THOMAS FELDER BRANDS THE CHARGES OF BRIBERY DIABOLICAL CONSPIRACY

Thomas B. Felder, the Atlanta lawyer who is accused of having offered a bribe for an affidavit of J. W. Coleman, stepfather of Mary Phagan, now in the possession of the police, yesterday issued the following statement:

To the People of Atlanta:

The publication of the sensational "story" in The Atlanta Journal on yesterday afternoon relating to myself and my connection with the Phagan case is but the symptom or manifestation of one of the most diabolical conspiracies ever hatched by a venal and corrupt "system" to protect crime in a civilized community.

To be more specific, this conspiracy was formed just after the arrest of Newt Lee and Leo Frank, charged with the murder of Mary Phagan. The controlling genius of it is Newport Lanford, chief of the city detectives. Its object is to shield and protect the murderers of this innocent child, and in its wicked ramifications it marks our distinguished (?) chief of detectives as the Lieutenant Becker of our "system," and renders his co-conspirators as dangerous to the lives, liberty, property and reputation of our citizens as the bloody and deadly Society of the Mafia.

Part Played By Papers.

Pity it is that the press of the city has been and is being made the innocent, if effective, instrument in their hands to further and effectuate the object of this wicked conspiracy by prostituting their potential columns to the exploitation of the mass of forgeries and perjuries which has been given to the public through their columns, for be it known that these papers have tacitly sanctioned the utterances of Colyar by reproducing his affidavits in the face of the fact that the editors and proprietors of all would without hesitation swear that they would not believe him on oath if called upon to do so. Strangely enough a portion of the criminal record of this man Colyar is reproduced, showing him to be a man steeped in crime and infamy, while in the parallel column is published his defamatory utterances against me.

I would have the good people of this community know that from the day and hour of the arrest of Lee and Frank, charged with the murder of little Mary Phagan, Newport Lanford and his co-conspirators have left "no stone unturned" in their efforts to shield and protect these suspects, and I shall demonstrate later the truth of this statement with so much clearness that "he who runs may read."

Winked At Forgeries.

In furthering and effectuating this conspiracy they have suborned perjury, winked at forgeries and, in short, employed every agency that low and groveling criminal instincts could contrive and conjure up. In their frantic efforts to shield the murderers of this girl "Lieutenant Becker" Lanford secured the services of A. S. Colyar, Jr., whose criminal record was known to the "lieutenant," but whose services he willingly availed himself of.

Having premised this much, I shall now address myself to the task of disposing of "Lieutenant" Lanford's "Man Friday," A. S. Colyar.

About two and one-half years ago, while I was engaged in a controversy with the criminal and vagabond governor of the state of South Carolina, a prominent citizen of Atlanta, a client and friend of mine, whose name I withhold because he is not now in the city and I have been unable to reach him over the phone, but whose name will be given later, called at my office, and, discussing this controversy, said that he knew a man by the name of A. S. Colyar, Jr., sometimes lawyer, detective, newspaper man, etc., who had spent some time in the state of South Carolina, and who was in possession of valuable information touching that situation.

Brought Colyar To My Office.

He afterwards brought this man Colyar to my office, and after discussing the matter with him at length, I reached the conclusion that he was thoroughly undependable, and the interview closed. Afterwards, he was sent to the state of South Carolina, to obtain the information, and forwarded to me three affidavits which seemed to establish conclusively that the governor of that state had been engaged in criminal practices. Upon a careful examination of these affidavits, I discovered that the jurats attached to the three affidavits were all upon separate sheets, attached to what purported to be the genuine affidavits. This aroused my suspicions, and I sent a trusted clerk from my office to the state of South Carolina to personally interview the affiants, with the result that he was informed by them that this man Colyar had represented to them that they were heirs at law to a considerable estate in Tennessee, and that if they would make an affidavit stating who they were, he would be able to secure for them their respective inheritances without cost, indeed, that he was sent to them for that purpose, whereupon the affidavits were prepared and signed; that afterwards Colyar detached the jurats attached to the genuine affidavits and attached them to the spurious affidavits which he furnished. These affidavits are now in my files and are subject to the inspection of anyone who may be interested. It is needless for me to add that they were never made public in connection with the charges of criminal conduct lodged against the vagabond governor of South Carolina.

Met Colyar In Chattanooga.

