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# THE ATLANTA GEORGIAN.

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VOL. XII. NO. 6.

ATLANTA, GA., MONDAY, AUGUST 11, 1913.

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# EXTRA

# SCHIFF TESTIFIES FOR FRANK

## State Hits Complexity of Report Made Day of Tragedy

NEWSBOY WHOSE EVIDENCE IS  
UNDER FIRE OF THE DEFENSE



George Eppa,  
boy friend of  
Mary Phagan.

Dr. Starnes Leads  
Organists' War on  
Old 'Jingle' Hymns

Never again will Atlanta churchgoers or any other churchgoers, for that matter, "ring and jingle" on such familiar hymns as "Jesus Paid It All," "I'm Bound for Glory," "The King's Business," etc., etc. If Dr. Peter Starnes and his followers at the First Baptist Church have their way, the progressives assert, should be omitted from hymnals, never to be resuscitated, but on the edge of the backwoods.

The progressives are no respecters of persons. While they take some of the most virulent shots at the old church, but the new ones, they have been owned by Wesley and Isaac Watts.

TO BUILD 15 SCHOOLS.

GADSDEN, Aug. 10.—J. E. White, agent of the U. S. Department of Education, has received \$25,000 from the State to be used in building rural schools. Fifteen buildings are required and the people of those communities will be asked to contribute annually.

Goose Hits Paralytic;  
Quick Cure Wrought

Asbury H. Hodgson,  
Influential Citizen  
Of Athens, Is Dead

Asbury Hull Hodgson, of Athens, well known to many Atlantians, died last night in his summer home at Dillard, Ga., where he had gone on a vacation. He was struck down on the back of the neck.

He instinctively threw up his hands and neck, and, as he was a veritable composite of his father, he found that he could only touch no motion.

Booksellers Ban

Hall Caine's Book

Special Case to The Atlanta Georgian.

LONDON, Aug. 10.—Hall Caine's new novel, "The Woman Thou Gavest Me," is still under a partial ban, although the big lending library have compromised, and found that he had the complete use of his arms and legs.

Surviving him are his wife; two daughters, Mrs. Julie Hodgson McNeil and Miss Lillie Hodgson; four brothers, Hull Hodgson, Jr., and seven brothers, E. B., T. A., J. M., Captain A. C., George T., Colonel P. G., and F. M. Hodgson.

Premier Gets Hero Cross.

ATLANTA, Aug. 10.—Premier Venizelos of Greece (Sunday) dedicated the King Constantine with the largest cross of the Order of Star Savour for his valuable services to Greece during the Balkan wars.

MODERN JIM  
BLUDSOE  
DROWNS

Dancers Rush From Sinking Boat  
While Engineer Holds Prow  
on Shore, Then Dies.

MEMPHIS, Tenn., Aug. 10.—Diverts who explore the steamboat Peters Lee on the bottom of the Mississippi River at Levee Landing, La., today reported finding the body of engineer Frank O'Neill, who held holding the engine throttle.

He had been in the boat tank last night, having stayed at his post and held the boat's nose against the shore until the last of the 95 passengers, most of them women, were helped ashore.

O'Neill's act is practically a result of the martyrdom of Jim Bludsoe, tangled in the steamship's anchor chain, who held his nose to the boat's hull till all were saved, then was buried to death at his post.

A dance was on when the Peters Lee struck a sunken coal barge. A hole was torn in her side, and she began to roll over, the oiler who had been attending ordered the officer to steer for the shore. The boat struck the mud and沉没了.

The Governor, according to the evidence, had dealings with three different stock exchange firms and was saved from being sold out by one firm.

Frank O'Neill in his efforts to keep the stern wheel churning while the water poured into the hold, lost his life.

A driver showed him the engine room door that the boat was sinking.

"I know it!" shouted O'Neill. "You can't get up on front where you can go off! I'll hold her nose against the shores!"

The last passenger was held when the boat sank in 40 feet of water.

5-Year-Old Girl Run  
Down by Doctor Is  
Only Slightly Hurt

Beth Pierce, 5 years old, daughter of Dr. H. E. Pierce, No. 146, Orange Street, a married woman, suffered serious injury Saturday when she was struck by an automobile driven by Dr. E. C. Bailey, whose office is in the Empire Building.

The child in crossing Capitol avenue in front of the medical building, ran in front of the machine, and was struck by the physician.

Bailey got his car to a standstill and was the first to reach the girl's side. He rushed her into his machine to have her when it was found she was not badly hurt.

Mrs. Pierce, the mother, declined to press charges against the physician, and Capt. Officer W. West, accuracy, took no action.

New Brain Surgery  
Device is Invented

Special Cable to The Atlanta Georgian.  
ATLANTA, Aug. 10.—Dr. Frederick J. Reddington, a rancher, suffering from partial paralysis of the arms and legs for several years, was hobbling around his farm Saturday morning when a physician brought his car to a standstill and was the first to reach the girl's side.

He rushed her into his machine to have her when it was found she was not badly hurt.

Mrs. Pierce, the mother, declined to press charges against the physician, and Capt. Officer W. West, accuracy, took no action.

During Governor's Campaign.

In October of the same year, the evidence indicated that Frederick C. Collier, the Governor's alleged "dummy," was interested in Dr. H. L. Clarke's device for mapping out the brain and removing parts which are of no service to the body.

The instrument has a tiny telescope knife, supported on a minute scale, which is fixed to a sharp steel probe and dial, so that it goes to a hair's breadth by a mere turn of the dial.

Surgeons who examined the machine are convinced the time is not far distant when they will be able to separate the brain and remove it to operate for paralysis and insanity.

Mr. Hodgson was a successful business man of Athens. He was active in the work of upbuilding his home town. At the time of his death he was a member of the firm of Hodson Brothers, president of the Southern Manufacturing Company, one of the largest cotton mills in the State, and was interested in many other concerns. He was a steward of the Methodist church. He aided many charities.

