DORSEY IN CLOSING ATTACK

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TWELVE JURORS WITH WHOM LEO M. FRANK'S FATE RESTS

HUNDREDS STORM COURT AS CASE NEARS THE JURY

With every prospect of Leo M. Frank's fate being in the hands of the jury before Saturday afternoon, Solicitor Hugh Dorsey Saturday morning resumed his masterful arraignment of the man accused of the slaying of Mary Phagan and the methods that have been used in his defense.

Hundreds clamored for admission when the courtroom doors were opened Saturday morning and there were more than a thousand in line when court opened.

The brilliance and dash of the Solicitor's opening had attracted the greatest crowd of the trial—a crowd unquestionably in sympathy with Mr. Dorsey.

Frank entered the courtroom as calm as usual, and took a seat between his wife and mother. He chatted with his wife a few moments before the trial opened, his hand affectionately on her shoulder. If he was in any way awed or dismayed by the ordeal confronting him, he did not show it.

"Many a man is a white sepulcher on the outside and absolutely rotten within. But suppose he has a good character. David had a good character until he put Uriah in the forefront of battle that he might be killed that he could get his wife. Judas Iscariot had a good character among those Twelve Men until he accepted those 30 pieces of silver.

"You know as twelve men seeking to get at the truth that they did not ask those hair-brained fanatics, as Mr. Arnold calls them, questions about Frank's character because they were afraid, and those witnesses, as good as any the defense put up, were unimpeached and are unimpeachable. And you tell me that because the good people come here from Washington street and testify to his good character, is that he has one!

"It very often happens that a man's wife is the last person to know his wrongdoing. Sometimes the man uses charitable and religious organizations to cover up and hide his evil self. Very often his guilty conscience turns him that way. Many a man is a wolf in sheep's clothing.

Dorsey moved over to the railing of the jury box as he opened his speech.

"Your honor and gentlemen of the jury," he said, "I was speaking to you yesterday of the character of this defendant. This defendant has not a good character. The conduct of the counsel in this case in failing to cross-examine, in refusing to cross-examine these twenty young ladies, refutes effectively and absolutely the claim of the defendant that he has a good character.

Says Defense Had Right to Refute Charge.

"As I said, if this man had a good character, no power on earth could have kept him and his counsel from asking those young girls where they got their information and why they dsat what they did. Now that's a common sense proposition.

"I have shown you that under the law they had a right to bring out all those things. You saw they dared not do it. Let's see what the law says, I'll read here from the Eighty-third Georgia Report:

"Whenever any persons have evidence in their possession and they fail to produce it, the strongest presumption arises that it would be hurtful if they did, and their failure to produce evidence is a circumstance against them.'

'You don't need any lawbook to tell you that. It's plain common sense.

"Benedict Arnold was brave. He enjoyed the confidence of all the people and those in charge of the Revolutionary War until he betrayed his country. Since that day his name has been a synonym for infamy. Oscar Wilde, an Irish knight, a brilliant author, whose works will go down through time, gave us 'De Profundis,' which s wrote while in jail—a remarkable work—yet when the Marquis of Queensberry discovered that there was something wrong between Wilde and his son, Wilde had the effrontery and the boldness to sue him for damages. A suit in retaliation resulted in the conviction of Wilde for criminal practices. Yet, wherever the English language is spoken the effrontery of the testimony on cross-examination of this man—an effrontery typical of this sort (turning to Frank) will always be a matter for deep study for lawyers and for people interested in that sort of degeneracy.

"He had a wife and two children. His shame probably never would have been brought to light but for the fact that he had the effrontery and the boldness to start a suit. It ended in his being sent to prison."

Dorsey's Opening Argument Stirs Court.

Solicitor Dorsey's fiery speech to the jury began at 3:30 Friday afternoon and was halted by adjournment about 5:15. The Solicitor was not slow in entering into his attack against the prisoner and his criticism of the manner in which the lawyers of the defense had conducted the case.

He seemed carried away by his earnestness. His impassioned words as he shouted to the jury that the people would have to get another Solicitor General if they wanted to put the rope around Jim Conley's neck for the crime deeply stirred all within range of his voice.

The Solicitor declared that Conley was not guilty of the murder, and had no more part in the crime than he had told right on the stand.

"Conley is the self-confessed accessory after the fact," he said; "only that and nothing more. If you try to put a noose around his neck it will have to be under another Solicitor General, for right there sits the man guilty of this crime!"

Dorsey took the Durant case, of which Attorney Arnold had made much the day before, and converted it into a boomerang against the defense. Arnold had related it as showing the terrible mistake that may come from circumstantial evidence. He had said that Theodore Durant was convicted of the brutal slaying of Blanche Lamont and Minnie Williams and was executed for the crime. Several years later the minister in whose churchyard the body of Durant found sepulchre himself confessed to the murder, according to Arnold.

Shows Defense Wrong On Durant Case.

Dorsey tried to read a letter and a telegram he had received from San Francisco to controvert Frank's lawyer, but was prevented by objections. He was permitted to state from his own information, however, that no such confession ever took place, and that no man ever was guilter than Durant, no jury more courageous and no community more satisfied with a verdict.

"I don't know where my friend Arnold found the authority for his strange statements about this Durant case," said Dorsey. "If he is no more accurate than this in his statement that you have heard the testimony of every girl on the fourth floor of the factory as to Frank's good character, I fear there are a lot yet to hear from."

The Solicitor laid particular stress on the failure of Rosser and Arnold to cross-question the character witnesses against Frank that the State had placed on the stand. In his opinion this raised a strong presumption that Frank was the immoral man that the prosecution had represented him to be.

"If charges are made that can be explained or controverted," he said, "and there is no effort made by the defendant to do so, it is reasonable to suppose that he is guilty of the accusations."

The Solicitor maintained that the State had been practically helpless in this respect. He said he had been able only to bring girls into the courtroom to swear to Frank's general character and to his general attitude toward women. He had been estopped by court ruling from showing particular acts of alleged immorality and improper conduct, he said.

But, he maintained, if Frank were innocent of the acts of immorality charged against him, it was most unlikely that he would have let his lawyers be silent when those girls were on the stand testifying against him.

Why Did Frank Not Refute Charges.

He would have insisted on his lawyers finding out exactly how much these witnesses knew and where they got their information, the Solicitor declared.

"Now, gentlemen," he argued, "if you were of good character and twenty witnesses were brought here to testify that your character was bad, would you sit supinely and not make your attorneys insist upon specific instances? No; I know you wouldn't. Yet there is one counsel let twenty girls tell the court that Frank's character was bad and that his character

THE WEATHER.
Forecast for Atlanta and Georgia—Local showers Saturday; fair Sunday.

A Great Story of BASEBALL "The Plot for the Pennant" By HUGH S. FULLERTON
This Absorbing Short Serial Begins in To-morrow's SUNDAY AMERICAN

DORSEY STRESSES FACT THAT DEFENSE DIDN'T GO INTO CHARACTER ATTACK

Continued from Page 1.

for lasciviousness, which, uncontrolled and uncontrollable, led him to kill Mary Phagan, was bad, and nev*r asked them how they knew."

Dorsey, in spite of the indignant denials made on the stand by Miss Rebecca Carson, related that she was one of the women who had gone into the dressing room on the fourth floor with Frank.

"What did they go in there for?" he asked. "Probably to see if the girls were flirting out of the windows. The judge would not allow me to ask how long they stayed in there. What the judge says is law, although I do not always understand it. Anyway, Frank went in with her and came out with her."

Dorsey gave up much of the early part of his address to the emphasis of the value of circumstantial evidence and a definition of a "reasonable doubt." He said that circumstantial evidence, when it involved such a connected train of circumstances in this case, really was of more value than direct evidence.

The matter of a reasonable doubt, he asserted, appeared to have been hedged with great mystery, although in reality it was as plain as the nose on a person's face.

Rosser's Closing Speech Eloquent.

A reasonable doubt, he said, was opposed to an unreasonable doubt. It was based on reason and was one for which a reason could be given. It was such a doubt as to leave the mind in an uncertain and wavering condition and to preclude the possibility of possessing the moral certainty that the defendant was guilty.

Attorney Rosser, famed as a cross-examiner and speaker, probably never made a more eloquent address than he did Friday in arguing for the life and freedom of Leo Frank. His words were full of sarcasm for the police, the detectives, the Solicitor, Conley and Dalton—Conley, "the black prince of liars," and Dalton, "the white prince of liars."

With cutting satire he characterized the methods of the detectives as constituting a school in which Conley was drilled and trained in his ever-shifting, ever-changing story of his part in the crime.

He dubbed the Solicitor and Detectives Starnes, Black, Campbell, Rosser and Scott as "professors." Chief Lanford happened to walk into the courtroom just at this moment.

"Ah, there's the dean himself," remarked Rosser with a mock bow.

Jim Conley was their pupil, he said, only they probably called him "James." "Stand up, James, and recite," he mimiced.

Conley's story he branded as a tissue of lies—admittedly lies as it appeared in his first and second affidavits, and party lies as it was contained in his third affidavit.

Defends Character Of the Accused.

He defended the character of Frank which he said had been blackened only by the lies of the perjurer Conley and his white ally, Dalton.

He declared the conditions at the National Pencil Factory were no better and no worse than at any other factory employing about 100 women and about as many men. He argued that the charges of immorality against Frank were preposterous as he could not have been on terms of criminal intimacy with any number of his young women employees without the factory going to pieces in short order. If the conditions in the factory were as they were represented by the prosecution, it would have been a matter of general knowledge and th people would have torn down the factory, stone by stone, the lawyer contended.

Rosser charged that the whole case against Frank was founded on flimsy suspicions and that there was not one direct or weighty piece of evidence from first to last. He exhibited the time chart that Attorney Arnold had used and showed that it would have been impossible, from the viewpoint of the defense, for Farnk to have committed the crime and to have done all that Conley related.

He closed with an impressive appeal to the jurors whom he thanked for the close attention they had given his address and all the testimony that had ben brought out in the three weeks and a half.

INSURANCE MEN READY FOR FEAST

Southern States Company Agents Bring Annual Convention to Brilliant Close.

"Plans ready" was the word sent along Saturday morning to the members of the Anniversary Club of the Southern States Life Insurance Company who will banquet at the Hotel Ansley Saturday night. The Southern States Company convened Friday morning.

Among the speakers at Saturday night's affair will be Speaker W. H. Burwell, of the Georgia House of Representatives; Cyrus B. Brown, Assistant Commissioner of Insurance of Alabama; W. S. Witham, financier; Clark Howell; J. C. Walden, Sr., of Alabama, president of the Anniversary Club; J. R. Williams, of South Carolina, vice president and G. J. McDowell, of South Carolina.

The new officers were elected at the Friday morning session and will make their official debut with brief toasts Saturday night.

The second session of the annual convention Saturday morning was featured by a number of interesting papers, including one by Harvey W. Laird, assistant to President Moore, and former Insurance Commissioner of Alabama, on "The Company With a Good Name," and another by J. E. McLaughlin, of Atlanta, on "Systematic Following Up of Prospects."

Elkin Gets Rich Gift From Rexall Club

W. S. Elkin, Jr., one of Atlanta's leading druggists, was the recipient of a handsome chest of silver Friday as a token of esteem from the Rexall Club of the United States. Mr. Elkin has served as president of the club.

The club has been in annual convention in Boston and the suggestion that Mr. Elkin be presented with the chest of silver met with an enthusiastic approval.

French Flyer Plans Trip Across Sahara

Special Cable to The Atlanta Georgian.

PARIS, Aug. 23.—Lieutenant Chentin, of the aviation corps of the French army, is arranging to make a flight across the Sahara desert.

He plans to start from this city, traverse Italy, the Mediterranean and parts of Africa.

Leaves Aged Wife He Beat Injured on Floor, Goes to Work

After atacking his wife, D. H. Kent, 64 years old, No. 84 Lindsay street, left her lying on the floor with her right arm broken above the elbow Saturday morning, and went to his work at the Jones & Kennedy Furniture Company, where he is employed as a collector. He was arrested there half an hour later. He was released on $100 bond and his hearing set for next Friday before Judge Broyles.

The woman, who is 60 years old, was sent to the Grady Hospital by Policeman Anderson, who answered the cal. Besides the broken arm, she is severely bruised about the body, where she says her husband struck her.

Kent refused to talk about the trouble with his wife, except to say that the quarrel involved two sets of children and was of oing duration.

Magid to Give Ad Men And Families a 'Cue

Louis B. Magid, head of the firm of Louis B. Magid, investment bankers, will give a barbecue to the members of the Atlanta Ad Men's Club and their wives, sisters and sweethearts at Tallulah Park, Saturday, August 30.

It is expected that the entire membership of the club will attend the feast. The party will leave from the Terminal Station at 6:55 a. m., and returning, will arrive in Atlanta about 8:15 p. m.

Troops to Prevent Home Rule Rioting

Special Cable to The Atlanta Georgian.

DUBLIN, Aug. 23.—So alarming have conditions become in Ulster Province, where the friends and foes of home rule are at loggerheads, that the Government has begun mobilizing a brigade of troops. The district may be placed under martial law.

Troops will be scattered throughout the province.

Cat Is a Vegetarian, Eats Only Raw Food

COLLIERVILLE, TENN., Aug. 23. No this is no fish story, but facts, in regard to a cat that makes his headquarters in the Collierville Mercantile store.

This cat is a vegetarian, as he eats only uncooked vegetables and fruits carried in stock. He seems to consider roasting ears best and can, with ease, dispose of several ears.

Cotton Seed Industry Growing in Georgia

A. A. Frierson, secretary of the Cotton Seed Crushers' Association of Georgia, Saturday mailed to the members copies of the proceedings of the annual convention held recently. The letters contain the rules under which the members operate.

Georgia is one of the greatest producers of cotton seed oil, which is coming into favor rapidly as a food product. The annual feedstuff bulletin of the Georgia Department of Agriculture, being printed, will show a great increase in the consumption of cotton seed meal by live stock.

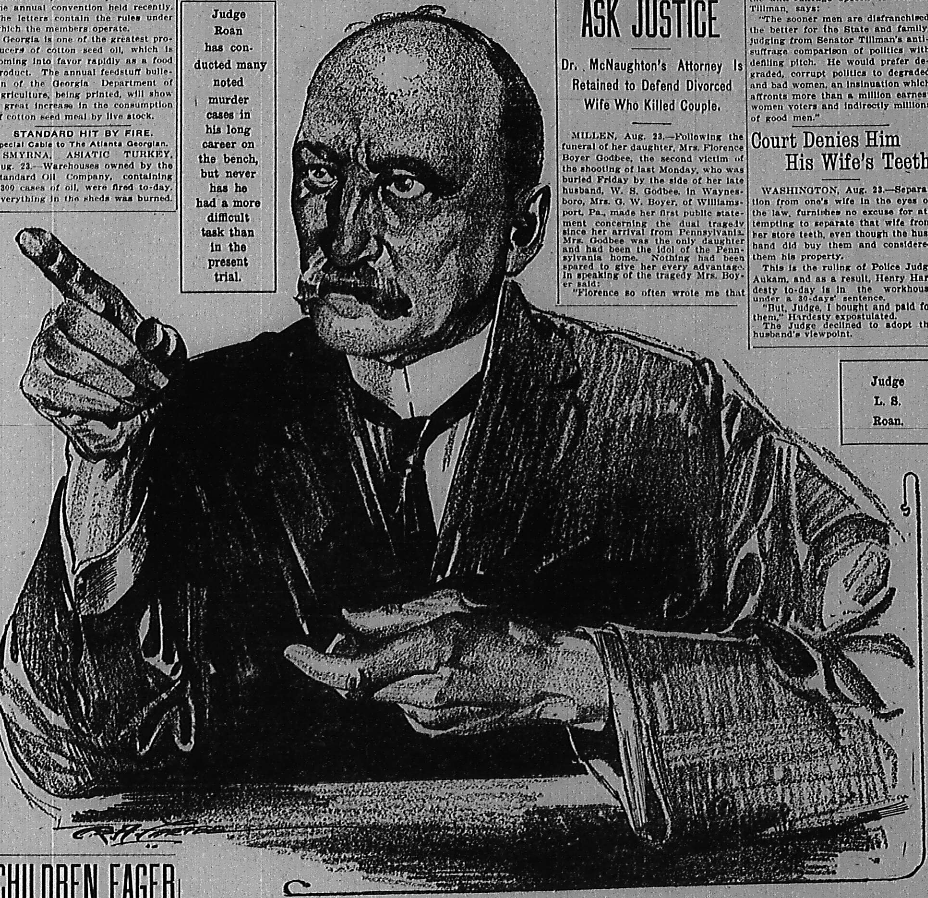
STANDARD HIT BY FIRE.

Special Cable to The Atlanta Georgian.

SMYRNA, ASIATIC TURKEY, Aug. 23.—Warehouses owned by the Standard Oil Company, containing 2,300 cases of oil, were fired to-day. Everything in the sheds was burned.

JUDGE PRESIDING IN FRANK TRIAL

Judge Roan has conducted many noted murder cases in his long career on the bench, but never has he had a more difficult task than in the present trial.



Judge L. S. Roan.

CHILDREN EAGER FOR FINALS IN PLAY RALLY

Grant Park Youngsters in Lead When Rain Causes Postponement of Contests.

Seven hundred enthusiastic embryo athletes, the school children who use the city playgrounds in summer, eagerly await the second division of the annual playground field day, which will be run off at Grant Park next week.

The games were begun Friday afternoon, but owing to the length of time consumed by the races and the rain which came up late in the afternoon, only about half of the even's were completed.

Interest in the second division centers in the individual events, inasmuch as the Grant Park playground, by winning six firsts, six seconds and one third Friday, a total of 49 points, has captured the point trophy unless there is a complete reversal of form and the Grant Park children fail to gain a place at any of the forthcoming events. The Grant Parkers can not be beaten if they win one more event.

The first division of the field day was held at the Grant Park playground under the direction of Joe Bean.

Children Cheer Flag.

Prior to the races Frank Reynolds, vice president of the Park Board, and M. B. Young, a member, raised the Stars and Stripes to the playground flagstaff amid a burst of enthusiasm. The Fifth Regiment Band furnished music during the afternoon.

The summary of Friday's events follows:

Fifty-yard dash, boys, aged 6 to 9: Alteri Mitchell, Pine Hill, first; John Burk Van Houten, Joyner Park, second, and Howard McKinley, Grant Park, third.

Fifty-yard dash for boys, 9 to 15: Roy Vanadore, Pine Hill, first; Henry Newman, Mims Park, second, and Marshall Barrett, English Avenue, third.

Seventy-five-yard dash for senior boys: James Wright, Grant Park, first; Hubert Williamson, Grant Park, second, and Marcus Kidd, English Avenue, third.

TO-DAY'S MARKET OPENINGS.

NEW YORK COTTON.

	Open	High	Low	Noon	Prev. Close.
Aug.	11.83	11.83	11.83	11.83	11.73-75
Sept.	.....	.....	.....	.....	11.55-57
Oct.	11.55	11.60	11.55	11.60	11.48-49
Nov.	.....	.....	.....	.....	11.40-42
Dec.	11.52	11.58	11.52	11.58	11.42-43
Jan.	11.50	11.53	11.50	11.52	11.34-35
Feb.	11.52	1.55	11.52	11.55	11.36-38
Mch.	11.60	11.60	11.56	11.56	11.42-43
May.	.....	.....	.....	.....	11.46-47

NEW YORK STOCK MARKET.

Stock quotations to 10 a. m.:

STOCK—	High.	Low.	10 A.M.	Prev. Close
Amal. Copper.	73⅛	73⅛	73⅛	72⅞
American Can	33¼	33¼	33¼	33
Am. Cot. Oil..	44	44	44	43½
Atchison	95⅜	95⅜	95⅜	95⅜
Can. Pacific...	221	221	221	218
C. and O.	59¼	59¼	59¼	57⅝
Interboro	16½	16½	16½	16
do. pref. ..	62	62	62	61
K. and T.	22½	22½	22½	22¾
Lehigh Valley	153½	153½	153½	153⅝
Reading	161½	161⅜	161⅜	161½
So. Pacific....	90⅝	90⅝	90⅝	90⅝
So. Railway..	24⅝	24⅝	24⅝	25⅛
St. Paul......	107⅛	107⅛	107⅛	106
Union Pacific.	152¼	152⅛	152⅛	152⅞
U. S. Steel....	63¼	63	63¼	62⅞

COTTON MARKET OPINIONS.

George F. Jones & Sons: "We think prices will remain at about this level for the present."

Shearson, Hammill & Co.: "If the Southwest drouth is breaking up we expect lower prices."

Renskorf, Lyon & Co.: "We advise against the purchases at this level."

Miller & Co.: "It continues a weather market; would cover short cotton, as we thing the Government report of September 2 will be bullish."

LIVERPOOL COTTON MARKET.

LIVERPOOL, Aug. 23.—This market was due ½ to 2½ points higher, but opened steady, at a net advance of 2½ to 3 points. At the close the market was steady at a net advance of 3½ points from the final quotations of Friday.

Spot cotton quiet at unchanged quotations; middling, 6.62d; sales, 4,000 bales, including 3,000 American; imports, 2,000, of which all were American bales.

LIVERPOOL GRAIN MARKET.

LIVERPOOL, Aug. 23.—Wheat closed ⅛ to ¼d higher.

Corn closed unchanged to ⅛d lower.

Slit in Skirt Sends Girl to the Asylum

PEORIA, ILL., Aug. 23.—A slit skirt landed Miss Edna Kay, 22, and very pretty, in the insane asylum.

The slit was very extensive, so much so that a policeman felt that it offended ordinary modesty. So he took her to jail, where it was decided to send her to an asylum for treatment.

ALABAMA ROADS PREPARED FOR PATHFINDER

Sunday American's Southern Trail Blazer Finds Gangs of Boosters at Work on Highways.

CLANTON, ALA., Aug. 23.—Pathfinder E. L. Ferguson, of the Hearst's Sunday American coast-to-coast automobile highway tour, struck Middle Alabama with his gospel of good roads to be taught a lesson himself.

Between Birmingham and Clanton four different squads of men were passed who were grading and improving the highway. Matured corn and cotton were being cut down to widen the road. The people met the good roads scout car with open arms.

G. W. Wade, proprietor of the hotel here, received the party as royal guests. He said:

"I'd rather have good roads than your money. You are my personal guests."

Clanton is halfway between Birmingham and Montgomery. It was reached late Friday afternoon, a journey of 53 miles. In Shelby County the work in progress was on a State aid road. The other work was specifically for the transcontinental highway.

At every town and village on the route large welcoming delegations were seen. Mr. Ferguson said he found Friday one of the most encouraging pathfinding tour days of the week.

After Montgomery the objective point of the tour is New Orleans. Mr. Ferguson is thinking of changing the route to go by Meridian.

Saturday morning the party was speeding toward Montgomery.

WEATHER HALTS AIR RACE.

Special Cable to The Atlanta Georgian.

YARMOUTH, ENGLAND, Aug. 23. The hydro-aeroplane flight around Great Britain which started last Saturday at Southampton, has been indefinitely postponed because of bad weather.

PARENT OF SLAIN MRS. GODBEE TO ASK JUSTICE

Dr. McNaughton's Attorney Is Retained to Defend Divorced Wife Who Killed Couple.

MILLEN, Aug. 23.—Following the funeral of her daughter, Mrs. Florence Boyer Godbee, the second victim of the shooting of last Monday, who was buried Friday by the side of her late husband, W. S. Godbee, in Waynesboro, Mrs. G. W. Boyer, of Williamsport, Pa., made her first public statement concerning the dual tragedy since her arrival from Pennsylvania. Mrs. Godbee was the only daughter and had been the idol of the Pennsylvania home. Nothing had been spared to give her every advantage. In speaking of the tragedy Mrs. Boyer said:

"Florence so often wrote me that she was happy and contented. After her marriage I asked her if she realized how far away she would be from mother. She said she did, but that she loved Judge Godbee and would be cared for and protected. We all loved him, and he was so careful to assure me time and again that Florence would be well provided for. I did not want her to come so far away, but when I thought over it I decided not to interpose where her happiness was concerned.

"Now it's all over. My grief is more than I can bear and my daughter's place in my heart will never be filled.

Wants Justice Done.

"As to the divorced wife, I hope justice will be done. My daughter had never done her any harm, and how she will ever have any peace again I can not see.

"My daughter had never been South before, but she often wrote me of things down here and said it was a great place and the people were so good and kind. She said she would always want to live in the South. And now that she is dead, I want her to sleep forever among the people she had learned to love so well and among whom she was contented and happy."

Judge Godbee's safe has been opened and his effects have been gone over. All his private papers have been left in charge of W. B. Wallace, at the request of all interested parties. He and the Rev. E. E. Ross, Judge Godbee's pastor, read them. Practically all his real estate holdings were in the name of his daughter, Miss Maggie Godbee, who lives in Augusta. He had one policy of insurance for $1,000 payable to his slain wife.

No Will Contest Likely.

It is not probable that there will be litigation concerning the division of his property. It is well worth $30,000, and practically all goes to his daughter Maggie. His will was made in 1910, and as he married since then, the Georgia laws make this will void. However, as all his holdings were in the name of his daughter Maggie, by direct deed, there is little over which to contest the will. None of these deeds were on record, and he held power of attorney from his daughter. In the last few years several suits had been started to force him to reveal the legal status of his property, but he either settled or defended them successfully.

The deeds were placed on record and the will probated in common form before Judge F. G. Rabb, Ordinary of Jenkins County.

Gets McNaughton's Attorney.

F. H. Saffold, of Swainsboro, attorney for Dr. W. J. McNaughton, has been employed to assist in the defense of Mrs. Edna Perkins Godbee. G. C. Dekel and James A. Dixon are her local counsel. She has made no public statement, but from bits of conversation reported to have been made by her she will contend that the shooting of Mrs. Godbee was a mistake. All eyewitnesses agree that she shot the wife first and last.

Jenkins County was placed in the Augusta Circuit at the last session of the Legislature, and court will be held here on the second Monday in September. R. Lee Moore, of Statesboro, Solicitor of the Middle Circuit, will still act as Solicitor of this county until the expiration of his term. He will have charge of the prosecution. So far no one has been employed to assist him.

Disfranchise Men Like Tillman, Is Plea

OSHKOSH, WIS., Aug. 23.—Mrs. B. C. Gudden, one of the leading clubwomen of Wisconsin, in reply to the anti-suffrage speech of Senator Tillman, says:

"The sooner men are disfranchised the better for the State and family, judging from Senator Tillman's anti-suffrage comparison of politics with defiling pitch. He would prefer degraded, corrupt politics to degraded and bad women, an insinuation which affronts more than a million earnest women voters and indirectly millions of good men."

Court Denies Him His Wife's Teeth

WASHINGTON, Aug. 23.—Separation from one's wife in the eyes of the law, furnishes no excuse for attempting to separate that wife from her store teeth, even though the husband did buy them and considered them his property.

This is the ruling of Police Judge Aukam, and as a result, Henry Hardesty to-day is in the workhouse under a 30-days' sentence.

"But, Judge, I bought and paid for them," Hardesty expostulated.

The Judge declined to adopt the husband's viewpoint.

Rural Mule Lured to City by Hay Bale

MEMPHIS, Aug. 23.—Following a bale of hay in the back of a truck farmer's wagon from the Nonconnah Valley to Memphis, a mule fell into the hands of the pound master Thursday morning. In a few hours the owner of the mule claimed the animal.

While nibbling at a bale of hay on the back end of the farmer's wagon the hybrid did not measure the distance he was traveling and was soon in the city. The farmer caused the mule's arrest, and temporary detention.

Chokes on Gum and Trolley Runs Wild

ATLANTIC CITY, Aug. 23.—Choking on a piece of gum which became lodged in his throat, Glenn Grice, motorman on the Shore Fast Line trolley system, fell unconscious at his controller while the car was running at high speed into this city from Pleasantville, and in the commotion that followed several women passengers became panic-stricken.

The gum finally was extracted, but Grice required medical attention.

CANADA TO SEND THAW BACK TO U. S. AUG. 27

Fugitive Quarrels With Lawyers and Storms in Cell as Battle Turns Against Him.

SHERBROOKE, QUEBEC, Aug. 23. All indications to-day pointed to the belief that the real battle to keep Harry K. Thaw from being returned to the Matteawan (N. Y.) Asylum for the Criminal Insane finally will be fought out on United States soil.

David Reynolds, one of the two immigration inspectors detailed on the case by the Dominion Government, declared positively to-day that Thaw will be deported next Wednesday into New Hampshire or Vermont.

"Thaw has lost his case before he really began to fight," said Mr. Reynolds. "The future events are clear. If Thaw wins or loses on his habeas corpus proceedings he will be ejected from this country. The Department of Immigration at Ottawa has been advised in this matter by the Department of Justice."

Thaw now has retained ten lawyers and is negotiating with attorneys in New Hampshire and Vermont to open a fight there for him if he is sent over the line in one of those States.

Quarrels With Attorneys.

The fugitive was in angry frame of mind to-day. He had quarreled with W. L. Shurtleff and with J. N. Greenshields, two of his counselors. With his collar rumpled and hair flying wildly, Thaw stormed about his cell. He charged that the lawyers were not doing all in their power to help him.

The prisoner has telegraphed to William Blakelee, District Attorney of Allegheny County, Pennsylvania (in which Pittsburg is located), asking that some official action be taken to protect him.

Under the Canadian law the immigration officials will take charge of Thaw as soon as he gets out of the custody of the Superior Court next week. A court of inquiry then will be held and it then will be decided that Thaw is an undesirable alien citizen.

Thaw will be represented by counsel at this sitting of the court and will protest against deportation, demanding that the Government prove him insane. The Government expects to do this, but will allow no time to be wasted in the process. Papers have been received here from New York State by which the Government's representatives hope to show Thaw a mental incompetent.

Canada then will have washed its hands of the case and the fight will be transferred to the United States.

Changes Mind Frequently.

However, if Thaw determines to remain on this side of the border and fight his case to a finish, he might be able, through technicalities, to remain here indefinitely.

The fugitive has angered his lawyers by his erratic demands. At times he will domineer his high-paid counselors, and then he will suddenly turn about and adopt an air of meekness. First, he will declare that speed is necessary, and then will follow this with a request that every technicality be exhausted so that the fight may be prolonged. He has changed his mind a dozen times since he was placed in jail.

Thaw's anger has been increased by the threats of his companion, "Educated Roger" Thompson, the New York chauffeur, to "squeal." Thompson is in jail on the charge of aiding and abetting an undesirable alien to enter this country, and demands that the Thaw lawyers get bond for him.

"Squeal," screamed Thaw, when he was told of Thompson's threat. "He has no information of a damaging character against me. He can't get me in any worse. Let him squeal and be d—d."

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REMARKABLE SPEECHES BY VETERAN ROSSER AND BOYISH DORSEY END CASE

By JAMES B. NEVIN.

Luther Rosser perhaps never made a more impressive speech in all his long and distinguished career at the bar than he made on Friday when closing the argument for the defense in the Frank case.

It was not such a speech as might be termed a finished oration. It was not characterised by many of the tricks of eloquence so frequently employed. It was not polished, and it was not rhetorically magnificent.

It rang like a bell in the Alps with sincerity, however—and in that it was a compelling great speech, and it surely must have gone home, as the speaker intended.

It carried a large measure of conviction, I think, to every man that heard it—Rosser believes Frank innocent, though all the world take issue with him!

And does real oratory achieve any higher end than convincing those toward whom it is directed of the earnestness and integrity of its purpose!

It was the last word for Frank—the final plea before his fate, so far as the defense was concerned, was given into the keeping of the jury.

The speaker seemed to realise heavily the tremendous weight of responsibility upon him—just as he showed all too plainly the wear and tear inflicted upon his physical makeup by the long trial.

Luther Rosser's speech may not clear Frank—maybe it ought not to clear him—but if so, nothing human, I think, COULD clear him.

If Frank still was doomed when Rosser finished, he surely must have been doubly doomed when Rosser began!

No Stronger Than Dorsey's.

As appealing as Mr. Rosser's address to the jury was, however, it was not one whit more moving or forceful than was Dorsey's—the closing argument for the State, and the last speech before the judge's charge.

The young Solicitor General knew he was to follow two of the most adroit and aggressive speakers in Georgia.

He knew that it was to be no child's play to batter down the wall of defense set up by the combined genius of Reuben Arnold and Luther Rosser!

He realized, however, that he was rated by many as rather a novice in the art of criminal practice, despite his tenure of office as the State's representative in prosecutions heretofore.

He had heard Rosser laugh at his youthfulness and had heard himself called "son" and "bud" too often not to know that every effort to belittle him was being made, and that every means to discount in advance what he might say was being put forth!

Nevertheless, his sworn duty was plain. He was chosen some months ago by the people of the Atlanta Circuit to be their Solicitor General. He was on his mettle—the critical eyes of all his friends were upon him, and the eyes of the people whose representative he was—and he was spokesman for the mighty majesty of the law!

And Dorsey rose to the full demands of the occasion!

That much may be said of him, sincerely and in all truthfulness.

From start to finish of the Frank trial Dorsey has been the aggressive, faithful and tireless agent of the State—and it is altogether and entirely to his credit that he has been that and all of that!

Both Showed Heavy Strain.

Like Mr. Rosser, too, Mr. Dorsey shows the heavy strain he has been under for the past four months—for he has been employed almost exclusively on the Frank case that long. When he had finished he evidently was exhausted utterly in his physical being. He had waged a long and gallant fight—from his point of view—and it had taken tremendous toll of his energy and nervous system.

Opposing counsel have snapped and sneered at one another, hard things have been handled back and forth, much bitterness has been manifest and much feeling displayed.

Indeed, I should say far more bitterness has crept into this case than was in anywise necessary—from both sides—but if either side has suffered from that particularly, it has been, I think, the defense.

For one thing, the defense went far beyond the bounds of reason and common sense, so many people think, in attacking Dorsey as viciously as it did.

One can not say how that attack impressed the jury—for the membership of that body may or may not be so well acquainted with Hugh Dorsey as the general run of Atlanta people are—but it may well be doubted that it listened with any particular degree of patience when the charge of "conspiracy" was hurled at the head of the Solicitor General so vehemently!

Those people who have pleaded and begged for fair play all the way around—who have insisted that Frank be given an absolutely impartial and unprejudiced trial—have laid much stress upon his heretofore unblemished business career. That was all right, for previous good character is an asset any man possessing it has a right to lean upon when assailed.

But if Hugh Dorsey, the Solicitor General, a man of utterly unimpeached integrity throughout a lifetime in Atlanta, were a willing party to the maliciously wicked and inhuman "frame up" charged by the defense, he would be as completely unworthy of the respect and esteem of this community as any person could be!

"Frame Up" Charge a Mistake.

When, therefore, the defense asks the public to believe, and the jury to believe, that Dorsey and Hooper—the latter for years a most honorable and approved prosecuting attorney in South Georgia—were deliberately and designedly parties to a "frame up" of evidence against Frank's life and liberty, is to ask the men to believe something it most certainly will NOT believe, and to ask the other something it should not, and likely will not, believe!

We have rated no more right to clear Frank through unsustained and unfair charges than to convict him that way, I take it!

Solicitors General in Georgia are not to be criticised for aggressively and vigorously prosecuting indicted criminals—that's what they are there for—and they are entitled, in good faith, to seek the truth unmolested and in their own way and after their own fashion, unless it can be shown categorically that they are barely unworthy—and nothing approximating that has been shown, or likely can be shown, of Dorsey and his associates in this case.

If the defense finds eventually that its attack on Dorsey has been resented, it will have nobody to blame but itself!

The Frank case has been a most complex and strange proceeding! It has involved so many emotions, so many opinions, so many theories, and so many peculiar attributes, that it is all but impossible to make an intelligent forecast of the jury's finding.

Opinion in the street is varied, and generally not aggressively expressed.

It is perhaps true that a plurality of those people who have kept the run of the trial believe a mistrial is the best that may be hoped for.

The case has been so long drawn out, so badly mixed up, and so hotly contested, that it seems likely the jury may hardly know exactly where the truth does dwell.

It has been an expensive trial to Fulton County—it has cost well over $10,000—but that doesn't matter so much in the public mind as that a just and righteous verdict be found.

There are those who look for a quick verdict of acquittal, but there are those who look for a quick verdict of conviction.

Few Expect a Quick Verdict.

And yet there are relatively few who look for a quick verdict, one way or the other.

People generally would be glad to see a verdict one way or the other returned—and the case disposed of.

To think of going over all the Frank case again is appalling to most parties connected with it—and yet a mistrial would mean that, and nothing more or less.

The general opinion is that this has been a fair trial—as fair as human intelligence and the approved forms of law can make it—and that a verdict should result.

While this is generally admitted, however, it is admitted simultaneously that the jury may have rather a difficult time getting at the exact truth, whatever it is, obscured as it has been by so many issues and arguments, both ways, not altogether relevant or in point.

The story has been told in its entirety, however—all but the last and closing chapter.

The jury has the telling of that—and all the public is asking is that the jury's story speak the TRUTH of the matter, and the public generally is prepared to accept the jury's verdict as the truth, I think, whatever it may be.

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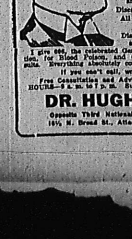

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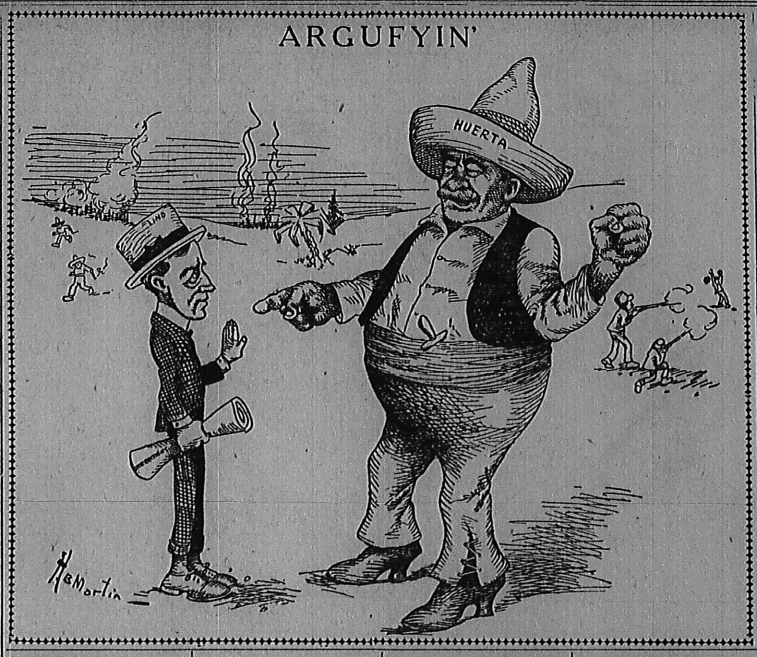

CAMINETTI NEAR BREAKDOWN ON EVE OF TRIAL

Man Accused of White Slavery Declares He Can Not Deny Girls' Charges.

SAN FRANCISCO, Aug. 22.—E. Drew Caminetti, son of a wealthy and prominent family, whose father is politically powerful, to-day admitted that he was near a nervous breakdown over the approach of his trial, which begins TH ay before Federal Judge Van Fleet. Following the conviction of Maury I. Diggs, former State architect, on a charge of being a white slaver, Caminetti must face the same charge and hear the same evidence against him that convicted Diggs.

In an interv y to-day he said: "I do not attem to condone a breach of Federal law, but I am not a white slaver, and I will not plead guilty to the charge against me."

Caminetti will not deny the truth of any statement that Lola Norris makes on the witness stand.

"When Man's Sin Comes Home."

"God knows," he said, "that it is going to be hard for me and for Diggs, but infinitely worse for the two women in the case. I know from my experience before the trial.

"That is where a man's sin comes home to him. It is hard enough for all of us, but doubly hard for Lola Norris. As for Marsha Warrington, I feel, perhaps, less sympathy, for she used reprisal. Anything that Lola may say on the witness stand will have no denial from me."

Not Reconciled With Wife.

Speaking of the rumor that he was to plead guilty, Caminetti said:

"I am not guilty of any intent or action under the white slave law. I do not condone my offense, but surely it is only natural to say that this is an offense that is being committed by thousands every day and for which there is no impeachment or even blame.

"I am not afraid to face trial. I have sinned, but I have not sinned as this Mann act would make it appear. I can only hope that prejudice will be stricken from the courtroom when I am put on trial."

There has been no reconciliation between Caminetti and his wife.

White Plague Foes Plan National Rally

Churches, schools, labor unions, fraternal orders and other organizations in the United States to the number of 200,000 at least will be asked to join in the observance of the fourth National Tuberculosis Day December 7, according to an announcement by the National Association for the Study and Prevention of Tuberculosis.

This movement will be participated in by the Atlanta Anti-Tuberculosis Association, of which Hugh M. Willett is president.

The movement will be furthered by more than 1,000 anti-tuberculosis societies.

To Put Bust of Pitt In the White House Wilson Not Allowed

WASHINGTON, Aug. 22.—Owing to the objection of Representative Mann, of Illinois, a resolution granting President Wilson the right to accept and place in the White House a bust of William Pitt, as a gift from an American woman now in England, the House failed to pass the measure. President Wilson sent a special message to Congress asking that he be permitted to receive the Pitt bust.

"It seems to me that we should remember," said Representative Kennedy, of Pennsylvania, "that in the King's closet at Windsor Castle, is a portrait of Thomas Jefferson. If they keep a picture of Jefferson in Windsor Castle, we could well have a bust of William Pitt in the White House."

But he was overruled by Representative Mann.

Granted Divorce on Ground of 'Nagging'

RENO, NEV., Aug. 22.—James G. Shepherd, a retired coal operator of Scranton, Pa., has been given a divorce here after charging his wife with many acts of cruelty.

Mr. Shepherd alleged that his wife, Jennie, whom he married in 1899, objected to his going to church, spoiled his nine-months' tour of Europe by nagging him, and threatened his life in 1900 with a revolver, which he wrested from her. He declared his wife finally drove him to nervous prostration.

Man 'Dead' Nearly Forty Years Returns

HAMMOND, IND., Aug. 22.—Declared legally dead two years ago in the Lake County Superior Court here, Mat Franzen, a former resident of Hobart, has been found alive on a ranch near Lewiston, Idaho, and has entered claims for a part of the estate of his father, late wealthy farmer of Hobart township.

Franzen left home in 1868. The last heard from him was in 1876. His relatives concluded he had been killed in an Indian uprising.

Missouri Financier Killed Cranking Auto

SANTA BARBARA, CAL., Aug. 22. James Burnes, aged 62, a retired banker of St. Joseph, Mo., having been president of the Empire Trust Company of that city, to-day succumbed to injuries received six weeks ago when he was crushed by an automobile.

Mr. Burnes was injured in trying to start his automobile. He was cranking it when it suddenly leaped forward and knocked him to the ground.

Says Her Husband Is Marathon Drinker

MEMPHIS, Aug. 22.—According to a petition for divorce filed by Netta Eva Fowler, her spouse, William J. Fowler, is the champion marathon drinker of Memphis.

According to Mrs. Fowler's allegations, it's a very poor day of ordinary performance when Fowler doesn't put away from two to three quarts of whisky.

PARIS DISAGREES ON STYLE THAT MARKS EPOCH

One Critic Declares Tailored Suit Will Be Garb Our Grandchildren Will Remember.

Special Cable to The Atlanta Georgian.

PARIS, Aug. 22.—What style 100 years hence will be thought to characterize the epoch from 1850 to the present as painters now characterize the eighteenth century and crinoline the second empire?

This question, asked by the newspaper Excelsior, has awakened great interest at the seaside resorts and has elicited many replies, of which perhaps the most significant is that of Leon Bakst, the Russian painter, whose scenery for Russian ballets has made him world famous.

"The tailored suit," he writes, "alone endures through the multiple transformations of our styles. The accomplishment of this link between the dress of men and women, it seems to me, is the most interesting accomplishment of the modern dressmakers. I believe the convergence will continue and that men's clothing will be almost the same as women's under the influence of modern sports. Any way, it is this convergence which will astonish our grandchildren."

Prince Lucien Murat, the painter, answers that the Oriental art introduced in the Russian ballets ultimately will characterize our times. Mme. Polignac Chabannes, the composer, believes the flat skirt to be the predominating tendency.

Mme. Daniel Lesueur, the novelist, sees nothing especially choice except, perhaps, slender, pretty silhouettes, with coquettish stockings and shoes. Mme. Rachilde, the novelist, writes: "One takes the most exaggerated style as choice, hence ours will be the trousers skirt, with bolero jacket and turban hat."

"Our grandchildren," declares Baroness Aymery De Pierre Bourg, the novelist, "certainly will paint us somewhat as mad persons, in closing the legs in a narrow circle and wearing immensely wide hats so as to resemble mushrooms."

Survives Railroad Wreck Only To Be Killed by Street Car

Out of bed only a few days, where he was confined as the result of a railroad accident, O. A. Parker, of No. 789 Ashby street, was knocked down by a Marietta street car at the corner of Marietta and Ashby streets about 2 o'clock Thursday afternoon. He died from his injuries two hours later.

Street car authorities say Parker stepped in front of the car and was hit before the motorman could bring it to a stop. Parker was hurled ten feet. His skull was fractured and his right leg broken in three places.

No relatives of Mr. Parker are known in Atlanta. The body was taken to Greenberg & Bond's chapel and efforts are being made to locate friends.

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Resinol Ointment is so nearly flesh-colored that it can be used on exposed surfaces without attracting undue attention.

Physicians have prescribed Resinol for 18 years, for all sorts of skin troubles, dandruff, burns, ulcers, bums, wounds, and piles. Every druggist sells Resinol Ointment and Resinol Soap, but you can try them free, by writing to Dept. 8-S, Resinol, Baltimore, Md., for samples.

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-:- 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"

This daring actor in his new role explains how he found wife No. 1 "Like a Mother," No. 2 "An Obligation," Maxine Elliott a "Roman Senator," Edna Goodrich "An Error," and No. 5 his "Life Preserver." This will all appear in

SUNDAY'S AMERICAN

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.

THE GEORGIAN'S MAGAZINE PAGE

When Cupid Says---"I Will Return"

By NELL BRINKLEY

Nell Brinkley Says

BESIDE you stretches a flannely bundle swathed like a small mummy. Only the face that ornaments the top of the bundle is not the black and gold, slant-eyed, baffling face that gazes above the mummy case. Here is a pink face, the color of crumpled, pale, pink roses, crumpled a bit like them, too, you must admit, topped on its smooth head with a marvelous fine down of feathery hair.

It is your dear delight to caress with the palm of your hand that exquisite golden fuzz. You like to hang above it, too—brooding with dove's eyes and cooing with dove's voice. One slim hand bound about on its third finger with a golden ring rests and moves tenderly on the hard, shirted shoulder of the man who sometimes comes to kneel beside the bed—to put his big chin on his folded fist and gaze and smile and whistle soft at the tiny face of his baby girl.

Your face bended down—his tilted up—you study and yearn over and incessantly watch the atom between you. Sometimes, then, you raise your eyes to look deep and long into one another's. Sometimes, then, you kiss and your hand steals closer about the man's neck with the same curving, cherishing line it has when you slip it beneath your baby's head.

And you look broad and wonder there is one who tiptoes over from the door, looks breathlessly at the blue-eyed, blossom-mouthed thing between you and then draws back with a smile. Sometimes in the man's eyes dawns a look that signals he is aware in a dim fashion of the presence of that One. And he looks rather violent then—for a father has a fashion of getting ferocious over the idea that love must come some dim day to his small baby girl.

Under the blue curtain at the door Love turns and grins.

"I will be back," he says, exulting, "in ANOTHER EIGHTEEEN YEARS! She doesn't look like much material now. She has no hair to speak about, no teeth to smile with—no neck. Her cheeks fit right onto her shoulders. She has so little intellect that she is intensely amused for long hours with her ten toes! She makes bubbles with her mouth all day long. And murmurs and holds forth to herself in a language no lover could understand. BUT WAIT! I know these little atoms AND I WILL BE BACK IN EIGHTEEN YEARS!"