Afterwards I met this man Colyar accidentally in the city of Chattanooga, and when I confronted him with the fact that he had forged these affidavits, he freely confessed the forgery to me, and stated that he had been reduced financially to dire extremities, and that he had forged the affidavits in order to get money from the gentleman who had introduced him to me. I respectfully submit that after this experience with this man it does not seem reasonable that I would entertain respect for him, much less repose confidence in him.

On Sunday afternoon, while engaged in a conference at my home with parties interested in the Phagan case I received a telephone message, and was informed that the party speaking was A. S. Colyar, Jr. He stated to me that it was important for him to have an interview with me during the afternoon or evening of Sunday. I made an appointment to meet him at my office at 8:15 o'clock. I met him by appointment. Knowing the man's character, I telephoned Mr. Toble, of the William Mr. E. O. Miles, my friend and client, to come to my office

Sleuths Suppress Evidence.

In my conversation with Colyar, he stated to me that the city detective force was engaged in suppressing evidence in the Phagan case; that they were in a conspiracy with the Pinkertons, who had been employed to investigate this case by Frank, one of the suspects, and that they had entered into a conspiracy to thwart the efforts of the Burns agency and myself in the investigations in progress; that he overheard a conference between Lanford and the Pinkerton agent who was employed in the case by Frank to the effect that it was important to circumvent the efforts of the Burns agency and myself in establishing the guilt of the murderer or murderers; that on the morning of the Sunday evening Lanford had caused an affidavit to be prepared and dated back, and had forced Mr. and Mrs. Coleman to sign it under threats and duress, repudiating my employment; that Lanford had arrested a negro by the name of Connelly, as I remember, and had held him at the police station for two or three weeks, and had forged a confession of the negro to the effect that he himself had killed Mary Phagan, and that Newt Lee and Frank were neither participants in the murder or had knowledge thereof; that in order to discredit the Burns agent, the solicitor's office and myself, they had framed up affidavits charging the solicitor general, the Burns agent and myself with corruption, and that at the opportune time these would be given to the public through hand bills.

Would Not Accept Statement.

I stated to Colyar that I would not accept his statements even under oath, and that if he had any documentary evidence establishing the fact that these parties were engaged in a conspiracy to suppress evidence, I would like to see it, whereupon he handed me the original Coleman affidavit, what purported to be a copy of the confession of the negro, Connelly, what purported to be an original affidavit in relation to the solicitor general, and also what purported to be an original affidavit that one of the leading newspapers of the city had been bribed by the suspects or their friends.

In this conversation he told me that he had original affidavits establishing the immorality of the chief of police and the chief of detectives, and that they were guilty of acts involving moral turpitude, and he specified the acts. It is not necessary to give these to the public at his time, but they will be published later.

Relation to Phagan Case.

I stated to him that I was not interested in the moral and official derelictions of the chief of police and chief of detectives, except in so far as they might relate to the suppression of evidence in the Phagan case. He thereupon asked me if the mayor of the city was interested in obtaining this evidence. I told him that I was not in the confidence of the mayor; that I had not spoken with him for months, but that if he was interested in the exposure of official rottenness in the various city departments, he would be a strange and unnatural official, and that I would bring the matter to his attention, which I afterwards did.

On the following day Colyar called me over the phone and asked me if I would meet him and some friend of his who had knowledge of the facts heretofore adverted to in conference. I stated to him that I was coming into the city on Monday evening, and would meet them at my office. I met Colyar and a young man by the name of Febuary at my office, according to appointment. The interview of Monday evening developed in substance and effect what was developed on Sunday evening, together with the additional fact that young Febuary stated that he had been used so much by the chief of police and chief of detectives in carrying out their projects of corruption that he was sick and tired of the job and would like very much for me to assist him in getting other employment; that if I would assist him he would willingly turn over to me all documents, files, etc., going to show that these parties were engaged in suppressing evidence in the Phagan case, and that while they were ostensibly working for the city and for the interest of the people, that they were really working in conspiracy with the Pinkertons—the employees of Frank—to shield and protect Frank.

Showed Me Affidavits.

He also exhibited to me numerous affidavits, documents, etc., purporting to be evidence of the official corruption of the two chiefs. Among other documents submitted were two lists which he claimed that he prepared for Chief of Police Beavers and Chief of City Detectives Lanford, purporting to contain a list of blind tigers and immoral houses which were under the protection of these departments, and from whom they received monthly payments for this alleged protection. I made it plain to both of these parties that I had no interest whatever in any of these documents except such as might tend to establish the fact that they were suppressing evidence in the Phagan case.

