as it was passing under the East Seventh Street bridge.

Several coaches were visited by the robbers and more than a score of dollars were forced to yield the passengers and trunks.

Man Once Candidate Against Lincoln Dies. LOS ANGELES, Aug. 20.—Herman Silver, a pioneer capitalist of the West, and for many years a government employee, died yesterday at his home. He was 81 years old.

Silver at one time was a candidate against Lincoln in 1860. He was a clerk of the Circuit Court in Illinois.

Adele Ritchie's Lost Her Talking Machine. ORENBERG, CONN., Aug. 20.—Miss Adele Ritchie, actress, who is Mrs. Charles Nelson Bell in addition to her own name, has lost her talking machine. She was accompanied by her husband and a young girl, Miss Fleming, who lives across the street from her home. The machine was valued at \$100.

THAW SAYS HIS WIFE NEEDN'T FEAR HIM 100 BILLS STILL SLOTTED SIGNATURE.

With virtually all of the important general bills signed in more than a hundred hours of hard work Tuesday, Governor Slaton started to work early Wednesday morning with about a hundred bills on his desk that must be signed by midnight to-night. In addition to the local bills, there are a few general measures that were not considered yesterday, but some of any great importance. Two of the local bills directly affect Atlanta, one providing for a new city charter and the other creating municipal courts. Both these bills will be considered by the Governor to-day.

Among the important measures that received the official signature and became law Tuesday were the general appropriations bill, the inheritance tax bill, the bill establishing a home for wayward girls, the permanent registration bill, the medical practices act, the bill increasing the occupancy tax on corporations and the "blue sky" law relating to the sale of stocks and bonds.

By signing the wayward home girls' bill the Governor effectually disposed of the rumor that he intended to veto the measure. The Governor's report, it is understood, was the Governor's antipathy to signing any bill that would increase the expenditures while it made no provision for increasing the revenue proportionately.

Telegrams Flood Office. Tuesday Governor Slaton received over 100 telegrams from individuals and organizations, urging him to sign the bill. The Governor's office was flooded with telegrams from individuals and organizations, urging him to sign the bill. The Governor's office was flooded with telegrams from individuals and organizations, urging him to sign the bill.

The appointment of a committee of seven men and one woman to investigate the case of the home boys who were not announced until Governor Slaton returns from Colorado Springs.

JOKE DISLOCATES JAW. CAMDEN, N. J., Aug. 20.—A joke told by one of the 250 fellow employees sickened Jennie O. Chilpa so much that the laugh would dislocate her jaw.

French Count Says Canal Lacks Soldiers. Special cable to The Atlanta Georgian. PARIS, Aug. 20.—Count Maurice de Porten, French explorer, writing to The Paris "Temps" from the Canal Zone, says: "The Canal thinks that instead of 1500 soldiers distributed along the Panama Canal, there should be at least 25,000."

The most completely lost of all days is the one on which we have not laughed.

The Piedmont Hotel. Is the center of Atlanta's gaiety, and happy dining parties constantly by through its Ladies' Restaurant, its Cafe and the Buffet.

Imported Muenchener Kinderl' Brau. Also the celebrated Piel's Pilsener.

The Best Food-Drink Lunch at Fountains. Horlick's Malted Milk.

Insist Upon You. ORIGINAL GENUINE HORLICK'S. Avoid Imitations—Take No Substitute.

Rich milk, malted grain, in powder form. More healthful than tea or coffee. For infants, invalids and growing children. Agree with the weakest digestion. Pure nutrition, upbuilding the whole body. Keep it on your sideboard at home. Investigate nursing mothers and the aged. A quick health prepared in a minute.

The Piedmont Hotel has exclusive sale for these well-known imported beverages and the patronage of discriminating persons is courteously solicited.

are invited to make The Piedmont Hotel your headquarters for any meal or After-the-Theater. Service superior to any heretofore known in the South.

CHALLENGE OVER EXPERT EVIDENCE

THE ATLANTA GEORGIAN

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South Georgia AFTERNOON EDITION

VOL. XII. NO. 15. ATLANTA, GA., WEDNESDAY, AUGUST 20, 1913. 2 CENTS. PAY NO.

BOY KILLED IN FALL OFF BICYCLE

William Davis, of Decatur, Pup in Atlanta High School, Has Skull Fractured.

William Davis, 15-year-old son of J. Davis, of Decatur, and a pupil in the Atlanta High School, was killed Wednesday morning at 6:10 o'clock when he fell from his bicycle while riding along Dekalb avenue in Decatur.

The accident occurred within a hundred yards of the home of Dr. J. H. Phillips, who was summoned immediately by a boy named Hicks, who was riding with young Davis.

Dr. Phillips arrived within ten minutes after the boy plunged from the wheel, but young Davis was dead. The body was carried to the home of his father, on College avenue, and later was taken to the morgue of P. J. Bloomfield, in Atlanta.

It is not known what caused young Davis to fall from his wheel. He and young Hicks, who are chums, got out their wheels shortly after daylight Wednesday morning, and rode through Kirkwood and Oakhurst, turning into Decatur at Dekalb avenue. Hicks is a wagon driver and saved through here.

They had gone but a short distance from the home of young Davis' machine lurched sideways, the boy tried to steady the bicycle, then suddenly threw up his hands and plunged head first to the hard pavement. He groaned and turned over once and then lay silent.

Young Hicks, badly frightened when his companion failed to arise, called some men who happened to come along at that time, and then hurried to the home of Dr. Phillips. The boy's skull was fractured and his face was severely bruised.

Atlanta's Aquatic Athletes Ready for Lakewood Events

Atlanta's best aquatic athletes will compete in long and short distance swimming races and in fancy high diving from a 31-foot ladder Wednesday afternoon in the latest event of the season at Lakewood Park. All races will be under the supervision of Captain Benjamin Schlemmer of the United States Volunteer Life Saving Corps.

