MASS OF PERJURIES CHARGED BY ARNOLD

CRACKERS WIN 1ST LOSE 2D

EXTRA

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CENTERS HOT ATTACK ON CONLEY; RIDICULES PROSECUTION THEORY

In a cold, cutting arraignment of the methods used to build up a case against Leo M. Frank, accused of the murder of Mary Phagan, Reuben Arnold, of the accused man's defense, Thursday afternoon unsparingly flayed Jim Conley as a perjurer and willing tool in the hands of men determined to convict an innocent man.

Arnold's attack minced no words. It bristles with scathing denunciation and bitter ridicule. Its impassioned appeal was interspersed with sardonic humor that made a hostile court room lauhg. But its humor was only in flashes. Otherwise it fairly rang with accusation and denunciation.

Arnold charged that the state had deliberately perverted evry innocent action into a circumstance pointing to guilt. Link by link, he hewed away at the prosecution's chain.

He ridiculed the theory of a premeditated attack, declaring that none but God could have known that Mary Phagan was to call for her pay on Saturday—a holiday. He said the State's attempt to prove premeditation was but an instance of its many "wild guesses."

From tim eto time Arnold centered his attack on Conley. He said that the had never heard of a witness who was so thoroughly convicted of lying being put forward as one to be believed.

Arnold finished his address at 5:50 o'clock.

His address followed a scathing arraignment of Frank by Frank A. Hooper, who opened the argument for the State and demanded the conviction of the defendant on the plea that the evidence presented left no other conclusion than of Frank's guilt.

Charges Efforts To Make Time Agree.

Directing his remarks as much to the counsel for the State as to the twelve men in the jury box, Arnold charged that in order to place Frank's life in jeopardy, Solicitor Dorsey and his colleague, Hooper, had gone to the extreme length of assuming on the one hand that the street car on which Mary Phagan came to town was several minutes ahead of time and on the other, that the clock at the factory was five or ten minutes behind time.

They had established by their own witness, George Epps, he said, that Mary arrived in town at 12:07 o'clock and then forthwith had started out to destroy Epps' testimony and arouse the assumption that she got in town at 12:02 or 12:03.

Arnold was only well started on his address when recess came at 12:30. He began a review of all of the circumstances preceding and following the crime as soon as court opened in the afternoon.

Through all the day Frank's mother and wife sat by him. The younger Mrs. Frank sat much of the time with her arm linked with that of her husband. Very little change in the appearance of the three persons was observable. Frank smiled slightly when Hooper satirically was describing Frank's actions at the Selig home Saturday night when he is said to have interrupted a card game which was in progress by the relation of a funny story he had read in a magazine.

Hooper Emphasizes Gantt's Trip to Factory.

Mr. Hooper emphasized various features of the State's case that had not been clearly brought out before, dwelling particularly on the incident of J. M. Gantt's visit to the factory on the afternoon of the tragedy and how Frank had at first refused to let him enter, and how the accused man had called up Newt Lee, the watchman, later, fearful, said Hooper, that Gantt had discovered something.

After Hooper had finished his argument he began presenting authorities to the judge to guide him in making his charge to the jury. He declared that the jury should not be charged that direct evidence was superior to circumstantial evidence.

Before Thursday's session began Frank had expressed himself as entirely confident of the outcome.

"I am certain that I will be acquitted and set right before the world," he said. "It has been a terrible ordeal, but I await the outcome with the utmost confidence."

"May it please your honor and gentlemen of the jury," began Mr. Hooper, "the object of this trial, as of all other cases, is the ascertaining of truth and the attainment of justice. I want to distinctly impress upon you the correctness of our position. We want it distinctly understood that we are not seeking a verdict of guilty unless this man is guilty.

"We want it distinctly understood that the burden of proving him guilty is on our shoulders. We recognize that this has got to be done beyond a reasonable doubt, and from the evidence. We cheerfully assume this burden.

"There is not one connected with the prosecution who would see a hair of the head of this man injured wrongfully.

"We want him to have the rights and protection of the law just as any other citizen. He is entitled to the

RACING RESULTS

AT SARATOGA.

FIRST—5 1-2 furlongs: Pennant 108 (Borel), 1-4, out, won; Orotund 105 (Butwell), 12, 5-2, even, second; Ralph 108 (Steele), 10, 2, 4-5, third. Time 1:06 1-5. Also ran: Bac, Spearhead, Stake and Cap, Armament, Uncle Mun.

SECOND—About 2 miles: Zagg 170 (Lieut. Milling), 6-5, out, won; Kinnelon 168 (Lieut. Lyman), 7-10, out; O. K. refused and did not finish. Time, 4:37. Only three starters.

THIRD—Mile: Montressor 98 (J. McTaggart), 6, 6-5, out, won; Barnegat 113 (Loftus), 8-5, 1-2, out; Scallywag 104 (Davis), 8-5, 1-2, out. Time, 1:38. Also ran: Briar Patch.

FOURTH—Six furlongs: Compliment 108 (Byrne), 3, even, 1-2, won; Luria 108 (T. McTaggart), 6, 2, even, second; Afterglow 107 (McCabe), 30, 10, 5, third. Time, 1:13 1-3. Crhsyels, Capt. Elliott, Discovery, Moncrief, Swish, Thrifty, Hammond Pass, Nellow Flammation, Sir Deurah, Ann Tilly also ran.

FIFTH—Six furlongs: Surprising 119 (McTaggart), 5, 2, even, won; Southern Maid 120 (Moody), 3-2, 3-5, 1-4, second; Black Toney 113 (Loftus), 7, 5-2, 7-5, third. Time, 1:12 4-5. Harry L., Trumps, Cutaway, Crossbun, Water Melon, Punch Bowl also ran. Punch Bowl added starter.

SIXTH—Seven furlongs: Trifler 94 (J. McTaggart), 1-12, out, won; Inferno Queen 103 (Hyde), 2, out, second; Ballyshe 99 (Connors), 12, 1-3, out, third. Time, 1:26 2-5. Only three starters.

AT TORONTO.

FIRST—About 5 furlongs: Johnnie Harris 105 (G. Jackson), 15, 6, 3, won; LaSainrella 103 (Moore), 6, 2, even, second; Turkey Trot 103 (Halsey), 5, 2, even, third. Time 1:01. Also ran: Delicious, Mandy Zane, Miss Menard, Sheriff Nolte, Danville II, Top.

SECOND—About 5 furlongs: Cherry Seed 108 (Knight), 3, 1, 1-2, won; Lou Lanier 106 (Carroll), 6, 2, 1; Bodkin 103 (Hall), 2, 1, 1-2. Time, 1:01 1-5. Also ran: Phew, Jack of Hearts, Cap Nelson, Blanche Frances, Fairchild and Maurice Reed.

THIRD—About 5 furlongs: Lucetta 103 (White), 3-2, 1-2, out, won; Mother 106 (Carroll), 2, 1, 1-2; Merise 108 (Knight), 4-5, 2-5, out. Time, 1:02. Also ran: Kinder Lou, Doll Baby, Alooha, Fleming and Paul Davis.

FOURTH—About 5 furlongs: Carissima 111 (Levee), 3, 1, 1-2, won; Dick Deadwood 105 (Fuerst), 6, 2, 1; John Marrs 113 (Knight), 6, 2, 1. Time, :59 4-5. Also ran: Linbrook, Concarne, Sally Savage and True Step.

FIFTH—Six and half furlongs: Premier 107 (Hall), 2, even, 1-2, won; Elma 110 (Knight), 2, even, 1-2, second; Black Branch 112 (Quinlan), 6, 2, even, third. Time, 1:24 4-5. I'm There, Tiny Tim, Radiation, Star Ashland, Horicon also ran.

SIXTH—Seven furlongs: Cecil 102 (Halsey), 4, 3-2, 2-3, won; Henotic 111 (Knight), 2, 4-5, 1-2, second; Electric 111 (Rhoades), 8, 3, 3-2, third. Time, 1:30. Sunguide, Miss Primity, Eva Tanguay, Oakley and Louise Descognets also ran.

SEVENTH—Five furlongs: Curious 108 (Knight), 3, even, 1-2, won; Protagaris 108 (Warrington), 5, 2, even, second; Miss Felix 110 (Hall), even, 1-2, out, third. Time, 1:01 2-5. Ursula Thompson, Fanchette, Ancon, Cordova also ran.

AT WINDSOR.

FIRST—Six furlongs: Lamode 103 (Taylor), 5, 2, even, won; Father Katcham 104 (Kederis), 4, 3-2, 7-10, second; Chanticleer 112 (Peak), 8, 3, 8-5, third. Time, 1:16. Big Dipper, Chemulpo, Spring Mass, Bettie Sue also ran.

SECOND—Six furlongs: Yorkville 103 (Carter), 12-5, 4-5, out, won; Three Links 112 (Taylor), 5-2, 4-5, out, second; Back Bay 106 (Kederis), 9-2, 9-5, out, third. Time, 1:15 1-5. Cowl also ran.

THIRD—Mile: Hearts of Oak 130 (Taylor), even, 9-20, out, won; Ondramone 107 (Vandusen), even, 9-20, out, second; Maid of Fromme 96 (Freyer), 12, 4, 8-5, third. Time, 1:46 1-5. Rock Spring, Caper Saucer, Havrock also ran. Hearts of Oak and Ondramone coupled.

FOURTH—Mile: Jenny Geddes 98 (Montour), 14-5, even, out, won; Elwah 104 (Vandusen), 4, 6-5, out, second; Ymir 110 (Gross), 11-5, 7-10, out, third. Time, 1:43 3-5. El Oro also ran.

FIFTH—Five and half furlongs: Hodge 115 (Small), 9-20, out, won; Rustling Brass 106 (Taylor), 8, 7-5, 1-2, second; Czar Michael 106, (Gross), 7, 7-5, 1-2, third. Time, 1:10 1-5. Superiority, Savoni, Emerald Gem, Holton, Kilday also ran.

SIXTH—Six and half furlongs: Brawney 102 (Gross), 3, 6-5, 3-5, won; Tankard 102 (Kederis), 3, even, 1-3, second; Fred Levy 107 (Scharf), 20, 6, 2, third. Time 1:23. Volitia, Rosemary, Glint, Grosvenor also ran.

Race Entries on Page 11.

FEDERAL LEAGUE.

Score:		R.	H.	E.
Cleveland	010 002 000	4	12	2
Pittsburg	000 100 000	1	5	0

Bartley and Cooper; Purroy, Brickley and Wilson.

Score:		R.	H.	E.
Kansas City	000 002 010	3	6	1
St. Louis	000 000 13x	4	4	0

Jones and Orris; King and O'Niel.

Score:		R.	H.	E.
Indianapolis	002 000 000 02	4	12	3
Chicago	001 001 000 00	2	8	4

Link and Texter; Fisk and McDonough. Umpire, Schuster.

INTERNATIONAL LEAGUE.

Score:		R.	H.	E.
Providence	200 000 000	2	4	1
Toronto	020 000 001	3	3	0

Zamloch and Onslow; Maxwell and Graham. Umpire, Mullen.

Score:		R.	H.	E.
Jersey City	100 000 002	3	9	2
Buffalo	440 000 00x	8	9	1

Coaxley, Cooney, Davis and Wells; Fullenwider and Lalonge. Umpires, Nallin and Owen.

Score:		R.	H.	E.
Baltimore	010 102 000	4	10	3
Rochester	020 001 000	3	8	0

Roth, Cottrell and Egan; Keefe, Quinn and Jacklitsch. Umpires, Hart and Finneran.

LOCALS TAKE FIRST GAME 8 TO 3

Smith's Men Rout C. Brown in Fourth Inning; Price Hurls Great Ball.

Score by innings:		R.	H.	E.
MONTGOMERY	001 020 000—3	7	3	
ATLANTA	001 320 02x—8	12	3	

CRACKERS—	R.	H.	O.	A.	E.
Agler, 1b	0	0	9	1	0
Long, lf	1	2	1	0	0
Welchonce, cf	0	0	5	0	0
Smith, 2b	2	2	5	1	1
Bisland, ss	2	4	2	6	0
Holland, 3b	2	1	1	2	1
Calvo, rf	0	0	1	0	0
Chapman, c	0	2	1	0	1
Price, p	1	1	1	1	0
Manush, rf	0	0	1	0	1
Totals	8	13	27	11	3

BILLIKENS—	R.	H.	O.	A.	E.
McDowell, cf	0	4	3	0	0
Wares, 2b	1	0	5	2	0
Elwert, 3b	1	1	1	2	0
Sloan, rf	0	0	1	0	0
Jahtzen, lf	0	1	1	0	2
Knaupp, ss	0	0	4	2	0
Snedecor, 1b	0	0	5	1	0
Gribbens, c	1	1	4	3	1
C. Brown, p	0	0	0	0	0
Case, p	0	0	0	0	0
Totals	3	7	24	10	3

SUMMARY.

Two-base hits—Gribbens, Bisland, Long. Three-base hits—Smith, Elwert, Long. Double plays—Bisland to Agler to Holland. Struck out—by C. Brown 1; by Case 1; by Price 1. Bases on balls—off C. Brown 3; off Price 3. Stolen bases—Jantzen, Smith. Passed ball—Gribbens. Hit by pitched ball—Calvo. Umpires, Stockdale and Rudderham.

PONCE DE LEON BALL PARK, Aug. 21.—Gilbert Price proved too much for the Billikens in the first game and the Crackers won, 8 to 3. On the other hand C. Brown was routed in the fourth inning and Case, who relieved him, was also hit hard.

Bisland, Chapman, Smith and Long did the heavy stock work for the locals. The former got four hits. Long managed to slam out a double and a triple. McDowell pounded out four hits for the visitors.