They asked me if Mayor Woodward and other gentlemen in the city, naming them, would be interested in obtaining this evidence.

I stated to them that I thought that not only Mayor Woodward, but every other prominent citizen in the city of Atlanta, such as Mr. Sam Inman, Captain English, Mr. Grant, Mr. Maddox and scores of others would be entirely willing to raise a fund to drive these people from the high places, if they were guilty of the acts of moral turpitude alleged against them.

They asked me if in my judgment they could be indicted and punished if they turned over this evidence to the mayor or his agents. I gave it as my judgment that they could not, and that even if they could they would not be; that I had too much confidence in the mayor of the city of Atlanta, in the prosecuting attorney of the circuit, of the criminal court and of the governor, as a last resort, to believe that any of these officials would suffer them to be punished if they made of themselves instrumental means of exposing the colossal corruption which they represented existed in the various departments of the city government.

This conference lasted one hour and fifteen minutes. Just before it drew to a close Colyar asked me if I would be willing to pay to him and Febuary $1,000 for this documentary evidence.

Not Willing To Play.

I told him emphatically that I would not. He then asked me if I thought the mayor of the city would be willing to pay to him and Febuary $1,000 for this evidence, and to provide February with as good a position as the one he now held, upon the delivery of the evidence to them. I told him that I entertained no doubt that if they could furnish the mayor with the evidence conclusively establishing the guilt of Beavers and Lanford, the mayor, through the public-spirited citizens of the town, would be willing to raise this sum of money and pay it over to them for the documentary evidence. This ended my interview upon this occasion.

On the following morning I received a telephone communication from this man Colyar asking me if I would come to his room at the Williams house at 1 o'clock. I told him that I had an engagement. He asked me when it would be convenient for me to meet him. I stated at 3:30, so at the appointed time I called upon him at his room at the Williams hotel. While there I met Febuary. My conference with them lasted perhaps ten minutes, as I was back in my office before 4 o'clock to meet an appointment, having stopped en route for at least ten minutes to receive a treatment from my throat specialist.

I shall demonstrate in an affidavit attached to this card, and made a part thereof, that the alleged dictagraph stuff is manufactured.

In my brief interview with these parties at the Williams house, I stated to them that I would not pay them a cent for the documents that they had in their possession establishing the moral turpitude of the chief of police and Chief Lanford; that I had no interest in this branch of the controversy, and that I had declined employment in this branch of the controversy; but I stated to them that I had talked with the mayor and that I had made an appointment with Mr. Miles, and that I would meet Mr. Miles, who was making some investigations for the mayor, at my office at 4 o'clock, and that I would send him over to them.

When I arrived at my office at 4 o'clock, Mr. Miles and Mr. Toble, of the Burns National Detective agency, were awaiting me, and I gave Mr. Miles a note of introduction to this man, Colyar, which, I am informed, was presented. On the day after Mr. Miles asked me if I would object to accompanying him to Lakewood for a conference with Colyar and Febuary. I stated to him that I most emphatically declined, and would advise him to do likewise, and he acted upon my advice. I stated to him further that if they had any business with me, they could conduct it at my office, but, as I understood the situation, I had no business with them.

If I had consented to pay money for this evidence I could have paid it either on Sunday or Monday night, and all of the documents would have been turned over to me.

Statement Is Absurd.

The statement contained in the affidavits of this man Colyar and of Febuary that I offered them $1,000 for the Coleman affidavit is too absurd to justify a denial. Why would I pay $1,000 for this affidavit when it was within the power of the conspirators to obtain another affidavit within five minutes after the surrender of this affidavit to me? In this connection I desire to state that in my career at the bar, covering a quarter of a century, I have never, directly or indirectly, sought employment in any case—civil or criminal. I have never found it necessary to resort to barratry to keep busy in my profession. It is inconceivable that I, or any other reputable lawyer, would seek employment to prosecute a man for murder.

I was employed in the Phagan case by a committee of citizens residing in the vicinity of the family of the Phagan girl. My contract of employment is in writing, and duly signed by my employers. I do not give in this connection a copy of the contract and the name of the signers, for the very obvious reason that with their names in possession of "Lieutenant Becker" Lanford and his co-conspirators, my clients would immediately become the objects of attack at the hands of the "system."

The contract above referred to was made with my law firm, Felder, Anderson, Dillon & Whitman, and is in our files and open to the inspection of any decent citizen at any time.

How Felder Was Employed.