Among those who will participate are Ted Waltham, Frank Pearson, Charles Quinn, W. T. Walthour and others. George L. Decker is an entrant in the high diving contest.

Mystery in Death of Countess Tarnowska

Special Cable to The Atlanta Georgian, ST. PETERSBURG, Aug. 20.—Countess Tarnowska, who was convicted in Venice three years ago of complicity in the murder of Count Karamorovsky, and was sentenced to eight years, and pardoned last year, was found dead on a St. Petersburg street yesterday. She had been hanged.

Come-Back Party Is Planned by Cannon

CHICAGO, Aug. 20.—Speaker Joseph G. Cannon and 11 other defeated Illinois Republican candidates for Congress defeated at the 1912 November election are planning a "come-back" party in 1914. Those who went down to defeat in the Democratic landslide were: Charles C. McNary, George W. Fritch, Charles C. Fuller, George E. Foss, William A. Rodenberg and William W. Wilson.

Electric Chair for Cats Is Projected

PASADENA, CALIF., Aug. 20.—Street dogs and cats marked for execution by the Pasadena Humane Society will be sent to their final journey across the border by a miniature electric chair, according to Dr. E. L. Conner, president of the society.

Toads May Save The South Millions

JACKSON, MISS., Aug. 20.—Experts of Mississippi's Agricultural Department believe the garden toad offers the solution of the boll weevil problem, that has cost the South millions of dollars.

French Consul Says Canal Lacks Soldiers

Special Cable to The Atlanta Georgian, PARIS, Aug. 20.—Count Maurice de Perigny, French explorer, writing to the Paris "Temps" from Colon, says:

THAW OPENS FIGHT FOR LIBERTY

Applies to Canadian Court for Habeas Corpus Writ—Family Rushes to His Aid.

SHERBROOKE, QUEBEC, Aug. 20.—Harry K. Thaw, who escaped Sunday

TWO GIRL BRIDES WHO TESTIFIED IN DEFENSE OF FORMER EMPLOYER



Mrs. W. R. Johnson, who before her marriage was employed at the pencil factory.

DIGGS CASE GOES TO JURORS TO-DAY

SAN FRANCISCO, Aug. 20.—The case of Maury I. Diggs, charged with violation of the Mann white slave law in transporting Martha Warrington, a 19-year-old Sacramento girl, from one state to another for immoral purposes, will be in the hands of the jury before to-day.

Verdi's 'Aida' Given With 800 Performers

SPECIAL CABLE TO THE ATLANTA GEORGIAN, BRILAN, Aug. 20.—In the vast Roman amphitheater at Verona, which holds 20,000, the most original and elaborate performance ever attempted is being given of Giuseppe Verdi's Egyptian opera, "Aida."

Czar Creates Sports Ministry for Russia

SPECIAL CABLE TO THE ATLANTA GEORGIAN, ST. PETERSBURG, Aug. 20.—To encourage athletics throughout the Russian empire the czar has issued a ukase creating a Ministry of Sports.

THE WEATHER. Forecast for Atlanta and Georgia—Fair Wednesday and Thursday.

DORSEY BATS TO HAVE DOCTORS PROVE TESTIMONY OF HARRIS

By a ruling of Judge Roan Wednesday permitting the State to bolster up Dr. H. F. Harris' expert testimony the Frank trial was lengthened considerably. Attorney Reuben Arnold declared that if the State were permitted to go over that evidence again the defense would insist that they be allowed to call their experts in rebuttal.

A lively argument over the State's proposal to call three or four prominent physicians to controvert the testimony of the defense's medical experts marked the opening of the Frank trial Wednesday.

Luther Rooser and Reuben Arnold vigorously fought the introduction of witnesses for this purpose in the State's rebuttal. Solicitor Dorsey maintained he had a perfect right to develop as much testimony along this line as he wished.

MRS. GOBBEE IN JAIL AS DUAL SLAYER

MILLEN, Aug. 20.—In front of the fact that her husband had been fatally shot, Mrs. Florence G. Gobbie, third wife of Judge W. B. Gobbie, died Wednesday in a hospital here at 10:35 o'clock Tuesday night, just a few hours after Judge Gobbie's body had been buried with Masonic honors at Waynesboro, his former home.

Speaking of the wrath of his father, Diggs said he was afraid of what his father would do to him. He said he was so frightened that he was half crazy and did not know what he was doing.

He told how he hid from his father in the Columbus Hotel and how he spent a day on the outskirts of the city to keep away from Diggs Sr.

Diggs admitted that after he had taken Martha Warrington into his own apartment when his wife was away he arranged a dinner party to which he brought the girl to sit at his table with Mrs. Diggs. He admitted that he feared the juvenile court officers, though he denied a charge that his fear was due to relations with young girls of 16 and 17.

Device to Save Flyer In Fall Stands Test

SPECIAL CABLE TO THE ATLANTA GEORGIAN, WASHINGTON, Aug. 20.—A new device of a body wearing automobile to make aeroplaning safe was successfully tried out at the Chuteau aerodrome today. Aviator Pegoud ascended 700 feet in a monoplane and then intentionally ditched the machine over.

Man Once Candidate Against Lincoln Dies

SPECIAL CABLE TO THE ATLANTA GEORGIAN, LOS ANGELES, Aug. 20.—Hiram Silver, a pioneer capitalist of Los Angeles, died today by burning from a gas stove.

Militants Destroy Theater With Tonch

SPECIAL CABLE TO THE ATLANTA GEORGIAN, CHICAGO, Aug. 20.—Militant anarchists caused \$40,000 damage here today by burning down the building.

