## Rosser Makes Great Speech for the Defense; Scores Detectives and Criticizes the Solicitor

The commining of the speech was impressive, it was almost whispered at times, but the voice that delivered it man's mind when he thinks of a crime pose above the buzz of ozonators and electric fans and seemed to carry a buy message about it. The life of a more horrible than this one? What message about it. The life of a punishment too great for the brute in human form who committed it and pleading for his life, was opened almost as a prayer—the subject heins pitch?" The seginning of the speech was im-

Later on Mr. Rosser was more vig-Later on Mr. Rosser was more vis-crous in his methods; he branched from the quit, even tones, and dealt with the file features of the case; he told a foke on risque that probably no other lawing in the state would have told it in the courtroom, and he talked in

dn words of plain facts.
Gettemen of the jury, all things
to an end, he began in a quiet
the and he leaned over the railing of the jury box and seemed not to address one, but all of the jurors. With the end of this case has atthe end of the speakers and

has to one the end of the speakers and the for that masterly effort of my brother. Arnold, I almost wish it had ended with no speaking. My condition is such that I can say but little; my voice is husky and my throat almost Tobe.
That for my interest in this case and my profound conviction of the inmeanur of this man, I would not un-

do take to speak at all.

"I want to repeat what my friend. Arnold, said so simply. He said this july is no mob. The attitude of the juror's mind is not that of the mind of the man who carelessly walks the streets. My friend, Hooper, must have brought that doctrine with him when

brought that doctrine with him when he came to Atlanta.

"We walk the street carelessly and we meet our friends and do not recondly them; we are too much absorbed in our own interests. Our minds wanter in flights of fancy or in fits of reverence; we may mean no harm to ourselves, nor to our friends, but we are careless. No oath binds us when we walk the streets.

when we walk the streets.

Defines Bufy of Jury.

"Men, you are different, you are set aside; you ceased when you took your juror's oath to be one of the rollicking men of the streets, you were purged by your oath.

"In old pagan Rome the women laughed and chattered on the streets or they went to and fro buf there."

as they went to and fro, but there were a few—the Vestal Virgins—they cared not for the gladitorial games, nor the strife of the day.

"So it is, with you men, set apart; you care not for the chatter and laughter of the rability you are un-

hughter of the rabble; you are un-prejudiced and it is your duty to pass on a man's life with no passion and

In a oulet and yet corcentrated tone | no cruelty, but as men purged by an Attorney Lather Rosser Friday morning at 9 o'clock made the final plan streets. You are to decide from the of the defense for the life of Leo | evidence, with no fear of a hostile mob and no thought of favor to any-

Mr. Rosser then launched forth into

He was still talking in the quiet, clear tones he started out with. "Since 1908 the National Penell fac-"Since 1908 the National Pencil fac-tory has employed hundreds of girls and women and also of men, and not all of the girls and women, not all or the men have been perfect," he con-tinued, "but you can find good man and women in all strate of life, and yet

Decries Dalton and Conley. "They found Dalton and they found Conley. Well, I'll take up Conley at a more fitting time, but Dalton, who is Dalton?

"God Almighty writes on a man's face and he don't always write a preity hand, but he writes a legitle one. When you see Dalton you put your hand on your pocketbook.

"When Dalton took the stand Mr Arnold and I had never had the pleasure of seeing his sweet countenance before, but Mr. Arnold leaned over and whispered in my ear, "There's 'a thief if there ever was one."

if there ever was one."

"I smelt about him the odor-of the chaingang and I began to feel him out. I asked him if he had ever been away from home for any length of time, and he knew at once what I meant and he began to dedge and to wriggle, and before he left the stand I was sure he was a thief.

"Dalton was on, three times in Walton county and then in another county where he probably went to escape fur-

the county and then in another county where he probably went to escape further trouble in Walton, he got into trouble again. It wasn't just the going wrong of a young man who falls once and tries to got over it, but it

Atlanta and reforms. Yes, he joined a Godly congregation and persuaded them that he had quit his evil ways. That's an old trick of thieves and they use it to help their trade along.

"I believe in the divine power of regeneration; I believe that you can re-

form, that there's always time to turn back and do right, but there's one kind of man whom I don't believe can ever reform. Once a thiof, always a

"Our Master knew it; He recognized the qualities of a thief. You remem-ber when they crucified Him and He hung on the cross there on the hill. Well, He had a thiof hanging beside Him and He said to that thief, This day thou shalt be with Me in Para-

ing again in Jerusalem,

Dalton a Diagrace to like tince. "Dalton disgraced the name of his race and he was a thiof and worse, if there can be, and yet he joined the church. He joined the church and he's now a decent, believable man Well, you remember how brazenty he was here on the stand and bragged ant here on the stand and bragged of his 'peach;' how indecently be bragged of his fall; how he gloated

over his vice.

