

The Official Record in the Case of Leo Frank, a Jew Pervert.

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IN New York, there lived a fashionable architect, whose work commanded high prices. He was robust, full of manly vigor, and so erotic that he neglected a handsome and refined young wife to run after little girls.

As reported in the papers of William R. Hearst, Joseph Pulitzer, and Adolph Ochs, the libertine architect had three luxurious suites of rooms fitted up for the use of himself, a congenial company of young rakes, and the young women whom they lured into these elegant dens of vice.

Stanford White's principal place, however, was in the tower-apartments of Madison Square Garden. In this building, his preparations for sensual and sexual enjoyment were as carefully elaborated and as expensively perfected, as though wine, women and song were the chief end of man's existence. The excavations at Pompeii have revealed no Rose-door voluptuousness more Oriental than that of Stanford White. Like the Roman sensualist who stimulated his amorous passions by surroundings that promoted desire and prolonged the pleasure, White was *artistic* in his vices; and it was the nude girl, of perfect symmetry and beautiful face, that he bore into his seraglio, where rich and splendid appointments, soft lights, hidden musical instruments, fragrant flowers, and choice wines intoxicated every sense to the highest pitch of epicurian ecstasy.

Into this golden harem, he took the young, lovely and unmoral Evelyn Nesbit; and, according to her statement, she was brutally used. A shocking fact in the case is, that White seems to have given money to

the girl's mother, and that the mother had, in effect, surrendered the maid to the man—knowing why he wanted her.

Whatever the girl felt as to the manner in which White had accomplished his purpose, she soon afterwards returned to him, and their relations continued for some months. Then Harry Thaw happened to see her, fell in love with her, and desired so ardently to possess her, that he married her.

They went to Europe, and during the tour, the wife told the young husband her terrible story. On their return to New York, the architect had the insane folly to again enter into correspondence with Evelyn—this time knowing that he had an excitable young man to encounter—a husband who might be supposed to have learned his wife's secret. All the world knows how Thaw was inflamed beyond bounds, by seeing White sitting in the eating-room, at the Garden; and how the young husband immediately shot the satyr who had doped and ruined his wife.

The great legal battle that Thaw's devoted mother has waged in her boy's behalf, is a part of the history of the times. For nine long years, that fine old woman has borne her cross, and made her fight, her son behind the bars, all those bitter years.

At last, after nine years of imprisonment, Harry Thaw is a free man—for the court which tried him for murder, pronounced him insane; and the jury which recently tried him for insanity, said that he is sane.

At *one* of these verdicts was correct, and *both* may have been; but the jurors in the last trial have since

declared that Thaw ought to have killed White, anyway; and about three-fourths of the red-blooded men and women of the country are of the same opinion.

But the *Jew-owned* papers, and the *Jew-hired* papers, and the *Hearst* papers take a different view. They are outraged. Their feelings are deeply hurt. They lament the failure of the Law to hang this hot-tempered boy who shot the man that had virtually bought Evelyn from her monstrous mother, and had then drugged and forced her. In their wrathful eyes, nine years' imprisonment is no punishment at all. They rail at the influence of Money, and deplore the disgrace which has fallen upon New York—the righteous town where Jacob Schiff, the banker, could give a forty-year sentence to an humble Jew, for entering clandestinely the dwelling of a Jewish millionaire; the righteous town wherein the Roman priests could have the Mayor assassinated without provoking hostile comment from the *Hearst* papers, the *Jew-owned* papers, or the *Jew-hired* papers; the righteous town where the priest, Hans Schmidt, can cut his concubine's throat, dismember her body, fling the pieces in the river, and still escape punishment!

Let us regale our minds by reading what the *Hearst* papers say about the case of Harry Thaw:

It is quite true that but for the lavish outpouring of the family fortune, Thaw might have been electrocuted, or would still be confined in a madhouse. It is equally true that but for the contributions of other rich young men, whose money cursed them, his fight for liberty would not have been so prolonged or so costly.

Many will moralize over the power of money as manifested in the escape of Thaw from paying the extreme penalty for the murder of Stanford White.

Fewer will stop to think of the malign power of money that pressed this rich young man along the primrose path that ended in the murder on the roof garden,

his prolonged imprisonment, and the ineradicable disgrace which rests upon his name.

As it is, about the most the public can say of him is to express the hope that the public mind shall no longer be assailed by the fulminations of spectacular lawyers, the imaginings of alienists, and the bathos of hired pamphleteers. The world is weary of Thaw.

The world is *not* weary of *Hearst*, fortunately; and if he can explain his prolonged hostility to Thaw, and reconcile it with his determined championship of Frank, the world will peruse his statement with interest.

Let us now read what another New York paper—*Jew-owned* or *Jew-hired*—published about the two cases, Frank's and Thaw's. Concerning Thaw, the *New Republic* says:

In the case of Harry K. Thaw, it looks as if the State of New York had thoroughly well got its leg pulled. The State deserved it richly, for it asked a judge and a jury to decide a question which they are simply incapable of deciding. Those laymen could no more pass on Thaw's sanity than upon the condition of his liver. Thus a man may be highly educated, courteous, genial in every relation of life, and still bear within him a murderous disposition, which breaks out only on special occasions. The voluble juryman who has been so much interviewed came pretty close to the truth when he said that Thaw would never kill except when a woman was involved.

What freed Thaw was in reality a combination of prejudices. He behaved well in court. The State's alienists behaved badly in court. Thaw fought a long fight, and men admire persistence. He had murdered Stanford White, a man who happened to be a genius, but whose genius was forgotten in the deep moral prejudice against him. The brutal fact is that an American jury is very ready to flirt with the idea that there are unwritten laws to justify the killing of men who seduce young girls.

Concerning the Frank case, the same New York paper says:

It is often foolish to indict a whole people. But in this instance the guilt of the

people is clear. They wrecked the only trial Frank has had, they believed every lie about him, they terrorized their public officials. They have made democracy hideous—they, the men and women of the State. There was a minority that knew better, a minority that did not wish to make the courts of the State a vile spectacle to the whole nation. But of that minority many were too cowardly to speak out. They allowed the mob to stamp its own imprint upon the public character of the State. The Governor who acted, and the opinion which supported him, were not enough to save Georgia from its degradation.

A people which cannot preserve its legal fabric from violence is unfit for self-government. It belongs in the category of communities like Haiti, communities which have to be supervised and protected by more civilized powers. Georgia is in that humiliating position today. If the Frank case is evidence of Georgia's political development, then Georgia deserves to be known as the black sheep of the American Union.

It is a disagreeable discovery of the New Republic, that American juries harbor a perverse sympathy for fathers and brothers who kill the seducers of young girls, and thus rid the earth of the most dangerous vipers that crawl. The New Republic says that it is not only a fact that juries *do* sympathise with the men who give shot-gun protection to womanhood, but that this fact is *brutal*.

When the human race ceases to be capable of brutality of that sort, civilization will be the soup-kettle of molly-coddles; and literature will degenerate into a milk-sop effeminacy that won't be worth hell's room.

Coming to the Frank case, The New Republic condemns, not only the jury and the judges, but the whole State in which the horrible crime was committed. "It is *often* foolish to indict a whole people," says this magazine. Edmund Burke said it was *always* foolish to do so.

The State of Georgia, as a whole, is pronounced guilty. It has had no evidence against Frank: it has been

possessed of a Devil of blind hatred: it has relentlessly persecuted: it has tried to lynch an innocent man, under legal forms. Its mobs terrified the witnesses; terrified the jurors; terrified the trial judge; terrified the Supreme Court of Georgia in both of its decisions, the last of which was unanimous. Finally, the Georgia mobs terrified the Supreme Court of the United States, which, under duress, decided that Frank's lawyers—after having had all the time, money, and opportunity needed—had utterly failed to show that Georgia had *not* given to Leo Frank every right to which he was entitled.

What do such editors care for the calm decision of the highest court on earth? *Nothing*.

"The guilt of the people is clear."

"They have made democracy hideous." Where? When? And how?

When justice was mocked in San Francisco, some years ago, and William T. Sherman (afterwards the great General) led the "mob," did the riotous tumults of an indignant democracy make it hideous? When justice was derided and defied in New Orleans, and the outraged democracy flamed into a vengeful conflagration, did it become hideous?

When our Revolutionary Fathers lynched Tories, and drove traitors into hasty flight, did they make democracy hideous?

When the Commons of old England rose in bloody riots against the Lords of Church and State, during the Epoch of Reform, did these insurrectionary Englishmen, battling for human rights, make democracy hideous?

When the Athenians of old furiously fell upon and killed the Greek who advised that Grecian freedom be surrendered to the Persian King, did those rioters make democracy hideous?

Away with milk-sops and molly-coddles! Whenever the human race

degenerates to the point where intense indignation is not aroused by enormities of crime, then mankind will be ready for the last Fire; and the sooner this scroll is given to the Flames, as the trump of doom sounds the requiem of a dying world, the less will be the sum total of human depravity.

In Georgia, there was never a mob collected while the Frank case was on trial; never a scene of tumult, never a disorder in the court room. It was not until after the State had patiently waited for two years, while the unlimited Money back of Frank was interposing every obstacle to the Law, travelling from court to court, on first one pretext and then another; offering new affidavits which soon appeared, *confessedly*, to have been falsehoods, paid for with money; resorting to every criminal method to corrupt some of the State's witnesses, and to frighten others into changing their testimony: it was not until the people of Georgia had waited so long, and seen Frank's lawyers defeated at every point, by the sheer strength of the State's case against a most abominable criminal: it was not until, after all this, *when one of Leo Frank's own lawyers* basely betrayed the State, upset all the courts, and violated our highest law: it was not until John M. Slaton, the partner of Leo Frank's leading lawyers, corruptly used the pardoning power *to save his own guilty client*—it was not until *then* that the people broke into a tumult of righteous wrath *against the infamous Governor who had put upon our State this indelible stain.*

And because our indignation took the same direction as that of our Fathers, in the days of '76; the same direction as that of the Frenchmen who stormed the Bastille; the same as that of the Englishmen who sacked the Bishop's palace, and the nobleman's castle; the same as that of the Vien-

nese who rose in fury against the Emperor and his Metternich, forcing that crafty and coldly ferocious old democracy-hater to flee for his life—because of the fact that we Georgians are *just human*, we must be relegated to a San Domingo basis, and treated by other States as though we were woolly-headed worshippers of Vaudoux!

HOW ABOUT BECKER AND NEW YORK?

The Becker case created a profound and painful impression everywhere, because of its contrast to the case of Leo Frank. The Hearst papers, the Jew-owned, and Jew-hired papers, have found this contrast embarrassing to them, and they are endeavoring to "distinguish the cases."

For example, the New Orleans *Daily States* says:

A patient perusal of all the mass of evidence, considered in the light of the clashing interests of those involved, directly and indirectly, in the Rosenthal tragedy, has left us unconvinced that the law's reasonable doubt of Becker's guilt was removed. That Becker was a police tyrant and grafter, was amply proved. The fact that he was more or less endangered by Rosenthal's promised revelations of police corruption furnished a motive which made it easy for others who confessed they were in the murder plot to fasten the crime on him. **But there will always be ground for the suspicion that the Rose-Webber crowd "framed" Becker to insure their own immunity.**

But whereas Frank was denied the safeguards and privileges which the State pledges any person accused of a capital crime, and was convicted in a community rank with prejudice and mob spirit, **on the testimony of a vicious negro criminal,** Becker was robbed of no technical right the law guaranteed him.

Few more deliberate and cold-blooded murders have been committed in New York than the assassination of Rosenthal, and public sentiment was powerfully exercised against Becker in the face of clear evidence that he was a grafter with a motive for sealing Rosenthal's lips. But it would be absurd to liken the atmosphere in New York during the Becker trial to that in Atlanta during the Frank trial, or to find

any points of resemblance between the disorderly conviction of Becker and the utterly disorderly trial of Frank.

So! Another case of my bull and your ox. Do we not all remember that when Bourke Cockran moved for a continuance in the Becker case, and Judge Samuel Seabury refused it, the great lawyer threw up his brief; and passionately exclaimed, "*This is not a trial; it is an assassination!*"

No lawyer said that to Judge Roan, trying Frank; and there never was the slightest *evidence* that Frank's trial was "disorderly."

The *Daily States* asserts that "Becker was robbed of no technical right the law guaranteed him."

Does the States know that the U. S. Supreme Court used those very words in the case of Frank—used them in a well-considered *decision*, which is the amplest vindication of the Georgia courts?

When the highest court in the world *judicially* affirms that the State which tried and convicted Frank accorded him every right guaranteed to him under the highest law, ought not the decision to be respected?

Before the United States Supreme Court vindicated Georgia, the agencies working for Frank expressed the most exultant confidence in the outcome of the appeal; and declared that, at last, the case had reached a tribunal which would not be influenced by "mob frenzy, psychic intoxication, jungle fury," and the rest of it.

After the United States Supreme Court patiently heard Frank's lawyers, and solemnly assured "mankind" that the State of Georgia had not been shown to have denied Frank any legal right, was "mankind" satisfied? By no means. "Mankind" gasped in silence a few days, and then broke out into a more furious roar than ever, just as though the highest of courts had not decided the case in our favor.

It must have cost "mankind" millions of dollars to lynch the Georgia courts, with outside mobs.

Frank "was convicted on the evidence of a vicious negro criminal." So says the *Daily States*, saying it, not because it is true, but because all the other Frankites say it. Without the negro, James Marshall, Becker could not have been convicted, and the highest New York court so held. Whether James Marshall is a criminal, I do not know; but the official record in the Frank case shows that Jim Conley was never a criminal until he became the accomplice of his master, Leo Frank.

May I ask the *Daily States* to take my word for it, that *the law of Georgia does not allow any man to be convicted on the testimony of an accomplice?*

The so-called vicious negro criminal was confessedly the accomplice of Leo Frank; and therefore *the law made it necessary for Solicitor Dorsey to practically make out the whole case against Frank, without relying at all upon the negro's evidence.*

When that miserable little Jew jack-ass, Clarence Shearn, of the New York Supreme Court, was sent by his owner, Mr. Hearst, to review the record in the Frank case; and when he wrote an opinion in which he stated that there was no evidence against Frank, save that of the accomplice, he virtually charged our Supreme Court—as well as Judge Roan—with having violated their oaths of office.

Little Shearn does not know enough of Georgia law to be aware of the fact that nobody can be convicted on the evidence of an accomplice; and that, under our Supreme Court decisions, such evidence is almost valueless. *The case must be made out independently of the accomplice, to well-nigh the same extent as though he had not testified.*

This being *the law* in Georgia, how can editors who wish to tell the truth,

continue to say that Frank was convicted by his accomplice?

Assuming that the great majority of the American people want to know the truth, and want the law enforced wherever crime is proved, I invite every fair-minded reader to come with me as I go into the official record—a summary of the sworn testimony, agreed on by the lawyers for both sides, and sanctioned by the trial judge.

But before turning to the dry leaves of the Brief of Evidence, let me ask you to look upon the girl herself, as she appeared in life to one who seems to have known her well. Writing to *The Christian Standard*, in protest against an editorial in the *Christian-Evangelist*, A. M. Beatty says:

Mary Phagan was a member of the Adrial class of the First Christian Bible School, and the last act she did on earth was to iron with her own hands her white dress that she might be present the next day and help in winning a contest. The Sunday she expected to be at Bible School she was lying on a slab in an undertaker's in the same block as the First Church is located, having met death in a horrible manner.

It is very complete—that little picture, drawn in two sentences. Mary Phagan, not quite 14 years old, ironing the white dress she meant to wear to the Bible school, next day. The First Christian Church stands near the morgue, and as she day-dreamed of the morrow, and the contest in her class, she saw the temple, and the white-dressed girls who would be her companions: *she did not see the morgue.*

The pity of it! The garment which she washed and ironed became her shroud, after she had been to the morgue, instead of to the church! Surely, fate has seldom been more cruel to a perfectly innocent child.

Mrs. J. W. Coleman was the first

witness for the State. She testified:

"I am Mary Phagan's mother. I last saw her alive, on April 26th, 1913. She was getting ready to go to the pencil factory to get her pay envelope. About 11:30 she ate some cabbage and bread. She left home at a quarter to twelve. She would have been fourteen years old on the first day of June. Was fair complected, heavy set, very pretty, and was extra large for her age. She had dimples on her cheeks."