The Begum

A Tragedy of the East

THE Begum Allah Visaya, heavily veiled, left her house and stopped for a moment at the officers' Casino.

As she was about to mount the steps the sentry stopped her and asked her what she wanted. At the same time a messenger in red uniform came out of the door.

"I want to speak to Captain Bonsonby."

Then he asked: "What do you want to see the captain for? And who are you, anyway, to come here with such a demand?"

At this moment the sentry was called away by an officer. The lady took ten silver rupees from her bag, handed them to the messenger boy and said: "These are yours, if you will take me to the sahib."

The boy did not hesitate, but led her into the house straight into the mess-room of the non-commissioned officers, where he found the captain's Mohammedan servant, who announced her to his master.

Captain Bonsonby was a jovial Irishman, who had been on the Indian frontier only a short time and who knew nothing of its many dangers. He let her come in and received her in his most amiable manner even before she had thrown back her veil and revealed that she was a woman of wonderful beauty. The captain offered her a chair and asked what he could do for her.

She blushed, stammered and then said:

A Warning.

"Do you know, captain, that last year at this time an officer of your regiment was murdered here by an orderly merely because he was a white man and everybody considers it an honor to kill a white man?"

The captain looked at her inquiring.

"Don't be afraid of me," she said with a smile. "I have only come to warn you."

"No, I never heard of the murder," said the captain. "I have just come here to Barren direct from England. I have been told many strange tales. But against whom do you want to warn me?"

"Whom they have chosen for the deed I do not know. I only know that he comes from the same province as the man who committed the last murder."

"And you can tell me nothing else? How do you happen to know anything about the plot?"

She blushed even deeper than before and whispered almost inaudibly: "A native officer named Mahook Ali——"

"I know him."

Fearsome Thoughts.

"——has found a snapshot I took of you as you rode past my house. He loves me, and jealous as he is, he has sworn that you must die, and he has hired a native to kill you."

"And when is it going to happen?"

"Tonight at dinner."

He looked at her as if to see if she were mad, but her face convinced him that she knew what she was doing. He took her hand."

"Are you a friend of the English?"

"Not of all of them," she whispered and blushed again.

"I thank you most heartily. And your name?"

"Begum Allah Visaya."

"Oh, now I recognize you," he exclaimed. "Do you live in the big house at Sarra-Zam Canal with the big trees in front?"

A few moments later she left the building, heavily veiled as before.

So he was to be murdered at the table in less than half an hour! That was quite certain, and he thought Mahook Ali capable of arming the man who was to murder him? And at what particular moment?

He shuddered and asked himself what he had better do. If he stayed away from the dinner the murderer would strike him down some other time when he was not prepared. He put his revolver into his coat pocket and went into the dining room.

He looked sharp at the three native servants and ran his eyes over their clothing to see if any of them had any weapon concealed in it, but he could see nothing suspicious.

During the meal he was unusually silent and watched every movement of the servants. Ten times rather would he have galloped into the jaws of death than sit in this dreadful suspense.

Suddenly his right hand sought the revolver. Had not the big fellow made a suspicious effort to take something out of the folds of his dress?

He jumped to his feet. Everybody stared at him in surprise, but he had already caught the servant by the throat with his left hand while his right was breaking the wrist of the native in a grip of steel. A dagger dropped on the floor.

The guards of the captain cried, an a moment later the man, pale as death, was led out of the room. Then the captain sat down and told his story without giving the name of the would woman. Everybody admired his calmness and courage.

Late in the evening he started out to thank Allah Visaya. As he passed the caravan he met Mahook Ali, who seemed very ill at ease to see the captain, but who saluted politely. Bonsonby had a strange feeling of uneasiness as he hurried on. He entered Allah Visaya's house. Everything was still as death and not a soul in sight.

A Tragedy.

He went upstairs and entered Allah Visaya's room, which was flooded with moonlight. A silver was clatter on the floor and next to it, her clothes covered with blood, lay Allah Visaya with a dagger in her heart.

This conclusion reached, action immediately followed. Mr. Gryce was sent to complete the arrest, and by 3 o'clock in the afternoon he and the doctor made their appearance at police headquarters on their way to the magistrate. But here a delay occurred. For no sooner had Mr. Gryce stepped through the doorway than a man grasped him by the arm and an eager voice whispered in his ear:

"I've got her. She's here. It's been a hard chase, for she is frightened about something and tried to keep out of the way. But I found her at last, and it only remains for you to make her talk."

Mr. Gryce's pale cheek took on a little color. Peering hastily about, his glance fell on the shrinking form of a young woman pressed up against the wall nearby.

"That is all right," he declared. And, turning to Dr. Molesworth, he informed him that he would have to give him up to other hands for a few minutes, as he had some important business to transact. Then he disappeared with the girl into the inspector's office.

He was gone some time, and when he came back the girl was not with him. But the inspector was, and it was he who stepped up to the doctor and informed him that the suspicions against him had been proved unfounded and that he was at liberty to depart.

In the Hospital.

DR. CAMERON'S office offered a great contrast to that of Dr. Molesworth. Instead of gloom there was cheer; instead of barrenness there was a tasteful display of rich furniture and valuable works of art. Yet the man sitting there possessed as strong a soul and held as firm a grip on his profession as his less self-indulgent and less prosperous rival. His prospects of success were brighter, too, for not only had he every advantage of wealth and station to assist him, but he had also that genius for plunging at a glance to the bottom of things which Molesworth lacked; the latter being forced to earn every step of his way by the severest study and the most intense mental effort.

Dr. Cameron was meditating upon all this that same night, as he waited for his wife, when he was expecting home from an entertainment where he had been obliged to leave her in order to attend an urgent case. He was meditating upon it and thinking of her, for she mingled with all his thoughts now, as the perfume of a flower we have fastened in our breast mingles with each breath that we take. She was so fair, so tender, so baffling. There was such love in her look, such haunting music in her voice. He did not know that a woman's glance and tone could affect him so. He had been surprised into love; and she who had performed this miracle was his own wife, the woman he was bound to love, cherish and sustain until the end!

The next morning Mrs. Cameron asked her husband if he had any patients on the East Side. He answered that he had a few, but that he certainly rode over there to visit Dr. Molesworth's patient at the hospital.

"Who is doing well?" she inquired.

"Who is doing very well."

"Would you mind"—she spoke timidly—"if I sometimes went with you when you go to visit the poor? I should like being with you and I should like to see the people you help."

"You would?" A new light visited his face. It had been a dream of his to have a wife who would take an interest in his work.

"You shall go with me this very day," said he, and hurried her upstairs to get ready.

They drove to the hospital first. Entering the ward where Bridget Halloran lay, the woman whose case had been transferred to Dr. Cameron by Molesworth, they passed down through the two lines of cots, where Genevieve at a glance beheld more suffering than she had ever seen before in her life, and came out into that part of the room devoted to the use of this special patient. As they did so, Dr. Cameron paused and so did Genevieve, for seated beside the poor woman was a man whose back, turned toward them, roused in both a strange feeling of surprise and bewilderment.

"It is——" she whispered. But here the gentleman rose and turned. There was no longer reason for hesitation or doubt. The face and form were those of Dr. Molesworth.

Dr. Cameron stepped briskly forward.

"This is an unexpected pleasure," said he. "How long——" But here he discreetly paused and gave his sentence another turn. "Have you been able to be out?"

"Since yesterday," was the brief reply. Here he bowed to Mrs. Cameron. "You take an interest in our patient?" he remarked.

"This is my first visit," she replied. "I hope you are satisfied with her condition."

Julius Molesworth let his grave gaze rest on the fair face of his intercessor for a moment. Then he shook his head and answered:

"The case is mysterious, and I do not altogether understand its secret workings, but I hope all will go well. My greatest anxiety is that no mistake is made behind my back. I do not allude to you, doctor, you know that, but to the woman. I shall, however, pursue undeviatingly the line I have marked out. I hope Dr. Cameron will be satisfied with me that it is a wise one."

He looked at his chronometer as he spoke, and that gentleman at once bowed.

"She is doing well," he remarked. "I do not know how you can expect anything more."

Dr. Molesworth smiled, and waved his hand toward the patient.

"Have your little talk with her!" he suggested. "The good woman misses its presence and we do not set up with her bright looks." And he stepped aside to another cot where he remained for a few minutes, while Dr. Cameron and his wife stood by Bridget. But the moment they turned to go, he was back again, standing beside his patient. Mrs. Cameron, observed, "There are limitations in all our self-imposed duties." Dr. Cameron has done so well in my absence, I can not say that I am sorry to be at liberty again to take care of my own patients."

To Be Continued Monday.

BEHIND CLOSED DOORS

One of the Greatest Mystery Stories Ever Written

By ANNA KATHARINE GREEN.
(Copyright, 1919, by Anna Katharine Green.)

TO-DAY'S INSTALLMENT.

Dr. Cameron advanced. "Ah, I see," he observed. The window opened on to the roof of a piazza.

"This room has not been entered since that night," resumed Mr. Gryce. "Yet this window, you observe, is unlocked. Now if any of the other windows opening upon this roof were also unlocked, it would require only a little climbing for her to pass into the room adjoining and so by way of the hall to the back stairs."

"It is so," assented the doctor.

"We may begin this matter as settled, then," proceeded Mr. Gryce. "But what is still to be decided is why this veil of Miss Farley's, which I hold in my hand, should have been found by me under the heap of clothing at our feet. If Mrs. Cameron can explain this as easily as I can the method of the girl's departure, I shall be much obliged, for I own it seems inexplicable to me."

Dr. Cameron turned and looked at his wife. She had not followed them into the alcove but stood in the center of the main room, with her eyes fixed, not on him, but on the heap of clothing to which Mr. Gryce had pointed.

An Explanation.

"Do you hear, Genevieve?" he asked. "Mr. Gryce wants to know if you can account for this veil of Mildred Farley's being found under this pile of clothing."

She tore her eyes from the spot where they were looking and fixed them upon him.

"How does he know it was Mildred Farley's veil? By the color? I had one of that same color myself. But let me see it; I can soon tell if it is mine or not."

She held out her hand. Mr. Gryce left the alcove and laid the veil in it. She gave it a cursory glance and tossed it back.

"It is not mine," said she. "It must be hers. As for its being found where it is, I have nothing to say about that. I was dressing and I wanted an armful of clothing. I had difficulty in finding it, but I believe I moved and in haste, I tore down half the dresses in my closet and flung them on the floor. When Mildred Farley came she carried them into the alcove to get them out of the way. Her veil must have dropped off her hat as she stooped over them."

How simple! Dr. Cameron's head rose in complete relief. Mrs. Gretorex appeared satisfied and seem from the room; only Mrs. Cameron looked fatigued, harassed and half indignant. The detective saw it, but allowed himself to put one more question.

"And was the light gray veil which was found on Miss Farley, yours?"

"It seems so, my dear, and wonder there is one who tiptoes over from the door, looks breathlessly at the blue-eyed, blossom-mouthed thing between you and then draws back with a smile. Sometimes in the man's eyes dawns a look that signals he is aware in a dim fashion of the presence of that One. And he looks rather violent then—for a father has a fashion of getting ferocious over the idea that love must come some dim day to his small baby girl.

Under the blue curtain at the door Love turns and grins.

"I will be back," he says, exulting, "in ANOTHER EIGHTEEEN YEARS! She doesn't look like much material now. She has no hair to speak about, no teeth to smile with—no neck. Her cheeks fit right onto her shoulders. She has so little intellect that she is intensely amused for long hours with her ten toes! She makes bubbles with her mouth all day long. And murmurs and holds forth to herself in a language no lover could understand. BUT WAIT! I know these little atoms AND I WILL BE BACK IN EIGHTEEN YEARS!"

The Mistakes of Jennie

By HAL COFFMAN

Being a Series of Chapters in the Life of a Southern Girl in the Big City

Asking if he might not help her home.

CHAPTER XXVI.

TOM finally prevailed on Jennie's mother to accept the little money he had saved up and to take Jennie with her and go down to the beach somewhere and have a good rest and fresh air.

Tom told Jennie to try to "stick it out" at the place where she was working until the end of the week, when she got paid, as he was afraid the man she was working for would not pay her at all if she told him she was leaving at once. This Jennie did, and Saturday, when she got her five dollars, she didn't say a word to the man about leaving, for she was fearful of another "scene" like the one they had had before.

Jennie and Tom went down to a little, inexpensive place at the beach to try to find a house for Jennie and her mother to live in, which they finally succeeded in doing. It was a cheap, cozy little place, that made Tom exclaim: "Jennie, girl, I wish this was OUR house and we were married and were just coming to spend our honeymoon." But Jennie evaded the subject and talked of other things.

After they got Jennie's mother moved down which they did with a great deal of trouble, as Jennie's mother was very sick, Tom went back to town and work, saying he would be down whenever he could.

That night Jennie went down to the small store to get some groceries and, coming back, dropped one of the packages, which a very handsome young man in a nobby suit picked up for her, asking if he might not help her home with her bundles.

—*HAL COFFMAN.*

(To Be Continued.)

Animal Tragedies That Have Helped Science

By GARRETT P. SERVISS.

THE photograph accompanying this article has a significance that does not appear on the surface.

As you see it, it is the picture of half a dozen huge whales that have become stranded and have died in the shallow waters of Penzance Bay, England. It excites interest because of the great size and power of these creatures which belong to the animal species which produces the largest individuals that are now known to inhabit the earth. There have been larger animals than elephants on the land, but it is thought that the ocean has never contained monsters superior in size to the whales of to-day. The spectacle of a single stranded whale draws crowds of curious and wondering onlookers, but to see five or six of them that have perished together is a sight worth traveling far to look upon.

But there is a deeper source of interest in this scene than that awakened by the gigantic size and power of the victims of the accident that produced it. Those whales have been destroyed just because they were too large and too heavy to get out of the labyrinth of sand spits among which a high tide had tempted them. That same kind of accident has been happening to the inhabitants of this earth for millions of years, and but for such accidents we should have known far less than we do of the strange creatures that dwelt upon our planet ages ago.

They May Exist.

If the skeletons of those stranded whales were allowed to lie in Penzance Bay undisturbed, becoming gradually buried deeper and deeper in the sand, they would in time become changed into fossils, and then, a hundred thousand, or a million, years in the future some curious geologist of another age, when living whales had become extinct, might dig them up or suspend them in museums as object lessons in the animal wonders of a long-past time.

We do the same thing to-day. The most interesting and gigantic fossils of extinct animals that our museums contain would never have existed but for the occurrence of accidents similar to that which put an end to the lives of those whales in Penzance Bay.

The great mastodons whose remains have been discovered in the United States, which they inhabited, perhaps, when the earliest men were just beginning to chip flints into the form of knives and arrow-heads were all mired in marshes, where they perished miserably because their weight sunk them deeper with every struggle. The bones and remains of the thousands and thousands of mastodons that died a natural death, because they left their bodies where the regular processes of decay and disintegration could rapidly dispose of them.

There is an animal of past time called the iguanodon, a prodigious creature 35 feet long and 14 or 15 feet tall, which was evidently very common on the continent of Europe many millions of years ago. But huge as were the bones of the iguanodons, they have almost all disappeared except in places where the animals became the victims of accident which left them in such a situation that they could be rapidly covered up with sand, clay or mud, which, thickening and solidifying for ages, gradually incased them as in a preservative cement.

A wonderful accident of this kind, millions of years ago, overwhelmed a whole herd of iguanodons in that part of Europe which is now Belgium, near a place called Bernissart. It is believed from appearances that a tremendous storm, a cloudburst it may be, overtook them, and swept them, all together, into a deep ravine, where they were swiftly buried by impouring mud, which afterward solidified into rock. Then, while the Ages flew by, the great Coal Age came on and made another deposit above their burial place. At last came man, digging for coal to burn, using his brains to revolutionize life on earth, and found the buried skeletons of such creatures as he had never seen, and read their story with his intelligence as clearly almost as if he had been present looking on when that infinitely ancient storm swept the iguanodon herd to swift destruction.

A Death Trap.

Mr. Pycraft, an English naturalist, calls attention to what he calls "the most awful death trap in the world." This exists in California. It is the asphalt lake at Rancho la Brea.

For ages an unceasing series of animal tragedies has been in progress on its treacherous shores. Here, too, the stories of the death struggles of the innumerable victims can be read. Such animals as camels—camels in California—came to the edge of the water to drink and found themselves caught in the sticky asphalt. Then saber-toothed tigers pursued them, seized their prey, but, instead of carrying it triumphantly off, became themselves the victims of the black clinging slime. Wolves and even eagles have been caught in this trap, and are caught there to-day.

A Hint.

"Oh, Mr. Muttonleigh, I'm so glad to have run across you. I am giving a beach party next Monday evening and I want you to come."

"Thank you, I shall be delighted."

"And wear clothes, please. The police are becoming awfully particular."

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HOME EDITION

DORSEY SPEAKS 6 HOURS

Court Adjourns Until Monday With Argument Unfinished

KNOCKOUT FATAL TO BOXER

Jesse Willard's Blow to Chin Kills Former Sparring Partner of Luther McCarty.

LOS ANGELES, Aug. 23.—"Bull" Young, heavyweight pugilist, died at 9:30 o'clock this morning. He was knocked out last night at the Vernon Arena by Jess Willard, "white hope" prize fighter, with an uppercut on the point of the chin.

He was removed to a hospital unconscious, and surgeons to-day performed a trepanning operation in the hope of saving his life. He did not regain consciousness after the blow was struck.

Willard was arrested shortly before Young died.

Young was still unconscious from the effect of Willard's right uppercut to the chin when the doctors opened his skull, and no anesthetic was used for the operation.

Young's bout with Willard was his first appearance as a principal in a boxing card. He came here from Wyoming as sparring partner of Luther McCarty, who was killed by a blow from Arthur Pelky at Calgary.

He was greatly devoted to McCarty, and it was he who insisted, after McCarty's death, that the latter had been poisoned, and asked for an examination of McCarty's stomach.

His theory, however, was scouted by those who had handled McCarty and were at the ringside when he met death.

JUDGE PRESIDING IN FRANK TRIAL

Judge Roan has conducted many noted murder cases in his long career on the bench, but never has he had a more difficult task than in the present trial.

Judge L. S. Roan.

REPORT LIND IS SLAIN DENIED

Washington Wildly Excited by Rumor of Assassination of U. S. Envoy in Mexico.

WASHINGTON, Aug. 23.—A rumor from Mexico City that United States Envoy John Lind, sent by President Wilson to Mexico with peace proposals, had been assassinated in the streets of Mexico City this morning was emphatically branded as false by the White House.

The report came on a broker's private wire and for a time created wild excitement in the Capital. The State Department immediately got in communication with Mexico City and two hours later announced that there was no truth in the rumor.

That the United States has adopted a policy allowing the Federal troops in Mexico to receive practically unlimited supplies of arms and ammunition, was indicated by Secretary of State Bryan to-day, when he confirmed the report that 40,000 rounds of ammunition had been allowed to cross the border at El Paso, Texas.

Undisturbed by reports that Huerta may change the present status in Mexico by recalling his note of rejection of the Lind proposals, President Wilson to-day is assembling material for the message he will deliver in Congress next Tuesday.

The President is not inclined to encourage the typical Huerta policy of changing from overnight, and will not change the tenor of his message unless General Huerta formally and officially withdraws his objection and accepts the proposals sent to him.

THAW TO BE DEPORTED AUG. 27

Friends of Fugitive Plot to Rush Him From New Hampshire to Maine Coast.

SHERBROOKE, QUE., Aug. 23.—Realizing that deportation awaits their client, the lawyers representing Harry K. Thaw at a conference to-day decided to drop the habeas corpus proceedings if Thaw would consent.

H. L. Fraser and W. K. McKeon, two of Thaw's counselors, visited the jail and laid the proposition before Thaw, who took the matter under consideration.

The Government has decided to deport Thaw either to Vermont or New Hampshire, probably on Wednesday or Thursday of next week.

A plan is shaping to snatch Thaw out of the hands of the law, smuggle him aboard a private yacht to Buenos Ayres and eventually to provide him a permanent haven on a vast private estate in the interior of Germany.

Oscar Von Hoffman, of Kulmbach, Bavaria, whose father owns the estate in question, outlined this plan here to-day. Von Hoffman is an old friend of Thaw. His father is a big landed proprietor in the town of Kulmbach, Bavaria, Germany.

"Suppose Thaw is hustled by his friends to the nearest seaport on the New Hampshire and Maine coast," said Von Hoffman. "Let him be put aboard a private yacht, a fast one. I expect to be with Thaw through this. My plan is to take him down to Buenos Ayres to get a good rest, several months, if necessary. Later, when Thaw wishes, we will charter a yacht and steam across the Atlantic to a German port."

Thaw now has retained ten lawyers

Continued on Page 6, Column 5.

Reports of Bulgar War Cruelty Denied By U. S. Missionary

Special Cable to The Atlanta Georgian.

LONDON, Aug. 23.—Dr. L. D. Woodruff, an American missionary stationed at Philippopolis, Bulgaria, to-day sent a communication to the Foreign Office denying that the Bulgarians in Adrianople were guilty of atrocities.

Dr. Woodruff claims to have been upon the scene after the Bulgarians took possession of Adrianople. He says that the story of outrageous cruelties on the part of the Bulgars all have been inspired in Constantinople and Athens.

If there is an international investigation, he says, he will testify in behalf of Bulgaria.

Atlanta Bids G. A. R. Veterans Visit City

Secretary Fred Houser, of the Atlanta Convention Bureau, is busy preparing a pamphlet on historic Atlanta, which will be distributed among the G. A. R. veterans who will attend the encampment in Chattanooga next month, and which, it is hoped, will induce a number of them to visit Atlanta.

The pamphlet describes in detail the historic spots around Atlanta and contains many photos of old battlefields. Mr. Houser already has heard from a party of Boston veterans that will make the trip to Atlanta.

Mrs. Pankhurst Not A Deserter, She Says

Special cable to The Atlanta Georgian.

TROUVILLE, FRANCE, Aug. 23.—"That is a libel," cried Mrs. Emmeline Pankhurst, founder of militant methods in the English suffrage movement, to-day when she heard of a rumor current in London that she had deserted the cause.

"I am going back when I regain my health, and again will lead the forces of militancy," Mrs. Pankhurst said.

Mrs. Pankhurst is living at the height of luxury here. Her suite in the hotel costs $10 a day.

Perry Ship Replica Is Damaged by Fire

CHICAGO, Aug. 23.—The management of the Perry Centennial celebration and second annual water carnival to-day refused to discuss the loss by fire of a $15,000 display boat and heavy damage by fire to a replica of the Perry flagship Niagara.

Threats had been made by Industrial Workers of the World to blow up ships as men taking part in the celebration. Thirty men were compelled to dive into Lake Michigan and swim 100 yards in chilly water to save themselves.

Atlanta Girl Hit By a Stray Bullet

CEDARTOWN, Aug. 23.—A. J. Sanders, a merchant, shot at John Rogers at the Seaboard station today, as a large crowd was waiting for a train, the bullet went wild and struck Miss Frances Brown, daughter of R. H. Brown, of Atlanta, who has been attending a house party given by Miss Lois Mundy. The bullet struck her in the hip, making a painful and perhaps serious wound.

Sanders claims he shot at Rogers in self-defense.

Automobile Collides With a Steamboat

NEW YORK, Aug. 23.—An automobile collided with a steamboat here last night. The auto was wrecked, its several occupants were slightly injured.

The accident, it may be explained, did not occur at sea. The boat was in dry dock, the driver of the auto lost control of his machine, and it plunged down a hill and crashed into the moored boat.

TERRIBLE SCORING IS GIVEN FRANK; CROWD CHEERS PROSECUTOR

A white-hot phillippic, the masterpiece of his career and one of the greatest ever heard in a criminal court in the South, was hurled by Solicitor Hugh M. Dorsey directly at Leo M. Frank Saturday in the final plea of the State and held a packed courtroom tense and thrilled as the grim tragedy of Memorial Day was unfolded.

The Solicitor was at the height of his eloquence at 1:30 o'clock when court adjourned until Monday. He had been speaking over six hours. The case will probably go to the jury before Monday noon. The Solicitor was cheered again as he left the courthouse.

The Solicitor had been talking about six hours, including the time on Friday, when he turned to the Judge and asked for a recess, saying he was exhausted. Arnold conferred with Judge Roan and it was finally decided that the trial should be adjourned until Monday.

Mr. Dorsey analytically dissected the alibi the defense had put forward for Frank and cited from the prisoner's own statements to upset it. He pointed to similarities of expression in Conley's and Frank's assertions in upholding the truth of the negro's statements.

In an impassioned reference to the slain girl the Solicitor had many in the courtroom in tears. Mrs. Coleman, mother of Mary Phagan broke down completely, and Frank's wife wept silently.

Says Frank Breaks Own Alibi.

Mr. Dorsey declared Frank's alibi was shattered at once by the fact that Frank told the police on April 28 he was at the factory at 1:10, while Helen Curran said she saw him at 1:10 at Whitehall and Alabama streets, and that Frank later changed his story to bolster up an alibi.

The Solicitor denounced Frank in the most violent terms as a "red-handed murderer" and a pervert who had plotted to lay the crime upon Conley. He charged that Frank planned to have Conley return to the factory and burn the body and would have had the detectives arrest Conley in the act. He asserted, furthermore:

That the expression "nothing startling has happened, it is too short since you left for anything startling to have happened" in Frank's letter to his uncle tended to show Frank's guilt;

That the prisoner had been trying for weeks to get Mary Phagan's favorable attention and the tragedy was the result of her refusal;

That the reference to the toilet in the death notes proved Frank dictated them because Conley always used the word "done;" the State says the crime was committed;

Charges Notes Prove Frank's Guilt.

That the use of the word "did" in the death notes proved Frank dictated them because Conley always used the word "done."

That wholesale perjury had been used by the defense in the effort to build a protecting wall around the prisoner.

Frank never flinched under the Solicitor's fiery attack. He seemed to be following his words closely but gave no sign of emotion.

The crowd in the courtroom was plainly with the Solicitor, although for the most part it preserved absolute decorum. Once a titter ran around when Dorsey made a sally in a tilt with Arnold and Judge Roan threatened to have the courtroom cleared.

The greatest crowd of the trial was attracted for the final affray and a thousand men and women begged in vain for admittance to the courtroom. Occasionally Dorsey's voice could be heard in the street and there would be a murmur of applause.

Dorsey's speech appears on page 2 and 3.

9-Year-Old Slayer Is Jailed at Perry

PERRY, Aug. 23.—George McCluster, a negro boy, 9 years old, is in jail here, having stabbed to death Coy Barrett, 13 years old.

The killing occurred on J. A. Wood's place on the Perry and Fort Valley road, just beyond Myrtle. While the boys were playing they became involved in a fuss. The only witness was Joe Barrett, a 6-year-old negro.

Money Bill Makers To Ignore President

WASHINGTON, Aug. 23.—Representative Henry of Texas, who is leading the so-called "insurgent" movement against the Glass currency bill, declared to-day that the efforts of President Wilson and Secretary Bryan to prevent amendments to the bill would not head off his proposal for greater credit for the farmers.

Senator Bristow's Typist Shot Fatally

WASHINGTON, Aug. 23.—D. H. Shultz, 30 years old, early to-day shot and probably fatally wounded Francis A. Reilly, 20 years old, a stenographer employed by Senator Bristow, of Kansas. Reilly lies at Casualty Hospital and Shultz was last seen near the District line, going toward Baltimore.

Shultz, it is said, had sought the companionship of Reilly constantly since Reilly was employed as a clerk at the Progressive headquarters here during the presidential campaign. Recently he asked Reilly to accompany him to California. Reilly refused.

THE WEATHER.
Forecast for Atlanta and Georgia—Local showers Saturday; fair Sunday.

A Great Story of BASEBALL "The Plot for the Pennant" By HUGH S. FULLERTON

This Absorbing Short Serial Begins in To-morrow's SUNDAY AMERICAN

TWELVE JURORS WITH WHOM LEO M. FRANK'S FATE RESTS

DORSEY ASSAILS FRANK'S ALIBI; CHARGES PERJURY

Solicitor Dorsey in his closing address in the case against Leo M. Frank delivered the masterpiece of his career and held a packed courtroom agape with tense emotion.

"Probably a more stirring, denunciatory, and at the same time incisive and analytical argument, has never been heard in a Georgia court. Here it is as the Solicitor delivered it:

Dorsey moved over to the railing of the jury box as he opened his speech.

"Your honor and gentlemen of the jury," he said, "I was speaking to you yesterday of the character of this defendant. This defendant has not a good character. The conduct of the counsel in this case in failing to cross-examine, in refusing to cross-examine these twenty young ladies, refutes effectively and absolutely the claim of the defendant that he has a good character.

Says Defense Had Right to Refute Charge.

"As I said, if this man had a good character, no power on earth could have kept him and his counsel from asking those young girls where they got their information and why they deal what they did. Now that's a common sense proposition.

"You know as well as I do, men seeking to get at the truth that they did not ask those hair-brained fanatics, as Mr. Arnold calls them, questions about Frank's character because they were afraid, and those witnesses, as good as any the defense put up, were unimpeached and are unimpeachable. And you tell me that because the good people come here from Washington street and testify to his good character, it is that he has not the cathetic movement. He was a scholar and a literary man. His cross-examination was a thing to be read with pride by every lawyer. The whole world took notice of his prosecution and yet when Oscar Wilde was an old man, gray-haired and tottering to the grave, he confessed to his guilt. Prominent? Why, he was one of the most prominent men in the world. Why, he came to America and founded the esthetic movement here. He was a handsomer from a breed for the dignity of a flower. He was handsome—one of the handsomest men to be found. He had moral courage, yet he was a pervert, proved and confessed.

"There was a handsome man in San Francisco, a member of his defendant's sect—Abe Ruef, a man who possessed all of the faculties of higher intelligence, yet he corrupted every Smith, and his corruption of the poor girls with whom he came in contact brought him to the penitentiary. I have already referred to Durant. His character did not prevent the jury from convicting him. This defendant's character, like Durant's, is not worth a cent when the case is proved.

"And crime is alike with the rich and poor, ignorant and learned. Take an ignorant man like Jim Conley. He is the man who commits the petty crimes, but take a man with high intellect, like this defendant—this intellect, when put to the right use, leads to glorious accomplishments; but if these faculties be put to the wrong use, it brings ruin to the man in the commission of the most diabolical crimes. Look at McCue, the Mayor of Charlottesville, Va. He was a man of broad intellect and high education, but, despite his intellect, despite his splendid character, he tired of his wife and shot her, and the jury composed of Virginia gentlemen, broad-minded and fair, despite McCue's good character, found him guilty and sent him to a felon's grave.

"Take the case of Richeson, the preacher of Boston. Here was a man of highest intellect and with a brilliant future. He was engaged to one of the wealthiest and most beautiful girls of Boston, but entanglements with a poor little girl caused him to fear for his good name and he so far forgot his good character as to put this poor little girl to death. Even after his conviction in the last days of his hope he committed an act upon himself which he thought would draw the pity of the Governor and save his life. But a Massachusetts jury and a Massachusetts Governor were courageous enough to let that man's life go. They had the courage which will make every right-thinking man right by the laws of God and man and of his country.

"Take Seattle—Henry Clay Beattie, of Richmond. He was of splendid family, of wealth and proved a good character, though he did not possess it. He took the mother of his illegitimate baby out in an automobile and shot her. He was cool, calm and deliberate. He laughed and he joked, but he joked too much, and although the detectives were maligned and abused and a large slush fund was raised, a courageous, honest Virginia jury upheld justice and sent that man to death. And he did not possess, but he left a note saying he was guilty.

Likens Frank To Dr. Crippen.

"Crippen, of England, a man of high standing and recognized ability, killed his wife because of infatuation for another woman. His high character did not prevent the jury from convicting him. This defendant's character, like Durant's, is not worth a cent when the case is proved.

"Take the case of Crippen. Here was

SOLICITOR DORSEY MAKES GREATEST SPEECH OF HIS CAREER

Likens Frank to Beattie, Richeson, Wilde and Other Noted Criminals

DORSEY STRESSES FACT THAT DEFENSE DIDN'T GO INTO CHARACTER ATTACK

Continued From Page 2.

your very eyes, in black and white, the testimony of this woman, Fleming, shows that they perjured her.

"Do you tell me when that factory closes on Saturday afternoons that this man with the handsome wife that he possesses, this college graduate, who likes to read and play cards, who likes to see baseball games, would spend his time there, using the data that Schiff prepared on Saturday afternoon when he could do it Saturday morning? No, sir. Miss Fleming was right. She didn't stay there to work on Saturday afternoons."

The jury was allowed to retire for a few minutes. When they returned, Dorsey resumed his argument.

"Now, gentlemen, I submit that this man did that finance sheet Saturday morning. I am not going to fatigue you with my reasons. It is unnecessary. If he did make that sheet on Saturday afternoon, he did it thinking of an alibi. But don't tell me that because he might have done this on Saturday afternoon with a penmanship that showed no nervousness proves an alibi.

"If he could go home into the bosom of his family after such an atrocious crime, he could have made that sheet. But he wouldn't have done it if Schiff had not gotten up the data. He had done it fifty-two times a year for six years. If he would do additional work on that Saturday afternoon, it could only have been with a sinister purpose.

Witness Afraid Even to Identify Handwriting.

"In speaking of perjury, his mother said anybody ought to identify his handwriting."

Dorsey held up the photograph of the sample of handwriting Frank wrote for the police.

"Yet the man they put up to identify his handwriting was so afraid he might do Frank an injury that he wouldn't venture a guess. Grant that he did go home to his wife and those old people—his parents-in-law—and maintain a stoical countenance. Grant that he did make that sheet, which he could make up with his eyes shut. Grant that he did unlock the safe, a thing that he had done every day for years.

"But when he went to run the elevator; when he went to nail up that back door; he wavered; he paled when he talked to the police, and trembled on Darley's knee as he rode to the police station.

"He could sit in the hall and read a joke about a baseball umpire, but the frivolity annoyed the visitors at his home. It was the same kind of frivolity Henry Clay Beattie displayed when he stood beside the automobile that was stained with the blood of his wife. His joke was uttered only in annoyance; it jarred.

"But whether or not he made up that financial sheet, while waiting for old Jim to come and burn the body, one thing I grant he did. Don't forget the envelope; don't forget the way the letter was quoted, that letter he wrote to his uncle in Brooklyn, that letter that begins: 'I trust that this finds you and dear Tante well.' He had no wealthy relations in Brooklyn! That old millionaire uncle was mighty near there when Frank told old Jim Conley: 'Why should I hand? I have wealthy relatives in Brooklyn!'"

Dorsey finished reading the letter and then said:

"Here is a sentence pregnant with significance. It bears the earmarks of a guilty conscience. He wasn't trembling when he wrote. He is capable and smart, but here is a sentence that is a revelation. Here is a document I concede was written after little Mary Phagan, who died for virtue's sake, was lying mutilated in that dark cold basement."

At this juncture Mrs. J. W. Coleman, mother of Mary Phagan, began t[illegible]

Dorsey read from the letter:

"'It is too short a time since you left for anything startling to have developed down here.'

"'Startling' and 'too short a time.' Those are the words that incriminate. That little sentence itself shows that the crime was committed in an incredibly short time.

"Tell me, honest men, courageous men of Georgia, that this phrase penned to his uncle that afternoon did not come from a stricken conscience. 'Too short a time since you left for anything to develop down here.'

"What do you think of that, honest men? Then notice what he writes about the thin gray line of veterans facing the chilly weather, as if that old millionaire uncle of his traveling around Germany for his health, as if he cared for these old heroes in gray! Ample and reliable authority says that over-expression is an indication of guilt. Tell me that this old man, who was just preparing to sail for Europe, cared for these old heroes in gray—this man who was making out that financial sheet. 'Too short a time'—yes, he said it was too short a time for anything to develop down here. But, gentlemen of the jury, there was something startling to develop, and it happened within the space of 30 minutes. 'There is nothing new in the factory to report,' he says. There was something in the cellar. There was something to report, and the time wasn't too short for it to happen.

"You tell me that that letter was written in the morning? Do you believe it? Why, they haven't even tried to say that. I tell you that that letter shows on its face that something startling had happened, and I tell you that that rich uncle did not care the snap of his finger about the thin, gray line of veterans.

"Ah, yes, he had wealthy relatives in Brooklyn. That's what old Jim Conley said he told him. And his people lived in Brooklyn, and old Jim never would have known that if Frank had not told him. And they had at least $20,000 in cold cash in the bank, and he had a brother-in-law employing two or three people, at least, and we don't know how many more. And if his rich uncle was not in Brooklyn, he was near there.

"All right, let's go a step farther. On April 28 he wired Adolph Montag at the Imperial Hotel in New York: 'You may have read in Atlanta papers of factory girl found dead Sunday morning in cellar of pencil factory.'

"Yes, gentlemen of the jury, in the cellar of the pencil factory. There's where he placed her, and that is where he expected her to be found. And the thought of it welled up in his mind that Monday morning, April 28, before he had been arrested, and he wired Montag forestalling what he knew would certainly and surely happen unless the Atlanta detectives were corrupt and would suppress it.

Compliments Detectives.

"But, be it said to your credit, Starnes; to your credit, Campbell, and you, too, Rosser and Black, that you had the manhood and the courage to do your duty and roll the charge up to this man, protected as he was by wealth and influence.

"And notice what else he said in this telegram. Notice the credit he gives to the police: 'The police will eventually solve it.' And be it said to thec redit of the Atlanta police department, they did solve it. 'Assure my uncle I am all right in case he asks. Our company has case well in hand.' Maybe he did think when he got that fellow Scott that his company had it well in hand.

"I tell you there is an honest man—this fellow Scott. If there was a slush fund in this case—and witnesses have said there was no such fund—this man Scott could have gotten it. Not at first, maybe, but he could have gotten it later on. But Scott knew his duty, and he has done it. No wonder Frank could telegraph that his company had the case well in hand, for Scott's first words could not have suited him better had he wished for them. They were, 'The Pinkerton's always work arm and arm with the police.' This suited Frank well. It was just what he wanted. He wanted to know what the police thought he wanted to know what they were going to do, and this worked well, until the chain began to tighten.

"And Haas—and he is nobody's fool—when he sa wthe trend of the case, he opened the negotiations; he gave Scott the opportunity by saying, 'Now let us have what you get first.'

"But let us pass on from that. You ell me that letter and that telegram are not significant? That the work pn this financial sheet is no significant? That Schiff's testimony as to the work on that financial sheet is not significant?

"Frank himself was not satisfied. He is as smart as his lawyers, too.

"He realized that he would have to go out and beyond the evidence, because he knew it was all bunk; and he tried to show you that he did write the financial sheet. Frank did write that letter Saturday afternoon, and he did write that telegram Monday; but he did not do any work on the financial sheet after Saturday at noon. I ask you twelve men if those documents and letters don't bear the impress of murder?

"And they still cry perjury. I just thought of another case, when that man could not identify Frank's handwriting that his own mother said was his. That was perjury, and there was perjury in the testimony of Bower and Lee. Mrs. Carson said she had worked there three years, and Arnold asked her a question that he would not ask a younger woman. He asked her about seeing blood around the toilet and in the dressing rooms. She said she saw it there very often. Then she talked about Conley being on the fourth floor that Monday. I pinned her down to say that Frank was there at the same time. It was then that Frank leaned over and said, 'Be a good boy, Jim,' and Jim, remembering his wealthy relatives in Brooklyn, and his promises of money, said 'Yes, sir, boss; I will.'

"Surely the officers could not suborn Conley at that time. And she says she never saw the blood by the water cooler; she said she didn't look at it because she didn't like to look at things like that. But another lady on the stand says she did go back and look at it; that she was with her.

"But back again to Conley. If he had committed that crime and had not had Leo M. Frank and his promises back of him, would he have gone back to that factory every day and remained there until Thursday? They said they were going to put up all the girls on the fourth floor. But they didn't do it until we called their four-flush and put up witnesses who corroborated their witness, Miss Jackson, about the misconduct of this man.

"Miss Small, also on the fourth floor, corroborated Conley. She said she saw him on the fourth floor Monday. Now, why did Frank go to the fourth floor so often Monday and Tuesday? Because he knew Conley was up there, and he wanted to be sure the negro was not talking. Conley told Miss Carson that Frank was as innocent as an angel in heaven. We said he was merely doing what he had promised to do—protect his employer. Mr. Rosser characterized the statement as a dirty suggestion it was, and I accept it, but it is true; and you men would not sit here and see that negro hang for a crime Leo M. Frank committed.

"When Conley went up to the second floor in response to Frank's signal, Frank said, 'Did you see anything?' and he said, 'I saw two girls come up, but there ain't but one of them come down.' And then Frank knew that he would have to take this negro into his confidence.

Shaking his finger at Frank, Dorsey continued:

"And you told old Jim Conley to protect you! And he tried to do it. It is infamous to try to have Jim Conley hanged for a crime that Leo Frank did. Gentlemen, I haven't got to the State's case yet; I am just cutting away some of the underbrush this defense has planted in this forest of oaks. They have played the detectives. The only thing to the discredit of the police department is that it allowed itself to be intimidated by the influence of this man and his friends and his big lawyers.

Didn't Have Courage To Put Frank in Cell.

"When they took him down there guilty of this red-handed murder they didn't put him in a cell like they did Newt Lee and Jim Conley. It took time for them to get their courage up to the point of locking him up as he should have been. Old John Black—Mr. Rosser likes to brag about what he did to him—but he didn't make so much off of him after all. Black's methods are somewhat like Mr. Rosser's. If Black had had Frank in the position that Mr. Rosser had Jim Conley, this whole trial might have been obviated with a confession."

Dorsey turned and pointed at Frank.

"You didn't get counsel a moment too soon. You called for Darley and you called for Harris; you called for Rosser and Arnold, and it took them all to bolster up your nerve. Gentlemen of the jury, you know I am telling you the truth. The only thing against the police is that this man, who had just snuffed out the life of this little girl, was given too much consideration. His able counsel and the glamour of wealth that surrounded him, overawed the police. I had nothing to do with it, but I honor them for the way they went after Minola McKnight. I don't know whether they want me to apologize for them or not; but do you think that in protecting the people from such crimes as this the detectives are acting like they are at a tea party?

"Should they have the manners of a dancing master? If you do, you don't know anything about it. Once get an old 'possum dog on the trail, and you can't call him off. So it is with Starnes and Black; they knew Albert McKnight wouldn't have told those young men at the Beck & Gregg Hardware Company that story about his wife unless it were true. They went after Minola. They stuck to the trail. They smoked her out. Minola's friends got a writ of habeas corpus. Do you think if Mr. Haas had come to me with a writ of habeas corpus to release Frank I would have done it? I would have said it was none of my business.

"The next time the police have to use strong methods in an effort to protect the people by going after a red-handed murderer, I won't usurp their authority or the authority of the judges. I haven't anything to do with the police department, or the functions of the judges. I am responsible only for the office of Solicitor General for the term to which I was elected. I honor Mr. Charley Hill; I am as proud that I have succeeded him as I am that I was given this place by a vote of the people. He was honorable and strong; but I tell you gentlemen, no man is my pattern; I follow the dictates of my own conscience."

Tears Come to Dorsey's Eyes.

Mr. Dorsey raised his voice and tears came into his eyes.

"If there is one thing I am proud of during my term of office, it is that I joined hand and glove with the police; and when your influence (turning to the defense) tried to get Jim Conley indicted by the grand jury, I stood out against it. If that is treason, make the most of it. If you don't want me to do it, get somebody else.

"Mr. Hill was a noble man. He had the courage of a Caesar and the eloquence of a Demosthenes. I have wished a hundred times that he was here making the speech to you that I am making.

"He would have stripped the hides off of you (pointing to the defense). Such talk as that doesn't terrify me. It doesn't disturb the serenity of the conscience in everything I have done in the prosecution of this man. Let's get back to the talk on perjury.

"Don't get up here and call everybody a liar without giving the specific instances. Take the evidence of Mrs. Small. She said she saw Frank and Miss Rebecca Carson walking along and that she stopped Frank and had him O. K. a ticket. She said it was Miss Rebecca Carson she was with. She says that Mrs. Carson was not there at all. Mrs. Carson said she was there. Mrs. Small said she saw Conley standing up there by the elevator and that Frank must have seen him—that Frank passed within 4 feet of him. She says that Jim was doing nothing; that he was standing by the elevator with his hand on a truck.

"Mrs. Small also tells us that the elevator shook the entire building. She said he couldn't helped but hear it if the machinery was not running. She said: 'You might not hear it if the machinery was in full operation, if you were not paying attention to it, but if you listened you could hear it.'

"Now here is another thing. Mrs. Carson had already sworn positively that she never went back into the metal room to see that blood. Mrs. Small said that on Wednesday a crowd of them from the fourth floor went down out of pure curiosity to see those spots, and when I asked her who went with her, lo and behold the first person she mentioned was Mrs. Carson. She said she was sure she was there; she knew she was there. And when I asked why they went there, and why Mrs. Carson went there particularly, she said 'Curiosity sent us.'

Somebody Has Lied, Dorsey Asserts.

"Now, gentlemen of the jury, somebody, and I put it up to you, has lied. If this case is founded on perjury, it has been boiled until the pot is black.

"The truth is, there has not been a single instance where evidence was needed that someone has not come in to bolster it up.

"Now, let's pass on a little bit. I want to discuss briefly the writing of these letters found beside the body of the girl. If these letters were not the order of an overruling Providence, I would agree that they were the silliest things I ever heard of. But, gentlemen of the jury, these notes bear an intrinsic knowledge of this crime.

"This man Frank, by the language of these notes, in attempting to fix the guilt upon another, has indelibly fixed it upon himself."

The Solicitor repeated this statement.

"The pad, the paper the notes were written upon; the fact that there was a note fixed the guilt upon him. Tell me that a negro who, after having killed a white girl, ravished and outraged her, would have taken the time to have written these notes? And even if he did write them, would he have written them upon a scratch pad which is found only in an office?

"You tell me that a man like Jim Conley would have ravished this girl with the knowledge that Frank was in the house? You tell me that this Jim Conley, even though he has been as drunk as a sot could be, would have taken the time to write these notes?

"I tell you, gentlemen of the jury, it can not be true.

"You say that the fact those notes were written was foolish. It was foolish, but it was a mistake. Murder is a mistake. What man ever committed murder who did not make a mistake? And what man making the greatest mistake in the world would not make a lesser mistake in trying to cover up? Those notes were the lesser mistake.

"Scott said that when Leo M. Frank talked to him about the girl coming to the factory and asking him about the metal that he said, 'I don't know.' And now he says that he told her, 'No.' Arnold recognized the damage in the statement 'I don't know' getting in.

"Language of Notes Clears Conley."

"Leo Frank said in his statement again and again 'chatting' and 'chat.' Conley said that when Frank told him he wanted to watch for him that Frank said he wanted to have a 'chat.' Jim Conley said here time and again, 'I have done it,' but in the notes found near the body he said, 'did it.' Do you tell me that negro would have written the word 'did' unless it was dictated to him?

"Do you tell me that negro would have taken the time to carry that girl away back there and hide her body if he had knocked her down the hole, and then stopped to write those notes?

"No," shouted Dorsey, turning to Frank, "that child was murdered on the second floor and you wanted to get her into the cellar, just like you found her in the cellar, as you said in that telegram to Montag.

"Conley said once in his statement that when he met a man on the street that he knew, the man looked at him he though he though 'I done it.' Conley used that expression at least twenty times. He said 'I done it' when he closed the door, and in several other places I can't find just now. He didn't use the word 'did' one time.

"In the first note, the expression 'I went to make water and that long tall black negro pushed me down the hole.' You knew that toilet was back there on the second floor (addressing Frank), and you knew that was where that little girl met her death. And you knew that metal room was right back there, too.

"You tell me that negro would have written those words. Where was it she was going to make water on the first floor? Yet you tell me there is nothing in circumstantial evidence when these things creep in.

"When you wrote this note (turning to Frank), you said yourself that you had the original of the note before you, and you said yourself that you knew Conley could write because he had written you time and time again, trying to borrow money, and yet you sat there with the original of that note before you and Conley's own handwriting, the handwriting you had seen often enough to be familiar with it, and you didn't tell those officers that Conley wrote the notes.