Amazon of Mexico, Pasuala, Captured

DODDGEVILLE, ARIZ., Aug. 20.—Donna Pasuala, Amazon and military physician, captured through Azusa Prison today a prisoner on her way to Hermosillo.

Col. Gorgas Accepts South African Task

SPECIAL CABLE TO THE ATLANTA GEORGIAN, JOHANNESBURG, Aug. 20.—Colonel William O. Gorgas, chief sanitary official of the Panama Canal Commission, has accepted the invitation sent him by the Chamber of Commerce to undertake the improvement of the sanitation works on the Rand, subject to the approval of the United States Government.

Save Wife Needs Fear

"I have studied every legal phase of my case and have arrived at the belief that I am free here," said Thaw. "My plans did not also include my physical escape." I looked into the legal feature to establish my status.

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COURT BLOCKS EFFORT TO PROVE IMMORALITY

Continued from Page 1. The defense that Mary Phagan did not leave her street car until 12:07 and could not, therefore, have entered Montrose tower, who went to Frank's office at 12:05 o'clock, into the factory.

Kenley, the motorman, declared that he saw Mary Phagan just as she was coming off the viaduct on her way to the pencil factory. He testified that he was on a street car due at that point at about noon and that this was the way he determined the time it was when he saw her. He said on cross-examination that he was not positive that the car he was on was an schedule, but he thought it was.

100 BILLS STILL AWAIT SLATON SIGNATURE. Practically All the Important Acts Have Been Approved—Those on Desk Are Local Measures.

With virtually all of the important general bills signed in more than twelve hours of hard work Tuesday, Governor Slaton started to work early Wednesday morning with about a hundred local bills on his desk that must be signed by midnight to-night.

Mr. Slaton's signature is needed on a number of bills which are of great importance to the state. Two of the local bills directly affect Atlanta, one providing for a new city charter, and the other creating municipal courts.

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DORSEY IN ACTION IN CLASH OVER EVIDENCE SOLICITOR HUGH DORSEY.



Solicitor Hugh Dorsey.

College Men Will Be the Orators at Suffrage Meeting. College men will make equal suffrage talks Wednesday afternoon at 8 o'clock, when members of the Atlanta Equal Suffrage Association meet in Carnegie Hall.

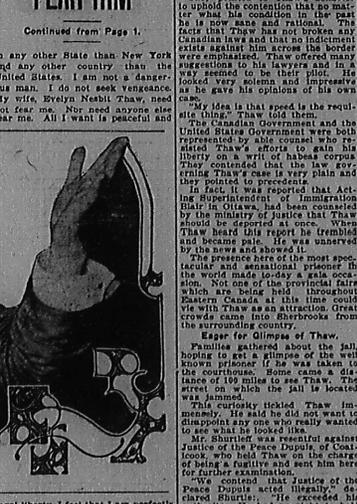
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THAW SAYS HIS WIFE NEED NOT FEAR HIM



William Thaw.

Continued from Page 1. In any other State than New York and any other country than the United States, I am not a dangerous man. I do not seek vengeance my wife, Evelyn Nesbit Thaw, need not fear me. Nor need any of my friends. All I want is peaceful and

legal liberty. I feel that I am perfectly safe. I have studied law ever since I was admitted to Matlewman, and I believe that I am qualified to speak in this matter.

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AMERICA'S CHAMPION HUSBAND, NAT GOODWIN

has come to the rescue of downtrodden men who dare not speak their minds, and reveals all the joys and heartaches of matrimony in "WHAT I THINK OF MY FIVE WIVES"

with the countless other features which have made The American the leading newspaper of the South, as well as a positive joy to the readers of Dixie. Lady Duff Gordon, who, as Lucille of London, is equally famous, will entertain her followers with a description of

MARRIAGE MARKET GOWNS with which far-seeing mothers enhance the charms of their debutante daughters. And coming down to the doings of fashionable Atlanta you will find that

POLLY PEACHTREE was among those present at all the functions of the inner circle, and will tell about them in her usual sprightly style. Moreover, baseball fans, as well as those who never see a game, will find a fascinating story in

THE PLOT FOR THE PENNANT by Hugh S. Fullerton, which begins in this issue. So, why worry about your Sunday reading when you know that in addition to these great features and a dozen others, you can have all the news of the whole universe—sports, financial, foreign, political and local—delivered at your front door for 5 cents? Better clinch the bargain at once, and order from your dealer or by phoning Main 100.

Insist Upon ORIGINAL GENUINE HORLICK'S. Rich milk, malted grain, in powder form. More healthful than tea or coffee. For infants, invalids and growing children. Agree with the weakest digestion. Keep it on your shelf and ready to hand. A quick lunch prepared in a minute.

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OBJECTION TO CHARACTER ATTACK PUTS DEFENSE IN ANOMALOUS POSITION

By JAMES B. NEVIN.

The public that is so apt to see the other side of the coin, and to be fair and unpartial to the convicted, according to the facts, should remember that the Frank case is the story of the State's case, so the statement of Leo Frank was the climax of the defense's case.

It should be remembered that both sides are to be weighed carefully and analytically—that conclusions are to be jumped at from neither.

The horror of the Conley story, coupled with the respectable details, temporarily swept the public mind into a seeming solidity of opinion hostile to Frank's career, and a conviction to hundreds of minds, through the sheer force of the sinister detail it contained.

By and by, however, the public mind rebounded in a way, and it began taking counsel with itself. And then came a pause, followed by a swing back more or less to the normal.

That is the way it is with the public mind—always wanting to be just, and always sure to be just, at every time and opportunity, yet prone every now and then to be misled by the cunning of the tongue.

It is the immediate horror of the crime that not infrequently distorts the public's sense of proportion, and makes it unfair to itself no less than to other persons concerned.