FIRST INNING.

McDowell safe on Holland's error. Wares out, Bisland to Agler and McDowell was doubled at third, Agler to Holland. Elwert out, Bisland to Agler. NO HITS, NO RUNS..

Agler popped to Gribbens.. Long walked. Welchonce forced Long at second, Knaupp to Wares. Smith fanned. NO HITS, NO RUNS..

SECOND INNING.

Sloan walked. Jantzen forced Sloan, Holland to Smith. Knaupp flied to Welchonce. Jantzen stole second went to third on Chapman's bad play.. Snedecor flied to Calvo. NO HITS, NO RUNS..

Bisland singled to center and was out stealing, Gribbens to Wares. Holland walked. Calvo hit by pitched ball. Chapman popped to Wares. On a short passed ball Holland attempted to go to third and was out, Gribbens to Elwert. ONE HIT, NO RUNS..

THIRD INNING.

Gribbens doubled to right. C. Brown popped to Price. McDowell singled past short, and Gribbens took third. Wares popped to Bisland. Elwert walked, filling the bases. Sloan grounded to Smith, who threw low to first, and Gribbens scored. Jantzen forced Sloan at second to Smith unassisted. TWO HITS, ONE RUN.

Price singled to left and when Jantzen let the ball get by him Price scored. Agler popped to Knaupp. Long walked. Welchonce filed to McDowell. Long out stealing, Gribbens to Wares. ONE HIT, ONE RUN.

FOURTH INNING.

Knaupp out, Price to Agler. Snedecor out, Smith to Agler. Gribbens walked. C. Brown grounded out to Agler unassisted. NO HITS, NO RUNS.

Smith tripled to right. Bisland doubled to right, scoring Smith. Holland hit in front of the plate and when Gribbens threw late to third both runners were safe. At this stage of the game Case relieved C. Brown in the box. On a passed ball Holland took second. Manush fanned. Chapman singled to left, scoring Bisland and Holland. Price hit into a double play, Knaupp to Wares to Snedecor. FOUR HITS, THREE RUNS.

FIFTH INNING.

McDowell bunted down the third base line and beat it out for a hit. Wares forced McDowell at second, Bisland to Smith. Elwert tripled to deep left, scoring Wares. Sloan fouled to Agler. Jantzen singled to right, scoring Elwert. Knaupp forced Jantzen at second, Bisland to Smith. THREE HITS, TWO RUNS..

Agler fanned. Long doubled to left. Welchonce grounded out to Snedecor unassisted, Long moving up to third. Smith beat out a slow roller to Knaupp and on the hit Long scored. While the Billikens were "beefing" over the decision at first Smith pilfered second. Bisland singled to left, scoring Smith. And when Jantzen fumbled the ball Bisland went to the midway. Holland out, Elwert to Snedecor. THREE HITS, TWO RUNS.

SIXTH INNING.

Dobbs was put off the catching lines by Umpire Stockdale. Snedecor filed to Manush. Tommy Long gathered in Gribbens' fly after a long chase. Case filed to Welchonce. NO HITS, NO RUNS.

Jantzen was shifted to rightfield and Sloan to left. Manush ballooned to Sloan. Chapman popped to Knaupp. Price out, Wares to Snedecor, NO HITS, NO RUNS.

SEVENTH INNING.

McDowell singled to right. Wares lined to Welchonce. Elwert filed to Manush, and when the latter missed the ball Elwert took second,, while McDowell raced to third. Sloan filed to Welchonce. Jantzen out, Holland to Agler. ONE HIT, NO RUNS.

Agler filed to McDowell. Long tripled to deep center. Welchonce popped to Knaupp. Smith filed to McDowell, ONE HIT, NO RUNS.

EIGHTH INNING.

Bisland singled to left. Holland singled past Elwert. Manush sacrificed. Chapman singled, scoring Bisland and Holland. Price forced Chapman at second. Agler beat out a bunt. Long filed to Sloan. FOUR HITS, TWO RUNS.

Knaupp popped to Smith. Snedecor out, Bisland to Agler. Gribbens out, Bisland to Agler. NO HITS, NO RUNS.

NINTH INNING.

Case fanned. McDowell beat out a grounder to Bisland. Wares popped to Bisland. Elwert filed to Welchonce. ONE HIT, NO RUNS.

LATEST NEWS

HARTWELL, Aug. 21.—The case of Henry and Ellis Nixon, brothers, charged with the murder of John F. Heaton, their brother-in-law, a wealthy young farmer, on august 2, 1912 at his farm in Reed Creek district went to the jury this afternoon. A verdict is expected Friday. The trial began Wednesday. More than 300 veniremen were called before a jury was chosen.

WAYCROSS, Aug. 21.—When the preliminary hearing of C. W. Cobb, charged with killing J. M. Crawford at Moniac, Charlton County, was called this afternoon, Jim and Farley Crawford, brothers of the slain man, were arrested, charged with assault with intent to murder. Warrants were taken out by Cobb, who is still in a serious condition from the attack made on him by the Crawfords. The hearing in all cases was deferred until September 8 to permit the employment of counsel for the prosecution.

CALUMET, MICH., Aug. 21.—Reports that guns and ammunition have been shipped into the Calumet copper mining region for the use of striking miners and their friends was being investigated to-day by General Abbey, commanding the Michigan State troops in the strike district. The military authorities were warned to be more vigilant following last night's rioting in Red Jacket.

SOUTH ATLANTIC LEAGUE.

AT ALBANY—

				R.	H.	E.
JACKSONVILLE—	100	000	000	1	5	2
ALBANY—	000	011	00X	2	9	0

Wiley and Wells; Wilder and Krebs. Umpires, Moran and Leary.

AT MACON—

				R.	H.	E.
COLUMBUS—	032	520	000	12	15	1
MACON—	110	001	000	4	10	4

AT SAVANNAH—

				R.	H.	E.
CHARLESTON—	010	000	000	1	4	0
SAVANNAH—	200	100	00X	3	8	1

Gudger and Menefee; Poole and Geibel. Umpire, Pender.

EMPIRE LEAGUE.

AT VALDOSTA—

				R.	H.	E.
WAYCROSS—	000	000	...			
VALDOSTA—	000	000	...			

McManus and Shurman; Winges and VanLandingham. Umpires, Derrick and Gentle.

AT BRUNSWICK—

				R.	H.	E.
AMERICUS—	000	100	010			
BRUNSWICK—	010	000	100			

Cheney and Wilkes; Wilder and Bowden. Umpire, Flater.

AT CORDELE—

				R.	H.	E.
THOMASVILLE—	212	000	100	6	13	0
CORDELE—	102	000	000	3	7	6

Pratt and Manchester; Cates and Pierre. Umpire, McLaughlin.

THOMPSON ON HILL IN SECOND

Both Teams Score in Early Innings—Crackers Take Lead in Third.

PONCE DE LEON BALL PARK, Aug. 21.—Carl Thompson and Walter Manning were the rival twirlers when the Crackers and Billikens took the field for the second game. Dunn was behind the bat for the home boys, while Gribbens acted in a likewise capacity for Dobbs' men.

FIRST INNING.

After waiting out a string of three and two, McDowell slammed a single to center. Wares forced McDowell at second, Agler to Bisland. Wares pilfered second, aided by a throw from Dunn. Smith and Agler disposed of Elwert and Wares went to the far corner. Long took care of Sloan's long fly, retiring the side. ONE HIT, NO RUNS.

Agler went the strike-out route. Long drew free transportation to first. Welchonce poled one to center for one base and Long ambled to the keystone sack. Smith bounced a single over Manning's head, and the bases were intoxicated. Bisland proved to be the handy boy in the pinch by slamming out a neat single to left scoring Long and Welchonce. Smith raced to third on the hit. Holland hit to Elwert and Smith was out at the plate, to Gribbens. Manush ended the inning by striking out. THREE HITS, TWO RUNS.

SECOND INNING.

Jantzen out, Holland to Agler. Knaupp doubled to right and on Manush's fumble he went to the far corner. Snedecor grounded to Agler and while [illegible] the ball Knaupp scored and Snedecor was safe at first. Gribbens flied to Welchonce. Manning also flied to Welchonce. TWO HITS, ONE RUN.

Dunn walked. Thompson sacrificed, Manning to Snedecor. Agler out, Wares to Snedecor. Long drew four wide ones and trotted to the initial sack. Welchonce flied to Jantzen. NO HITS, NO RUNS.

THIRD INNING.

McDowell flied to Long. Wares fanned. Elwert walked. Elwert stole second, Sloan singled to center, scoring Elwert. Sloan out trying to steal second. Dunn to Bisland. ONE HIT, ONE RUN.

Smith singled to center. Bisland got his sixth successive hit, a single to left that sent Smith to second. Holland sacrificed, Manning to Snedecor, sending both men along a peg each. Manush hit a sacrifice fly to Sloan and Smith scored. Bisland was out trying to go to third. TWO HITS, ONE RUN.

FOURTH INNING.

Jantzen fouled to Agler. Knaupp flied to Manush. Snedecor fouled to Dunn. NO HITS, NO RUNS.

Dunn out, Wares to Snedecor. Thompson raised to Elwert. Agler was called out on strikes. NO HITS, NO RUNS.

FIFTH INNING.

Gribbens singled to right. Manning doubled to left, scoring Gribbens. McDowell sacrificed, Thompson to Agler. Wares popped to Bisland. Elwert out, Holland to Agler. TWO HITS, ONE RUN.

Long out, Manning to Snedecor. Welchonce grounded to Snedecor and beat it out for a hit. Welchonce stole second. On a wild pitch Welchonce raced to third. Smith walked. Bisland out, Manning to Snedecor. Welchonce held on third, while Smith took second. Holland out, Elwert to Snedecor. ONE HIT, NO RUNS.

SIXTH INNING.

Sloan singled . Jantzen singled to left and when Long fumbled the ball Sloan went to third and Jantzen to second. Knaupp hit a sacrifice fly to Welchonce and Sloan tallied. Snedecor singled to left and when Long let the ball get through him Jantzen and Snedecor both tallied. Gribbens out, Holland to Agler. Manning popped up a high fly in front of the plate which fell safe. McDowell forced Manning at second to Smith. FOUR HITS, THREE RUNS.

Manush out, Snedecor to Manning. Dunn flied to Jantzen. Chapman batted for Thompson and singled to right. Calvo out trying to steal second, Gribbens to Wares. ONE HIT. NO RUNS.

CAROLINA LEAGUE.

Score:		R.	H.	E.
Greensboro	000 211 000	4	13	1
Raleigh	111 110 00x	5	11	1

Perrin and Hobbs; Adams and Turner. Umpire, Miller.

Score:		R.	H.	E.
Durham	011 100 0	3	8	0
Winston-Salem	000 000 1	1	6	1

Ferris and Lowe; Sheesley and Shitm. Umpires, McBride and Leibrich.

Score:		R.	H.	E.
Charlotte	000 000 00	0	5	2
Asheville	010 801 11	11	13	2
Charlotte	000 000 00	0	5	2

Ledbetter and Neidercorn; Stafford and Milliman. Umpire, Degnan.

AMERICAN ASSOCIATION.

Score:		R.	H.	E.
Indianapolis	002 000 200 1	5	10	2
Louisville	200 010 001 0	4	11	1

Burk and Cotter; Laudermilk, R. Clemons, Willis and Sevroid. Umpires, O'BMrien and Johnstone.

Columbus-Toledo, no game; rain.

Score:		R.	H.	E.
St. Paul	210 000 010	5	11	0
Kansas Cityx	005 000 13x	6	9	1

Walker, Karger and Miller; Riley, Daniels and Moore. Umpires, Murray and Connolly.

SECOND GAME

MONTGOMERY	0	1	1	0	1	3	— 6
ATLANTA	2	0	1	0	0	0	— 3

CRACKERS	r	h	o	a	e	BILLIKENS	r	h	o	a	e
Agler, 1b	0	0	6	1	0	McDowell, cf	0	1	1	[illegible]	[illegible]
Long, lf	1	0	2	0	2	Wares, 2b	0	0	[illegible]	[illegible]	[illegible]
Welchonce, cf	1	2	3	0	0	Elwert, 3b	1	0	[illegible]	[illegible]	[illegible]
Smith, 2b	1	2	2	0	0	Sloan, lf	[illegible]	2	0	[illegible]	[illegible]
Bisland, ss	[illegible]	2									
Holland, 3b	0	0	0	3	0	Knaupp, ss	1	[illegible]	[illegible]	[illegible]	[illegible]
Manush, rf	0	0	1	0	1	Snedecor, 1b	1	2	7	[illegible]	0
Dunn, c	0	0	2	1	0	Gribbens, c	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Thompson, p	0	1	0	1	0	Manning, p	0	1	[illegible]	[illegible]	[illegible]
Totals	3	7	18	7	3	Totals	6	10	18	11	[illegible]

SUMMARY.

Two-base hits—Knaupp, Manning.

Struck out—by Manning 2;

Bases on balls—off Manning 4.

Sacrifice hits—Thompson, Manush, Holland, McDowell, Knaupp.

Stolen bases—aWres, Welchonce.

Wild pitch—Manning.

FINAL ★★

SOUTHERN LEAGUE

FIRST GAME.

AT BIRMINGHAM—

				R.	H.	E.
NEW ORLEANS	000	001	0	1	6	1
BIRMINGHAM	300	000	X	3	5	0

Walker and Adams; Prough and Mayer. Umpires, Pfenninger and Hart.

SECOND GAME.

				R.	H.	E.
NEW ORLEANS	000	000	0	0	6	1
BIRMINGHAM	300	000	X	3	4	2

Stevenson and Yantz; Gregory agd Clifton. Umpires, Hart and Pfenninger.