"'I don't want you to convict this man unless you believe him guilty beyond a reasonable doubt, but I don't want you to let your verdict be governed by the opinion of a crank, but by the facts.

"Arnold and Rosser would say frequently, 'Are you going to convict this man on that, on this?'—selecting some little isolated point.

Chain Strong Enough To Hang Anybody.

"'Well, I don't want you to, but on all the facts—the chain that is unbroken and not by isolated instances, and I say that when you take them all together you have a cable that ought to hang anybody.

"I don't ask that he be convicted on this isolated instance or that, but all bound together make a cable that is as strong as is possible for the ingenuity of man to make.

"I don't know whether the statement of Frank's will rank along with that statement of the celebrated pervert Oscar Wilde, or not. He is brilliant. If you take his statement and just follow it you never would convict him. You never would convict anyone that way. But listen to this: 'I sat in my office counting over the money that had been left over.'" Dorsey read from Frank's statement.

"He wasn't talking about the petty cash," Dorsey continued. "He was talking about the money that had been left over from the payroll of $1,100. We don't know to this day how much that was. We don't know how big a roll it could have made, though Jim Conley said he saw a roll of $200.

"And he was trying to get old Jim to go down into the basement and burn the body of that little girl. Just as sure as the smoke curled from that stack toward the heavens, old Jim would have been there without a shadow of a defense. Frank would have been there with the detectives. Jim would have hanged for a crime that this man committed in his lust.

"But old Jim was too wise. He wrote the notes, but, drunk or sober, he wouldn't be entrapped like that. I do not doubt that when Frank handed him that roll of money it was like the kiss of Judas Iscariot when he kissed the Saviour, and then betrayed Him for 30 pieces of silver.

"I am going to show you that this man had long planned not murder, but to get this little girl to yield to his lust. Let me do it now.

"Back yonder in March this little Turner boy saw him making advances to Mary Phagan. Did that innocent little boy from the country lie? This little girl that came here from the Home of the Good Shepherd she heard Frank speak to Mary Phagan and put his hands on her. She may have lost her virtue, but she is nothing but a child. Did she lie, this little girl?

Quotes From Same Poem as Rosser.

"Then there is Gantt. He quit the factory rather than make good a dollar that was charged he was short. Did he lie about Frank's inquiring of the little girl? Yesterday Mr. Rosser quoted from a poem of Bobbie Burns, the line was, ''Tis human to step aside.' I want to quote a line from that same poem, 'There is no telling what a man will do when he has the lassie.'

"When convenience is snug, I tell you gentlemen, there is no telling what a pervert will do when goaded by his passion. You tell me this brilliant young man, who looked over that payroll 52 times a year, saw the name of Mary Phagan every time, then when she was dead had to get his books to find out her name? He coveted that little girl way back in March. I have no doubt those little girls swore the truth when they said they saw him making advances. I would not be surprised if he did not hang around and try to get her to yield. I would not be surprised if he didn't get Gantt out of the way because he was an obstacle to his scheme.

"He knew the day before she was probably coming. He went and told old Jim Conley, who had watched for you so many Saturday afternoons while you and Schiff were making up that finance sheet. When Helen Ferguson came and asked for Mary Phagan's money, I wouldn't be surprised if he did not refuse to give it to her because he had already told old Jim to come and watch.

"Frank's plans were fixed. Ah, gentlemen, then Saturday comes, and it is a reasonable tale that old Jim tells. He says, 'I done it just like this.' He doesn't say, 'I did.' He says he 'done it' just as the brilliant factory superintendent told him to. This thing passion works in a terrible way. Good people don't know how the mind of a libertine works. They don't know of the planning, plotting and waiting. Way back in March Frank had his eyes upon her. He was infatuated with her and did not have the will power to resist.

"You can twist and wabble all you want (Dorsey turned to Frank and shook his finger at him), but you told Detective Scott that you did not know her. Notwithstanding what you have said here, notwithstanding what your witnesses have said, you knew her.

"And tell me, gentlemen of the jury, has this little Ferguson girl lied? Has she been suborned by Starnes? Has she come here and deliberately perjured herself? I tell you that is a charge that can not stand. His refusal to give Helen Ferguson Mary Phagan's envelope is an indication that he was plotting. And old Jim Conley's tale will stand, for Frank himself corroborates Conley in many things.

"Frank shows that he did the things that Conley said he did. Frank says that he stopped at Cruikshank's soda fountain and bought some drinks. This is just as Conley said he did. Another thing, Frank said he had a folder that he took some papers out of. Old Jim said he did that. Mr. Graham said he talked to Jim Conley downstairs. They have tried to get around it on the color proposition. They have tried to make it appear that the negro Graham talked to had a different color. But four months in jail will change any man's color.

"Conley said he was there and Graham said he saw him, and Graham said he wasn't drunk, either. I tell you that if Frank was not on closer terms with his employees than he said he was, Conley could never have picked up his words as he has.

"And in four instances in his own statement Frank used the exact words that Jim said he spoke.

"And then in reference to the girl. Frank said that after gazing upon the body of the dead girl and looking upon the pay roll that she was 'the one whom I afterward found out to be the girl I had paid off Saturday.'

"But, gentlemen of the jury, Mary Phagan never drew her pay. Wehn Mrs. White came up to Frank's office, she tells us that he was standing by the safe; that he jumped when he saw her. Gentlemen of the jury, he was at the safe then arranging that pay roll and getting little Mary's pay. And when Mrs. White went downstairs she saw Jim Conley, showing that the negro had nothing to do with it.

"The first time Mrs. White came Frank sent upstairs for her husband. When she came back this time he sent her upstairs. But then came the thought that he must get her out of there.

"Knowing these men had their lunches with them, he knew they would remain upon that upper floor for a long while. But he didn't know what time Mrs. White was coming down. Then it was he determined to get her out. He went upstairs and made out like he was in a great hurry. And said that she had better leave then or he would have to lock them in. She went down and out. But instead of Frank going out, she tells us that he did not have on his coat and hat; that he went back to his office and sat down to his desk.

Killed Her to Save Reputation.

"They talk about there not being much blood there. There are two reasons for this. One is that the blow upon her head did not cause much blood to spatter, but at that time and then old Jim Conley wrapped her body up.

"Yes, and after striking that lick upon the head, he gagged her. Then (shaking his finger at Frank), then in order to save your reputation, not to save your character for you never had any, you gagged and killed her—in order to save your reputation with the Montags, the Haas', Rabbi Marx, the Bnai B'rith, your relatives in Brooklyn and Athens, you killed her to get her out of the way.

"You killed her because dead people tell no tales. Dead people do not talk. And you talk about George Kenley saying on the car that he would be one to lead a riot. And you (addressing Arnold) talk about annihilating that fellow Kenley with the pawnbroker.

"Why, if that little girl had lived to tell of that brutal assault, 1,000 people would have stormed the jail and run over men like you.

"You made a proposal to that girl (addressing Frank) and she would not yield. Your passion was such that it aroused your anger. You struck her a vicious, cruel blow, knocked her down, and she was unconscious. Then you gagged her and went to get the cord that strangled her.

"You never gave the little girl her pay envelope. She never got it. That was what you were doing at that safe when Mrs. White came in, and you jumped. You got it out of there yourself, and I wouldn't be surprised if Jim Conley hadn't told the whole truth and that your knowledge and possession of that pay envelope kept it from being produced here.

"You got Mrs. White out of that building because you couldn't do what you wanted to with her in there. You were in an awful hurry for her to leave, you were. And then you locked those people up on the fourth floor and had Conley to take her downstairs.

"I ask you, gentlemen of the jury (holding up the bloody garments of Mary Phagan) to look at the blood of this ravished girl. The blood that was spilled because she would not give up what was dearer to her than her life—her virtue."

At this juncture, Mrs. J. W. Coleman, mother of the Phagan girl, broke down, and following an outburst of tears, collapsed. Mrs. Leo Frank affected by the scene, leaned her head on the defendant's shoulders and cried also.

"Markless Body of No Consequence."

Dorsey did not cease talking during the several minutes required to quiet the two women.

"You ravished her and then able counsel said you never had any marks on your body. Durant never had any on his, and they tried to make it appear that the blood found back there was not the life blood of that innocent little girl.

"Was there ever any farce so foolish? Jim Conley tells you that was the spot where he dropped her head so hard. And where Frank came and took her by the feet and helped carry her out. Every person who saw it bore out the statement that it dripped. There was one big spot and lots of little ones around it.

"Gentlemen, if human testimony is worth anything, that spot was blood, not paint. Starnes said, 'Chief Beavers saw it.' And Starnes saw more blood on a nail near the elevator. Barrett, call him Christopher Columbus if you will (he works at the pencil factory), had the manhood to stand up and tell the truth. He discovered the blood and found the hair identified by a little girl, as I remember, as Mary Phagan's hair before there was any chance to offer a reward.

"It was only Monday morning and these honorable lawyers know that no official had had a chance to offer a reward. Contrast him with old man Holloway. He perjured himself even to get this guilty man acquitted or to convict Jim Conley, whom he called his negro, and get the reward.

"Barrett stands out as an oasis in a mighty desert. He told the truth when his job was at stake. And you know it.

"If any man deserves a reward, it is this poor man who had the courage to stand up and tell the truth when the source of his meat and bread was at stake. And if any reward is given, I hope that he gets it. He didn't wait to make his discoveries until May 15. They haven't any semblance of being a plant. They are substantiated by four or five witnesses. But you could wipe him out of the case, and you would still have abundant evidence.

Quotes Defense To Prove Blood.

"Mrs. Jefferson saw that blood. Stanford saw that blood. This white substance that was over it, Stanford testifies, looked like it had been swept over with a coarse broom. Blood covered with haskoline on the second floor. Conley saw Mary Phagan go up and she didn't come down. Is anything clearer? Sometimes you have to go into the enemy's camp to get ammunition. Dr. Connally could tell you about that and Sheriff Mangum knows about it, too. It's a dangerous practice, but we went into the enemy's camp in this case. We asked Mr. Darley about that blood and Frank's nervousness. We had his affidavit, but we knew that the stress of the case was great.

"His testimony proves that there was blood on the second floor. And he declared that Frank was more nervous than he ever had been in his life before, except once when he saw a little child run over by a street car and once when he had a row with his boss.

"To cap it all, Mel Stanford says that he swept the floor and it wasn't there Friday. Dr. Claude Smith, City Bacteriologist, said that he analyzed it and found that it was blood.

"Perjury? We come to that evidence where Charley Lee swore that Duffey stood there on that second floor and let the blood drip from his injured fingers. Duffey says it wasn't so. We called on you for Lee's written statement of the accident." (Dorsey turned to the lawyers for the defense as he said this.) "You couldn't produce it. Harry Scott didn't perform right, so they went out and got some new Richmonds. Where is Pierce? Echo answer, 'Where?'

"Where is Whitfield? Echo answers, 'Where?'

"They bring up this man McWorth. He found blood spots, a club and a part of a pay envelope. The factory had been searched by detectives and employees. No one had found anything. Before these things were found on May 15, wouldn't the employees have been glad to have reported such evidence if it had been there? Conley had been arrested and suspicion was not strong enough against him. Confronted with desperation, this man McWorth, after searching the factory all day, found the stick, the envelope and the seven big blood spots about 3 o'clock on the first floor near the front door.

"He found too much. Is there any man on this jury who believes that those blood spots and other things could have been there so long—so all in keeping with the plant of the shirt at Newt Lee's house—and the officers not have found them?

"I don't care how badly you get John Black mixed up. There's Boots Rogers and Darley himself who say that when Frank took the time slips out of the clock at the factory that Sunday morning, he said that all the punches were made and that Newt Lee hadn't had time to go home and change his clothes.

Reason for Frank To Make Statement.

"There was a reason for his making that statement—this brilliant young man with the keen perception, this Cornell graduate, this shrewd factory superintendent. Lanford and the detectives were with him. If after examining that slip he had said Newt Lee could have had time to go home, the detectives would have examined the slip and Frank would have been caught.

"No; this shrewd man waits until Monday afternoon. There was not enough evidence against Newt Lee. After a conference with his astute counsel, Herbert Haas, he asked them to search his house. And at the same time he suddenly tells John Black that Newt Lee had time to go home thenight of the murder. He points out misses in the time slip. Newt Lee's house had never been searched, because Frank had said he had no chance to go home. But with this new information from Frank, Black goes out and finds the planted shirt."

Holding up the shirt, he said: "This shirt was planted. It was planted the same as the stick—the same as the envelope—the same as the spots.

"The man who planted this shirt did his work too well. He got a shirt, all right, that had the odor of blood on it, but it didnt' have the odor of the negro in the armpits, and that odor would have been there if he had worn it. And he smeared the blood on both sides. It was not on one side, as it would have been had the shirt indicated what the defense wished it to indicate, as anyone with common sense would know, had the girl's bleeding form rested against his breast. The evidence showed you that the shirt had as much blood on the inside of the back as on the outside of the front.

"Can any man with common sense believe that that blood got on that shire with any other intent than to fix the guilt upon old Newt Lee? But old Newt Lee is honest. He didn't deny the shirt, yet he didn't say it was his. But let us pass on from this. I think everyone understands it was a plant.

Says Pay Envelope Was a "Plant."

"Now, about the envelope found by the scuttlehole. On this evidence can you believe that it was other than a plant? Can you really believe that this envelope and this shirt were other than a plot of Frank to turn the finger of suspicion on someone else.

"Gentlemen, can you get away from it? I say you can not.

"Now, as to this Minola McKnight business. Isn't it strange that her husband would go up and tell this tale unless there was some truth in it? Now, Minola swore to it; then she came up here and said it was a lie. But, gentlemen, her statement was corroborated, in part, by the Seligs. Mrs. Selig told you about giving her $5 and telling her to bring back the change, and of Mrs. Frank giving Minola a hat.

"Do you believ that Albert lied when he said that Frank went to the mirror in the sideboard? Don't you know that it was natural that after Frank had committed this horrible crime that he wanted to look into that mirror and see how he looked, to know the appearance he was making to other people. They tried to mix old Albert up on the stand, but they didn't do it. He said that Frank didn't eat any dinner, and when they asked him how he was aware of this fact, he said he knew it.

"This was the tale that Albert told, and Minola went down to the police station and in the presence of the officers and her own attorney made a statement that it was true. And if there had not been some semblance of the truth in it, don't you know, gentlemen of the jury, that she would never have signed that statement? Why, there was her attorney, George Gordon, and he is not worthy of the office of attorney if he didn't tell her that unless it was the absolute truth she should not sign it.

"If he is the honest man that he is said to be, then he told her that. He knew that they could not hold her there. He knew he could get her out by a writ of habeas corpus in two hours.

"Then they go out and bring in Julius Fisher and a photographer, and try to break down old Albert's evidence. They couldn't do it. Albert says the sideboard has been moved, and Mrs. Selig admitted that it had been moved every time they swept, and then moved back into place. They tried to make Albert stand where he could not see into the dining room, but he stood there, not where they tried to put him, but in a place where it was plainly shown to you that he could see into the dining room and through the mirror into the sitting room as well.

"They tried to trap him by asking if he could see into the entire dining room. But he showed that he was telling the truth when he said he could not. Gentlemen of the jury, can you tell me that Albert lied? Can you tell me that Craven and Pickett, the two employees of Beck & Gregg, to whom Albert told this story, have lied? Can you tell me that George Gordon has lied? I tell you that the reason Minola made that affidavit is because it was the embodiment of the truth.

Dorsey, Exhausted, Asks a Recess.

"As unprejudiced and honest men, the world who can get up a plan to you know it. If there is anybody in overhear the conversation of the folks in the dining room it is the negro, and we all know it. They tried to make old Albert lie, but they couldn't do it. The reason is that Albert told you the exact truth."

At this point Mr. Dorsey turned to Judge Roan and asked him if he would declare a recess. Judge Roan replied that he desired very much to have the argument concluded and to charge the jury before adjourning.

Mr. Dorsey replied that he was exhausted, and would like to conclude his argument this afternoon. Judge Roan asked how long it would take to conclude, and Dorsey said he did not know, that he had several points to take up yet, and that he thought he was entitled to as much time as he wanted.

At this point Attorney Arnold walked over to Judge Roan and they held a whispered consultation. Dorsey was called over and consulted with them for a moment.

Judge Roan then explained that his only idea in desiring to know the length of time before Mr. Dorsey would close was out of regard for the jury, without stating his reason. He said he thought it was best, considering everything, that the case be adjourned until Monday.

Dorsey Attacks Frank's Statement

"'1 p. m.—Frank leaves the factory.' It looks mighty nice on the chart. Turn that chart to the wall, Mr. Sheriff. Let it stay turned to the wall. That statement is refuted by the defendant himself when he didn't realize the importance of this time proposition.

"Frank's statement at police headquarters, taken by G. C. Febuary on Monday, April 28, says. 'I didn't lock the door that morning. The mail was coming up. I locked it when I started home to lunch at 1:10 o'clock.'

"Up goes your alibi, punctured by your own statement when you didn't realize its importance. Yet these honorable gentlemen, for the purpose of impressing your minds, print in big letters on this chart he left the factory at 1 o'clock. If he swore when he was on the stand the other day that he left the factory at 1 o'clock it was because he saw the importance of this time point, and had to leave there ten minutes earlier than he said he had at the police station before he had had time to confer with his lawyer, Mr. Luther Z. Rosser."

New Lobby Charge Against M'Dermott

WASHINGTON, Aug. 23.—An additional charge against Representative McDermott, of Illinois, was made before the House Lobby Committee to-day when M. M. Mulhall testified that McDermott claimed to have received $2,000 from the brewery interests for "certain work done in Washington."

Mulhall said this admission was made to him by McDermott during the 1912 campaign, at which time Mulhall was aiding McDermott to re-election.

R. O. Cochran Opens Senate Campaign

Ralph O. Cochran fired the opening gun in his campaign for the Senate against Hoke Smith in a speech delivered at noon Saturday in Rabun County.

Mr. Cochran delivered a plain, businesslike address and was well received by a large audience.

The full text of the address will appear in The Sunday American.

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DORSEY ASSAILS FRANK ALIBI

Charges Perjury in Plot to Defend Accused

THAW TO BE DEPORTED AUG. 27

Fugitive Quarrels With Lawyers and Storms in Cell as Battle Turns Against Him.

SHERBROOKE, QUEBEC, Aug. 23. All indications to-day pointed to the belief that the real battle to keep Harry K. Thaw from being returned to the Matteawan (N. Y.) Asylum for the Criminal Insane finally will be fought out on United States soil.

David Reynolds, one of the two immigration inspectors detailed on the case by the Dominion Government, declared positively to-day that Thaw will be deported next Wednesday into New Hampshire or Vermont.

"Thaw has lost his case before he really began to fight," said Mr. Reynolds. "The future events are clear. If Thaw wins or loses on his habeas corpus proceedings he will be ejected from this country. The Department of Immigration at Ottawa has been advised in this matter by the Department of Justice."

Thaw now has retained ten lawyers and is negotiating with attorneys in New Hampshire and Vermont to open a fight there for him if he is sent over the line in one of those States.

Quarrels With Attorneys.

The fugitive was in angry frame of mind to-day. He had quarreled with W. L. Shurtleff and with J. N. Greenshields, two of his counselors. With his collar rumpled and hair flying wildly, Thaw stormed about his cell. He charged that the lawyers were not doing all in their power to help him.

The prisoner has telegraphed to William Blakiee, District Attorney of Allegheny County, Pennsylvania (in which Pittsburg is located), asking that some official action be taken to protect him.

Under the Canadian law the immigration officials will take charge of Thaw as soon as he gets out of the custody of the Superior Court next week. A court of inquiry then will be held, and it then will be decided that Thaw is an undesirable alien citizen.

Thaw will be represented by counsel at this sitting of the court and will protest against deportation, demanding that the Government prove him insane. The Government expects to do this, but will allow no time to be wasted in the process. Papers have been received here from New York State by which the Government's representatives hope to show Thaw a mental incompetent.

Canada then will have washed its hands of the case and the fight will be transferred to the United States.

Changes Mind Frequently.

However, if Thaw determines to remain on this side of the border and fight his case to a finish, he might be able, through technicalities, to remain here indefinitely.

The fugitive has angered his lawyers by his erratic demands. At times he will dominee his high-paid counselors, and then he will suddenly turn about and adopt an air of meekness. First, he will declare that speed is necessary, and then will follow this with a request that every technicality be exhausted so that the fight may be prolonged. He has changed his mind a dozen times since he was placed in jail.

Thaw's anger has been increased by the threats of his companion, "Educated Roger" Thompson, the New York chauffeur, to "squeal." Thompson is in jail on the charge of aiding and abetting an undesirable alien to enter this country, and demands that the Thaw lawyers get bond for him.

"Squeal," screamed Thaw, when he was told of Thompson's threat. "He has no information of a damaging character against me. He can't get me in any worse. Let him squeal and be d—d."

Boxer Knocked Out By Jesse Willard Is Reported Dying

LOS ANGELES, Aug. 23.—"Bull" Young, who was knocked unconscious by a blow on the chin in his heavyweight fight with Jess Willard last night, will die.

The fighter did not regain consciousness after he had been counted out and the fight in the Vernon Arena had been awarded to Willard.

Surgeons who operated to-day in an effort to save his life announced that there was no hope of his recovery.

Locomotive Works' Earnings a Record

NEW YORK, Aug. 23.—The annual report of the American Locomotive Company for the fiscal year ended June 30 says the gross earnings are the greatest in the company's history.

Total earnings were $54,868,174, which was more than $5,500,000 higher than the earnings in 1906-07, the previous record year. Expenses were $48,041,697 and the interest charges $641,176, leaving $6,185,305 for dividends.

Perry Ship Replica Is Damaged by Fire

CHICAGO, Aug. 23.—The management of the Perry Centennial celebration and second annual water carnival to-day refused to discuss the loss by fire of a $15,000 display boat and heavy damage by fire to a replica of the Perry flagship Niagara.

Threats had been made by Industrial Workers of the World to blow up ships and men taking part in the celebration. Thirty men were compelled to dive into Lake Michigan and swim 100 yards in chilly water to save themselves.

Mrs. Pankhurst A Deserter, She Says

Special Cable to The Atlanta Georgian.

TROUVILLE, FRANCE, Aug. 23.—"That is a libel," cried Mrs. Emmeline Pankhurst, founder of militant methods in the English suffrage movement, to-day when she heard of a rumor current in London that she had deserted the cause.

"I am going back when I regain my health, and again will lead the forces of militancy," Mrs. Pankhurst said.

Mrs. Pankhurst is living at the height of luxury here. Her suite in the hotel costs $20 a day.

Atlanta Bids G. A. R. Veterans Visit City

Secretary Fred Houser, of the Atlanta Convention Bureau, is busy preparing a pamphlet on historic Atlanta, which will be distributed among the G. A. R. veterans who will attend the encampment in Chattanooga next month, and which, it is hoped, will induce a number of them to visit Atlanta.

The pamphlet describes in detail the historic spots around Atlanta and contains many photos of old battlefields. Mr. Houser already has heard from a party of Boston veterans that will make the trip to Atlanta.

Automobile Collides With a Steamboat

NEW YORK, Aug. 23.—An automobile collided with a steamboat here last night. The auto was wrecked, its several occupants were slightly injured.

The accident, it may be explained, did not occur at sea. The boat was in dry dock, the driver of the auto lost control of his machine, and it plunged down a hill and crashed into the moored boat.

REPORT LIND IS SLAIN DENIED

Washington Wildly Excited by Rumor of Assassination of U. S. Envoy in Mexico.

WASHINGTON, Aug. 23.—A rumor from Mexico City that United States Envoy John Lind, sent by President Wilson to Mexico with peace proposals, had been assassinated in the streets of Mexico City this morning was emphatically branded as false by the White House.

The report came on a broker's private wire and for a time created wild excitement in the Capital. The State Department immediately got in communication with Mexico City and two hours later announced that there was no truth in the rumor.

That the United States has adopted a policy allowing the Federal troops in Mexico to receive practically unlimited supplies of arms and ammunition, was indicated by Secretary of State Bryan to-day, when he confirmed the report that 40,000 rounds of ammunition had been allowed to cross the border at El Paso, Texas. This shipment is the first installment of an order for 400,000 rounds of ammunition and 10,000 rifles filed by an American firm and which, it is understood, President Wilson has granted permission to be shipped across the border to President Huerta's forces.

Tabasco Warming Up.

Secretary Bryan said to-day that he would not care to announce any definite policy with respect to shipment of arms and ammunition, but that such shipments would be allowed "when the President deems it necessary for the preservation of a sound order."

Consul Lespinasse, at Frontera, reported to the State Department today that conditions in northern Tobasco are "highly critical."

The Consul also reported serious disorders in Cardenas, where an attack was made on the Federal garrison by a large body of rebels.

Undisturbed by reports that Huerta may change the present status in Mexico by recalling his note of rejection of the Lind proposals, President Wilson to-day is assembling material for the message he will deliver in Congress next Tuesday.

Not to Alter Message.

The president is not inclined to encourage the typical Huerta policy of changing front over night, and will not change the tenor of his message unless General Huerta formally and officially withdraws his objection and accepts the proposals sent to him.

President Wilson is watching the financial situation in Mexico and is in possession of definite information as to just how long General Huerta may be expected to maintain himself with his present resources.

There is no secret made of the fact that the administration believes the Huerta Government will fail in the near future through lack of American recognition and that its flat rejection of the good offices of the United States is hastening its downfall.

Labor Federation Backs Copper Strike

CALUMET, MICH., Aug. 23.—Assurances that the American Federation of Labor was behind them in their fight for recognition of the union was given an audience of striking copper miners here to-day by John Mitchell, vice-president of the federation and formerly president of the United Mine Workers of America.

He told the miners he would leave for Washington to-night to put the case of the Calumet strikers before the Federal Government.

Reports of Bulgar War Cruelty Denied By U. S. Missionary

Special Cable to The Atlanta Georgian.

LONDON, Aug. 23.—Dr. L. D. Woodruff, an American missionary stationed at Philippopolis, Bulgaria, to-day sent a communication to the Foreign Office denying that the Bulgarians in Adrianople were guilty of atrocities.

Dr. Woodruff claims to have been upon the scene after the Bulgarians took possession of Adrianople. He says that the story of outrageous cruelties on the part of the Bulgars all have been inspired in Constantinople and Athens.

If there is an international investigation, he says, he will testify in behalf of Bulgaria.

JUDGE PRESIDING IN FRANK TRIAL

Judge Roan has conducted many noted murder cases in his long career on the bench, but never has he had a more difficult task than in the present trial.

Judge L. S. Roan.

CROWD IN SYMPATHY WITH SOLICITOR; HIS SPEECH MASTERPIECE

A calculating, detailed, impressive attack on the alibi set forth by the defense for Leo M. Frank was made Saturday by Solicitor Hugh M. Dorsey in the closing plea for the State. In the course of it he made sweeping charges of subornation of perjury against the defense.

During a tilt between Reuben Arnold and Dorsey, the crowd in the courtroom laughed at a sally by the Solicitor, who unquestionably had the audience with him, and Judge Roan threatened to clear the court if order were not preserved.

Mr. Dorsey's address was the masterpiece of his career. He had every feature of the complicated case at his finger tips and he analyzed, with the precision of a surgeon, the case of the defense.

He charged Frank with contradictions which he said utterly upset the attempted alibi. Thus, quoting from Frank's statement at the police station on April 28, he said the prisoner had declared he left the factory at 1:10 o'clock, while in his statement on the stand he said he left at 1 o'clock. The Solicitor charged that the time had been deliberately changed when the alibi was thought of.

He indirectly accused various of the defense's witnesses with perjury, intimating that the Montags had persuaded Helen Curran to swear that she saw Frank at Alabama and Whitehall streets at 1:10 o'clock.

The brilliance and dash of the Solicitor's opening had attracted the greatest crowd of the trial—a crowd unquestionably in sympathy with Mr. Dorsey.

Frank entered the courtroom as calm as usual and took a seat between his wife and mother. He chatted with his wife a few moments before the trial opened, his hand affectionately on her shoulder. If he was in any way awed or dismayed by the ordeal confronting him, he did not show it.

Dorsey moved over to the railing

New Lobby Charge Against M'Dermott

WASHINGTON, Aug. 23.—An additional charge against Representative McDermott, of Illinois, was made before the House Lobby Committee to-day when M. M. Muhall (called that McDermott claimed to have received $2,000 from the brewery interests for "certain work done in Washington."

Muhall said this admission was made to him by McDermott during the 1912 campaign, at which time Muhall was aiding McDermott to re-election.

Money Bill Makers To Ignore President

WASHINGTON, Aug. 23.—Representative Henry of Texas, who is leading the so-called "insurgent" movement against the Glass currency bill, declared to-day that the efforts of President Wilson and Secretary Bryan to prevent amendments to the bill would not head off his proposal for greater credit for the farmers.

Lord Haldane Sails For United States

Special Cable to The Atlanta Georgian.

LONDON, Aug. 23.—Lord Strathcona, High Commissioner for Canada, accompanied by Lord Haldane, the Lord High Chancellor of Great Britain, sailed for New York to-day on the Lusitania.

Lord Haldane is going to New York to attend a convention of the bar.

Jealous Man Shears His Wife and Flees

PARKERSBURG, W. VA., Aug. 23. Jealous because he felt other men paid too much attention to her, Henry Philips, wealthy oil operator cut off his wife's beautiful hair.

He then disappeared with the hair.

Illinois Tries to Tax Woodmen's Reserve

PONTIAC, ILL., Aug. 23.—David S. Myers, of Pontiac, head banker of the Modern Woodmen of America, must appear before the Board of Review of this, Livingston County, and show why the $9,000,000 reserve fund of that organization should not be subject to taxation. Friday, August 29, was set for a hearing.

Reports have been circulated that the head offices of the order at Rock Island, Ill., may be moved from Illinois to Indiana, where the reserve fund is not taxable.

THE WEATHER.
Forecast for Atlanta and Georgia—Local showers Saturday; fair Sunday.

A Great Story of BASEBALL "The Plot for the Pennant" By HUGH S. FULLERTON

This Absorbing Short Serial Begins in To-morrow's SUNDAY AMERICAN

TWELVE JURORS WITH WHOM LEO M. FRANK'S FATE RESTS

HUNDREDS STORM COURT AS CASE NEARS THE JURY

Continued from Page 1.

of the jury box as he opened his speech.

"Your honor and gentlemen of the jury," he said, "I was speaking to you yesterday of the character of this defendant. This defendant has not a good character. The conduct of the counsel in this case in failing to cross-examine, in refusing to cross-examine these twenty young ladies, refutes effectively and absolutely the claim of the defendant that he has a good character.

Says Defense Had Right to Refute Charge.

"As I said, if this man had a good character, no power on earth could have kept him and his counsel from asking those young girls where they got their information and why they deal what they did. Now that's a common sense proposition.

"You know as twelve men seeking to get at the truth that they did not ask those hair-brained fanatics, as Mr. Arnold calls them, questions about Frank's character because they were afraid, and those witnesses, as good as any the defense put up, were unimpeached and are unimpeachable. And you tell me that because the good people come here from Washington street and testify to his good character is that he has one!

"It very often happens that a man's wife is the last person to know his wrongdoing. Sometimes the man does charitable and religious organizations to cover up and hide his evil self. Very often his guilty conscience turns him that way. Many a man is a wolf in sheep's clothing.

"Many a man is a white sepulcher on the outside and absolutely rotten within. But suppose he has a good character. David had a good character until he put Uriah in the forefront of battle that he might be killed that he could get his wife. Judas Iscariot had a good character among those Twelve Men until he accepted those 30 pieces of silver.

"I have shown you that under the law they had a right to bring out all those things. You saw they dared not do it. Let's see what the law says. I'll read here from the Eighty-third Georgia Report:

"Whenever any persons have evidence in their possession and they fail to produce it, the strongest presumption arises that it would be hurtful if they did, and their failure to produce evidence is a circumstance against them.

"You don't need any lawbook to tell you that. It's plain common sense.

Recalls Case of Oscar Wilde.

"Benedict Arnold was brave. He enjoyed the confidence of all the people and those in charge of the Revolutionary War until he betrayed his country. Since that day his name has been a synonym for infamy. Oscar Wilde, an Irish knight, a brilliant author, whose works will go down through time, gave us 'De Profundis,' which he wrote while in jail—a remarkable work—yet when the Marquis of Queensbery discovered that there was something wrong between Wilde and his son, Wilde had the effrontery and the boldness to sue him for damages. A suit in retaliation resulted in the conviction of Wilde for criminal practices. Yet, wherever the English language is spoken the effrontery of the testimony on cross-examination of this man—an effrontery typical of this sort (turning to Frank)—will always be a matter for deep study for lawyers and for people interested in that sort of degeneracy.

"He had a wife and two children. His shame probably never would have been brought to light but for the fact that he had the effrontery and the boldness to start a suit. It ended in his being sent to prison.

"And the prosecution of Oscar!

"He was a man who led the esthetic movement. He was a scholar and a literary man. His cross-examination was a thing to be read with pride by every lawyer. The whole world took notice of his prosecution, and yet when Oscar Wilde was an old man, gray-haired and tottering to the grave, he confessed to his guilt. Prominent! Why, he was one of the most prominent men in the world. Why, he came to America and founded the esthetic movement here. He raised the sunflower from a weed to the dignity of a flower. He was handsome—one of the handsomest men to be found. He had moral courage, yet he was a pervert, proved and confessed.

Cites the Case Of Abe Ruef.

"There was a handsome man in San Francisco, a member of this defendant's sect—Abe Ruef, a man who possessed all of the faculties of highest intelligence, yet he corrupted even Smith, and his corruption of the poor girls with whom he came in contact brought him to the penitentiary. I have already referred to Durant. His character did not prevent the jury from convicting him. This defendant's character, like Durant's, is not worth a cent when the case is proved.

"And crime is alike with the rich and poor, ignorant and learned. Take an ignorant man like Jim Conley. He is the man who commits the petty crimes, but take a man with high intellect, like this defendant—this intellect, when put to the right use, leads to glorious accomplishments; but if these faculties be put to the wrong use, it brings ruin to the man in the commission of the most diabolical crimes. Look at McCue, the Mayor of Charlottesville, Va. He was a man of broad intellect and high education, but, despite his intellect, despite his splendid character, he tired of his wife and shot her, and the jury, composed of Virginia gentlemen, broad-minded and fair, despite McCue's good character, found him guilty and sent him to a felon's grave.

"Take the case of Richeson, the preacher of Boston. Here was a man of highest intellect and with a brilliant future. He was engaged to one of the wealthiest and most beautiful girls of Boston, but entanglements with a poor little girl caused him to fear for his good name and he so far forgot his good character as to put this poor little girl to death. Even after his conviction in the last days of his hope he committed an act upon himself which he thought would draw the pity of the Governor and save his life. But a Massachusetts jury and a Massachusetts Governor were courageous enough to let that man's life go. They had the courage which will make every right-thinking man right by the laws of God and man and of his country.

"Take Beatlie—Henry Clay Beatlie, of Richmond. He was of splendid family, of wealth and proved a good character, though he did not possess it. He took the mother of his 15-month-old baby out in an automobile and shot her. He was cool, calm and deliberate. He laughed and he joked, but he joked too much, and although the detectives were maligned and abused and a large slush fund was used, a courageous, honest Virginia jury upheld justice and sent that man to death. And he never confessed, but he left a note saying he was guilty.

Likens Frank To Dr. Crippen.

"Crippen, of England, a man of high standing and recognized ability, killed his wife because of infatuation for another woman. He hid her where he thought she would not be found, as this man (pointing to Frank) thought the body of that little girl would not be found. But murder will out, and he it said to the glory of old England this man paid the penalty of death.

"Gentlemen, you have an opportunity that comes to few men. Measure up to it. Will you do it? If not, let your conscience say why not.

"But you say you've got an alibi. Let's examine that proposition. Here's an authority: 'An alibi as a defense involves the impossibility of the prisoner's presence at the scene of the offense at the time of its commitment, and the range of evidence must be such as reasonably to exclude the possibility.'

"The burden of carrying this alibi rests on the shoulders of this defendant. They must show to you that it was impossible for this man to have been at the scene of the crime—an alibi, while the best kind of evidence if properly sustained, otherwise is absolutely worthless. I am going to show you that this man's alibi is worse than useless. It is no defense at all.

"I want to give you the definition of an old darky of an alibi. It illustrates my point. Rastus asked old Sam, 'What is this hyar alibi I hear so much about?' Old Sam says, 'An alibi is provin' that you was at the prayer meeting where you wasn't, to prove you wasn't at the crap game where you was.'

"Let's see the time table of the defense. I want to turn it around for half a minute. Then I want to turn it to the wall and let it stay forever.

"Frank's Own Statement Refutes Time Table."

"One p. m.—Frank leaves the factory. It looks mighty nice on the chart. Turn that chart to the wall, Mr. Sheriff. Let it stay turned to the wall. That statement is refuted by the defendant himself when he didn't realize the importance of this time proposition.

"Frank's statement at police headquarters, taken by G. C. Febusy on Monday, April 28, says: 'I didn't lock the door that morning. The mail was coming up. I locked it when I started home to lunch at 1:10 o'clock.'

"Up goes your alibi punctured by your own statement when you didn't realize its importance. Yet these honorable gentlemen for the purpose of impressing your minds print in big letters on this chart he left the factory at 1 o'clock. If he swore when he was on the stand the other day that he left the factory at 1 o'clock it was because he saw the importance of this time point and had to leave there ten minutes earlier than he said he had at the police station before he had had time to confer with his lawyer, Mr. Luther Z. Rosser.

"I quote: 'I left at 1:10.' Right here let me interpolate. This man never made an omission from the beginning to the end of this case. Where he knew a person was aware that he was in the factory at a certain time he admitted it. He proved, or at least attempted to prove, an alibi by the little Curran girl. They had her get up on the stand and say that she saw Frank at 1:10. Yet here is his statement made to the police April 28 in the presence of his attorney, Mr. Luther Z. Rosser, in which he said that he did not leave the factory until 1:10.

"The saddest thing in this case—I don't know who caused it, I don't know who introduced it, and I hope I will go to my grave without ever learning who brought this little Curran girl into this case—the saddest thing in this case is bringing in this little girl who is connected with Montag's and placing her upon the stand here to protect this red-handed murderer.

"Jurors are sworn, and his honor has the right under the law to charge you to consider the truthfulness or the reasonableness of that which any witness swears to. And, gentlemen of the jury, anyone who looked upon that little girl noticed her bearing upon the stand, the slightly unusual manner and her connection with Montags—consider the fact that this little girl, like the little Bauer boy, had been riding in Montag's automobile—and if you can not tell just why and how she was brought here, then I am unable to understand your mental operations.

"If Frank locked that door at 1:10, how could she have seen him at Alabama and Whitehall street at 1:10? How could she be so positive that it was him, if she really saw anyone there? For, mark you, she had never seen him before. She comes into your presence and tells you the unreasonable and absurd story of seeing him, which is in direct contradiction to Frank's story.

"On this time proposition, I want to read you this. It made a wonderful impression on me when I read it. It's from the speech of a wonderful man. It's from a man in whose presence even lawyers of the type of Arnold and Rosser would take off their hats.

"I refer to Daniel Webster and his argument in the Knott case. 'Time is identical, days, hours, are not visible to any of senses except to the schooled. He who speaks of days, hours and minutes talks at random. It is better than I could express it. What about this time? In this table here, minutes are moved up and down, contorted and twisted to protect this man. They say he arrived at the factory at 8:25. Frank himself in his first statement said he arrived at 8:30, and poor Jim Conley, lousy, filthy and dirty, said he arrived at 8:40, carrying a raincoat, and they tried to make it appear he didn't have one. If the truth is ever known, he tried to borrow that raincoat of Ursenbach's to create the same impression.

"Mattie Smith at 9:20 (quoting from the table), and Frank and Mattie Smith both say 9:30. He called Schiff at 10 o'clock (reading again), and yet this man with all his mathematical precision and accuracy at figures, said he was at Montag's at 10 o'clock. They say he arrived back at 11 o'clock, but in his first statement he said it was 11:05. At 12:12 they say Mary Phagan arrived at the factory.

"Oh my, they have to do it. Like the rabbit in Uncle Remus, they're just 'obleged to do it.' Move the minutes up or back, for God's sake, or we are lost!

"But to crown it all. In the table which is now turned to the wall you have Lemmie Quinn arriving not on the minute, but, to suit your purpose at from 12:20 to 12:22. That evidence conflicts with the statements of Miss Freeman and the other young woman, who put him there before 12 o'clock."

Arnold—Your honor, I must interrupt. No such evidence was ever brought out. Those young women testified that they left the factory at 11:45 and that they saw Lemmie Quinn at the Busy Bee Cafe considerably after. Mr. Dorsey says they saw him at the factory before 12 o'clock.

Dorsey—No, your honor, I didn't say any such thing. They said I saw him there, and I don't think anyone else did.

The crowd laughed.

Arnold—Your honor, have we got to take this whole crowd into this case?

Judge Roan—Gentlemen, there must be order or I will clear the courtroom.

Dorsey—That the records. They will show I am right. I have got Lemmie Quinn's affidavit. I am just arguing this case on the evidence.

"Jim Conley is a liar, is he? He said Quinn was there and that he was there before Mary Phagan came. Frank had a mighty hard time remembering whether Quinn was there. When Quinn saw him at the police station and said he had been there, Frank said he would have to see his lawyers before deciding whether or not to make it public.

"Is Jim Conley telling the truth or telling a lie? You can't go hot and cold on him. Why was it Frank wanted to consult his lawyers?"

Arnold—I will find the record.

Dorsey—Yes, you can find it. You can find where Quinn swore half a dozen ways. He was the most anxious witness I ever saw on a stand, except for old man Holloway. He would tell that he was there if Frank said tell it. He would keep quiet if Frank said no.

"Oh, gentlemen, let me read you what a great lawyer said on this sort of evidence. I read the words of Judge Lochrane:

"'I do not take the mere words of witnesses. I take their acts.'

Ad Contest to-day and are organiz-

"And while I am on this subject I want to read you another opinion:

"'Evidence given by a witness has inherent strength which a jury can not disregard. But a statement has none.'"

Arnold: "Now, your honor, I have found the records and it bears out just what I said."

Arnold read from the testimony of Miss Corinthia Hall that she and Mrs. Freeman went to the pencil factory at 11:25 and left there at 11:45.

Arnold: "Mr. Dorsey asked her the question, 'You saw Lemmie Quinn at 5 minutes to 12 o'clock?' Answer: 'I don't remember what time it was. He told us he had been up to the factory and saw Frank. He said he was going to the matinee.'

"Lemmie Quinn swore several times he was at the factory at 12:20," Arnold continued, "and here it is that he said that he was in a pool parlor at 12:20, just after leaving the factory."

Judge Roan: "Mr. Dorsey, have you anything in contradiction to that?"

Dorsey: "Yes, I have plenty; that doesn't scare anybody."

Arnold: "I just want to call attention to the glaring errors. The little ones I don't care anything about. I won't interrupt him except on glaring misstatements. Life is too short."

Dorsey: "Yes, you will. You will interrupt me every time I am incorrect. You are too shrewd, too anxious to let anything go by. Don't tell this jury you are going to let me say things that are incorrect.

"Here is your table turned to the wall, having the time of Lemmie Quinn's arrival at 12:20. I have an affidavit here of this pet foreman of the metal department. He said he got there at from 12 to 12:20. Those girls went out of the factory at 11:45 o'clock. They walked up a block and down a block to the Busy Bee Cafe. There they saw Quinn.

"In the name of goodness, if Frank, according to his own statement, could leave the factory at 1:10 o'clock and get home at 1:25, couldn't these girls walk up a block and down a block and see Quinn in fifteen minutes?

"I know it hurts, but this table here which puts Lemmie Quinn at the factory from 12:20 to 12:22 is a fraud on its face. There is no greater farce in this case than their straining at this particular point, with the exception of Billy Owens' pantomime. And, oh, what a farce it was!

"Gentlemen of the jury, you need not try to consider their attempts to be accurate about the time Quinn says he was there, for Lemmie says himself he could not be positive. He says he thinks he got there some time between 12:20 and 12:30.

Mentions Girl Who Would Die for Frank.

"Ah, gentlemen of the jury, whenever a man gets to swearing too definite and too specifically about time, then the words of our friend Webster, which I quoted to you, are right—'He is not to be relied upon.'

"And can you truly consider the words of a man whom your reason tells you is straining to set the exact time?

"But let's pass on from this. I will not take the time to read you everything that Lemmie he did. Let's pass on to the perjury charge which Arnold has so flippantly made. You saw these witnesses upon the stand. You heard their words. You noticed their manner, their attitude and their interest.

"Why, one of these ladies from the factory wanted to die for this man Frank."

A titter of laughter ran around the room, and deputies were forced to rap for order.

"When did you ever know of an employee being so enamoured of her employer that she was willing to die for him, if their friendship was pure-

Continued on Page 3, Column 1.

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SOLICITOR DORSEY MAKES GREATEST SPEECH OF HIS CAREER

Likens Frank to Beattie, Richeson, Wilde and Other Noted Criminals

DORSEY STRESSES FACT THAT DEFENSE DIDN'T GO INTO CHARACTER ATTACK

Continued From Page 2.

ly platonic? I know enough about human nature—I know enough of the passions which surge in the breast of mortal man—to know that this poor woman's anxiety to put her neck into the noose to save him were born of something besides platonic love.

"When you see a woman so passionately devoted to her employer—so anxious to die for him—you may know and you can gamble on it that there is something stronger there than platonic love. It must be a passion born of something beyond the relation which should exist between a married man—an employer—and his woman employee.

"Ah, gentlemen of the jury, we could have got witness after witness who would have gone upon the stand and sworn things about this man. There were people who would have perjured themselves. There were witnesses who came upon the stand for the defendant who on the face of their testimony perjured themselves.

"Take this little aBuer boy. Remember his testimony before he took that automobile ride with Montag to the office of Arnold & Arnold. Before dinner he could remember each detail, but after dinner, after he had taken that ride with old Sib Montag, he had a lapse of memory. Old man Sig must have told this little boy about the Hard Shell preacher down in South Georgia who h... his congregation pray for rain. They prayed and prayed, and after a while, like old Sam Jones would have said, the Lord sent a trash mover, a gully washer.

Boy Must Have Overdone It."

"It rained and it rained until they had omre water than they knew what to do with. Then the old hardshell preacher said: 'Brethren, it looks like we have aleetle overdone it.' So Montag must have whispered into Bauer's ear, 'You have a leetle overdone it.'

"And, after dinner, this little boy didn't know anything. But was that all? Why, gentlemen of the jury, before dinner that boy even remembered where his watch lay.

"Do you believe that? Talk about perjury! Wilfull foolishness because an honest jury knows that it was not true. They brought in that maswear to anything and there was not a man in the sound of his voice that didn't know he was telling an untruth. He wrote and signed a statement about Duffy's injuries. I brought it here and it was written in typewriting and didn't even have his name on it.

"They thought we could not find Duffy and thought you didnt' have sense enough to know the first thing you do in a case like that is to rap something around it to stop the loss of blood.

"I have never seen a case yet where women were so suborned as in this. Take this woman Fleming, his stenographer. They put her up and she swore Frank had a general good character. She only swore to what he had done in her presence when they cross-examined her. We don't contend Frang tried to seduce every girl in the factorwy. But he did pick them out. He picked out Mary Phagan and was called.

"Gentlemen, he got the wrong girl and he was called. And this stenographer said she only knew what he did to her. She testified that Frank's business Saturday morning was to make out the financial sheet. Mr. Arnold said immediately he didn't have time and she jumped at it like a duck at a June bug. Mr. Arnold was so nervous, he would not let me finish the cross-examination, and interpolated that remark to guide her.

"It was unfair and not according to law and practice. But he got away with it. And then she turned right around and in the next breath said that she had never said Frank was working on the financial sheet Saturday morning.

Says Perjury Charge Has Not Been Proved.

"Oh, gentlemen, can you let a poor little girl go to her death and set her murderer free on such evidence as this? If you do, it is time to stop going through the process of summoning a jury.