"He was asked if he over went to that misorable, dirty factory basement with a woman for immoral purposes and he was proud to say that he had "Gentlemen, it was the first time Dalton had over been in the limilight, it was the first time deposit. it was the first time decent, respecta-ble white men and women had ever listened to him with respect, let alone

Contey's Story Different. "Conley tells a different story. He

a description of the horrible crime perpetrated in the factory basement and of the sweet young girl.

the detectives, working with microscopes and with the ald of my friend, Dorsey, excited almost beyond venture, found only two to against Frank.

was the steady thiovery of a man at heart a thief. "Of course, Dalton comes here to

"He didn't dare say 'tomorrow! He knew He'd better say 'today,' because by tomorrow that thief would be steal-

"When he was asked about that, if he was guilty, if he had fallen, he might have declined to answer, in might have hung his head in shame, as any decent, respectable man would have done, but instead, he bragged and boasted of it.

when Conley was asked what sort of a woman Frank had he brazenly and braggingly said he did not know, that he himself had such a peach there that he could not take his eyes of her to look at Frank's woman.

"Well, you have seen Dalton's peach; you all have seen Daisy.

says Frank took the peach (that lemon) for himself and that Dalton had to

get him another woman."

When Mr. Rosser referred to Dalsy When Mr. Rosser referred to Dulsy Hopkins as "that lemon" he made a face that caused even the tired juryers to smile and that almost convulsed the court room.

the court room.

"I'm not saying that we are all fees of passion, that we are all moral and perfect, but at least the decent mur don't brag of having a peach.

"Well, if you believe Daiton's story, and let's presunte it true now. If you believe it he went into that scuttle hole there at the factory with Datsy.

"Dalton took that woman into the factory, into a dirty, hasty, fetid hole where the slime oozed and where no decent doy or cat would go and there he satisfied his passion. That's what he told us.

he told us,
"Well, I thought I'd heard of partisanship before I came here. I thought
I knew what the word meant, but I
didn't. I never did until the solicitor
whose sworn duty it is to protect the

infocent as well as to punish the gell-ty, was checked in this court and then told the judge, 'l'll go as far as you'll let me.'
"I guess only the Infinite checked him outside of the court and as for those detectives here; well, I guess the Infinite had to stretch a little bit when

"Well, Dalton told us he went there about 2 o'clock one Saturday afternoon last year and of course, at that time the Clarke Wooden Ware company occupied the lower floor and used the same entrance that the Na-tional Penell company did, and Frank

was at lunch and knew nothing of Dalton's visit. "Of course Dalton left an cosy trail behind him; wherever he went he did that. You can still feel it in this court room.

court room.

Raps Four Detectives.

"Of course, too, Dallon may have gone into the pencil factory that day and left his oozy, slimy trall there, but otherwise there's nothing against the factory, and you know there's not, for our great quartet—Starnes and Campbell and Black (Oh, how I love Black, I always want to put my arms around him whenever I think of him) and Scott, for he was with that crowd; they tried their very best to find something that would show that factory up as a vile hole.

"Well, there's another reason that proves conclusively that it was not the assignation place Dalton and Conley name it.

ley name it.
"It has always been wrong for men and women to commit fornication and adultery, but it's always been done and the world, as long as it was done de-cently and quietly and not branged about and biazoned forth in public

about and biazoned forth in public places, has rather allowed it to go unchecked, but it's not so now.

"My good friend, Beavers, has written a new Decalogue.

"The reason is that the "immoral' squad—oit, is that it? Is it the "moral' squad? or what is it? Oh, I know, the "vice squad," that's it. I nearly called those dear men immoral, didn't I? Well, the vice squad has searched the town and they've dure into this hole and that and they've uncovered many a haunt and hiding place until they've run out every lascivious woman in town.

place until they've run out every las-civious woman in town.

"You reckon Schiff and Darley and Quinn would be out of fail now if that place was what they claim it was, if it was a house of ill fame?

Mr. Rosser here entered into a cu-logy of the character, life and morals of N. V. Darley, II. G. Schiff, Lemmic Quinn and Wade Campbell, all em-ployees of the factory and associates of Frank. Defends Factory Conditions.