(Witness described how her daughter was dressed, and identified as Mary's, the articles of clothing shown her—clothing taken from the corpse.)

George Epps, a white boy, was the next witness. He was fourteen years old, and was neighbor to Mary's family. He rode on the street car with Mary as she came into the city. She told him she was going to the pencil factory to get her money, and would then go to the Elkin-Watson place to see the Veterans' parade at 2 o'clock. "She never showed up. I stayed around there until 4 o'clock, and then went to the ball game.

"When I left her at the corner of Forsyth and Marietta Streets . . . she went over the bridge to the pencil factory, *about two blocks* down Forsyth Street."

The boy put the time of his separation from the girl at 12:07, but on cross-examination, he said, first, that he knew it by Bryant Keheley's clock, and then, *by the sun.*

(The immateriality of the variations in time, *except on Leo Frank's own clock*, will be shown directly.)

The next witness for the State was Newt Lee, the negro night-watch at the factory. He had been working there only about three weeks. Leo Frank had taken him over the building, and instructed him in his duties. On every day, except Saturdays, he was to go on duty at 6 o'clock p. m. On Saturdays, at 5 o'clock.

On Friday, the 25th of April, Frank

said to Newt, "Tomorrow is holiday, and I want you to come back at 4 o'clock, I want to get off a little earlier than usual."

Newt then went on to say that he got to the factory on Saturday about three or four minutes before four. The front door was not locked; he had never found it locked on Saturday evenings. But there are double doors half way up the steps, which he had always found unlocked before, but which, *this* Saturday evening, *he found locked*.

He took his keys and unlocked this stair-way door, and went on up-stairs to the second floor, where Frank's office was.

Newt announced his arrival, as he had always done, by calling out, "All right, Mr. Frank!"

"And he come bustling out of his office, . . . and says, 'Newt, I am sorry I had you come so soon: you could have been at home sleeping. I tell you what you do: you go out in town and have a good time.'"

Newt stated that always before when Frank had anything to say to him, he would say, "Step here a minute, Newt."

This time, Frank came bustling toward the negro, rubbing his hands; and when Newt asked to be allowed to go into the shipping room to get some sleep, Frank answered, "You need to have a good time. You go downtown, stay an hour and a half, and come back your usual time at 6 o'clock. Be sure to come back at 6 o'clock."

Newt did as he was told, returned to the factory at two minutes before six, and found the stair doors unlocked. Frank took the slip out of the time-clock and put in a new one.

"It took him twice as long this time as it did the other times I saw him fix it. He fumbled, putting it in." After the slip had been put in, Newt

punched his time, and went on down stairs.

Mr. J. M. Gantt came to the front door and asked Newt for permission to go up stairs after an old pair of shoes he had left there, some time before, when he was employed at the factory. Newt answered that he was not allowed to let anyone inside after six o'clock.

"About that time Mr. Frank came bustling out of the door, and ran into Gantt unexpected, and he jumped back frightened."

Gantt asked Frank if he had any objection to his going up stairs after his old shoes.

Frank answered, "I don't think they are up there. I think I saw a boy sweep some up in the trash the other day."

Gantt asked what sort of shoes he saw the boy sweep out, and Frank said they were "tans."

Gantt replied, "Well, I had a pair of black ones, too."

"Frank says, 'Well, I don't know,' and dropped his head down, just so"—illustrating.

"Then, he raised his head, and says, 'Newt, go with him and stay with him, and help him find them.' And I went up there with Mr. Gantt, and found them in the shipping room, two pair, the tans and the black ones, too."

That night, after seven o'clock, Frank telephoned to Newt, and asked, "How's everything?"

That was the first time he had ever phoned the night watch on a Saturday night. He did not ask about Gantt.

There is a gas jet in the basement at the foot of the ladder, and Frank had told Newt to keep it burning all the time.

"I left it Saturday morning burning bright. When I got there, on making my rounds at 7 o'clock p. m.

on the 26th of April, it was burning just as low as you could turn it, *like a lightning bug*. When 3 o'clock came" (after midnight, of course.) "I went down to the basement. . . . I went down to the toilet, and when I got through I looked at the dust bin back to the door" (the back door opening on the alley) "to see how the door was, and it being dark, I picked up my lantern and went there, and I saw something laying there, which I thought some of the boys had put there to scare me: then I walked a little piece towards it, and I saw what it was, and I got out of there.

"I got up the ladder, and called the police station: it was after 3 o'clock.

"*I tried to get Mr. Frank, and was still trying when the (police) officers came.* I guess I was trying (to get Frank to answer the telephone) about eight minutes.

"I saw Mr. Frank Sunday morning (the same morning), at about 7 or 8 o'clock. He was coming in the office. He looked down on the floor, and never spoke to me. He dropped his head down, right this way"—illustrating.

"Boots Rogers, Chief Lanford, Darley, Frank and I were there when they opened the clock. Mr. Frank opened the clock, and saw the punches were all right. I punched every half hour from 6 o'clock p. m. to 3 o'clock a. m.

"On Tuesday night, April 29th, at about 10 o'clock, I had a conversation at the station house with Mr. Frank. They handcuffed me to a chair.

"They went and got Mr. Frank and brought him in, and he sat down next to the door. He dropped his head and looked down. We were all alone. I said, 'Mr. Frank, it's mighty hard on me to be handcuffed here for something that I don't know anything about.'

"He said, 'What's the difference?

They have got me locked up, and a man guarding me.'

"I said, 'Mr. Frank, do you believe I committed this crime?'

"He said, 'No, Newt, I know you didn't; *but I believe you know something about it.*'

"I said, 'Mr. Frank, I don't know a thing about it, more than finding the body.'

"He said, 'We are not talking about that now: we will let that go. *If you keep that up, we will both go to hell.*'

"Then the officers came in. When Mr. Frank came out of his office that Saturday (evening) he was looking down, and rubbing his hands. I had never seen him rub his hands that way before."

Newt stated, on cross-examination, that he would not have gone so far back in the basement, and would not have seen the body, if a call of nature down there had not caused him to use the toilet which was near the corpse.

"When I got through, I picked up my lantern; I walked a few steps that way; I seed something over there, about that much of the lady's leg and dress"—illustrating.

"I think I reported to the police that it was a white woman. When I first got there, I didn't think it was a white woman, because her face was so dirty, and her hair crinkled.

"When I was in the basement (the morning the body was found), one of the policemen read the note that they found. They read these words, 'The tall, black, slim negro did this, he will try to lay it on the nigh^t' and when they got to the word 'night,' I said, '*They must be trying to put it off on me.*'"

(Note that the negro is corroborated on this point by Sergeant Dobbs, the next witness; and bear it in mind because of its extreme importance—as you will soon see.)

Sergeant L. S. Dobbs testified that

a call came to the police headquarters at about 3:25, on the morning of April 27th, and he went to the pencil factory, descended to the basement by means of the trap-door and ladder. The negro led the officers back to the body, about 150 feet.

"The girl was *lying on her face*, not directly lying on her stomach, with the left side up just a little. We couldn't tell by looking at her whether she was white or black, only by her golden hair. *They turned her over*, and her face was full of dirt and dust. They took a piece of paper and rubbed the dirt off her face, and we could tell then that it was a white girl. I pulled up her clothes, and could tell by the skin of the knee that it was a white girl. Her face was punctured, full of holes, and *swollen and black*. She had a cut on the left side of her head, as if she had been struck, and there was a little blood there. The cord was around her neck, *sunk into the flesh*. She also had a *piece of her underclothing around her neck*. The cord was still tight around her neck. *The tongue was protruding* just the least bit. The cord was pulled tight, and had cut into the flesh, *and tied just as tight as it could be*. The underclothing around the neck *was not tight*.

"There wasn't much blood on her head. It was dry on the outside. I stuck my finger under the hair, and it was a little moist.

"This scratch pad was lying on the ground, close to the body. I found the notes under the sawdust, lying near the head. The pad was lying near the notes. They were all right close together.

"*Newt Lee told us it was a white woman.*

"There was a trash pile near the boiler, where this hat was found, and paper and pencils down there, too. The hat and shoe were on the trash

pile. Everything was gone off it, ribbons and all.

"*It looked like she had been dragged on her face by her feet. I thought the places on her face had been made by dragging.* That was a dirt floor, with cinders on it, scattered over the dirt.

"The place where I thought I saw some one dragged *was right in front of the elevator*, directly back. *The little trail* where I thought showed the body was dragged, *went straight on down* (from in front of the elevator) *where the girl was found. It was a continuous trail.*

"The body was cold and stiff. *Hands folded across the breast.*

"*I didn't find any blood on the ground, or on the saw dust, around where we found the body.*

"The sign of dragging . . . started *east of the ladder*. A man going down the ladder to the rear of the basement, *would not go in front of the elevator where the dragging was.*

"A man couldn't get down that ladder with another person. It is difficult for one person to get through that scuttle hole. The back door was shut; staple had been pulled."

"*The lock was locked still.* It was a sliding door, with a bar across the door, but the bar had been taken down. It looked like the staple had been recently drawn.

"I was reading one of the notes to Lee, with the following words, '*A tall, black negro did this; he will try to lay it on the night,*' and when I got to the word 'night,' Lee says, '*That means the night watchman.*'

"I found the handkerchief on a sawdust pile, about ten feet from the body. It was bloody, just as it is now.

"The trap-door leading up from the basement was closed when we got there."

City Officer John N. Starnes was the State's next witness. He testified to reaching the factory between 5 and

6 o'clock that Sunday morning. He called up Leo Frank, and asked him to come, right away.

"He said he hadn't had any breakfast. He asked where the night watchman was. I told him it was very necessary for him to come, and if he would come, I would send an automobile for him.

"I didn't tell him what had happened, and he didn't ask me.

"When Frank arrived at the factory, a few minutes later, he appeared to be nervous; *he was in a trembling condition.* Lee was composed.

"It takes not over three minutes to walk from Marietta Street, at the corner of Forsyth, across the viaduct, and through Forsyth Street, down to the factory.

"I chipped two places off the back door, *which looked like they had bloody finger prints.*"

(Let me here remind the reader, that Jim Conley, *a State's witness*, could have been required by Leo Frank's lawyers *to make the imprint of his fingers while he was on the stand*, and if these finger marks had resembled those made on the back door, *Frank would have gone free, and the negro would have swung.* The State, however, could not ask Leo Frank to make *his* finger-prints, for to have done so, would have been requiring him to furnish evidence against himself.

My information is that Conley's lawyer, W. M. Smith, *after* he had agreed with the Burns Agency to help them fix the crime on his client, went to the convict camp, where Conley was working out his sentence, *and got his finger-prints, twice.*

Be this as it may, *Frank's attorneys dared not ask the negro to make the prints*, when they had him on the stand.

You can draw your own conclusions.

Burns and Lehon do not amount to

anything much as detectives; but even these amateurs know something of the Bertillon system; and if those finger-prints on the back door *had not been Leo Frank's*, Burns and Lehon would most certainly have proven that much, *by actual demonstration*, and thus put the crime on Jim Conley, or upon some other person than their client, Frank.)

The next witness was W. W. Rogers. He and John Black went after Frank, following Starnes' telephone communication. Mrs Frank opened the door, and was asked if Frank was in. He came forward, partly dressed, and asked if anything had happened at the factory. No answer being returned, he inquired, "Did the night-watchman call up and report anything to you?"

Mr. Black asked him to finish dressing, and accompany them to the factory, and see what had happened.

"Frank said that he thought he dreamt in the morning, about 3 o'clock, about hearing the telephone ring."

Witness said Frank appeared extremely nervous, and called for a cup of coffee. He was rubbing his hands. When they had taken seats in the automobile, one of the officers asked him if he knew a little girl named Mary Phagan.

Frank answered, "Does she work at the factory?"

Rogers said, "I think she does": and Frank added, "I cannot tell whether she works there or not, until I look at my pay-roll book. I know very few of the girls that work there. I pay them off, but I very seldom go back in the factory."

The witness spoke of Frank's conduct at the morgue, and although the purpose of taking him there was to have him view the corpse, the witness never saw Frank look at it, but did see him step away into a side room.

From the morgue, the party went to the pencil factory, where Frank opened the safe, took out his time-book, consulted it, and said: "Yes, Mary Phagan worked here. She was here yesterday to get her pay."

He said: "*I will tell you about the exact time she left here. My stenographer left about 12 o'clock, and a few minutes after she left, the office boy left, and Mary came in and got her pay and left.*"

(Note, later on, that other girls were at Frank's office, the same Saturday morning, and that he nevertheless fixed the exact time of the arrival of *the girl he did not know*. And he fixed it right.)

"He then wanted to see where the girl was found. Mr. Frank went around to the elevator, where there was a switch box on the wall, *and put the switch in. The box was not locked.* As to what Mr. Frank said about the murder, I don't know that I heard him express himself, except down in the basement.

The officers showed him where the body was found, and he made the remark that it was too bad, or something like that."

(Frank was not under arrest at this time, and Newt Lee was. Nothing, as yet, had been said about Conley.)

On cross-examination, the witness stated that "we didn't know it was a white girl or not until we rubbed the dirt from the child's face, and pulled down her stocking a little piece. The tongue was not sticking out: it was wedged between her teeth. She had *dirt* in her eye and mouth. The cord around her neck was drawn so tight it was sunk in her flesh, and the piece of underskirt was *loose over her hair.*

"*She was lying on her face, with her hands folded up. One of her eyes was blackened. There were several littel scratches on her face. A bruise*

on the left side of her head, *some dry blood in her hair.*

"There was some excrement in the elevator shaft. When we went down on the elevator, the elevator mashed it. You could smell it all around.

"No one could have seen the body at the morgue unless he was somewhere near me. I was inside, and *Mr. Frank never came into that little room*, where the corpse lay. When the face was turned toward me, Mr. Frank stepped out of my vision in the direction of Mr. Gheesling's (the undertaker's) sleeping room."

Miss Grace Hicks testified that she worked on the second floor at the factory. Mary Phagan's machine was right next to the dressing room, and in going to the closet, the men who worked on that floor passed within two or three feet of Mary. Between the closet of the men and of the women, there was "just a partition."

The witness had identified the body at the morgue early Sunday morning, April 27th. "I knew her by her hair. She was fair-skinned, had light hair, blue eyes, and was heavy built, well developed for her age. She weighed about 115 pounds. *Magnolia Kennedy's hair is nearly the color of Mary Phagan's.*"

John R. Black, the next witness for the State, testified that he went with Rogers to Frank's house. "Mrs. Frank came to the door: she had on a bathrobe. I stated that I would like to see Mr. Frank, and about that time Mr. Frank stepped out from behind a curtain. His voice was hoarse and trembling and nervous and excited. He looked to me like he was pale. He seemed nervous in handling his collar: he could not get his tie tied, and talked very rapid in asking what had happened. *He kept on insisting for a cup of coffee.*

"When we got into the automobile, Mr. Frank wanted to know what had

happened at the factory, and *I asked him if he knew Mary Phagan, and told him she had been found dead in the basement. Mr. Frank said he did not know any girl by the name of Mary Phagan, that he knew very few of the employees.*

"In the undertaking establishment, Mr. Frank looked at her: he gave a casual glance at her, and stepped aside: I couldn't say whether he saw the face of the girl or not. *There was a curtain hanging near the room, and Mr. Frank stepped behind the curtain.*

"Mr. Frank stated, as we left the undertaker's, that he didn't know the girl, but he believed he had paid her off on Saturday. *He thought he recognized her being at the factory Saturday by the dress that she wore.*

At the factory, Mr. Frank took the slip out (of the time clock), looked over it, and said it had been punched correctly. (That is, the slip showed that Newt Lee had punched every half-hour during the night before.)

"On Monday and Tuesday following, Mr. Frank stated that the clock had been *mispunched three times.*

"I saw Frank take it out of the clock, and went with it back toward his office.

"When Mr. Frank was down at the police station, on Monday morning (the next after the corpse was found). *Mr. Rosser and Mr. Haas were there. Mr. Haas stated, in Frank's presence, that he was Frank's attorney. This was about 8, or 8:30 Monday morning. That's the first time he had counsel with him.*"

(Observe that the Jews employed the best legal talent, before the Gentiles had even suspected Frank's guilt.