But the public in the end is just, and it is true to itself. All it asks is that it be allowed a chance to regain its balance, after having been knocked this way or that by a stunning and unanticipated blow. It was not able to work off when delivered Leo Frank's remarkable statement to the jury Monday, certainly one of the most surprising statements so far as serious indications go, that ever fell from the lips of a defendant in Georgia, and it is not sufficient, and should not be sufficient, within itself to warrant the public now in rushing to the conclusion that he is innocent.

Pandemonium Will Come to Rest.

And so, as in the case of Conley, with the conviction of the public leaning heavily in the direction of the State following the Conley story, and then swinging back to the direction of the defense following the Frank statement, it eventually will right itself somewhere midway between the two, perhaps, and the result will be the evidence as falling the one or the other.

A woman correspondent writes me:

I have read your article daily. Tell me, truly, are you for Frank or against him? I can not tell from what you say.

Now in a way I consider that something of a compliment. I am glad this correspondent does not know whether I am for or against Frank, for I am neither the one nor the other.

I usually visit the courtroom daily, and gather me a bouquet of other men's flowers, and I might be the same that binds them in mine own.

When the storm signals have seemed fair for Frank, I have to see it down. When they have seemed ominous, I have to see that down.

In all the time and concern I have transferred to paper in respect of the Frank trial, the wish never has been father to the thought—save in that I always have preferred, and always shall prefer, to see a man prove himself a gentleman rather than a scoundrel, if he can.

What I do hope to stand for, and try to stand for, and what none of us can afford NOT to stand for, is justice and right, fair play and no special favors, decency and civilization, and the supremacy of the law of the land.

I assure my correspondent that I am neither for nor against Frank, but that I am for truth and right, and in my own way, and after my own fashion I undertake to stand by my ideals.

Justice the Real End.

Frank Hooper promulgated a platform all can afford to moment and fight upon, when he said, before the case came on for trial:

"It is not so much a matter of finding and convicting Leo Frank, as it is a matter of finding and convicting the murderers of little Mary Phagan!"

So long as you feel that way about it, you are on safe and solid ground; but once you get away from that standpoint, you begin groping and listening to the persuasive pleas of your prejudices and your preconceived opinions, no matter what they may be.

When a man is on trial for his life, you don't have to be FOR or AGAINST him—but you DO have to be in favor of a fair trial for him!

Then, when everything has been done in order and accordance with the best teachings of a thousand years of Anglo-Saxon civilization, even as imperceptibly as that you see, the verdict finally recorded under the law will provide you a sheet anchor against

LEO FRANK'S MOTHER ON HER WAY TO COURT

MRS. REA FRANK.



Mrs. Rea Frank, mother of Leo Frank, is seen here in a recent photograph. She is wearing a dark dress and a hat.

Uses Wheel Chair In Fleeing Hospital

STAMFORD, CONN., Aug. 20.—Stanford Palmer, 70, a veteran of the Civil War, who is an invalid, wheeled himself from the Soldiers Home Hospital here over a half mile to the railroad station, where he asked a railroad employee to buy him a ticket for New York, and then got that man and others to carry him aboard an express train bound for New York.

When Palmer's absence was noted, inquiry was made of the New York police, but this didn't aid the veteran. It is believed he went to Brooklyn, where he has friends.

German Marine to Have Fair Exhibit

Special Cable to The Atlanta Georgian. HAMBURG, GERMANY, Aug. 20.—Officials of the Hamburg American Steamship line today declared that the steamship line would have an exhibit at the Panama Exposition in San Francisco in 1915 despite the fact that the German Government refuses to participate in the fair.

New York Couple Weds in Cemetery

NEW YORK, Aug. 20.—A cemetery is where Miss Jennie Koehler Berger and Fred Gieserman are going to be married on August 27.

A Beautiful Face

with clear eyes—unwrinkled skin and vibrant, rosy cheeks—the face of the girl who is freed from the puerile and ugly features that beset her before her time. She can be restored to her natural beauty by taking the right remedy.

Dr. Pierce's Favorite Prescription has been sold by druggists for many years and always gives satisfaction.

ATLANTA—MADE GOODS EXHIBIT ASSURED

Manufacturers Propose to Lease Top Floors of Chamber of Commerce Building.

The success of the proposed Atlanta Manufacturers' Exposition was practically assured at the luncheon given to a number of manufacturers by the Chamber of Commerce at the Hotel Anley. About 60 manufacturers were present at the luncheon, and the majority of them added their names to the 40 who had previously signed for space.

In the absence of Brooks Morgan, chairman of the exposition committee, V. H. Krieshaber took charge of the meeting. He explained the proposition of renting the top four floors of the new Chamber of Commerce Building as a permanent exposition of Atlanta-made goods, and outlined the plan of the exhibit.

He stated that a competent man would be in charge to explain the exhibits to visitors and get prospective buyers in touch with the manufacturers. He also told of the various plans for advertising the exhibit.

Asa O. Chandler told of the many manufacturers' exhibits he had visited in various sections of the country, and heartily endorsed one for Atlanta. He urged better co-operation between the members of the Chamber of Commerce.

W. L. Moore, president of the Chamber of Commerce, spoke of the objections that had been raised because of the three-year term of contract in leasing space and the price charged. He explained the necessity of the stipulated terms and outlined the plan by which the new building was made possible.

A resolution introduced before the City Council by Alderman Nutting, providing for the renting of space by the city for an exhibit with special reference to the schools and other large public improvements, was read. This resolution has been adopted and space has been arranged for.

The final speaker was O. T. Camp, president of the Retail Grocers' Association, who stated that the grocers and butchers of Atlanta were behind the exhibit and intended to push Atlanta food products on all occasions, Wednesday has been made a special day for home products.