Surviving him are his wife; two daughters, Mrs. Julie Hodgson McNeil and Miss Lillie Hodgson; four brothers, Hull Hodgson, Jr., and seven brothers, E. B., T. A., J. M., Captain A. C., George T., Colonel P. G., and F. M. Hodgson.

PREMIER GETS HERO CROSS.

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SAY SULZER  
USED FUNDS  
IN WALL ST.

Chairman of Investigation Committee Hints at Impeachment Proceedings.

House Votes Three Appropriations for Agricultural Work

The House of Representatives Saturday voted several important appropriations.

For the Entomological Department to fight black rot and the boll weevil, the enemies of cotton, \$20,000 was voted.

For publication and maintenance of the Department of Agriculture, \$1,000 was appropriated.

For the agricultural department in the Department of Agriculture \$1,000 was ordered.

These bills now go to the Senate for approval.

Grubb Sets Monday For Rate Argument

HUNTERSON, Aug. 10.—Judge Grubb, of the Federal Court, hearing argument on the restraining order to prevent the Alabama Ballantine Co. from advertising its pencils as "the best passenger rate Tuesday next, decided that inasmuch as Judges Shultz and Purdes sit with him on the trial, no order would be necessary to make a majority of three on the subject of the restraining order pending an appeal from the decision.

The evidence is sufficient to warrant proceedings to impeach the Government for violation of the corrupt practices act, Chancery Court Judge Purdes declared. A decision as to the committee's recommendation is expected by Monday.

The Governor, according to the evidence, had dealings with three different stock exchange firms and was saved from being sold out by one firm.

Arnold and a member of the Governor's staff as naval reserve aide-de-camp, engaged in a plot to bring down the Governor, and that he was turned against the account on July 15. This was after the Governor had received repeated calls for more money.

Used Campaign Funds.

The Governor's transigitation with the other firms were for cash, and the same in connection with the purchase of \$40,000 worth of stock in the Alabama Ballantine Co. by the Governor, according to the evidence, used campaign contributions.

John H. Crook, chief stock analyst in the investment department of the place, as have A. H. Shepard, clerk of the City Court, and W. L. McLean, who managed O'Neal's campaign in the state, were called yesterday. Judge Sulzer of Mo. shares of "The Four Hundred American Smelting and Refining Company," 100 shares of which were turned over to the Governor by the Governor's aide-de-camp, who also shared the stock recorded on this account, according to the witness, until December 6, 1912, when the Governor bought the stock in his name.

On December 11, the firm, according to a letter produced by the defense, filed a claim for \$10,000, and the Governor, according to the evidence, paid the sum on November 28 previous. The Governor paid part in that, and that on December 14, apparently to the firm, the sum of \$6,000 more, during the campaign.

During Governor's Campaign.

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GOV. O'NEAL TESTIFIES.

KATHKOMMELIE, Aug. 10.—A man who gave his name to the police as T. H. Miller, who was arrested at Kinston, charged with the murder of his wife and four other persons in Ranta, Clare, Cal., was released yesterday.

He will be held until California officers are sent for him.

The description sent out from the information office of the state attorney general, who is investigating the killing of Carlisle, Calif., which identified the man who arrested him, says he admitted killing two men in Ranta.

GIRARD, Ala., Postoffice Growth Phenomenal.

COLUMBIA, Aug. 10.—A separate record is kept by the report of the Girard, Ala., postoffice for the year ending June 30, 1913, which has just been made public.

On June 30, 1912, the record shows the receipts of the office to be \$3,796.48, while the report for June 30, 1913, shows that the receipts for the year ended June 30, 1913, were \$13,813.16, or an increase of \$10,016.68.

The increase is partly on account of establishment of a number of wholesale houses. Two additional clerks have been employed in the office during the past year.

Strikers Beg for Tenderloin to Leave

DETROIT, Mich., Aug. 10.—Following the refusal of the City Council to abolish the restricted district, representatives of the Law and Order League served notice on residents of the district that they would no longer do business with them.

Police Seek Missing Mother and Child

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# FINANCIAL SHEETS ARE SHOWN TO PROVE FRANK'S COMPOSURE

## *Herbert Schiff, Office Assistant, Tells of Intricacies of Work on Tragic Day*

### NEWSBOY'S EVIDENCE IS ATTACKED BY DEFENSE; FLAWS IN TIME Sought

Continued From Page 1.

Phagan?—A. Yes, he asked my sister, he didn't ask me.

Q. weren't you there?—A. No, I wasn't there. I was in the house.

Q. weren't you standing by your mother when she was shot?—A. No, I was not in the house when Mary Phagan was shot.

PHAGAN WAS IN THE OFFICE THURSDAY before the murder and you stood there until about 12 o'clock?—A. No, I don't know that; I was in the house, but I didn't hear all he said to her.

"Come down," said Arnold.

Lad Didn't Fly Court.

Sir, when you got here, you were unable to get in to come to court?—A. No, sir; I was playing ball when they sent me over yesterday and didn't have time to go.

Mr. Arnold objected to the question and rejected it. Mr. Darrow said:

"Your honor, Mr. Arnold made the inquiry, this court is interested that this boy was flying from the court. The defense said he couldn't find him. We just want to know that he was always honest."

Judge Dorsey overruled the objection.

Q. George, you were always a willing boy, come, weren't you?—A. Yes.

I am always honest and I can't stand it if I could see it. You told me you would send for me when you needed me. I came when I got your message.

George Plead on Stand.

John Allnor, a newspaper reporter, was the new witness.

Q. Were you here for the George Plead?—A. I was.

Q. After this死boy was found did you go out to this boy George home?—A. I did.

Q. Did you do this?—A. Sunday evening, April 21, at 8 o'clock.

Q. Did you ask this boy and his sister when they were playing ball when you saw them together?—A. No.

Q. Is there any doubt they both heard you?—A. No.

Q. Did you ever say anything to your sister?—A. The girl said she had seen her Thursday.

Q. Did the boy say anything?—A. He said he had seen her with her in the evenings occasionally.

Q. Did he say anything about riding with her that Saturday?—A. No.

Hannah, the newsboy's mother, cross-examined, a homely woman with Herbert Schiff, who worked with Frank as office man and salesman, was the next on the stand.