Why did his rich Jewish connections feel so sure of his need of eminent lawyers, that they employed Rosser, *evidently on Sunday, since city lawyers do not open their offices before 8 o'clock.*)

"Mr. Frank was nervous Monday: after his release, he seemed very jovial.

"On Tuesday night, Frank said, at the station house, that there was nobody at the factory at 6 o'clock *but Newt Lee, and that Newt Lee ought to know more about it, as it was his duty to look over the factory every thirty minutes.*"

(Note Frank's deliberate direction of suspicion to the "tall, slim night-watch," upon whom *the notes* place the crime. Frank was virtually telling the police the same thing that the notes told, viz., that Newt Lee committed the crime.)

"On Tuesday night, Mr. Scott and myself suggested to Mr. Frank to talk to Newt Lee. They went in a room, and stayed about five or ten minutes, alone. I couldn't hear enough to swear that I understood what was said. *Mr. Frank said that Newt stuck to the story that he knew nothing about it.*

"Mr. Frank stated that Mr. Gantt was there on Saturday evening, and that he told Lee to let him get the shoes, but to watch him, as he knew the surroundings of the office.

"*After this conversation Gantt was arrested.*"

(Observe that Frank's allusion to Gantt could have had no other purpose than to direct suspicion toward him; and that, while Frank was seeking to involve two innocent men, he did not breathe a suspicion of Jim Conley, whom he knew to have been in the factory when Mary Phagan came for her pay.)

After the visit to the morgue, the party went to the factory, where Frank got the book, ran his finger down until he came to the name of Mary Phagan, and said: "Yes, this little girl worked here, and I paid her \$1.20 yesterday."

"We went all over the factory. No-

body saw that blood spot that morning."

Mr. Haas, as Frank's attorney, had told witness to go out to Frank's house, and search for the clothes he had worn the week before, and the laundry, too.

Frank went with them, and showed them the dirty linen.

"I examined Newt Lee's house. I found a bloody shirt at the bottom of a clothes barrel there, on Tuesday morning, about 9 o'clock."

On re-direct examination, the witness stated that Frank said, after looking over the time sheet, and seeing that it had not been punched correctly, that it would have *given Lee an hour to have gone out to his house and back.*"

(Evidently, Frank knew where this negro lived, and how long it required for him to go home that Saturday night, and return to the factory where the girl's body lay. *This new time-slip gave Newt an hour unaccounted for; and, in connection with the bloody shirt, the new time-slip began to make the case look ugly for Newt, "the tall, slim night-watch," whom the writer of the notes accused.*)

J. M. Gantt was next put up by the State, and his evidence, in substance, was:

That he had been shipping clerk and time-keeper at the pencil factory, and that Frank had discharged him on April 7th, for an alleged shortage of \$2 in the pay-roll.

He had known Mary Phagan since she was a little girl, and that *Frank knew her, too.*

One Saturday afternoon, she came in the office to have her time corrected, by Gantt, and after Gantt had gotten through with her, Mr. Frank came in and said: "*You seem to know Mary pretty well.*"

After Gantt was discharged, he went back to the factory on two occasions. "*Mr. Frank saw me both times.*

He made no objections to my going there."

One girl used to get the pay envelope for another, with Frank's knowledge. Gantt swore he knew nothing of how the \$2 shortage in the pay roll occurred. Frank discharged him because Gantt refused to make it good.

Gantt described how Frank had behaved at 6 o'clock Saturday evening when he, Gantt, went for his shoes. Standing at the front door, Gantt saw Frank coming down the stairs, and when Frank saw Gantt, "he kind of stepped back, like he was going to go back, but when he looked up and saw I was looking at him, he came on out, and I said, 'Howdy, Mr. Frank,' and he sorter jumped again."

Then Gantt asked permission to go up for his shoes, and Frank hesitated, studied a little, inquired the kind of shoes, was told they were tans, and stated that he thought he had seen a negro sweep them out. But when Gantt said he had left a black pair, also, Frank "studied" a little bit, and told Newt to go with Gantt, and stay with him till he got his shoes. Gantt went up, and found both pair, right where he had left them.

"Mr. Frank looked pale, hung his head, and kind of hesitated and stuttered, like he didn't like me in there, somehow or other."

(On the strength of what Frank insinuated against Gantt, he was arrested *before Frank was*, and not released until Thursday night.)

Mrs. J. A. White, sworn for the State, said that she went to the factory to see her husband, who was at work there, on April 26th. She went at 11:30, and stayed till 11:50, when she left. She *returned* about 12:30, and saw Frank standing before the safe, in his outer office. "I asked him if Mr. White had gone back to work; he jumped, like I surprised him, and *turned* and said, 'Yes.'"

She went up stairs to see her husband, and while she was up there, about 1 o'clock, Frank came up and told Mr. White that if she wanted to get out before 3 o'clock, she had better come down, as he was going to leave, and lock the door, *and that she had better be ready by the time he could get his coat and hat.*

Mrs. White testified to this tremendously important fact:

"As I was going on down the steps, I saw a negro sitting on a box, close to the stairway on the first floor.

"Mr. Frank did not have his coat or hat on when I passed out."

On cross-examination, this lady swore: "I saw a negro sitting between the stairway and the door, about five or six feet from the foot of the stairway."

While Mrs. White was talking to her husband, between 11:30 and 11:50, she saw Miss Corinthia Hall and Mrs. Emma Freeman there, *and they left before she did.*

(Mrs. White did not work at the factory, and did not know Jim Conley. The place where she saw a negro sitting, was where Jim sat when he had nothing else to do. Picture to yourself the interior of the factory, as Mrs. White departs at about 1 o'clock that fatal Saturday.

Two carpenters are at work on the fourth floor, tearing out a partition and putting up a new one, and they are 40 feet back from the elevator.

Frank is sitting on the second floor, near the head of the stairs; and Jim Conley is seated at the foot of the same stairs, on the floor below, not more than thirty feet from his white boss.

The lady passes on out, leaving these two men *practically together.* According to his own statement to the police officers, *Frank has already had Mary Phagan, in his office, in his possession, between the first departure*

of Mrs. White at 11:50 and her second coming at 12:30!

Frank's own admission put the girl *alone with him in his private office, shortly after the noon hour; and when Mrs. White returns at 30 minutes after the noon hour, the girl is nowhere to be seen.*

Who can account for Mary between these times? *And who can account for Frank?*

Here is the tragedy, hemmed within the first departure and the second arrival of Mrs. White—a space which could not be filled by any two human beings, excepting Jim Conley and Leo Frank.

We will see, later, how each of the two filled it.)

Harry Scott, the State's next witness, was Superintendent of the local branch of the Pinkerton Detective Agency. He was employed by Frank for the pencil factory.

In Frank's private office, Monday afternoon, April 28th, the detective heard Frank's detailed account of his movements the Saturday before. Frank told of his going to Montag's, and of the coming of Mrs. White.

"He then stated that Mary Phagan came into the factory at 12:10 p. m., to draw her pay; that she had been laid off the Monday previous, and she was paid \$1.20, *and that he paid her off in his inside office, where he was at his desk, and when she left his office and went into the outer office she had reached the outer office door, leading into the hall, and turned around to Mr. Frank, and asked if the metal had come yet. Mr. Frank replied that he didn't know, and that Mary Phagan, he thought, reached the stairway, and he heard voices, but he couldn't distinguish whether they were men or girls talking.*"

Later, witness stated that it was before Mary came that Frank said he heard the voices—before 12 o'clock.

(Let me explain that Mary worked on Frank's floor, some distance back of his office, and that she placed metal tips on the pencils. The supply of this metal gave out, and more was ordered, but in the meantime Mary was unemployed. Her question, "Has the metal come?" was therefore equivalent to, "Will there be work for me next Monday?")

Note particularly that in his private conference with his own detective, *he did not pretend that he had not known Mary Phagan.* On the contrary, see what Scott says further on.)

"He (Frank) also stated, during our conversation, *that Gantt knew Mary Phagan very well,* and that he was familiar and intimate with her. *He seemed to lay special stress on it, at the time.* He said that Gantt paid a good deal of attention to her."

(The morning before, he did not know her, and had to consult his book! Although he had passed within three feet of her, every day when he went to the toilet, and had paid her off every week, for about a year, he did not know any girl of that name!)

Mr. Herbert J. Haas (later the Chairman of the Frank Finance Committee) told the detective to report to him, first, before letting the public know "what evidence we had gathered. *We told him we would withdraw from the case before we would adopt any practice of that sort.*"

Scott asked Frank to use his influence as employer with Newt Lee, and to try to get him to tell what he knew. Frank consented, and the two were put in a private room, in order that Frank might get something out of the "tall, slim night-watch."

"When about ten minutes was up, Mr. Black and I entered the room, and Lee hadn't finished his conversation with Frank, and was saying: 'Mr. Frank, it is awful hard for me to remain handcuffed to this chair.' and Frank hung his head the entire

time the negro was talking to him, and finally, in about thirty seconds, he said, 'Well, they have got me, too.' After that, we asked Mr. Frank if he had gotten anything out of the negro, and he said, '*No, Lee still sticks to his original story.*'

"Mr. Frank was extremely nervous at that time. He was very squirmy in his chair, crossing one leg after the other, *and didn't know where to put his hands; he was moving them up and down his face,* and he hung his head a great deal of the time while the negro was talking to him. *He breathed very heavily, and took deep swallows, and hesitated somewhat.* His eyes were about the same as they are now.

"That interview between Lee and Frank took place shortly after midnight, Wednesday, April 30. On Monday afternoon, Frank said to me that the first punch on Newt Lee's slip was 6:33 p. m., and his last punch was 3 a. m. Sunday. *He didn't say anything at that time about there being any error in Lee's punches.* Mr. Black and I took Mr. Frank into custody about 11:30 a. m., Tuesday, April 29th.

"*His hands were quivering very much, he was very pale.* On Sunday, May 3, I went to Frank's cell at the jail with Black, and I asked Mr. Frank if, from the time he arrived at the factory from Montag Bros., up until 12:50 p. m., the time he went upstairs to the fourth floor, was he inside of his office the entire time, and he stated, 'Yes.'

"Then I asked him if he was inside his office every minute from 12 o'clock until 12:30, and he said, 'Yes.'

"I made a very thorough search of the area around the elevator and radiator, and back in there. I made a surface search; I found nothing at all. I found no ribbon or purse, or pay envelope, or bludgeon or stick. I spent a great deal of time around the

trap door, and I remember running the light around the doorway, right close to the elevator, looking for splotches of blood, but I found nothing."

(No effort was made to impeach Harry Scott, and the whole brunt of Rosser's cross-examination was to compel the witness to admit that Frank answered the girl's question about the metal, by saying, "No," instead of, "I don't know."

If Frank answered, "No," her inquiry ended right there, and there was nothing for the girl to linger for: she would go on down stairs. But if her question, "Has the metal come?" was answered by, "I don't know," *the girl herself would want to learn, for certain, whether there would be any need for her to return Monday morning.* As the next day was Sunday, there would be no work for her on Monday, unless the metal *were already on hand*, because, if it reached Atlanta Sunday, it would not be delivered at the factory until some time after the work hours began on Monday.

Therefore, when Frank told his own detective, in their first confidential talk, that he gave the girl's question a reply which necessarily left her in doubt, he stated a fact that leads to the reasonable, if not inevitable conclusion, that either he or she proposed that one or the other—or both—go to the metal room, *and see!*

To make certain whether the new metal *had* come, she would go to the room where she worked, *and look.* If the metal had come, and was ready for use next week, *it was there!*

Now, when you examine page 25 of the official Brief of Evidence, and find that Rosser's assault on the witness was directed chiefly to this point, you naturally ask, Why did it make such a difference? Why did Frank's lawyer so strenuously endeavor to make it appear that the girl's inquiry

was answered, "No," instead of, "I don't know?"

If she was murdered below, on the first floor, or in the basement, *what did it matter, whether or not she went to the metal room, on the second floor?*

If Jim Conley, sitting at the foot of the stairway, assaulted the girl as she was passing out, and either killed her there, or threw her down into the basement, where he afterwards killed her, what difference did it make, if the white man, *at the head of the stairway*, told the girl he didn't know whether the metal had come?

If the evidence places the crime on any other floor than Frank's own, why battle with the witness as to what was said and done on Frank's floor?

There is but one answer: the physical indications were on Frank's floor, partly in the metal room, and partly in the next, on the way to the elevator. *Rosser wanted to keep Frank and Mary away from that metal room*, where a tress of her hair hung on the projecting crank of a bench-lathe, and where some of her blood had stained the floor.

Rosser dared not leave unassailed the answer of Frank to Mary, which opened the way naturally for a visit to the metal room, at the back end of the building, where he could close the door, and have her securely entrapped.

Let us now take the next witness, Monteen Stover—a girl of about the same age as Mary—and who also worked at the factory. She, too, came for her wages on Memorial Day, April 26th. She testified:

"I was at the factory at 5 minutes after 12 o'clock that day. I stayed there 5 minutes and left at 10 minutes after 12. I went there to get my money.

"I went in Mr. Frank's office; he was not there. I didn't see or hear anybody in the building.

"The door to the metal room was closed.

"I looked at the clock on my way up.

"I went through the first office into the second office."

Pray note that *the crucial minutes in this terrible case are fixed by Frank's own clock.* The witnesses are in full view of it, as they go up and down the stairs. Newt Lee, Mrs. J. A. White, Miss Monteen Stover, and all the others who testify as to what happens in the factory, that Saturday, *go by this clock.* Presumably, Frank himself does so, in telling his detective about his movements that morning.

The gubernatorial Benedict Arnold who betrayed his people and became the national hero of rich Jews, declared to the world that Leo Frank must have been in his inner office when Monteen Stover called. I mention the fact, because it proves that *John M. Slaton must be morally certain where his client and his client's victim were, while Monteen was waiting in the vacant offices.* Nothing but the closed door of that metal room kept Monteen from catching Slaton's guilty client in the very act!

While the one girl was waiting in the empty and silent offices, the other was in the metal room, unconscious, and soon to be dead.

Slaton ravished the official record, by telling an easily duped public that Leo Frank was in his second office at from 12:05 to 12:10. This corrupt traitor *knows* that unless Frank can be stationed in his office, *at that identical time,* he assaulted and murdered the girl. Consequently, *Slaton rapes the record,* and puts his client where he was *not,* in order that the world may not know where he *was;* namely, *behind the closed door of the metal room,* where the crime was being committed, as Monteen Stover waited for the missing Frank.

On page 243 of the official record appears a statement made by Frank to N. A. Lanford, Chief of Detectives, *on Monday morning, April 28th, 1913:*

"The office boy and stenographer were with me in the office until noon. They left about 12, or a little after." (This was true.) After they left, "this little girl, Mary Phagan, came in, but at the time I did not know that was her name.

"She came in between 12:05 and 12:10, maybe 12:07, to get her pay-envelope, her salary. I paid her, and she went out of the office. . . . It was my impression that she just walked away."

This statement, which Frank knew was being reduced to writing, accords with what he told the officers who went to his house Sunday morning. He was accurate in fixing the time when his stenographer left (as you will see later), and he was also accurate in fixing the time of Mary Phagan's arrival.

He did not then know that Monteen Stover had followed so closely upon the heels of Mary, and was in his office at the very time when an innocent Leo Frank would have been there.

Slaton knew that Frank *had to be* in his office from 12:05 to 12:10, else he killed the girl; and of course Frank knew it, too.

Therefore, the murderer tells his detective, and the city officers, that he *was* in his office, at the crucial time; and when an unexpected, and unimpeachable, witness turns up, and swears that he was *not* in his office, at the crucial time, *one of his attorneys issues a gubernatorial proclamation which obliterates Monteen Stover's testimony,* and restores his guilty client to the place of innocence which the murderer took for himself, *before he knew of Monteen's being in his office while he was committing the crime in the metal room.*

After an intelligent white girl—of flawless character, and with no conceivable motive for perjury—swears positively that she went to Frank's office to get her money, *and that she looked for him in both rooms*—the outer and the inner offices—*Governor John M. Slaton argued to the public that his client was in the second office, during the whole five minutes that the girl was looking and waiting for him!*

Could there be moral turpitude blacker than that of a Governor who prostitutes his office to protect blood-guilt, and who endeavors to hide his own baseness by falsifying the official records of his State?