AT NASHVILLE—

				R.	H.	E.
MOBILE	001	003	000	4	7	0
NASHVILLE	000	000	300	3	8	1

Campell and Schmidt; Williams and Gibson. Umpires, Breitenstein and Fifield.

Chattanooga-Memphis, n game; rain.

AMERICAN LEAGUE

AT CHICAGO—

				R.	H.	E.
PHILADELPHIA	000	205	000	7	12	0
CHICAGO	010	000	000	1	5	1

Shawkey and Schang; Benz and Kuhn. Umpires, Connolly and McGreevy.

AT ST. LOUIS—

				R.	H.	E.
WASHINGTON	010	000	001	2	6	5
ST. LOUIS	000	000	000	0	5	3

Groom and Henry; Leverez and Agnew. Umpires, Dineen and Egan.

AT CLEVELAND—

				R.	H.	E.
BOSTON	003	000	0	3	6	3
CLEVELAND	020	000	0	2	5	0

Leonard and Carrigan; James and O'Niel. Umpires, O'Loughlin and Sheridan. Called on account of rain.

New York-Detroit, no game ;rain.

NATIONAL LEAGUE

AT BOSTON—

				R.	H.	E.
ST. LOUIS	202	020	000	6	9	3
BOSTON	000	222	001	7	14	2

Griner and Hildebrand; Hess and Rariden. Umpires, O'Day and Emslie.

AT NEW YORK—

				R.	H.	E.
CHICAGO	001	010	000	2	8	1
NEW YORK	004	201	01X	8	12	0

Stack and Archer; Mathewson and McLean. Umpires, Rigler and Byron.

AT BROOKLYN—

				R.	H.	E.
CINCINNATI	011	020	002	6	11	0
BROOKLYN	002	101	000	4	8	2

Ames and Clarke; Ragon and Miller. Umpires, Klem and Orth.

AT PHILADELPHIA—

				R.	H.	E.
PITTSBURG	203	121	000	9	14	2
PHILADELPHIA	002	000	022	6	12	3

O'Toole and Simon; Alexander and Killifer. Umpires, Brennan and Eason.

WASHINGTON, Aug. 21.—President Wilson will send a special message to Congress on the Mexican situation either to-morrow or Saturday, it was stated at the White House late to-day. This message it was indicated, will include an outline of the American proposals sent to Mexico with Envoy Lind, and the complete text of the reply of President Huerta. It will contain no comment from President Wilson.

FRANK CALM AS HOOPER ARGUES TO SEND HIM TO THE GALLOWS

Stoically and Unblinkingly He Listens to Scathing Arraignment of State

ACCUSED ATTEMPTED TO SACRIFICE TWO NEGROES AND GANTT, STATE SAYS

Continued from Page 1.

protection of the law just as any other citizen.

"But another thing: He is not entitled to any more. He is not, on account of his high position and wealthy connections, entitled to any more than any other defendant. The strong arm of the law is strong enough to reach to the highest places and do justice there.

"It is strong enough to reach down into the gutter and regulate the lives of the lowliest. I am not going to undertake to go over all the facts in this case.

Believes Firmly In Frank's Guilt.

"I congratulate you, gentlemen of the jury, that the case is nearing an end. I have felt sympathy for you, because you not only have worked hard, but you have been deprived of your liberty and the enjoyment of your homes. In one sense of the word, you have been in jail.

"There has never been a criminal case in Georgia that has been so long. There has been no trial so important or the result of which will be so far-reaching, and that only makes the responsibility on you the greater.

"There is one other thing that I want to say to you before I go into the facts of the case. This man ought not to be convicted simply because someone has to be, nor because of the law that demands an eye for an eye and a life for a life. We think the evidence shows him to be guilty beyond any reasonable doubt.

"In taking up this evidence I am considering you deeply, I am considering the strain you have been under. I am thinking deeply; in fact, I am trying to make myself as one of you twelve men, and in attempting to bring this to a conclusion I am striving to get at the truth.

"Let's see what the situation was on Memorial Day, Saturday, April 26. Here is this great big pencil factory, which was being run by a number of men with this defendant in charge. Let us consider the conditions that existed there, and, gentlemen, I must say that I am not proud of these conditions.

Witnesses Incensed By Factory Conditions.

"But to get to the real facts of this case; to come to a full realization of just how things occurred, we must understand the conditions that existed here absolutely before we can proceed with this case. The character of this plaec was one to make us think deeply. The evidence which has been laid before you here has been of the kind to make one doubly serious. Take the defendant. Between 25 and 40 girls have come before you and said that his character was good.

"They spoke in the highest terms of him. That must be considered. But on this charge this is negative evidence. But also consider that we have brought before you girl after girl who told of his character being bad ;who told of the immoral conditions that existed in this great pencil factory, and, gentlemen of the jury, most of these girls had quit working at that factory from two years to three weeks before the time of this trial.

"Every one of them said his character was bad. Did you notice the emphasis with which they said it was bad? And did you notice that they would have told more if they could have been allowed to? Did you notice how highly incensed they felt toward the immoral conditions which existed at this factory?

"You have those who are still there who will say that his character is good, but you have those who have left who invariably say his character is bad. We put them on notice from the very first that we were willing to enter fully into his character. We could furnish particular information in regard to this, but we have been prevented.

"We have asked their own witnesses and our own; we have asked them, 'Did you ever hear of this incident?' and 'Did you ever hear of that incident?' We brought these particular girls before you, and asked them in regard to Frank's character. They said it was bad. We turned them over to the defense, and they failed to question them in regard to any of the incidents to which we have referred."

Colonel Arnold interrupted at this point, protesting to Judge Roan that he considered Mr. Hooper was making an improper argument in saying that the State could not go into the particular evidence and in intimating that it was an incriminating circumstance that the defense did not take advantage of its privilege and question the State's witnesses in regard to the particular incidents. Judge Roan sustained Hooper, saying that it was his only legal recourse. Hooper continued:

"If out of 100 men, 90 of them say that a certain person's character is good, but ten of them say, 'Beware of that man; he is a bad man,' would you say that you had a man of good character?

Says Girls' Morals Were in Hands of Men.

"It is almost impossible to magnify the temptation in the National Pencil Factory to a man without conscience and filled with lust. These girls in the factory were entirely dependent upon the attitude assumed by the men who were superior to them. This defendant, assisted by the noble Darley and the handsome young Schiff, practically had these girls' morals in his hands. The girls were absolutely dependent upon this trio.

"We find that the defendant connected himself up with a man whose character is good enough at present, but who admittedly was leading an immoral life at that time. What can we say when a man whose daily associates are bankers and prominent business men shall associate himself in his leisure hours with a man of the character of this C. B. Dalton?

"I expect most all of you have read that little story, "Dr. Jekyll and Mr. Hyde." We are all dual characters; none is so good but that there is some evil; none so bad but that there is some good. It is when the evil predominates that we have a bad man. The bad is good when with his own class. When the shades of night have fallen, and he seeks associates of his baser passions, then it is that we get a glimpse into his other nature. So it is with this defendant.

"He didn't seek out the bankers and people of his regular sphere when his baser passions came on. He looked for an associate in a man like Dalton. Dalton has had a number of men to get up here and say they would believe him. They are men who have worked side by side with him. Of course, he is a fellow of a lower class, but it has been shown to you that he is a good fellow of his class, congenial to that environment.

"Then there are other facts to support this idea. This defendant claimed to you he did not know Mary Phagan. Yet the evidence showed that he passed back and forth by her every day. We find he did know her. Witnesses declared he stopped to speak to her and show her how to do her work. He told her HE was the superintendent of the factory. He pursued her out of the beaten path. This little girl, sent there by her parents to be under his protection, was in his eye, the eye of lust. He was laying a foundation for his object.

Conley, Too Ignorant to Lie, Stuck to Truth.

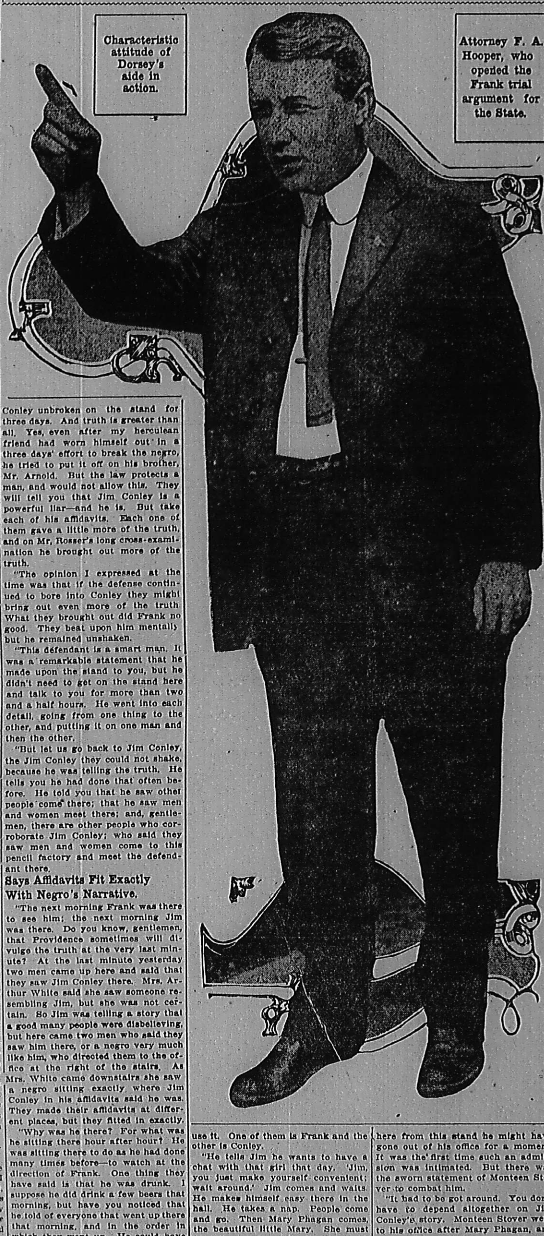
"Let's turn back to the first evidence of this, the first interest of this man who never knew Mary Phagan. He said to Gantt, a man reared in the same community, several weeks before the tragedy, 'You are pretty thick with Mary Phagan?' He had her in his mind. Next we see him getting Gantt removed, and it was just after he had remarked what a good office force he had. The first opportunity was about one dollar. He sought to give you the impression of dishonesty. He would attack this man whom he wouldn't let go into his factory unless accompanied by a negro. Shame upon him!

"Thus he got rid of Gantt, and began to lay his plans.

"You remember that the defense pitted its case against Conley. I haven't said anything about him yet, but he comes in right here. He was to them like a stone mountain. They must break him down, or they are lost. They must break him down, and you have seen here the greatest fight between my herculean friend Rosser on the one side, and that poor, ignorant negro on the other, and you have seen the result. It was brains against ignorance; strength against weakness—and after three and one-half days you saw Conley unshaken. His evidence was written as fast as he talked and my friend here, Rosser, carried him back over the same ground again and again, but they could not break him down, because it was the truth. It continued to pour like the waters through a mill race, because that negro didn't have sense enough to lie. He was telling for the first time the real story of what actually happened that fatal day.

"Why didn't Mr. Rosesr break Jim Conley down? It was because, after all the lies the negro had told, he was telling the truth, and the truth is stronger than either of these two gentlemen. And it was the truth, gentlemen of the jury, that held Jim

ATTORNEY F. A. HOOPER ARGUING BEFORE JURY



Characteristic attitude of Dorsey's aide in action.

Attorney F. A. Hooper, who opened the Frank trial argument for the State.

Conley unbroken on the stand for three days. And truth is greater than all. Yes, even after my herculean friend had worn himself out in a three days' effort to break the negro, he tried to put it off on his brother, Mr. Arnold. But the law protects a man, and would not allow this. They will tell you that Jim Conley is a powerful liar—and he is. But take each of his affidavits. Each one of them gave a little more of the truth, and on Mr. Rosser's long cross-examination he brought out more of the truth.

"The opinion I expressed at the time was that if the defense continued to bore into Conley they might bring out even more of the truth. What they brought out did Frank no good. They beat upon him mentally but he remained unshaken.

"This defendant is a smart man. It was a remarkable statement that he made upon the stand to you, but he didn't need to get on the stand here and talk to you for more than two and a half hours. He went into each detail, going from one thing to the other, and putting it on one man and then the other.

"But let us go back to Jim Conley, the Jim Conley they could not shake, because he was telling the truth. He tells you he had done that often before. He told you that he saw other people come there; that he saw men and women meet there; and, gentlemen, there are other people who corroborate Jim Conley; who said they saw men and women come to this pencil factory and meet the defendant there.

Says Affidavits Fit Exactly With Negro's Narrative.

"The next morning Frank was there to see him; the next morning Jim was there. Do you know, gentlemen, that Providence sometimes will divulge the truth at the very last minute? At the last minute yesterday two men came up here and said that they saw Jim Conley there. Mrs. Arthur White said she saw someone resembling Jim, but she was not certain. So Jim was telling a story that a good many people were disbelieving, but here came two men who said they saw him there, or a negro very much like him, who directed them to the office at the right of the stairs. As Mrs. White came downstairs she saw a negro sitting exactly where Jim Conley in his affidavits said he was. They made their affidavits at different places, but they fitted in exactly.

"Why was he there? For what was he sitting there hour after hour? He was sitting there to do as he had done many times before—to watch at the direction of Frank. One thing they have said is that he was drunk. I suppose he did drink a few beers that morning, but have you noticed that he told of everyone that went up there that morning, and in the order in which they went up. He could have said that he saw Mrs. White, but he admitted that he was napping about this time. Now we come to the time of the tragedy. Jim was still there.