"Perjury! When did old man Starnes and Pat Campbell stoop to that. And suspicions! Why didn't we get old man Lee and Gantt instead of Frank? Why didn't we get Conley? We tried it, but there was absolutely no case against either. But there is a perfect case against this man. But, oh, you cried 'Perjury.' But it is not worth fifteen cents until you put your fingers on something specific.

"And here, gentlemen, right before your very eyes, in black and white, the testimony ofthis woman, Fleming, shows that they perjured her.

"Do you tell me when that factory closes on Saturday afternoons that this man with the handsome wife that he possesses, this college graduate, who likes to read and play cards, who likes to see baseball games, would spend his time there, using the data that Schiff prepared on Saturday afternoons when he could do it Saturday morning? No, sir. Miss Fleming was right. She didn't stay there to work often on Saturday afternoons."

The jury was allowed to retire for a few minutes. When they returned, Dorsey resumed his argument.

"Now, gentlemen, I submit that this man made that inance sheet Saturday morning. I am not going to fatigue you with my reasons. It is unnecessary. If he did make that sheet on Saturday afternoon, he did it thinking of an alibi. But don't tell me that because he might have done this on Saturday afternoon with a penmanship that showed no nervousness proves an alibi.

"If he could go home into the bosom of his family after such an atrocious crime, he could have made that sheet. But he wouldn't have done it if Schiff had not gotten up the data. He had done it fifty-two times a year for five or six years. If he would do additional work on that Saturday afternoon, it could only have been with a sinister purpose.

Witness Afraid Even to Identify Handwriting.

"In speaking of perjury, his mother said anybody ought to identify his handwriting."

Dorsey held up the photograph of the sample of handwriting Frank wrote for the police.

"Yet the man they put up to identify his handwriting was so afraid he might do Frank an injury that he wouldn't venture a guess. Grant that he did go home to his wife and those old people—his parents-in-law—and maintain a stoical countenance. Grant that he did make that sheet, which he could make up with his eyes shut. Grant that he did unlock the safe, a thing that he had done every day for years.

"But when he went to run the elevator; when he went to nail up that back door; he wavered; he paled when he talked to the police, and trembled on Darley's knee as he rode to the police station.

"He could sit in the hall and read a joke about a baseball umpire, but the frivolity annoyed the visitors at his home. It was the same kind of frivolity Henry Clay Beattie displayed when he stood beside the automobile that was stained with the blood of his wife. His joke was uttered only in annoyance; it jarred.

"But whether or not he made up that financial sheet, while waiting for old Jim to come and burn the body, one thing I grant he did. Don't forget the envelope; don't forget the way the letter was quoted, that letter he wrote to his uncle in Brooklyn, that letter that begins: 'I trust that this finds you and dear Tante well.' He had no wealthy relations in Brooklyn! That old millionaire uncle was mighty near there when Frank told old Jim Conley: 'Why should I hand? I have wealthy relatives in Brooklyn!'

Dorsey finished reading the letter

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Dorsey Attacks Frank's Statement

"'1 p. m.—Frank leaves the factory.' It looks mighty nice on the chart. Turn that chart to the wall, Mr. Sheriff. Let it stay turned to the wall. That statement is refuted by the defendant himself when he didn't realize the importance of this time proposition.

"Frank's statement at police headquarters, taken by G. C. Febuary on Monday, April 28, says. 'I didn't lock the door that morning. The mail was coming up. I locked it when I started home to lunch at 1:10 o'clock.'

"Up goes your alibi, punctured by your own statement when you didn't realize its importance. Yet these honorable gentlemen, for the purpose of impressing your minds, print in big letters on this chart he left the factory at 1 o'clock. If he swore when he was on the stand the other day that he left the factory at 1 o'clock it was because he saw the importance of this time point, and had to leave there ten minutes earlier than he said he had at the police station before he had had time to confer with his lawyer, Mr. Luther Z. Rosser."

and then said:

"Here is a sentence pregnant with significance. It bears the eararks of a guilty conscience. He wasn't trembling when he wrote. He is capable and smart, but here is a sentence that is a revelation. Here is a document I concede was written after little Mary Phagan, who died for virtue's sake, was lying mutilated in that dark cold basement."

At this juncture Mrs. J. W. Coleman, mother of Mary Phagan, began to cry.

Dorsey read from the letter:

"'It is too short a time since you left for anything startling to have developed down here.'

"These Are the Words That Incriminate."

"'Startling' and 'too short a time.' Those are the words that incriminate. That little sentence itself shows that the crime was committed in an incredibly short time.

"Tell me, honest men, courageous men of Georgia, that this phrase penned to his uncle that afternoon did not come from a stricken conscience. 'Too short a time since you left for anything to develop down here.'

"What do you think of that, honest men? Then notice what he writes about the thin, gray line of veterans facing the chilly weather, as if that old millionaire uncle of his traveling around Germany for his health, as if he cared for these old heroes in gray! Ample and reliable authority says that over-expression is an indication of guilt. Tell me that this old man, who was just preparing to sail for Europe, cared for these old heroes in gray—this wealthy old man who wanted to see the financial sheet. 'Too short a time'—yes, he said it was too short a time for anything to develop down here. But, gentlemen of the jury, there was something startling to develop, and it happened within the space of 30 minutes. 'There is nothing new in the factory to report,' but there was something new in the cellar. There was something to report, and the time wasn't too short for it to happen.

"You tell me that letter was written in the morning? Do you believe it? Why, they haven't even tried to say that. I tell you that that letter shows on its face that something startling had happened, and I tell you that that rich uncle did not care the snap of his finger about the thin, gray line of veterans.

"Ah, yes, he had wealthy relatives in Brooklyn. That's what old Jim Conley said he told him. And his people lived in Brooklyn, and old Jim never would have known that if Frank had not told him. And they had at least $20,000 in cool cash in the bank; and he had a brother-in-law employing two or three people, at least, and we don't know how many more. And if his rich uncle was not in Brooklyn, he was near there.

"All right, let's go a step farther. On April 28 he wired Adolph Montag at the Imperial Hotel in New York: 'You may have read in Atlanta papers of factory girl found dead Sunday morning in cellar of pencil factory.'

"Yes, gentlemen of the jury, in the cellar of the pencil factory. There's where he placed her, and that is where he expected her to be found. And the thought of it welled up in his mind that Monday morning, April 28, before he had been arrested, and he wired Montag forestalling what he knew would certainly and surely happen unless the Atlanta detectives were corrupt and would suppress it.

Compliments Detectives.

"But, be it said to your credit, Starnes; to your credit, Campbell, and you, too, Rosser and Black, that you had hte manhood and the courage to do your duty and roll the charge up to this man, protected as he was by wealth and influence.

"And notice what else he said in this telegram. Notice the credit he gives to the police: 'The police will eventually solve it.' And be it said to thec redit of the Atlanta police department, they did solve it. 'Assure my uncle I am all right in case he asks. Our company has case well in hand.' Maybe he did think when he got that fellow Scott that his company had it well in hand.

"I tell you there is an honest man—this fellow Scott. If there was a slush fund in this case—and witnesses have said there was no such fund—this man Scott could have gotten it. Not at first, maybe, but he could have gotten it later on. But Scott knew his duty, and he has done it. No wonder Frank could telegraph that his company had the case well in hand, for Scott's first words could not have suited him better had he wished for them. They were, 'The Pinkerton's always work arm and arm with the police.' This suited Frank well. It was just what he wanted. He wanted to know what the police thought he wanted to know what they were going to do, and this worked well, until the chain began to tighten.

"And Haas—and he is nobody's fool—when he sa wthe trend of the case, he opened the negotiations; he gave Scott the opportunity by saying, 'Now let us have what you get first.'

"But let us pass on from that. You tell me that letter and that telegram are not significant? That the work on this financial sheet is no significant? That Schiff's testimony as to the work on that financial sheet is not significant?

"Frank himself was not satisfied. He is as smart as his lawyers, too.

Solicitor Dorsey's fiery speech to the jury began at 3:30 Friday afternoon and was halted by adjournment about 5:15. The Solicitor was not slow in entering into his attack against the prisoner and his criticism of the manner in which the lawyers of the defense had conducted the case.

He seemed carried away by his earnestness. His impassioned words as he shouted to the jury that the people would have to get another Solicitor General if they wanted to put the rope around Jim Conley's neck for the crime deeply stirred all within range of his voice.

The Solicitor declared that Conley was not guilty of the murder, and had no more part in the crime than he had told right on the stand.

"Conley is the self-confessed accessory after the fact," he said; "only that and nothing more. If you try to put a noose around his neck it will have to be under another Solicitor General, for right there sits the man guilty of this crime!"

Shows Defense Wrong On Durant Case.

Dorsey took the Durant case, of which Attorney Arnold had made much the day before, and converted it into a boomerang against the defense. Arnold had related it as showing the terrible mistake that may come from circumstantial evidence. He had said that Theodore Durant was convicted of the brutal slaying of Blanche Lamont and Minnie Williams and was executed for the crime. Several years later the minister in whose churchyard the body of Durant found sepulchre himself confessed to the murder, according to Arnold.

Dorsey tried to read a letter and a telegram he had received from San Francisco to controvert Frank's lawyer, but was prevented by objections. He was permitted to state from his own information, however, that no such confession ever took place, and that no man ever was guiltier than Durant, no jury more courageous and no community more satisfied with a verdict.

"I don't know where my friend Arnold found the authority for his strange statements about this Durant case," said Dorsey. "If he is no more accurate than this in his statement that you have heard the testimony of every girl on the fourth floor of the factory as to Frank's good character, I fear there are a lot yet to hear from."

The Solicitor laid particular stress on the failure of Rosser and Arnold to cross-question the character witnesses against Frank that the State had placed on the stand. In his opinion this raised a strong presumption that Frank was the immoral man that the prosecution had represented him to be.

"If charges are made that can be explained or controverted," he said, "and there is no effort made by the defendant to do so, it is reasonable to suppose that he is guilty of the accusations."

The Solicitor maintained that the State had been practically helpless in this respect. He said he had been able only to bring girls into the courtroom to swear to Frank's general character and to his general attitude toward women. He had been estopped by court ruling from showing particular acts of alleged immorality and improper conduct, he said.

Why Did Frank Not Refute Charges.

But, he maintained, if Frank were innocent of the acts of immorality charged aginst him, it was most unlikely that he would have let his lawyers be silent when those girls were on the stand testifying against him.

He would have insisted on his lawyers finding out exactly how much these witnesses knew and where they got their information, the Solicitor declared.

"Now, gentlemen," he argued, "if you were of good character and twenty witnesses were brought here to testify that your character was bad, would you sit supinely and not make your attorneys insist upon specific instances? No; I know you wouldn't. Yet three able counsel let twenty girls tell the court that Frank's character was bad and that his character for lasciviousness, which, uncontrolled and uncontrollable, led him to kill Mary Phagan, was bad, and never asked them how they knew."

Dorsey, in spite of the indignant denials made on the stand by Miss Rebecca Carson, related that she was one of the women who had gone into the dressing room on the fourth floor with Frank.

"What did they go in there for?" he asked. "Probably to see if the girls were flirting out of the windows. The judge would not allow me to ask how long they stayed in there. What the judge says is law, although I do not always understand it. Anyway, Frank went in with her and came out with her."

Dorsey gave up much of the early part of his address to the emphasis of the value of circumstantial evidence and a definition of a "reasonable doubt." He said that circumstantial evidence, when it involved such a connected train of circumstances in this case, really was of more value than direct evidence.

The matter of a reasonable doubt, he asserted, appeared to have been hedged with great mystery, although in reality it was as plain as the nose on a person's face.

Rosser's Closing Speech Eloquent.

A reasonable doubt, he said, was opposed to an unreasonable doubt. It was based on reason and was one for which a reason could be given. It was such a doubt as to leave the mind in an uncertain and wavering condition and to preclude the possibility of possessing the moral certainty that the defendant was guilty.

Attorney Rosser, famed as a cross-examiner and speaker, probably never made a more eloquent address than he did Friday in arguing for the life and freedom of Leo Frank. His words were full of sarcasm for the police, the detectives, the Solicitor, Conley and Dalton—Conley, "the black prince of liars," and Dalton, "the white prince of liars."

With cutting satire he characterized the methods of the detectives as constituting a school in which Conley was drilled and trained in his ever-shifting, ever-changing story of his part in the crime.

He dubbed the Solicitor and Detectives Starnes, Black, Campbell, Rosser and Scott as "professors." Chief Lanford happened to walk into the courtroom just at this moment.

"Ah, there's the dean himself," remarked Rosser with a mock bow.

Jim Conley was their pupil, he said, only they probably called him "James." "Stand up, James, and recite," he mimicked.

Conley's story he branded as a tissue of lies—admittedly lies as it appeared in his first and second affidavits, and party lies as it was contained in his third affidavit.

Defends Character Of the Accused.

He defended the character of Frank which he said had been blackened only by the lies of the perjurer Conley and his white ally, Dalton.

He declared the conditions at the National Pencil Factory were no better and no worse than at any other factory employing about 100 women and about as many men. He argued that the charges of immorality against Frank were preposterous as he could not have been on terms of criminal intimacy with any number of his young women employees without the factory going to pieces in short order. If the conditions in the factory were as they were represented by the prosecution, it would have been a matter of general knowledge and the people would have torn down the factory, stone by stone, the lawyer contended.

Rosser charged that the whole case against Frank was founded on flimsy suspicions and that there was not one direct or weighty piece of evidence from first to last. He exhibited the time chart that Attorney Arnold had used and showed that it would have been impossible, from the viewpoint of the defense, for Farnk to have committed the crime and to have done all that Conley related.

Negroes' Holdings Worth $700,000,000

PHILADELPHIA, Aug. 23.—The achievements of the negro race during the 50 years since it was liberated from slavery were emphasized here by statistics of the National Negro Business League, which showed that the negroes in the United States own chattels and real estate valued at over $700,000,000.

NEWSPAPER AIDS MAN IN FINDING LOST FIANCEE

Girl Reads in The Georgian That Edward Hogan Is Detained by Police—They'll Marry Soon.

The second chapter of the mystery of Edward Hogan, the New Orleans man taken into custody in Atlanta Friday, after losing the address of his fiancee, has been written. Hogan and Miss Marie Byrd, of 310 Angier avenue, have been united.

The romance was consummated by The Georgian story Friday. Miss Boyd, who resides at the home of J. S. Sutherland, saw the story and went immediately to the police station with Mrs. Sutherland.

There was an affectionate greeting and then all went to the Sutherland home, following Hogan's release. Miss Byrd missed a train connection and failed to meet Hogan.

Miss Byrd and Mrs. Sutherland told the police they would take good care of Hogan until he was completely well, and then there will be a wedding.

Hogan was taken into custody Friday afternoon because of his queer actions.

Town Dynamited, Gun Battle Fought In Georgia Race War

MOULTRIE, Aug. 23.—Enraged because of an attack made on John Davis, a young white boy, by a negro merchant named Bradley, a mob of about 50 white men, armed with Winchester rifles and carrying a big supply of dynamite, swooped down on the town of Greenough, in Mitchell County, dynamited Bradley's two-story brick store and set fire to a two-story frame building occupied as a negro store and lodgeroom. Both buildings were destroyed.

The mob then opened fire on negro residences. The negroes returned the fire and the clash between the races continued for more than an hour. Just how many people were killed or injured, I fany, is not yet known.

Greenough is inhabited only by negroes. The white mob was from the countryside.

Leaves Aged Wife He Beat Injured on Floor, Goes to Work

After attacking his wife, D. H. Kent, 54 years old, No. 84 Lindsay street, left her lying on the floor with her right arm broken above the elbow Saturday morning, and went to his work at the Jones & Kennedy Furniture Company, where he is employed as a collector. He was arrested there half an hour later. He was released on $100 bond and his hearing set for next Friday before Judge Broyles.

The woman, who is 60 years old, was sent to the Grady Hospital by Policeman Anderson, who answered the call. Besides the broken arm, she is severely bruised about the body, where she says her husband struck her.

Kent refused to talk about the trouble with his wife, except to say that the quarrel involved two sets of children and was of long duration.

Negro With 20-Year Term Tries Suicide

DANIELSVILLE, Aug. 23.—Lindsey Moon, a negro, confined in the county pail here, attempted suicide by cutting his throat with a razor, which had been slipped to him in some mysterious way.

The negro was charged with burning a barn at Carrollton some time last year. He was convicted and given a twenty-year sentence. He was almost dead from loss of blood when the Sheriff arrived at the jail.

U. S. Votes $50,000 For Knoxville Fair

WASHINGTON, Aug. 23.—The Senate to-day passed a bill authorizing the Federal Government to participate in the National Conservation Exposition to be held in Knoxville, Tenn., next fall. The bill authorizes the expenditure of $50,000 for this purpose.

REMARKABLE SPEECHES BY VETERAN ROSSER AND BOYISH DORSEY END CASE

By JAMES B. NEVIN.

Luther Rosser perhaps never made a more impressive speech in all his long and distinguished career at the bar than he made on Friday when closing the argument for the defense in the Frank case.

It was not such a speech as might be termed a finished oration. It was not characterized by many of the tricks of eloquence so frequently employed. It was not polished, and it was not rhetorically magnificent.

It rang "like a bell in the Alps" with sincerity, however—and in that it was a compelling great speech, and it surely must have gone home, as the speaker intended.

It carried a large measure of conviction, I think, to every man that heard it—Rosser believes Frank innocent, though all the world take issue with him!

And does real oratory achieve any higher end than convincing those toward whom it is directed of the earnestness and integrity of its purpose?

It was the last word for Frank—the final plea before his fate, so far as the defense was concerned, was given into the keeping of the jury.

The speaker seemed to realize heavily the tremendous weight of responsibility upon him—just as he showed all too plainly the wear and tear inflicted upon his physical make-up by the long trial.

Luther Rosser's speech may not clear Frank—maybe it ought not to clear him—but if so, nothing human, I think, COULD clear him.

If Frank still was doomed when Rosser finished, he surely must have been doubly doomed when Rosser began!

No Stronger Than Dorsey's.

As appealing as Mr. Rosser's address to the jury was, however, it was not one whit more moving or forceful than was Dorsey's—the closing argument for the State, and the last speech before the judge's charge.

The young Solicitor General knew he was to follow two of the most adroit and aggressive speakers in Georgia.

He knew that it was to be no child's play to batter down the wall of defense set up by the combined genius of Reuben Arnold and Luther Rosser!

He realized, however, that he was rated by many as rather a novice in the art of criminal practice, despite his tenure of office as the State's representative in prosecutions heretofore.

He had heard Rosser laugh at his youthfulness and had heard himself called "son" and "bud" too often not to know that every effort to belittle him was being made, and that every means to discount in advance what he might say was being put forth!

Nevertheless, his sworn duty was plain. He was chosen some months ago by the people of the Atlanta Circuit to be their Solicitor General. He was on his mettle—the critical eyes of all his friends were upon him, and the eyes of the people whose representative he was—and he was spokesman for the mighty majesty of the law!

And Dorsey rose to the full demands of the occasion!

That much may be said of him, sincerely and in all truthfulness.

From start to finish of the Frank trial, Dorsey has been the aggressive, faithful and tireless agent of the State—and it is altogether and entirely to his credit that he has been that and all of that!

Both Showed Heavy Strain.

Like Mr. Rosser, too, Mr. Dorsey shows the heavy strain he has been under for the past four months—for he has been employed almost exclusively on the Frank case that long. When he had finished he evidently was exhausted utterly in his physical being. He had waged a long and gallant fight—from his point of view—and it had taken tremendous toll of his energy and nervous system.

Opposing counsel have snapped and sneered at one another, hard things have been bandied back and forth, much bitterness has been manifest and much feeling displayed.

Indeed, I should say far more bitterness has crept into this case than was in anywise necessary—from both sides—but if either side has suffered from that particularly, it has been, I think, the defense.

For one thing, the defense went far beyond the bounds of reason and common sense, so many people think, in attacking Dorsey as viciously as it did.

One can not say how that attack impressed the jury—for the membership of that body may or may not be so well acquainted with Hugh Dorsey as the general run of Atlanta people are—but it may well be doubted that it listened with any particular degree of patience when the charge of "conspiracy" was hurled at the head of the Solicitor General so vehemently!

Those people who have pleaded and begged for fair play all the way around—who have insisted that Frank be given an absolutely impartial and unprejudiced trial—have laid much stress upon his heretofore unblemished business career. That was all right, for previous good character is an asset any man possessing it has a right to lean upon when assailed.

But if Hugh Dorsey, the Solicitor General, a man of utterly unimpeached integrity throughout a lifetime in Atlanta, were a willing party to the maliciously wicked and inhuman "frame up" charged by the defense, he would be as completely unworthy of the respect and esteem of this community as any person could be!

"Frame Up" Charge a Mistake.

When, therefore, the defense asks the public to believe, and the jury to believe, that Dorsey and Hooper—the latter for years a most honorable and approved prosecuting attorney in South Georgia—were deliberately and designedly parties to a "frame up" of evidence against Frank's life and liberty, is to ask the one to believe something it most certainly will NOT believe, and to ask the other something it should not, and likely will not, believe!

It will be rated no more right to clear Frank through unsustained and unfair charges than to convict him that way, I take it!

Solicitors General in Georgia are not to be criticised for aggressively and vigorously prosecuting indicted criminals—that's what they are there for—and they are entitled, in good faith, to seek the truth unmolested and in their own way and after their own fashion, unless it can be shown categorically that they are basely unworthy—and nothing approximating that has been shown, or likely can be shown, of Dorsey and his associates in this case.

If the defense finds eventually that its attack on Dorsey has been resented, it will have nobody to blame but itself!

The Frank case has been a most complex and strange proceeding. It has involved so many emotions, so many opinions, so many theories, and so many peculiar attributes, that it is all but impossible to make an intelligent forecast of the jury's finding.

Opinion in the street is varied, and generally not aggressively expressed.

It is perhaps true that a plurality of those people who have kept the run of the trial, believe a mistrial is the best that may be hoped for.

The case has been so long drawn out, so badly mixed up, and so hotly contested, that it seems likely the jury may hardly know exactly where the truth does dwell.

It has been an expensive trial to Fulton County—it has cost well over $10,000—but that doesn't matter so much in the public mind as that a just and righteous verdict be found.

There are those who look for a quick verdict of acquittal, just as there are those who look for a quick verdict of conviction.

Few Expect a Quick Verdict.

And yet there are relatively few who look for a quick verdict, one way or the other.

People generally would be glad to see a verdict one way or the other returned—and the case disposed of.

To think of going over all the Frank case again is appalling to most parties connected with it—and yet a mistrial would mean that, and nothing more or less.

The general opinion is that this has been a fair trial—as fair as human intelligence and the most approved forms of law can make it—and that a verdict should result.

While this is generally admitted, however, it is admitted simultaneously that the jury may have rather a difficult time getting at the exact truth, whatever it is, obscured as it has been by so many issues and arguments, both ways, not altogether relevant or in point.

The story has been told in its entirety, however—all but the last and closing chapter.

The jury has the telling of that—and all the public is asking is that the jury's story speak the TRUTH of the matter, and the public generally is prepared to accept the jury's verdict as the truth, I think, whatever it may be.

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DORSEY IN FINAL ATTACK ON FRANK

Jim Conley's Story Proven Impossible, Says Attorney Rosser

SWEARINGEN LOSES HIS FIGHT

Mayor of Jacksonville Denied Injunction Suit for Control of Police Department.

JACKSONVILLE, FLA., Aug. 22.—The wrangle in municipal politics that has agitated Jacksonville for some time—whether Mayor Van C. Swearingen or the Board of Bond Trustees shall control the city police department—was definitely settled to-day when Judge Charles Couper Gibbs, of the Circuit Court, refused to grant the petition of the Mayor for an injunction restraining the board from interfering with his control of the force.

The decision of Judge Gibbs is regarded as a complete victory for the Bond Trustees, and likely will result in an overthrow of all Mayor Swearingen's policies which he has been trying to put in force. It means also that Frederick C. Roach, elected Chief of Police by the board, but never officially recognized by the Mayor, will be the real head hereafter of the department, and it is conceded that Captain Harry Hall, recognized by Mayor Swearingen as Chief, will be removed or reduced to a lower post.

The trouble between the Mayor and the Board of Bond Trustees dates back to the last election, when Mayor Swearingen announced that if elected he would assume control of the police force and shape the policy of the department.

Business men declare that the fight, which has waged with neither side declaring a truce, has been harmful to business. Others declare that certain moral reforms which Mayor Swearingen endeavored to put into practice and over which the fight started are too drastic for Jacksonville. Some of these reforms were an order prohibiting women of questionable character from appearing on the streets after 9 o'clock at night, and another to the effect that such women would be allowed in no section of the city except a restricted district.

Judge Gibbs denied the injunction on the ground that he had no jurisdiction in the case.

Mayor Swearengin announced he would carry the case direct to the Supreme Court, and also file a bill by writ of quo warranto for the authority which he claims is conferred upon the Mayor by the charter and has been usurped by the bond trustees. The Mayor made the following statement this afternoon:

"The decision simply leaves the matter where it stood before. The effect of the decision is that the present condition may cause considerable trouble if the bond trustees continue to hinder me by hiding behind the City Attorney and the supposed Chief of Police is trying to prevent me from exercising the duties of the office of Mayor of the city. The fight, if you call it one, has not really started."

Judge Arnold to Take Anniston Court Office

ANNISTON, Aug. 22.—J. J. Arnold, who was yesterday appointed probate judge of Calhoun County by Governor O'Neal, for the second time, will take office as soon as he makes bond. He succeeds Judge W. H. Cooper, deceased, by whom he was defeated after having been appointed to succeed Judge E. F. Cook, resigned.

Judge Arnold will have to go before the people twice within the next two years to retain his seat, and he said to-day that he feels confident of election.

Wife-Beater Must Pay Fine or Work

COLUMBUS, Aug. 22.—Robert T. Johnson, a white man of Lee County, Alabama, has been given a fine of $500 on a charge of wife beating, or in lieu of the fine he can serve 140 days on the county chaingang, and in addition work at a wage of 75 cents per day to pay the costs of court in the case.

CANADA WILL TRY SANITY OF THAW

Dominion Government Shows Hand for First Time in Legal Battle Over Fugitive.

SHERBROOKE, QUEBEC, Aug. 22.—Harry Thaw won a big point in his fight for freedom here when early this afternoon the Canadian physician sent to see him by the Dominion Department of the Interior declared that in his opinion Thaw now is entirely sane and rational.

SHERBROOKE, QUEBEC, Aug. 22. The Canadian Government to-day showed its hand in the case of Harry K. Thaw, the fugitive from Matteawan, who is held here in jail.

F. Campbell, counsel for the Dominion Government, secured a postponement of one week of the hearing of "Educated Roger" Thompson, the New York City chauffeur, who is under arrest charged with aiding and abetting an undesirable alien to enter the country.

At the same time W. L. Shurtleff, of counsel for Thaw, returned from Ottawa, after serving notice upon the Department of Immigration that it must show that Thaw is insane before he can be deported or extradited.

Blake Robertson, assistant superintendent of the Department of Immigration, is here and has held several consultations with local physicians. It is reported that alienists will be brought from Ottawa and Montreal to examine Thaw for the Government.

The indications now are that the Government will attempt to prove Thaw insane. That would be acceptable to the Thaw counsel, as they have already taken steps to combat it under direction of Dr. Britton Evans.

Plan to Show Thaw Insane.

The Government has sent to New York for papers by which it is planned to show that Thaw is insane.

Thaw has issued an appeal to the public.

"Do not see me persecuted," he cried from his cell.

In securing the postponement of the hearing, Mr. Campbell said:

"From the moment of this man's arrest we have been awaiting certain papers from New York. They are important. They bear on Thaw's mental condition and the Government can not go on without them."

Thaw sat to-day in the St. Francis jail bombarding various official circles in the United States demanding that they come to his aid. Rumors of a plot to liberate Thaw flew thick and fast, but no foundation for them could be found.

Plot Rumors Stir Governor.

As the result of rumors of a plot to take Thaw from jail the prisoner was isolated. Governor LaForce ordered that no one but Thaw's accredited attorneys should visit him in the future. Heretofore newspaper men had been given great freedom about the jail.

Governor LaForce suddenly has become suspicious of strangers. He even suspected Dr. Evans, the famous alienist, of being a "gangster." Thaw's lawyers scoff at the idea of a plot.

Rumors of the plot appear to have arisen from a chance remark at the courthouse. A spectator expressed the belief that if Thaw was taken from the jail in an automobile the driver could be bribed to dash out of town with Thaw in the car. In the crowd Thaw's disappearance might not be noticed until he had time to make good his getaway. One British correspondent overheard this talk, and accepting it as an authentic piece of information, used it.

Editorial Pleases Thaw.

Dr. Evans has left for New York. He was much amused at being taken for a gangster. His appearance bore out to some extent the suspicion of the jailer, for the alienist is a big burly man with a red face.

Thaw has taken additional hope from an editorial in The Sherbrooke Record demanding "British fair play" for him.

"That is the proper spirit," said

Continued on Page 6, Column 3.

CHARACTERISTIC POSE OF SOLICITOR AS HE MAKES A CONVINCING POINT

Hugh M. Dorsey snapped in action at the Frank trial.

Gesticulations aid the prosecutor in his arguments.

ROSSER A "WIREGRASS" MAN, TOO—HOOPER

During his argument Attorney Rosser referred to Attorney Hooper, of the prosecution, as "my friend from the wiregrass."

Not long after the jury was excused for a breathing spell, Hooper came over to the press table and said that he wanted to make an explanation of where he came from after Mr. Rosser's humorous references to him.

"We both came from Randolph County," Hooper said, "and I guess Mr. Rosser knows about as much about gophers and wiregrass as I do."

CAME TO CITY TO WED; COULDN'T FIND FIANCEE

Actor, Arrested for Staring at Women, Says He Was Looking for His Sweetheart.

A wonderful tale of having come to Atlanta to get married and forgetting the address of his bride was told at police headquarters Friday by Edward Hogan, an actor from New Orleans, who was arrested at Five Points by Detective Harper late Thursday.

Harper arrested Hogan because, he says, the actor was staring rudely and offensively at women. Hogan insists he was looking for his sweetheart, hoping to see her in the passing throng.

"I came to Atlanta to marry Miss Marie Byrd," Hogan declared, "and when I got here I could not remember her address. I haven't seen her in some time, but I'd know her in a minute. I was standing there waiting to see if she wouldn't pass."

Hogan insists also that he was locked up five days ago instead of yesterday.

The actor's arrest was the climax of a number of sensational incidents. After he had stared at women passing Five Points for more than an hour, citizens who noticed him told Detective Harper, and the officer watched him. Hogan went into a soda fountain and asked the soda clerk for the loan of a nickel. The clerk said he didn't have a nickel. Hogan gazed at him sadly.

"Poor fellow," he said. "If you haven't any money, I'll give you some!"

He took 90 cents from his pocket and threw it on the counter. Then he began pulling greenbacks from his pockets. He had placed several dollars on the counter when he was arrested.

The police have wired to Hogan's relatives and the police in New Orleans, and are awaiting an answer.

BOLL WEEVIL SCARE.

GADSDEN, Aug. 22.—The discovery of what is believed to be boll weevils damaging cotton in fields east of here to-day caused alarm among farmers. The boll weevil has never before appeared in Etowah County.

California Asked to Offer Reward for Bramlett's Slayer

On the appeal of Miss Mary Hoopson Bramlett, No. 299 Edgewood avenue, Governor Slaton Friday asked Governor Hiram Johnson, of California, to offer a reward for the capture of the slayers of Miss Bramlett's brother, D. Q. Bramlett, formerly of Atlanta, who was robbed and murdered on June 16 in his cafe in San Francisco.

This reward, should the request be granted, will be supplemental to a reward of $200, already offered by Miss Bramlett and now in the hands of Police Chief Beavers.

At the request of Miss Bramlett, Chief Beavers officially furnished Governor Slaton with the facts of the crime.

Seeks Second Time To Escape Hanging

COLUMBUS, Aug. 22.—Hill Granberry, a negro, convicted at the present term of the Lee County (Alabama) Law and Equity Court and sentenced to hang on October 3, has appealed for a new trial.

Once before Granberry has been sentenced to hang, but was granted a new trial, with the result that he has been found guilty and again sentenced. He killed a negro in Lee County early in 1912.

Tries to Nab One Dog; Lets Others Escape

EUFAULA, Aug. 22.—In an effort to land one unmuzzled, unlicensed dog in the city pound to-day Patrolman F. M. Patterson allowed several dozen others to escape and the police department had all its work to do over again.

Yesterday was the last day for buying muzzles under an ordinance passed by the City Council, following a recent mad-dog epidemic, and the police have been busy with the dog roundup.

SAW CUTS MAN IN TWO.

GREENVILLE, ALA., Aug. 22.—While working on a rapidly revolving dip saw at the sawmill here today, M. Little fell across the saw and his body was cut in two.

Georgians Decide To Mark Time in Case of Judge Speer

WASHINGTON, Aug. 22.—The Georgia delegation in the House, it was said to-day, will take no action looking to the impeachment of Federal Judge Emory Speer until the House Judiciary Committee, which has possession of a report from the Department of Justice covering the judge's conduct and preferring various charges against him, is fully gone over by the Judiciary Committee.

The Judiciary Committee will take no further action until next week.

Fear Water Famine In Alabama Town

COLUMBUS, Aug. 22.—Phenix City, Ala., which has a waterworks system independent of that of Columbus and Girard, is about to face a water famine. The authorities have notified all water takers to exercise care in using water and to use only what they actually need.

The creek that furnishes the town with water has gotten unusually low for this season of the year, and fears are entertained that if the drouth lasts much longer it will be a difficult problem to get water.

Over-Sea Limited Wrecked at Peters

MIAMI, Aug. 22.—Running into an open switch, the northbound Over-Sea Limited on the Florida East Coast Railroad was wrecked at Peters early this morning. Two Pullmans, two day coaches, mail and baggage coaches were derailed, but official reports say none were injured.

Peters is only 15 miles from Jewish, where the railroad leaves the mainland, and is built oversea to Key West.

Monarchists to Buy Manuel Wedding Gift

Special Cable to The American.

LISBON, Aug. 22.—A monarchist demonstration was held here to-day to celebrate the coming wedding of ex-King Manuel of Portugal.

The monarchists are raising a large fund with which to purchase a wedding gift.

WAR IS DECLARED ON FOOD LAW VIOLATORS

Complaints Arouse Commissioner Price to Action—He Gives Warning of Crusade.

Commissioner J. D. Price, of the State Department of Agriculture, Friday morning formally declared war on the violators of the pure food laws of Georgia.

The campaign, which is the result of numerous complaints, will be directed against slaughter houses, beef markets, dairies, groceries, soda founts and drug stores which handle illegal narcotics.

Mr. Price will conduct the campaign personally through Chief P. A. Methvin and six inspectors.

Mr. Price declared Friday he was forced to take the step in accordance with the provisions of the pure food laws. He said he would give fair warning and then if conditions were not improved he would not hesitate to make wholesale arrests.

"We are making no grandstand plays in this fight," said Mr. Price. "We simply are going after these fellows to see that the laws are obeyed. It is my intention to give these men fair warning before taking any action. Such a warning I am now giving. Inspections will follow and then arrests whenever the law is violated."

Recent investigations by inspectors of the State Department, according to the Commissioner, have brought to light shocking conditions in some of the dairies, beef markets and other food dispensaries. One can of milk inspected showed millions of germs to the cubic centimeter.

Trophy Rifle Match At Savannah Off

SAVANNAH, Aug. 22.—Because two of the military organizations eligible to the contest have found that they will be unable to enter a rifle team the Derenne trophy rifle match which was to have been held on Labor Day will not take place.

The First Regiment was the only eligible contestant ready for the match, and as it would be awarded the trophies by forfeit under the circumstances it, too, will withdraw and allow the Guards, now holding the trophies, to hold them for another year.

CONVICTION ON CHAIN OF CIRCUMSTANCES IS UPHELD BY SOLICITOR

Solicitor Hugh Dorsey, Friday afternoon, opened a vigorous, cutting arraignment of Leo M. Frank—the final blow of the State at the man accused of the murder of Mary Phagan. The Solicitor followed Luther Rosser who had spoken for more than six hours and he was expected to make an exhaustive review of the evidence in an effort to show that it fixed the crime conclusively on Frank.

Court adjourned at 5:15 when the Solicitor had hardly started on his speech. The opening was brilliant in its slashing attack and was featured by a spectacular and strikingly effective comparison with the famous Durant case in California, which the defense had itself cited. The defense had itself cited the Durant case as an instance where the wrong man had been executed. The Solicitor insisted that justice had been done.

Frank was calm under the fiery attack. His wife and mother looked somewhat worn.

The Solicitor was given an ocation as he left the courtroom, a big crowd cheering him for his masterful opening of the State's case .

Solicitor Dorsey arose from his seat and remaining at his table, began addressing the court in low, even tones.

"May it please your Honor," he said, "I wish to thank you for the courtesy in giving us unlimited time, and I desire, gentlemen of the jury, to commiserate you. But as his Honor has told you, this is an important case. It is important to society; important to the defense; important to me; important to you.

"I would not feel like slurring over any of it for the sake of physical conditions. And indeed, gentlemen of the jury, although I know it does inconvenience you, I feel that you would not have me slur over any of it. I may seem at some stages a little tedious, but a case that has consumed almost a solid month, a case of this magnitude, can't be argued quickly.

"This case, not only as his honor has told you, and I have intimated, is important, but it is extraordinary. It was an extraordinary crime, a most heinous crime; a crime that demanded earnest, vigorous, conscientious effort on the part of the detectives and myself. And it demands earnest, vigorous conscientious consideration on your part.

"It is extraordinary because of the prominence and the ability of the counsel that has been pitted against us. Four of them, Arnold, Rosser and the two Haas'."

Leonard Haas interrupted Dorsey: "No, I am not one of the counsel," he said.

"All right," said Dorsey, "three of them—one Haas. It is extraordinary because of the defendant. It is extraordinary on account of the argument of the defense; also on account of the methods they have pursued. They have two of the ablest lawyers in this country; also Mr. Haas is an able lawyer.

"As Mild a Man As Ever Cut a Throat."

"There is Mr. Rosser, rider of the winds and stirrer of the storms; Mr. Arnold, and what I say is meant in no bitterness, because I love him—as mild a mannered man as ever cut a throat or scuttled a ship.

"They have maligned me and abused the detectives and they have heaped calumny upon us to such an extent that that good lady over there, the mother of the defendant, arose in this presence and called me a dog. When did a murderer ever feel the halter tightening around his neck with a good opinion of the law?

"I don't want your good opinion," said Dorsey, turning to Frank. "If you (turning to the jury) put your stamp of approval on my case I am satisfied. They say prejudice and perjury, and they used that stereotyped expression, fatigued indignation. Don't let that indignation accentuate your action.

Defense Brought in Issue of Prejudice.

"Gentlemen, do you think that these detectives and myself, sworn officers of the law, would have sought to hang this man and pass up Jim Conley, a negro, unless we knew what we were doing?

(Luther Rosser's speech in full on inside pages.)

"Prejudice? Was it prejudice when they arrested Newt Lee? And Gantt? No, it was not prejudice until the law got their client, Leo M. Frank. We never once in this trial referred to a sect or creed. It was they that brought it in. It was their one deliverance.

"Not a word emanated from this side indicating any prejudice in this case. Any prejudice, white or black, Jew or Gentile. We did not need it. We would have despised ourselves if we had brought it into this case, and when it was brought into the case at the last hour, when the attorneys for the defense questioned George Kenley—how they jumped upon it. How the expressions of delight spread over their faces when the word Jew was spoken. They seized on it with avidity. They have harped on it all through their speeches. We never mentioned it. Please remember that. The race from which that man came is just as good as ours. It was civilized when ours was still cutting each other up and eating one another. Their race is as good as ours, but not any better.

"I honor the race that has produced a Disraeli, the greatest Prime Minister that England ever had. I honor the Straus brothers, particularly the one who went down on the Titanic with his wife. I know Rabbi Marx and I honor him. I know Dr. Sonn, of the Orphans' Home, and I honor him.

Ask Conviction Only On Evidence.

"But this same race has produced its Abe Humel, sent to the penitentiary in New York; its Abe Reuf, sent to the penitentiary in California; its Nathan Schwartz, who stabbed little Julia Conners in New York.

"These illustrations show that this race is amenable to the same laws as other races. They rise to heights sublime, but they sink to the depths of degradation.

"We don't ask the conviction of this man except according to the law which his honor will give to you in

Continued on Page 7, Column 1.

LUTHER ROSSER'S COMPLETE ADDRESS DEFENDING LEO FRANK

Dorsey, Detectives and Conley Are Given Terrific Scoring by Attorney

CALM, DISPASSIONED PLEA FOR ACQUITTAL IMPRESSES HEARERS

Luther Rosser's closing argument unquestionably made a deep impression. He attacked the State's case at every point and branded Conley's story a tissue of rehearsed lies. He analyzed the case piece by piece and against the State's assumptions advanced others to show that what the prosecution had tried to show was sinister facts was but distortion of innocent facts.

In a moving description of the death of Mary Phagan and the picture her body made as it lay in the morgue, Mr. Rosser had many in the courtroom on the verge of tears, but the 'motif' of his talk was not pathos but ridicule, denunciation and calm analysis.

Rosser's Speech Remarkably Calm.

Rosser's speech was remarkable for its calmness, but its very quietness added to its impressiveness. For the most part he sought to impress upon the jury that "fair play" must be done, and that they were a sacred body set apart to weigh facts and do justice uninfluenced by outside consideration.

However, the speaker was unsparing in discussing Jim Conley, C. B. Dalton and the methods used by the detectives to get evidence that he held up to ridicule. When he had been talking for two hours he launched into an indirect but bitter arraignment of Solicitor Dorsey, referring particularly to the attempt to make Frank's hiring of Rosser look like a damning circumstance.

Calls Dorsey's Insinuations Contemptible.

"My friend Dorsey," he said, "made much of the fact that Frank hired the lawyer. The charges and insinuations that he has made are the most contemptible that have ever occurred in a Georgia court. The things he has done in this trial will never be done in Georgia again. I will stake my life on that.

"You may question Frank in his judgment; he might have hired a better lawyer than I. He might have hired a more decent lawyer, but he couldn't have hired a more devoted lawyer. I will say that for myself if I drop dead in my tracks."

"Gentlemen of the jury," he began in a low voice, as he leaned against the railing of the jury box, "all things come to an end. With the end of this case it was almost the end of the trial. But for that masterly effort of my friend Arnold I almost wish it had ended without any speaking. My physical condition enables me to say but little. My voice is husky and almost useless. But for my intense interest, my profound conviction of the innocence of this man, I would say nothing.

Public Mind Always Careless.

"I want to repeat what my friend Arnold so aptly said. This jury is no mob. The attitude of the jurors' mind is not the attitude of the man who carelessly walks the streets. My friend Hooper must have brought that doctrine with him when he came to Atlanta.

"We walk the streets carelessly, absorbed in our own interests. We pass our friends and do not recognize them. The mind wanders in flights of fancy and fits of revelry. We mean no harm to ourselves nor harm to our friends, but we are careless.

"Men, you are set aside. You cease to be a part of that revelry of the streets. In old pagan Rome women walked the streets, chatted gayly and carelessly, but a few were set aside—the vestal virgins. They cared not for the gladiatorial combats or the strife.

"So it is with you set apart. You care not for the chatter or the laughter of the rabble. You are unprejudiced. Yours is the sworn duty to pass on a matter of life and death. You are to decide on the evidence without an echo from any hostile mob. With no fear, no favor, no affection.

"Others may take the brave task of standing up for the weak and oppressed, but it is not for you. You are a still, silent, consecrated band. You are to do your duty without one thought of the past or the future. You are here and now consecrated by justice to do your duty. I do not feel that I can add to anything Mr. Arnold said except to touch the high places and probably wander around some places where he did not go.

"No crime could be more frightful than this. That little girl in the sweetest period of her life was cut down by some brute and the public was horrified. We all agree that no punishment would be severe enough. It is notable that in human nature a crime of this kind that a victim is demanded.

"A cry goes up for vengeance. It is the old law of an eye for an eye and a life for a life. It is the primeval man. The early Indian when his companion fell by his side demanded vengeance. He went out for a victim regardless of who it was. But, thank God, that age is past and in this intelligent twentieth century of ours we no longer say, 'Give us a victim, a sacrifice,' but, 'Give us the guilty man.'

Rosser Analyzes Dalton's Character.

"I believe this jury is a courageous jury. I know they are not like primeval man, who sought to find a victim whether he was guilty or not. Let us see who is the man most likely to have committed the crime. You want to ask what surroundings such a crime was likely to have come from, and to look at the man who was most likely to have done it.

"My friend Hooper understood that. He said that the conditions at the factory were likely to produce such a crime, but as a matter of fact the conditions are no better and no worse than in any other factory. You find good men and bad men, good women and bad women. What man raises one word against the moral atmosphere of that factory? Conley? Yes. I'll come to him later, not now. Dalton? Yes. I'll take up his case right now.

"God Almighty when He writes upon a human face does not always write a beautiful hand, but He writes so legible one, if you were in the dark with that man Dalton, wouldn't you put your hand on your pocketbook? If you wouldn't, you are braver men than I. The word 'thief' is written all over his face. My friend Rube Arnold said when Dalton came to the stand, 'That's a thief or I don't know one.' I smelled the odor of the chaingang upon him; I 'reached' for him; I 'felt' for him; I asked him if he had ever been long away from home. He evaded me. When he left the stand, I said, 'Rube, that man's been in the chaingang as sure as there's a God in heaven.' And, sure enough, he looked down and he had been. Then he came to Atlanta, and they said he had reformed. But there are two things in this world I do not believe in. One is a reformed thief and the other is a reformed woman of the streets.

"Joining the Church Is Old Trick of Thieves."

"On the cross this thief prayed, and the Master recognized him. He gave him forgiveness. He saw the thief and before the thief spoke He recognized him as a thief. But the Lord is all-forgiving and He said to the thief, 'This day thou shalt be with Me in Paradise.' Now, I have no faith in these reformed thieves. I have no faith in a reformed prostitute. Tell me you can reform a thief! I mean a thief at heart, and the man who has thievery in his heart will carry it there all his life. He may steal with secrecy, and he safe, but the thievery is still within him. You can't reform other criminals, but the thief never.

"Was Dalton reformed? Oh, he has done the beastly thing. He has done the low, with a sanctimonious expression on his face. He slinks down upon a congregation of godly people and deceives them. He joins them in hypocritical carrying on of their work. He deceives them. Why, gentlemen of the jury, joining the church is an old trick of thieves, and here before us we have had a living, real illustration, that of a thief who stinks in two counties and goes into another county to get away from the odor of his past existence.

"Here is this man Dalton, of the Anglo-Saxon race. Yes, gentlemen of the jury, he had a white face but that is all. He was a white man. What did he do, this thief who joined the church? Look how brazenly he advertised his immorality. When he was placed upon the stand and questioned as to his acts, he could have declined to answer; he could at least have hung his head in shame. But was he ashamed? Not as you saw him. He his dirty immorality as a young boy with a new red top. He strutted over it. He gloated over it. It was the first time in his existence that a group of respectable men and women had listened to him, and he fairly gloated.

"Did you hear what he said when asked as to what Frank was doing in his office? He said: 'I had such a peach myself that I had no time to give attention to anyone else.' Gentlemen, he said he had Daisy, and you saw Daisy. She was the 'peach!' Poor Daisy! She is not to blame. If she has fallen, God pity her. If she has not, let us forgive her, like the Saviour forgave the Magdalene.

"Gentlemen of the jury, I don't say all of us have been free of passion's lust, but I do say that most of humanity sullied by the crime hold it private. A gentleman wants decent surroundings when committing such an act. He wants cleanliness. No decent man ever stood on the stand and bragged about the 'peach' that he had. Why, even the beasts of the field hide that.

"Burns had it right when he said 'n that poem about 'he gentle with your brother man, be gentler with your sister woman,' that ends with the line, ''Tis human to step aside.'