Slaton did, with a spurt of his pen, that which Burns, Rabbi Marx, Frank's wife, and Samuel Boornstein were unable to do by persuasion or by threat—he got rid of the evidence which convicts Leo Frank of the murder of Mary Phagan. The most persistent, unprecedented, and illegal methods were used by the Burns Detective Agency, and by Rabbi Marx to induce this honest young woman, Monteen Stover, to perjure herself; but these outrageous efforts were foiled by *the old-fashioned honesty of this poor daughter of the working class.*

It was the snob Governor, of high society, gilded club-life, and palatial environment, that proved to be the rotten pippin in our barrel. Rich Jews could not buy the work-people whose daily bread is earned by the toil of their hands. Rich Jews were never able to move a single member of the jury which listened for weeks to this damning testimony. Neither could Judge Roan, or our Supreme Court be moved. With splendid integrity, our whole system withstood the attacks of Big Money, until, at length, nothing was left but the perfidy of a Governor who, *in the interest of his client,* betrayed a high office, and a great people.

R. P. Barrett was the next witness for the State.

He testified that he was the machinist at the pencil factory, and that on Monday morning, April 28th, he "found an unusual spot that I had never seen before, at the west end of the dressing room, on the second floor. That spot was not there Friday. It was blood. The spot was four or five inches in diameter, and little spots behind these from the rear—six or eight in number. I discovered these between 6:30 and 7 o'clock. White stuff (potash or haskoline) was smeared over the spots.

"I found some hair on the handle of a bench lathe. The handle was in the shape of an L. The hair was hanging on the handle, swinging down. The hair was not there Friday. It was my machine. I know the hair was not there Friday, because I had used *that machine* up to quitting time, Friday, 5:30.

"I could tell it was blood by looking at it. I found the hair some few minutes afterward—about six or eight strands, pretty long. When I left my machine Friday, I left a piece of work in it. When I got back, the piece of work was still there. It had not been disturbed."

(Bear in mind, that all of this was early Monday morning, *when no Gentile had accused Leo Frank,* for whom rich Jews had already, in secret, employed the best lawyers. When the rascally Burns got into the case, an effort was made to bribe this machinist, but he refused to sell out.)

The State's next witness, Mell Stanford, had been working for Frank *two years.* He testified that he swept up the whole floor in the metal room Friday, April 25th. "I moved everything, and swept everything. I swept under Mary's and Barrett's machines. On Monday thereafter, I found a spot that had some white haskoline over it, on second floor, near dressing room. that wasn't there Friday when I

swept. The spot looked to me like it was blood, with dark spots scattered around."

The extreme importance of the evidence of Barrett and Stanford is, that the hair and the spots were not there on Friday. As Barrett's hands had been turning his machine handle, at 5:30 Friday evening, the tress of woman's hair could not have been on it *then*. How came it there after the men and girls quit work Friday? And whose was it, if not Mary Phagan's?

As Stanford swept the floor Friday, the blood spots could not have been there *then*, for his small broom would certainly have swept the white powder. Whether paint or blood, how came the spots, and the white powder on the floor, after Stanford swept up, Friday?

Mrs. George W. Jefferson testified that she worked at the pencil factory, and that on Monday, "*we saw blood on the second floor, in front of the girls' dressing room. It was about as big as a fan, and something white was over it. I didn't see it there Friday. I have been working there five years. The spot I saw was not one of the paints. The white stuff did not hide the red. You could see it plainly.*"

R. B. Haslett testified that on Monday morning he and Mr. Black went out to Frank's house, to request him to appear at the station-house.

"I saw Mr. Rosser and Mr. Haas at the station-house about 8:30 or 9 o'clock. Mr. Frank was at the station-house two or three hours."

E. F. Holloway, sworn for the State: Was day watchman at factory. Forgot to lock the elevator on Saturday, when he left the factory at 11:45. Witness admitted that he had previously sworn *twice* that he left the elevator locked; once, in the affi-

davit he gave to Solicitor Dorsey and, again, at the coroner's inquest.

(In other words, Holloway entrapped the State, which had his sworn testimony, twice given, that he had left the elevator locked at 11:45 Saturday morning. He had not notified them of his *change*, otherwise the State would not have put him up.)

On cross-examination, Holloway stated that Frank got back from Montag's at about 11 o'clock. That Frank was working on his books in the office. *That Corinthia Hall, and Emma Clark were coming toward the factory (at 11:45), when he, Holloway, was leaving.*

(Remember this: *its importance was not apparent to the witness when he swore it, and he was doing what he could to help his employer.*)

He had often seen blood spots on the floor, but didn't remember having seen those Barrett found.

Witness had never seen Frank speak to Mary Phagan. Cords like that found on Mary's neck are all over the place. They come on the bundles of slats that are tied around the pencils. Barrett found the blood, hair, and pay-envelope.

Witness' explanation of the difference between his former testimony about the elevator, and that which he was giving at the trial, is quite simple and satisfactory: he says that he sawed a plank for the two carpenters on the fourth floor, and forgot about it; and, as soon as he remembered that he had sawed the plank, he recollected that he had forgotten to lock the elevator. Thus doth the little busy bee improve each shining hour; and, by association of ideas, remember that forgetfulness as to sawing one plank, revives the memory to the extent that one can recall what it was he forgot.

N. V. Darley was Manager of a branch of the pencil factory. He testified:

"Mr. Sig Montag is my superior. Mr. Frank and I are of equal dignity in the factory.

"I was there Sunday morning (April 27), about 8:20. I saw Mr. Frank that morning. When I first saw him, I observed nothing unusual. When we started to the basement, I noticed that *his hands were trembling*. I observed that he seemed still nervous when he went to nail up the back door. Frank explained why he was nervous by saying he hadn't had breakfast, and that the sight at the morgue had unnerved him.

"The elevator was unlocked.

"Mr. Frank told me in the basement that he believed the murder had been committed in the basement.

"When we started down the elevator, he was shaking all over. He looked pale. When riding down to the police station, Mr. Frank was on my knee: *he was trembling*. When my attention was called to it, I noticed something that looked like blood, with something white over it, at the ladies' dressing room, Monday morning.

"Barrett showed me some hair on the lever of a lathe: six or eight strands, at the outside.

"Pay-envelopes are found scattered all around.

"The factory is supposed to be locked and unoccupied by any person on Sundays.

"Frank usually started on his balance sheet in the afternoon.

"Frank is a small, thin man, about 125, or 130 pounds. Is easily upset, and nervous. Rubs his hands. Sig Montag had a fuss with Frank on fourth floor, and Montag hollered at him considerably, and he was very nervous the balance of the evening; he shook and trembled. He says, 'Mr. Darley, I just can't work,' and some of the boys told me he took spirits of ammonia for his nerves.

"Scratch pads are scattered all over the building.

"Mr. Frank told me that the slip he took out of the clock Sunday morning had been punched regularly. *I made the same mistake.*"

(Darley, like Frank, wanted to give an innocent negro an hour of the night, so that he might have time to go home and back.)

W. F. Anderson, sworn for the State, said that when the call came from the night-watchman at the factory, Lee phoned that a woman was dead at the factory.

"I asked him if it was a white woman or a negro woman. *He said it was a white woman.*"

Anderson went to the factory, used the ladder to reach the basement, and at about 3:30 he began to use the telephone trying to get Leo Frank. "I heard the telephone rattling and buzzing; I continued to call *for five minutes*: got no answer.

"I called Mr. Haas, and Mr. Montag, too; I got a response from both. I tried to get Frank again at 4 o'clock. Central said she rang, and couldn't get him.

"There are plenty of pencils and trash in the basement. *The trash was all up next to the boiler.*"

H. L. Parry, and G. C. February, stenographers, swore to their reports of Frank's statements to Chief Lanford, and to the coroner's jury.

Albert McKnight, a negro, testified that his wife, Minola, cooks for Mrs. Selig, with whom Frank and wife lived; on Saturday, April 26th, he was at the home of Frank to see Minola. He saw Frank when he came home, "close to 1:30. *He did not eat any dinner.* He came in, went to the sideboard of the dining room, stayed there a few minutes, and then he goes out, and catches a car. Stayed there about five or ten minutes.

"I certainly saw Mr. Frank that

day, from the kitchen, where I was sitting."

Cross-examination failed to shake the negro, and he was corroborated later by white men who said he had made the same statements to them, soon after the murder.

Miss Helen Ferguson testified that she worked at the pencil factory.

"I saw Mr. Frank on Friday, April 25, about 7 o'clock in the evening, and asked for Mary Phagan's money. Mr. Frank said, 'I can't let you have it.'"

Witness had got Mary's money before, but not from Frank.

R. L. Waggoner swore to seeing Frank on Tuesday morning, walk to the window of the pencil factory, a dozen times in half an hour, look down on the sidewalk, and twist his hands. In the automobile, after his arrest, Frank's leg was shaking.

J. L. Beavers, Chief of Police, swore: "Saw what I took to be a splotch of blood on the floor, near the dressing room door. It looked like blood."

R. M. Lassiter swore that he found a parasol in the bottom of the elevator shaft, Sunday morning; also a ball of small wrapping twine; also a person's stool.

"I noticed evidenc of dragging from the elevator in the basement. The umbrella was not crushed. There is a whole lot of trash at the bottom" of the elevator shaft.

W. H. Gheesling, funeral director and embalmer, testified:

"I moved the body of Mary Phagan (from the factory) at 10 minutes to 4 o'clock, in the morning, April 27th. This cord was around her neck. There was an impress of an eighth of an inch on her neck. The rag was around her head, and over her face. The tongue was an inch and a quarter out of her mouth, sticking out. The body was rigid . . . in my opinion, she had been dead ten or fifteen hours,

probably longer. The blood was very much congested. The blood had settled in her face, because she was lying on her face.

"I found some dirt and dust under the nails. Some urine and dry blood splotches on the underclothes. The right leg of the drawers was split with a knife, or ripped right up the seam.

"Her right eye was very dark, and very much swollen, like it was hit before death. If it had been after death, there wouldn't have been any swelling.

"I found a wound $2\frac{1}{4}$ inches on the back of the head. It was made before death, because it bled a great deal. *The hair was matted with blood, and very dry. There is no circulation after death. I didn't notice any scratches on her nose. I don't think the little girl lost much blood.*"

Dr. Claude Smith testified that on one of the chips brought him, he found three, four, or five corpuscles of blood. Couldn't say it was human blood. A drop, or half a drop, or even less, would have caused it. Examined the bloody shirt found at Newt Lee's. It was smeared inside and out. "I got no odor from the armpits that it had been worn. The blood was high up about the waist-line."

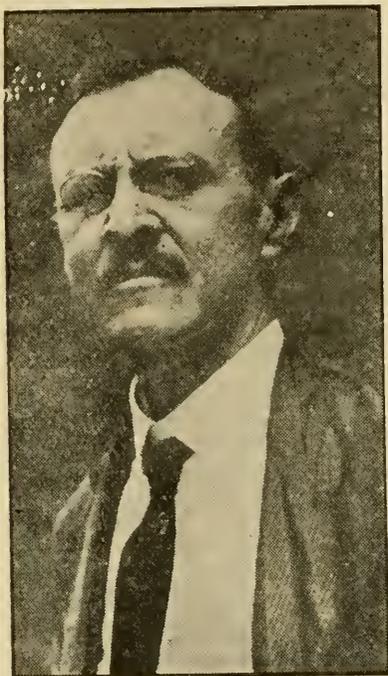
Dr. J. W. Hurt, County Physician, testified to the wounds, one back of the head, and the other on the eye. "Black, contused eye. A number of small minor scratches on the face. Tongue protruding. Cord around the neck. She died of strangulation. There was swelling on the neck. The wound on back of head, made by blunt instrument, and the blow from down upward. It was calculated to produce unconsciousness. Scratches on face made after death. Hymen not intact. Blood on the parts. Vagina a little large for her age: enlargement could have been made by penetration before

death. Normal virgin uterus. She was not pregnant.

"The body looked as if it had been dragged through the dirt and cinders. It was my impression that she was dragged face forward."

Dr. H. F. Harris, a practising physician, testified:

"I made an examination of the body of Mary Phagan on May 5th. On



DR. H. F. HARRIS, CHIEF STATE'S WITNESS AS TO CONDITION OF MARY'S BODY.

removing skull, found a little hemorrhage under the skull, corresponding with point where blow was received. Blow hard enough to render person unconscious. Injury to eye and scalp made before death. Strangulation by cord, the cause of death. Examined vagina. No spermatazoa. On walls of vagina, evidence of violence of some kind. Epithelium pulled loose, completely detached in places, blood vessels dilated immediately beneath surface, and a great deal of hemorrhage in surrounding tissues.

"Indications were that *violence had*

been done to vagina some little time before death. Perhaps ten or fifteen minutes.

"There was evidence of violence in the neighborhood of the hymen. This violence to the hymen had evidently been done just before death.

"Menses could not have caused any dilation of blood vessels, and discoloration of walls.

"Contents of stomach showed that very little alteration, if any, had taken place in the cabbage and biscuit eaten for dinner. She died in half-an-hour, or three-quarters afterwards.

"The violence to the private parts might have been produced by the finger or other means, but I found evidence of violence."

C. B. Dalton, sworn for the State, said that he knew Leo Frank, Daisy Hopkins, and Jim Conley. He had been to the pencil factory several times. Had been in the basement.

"Daisy Hopkins introduced me to Frank. When I went down the ladder (into the basement) *Daisy Hopkins went with me.* We went back to a trash pile in the basement. I saw an old cot, and a stretcher.

"Frank had *Coco-Cola*, lemon and lime, *and beer*, in his office. I never saw the women in his office doing any writing. The first time I went to Frank's office, *it was Saturday evening.* I went in there with Daisy Hopkins. There were women in the office. I have been in there several times. Conley was sitting at the front door."

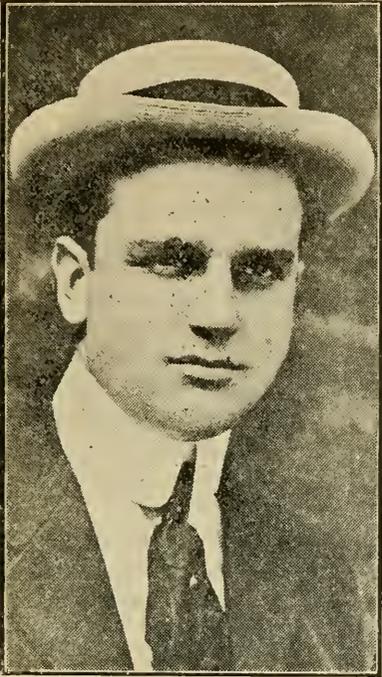
S. L. Rosser: "I am city policeman. On May th or 7th, I knew that Mrs. White claimed she saw a negro at the factory on Saturday morning, April 26th.

"Mrs. White volunteered the information about seeing the negro."

Harry Scott, recalled:

"I knew on Monday (April 28), that Mrs. White claimed she saw a darkey at the pencil factory. I gave

the information to the police department.



HARRY SCOTT.

"Mr. Frank gave me the information when I first talked to him."

(Pray observe that Frank not only told the detective whom *he employed*, that he knew Mary Phagan, and that he knew J. M. Gantt was paying considerable attention to her, but that he knew Jim Conley was in the factory on the day of the crime.

Yet he was directing the police to a negro who was *not* there until night-fall, and to a white man who merely went in to get some old shoes!)

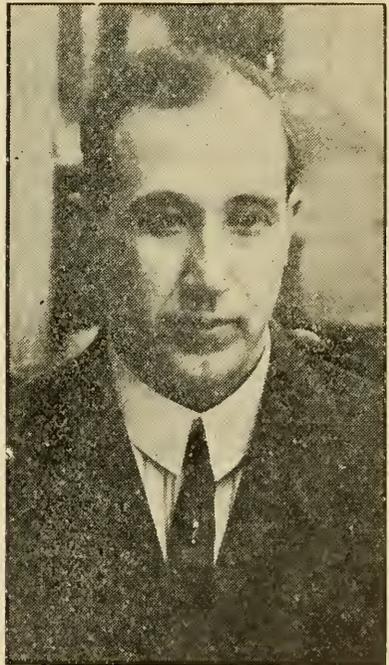
"I got information as to Conley writing, through my operations while I was out of town. Personally, *I did not get the information from the pencil factory*, I got it from outside sources, wholly disconnected with the pencil company."