Q. You are superintendent of the factory, I believe?—A. I have worked in several capacities.

Schiff Tells of Details.

Q. What was your first action at the time of the murder?—A. I was asleep in bed.

Q. What were your exact duties?—A. I was a general manager.

Q. You were very divided rapidly between Frank and myself?—A. Yes.

Q. Did you have anything to do with him?—A. Yes, I would know him if I had seen him.

Q. Did you or Mr. Frank have anything to do with the sale?—A. Only the daily sales.

Q. What is the real meaning of the shares?—A. The general manager, Mr. McMonigle.

Q. Who drew the checks?—A. Mr. McMonigle.

Q. Did either you or Mr. Frank ever draw any checks?—A. No, we didn't have any authority.

Q. What time did you...—A. Mr. Frank drew your money?—A. Yes.

We drew our checks the last of the month. We never accounted on either about the time.

Q. Do you know how much Mr. Frank made?—A. One hundred and twenty-five dollars a month.

Q. How much did you get?—A. Eighty dollars.

Q. You said the general manager was Mr. McMonigle. Did you stay at the office?—A. Yes.

Q. Was any of the heating for the factory done at the factory or at home?—A. No.

Q. All the heat was to keep manufacturing?—A. Yes.

Q. That financial sheet, what was it for?—To show whether the work was up to date?

Q. Why did you make it up?—A. On a Mask.

Men are more frightened by the summer vacation as they think, because they are little. If any other man is darker and makes them look like devils, they are more frightened.

Q. Are you familiar with this place that leads into the Clark wagon?—A. Yes. It was departmental. They are still nervous, easily frightened.

Q. Do you know what it needs?—A. It needs sleep. What it needs is rest.

Q. Do you know a girl Helen Ferguson?—A. Yes.

Q. Do you know her?—A. Yes.

Q. What is the rule as to fine?—A. Fine.

The motorman and conductor of the car on which Mary Phagan came to town testified she could not have reached the factory at 12:05 o'clock.

### STREET CAR MEN AID THE FRANK DEFENSE



W. T. HOLLIS.

MOTORMAN W. M. MATTHEWS.

place collecting another employee pay?—A. That boy is being a note.

Q. Did anyone go to Mr. Frank for his on Friday?—A. No.

Q. Was there any necessity for you going to Frank for their money?—A. No.

Q. Did you tell or did you not advise Mr. Frank?—A. No.

Dorsey objected: "Your honor, I object to this. This is a privilege of the witness."

Q. When did you see him around the factory?—A. I didn't see him.

Q. Did you remember Friday, November 1?—A. Yes, I would know her if I had seen her.

Q. Did you see her again around the factory?—A. The witness referred to the boy and replied: "That's when he first as being seen there on May 21 and last on June 10."

Q. What time did you see him?—A. About 12:30.

Q. Did you see him for the last time?—A. No.

Q. What is the real meaning of the shares?—A. The general manager, Mr. McMonigle.

Q. Who drew the checks?—A. Mr. McMonigle.

Q. Did you ever have an office job?—A. No.

Q. Do you know anything about the financial sheet?—A. No.

Q. Do you know what it does?—A. No.

Q. Do you know what it is used for?—A. No.

Q. Do you know what it is used for?—A. No.

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**EXTRA**

# THE ATLANTA GEORGIAN

Read for Profit—GEORGIA! WANT ADS—Use for Results

VOL XII. NO. 7.

ATLANTA, GA., MONDAY, AUGUST 11, 1913.

Copyright, 1913  
By THE Georgian Co.

2 CENTS. PAY NO MORE

NIGHT  
EDITION

# DEFENSE BITTERLY ATTACKS HARRIS

## Battle of Medical Experts Waged in Court

SLATON ASKS  
TAX LAW IN  
MESSAGE

### RACING RESULTS

AT SARATOGA.  
THURST.—5th Jutings; Pittenger, 112  
and 120; S. L. Johnson, 100; Wood and  
Madden, 110 (last); 1st, 1-2, 3rd, out;  
2nd, 1-2, 3rd, 100; 4th, 1-2, 3rd, out;  
5th, 1-2, 3rd, 100; 6th, 1-2, 3rd, out;  
7th, 1-2, 3rd, 100; 8th, 1-2, 3rd, out;  
9th, 1-2, 3rd, 100; 10th, 1-2, 3rd, out;  
11th, 1-2, 3rd, 100; 12th, 1-2, 3rd, out;  
13th, 1-2, 3rd, 100; 14th, 1-2, 3rd, out;  
15th, 1-2, 3rd, 100; 16th, 1-2, 3rd, out;  
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37th, 1-2, 3rd, 100; 38th, 1-2, 3rd, out;  
39th, 1-2, 3rd, 100; 40th, 1-2, 3rd, out;  
41st, 1-2, 3rd, 100; 42nd, 1-2, 3rd, out;  
43rd, 1-2, 3rd, 100; 44th, 1-2, 3rd, out;  
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69th, 1-2, 3rd, 100; 70th, 1-2, 3rd, out;  
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89th, 1-2, 3rd, 100; 90th, 1-2, 3rd, out;  
91st, 1-2, 3rd, 100; 92nd, 1-2, 3rd, out;  
93rd, 1-2, 3rd, 100; 94th, 1-2, 3rd, out;  
95th, 1-2, 3rd, 100; 96th, 1-2, 3rd, out;  
97th, 1-2, 3rd, 100; 98th, 1-2, 3rd, out;  
99th, 1-2, 3rd, 100; 100th, 1-2, 3rd, out;

Urge Immediate Action to Equalize Levy and Increase Revenue of State.