In addition to this employment, we were employed by a committee of prominent and distinguished ladies in the city of Atlanta to aid in this investigation. The names of these ladies are withheld from publication for obvious reasons. I have never said, and I do not now say, that I was ever employed either by Mr. or Mrs. Coleman, but I do say that on Friday afternoon—the date I do not remember—but it being the day upon which the coroner's inquest was to be held at the police barracks, I was called over the phone by one of the gentlemen who employed me in the case and asked to come down to the barracks. I immediately repaired to the barracks and stated to my client that I felt a delicacy in appearing at the coroner's inquest unless my employment was approved by the parents of the deceased girl. I was thereupon introduced to Mr. Coleman, and explained to him my feelings in the matter. He stated to me that he had no money to employ counsel; that he appreciated the unselfish act of his neighbors in their effort to assist in the prosecution, and so far as he was concerned, my employment met with his approval; but being the stepfather of the young lady, he would prefer not to ratify my employment at that time, but would ask his wife to come to my office on the following day to the end that she would ratify the same. On the following day I left for the city of New York without seeing the mother of Mary Phagan, and was absent from the city for ten days.

I entertain the same feeling now that I did then, namely, I feel a delicacy in participating in the case without the approval of the parents of the deceased girl, although I am urged to do so by my clients and many of the best people in the city of Atlanta. In this connection, I desire to submit for the consideration of the graft-ridden people of this city, the statement that my employment in this case was never brought into question until the criminal investigator of Mr. Burns appeared upon the scene.

On Sunday following his appearance "Lieutenant Becker" Lanford dictated an affidavit to his secretary, Mr. Febuary, not in the presence of either Mr. or Mrs. Coleman, and without knowing what they would be willing to say in relation to the matter, and hurriedly repairing to the home of the Colemans coerced them into signing the same, as I am informed, by threats that if they or either of them ratified the connection of Mr. Burns or myself with the case, they would take no further interest in the matter.

Burns Well Indorsed.

The character of William J. Burns for honesty and courage is too well established in the American union to need indorsement at my hands. The insinuation emanating from the city detective department that he could be hired to betray a trust, and industriously circulated by them, needs no contradiction or refutation at my hands. A sufficient answer to this vile insinuation is that there was no time during the McNamara investigation, if Burns was purchasable, that he could not have received to call off the case a million dollars flat. This fact is known to all men who are familiar with the current events appertaining to that investigation. Moreover, I deem it the work of supererogation to enter a denial in my own behalf to the base insinuation that I have been employed in conjunction with Burns by the Jews of the city to assist in shielding Frank from prosecution. I have never conferred with any Jew upon this subject, and in behalf of the Jews, who constitute a large and most respectable element of our population, I desire to brand the insinuation as a vile, baseless slander, promulgated by the city detectives as a part of the conspiracy to defeat the ends of justice in this case.

The statement that Toble had an appointment at my office for a conference with Messrs. Hirsch, Meyers and Greenstein is a figment of the disordered and distempered imagination of "Lieutenant Becker" Lanford and his "Man Friday," A. S. Colyar, Jr.

Mr. Joseph Hirsch needs no defense at my hands from this vile and baseless insinuation. He has lived a long and honored life in this community, and I gravely doubt if there is a man, woman or child in it who would believe any man who stated on oath that Joseph Hirsch would do a dishonorable thing to shield either Jew or Gentile, much less to enter into a conspiracy to bribe and corrupt lawyers and detectives who are engaged in an honest effort to establish the guilt of a murderer. Let me put this question frankly to the people of Atlanta:

Is it not passing strange that the city detective department, whose wages are paid by the taxpayers of this city, should "hob-nob" daily with the Pinkerton Detective Agency, an agency confessedly employed in this investigation to work in behalf of Leo Frank; that they would take this agency into their daily and hourly conference and repose in it their confidence, and co-operate with it in every way possible, and withhold their co-operation from W. J. Burns and his able assistants, who are engaged by the public and for the public in ferreting out this crime:

What Is The Purpose?

What is the purpose of the city detective department in violently assailing me and the Burns agency, if it is not to protect the real criminal in this case? What motives inspired them in their almost superhuman efforts to hinder, circumvent and defeat the efforts of this great agency in locating the criminal or criminals in this case? From the moment that Leo Frank and Newt Lee were placed under arrest the city detectives, or a majority of them (I am advised and believe that there are several good and honest men in the department) have been engaged in a systematic effort to destroy all tangible evidence against the suspect. When they got possession of the note that was found by the body of the dead girl, and which constitutes, or should, the "Rock of Gibraltar" of the evidence in this case, and which should have been promptly placed for safe-keeping in a safety deposit vault, was turned over to a reporter of one of the papers who had the custody of this note for several days, and when it was demanded by the able solicitor general of the circuit, it was only forthcoming after a diligent search.