Misses Myrtice Cato and Maggie Griffin, both swore that they had seen

Frank and Rebecca Carson repeatedly go into the ladies' private room, on the fourth floor, and remain fifteen or twenty minutes. This was during work hours. Rebecca Carson carried the key to this room.

Let us now give the gist of the evidence of Jim Conley, the accomplice, whose confession blocked Leo Frank's deliberate scheme to hang the innocent negro, Newt Lee.

Jim told how Frank would have private meetings with women in the factory, while he, Jim, kept a watch-out. He told of how another young man (Dalton) visited the factory, and how there would be "a lady for him, and one for Mr. Frank."



J. M. GANTT, ARRESTED FOR CRIME ON ACCOUNT OF FRANK'S STATEMENTS.

He told of how Frank would signal to him, by "stomping" on the floor, when a woman was alone with Frank, and how he, Jim, was then to lock the door. When Frank got through with

his woman, he would whistle, and Jim would unlock the door.

Conley told of meeting Frank near Montag's, that Saturday morning, and of their talk: on this point of the meeting, and an apparently confidential talk, the negro was corroborated by Mrs. Hattie Waites.

The negro told of how the Jew instructed him where to sit, and what to do, when they reached the factory after Frank got back from Montag's. Mary Phagan was expected; and Frank was planning to prevent interruption, while he was alone with her.

The negro then told of how he sat where Frank told him to, and he named the several visitors that came to the factory during the morning.

At length, he reaches the doomed girl, and he said—

"The next person I saw, was the lady that is dead.

"After I went upstairs. I heard her footsteps going towards the office; and after she went in the office, I heard two people walking out of the office, and going like they were coming down the steps: but they didn't come down the steps; *they went back toward the metal department.*"

("Has the metal come? Will there be work for me, next week?")

No more work for you, Mary Phagan!

You can die in defense of your virtue, but never more will you turn the dull wheel of Labor!)

"After they went back there, I heard the lady scream, but I didn't hear no more; and the next person that came was Miss Monteen Stover. She stayed there a pretty good while—it wasn't so very long, either—she came back down the steps, and left.

"After she came back down the steps, and left, I heard somebody from the metal department come running back there upstairs, on their tip-toes: then I heard somebody tip-toeing back to the metal department."

Next, he heard the "stomp," and the whistle, and went upstairs.

"Mr. Frank was standing there at the top of the stairs, shivering and trembling, and rubbing his hands, like this"—illustrating.

"He had a little rope in his hands—a long, wide piece of cord.

"His eyes looked funny. His face was red.

"After I got to the top of the stairs, he asked me:

"Did you see that little girl that passed here just a while ago?"

"I told him I saw one come along there, and she come back again, and then I saw another one come along there, and she hasn't come back down.

"And he says, 'Well, the one you say didn't come back down, she came into my office, and I went back there to see if her work had come, and I wanted to be with the little girl, and she refused me, and I struck her, and I guess I struck her too hard, *and she fell and hit her head against something*, and I don't know how bad she got hurt."

At the time Jim made this statement first to the officers, he did not know that there was a wound in the back of the girl's head; and, of course, he did not know it ranged "from down upward."

He did not know that her eye was black and swollen, and that scientific testimony would prove the two wounds to have been given at practically the same time.

Without Jim's story of the blow in her face, and her fall against *something*, it would be impossible to take the official record and explain those two wounds—front and rear.

One man could not have made the two wounds, simultaneously: *the fall* against the handle of the machine made the rear wound, and explains its peculiar range.

Had Jim been making up a story, *he would have said that she fell*

against the crank, or against some sharp corner, naming it.

In the excitement of the moment, Frank himself did not know what it was that the girl had struck in falling, else he would have removed her tress of hair from the crank.

Is it not an evidence of the veracity of the negro's story, that he represents Frank as saying he had hit the girl too hard, and in falling she had hit *something*, and he did not know how bad she was hurt?

The fact is, Frank expected to overcome the girl's resistance without any more violence than rakes usually exert on modest girls who stoutly resist, and even cry out, at first.

Her determined fight enraged him; and, knowing that he had but a few minutes in which to accomplish his purpose, he struck her, believing she would then yield, through fear.

When she fell on the floor, he may have thought she was shamming unconsciousness; and he therefore ripped her drawer-leg, clear up, and did the violence to the vagina. *HOW?* Not in the natural way.

Then, his passion cooled, he saw that the girl was badly hurt; and that if he allowed her to leave, in her pitiable condition, she would go out into the streets, and make the city ring with what she could tell, and what she could show.

Having gone that far—it was death anyway—he ran for the cord, tied it around her neck, as tight as he could tie it; and left her, to call for help from Jim, his confidential man, in such matters.

The strip from her underskirt was probably torn off, and wadded under the girl's head, when he pushed up her clothes, and ripped the leg of her drawers.

Conley continued his testimony, as to what Frank said to him:

“Of course you know *I ain't built like other men.*”

Note, farther on, that Miss Nellie Woods swore that Frank used these identical words to her, when he had her in his office, and was trying to get his hands under her clothes.

Of course, Jim Conley did not know that Frank had ever used those words to a white girl, and the corroboration is powerful.

The negro continued:

“The reason he said that was, I had seen him in a position I haven't seen any other man,” etc.

The language is set forth in the opinion of the two Justices of the Georgia Supreme Court, who dissented from the majority. They considered the evidence improper, and their dissent was based upon *this*, and upon other evidence of Frank's vices.

What Jim described, was the crime of Sodom.

“He asked me if I wouldn't go back there, and bring her up, so that he could put her somewhere; and he said to hurry! that there would be money in it for me.

“When I came back there, I found the lady lying flat of her back, with a rope around her neck. The cloth was also tied around her neck, and part of it was under her head, like to catch blood. She was dead when I went back there, and I came back and told Mr. Frank the girl was dead, and he said, ‘Sh, sh.’ He told me to go back there by the cotton box, get a piece of cloth, put it around her, and bring her up. I didn't hear what Mr. Frank said, and I came on up there to hear what he said. *He was standing on the top of the steps, like he was going down the steps, and while I was back in the metal department.* I didn't understand what he said, and I came on back there to understand what he did say, and he said to go and get a piece of cloth to put around her, and I went and looked around the cotton box, and got a piece of cloth and went back there.

The girl was lying flat on her back, and her hands were out this way. I put both of her hands down easily, and rolled her up in the cloth, and taken the cloth and tied her up, and started to pick her up, and I looked back a little distance and saw her hat and piece of ribbon laying down, and her slippers, and I taken them and put them all in the cloth, and I ran my right arm through the cloth and tried to bring it up on my shoulder. The cloth was tied just like a person that was going to give out clothes on Monday; they get the clothes and put them on the inside of a sheet and take each corner and tie the four corners, and I run my right arm through the cloth after I tied it that way and went to put it on my shoulder and I found I couldn't get it on my shoulder; it was heavy, and I carried it on my arm the best I could, and when I got away from the little dressing room that was in the metal department, I let her fall, and I was scared and kind of jumped, and I said, 'Mr. Frank, you will have to help me with this girl, she is heavy,' and he come and caught her by the feet, and I laid hold of her by the shoulders, and when we got her that way I was backing and Mr. Frank had her by the feet, and Mr. Frank kind of put her on me; he was nervous and trembling, and after we got up a piece from where we got her at, he let her feet drop, and then he picked her up, and we went on to the elevator, and he pulled down on one of the cords and the elevator wouldn't go, and he said, 'Wait, let me go in the office, and get the key; and he went in the office and got the key and come back and unlocked the switchboard, and the elevator went down to the basement, and we carried her out, and I opened the cloth and rolled her out there on the floor, and Mr. Frank turned around and went on up the ladder, and I noticed her hat and slipper and piece of

ribbon, and I said, 'Mr. Frank, what am I going to do with these things?' and he said, 'Just leave them right there,' and I taken the things and pitched them over in front of the boiler, and after Mr. Frank had left, I goes over to the elevator, and he said, 'Come on up and I will catch you on the first floor,' and I got on the elevator and started it to the first floor, and Mr. Frank was running up there. He didn't give me time to stop the elevator, he was so nervous and trembly, and before the elevator got to the top of the first floor, Mr. Frank made the first step onto the elevator, and by the elevator being a little down, like that, he stepped down on it and hit me quite a blow right over about my chest, and that jammed me up against the elevator, and when we got near the second floor he tried to step off before it got to the floor, and his foot caught on the second floor as he was stepping off, and that made him stumble and he fell back sort of against me, and he goes on and takes the key back to his office and leaves the box unlocked.

"I was willing to do anything to help Mr. Frank because he was a white man and my superintendent, and he sat down and I sat down at the table, and Mr. Frank dictated the notes to me. Whatever it was, it didn't seem to suit him, and he told me to turn over and write again, and I turned the paper and wrote again, and when I done that he told me to turn over again, and I turned over again and I wrote ont he next page there, and he looked at that and kind of liked it, and he said that was all right. Then he reached over and got another piece of paper, a green piece, and told me what to write. He took it and laid it on his desk, and looked at me smiling and rubbing his hands, and then he pulled out a nice little roll of greenbacks, and he said, 'Here is \$200,' and I taken the money and

looked at it a little bit, and I said, 'Mr. Frank, don't you pay another dollar for that watchman, because I will pay him myself,' and he said, 'All right. I don't see what you want to buy a watch for, either; that big, fat wife of mine wanted me to buy an automobile, and I wouldn't do it.' And after a while Mr. Frank looked at me and said, 'You go down there in the basement and you take a lot of trash and burn that package that's in front of the furnace,' and I told him all right. *But I was afraid to go down there by myself, and Mr. Frank wouldn't go down there with me.* He said, 'There's no need of my going down there,' and I said, 'Mr. Frank, you are a white man, and you done it, and I am not going down there and burn that myself.' *He looked at me then kind of frightened, and he said, 'Let me see that money,' and he took the money back and put it back in his pocket, and I said, 'Is this the way you do things?'* And he said, 'You keep your mouth shut, that is all right.' And Mr. Frank turned round in his chair and looked at the money, and he looked back at me and folded his hands and looked up and said, '*Why should I hang? I have wealthy people in Brooklyn,*' and he looked down when he said that, and I looked up at him, and he was looking up at the ceiling, and I said, 'Mr. Frank, what about me?' And he said, 'That's all right, don't you worry about this thing; you just come back to work Monday, like you don't know anything, and keep your mouth shut; if you get caught, I will get you out on bond and send you away,' and he said, 'Can you come back this evening and do it?' And I said, 'Yes,' that I was coming to get my money. He said, 'Well, I am going home to get dinner, and you come back here in about forty minutes and I will fix the money, and I said, 'How will I get in?' And he said, 'There will be a

place for you to get in all right, but if you are not coming back, let me know, and I will take those things and put them down with the body,' and I said, 'All right, I will be back in about forty minutes.' Then I went down over to the beer saloon across the street, and I took the cigarettes out of the box and there was some money in there and I took that out, and there was two paper dollars in there and two silver quarters, and I took a drink, and then I bought me a double-header and drank it, and I looked around at another colored fellow standing there, and I asked him did he want a glass of beer, and he said no, and I looked at the clock and it said twenty minutes to two, and the man in there asked me was I going home, and I said, 'Yes,' and I walked south on Forsyth Street to Mitchell and Mitchell to Davis, and I said to the fellow that was with me, 'I am going back to Peters Street,' and a Jew across the street that I owed a dime to called me and asked me about it and I paid him that dime. Then I went on over to Peters Street and staid there a while. Then I went home and I taken fifteen cents out of my pocket and gave it to a little girl to go and get some sausage, and then I gave her a dime to go and get some wood, and she staid so long that when she came back I said, 'I will cook this sausage and eat it and go back to Mr. Frank,' and I laid down across the bed and went to sleep, and I didn't get up any more until half-past six o'clock that night.

That's the last I saw of Mr. Frank that Saturday. I saw him next time on Tuesday, on the 4th floor, when I was sweeping. He walked up and he said, '*Now, remember, keep your mouth shut,*' and I said, 'All right,' and he said, '*If you'd come back on Saturday and done what I told you to do with it down there, there would have been no trouble.*' This conversation took

place between ten and eleven o'clock Tuesday. Mr. Frank knew I could write a little bit, because he always gave me tablets up there at the office so I could write down what kind of boxes we had, and I would give that to Mr. Frank down at his office, and that's the way he knew I could write."

On cross-examination—it lasted 8 hours—the negro stated that he was 27 years old; that before he went to the pencil factory, he worked a year and a half for Dr. Palmer; that he had worked for the Orr Stationery Company, and for S. S. Gordon. Before that, for Adams Woodward and Dr. Howell. Got his first job with S. M. Truitt. Next with W. S. Coates. Went to school one year. Can write a little. Worked for Truitt two years. For Coates, five years.

He admitted he had stooled in the elevator shaft, Friday evening.

"I have never seen the night watchman, Nevt Lee."

(Notice that Lee had only been there three weeks, and that Conley had never seen him; and therefore it was Frank, not Conley, who knew that the night-watch was a "tall, slim, black negro.")

Therefore, it was Frank, not Conley, who was able to accurately describe Lee, in the notes, where he is twice described!

This immensely important detail has heretofore been overlooked.)

"I heard them say there was a negro night watchman, but I did not know he was a negro.

"The lady that I saw with Mr. Frank was Miss Daisy Hopkins. It would always be between 3 and 3:30 (o'clock p. m.). I was sweeping the second floor; (Frank's office floor). Mr. Frank called me into his office. Miss Daisy was with him."

Then Jim told of how Dalton and another woman came; how Dalton and his went down into the basement, and how Frank and his, remained to-

gether; and how, after the two men got through, each paid him 25 cents for watching while they were with the women.

Then Jim told of the woman who came down from the fourth floor, to be with Frank in his office, while the negro watched.

(The manner of Frank with these women is set forth in Volume 141 of the Georgia Reports, page 287. Anyone can obtain a copy by writing to the State Librarian, Atlanta.)

"I never was drunk at the factory. Yes, I sometimes drank beer in the basement with Snowball"—another negro employee.

Jim admitted that he had told lies about the case, until he decided to confess.

"Mr. Quinn came in, and then went away before Mary Phagan came. Mr. Quinn had already gone out of the factory when Mary Phagan came in. I didn't see Mr. Barrett, nor Miss Corinthia Hall, or Hattie Hall, or Alonzo Mann, or Emma Clarke.

"I never was in jail until April, 1913. I have been down at police barracks several times. I was arrested for fighting black boys. I have never fought a white man, or woman.

"While I was writing the notes, Mr. Frank took the pencil out of my hand, and told me to rub out that 'a' in 'negro.'

"I saw Mary Phagan's mesh-bag, or pocketbook, in Mr. Frank's office, after he got back from the basement. It was lying on his desk. *He taken it and put it in the safe.*"

"Mr. Frank told me he would send me away from here if they caught me. He would get me out on bond, and send me away.

"I had orders from Mr. Frank to write down how many boxes we needed.

"Mr. Frank knew for a whole year that I could write. I used to write for him, the name of the pencils we

made, 'Luxury,' 'George Washington,' 'Thomas Jefferson,' 'Magnolia,' and 'Uncle Remus.'

"Yes, *I wrote him orders to take money out of my wages.*"

(See the importance of this—unknown to the negro: Frank, familiar with his writing, sees two specimens of it in the basement, Sunday morning, soon after the corpse is found, and yet *never says a word about the "hand-write" being Conley's*, nor about his, Frank's, knowing that Conley could write.)

"The pocket-book was a white-looking pocket-book, with a chain to it. You could take it and fold it up and hold it in one hand."

(Mary's mother referred to it as a silver mesh-bag.)

Ivie Jones testified that he met Jim Conley on the street, between 1 and 2 o'clock, Saturday afternoon, of April 26th; and that they walked on together toward Conley's home.

The State here "rested" its case. It had traced Mary into Frank's possession, and had thrown upon him the burden of explaining what became of her, for she was found dead, *in his possession* (in law), and the condition of her stomach and limbs proved that *she was murdered at about the time he got possession of her.*

In the effort to save his life, he pretended that she had gone into Newt Lee's possession, *after nightfall*; but he was foiled in his purpose to hang the innocent negro, by unforeseen circumstances:

(1.) The inability of his friends to prove that *anybody* saw Mary alive, after she had been traced almost to the factory door:

(2.) The providential visit of Monteen Stover to Frank's office, at the time when he told Harry Scott—and swore at the inquest—that Mary was in his office, and that he himself never left it:

(3.) The call of nature, 3 o'clock after midnight, that same night, which providentially caused the endangered Newt Lee to discover the corpse—which Frank had intended to either drag out into the alley behind, or bury in the dirt floor, *or burn in the furnace, when the fires were started again, Monday.*

(4.) The break-down and confession of Jim Conley.