About 60 guests and manufacturers were present.

The Perfect Baby Of the Future

A Simple Method That Has a Wonderful Result

The result of using this method is a baby that is healthy, strong, and free from all ailments. It is a method that has been used for many years and has proved itself to be the most effective and reliable of all.

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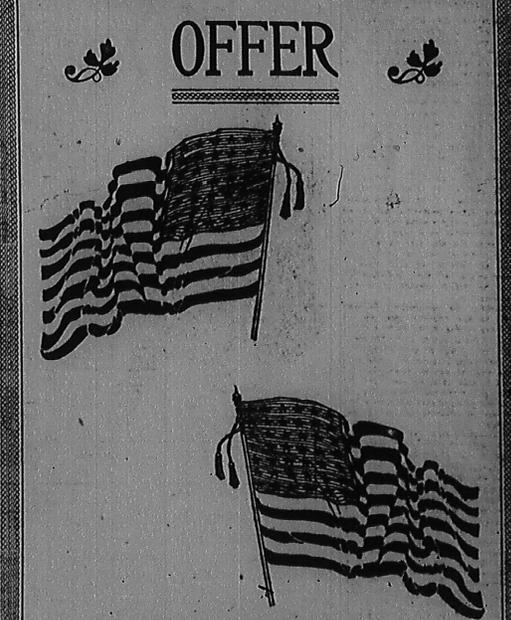
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AMERICAN FLAG OFFER



SIZE 5X8 FEET
Valued at Five Dollars
for 90 cents

This beautiful American Flag, the very latest, with 48 stars, made of fine bunting.

Cut out Coupon below, and bring to THE HEARST'S SUNDAY AMERICAN and ATLANTA GEORGIAN office, with 90 cents, and secure one of these beautiful flags.

THIS COUPON and 90c entitles the holder to an American Flag, 5 feet by 8 feet, when presented at our office.

HEARST'S SUNDAY AMERICAN
THE ATLANTA GEORGIAN

20 EAST ALABAMA ST. 35 PEACHTREE ST.

Flags will be mailed at an additional charge of 10c for postage.

Every man is proud to say he is an American, and it is his duty to see that "Old Glory is flying to the breeze" on every appropriate occasion.

See that you have one of these flags at your office or at your home.

Take advantage of this offer.

Hearst's Sunday American and Atlanta Georgian

20 East Alabama Street 35 Peachtree Street
ATLANTA, GA.

Always 5 cents. Always fresh, crisp and clean.

NATIONAL BISCUIT COMPANY

LEO FRANK SKETCHED AS HE TOLD HIS OWN STORY TO JURY

During the greater part of his story Frank was as calm and dignified as an accountant discussing an audit.

In telling of his dealings with the police and Chief of Detectives Lanford, Frank Q. has been sarcastic in a quiet yet bitter way. But he never let loose his emotion or lost his poise.

At times Frank would lose his air of complete repression and his face for a moment would take on an aspect of deep feeling. He would, however, quickly resume his normal expression of stolidism.



WITNESSES GIVE DALTON GOOD REPUTATION

Once Bad Man, but He Has Reformed, Old Acquaintances Testify for State.

Continued from Page 1.

It was signed in his presence.

He said that he had told Solicitor Dorsey that the negro woman was being held illegally, but that the solicitor had replied that it was necessary sometimes to do things of this sort in order to get the information wanted. He told of going to the prison again and finding Minnie crying and hysterical in her cell.

The attorney for the colored woman said that he had not been permitted to enter the room where his client was being interrogated by the detectives and Ray Pickett and Arthur Brown, the latter two men being employees of the Brock & Greig Hardware Company. He was present, he said, when part of the notes were being read by O. C. February, but was not there when the affidavit was signed.

The McKnight affidavit told of alleged conversations at the Bell home of a nature very incriminating to Frank. The McKnight woman denied all of the statements in the affidavit to a Georgian reporter the night that she was liberated.

Indirect Evidence Against Frank Is Ruled Out.

A crushing blow was dealt the State by the refusal of Judge Roan to admit, either while the defense was compelling its case or after the State had taken up the rebuttal, any evidence not directly and at first hand bearing upon the specific acts charged against the factory superintendent.

The ruling was a sweeping victory for the defense. It gave Frank's case, which had been aided materially the day before by the defendant's own statement, an added strength and bolstered the prospects in Frank's favor.

Solicitor Dorsey tried first to cross-examine Daisy Hopkins, one of the defense's witnesses, as to conversations she was supposed to have had in regard to incidents at the pencil factory in which she and a man unnamed except as her "forman" were involved. Frank's name was not mentioned in the indicated charges.

The conversation was about a "forman."

The Hopkins woman denied again that she ever had made visits to the factory for improper purposes or that she had had the conversations referred to by the Solicitor.

Dorsey introduced the same stone wall when he tried to draw testimony against the moral character of Frank from his own witnesses. From W. P. Merck and J. P. Floyd the Solicitor had expected to obtain a recital of the stories of happenings which they said had been related to them.

Merck, however, had mysteriously disappeared from the courtroom when his name was called, and Floyd was not permitted to go into the details of the testimony the Solicitor had hoped to bring out.

The Solicitor thereafter confined his efforts to bolstering up the character of the following five who were called by the prosecution.

Dr. O. C. Mital, P. L. Bekridge, Clarence Johnson, John Punks, S. E. Hendrick, of Atlanta, and J. C. Crayner, of Macon, the latter two president and vice president of the State Board of Health.

Solicitor Dorsey asked that Daisy Hopkins be returned to the stand so that he might continue his examination of her.

The witness took the stand. Q. You say you knew nothing of the cot in the basement of the National Pencil Factory?—A. No.