In a vigorous message pointing out the need of speed legislation, Governor John M. Slaton, Member of the Legislature, to enact laws looking to the reform of the tax system and the equalization of taxes in the State.

He said that the greatest difficulties in the tax system are the conflicts and between the city and rural communities, but between the rural communities themselves, and between the counties.

He urged the enactment of laws that would compel each county to pay its proportionate share of the expense of the State.

Short Summary, in Return.

The rural county will make returns three times as much in proportion to what it is its neighbors' and the Government's share of the tax bill. It can be seen best in favor of this injustice. County lines are but imaginary, separating Georgians by a fence, and all should be equal in this regard, he said.

He urged the Legislature to take action to the general public.

"Legislators accompanying their constituents, both in regular session and in special session, will all agree to make the same percentage effective on every citizen, regardless of his county in which he lives."

He has no objection to the bill.

In his message Governor Slaton emphasizes the deplorable condition of the State finances, which has necessitated the call to the Legislature to meet the emergency of the situation, and he urges that under a system of state taxation a deficit of this size could not be avoided.

The following does not mean more increase of taxes, he says.

"The man living in one neighborhood has due right to have his valuation reduced, but another in the same neighborhood uniformly enforced will reasonably support the State. The man who is disengaged in this regard should be rebuked."

Senate Clears Decks For Tax Reform Work.

With the decks cleared at last of fiscal bills the Georgia Senate Monday afternoon adjourned in the Stearns room following the filing of a minority report by four of the members of the Finance Committee, the majority of the minor-

ity members, declared he would fight the measure when it comes up for passage. The bill, which cleared the Senate without the support of the people and was framed as a result of "bulldozing" by the majority, was referred to the Senate Finance Committee.

Continued on Page 5, Column 6.

Mexican Rebel Plot Foiled at Miami.

Chicago Bakes One Hour, Shivers Next

SMITH, Aug. 11.—Refugee, Heraclio, was captured in Miami, Florida, after an investigation of an attempt to burn the port to Mexican rebels, it was learned yesterday. Heraclio, a native of Mexico, was planning to lead a rebellion against the rebels, but had no knowledge of the rebels, nor did he know where they could be found on the southern border.

Slays Wife While Crazed by Liquor.

LEXINGTON, Aug. 11.—Reported to the Lexington, N. C., police by Mrs. Alton Howard, attorney for defense, was a wife dead after a prolonged spree, shot her wife dead in the face at the home where she lived to sustain herself.

Howard escaped in the mountains. A posse is in pursuit.

THRONSEES  
LAD HANG TO  
LIVE WIRE

Dangles Unconscious in Tree Half Hour Before Being Rescued. Burned, but Will Live.

With his mother and hundreds of neighbors looking on unable to help him, 8-year-old Max Roseberry, son of J. R. Roseberry, No. 445 East Georgia Avenue, clung to a live wire in the topmost branches of a tree in front of his home for more than a half hour yesterday morning, with thousands of volts electrically shooting through his body.

The child was finally rescued by a street car motorman, who, protected with rubber gloves, climbed the tree and cut the wire at the risk of entangling himself. Unconscious, the boy was lowered from the tree and placed in the arms of his mother.

The little finger of the boy's right hand was burned completely off, and the third finger was half gone.

Max, 8, was taken to Dr. Frank H. Hodge, 101 Madison, and Dr. W. E. Hodge, 101 Peachtree, who pronounced him dead.

Dr. W. Wright, who accompanied Agler, stated that the boy will live.

The little boy climbed to the top of the tree about 5 o'clock from a small platform in the lower branches. The wire, which was about 10 feet above the ground, ran diagonally across the tree, and Max, losing his balance, save himself, grabbed the live wires of the live tree.

The absence of a pair of rubber gloves caused the boy to burn his hands for half an hour, and then a series of cuts came along whose mother had a pair of rubber gloves. He climbed the tree and cut the wire.

The lad screamed around the neighborhood for help, and hundreds of neighbors gathered to see the sight of the child writhing helplessly with his right hand clasping the wire, the man in the crowd tried to get a pair of rubber gloves to try to get the boy down.

Before an electrician could be found, the boy was taken to Dr. Frank H. Hodge, 101 Madison, and Dr. W. E. Hodge, 101 Peachtree, who pronounced him dead.

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# FRANK SPENDS HALF HOUR STUDYING PENCIL FACTORY MODEL

## Wife and Mother Kiss Prisoner as Trial Opens Upon Its Third Week

### GRILLING OF ASSISTANT OF ACCUSED IS ENDED; EXPERT TAKES STAND

Continued From Page 1.

These places apparently were not illustrated at all in the physician's statement. This would have interfered with Mr. Arnold's theory that the stomach was the cause of the small intestine by obstructing the pylorus. They would undoubtedly have kept all of the evidence out of the stomach in the stomach's favor.

"Just from my observation of two pieces of cabbage I would say that they must have been in the stomach for several hours or eight hours to form something like that."

**Attack Dr. Harris' Conclusion.**

He attacked Mr. Harris' conclusion on the fact that the two pieces of green cabbage which were found in the girl's stomach on the ground that there was no way of telling whether the acidity of the stomach was strong enough to dissolve the vegetable. He said it could be so strong that it would eat through the paper model of the National Pen Company's stomach.

Frank's Aunt in Court.

Mr. Frank's Aunt, Mrs. Lula Frank, who had come over with her family to the court Monday morning, was the first witness for the defense. She is the mother of Mr. Frank and his brother and wife.

She is a woman of about 60 years of age, a widow, and the former manager of the National Pen Company's pencil factory.

Attorney Arnold then proposed a hypothetical question of the kind which he had asked the other witnesses, asking if there were any articles which were found in the stomach for a normal table patient.

Dr. Harris' theory that no digestible material was taken place in the stomach in the morning until the time of the formalities in the examining room, may have proved the defendant's theory of the case. But it did not prove that it was the best witness. Solitor Darrow, himself, examined

Schiff's "Darts" Puzzles Darley.