"But about this little Mary Phagan. A little girl who asked for Mary's money had been refused the night before. They told her that Mary would have to come after it herself. This was a violation of the general rule at the office. Even Schiff told you, I think, that they gave out the envelopes to other persons if they knew them well enough. Frank told Jim on Friday night to come back the next morning, but he didn't have any work for him to do. All he wanted of him was to watch at the door as he had done before. He wanted him to watch while girls came up to the office to chat with him. You will notice something peculiar about that word 'chat.' It is a word I never have heard before, but you will notice that there are two persons that use it. One of them is Frank and the other is Conley.

"He tells Jim he wants to have a chat with that girl that day. 'Jim, you just make yourself convenient; wait around.' Jim comes and waits. He makes himself easy there in the hall. He takes a nap. People come and go. Then Mary Phagan comes, the beautiful little Mary. She must have been a beautiful little girl. I guess you all remember her pictures, with her curly hair and bright eyes, and trim figure.

"She came with a little boy. They must have been sweethearts. She had an engagement with him. She wanted to go to the factory first for her little $1.20. She went, tripping along, a happy child. From that dreadful hour not one thing was heard from her. But we know what a horrible catastrophe she met as she went, so innocently, for her little $1.20.

"Frank was there. How do we know it? From his own statement. And he had to change it when he came upon the stand. A live human being, a young girl, came here and said he was not there when she went to his office. Frank did not see her. She waited five minutes. He was not in. I am not going into the details of the time. Mr. Dorsey will do that in his conclusion. What I want to impress upon you is that Frank stated here from this stand he might have gone out of his office for a moment. It was the first time such an admission was intimated. But there was the sworn statement of Monteen Stover to combat him.

"It had to be got around. You don't have to depend altogether on Jim Conley's story. Monteen Stover went to his office after Mary Phagan, and he was not here.

Rosser Interrupts to Enter an Objection.

"In the meantime another little girl was waiting in his office—Monteen Stover—and Conley was waiting for the signal downstairs. Frank followed that little girl back there, and I want to be perfectly frank and say I do not think he had murder in his heart when he did, but the pent-up passions of weeks gained control and he could not stop. That scream that was poorly described here by this poor, ignorant negro—I wish you could have heard it; that scream that sounded like a ripple of laughter that ended when she realized his hellish purpose; the scream that ended when her life began to ebb."

Rosser interrupted Attorney Hooper to say that there was no evidence about laughter. Hooper replied: "All right; I was mistaken."

"The scream," Hooper continued, "and then those fast running footsteps. That was Frank coming to get the cord that strangled the child. Then he gave the signal for the negro to lock the door and come up, and Conley found him nervous and shaking, fresh from that harrowing scene on the rear of the floor on which his office was located.

"Now, gentlemen, we have this man Frank—this man of high standing and character—either committed this crime or that he was back in his office in plain hearing of any scream or any running of the elevator or the hearing of people going up and down the stairs, attending to his duties in his office, preparing that wonderful statement we have heard so much about.

Finds Mute Accuser In Factory Diagram.

"By this diagram I will show you that he was bound to have known of the commission of this crime, even if he hadn't committed it, but listened to that brute negro attack that little girl.

"I want to show you that even if he was where he said he was, and where Monteen Stover said he was not, that this crime could not have been committed without his knowledge.

"I want to show you that he could see from his desk to a point by the clock. I don't want to give any testimony, for if I did I could show that he saw more than that, but by this diagram—and it is a fact—I will show that his line of vision sitting at his desk would bring him to the clocks.

"Frank doesn't sit back in his chair. He sits away forward, and when he is at work he is the hardest working man you ever saw. And, gentlemen, he could see into the space beyond his office.

"Little Mary Phagan was killed back there in the metal room—back there where our friends say they could see not find any blood spots, but where we have shown there were spots of blood. And, gentlemen of the jury, if Frank did not commit this crime, he sat supinely there at his desk and let that brute negro kill her; let that negro bring her up the passageway, bring her up to the elevator and take her down that elevator, which, when running, shook the whole building, which the negro said he could hear downstars; which witness after witness has told you could be heard over the entire building, and which Frank could not have helped but hear.

"Frank's First Word Betrayed His Guilt."

"Mr. Frank, I will give you the benefit of every doubt, but according to your own statements as to the time you were there, and the time which has been shown conclusively that the girl was killed, you were right there; you sat right there, and you never moved.

"Now, to bring Jim Conley back into it: Gentlemen of the jury, isn't it an evident fact—haven't you been shown conclusively, that either Frank or Conley killed little Mary Phagan? Or that Frank killed her by himself, as Conley says? Or that Frank sat supinely at his desk and let this negro Conley kill her, and yet he made no move?

"As soon as the murder was consummated, there was something upstairs that had to be attended to. There were two men upstairs and a woman. Frank was anxious that they be let out of the factory. He went upstairs and told them that if they were going to go, now was the time.

"Mrs. Arthur White left. Arthur White and Harry Denham stayed. Frank told Mrs. White that he was going to put on his coat and hurry away. But this man, who was in such a hurry, still was without his coat when she got down to the office floor. Frank went into his office, washing his hands in that imaginary water. They say that this was his habit, and that we must not assume anything from it.

"The first words that he uttered when he got inside the office, he opened the doors to his guilt that all might look in. Frank said: 'Why should I hang,' adding that he had wealthy people in Brooklyn.

"What was the estimate that he put on the life of a young girl? Didn't it hurt him to wind the rope about her neck until it had sunk deeply into the tender flesh? I can't conceive how any being with the instincts of humanity could have twisted the rope about the neck of that pretty little girl. But he said: 'Why should I be punished for doing such a little thing as taking the life of this little girl? I have rich relatives in Brooklyn.' They will say he never uttered these words. He has denied them on the stand. But did Jim know that he came from Brooklyn? Did Jim know that he had rich relatives in Brooklyn? Did Jim know that he reckoned a human life in dollars and cents?

"No; those words came from the bottom of this man's heart.

"From the African temperament of Jim Conley came the next remark. 'What's going to become of me?' he asked. 'Oh, I'll take care of you, Jim; you have been a good negro. I will write my mother in Brooklyn.'

"This is that old mother who has stayed here in the courtroom so faithfully through all this trial. I can not understand how she has had the bravery to do it."

At this point Attorney Rosser objected on the ground that the speaker was quoting from the affidavits that Conley first made and not those that he told on the stand.

"You will find that they are all about the same," said Hooper.

"Frank says: 'Jim, can you write?' Jim says: 'Yes, I can write a little bit.'

Says Frank Lost Head In Fixing the Notes.

"Why did he ask Jim that question? Jim had furnished reports on those boxes. He knew what Jim could do.

"Jim was trustful; he wasn't on his guard like he was when confronted by the terrible Mr. Rosser. He had faith in his boss, and how false was his boss? As false as he was to the little girl. As false as he was to poor old Newt Lee when that bloody shirt was planted.

"You all, I presume, are Southern men, or have lived long enough in the South to become familiar with the traits of the negro. Can you tell me that you could imagine a negro on his own initiative writing such notes as were found beside that body?

"They charge the crime to a negro—a negro who could hardly write. Would a negro who stood before the grilling of Luther Rosser for three days, and came out victor, be fool enough to do that?

"The truth of the matter—the fixing of those notes seems to be the only time that Frank lost his head. He might have known the police would go back of that.

"Then we come to the money in the case: I don't think Frank had any $200 in his office when he was talking to Conley, but dollar bills would look mighty big. He handed the reward to Conley. Then he thought: 'You are as deep in the mud as I am in the mire.' Aloud he said: 'Let me see that money, Jim;' and he sticks it back into his pocket as if to say: 'If everything comes out all right, I will give it back to you.'

Tells How He Arranged To Dispose of the Body.

"False again to the poor negro who had carried out his hellish purpose, he compromises with a cigarette box containing about $1.50.

"Perhaps there was another idea in his head; there was the mute and mutilated evidence of the crime in the basement. That must be destroyed. This money would be a reward to get that removed.

"Then we come back to that original proposition that the body was carried down the elevator shaft by Frank and Conley. But there is the part of burning the body. A man who had committed the crime would not hesitate to burn it. He knew that there was no man to come back there that day except Newt Lee.

"I don't care anything about what time Frank got home or what he did there; he got back to the factory at 3 o'clock, where he had an engagement with Conley to dispose of the body, and he knew that Newt Lee was going to get there at 4 o'clock.

"Conley overslept himself and Lee came first. Frank said: 'You go away, Newt,' then to himself he said: 'And give me two more hours to get rid of that body.'

"But Conley never came back, and Newt Lee did. He had to let him in, and he knew then that he was lost.

"When Frank saw Gantt in front of the factory door, did he start back aghast and say, 'There is that bloodthirsty thief that was $1 short?' No; he said, 'There is Gantt; he was Mary Phagan's friend. He lived near her and her family has sent him to find her.'

"But Gantt would not harm a flea. He reassured Frank by telling him he had come to get a pair of shoes he had left in the factory. But Frank didn't want him in there, and told him the shoes had been swept out.

Charges Frank Lied to Gantt.

"Gantt told him there was another pair, and, gentlemen of the jury, Frank had to let him in, and he went in and found not one pair of shoes, but both pairs.

"Did Frank tell him a lie to keep him out of the factory, or did he really think the shoes had been swept out? He told a lie, and he was so afraid Gantt would find something that he sent him in under guard.

"And, gentlemen of the jury, as he stood at that entrance in the presence of Gantt the thought was going through his head, 'It is going to be known in a day that Mary is gone. Lord knows I don't want to let you in here, but I have got to let you in, but I will guard you. Come on in, but you go with him, Newt,' and, gentlemen of the jury, notice this:

"The striking thing about it—the singular fact is that Gantt found both pairs of shoes, showing, gentlemen of the jury, that Frank had never seen the negro sweeping them out.

"Did he lie about this, gentlemen? And after he had left the pencil factory, trembling and with a burden upon him, what did he do that night? He did something he had never done before. He called up Newt Lee over the telephone, and when he could not get him the first time, he called again and asked if that long-legged Gantt was there.

"And when he found that Gantt had left and had discoveerd nothing, what burden rolled from him! No wonder he looked light-hearted. No wonder that he could read baseball stories and joke. No wonder that his family could say that he had nothing on his mind.

"Another Thing on His Mind That Night."

"But yet he had another thing on his mind before the night had gone. During the early hours his telephone rang, but he did not answer it. Honest old Newt Lee notified the police and tried to notify him.

"But Frank did not answer. He says he heard the telephone but faintly, or he imagined he heard it.

"But the police heard the call, and they went down into that basement

Continued on Page 3, Column 1.

WHEN FAGGED OUT

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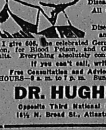

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ARNOLD CALLS CASE GREATEST OF 'FRAME-UPS'

'Frank Prosecuted Because He Is a Jew,' He Says to Jury

'WRITER OF THOSE NOTES KILLED MARY PHAGAN,' IS CHARGE OF DEFENSE

Continued From Page 2.

and found something. They found the body of little Mary Phagan cruelly murdered, the cold body lying on the ground where it had been left for Jim Conley to burn.

"Jim had taken his nap, though, and had not come back. The policemen took the body to the undertaking establishment, and at daybreak they started to get up Frank again. And when they got him he was anxious to know if there had been a fire.

"And, gentlemen, aside from the conversation that took place, every officer and every man who was with him that morning will tell you that he was nervous; that he was shaking like a leaf; that he rubbed his hands and was completely filled with nervousness.

"But, gentlemen, he is a wonderful man. Though he stood there and quivered that Sunday morn, not a one of you can say that during this trial you have seen him quiver once. He is as calm and cool as any man in the courthouse, to all intents and purposes.

"But the morning after the crime he was as weak as a cat. He was nervous; he was trembling like a leaf. The people in the automobile on the way to the undertaking establishment felt him tremble.

Holds Up Time Slip to Jury.

"What was his conduct when he got down there to the morgue? He did not look on his victim, on whom he had had lustful eyes for weeks. He fled; he could not pay the proper respect to a dead body. He went behind a curtain, a place where he had no business to go. He rushed out and waited for the rest.

"Did he identify her? No; he said he thought it was the girl he had paid off the day before. He had to go back to the records; he had to look up and see what her name was. Still he had seen her every day as he passed the machine where she worked.

"It was the same girl he called Mary; it was the same girl he tried to engage in conversation; it was the same girl on whose shoulder he placed his hand.

"What did he do with the time slip that was put in the night before? He said, after looking at it, that it was properly punched. Others looking over his shoulder agreed to it. Darley himself agreed to the error."

At this point Attorney Hooper produced the time slip which he held up before the jury.

"There weren't any marks on it then," he continued. "Frank said it was perfect. He told the night watchman: 'I know you didn't do it, Newt.' But he found that he was getting himself in trouble.

Bloody Shirt Also Exhibited.

"He asked himself why he had said anything about the slip until he had had time to fix it up.

"The next day comes Holloway, his right-hand man, saying that he had the slip, and that it had two misses on it. Frank made some remarks about Newt Lee.

"John Black, suspecting that the negro might know something about the crime, went out to Newt Lee's house and in a trash barrel he found this."

The bloody shirt was held up by Hooper before the jury.

"Somebody had to plant a shirt out at Newt Lee's. Somebody did plant a shirt out at Newt Lee's.

"Did you notice how minutely Frank described his movements all day Sunday and all Sunday night? That struck me as very suspicious.

"Newt Lee said: 'If that is a machine made shirt it is not mine, and if it is a home-made shirt it is mine.' And behold! it was a home-made shirt.