"I've got a better reason than any I've yet told, for declaring that conditions were decent at the factory. You know, I know the working people of this state and this city. I've niways worked with my head and it's nover been my good fortune to be one of the working people, but there are no silten ladios in my ancestry, nor o there any dudish men. "I know the working men and the

"I know the working men and the working women, because that blood runs in my veins, and if any man in Atlania knows them I do, and I tell you that there are no 100 working girls and women in Atlania who could be got together by raking with a fine-tooth comb who'd stay there at that factory with conditions bad as they have been painted, and there are no 100 working men here so thin blooded as to allow such conditions there.

Mr. Rosser here turned his attention

Mr. Rosser here turned his attention to a discussion of Frank's statement to the jury, and declared that it was Frank's handlwork only, and that net'ater he nor Mr. Arnold knew what Frank was going to say when he got on the sland.
"Look at the statement this man

made to you, and it was his statement, not mine. I can prove that by the simple reason that I haven't got brains ple reason that I havon't got brains onough to have made it up, and Mr. Arnold (though his's got far more brains than me), he could not have made it. "Mr. Arnold might have given it the same weight and thickness, but not the living ring of truth.

Frank's Character.

"Now another thing. We didn't have to put Frank's character up. If we hadn't the judge would have told you brains must be presumed to have a

hadn't the judge would have told you Frank must be prosumed to have a good character and that you did not have the right to ask that question about him, but we thought you were and we put it up and see what a character the man has.

"There's not a man in the sound of my voice who could prove a better character. Of course, I mean from the credible evidence, not that stuff of Conley's and Dalton's.

"But you say, some people, some for-

"But you say, some people, some for-mer employees swore he had a bad character. Well, I'll tell you about

"You know that when you want to you can always get someone to swear against anybody's character. Put me in als place and let my friend, Arnold, be foolish enough to put my character

be foolish enough to put my character up and there'd be plenty of those I have maybe hurt or offended as I have gone through life, who'd swear it was wrong and I believe I've got an ordinarily good character.

"Why year could bring twenty men here in Fulton county to swear that Judge Roan, there on the bench, has a bad character. You know that he's had to judge men and sometimes to be what they thought was severe on thom, and he's naturally made men hate him and they'd gladly come and swear his character away.

"But if the men and women who live near him, the good and decent men and

near him, the good and decent men and women, who lived near him and knew, came up and said his character was good, you'd believe them, wouldn't you?

"Well, gentlemen, the older I get the gentler I get and I wouldn't think for say anything wrong about those misleading little girls who swore Frank was a had man. I guess they thought they wore telling the trith. "Well, did Miss Myrtls Griffin realty think Frank a vicious man and yet work there, three years with him?" Don't you think she heard things Misguided Little Girls.

PLEAD FOR FRANK



mitted and that when she got up here and looked through the heated at-mosphere of this trial she did not see

the real truth?
"And Miss Maggie Griffin, she was there two months. I wonder what she could know about Frank in that

"There was Miss Dunnagin and Miss Johnson and another girl there about two months, and Nellie Potts, who never worked there at all, and Mary Wallace, there three days, and Es-tella Wallace, there a week and Car-rie Smith, who like Miss Cate worked there three years.

of here three years.
"These are the only ones in the hundreds who have worked there since 1908 who will say that Frank has a bad character. Why you could find more people to say that the Bishop of Atlanta, I believe, had a bad charact than have been brought again

"Well, you noticed they were not able to get any men to come from the factory and swear against Frank. Men are harder to wheedle than are lit-

tle girls.
"Does anybody doubt that if that factory had been the bed of vice that they call it, that the long-logged Gantt would have known of it? They had Cantt on the stand twice, and woll, you know Gantt was discharged from the factory, of course you weren't told why in plain words, but you all know why. Well, Frank is not liked by Gantt and Gantt would have loved to tell something against his former employer, but he couldn't"

Sums Up Character Charges,

sums of character charges,
"If they have any further suspicions
against this man, they haven't given
them, either because they are afraid or
are unable to prove their suspicions,
if they have such suspicions, though,
and are doing you a worse injustice.
"what are these suspicions that they
have advanced thus fast.

"What are these suspicions that they have advanced thus far?" "First, Miss Robinson is said to have said that she saw Frank teaching Mary Phagan how to work. Dorsey reached for it on the instant, scenting something improper as is quite characteristic of him. But Miss Robinson denies it. There's nothing in it, absolutely nothing.

denies it. There's nothing in it, absolutely nothing.

"Then they say he called her 'Marry.' Well what about it? What if he did? We all have but memories. If you met me on the street six months ago, can you recall right how whether you called me Luther or Rossar?

ser?