"Dalton went and got that 'peach' and carried her to his scuttlehole like a rat. Did you ever see a rat? My friend Hooper used them for chains down in South Georgia all his life. The rat-hole has a hole, with usually a rattlesnake for his companion. Ain't that a fine combination? In that dirty, filthy old hole of the pencil factory, on old goods boxes, with an odor which if put to the nose of a skunk would be offensive, where a dog would not step aside, where an old lascivious cat would not crouch—that's Dalton. Yet only he and Jim Conley have brought charges of immorality against this factory.

"I am going to be fair with you, gentlemen, if I can. I am going to tell you the truth. I thought this case was to be tried by a Solicitor General. God save the mark! I've never seen such partisan feelings before.

Says State Witness Left Serpent's Trail.

"This arm of the State is to protect the weak, yet I've heard something I've never heard before, and I never expect to hear as long as God lets me live. The Solicitor said, 'I'll go as far as the court will allow me.' That's the crux of this whole case. When the Solicitor General said that God only knows how far the detectives went, Dalton said he went to the factory some time last year, between the hours of 1 and 2 o'clock. Did he go into the factory or away from the factory some time last year, between the hours of 1 and 2 o'clock. Did he go into the factory or away from the factory? There's nothing to show except that wherever he went he left the trail of a serpent behind him. Frank didn't know he was there. It was Frank's lunch hour. If Dalton went, he was taking advantage of the factory authorities.

"When we come to consider it, what is there about this factory to make it so bad as the State has tried to paint it? It was searched by my friend, Mr. Arnold, who wouldn't stop at anything to get evidence. It was searched by that delightful man John Black. Do you know when I think of him I just want to take him in my arms and caress him. And it was searched by Patrick Campbell, that noble detective who promised to go to the stand for fear I might ask him about his case against Jim Conley.

"The entire police department, in all its pride, went over the record of that factory with a fine-toothed comb. What have they found?

"Let's see. In the first place we have had a mighty upheaval in the last two years. It is wrong to commit adultery, but with segregation, the proper surroundings, and a decent amount of secrecy, the world tolerates it. But Chief Beavers doesn't. He has combed the town with a fine-toothed comb. Young women have had to fly to cover, and young men go down the middle of the road. That immoral squad; what do they call it, Brother Arnold? Oh, yes, the vice squad, has swept the town. With a broom until there is not one lascivious loose left in the head of the body politic. And now they try to tell us this pencil factory was an immoral resort.

"Who has one word to say against that boy Schiff? Who has a word to say against young Wade Campbell?

"Rosser turned toward Attorney Hooper at this point, and continued:

"You were willing, without one line of testimony, to attack the characters of these young men, so that you may carry your case. You are willing to clasp this Iberus Dalton to your breast as though he were a 16-year-old. If I know a single thing on this earth I know the ordinary working man and working woman of Georgia. They are an ancestry of working people behind me. My parents were workers. With 100 of Atlanta's hardy working girls, with about the same number of Atlanta's hardy working men in that factory, on Forsyth street, I assert they could not have been there six long years if that factory had been an immoral house. Those girls would have fled. The Tuxedo citizens would have torn down that old building, stone by stone. You may assert that those girls wouldn't have fled, but I tell you I have a higher conception of the Georgia working girl than to believe for one minute that she would have remained.

"If I am mistaken, and 100 willing females stayed there, and 100 thin-blooded males stood by and let such conditions continue, I assert the factory could not have lasted 48 hours. Any man in charge of a business of that magnitude ever yet attempted to be on terms of criminal intimacy with the scores of women in his employ but that they didn't rule him with stronger reins than the Queen of Sheba.

"Frank's Statement Had Ring of Truth."

"What do you think would become of a factory superintendent who got on intimate terms with his women employes? This would be bad enough for a native born American, but what would you think full-blooded Americans would do or say about a foreigner who came here and attempted such a thing, and especially considering the antipathy which has always been borne to the Jewish race?

"Now, I have shown you that the factory has been prosperous, and we know well enough that it could not have been prosperous if immorality had been allowed to exist there.

"Now, let's take up the man. I don't have to tell you that he is smart. Every one of us knows that. When he got upon the stand and talked to you, he gave illustration of being one of the most remarkable men I have ever met. His talk to you was indeed, remarkable, and as I sat and listened to it for the first time, I wondered and marveled at the brain of the man. I could never have made up a speech like that, even if I had had the brains. And it wasn't a written speech, either. It was the truth, gushing out naturally as does the water from the flowing spring. There was no force behind it. There was no electricity there. It was the plain, simple flowing truth as mother Nature furnished it.

Gentlemen of the jury, if Frank's talk to you had been forced, it would not have had that ring of truth to it. You may make a silver dollar that in appearance would fool the Secretary of the Treasury. But drop that dollar and the ring will tell. The real dollar has the real ring, the silver tinkle that can not be mistaken. And the real truth, like the real ring, has the ring that shows that it is the real truth.

"Frank's words had the ring that comes from old Mother Nature's breast when telling the truth. The old saying is that the idle brain is the devil's workshop. No one knows this better than I do. When I am busy, I am one of the nicest men you ever met. I sell regularly and get plenty of sleep, and I behave myself. I mean I am fairly good. But let me stop work for a couple of days and there is no telling where I will light. It is the man with nothing to do who gets into mischief.

Why Frank's Character Was Put in Evidence.

"Who do you catch stealing and doing mischief all around? It is the idle folks. An old banker retired from active business in New York was once given a banquet, and this is what he said when his faithful employes gathered around him: 'In my 40 years in this bank; it has been an unfortunate coincidence that nearly every man connected with the bank has been under suspicion at one time or the other. But there is one thing I wish to say. There was never a hard-working, thrifty man among you who was ever found guilty in the slightest way.

"Now, gentlemen of the jury, that is the way it is in every walk of life. When you watch a great river flowing on to the sea, you don't take a spyglass and pick out the little eddies. No. You look at the heavy flow of the waters as they move majestically along.

"So it is with human life. It is this way with the hard-working man who follows the straight course and goes on in a majestic flow on the even tenor of his way. It is not for the jury, trying him, to take the spyglass and search out the small eddies in his character, but let them take his full character, the broad and majestic flow of it.

"If we hadn't said a word about his character, the court would have instructed you to assume a good character. Under the law, we could have remained mute, and his character would have been good to you. But we didn't wish to do that. We wanted you to know what manner of man he was. I say to you with all the sincerity of my soul that no man within the sound of my voice could show as good character as he has, if put to such a test. I am not dealing with the infamous lies of Dalton and Conley.

"But you say, 'Wait a minute. Some people said he had a bad character.' That's correct. I am not going to try to fool you. I am going to deal with the facts.

"I couldn't fool you if I tried. Let's see who they are who say he has a bad character. You know we can find some people to swear against anyone. Suppose my friend Arnold had occasion and so far forgot himself as to put my character up. Don't you suppose you could find a hundred men in Atlanta to swear that I am vilely vicious? I am not—not extraordinarily so, but in my long practice of law, perhaps I have wronged someone. Perhaps sometimes in my zeal I have been too severe, and some people may think they have a just grievance against me.

"Now, what did this young man do? Here are the young ladies. And I haven't a word to say against them. The older I get the gentler I become, if anything. Oh, we should abuse and vilify anyone? With our lives a moment bright, then dark forever, why should it?

"Here is Miss Myrtice Cato. She worked there three and a half years. If she was a sweet, pure girl, and I take it for granted she was, would she have stayed there that long, constantly associated with Frank, if he was a vile man? She would have fled from him long ago. Oh, she has felt the bitterness of the rabble since this crime occurred. She was under the tense heated atmosphere of this trial.

"Then Miss Magnie Griffin. She worked there two months two years ago. What does she know about Frank compared with those women who have been there for years?

"Miss Estelle Winkle had an extensive acquaintance with Frank. She worked there one week in 1910. Miss Carrie Smith, like Miss Cato, worked there three and a half years, and the other few worked there very brief periods.

"That's all, gentlemen, of the hundreds of women who worked there during the last five years.

Scores Detectives as "Active Gang."

"Why, I could find more people to swear against the Bishop of Atlanta. They have searched every corner. They have spyglassed every nook. Starnes and Black and Campbell and Rosser, generaled by that mighty detective, Chief Lanford."

Attorney Rosser turned and addressed the detectives grouped around the prosecution's table.

"You are an active gang," he said to them. "Not only that, but how much of the Minola McKnight methods you have used nobody knows. How they have wheedled and turned and twisted the minds of these little girls no one but God Almighty knows. Hundreds of men have worked in that factory, and they are the larger vessels, but not one of them appeared here to testify against Frank's character.

"Has no man who ever worked there brains enough to scent the corruption and the depravity that existed around the factory? Here is that long-legged fellow Gantt. My friend Hooper here tried to explain why he left, but you know why he was fired. He was there for three months. Don't you know that if Frank's character had been what they said it was, if he had been the lascivious fiend, the brute and moral pervert, Gantt would have been the first man to testify to it?

"I had intended not to go into the detail, but if you will bear with me for a while I will. My friend Hooper said he had fairly presented the State's case. If he has they haven't a case and if he has not he has not dealt fair to you.

"They say Frank had been preparing for this for several weeks. That little fellow says he saw Frank talking to the little girl and calling her Mary, and this Gantt said Frank told him he seemed to know Mary Phagan very well. Gantt did not tell that before the coroner's inquest and that other young fellow had to be wheedled and led by my friend Dorsey, only to get tangled up and prove that he knew nothing.

"Then what was next? The next

Continued on Page 3, Column 1.

LEADING COUNSEL FOR FRANK IN FULL SWING

Rosser's work on the case has taxed even his remarkable physique. He has lost 25 pounds in weight.

Luther Z. Rosser closes argument for defense.

Rosser possesses none of the graces of the pleasing speaker, but in forcefulness he is hardly surpassed at the Atlanta bar.

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DORSEY'S TACTICS ARE FLAYED BY ROSSER

They Will Never Be Repeated in Georgia Courts, He Says

'FRANK WOULD HAVE HAD 2 LAWYERS HAD HE BEEN ON TO CURVES OF POLICE'

Continued From Page 2.

was a little boy named Turner. I am not here to say anything against Turner, but look at the detectives with their claws about him. Remember what they did to Minola McKnight, and then you will realize what happened to the boy.

"Turner testified that he went into the metal room and saw Frank speak to Mary Phagan. Under the leading questioning of the Solicitor, under his wheedling and coaxing, Turner said that the girl backed off two or three steps, but he admitted that it all took place in broad daylight, and in full sight of Lemmie Quinn's office.

"Is it to be believed that a man in sight of a whole factory, handicaped by his race, would have gone into the metal room and attempted those advances with that little girl? Is it to be conceived that this innocent little girl would not have fled like a frightened deer and would not have run home and told that good stepfather and the good old mother who reared her?

"That little girl, Dewey Hewell, testified that Frank put his hand on Mary's shoulder, but there were Grace Hix, Magnolia Kennedy and Helen Ferguson. Do you believe that he would have done this in their sight, and that they would have said nothing about it when they were on the stand?

Gantt Knows Nothing Wrong About Frank.

"My friend from the wiregrass (meaning Hooper) said that this was the beginning of his diabolical scheme. Then Gantt was turned on as a part of the plot, Gantt being the only one who knew of Frank's intentions toward the girl.

"Don't you suppose that if this plot had existed, Gantt would have been the one who in clarion tones would have proclaimed it from the witness stand? Yet they had this long-legged fellow twice on the stand, and both times he said he knew nothing wrong about Frank.

"Conley says that Frank told him at 3 o'clock Friday afternoon to come back Saturday. Now, gentlemen, do you believe that? Don't you know that Frank had every reason in the world to believe she would not be there Saturday? Placards had been posted all around the factory, telling that it would be a holiday. All of the employees knew of it, and there was nothing to show that she did not know of it. They paid off Friday afternoon, and there were some envelopes left over, but Frank did not know whose they were. Schiff had paid off, and had put the envelopes up. Frank had not even seen them. Now, little Helen Ferguson said she went to the office Friday afternoon and got her envelope, and that she asked them to give her Mary Phagan's. She said Frank declined to give it to her, and that when he did this, she turned and walked away.

"Now, we have Magnolia Kennedy, who says she was right there with the little Ferguson girl, and that she did not ask for Mary Phagan's pay. Now one of them is mistaken, but this is not of much importance, so we will pass it on.

"How did Frank know that Mary Phagan would come to the factory at all on Saturday. The custom had been that when employees failed to get their envelopes on regular pay days before holidays, that they passed over the holiday and waited until the next regular working day to draw their pay. So we see from that that there was absolutely no reason why Frank should have expected her there on Saturday.

"Now, what else? They say Frank was nervous. He was, and we admit it. A young boy went there, said he saw Frank, and that he was nervous. Black said he was nervous. Darley said he was nervous. Mr. Montag, his wife, Isaac Haas, and a number of others, all said he was nervous. Of course, he was nervous, and there were lots of others around there that were nervous. Why don't they hang Jake Montag? Why don't they hang old Isaac Haas? They were nervous. Why don't they hang all those pretty little girls who became nervous and hysterical when they heard of this terrible crime? Wouldn't the sight of this little girl's body, dragged in the dirt and crushed into the cinders, have made you nervous too?

Only Manhunter Not Moved By Child's Death.

"Man is a cruel monster. He is hard-hearted. They say he is a little below the angels, but he has fallen mighty low in ages past, if the angels haven't descended with him. Yet I have never seen a man who when he looked upon a little girl crushed that some of the divinity that shapes his head did not arouse him and cause tears to flow down his cheeks.

"I am not chicken-hearted. I could see one of you badly hurt without going into hysterics. But I never hear the cry of a woman or a child but that manhood and tenderness I got from my sainted mother does not arise in rebellion within me, and I pray God if it ever should cease that my end may come. No one but the manhunter with blood in his heart would want to hang a man because he was nervous from the death of a little child.

"Then we come to that telephone call. They say he did not hear it and that that is cause for suspicion. Some people sleep lightly; others are hard to awake. The wife of old man Selig had to arouse him. They called old Uncle Ike Haas and he did not hear. His wife had to awaken him. Why not hang old Uncle Isaac Haas? He did not hear the telephone. Hang him because he slept—a peaceful sleep, evidence of a good conscience.

"They have another suspicion. He hired a lawyer. I had known the National Pencil Company, but I don't know that I ever saw Frank until I met him at the police station. Frank had been down there on Sunday and told them all that he could. I don't know what was in the minds of the detectives; I don't know what was in the head of old John Black. God Almighty only knows. That's one reason I love John so. I can't tell what's in his head.

"Then on Monday the police did not have the same attitude to Frank."

Hooper Says Rosser Is "Wire-grass" Man, Too.

At this point the jury was excused for a breathing spell. Attorney Frank Hooper, of the prosecution, came over to the press table and said that he wanted to make an explanation of where he came from, after Mr. Rosser's humorous references to him.

"We both came from Randolph County," Hooper said, "and I guess Mr. Rosser knows about as much about gophers and wire grass as I do."

"The only suspicion against this man is that he employed me and he employed Herbert Haas. I felt a little bad about it because my friend Dorsey didn't say anything about Rube Arnold. Frank didn't employ a lawyer Sunday, but on Monday the police employed different tactics. They sent after him with two detectives. He wasn't arrested—oh, no. But my friend Black said he was released. When I asked him what that meant, if he wasn't arrested, he had to admit that to all intents and purposes Frank was under arrest.

"Chief Lanford walked about with his accustomed dignity, and Chief Beavers, the beautiful one, scudded around, and they left Frank to soak."

Here Rosser turned to Frank.

"That's the only time in this whole thing," he said, "you didn't show good sense. If you had known what I know about that bunch, you wouldn't have gotten one lawyer, but would have gotten two goods ones, and you wouldn't have been satisfied then.

"But old man Sig Montag was a little wiser than Frank. He knew that bunch. He was onto their curves. I am going to be mighty careful, though, about what I say about that police bunch, because if they take a notion they would get me for white slavery before to-night.

"At any rate, Sig Montag called Herbert Haas and told him to go down there and see what is the matter with Leo Frank. Haas could not go. I will give a house and lot worth $20,000 to be in the same position he was that day. His wife was preparing to have a baby.

Not Arrested, But Had To Be "Released."

"Sig took the automobile and went down to Haas' house and said you must go. They went to the police station, and what happened? That throws a whole flood of light on the matter.

"No, Frank was not arrested, but he had to be released. I said to John Black, 'John, what do you mean by released?' He stammered and stuttered, and said, 'Why, I just mean released.'

"These men went down to see a man who was not under arrest. He was a free citizen sitting there, and yet they wouldn't let his friends see him. They wouldn't let his lawyer, Haas see him.

"This man Haas is not of my age or of my flesh, or of my experience. He called me up. If there is any crime in that he is the guilty man. My friend Dorsey, with his eyes close together, snapping like snake's, made much of the fact that Frank had hired the lawyer. The charges and insinuations that he has made are the most contemptible that ever have occurred in a Georgia court. The things that he has done in this trial will never be done again in Georgia. I will stake my life on that.

Could Not Hire More Devoted Lawyer.

"Dorsey's eyes got as green as beads on a woman's dress as he hissed his charges against Frank of dirty dog and brutal murderer. You may question Frank in his judgment; he might have hired a better lawyer than I. He might have hired a more decent lawyer, but he couldn't have hired a more devoted lawyer. I will say that for myself if I drop dead in my tracks.

"Under what circumstances did Frank hire the detectives? He had been to the station house and was asked to make a statement. I went down there, not at Frank's invitation, for he didn't know I was coming. Mr. Haas had asked me to go down there, and I wasn't a welcome visitor at the police station that morning. They don't like me very well down there. They didn't take my hat; they didn't give me a warm welcome. I guess they would have arrested me long ago, but they just don't want me down there. I can't blame them for that.

"And when I reached there I saw Frank for the first time in my life. I walked in and said, 'What's the matter here, boys?' You know, I just used plain old common English. I don't put on any fancy frills.

"Someone said, 'They've got Mr. Frank under arrest here for murder.' One of the detectives got up and said, 'No, we haven't.' Yet they talked about him not being under arrest at that time.

Why Didn't They Want Me There?

"Someone said, 'They want him to make a statement.' I said, 'Let him go ahead and make it.' Right away Lanford and the others hustled him over to a room. They didn't want me to go with him.

"Now, I have always been a little bit impudent, and when I started in, they said, 'We don't want you in here,' and I said, kind of impudent-like, 'I'm coming in, anyway. I won't interrupt him, but I'm coming in.'

"And why didn't they want me in there? I don't know. Wasn't I as reputable a citizen as Lanford? Wasn't I as capable of protecting the law as he was? Gentlemen, while we were there a peculiar thing happened. I said a man could not have committed that crime and not have scars upon him. Frank showed them that he had no marks upon himself.

"Why didn't Lanford get upon the stand. Was it because he dreaded to get in converse with me? No, he didn't want to recall that dark Conley chapter; that hideous Minola McKnight incident.

"And after they had released Frank, what did they do? They went out to his house and looked at his soiled linen, and what evidence did they find? Not a thing.

"If Frank had been a guilty man, do you know what he would have done? Gentlemen of the jury, he would have kept quiet. He would have kept his silence to himself. But he was not guilty and he did not do that. But he went home with the thought of this horrible murder in his mind. He thought of how a beast had committed the crime, of how God's laws had been outraged, of how there was a stain upon the fair name of this city.

Says Frank Wanted To Find Slayer.

"Then he sat down and did what? He telephoned Sig Montag that he wanted to hire detectives; that he wanted to ferret out and punish the murderer of Mary Phagan.

"I have not had so high an estimate of the detective department. I don't mean they are not good, clever fellows, but no man can spy on folks, come in constant contact with crime and elevate his character. God Almighty couldn't do it.

"You," and here Rosser turned again to the detectives, "may not be made worse men, but you won't be made better men. Nor Scott. I am sorry he has gone and will not hear what I have got to say. He crept into this case in the most remarkable situation I ever heard of. He got up on the stand and said, 'We worked hand and glove with the city detectives.' Ain't that a fine gang? Do nothing outside of what the city police do.

"Hiring Detective A Courageous Deed."

"Some good man will hire him again. But I don't care anything about that. I will let it go. The point is that Frank knew that Scott was going to work with the police. I will give Scott credit for being that honest. He told Frank he was going to lock arms with John Black and walk down the disgraceful avenue of this case.

"This young Jew, just down from the North, ignorant of Southern customs, hired a Pinkerton detective to ferret out the crime. The detective told him he was going to trail with the police. Frank told him, 'Find the murderer.' He knew Scott was going to trail with the police, even if Frank himself was trailed.

"Ah, gentlemen, his race has presented many a heroic scene, but never one greater than this. Yet they want to hang him because he employed a detective.

"My friend Hooper charged that he tried to point suspicion on Newt Lee. I don't believe Hooper meant what he said. Frank first said there was no error in the time slips. The next day he said there was. Darley made the same mistake. Why not hang Darley?

"Then do you remember what he said about the time being rubbed off of that slip? Dorsey had to admit that he erased it. I don't mean that Dorsey meant any harm.

Denounces Bloody Shirt Evidence.

"Then the bloody shirt. Gentlemen, that is the most unfair thing in this whole case—to charge that that young man had that shirt planted. Black and Scott went out and found that shirt in the bottom of an old barrel at Newt Lee's house. They found it Tuesday morning, brought it in and Newt said it was his shirt."

Dorsey jumped to his feet at this moment and exclaimed that such was not the testimony. Rosser said:

"Newt Lee did. I got it out of one of those boys on the stand."

"No, he didn't," replied Dorsey. "Lee said it looked like a shirt of his."

"Well, we'll admit it then," Rosser continued; "we will just put it that way. We will suppose they went out and got a bloody shirt just like the one old Newt Lee wore and hid it in that barrel.

"Frank didn't even know where old man Lee lived. He certainly didn't know he had a shirt that looked like that one. I never heard of going to such extremities to try to hang an innocent man.

"But old man Lee—I don't believe he had anything to do with the crime itself. I never will believe anything but that he found that corpse earlier than he said he did. I can't understand how he knew it was white when it took the detectives so long to find out. I can't understand how he saw the body from where the detectives themselves said it was impossible to see it.

"And he said the face was turned up and the police found it different. I am mighty afraid the old man knew it was a white girl, but I still don't believe he had anything to do with the crime itself. If he did, he is the most remarkable old negro that ever lived.

"Shame the Way They Treated Newt Lee."

"If I had his endurance, I would talk forever. It will be a shame to the dying day of every member of that detective department the way they treated that poor old man. They talked to him until he got weary and his head hung low, and then they sent in a fresh relay, and when it looked like he couldn't endure it any longer, they would come in with a battery of pistols and poke them in his face.

"I am afraid Newt Lee saw the body before he said he did. But he is a wonderful negro. Oh, the dirty trick that you played on him will be a shame to you as long as you live. (Rosser looked at the detectives.) You hammered away at that old negro all hours of the night. But Newt wore the detectives out in relays. They fired pistols near him.

"I am afraid he knows more about this than he ever has told. Let us listen to the story that he told. He told of coming to the factory that night and that Gantt and he stood out in front of the factory. He said that Frank appeared alarmed when he came out and ran into Gantt.

"But the explanation that the negro gave was the very best that could be given. He said, 'I knew they had had some trouble, and I thought Gantt was there to do Mr. Frank dirt.' Lee and Gantt both say now that Frank jumped back, but neither said it before the Coroner's inquest.

No Wonder Frank Jumped at Seeing Gantt.

"Is it to be wondered at that Frank jumped, if he actually did jump, which I doubt? Why, you could take him and put him on the top floor of the factory with a girl the size of Mary Phagan and she could make him jump out of the window. He is not a strong man. He is a physical weakling, comparatively. I am not saying this unkindly, but the Jewish people, once the bravest on earth, are not the fighters now that they used to be.

"As he came out of the factory he was confronted by this giant, Gantt. He might have jumped back. If little Dorsey had come out suddenly like that in the night he would have bent his back into a bow jumping back. It is little groveling, snakelike suspicions like this that have marked Dorsey's whole case against the defendant.

"They said also that Frank had thrown suspicion on Gantt. Scott gets up now and says that Frank told him Gantt was familiar with the little Phagan girl, not in a bad way, as there has been no reflection upon this little girl's character, but that they say that in his reports to us. He didn't say that in his reports to the police. He didn't say that in his reports to his agency, and now, in this were friends in a good way. But, gentlemen of the jury, Scott didn't connection, the understanding was that the Pinkertons were to furnish the police their reports 24 hours before they gave them to us. And this was done all the way through.

"Now for old Newt Lee, and then I am through with the suspicious circumstances. Frank had told old Newt to come early Saturday, as that was a holiday, and having in his mind at the time that he was going to the ball game.

"The suspicion has been cast because he was afraid that he might discover something, that he might make the grewsome find of that cruelly mutilated body in the basement.

"Is it conceivable that by a trick he would get old Newt away for two hours and then leave him the whole night alone in the building where he was sure to discover the body? Then we know that Frank went home and calmly ate his supper; that he read, that he was light-hearted and told a joke. And my brother gets up and charges that Frank was so callous that he laughed.

"Oh, gentlemen of the jury, can you imagine that laugh? If Frank had been guilty of murder it would have been the laugh of a maniac. Now, Frank is smart. Is there a man here who is such a fool that he believes that Frank would have sent the watchman away by a trick for two hours and would have then left the body with no one but Newt in the building? And Newt there all night?

"Gentlemen, that would have weighed on his mind. He would have been raving like a maniac, waiting to be called by old Newt to be told of the grewsome find. Can you believe it? Oh, such a stigma; oh, such a hideous plot.

No Chnce for Him To Commit Crime.

"There is one other suspicion. They say he was in the factory the time Mary Phagan was. But, gentlemen, you know this only because Frank says it. You didn't have to fish it out. He was not the only man there. If the corpse had been found there and he was the only man in the building, it might have been some proof, but there were others. He was in an open room. He had company every hour. Unless he was some magician there was no chance for him to commit the crime. Up on the fourth floor were two young men.

"If there is one thing indelibly fixed in this case, it is that this young boy could not see ingoers and outgoers of that factory. Conley or some other negro was seen in the hall on the first floor. Yesterday there came out like a ray of sunlight on a wicked world another negro, a lighter one. They had the same opportunity to commit this murder that Frank had. Who knows what white-faced scoundrel might have lurked around among those machines.

"Gentlemen, these facts drive out any suspicion that he did the deed simply because he was there. Father of Abraham, Isaac and Jacob, father of us all, may no such mean prejudice rankle in the hearts of this consecrated jury, to the undoing of this unfortunate young boy!

"I know you will not blame me if I fall in my feeble steps to walk over this same ground that this legal giant (referring to Arnold) did yesterday. So I will touch briefly on some of these points.

"I come to Conley. That part of the case fatigues my indignation. That white men should believe this infamous character is a shame on this great city and this great State, and will be to the end of time. Who is this Conley? Let's see who he used to be. A plain, dirty, filthy, drunken, lying, and I expect, lousy, negro.

Scores Scott, Pinkerton Detective.

"Have I overstated that? Starnes knows I have not. Black knows I have not. I don't know whether Chief Beavers' dignity has ever got down low enough for him to see him, but if it has, he knows it. Now Black, he of the doubtful memory, he would remember one thing one time and the next time he wouldn't—there was a good deal of fun made over Black, but I say he was trying to tell the truth and got mixed. But he is in a heap better fix than Scott. Scott—well, I've seen a heap of men heavier up here (pointing to his forehead). He might detect a louse with a spyglass. I don't think he could do more.

"I said, 'Scott, what about that negro? Does he look like he did when you got him here?' He said 'No!' I said, 'They have slicked him up a little bit, haven't they?' And he had to admit it. And shame to them. Who was it that took this dirty, filthy negro, gave him warm baths and good clothes, and brought him out here to make his dirty, lying testimony before detectives? I don't charge that to anybody, because I don't know who it was, but it is as dirty and contemptible a piece of work as was ever done. They shaved that dirty wool and his bestial face; and if I knew who was responsible for it I'd call his name.

"I've had that joke played on me, nearly, once before. Some railroad lawyer dressed up a brakeman who was suing the railroad and brought him into court, but I never heard of it being done in a case of life and death.

"It is very hard to find a man that somebody won't believe. There's Dalton; some few believed him. But who was there, in all that crowd, who would say they would believe Jim Conley?

Black Hypocrisy Charged to Dalton.

"What a contempt Black has for this man Dalton. What a contempt that son of Erin (pointing out Pat Campbell) has for him.

"Yet they found people who would testify to his good character and to his reputation for truth and veracity. One man said that Dalton had joined the church and, so far as he knew, he was a good church member now. Thus was the blackest hypocrisy added to his other evil characteristics. But they found sponsors for him.

"But who was Conley? Who would stand up and say his character was good? Who would be sponsor for him?

"Do you, Starnes? Stand up if you do.

"Do you, Black? Stand up.

"Do you, Campbell?

"Do you, Rosser? Rosser is one whose ancestors trod the earth in the same places as mine, and I know he wouldn't hang a suck-egg dog on the testimony of this lying nigger Conley.

"They have swept every back alley in Atlanta to get someone who would stand up and say that he was an honest nigger. But they found not a soul. Who is there that will stand up and marry the nigger Conley to the truth? Not a person.

Failed to Prove Frank a Pervert.

"My friends on the other side have attempted to make this young man before you a pervert. They tried to do it on the lying testimony of this nigger, unsupported by a single other person. But they didn't do it.

"But even if they had proved it beyond doubt, it could not enter into this case. This boy is being tried for murder, and if he is a thousand times a pervert, that can not be allowed to sway your verdict.

"The vilest thing in this case is the dragging of this issue into the trial on the unsupported word of the lying nigger who is trying to save his own neck by any foul lies which he can shape.

"Yet the Solicitor made the charges here in open court. He made them before the jury, before everyone in the courtroom. He made them before the young wife of the defendant. He made them uselessly and purposelessly. They could serve only one purpose. The sole explanation is that the Solicitor made them to add a little strength to his case, to serve his leaping ambition to win his case and send a man to the gallows. It is impossible that it was done in the interests of justice.

"A dirty thief and liar was brought into the courtroom to destroy a man's character. My indignation can not be put in words."

Court adjourned at this point for the noon recess, Attorney Rosser saying that as it was near the recess hour he would prefer to stop his address at that time, as he did not want to be interrupted in his closing at the afternoon session.

Women Early To Get Seats.

Attorney oRsser resumed his address at 2 o'clock. He said that he would probably consume about half or three-quarters of an hour longer. Many women were in the courtroom during the afternoon, having been allowed to come in early and get seats. Several hundred men were on the outside trying to get admission when the court opened.

Attorney Rosser said:

"Gentlemen of the jury, when recess came I was just saying how horrible it was that this charge of perversion had been made against the defendant. Dorsey made the charge through his lying witness Conley. No other witness in this case has made such a suggestion as that made by the negro.

"It was a horrible thing—a thing inconceivable that such an accusation should be brought in here. Conley had no one to support him except Dalton, and Dalton did not say that he ever had seen Frank in any wrong conduct. Dalton merely said that he had seen women in Frank's office. When questioned, he was unable to say that he ever saw Frank do a wrong act.

"Dalton in his story said that he was with Daisy Hopkins in the factory.

"But Conley says that it was Frank who had Daisy Hopkins. This is the important point on which these two liars differ. Conley said that Dalton was with some 'peach,' some lesser beauty, living between Haines and Hunter streets.

Says Conley Has "Butted In" for Life.

"He went to that Butt Inn saloon and Lord bless my soul, he has butted in for life. He gave a detailed statement of seeing those negroes and taking drinks with them. Did anyone of them come here to say he did? Did that negro come here that Conley said he shot dice with—the negro with the whip around his neck? Did that bartender come here who mixed his wine and beer?

"Now, these police know those negroes on Peters street lots better than they do you and I. It is their business to know them. They know those dicemen around there like a book. If Conley had given a single correct name, time, place or incident, they would have had that whole horde of negroes lined up here.

"Another thing, he said dice: He would have said craps, until those policemen got him and talked to him. He said his name was James Conley, he certainly would have said Jim, if they hadn't have been after him. He said 'Snowball' heard Frank tell him to come back and watch for him, but Snowball said he didn't. Snowball is just a plain, ordinary, African negro. He didn't know how to tell a lie.

"And then they talk about Frank trying to make the police suspect somebody if he could. Why, it is just like an English sparrow suspecting a horse and then following him a mile.

Rosser Asserts He "Broke Down" Conley.

"Get John Black on a negro and he will have to leave town. Poor old Snowball. That poor negro is going to melt under the wrath of these policemen because he would not swear the way they wanted him to. Then there was old Truman McCrary, that old negro drayman raised before the war on greens and meat. I mighty near said cabbage. God deliver me! Old man McCrary proved Conley a liar. The story implicating McCrary was about the 157th story, I don't remember the exact number.

"Conley didn't have to bring in old Truman, but with that African imagination of his, he likes to put frills on his tale. Instead of saying simply that he did a thing, he says somebody told him to do it. Then Conley says he was there on Saturdays. Old Man Holloway was there, and he branded Conley's story as a lie.

"Do you believe those little office boys; those clean-cut little fellows who worked in Frank's office on Saturday afternoons? They brand Conley a liar.

"They say I didn't break Jim Conley down. That is the silliest thing that has been said since this trial began. I have been practicing almost as long as my bald head would indicate, and I have never yet broken a witness down in the sense they mean. Did they want me to take a club and break his head? Lord knows I wish I could, but what we lawyers mean when we say we break a witness down is to demonstrate that he is a liar.

Says Conley Practiced Telling Same Story.

"You can't get a man with Anglo-Saxon blood to admit he lied. He has pride. I have never seen one admit he lied. No matter where he is born, he has that same Anglo-Saxon pride. My friend John Black, Honest John, and I mean it, when he got to the point where he didn't know whether he was standing on his feet or his head, he admitted he was mixed up. Those were the words of an honest man.

"Now, with a negro it is different. He will admit he lied. Jim Conley, without any character to protect, lied this way and lied that, and grinningly admitted it. He reminded me of a statement of old man Jesse Blalock, a merchant down at Fayetteville. It was a case in which old Judge Dorsey appeared, in which Uncle Jesse was sued. They put an old man by the name of Green Gray on the stand who worked for old man Blalock, and he swore against the old fellow. Judge Dorsey argued that Uncle Jesse was bound by Green's statement. Uncle Jesse got up and said to the jury: 'Gentlemen, I just put old Green Gray up to see how he would swear,' and that is the way it is with Conley. It is a revelation how he did swear.

"It is true that every time Jim Conley repeated his story of the disposition of the body that he repeated it word for word. But is this so wonderful? Take an actor, one who portrays Shakespeare's characters, one who has studied Macbeth so much that he is letter perfect; you can wake him up in the midst of the night and he can repeat the part for

Continued on Page 5.

Luther Rosser's Tribute to the Jury

"We walk the streets carelessly, absorbed in our own interests. We pass our friends, and do not recognize them. The mind wanders in flights of fancy and fits of revelry. We mean no harm to ourselves nor harm to our friends, but we are careless.

"Men of the jury, you are set aside. You cease to be a part of that revelry of the streets. In old pagan Rome women walked the streets, chatted gayly and carelessly, but a few were set aside—the vestal virgins. They cared not for the gladiatorial combats or the strife.

"So it is with you set apart. You care not for the chatter or the laughter of the rabble. You are unprejudiced. Yours is the sworn duty to pass on a matter of life and death. You are to decide on the evidence, with no fear, no favor, no affection.

"Others may take the brave task of standing up for the weak and oppressed, but it is not for you. You are a still, silent, consecrated band. You are to do your duty without one thought of the past or the future. You are here and now consecrated by justice to do your duty."

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Good quality Muslin Drawers, neatly trimmed and worth 50c........ 19c
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Very fine Muslin Petticoats, trimmed with wide embroidery, and not a one worth less than $2.50; in this sale........ 98c
Ladies' Gowns made of good quality English Longcloth. Beautifully trimmed, made to sell for $2 and $2.50; only........ 98c

NEW FALL DRESSES
$6.90 New fall Satin Messaline and Silk Poplin Dresses. Black and all colors. Sold everywhere for $10.00 and $12.50. Only........ $6.90

WHITE SKIRTS
Just an even one hundred Plain White and White Repp Skirts. Sold up to $1.50; only........ 69c

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Ladies' Fine Black Taffetaline Petticoats worth and made to sell for $1.00........ 39c

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Ladies' and Misses' Plain and Fancy Ratine Hats, worth $1.50........ 69c

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Ladies' Lisle Finish Vests, worth and made to sell for 10c, only........ 5c

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The new fall Hats are here. All the new plushes and silk velvets. Specially priced for early buyers at
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Ladies' good quality Madras and Percale House Dresses worth $1.00........ 69c

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All Silk Taffeta Ribbons 5 and 6 inches wide. Will go in a rush at, yard........ 3c

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Ladies' 16-Button Fine Silk Gloves in black, white and colors. Pair........ 69c

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Men's $1 and $1.50 Night Shirts, new patterns and good ones. Only........ 47c

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Men's Fast Black Silk Socks, worth and sell for 50c everywhere. Pair........ 19c

LADIES' SILK HOSE
Ladies' $1.00 Silk Hose, white, black and colors. Real bargains at........ 39c

DINING TABLES
$10.00 6-foot Golden Oak Extension Dining Tables, in this sale only........ $3.98

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$5.00 Kitchen Safes, well made and good ones. This sale only........ $1.98

OPEN UNTIL 10 O'CLOCK SATURDAY NIGHT

HOOPER AND ARNOLD IN ARGUMENT MADE MOST OF THEIR OPPORTUNITIES

By JAMES B. NEVIN.

Frank Hooper's speech in behalf of the prosecution against Leo Frank charged with the murder of little Mary Phagan, reflected much credit upon him.

It was fair, to the point, well thought out and appealing in tone and delivery.

It went for the defendant, hammer and tongs, but it was devoid of anything that might be construed as below the belt.

Undoubtedly, it was not pleasant to the defendant, sitting there, stolidly following the words of Hooper—but Dorsey and Hooper, in its final aspect, have made out a most dangerous case against Frank, and Hooper was there to explain and sustain it. He performed his duty in a way that hardly can fail to bring him lasting applause and commendation.

If, however, Frank felt to the full the gloom of the case made out against him by Hooper, he was more than abundantly taken care of when Arnold followed.

The case made out in defense of Frank by Arnold was extremely plausible—it covered in detail every point developed by Hooper. It, like Hooper's, was a speech evidently carefully considered.

Jury Held in High Esteem.

Now, the thing about these two speeches that made them particularly and uniquely noteworthy, perhaps, is that both were seemingly designed for the consideration of a jury held to be highly intelligent and not apt to rush pell-mell to a verdict either for or against Frank.

And if the opposing counsel entertain that opinion of the jury—if they hold it in such compelling esteem and respect—and if the jury is such a jury as deserves that opinion, which I think it is, then the chances are that its verdict will be righteous and just, whatever it may be.

And that the finding of this jury SHALL speak the truth, the whole truth and nothing but the truth—that, in the words of Hamlet, "is a consummation most devoutly to be wished!"

"Try this case, gentlemen, according to the law and the facts!" said Frank Hooper, addressing the jury Thursday.

That is the final and the ultimate request any man for or against the defendant could or should make of the "twelve good men and true" there to pass upon the fate of Leo Frank.

Neither the State nor the defense, in justice and right, dare will plead for more or less!

The two opening speeches in murder trials are presumed to outline clearly the trend of the completed arguments both ways.

Concluding attorneys may amplify and enlarge upon points raised by opening attorneys, but they rarely go far beyond the primary outlining of the two main points of view.

And so, while Rosser and Dorsey may go further than Hooper and Arnold in invective, sarcasm, ridicule and passionate outbreak, neither is apt to add anything material to either side, as compared with the things Hooper and Arnold have said.

There is some advantage to the State—or, at least, there is supposed to be some advantage to it—in that it has the concluding argument before the jury.

No Injustice There.

Some people think this is an injustice and a hardship upon the defense, but when one comes to consider the theory upon which that practice is founded the apparent injustice and hardship of it vanishes, and it may be seen readily enough that in this, as in so many things the law has been most carefully thought out—and is just and right.

The law throws about the defendant at bar the presumption of innocence—it places upon the State the burden of proving him guilty, rather than putting upon the defendant the burden of proving himself innocent.

But the law, having done this, permits the final voice to be the voice from the grave.

The dead—he or she is not there to speak, and to say as to the truth, and so the law directs that the State's prosecuting counsel shall speak it instead.

Thus does the law, with impartial hand, protect first the defendant and then protect quite as jealously its own majesty, and the rights of the dead!

The law, however, in the event the defendant elects to introduce no witnesses in his behalf, and to rely solely upon his own isolated statement, not under oath, reverses the order of argument and permits the defense to open and close—for the law will not permit a defendant even to place himself at a disadvantage without fully compensating him for the same!

What will the Frank jury say?

Will it find the prisoner not guilty, clear his name of all stain and send him forth a free man?

Or will it find him guilty and fasten upon him forever the disgrace of one of the most inhuman and diabolical crimes ever committed in Georgia?

To render the latter verdict it must believe Frank a monster, lost to every sense of decency and right—a man who has meanly and unpardonably deceived his mother, his wife, his friends, his faithful employees and his acquaintances. It must believe him a cruel murderer, for an unspeakable lust—the vilest and most evil creature ever known among his kindred and his kind!

Will the jury believe that? It is not easy to think it will.

And yet—

The Alternative.

Not to believe it is to believe those girls who swore Frank's character is bad, who cited instances of a suspicious nature to uphold that belief, are wrong—that they knew him not, notwithstanding their opportunity—and that all the circumstances of the crime seemingly connecting him with it are errors, and that Conley's story, no less too big to be true than too big to be untrue, still is untrue, and that all the things alleged against Frank either are wrong naturally or wrong by design and malicious purpose!

Will the jury look at the matter that way? It is not easy to think it will!

And yet again it MUST believe the one or the other—or there will be no verdict!

What, then, CAN honest minded mortals, men and women who want to see the right and the right alone prevail, do other than put their faith in the JURY there, and believe that it will speak the TRUTH of this case, no matter what may be anybody's preconceived opinion?

The time for argument has passed. Rosser and Arnold and Hooper and Dorsey have about concluded that.

The general public should now prepare itself to receive the verdict as the final and determining circumstance in the case.

Individual opinion is interesting at times, but after all, one man's opinion is as good as another's, but not more so.

The Important Thing.

What you think, reader, and what I think, is relatively inconsequential—the thing that matters SUPREMELY now, and the thing that alone matters supremely, is what does the JURY think, and what will the jury say!

No one of us has the opportunity to know so well the ins and outs of the case as the jury. The jury does not read what I write nor does it hear what you say. It is there, in the courtroom, aside from the outside world, off to itself, a thing apart—there to do justice, to the State and to Frank, though the heavens fall!

There is no responsibility upon individuals expressing opinion pro and con. They are not under oath—the life of a human being, on the one hand, and the majesty of the law of the land on the other, are no direct legal concerns of theirs.

It is all very well for you to say, "If I were running this thing I would turn Frank loose in a jiffy," or "If I were running this thing I would hang Frank," when there is no legally imposed and oath-bound obligation upon you to render a verdict that means something definite in law.

With a juryman, however, the case is different—he is there to fashion a finding that means everything!

Within twenty-four hours, perhaps, the public will know what the Frank jury thinks of the case made against him.

The jury may convict him, and it may acquit him.

No man possibly can know at this time—and nothing is so uncertain in the matter of forecasting as the verdict of a jury.

Public Should Accept Verdict.

But whether it be acquittal or conviction, the public should, and the law-abiding public WILL, prepare itself to accept that verdict as righteous and just.

No man ought to be willing to set his opinion doggedly against that of those "twelve good men and true," whatever their verdict may be.

Leo Frank, the defendant, is entitled to all the protection the law gives defendants—he is entitled to an absolutely fair trial, without favor or prejudice, one way or the other. He is entitled to all of that—but no more.

The State has rights as sacred as the defendant's—they must be considered.

What more can human ingenuity and the forms of law provide by way of finding the truth of a case like the one now on trial, than has been provided in the present hearing?

Negro Is Executed In Savannah Jail

SAVANNAH, Aug. 22.—Frank Collier, a negro, was hanged in the Chatham County Jail yard to-day for the murder on April 13, 1912, of Morris Robinson, a negro.

Just before the execution, Collier privately reiterated a previous confession to the Rev. John S. Wilder, pastor of the South Side Baptist Church, acknowledging his guilt. Collier sang and prayed all of last night.

FELINE WAIF FINDS PROTECTOR IN PRETTY HOTEL ANSLEY MISS

This is Miss Gladys Brinkley and "Governor Slaton" in a special pose for camera man.

"Governor" is never quite happy unless he is safe in the arms of his fair guardian. No one can step on his tail then—he's sure of that.

"Governor Slaton" Is One of the Most Distinguished Young Cats in Atlanta.

"Governor Slaton" was peeved, and justly so, for a hurrying traveling man had stepped on his tail. He arched his back, dug his claws into the soft rugs at the Hotel Ansley and snarled vengefully. He loved nobody and nobody loved him.

Then Miss Gladys Brinkley came along. Miss Brinkley is one of the prettiest of the young women who work at the Ansley. Diners unite in saying that the smiles she dispenses as she hands out the hats at the door of the rathskeller are worth more than the dinner.

It was one of those whole-souled, joyful smiles tha Miss Brinkley bestowed on the disconsolate "Governor." The "Governor" succumbed to the witchery of the smile and knew right away that he had found a friend. So he sheathed his claws, dropped his back, and leaped straight into Miss Brinkley's arms, where he purred contentedly while she stroked him behind the ears and crooned over him.

For "Governor Slaton" isn't what you might think he is at all!

He's a cat!

And the "Governor" is quite a remarkable cat, too. To begin with, he is snow white; not a blotch of color mars his sleek beauty. He is absolutely alone in the world, having no brothers and sisters, and his mother deserted him when he was quite young. He is further distinguished by the fact that he probably is the only cat in captivity born in a big hotel. For the "Governor" first saw the light of day in a vacant room on the thirteenth floor of Atlanta's newest hostelry.

"Governor Slaton" does not care much for human companionship—except Miss Brinkley—but once in a while he will allow Mrs. Morgan, who keeps a shop on the mezzanine floor, to pat him. He has no use for men, unless they come bearing gifts, which he accepts and then sticks a claw into the hand of the giver. He is happy about six hours a day. That is when Miss Brinkley is on duty and he can snuggle up at her feet or purr luxuriously in her lap.

And Miss Brinkley likes the "Governor," too.

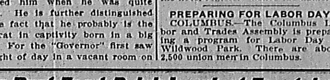
"All cats are nice," she said, "but I just dote on 'Governor.' He is so well behaved, and never tries to scratch me. He always hunts me up when I go to work, and will sit with me for hours at a time. The 'Governor' has been my friend ever since I first saw him, the day the traveling man stepped on his foot. I felt so sorry for him I couldn't keep from cuddling him."

The hotel attaches tell a rather remarkable tale about the coming of the cat, which shows why he was named "Governor Slaton." It seems that when the rugs came to the Ansley and workmen took them to the thirteenth floor, a big white cat jumped out when they unrolled one. Kitty ran down the hall, and no attention was paid to her. Two weeks later the hotel opened, and Governor John M. Slaton was the first man to register. The same night one of the hotel employees found a little white cat on the thirteenth floor, crying its little heart out for something to eat. By consulting a few clocks and watches, it was learned that the cat had been born at the exact moment Governor Slaton was inscribing his name on the hotel register—hence the name.

PREPARING FOR LABOR DAY.

COLUMBUS.—The Columbus Labor and Trades Assembly is preparing a program for Labor Day at Wildwood Park. There are about 2,500 union men in Columbus.

The Best Food-Drink Lunch at Fountains



Insist Upon

ORIGINAL GENUINE HORLICK'S

Avoid Imitations—Take No Substitute

Rich milk, malted grain, in powder form. For infants, invalids and growing children. Pure nutrition, upbuilding the whole body. Invigorates nursing mothers and the aged.

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.