"These remarkable discoveries were made when the shirt was found. You will find that the blood is on both sides of the shirt. And not in corresponding places.

"There is only one explanation—it was used to wipe up a pool of blood. It did not have the distinctive negro odor; it had not been washed. The button holes and not been opened up since it came from the laundry.

"Willing and Anxious To Sacrifice Negro."

"Remember please that that morning this defendant had brought up a time slip with skips showing that Newt Lee had not made all the punches. Gentlemen, he was willing and anxious to have that negro's life sacrificed to save himself.

"The Bible says: 'What will a man not give for his life?' He was willing to give up Gantt, but never one word did he say against Conley. Conley was his friend and associate. That poor negro got arrested for washing a shirt to go to Frank's trial.

"Frank never accused him until the Newt Lee scheme and the other schemes had fallen through. As a last resort the defense has thrown his whole attack on Conley.

"There is one other thing I want to mention—that big stick and the little piece of paper found by the shrewd, smart Pinkerton detectives who can find anything, even an elephant, on a floor. These were found after numerous searches, weeks after the murder.

"Unfortunately, they showed the slip of paper to Mr. and Mrs. Coleman, but there was a figure '5' on this piece of paper, purporting to be a part of Mary Phagan's pay envelope.

"When they came on the stand with that evidence, the figure '5' had been conveniently removed. It fitted the amount Mary Phagan drew that week.

"Doctors say the wound on Mary Phagan's head could not have been made with a stick like they exhibited. No scientific tests for blood were made on it. Yet the defense introduced it as the possible weapon that caused her death.

"Where Is Mincey?" Hooper Asks.

"An inquiry has been made about a man named Mincey. Conley went on the stand and was asked if he did not make certain statements to Mincey about killing a girl. The only purpose of these questions was to introduce Mincey to clear up this whole affair.

"My recollection was he was brought into the courtroom and sworn with the other witnesses."

Rosser: "You are mistaken."

Hooper: "I may be, but where is Mincey? It looked like the whole fight was to be about him. Frank was to be cleared, Conley convicted. But there has not been one word from him.

"Gentlemen, I am not going to take up any more of your time. I wanted to open up the case fairly and squarely to show you and the defense your positions on these various points."

Hooper concluded. Then Judge Roan asked Solicitor Dorsey to cite the authorities upon which he expected the court to base its charge to the jury.

Solicitor Dorsey requested Mr. Hooper to do it for him.

The jury retired for a short recess and Dorsey sent his deputies out for a number of court decisions.

"Use Common Sense," Hooper Tells Jury.

After the jury returned to the box, Hooper read from a great many authorities on the question of a reasonable doubt and the quality of circumstantial evidence.

"I have heard men say that they thought one thing but when they were on a jury they had to decide another way," said Hooper. "That being on a jury made a whole lot of difference, but it was never intended that such should be the case.

"If you gentlemen believe beyond a reasonable doubt, that is the way you should decide. You should decide this case as you would in your own home. You are supposed to use your common sense in arriving at a conclusion in this case, for the law is supposed to be common sense in its highest form.

"The absolute certainty is not obtainable. The most that can be obtained is the moral certainty, which has been described as being an absolute certainty. The question of moral certainty is before you in this case. The question for you to decide is whether or not it is an absolute certainty.

"It is unfair for a jury to be charged that direct evidence is superior to circumstantial evidence. And it is against the law to charge a jury that circumstantial evidence is inferior to direct.

Citing other authorities, Hooper said: "If the facts of the case point unerringly to the guilt of this defendant, then to all intents and purposes his guilt is as certain as though the evidence was direct.

"The proof of good character," Hooper continued, "will not hinder a conviction if the evidence against the defendant is sufficient. Even though the proof of good character is not attacked, as it was in this case, the evidence in the case is enough to overbalance the character testimony.

"An alibi must exclude the possibility of the presence of the defendant at the place and the time the crime was committed.

"You are not to be governed by any opinion that counsel may express, but by the evidence presented.

"If a party is apprised of the evidence against him and does not explain or controvert it, the strongest presumption is that it is true."

SEABOARD EXCURSION TO WRIGHTSVILLE.

$6 round trip. Saturday, August 23. Special train leaves 6 p. m.

Rich's Economy Basement.

A Fresh Supply of

Boudoir Slippers

59c

All desirable sizes and colors now on hand. Genuine 75c values for only 59c.

The New Fall

High Shoes

for Women, Misses, Boys and Children

are on sale at popular prices. Now is the better time to make selections while sizes are plentiful, and before the rush.

Rich's Economy Basement

DAUGHTER OF JUROR WAITING TO SEE 'PAPA'

Margaret Louise Wisbey, whose father Is on the Frank Trial Jury.

Arnold Opens Argument Charging Persecution

When Attorney Arnold arose to speak he asked for the paper model of the pencil factory. The model was brought in and placed before the jury stand.

"Gentlemen of the jury," Arnold began, "we are to be congratulated that this case is drawing to a close. We have all suffered at trying a case requiring so much effort, time and concentration is such hot weather. We have suffered for lack of adequate quarters, and from the noises from the street.

"A man's physical surrounding has a good deal to do with how he can do work. I never could do good work when I was uncomfortable. And it has been especially hard for you jurymen, shut off as you are, but that has always been so. You are set upon a hill, as it were, where the sound of the multitude does not reach you—away from the ugly things men do and think and feel.

"The jury system has been in use a long time. It is now in use in all of the countries of Europe adopted from the English system. In the old days trained judges tried cases; they heard all the facts and were supposed to be able to tell when a man was telling the truth and when he was not, and from the viewpoint of an expert

Continued on Page 5, Column 1.

GEORGIA'S GREATEST MURDER TRIAL NEARS ITS FATEFUL CLOSE

By JAMES B. NEVIN.

The evidence in the Frank case all has been delivered; the last word has been spoken, both for and against the defendant, so far as the witnesses are concerned.

It only remains for the lawyers to argue the matter to the jury—and then, after the court has given the jury the law in charge, there will remain only the verdict to record.

The most complex, difficult, elusive and mysterious murder case in the entire criminal history of Georgia is nearing its end!

It is doubtful whether any of us ever shall see the like of the Frank trial again.

Lawyers give it as their opinion that it has been, in a dozen or more ways, the most extraordinary proceeding ever coming under their observation—and certainly the newspapers of the State never have been called upon to handle a story so amazingly strange in its varied and sometimes astonishing ramifications.

The Phagan case—for as such it will go down in history, rather than as the Frank case—has combined within itself all that goes to make for intense and insistent heart interest.

It has revolved about a sweet little working girl, tragically, and cruelly, and brutally killed—murdered in the first flush of young and promising womanhood, who probably never knew, and if knowing, still not comprehending, why that awful fate should have come upon her so suddenly and so unavoidably!

It has involved the honor and the home happiness of a young business man, theretofore of unblemished integrity and standing in one of the most cultured cities in the world; it has stormed about two households, equally unoffending within themselves; it has concerned itself with the love of two mothers, and it has made to bleed the heart of a wife, and has brought sorrow unspeakable to the minds of hundreds of loving friends, both of the accused man and the dead girl.

Sleeping Prejudice Aroused.

It has, with sordid emphasis, suppressed but unmistakable, made manifest deep-seated prejudices and opinions—gathering as it swept along many things foreign to the real point in issue, until the one big stake the cards must settle presently has, at times, been completely lost sight of, and even now is not easy to locate with certainty.

The Phagan case has run the entire scale of human emotions—there is little by way of sinister or grim appeal that has not been, somehow and sometime, injected into it!

But, after all is said and done, perhaps the matter has been thrashed out thus far in the light of the best intelligence that might have been applied to it.

At times, fate has seemed all too unkind to the defendant; at times the State has seemed unduly estopped from proceeding as it thought it had a right to proceed.

Undoubtedly things have been said and done by both sides to the Frank trial that, as strict matters of law and justice, never should have been said or done.

Frank has had to answer not to the charge of murder alone—as the indictment contemplated he should—but to two charges.

The one means an ignoble death if sustained; the other means a worse than ignoble life thereafter in the penitentiary.

In a measure, too, the charge of murder has been swallowed up and obscured by the other monstrous thing—and yet one can hardly see wherein the defense may complain of that, in that the second charge got into the record with the consent of the defense, if not almost by its invitation.

Scales Held With Even Hand.

Judge Roan—and in this, at least, —I think the public is agreed, has tried his level best to hold the balances even. If there be error in his rulings, they have been errors of the head and not of the heart, I take it. And, error or no, he has maintained an impartial average of judicial favor, so to speak, and he will come through unsullied and uncriticised.

What effect upon the jury the evidence will have is highly speculative and problematical.

If the jury were not composed of human beings and could confine itself to those things alone it has been legally held to, the pathway to acquittal of Frank might seem brighter.

But the trial has been so long drawn out, so full of perplexing detail, so worrying and fretting to simple analysis, so mixed as to issues, and so disconcerting in sequence of testimony, that one is at a loss to imagine just what the jury MUST think of it all now.

In its strict legal aspect, the case against Leo Frank, while wonderfully well held together and set forth by the Solicitor General, still is not such a case as would prompt one to predict sure conviction.

Neither, however, has the defense been of a nature warranting a prediction of sure acquittal.

If the technically legal case could be differentiated in the mind of the jury from the psychological case—if the pleadings could be confined strictly to the primary issue, murder, and not in any manner confused with the other unmentionable issue brought into the case—the probable finding of the jury would be easier to anticipate and forecast.

If Frank might have been tried for murder, pure and simple, NOW, and LATER tried for the other thing, the problem of the jury might, and doubtless would, be simplified immensely.

But to expect the jury to separate in its mind entirely the two things Frank is answering for is almost to expect of it the impossible—the superhuman!

Jury but a Part of the Public.

It has been seemingly impossible for the public to do that—and, after all is said and done, the jury is but a portion of the public, made more careful in forming its opinions, to be sure, by the solemn oath it has taken, but merely a portion of the great public nevertheless!

The big card played against Frank was the negro sweeper, Conley.

Upon his astonishing story turns the State's entire case, from every point of view.

Conley it was who first pointed the direct finger of accusation toward Frank and fixed upon him the awful charge of murder, and Conley it was who first spoke the word of unspeakable scandal that has made Frank's road to acquittal a thousand times harder to journey.

Pitted against Conley is Frank, almost and pathetically alone!

He made a remarkable statement—it carried with it every indication, so far as the surface of things seemed to show, of truth and straightforwardness.

If it was a sustained misstatement of fact, told to save himself, it was the most wonderful piece of work I ever witnessed.

In his own behalf Frank was far and away the very best witness the defense put forward.

If it shall so fall out that he be acquitted, that statement must and will be credited with a tremendous share of the responsibility thereof.

It has behind it, too, some things that the Conley statement has not—among other things, a long record of respectability, integrity and business standing, vouched for by an abundance of very high-class evidence as to Frank's character.

And yet—it was not delivered on oath, and it certainly carried a load of self-interest.

Undoubtedly much has crept into the case, or been lugged in, that is irrelevant, but—well, it is in, and that is the end of it, perhaps!

If Frank is convicted there will be grounds innumerable for asking a new trial; and if that is refused, there will be an abundant assignment of error whereby a reversal possibly may be had later and a new trial ordered.

Frank, however, has staked his all and everything on acquittal—to be denied that is to be denied the hope of all hopes that sustain him to-day!

And so, after the evidence all is in, and the public at last is face to face with the forthcoming verdict—after four months of nerve-racking suspense, swung this way and that, and never knowing exactly what to think—there is but one thing human beings of normal minds and poise can do to-day.

They must await the verdict with minds prepared to accept it as the truth—the very best human ingenuity and the forms of law can establish by way of justice and right.

Either an acquittal or a conviction—the one final, and the other a matter to be reviewed—would be the finish of this trial most satisfactory to the public.

All that any man SHOULD desire—all, indeed, that any honest man CAN desire—is that the truth be recorded in the Frank case, in the light of reason, common sense and justice, as man is given the light to see!

Both the defendant and the State have much at stake—the one has his life and his liberty, the other has the majesty of the law, which is the protection of the lives and liberties of all.

It is easy to find fault, to say that a mistake was made here and there; that sins of commission and sins of omission marked the progress of the trial from both sides.

But that, and none of that, gets us away from the fact that the trial has been as fair and square as might have been expected—and whatever the verdict, no man will have the right to say that undue favor has been shown.

The verdict of the jury—"twelve good men and true"—that the public should be prepared to accept, loyally and sincerely, as the TRUTH of the Phagan murder, in so far as Leo Frank is concerned therein.

"Watch Out"

Indigestion
Dyspepsia
Constipation
Biliousness

will surely "get you" if you are careless and neglect the Stomach, Liver and Bowels. Be on guard, and at the first sign of trouble always take

HOSTETTER'S STOMACH BITTERS

It tones, strengthens, invigorates the entire system. Try it now.

M. RICH & BROS. CO.

August Furniture Sale

This sale was carefully planned six months ago and the 10 to 50 per cent reductions embrace:

First—Every piece of our regular furniture on the warerooms and on the floors.

Second—Special purchases from manufacturers who supply us regularly.

Customers wishing to profit by the August prices and desiring more than the usual 30 days' credit, can arrange terms through our office.

(Furniture—Fourth Floor)

For College Girls, Brides or Matrons

A hand-embroidered shirtwaist will please them all. Exquisitely embroidered shirtwaist fronts, on sheer voile and lingerie, are to be sold for $1.98. The designs are beautiful and the work is perfection. Before the number diminished we sold these for $2.50 and $3.50, but we dislike to keep this beauty hidden.