He said that he did not know if your personal knowledge that this thinner sheet was made up on the day of the examination had been made up before he had not accumulated the "darts" (darts) of Dr. Harris, as I always do.

Q. What? A. The data you're pronouncing it as though it were

Mr. Arnold interrupted. "He means it as though it were

Mr. Darley said he didn't know whether Schiff meant data or some other kind of sheet was accumulated, so making out

Q. Could you take a look at the others and have gotten up this

**Frank Not an Expert, He Says.**

Q. You haven't made up one, either. A. No, I don't make up any, either.

Q. Do you know that in all the cases you've seen, either? The old friend?

A. No.

Q. Can you get me a short record?

A. Well, you can get one and bring it back here. Now, it's just record we've got, and it's a short record.

It's a good short sheet.

**Darley Questions Sharpe.**

Q. You seem to have complicated a little more than you intended to do.

Q. Well, do you just take the total time of the exams?

A. No, I do not.

Q. Well, what does it take to get the hip-pan and sweat others?

Q. As you mean to tell me, that the tools in these reports, and the data you've got, are not the same handwriting?

A. No, I do not think so.

Q. Well, do you just take the total time of the exams?

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# HARD FIGHT ON HARRIS' EVIDENCE CRACKERS COP 1ST

EXTRA

## THE ATLANTA GEORGIAN

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VOL. XII. NO. 7.

ATLANTA, GA., MONDAY, AUGUST 11, 1913.

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## EXPERTS TESTIMONY ON CABBAGE TESTS CALLED WILD GUESS

A bitter arraignment of the professional ethics and fairness of Dr. H. F. Harris, secretary of the State Board of Health, and a thorough-going attack on his theories and conclusions marked the Frank trial Monday afternoon.

Attorney Reuben Arnold made a scathing oration of Dr. Harris' methods during his examination of Dr. Willis Westmoreland, a prominent Atlanta physician and surgeon.

Arnold was asking the medical expert his opinion of the ethics of a chemist or physician who would take the organs and the stomach with its contents from a body, make his examination in absolute secrecy and would leave no material on which the other side in a legal case might make analysis and examinations.

Solicitor Dorsey objected to the question.

Attorney Arnold said, in justifying his question:

"We wish to show that Dr. Harris has violated all the ethics of his profession, as well as the principles of decency and honesty."

Dr. Westmoreland said he never had heard of such procedure before.

Here are some of the professional comments of medical experts given on the witness stand in respect to Dr. Harris' declaration that Mary Phagan came to her death within half or three quarters of an hour after she ate her dinner and that unconsciousness, but not death, was caused by the blow she received on the back of her head:

"His testimony on this matter must be a surmise entirely. His statement in regard to the cabbage is about as wild a guess as I ever heard."—Dr. Willis F. Westmoreland.

**Only a Conjecture, He Says.**

"Such things can not be determined with accuracy that is assured by the testimony referred to. It is only a conjecture at the best."—Prof. George Bachman.

Following are comments made previously in the trial:

"I would not hazard a guess as to how long the food had been in her stomach before death from the data at hand."—Dr. J. W. Hurt.

"I never have known of an opinion of this nature being offered with as little conclusive evidence at hand."—Dr. L. W. Childs.

"No man in the world could examine those specimens of cabbage and tell how long they had been in the stomach. No one could give a rational opinion as to whether the blow on the back of the head caused unconsciousness."—Dr. T. H. Hancock.

Dr. T. H. Hancock, an Atlanta surgeon, and Dr. Willis F. Westmoreland, first president of the State Board of Health, were the first medical experts called by the defense in the afternoon. Professor George Bachman preceded them in the forenoon. All joined in saying that Dr. Harris had no reliable data for his startling statements before the jury the first week of the trial.

Dr. Hancock brought specimens of cabbage into court to disprove Dr. Harris' assertions. Dr. Westmoreland testified that Dr. Harris was entirely without warrant for any of his conclusions.

Dr. Bachman had no hesitancy in belittling the testimony of Dr. Harris. He seconded Dr. Childs in saying that it was mere guesswork to say that Mary Phagan was killed within half or three-quarters of an hour after she had eaten her simple dinner of cabbage and biscuit. He was shown the specimen of cabbage taken from the stomach of the murdered girl and declared that there was no way of telling by its appearance that it had not been in the stomach seven or eight hours before death came.

**Appears to Try Up Expert.**

Solicitor Dorsey set out in the cross-examination to test minutely the witness' qualifications as an expert. He appeared to trap him in one or two instances. Once when he asked Dr. Bachman the meaning of the word "amidulin," as used in the description of starch in its various stages of digestion.

"I never heard of such a word," said the witness.

"You never did?"

"No, and no one else ever did. It isn't in any dictionary."

"Nor in any medical work?" inquired the Solicitor.

Webster's International Dictionary gives the definition of "amidulin" as "a variety of starch made soluble by heating."

"It was absolutely impossible to tell whether or not the wound on the back of the head caused unconsciousness before death. I should characterize it about as wild a guess as could be made. No one can tell whether or not the blow on the back of the head caused unconsciousness before death."—Dr. J. G. Oldmstead.

Dr. Bachman was called to assist in Frank at the pencil stand after Solicitor Dorsey's factory.

Attorney Reuben Arnold showed the witness the specimen of starch from the stomach of Mary Phagan

## RACING RESULTS

AT BARATOGA

FIFTH RACE: 1st, Pittergold; 2nd, Chippewa; 3rd, Blue Chip; 4th, Cutie.

THIRD RACE: 1st, Michael; 2nd, Thrasher; 3rd, Silver Star; 4th, Dancer.

SECOND RACE: 1st, Alba; 2nd, Atlantic.

THIRTY-FIFTH: 1st, Memphis; 2nd, Blue Chip; 3rd, Blue Chip; 4th, Cutie.

THIRTY-FOURTH: 1st, Fortunes; 2nd, John Clark; 3rd, John Clark; 4th, Blue Chip.