Q. Do you know anything at all of the basement?—A. No.

Q. Are you acquainted with A. R. Floyd, of Hedges, Ga.?—A. Yes.

Q. Have you known him for a long time?—A. Yes.

Q. Have you had a conversation with Floyd since the murder?—A. No.

Q. Haven't you been in his house to get milk?—A. I don't think I have since the murder.

Q. Didn't you go to the home of Floyd to get milk and tell him about that cot in the basement of the National Pencil Factory?—A. No.

Q. Do you know Bob Goddard?—A. No.

Q. Do you know Dr. R. S. Pound, of Hedges?—A. Yes.

Q. Do you know Mr. Smith, superintendent of the Nunnally-McRae Company?—A. No.

that he had ever introduced Dalton to the factory superintendent.

Wiley Roberts was asked: Q. Has Jim Conley been in your custody during this trial?—A. Yes.

Q. Has he ever asked for newspaper papers?—A. Yes.

Dorsey interrupted. "Your honor," he said, "I think the witness, Jim Conley, ought to have the privilege of denying or affirming this before he can be impeached."

"Conley said that it could only read certain words," said Arnold, "but probably Mr. Dorsey is right. I will have to call Jim Conley back again. Mr. Rosser will be back in a minute and we will close."

Daisy Hopkins Is Recalled by Dorsey.

The witness was excused and Dorsey made the announcement that four doctors of the following five would be called by the prosecution.

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ter P. Merck on Saturday afternoon on Whitehall street?—A. I met him on Saturday.

Q. Didn't you tell him that afternoon that you were going to the National Pencil Factory?—A. No. I told him I had just left the factory.

Q. Didn't he make an engagement with you to go to the factory?—A. No.

Q. Didn't you meet Merck during the afternoon after working hours at the pencil factory?—A. No.

Q. Didn't he come to see you that night?—A. No.

Q. Didn't you tell him that you had been to the factory that afternoon?—A. No.

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testimony," said Judge Roan. "You can not bring any new criminal charges against this defendant. It is against someone else, it is irrelevant."

"Your honor," said Dorsey, "I want to ask a question to let the jury hear that you rule it out."

"No," he object," said Rosser. "That's just why the jury was sent here."

"I'll let you assume that you said," said the court to Dorsey.

"Why, your honor," replied Dorsey, "I put us in the position of not even trying to prove what we have indicated we would."

"I can not permit the question," said Judge Roan.

"Very well," said Dorsey, adding, in an undertone, "That shuts me off, that shuts me off."

Dorsey continued the examination: Q. Didn't you meet Merck during the afternoon after working hours and tell him you were going to the pencil factory?—A. No.

Q. Didn't he come to see you that night?—A. No.

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jected rightly. An indictment is nothing against one's character."

Dorsey denied any knowledge of an indictment. This is a bond for future.

Dorsey's Recent Past. Good, Says J. T. Hearn.

Glenn Smith, superintendent of the Nunnally-McRae Company, testified that Daisy Hopkins' character was bad and that he would not believe her on oath.

J. T. Hearn, of Walton County, said he had known C. B. Dalton since 1890. Dorsey questioned him.

A. The first part of his life was bad. The last part has been good.

Q. Would you believe him on oath?—A. Yes.

Rosser took the witness on cross-examination.

Q. When was the last time you knew Dalton?—A. 1914 or 1915.

Q. Did you hear about him being indicted for selling whiskey in 1911?—A. Yes.

Q. Did he have the church about 1914 and I understood was leading a good life.

Dorsey took the witness.

Q. Do you know the instance of his being indicted for selling years ago?—A. Yes.

Rosser: "We object. It can't go into that."

Judge Roan sustained the objection.

ton came to Decatur about five years ago and worked for him as a carpenter. Dorsey questioned him.

Q. Are you acquainted with Dalton's general character?—A. I don't know him.

Q. How long after this accident did you work?—A. I quit then.

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ional Pencil Factory about October, 1911?—A. I don't remember.

Q. In you remember a cashmaker named Charles Lee?—A. Yes, he was working there.

Q. Were you hurt there?—A. Yes.

Q. Where?—A. On the second floor, the office floor.

Q. Just where were you hurt?—A. On a metal machine. I hurt the forearm of my left hand.

Q. How long after this accident did you work?—A. I quit then.

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Continued on Page 6, Column 1.

Funeral Designs and Flowers for ALL OCCASIONS. Atlanta Floral Company 445 EAST FAIR STREET.

CLEVELAND

THE SCENIC WAY WITH DINING CARS

FACTORY BOY SWEARS HE SAW FRANK ACCOST MARY PHAGAN Dorsey Feared He'd 'Get in Bad' With Detectives, State Witness Says

INDIRECT TESTIMONY AGAINST PRISONER IS FORBIDDEN BY JUDGE

Continued on Page 2

Turner, a farmer, was called to the stand. Dorsey questioned him. Q. About March of this year, where did you work?—A. At the pencil factory.

Q. Do you know this man pointing to Frank?—A. Yes. Q. Did you know Mary Phagan?—A. When I saw her.

Q. Did you ever see Mr. Frank talking to Mary Phagan?—A. Yes, on the second floor. Q. What time was it and how long before the murder?—A. About the middle of March.

Q. Where was it?—A. In the back part of the building. Q. What time of day was it?—A. Just before dinner. Q. Who was in the room beside them?—A. No one else. Two girls came down after it.

Q. What was said?—A. I heard her say she had to go to work. Q. What did he say?—A. He said he was the superintendent of the factory.

Dorsey: "We object and we want to argue this without the jury." The jury was sent out. Dorsey—Let the witness tell what he saw.

Turner—Mr. Frank told the girl he was superintendent of the factory and wanted to talk to her. She told him she had to go back to work. Mr. Frank went off.