$1.98

(Embroideries—Main Floor, Right)

Neckwear of Beauty

The new Fall Neckwear has arrived. But—that is too conservative when speaking of this array of loveliness. Rich Oriental effects for the stately matron—dainty pink and blue embroideries for the buds—modest little colored embroideries on ecru for the schoolgirl and beauty for all. 29c to $6.00.

New tartan and bandit striped sashes are here in full force. Fringed ends—ready for the quick, novel adjustment which brings a frock up to the minute in style. 2½ yards long. $1.75, $3.00, $5.00.

(Neckwear—Main Floor, Right)

Center Aisle Greets You

With a Sparkling Trio of Good Values.

Hatpins 25c.

Imported 6-inch hatpins, small heads, set with clusters of most brilliant rhinestones. 2 on card 25c

Hair Ornaments $1.49.

Jeweled barrettes, back combs and other hair ornaments. Beautiful and exclusive. Values from $3 to $7

Bandeaux 25c

New coiffures demand bandeaux. These would adorn the head of Psyche herself—so prettily are they set with brilliants, pearls and corals. Were good values at 50c to $1, are now but 25c.

69c—Leather Bags—69c

Regular $1 and $1.50 values, but an odd assortment, so all will go for 69c. Frames—German silver and leather-covered. Top strap handle, round and creased bottoms, leather and moire lined. Fitted with neat coin purses. Mostly black, but some in colors.

(Center Aisle—Main Floor)

Handkerchiefs Wave Farewell

In fact, that's what we expect. We are not anxious to keep these broken lots in the store. You will be glad we feel that way when you see:

Pretty Handkerchiefs—15c each.

Some white, others with colored borders. Black and white borders on many. Values—25c to 50c.

All-Linen Handkerchiefs—25c each.

Ladies' embroidered and men's hemstitched handkerchiefs. Worth 50c to 75c each.

All-Linen Handkerchiefs—6 for 49c.

Ladies' initial handkerchiefs. Only a few initials lacking. Values—98c to $1.25.

All-Linen Handkerchiefs—6 for 98c.

Many styles. Unusual opportunity to get very good handkerchiefs for less than the price of ordinary ones. Values—$1.50 to $2.

School Days Are Nigh

Get the children handkerchiefs before the last minute.

Girls' Handkerchiefs—6 for 29c.

All-linen hemstitched and initial handkerchiefs. Used to cost 50c, but you can buy six for your little girl at 29c.

Boys' Handkerchiefs—6 for 69c.

All-linen, with neat initial. Serviceable. Best $1 value—good for Dad, too.

(Handkerchiefs—Main Floor, Left)

Here Again, Double-Front Petticoat 98c

This eliminates use of two petticoats. Narrow style, carefully fitted with buttoned placket, neatly scalloped hem. Double-front gore makes it the preference under summer frocks. Ought to mark it $1.25.

(Muslinwear—Second Floor)

Neat House Dresses 98c

Ginghams and percales with little tailored touches which remove them from the commonplace. You can take absolute satisfaction in their simple prettiness. Were $1.25, now 98c.

Dainty Kimonos 98c

Flowered lawns, in Empire style. Some have large, fancy collars. Pink, blue and lavender—all in floral designs with borders to match. Were $1.25, now 98c.

August Blanket and Bedding Sale Continues.

M. RICH & BROS. CO.

'MAN WHO WROTE NOTES KILLED MARY PHAGAN,' SAYS ARNOLD

Recalls Dreyfus Case to Show Mistakes of Circumstantial Convictions

'PRINCE OF PERJURERS' IS EPITHET APPLIED TO CONLEY BY ATTORNEY

Continued From Page 3.

determine his guilt or his innocence. The jury system came as a result of a desire to popularize the courts; to let the people flow through the courts

"God Grant We Get Away From the Street."

"Inexperienced, as they are, it was decided that juries were capable of deciding questions of fact. Of course the judge still decides all legal points.

"My friend Hooper, in reading his authority just now, used a funny expression. He said your position is not different from any man's who wants to learn the facts; from any man on the street."

Hooper objected. "Your honor," he said, "I don't want the speaker to misrepresent my meaning."

Arnold: "You said street. God grant that we get away from the street when we come into court. What is the use of having any court if we don't get away from the street? There it is the man who has the most friends who wins. Courts are to protect a man from the street.

"Gentlemen, sometimes the very horror of a crime does a man a grave injustice. Time rights it all, of course, but at the present blush of a horror friends can't judge fairly.

"The crime in this case is an awful crime. It was committed by a fiend—a brute. But no matter how terrible, no fair-minded man would refuse to give a man accused of it a fair trial.

"But well-balanced men don't say just because he is charged with the crime by Detective Starnes and Solicitor Dorsey: 'We will hang him.' Thinking men weigh the facts.

"Kenley Sample of Lying Blowhards."

"I remember a case when Charley Hill was Solicitor, he asked a prospective juror the formal question, and when he came to that part where the Solicitor General said: 'Juror, look on prisoner; prisoner, look on juror,' that old fellow got up and looked him over and said: 'Judge, he's guilty.' That is the way with public sentiment in this case.

"There has been so much lying and rascality as I will show you that I won't add to it. That fellow Kenley is a fair example. He is a man that any honest man ought to be ashamed to say he knows. His mouth is set like a catfish. He is the type of lying blowhards that constitutes the so-called public sentiment. He is the man who said they hanged two negroes at Decatur because they had to have somebody, and he is the man who said, 'Hang this Jew for the murder of that poor little girl whether he is innocent or guilty.'

"I had rather be in Leo Frank's shoes to-day than Kenley's.

"Gentlemen of the jury, there are people who say that Frank is a remarkable man; that he is a man of wonderful courage; that he has gone through this trial in a manner most remarkable for a man of his physical build and temperament.

"Gentlemen, he has inherited it through 2,000 years of persecution. Behind him there is a long line of ancestors who for centuries have been abused, and I hope the day will come when a man will get justice, will be accorded fair treatment, be he Jew or Gentile, or white or black.

"He has endured persecution, and his family has endured it. The Jews have been thrifty, and envy has been the result. If Leo M. Frank had not been a Jew there would not have been any prosecution of him on this despicable charge. The miserable, lying negro, Jim Conley, was brought in to tell his miserable, lying story, to recite, parrot-like, the story in which he had been so well drilled.

"I am asking my own people and my own kind of people to do Frank justice. I am not a Jew, but I would rather my throat would be cut than do one an injustice of this sort.

"They have got their miserable perjurer, Conley, to come up here and swear Frank's life away. They have had him swear against a man who never had a word said against him before.

"Of course, after a crime, you always find persons who say that they knew the defendant's character was bad. But you don't make a murderer in a single day.

"I am going to compare the witnesses that were used by the defense with those that were used by the prosecution. They brought up the dregs of humanity to testify against this man. They brought up jailbirds and convicts to hang this man. They spouted hot and cold. They hurried the schedule of a street car. They slowed down the time clock at the factory. They got the detectives to say that Frank was nervous. They got his mother-in-law to say that he was so soulless he didn't open his mouth.

"Built Up Case, Then Tore It Down."

"They got little George Epps to testify that Mary Phagan got into town at 12:07. Then they began to tear their own testimony down. I am going to strip the case of some of the falsities and the warpings of the evidence, if God Almighty gives me strength. I don't know that He will, for I am nearly worn out.

"There have been a great many things brought into this case which should not have been brought in. The defendant must be proved guilty of the murder of Mary Phagan. Every other reasonable hypothesis must be eliminated.

"You must liberate Frank, otherwise. The law says you must. If you think that it is as reasonable to believe that Jim Conley committed the crime, then you must turn Frank loose.

"Our friends, the detectives and police, were hard put to find somebody on whom to place the crime. They thought at first it was this man Gantt. Sentell and others said they saw Mary Phagan on the street at midnight. Of course, they did not. But it will illustrate the uncertainty with which this crime has been hatched.

"Then they were almost certain that Newt Lee was the man. They found the notes by the girl's body, and Newt Lee said in reference to 'night-witch,' a phrase occurring in one of the notes, that 'night-witch means me, Boss.'

"I do not think that Newt Lee committed the murder, or had anything to do with the killing of the girl, but I never will get it out of my mind that Newt Lee knew something about the writing of those notes.

"Man Who Wrote Note Killed Mary Phagan."

"This is one of the profoundest mysteries that ever confronted a community. It has baffled investigation at every turn. But one thing has stood out like a mountain on a plain since the very beginning of this case. The man who wrote those notes killed Mary Phagan.

"Oh, you remember how they searched for him. The notes were found beside the dead body. It was right hard to recite what was in the obscure mind that wrote those notes. It looked like one negro trying to accuse another, but the one question stood out. Who wrote the notes? Who wrote the notes?

"Things developed. Newt Lee was put through the third degree and the fourth degree. Just the day or the day before the Court of Appeals handed down a decision which is especially applicable to this case. It denounces such methods. How it does hit Jim Conley and the authorities that made him swear. How it does hit Minola McKnight!"

He read a newspaper clipping of the decision.

"Our friend Hooper said there was nothing to hold Jim Conley in that chair but the truth. My God! He has his life at stake! Before you get through with this case you will see that they have got to depend on Jim Conley. If they can not hobble on those too rotten crutches they can't hobble at all. Before I get through with it I am going to show there never was such a frameup since the world began."

Court adjourned at this time.

Recalls Famous Durant Case.

When court convened for the afternoon session, Arnold resumed his argument.

"Gentlemen of the jury," he said, "my friend Hooper made some remarks about circumstantial evidence and how powerful it was. He forgot to mention the fact that the circumstances had to be substantiated by reputable witnesses and eliminate every other reasonable doubt.

"I read a book once that deals with circumstantial evidence and it was positively sickening the number of mistakes that have been made. The famous Durant case that has come within our memory is a striking illustration. Two girls were found murdered in the tower of a church. Durant was the last man seen with them. The public said, 'You are guilty.' One man swore he saw him wearing a girl's ring. Another man swore he had found Durant nervous and perspiring as though he had come from recent great exercise. The women egged him on his way to court. The jury found him guilty and a weak judge the first I have ever heard of, sentenced him to hang in three days. They appealed the case, but lost out, and they hanged him. There was not a cemetery in 'Frisco that would bury that man. They took him out to a little country churchyard and buried him. Time went on and people forgot about it. The preacher in that little church continued to address his congregation. After a number of years the preacher was confined to his death bed. He called a number of his friends around him and confessed to the murder of those two girls, and explained the circumstances in such a way that it left no room for doubt that he was telling the truth.

Cites Infamous Dreyfus Case.

"I remember another case—the Hampton case in England. It is a historic case. A country gentleman by the name of Hampton disappeared. He had lived with an old woman and her two sons. It was supposed that he had been killed. One son made incriminating admissions. They tried the old lady and her two sons and hanged them all. In a year Hampton appeared in life.

"I recall another case, the most dreadful of all—the Dreyfus case. He was a lieutenant in the French army. Someone had been telling the plans of the French fortifications. Dreyfus was suspected. They got evidence against him; he was court-martialed and sent to Devils Island. The men who sent him away thought they were safe, but the people became calmer and began reconsidering their action. In time a most infamous conspiracy was revealed. One man confessed and before the end practically every man in the prosecution committed suicide. Dreyfus was a Jew. He was friendless. He was an easy mark and they got him.

"I have never seen so much venom as there is in this trial. The murderous bestiality that robbed little Mary Phagan of her life is scarcely worse than the spirit that would deprive this man of justice. No wolf in the forest, no beast in his cage is so savage as these people who would hang this man on the flimsiest sort of evidence.

Arnold Grows Facetious At Expense of Hooper.

"One thing in my friend Hooper's speech I want you to consider. What he didn't know about this case would fill many volumes. He has got just a little feeble smattering of an idea. He doesn't know what the witnesses said. He doesn't know anything about the factory. He got mixed in Conley's evidence. Part of the time he was quoting from statements of Conley made before the trial.

"But I can't blame him much. Conley's evidence is so crooked he couldn't follow it. It reminds me of the story of the farmer who tried to teach his boy to plow a straight row. He said: 'Son, you see that bull across yonder? Follow straight to him and your row will be straight.' He came back later and found the boy plowing in semi-circles. 'What are you doing?' asked the farmer. 'I am following the bull,' replied the boy."

Arnold illustrated his point by walking around in circles before the jury, holding his walking stick as though it were a plowstock.

Sheriff Mangum had to rap to keep down the laughter.

"I have never yet seen an effort to get a jury to believe a witness in the attitude of Jim Conley," Arnold continued. "There are vile different editions of his statement. If he made one to-morrow, there would be a sixth. He has got the strongest motive in the world to lie—to save his own neck.

Premeditated Killing, Scouts Theory Frank

"Take my friend Hooper's theory that Frank knew it if Conley killed the girl. That is about as weak as the rest of his argument. If Conley had killed her on the second floor, he never would have taken her down until Frank and Mrs. White left.

"Frank left about one. It is absurd to assume that it was impossible for him not to have seen Conley. But we don't believe she was killed on the second floor. And I am going to show that there is no evidence that she was killed there, except what Christopher Columbus Barrett found.

"Hooper smelled the plot. He says this man had had his eye on this dear little girl for some time. That he had been thinking of how he could get her. That he had plotted to make an attack on her. I join with everyone in saying that who killed Mary Phagan was a foul beast, a fiend, a savage. It was not the act of a civilized man.

"But Hooper was hard pressed. They had to fall on something. They had to fall back on the evidence of this miserable negro, Jim Conley. And look at his evidence. A mass of lies. He lied in the first affidavit; in the second; in the third; in the fourth. He lied the fifth time, and I daresay that if he was placed on the stand he would lie the sixth time.