Thus the circumstances forged a perfect chain around Frank.

Like a shuttle in a weaver's loom, the girl was on the stairs, between Conley and Frank: both knew she was there; each man knew the other was there; and each man knew that if *he* did not kill the child, *the other did!*

If she had left the hands of Frank, she was flung towards the hands of Conley, at the foot of the stairs; and, as Frank knew Conley was there, he knew the negro assaulted and murdered the girl, if he himself did not do so.

There isn't a lawyer living who can get over this point, and explain Frank's screening of Conley, save upon the idea of *their joint guilt.*

The Jew never hinted a suspicion of the negro, until after the negro exonerated Newt Lee, and put the awful crime where it belonged.

And, without the negro's evidence, no man can possibly explain that hair and blood on Frank's floor; the absence of blood or signs of struggle, elsewhere; the loose cloth around the head, which soaked up the blood; the hands folded across the breast, and so frozen into position that, when the fiendish Jew dragged her by the heels, over a cinder-strewn and gritty dirt floor, those little fingers remained in position across the bosom, which was never to pillow a husband's head, or nourish an honest man's babe.

"I put both of her hands *down*,

easy;" and, as the negro had seen people cross the hands of the dead, he crossed hers upon her breast; and so they found them, next morning.

Everlasting honor to the race which produces girls of this heroic mold—girls who will not live, unless they can live purely!

Everlasting honor to the work people, and the common people, who have fought so grandly, for two long years, to avenge that innocent blood!

And honor forever to the brave men of Cobb County who carried out the legal sentence of the courts, after one of Frank's own lawyers had contemptuously upset the legal machinery which had *judicially ascertained* Leo Frank's terrible guilt.

THE CASE OF THE DEFENSE.

The first two witnesses, Matthews and Hollis, merely swore to street-car schedules, and the time Mary Phagan rode into the city.

Herbert Schiff, Assistant Superintendent of the factory, testified to the system of business, manner of paying off, how pencils are made, etc.

He saw the blood spots, and the hair. His most important statement was made on cross-examination:

"I knew on Monday that Mrs. White claimed she saw a negro there."

Then, Mr. Schiff, why didn't you go after *that* negro, instead of Newt Lee, who was at home, asleep?

Answer the question, NOW, Mr. Herbert Schiff!

You knew, on Monday, that the negro whom Mrs. White saw, *must have been Jim Conley*; and you swore that you saw Conley in the shipping room of the factory on Monday, and on Tuesday, following: *you did not ask Conley a single question about the crime*; and yet you knew he must be the guilty man, if Frank wasn't.

How do you explain your failure to catechise Jim Conley?

Explain it, NOW, Mr. Schiff!

A detail of Mr. Schiff's evidence was, that *"empty sacks are usually moved a few hours after they are taken off the cotton."*

Frank's gubernatorial attorney argued that there was no use for cloth, or sacks, at a pencil factory.

Miss Hattie Hall, stenographer, swore she finished her work, carried it to Frank, and left at 12:02, Saturday, punching the clock as she went away.

She said Frank did not make up his financial sheet that morning, but admitted she had testified differently at the inquest.

Miss Corinthia Hall, sworn for the defense, stated she was forelady at the factory. Got there Saturday about 25 minutes to 12 o'clock. Mrs. Emma Clark Freeman was with her. They left at about 15 minutes to 12. Frank was in his office.

On cross-examination, witness stated that she and Mrs. Freeman met Lemmie Quinn a few minutes later at the Greek Cafe, *and Quinn told them he had just been up to see Mr. Frank.*

Mrs. Freeman's evidence was to the same effect.

Miss Eula May Flowers merely testified that she gave Schiff the data for financial reports.

Miss Magnolia Kennedy swore that Helen Ferguson did not ask for Mary Phagan's pay envelope.

On cross-examination, she said:

"Barrett called my attention to the hair. It looked like Mary's. My machine was right next to Mary's."

She had never before seen the spots on the floor, but on Monday could see them ten or twelve feet away.

Wade Campbell, another employee:

His sister, Mrs. White, told him, Monday, that she had seen the negro Saturday. *"I saw the spots they claim was blood. Have never seen Frank*

talk to Mary Phagan. I knew that Conley could write."

(Then, Mr. Campbell, why didn't you suspect Conley, whom you knew to be the negro your sister saw there, and whom you knew could write?)

Lemmie Quinn came next:

He is foreman of the metal department. About 100 women work at factory. Couldn't tell color of hair Barrett found. Noticed the blood spots. "I was in the office, and saw Frank between 12:20 and 12:25."

He "reckoned" the time, and did not go by any clock or watch. He admitted that he met Miss Hall, and Mrs. Freeman *after* he had been to see Frank.

(This was the only attempt at alibi; and two of Frank's own witnesses *smashed it, by Frank's own clock.*)

Note how they were corroborated by Mrs. White and Holloway, both of whom swore that the ladies, Miss Hall and Mrs. Freeman, were at the factory some 10 to 20 minutes before noon.

The attempt to place Quinn in Frank's office at 12:20, shows how they needed help, there and then: its break-down, left them without a leg to stand on.)

Harry Denham, one of the carpenters at work on the fourth floor, testified to the hammering, forty feet from the elevator. Was pretty sure elevator did not run that day. He could have seen wheels moving, and heard the noise. Finished and left about 3 p. m. Frank was there.

Minola McKnight:

Testified to Frank's natural and regular conduct on Saturday and Sunday. Swore her husband bulldozed her into making that affidavit about Frank getting drunk Saturday night, confessing to murder, and wanting to kill himself.

"My husband tried to get me to tell lies," she said. "All that affidavit is a lie."

Emil Selig, father-in-law to Frank, testified to his natural conduct, and conversation on Saturday. Flatly contradicted Albert McKnight.

Miss Helen Kerns swore she saw Frank on the street, that Saturday, 10 minutes after 1 p. m., on Alabama Street.

Mrs. A. P. Levy: Saw Frank get off car near his home, between 1 and 2 p. m., that Saturday. Was looking at the clock, and knows it was 1:20.

Mrs. M. G. Michael, of Athens, testified that Mrs. Frank is her niece. She saw Frank at about 2 o'clock Saturday. He greeted her. She saw nothing unusual about him.

Jerome Michael, of Athens, swore that he had his watch in his hand Saturday, and saw Frank that day between 1 and 2 o'clock. Saw nothing unusual about him.

"I practise law. I had my watch in my hand when I saw Frank."

Mrs. Hennie Wolfsheimer swore to about the same thing. She was Frank's aunt. She was corroborated by Julian Loeb, cousin to Mrs. Frank; Cohen Loeb, and H. J. Hinchey.

Miss Rebecca Carson testified that she was forelady at the pencil factory; that the elevator is noisy when running, and that Jim Conley told her, on Monday, he was so drunk the previous Saturday he did not know where he was or what he did. She also heard Jim say that Frank was as innocent as an angel.

Mrs. E. M. Carson testified that Conley said that Frank was innocent. She has seen blood spots on floor. Girls would hurt their fingers.

On cross-examination, *she admitted she had seen Frank and Conley, on fourth floor, at the same time, the Tuesday after the murder.*

(This was an important corroboration of Conley's evidence.)

Miss Mary Pirk, another forelady at the factory, swore that on Monday she accused Jim of the murder, and

that "he took his broom and walked right out of the office." Miss Mary swore she wouldn't believe Jim on oath. She did not report to Frank that she suspected Jim. "I accused Jim before I saw the blood at the ladies' dressing room."

Miss Dora Small testified that she worked at the factory: saw Jim Conley on fourth floor Tuesday. Didn't see Frank talk to Jim. "I have never seen him talk to that nigger in my life." Miss Dora said that Jim worried her for money to buy newspapers, and that she wouldn't believe him on oath. Every time he heard a newsboy yell "Extra!" Jim would go to Miss Dora and beg to see it, before she had finished with it.

Miss Julia Fuss, who also worked there, testified that Jim said, on Wednesday, after the murder, that Frank was as innocent as the angels in heaven; she added that Jim "was never known to tell the truth."

She testified that Frank came up stairs where Conley was, that Tuesday morning, but she did not see them in conversation.

Annie Hixon, a lady of color, testified that Frank called up the Ursenbach home, about half-past one, April 26, and told them he would not be able to keep his engagement to go to the ball game.

Alonzo Mann, office boy at the factory, swore he left at about 11:30 on Saturday. Had never seen Frank have any women there. Had never seen Dalton there.

Mr. M. O. Nix identified the financial sheets as being in Frank's handwriting.

Harry Gottheimer travels for the pencil factory. Saw Frank at Montag's that Saturday morning. Said Frank invited him to call at the factory that afternoon.

Mrs. Rae Frank, mother of defendant, identified some writing, especially a letter written by him to his

uncle, Moses Frank, who "is supposed to be very wealthy."

Oscar Pappenheimer, stockholder in the pencil factory, swore to receiving report Monday, April 28th.

C. F. Ursenbach, brother-in-law of Frank, said he had an engagement for the ball game with Frank, for Saturday afternoon, and Frank called it off; saw Frank, Sunday: seemed all right.

I. Straus swore he was at Frank's home, Saturday night, and while others played cards, Frank sat in the hall, reading.

Mrs. Emil Selig testified that the contents of the Minola McKnight affidavit were false.

Sig. Montag, Treasurer of the factory, testified to Frank's coming to his house, Sunday morning, after the crime; looked all right: witness went to the factory that morning: sent for Haas and Rosser, Monday: made no trade about fees. Don't know who is paying Frank's lawyers.

Many witnesses for the defense either confined themselves to the good character of Frank, or to the bad character of Conley, and to contradictory statements made by him; and not one of these witnesses swore to any fact of real importance.

The defendant's lawyers carried the character business too far, by putting up Miss Irene Jackson, who, after saying that Frank's "character was very well," swore that he had a habit of leering at the girls in their private room, while they were partly undressed.

Miss Bessie Fleming testified that Frank made out his financial sheets on Saturday *mornings*.

Then came defendant's statement:

It covers forty-five pages of printed matter, and less than five of these touch the merits of the case.

He stated that after Hattie Hall left (12:02), Mary Phagan (he did

not know her name, he said) came into his office, ten or fifteen minutes later, and that he did not know where she went after he gave her the pay envelope.

He stated that Quinn came in, afterwards, and that if he (Frank) left his office, after 12 o'clock, before he went upstairs at 12:45, he must have "unconsciously" gone back to the toilet!

(This toilet is back of the metal room, and he had to go to the metal room, and, if he went to it, then, he had to go to the metal room where Mary Phagan's hair was, and over the very spot where her blood stained the floor!)

Almost the entire statement of the defendant, as shown in the record, was taken up with a tedious and prolonged explanation of his manner of doing his work at the factory.

One thing Frank did try to do: he attempted to explain why his wife would not come to see him at the jail. He said he did not want her in that crowd of reporters, detectives, and snap-shotters!

(Three of Frank's male relatives had virtually dragged her to the police headquarters; but she would go no further; and when she went away, she stayed away *three weeks*.)

In the Atlanta papers, Rabbi Marx explained this by saying, she was expecting every day that Frank would be released, although the fact was universally known that he had been bound over for trial, and could not be bailed out.

In rebuttal, the State proved that Frank's character for lasciviousness was bad. The witnesses who swore it, were Myrtie Cato, Maggie Griffin, Mrs. C. D. Donegan, Mrs. H. R. Johnson, Marie Karst, Nellie Pettis, Mary Davis, Mrs. Mary E. Wallace, Estelle Winkle, and Carrie Smith. These white ladies had worked for Frank, and not one of them was im-

peached, or *cross examined*, by his lawyers.

By Ruth Robinson, Dewey Hewell, and W. E. Turner (white), it was proved that Frank not only knew Mary Phagan, but talked to her by name, had his hand on her shoulder, tried to push his attentions on her; and that she was holding him off, repulsing his advances.

George Eppes made affidavit that Mary told him, the Saturday morning he saw her last, alive, *that Frank had been trying to flirt with her.*

One of the notes found near the corpse read:

"He said he would love me, laid down play like night witch did it but that long tall black negro did boy hisself."

The other read:

"Mam that negro fire down here did this i went to make water and he push me down a hole a long tall negro black that had it wase long sleam tall negro i wright while play with me."

Note, that unnatural sexual intercourse seems to be suggested; and that Newt Lee is designated by occupation once, and by personal description, twice; and that the place of the crime is placed on the floor above—not in the basement itself.

Excepting a mass of immaterial evidence, as to how long cabbage lies in the stomach undigested, and as to whether the girl's privates had been violated, the defendant had nothing except what I have stated.

How could he have?

The case hinged on the few minutes after Hattie Hall left at 12:02, and before Mrs. White's return at 12:30; and the disappearance of Frank and his victim, during the time that Monteen Stover waited for him in his office, could never be explained.

His conviction rested upon undeniable physical facts, and his own state-

ments, made before he learned how Monteen could disprove them.

The lawyers for the defense took three lines, and three only—each of them leading into what the French call a *cul de sac*: we Americans call it, a blind alley.

A number of witnesses, following one of these paths that didn't go anywhere, testified to a time or times when they had seen varnish and paint spilled, or when they had seen somebody hurt at a machine, and bleeding on the floor. None of these witnesses made the slightest effort to explain away the spots of red, with white powder over them, which were *not* on the floor when it was swept Friday, but was seen there the first thing Monday morning.

Consequently, this line of evidence stopped in a *cul de sac*.

Another lot of witnesses were put up, to prove that Frank had never been seen by them to have had a woman, or women, in the factory on Saturday afternoons.

Even a layman will perceive, that no matter how strong this point was made, it did nothing more than contradict Conley, as to one detail of his testimony. The evidence of these witnesses was consistent with the idea, that Frank was too sly in his secret vices to be caught up with by the ordinary employees of the place. Jim was his confidential man, and Jim was just the sort of negro to keep the secret, and to care nothing about the sexual practices of his white boss.

So you see that *this* path of the defense also led to nothing: it did not tend to clear up the mystery of Mary Phagan's death, *in Frank's house*, shortly after she went into his possession.

The third line of the defense consisted of scientific testimony as to the

cabbage in the girl's stomach, and the blood on her person.

An incredible amount of time was devoted to this point; and the lawyers of Frank really appeared to attach tremendous importance to it.

Doctor after doctor gave the most learned and exhaustive dissertations on the digestibility of cabbage; and doctor after doctor uttered wisdom, on the possibility of ascertaining, from the examination of a woman's corpse, whether she had suffered sexual violence before she died.

Can you not see at a glance how futile all this sort of thing was? There was no dispute about the girl's going into Frank's possession, soon after she ate her dinner: there was no dispute that somebody murdered her, in Frank's own house, almost immediately after she entered it; and nobody was being prosecuted for any other crime than *murder!*

Frank was not being tried for rape, nor sodomy, nor adultery. *He was being tried for THE MURDER OF MARY PHAGAN, who was found dead, by violence, IN HIS HOUSE, shortly following her coming into his possession.*

He admitted the possession; fixed the time by his own clock; and made false statements as to his *then* whereabouts: *consequently the scientific testimony concerning the contents of the girl's stomach, and the condition of her vagina, was almost ludicrously unimportant.*

That laborious path led nowhere, for the simple reason that it threw no light on *the* question in the case—that question being, "*Who fastened the cruel cord around the child's neck, and choked her to death?*"

The astounding fact to be learned from this official Brief of Evidence is, *it fails to show that defendant's lawyers had any consistent theory as to who committed the crime, AND*

WHERE. I never saw such an instance of water-muddying, and beating about the bush. At no pivotal point did Frank's attorneys grapple with the facts. You search in vain to find how they expected to show the jury that Mary Phagan came out of Frank's possession safely, after she came in, next to Hattie Hall, and was followed so closely by Monteen Stover. The jury could see—as you do—that, had she gone on down stairs, as Frank said she did, "at 12:05, or 12:10, or maybe 12:07," she would have met Monteen; and that the negro, at the foot of the stairs, could not have done what *was* done to her, *without being taken in the act, by the other white girl.*

When Frank told the jury he must have been at the toilet during the five minutes that Monteen waited, the jury must have felt the cold chills run up their spines, for the jury knew that *Mary* had not "unconsciously" gone to the toilet, *at the same time Frank did!*

What the doomed man, and his bewildered lawyers failed to see was this:

It was just as necessary for him to explain WHERE MARY WAS, while Monteen waited, as to explain HIS OWN DISAPPEARANCE, at that fatal time.