"The next is Willie Turner—poor little Willie! I have nothing against Willie. He seems to be a right clever sort of a boy. But just think of the mathods the detectives used against him—think of the way they handled him, and think of the way Dorsey treated him on the witness stand. He says—Willie does—that he saw Frank talking to Mary Phagan in the metal room. What does it show if he did see such a seene?

"I can't see for the life of me where it indicates any sign of lassivious lust."

Incident Was Publica

"Does what Willie Turner saw, taking for granted he saw it, show that Frank was planning to ruin little Mary Phagan? Does it uphold this plot my friend Hooper had so much to say about?

"Even with that—considering Wille Turner did see such a thing, there's one fact that takes the sting out of one fact that takes the sting out of it. He saw, it in broad daylight Frank was with the little girl right in front of Lemmie Quinn's office in an open factory where there were a lot of people and where the girls were quitting their work and getting ready to go home to dinner.

duitting their work and gotting ready to go home to dinner.

"It wasn't so, though, and Frank never made any improper advances to this little girl. Let me tell you why. Mary Phagan was a good girl, as pure as God makes them and as innocent. She was all that, and more. But, she would have known a inscivious advance or an ogling eye the minute she saw it, and the minute this man made any sort of a move to her, she would have fled instantly to home to tell this good father and mother of here.

of hers.
"Then next, they bring Hallie Howell, who says she saw Frank with his hand on Mary's shoulder, That's all right, but there is Grace Hix and Helen Ferguson and Magnolia Konnedy who contradict her and say Frank never knew Mary Phagan. You can say all you please about such as that, but there is one fact that stands out indisputable. If that little girl had ever received mistreatment at the pencil factory, no deer would have beaut ell factory, no deer would have bound. od more quickly from the brush at the bay of dogs than she would have fled home to tell her father and mother.

Laugha at Hooper's "Pot." "Now, my friend from the Wiregrass "Now, my friend from the Wiregrass says Gantt was a victim of his 'plot' by Frank against Mary Phagan. I don't doubt that this 'plot' has been tramed in the hearing of every dotective in the sound of my voice. Hooper says Frank plotted to get the girl' there on the Saturday she was killed—says he plotted with Jim Conley. Jim says Frank told him at 4 o'clock Friday afternoon to return on the next morning. How could Frank have known she was coming back Saturday. He couldn't have known.

the contrary. You have one or the other to believe.

"Consider, though, that this be true! How would Frank know who would be in the factory when Mary Phagan came? How did he know she was coming Saturday? Some envelopes went over to Monday and Tuesday. How would he know whether she would come on Saturday or either of these latter days?

the homes of good people and bad who can then exalt his character as a result. He absorbs some of the atmost the should. But, even at that they've got some good men in the detective and Frank hired the Pinkertons. Scott came and took Frank's statement and said:

these latter days?
"Now, what else have they put up against this man?

Says Nervousness Was Natural.

"They say he was nervous. We admit he was. Black says it, Darley says it. Sig Montag says it—others say it! The handsome Mr. Darley was nervous and our friend Schiff was nervous. Why not hang them if you're hanging men for nervousness! Isaac Haas-old man Isaac-openly admits he was nervous. The girls—why don't you hang them, these sweet little girls in the factory—all of whom were so nervous they couldn't work on the follow-

"If you had seen this little child, crushed, mangled, mulliated, with the sawdust crumbled in her eyes and her tongue protruding, staring up from that stinking, smelling basement, you'd have been nervous, too, every mother's son of you. Gentlemen, I don't profess to be chicken-hearted. I can see grown men hurt and suffer-ing and I can stand a lot of things without growing hysterical, but I never walked along the street and heard the pitiful cry of a girl or woman with-out becoming nervous. God grant I will always be so.

"Frank looked at the mangled form and crushed virginity of Mary Phagan and his nerves fluttered. Hang him! Hang him!

"Another suspicious circumstances.

"Another suspicious circumstances.
He didn't wake up when they telephoned him that morning the body was found. That might depend on what he ate that night; it might depend on a lot of other things. Some of us wake with the birds, while others slumber even through the tempting call of the breakfast bell. Would you hang us for that?

"Then, they say he hired a lawyer and they call it suspicious—mighty buspicious. They wouldn't have kieked if he had hired Rube Arnold, be-Other Suspicious Circumstances.

cal if he had hired Rube Arnold, he-cause Rube has a good character. But they hired me and they kicked and yelled 'suspicious' so loudly you could hear all the way from here to Jesup's

"I don't know that I had ever met Frank before that morning, but I had represented the pencil factory previously. And as to their employing me, it's this way:
"There's no telling what was float-

morning. They sent men after Frank and there was no telling what was likely to happen to him. They were forced to do something in his own deforced to do something in his own de-fense. And, as a result, the state's worst suspicion is the fact that they employed me and Herbert Haas. "Now, gentlemen, let's see what there is in it: I have told you that twice on that Sunday he had been to police headquarters without counsel, without friends. The next day they

adopted new methods of getting him there and sent two detectives for him. Black had said he had been watching Frank, and woe to him who is haunted by the engle eye of dear old John. . Takes Shot at Chiefs.