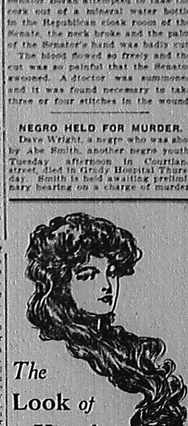
Senator Borah, Cut By Bottle, Swoons

WASHINGTON, Aug. 22.—When Senator Borah attempted to take the cork out of a mineral water bottle in the Republican cloak room of the Senate, the neck broke and the palm of the Senator's hand was badly cut.

The blood flowed so freely and the cut was so painful that the Senator swooned. A doctor was summoned and it was found necessary to take three or four stitches in the wound.

NEGRO HELD FOR MURDER.

Dave Wright, a negro who was shot by Abe Smith, another negro youth, Tuesday afternoon in Courtland street, died in Grady Hospital Thursday. Smith is held awaiting preliminary hearing on a charge of murder.



The Look of Youth

It depends more upon the condition of the hair than upon the features of a woman's face. That is why any woman can keep young looking, because no matter what the condition of her hair, thin, faded or gray, it can be restored to its natural color and beautiful softness and luster with

Robinnaire Hair Dye

This wonderful preparation keeps the hair in a beautiful condition, restores the original color to faded or gray hair, and does not stain the scalp or make the hair sticky. Prepared for light, medium and dark brown and black hair.

For sale by druggists and toilet goods departments, 75c. If you can not obtain it, sent by parcel post, 83c.

If you will give us the name of druggist who can not supply you, we will send you FREE samples of the world-renowned Robinnaire Face Powder and Cold Cream of Roses.

Jacobs' Pharmacy

Atlanta, Ga.

M'KEE NOT TO GET TIME EXTENSION

Name of Bolling H. Jones as Successor to Go to Senate Within Few Days.

WASHINGTON, Aug. 22.—Despite the efforts of Postmaster Hugh L. McKee of Atlanta to postpone his removal by the Postoffice Department, and his assertions that he will fight the request for his immediate resignation, no extension of time will be allowed him. He will be summarily removed, it was said here today, within a few days, and the name of Bolling H. Jones will be sent in as his successor within the next two or three days.

The department has read Mr. McKee's statement, in which he denies any knowledge of the efforts of his friends to have the charges withdrawn. He states emphatically that he does not want them withdrawn, and that he will not resign his office until he knows the nature of the charges. Mr. McKee and his friends say that had his resignation been requested on the grounds that the Administration wished to appoint a Democrat, he would have complied at once, but in view of the charges, he thinks it best to remain at his post until they are proved or disproved.

So far the department has received no answer to its letter to Mr. McKee, dated August 14, asking for his immediate resignation. Having allowed him plenty of time to submit it, the department proposes to go ahead with the appointment of his successor without delay.

Alligator Puts Hotel Patrons in a Panic

ST. LOUIS, Aug. 22.—An alligator that was on exhibition at the Planters Hotel at the convention of the National Commissary Managers' Association escaped from its cage and invaded the dining room, sending guests scampering to cover.

One man jumped over two tables in his haste to escape. The alligator turned his attention to the negro waiters, who dropped their trays and fled. The house detective shot it.

POWDER PUFF IN COW.

PLEASANTDALE, Aug. 22.—An autopsy on a cow at Pleasantdale revealed a silver match safe, powder puff and tooth brush in her stomach. The match safe was lost two years ago. The matches were in good shape.

Commissioner Price Spends Night in Dead Auto on Lonely Road

All alone in a "dead" automobile on a dark night on a lonely road between Atlanta and Stone Mountain was the experience of Commissioner J. D. Price, of the State Department of Agriculture.

Although Mr. Price admitted it's a good one on him, he doesn't make any secret of it, and now that the harrowing experience is a thing of the past, he actually chuckles when he speaks of it.

The Commissioner and his son were motoring from Walton to Atlanta. Everything went well until the Georgia Railroad crossing a few miles from Stone Mountain was reached. There is a dangerous crossing as a result of new grading, and to add to the difficulty Mr. Price's machine suddenly went "dead," and "dead" it remained until nearly midnight. Mr. Price remained in the car while his son walked four miles to the nearest house for assistance.

'Poor Girl Can't Be Good in New York'

NEW YORK, Aug. 22.—"I want to die. A poor girl can't be good in New York," exclaimed Elizabeth Heath, 18-year-old orphan, as she swallowed bichloride of mercury in Stuyvesant Park. She was rushed to a hospital.

"I won't be bad, so I can't live," moaned the girl, refusing to take an antidote.

Wife Shovels Snow; Gets Reno Decree

RENO, NEV., Aug. 22.—Helen May Donahue, a pretty Chicago woman, has obtained a divorce here.

She testified she shoveled snow, carried the coal and chopped the kindling because her husband, John Francis Donahue, thought himself above doing manual labor.

Mrs. Donahue said she had been accused unjustly of unfaithfulness. There is one child, four years old.

STATE ASYLUM INSPECTED.

Representative J. R. P. Thompson, chairman of the House Committee on the State Sanitarium at Milledgeville, will report Friday that the affairs of the institution are in excellent condition. He completed his inspection Thursday.

LLOYD LINE TO NEW ORLEANS.

NEW YORK, Aug. 22.—A cablegram received here says the North German Lloyd Company has made arrangements to inaugurate a trimonthly passenger and freight service between Bremen, Boston and New Orleans. The new service will commence September 15.

BOY KIDNAPED 17 YEARS AGO FOUND

New York Mystery Cleared When History of Trappist Monks' Ward Is Traced.

LACHINE, QUE., Aug. 22.—After being kidnaped by gypsies and escaping, then being taken up and cared for by Canadian monks, Frederick Brosseau, of Potsdam, N. Y., has been found. Brosseau was kidnaped seventeen years ago when he was seven years old. After escaping he was given a home by Trappist monks near Oka. The monks reared him. The gypsies made several ineffectual attempts to get the boy away.

Chief Clark, of Lachine, to-day applied to the provincial authorities to send men after certain gypsy leaders in the North and bring them here or to Montreal for trial.

The Rev. Father Myron, of Potsdam, while visiting the monastery of the Trappist fathers at Oka, heard the strange story of the man, and, remembering the disappearance of Brosseau at Potsdam, questioned him. Brosseau's parents went to Oka and identified their son by a birth mark.

In the meantime news of the young man's strange capture got abroad in the newspapers and many persons claimed him as their son.

Killed While Rushing To See His Sick Baby

LEXINGTON, Aug. 22.—Morton Little, a railroad man of Caney, Ky., called home by illness of his baby, jumped from a train when it did not stop at his home, broke his back and a leg and fractured his skull.

He died at a hospital here.

Chatham Tax Rate $8.33 on Thousand

SAVANNAH, Aug. 22.—Chatham County's rate for 1913 has been fixed at $8.33 on $1,000, which is the same rate levied for last year. It was found to be impracticable to make any downward revision of the rate, despite the rather substantial increase in tax returns, for the reason that the increase in revenue will be only about $10,000.

The Commissioners allow 10 per cent discount on taxes paid in quarterly installments.

Funeral Designs and Flowers FOR ALL OCCASIONS.
Atlanta Floral Company
455 EAST FAIR STREET.

Season's Farewell Offer!

Tomorrow Positively Ends It.
Your One Last Chance to Get

Extra Pants FREE

"Stop all *free pants offers* after tomorrow's sale." That's our orders. We've got to obey. After tomorrow we tighten up. No more "gift" pants.

This is positively your only hope—your last chance to get a nifty pair of genuine S. W. M. $5, $6 and $7 pants made to order *absolutely free.*

SUIT $15 Made to Order

EXTRA $5, $6, $7 PANTS FREE

We are going to end the season in a blaze of glory. Our entire line of fancy fabrics is at your disposal. The run of the store is yours. Choose any material—there are no restrictions. But come early and get the cream of the picking.

Many Fall Patterns Included.

REMEMBER—this is final—your last chance

Scotch Woolen Mills

The Original $15 Tailors

107 PEACHTREE

"The Piedmont Is Across the Street"

Open Saturday Night Until 10:30

Copyrighted 1913—Leon Siymon.

FRANK'S AGITATION IS DECLARED NO GROUND FOR SUSPICION

Why Don't They Hang Everybody Who Was Nervous? Attorney Demand

MANY WOMEN FLOCK TO COURT TO HEAR CLOSE OF FRANK ARGUMENTS

Continued From Page 3.

you word for word. But get him on something else and he is lost.

"You can train a dog to do tricks; you can train a horse to count, but tell the dog or horse to count something else than that in which he is trained, and he is completely lost.

Conley Arraigned For "Disremembering."

"And it was like this with this negro. He had been well trained in his part. As long as he was repeating his story of the disposition of the body he was letter perfect. But just let me ask him anything else and instantly he was treed. He couldn't remember anything else. I asked him about Daisy Hopkins. The first time he spoke of Daisy he said he saw her on the first floor with Mr. Frank. Then he had her somewhere else, and then again at another place.

"If I asked him questions of other things, he would say, 'I can't remember.' He could trip back and forth over his story and remember every word. Conley reminds me of an instance in connection with Queen Caroline of England. She was charged with treason, but no Englishman dared to swear against her. They searched the whole of the broad land and not a man of the Anglo-Saxon race would dare to speak the lies they sought to have spoken. Finally they found two or three Italians who swore against her. They learned their tale and they had it as letter perfect as the actor who studied Macbeth. But when their questioners deviated from the particular subject they would resort to the Italian tongue and declare they could not remember. They perjured themselves. And it was this way with that negro, Jim Conley. He perjured himself.

"When I would ask Conley about anything else, he would say, 'Boss, I don't know,' or 'Boss, I disremember.' When I would ask him, 'Who did you tell about it? When was it?' and like questions, back would come his old answer, 'Boss, I can't remember.'

"They say he could not have made up that kind of a story, but I think he could, and I think he did well in remembering his story.

"Negro Was Lying To Save His Own Neck."

"But why shouldn't he? Think of the coaching he had. I think if I had Black, Starnes, the Chief of Detectives and the rest of them, that I could become letter perfect in it, too. He had them to help him out. Let's call them professors in this school of learning.

"Here is Starnes; let's call him the professor of theology. Then there is Professor Black, Professor Scott, Professor Rosser and their dean, Newport Lanford. Ah, here comes the dean now."

At this moment Chief Lanford entered the courtroom.

"Now, we shall open school in regular order. Tell me a negro can't fix up a scheme to protect himself. Why, gentlemen of the jury, would any Southern man believe that statement? I would not expect a negro to become a student by the midnight lamp. I would not expect him to become an astrologer. I would not expect him to become an architect and plan a cathedral. The negro is not possessed of that sort of originality. But if anyone thinks this negro Jim Conley hasn't a keen African imagination he is mistaken.

"The person who thinks the negro can not make up folklore and stories is greatly mistaken. They are mistaken if they think he can not tell a story to save his own neck.

"Why, Brother Starnes, if you saw a negro with a chicken in his possession and he told you he got it from Mrs. Jones across the street you would put him in jail as soon as he told the story. Where does all the folklore come from? It comes from Africa. Where did we get the material for the Uncle Remus stories? From the same origin.

How the Witness Arranged His Dates.

"When it comes to fixing a gruesome story like that told by Jim Conley, there is not a white man in my hearing who is the equal of the negro. Let's see the story he told: He began by telling of being on Peters street all Saturday forenoon. He said that he wasn't at the factory at all. Starnes said he couldn't fix a story, but he fixed this one. They got Mrs. White to look at him at the police station. And he screwed his face up so she couldn't recognize him. They found out that he could write. He had lied about that. They caught him reading in the stockade; caught him reading right in this courthouse. He had lied about that.

"What did the detectives do with that negro? They took him down and gave him what I called the third degree. They said it wasn't, but if it wasn't, I should hate to get the fourth. They swore at him; they abused him; they said to him, 'Don't you know that man didn't bring you down there Friday to write those notes?' and Jim would say, 'Yes, boss, I know.' They would say, 'Don't you know he wouldn't have you write those notes before he killed the girl?' and Jim would say, 'Yes, boss, I know that's right.' They would say, 'Well, then, why don't you tell the truth?' and Jim would say, 'I will, boss; it was on Saturday.'

"You can very easily see how they made him fix up his story. They took his lies and showed him where they could not be true. They told him where they were wrong and where they would have to be fixed up. We have got Scott's own testimony for that.

Viciously Assails Detectives' Methods.

"Scott and Black had him when he was in the high school. I don't know whether Scott and Black are professors or not, but they would say to him, 'Stand up, Jim Conley, and recite.' I reckon they called him 'James' and then say to him, 'Stand up James; when did you write those notes, James?'

"And he would say, 'On Friday.' And they would say, 'Ain't you got no sense? Don't you know that you wrote those notes on Saturday?' He would say, 'Yes, boss.' They would say, 'Now, James, let's be sure about that; when did you write those notes?' And the negro would say, 'I wrote them on Saturday, boss.' They would say, 'That's right, Jim. You are all right, now.'

"I know how they got that. Good boy, James; let's have that again. What were they doing five hours one day and one hour another day? Was it an honest thing; was it a right thing? Was it right for two white men to take him and educate him. But that was only the high school. They had to take him through the university. Scott and Black were too white for that; they didn't get any perversion. They were too honest. But at the university they had Professors Starnes and Campbell. I would give anything in the world to look as pious as Professor Starnes. I don't know whether Professor Dorsey was in there or not, but there are some mighty strange things. They didn't dare make other affidavits. We trailed the serpent too well by those first three. It is just as plain as Colonel Hooper and I used to trail the gopher in South Georgia.

He Told New Story At Every Opportunity.

"That tiptoeing and running back and forth—when did that get in? Seven times Dorsey had him. Three times Starnes had him. Oh, gentlemen, lovers of justice, is it fair to take this pliable negro and fan him away from a statement he said was the truth and was his last? Has he told the last? Who knows but that the 157th chapter of his statement is but the beginning of he clearing of this mystery? At the very last opportunity he told a new story, one even Professor Starnes did not know about, the product of some other party. He told about finding that mesh bag.

"They didn't put him back as they started to. They were afraid he would give a new revelation of the whole affair. I am nearly through, but before I conclude I want to direct your attention to one fact. Put away all I have said. Forget it, and I wouldn't blame you if you did. One who has talked as much as I have deserves to be forgotten. I don't care anything about that *doctor's* row. I think that was one of the funniest things that ever crept into a courthouse. It doesn't make any difference whether the statement of Harris that she died within half an hour, the statement of Johnson that she died within an hour, or the statement of Westmoreland and the others that it was all a wild guess, is true. I just want to say that if I believed Dr. Harris' statement the next time I got sick I would send for him and give him the earth.

"Dr. Harris believed he was telling the truth. Harris is a fine boy. His father admitted me to the bar, though he may be culpable for that, but did you ever eat any cabbage? I can eat everything from whetstones to cabbage but cabbage alone I can't digest.

"Time Element Fatal To State's Theory."

"I can drink everything from lager beer to champagne, but I can't digest champagne. They say they are talking about normal stomachs. There are no normal stomachs, according to these experts. I will bet there are not three men in the courtroom who will prove to have normal stomachs under their examination.

"Have you got a normal nose? Have I got a normal nose? I wouldn't say I have, but let's dismiss all that. Let Harris pet his theory like he would a house cat. Let's look at the cold facts in this case.

"In the first place, that little boy Epps says he and Mary Phagan got to Forsyth and Marietta streets at 12:07 o'clock. The motorman testified that that was the time the car got there. Her own mother said she left home at 11:45 and the most reasonable assumption from that statement is that she caught the 12:07 schedule.

"If you make a just allowance for the time it took to walk to the factory, it was about 12:12 when she arrived. Dorsey is going to deny that, but just for the sake of argument, admit the car was three minutes ahead of time. She got there at 12:09. Suppose she got there at 12:05? I don't believe she did. I don't believe little Monteen Stover could see into Frank's inner office. The fact stands out that at 12:20 Lemmie Quinn was there at his work. Frank was there. Do you believe he could have killed that little girl, washed his hands, cleaned his clothes, and been in their calmly at work in 11 minutes?

"Who Lies—Conley Or These Good Women?"

"If he could have done it, the magicians of India are but common tricksters compared with him.

"Frank is a magician if he killed a girl and then performed the work that he did that afternoon. But I think that we will hardly accuse him of being that. He must have disposed of the body some time between six minutes to 1 and 1:30 o'clock. That is, if we believe Jim Conley.

"Conley is positive about the time, because he went across the street and ate a lunch. Ah, what an appetite he had. He ate a fish and liver sandwich, and he is positive that Frank must have done it by 1:30, because after he got over there and ate this fish and liver sandwich he looked at the clock, and it was 20 minutes to 2.

"Now, bear this in mind, gentlemen. He said 1:30. Now, let's see whether he perjures himself or not. Here is little Miss Curran. She has told you that she saw Frank at 1:10. Are we to make a perjurer of this sweet young girl? Then there is Mrs. Levy, a neighbor of Frank's. She saw Frank at 1:20. Are we to make a perjurer of her? Can you say that you believe the story of Conley and in the same breath call Miss Curran and Mrs. Levy liars?

"Now take the mother-in-law and father-in-law of Frank. They say that Frank came home about 1:20 to lunch. Are we to tell these old people that they are liars, too?

Claims Alibi From State's Own Testimony.

"And, gentlemen, there is the hardest thing of all. They must also make a perjurer of Minola's husband, Albert McKnight, for he says that Frank was there about 1:30 at the Selig home. Ah, think of that. To make a perjurer of their own Albert.

"Then Minola says that Frank was there at 1:20. And Minola—ah, she is the greatest stain on this case. Can we ever forget the plot made by this poor wretch arrested out of the Solicitor's office? Ah, the shame of it all. I assert that the men connected with this hideous affair, the unlawful arrest of this poor woman, will be ashamed of this one act the balance of their lives. And Starnes, the honest man that he is, tells us that before he could turn her loose he had to call up Dorsey twice. And where is my immaculate friend Beavers, who stood by and watched it all? If all this is not true, then Starnes had to perjure himself when on the stand.

"Ah, many things have happened under oath in this case which may or may not have happened, but there is one thing on which the State and defense are agreed—that is, except Conley—that Frank was not in that factory at 1:30. Conley alone, perjuror that he is, untrained and untaught, the great liar that he is, alone says he was there. And on Conley rests their case.

"Consider this line, gentlemen, and the others. No one body on earth has the power of the American jury. They hold the power of life and death and I have yet to find one that failed to show its courage.

Rosser Concludes Plea of Defense.

"Gentleman, I am nearly through. I wish to call your attention to one thing. They mentioned this man Mincey and intimated that we were afraid to introduce him. But his testimony was not of any direct, prohibitive value. All that we desired of Mincey was to discredit Conley, but Conley got up himself and admitted that he was a liar. So what was the use of calling Mincey for the same purpose? It might have been a day's row to determine if he were a responsible person. I know nothing about Mincey, nor care anything about him. If he is as honest and truthful as the angels in Heaven we had no need for him. If he is merely part of a scum that has arisen at a time like this, then I would certainly want to wash my hands of him.

"I have yet to believe that it is necessary for the truth to be cared for, cherished and watered through four long months by the detectives. I have yet to believe that this man Conley has to be supported in his statement by sudden visits of the Solicitor. I have yet to believe it requires so many professors to bring Conley's story to its full and fruition. God deliver me from some of the testimony that has come up in this case. I might have hanged a yellow dog upon it, but I would have gone home ashamed of myself. Gentlemen of the jury, you have heard me courteously. I thank you. This case has been a furious one. You have been attentive and I have appreciated it."

This concluded Rosser's address and Solicitor Dorsey immediately began the closing argument for the State.

SOUTH AFRICAN FIGHTER KILLED BY OPPONENT

LIVERPOOL, ENGLAND, Aug. 22.—Harry Price, a South African boxer, died to-day from a blow administered by "Private" Basham, an English fighter, who is under arrest. Price was struck over the head and knocked out by a terrific right-hand swing.

Tariff Act May Cost The U. S. $10,000,000

WASHINGTON, Aug. 22.—A report from the Secretary of the Treasury showing that the Government would lose about $10,000,000 if the goods now stored in bonded warehouses be taxed under the proposed duties of the Underwood bill instead of being taxed under the present tariff law, was sent to the Senate to-day.

The Democrats are seriously considering adopting the suggestion of Senator Sutherland that the Payne law rates be imposed upon all goods brought to this country and stored in bonded warehouses prior to the enactment of the pending law.

Drowns in Attempt To Rescue 2 Women

BILOXI, MISS., Aug. 22.—Emile Faviere, a prominent young man of New Orleans, was drowned at Horn Island trying to rescue two women who got beyond their depth. The women were unconscious for an hour after being rescued.

The three were members of a party of five people who went out to the island on a pleasure boat.

TWO DIE IN SUICIDE PACT.

INDIANAPOLIS, Aug. 22.—Wrapped in each other's arms, Roy Gross, 22, and Hazel Stewart, 21, a married woman, died early to-day in a suicide pact carried out with carbolic acid.

A SHAMPOO---

And how much better you feel. Our process is different. Try it. Makes you feel like new.

"The Little White Shop Around the Corner"

Leslie's Place
10 Alabama St.

SEMI-ANNUAL STATEMENT

For the six months ending June 30, 1913, of the condition of

The American Credit-Indemnity Company
OF NEW YORK

Organized under the laws of the State of New York, made to the Governor of the State of Georgia in pursuance with the laws of said State. Principal Office—No. 302 Broadway, New York City.

I. CAPITAL STOCK.	
Amount of capital stock	$ 350,000.00
Amount of capital stock paid up in cash	350,000.00
II. ASSETS.	
Total admitted assets	$1,210,629.00
III. LIABILITIES.	
Surplus over all liabilities	$ 152,205.01
Total liabilities (including $350,000 capital)	1,058,423.99
IV. INCOME DURING FIRST SIX MONTHS OF 1913.	
Net premiums	$367,501.69
Income from interest	29,483.80
Total income	$ 396,985.49
V. DISBURSEMENTS FOR FIRST SIX MONTHS OF 1913.	
Total loss payments	$ 182,762.49
Operating expenses (including items for which we carried a reserve of $23,564.53 December 31, 1912)	180,171.39
Loss on bonds	5,502.50
Total disbursements	$ 368,436.38

A copy of the act of incorporation, duly certified, is on file in the office of the Insurance Commissioner.

STATE OF MISSOURI—City of St. Louis.

Personally appeared before the undersigned, Joseph J. Gross, who, being duly sworn, deposes and says that he is the secretary of The American Credit-Indemnity Company of New York, and that the foregoing statement is correct and true. JOSEPH J. GROSS, Secretary.

Sworn to and subscribed before me this 19th day of August, 1913.
SHEPARD R. EVANS,
Notary Public, City of St. Louis, Missouri.

Name of State Agent—R. S. WITHERSPOON.
Name of Agent at Atlanta—R. S. WITHERSPOON.

EISEMAN BROS., Inc.

Boys' and Children's Department
(Entire Second Floor)

Buy the Boy's School Clothes At Clearance Prices!

August Discounts list many items of exceptional value at bargain prices, including splendid Suits for Fall wear.

BOYS' HANDSOME NORFOLK SUITS
25% Discount

BOYS' DOUBLE-BREASTED SUITS
33 1/3% Discount

Boys' Nobby Felt Hats
25%
Discount.

Boys' and Children's STRAW HATS, values up to $2.00
60c

WASH SUITS
Boys' and Children's Wash Suits in great variety---
33 1/3% Discount

Boys' Underwear, one lot shirts and drawers, 25c values
Per Garment 15c

Boys' Underwear, one lot shirts and drawers, regular 50c values,
Per Garment 25c

CHILDREN'S ROMPERS
50c Values .... .40c
75c Values.......... .60c
$1.00 Values.......... .75c

Boys' Knee Pants in fancy mixtures, 25 per cent discount.

Boys' and Children's SHOES, Main Floor Rear, Clearance Prices on Boys' and Children's low shoes.

CHILDREN'S RUSSIAN and BLOUSE SUITS
made of Fine Woolen Fabrics in a variety of solid colors and fancy effects—just the thing for early Fall wear—now selling at Special Discounts of

33 1/3%

Summer Clearance Prices are drawing to a close, and the opportunities now offered for substantial economy in buying should be quickly taken advantage of.

Discounts In All Departments!
Men's Clothing---Furnishings---Hats---Shoes
At Cut Prices
LUGGAGE NOW SELLING AT CLEARANCE PRICES

Eiseman Bros., Inc.
11-13-15-17 Whitehall

FINAL REDUCTIONS

CLOUD-STANFORD CO.
ANNOUNCE NEW PRICE SCALE
EFFECTIVE AUGUST
23d to 30th

It is a continuation of our former method to clear our stock completely of seasonable wearables.

The wisdom of such a policy must be obvious to every one familiar with the character of our merchandise, and the mere announcement of a second and final reduction is an economy tip to those who enjoy the luxury of men's extra fine apparel at prices much lower than is usually obtained for inferior grades.

ANY SUIT IN THE HOUSE . . . $17.00
And no restrictions govern your selection. You have full latitude to choose the most appealing style with the exception of Dress and Tuxedo Suits.

ANY SHIRT IN THE HOUSE . . . 95c
This does not include silk shirts, but all white and fancy negligees and plaits are included at the above price.

ANY SILK NEGLIGEE SHIRT . . $2.85
Here you get the finest grades of silk shirts we have shown heretofore at a price far below the cheaper grade silks.

Any Straw Hat in the House	$ .95
Any Panama or Bangkok Hat	$2.50
All 50c Neckwear Reduced to	.25
All $1.00 Neckwear Reduced to	.50
All $1.50 Neckwear Reduced to	.75
All $2.00 $2.50, $3.00 Neckwear	$1.00
All 50c Hosiery, "Onyx Make"	.25
All $1.00 Hosiery, "Onyx Make"	.50
All $1.50 Hosiery, "Onyx Make"	.75
All $2.00 Hosiery, "Onyx Make"	$1.00

Belts, Pajamas and a special lot of broken sizes in Underwear reduced to half former prices.

Cloud-Stanford Co.
61 Peachtree

SOLICITOR MAKES STRONG SUMMING UP AGAINST ACCUSED

We Want Frank Convicted According to Law Only, Declares Hugh Dorsey

PREJUDICE ISSUE BROUGHT IN BY DEFENSE ONLY, SAYS DORSEY IN FINAL SPEECH

Continued from Page 1.

his charfe His honor will say to you not to convict this defendant unless you are convinced of his guilt beyond a reasonable doubt.

"And what is this reasonable doubt? The jurors get an idea that there is something mysterious about this. But it is as plain as the nose on your face. It is a thing that speaks for itself. It is not perceptible of any definition. Anyone who attempts to define it uses tautology; he uses the same word over again. Its best definition is contained in the eighty-third Georgia Report, which says:

"'A reasonable doubt is one opposedt o an unreasonable doubt. It is one for which a reason can be given. And is one based on reason. Such a doubt leaves the mind in an uncertain and wavering condition. It is impossible to say with reason and moral certainty that a person is guilty.

"If you have a doubt it must be such a doubt as to control and decide your conduct in the highest and most important affairs of life. It was not as was said in the case of John way back in the Thirty-third Georgia that possibility of the accused not being guilty was sufficient. It must be such a doubt as a reasonable honest man in an honest investigation would entertain as to the truth.

"That authority is from the Forty-seventh Georgia. It must not be a doubt that might be conjured up; it must not be such a doubt as one might claim to acquit a friend. It must not b3 a trivial doubt; a bare possibility. It must not be the doubt of a crank or an oversensitive person.

Doubt, He Says,
Must Be Reasonable.

"The reasonable doubt must be based on practical, common sense. There must not be acquital every time there is doubt. In that case there would be acquittal in all cases. As Chief Justice White says, every bit of evidence dependent on human morals is subject to some doubt. This doubt is incapable of precise definition. But a comprehension of its meaning follows directly the words. Some say circumstantial evidence is not as good as direct evidence. That is not so, according to these authorities. It is a popular fallacy that has no place in a courthouse. And I am coming to Mr. Arnold's Durant case in a minute.

"If circumstantial evidence satisfies the mind, it is as good as positive evidence. The doctrine of reasonable doubt, as shown by the defense, originated back yonder at the time when a man was not allowed counsel.

"As we progress with our improved methods, that idea will be dropped altogether. The State has got all kinds of burdens and difficulties to surmount. It never was better illustrated than in this case.

"Don't think this matter is a subtle, illusive something. When you get your ideas as a man, you have got them as a juror. You can get up any kind of an excuse for turning loose a man, but that must be outside of a jury box. You can not turn a man loose here on any light, fanciful conjecture. That would violate your oath, and I know you won't do that.

Upholds Evidence
That Is Circumstantial.

"In the Ninety-second Georgia they speak of it thus: reasonable doubt does not mean a vague conjectural doubt; a doubt conjured up in the minds of a juror, but a decision on the evidence in the case. It means a doubt which would cause a juror to hesitate to proceed in his common, everyday business walk of life.'

"It is a moral certainty which you are after, gentlemen. The certainty brought to your mind by the facts in the case. And now lete us pass from the reasonable doubt proposition to circumstantial evidence. There are some people who say they will not convict on circumstantial evidence. Such talk as that is the merest bosh. They say they should not convict a man unless it is absolutely known that he committed a crime. But, gentlemen of the jury, the authorities say it is the best evidence. It is sad to say the juries are reluctant to convict on circumstantial evidence.

"It is true that recently there have been main failures to convict on circumstantial evidence, but a man should not be declared innocent by a jury on some trivial fancy. The evidence in the case should satisfy every juror. You are to judge by the common sense evidsnce. Any other rule will expose society to the ravages of the most depraved mind—the most atrocious crimes generally perpetrated in a manner and time which precludes positive evidence against the person committing it.

Brings in Famous
Durant Case Again.

"To refuse to convict on circumstantial evidence is consistent with every other hypothesis of the laws of our land.

"Now, gentlemen, Mr. Arnold spoke to you about that Durant case—that celebrated case in San Francisco. He said that case was the greatest crime of the century. I don't know where Mr. Arnold got all the authority for his statemen. On April 15, 1913, C. M. Picket, District Attorney of the city of San Francisco, wrote a letter——"

Attorney Arnold interrupted the Solicitor at this point, making the objection that he could not permit the Solicitor to read any letter.

Dorsey said: "It is not a letter I want to read; it is a telegram I received yesterday.

"I telegraphed to San Francisco yesterday," said Dorsey; "I ask your honor if I can not quote that in my address to the jury. I am permitted to argue what is a matter of public notoriety."

"I do not object to my brother arguing what is a matter of public notoriety," said Arnold, "but I must object when he attempts to read something from some letter a friend of his in San Francisco has written him. I want here and now to record my objection to the Solicitor getting any information from such a source."

"Can't I state what I know about the case," demanded Dorsey. "I anticipated that some such claim as this would be made, and that is why I made thei nvestigation."

Judge Roan allowed Dorsey to tell what he knew about the case, but would not permit him to read the letter or the telegram. Dorsey continued:

Mr. Arnold, in discussing the uncertainties of circumstantial evidence said that Theodore Durant had been hanged for the murder of Blanche Lamont and Minnie Williams, and that the real murderer had made a death-bed confession.

Dorsey said, in contradicting this: "My information is that nobody has ever confessed to the murder of Blanche and Minnie Williams. There can be no doubt that this man Durant was guilty. The body of one girl was found in the belfry, and the other in the basement. The forty-eighth Pacific Reporter shows that the body of one girl was stripped stark naked, and was found in the belfry of the Emmanuel church, San Francisco, after she had been two weeks missing. It shows that Durant who was a medical student as well as a minister, had a character far better than this man Frank. It shows that although he was convicted in 1895, he did not go to the gallows until 1898. It shows that his mother cremated the remains. That's all poppycock that Arnold has been talking about. There never was a guiltier man than Durant, and never a more courageous jury."

Attorney Arnold called attention to thefact that the letter from this man C. M. Pickett was dated April 15, nearly two weeks before the murder of Mary Phagan. He made this statement to throw doubt on Dorsey's statement that he had made the investigation in anticipation of just such a story as Arnold had told.

"There are lust murderers," said Mr. Dorsey. "There are people who are in the heighth ofexultation when choking a girl to death with their hands or with a cord. This man had stripped the body, strangulation was the cause of death. At that time Durant was a young man of 24 years of age, a student at the Cooper Medical School, a member of the army signal corps, an attendant of the Emmanuel Baptist Church, assistant superintendent of the Sunday school and librarian of the church.

"He was said to be religious; that, of course, included charity. Among his associates his character was regarded as excellent. At his trial the defense was an alibi—the last resort to which the guilty man can come. He declared he had seen Blanche Lamont on her way to school, but never afterward. The contention of the prosecution was that he murdered her in the church. Both were attendants of the church, and members of the Christian Endeavor Association. Durant had keys to the side door of the church, and was familiar with the interior.

Likens Durant
Case to Frank's.

"A woman saw the defendant walking up and down in front of the schoolhouse that afternoon as though waiting for someone. She saw the defendant board a street car with two girls."

Mr. Dorsey was reading the complete story of this case and pointing out from time to time analogies to the Phagan case. He continued:

"George King, organist, went to the church that afternoon and was playing. Durant came in to the Sunday school where he was and stood looking at him. He was very pale; his coat and his hat were off; there were no scratches or blood stains on him; the organist asked him what was the trouble. He said he had been fixing the gas, not making up a financial sheet.

"He said he had to rest. Frank called off a baseball engagement. He gave King 50 cents and asked for bromo seltzer. Frank wanted coffee. He was nervous and had to sit down to rest when they went away from the church. Frank trembled on Darley's knee as they rode to the police station. You can always tell; the signs betray. Later the mother of Blanche Lamont received ap ackage through the mail, with rings the girl had worn wrapped in a newspaper. On the paper were written the names of George King, church organist, and Professor Schernstein, music teacher.

"A pawnbroker testified that a man had offered him one of those rings in pawn. The person offering the ring for sale was the defendant. I emphasize defendant to show how accurate Mr. Arnold was. Of course, he is an honorable man; he wouldn't mislead you. I am just reading the record.

"This defendant claimed to be at a class lecture. I will show you how the alibi has been worked in this case.

"Durant went to his friends and asked for notes on the lecture which he was supposed to have attended that afternoon. He said that he had forgotten to take any notes, but with his friends' notes he could easily bring his up. Why, even in jail there, he could have fixed up his notes. This summarization of the evidence in the Durant case is not exhaustive; if it were it would show many more facts which fastened the chain around Durant. But briefly, Blanche Lamont and her friend were at the church at 4:30.

Demands to Know
Motive for Conley.

"At 5 o'clock the defendant was seen just outside of it in a wild and excited condition. He explained his condition by the accidental inhalation of gas. At 6 o'clock he left there. Blanche Lamont was never seen again and two weeks later her body was found in the belfry.

"Now, tell me, what motive could Conley have had to have knocked Mary Phagan down that scuttle hole. Compare this with the motive of the defendant.

"What greater motive could Durant have had to move Blanche Lamont's body from the library to the belfry than this defendant here to move Mary Phagan's body from the office floor to the basement. The girl's body was found two weeks later. The books still tightly strapped, were found by her. She had last been seen there a few minutes before the defendant, Durant, was seen there. These facts were sufficient to justify the hypothesis of Durant's guilt. The evidence of the defendant's good character was introduced and was in his favor.

"That, gentlemen, is the case in which Arnold says the jury went wrong; in which the higher court, the community and the civilized world went wrong. Despite the defendant's Christian character, they judged against him. I do not think Mr. Arnold would mislead you, but it is not true that any man confessed to the killing of Blanche Lamont, for the murder was committed by Theo Durant.

"All this has no direct bearing on this case before you. But I wanted to clear away the underbrush before I began. If you think this man is innocent, you turn him loose. If you think he is guilty, you put a cord around his neck. I know you will do as your conscience dictates. Character has much to do with this case, so let us first establish his good character.

Declares Defense
Gave Character Defi.

"If they had not put his character in issue, we would have been absolutely helpless. But they put his character in issue, and we accepted the challenge. And we have met it fully, we maintain."

Solicitor Dorsey at this time cited a passage of law in respect to the value of character testimony. He said:

"'The proof of good character will not hinder the conviciton of the defendant if the guilt is plainly proved to the satisfaction of the jury.'

"You first have got to have a good character before it weighs a feather in the balance, and then remember it is the hardest thing in the world to do to break down a man's character in court, if it is any character at all.

"When we sought to introduce testimony of this sore, Attorney Arnold in his dramatic manner said: 'I will move for a mistrial if this continue.' I don't know whether his attitude is one of the characteristics of a great lawyer. If it is, I don't want to be a great lawyer.

"Time and again, throughout this trial, he has branded testimony of this sort as lies of crack-brained fanatics. He would have done this if he hadn't realized the weight of evidence banked up against this man who on April 26 snuffed out the life of this little girl, Mary Phagan, in the pencil factory.

"If such attributes as Attorney Arnold has displayed are those of great lawyers, I don't want to attain to their greatness. I will put it up to your verdict to determine who has been telling the lies, and I will be satisfied with your decision, too.

"Now this book says that if a man has a good character it shall not hinder conviction if evidence of his guilt is sufficient to satisfy the jury. It was in the Durant case, and I submit there is sufficient proof in this case, character or no character, to demand conviction. It is not on prejudice. I am coming to perjury after awhile.

"Have I so far forgot myself that I would ask you to convict that man (pointing to Frank) if I thought Conley was guilty? I am going to talk to you a little about those conscientious letters to the grand jury asking Conley's indictment.

"Dr. Billy Owens, who went over to that factory with a man named Brent, afterwards called as a witness, went over to that factory to pull off that little farce. He is the man whose conscience hurt him so that he wrote to the grand jury, instructing them what to do. And then there was a man named Fleming with them who wrote a letter to the grand jury."

Rosser: "I object. There was no evidence to any such a fact."

Declares He Never
Will Indict Conley.

"Well, a man with the same name and the same initials is the same man who wrote a letter to the grand jury and who went to the factory," replied Dorsey. "Mr. Arnold, in his argument, mentioned that Conley had never been indicted. No, and he will never be for this crime. The evidence shows him to be only an accessory after the fact. Dr. Billy Owens' conscience may be smiting him, as he sits in his office building houses and shooting something into people's noses, but unless something comes out, something that has not been developed during this trial, I will tell you that you have got to get another solicitor general before I will make any effort to hang that negro Conley, lousy negro that he is. If that is treason, make the most of it. I have my own conscience to keep.

"Knowing we could not put in specific instances of the real charges against his character unless they brought it in, and not wanting to do it in the presence of his mother, who has charged, 'You dog, you do not know it either,' we refrained from it.

"But the defense could have brought it in, yet they dared not. The witnesses were there who could have told much on cross-examination, but they dared not cross-examine him. We gave them the opportunity, but they didn't dare take it. We could not go beyond the formal general character questions but we put these girls upon the stand and they could have told. These girls are poor, but pure and truthful, but the defense dared not bring it up once.

"Do you mean to tell me that these good people who live out on Washington street, these reputable Hebrew citizens, officials of the Orphans' Home and Dr. Marx knew the real character of Leo M. Frank as did these girls who had worked with him at the pencil factory and who are not working there now because they learned his true character.

"I tell you that it is a dastardly suggestion that this evidence was framed up. Do you think that Starnes and Campbell and Rosser would go out and get a girl to come in here and swear that Frank's character was bad if it were not true. Gentlemen, this can not be done. The trouble with this world is hat there is too much shinannigin. There is not enough of the truth and sticking to facts. People who associated with Dr. Jekyll don't know Mr. Hyde. And Leo Frank and his friends did not call Dr. Marx to the pencil factory on Saturdays.

"But the girls there knew his character; they knew it was bad, and they left there. If old Jim Conley didn't get every bird in the covey, he got in amongst them. He flushed Daisy and he flushed Dalton. He said that he saw Frank, and we have the word of a reputable man that he saw Dalton enter the factory."

"If you are a man of good character and you are haled into court and your character is attacked, you have recourse. Your counsel has the right of cross-examination; your counsel has the right to find out what the witnesses know and where they got their information.

"If your counsel had this right, you wouldn't let them remain in silence, would you? Not if you were a man of good character a d wanted to defend it.

"You would want to investigate what had been published to the world and nail it as a lie. It was allowable for the defense to cross-examine and to inquire about the facts concerning this man.

"This situation has a very vital bearing on the guilt or innocence of this defendant. This silence does not comport with innocence. This man was overcome by his passion. It ruled him and made him a beast. It made him do this poor little girl to death.

"Even with their own witnesses there appears to have been a leak. Little Miss Jackson failed them, not intentionally, but she failed them. It dropped out just as easily. What business did Frank have going into that dressing room on the fourth floor? What business did he have going in there when he had foreladies to see if there was any flirting going on—the excuse that Arnold for the defendant pushing open the doors.

"This man has been in there with one of the women on the fourth floor. Two witnesses have testified that they saw him go in there on different occasions. It might have been just at the time he was looking in there on these times of which Miss Jackson told that he was looking to see of the coast were clear for him and this woman was on the fourth floor.

"It may be that this negro Conley isn't so far wrong after all.

"Frank went into the dressing room with Miss Carson. The Judge would not allow me to ask how long they stayed in there. I don't know why this ruling was made, but what the Judge says goes. But Frank was in there with Miss Carson and he came out with her. Did the two of them go in there to stop the girls flirting.

"Attorney Arnold, with that affidavit face of his, said that you had seen all of the girls on the fourth floor and that they all had testified to Frank's good characte. But up comes Miss Kitchen and testifies of Frank entering the dressing room. She told of at least one other who had not been called as a witness who worked on the fourth floor. You do not know to this day how many there are up there that have not been called. If Attorney Arnold is no more accurate in this than he was in the Durant case, he is pretty far off."

Judge Roan interrupted the solicitor at this point and asked him how much more time he would need.

"I have just started, your honor," Dorsey replied.

The judge thereupon adjourned court until Saturday morning at 9 o'clock.

LEADS 6-LEGGED CALF ACROSS CONTINENT

New York Man, Now in Atlanta, Threatens to Publish a Book About Tour With Freak.

With a six-legged, four-shouldered Holstein calf following him at the end of a stout rope, E. J. Seymour, 57 years old, of New York, arrived in Atlanta Friday morning, on a walking tour across the continent from Florida to San Francisco. He expects to make the trip by easy stages, arriving in the California metropolis in time for the opening of the Panama Exposition.

Seymour says he left Fernandina, on the Florida coast, April 1. At the outset of his trip he intended only to walk to Atlanta, but having gotten safely this far, and his calf having developed pedestrian proclivities, he has decided to take the freak animal on to the exposition and exhibit him.

"I am not trying to make a record for the trip across the continent," Seymour said to-day. "I stop at all the small towns and villages and exhibit the calf. I make expenses and sometimes a little more. I ship my tent and other baggage ahead of me by rail, and the calf and I hike it to the next stop. So far as I know I am the first man who has ever attempted to lead an animal across the United States."

Seymour's calf is one of the strangest freaks that ever got away from old P T. Barnum. Besides its six legs and four shoulders, it has two backbones and is as strong and vigorous as three ordinary yearling calves. The animal weighs 425 pounds, and is getting heavier every day.

Seymour expects to stay in Atlanta about a week, and will exhibit his calf while here. He expects then to go to Chattanooga, following the line of a railroad. From there he will go to Memphis, Kansas City and on to the West.

Seymour says he is writing a book, "Touring With a Six-Legged Calf," which he will publish shortly after he reaches the Pacific Coast.

Police Arrange for Elopers to Marry

MOBILE, Aug. 22.—Through the persistent efforts of Chief of Police F. W. Crenshaw, Augustus F. Lee, aged 34, an attorney, who practiced at Gainesville, Ga., and who says he is well known in Atlanta, married 20-year-old Sadie Dove Smith, of Milton, Fla., with whom he eloped on Thursday from Pensacola.

When the girl's absence from home was discovered, it was learned she met Lee at Pensacola and was coming to Mobile. Detectives met the couple at the depot and took them to the police station. Later the consent of the girl's mother to the marriage was obtained.

Lee said they would live in Atlanta.

Besotted Cat Leaps In Creek for Liquor

SOUTH NORWALK, CONN., Aug. 22.—Immersion is what has made a whisky drunkard out of a heretofore perfectly respectable and temperate kitten. Some time ago kitty, owned by Oscar Mueller, tumbled into a creek. She was rescued in a half-drowned condition and given a few spoonsful of whisky to assist in reviving her.

The kitten liked the taste and effect of the liquor so much that now unless given a proper portion of liquor she rushes to the creek and forces her owner to rescue her and administer the liquor.

Cole Younger, Once Bandit, Joins Church

LEES SUMMIT, MO., Aug. 22.—Cole Younger, once notorious as a bandit, to-day declared he was through with the life of a robber forever.

He displayed a certificate of membership in the Christian Church, which he obtained when he took the pledge of loyalty at a revival meeting here last night.

Killed as He Kisses His Baby Good-bye

CHATTANOOGA, Aug. 22.—A. W. Boyd, Jr., was killed here to-day when, in stooping over to kiss his baby before leaving for his office, a pistol which he was carrying in a holster under his arm, fell to the floor and was discharged, sending a ball through his heart.

50 MINERS KILLED.

Special Cable to The Atlanta Georgian.

BANGALORE, INDIA, Aug. 22.—Fifty miners in the Mysore gold mine were killed to-day when the cage in which they were riding fell to the bottom of the shaft.

DR. SMITH RUMBLE DEAD.

BARNESVILLE.—Dr. Smith Rumble, one of the leading physicians of this section, is dead here after a long illness. He was about 50 years old. He is survived by his wife and several children.

Owes Her Life to Eckman's Alteeative

Eckman's Alterative is being used with success in the treatment of Tuberculosis in all parts of the country. Persons who have taken it, improved, gained weight, exhausting night sweats stopped, fever diminished, and many recovered. If you are interested to know more about it, we will put you in touch with some who are now well. You can investigate and judge for yourself. Read of Mrs. Govert's recovery:

Griffith, Ind.

"Gentlemen: About September 10, 1908, my mother-in-law was taken sick with Catarrhal Pneumonia, which developed into Lung Trouble. In January, when Rev. Wm. Berg, of St. Michael's Church, at Schererville, Ind., prepared for her death, he recommended that I get Eckman's Alterative, and see if it would not give her some relief. The attending physician declared she had Consumption and was beyond all medical aid. So I immediately had Rev. Wm. Berg to send for a bottle. Practically without hope for recovery, I insisted that she try the Alterative, which she did. I am glad to say that she soon began to improve. Now, she works as hard as ever, weighs twenty pounds heavier than she ever did before she took sick, and is in good health."

(Affidavit) JOS. GRIMMER.

(Above abbreviated; more on request.)

Eckman's Alterative has been proven by many years' test to be most efficacious in cases of severe Throat and Lung Affections, Bronchitis, Bronchial Asthma, Stubborn Colds and in upbuilding the system. Does not contain narcotics, poisons or habit-forming drugs. For sale by all of Jacobs' Drug Stores and other leading druggists. Write the Eckman Laboratory, Philadelphia, Pa., for booklet telling of recoveries and additional evidence.

The Fly with spongy feet collects the invisible germs of disease—spreads them over our food and poisons us with typhoid.

The Mosquito with its bill injects into our veins MALARIA.

WE ARE all exposed to such dangers—our only armor is *good red blood!* Let your stomach be of good digestion, your liver active and your lungs full of good pure air and you don't surrender to any of the disease-bearing germs. The best known tonic and alterative, that corrects a torpid liver, and helps digestion so that good blood is manufactured and the system nourished, is

Dr. Pierce's Golden Medical Discovery

This famous medicine has been sold by medicine dealers in its liquid form for over forty years, giving great satisfaction. If you prefer you can now obtain Dr. Pierce's Golden Medical Discovery tablets of your druggist at $1.00, also in 50c size or by mail—send 50 one-cent stamps, R.V. Pierce, M. D., Buffalo, N.Y., for trial box.

Questions of Life are fully and properly answered in the People's Medical Adviser by R.V. Pierce, M. D. All the knowledge a young man or woman, wife or daughter should have, is contained in this big Home Doctor Book containing 1008 pages with engravings bound in cloth, sent free to anyone sending 31 one-cent stamps to prepay cost of wrapping and postage.