Frank's repeated statements entrapped him beyond escape. He said, again and again, that Mary came next to Hattie Hall, *and he did not mention Monteen's coming at all.* This proved to the jury that he did not know of Monteen's coming. And he would have known it, had he been in his office, when he said he was. Now, as he had (in ignorance of Monteen's visit) placed both Mary and himself in his office—while Monteen waited—he had deliberately and repeatedly lied as to Mary's whereabouts, as well as his own. *He* might have "uncon-

sciously" gone to the toilet. Very well; *but where did Mary go?*

Her hair, and her blood, and the only possible explanation of the wounds—the swollen eye in front, and the scalp cut on the back of the head, *ranging from down upward*—were all back there at the metal department, *where the toilet was.*

Infatuated young degenerate! To escape Monteen's evidence, and to explain his absence from his office, he supposed himself to have gone, "unconsciously," to the only place in his house *where there were damning evidences of the crime.*

Ask the finest criminal lawyer of your acquaintance, if he ever knew of a great case of circumstantial evidence, where the defendant was not convicted *by something which HE said, or did.* It happens so, almost invariably. Guilt cannot talk, or be mute; move, or stand still, without revealing the difference between the slush and the snow; the crystal fount, and the turbid stream. God so made the world that truths *fit*: lies never do.

No innocent man ever pretended not to know a murdered person with whom he had been in daily contact, for a year; with whom he had familiarly conversed, and upon whom he had put his hands: and no guilty man ever took hold of the upraised arms of his victim, crossed them decently over her bosom, and then bore her away from the scene of the crime.

When the defendant made his extraordinary motion for a new trial (the Supreme Court having unanimously refused to grant a re-hearing on his regular motion for a new trial) there was developed the most amazing series of operations, conducted by the W. J. Burns Agency, and by C. W. Burke, private detective of Governor Slaton's law-firm.

Practically all of the employees of

the pencil factory, whose testimony had made out the State's case, were either threatened, or offered money, *to change their evidence.*

Much of this foul work was done in the private office of Governor Slaton. His detective, Burke, using the assumed name of Kelley, tampered with George Eppes, and took him to Birmingham. Albert McKnight was tempted with money, and with offers of employment at high wages. Burns tried to get him to swear, that some injuries he had received in a railroad accident were caused by a beating given Albert by the Atlanta detectives.

The work-girls were offered money to make affidavits contradicting the evidence given at the trial.

Carrie Smith was threatened by Burke with the exposure of alleged misconduct, if she did not come across, and make the statement Burke desired. The girl, being innocent, *defied Governor Slaton's detective!*

Burns kept an Atlanta negro, Aaron Allen, several days in Chicago, talking to him daily, and having Burns' underlings talk to him; and they were assisted by Jacob Jacobs. They wanted the negro to swear that Conley had confessed that he alone committed the murder. One day, in Chicago, Allen was ushered into a room of the Burns suite of offices; where *somebody* had left on the table *a large pile of money*, gold, silver, and greenbacks. The negro was too wary to touch it.

Marie Karst testified that Burke and Lemmie Quinn came out to her home, and "Lemmie set up to drinks," and Burke talked to her. Wanted her to come to the office of Rosser, Brandon, Slaton & Phillips. "I didn't go." Then Burke met her on the street, and offered to employ her to work for him. Gave her \$2 a day for working in the *afternoons*. "Burke wanted me to go around and see the girls who had sworn for the State in the Frank

trial . . . *and see if they would not change their evidence.*

"He told me that what I swore to did not bind me, because I was not cross-examined, *and said it was not recorded.*

"I saw several of the girls, and they told me they would not change their evidence, because what they swore to was true.

"Burke wanted me to see Monteen Stover, and talk with her, and see if I couldn't get her to change her evidence.

"He wanted me to go down and live with Monteen, and 'pick' her. My mother refused to let me do it, and would not let me work for Burke any more.

"I met Burke, and talked with him, in THE PRIVATE OFFICE OF GOVERNOR JOHN M. SLATON."

Mrs. Cora Falta testified that she had been working at the factory five years.

"On Monday, April 26, 1913, we were all at work, and Magnolia Kennedy came running into the room, and said: '*We have found some of Mary's hair on the lathe machine!*' We all quit work, and went there and looked at it."

(Remember, that no one, at this time, suspected Leo Frank.)

R. L. Craven swore that he heard J. N. Starnes urge Minola McKnight to tell something favorable to Frank, if she could, because they would rather learn something in his favor than something against him; and, in the presence of Minola's husband, and her lawyer, Starnes told the woman not to swear to her statement unless it was true.

This statement of Minola was in reference to *Frank's being drunk during the night after the crime; his wife sleeping on the rug on the floor; and his calling for his pistol to kill himself.* After these exhortations, the-

woman swore to the statement, and signed it.

Mrs. Carrie Smith swore that she was offered \$20 to sign an affidavit favorable to Frank. She had worked three years at the factory, and knew Frank's character was bad. The man, Maddox, who wanted her to change her evidence, was in Governor Slaton's private office, in the Grant building, when she went there to see Marie Karst.

Mrs. Maggie Nash (formerly Griffin) swore to *the efforts of Burns to get her to change her evidence as to Frank's bad character, and Frank's going into the private room, on the fourth floor, with a forelady.* She told Burns he might try one hundred years to change her evidence, but she would never do it, because it was the truth.

Ruth Robinson swore that she had known Mary Phagan as a little girl, in Cobb County; and that she *had seen Frank at Mary's machine, several times a day, talking to her, and calling her "Mary," when it was not necessary from any business reason.* "Mary had worked there a good, long time, and understood her business."

"Sometimes Frank would remain at Mary's machine fifteen or twenty minutes. I never saw him show that much attention to the work of the other girls on that floor. I have seen Frank, in showing Mary about her work, *take hold of her hands, and hold them.* Frank's visits to Mary, and talks with her, and assistance given her, *became more and more frequent.*

"The very last day I worked there, I saw Frank talking to Mary. *I heard him call her 'Mary.'*

"The said Leo Frank undertook to give me seven dollars, when he knew I was not entitled to the money, and he endeavored to have an assignation with me, some time the next week. This occurred in his office."

Miss Nelhe Pettis made affidavit to the efforts of Frank's detectives, and lawyers, to change her evidence; but she reiterated with emphasis that Frank *had* insulted her in his office, by making an indecent proposition which she indignantly rejected—following which she left his office and employment.

Mrs. Mamie Edmunds (formerly Kitchens) swore that when Frank, without knocking, would open the door of the ladies' private dressing room, and see girls in there partly dressed, she thought it would have been as little as he could have done to say, "Excuse me, ladies," and go away. But instead of doing so, "he would stand in the door, and laughed or grinned. I don't know when a Jew is laughing, or when he is grinning; but he stood there, and made no effort to move."

"Miss Jackson exclaimed, 'We are dressing, blame it!' and then he shut the door and disappeared."

C. W. Burke tried to persuade witness that Frank's conduct was all right, and urged her to sign a paper to that effect.

"I took Burke's word for what the papers contained. I did not tell Burke anything different from what I have sworn before."

C. B. Dalton swore *that Burke offered him \$100 to sign a paper, "to be used before the Pardon Board, to keep Frank from hanging."* He said he went to Dublin, Ga., to do some work for a bank, and *two Jews came to him and offered him \$400 to leave the State.* They came to him several times, and renewed the offer, stating that *they meant to get Frank a new trial.*

"I have, on several visits to Frank's office, seen girls there. Have seen him play with them, hug them, kiss them, and pinch them. I saw him, on several occasions, take a girl and go back of the room where the dressing room

is. On one occasion, Frank had six bottles of beer, and I carried three more to his office. Frank told Dalton he needn't rent a room; to take Daisy Hopkins to the basement, where there was a cot. "I used this cot with Daisy Hopkins half a dozen times."

Helen Ferguson swore that Jimmie Wren, who worked for C. W. Burke, offered her \$100, *if she would leave Atlanta. Frank was going to get a new trial, and her board and all expenses would be paid while she was out of the State.* She said that Wren made violent love to her, and tried to persuade her *to marry him!* He took her up to the Grant building, and introduced her to his "father."

"Jimmie made love to me, and said he wanted to marry me, *but wanted me to sign an affidavit first.*"

They were working on the girl to get her to repudiate her statement, *that Frank had refused to give her Mary's pay envelope.*

It was this refusal, on Friday evening, to give Helen the \$1.20 due to Mary, that compelled the girl to go to Frank herself for it, next day.

Burns, Burke, and Wren were working desperately, *using John M. Slaton's private office,* to get out of their way the evidence which tended to show that Frank deliberately laid a trap for Mary Phagan.

It was not until several weeks after Jimmy Wren introduced Helen Ferguson to his "father," *in Governor Slaton's private office,* that she discovered *that Jimmy's "father" was the unscrupulous scoundrel, C. W. Burke,* who was working for the firm of Rosser, Brandon, Slaton & Phillips, and trying, in the interest of this law-firm, *to criminally defeat Law and Justice.*

Miss Nellie Wood gave testimony which corroborated Conley in a most remarkable manner. She said:

"I told the Solicitor before he put me on the stand, that I was in the

office of Leo Frank on one occasion, when the said Frank made an indecent proposal to me. *My experience as a trained nurse enabled me to fully understand and know what Frank intended.*

"He said, 'You know, *I am not like other people.*' and, drawing his chair closer up to me, says, 'I don't think you understand me,' *and put his hands on me;* and I resisted, and got up and opened the door," etc.

Frank's detectives endeavored to secure from this witness a statement that would negative her former evidence; but, as in every other instance, they fell short of success.

Two white men—Graham and Tilandler—made affidavit that they went to the pencil factory, Saturday, April 26th, between 11 and 12 o'clock; and that *they saw a negro seated near the foot of the stairs.* Being unacquainted with the interior of the building, each of these men asked the negro *where the office was located, and he directed them to it.* If the negro was drunk, these men didn't notice it.

Mrs. Hattie Waites made an affidavit to the fact that, on Saturday morning, April 26th, between 10 and 11 o'clock, she saw a white man and a negro talking together on the street, near Montag's place of business. She afterwards recognized Frank as the white man, and Conley as the negro.

The most abominable attempt to manufacture evidence was made while Conley was in jail, awaiting trial. A white convict, George Wren—who had stolen \$30,000 worth of diamonds, but who was nevertheless a "trusty" in the prison—was the instrument used by the Frank detectives.

He, in turn, employed a negro woman, Annie Maud Carter, a notoriously low character. Wren coached this black strumpet, and put her into Conley's cell, *to entice him into committing the unnatural act with her.*

They wanted to show that it was Conley who was the sodomist.

"Mr. Gillem (a prison official) told me he would give me \$2.00 if I would go in there and see Jim Conley. George Wrenn wrote a letter, and gave it to me, and he said, 'You give it to Jim Conley, and tell him it just came in through the mail.'

"Gillem said to me, that Conley was a —— (a most nasty term for sodomite) and said, 'I just want to see if he will fool with you with his —— (the rest is too obscene to print). I have asked Conley, and he said he would never do a thing like that; said he had never done —— except in the natural way.

"The first Sunday in December, a Jew came up—Mr. Pappenheim was there, too"—and the woman went on to tell how the Jew told her she could make a pot of money, and get rich quick, if she would put something in Jim Conley's victuals!

The Jew said to the negress—

"I want you to take this little vial, and put a drop in his food, and give it to him."

When the negress recoiled from the Jew's offer, he said to her, "You're a d—d fool," and walked off.

"I don't know his name, but he comes up here" (where Frank and Conley were imprisoned) "*with the Klein boys*. He has black hair, and his hair stands up, and his hat is pulled to one side."

The detectives not only tried to get the Carter woman to inveigle Conley into the unnatural vice of which Frank was accused, but endeavored to get up a marriage between the two!

Conley and the woman both swore that their letters had been changed, and that the unprintable filth put in them, had been *forged*.

Forged time-slips against Newt Lee!
 Forged bloody shirt against Lee!
 Forged affidavits against the girls!
 Forged letter of the dead Judge

Roan! Forged letters of a couple of negroes!

The whole case of the defense reeked with fraud, bribery, perjury, and forgery.

Never in the world was there a more infamous episode than which followed the organization of the Haas Finance Committee, *after* the legitimate litigation in this case had ended.

Having lost at every point in the *legal* contest, the Haas Finance Committee was appointed for no other purpose than to defeat Law and Justice, *by unparalleled and illegitimate means*.

It is almost miraculous that the indomitable Solicitor, Hugh Dorsey, was able to defeat the Haas Committee, defeat the detectives of Governor Slaton's firm, and defeat the criminals of the Burns "Detective" Agency—a villainous gang whose work consists of just such attempts to bribe witnesses, as was seen in their manipulations of the Frank case.

With the following, clipped from current news reports in Atlanta, I close the review of the corrupt practices used in the extraordinary motion for new trial:

Atlanta, Ga., Jan. 28.—The Rev. C. B. Ragsdale, formerly pastor of a local church, today testified he was paid \$200 for signing a false affidavit in connection with the Leo M. Frank case. Mr. Ragsdale was the first witness in the trial of Dan S. Lehon, southern manager of the William J. Burns National Detective Agency; Arthur Thurman, a lawyer, and C. C. Tedder, a former policeman, who are charged with subordination of perjury. It is alleged they procured false affidavits from Ragsdale and R. L. Barber shortly after Frank's extraordinary motion for a new trial was filed.

In the affidavits Ragsdale and Barber declared they overheard James Corley, a negro, tell another negro that he had killed a girl in the factory where Mary Phagan was murdered.

The former pastor still was on the witness stand when court adjourned for the

day. He testified to alleged meetings with the defendants when he said the affidavit was discussed, describing the signing of the document in the office of Luther Z. Rosser, who was one of Frank's principal counsel, and told of the alleged payment of the money later. He added that the night he received the money "a man rode up to my house on a motorcycle and told my sons to tell their father not to say anything to anybody unless it was a Burns man."

By the skin of his teeth, Lehon escaped conviction, *because* the State was not able to trace the payment of the \$200 *directly to him*, beyond a reasonable doubt. At least, that is the most charitable view to take of the verdict. Some man, or men, on the panel may have suspected that the \$200 fell out of the moon, and just accidentally dropped into Ragsdale's pocket.

But *you* will have no doubts as to who hired, and paid, Ragsdale to swear that *he* had overheard Conley confess, because *you* have already seen how Burns had vainly tried to bribe Aaron Allen, in Chicago; and how they had tried to bribe the white girls, and how they tried to bribe R. P. Barrett, and Albert McKnight; and how they tried to use Annie Maud Carter.

Decidedly, it is the blackest record of systematic effort to save the guilty, destroy the innocent, debauch witnesses, manufacture evidence, and create a public sentiment in favor of a fictitious case, *AGAINST THE REAL ONE*, that ever has been known in the New World.

The Appellate Court of New York—the highest tribunal in that State—said, in the Becker case:

Extensive as is the power of review vested in this court on a judgment of death, the law does not intend to substitute the conclusions of fact, which may be drawn by seven judges, for the conclusions of the fact which have been drawn

from the evidence by twelve jurors, unless we are clear that the view of the facts taken by the jury is wrong. It is our duty to affirm, if the trial was fair and without legal error, and the verdict was not against the weight of evidence. We are to see to it that the trial was fair and that there was sufficient evidence with recognized rules of law to support the verdict. This done, the responsibility for the result rests with the jurors.

That is good law—good wherever the system of jury-trial prevails.

Our Supreme Court reviewed the evidence in the Frank case, and found it "sufficient to support the verdict." (See page 284, 141 Georgia Reports.)

The Court held *unanimously* that the new evidence, pretended to have been discovered after the verdict had been affirmed, was not of such a character as to warrant another trial.