"But old man Sig Montag, who has been here a long time, know this old police crowd and he knew their tactics. He was well on to their curves, lie knew what danger there was to Frank. He called up linas. Hags didn't want to come to police station—he want to come to police station—he want to come to police station—he limb a good reason.

"But they say now that he jumped back. Suppose he did jump back. Look at the boy (referring to Frank.) If you put a girl the size of Mary Phagan in a room with him she could make him jump out of the window."

Here Rosser entered into a long the could be a long to the window."

had a good reason.
"Sig went to police station and was refused permission to see Frank. Now, want you to get that in your mind, A itizen-not under arrest, as they sayheld without the privilege of seeing friends, relatives or counsel. It was a deplorable state of affairs. What

inppened?
"Haas went to the phone and called an older and more experienced head to battle with this police iniquity: Why shouldn't he? Dorsey sees in this harmless message a chance. He snaps at it like a snake. Dersey is a good man—in his way. He'll be a better man, though, when he gets older and loses some of his present spirit and

"There are things he has done in this trial that will never be done again.

Contiemen, I assure you of that,
Why Detectives Were Employed,
"Did Frank do anything else suspiclous? Yes! Two others, according
to Hooper from the Wiregrass. One
of which was the employment of a detective agency to ferret out this hor-rible murder that had been committed in his factory building. Why? Under

what circumstances?
"I'll tell you.
"Frank had been to police station and had given his statement. Hass was the man who telephoned me and who employed me—not Frank. I went to police headquarters and was very much unwelcomed. There was a fright atmosphere as I walked in. I saw Frank for the first time in my life. I said: 'What's the matter, boya?' Some body answered that Mr. Frank was under arrest. Black was there, lanford was there. Neither took the pains

to dony that he was under arrest.
"Somebody said they wanted Mr. "Somebody said they wanted Mr. Frank to make a statement, and I advised him to go ahead and make it. When he went into the office, I followed. They said: 'We don't wantyou.' I replied that whether they wanted me or not, I was coming, anyhow. I ahd a good reason, too, for coming. I wanted to hear what he said so they couldn't distort his words. "While we were in the room a peculiar thing happened. Frank exposed his person. There were no marks. I said that it was propositeous to think that a man could commit such a crime and not bear some marks. Lanford's face fell.

"Why didn't Lanford get on the stand and deny it? Was it because he didn't want to get into a loving conflict with me? Or did he want to keep from reopening the dark and nasty history of the Conley story and the Minola Mc-Knight story that are hidden in the still darker recesses of police head-quarters?" Frank makes his statement and is Frank to make a statement, and I ad-

still darker recesses of police head-quarters?

"Frank makes his statement and is released. He goes back to the pencil factory, assuming that suspicion has been diverted from him. He thinks of the herrible murder that has been com-mitted in his plant. He telephones Sig Montag about hiring a detective agency to solve the crime. Sig advises him to do it.

A Horrible Situation. nim to go it.

A Horrible Situation.

"I don't ballova there is any detactive

You have one or the the homes of good people and bad who

statement and said:

'We work in co-operation with the city police department.'
"Now, isn't that a horrible situation-going hand in glove with the

police department? But, it's a fact. Just as soon as Scott left Frank, he walked down, arm in arm with John Black, to the nasty, smelly basement of the pencil factory.
"What did that mean?

"It meant a complete line-up with the police. It meant if the police turn you loose, I turn you loose. If the police hang you, I hang you!

"Gentlemen, take a look at this speciacle. If you can. "Here is a Jawish boy from the

north. He is unacqualited with the south. He came here alone and without friends and he stood alone. This murder happened in his place of business. He told the Pinkertons to find the man, trusting to them entirely, no matter where what they found might strike. He is defenseless and helpless.

strike. He is defenseless and helpless. He knows his innocence and is willing to find the murderer.

"They try to place the murder on him. God all merciful and all powerful, look upon a scene like this!

"Anything else? Yes. Look at this.

The Time Silp incident.