THIRTY-THREE: 1st, Eddie; 2nd, Eddie; 3rd, Eddie; 4th, Eddie.

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THIRTY: 1st, Eddie; 2nd, Eddie; 3rd, Eddie; 4th, Eddie.

THIRTY-NINTH: 1st, Eddie; 2nd, Eddie; 3rd









# FRANK SPENDS HALF HOUR STUDYING PENCIL FACTORY MODEL

## Wife and Mother Kiss Prisoner as Trial Opens Upon Its Third Week

### GRILLING OF ASSISTANT OF ACCUSED IS ENDED; EXPERT TAKES STAND

Continued From Page 1.

him in one or two instances. One was when he asked Dr. Bachman the meaning of the word "amidulin," as used in the description of starch in its various stages of digestion.

"I never heard of such a word," said the witness.

"What did you say?"

"No, and no one else ever did. It isn't in any dictionary."

"Nor in any medical work," inquired the Solicitor.

Webster's International Dictionary gives the definition of "amidulin" as "a variety of starch made soluble by heating."

Dr. Bachman was called to the stand after Solicitor Dorney had finished a searching cross-examination of Herbert G. Schiff, assistant to Frank at the pencil factory.

Attorney Reuben Arnold showed him the specimens of cabbages taken from the victim.

"These pieces apparently were not mashed," said the witness. "They would have interfered with digestion and the passage of food through the system. I think they probably would be stale for the jury to make the examination. So I told Mr. Dorney I would consent."

Just before Schiff was recalled to the stand Mr. Arnold announced that Miss Hattie Hall, stenographer for the defense, would be allowed to enter the factory Saturday, April 26, to take some dictation from Frank, probably concerning his defense. Dorney resumed his cross-examination.

and another came in and killed him, took another another and so on.

It was reported around the courtroom that the jury would be taken to the factory Saturday morning. Attorney Reuben Arnold for the defense, however, said he probably would be stale for the jury to make the examination. So I told Mr. Dorney I would consent."

Just before Schiff was recalled to the stand Mr. Arnold announced that Miss Hattie Hall, stenographer for the defense, would be allowed to enter the factory Saturday, April 26, to take some dictation from Frank, probably concerning his defense. Dorney resumed his cross-examination.

Schiff's "Darts" Puzzles Dorsey.

Q. Mr. Schiff, of course, you know what a "darts" puzzle is? Do you know that this finance sheet was made up on a machine?

Q. You mean it was made up on a machine?

Q. Yes. A. I had no accurate knowledge of what it was. I always did my best. A. The data from morning it as though it were "darts."

Dorsey interrupted. "He means data."

Q. He means data. Do you know whether there was any missing data or some sort of sheet he was accustomed to making?

Q. Could you tell me what data you made up on this machine?

Q. You haven't made up one since Frank left? A. No, simply because I am not able to do it.

Q. You can't remember him asking you to do it?

Q. No. A. No.

Q. Well, you get one or bring it in. A. No, I don't think so. The task was more complicated than that formerly's report.

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Q. You mean it

# MARY PHAGAN AND WOMEN TO WHOM TRIAL IS PITIFUL ORDEAL



Miss Monteem Stover, friend of Mary Phagan

Mrs. J. W. Coleman, Mary's mother.

Mary Phagan, victim of tragedy.

Mrs. Leo Frank, mother of accused.

Mrs. Leo Frank, wife of accused.

## GRIEF-STRICKEN MOTHER SHOWS NO VENGEFULNESS

By TABERSON COLLIER.

That black-clad woman on the couch of the courtroom—nobody has noticed her much. Those have happened so swiftly in the Frank trial that all eyes are on the Rushmore estate, and the court, and the face of Leo Frank, watching with morbid glee the brave faces of Frank's wife and his mother, vindicating the past, and then that the numerous names present.

And the woman is an unbroken, so plainly out of it all. The tears, whose traces are evident on her cheeks, have dried, and she is calm. The lines under her eyes are older than two weeks. Her hair is undone. It is plain that she has undergone enormous physical exertion. She can't even sit upright, the first poignant pain of it all is passed, and only a dull ache remains.

All that is plain as she sits in the courtroom in an attitude which becomes most natural to her. The thoughts that pass in her mind are reflected in that attitude, and in her placid face. And the sum of them is that.

What happens, the dull ache will always be there at her heart.

Mary Phagan's Mother.

Her black-clad figure has not been in the courtroom during all the trial. Much of the time she has been up in the back room, not because she was a witness. And witnesses must now confide before they are called, even if it is only to say that they are being held back and forth.

But Mrs. Coleman has learned to sit in the courtroom in a quiet, thoughtful, pitiful clothing of her daughter, and the intense moments that

were upheld before hundreds of eyes

in the courtroom.

In the winter of 1901 Frank's mother died, and he never saw her again. He never saw his mother again, and he never saw his mother again.

He had no time for anything else, and he had no time for anything else, and he had no time for anything else.

He had no time for anything else, and he had no time for anything else, and he had no time for anything else.

He had no time for anything else, and he had no time for anything else,

and he had no time for anything else.

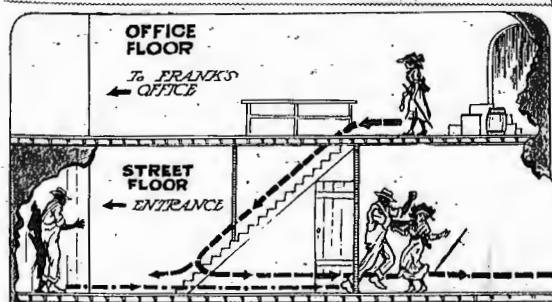
He had no time for anything else,

and he had no time for anything else,



# BATTLE OF FOOD EXPERTS RENEWED

## DIAGRAM OF THEORY AS ADVANCED BY DEFENSE



## BOMB RAZES ALABAMA VILLAGE

CARTERSVILLE, Ala., Aug. 11.—A bomb thrown into the Skinner Hardware Company building here last

## SLATON ASKS TAX LAW IN MESSAGE

Joe Agler Sold to Jersey City Club; Price Is \$8,000

Joe Agler, the sensational first baseman of the Crackers, was sold this afternoon to the Jersey City club of the International League. It is understood that the price paid for the young athlete is \$8,000.