I was informed by Messrs. Colyar and Febuary that shortly after the murder the city detectives arrested a negro by the name of Connelly and kept him in close confinement for several weeks, and that they extorted from him a written confession that he, and not Frank, was the perpetrator of this crime, and the further confession that the negro had been procured to write the note that was found by the body of the deceased, thereby destroying the effect of any evidence that might be introduced in this case to show that Frank was the author of the note so found.

Thereafter, on the day the grand jury was convened for the purpose of investigating the charges against Frank and Lee, "Lieutenant Becker" Lanford furnished the press of the city an affidavit which he had secured from a woman of questionable veracity and character, containing the recital that between the hours of 6 and 10:30 on the fatal evening Frank called her over the phone several times, importuning her to permit him to bring this girl to her lodging house.

The object and purpose of this affidavit are so obvious that it is needless for me to do more than avert to it, and are as follows: To destroy the state's theory presented by the medical experts and Mr. Toble of the Burns agency, that this girl came to her death between the hours of twelve and one on Saturday, and further to establish the fact that the girl was in life between the hours of 6:30 and 10:30 p. m., thus enabling Frank to establish by positive and conclusive proof an alibi.

Hour by hour, day by day and step by step, has this man Lanford bended all of his energies and efforts to the single purpose of diverting suspicion from the accused in this case and throwing about them the cloak of his protection. I have neither the time or the disposition to discuss at length the affidavits reproduced in the press of the city made by Colyar and Febuary. As to these, I deem it only necessary to say that they are false from beginning to end.

As to the so-called dictagraph, I wish to say that I shall demonstrate that this is either manufactured and fabricated, or was so greatly revised and changed by the stenographer who took the notes, if a dictagraph was in fact used, which I doubt, as to greatly impair, if not totally destroy the meaning of what was said on the occasion referred to. To begin with, it is impossible for the conversation imputed to me to have occurred and been transcribed in less than an hour. As I have stated heretofore in this article, I was in the room at the Williams house not more than five or ten minutes, arriving there at 3:30 and reaching my office at 4 p. m., stopping en route to have my throat treated by a throat specialist, which consumed from twelve to fifteen minutes.

I mention this fact as illustrating the impossibility that the so-called dictagraph report could be genuine. The dictagraph is an instrument that records conversations with exactitude and any expert can instantly detect the genuine from the spurious. While this purported conversation is permeated with evidences of its being a frame-up, I think it will be sufficient to call the attention of the public to only two extracts therefrom to illustrate what I have stated.

Colyar is quoted in the alleged dictagraph report as follows: "But I said this young man does not want to lose his position." I am quoted as answering "Well, he says, tell him for me that I will give him a position today just as good as the one he has." It will be observed that my answer, instead of being in the first person, singular number, is in the second person, singular number, thereby clearly establishing that it is a frame-up.

The next illustration: Felder: "Well, you understand I do not want the papers unless they are evidence enough to put Lanford and Beavers out of business." Colyar made the answer as follows: "Now, Colyar says, you say that you have got the papers that will put them out." This alleged colloquy, reported from the dictagraph between Colyar and myself, clearly demonstrates that it is a frame-up.

In conclusion, permit me to say that I have written the above and foregoing pages under great difficulties. I have been constantly interrupted during the day by diligent newspaper reporters and by friends throughout the city and state assuring me that they are ready to aid in exposing the conspirators in their efforts to prejudice Burns and myself and to protect the murderer or murderers of Mary Phagan. Owing to the interruptions, I have only been able to cover some features of the case. In a later communication, which I will furnish the press for publication, I expect to go into details in respect of the alleged corrupt practice of the heads of the several departments at the police station. Their many acts of moral turpitude are well known to numerous citizens of the city of Atlanta, and to them my recital will be no news.

I pledge the good people of Atlanta to address myself at an early date assiduously to the task of not only fully exposing all of the conspirators, but to bring about their impeachment upon proceedings that I expect to institute looking to this end, and if I am successful in "scourging them from the high places," I shall regard it as not only a great service rendered to a graft-ridden people, but the greatest achievement of my professional career.