"I do not bolleve my friend who preceded me intended to do this. "I refer to the incident about the time slip. I have to use harsh words here, but I don't want to. This seems here, but I don't want to. This scens to me the most unkindest cut of all. They say that that time slip was planted. They say the shirt was "Gontlemen, is there any evidence of this? Let's see about this statement. "Black and somebody cise, I believe, went out to Newt's house on Tuesday morning and found the shirt planted.

planted. in the bottom of a barrel. They brought the shirt back to the police station and Newt said the shirt was

bis."
Dorsey objected to this, claiming that the evidence was not that Newt said the shirt was his.
"Oh, well," continued Rosser, "It is the evidence, but we'll take his view

the evidence, but we'll take his view of it. He says that it looked like Newt's shirt. Newt Lee had been hired at the factory but three weeks, yet they want you to believe that they found a shirt like the old man had and went out to his house and put it in a barrel.

in a barrel.

"One thing is wrong. The newspapers and others, I am afraid, think this is a contest between lawyers. It is not. God forbid that I should let any such thing enter into this case when this boy's life is at stake.

Things Hard to Understand.
"Thore are several things I don't understand about this case, and never will,
"Why old man Lee didn't find the body sooner; why he found it lying on its face; how he saw it from a place

he could not have seen it from. "I was raised with niggers and know something about them. I do not know them as well as the police, perhaps, for they know them like no one clee. But I know something about

"They took him to police station Monday—took him I say. The police idea was to show their fangs. He was under arrest, that's an undisputed fact. They had him at police station, Lanford, in his wonted dignity, sliting around doing nothing, letting Frank soak. Beavers, the handsome one, was doing the same.

"Frank didn't call for friends or lawyer. He didn't call for anything. If he had known what he was up against, though, in this police department of ours, he'd probably have called for two lawyers—or even more.

"But old man Sig Montag, who has been here a long time, know this old nolice neads and he was there to do him dirt.

Why Frank Jumped.

imake him jump out of the window.

Here Rosser entered into a long sulogy on Frank and the Jewish people. Then he continued:

"Suddenly this lioy stepped out in front of this giant of a Gantt, and he jumped back. Dorsey would have done the same thing; Newt Lee would; Jim Conley would, and I would, as highest lem.

s I am. "Here is another suspicious thing. "Here is another suspicious thing. Newt Lee came to the factory at 4 o'clock, and Frank sent the old man away. It was suggested that he was afraid the nigger would find the hedy, yet when he came back at 6, Frank let him stay at the factory when he knew that in 30 minutes if Newt was on the job se must go into the basement where they say Frank knew the body was.

body was.
"They say he was laughing at his

Frank refused to give it to her, saying Mary would come next day and get it herself. Magnolia Hennedy swears to the contrary. Why have seen to the herself, the contrary of the herself and t

laugh would have been the laugh of a manine to be ended by the discovery of the body.

"Another suspicious' thing. You know that he was in the factory, but it turns out that he was not the only one. If the corpso was found in the basement and he was the only one in the building, then there might be same basis. But he was in an open room and there were workmen upstairs.

"My little friend tried to dispute that. That wasn't all. Conley was also there, and it came out yesterday that there was also another nigger—

that there was also another niggern lighter nigger than Conley-there What scoundrels in white skin were

in the building and had opportunity commit the crime, God only knows Conley of Lowest Type.

"The thing that arises in this easi to fatigue my indignation is that mer born of such parents should believe the statement of Conley against the statement of frank. "Who is Conley? Who was Conley

Continued on Page Three.

ROSSER MAKES GREAT

SPEECH IN DEFENSE

Continued from Page Two.

used to be and as you have seen. He was a dirty, flithy, black, ken, lying nikker. Black knows knows that. Chief hat. Starnes knows o eavers knows it. "Black got all balled

"Black got all balle tatement. Scott meant ruth. He might find truth. He might find a fi had a spy glass. "I asked Scott if this nigg like this when they got him."

You slicked him up, did you?

this dirty

"You sked,
"He said they did,"
"Who was it that made this didger come up here looking as s a "ingern?" Why didn't they him as he was? a ingern? Why did you see him as he was? "I don't suppose Dorsey this thing unless he got and forgot his raisin'."

as he was?

phose Dorsey meant to do

niess he got green-eyed

his raisin'. They shaved

him and dressed him up.

evidence you have, gen
e word of this Conley.

"The only evidence you have themen, is the word of this Con A Terrible Accusation,

A Terrible Accusation.
"Gentiemen of the jury," said Attorney Rosser slipping his nose glasses on as the jury came in from the noon recess and took their seats in the box, "Gentiemen of the jury, the charge of moral perversion against a man is a terrible thing for him, but it is even more so when that man has a wife and mother to be affected by it. "Dalton, even Dalton, ald not say this against Frank. It was just Contey. Dalton, you remember, did not even say that Frank was guilty of icy. Dalton, even say is against From.