Away From Frank. Q. How was she acting?—A. She backed off from him and he walked toward her. Q. How far did she back?—A. Three or four feet. That was all I heard.

Mr. Frank turned away. Judge Roan: "You can go into this to the extent. You can show whether he knew Mary Phagan." Dorsey—This other has nothing to do with it.

Hooper—If my brother will just keep still a little bit, we may be able to proceed further. This has another value. It shows familiarity as a desire for familiarity.

Rosser—If your honor is with me, I don't want to argue. Judge Roan—The question is whether it can be shown just how this conversation took place. Rosser—That is not the purpose of this case.

Judge Roan—Hill, Mr. Hooper. The question is whether it will show whether he knew her well enough to know her name. Rosser—This is a fence doesn't show that.

Dorsey—Your honor, this witness says this meeting occurred in this same place and near the same place where we have contended the murder occurred. It is the basis for further evidence.

Arnold—That last statement let the cat out of the bag. They want to have gotten away from the charges of murder and have been made to answer every conceivable charge.

Hooper—Object to that, first because it is not true and second because it is not the point at issue. There was another explanation.

There is another explanation. "There is another explanation of the girl's" shouted Arnold. Judge Roan repeated the order and directed that the jury be brought in.

His Address Solicitor Dorsey. He addressed the jury. Judge Roan: "You know your question and let me see what you know," said Judge Roan.

Q. What did you see? Tell it in your own way, telling everything that you saw.—A. They were back in the rear of the building near the entrance. She was coming to her work just before dinner. Mr. Frank met her and said: "I want to speak to you." She said: "I have to go to work."

Q. How was it?—A. I was returning to her work at the machine. It was just before the whole building. Q. Did she have a watch?—A. Yes, when it was 11:30 or twelve o'clock.

Q. What time was it?—A. Just before dinner. Q. How was it?—A. I was returning to her work at the machine. It was just before the whole building.

Q. Did she have a watch?—A. Yes, when it was 11:30 or twelve o'clock. Q. What time was it?—A. Just before dinner.

the peace, let the police take that woman away screaming? Dorsey—Interruption. "You say you know that?" he asked the witness.

Rosser: "Will you let it go through when he continues his question?" Q. Did you ever find out what charges they had against her?—A. I had a habeas corpus for her release, but could not get to her.

Q. They just held her because she would not give a statement to the police that Mr. Dorsey wanted? Rosser—That is the jury that the evidence in this case proves is true.

Dorsey—I submit it is not true. I don't care what you argue to this jury. Rosser—And you don't care what you did for that poor negro woman? Arnold—Didn't do anything to her.

Judge Sustains Dorsey's Objection. Judge Roan sustained Dorsey's objection. Rosser asked Dorsey for the affidavit that Minola made in Dorsey's office. He asked the witness if he had ever seen it before, and the witness answered "No."

Q. Who was it?—A. I saw her that first evening. She was in a cell and crying hysterically. I asked Dorsey to let her out in the corridor and he refused. He said: "That is not true," Dorsey said.

Rosser—That is not true. He refused to let her out in the corridor. Dorsey took the witness again. Q. Now, did you see her?—A. I saw her that first evening. She was in a cell and crying hysterically.

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that affidavit at the police station, but he would not take it first, but would let Albert read said affidavit. "What was it that Albert had said?"

The witness gave the substance of the Minola McKnight affidavit. Q. Then what did Minola say?—A. She said she was afraid to talk to Albert, but when he told her what he had said she gave him the affidavit without knowing.

Rosser took the witness on cross-examination. Q. Didn't you know that she was in a cell at that time?—A. I did not. Rosser Objected.

Rosser Objected. Q. Why did you let them have her in jail?—A. I was asked to do so by the police. Q. Did you go to Mr. Dorsey's office?—A. Yes.

Q. Why did you go there?—A. I was asked to do so by the police. Q. Did you see her?—A. I saw her that first evening. She was in a cell and crying hysterically.

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Yes, but we Craven and myself could not write shorthand, and sent for the stenographer. Q. Who was there when she made the statements to her mother?—A. Barnes, Campbell, my brother, stenographer, Lanford, Craven and myself.

Q. Well, tell the jury what she said. Rosser: "The affidavit is the best evidence." Dorsey: "But you are objecting to the affidavit." Judge Roan: "I am going to let that affidavit with the exception of the part that could not be put in regularly. For instance, that part where she says the conversation was overheard."

Rosser Objected to Servant's Affidavit. Q. Why did you let them have her in jail?—A. I was asked to do so by the police. Q. Did you go to Mr. Dorsey's office?—A. Yes.

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hours, didn't you?—A. Yes. Q. Did you give her the third degree?—A. No, but we did call it that. Q. Did you see Dorsey?—A. Yes, we saw him before we went to the police station, and he told us he would arrange for us to see her and that we might arrange to get her out.

Q. Did you tell Minola that you would come down to get her out?—A. We did tell her we wanted to get her out, but we got a statement. Q. Well, why didn't you get her out?—A. She left the station house before we did.

Q. After she gave that statement they let her out?—A. Yes. Q. Do you know she left there before you did?—A. No, but the detectives said she had.

Q. You didn't know she had been there twelve hours when you got there?—A. Yes. Q. You know she was there because she would not give a statement?—A. Not that. I thought it was my duty as a good citizen to add in writing to the truth.

Rosser questioned him, and had the Negro McKnight called to stand. The witness was excused, and Albert McKnight's husband, Attorney Rosser, was called to the stand.

Negro McKnight Called to Stand. The witness was excused, and Albert McKnight's husband, Attorney Rosser, was called to the stand.