Weak, Nervous and Diseased Men Permanently Cured

DR. HUGHES is an experienced specialist. Dr. Hughes successfully treats and permanently cures Premature Weakness, Blood Poison, Kidney, Bladder, Prostatic and Contracted Diseases and all Chronic and Private Diseases cured in a few days, Varicocele, Hydrocele Stricture, Piles and Fistula. I am against high and extortionate fees charged by some physicians and specialists. You will find my charges very reasonable and no more than you are able to pay for skillful treatment. Consult me in person or by letter and learn the truth about your condition, and perhaps save much time, suffering and expense. I am a regular graduate and licensed, long established and reliable.

For 30 days my fee will be just one-half what other specialists charge, or Weekly or Monthly Payments Accepted.

FOR BLOOD POISON I use the marvelous GERMAN REMEDY, "606" or "914," and such improved remedies used for the cure of this disease. No detention from work.

For Weak Men, Lymph Compound, combined with my direct treatment, restoring the vital forces to the fullest degree.

In Chronic Diseases my patients are cured in less time, quickly, and I use the latest improved methods. Consultation and advice Free. Call or write.

DR. HUGHES,
Opposite Third National Bank,
16½ N. Broad St., Atlanta, Ga.
Hours: 9 a. m. to 7 p. m.; Sundays, 9 to 1.

Final August Clean-Up of Men's and Boys' Summer Wear

We still have a splendid assortment left for you in all lines—and no doubt the very Suit, Hat, Shoes or Furnishing Goods which you are in need of are waiting for your visit to-morrow—come see any way.

MEN'S SUITS	
$18.00 values	$13.50
$20.00 values	$15.00
$25.00 values	$18.75
$30.00 values	$22.50
$35.00 values	$26.25
$40.00 values	$30.00

MEN'S SHOES	
$6.00 values	$4.75
$5.00 values	$3.85
$4.00 values	$3.10
$3.50 values	$2.90

All Boys' Low Shoes Reduced.

MEN'S SHIRTS	
$1.00 values	$ .75
$1.50 values	$1.15
$2.00 values	$1.40
$2.50 values	$1.90
$3.00 values	$2.25
$5.00 values	$3.75

ALL STRAW HATS
For Man or Boy
HALF-PRICE

Men's Neckwear and Belts Reduced for Quick Selling.

MEN'S UNDERWEAR	
$ .50 values	$ .40
$ .75 values	$ .60
$1.00 values	$ .75
$1.50 values	$1.15
$2.00 values	$1.50
$2.50 values	$1.90

BOYS' WOOL SUITS
$5.00 to $15 values now $$3.75 to $11.25

BOYS' WASH SUITS
$1.00 to $5.00 values now 75c to $3.50

Parks-Chambers-Hardwick Company
37-39 Peachtree — Atlanta, Georgie

CHAMBERLIN-JOHNSON-DuBOSE COMPANY
ATLANTA — NEW YORK — PARIS

The Store Is Open on Saturdays Until 1 P. M.

The Half-Day in the Junior Department---THIRD FLOOR---Brings Tidy Savings

There are neat little sums to be saved by timing purchases in the Junior Department to Saturday morning.

Boys' $1.00 and $1.25 Wash Suits Are 79c

Sizes two to six years. The materials are ginghams, percales, chambrays in checks, stripes and plain colors and white linen, and they are trimmed about the low necks and short sleeves with braids and bands that will wash without fading. Thrifty mothers will buy now and for next spring, too.

Girls' Dainty White Princess Slips Are Reduced

Sizes fourteen, sixteen and eighteen years. They are cambric, lawns and nainsooks, yokes and ruffles trimmed with Valenciennes and linen laces and particularly neat Swiss embroideries run with washable ribbon. Formerly $1.29, now 98c; formerly $1.98, now $1.25; formerly $2.25, now $1.50.

Seven Baby Bassinettes, on stands of sturdy French willow, are marked for to-morrow's selling at $3.75. They were until now $7.

Four Wicker Clothes Hampers, the large, roomy size, strong, closely woven, are marked at $2.95 instead of $4.50. Hurry for these.

Agents for Butterick Patterns and Publications

Chamberlin-Johnson-DuBose Company

FRANK SCORED WITHOUT MERCY; TRIAL GOES OVER

CRACKERS WIN

EXTRA

THE ATLANTA GEORGIAN.

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SLAIN GIRL'S MOTHER AND PRISONER'S WIFE BREAK DOWN IN COURT

A white-hot phillippic, the masterpiece of his career and one of the greatest ever heard in a criminal court in the South, was hurled by Solicitor Hugh M. Dorsey directly at Leo M. Frank Saturday in the final plea of the State and held a packed courtroom tense and thrilled as the grim tragedy of Memorial Day was unfolded.

The Solicitor was at the height of his eloquence at 1:30 o'clock when court adjourned until Monday. He had been speaking over six hours. The case will probably go to the jury before Monday noon. The Solicitor was cheered again as he left the courthouse.

The Solicitor had been talking about six hours, including the time on Friday, when he turned to the Judge and asked for a recess, saying he was exhausted. Arnold conferred with Judge Roan and it was finally decided that the trial should be adjourned until Monday.

Mr. Dorsey analytically dissected the alibi the defense had put forward for Frank and cited from the prisoner's own statements to upset it. He pointed to similarities of expression in Conley's and Frank's assertions in upholding the truth of the negro's statements.

In an impassioned reference to the slain girl the Solicitor had many in the courtroom in tears. Mrs. Coleman, mother of Mary Phagan broke down completely, and Frank's wife wept silently.

Says Frank Breaks Own Alibi.

Mr. Dorsey declared Frank's alibi was shattered at once by the fact that Frank told the police on April 28 he was at the factory at 1:10, while Helen Curran said she saw him at 1:10 at Whitehall and Alabama streets, and that Frank later changed his story to bolster up an alibi.

The Solicitor denounced Frank in the most violent terms as a "red-handed murderer" and a pervert who had plotted to lay the crime upon Conley. He charged that Frank planned to have Conley return to the factory and burn the body and would have had the detectives arrest Conley in the act. He asserted, furthermore:

That the expression "nothing startling has happened, it is too short since you left for anything startling to have happened" in Frank's letter to his uncle tended to show Frank's guilt;

That the prisoner had been trying for weeks to get Mary Phagan's favorable attention and the tragedy was the result of her refusal;

That the reference to the toilet in the death notes proved Frank dictated them because Conley always used the word "done;" the State says the crime was committed;

Charges Notes Prove Frank's Guilt.

That the use of the word "did" in the death notes proved Frank dictated them because Conley always used the word "done."

That wholesale perjury had been used by the defense in the effort to build a protecting wall around the prisoner.

Frank never flinched under the Solicitor's fiery attack. He seemed to be following his words closely but gave no sign of emotion.

The crowd in the courtroom was plainly with the Solicitor, although for the most part it preserved absolute decorum. Once a titter ran around when Dorsey made a sally in a tilt with Arnold and Judge Roan threatened to have the courtroom cleared.

The greatest crowd of the trial was attracted for the final affray and a thousand men and women begged in vain for admittance to the courtroom. Occasionally Dorsey's voice could be heard in the street and there would be a murmur of applause.

Dorsey's speech appears on pages 2 and 3.

LATEST NEWS

WASHINGTON, Aug. 23.—Consul Letcher, at Chihuahua, Mex., to-day was instructed by Secretary of State Bryan to make a demand on the military commander of the Chihuahua district that the bandits who killed Frank Griffith on July 6, and who assaulted A. F. Parks, be punished. Letcher was also instructed to investigate the reported murder of Edmond C. Hayes and demand punishment for the slayers if true.

WASHINGTON, Aug. 23.—The Senate Committee on Privileges and Elections to-day announced it would hold a public hearing next Wednesday evening on the case of Henry D. Clayton, appointed Senator from Alabama to fill out the unexpired term of the late Senator Johnston.

WASHINGTON, Aug. 23.—The Clapp bill to limit the use of campaign funds in presidential and national elections was ordered favorably reported to-day by the Committee on Privileges and Elections of the Senate.

WASHINGTON, Aug. 23.—The White House let it be known today that no matter what sudden shifts or turns the Mexican situation takes, the non-recognition of the Huerta regime will continue to be the keystone to the American policy.

CAMP PERRY, OHIO, Aug. 23. The world's record for the Palma ranges was broken in the Herrick match by Iowa, which won with 1727. This beats the 1912 Palma record by 7. Captain Stewart W. Wise, of the Massachusetts team, which was second, with 1702, equaled the world's individual record for these ranges with 223. The United States cavalry ranked third with 1691.

Atlanta Girl Hit By a Stray Bullet

CEDARTOWN, Aug. 23.—A. J. Sanders, a merchant, shot at John Rogers at the Seaboard station today, as a large crowd was waiting for a train, the bullet went wild and struck Miss Frances Brown, daughter of R. H. Brown, of Atlanta, who has been attending a house party given by Miss Lois Mundy. The bullet struck her in the hip, making a painful and perhaps serious wound.

Sanders claims he shot at Rogers in self-defense.

Money Bill Makers To Ignore President

WASHINGTON, Aug. 23.—Representative Henry of Texas, who is leading the so-called "insurgent" movement against the Glass currency bill, declared to-day that the efforts of President Wilson and Secretary Bryan to prevent amendments to the bill would not head off his proposal for greater credit for the farmers.

CAROLINA LEAGUE.

First game:		R.	H.	E.
Durham	200 000 002—	4	9	2
Greensboro	500 000 00x—	5	10	2

McManus, Ferris and Lowe; Fox and Lafitte. Umpire, McBride.

First game:		R.	H.	E.
Winston-Salem	000 000 000—	0	7	3
Charlotte	003 000 00x—	3	7	1

Boyle and Smith; Fahrer and Neidercorn. Umpire, Leibrich.

FEDERAL LEAGUE

First game: Score:		R.	H.	E.
Cleveland	000 002 001—	3	8	2
Pittsburg	030 111 00x—	6	8	0

Miller and Kleinow; Ramsey and Watson. Umpire, Vansyckle.

VIRGINIA LEAGUE

First game:		R.	H.	E.
Roanoke	000 010 320—	6	8	2
Newport News	000 00 000—	0	5	4

Efird and Welcher; Austin and Dempsey. Umpire, Kelly.

First game. Score:		R.	H.	E.
Petersburg	000 001 111—	4	9	1
Richmond	000 000 000—	0	4	0

Ayers and Mace; Brooks and Laughlin. Umpire, Williams and Norcum.

First game. Score:		R.	H.	E.
Norfolk	000 050 400—	9	6	3
Portsmouth	200 010 110—	5	11	1

Shenn, Burden and Stewart; Abring, Howell, Luttrell and Garvin. Umpire, Clark.

INTERNATIONAL LEAGUE.

First game:		R.	H.	E.
Providence	000 100 100—	2	7	1
Toronto	000 102 00x—	3	6	1

Bailey and J. Onslow; Kent and Graham. Umpire, Mullin.

First game:		R.	H.	E.
Baltimore	003 000 002—	5	8	2
Rochester	000 010 010—	2	4	2

Danforth and Egan; Wilhelm and Jacklitsch. Umpires, Hart and Finneran.

First game:		R.	H.	E.
Jersey City	000 000 000—	0	4	2
Buffalo	000 011 00x—	2	6	3

Brandon and Blair; Jameson and Stephenson, Umpires, Nallin and Owens.

First game:		R.	H.	E.
Indianapolis	000 000 101—	2	10	1
Louisville	000 070 00x—	7	9	1

Wetzel and Cotter; Toney and Severoid. Umpires, Johnstone and O'Brien.

KNOCKOUT FATAL TO BOXER

Jesse Willard's Blow to Chin Kills Former Sparring Partner of Luther McCarty.

LOS ANGELES, Aug. 23.—"Bull" Young, heavyweight pugilist, died at 9:30 o'clock this morning. He was knocked out last night at the Vernon Arena by Jess. Willard, "white hope" prize fighter, with an uppercut on the point of the chin.

He was removed to a hospital unconscious, and surgeons to-day performed a trepanning operation in the hope of saving his life. He did not regain consciousness after the blow was struck.

Willard was arrested shortly before Young died.

Young was still unconscious from the effect of Willard's right uppercut to the chin when the doctors opened his skull, and no anesthetic was used for the operation.

Young's bout with Willard was his first appearance as a principal in a boxing card. He came here from Wyoming as sparring partner of Luther McCarty, who was killed by a blow from Arthur Pelky at Calgary.

He was greatly devoted to McCarty, and it was he who insisted, after McCarty's death, that the latter had been poisoned, and asked for an examination of McCarty's stomach.

His theory, however, was scouted by those who had handled McCarty and were at the ringside when he met death.

SOUTH ATLANTIC LEAGUE.

AT ALBANY—

JACKSONVILLE— 102 ... ... - . . .

ALBANY— 000 ... ... - . . .

AT MACON—

COLUMBUS— 10. ... ... - . . .

MACON— 00. ... ... - . . .

Taylor and Reynolds; Baker and Thompson; Umpire, Barr.

AT SAVANNAH—

CHARLESTON— 010 0.. ... - . . .

SAVANNAH— 100 0.. ... - . . .

Eldredge and Menefee; Adams and Geibel. Umpire, Pender.

EMPIRE LEAGUE.

AT VALDOSTA—

WAYCROSS— 1.. ... ... - . . .

VALDOSTA— 1.. ... ... - . . .

AT BRUNSWICK—

AMERICUS— 00. ... ... - . . .

BRUNSWICK— 00. ... ... - . . .

Pratt and Manchester; Stewart and Kite. Umpire, McLaughlin.

AMERICUS— 000 ... ... - . . .

BRUNSWICK— 000 ... ... - . . .

AT CORDELE—

THOMASVILLE— 000 ... ... - . . .

CORDELE— 100 ... ... - . . .

Day and Wilkes; Hall and Bowden. Umpire, Genus.

RACING RESULTS

AT WINDSOR.

FIRST—Six furlongs: Ondramon 114 (Vandusen), 8-5, 2-5, out, won; Crystiawoga 108 (Obert), 6-5, 2-5, out, second; Sarolta 103 (Lounsberry), 8-5, 2-5, out, third. Time 1:17 4-5. Also ran: T. P. Conneff, Maid of Fromme.

SECOND RACE—Six furlongs: Mother Katchem 102 (Kederis), 16-5, 6-5, 1-2, won; Brawny 108 (Callahan), 8-5, 7-10, 1-4, second; Ondramida 98 (Taylor), 40, 15, 4, third. Time 1:16. Also ran: Counterpart, Glint and Love Day.

THIRD RACE—Selling, 1 mile and 70 yards: Ba 104 (Kederis), 12-10, 1-2, 1-4, won; Gerrard 94 (Callahan), 5, 2, 4-5, second; Goodday 97 (Loundsberry), 4, 7-5, 1-2, third. Time 1:47 2-5. Also ran: Fiel, Port Arlington and L. M. Eckert.

AT SARATOGA.

FIRST—6 furlongs: Joe Knight 112 (Butwell), 7, 2, out, won; Sosius 92 (McTaggart), 5-2, 4-5, out, second; Towton Field 109 (Glass), 7, 2, out, third. Time 1:14 3-5. Also ran: Isidora, Balamour.

SECOND—About two miles: Bill Andrews 146 (Fain), 8, 5-2, even, won; Guncotton 146 (DuPree), 3, even, second; Shannon River 142 (Allen), 7-2, even, 1-2, third. Time 4:26. Also ran: Nosegay, Big Sandy, Bigot.

THIRD RACE—Sanford Memorial, 2-year-olds, 6 furlongs: Little Nephew 115 (Killingworth), 11-10, 2-5, out, won; Undaunted 110 (Bryan), 5, 6-5, 7-10, second; Trumps 115 (Borel), 10, 3, 7-5, third. Time 1:14 4-5. Also ran: Flittergold, Fireside, Charlestonian, Tandsticker, Mr. Sniggs and Vandergrift.

AT TORONTO.

FIRST—6 furlongs: Nancy Ormes 105 (C. Jackson), 3, even, 1-2, won; Rummage 101 (Halsey), 6, 2, even, second; Tom Hancock 100 (Alley), 10, 4, 2, third. Time 1:24 3-5. Also ran: Mary Pitchford, Shippigan, Ratigan, Odd Cross.

SECOND—About 5 furlongs: Flower Field 101 (White), 3, even, 1-2, won; Wooly Mason 110 (J. Davenport), 5-2, even, 1-2, second; Sano 103 (Warrington), 5, 2, even, third. Time 1:06 2-5. Also ran: Vale of Avoca, Miss Enda Fenwick, Onrico, Bertmont, I'm There, Danville II.

THIRD—About 5 furlongs: Delicious 105 (Halsey), 3, even, 1-2, won; Johnny Wise 108 (Hall), 3, even, 1-3, second; May Bride 110 (Quinlan), 3, even, 1-2, third. Time 1:08 2-5. Also ran: Handseletta, Pass on, Boss, Sheriff Nolte.

ENTRIES.

AT TORONTO.

FIRST RACE—Selling, 2-year-olds, about 5 furlongs: xOdd Cross 104, Mary Pickford 106, Shippigan 106, Panama 106, Nancy Orme 106, Dragon Fly 106, Rummage 109.

SECOND RACE—Three-year-olds, 6 furlongs: xHandseletta 102, Wooly Mason 107, Miss Harvey 107, Casanova 107, La Bainrella 107, Delicious 107, Sandman 109, Boss 109, Sun Guide 112.

THIRD RACE—Selling, 3-year-olds and up, about 5 furlongs: xPhew 98, Fanchette 109, Jennie Wells 109, Chess 109, Mother 109, Elma 109, Merise 109, Maurice Reed 111, McAndrews 111.

FOURTH RACE—Selling 3-year-olds and up, 7 furlongs: xFlims 107, Onrico 111, Miss Menard 110, Blanche Frances 110, Tee May 110, Dorothy Weww 110, Little Erne 112, Jim O. 112, Tackle 112, Star Ashland 112.

FIFTH RACE—Selling, 3-year-olds and up, 6 furlongs: Gagnant 110, Gay 110, Miss Dulin 110, Mirdil 112, Danville II. 112, Kaufman 112, Tiny Tim 112, Excalibur 112, Sam Bernard 112, Penang 112.

SIXTH RACE—Selling 3-year-olds and up, 7 furlongs: Brush 102, xGollywogg 107, Lucky George 110, xThe Busy Body 111, xCurious 112, xDr. Holzberger 112, Bay Brook 115, Keroni 115.

SEVENTH RACE—Three-year-olds and up, about 5 furlongs: True Step 109, Golden Ruby 109, Susan 109, Ynca 109, Delightful 109, Monkey 109, Sally Savage 109, Dr. Hollis 111, Paul Davis 111, John Marrs 111.

EIGHTH RACE—Selling, 3-year-olds and up, about 5 furlongs: xProtagoris 98, Lady Robbins 103, Linbrook 103, Janus 103, Dick Deadwood 103, Mamita 109, Lucetta 109, Cherry Seed 111, Con Carne 111, Lasaja 111.

xApprentice allowance claimed.

Weather cloudy; track heavy.

At SARATOGA.

FIRST—Selling; three-year-olds and up; 6 furlongs: Bobby Boyer 110, Little Hugh 107, Progressive 110, Royal Message 105, Tony Boy 110, Incision 107, Moncrief 110, Water Welles 107, Mindinette 105, Feather Duster 107, Lucia 105, Cecilia H 105, Magazine 110, Discovery 107, Octavia 107, Flammarion 110, Patruche 107, Grenida 107, Sir Denrah 110, Nello 105.

SECOND — Steeplechase; maidens; about 2 miles; three-year-olds and up: Fashion Wing 132, Bayport 133, Humility 130, Repentant 130, Leumas 132, Rhomb 132, Gallant Gay 145, Diesenter 145.

THIRD—Troy selling; 5½ furlongs; two-year-olds: Surpassing 100, Water Lady 105, Surprising 117, Superintendent 107, Preston Lynn 109, Edith W 101, Aunt Mamie 101, Trade Mark 97, Salon 97, Vega 97, Delft 102, Naiad 94, Pomette Bleu 107.

FOURTH—Handicap; three-year-olds and up; 1¼ miles: Heybourne 113, Sam Jackson 112, Plate Glass 122, Warhorn 95, Star Bottle 97, Flying Fairy 109, Star Mason 97, Swannanoa 117, Barnegat 98, Princess Callaway 106, Jawbone 100, Absconder 93, Mission 109. Also eligible: Any Port 93, Virile 94, Hamilton 106.

FIFTH—Selling; mares and geldings; mile; three-year-olds and up: Ella Bryson 110, Judge Walser 109, Dr. Duenner 113, Inspector Lestrade 113, Dartworth 103, Fred Mulholland 106, Napier 103, Afterglow 100.

SIXTH—Maidens; two-year-olds; 6 furlongs: Peacock 104, Nellie Irene 104, Heartbeat 102, Gregg 102, Transformation 107, Francis Small 107, J. Nolan 102, El Mardi 107, Hortense 107, Monstone 99, Belloc 107.

Weather clear. Track heavy.

THE WEATHER.

Forecast for Atlanta and Georgia—Local showers Saturday; fair Sunday.

6 RUNS FOR LOCALS IN SIXTH

C. Brown Is Pounded All Over the Lot and Is Replaced by East. Welchonce Gets Triple.

PONCE DELEON BALL PARK, Aug. 23.—A hot batting rally in the sixth inning netted the Crackers six runs and gave them a big lead over the Bills in the final game of their series. C. Brown was hit all over the lot in this session.

Dent hurled great ball in the early innings. Dunn's error gave the visitors their tally in the fifth.

FIRST INNING.

McDowell fanned. Wares out, Smith to Agler. The ball bounded off Dent's glove. Elwert singled through Holland. Elwert stole second. Sloan flied to Welchonce, who made a fine running catch in deep center. ONE HIT, NO RUNS.

Agler out, Snedecor to C. Brown. Long drew four wide ones and trotted to the initial sack. Welchonce popped to Manning. The latter made a dandy running catch and doubled Long off first, Manning to Wares to Snedecor. NO HITS, NO RUNS.

SECOND INNING.

Jantzen went out over the Smith-Agler route. Manning died the same way. Snedecor went out, Bisland to Agler. NO HITS, NO RUNS.

Smith lined out to McDowell. Bisland singled to center, and when McDowell fumbled the ball the batter went to second. Holland lined to Bisland, who tossed to Manning, doubling up Bisland at second. ONE HIT, NO RUNS.

THIRD INNING.

Gribbens out, Dent to Agler. C. Brown died, Bisland to Agler. McDowell raised to Bisland. NO HITS, NO RUNS.

Nixon beat out a hit down the third base line. Dunn sent Nixon to second with a sacrifice bunt that Snedecor took care of all by himself. Dent out, Wares to Snedecor, and on the play Nixon ambled to third. Agler flied to McDowell. ONE HIT, NO RUNS.

FOURTH INNING.

Wares died, Bisland to Agler. Elwert was easy for Bisland and Agler on a hard grounder. Sloan lifted to Nixon. NO HITS, NO RUNS.

Long struck out. Welchonce out, Brown to Snedecor. Smith out, Wares to Snedecor. NO HITS, NO RUNS.

FIFTH INNING.

Jantzen was disposed of by Bisland and Agler. Manning singled to right and when Nixon booted the ball went to third. Snedecor grounded to Bisland, who threw to Dunn in time to catch Manning at the plate, but the Cracker catcher dropped the ball and Manning tallied. Gribbens singled to right and Snedecor was out trying to reach third, Nixon to Holland. Brown out, Holland to Agler. TWO HITS, ONE RUN.

Bisland singled to left and when Sloan fumbled the ball Bisland took second. Holland sacrificed, Elwert to Wares. Nixon singled through Manning and Bisland scored. Nixon stole second. Dunn fanned. Dent singled to left and Nixon was out trying to score, Sloan to Gribbens. THREE HITS, ONE RUN.

SIXTH INNING.

McDowell out, Bisland to Agler. This was Bisland's tenth assist. Elwert singled to center. Sloan lined to Welchonce. ONE HIT, NO RUNS.

Agler singled through Snedecor. Long bunted to Brown and beat it out for a hit. Welchonce tripled to left, scoring Agler and Long. Smith hit a sacrifice fly to McDowell and Welchonce scored. Bisland walked. Holland singled to left. Nixon singled through Elwert and Bisland scored. Dunn grounded to C. Brown and Holland was out in a chase, Brown to Gribbens to Elwert to Gribbens to Brown. Dent tripled to the scoreboard, scoring Nixon and Dunn. Dent was called out for cutting second base. Dent was given only a single on the hit. SIX RUNS, SIX HITS.

SEVENTH INNING.

Jantzen out, Bisland to Agler. Manning out, Smith to Agler. Snedecor out, Dent to Agler. NO HITS, NO RUNS.

Manning dropped Agler's high fly and Joe was safe at first. Long hit to Manning and beat it out for a hit. Agler raced to the far corner on the safety. Welchonce grounded to Wares, who touched Long on the line for a put-out. Agler was held on third. Smith hit a sacrifice fly to McDowell and Agler tallied. Bisland was out, Elwert to Snedecor. ONE HIT, ONE RUN.

For Remainder of Details See Red Type.

9-Year-Old Slayer Is Jailed at Perry

PERRY, Aug. 23.—George McCluster, a negro boy, 9 years old, is in jail here, having stabbed to death Coy Barrett, 13 years old.

The killing occurred on J. A. Wood's place on the Perry and Fort Valley road, just beyond Myrtle. While the boys were playing they became involved in a fuss. The only witness was Joe Barrett, a 6-year-old negro.

LEAPS 18 STORIES TO DEATH.

CHICAGO, Aug. 23.—An unidentified man jumped from the eighteenth story of the Masonic Temple into State street this afternoon and was killed outright. Thousands of persons were passing the building.

	1	2	3	4	5	6	7	8	9	R
MONTGOMERY	0	0	0	0	1	0	0	0	0	1
ATLANTA	0	0	0	0	1	6	1	0	x	8

CRACKERS	r	h	o	a	e	BILLIKENS	r	h	o	a	e
Agler, 1b	2	1	21	0	0	McDowell, cf	[illegible]	1	4	[illegible]	[illegible]
Long, lf	1	2	0	0	0	Wares, 2b	[illegible]	0	3	5	[illegible]
Welchonce, cf	1	1	2	0	0	Elwert, 3b	[illegible]	2	0	4	0
Smith, 2b	0	0	0	4	0	Sloan, lf	0	0	0	1	1
Bisland, ss	2	2	1	14	0	Jantzen, rf	0	0	0	0	0
Holland, 3b	0	1	1	1	0	Manning, ss	1	1	2	3	1
Nixon, rf	1	3	1	1	1	Snedecor, 1b	0	0	9	1	0
Dunn, c	1	1	1	0	1	Gribbens, c	0	1	4	1	0
Dent, p	0	2	0	3	0	C. Brown, p	0	0	2	1	0
Totals	8	13	27	23	2	Totals	1	5	24	14	2

SUMM[illegible]

Three-base hit — Welchonce. [illegible] plays—Manning to Wares to Snedecor; Wares to Manning. Struck out—by yDent 1; by C. Brown 2. Bases on balls—off C. Brown 2. Sacrifice hits—Dunn, Holland. Stolen bases—Elwert, Nixon.

FIRST OF EIGHTH INNING—Rogers catching for the Billikens out, Smith to Agler. East out, Bisland to Agler. McDowell beat out a grounder. Wares out, Smith to Agler. ONE HIT, NO RUNS.

Holland out, Elwert to Snedecor. Nixon out, East to Snedecor. Dunn singled. Dent fanned. ONE HIT, NO RUNS.

NINTH INNING—Elwert out, Bisland to Agler. Sloan out, Smith to Agler. antzen out, Bisland to Agler.

FINAL★

SOUTHERN LEAGUE

FIRST GAME.

AT CHATTANOOGA—

					R	H	E
MEMPHIS	004	000	030	-	7	9	0
CHATTANOOGA	001	110	000	-	3	8	3

Liebhart and Seabough; Grimes and Street. Umpires, Wright and Kerin.

FIRST GAME.

AT BIRMINGHAM—

					R	H	E
NEW ORLEANS	000	000	0	-	0	2	2
BIRMINGHAM	107	400	X	-	12	13	0

Glavenich and Adams; Hardgrove and Mayer. Umpires, Hart and Pfenninger.

SECOND GAME.

NEW ORLEANS ... 0.. ... . - . . .

BIRMINGHAM ... 1.. ... . - . . .

AMERICAN LEAGUE

AT CHICAGO—

PHILADELPHIA ... 000 0.. ... - . . .

CHICAGO ... 203 1.. ... - . . .

Brown and Schang; Cicotte and Schalk. Umpires, Connolly and McGreevy.

AT ST. LOUIS—

WASHINGTON ... 100 000 0.. - . . .

ST. LOUIS ... 100 000 0.. - . . .

Engel and Henry; Baumgardner and Agnew. Umpires, Dineen and Egan.

AT CLEVELAND—

BOSTON ... 300 010 ... - . . .

CLEVELAND ... 020 000 ... - . . .

Collins and Carrigan; Blanding and O'Neal. Umpires, Sheridan and O'Loughlin.

FIRST GAME.

AT DETROIT—

					R	H	E
NEW YORK	000	001	000	-	1	5	2
DETROIT	112	300	10X	-	8	13	0

SECOND GAME.

NEW YORK ... 002 ... ... - . . .

DETROIT ... 000 ... ... - . . .

Caldwell and Sweeney; Lake and McKee. Umpires, Ferguson and Evans.

NATIONAL LEAGUE

AT BOSTON—

					R	H	E
ST. LOUIS	013	000	000	-	4	13	0
BOSTON	042	020	00X	-	8	15	2

Perritt and Wingo; Perdue and Whaling. Umpires, O'Day and Emslie.

AT NEW YORK—

					R	H	E
CHICAGO	000	000	020	-	2	6	2
NEW YORK	110	010	00X	-	3	9	2

Smith and Archer; Marquard and McLean. Umpires, Rigler and Byron.

AT BROOKLYN—

					R	H	E
CINCINNATI	100	000	010	-	2	9	0
BROOKLYN	500	000	00X	-	5	7	1

Suggs, Packard and Clark; Reulbach and Miller. Umpires, Klem and Orth.

FIRST GAME.

AT PHILADELPHIA—

					R	H	E
PITTSBURG	001	900	000	-	10	14	0
PHILADELPHIA	012	000	200	-	5	11	1

McQuillen, Hendrix and Gibson and Simon; Alexander, Imlay, Seaton and Killifer. Umpires, Brennan and Eason.

SECOND GAME.

PITTSBURG ... 002 60. ... - . . .

NEW YORK ... 401 00. ... - . . .

Cooper and Simon; Brennan and Killifer. Umpires, Brennan and Eason.

TWELVE JURORS WITH WHOM LEO M. FRANK'S FATE RESTS

DORSEY ASSAILS FRANK'S ALIBI; CHARGES PERJURY

Solicitor Dorsey in his closing address in the case against Leo M. Frank delivered the masterpiece of his career and held a packed courtroom agape with tense emotion.

Probably a more stirring, denunciatory, and at the same time incisive and analytical argument, has never been heard in a Georgia court. Here it is as the Solicitor delivered it:

"Dorsey moved over to the railing of the jury box as he opened his speech.

"Your honor and gentlemen of the jury," he said, "I was speaking to you yesterday of the character of this defendant. This defendant has not a good character. The conduct of the counsel in this case in failing to cross-examine, in refusing to cross-examine these twenty young ladies, relates effectively and absolutely the claim of the defendant that he has a good character.

Says Defense Had Right to Refute Charge.

"As I said, if this man had a good character, no power on earth could have sent him and his counsel from asking those young girls where they got their information and why they deal what they did. Now that's a common sense proposition.

"You know as twelve men seeking to get at the truth that they did not ask those half-brained fanatics as Mr. Arnold calls them, questions about Frank's character because they were afraid. And those witnesses, as good as any the defense put up, were unimpeached and are unimpeachable. And you tell me that because the good people come from Washington street and testify to his good character is that he has one?

"It very often happens that a man's wife is the last person to know his wrongdoing. Sometimes the man uses charitable and religious organizations to cover up and hide his evil deeds. Very often when Cesar Wilde was in his cell, gray-haired and tottering to the grave, he confessed to his pal, Prominent? Why, he was one of the most prominent men in the world when he was in America. Why, he founded the aesthetic movement here. He raised the sunflower from a weed to the dignity of a flower. He was handsome—one of the handsomest men you'd be found, he had moral courage, yet he was a pervert, proved and confessed.

"There was a handsome man in San Francisco, a member of this decadent sect—Abe Ruef, a man who possessed all of the faculties of highest intelligence, yet he corrupted even Smith, and his corruption of the poor girls with whom he came in contact brought him to the penitentiary. I have already referred to Durant. His character did not prevent the jury from convicting him. This defendant's character, like Durant's, is not worth a cent when the case is proved.

"And crime is alike with the rich and poor, ignorant and learned. Take an ignorant man like Jim Conley. He is the man who commits the petty crimes, but take a man with high intellect, like this defendant—this intellect, when put to the right use, leads to glorious accomplishments; but if these faculties be put to the wrong use, it brings ruin to the man in the commission of the most diabolical crime. Look at McCue, the Mayor of Charlottesville, Va. He was a man of broad intellect and high education, but, despite his intellect, despite his splendid character, he tired of his wife and shot her, and the jury composed of Virginia gentlemen, broad-minded and fair, despite McCue's character, found him guilty and sent him to a felon's grave.

"Take the case of Richeson, the preacher of Boston. Here was a man of highest intellect and with a brilliant future. He was engaged to one of the wealthiest and most beautiful girls of Boston, but entanglements with a poor little girl caused him to fear for his good name and he so far forgot his good character as to put this poor little girl to death. Even after his conviction in the last days of his hope he committed an act upon himself which he thought would draw the pity of the Governor and save his life. But a Massachusetts jury and a Massachusetts Governor were courageous enough to let that man's life go. They had the courage which will make every right-thinking man stand by the laws of God and man and of his country.

"Take Beattie—Henry Clay Beattie, of Richmond. He was of splendid family, of wealth and proved a good character, though he did not possess it. He killed the mother of his 11-month-old baby out in an automobile and shot her. He was cool, calm and deliberate. He laughed and he joked, but he joked too much, and although the detectives were maligned and abused and a large slush fund was used by a conscienceless honor Virginia jury upheld justice and sent that man to death. And he never confessed, but he left a note saying he was guilty.

Likens Frank To Dr Crippen.

"Crippen of England, a man of high standing and recognized ability, killed his wife because of infatuation for another woman. He did her where he thought she would not be found, in this man (pointing to Frank) thought the body of the girl would never be found. But murder will out, and he, as said to the glory of old England, was made to pay the penalty of death.

"Gentlemen, you have an opportunity. Is it crime to rape? Measure up to it. Will you do it? If not, let your conscience say why not.

"But you say you've got an alibi. Let's examine that proposition. Here's an authority: 'An alibi as a defense involves the impossibility of the prisoner's presence at the time of the offense at the time of its commitment, and the range of evidence must be such as reasonably to exclude the possibility.'

Says the burden of carrying this alibi rests on the shoulders of this defendant. They must show to you that it was impossible for this man to have been at the scene of the crime—an alibi, while the best kind of evidence if properly sustained, otherwise is absolutely worthless. I am going to show you that this man's alibi is worse than useless. It is no defense at all.

"I want to give you the definition of an old darky of an alibi. It illustrates my point. Rastus asked old Sam, 'What is this hyar alibi I hear so much about?' Old Sam says, 'An alibi is provin' that you was at the prayer meeting where you wasn't, to prove you wasn't at the crap game where you was.'

"Let's see the time table of the defense. I want to turn it around for half a minute. Then I want to turn it to the wall and let it stay forever.

'Frank's Own Statement Refutes Time Table.'

"(One p. m.—Frank leaves the factory. It looks mighty nice on the chart. Turn that chart to the wall, Mr. Sheriff. Let it stay turned to the wall. That statement is refuted by the defendant himself when he didn't realize the importance of this time proposition.

"Frank's statement at police headquarters, taken by G. C. Febuary on Monday, April 28, says, 'I didn't lock the door that morning. The mail was coming up. I locked it when I started home to lunch at 1:10 o'clock.

"Up goes your alibi punctured by your own statement when you didn't realize its importance. Yet these honorable gentlemen for the purpose of impressing your minds print in big letters on this chart he left the factory at 1 o'clock. If he swore that he was on the stand the other day that he left the factory at 1 o'clock it was because he saw the importance of this time point and had to leave ten minutes earlier than he said he had at the police station before he had had time to confer with his lawyer, Mr. Luther Z. Rosser.

"I quote, 'I left at 1:10. Right here let me interpolate. This man never made an omission from the beginning to the end of this case. When he knew a person was aware that he was in the factory at a certain time he admitted it. He proved, or at least attempted to prove, an alibi by his statement made to the police April 28 in the presence of his attorney, Mr. Luther Z. Rosser, and yet he swore that he did not leave the factory until 1:10.

"The saddest thing in this case—I don't know who caused it. I don't care who caused it—I don't know I will go to my grave without ever learning who brought this little Confederate girl into this case—the saddest thing in this case is bringing in this poor little girl to be crucified. Mocking's and placing her upon the stand here to protect this red-handed murderer.

"Jurors are sworn and his honor has the right under the law to charge you to consider the truthfulness or the reasonableness of that which and witness swears to. And, gentlemen of the jury, anyone who looked upon that little girl noticed her bearing upon the stand, the slightly unusual manner and her connection with Montagg—consider the fact that this little girl, like the little Hauser boy had been riding in Montagg's automobile—and if you can not tell just why and how she was brought here, then I am unable to understand your mental operations.

"If Frank locked that door at 1:10, how could she have seen him at Atlanta and Whitehall street at 1:10? How could she be so positive that it was him, if she really saw anyone there? For, mark you, she had never seen him but once. She comes into your presence and tells you the unreasonable and absurd story of seeing him, which is in direct contradiction to Frank's story.

"On this time proposition, I want to read you this. It made a wonderful impression on me when I read it. It's from the speech of a wonderful man. It's from a man in whose presence even lawyers of the type of Arnold and Rosser would take off their hats.

"I refer to Daniel Webster and his argument in the Knott case. 'Time is identical, days, hours, are not synthetic to any of senses except to the schoolad. He who speaks of days, hours and minutes talks at random. It is better than I could express it. What about this time? In this table three minutes are moved up and down, contorted and twisted to protect this man. They say he arrived at the factory at 1:25. Frank himself in his first statement said he arrived at 1:20, and poor Jim Conley, lousy, filthy and dirty, said he arrived at 1:30, carrying a raincoat, and they tried to make it appear he didn't have one. If the truth is ever known, he tried to borrow that raincoat of Ursenbach's to create the same impression.

"Mattie Smith at 1:20 (quoting from the table) and Frank and Mattie Smith both say 1:30. He called Schiff at 10 o'clock (reading again) and yet this man with all his mathematical knowledge, according to Barnes said he was at Montagg's at 10 o'clock. They say he arrived back at 11 o'clock, but in his first statement he said it was 11:05. At 12:15 they say Mary Phagan arrived at the factory.

"Oh my, they have to do it. Like a rabbit in Uncle Remus' story, they just bleeged to do it. Move the minutes up and back, for God's sake, or the victim!

"But to crown it all! In the table which is my turn-to-the-wall table, they have Lemmie Quinn arriving not on the minute, but to suit your purpose, at from 12:20 to 12:22. That evidence conflicts with the statements of Miss Freeman and the other young woman, who put him there before 12 o'clock.

Arnold—Your honor, I must interrupt. No such evidence was ever brought out. Those young women said that they left the factory at 11:45 and that they saw Lemmie Quinn in the Busy Bee Cafe considerably after. Mr. Dorsey says they saw him at the factory before 12 o'clock.

Dorsey—No, your honor, I didn't say any such thing. They didn't see him there, and I don't think anyone else did.

The crowd laughed.

Arnold—Your honor, have we got to take this whole crowd into this case? Judge Roan—Gentlemen, there must be order or I will clear the courtroom.

Dorsey—Find the records. They will show I am right. I have got Lemmie Quinn's affidavit. I am just arguing this case on the evidence.

"Jim Conley is a liar, is he? He said Quinn was there and that he was there before Mary Phagan came. Frank had a mighty hard time remembering whether Quinn was there. When Quinn saw him at the police station and said he had been there, Frank said he would have to see his lawyers before deciding whether or not to make it public.

"Is Jim Conley telling the truth or telling a lie? You can't go hot and cold on him. Why was it Frank wanted to consult his lawyers?

Arnold—I will find the record.

Dorsey—Yes, you can find it. You can find where Quinn swore half a dozen ways. He was the most anxious witness I ever saw on a stand, except for old man Holloway. He would tell that he was there if Frank said tell it. He would keep quiet if Frank said no.

"Oh, gentlemen, let me read you what a great lawyer said on this sort of evidence. I read the words of Judge Lochrane:

"'I do not take the mere words of witnesses. I take their acts.'

"And while I am on this subject I want to read you another opinion:

"'Evidence given by a witness has inherent strength which is wanting in other testimony.' But a statement has none.'

Arnold: 'Now, your honor, I have found the records and it bears out just what I said.'

Arnold read from the testimony of Miss Corinthia Hall that she and Mrs. Freeman were in the pencil factory at 11:45 and left there at 11:46.

Dorsey—Gentlemen, I want to read you 'You saw Lemmie Quinn at 5 minutes to 12 o'clock?' Answer: 'I don't remember.' Question: 'Was he told us he had been up to the factory and saw Frank. He said he was going to the matinee.'

"Lemmie Quinn swore several times he was at the factory at 12:20. Arnold continued, 'and here it is that he said that he was in a hurry to get to 12:30, just after leaving the factory.'

Judge Roan: 'Mr. Dorsey, have you anything in contradiction to that?'

Dorsey: 'Yes, I have plenty, that does not contradict.'

Arnold: 'I just want to call attention to the glaring error.' The little one-horse lawyer is anything about. I won't interrupt him except on glaring mistakes. Let's get to the end.'

Dorsey: 'Yes, you will. You will interrupt me every time I am incorrect. You are too shrewd, too anxious to let anything go by. Don't tell me Quinn was there. He said, 'Those girls went out of the factory at 11:45 o'clock. They walked up a block and down a block to the Busy Bee Cafe. There they saw Quinn.'

"In the same of goodness, if Frank according to his own statement, could leave the factory at 1:10 o'clock and get home at 1:25, couldn't these girls walk up a block and down a block and see Quinn in fifteen minutes?

"I know it hurts, but this table here which puts Lemmie Quinn at the factory from 12:20 to 12:22 is a stand on its face. There is no greater farce in this case than their straining at this particular point, with the exception of Billy Owens' pantomime. And, oh, what a farce that was!

"Gentlemen of the jury, you need not try to consider their attempts to be accurate about the time Quinn says he was there, for Lemmie says himself he could not be positive. He says he thinks he got there some time between 12:20 and 12:30.

Mentions Girl Who Would Die for Frank.

"Ah, gentlemen of the jury, whenever a man gets to swearing too definite and too specifically about time, then the words of our friend Webster which I quoted to you are right—'He is not to be relied upon.'

"And can you truly consider the words of a man whom your reason tells you is straining to set the exact time?

"But let's pass on from this. I will not take the time to read you every thing that Lemmie says he did. Let's pass on to the perjury proper. Arnold has so flippantly made. You saw these witnesses upon the stand. You heard their words. You noticed their manner, their attitude and their interest.

"Yes, one of these ladies from the factory wanted to die for this man Frank.'

A titter of laughter ran around the room, and deputies were forced to rap for order.

"When did you ever know of an employee being so enamored of her employer that she was willing to die for him, if their friendship was purely platonic? I know enough about human nature—I know enough of the passions which surge in the breast of mortal man—to know that this poor woman's anxiety to go to the grave into the noose to save him were born of something besides platonic love.

"When you see a woman so passionately devoted to her employer—so anxious to die for him—you may know and you can gamble on it that there is something stronger there than platonic love; it must be the heat of born of something beyond the relation which should exist between a married woman and her employer—and this woman employee.

"Ah, gentlemen of the jury, we could have got witnesses after witness who would have gone upon this stand and swore things about this man. There were people who would have perjured themselves. There were witnesses who came upon this stand for the defendant who on the face of their testimony perjured themselves

"Take this little Hauser boy. Remember his testimony before he took that automobile ride with Montagg to the office of Arnold & Arnold. Before dinner he could remember each detail, but after dinner, after he had taken that ride with old Sig Montagg, he had a lapse of memory. Old man Sig must have told this little boy about the Hard Shell preacher down in South Georgia who had his congregation pray for rain. They prayed and prayed, and after a while, like old Sam Jones would have said, the Lord sent a trash mover, a gully washer.

Boy Must Have Overdone It.'

"'It rained and it rained until they had more water than they knew what to do with. Then the old hardshell preacher said: 'Brethren, it looks like we have a-leetle overdone it.' So Montagg must have whispered Hauser's ear, 'You have a leetle overdone it.'

"And, after dinner, this little boy didn't know anything. But was that all? Why, gentlemen of the jury, before dinner that boy even remembered where his watch lay.

"Do you believe that? Talk about perjury! Willful foolishness, because an honest jury knows that it was not true. They brought in that machinist Lee. He was willing to swear to anything and there was not a man in the sound of his voice that didn't know he was telling an untruth. He wrote and signed a statement about Dutry's intuition. I brought it here and it was written in type writing and didn't even have his name on it.

"They thought we could not find Dutry and thought you didn't have sense enough to know the first thing you do in a case like that is to wrap something around it to stop the loss of blood.

"I have never seen a case yet where women were so suborned as in this. Take this woman Fleming, his stenographer. They put her up and she swore Frank had a general good character. She only swore to what she had done in her presence. When they cross-examined her. We don't know what took the process of sum morning a jury.

"When did our man Starnes and Pat Campbell stoop to that? And suspicional Why didn't we get old man Starnes and Gantt instead of Frank? Why didn't we get Campbell? We put them that we absolutely no case against either. But there is a perfect case against this lemon. But you convict the Jury! But it is not worth fifteen cents until you put your fingers on something specific.

"And here, gentlemen, right before

Continued on Page 3, Column 1.

THE SUMMER HEALTH DRINK

Hunter's Acid Phosphate

A healthful tonic, refreshing and delicious acids beverage—more cooling and refreshing than lemonade.

CHICAGO
CHOICE OF ROUTES AND GOOD SERVICE
L&N

SOLICITOR DORSEY MAKES GREATEST SPEECH OF HIS CAREER

Likens Frank to Beattie, Richeson, Wilde and Other Noted Criminals

DORSEY STRESSES FACT THAT DEFENSE DIDN'T GO INTO CHARACTER ATTACK

Continued From Page 2.

your very eyes, in black and white, the testimony ofthis woman, Fleming, shows that they perjured her.

"Do you tell me when that factory closes on Saturday afternoons that this man with the handsome wife that he possesses, this college graduate, who likes to read and play cards, who likes to see baseball games, would spend his time there, using the data that Schiff prepared on Saturday afternoons when he could do it Saturday morning? No, sir. Miss Fleming was right. She didn't stay there to work often on Saturday afternoons."

The jury was allowed to retire for a few minutes. When they returned, Dorsey resumed his argument.

"Now, gentlemen, I submit that this man made that inance sheet Saturday morning. I am not going to fatigue you with my reasons. It is unnecessary. If he did make that sheet on Saturday afternoon, he did it thinking of an alibi. But don't tell me that because he might have done this on Saturday afternoon with a penmanship that showed no nervousness proves an alibi.

"If he could go home into the bosom of his family after such an atrocious crime, he could have made that sheet. But he wouldn't have done it if Schiff had not gotten up the data. He had done it fifty-two times a year for five or six years. If he would do additional work on that Saturday afternoon, it could only have been with a sinister purpose.

Witness Afraid Even to Identify Handwriting.

"In speaking of perjury, his mother said anybody ought to identify his handwriting."

Dorsey held up the photograph of the sample of handwriting Frank wrote for the police.

"Yet the man they put up to identify his handwriting was so afraid he might do Frank an injury that he wouldn't venture a guess. Grant that he did go home to his wife and those old people—his parents-in-law—and maintain a stoical countenance. Grant that he did make that sheet, which he could make up with his eyes shut. Grant that he did unlock the safe, a thing that he had done every day for years.