2. Dulton, you remember, did no en say that Frank was guilty or ong-doing as far as he knew. Ther wer was any proof of Frank's alged moral perversion, unless you im Contey proof. Couldn't Find Witnesses,

Couldn't Find Witnesses.

"None of these niggers over came up and said Conley was there and that they were with him. Starnes—and Starnes could find a needle in a haystack, but the Lord only knows what he'd do in an acre—he could not find any of these niggers, "Conley says he played games of dice down there and Conley, oh, he calls himself not 'Jim,' as you'd expect the ignorant negro to do, but he calls himself inames' and he never 'shot craps,' played games of dice.'

"In Contey's old time days, I guess he was 'Jim' Conley and 'shot craps.' Oh, the day when some sinister man'

dim' Conley and 'shot c day when some sinister him better than that,

On, the day when some similar man showed him better than that.

"Well, it does look like some nigger would have come up and told that he saw James on Peters street that day or that he played games of dice with James in some drinking place. It looks like the detectives could have got them, you know, if there is anything an Atlanta detective does know, it's a Peters street negro.

recken he (point the detectives sus (nointing "They don't have to be made to sus-pect anybody or anything, as Charlie Hill said one time when he was solf-citor, the Atlanta police are worse han a horsefly. "Well, I don't guess anybody sus-ected Snowball'; he didn't work here, they beaught the

han a horsefly,
"Well, I don't guess anybody susected 'Snowball'; he didn't work
here, they brought him from foreign
parts so to speak. 'Snowball' says
'onley lied about Frank's telling him
when he heard it, to watch for him,
and 'Snowball's' just a plain African
and if he could have pleased the police

He Would "Thee or Leave Town.
"I I was a nigger," continued the ceaker in an impressive town, "I'd ne the eprlice or I'd leave town.
"Well, I'm sorry for "Snowball;" he'll leit under the wrath of Black and larnes and Campbell.
"Then there was that old negree wen, I'm so left under the larnes and C. "Then there rayman, old ;

to, boss, I never sont him down than:
"Well, everywhere you go you find
at Conley lied. He says he watchI there one Saturday last year beween 2 and 3 o'clock. Well, Schiff
tys he didn't and so does Darley and
olloway, the latter guaranteed by
ne state, and the little office boys,
ice looking little chaps, from alce
umilies, they all say he didn't. Cut
at Conley and you strip the case to
othing.

out Conc., nothing.

"Did you hear the way Conloy told his story? Have you ever heard an actor, who knew his Shakespearean plays, his 'Merchant of Venice' or his 'Hamlet.' He can wake up at any time of the night and say those lines, but he can't say any lines of a play he's never learned.

"So it was with Conley. He could tell the story of the disposition of the girl's body and he knew it so well he could reel it, off backward or forward, any old way, but when you got to asking him about other things, he always had one phase, 'Boss, Ah got to asking he always ha can't 'member

ments previously.

"Well, they took a no...
had seen the negro and they
Mrs. White there so see him and not twisted up his fegtures so that she couldn't recognize him.

Says Detectives Cursed Conley.

"Next, the y learned Conley.

"Next, the y learned Conley could write. Frank told them that, you know Well, I don't mean to be so and again that he had lied time and they gave him the 'third degree.' I'd hate to get the 'fourth degree.' I'd hate to get t

there was that old negrod McCrary, the old peg-old McCrary, the old peg-oldrayman, and thank God drayman, old McCrary, the old pegleg negro drayman, and thank God
he was an old-timer, 'fo' da war nigger. Ydh know Conley, wishing to
add a few finishing trimmings to his
lines, said that old McCrary sent him
down in the basement that Saturday
morning and when the old darkey
was put on the stand he said simply.
'No, boss, I never sont him down thar.'
"Well, everywhere you go you find

forward, any got to asking him and forward, he always had one phase, 'Boss, can't 'member dat.'

Intimates Story Was Fixed Up, "They say Conley could not have know about that, There is something queer in the whole thing, you know." I couldn't climb that post over there, gentlemen, I mean I couldn't go very far up it, but if I had Professor Starnes, and Professor Black, and Professor Campbell and Professor Rosser, and then Dean Lanford to help me, I'd go quite a way up.

"Ah, there's the 'dean' now; school will beglin," said Rosser, pointing to where he had just noticed Detective Chief Newport Lanford, who had quietly entered the courtroom a fow moments previously.