Agler will report in the Skaters at the end of the Southern League season. The International League schedule calls for games two weeks after the Southern League closes, and Agler will probably catch the train back to the last game to play at Poncey Park.

In a vigorous message pointing out the need of speedy action, Governor John M. Blanton Sunday urged the

## DR. BACHMAN TRIPPED BY DORSEY; ARRAY OF MEDICAL MEN CALLED

Professor George Bachman, a native Frenchman, one time an instructor in the well-known Jefferson Medical College of Philadelphia, and now at his head of the Physiological Department of Physicians and Surgeons, was the star witness of the defense at the Frank trial Monday, forming one of the brilliant array of medical experts gathered by Leo Frank's lawyers to batter down the theories and conclusions presented to the jury by Dr. H. F. Barnes, Secretary and director of the State Board of Health.

Among the distinguished physicians to follow him at the afternoon session of court were Drs. Willis F. Westmoreland, T. H. Harrold and J. L. Olmsted, Dr. L. W. Childs, a graduate of the University of Michigan, was called at the opening of the defense's case. Dr. Bachman had no hesitancy in belittling the testimony of Dr. Harris. He seconded Dr. Childs in saying that it was mere guesswork to say that the girl died half or three-quarters of an hour after she had eaten her simple dinner of cabbage and biscuit. He was shown the specimen of cabbage taken from the stomach of the murdered girl and declared that there was no way of telling by its appearance that it had not been in the stomach seven or eight hours before death came.

Appears to Trip Up Expert.

Solicitor Dorsey set out in the cross-examination to test minutely the witness' qualifications as an expert. He appeared to trap him in one or two instances. One was when he asked Dr. Bachman the meaning of the word "amidullin," as used in the description of stomach contents at stages of digestion.

"I never heard of such a word," said the witness.

"You never did?"

"No, and no one else ever did. It isn't in any dictionary."

"Nor in any medical work?" inquired the Solicitor.

Webster's International Dictionary gives the definition of "amidullin" as "a variety of starch made soluble by heating."

Dr. Bachman was called to the stand after Solicitor Dorsey had finished a searching cross-examination of Herbert G. Schindler at Frank at the Pencil Factory.

Says Cabbage Was in Stomach Long Time.

The medical experts said that the average time required for the digestion of cabbage, according to the standard of his profession was four and a half hours. The principal process of digestion takes place in the small intestine in the case of cabbage and other carbohydrates, he testified.

Attorney Reubus Arnold showed him the specimen of cabbage taken from the stomach of Mary Phagan.

"Those pieces apparently were not digested at all," the physician said. "They would have interfered with digestion and the process of food absorption. I think they must have been upon the surface of the food. They would undoubtedly have kept all of the solid contents in the stomach for some time."

"Just from my observation of those pieces of cabbage I would say that they could have been in the girl's stomach for seven or eight hours before passing out."

Attorney Dr. Harris' Conclusion.

He attacked Dr. Harris' conclusions based on the fact that only 32 degrees of acidity were found in the girl's stomach on the ground that there was no way of telling whether the acidity was due to the digestion or stops in the digestive tract or decomposing food.

It was determined, however, that the food had been digested to its maximum point and was on its downward course to dilution which obtains only when the food has been in the stomach for a considerable period.

Dr. Harris' theory that no digestion had taken place in the small intestine he combated by declaring that the formalin in the stomach had destroyed the ferments of the acid gastric juice and would have left no way of telling whether or not Dr. Harris' theory was correct.

Impossible to Make a Guess.

Attorney Arnold then propounded a hypothetical question of the witness embracing all of the conditions which were found in the stomach of Mary Phagan and then asked him if he or any other doctor could hazard a guess as to how long the food had been in the girl's body before death.

Dr. Bachman replied that it would be impossible.

The most important admission that the Solicitor wrung from the witness was that if he didn't find malice in the stomach, but did find starch, he would be probable that digestion had not progressed very far.

On the off-chance, Arnold asked the witness:

"Do you know of anyone else in this world, except Dr. H. F. Barnes, who would venture an opinion of the nature he has given on the data in his possession?"

Dr. Bachman said he did not, but added that he checked professional journals and academic publications of his sort until he had confirmed by other experts.

—New York Spring.

A new and important development in the fight for justice came to light Monday when Solicitor Dorsey came to the defense of the Negro girl, Isadora Duncan, who had been suffering from nervous prostration a doctor who had prescribed a tonic to her.

He presented a toxicologist who had been working on the case.

## THROGS SEES LAD HANG TO LIVE WIRE

How Boy at Play Fell on Live Wire



## COAST ROUTE PATHFINDER IS READY

Plans for the great automobile tour which Hearst's Sunday American will inaugurate to find the shortest over-the-water route from the Atlantic to the Pacific Coast, virtually have been completed, and the tour will start on Monday, August 18, under conditions that practically ensure the success of the movement.

The proposed route will be thoroughly mapped and charted by the best map makers and travel experts, and the tour will be conducted by the best guides and tourists in America. It has been in Atlanta for several days, making preliminary arrangements for the tour, and then driving to Yuma, Arizona, and then to Los Angeles and San Francisco.

The pathfinder will be E. L. Ferguson, one of the most prominent automobile and travel experts in the country, who became the first man to cross the continent in a motor car, and the third man was about half gone.

He was badly burned at the bottom of the fleet, and was so badly shocked that he remained unconscious almost an hour.

Dr. W. H. Wright, who amputated two fingers, stated that the boy was dead.

The child had climbed to the top of the tree about 4 o'clock from a small playground in the lower branches.