He displayed a diagram of the room and a diagram of the writing room, and the sideboard mirror, through which Albert said he observed Frank during lunch at the Slog house on Saturday, April 26.

Q. Where were you sitting in the kitchen on that day?—A. I was sitting at the table. Q. Did you see Frank?—A. Yes.

Q. How did you know that she had been there?—A. I saw her through the window. Q. How do you know that she had been there?—A. I saw her through the window.

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tal. We insist that you put this definitely. All the evidence we have put in to show Frank's conduct was in rebuttal to the statements of Conley." Judge Roan: "Mr. Dorsey, tell me how you can get around the statutes, that you can not ask specific instances on one's character except on the character of the witness."

Dorsey: "What about the questions of Mr. Arnold to the woman who worked on the fourth floor of the National Pencil Factory?" Judge Roan: "To my mind it is not defensible."

Dorsey: "Then we are shut out." Judge Roan: "The law shuts you out. On the principle you advanced you could put a man on trial at this time for everything he ever did in his life."

Dorsey: "I don't want to send the jury out any more. I have witnesses to prove other things. Can I prove that?" Judge Roan: "No, but the detectives said she had."

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PAVING THE GREEN BIG WELCOMES ALL ALONG ROUTE TO BRINGHAM

By HUGH GRANT. (Sunday American Representative With Pavement.) TALLAPOOSA, Aug. 19.—E. L. Ferguson, county "pathfinder" for the All-Southern Transcontinental Highway, and party ended a triumphant tour through Georgia here Monday night. The party, consisting of Mr. Ferguson, Mrs. Ferguson and the Ferguson children, arrived on schedule time at 8:14 o'clock.

The improvement in Douglas County of the Tallapoosa highway which was traversed by the Ferguson party and which has been selected as the official route will make this one of the best roads in the entire State. A fee line for Villa Rica, arriving there on schedule at 4:40. Temple, Ga., was reached shortly after 7 o'clock. Here the Ferguson party and Tallapoosa at 8:45. Members of the party reported a most delightful trip, very enthusiastic over the campaign inaugurated by the Sunday American, and pledged their hearty support.

All towns give welcome. Tallapoosa's warm reception, however, was only one of many to be met here and Atlanta. All along the 41-mile route the good roads boosters turned out to give the transcontinentalists a rousing send-off. At Russell Mayor L. C. Upham and Editor Dake of the Douglasville News, heading a delegation of Douglasville boosters, met the tourists and escorted them to Douglasville. Here good roads and highway were talked of, and a typical old-time Georgia dinner was served at the Douglasville Hotel, with Mayor Upham and Mr. Dake acting as hosts.

Other Douglasville citizens who accompanied the party were R. E. Edwards, J. K. Long, superintendent of the cotton mill; J. M. Hanks, and Douglas County Commissioner J. T. Roberts. The improvement in Douglas County of the Tallapoosa highway which was traversed by the Ferguson party and which has been selected as the official route will make this one of the best roads in the entire State.

St. Clair Boosters Guide Pathfinders. ANNISTON, Aug. 19.—A party from the city of St. Clair, including J. H. Herring, Jr., J. H. Johnson and Ursula Pickett, all of Asheville, arrived here today to join the Ferguson transcontinental party. The party will join the scenic St. Clair highway on its way to Birmingham.

Witnesses Give Praise to Good Reputation. Continued From Page 4. that a girl saw Frank with another woman in the dark? Judge Hoan: "No." Q. "Can I show his conduct—happening girls as he passed through the factory?" Judge Hoan: "You can show a bad character by this woman or any other; but you can't show a speck of it."

The jury was recalled. Dorsay Says. Dorsay questioned the witness. Q. Do you know the character of Lee M. Pugh? A. No, I only know him two days.

Q. I mean what people said about him, say yes or no? A. I have answered the question; that should end it.

Judge Hoan: "Do you know his character; answer yes or no." Dorsay addressed the court. "Your honor, I have answered the question; that should end it."

Judge Hoan: "Do you know the character of Lee M. Pugh; answer yes or no." Dorsay addressed the court. "Your honor, I have answered the question; that should end it."

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Q. How much is the most you ever know the English avenue line car carries in a load of time—A. Three or four minutes.

Rosser took the witness. Q. Did you know whether Matthews and Hollis were on schedule on April 15? A. No.

Witness Says He Saw Girl at About 12 O'Clock. Q. Isn't it feasible for the White Old car to be blocked by the English avenue car because the White City car is in a head of time?—A. Yes.

The witness was excused. Q. How long is the most you ever know the English avenue line car carries in a load of time—A. Three or four minutes.

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I'm a Blacksmith! Says Harding Davis

NEW YORK, Aug. 19.—A young newspaper reporter, paper and pencil in hand, dived briskly among the crowd at Healy's Restaurant during the process of selecting the district. He saw a man continuing in the shadow of District Attorney Whitman.

"Will you give me your name, please?" asked the young newspaper reporter.

"Davis" replied the other.

"May I have your first name?" questioned the youth.

"Richard Harding—Richard Harding Davis."

"What is your occupation?"

"I'm a blacksmith."

"What is a blacksmith?"

KELLY IS PUT ON ALDERMANIC BODY

Second Ward Water Commissioner Gets McClelland's Place. Pure Vaudeville Law Pends.

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Lunatic Says He Is Pat Crowe, Kidnaper

WASHINGTON, Aug. 19.—A man who says he is Pat Crowe, kidnaper of Eddie Collins, Jr., son of the wealthy Omaha packer, is held in the Washington Insane Asylum for observation.

The patient told the police and physicians that he had come to Washington to forward his claim on a patent for an invention preventing the spread of rats.

He told Secretary of State Bryan his personal friend, and that through the Secretary he hoped to secure his papers from the patent office.

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