"Well, they took a notion Mrs. White had seen the negro and they carried Mrs. White there so see him and he twisted up his features so that she couldn't recognize him.

Says Detectives Carsed Conley, "Next, the y fearned Conley, and as son and again.

"I don't mean to be selected by the feature and again.

"I don't mean to be selected by the same and again that he had lied time and again.

"Yell, Wants Only The Truth.

"Yearen," continued Mr. Rosser, straight truth here.

"Yearen," continued Mr. Rosser, straight truth here.

"Yearen," continued Mr. Rosser, straight truth here.

it would be, 'That's a good lesson, James,' you are excused, James,' "Now, I'm not guessing in this thing, Scott told it on the stand, only in not so plain words. So it was that when this negro had told the whole truth that they had another recitation.

The Finishing Touches. "Was it fair for two skilled white men to train that negro by the bour and by the day and to teach him and then get a statement from him and get a t the t

call it the truth?
"Well, Professors Black and Statished with him, and they the Conley's education was through, that nigger had to have a universal.

course!
 "Scott," Mr. Rosser shouter,
and Black milked him dry, you
thought you did, anyhow, but you got
no moral perversion and no watchins.
In the university they gave a slightly
different course. It was given by
Professors Starnes and Campbell col,
I wish I could look as plous as Starnes
does) and Professor Dorsey helped
out, I suppose. I don't know what
Professor Dorsey did, only he gave
him several lessons and they must
have been just sort of finishing

seven times, I know that, but do alone knows how many times the detectives had him. Was it fair to tak this weak, pilable negro and have the sevent to be the series of th

aione knows how many time tectives had him. Was it fa this weak, pilable negro these white men teach him another? Who knows who final story that Conley will added the mesh bag when it the stand. added the mesh our the stand.

"I don't care about that row between the doctors and that was the funnisst thing that ever came into a court-room; they will have their little rows and let's forget it.

"Dr. Harris, he thought he was telling the truth about the time the little girl died, and he's a clever boy. His father admitted me to the bar. I guess that's about all the old man wasn't proud of.

"Well, then, there's another thing; who ever heard of a normal stomach,

that's about all the blank har before of a mother this who ever heard of a normal stome like these experts talk of? No the people in this room have normal talk of the people of the peo

people in this room have normal stomachs and none here but have some sort of defect. You might as well ask us to have perfect noses and cite mine as the perfect one. "Well, let Harris have his little theory and let him hang on to it and rub it, if he wants to, like a boy rubs his pet cat. I don't care if the little girl died in a half hour or three quarters of an hour after she ate.

thing is, this man didn't kill her."
Here Mr. Rosser took up the chart and from it argued that Mary Phagan had reached the factory at approximately twolve minutes.

mately twelve minutes after 13 and that it must have been after Monteen Stover had gone. To prove this he elted the statements of W. M. Mathews elted the statements of W. M. Mathews and W. T. Hollis, street car men called by the defense, and George Epps, the little newsie, called by the state, and also the street car schedule. "But," said he, "supposing that she was there at 12:05, as I believe the state claims, then monteen Stover must have seen her. I don't see how they could have helped meeting. But suppose she got there a moment after Monteen Stover left, then Lemmie Quinn was there at 12:20 and he found Frank at work.

suppose she got there a moment after Monteon Stover loft, then Lemmie Quinn was there at 12:20 and he found Frank at work.

"Could Frank have murdered a girl and hid her body and then got back to work with no blood stains on him in less than fifteen minutes?

"If Frank is guilty, he must have, according to Couley, disposed of the body-in the time between four minutes to 1 and 1:30. There can be no dispute about this; it's Coniey's last reveiation.

"If Frank is guilty he was at his office between four minutes to 1 and 1:30, but who believes that story?

"Little Miss Kern saw him at Alabama and Whitchail at 1:10, and 1:20 Mrs. Levy, honest woman that she is, saw him get off the gar at his home corner, and his wife's parents saw, and they all swear he was there at 1:20, and then if you are going to call them all perjurers and believe Jim Coniey, black what a think what a

and then it you are going to call them all perjurers and believe Jim Conley, think what you must do, think what a horrible thing you must do—you must make Minola's husband a perjurer, and that would be terrible. The Mackest of All. Knight uffair. It is the blackest of A. A negro woman locked no factor. A negro woman locked up from is solicitor's office, not because she would

talk—she's given a statement—because she would not talk to Starnes and Campbell, and two --but to suit into it.

"Where was Chief Beavers? What was he doing that he became a party to this crime? Beavers, who would enforce the law; Beavers, the immacriated