"Now look at what they got. They say that on Friday Frank knew he was going to make an attack on little Mary Phagan. And, gentlemen, taking in the evidence and everything else, this is the wildest conception I ever heard of.

"Conley Was Made to Tell Suitable Tale."

"The utmost they can get is by this poor miserable little fellow, Turner, brought in here at the eleventh hour and who says he worked at the pencil factory for ten days. And all he said was that Frank had put his hand on her shoulder and called her Mary.

"When asked if he could describe her, Turner said that he could not. He did nto know anyone else in the factory. He could not describe anyone. And what did he say that Frank said to her? All in the world that he said was that: 'I am superintendent of this factory.'

"And mind you, gentlemen of the jury, this was in broad open daylight. They brought in other women here to testify as to his conduct with Mary Phagan. And all that they could say was that they had heard him call her Mary.

"To get back to Jim Conley; he is at the beginning of the plot. From all the evidence, they just took him and led him around and made him fit a theory. I will prove by Harry Scott's evidence that whenever Conley said anything that didn't exactly fit, they said: 'Here Jim, that won't do. That doesn't fit Bill Jones' testimony and Conley immediately switched it around so that it would fit.

"By Conley's evidence that on 3 o'clock Friday afternoon, Frank came to him on the third and fourth floors, they expected to show that Frank at 3 o'clock Friday afternoon knew Mary Phagan was not coming for her pay.

"Now they didn't begin the payroll until 5 o'clock Friday afternoon. Who on earth but God himself would know that little girl was not coming for her pay?

Sees Conspiracy in State Evidence Chain.

"How unreasonable must it be for intelligent human beings to believe any story so utterly unreasonable.

"There is a little girl named Ferguson. I notice that Mrs. Coleman never said a word about the Ferguson girl, nor did she say a one about the Epps boy. But the Ferguson girl says: 'I asked Mr. Frank for Mary Phagan's pay, and he wouldn't give it to me.' Frank didn't know Mary was not coming for her pay that day? How did he know she wouldn't come for her pay that day? Wasn't it natural to suppose that if she didn't come that day, that she would come on Monday, the next working day? Do you think that he knew she was coming Saturday morning?

"Gentlemen, it is the wildest theory on earth. Yet the Ferguson girl said: 'I asked for Mary's pay and he said he wouldn't give it to me.' Frank never paid off. Schiff always did that. They had a pay window, and Schiff sat behind it. I doubt if Frank ever saw the girls who were paid.

"There is another little girl, Magnolia Kennedy. She looks just as well as the Ferguson girl. She declares she was behind the Ferguson girl and that the Ferguson girl asked for the pay of no one but herself.

"There is your conspiracy. Before anything happened you have Conley laying the foundation. You have Frank on Friday knowing all these things and telling Conley to come back Saturday. You have Frank saying: 'I don't think Mary Phagan will ask for her pay this evening. I don't think she will come down and get it at the usual time. I think she will come Saturday morning. So I will have Conley here and he can watch for me while I assault her.

Accuses the State of Begging the Question.

"Gentlemen, it is too thin. But my friend Hooper says that Frank fired Gantt for a one-dollar debt. Gantt don't come into this case in a very good light. He admitted the one shortage for which he was discharged. There was no doubt that the man who made the complaint knew of the missing one dollar. You don't know how much more there was. You don't know what Gantt did during the time he was working there. We didn't go into that. We don't want to sling any mud on to anyone at all. Yet they are bringing in the discharge of Gantt as having a bearing on this case.

"They claim Gantt was discharged because he had said he knew Mary Phagan. There is no proof that Gantt knew her. They were born in the same county, but there are 30,000 people in Cobb County. He was not her guardian. She was not dependent upon him.

"Little Grace Hix said that Frank didn't know Mary. Magnolia Kennedy said that Frank was not acquainted with the Phagan girl.

"My friend Hooper said some mighty bad things about what happened at the factory. He has pictured the conditions at the factory as being grossly immoral.

"Gentlemen, that is begging the question. I venture the assertion that this factory is no better nor no worse than the general line of factories. Any place where you work from 100 to twice that number of men and women you are almost certain to get some who are not so good as they might be. There is always the evil mixed with the good.

"Discharged Employees Testified in Revenge."

"We are not trying this case on whether you or Dorsey or me or Mr. Starnes or Frank have always been perfect. I say to my friends, let him without sin cast the first stone. There was a little immorality here as in other factories. My friends Dorsey and Hooper have put the microscope on everything. They have dug up everything that ever happened at that factory. They have gone back five years in their efforts to create trouble. They went fishing for witnesses and I don't wonder that they could find a dozen or so who were willing to swear that Frank's character was bad.

"You can always find discharged employees of the factory who were envious or jealous and are anxious to get revenge on their employees. When you swear to character, it is always an opinion. And the value of your opinion depends on the length of time you have known the person for or against whom you are swearing.

"The prosecution has put up eleven girls. Most of them worked there years ago and for only a few weeks at a time. They have gotten all the floaters they could find, employees who worked at one place for a short while then moved on.

"They have searched these witnesses out carefully. They have taken them to their offices and questioned them. And I don't doubt that after they got through questioning them they were able to find many who were willing to swear that Frank's character was bad. From the way they have been giving evidence, I am inclined to believe it.

"Now, of all the incidents mentioned by our friend Mr. Hooper, the dressing room incident is about the worst. There is the room, gentlemen that has absolutely no conveniences—no wash room, no lavatory.

"Now Miss Javckson said that the girls went to work at 7 o'clock and that Frank loked in at 7:10 or 7:15. Miss Jackson admited that girls had been flirting from the windows of that dressing rom. She said they were all afraid of Frank and went to work when he appeared. The only reason that Frank loked into that dressing room, was to see that his orders prohibiting flirting had been obeyed.

"Do you think he could run a factory like that and flirted and had been familiar with the help? Don't you know that if he had done that, all organization would have been swept away and work would have been practically at a standstill? Do you think Montag would have kept him if he had done all the things the prosecution said he did? Do you think they would have trusted their business with a man like that? Why, it is preposterous.

"Men here talk like putting the hand on a thirteen-year-old girl's shoulder amounts to anything. Or looking into a room where girls change only their top dresses? Why you can go out to Piedmont Park any day and see 500 women with almost nothing on.

"You can go to shows and see them with practically nothing on. And I don't mean we are getting worse, either. eW are getting broader. This prudish attitude of holding up your hands in horror of a man's putting a hand on a woman's shoulder makes me sick. I wouldn't trust that sort of a man behind a door.

Killing Was Crime Of Savage Negro.

"We are living in a broad age. We are getting more sense about these matters. Sometimes I think it is a little too broad for me. But Frank's acts that were testified about were made in the broad open day, and no complaints were made about them at the time.

"I was talking about Hooper's theory. He is the sort of man who sees a bear behind every bush. He quoted Conley's statement about Frank telling him to come back and watch. Don't that fit beautifully? Mary Phagan had not been there. It isn't so, of course. Frank couldn't have had any engagement with that little girl. That crime couldn't have happened as Conley said it did. It was the crime of a savage negro, whose first attack is violence, because he can not accomplish his object in any other way.

"Now we come to this man Barrett. I don't know what his name is, but I call him Christopher Columbus because of his numerous discoveries. He talked about a reward. Smith testified he saw him counting his imaginary money. Frank, Chief Beavers and Detective Starnes made a searching investigation of that factory Sunday. They didn't find any blood spots. But Christopher Columbus embarked on a voyage the next day and discovered wonders.

"I am going to show you just how

Continued on Page 6.

$20.95 BALTIMORE AND RETURN VIA SEABOARD.

On sale August 22, 23 and 24. Correspondingly low rates from other points. Through steel trains.

Funeral Designs and Flowers FOR ALL OCCASIONS. Atlanta Floral Company 455 EAST FAIR STREET.

SKIN TROUBLE BEGAN WITH ITCHING

Could Not Rest Day or Night. Sores Itched So Would Scratch Herself to Pieces. Cuticura Soap and Ointment Cured in Two Weeks.

Glenns P. O., Va.—"My baby's trouble began with an itching and then a little bump would come and she could not rest day or night. The trouble affected her whole body. The bumps festered and came to a head and the corruption looked like thick matter, kind of a yellow color. The sores itched so badly until it seemed to me she would scratch herself to pieces and then a sore would form and her clothes would stick to her body and pull off the little scab. In some places she would scratch and irritate the sores until they seemed to be large. She was affected about a year.

"First I employed a medicine which did very little good; next I used —— and —— that did harm. So I wrote for a sample of Cuticura Soap and Ointment. I bathed her body in warm water and Cuticura Soap and then I applied the Cuticura Ointment and they afforded relief after twice using. I bought some more Cuticura Soap and Ointment and inside of two weeks she was cured." (Signed) Mrs. J. R. Greggs, Nov. 21, 1912.

For more than a generation Cuticura Soap and Ointment have afforded the most economical treatment for affections of the skin and scalp that torture, itch, burn, scale, and destroy sleep. Sold everywhere. Sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

Chamberlin = Johnson = DuBose Co.
ATLANTA NEW YORK PARIS

Here's News That Will Make Interesting Reading For Women

Nainsook Gowns That Were Until Now $1, $1.50 & $1.75, Are 69c

Prepare to buy them in twos and threes and half dozens. You will, once you see how fine they are—(it does not take a woman's eye long to catch the real **value** that lies in such an offering as this).

Here—

They are, every one of them, taken from our own stocks, which means they **had** to be worth their former prices before they could enter. The nainsook is smoothly woven and light and free from all filling.

The laces, Valenciennes, Cluny and shadow, are those neat and dainty patterns that women of good taste instinctively prefer, and so with the Swiss embroideries that form yokes, that are oddly placed in sleeves, slip-over style, Empire style, both variously charming. We warrant you haven't known such gowns before at 69c.

Chamberlin = Johnson = DuBose Co.

J. M. HIGH COMPANY.

A Big Sale

Remnants White and Colored Wash Goods

12 1-2c to 35c Qualities

SALE BEGINS PROMPTLY AT 8:30 o'clock Friday morning. White Piques, Repps, Bedfords, Dimities, Lawns, Nainsooks, Batistes, Swisses, Voiles, Crepes, Madras and Poplins. Values up to 35c yard. Colored Ginghams, Poplins, Voiles, Madras, Piques, Foulards, Serpentine Crepes, Batistes, Chambrays, Percales, etc.; up to 35c yard. **9c YARD**

Be amongst the first comers at this sale; the assortment is the greatest we've ever put into a Remnant Sale.

Waist Sale 77c
Values to $2.50

A clean sweep sale of all voile, lingerie and linen waists of our great special purchase, also a big lot of slightly soiled fine waists from our regular stock. Sale begins at 8:30 sharp, Friday morning. While they last 77c each.

White Skirts $1.00
Values to $2.50

We have put into one lot all white Bedford, Ratine, Pique and Crash Skirts formerly priced $1.50, $2.00 and $2.50. We intend to close them out in one half day. Therefore the price is cut regardless of cost to $1.00 each.

Men's

$1 and $1.25 Shirts To Go in One Lot 79c

The most stylish patterns in plaited and plain-front shirts, all sizes, imported percales and madras, made by the best people in the business—in our August Reduction Sale, 79c each.

All 50c Silk Neckwear, except Contract Goods 35c
25c and 50c Wash and Silk Neckwear 20c

Men's Summer Underwear, 1-4 OFF.
Men's 50c Black Silk Sox, 25c PAIR.

Women's Undermuslins 25c

New, Fresh Fall Goods

100 dozen pairs of women's fine cambric drawers, the best we've ever bought under 35c, per pair 25c
50 dozen neat pretty new nainsook Corset Covers, six lovely styles, trimmed with embroidery, lace, beading and draw ribbons. Special price, Friday and Saturday, half-day 25c

Kimonos 39c
50c and 75c Values

All our summer stock of short lawn kimonos, in white and colors; also black and white effects —while they last, 39c each.

Just In!

BIG STOCK OF NEW FALL CREPE KIMONOS — perfect beauties; new styles, new patterns, and worth one-third more than our prices.

$1.50 to $1.98

Women's Vests To Close 10c

100 dozen women's fine Maco Cotton Vests, low neck, no sleeves. Friday and Saturday, while they last, at 10c each.

Rummage Sale---Notions

4 bars Armour's Bath Soap for 25c.
15c box Marine Bond Stationery 8c box.
Cable Cord, all sizes, white or black, 12 yards for 10c.
High's Poplin Lawn Paper, 15c pound.
Western Electric Hair Curlers, curl the hair in a few minutes, without heat, 2 on card, 10c card.
Best Quality Clincher Dress Fasteners, 12 on card, 5c card.
4 Papers American Dress Pins for 5c.
15c Tooth Brushes 10c.
Treasure Nickel-plated Safety Pins, all sizes, 5c card.
Washable Net Collar Forms, 5c.
25c and 35c Scissors, 19c.
500 Yards Spool King's or Pennant Basting Cotton, 5c Spool or 50c Dozen.
Blue Bird Rings, 25c.
10c Collar Bands, 5c.
15c Inside Belting, white or black, 10c yard.
Ribbon Remnants, 1-4 off marked prices.
4 Palm Leaf Fans for 5c.

J. M. HIGH COMPANY. **J. M. HIGH COMPANY.**

JIM CONLEY MISERABLE, LYING SCOUNDREL, SAYS ARNOLD

Dressing Room Story Preposterous, Lawyer Asserts Hotly to the Jury

DALTON IS BRANDED AS COMMON LIAR; NO SPOTS WHERE HAIR WAS FOUND

Continued from Page 5.

absurd his discoveries are. I am not going to just hit the high places like my friend Hooper did. I am going fully into it. My friend Hooper is a bully fellow. He is such a good fellow that really I am almost persuaded he hasn't had his heart in this case at all.