The feet, arms, and legs of the Georgia aviator, who was hanging from the limb, were cut off.

The boy was about half gone.

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# FRANK SPENDS HALF HOUR STUDYING PENCIL FACTORY MODEL Wife and Mother Kiss Prisoner as Trial Opens Upon Its Third Week

## GRILLING OF ASSISTANT OF ACCUSED IS ENDED; EXPERT TAKES STAND

Continued From Page 1.

girl could not have done all the difficult mathematical work without error and without signs of exertion in his writing.

The Solicitor, however, started right out on a line of questioning that indicated his opinion was that Frank had been working during the many hours instead of after Mary Phagan had been slain.

Doctor R. F. Schift, who was recalled to the stand, said Frank had not been forced for Frank to have done the work on the financial statement. He said he had 30 or 40 hours of work, however, he was in Monroe, Ga., between 11:30 and 12 o'clock, after he returned from the Atlanta plant. Schift said that there was no evidence to show that he worked.

Dorsey recited to the witness' mind a conversation between Frank and Dr. E. Kressman Friday afternoon, in which Frank said he would try to get the baseball team to play in the game at the baseball field in the following day.

It was the implication of the defense that Frank had planned the game and that he had been working and, as a matter of fact, had it completed or nearly completed before the afternoon.

Finishing with this line of questioning, the Solicitor began an attack on the time element which the defense has introduced in the trial. Dorsey maintained that at least the first two days of the trial he had been on the same floor, with the apparent intention of arguing that when Kressman had come to the office on Monday, the clock hands pointing to 12:08 o'clock, the correct time was 12:05 o'clock, 13 minutes after Mary Phagan entered the factory and went to Frank's office. It was also shown that the clock was set at 12:05 o'clock by W. A. and A. yet, what?

On the indirect examination, however, it was shown that on Tuesday, afternoon and never in the morning, Frank entered his office and made his acknowledgment of orders always taken care of in the forenoon. After this, he was seen at the office, but the testimony that Frank's wife remained at the office until about 12:30 o'clock, attempting to help her husband in atmospheric work.

Frank was keeping Jim Conley in the employ in the factory after recovering from his injury, by having him do the difficult to technical negroes the work.

Frank's Aunt in Court.

Mrs. Anna M. Frank, Frank's mother, was the third woman visitor to the courtroom Saturday morning. She had a seat near the prisoner and his brother and wife.

Frank was given permission to examine the paper model of the pencil factory. Campen offered to let Frank have the defense. He spent some 10 minutes in the model, keeping Jim Conley in the employ in the factory after recovering from his injury, by having him do the difficult to technical negroes the work.

Frank was in court early. His wife and mother came in at 8:30 a.m.

It was reported around the court that Frank had been granted permission to visit the National Pencil Company building. Attorney Stephen Arnold for Frank said he would be glad if it would be very glad if the jury is so inclined, he said he did not know whether he was entitled to it.

Doctor R. F. Schift was recalled to the stand Mr. Arnold announced that he had been granted permission to visit the National Pencil Company building.

He said he would be glad if it would be very glad if the jury is so inclined, he said he did not know whether he was entitled to it.

Q. What do you think?

A. I do not.

Q. Do you consider yourself an expert?—A. I do not.

Q. Do you tell me what you would have to know to know what you would have to know?—A. The record is that here?—A. No.

Q. Can you get me a stat regrading this?

A. Well, we get one and bring it to the court.

Q. Well, we don't know what this report is, but I think this is more complicated than this former report. It is a great deal shorter.

Q. Tell me the truth. Is it more complicated?—A. I am telling you the truth.

Q. Well, we just take the word of the doctor.

Q. Well, doesn't he just take the word of the doctor?

Q. Well, he has to do some figuring and other work.

Q. Well, what else?—A. He does not get the tipping record and several reports.

Q. Do you mean to tell me that the totals in these reports and the

body of the report are not the same handwriting?—A. Yes.

Q. Now, writing all these seven orders, and this figure, do they all look alike?—A. All I can think of is that he was doing it Saturday. No, but it was not done Saturday, and he did not work on it.

Q. When did you see this work?—A. Saturday.

Q. Could Frank have done this work between 8:30 and 12 o'clock?—A. If he did not interrupted.

Q. Could you tell us Saturday Frank could do that work in one and one-half hours?—A. I did not.

Q. Could you tell us Saturday that was done there Saturday was the financial sheet, starting those figures?—A. Yes.

Q. Order in Frank's Writing.

Q. Were you born on April 25?—A.

Q. Was Frank?—A. No. I entered these orders?—A. They are in my handwriting.

Q. Now, it took about two minutes to put down these things and a minute to do the figures?—A.

Q. Will you look these and tell me whether it is the same handwriting?—A. It is not on this book. It is on another.

Q. Who entered it?—A. Mr. Frank.

Q. Have you got the receipt for \$37?—A.

Q. Who made note of that on the receipt?—A. I did not make note of that on the time book the following week.

Q. Arnold interrupted. "You had better make a note of these various things Mr. Dorsey will say he said."

Q. Order in Frank's Order.

Q. Were you born on April 25?—A.

Q. Was Frank?—A. No.

Q. Did you enter these orders?—A. They are in my handwriting.

Q. Now, it took about two minutes to put down these things and a minute to do the figures?—A.

Q. Will you look these and tell me whether it is the same handwriting?—A.

Q. Who made note of that on the receipt?—A. I did not make note of that on the time book the following week.

Q. Arnold interrupted. "I know exactly what he wants," said Schift. Dorsey continued the examination.

Q. Is there any record on this financial sheet that you sold cans in on Saturday?—A. No.

Q. Did Mr. Arnold there wear a suit and tie?—A. Yes.

Q. Was there any reason why the suit and tie was important?—A. No.

Q. Was it Saturday?—A. Yes.

Q. Did you do any work on Saturday?—A. No.

Q. Did you do any work on Saturday?—A. No.

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