The United States Supreme Court decided that Frank's lawyers had not been able to show that he had been denied a fair trial, or deprived of any legal right.

Surely, a case should come to an end, some time. Surely, Frank's case ought to have ended when the highest court on earth said the verdict must stand. Surely, his own lawyer, Governor John M. Slaton, had no legal right to annul the solemn adjudications of the supreme heads of our judicial system. Surely, the Law never meant that *a defendant's own attorney should become his jury, his trial judge, and his reviewing court.*

When Slaton commuted the sentence of his client, his act was null and void. Time could not validate it.

Frank was legally under sentence of death when the Vigilance Committee took him out, and hanged him by the neck until he was dead.

All power is in the people. Courts, juries, sheriffs, governors draw their authority from this original source: when the constituted authorities are

unable, or unwilling to protect life, liberty, and property, *the People must assert their inherent right to do so.*

Womanhood must not be left at the mercy of the libertine: the Rich must not trample upon the children of the Poor: *the Jew must learn to distinguish between the Midianite and the American.*

Prison Commissions and Governors must learn that it is dangerous to usurp power, and to undo the official work, done legally by the Judicial Department.

In Frank's case, all legal tribunals were appealed to, by the best of lawyers; and every decision was against him. They had to be: there was no escape from it.

His own lawyer then commuted his sentence, and fled the State.

The Vigilance Committee took the condemned man out of the State Farm, carried him almost to the grave of his little victim, and hanged him, in accordance with the sentence which had three times been pronounced from the bench.

It was a long, hard fight, and the Law won, over Big Money.

There are some legal trials that are more than mere law cases.

There are some that involve a dynasty, test a system, and throw light upon national conditions.

There are some that change the course of events, and leave their effect, for weal or woe, upon the era in which they are tried.

A court-house case, in France, dragging into it a king's wife, a pope's cardinal, and a corrupt judicial system, led the way to the overthrow of an ancient monarchy.

A court-house case, in Virginia, followed by another, in Massachusetts, set in motion the ball which never ceased to roll until Thirteen Colonies had become Thirteen Independent

States—the eloquence of Patrick Henry, and of James Otis, rather than the musket in the Ohio wilderness, being the shot that was heard around the world.

A law-case in England, rocked the throne, and tested, with a supreme severity, the strength of England's judicial fabric.

The fabric *stood the test*: and the vindicated system, which would not bend, *even though the king sought to bend it*, filled Englishmen with honest pride.

It was the great case where George IV. brought to bear all the powers of a monarch and a bad mad, *to crush one friendless woman—AND FAILED!*

Not all the patronage of the crown, not all the money of the Secret Service, not all the clamor of place-holders, place-seekers, time-servers, court sycophants, and unscrupulous politicians, *could bend the Law of Great Britain.*

Personally weak and without friends, the foreign princess who had married the king, saw a host of determined supporters come to her relief, when English ministers sought to use the Law, as the instrument of *a bad man.*

When the long legal combat drew toward its close, and Lord Brougham had brought to shame and defeat the crowned libertine, we are told that a scene of indescribable excitement took place in the House of Lords—the high court which had tried the case.

The Prime Minister rose to "withdraw the bill," equivalent to quashing the indictment against the persecuted woman.

"Cheers loud and long rose from the opposiiton benches"—where sat the champions of the Law.

"But the House hushed to silence, when the venerable Erskine arose, with eyes aflame"—Erskine, the indomitable lawyer who had fought so

hard, so long, and so triumphantly, to vindicate the jury system.

"My lords," he said, and his voice rang out with the clear tone that had entranced the tribunals of thirty years before—

"My lords, I am an old man, and my life, for good or evil, has been passed under the sacred rule of the law.

"In this moment, I feel my strength renovated and repaired by *that rule* being restored—the accursed change wherewithal we have been menaced, has passed over our heads—there is an end of that horrid and portentous excrement of a *new law*, retrospective, and iniquitous—and *the constitution and scheme of our polity is once more safe.*

"My heart is too full of the escape we have just had, to let me do more than praise the blessings of the system we have regained," a system of which Hooker, in his great work on Ecclesiastical Polity, said—

"Of Law there can be no less acknowledged than that her seat is the bosom of God: her voice is the harmony of the world; all things in heaven and on earth do her homage, *the very least as feeling her care, and the greatest as not exempt from her power.*

"Both angels and men, and creatures of what condition soever . . . admiring her as the mother of their peace and joy."

"There was silence as the silvery voice ceased. It was as if men wished to hear the last echo of those wondrous accents. Then broke out a cheer, such as was never before heard in that august assembly."

The Law had won! *against* the licentious king; *against* the truckling ministers; *against* the servile aristocrats; *against* the detectives of the secret service, and the hirelings of the reptile press:

Yea, by the living God! the Law

had won! and all *men* in England, all *women* in England, all *children* in England, *WERE SAFER FROM THAT HOUR*, when the grand old lawyer rose, with full heart and flashing eyes, *to quote the words of the grand old preacher*, whose tribute to Law, is a tribute *to the God that inspired the Law.*

Have the children of Moses the right to break the Sinai tables?

Do they deserve death when they slay Hebrews, *only?*

Is there some unwritten law, which absolves them, when their victim is a Gentile?

They are taught in their Talmud that, "As man is superior to other animals, so are the Jews superior to all other men."

Do the Hebrews of today hold to that, *in their heart of hearts?*

They are taught by their great teacher, Rabbana Ashi, that "Those who are not Jews, are dogs and asses."

Are the Hebrews true to Talmud, and to their learned Rabbana?

Was Mary Phagan—the Irish girl—legitimate spoil for the descendant of those who divided among themselves the daughters of the Midianite?

Is there a secret tenet of their religion, which compels the entire race to combine to save the neck of such a loathsome degenerate as Leo Frank?

They did not waste a dollar, nor a day, on the Jews who were electrocuted for shooting Rosenthal: was it because Rosenthal was a Jew?

If the victim in that case had been an Irishman, would there have been a Haas Finance Committee? a nationwide distribution of lying circulars? a flying column of mendacious detectives? a constantly increasing supply of political lawyers? the muzzling of daily papers? an attempt to enlist the Northern school-children, Peace So-

cieties, and Anti-Capital-Punishment leagues?

Money talks; and in this Frank case, money talked as loudly, and as resourcefully, as though Baron Hirsch's \$45,000,000 Hebrew Fund had been copiously poured into the campaign.

Like Thomas Erskine, I am nothing but an old lawyer, no longer inclined to the hot combat of the arena where I once loved to fight; but I'm not too old to make a stand for the Law; for the integrity of the system which our fathers handed down to us; and for the inflexible Justice, in whose scales the murder of one little factory girl weighs as heavily, as though she had been the daughter of Rothschild.

Let the Jews of Georgia, and elsewhere, look to it.

They are putting themselves on trial; and, if they continue the malignant crusade which they have been waging, by libels and cartoons, against a State which has never done injustice to a single Jew, they will reap the whirlwind.

If Mary Phagan had been a rich man's daughter, and Frank, a poor man's son, his neck would have cracked, a year ago!

This case is *more* than a law case. This case involves the honor of a State! This case drags the judicial ermine into the ditch. This case is an indictment against jury trial. This case is an attack upon the fortress of the Law. This case pollutes the holy temple of Justice.

There never were such foul methods used to besmirch honest men, mock the truthful evidence, gull a generous public, and defeat the very purposes of the criminal code.

There never were such prodigious energies put forth to conceal the Truth, and to put Falsehood in its place.

In the whole scope of American history, no such campaign of abuse, of misrepresentation, of deliberate fabrications, and systematic efforts to humbug *outsiders*, to close the mouths of editors, to corrupt or intimidate officials; and to "*get away with it*," in defiance of the record, the verdict, and the decisions of the courts.

They have never dared TO PUBLISH THE EVIDENCE!

It is a peculiar and portentous thing, that one race of men—and *one, only*—should be able to convulse the world, by a system of newspaper *agitation and suppression*, when a member of that race is convicted of a capital crime against another race.

Does anybody in this country know what was the truth about Dreyfus, the French officer who was convicted of treason, and, at first, sentenced to death?

Nobody does. All we know is, what the newspapers told us; and it leaked out, long afterwards, *that the wife of Dreyfus abandoned him, as soon as he was turned loose.*

Presumably, she was a Jewess; but, like the other Hebrew champions of Dreyfus, she dropped him, as soon as she had accomplished her purpose.

One of the Rothschild banking houses exerts a powerful influence over French finances; another in Frankfort, another in Vienna, and another in London, have often stood together to control the policies of European governments: if they insisted upon the liberation of Dreyfus, the French Republic—beset by royalists, socialists, and clericals—was in no condition to resist the demand.

The peculiar thing, and the sinister thing, is, that some secret organization existed which could permeate the whole European world, and the United States, also, with the literature which clamored for Dreyfus.

The father of Dreyfus was an

Alsatian banker—a Jew, of course—and a subject of the Kaiser. He was a cog in the wheel of the German spy-system; and he used his son, the French officer, to secure for the Berlin Government, the military secrets of the French War Office.

France had not then formed her defensive alliance with Great Britain, and was not strong enough to fully expose Dreyfus, and the Kaiser—thus precipitating a war. The French officer, Ricard, who was the stanch champion of Dreyfus in every one of the investigations, turned against the Jew, after he himself was given a position in the War Office and learned the truth, from indubitable documentary evidence.

The Beiliss case, in Russia, was equally remarkable, in its progress and its end.

A Gentile boy was found dead, with more than forty small incisions in his veins and arteries, from which practically every drop of his blood had been drawn—and *the blood had left no marks, anywhere.*

That much trickled through the newspapers to the American people, and they realized, of course, that here was a novelty in deliberate and atrocious crime.

Beiliss, a Russian Jew, was accused of kidnapping the little boy, and emptying his blood-vessels of their contents, in order that it might be used in “a religious sacrifice.”

The Russian court found Beiliss guilty; but, apparently, the same mighty engine of agitation, and suppression, that had worked for Dreyfus, was put in motion for Beiliss.

Mankind was told, that there was no such thing as “blood sacrifice” among Russian Jews; and that Beiliss was the victim of jungle fury, race hatred, lynch law, &c., &c.

In the meanwhile, the hysterical public lost sight of the pallid corpse

of the Gentile boy, *whose veins presented the pale lips of forty-five cuts, made by a sharp instrument.*

Somebody had killed the lad—most deliberately, most cruelly—and the Russian courts, in full possession of the facts, declared that Beiliss had done it.

But the American people—not knowing the facts, and totally in the dark as to who *did* get the blood out of the boy's veins—were excitedly certain that *Beiliss* didn't.

Consequently, a pressure of the same peculiar and irresistible sort that had saved Dreyfus, caused Russia to stay her uplifted hand, and spare Beiliss.

To this day, the Americans who blindly, hysterically helped to put the pressure on the Czar's Government, have no idea who made the forty-five slits in the blood-vessels of the little boy; and, what's more, they don't care.

They accomplished their emotional purpose, blew off their psychological steam, and then forgot all about Beiliss, and the boy.

Is there such a thing as “blood sacrifice” in Russia? We don't know. Nobody can dogmatize on such a subject.

Even in our own country, there is a blood sacrifice, practised in the remoter wilds of Arizona. The Indians who practised it, welded Christianity to some ancient tribal rite, and adopted the custom of crucifying an Indian, as Christ was crucified.

When I see Abraham with his knife uplifted over the breast of *his* boy; and when I see Agamemnon covering his face to shut out the sight of the priest and *his* knife—about to slay the Greek king's daughter; and when I see the sacrifice of the idolized girl who ran out, radiant with joy, to greet Jephtha on his return from battle—I feel myself lost in doubt as to *what* a Russian fanatic might do.

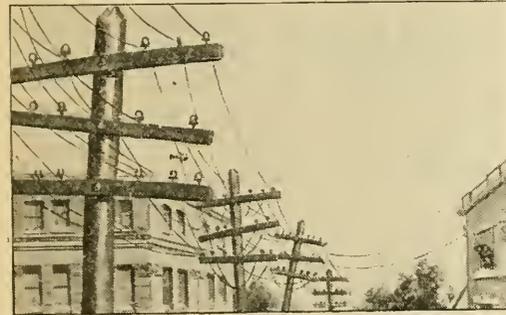
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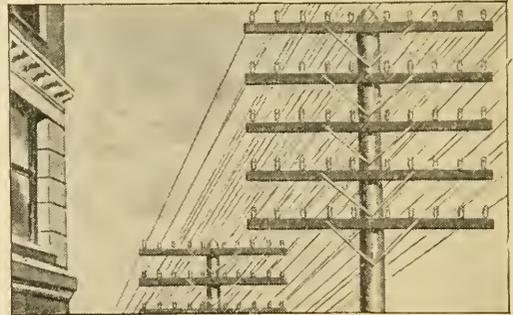
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Let all this be as it may, the other races of men must "sit up and take notice," if the repeated campaigns of this Invisible Power seem to mean, that Jews are to be exempt from punishment for capital crimes, when the victim is a Gentile.

If the work of this Invisible Power has been substantially the same *in a third case*, as in the other two; and this third case is that of Leo Frank, then the Frank case assumes a new aspect, of new importance, and of formidable portent.

America is big enough to be "the melting pot" of the Old World, provided the metals *melt*—otherwise, it isn't.

If the Jew is not to amalgamate and be assimilated; if all the very numerous foreign nationalities that are being moved over into this country are to retain their several languages, customs, flags, holidays, ideas of law, education, government, etc., then the melting pot will fail to fuse into one another, these conflicting elements.

In such a case, the melting pot becomes a huge bomb, loaded with deadly explosives.

Has the menace of secret organization, of an Invisible Power, and of cynical defiance of law, revealed itself, in the Frank case?

Reflect upon it!

Reflect upon it, with especial reference to recent announcements, in metropolitan dailies, that the Jews mean to use the Baron Hirsch Fund of \$45,000,000 to carve out a new Zion in this country. From all over the world, the Children of Israel are flocking to this country, and plans are on foot to move them from Europe *en masse*. Poland, Hungary, Russia, and Germany are to empty upon our shores the very scum and dregs of the *Parasite Race*.

The papers state that the heads of the vast Hebrew societies of this

Union will soon "submit a proposition to the United States Government."

What? The subject *treat* with the Sovereign?

This is what comes of unrestricted Immigration, just as 90 per cent of our crimes come from it.

What a fine illustration of Jewish arrogance it will be, if such American citizens as Rabbi Wise, Nathan Straus, Adolph Ochs, Joseph Pulitzer, *et al.*, make a proposition to our Government, for an American Zion, the Jew millionaires negotiating with the Government as its equals!

In 1813, the rich Jews compelled Congress to abrogate the Russian treaty, as a rebuke to Russia, for her treatment of her own subjects.

They naturalized a German Jew, Paul Warburg, and placed him at the head of our new Jew-made financial system.

Meditate upon these points:

(1.) Never before was a Jewish or Gentile Finance Committee organized, and funds raised, to fight a case which had already been thrice adjudged by a State Supreme Court:

(2.) Never before, was unlimited money spent in publishing lies about an official record which was accessible to everybody, and which itself could have been laid before the public for less money than the lies cost:

(3.) Never before, did a murder case, tried in Georgia, secure an appeal to the Supreme Court of the United States:

(4.) Never before, did any defendant employ so many lawyers, in so many different cities, as were employed for this degenerate Jew:

(5.) Never before, were the Atlanta papers, the Hearst papers, and the Jew papers so doggedly determined that the public should not have a chance to learn what was *the evidence*, upon which the Jew had been legally convicted.

(6.) Never before did a criminal's

own lawyer, holding the office of Governor, defy and reverse all the courts, and virtually pardon his own client.

(7.) Never before did the Jew papers, and the Hearst papers, so *provoke a State*, as to insolently demand, from day to day, that the legal sentence on Frank be annulled, *and that he be set at liberty*:

(8.) Never before did a Vigilance Committee execute a criminal whom a jury had convicted, whom the Supreme Court of Georgia had declared was properly found guilty, whom the

Supreme Court of the Union said must die, and whom Superior Court judges had, *three times*, sentenced to be hanged.

When the Jews, and the Hearst papers, are especially and peculiarly wrought up over *this* kind of a "lynching," you may feel quite sure that their unwritten law *exempts a Jew*, when his victim is a Gentile.

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