"But when he went to run the elevator; when he went to nail up that back door; he wavered; he paled when he talked to the police, and trembled on Darley's knee as he rode to the police station.

"He could sit in the hall and read a joke about a baseball umpire, but the frivolity annoyed the visitors at his home. It was the same kind of frivolity Henry Clay Beattie displayed when he stood beside the automobile that was stained with the blood of his wife. His joke was uttered only in annoyance; it jarred.

"But whether or not he made up that financial sheet, while waiting for old Jim to come and burn the body, one thing I grant he did. Don't forget the envelope; don't forget the way the letter was quoted, that letter he wrote to his uncle in Brooklyn, that letter that begins: 'I trust that this finds you and dear Tante well.' He had no wealthy relations in Brooklyn! That old millionaire uncle was mighty near there when Frank told old Jim Conley: 'Why should I hand? I have wealthy relatives in Brooklyn!'

Dorsey finished reading the letter and then said:

"Here is a sentence pregnant with significance. It bears the earmarks of a guilty conscience. He wasn't trembling when he wrote. He is capable and smart, but here is a sentence that is a revelation. Here is a document I concede was written after little Mary Phagan, who died for virtue's sake, was lying mutilated in that dark cold basement."

At this juncture Mrs. J. W. Coleman, mother of Mary Phagan, began to cry.

Dorsey read from the letter:

"'It is too short a time since you left for anything startling to have developed down here.'

"'Startling' and 'too short a time.' Those are the words that incriminate. That little sentence itself shows that the crime was committed in an incredibly short time.

"Tell me, honest men, courageous men of Georgia, that this phrase penned to his uncle that afternoon did not come from a stricken conscience. 'Too short a time since you left for anything to develop down here.'

"What do you think of that, honest men? Then notice what he writes about the thin, gray line of veterans facing the chilly weather, as if that old millionaire uncle of his traveling around Germany for his health, as if he cared for these old heroes in gray! Ample and reliable authority says that over-expression is an indication of guilt. Tell me that this old man, who was just preparing to sail for Europe, cared for these old heroes in gray—this wealthy old man who wanted to see the financial sheet. 'Too short a time'—yes, he said it was too short a time for anything to develop down here. But, gentlemen of the jury, there was something startling to develop, and it happened within the space of 30 minutes. 'There is nothing new in the factory to report, but there was something new in the cellar. There was something to report, and the time wasn't too short for it to happen.

"You tell me that letter was written in the morning? Do you believe it? Why, they haven't even tried to say that. I tell you that that letter shows on its face that something startling had happened, and I tell you that that rich uncle did not care the snap of his finger about the thin, gray line of veterans.

"Ah, yes, he had wealthy relatives in Brooklyn. That's what old Jim Conley said he told him. And his people lived in Brooklyn, and old Jim never would have known that if Frank had not told him. And they had at least $10,000 in cool cash in the bank; and he had a brother-in-law employing two or three people, at least, and we don't know how many more. And if his rich uncle was not in Brooklyn, he was near there.

"All right, let's go a step farther. On April 28 he wired Adolph Montag at the Imperial Hotel in New York: 'You may have read in Atlanta papers of factory girl found dead Sunday morning in cellar of pencil factory.'

"Yes, gentlemen of the jury, in the cellar of the pencil factory. There's where he placed her, and that is where he expected her to be found. And the thought of it welled up in his mind that Monday morning, April 28, before he had been arrested, and he wired Montag forestalling what he knew would certainly and surely happen unless the Atlanta detectives were corrupt and would suppress it.

Compliments Detectives.

"But, be it said to your credit, Starnes; to your credit, Campbell, and you, too, Rosser and Black, that you had the manhood and the courage to do your duty and roll the charge up to this man, protected as he was by wealth and influence.

"And notice what else he said in this telegram. Notice the credit he gives to the police: 'The police will eventually solve it.' And be it said to thec redit of the Atlanta police department, they did solve it. 'Assure my uncle I am all right in case he asks. Our company has case well in hand.' Maybe he did think when he got that fellow Scott that his company had it well in hand.

"I tell you there is an honest man—this fellow Scott. If there was a slush fund in this case—and witnesses have said there was no such fund—this man Scott could have gotten it. Not at first, maybe, but he could have gotten it later on. But Scott knew his duty, and he has done it. No wonder Frank could telegraph that his company had the case well in hand, for Scott's first words could not have suited him better had he wished for them. They were, 'The Pinkerton's always work arm and arm with the police.' This suited Frank well. It was just what he wanted. He wanted to know what the police thought he wanted to know what they were going to do, and this worked well, until the chain began to tighten.

"And Haas—and he is nobody's fool—when he sa wthe trend of the case, he opened the negotiations; he gave Scott the opportunity by saying, 'Now let us have what you get first.'

"But let us pass on from that. You ell me that letter and that telegram are not significant? That the work pn this financial sheet is no significant? That Schiff's testimony as to the work on that financial sheet is not significant?

"Frank himself was not satisfied. He is as smart as his lawyers, too.

"He realized that he would have to go out and beyond the evidence, because he knew it was all bunk; and he tried to show you that he did write the financial sheet. Frank did write that letter Saturday afternoon, and he did write that telegram Monday; but he did not do any work on the financial sheet after Saturday at noon. I ask you twelve men if those documents and letters don't bear the impress of murder?

"And they still cry perjury. I just thought of another case, when that man could not identify Frank's handwriting that his own mother said was his. That was perjury, and there was perjury in the testimony of Bower and Lee. Mrs. Carson said she had worked there three years, and Arnold asked her a question that he would not ask a younger woman. He asked her about seeing blood around the toilet and in the dressing rooms. She said she saw it there very often. Then she talked about Conley being on the fourth floor that Monday. I pinned her down to say that Frank was there at the same time. It was then that Frank leaned over and said, 'Be a good boy, Jim,' and Jim, remembering his wealthy relatives in Brooklyn, and his promises of money, said, 'Yes, sir, boss; I will.'

"Surely the officers could not suborn Conley at that time. And she says she never saw the blood by the water cooler; she said she didn't look at it because she didn't like to look at things like that. But another lady on the stand says she did go back and look at it; that she was with her.

"But back again to Conley. If he had committed that crime and had not had Leo M. Frank and his promises back of him, would he have gone back to that factory every day and remained there until Thursday? They said they were going to put up all the girls on the fourth floor. But they didn't do it until we called their four-flush and put up witnesses who corroborated their witness, Miss Jackson, about the misconduct of this man.

"Miss Small, also on the fourth floor, corroborated Conley. She said she saw him on the fourth floor Monday. Now, why did Frank go to the fourth floor so often Monday and Tuesday? Because he knew Conley was up there, and he wanted to be sure the negro was not talking. Conley told Miss Carson that Frank was as innocent as an angel in heaven. We said he was merely doing what he had promised to do—protect his employer. Mr. Rosser characterized the statement as a dirty suggestion. It was, and I accept it, but it is true; and you men would not sit here and see that negro hang for a crime Leo M. Frank committed.

"When Conley went up to the second floor in response to Frank's signal, Frank said, 'Did you see anything?' and he said, 'I saw two girls come up, but there ain't but one of them come down.' And then Frank knew that he would have to take this negro into his confidence.

Shaking his finger at Frank, Dorsey continued:

"And you told old Jim Conley to protect you! And he tried to do it. It is infamous to try to have Jim Conley hanged for a crime that Leo Frank did. Gentlemen, I haven't got to the State's case yet; I am just cutting away some of the underbrush this defense has planted in this forest of oaks. They have played the detectives. The only thing to the discredit of the police department is that it allowed itself to be intimidated by the influence of this man and his friends and his big lawyers.

Didn't Have Courage To Put Frank in Cell.

"When they took him down there guilty of this red-handed murder they didn't put him in a cell like they did Newt Lee and Jim Conley. It took time for them to get their courage up to the point of locking him up as he should have been. Old John Black—Mr. Rosser likes to brag about what he did to him—but he didn't make so much off of him after all. Black's methods are somewhat like Mr. Rosser's. If Black had had Frank in the position that Mr. Rosser had Jim Conley, this whole trial might have been obviated with a confession."

Dorsey turned and pointed at Frank.

"You didn't get counsel a moment too soon. You called for Darley and you called for Harris; you called for Rosser and Arnold, and it took them all to bolster up your nerve. Gentlemen of the jury, you know I am telling you the truth. The only thing against the police is that this man, who had just snuffed out the life of this little girl, was given too much consideration. His able counsel and the glamour of wealth that surrounded him, overawed the police. I had nothing to do with it, but I honor them for the way they went after Minola McKnight. I don't know whether they want me to apologize for them or not; but do you think that in protecting the people from such crimes as this the detectives are acting like they are at a tea party?

"Should they have the manners of a dancing master? If you do, you don't know anything about it. Once get an old 'possum dog on the trail, and you can't call him off. So it is with Starnes and Black; they knew Albert McKnight wouldn't have told those young men at the Beck & Gregg Hardware Company that story about his wife unless it were true. They went after Minola. They stuck to the trail. They smoked her out. Minola's friends got a writ of habeas corpus. Do you think if Mr. Haas had come to me with a writ of habeas corpus to release Frank I would have done it? I would have said it was none of my business.

"The next time the police have to use strong methods in an effort to protect the people by going after a red-handed murderer, I won't usurp their authority or the authority of the judges. I haven't anything to do with the police department, or the functions of the judges. I am responsible only for the office of Solicitor General for the term to which I was elected. I honor Mr. Charley Hill; I am as proud that I have succeeded him as I am that I was given this place by a vote of the people. He was honorable and strong; but I tell you gentlemen, no man is my pattern; I follow the dictates of my own conscience."

Tears Come to Dorsey's Eyes.

Mr. Dorsey raised his voice and tears came into his eyes.

"If there is one thing I am proud of during my term of office, it is that I joined hand and glove with the police; and when your influence (turning to the defense) tried to get Jim Conley indicted by the grand jury, I stood out against it. If that is treason, make the most of it. If you don't want me to do it, get somebody else.

"Mr. Hill was a noble man. He had the courage of a Caesar and the eloquence of a Demosthenes. I have wished a hundred times that he was here making the speech to you that I am making.

"He would have stripped the hides off of you (pointing to the defense). Such talk as that doesn't terrify me. It doesn't disturb the serenity of the conscience in everything I have done in the prosecution of this man. Let's get back to the talk on perjury.

"Don't get up here and call everybody a liar without giving the specific instances. Take the evidence of Mrs. Small. She said she saw Frank and Miss Rebecca Carson walking along and that she stopped Frank and had him O. K. a ticket. She said it was Miss Rebecca Carson she was with. She says that Mrs. Carson was not there at all. Mrs. Carson said she was there. Mrs. Small said she saw Conley standing up there by the elevator and that Frank must have seen him—that Frank passed within 4 feet of him. She says that Jim was doing nothing; that he was standing by the elevator with his hand on a truck.

"Mrs. Small also tells us that the elevator shook the entire building. She said he couldn't helped but hear it if the machinery was not running. She said: 'You might not hear it if the machinery was in full operation, if you were not paying attention to it, but if you listened you could hear it.'

"Now here is another thing. Mrs. Carson had already sworn positively that she never went back into the metal room to see that blood. Mrs. Small said that on Wednesday a crowd of them from the fourth floor went down out of pure curiosity to see those spots, and when I asked her who went with her, lo and behold the first person she mentioned was Mrs. Carson. She said she was sure she was there, she knew she was there. And when I asked why they went there, and why Mrs. Carson went there particularly, she said 'Curiosity sent us.'

Somebody Has Lied, Dorsey Asserts.

"Now, gentlemen of the jury, somebody, and I put it up to you, has lied. If this case is founded on perjury, it has been boiled until the pot is black.

"The truth is, there has not been a single instance where evidence was needed that someone has not come in to bolster it up.

"Now, let's pass on a little bit. I want to discuss briefly the writing of these letters found beside the body of the girl. If these letters were not the order of an overruling Providence, I would agree that they were the silliest things I ever heard of. But, gentlemen of the jury, these notes bear an intrinsic knowledge of this crime.

"This man Frank, by the language of these notes, in attempting to fix the guilt upon another, has indelibly fixed it unon himself."

The Solicitor repeated this statement.

"The pad, the paper the notes were written upon; the fact that there was a note fixed the guilt upon him. Tell me that a negro who, after having killed a white girl, ravished and outraged her, would have taken the time to have written these notes? And even if he did write them, would he have written them upon a scratch pad which is found only in an office?

"You tell me that a man like Jim Conley would have ravished this girl with the knowledge that Frank was in the house? You tell me that this Jim Conley, even though he has been as drunk as a sot could be, would have taken the time to write these notes?

"I tell you, gentlemen of the jury, it can not be true.

"You say that the fact those notes were written was foolish. It was foolish, but it was a mistake. Murder is a mistake. What man ever committed murder who did not make a mistake? And what man making the greatest mistake in the world would not make a lesser mistake in trying to cover up? Those notes were the lesser mistake.

"Scott said that when Leo M. Frank talked to him about the girl coming to the factory and asking him about the metal that he said, 'I don't know.' And now he says that he told her, 'No.' Arnold recognized the damage in the statement 'I don't know' getting in.

"Language of Notes Clears Conley."

"Leo Frank said in his statement again and again 'chatting' and 'chat.' Conley said that when Frank told him he wanted to watch for him that Frank said he wanted to have a 'chat.' Jim Conley said here time and again, 'I have done it,' but in the notes found near the body he said, 'did it.' Do you tell me that negro would have written the word 'did' unless it was dictated to him?

"Do you tell me that negro would have taken the time to carry that girl away back there and hide her body if he had knocked her down the hole, and then stopped to write those notes?

"No," shouted Dorsey, turning to Frank, "that child was murdered on the second floor and you wanted to get her into the cellar, just like you found her in the cellar, as you said in that telegram to Montag.

"Conley said once in his statement that when he met a man on the street that he knew, the man looked at him he though he though 'I done it.' Conley used that expression at least twenty times. He said 'I done it' when he closed the door, and in several other places I can't find just now. He didn't use the word 'did' one time.

"In the first note, the expression 'I went to make water and that long tall black negro pushed me down the hole.' You knew that toilet was back there on the second floor (addressing Frank), and you knew that was where that little girl met her death. And you knew that metal room was right back there, too.

"You tell me that negro would have written those words. Where was it she was going to make water on the first floor? Yet you tell me there is nothing in circumstantial evidence when these things creep in.

"When you wrote this note (turning to Frank), you said yourself that you had the original of the note before you, and you said yourself that you knew Conley could write because he had written you time and time again, trying to borrow money, and yet you sat there with the original of that note before you and Conley's own handwriting, the handwriting you had seen often enough to be familiar with it, and you didn't tell those officers that Conley wrote the notes.

"I don't want you to convict this man unless you believe him guilty beyond a reasonable doubt, but I don't want you to let your verdict be governed by the opinion of a crank, but by the facts.

"Arnold and Rosser would say frequently, 'Are you going to convict this man on that, on this?'—selecting some little isolated point.

Chain Strong Enough To Hang Anybody.

"Well, I don't want you to, but on all the facts—the chain that is unbroken and not by isolated instances, and I say that when you take them all together you have a cable that ought to hang anybody.

"I don't ask that he be convicted on this isolated instance or that, but all bound together make a cable that is as strong as is possible for the ingenuity of man to make.

"I don't know whether the statement of Frank's will rank along with that statement of the celebrated pervert Oscar Wilde or not. He is brilliant. If you take his statement and just follow it you never would convict him. You never would convict anyone that way. But listen to this: 'I sat in my office counting over the money that had been left over.'" Dorsey read from Frank's statement.

"He wasn't talking about the petty cash," Dorsey continued. "He was talking about the money that had been left over from the payroll of $1,100. We don't know to this day how much that was. We don't know how big a roll it could have made, though Jim Conley said he saw a roll of $200.

"And he was trying to get old Jim to go down into the basement and burn the body of that little girl. Just as sure as the smoke curled from that stack toward the heavens, old Jim would have been there without a shadow of a defense. Frank would have been there with the detectives. Jim would have hanged for a crime that this man committed in his lust.

"But old Jim was too wise. He wrote the notes, but, drunk or sober, he wouldn't be entrapped like that. I do not doubt that when Frank handed him that roll of money it was like the kiss of Judas Iscariot when he kissed the Saviour, and then betrayed Him for 30 pieces of silver.

"I am going to show you that this man had long planned not murder, but to get this little girl to yield to his lust. Let me do it now.

"Back yonder in March this little Turner boy saw him making advances to Mary Phagan. Did that innocent little boy from the country lie? This little girl that came here from the Home of the Good Shepherd, she heard Frank speak to Mary Phagan and put his hands on her. She may have lost her virtue, but she is nothing but a child. Did she lie, this little girl?

Quotes From Same Poem as Rosser.

"Then there is Gantt. He quit the factory rather than make good a dollar that was charged he was short. Did he lie about Frank's inquiring of the little girl? Yesterday Mr. Rosser quoted from a poem of Bobbie Burns, the line was, ''Tis human to step aside.' I want to quote a line from that same poem, 'There is no telling what a man will do when he has the lassie.'

"When convenience is snug, I tell you gentlemen, there is no telling what a pervert will do when goaded by his passion. You tell me this brilliant young man, who looked over that payroll 52 times a year, saw the name of Mary Phagan every time, then when she was dead had to get his books to find out her name? He coveted that little girl way back in March. I have no doubt those little girls swore the truth when they said they saw him making advances. I would not be surprised if he did not hang around and try to get her to yield. I would not be surprised if he didn't get Gantt out of the way because he was an obstacle to his scheme.

"He knew the day before she was probably coming. He went and told old Jim Conley, who had watched for you so many Saturday afternoons while you and Schiff were making up that finance sheet. When Helen Ferguson came and asked for Mary Phagan's money, I wouldn't be surprised if he did not refuse to give it to her because he had already told old Jim to come and watch.

"Frank's plans were fixed. Ah, gentlemen, then Saturday comes, and it is a reasonable tale that old Jim tells. He says, 'I done it just like this.' He doesn't say, 'I did.' He says he 'done it' just as the brilliant factory superintendent told him to. This thing passion works in a terrible way. Good people don't know how the mind of a libertine works. They don't know of the planning, plotting and waiting. Way back in March Frank had his eyes upon her. He was infatuated with her and did not have the will power to resist.

"You can twist and wabble all you want (Dorsey turned to Frank and shook his finger at him), but you told Detective Scott that you did not know her. Notwithstanding what you have said here, notwithstanding what your witnesses have said, you knew her.

"And tell me, gentlemen of the jury, has this little Ferguson girl lied? Has she been suborned by Starnes? Has she come here and deliberately perjured herself? I tell you that is a charge that can not stand. His refusal to give Helen Ferguson Mary Phagan's envelope is an indication that he was plotting. And old Jim Conley's tale will stand, for Frank himself corroborates Conley in many things.

"Frank shows that he did the things that Conley said he did. Frank says that he stopped at Cruikshank's soda fountain and bought some drinks. This is just as Conley said he did. Another thing, Frank said he had a folder that he took some papers out of. Old Jim said he did that. Mr. Graham said he talked to Jim Conley downstairs. They have tried to get around it on the color proposition. They have tried to make it appear that the negro Graham talked to had a different color. But four months in jail will change any man's color.

"Conley said he was there and Graham said he saw him, and Graham said he wasn't drunk, either. I tell you that if Frank was not on closer terms with his employees than he said he was, Conley could never have picked up his words as he has.

"And in four instances in his own statement Frank used the exact words that Jim said he spoke.

"And then in reference to the girl. Frank said that after gazing upon the body of the dead girl and looking upon the pay roll that she was 'the one whom I afterward found out to be the girl I had paid off Saturday.'

"But, gentlemen of the jury, Mary Phagan never drew her pay. Wehn Mrs. White came up to Frank's office, she tells us that he was standing by the safe; that he jumped when he saw her. Gentlemen of the jury, he was at the safe then arranging that pay roll and getting little Mary's pay. And when Mrs. White went downstairs she saw Jim Conley, showing that the negro had nothing to do with it.

"The first time Mrs. White came Frank sent upstairs for her husband. When she came back this time he sent her upstairs. But then came the thought that he must get her out of there.

"Knowing these men had their lunches with them, he knew they would remain upon that upper floor for a long while. But he didn't know what time Mrs. White was coming down. Then it was he determined to get her out. He went upstairs and made out like he was in a great hurry. And said that she had better leave then or he would have to lock them in. She went down and out. But instead of Frank going out, she tells us that he did not have on his coat and hat; that he went back to his office and sat down to his desk.

Killed Her to Save Reputation.

"They talk about there not being much blood there. There are two reasons for this. One is that the blow upon her head did not cause much blood to spatter, but at that time and then old Jim Conley wrapped her body up.

"Yes, and after striking that lick upon the head, he gagged her. Then (shaking his finger at Frank), then in order to save your reputation, not to save your character for you never had any, you gagged and killed her—in order to save your reputation with the Montags, the Haas', Rabbi Marx, the Bnai B'rith, your relatives in Brooklyn and Athens, you killed her to get her out of the way.

"You killed her because dead people tell no tales. Dead people do not talk. And you talk about George Kenley saying on the car that he would be one to lead a riot. And you (addressing Arnold) talk about annihilating that fellow Kenley with the pawnbroker.

"Why, if that little girl had lived to tell of that brutal assault, 1,000 people would have stormed the jail and run over men like you.

"You made a proposal to that girl (addressing Frank) and she would not yield. Your passion was such that it aroused your anger. You struck her a vicious, cruel blow, knocked her down, and she was unconscious. Then you gagged her and went to get the cord that strangled her.

"You never gave the little girl her pay envelope. She never got it. That was what you were doing at that safe when Mrs. White came in, and you jumped. You got it out of there yourself, and I wouldn't be surprised if Jim Conley hadn't told the whole truth and that your knowledge and possession of that pay envelope kept it from being produced here.

"You got Mrs. White out of that building because you couldn't do what you wanted to with her in there. You were in an awful hurry for her to leave, you were. And then you locked those people up on the fourth floor and had Conley to take her downstairs.

"I ask you, gentlemen of the jury (holding up the bloody garments of Mary Phagan) to look at the blood of this ravished girl. The blood that was spilled because she would not give up what was dearer to her than her life—her virtue."

At this juncture, Mrs. J. W. Coleman, mother of the Phagan girl, broke down, and following an outburst of tears, collapsed. Mrs. Leo Frank affected by the scene, leaned her head on the defendant's shoulders and cried also.

"Markless Body of No Consequence."

Dorsey did not cease talking during the several minutes required to quiet the two women.

"You ravished her and then able counsel said you never had any marks on your body. Durant never had any on his, and they tried to make it appear that the blood found back there was not the life blood of that innocent little girl.

"Was there ever any farce so foolish? Jim Conley tells you that was the spot where he dropped her head so hard. And where Frank came and took her by the feet and helped carry her out. Every person who saw it bore out the statement that it dripped. There was one big spot and lots of little ones around it.

"Gentlemen, if human testimony is worth anything, that spot was blood, not paint. Starnes said, 'Chief Beavers saw it.' And Starnes saw more blood on a nail near the elevator. Barrett, call him Christopher Columbus if you will (he works at the pencil factory), had the manhood to stand up and tell the truth. He discovered the blood and found the hair identified by a little girl, as I remember, as Mary Phagan's hair before there was any chance to offer a reward.

"It was only Monday morning and these honorable lawyers know that no official had had a chance to offer a reward. Contrast him with old man Holloway. He perjured himself even to get this guilty man acquitted or to convict Jim Conley, whom he called his negro, and get the reward.

"Barrett stands out as an oasis in a mighty desert. He told the truth when his job was at stake. And you know it.

"If any man deserves a reward, it is this poor man who had the courage to stand up and tell the truth when the source of his meat and bread was at stake. And if any reward is given, I hope that he gets it. He didn't wait to make his discoveries until May 15. They haven't any semblance of being a plant. They are substantiated by four or five witnesses. But you could wipe him out of the case, and you would still have abundant evidence.

Quotes Defense To Prove Blood.

"Mrs. Jefferson saw that blood. Stanford saw that blood. This white substance that was over it, Stanford testifies, looked like it had been swept over with a coarse broom. Blood covered with haskoline on the second floor. Conley saw Mary Phagan go up and she didn't come down. Is anything clearer? Sometimes you have to go into the enemy's camp to get ammunition. Dr. Connally could tell you about that and Sheriff Mangum knows about it, too. It's a dangerous practice, but we went into the enemy's camp in this case. We asked Mr. Darley about that blood and Frank's nervousness. We had his affidavit, but we knew that the stress of the case was great.

"His testimony proves that there was blood on the second floor. And he declared that Frank was more nervous than he ever had been in his life before, except once when he saw a little child run over by a street car and once when he had a row with his boss.

"To cap it all, Mel Stanford says that he swept the floor and it wasn't there Friday. Dr. Claude Smith, City Bacteriologist, said that he analyzed it and found that it was blood.

"Perjury? We come to that evidence where Charley Lee swore that Duffey stood there on that second floor and let the blood drip from his injured fingers. Duffey says it wasn't so. We called on you for Lee's written statement of the accident." (Dorsey turned to the lawyers for the defense as he said this.) "You couldn't produce it. Harry Scott didn't perform right, so they went out and got some new Richmonds. Where is Pierce? Echo answer, 'Where?'

"Where is Whitfield? Echo answers, 'Where?'

"They bring up this man McWorth. He found blood spots, a club and a part of a pay envelope. The factory had been searched by detectives and employees. No one had found anything. Before these things were found on May 15, wouldn't the employees have been glad to have reported such evidence if it had been there? Conley had been arrested and suspicion was not strong enough against him. Confronted with desperation, this man McWorth, after searching the factory all day, found the stick, the envelope and the seven big blood spots about 3 o'clock on the first floor near the front door.

"He found too much. Is there any man on this jury who believes that those blood spots and other things could have been there so long—so all in keeping with the plant of the shirt at Newt Lee's house—and the officers not have found them?

"I don't care how badly you get John Black mixed up. There's Boots Rogers and Darley himself who say that when Frank took the time slips out of the clock at the factory that Sunday morning, he said that all the punches were made and that Newt Lee hadn't had time to go home and change his clothes.

Reason for Frank To Make Statement.

"There was a reason for his making that statement—this brilliant young man with the keen perception, this Cornell graduate, this shrewd factory superintendent. Lanford and the detectives were with him. If after examining that slip he had said Newt Lee could have had time to go home, the detectives would have examined the slip and Frank would have been caught.

"No; this shrewd man waits until Monday afternoon. There was not enough evidence against Newt Lee. After a conference with his astute counsel, Herbert Haas, he asked them to search his house. And at the same time he suddenly tells John Black that Newt Lee had time to go home thenight of the murder. He points out misses in the time slip. Newt Lee's house had never been searched, because Frank had said he had no chance to go home. But with this new information from Frank, Black goes out and finds the planted shirt."

Holding up the shirt, he said: "This shirt was planted. It was planted the same as the stick—the same as the envelope—the same as the spots.

"The man who planted this shirt did his work too well. He got a shirt, all right, that had the odor of blood on it, but it didnt' have the odor of the negro in the armpits, and that odor would have been there if he had worn it. And he smeared the blood on both sides. It was not on one side, as it would have been had the shirt indicated what the defense wished it to indicate, as anyone with common sense would know, had the girl's bleeding form rested against his breast. The evidence showed you that the shirt had as much blood on the inside of the back as on the outside of the front.

"Can any man with common sense believe that that blood got on that shire with any other intent than to fix the guilt upon old Newt Lee? But old Newt Lee is honest. He didn't deny the shirt, yet he didn't say it was his. But let us pass on from this. I think everyone understands it was a plant.

Says Pay Envelope Was a "Plant."

"Now, about the envelope found by the scuttlehole. On this evidence can you believe that it was other than a plant? Can you really believe that this envelope and this shirt were other than a plot of Frank to turn the finger of suspicion on someone else.

"Gentlemen, can you get away from it? I say you can not.

"Now, as to this Minola McKnight business. Isn't it strange that her husband would go up and tell this tale unless there was some truth in it? Now, Minola swore to it; then she came up here and said it was a lie. But, gentlemen, her statement was corroborated, in part, by the Seligs. Mrs. Selig told you about giving her $5 and telling her to bring back the change, and of Mrs. Frank giving Minola a hat.

"Do you believ that Albert lied when he said that Frank went to the mirror in the sideboard? Don't you know that it was natural that after Frank had committed this horrible crime that he wanted to look into that mirror and see how he looked, to know the appearance he was making to other people. They tried to mix old Albert up on the stand, but they didn't do it. He said that Frank didn't eat any dinner, and when they asked him how he was aware of this fact, he said he knew it.

"This was the tale that Albert told, and Minola went down to the police station and in the presence of the officers and her own attorney made a statement that it was true. And if there had not been some semblance of the truth in it, don't you know, gentlemen of the jury, that she would never have signed that statement? Why, there was her attorney, George Gordon, and he is not worthy of the office of attorney if he didn't tell her that unless it was the absolute truth she should not sign it.

"If he is the honest man that he is said to be, then he told her that. He knew that they could not hold her there. He knew he could get her out by a writ of habeas corpus in two hours.

"Then they go out and bring in Julius Fisher and a photographer, and try to break down old Albert's evidence. They couldn't do it. Albert says the sideboard has been moved, and Mrs. Selig admitted that it had been moved every time they swept, and then moved back into place. They tried to make Albert stand where he could not see into the dining room, but he stood there, not where they tried to put him, but in a place where it was plainly shown to you that he could see into the dining room and through the mirror into the sitting room as well.

"They tried to trap him by asking if he could see into the entire dining room. But he showed that he was telling the truth when he said he could not. Gentlemen of the jury, can you tell me that Albert lied? Can you tell me that Craven and Pickett, the two employees of Beck & Gregg, to whom Albert told this story, have lied? Can you tell me that George Gordon has lied? I tell you that the reason Minola made that affidavit is because it was the embodiment of the truth.

Dorsey, Exhausted, Asks a Recess.

"As unprejudiced and honest men, the world who can get up a plan to you know it. If there is anybody in overhear the conversation of the folks in the dining room it is the negro, and we all know it. They tried to make old Albert lie, but they couldn't do it. The reason is that Albert told you the exact truth."

At this point Mr. Dorsey turned to Judge Roan and asked him if he would declare a recess. Judge Roan replied that he desired very much to have the argument concluded and to charge the jury before adjourning.

Mr. Dorsey replied that he was exhausted, and would like to conclude his argument this afternoon. Judge Roan asked how long it would take to conclude, and Dorsey said he did not know, that he had several points to take up yet, and that he thought he was entitled to as much time as he wanted.

At this point Attorney Arnold walked over to Judge Roan and they held a whispered consultation. Dorsey was called over and consulted with them for a moment.

Judge Roan then explained that his only idea in desiring to know the length of time before Mr. Dorsey would close was out of regard for the jury, without stating his reason. He said he thought it was best, considering everything, that the case be adjourned until Monday.

Dorsey Attacks Frank's Statement

"'1 p. m.—Frank leaves the factory.' It looks mighty nice on the chart. Turn that chart to the wall, Mr. Sheriff. Let it stay turned to the wall. That statement is refuted by the defendant himself when he didn't realize the importance of this time proposition.

"Frank's statement at police headquarters, taken by G. C. Febuary on Monday, April 28, says, 'I didn't lock the door that morning. The mail was coming up. I locked it when I started home to lunch at 1:10 o'clock.'

"Up goes your alibi, punctured by your own statement when you didn't realize its importance. Yet these honorable gentlemen, for the purpose of impressing your minds, print in big letters on this chart he left the factory at 1 o'clock. If he swore when he was on the stand the other day that he left the factory at 1 o'clock it was because he saw the importance of this time point, and had to leave there ten minutes earlier than he said he had at the police station before he had had time to confer with his lawyer, Mr. Luther Z. Rosser."

New Lobby Charge Against M'Dermott

WASHINGTON, Aug. 23.—An additional charge against Representative McDermott, of Illinois, was made before the House Lobby Committee to-day when M. M. Mulhall testified that McDermott claimed to have received $2,000 from the brewery interests for "certain work done in Washington."

Mulhall said this admission was made to him by McDermott during the 1912 campaign, at which time Mulhall was aiding McDermott to reelection.

R. O. Cochran Opens Senate Campaign

Ralph O. Cochran fired the opening gun in his campaign for the Senate against Hoke Smith in a speech delivered at noon Saturday in Rabun County.

Mr. Cochran delivered a plain, businesslike address and was well received by a large audience.

The full text of the address will appear in The Sunday American.

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BOLL WEEVIL COSTS SOUTH BILLION; ZONE CURE URGED

Senator Smith of South Carolina Secures Government Expert's Figures on Total Estimated Ravages During Last 17 Years.

Shows How $107,539,127 Yearly Cost of Proposed Remedy Could Be Counteracted by Diversified Crops and United States Aid.

(The zone strip to which Senator Smith refers as a remedy for the boll weevil, as proposed, would begin in Tennessee and run down through Alabama and part of Florida.)

By ELLISON D. SMITH.
(United States Senator From South Carolina.)

WASHINGTON, Aug. 23.—A few weeks ago I asked some of the officials in the Department of Agriculture to give me an estimate of the losses the farmers of the South have suffered as the result of the boll weevil. The figures furnished me are startling. From the report I make the following extract:

"The only adequate way of arriving at the losses due to the boll weevil is by studying the average production per acre by States, comparing years of non-infestation with years of infestation. It is quite noticeable that every State by the third year of infestation has shown a decided reduction in average yield per acre.

"This average production is used in connection with the acreage planted to obtain an estimate in money value of the loss from the boll weevil to the producers. This is only the primary loss and is turned over and over again as it reacts upon ginners, oil mill men, merchants, bankers, property values, manufacturers of the textile and the final consumers.

"The total loss to producers obtained by this method from 1895 through 1912 is $841,521,185, or an average during the 18 years of $46,751,174 per annum, with the loss now reaching over $100,000,000 per annum.

These Only Obvious Losses.

"Only the more obvious losses from the ravages of this pest can even be estimated. These are the losses in productivity suffered by the producers and the losses in business of the first processes in manufacture.

"Figures are presented to show the losses to the planter, the ginner and the oil mills as follows, for the period from 1895 to 1912:

Loss to the planters	$841,521,185
Loss to the ginners	17,416,258
Loss to the oil mills	72,319,412
Total	$931,237,855

"To these must be added losses in business suffered by cotton buyers and brokers, merchants, bankers and cotton mills, the loss in property values, the ultimate effects upon the consumer."

In biber words, officials of the Department of Agriculture estimate that the loss to the South from the boll weevil between 1895 and 1912 has been considerably more than $1,000,000,000. This is staggering.

The Government has spent hundreds of thousands of dollars to stamp out the boll weevil, but without avail. The Government experts, entomologists, farm demonstration agents and others have done splendid work in teaching the farmers better methods of cultivation, rotation of crops, etc., but so far as checkmating the boll weevil is concerned they themselves admit that their work has been a failure.

Moves Eastward Steadily.

The weevil continues its march eastward at a steady pace each year, and in no section where it has made its appearance has any method been discovered of minimizing the damage done by it.

Unless something is done it will not be very long until the entire cotton area of the South is infested.

Of course, some cotton can be grown in the area infested by the boll weevil, but the yield per acre and per farm is greatly reduced, while the cost of production is greatly increased. I am told by a member of Congress who owns a large plantation in an infested section that it costs just about twice as much to produce a bale of cotton now as it cost before the boll weevil came. Many others have given me testimony to the same effect.

When one undertakes to estimate the loss to the South during the years because of this little insect, and then tries to estimate the probable loss in the future, the result must be appalling.

I have been deeply interested in the boll weevil for a number of years. I have watched its spread from the time it made its first appearance in

Continued on Page 4, Column 5.

Tents Only Shelter For Toledo Families

City Is Growing So Rapidly That Builders Can Not Construct Houses Demanded.

TOLEDO, Aug. 23.—Because the city has not enough houses to rent and builders are not able to construct houses as rapidly as they are desired tents are being used as homes in Toledo.

Two tent colonies have been established in the city. In both districts occupants of the tents are owners of lots on which the temporary homes have been erected. The lots have been purchased as home sites and tents are serving as temporary homes.

The tent homes consist of living rooms, dining rooms and kitchens. Each has a flower and vegetable garden and one is equipped with a chicken park, a stable and outbuildings. Living rooms are convertible into bedrooms, and hammocks, stretched in the open, are used day and night.

Woman Toper Has Thirst Amputated

Obstruction in Her Throat Was Believed Cause of Her Longing For Alcohol.

LIMA, OHIO, Aug. 23.—Mary Callahan, 22, submitted to a surgical operation in the Chief of Police's office today, and it is hoped Mary's thirst was cut out, literally and figuratively.

Several years ago she was shot in the jaw. A splintered bone lodged against her palate, creating a continuous desire for drink. She insists the desire was for strictly alcoholic drink and that she had tried grape juice in vain. Since that time Mary and her thirsting bone have given the police a thrilling time.

Chief Ernest May consulted with City Physician Sizer. Between them they decided on the operation.

Couple Will Re-wed To Gain $1,000,000

Ceremony by Mormon Judge Is Called Unsatisfactory by Administrators of Estate.

LOS ANGELES, Aug. 23.—In order to comply with the wishes of the administrators of the $1,000,000 estate of her father, the late Thomas R. Lamb, of Edinburgh, Scotland, Mrs. Anna R. Lamb-Wilson must be married to her husband again.

The husband is E. Douglas Wilson, of the Pennsylvania Rubber Company, of this city. He pursued Miss Lamb more than 10,000 miles across the United States and over the Pacific Ocean before he married her in Honolulu last April. The ceremony was performed by Judge Hernandez, whom Wilson says is a Mormon. This marriage, though legal, did not meet with the approval of the administrators.

College Professor Seeks Laborer's Pay

Unable to Make Both Ends Meet, Teacher Resigns Chair in University.

BERKELEY, CAL., Aug. 22.—Unable to make both ends meet on a salary of $900 paid him by the University of California, Paul Boehncke, an instructor in the German department, has withdrawn from the faculty and is seeking a position in which he can support himself and family of two children.

During the last few summers Boehncke has managed to augment his meager salary by working as a plasterer at from $5 to $7 a day, or nearly twice the amount he was paid by the university.

Goes to Cemetery Instead of Ball Park

Fan Mistakes Funeral Hack for Omnibus on Its Way to Diamond.

MONTGOMERY, MO., Aug. 23.—A baseball rooter came here from a distance to attend the St. Charles-Montgomery game, and by mistake he got into a hack at the depot filled with pallbearers going to a funeral.

As he had crepe on his hat, the pallbearers thought he had come as a mourner and he was taken to the cemetery instead of the ball park.

Finding himself in a funeral procession, he woke up and escaped. He got to the ball grounds just in time to see the home team win.

5-Cent Fraud in Ice; 5 Days on Rockpile

Portland Dealer Is Sentenced for Cheating Customer in 25-Cent Transaction.

PORTLAND, OREG., Aug. 23.—Five days at the rockpile for a 5-cent fraud in the sale of a piece of ice was the sentence imposed by Municipal Judge Stevenson upon Thomas Barnes, proprietor of the National Ice and Coal Company.

Barnes delivered a 40-pound piece of ice worth 20 cents, saying it weighed 50 pounds and charging 25 cents.

Evelyn Thaw Gets Threatening Telegram Signed 'H. K. T.'

'Take My Name Off the Signs at Once,' Is His Command

Mrs. Evelyn Nesbit Thaw in two poses made especially on Tuesday for the Hearst newspapers.

"He Shall Never Have That Baby," Declares the Actress, Aroused and Angry, but Fearing for Her Life.

Bridgeport, Conn., Aug. 18.
I want you to have that name taken off the theater at once. You realize your mistake.
(Signed), H. K. T.

Such was the threatening telegram which was handed to Mrs. Evelyn Nesbit Thaw, Harry Thaw's wife, in New York Monday. Her eyes blazed as she read it. Of course, "that name" meant plainly the electric sign that blazes nightly on the theater where Mrs. Thaw is dancing.

Wearied by the heat, agitated, Mrs. Thaw's nervousness increased after reading the message.

"I can not doubt that Harry Thaw sent this," she said. "It is exactly like him. Never have I received a telegram from him which was not signed like this, with his initials. Probably he sent it by the same messenger who mailed his letter to his mother.

She Sees a Veiled Warning.

"The words 'You realize your mistake,' is like him, a veiled warning of something worse to come. Or if anybody but Harry Thaw sent this telegram to alarm me now, he must know Mr. Thaw very well indeed. He knows Harry hates me now. 'Why?' you ask. I don't know. It can be only another symptom of his insanity.

"Merciful heavens! What I went through for him when he was tried for his life. Yet he showed not a spark of gratitude. He did not seem to realise what I had done for him; he took it as a matter of course.

"Why, his very letter to his mother is another proof of his 'big head'—what have the alienists called it?—yes, 'egomania,' 'megalomania.'

Wife Criticises Letter.

"He writes 'I might be asked for interviews and do not wish to refuse. Yet do not care to make a statement.' I—I—I, the most important person on earth."

"But if Mr. Thaw has any purpose to attack, how could he get into New York without being caught?" asked The American reporter.

"Harry is a great make-up artist," Mrs. Thaw answered. "I have seen him in disguises that would baffle his most intimate friends unless they got a look at that stare of his eyes. They are absolutely expressionless except when he is making a grimace. He is of a height, coloring and bearing that would make it easy for him to wear any sort of make-up without arousing suspicion."

Calls Mother His Tool.

"It would be possible for Harry to get into the Victoria Theater," she said, "and fire the shot he feels would complete his mission in life. H. K. T. is a good shot, too.

"This 'getaway' was not an accident. It was skillfully planned and will be carried out to the very last frazzle edge of expertness if I know anything about that lunatic, and God knows I ought to.

"No human being could ever manage Harry Thaw for any length of time. His mother has had no influence with him. In fact, she is putty in Harry's hands.

"She will do anything for him, and he has always depended upon this complacency in her."

Interviewed at Theater.

The interview took place on Hammerstein's roof just after Mrs. Thaw had finished her strenuous dancing act. She appeared tired and nervous.

"I have had no sleep," she continued, "and between the worry over what may happen to me, the rehearsals and my singing lesson, I am a wreck. The newspapers are my best friends in this crisis."

"Do you think Dr. Austin Flint is in danger after testifying against Mr. Thaw at his trials and legal attempts to free himself?"

"I think Dr. Austin Flint realizes the danger he is in as much as I do," Mrs. Thaw answered. "He knows how Harry feels toward him. He remained fixed in his belief that Harry was a paranoiac regardless of which way the Thaw money was flying.

Says Thaw Fears Dr. Flint.

"It is because of the unassailable professional standing of Dr. Flint that Harry Thaw has such fear of him.

"The more I think of the liberty allowed Harry at Matteawan, liberty that has given him the opportunity to escape, the more convinced I am that New York State is no longer capable of taking care of its criminally insane."

"And your little son?"

"Harry does not know where my little son Russell is, but with all his running and money he could find out. He shall never have that baby."

Rector Denounces Paid Choir Singers

Clergyman Declares There Is No Worship in Their Strange and Unutterable Music.

BRIDGEPORT, CONN., Aug. 23.—The Rev. E. J. Craft, rector of Christ Episcopal Church, caused a sensation while addressing a meeting of the parishioners of Calvary parish by telling them what he would do if he were entering upon a new pastorate.

For one thing, he said, he did not believe in paid singers for church choirs "The service of the church was designed for the people as a whole and not alone for the choir," he said. "These modern choirs take the worship away from the people of the congregation and do all the worshiping themselves. They sing in wild and strange ways and in unutterable tongues the praises of God."

BERI BERI CAUSED BY RICE DIET, SAYS EXPERT

Special Cable to The American.

BERLIN, Aug. 23.—The Berlin Medical Association reports that the well-known investigator of beri beri, Dr. Max Mosskowski, finds, after a remarkable experiment, that the disease is caused by the use of rice.

Dr. Mosskowski for 128 days subsisted almost entirely upon rice. All the symptoms of beri beri manifested themselves.

At the close of the experiment an injection of serum containing an extract of rice resulted in a complete recovery.

Policewoman Uses Her Stare as Club

Declares She Has No Trouble With Mashers After One Stern Glare.

CHICAGO, Aug. 23.—Squelch the masher with a look. You don't need a whistle like the Boston women; hairpins do not make good weapons, and a club should be used only in a tight squeeze.

This is the opinion of two of Chicago's policewomen, both long in the business of protecting women.

"I haven't had any trouble with men on the beach this year, even those who didn't know I was a policewoman," said Officer Mary Boyd, who is in charge of the Thirty-ninth street bathing beach. "All you have to do when a man speaks to you insultingly is to look at him. He turns and runs."

AUTOIST IS RUN OVER BY HIS OWN MACHINE

JOLIET, ILL., Aug. 23.—Because he cranked his automobile while it was in gear, Harry Lewis, a Joliet banker, was run over and badly injured. Lewis was in a hurry to take some friends to the Union station and neglected to inspect his gears, the machine would not spark the first few whirls of the crank, so he opened the throttle wider, one of the friends put on the exhilarator to help matters, and now Lewis has been two weeks in the hospital.

WOMAN POLITICIAN IS MAD.

Special Cable to The American.

PARIS, Aug. 23.—Countess Elisabeth Emilie Von Wedel, a French woman and a former political agent, who was quite a celebrity, has been placed in a German asylum for the insane.

ENDLESS SNARL OF LAW MAY BAR THAW FROM N. Y.

Fugitive From Matteawan, Backed by Family's Millions, Will Utilize Every Legal Technicality to Prevent Deportation From Canada.

Even if Dominion Expels Him, He Will Fight Desperately Against Return to Empire State, Where He Has Been Declared Insane.

Probability of Long-Continued Litigation and Ultimate Liberty Counted on by Millionaire Before Starting Dash from Asylum.

SHERBROOKE, QUEBEC, Aug. 23. With Harry Thaw's case now in the courts of Canada, the prediction made that it would be months—years, perhaps eternity—before the slayer of Stanford White is again in the jurisdiction of New York State is strengthened.

His family, wealthy and powerful, has rushed to his defense. He has unlimited resources to fight the legal battle against his deportation from Canadian soil. When the first writ of habeas corpus was granted, it assured him the right to appeal his cause to the highest Canadian court.

It is believed that this litigation can be made to last over years. It will be impossible to deny him bail in the Dominion; for he is a lunatic only in New York State. His status now is that he is simply considered as undesirable by Canadian immigration authorities, who, it is thought, may override the courts and deport him.

Should the courts of Canada finally rule against him, his case might be taken up from Washington. Even then if he were finally deported, should he be sent to any other State than New York, he could fight extradition there, and there are many eminent lawyers who believe that it is absolutely impossible to bring him back to New York then.

Probably Considered These Facts.

All these things probably had been considered when Thaw made his daring escape from Matteawan Asylum, when he dashed across the Connecticut border, then through the State into New Hampshire and from New Hampshire into the Dominion of Canada.

Thaw knows well the law's delay. He remembers his long period in the Tombs before he was first brought to trial for the slaying of White. He remembers the long fight for life and liberty then. He remembers the enforced wait after the first mistrial. He remembers the weary days of his second hearing.

He remembers the slow progress of his cause during his legal efforts to get his release from Matteawan. Knowing these things and recognizing that there was hardly a bare possibility that bail would be denied him, he turned toward Canada rather than seek safety at sea, as his pursuers thought he surely would do.

It was probably due to this realization that he accepted his arrest at Coaticook, Quebec, coolly and that he awaits the issue of his habeas corpus proceedings just as coolly now.

Secures Talented Lawyers.

He is represented in his application for habeas corpus proceedings by W. L. Shurtleff and Colonel H. R. Fraser, one of the most talented lawyers of Eastern Canada. He is thoroughly buoyed up in the belief that the Canadian Government will never order his deportation or extradition.

"I have studied every legal phase of my case and have arrived at the belief that I am safe here," said Thaw. "My plans did not alone include my physical escape. I looked into the legal feature to establish my status in any other State than New York and any other country than the United States. I am not a dangerous man. I