Blood Stains Were Only Analine Drops.

"Four pieces of floor were chipped up. Each piece had a spot on it which they thought to be blood. These chips were taken from the floor covered with dirt and grease one-quarter of an inch thick. This floor has never ben scoured, and we know a few men who had been hurt back there and who had been carried by this spot. There is a difference of opinion as to how much they bled, but we know that they did bleed, that they bled considerably. And this place was in front of the ladies' toilet.

"And we know from the chemists who have been upon the stand that if a drop of blood had fallen there four years ago the chemist could find corpuscles now. They took up four chips. I want to show you these chips, and I also want to read you Dr. Claud Smith's testimony on the stand here. Here are the chips with the blood spots on them—all blood. Oh! The chemist can find the corpuscles! Unless they are scoured up they will be there ten years. Now listen to Dr. Claude Smith's evidence. He says here that he found three or four or five corpuscles in the field. My recollection is that one drop of blood contains not less than 80,000 corpuscles.

"As to the amount of blood, you can form your conception. And here is what he says about the chips: 'The chips I handled had blood and dirt, grease and other things on them.' He says he found corpuscles on one of the chips, but he could not tell what chip it was. He said he raked them all together. He could not even say whether the corpuscles he found were human or not. He could not even pick out the one chip that had the blood on it. He said that he tested for blood only; that he made his test in the ordinary way, and he found the stain on every chip. And that stain was paint, analine which we have insisted was there. And as to the amount of blood, he could not say whether it was half a drop or less.

No Blood Spots Where Hair Was Found.

"I say that one-half a drop of blood might have been there several years. And now, if I make myself clear, what they say was blood was a stain, the same thing on every chip, and not blood at all. It just happened there were one or two corpuscles on one chip when one drop of blood would have made 80,000 corpuscles. And they would have remained intact several years.

"Now that hair Christopher Columbus found on the lathing machine, and by the by it has never been introduced and I would like to know where it is. It has never been identified for the very simple reason that it is not in existence. Every doctor has told you that she must have bled where the hair was found or where the wound was made, and there was no blood found."

Attorney Rosser here interrupted Arnold to read from Detective Black's testimony in which he said that Detective Starnes and himself made a thorough examination of the metal room and dressing room the Sunday morning after the crime and found neither hair nor blood.

"Now here where Barrett found strands of hair," Arnold continued, "I want to say that it would be nothing remarkable to find strands of hair on any machine in the factory at which women worked.

Even Frank's Honesty Worked Against Him.

"My friend Dorsey says they washed up blood in several places. Now why wasn't it all washed up, instead of putting this haskeline around that one place?

"The whole truth is that the whole case rests on this fact: that Frank was honest enough to tell them that first Sunday morning that he did see Mary Phagan; that she did come there for her money, the time she came there and the time she left. Now, if he had been trying to hide anything he would certainly have had sense enough—my friend Hooper says he is more than the ordinary in intelligence—to have denied seeing the girl at all, to have known absolutely nothing about her and to have had her pay envelope in the cash drawer where it would have been if he had not honestly paid her off when she went to his office unharmed.

"When Little Mary Phagan came Harry Denham and Arthur White were upstairs. Lemmie Quinn and Monteen Stover and all the others were coming in. People were coming and going all morning. The doors of the offices were open; the doors of the metal room were open. There were glass doors in the metal room so anyone could look in and see everything that was going on.

"Do you mean to tell me that a man is going to plot murder with conditions like that? There were people coming in before and after the crime—a dozen people were dropping in. There Frank was overwhelmed with work, his stenographer gone, and yet they tell me he had planned to lose half or almost all the entire morning with a plot like that. All reason would be against his having relations with the girls in the factory.

Brands Dalton As A Common Liar.

"I have no doubt that some of the girls in the factory were bad, but I don't believe they were all bad. I believe most of the girls who work in that place are good. Now the prosecution has jumped on poor Daisy Hopkins and has torn her character to shreds. I have no doubt that Daisy Hopkins is a bad woman. She has admitted it. I am sorry for her, but some of the men who testified in this case were no better. Think of the motorman who got on the stand here and told about going to that place with women and Dalton telling about going there with Daisy Hopkins and sneaking down through a scuttle hole into the basement.

"They told us that Dalton, the man with a criminal record, had reformed. He lied when he said he had reformed and if he ever went into the pencil factory he slipped in. Look at this man, gentlemen (pointing to Frank). Why should such as he associate with Dalton. Would you think he would be a boon companion of a man like that. No man says he was but Dalton and Conley. Dalton and Conley brought Daisy Hopkins into this case, too. She was not our witness except in this way. Fallen women sometimes tell the truth. It is known that they have peculiar characteristics and we knew that if they had lied when they said they went to this place with her she would say so.

"Now, Daisy Hopkins says it is a lie and when all of these people say Frank was never there with women and when the clerks, the office boys and his assistant, Schiff, say that these men lied, then Dalton has lied.

State Suppressed Dalton's Record.

"The State was hard pressed to bring on a witness like Dalton. They didn't tell you about Dalton. They didn't tell you that he had been arrested and served prison terms almost without number. Now, gentlemen, occasionally a thief reforms, but not often. Drunkards may reform and a man with bad habits will reform, but a man with stealing propensities seldom reforms. Our friends, Dorsey and Hooper, say Dalton has reformed. Now this man stole valuable articles in Walton County and in Gwinnett County. We brought witnesses from both counties to show that Dalton's character was bad now. They had witnesses from Walton County, not a soul from Gwinnett County.

"Now, Dalton has named two other girls he says he met at the pencil factory. They said he lied. Now, gentlemen, would you convict a man against whom prior to this murder no word has ever been said on the word of a jailbird, an admitted adulterer who slips into factory basements to follow his precarious practices.

"Now, gentlemen, I am coming to Jim Conley. As our friend Hooper said this morning, the whole case centers around Jim Conley. At the outset suspicion was directed to Frank because it was thought he was the only person in the building who had the opportunity to commit the crime. Harry Denham and Arthur White were there on the fourth floor, and as far as Frank knew, Mrs. White was there, but no one knew of anyone being in the dark passageway near the elevator, the most favorable place in the entire building for a crime.

"No one knew anything about this for weeks. The detectives started against Frank because he admitted that he had seen the little girl, that she had come there and that he had given her her money. They worked on Newt Lee, and if he had been a negro who could have been bulldozed or intimidated he would to-day have been swearing falsely against Frank.

"Negroes, Like Children, Tell Long Fairy Tales."

"Now I have no harsh words to say about the methods of the detectives, but in this case they have let their zeal lead them astray. Their theory is that when they get a prisoner so he will tell something on some one they have accomplished something. Now, I am coming to the case of Minola McKnight, and it is a fearful thing. It is worse than the Newt Lee affair. Mr. Frank said he had never heard such villification as was showered upon the head of Newt Lee by the detectives. Evidence gained in that manner, gentlemen, by browbeating, intimidating or persuading is suspicious and it is so held in the decision of the Court of Appeals that I read to you this morning.

"This evidence looks bad no matter how blameless are the men who got it. I don't believe that Detective Starnes would write something and tell Jim Conley or anyone else to swear to it, but they can accomplish the same thing or more by doing what they did.

"Tell me a negro can't invent a tale with lots of details. They have got the capacity of little children for doing that. Don't you know how little children tell stories of fairies and things like that? There is nothing in the world so extensive as the imagination of a child.

"The older I grow the less imagination I have. And anyone who has been around court rooms much knows that negroes are the equals of children in making up plausible yarns.

"They say that Frank used the word 'chat' and that Conley used it. The very first things that a negro apes in his boss are his peculiarities of expression. I have heard negroes stand and mimic their bosses, using all their mannerisms and motions. Why, gentlemen, I can see it developing how Conley sat and read the papers and conjured up this tale. I can see the developments in the cooking up of this whole thing. And I am coming to it. And it is monstrous.

"Then the bloody shirt: my friend waving that scared me. I thought the war was over. They say Frank planted it. Frank didn't know anything about it. But John Black knew it was there before he went and got it. I don't say that the detectives planted it. But you had to find out about it from Black and Scott. We don't know anything about it. About that time Lanford was giving out interviews saying Newt Lee was guilty. The detectives were bringing on a case against him. The shirt was found.

"Conley was arrested on May 1. He denied that he could write. This fact points to him like the finger of fate itself. They found out he could write from Frank. Frank didn't know, before that, what the detectives were trying to learn from Conley. I honestly believe that.

"Frank showed them pawn tickets and Conley admitted the handwriting. Then time rocked along and Conley began to try to figure out his story to clear himself. He knew suspicion pointed to Frank. He had plenty of time to conjure up his tale before he said anything.

"They didn't want Conley to stay with Wheeler Mangum. They found he could write, they found that he wrote those notes and found out he was consitently lying. Why didn't they leave him with Wheeler? Because they knew he was honest and would not stand for any frame-ups, and they come into court with a petition and say they don't want him to stay down there because they are talking to him. I never heard of a petition like that before, but they got one, and got Conley out of there. They have got that petition over there now.

"I like my friend Dorsey. He's a mighty nice young fellow, full of zeal, but he is a young man and when he gets a little older he will know better than to take the initiative in a case of this kind and get mixed up with the detectives in their investigations.

Calls Jim Conley A 'Lying Animal.'

"But the officers had indicted Frank before Conley made his first confession. Back in his cell, this negro was studying, and he smiled to himself. It was the easiest thing in the world for him to say that he wrote the notes and lay the blame of the crime on Frank. He said on that stand: "Why the reason I did this was because Mr. Frank had gone back on me. But that was only the beginning of his lies.

"Why, gentlemen of the jury, I suppose there never was in the history of criminal animals, and I stick to my opinion that there are criminal animals, another such instance as this, an instance where the lies of an ignorant but smooth negro are taken by officers of the law and used as evidence to place the life of an innocent man in jeopardy.

"But how glad the officers were when Conley made his first statement. How they jumped at it like a straw. Frank is a well-known man and officers felt that they were bound to push their case against him. Else they thought they might be criticised if they failed to do so. So they progressed along the evidence furnished them by this lying criminal animal. Their evidence alone is based on these miserable lies. Take the affidavits made by Jim Conley. Oh, he is smooth, this negro Conley. He is not near the fool he made out he was. And the State has clutched at his lying testimony.

"Now look at these affidavits."

The attorney here read the affidavits of Jim Conley.

Accuses Officers of Scheming With Negro.

"In one of these affidavits he said he did a lot of things on Peters street. Then he comes along later and says this is not true. Here is another instance, the greatest one of all, he changes the time he said he wrote the notes, and here also is another little fact in the notes found by the side of the girl's body. Just notice the word 'negro.' It is spelled right.

"Now, gentlemen, the first word a negro learns to spell is the word negro. And it was a noticeable fact when Conley was on the stand that he went out of his way to say the word 'nigger.' He said the word 'nigger' every five minutes.

"Gentlemen, he was drilled to it. The first time Jim Conley admitted writing the notes, he said he wrote them at four minutes to one on Friday. But he was trapped in this. He had told a crude lie. He had gone back on Frank. The officers caught him in it. Then the scheming began.

"'Jim, this don't fit,' the officers told him. So he went back to lying again. He had lied and was feeling his way by lying. The reason he put it on Friday at first was because it was a whole lie. But these officers schemed with him, and he kept building lie upon lie until we don't know where we are. If they put him on the stand again he would go to lying some more, I expect. If they had left him over in the County Jail with old Daddy Wheeler Mangum, I haven't a doubt but that he would have told the whole truth long ago.

Tells How Conley Was Taken From the Tower.

"Here is what my good friend did and the detectives got him to do it. He said: 'Judge Roan, I want to get that negro Conley out of the Tower.' Judge Roan said: 'All right, I've got nothing to do with it.'

"They took him out of the Tower and put him in the police station. There they held him. They haven't any charge against him; they haven't indicted him despite the fact that there is ten times the evidence against him that there is against Frank.

"Now I am going to show you something about getting evidence. I have learned something myself in this case. Here is an affidavit from Conley. Here is another one saying it is a lie. I am not going to read them. They tell all about saloons, sausage and the like."

At this point the jury was permitted to go out for refreshments. When they returned five minutes later Arnold continued.

"The third statement, May 28," he said, "in which Conley changes the date of writing the letters from Friday to Saturday, conflicts with all his other statements. He tells two pages of what he did that morning. Now he says all that is a lie. He says: 'I made the statement about writing the notes on Friday because I was afraid I might be accused.'

"He says he told all the truth and that this is his last statement. God knows when he will make his last statement. According to him he has a sign language by which he tells whether he is lying or telling the truth.

Says Negro's Story Was Wonderful in Detail.

"Don't you know he looked into the faces of the detectives when he made these statements just as he looked into your faces when he talked the other day? If he had a sign language why didn't he take the detectives into his confidence. He said he always looked down when he lied. But the detectives didn't know his signs. And in it all he keeps away from the truth of his guilt of lying in wait in that hall. Guilt was in his soul and he was afraid to approach that. When he did finally admit he was in that hall, he said he was watching for Frank.

"Why the miserable lying wretch. It makes me almost too indignant to argue. Yet some people wonder how he could imagine such a wonderful lie. Why, if there is anything a negro can do it is to lie.

"My late lamented friend, Charley Hill, used to say that if a negro was put into a hopper he would drip lies.

"I haven't time to read this second affidavit or to read of the hundreds of things the negro did on Peters street during the morning; how he went to half a dozen saloons; fought with a negro who had a bull whip over his shoulder; of the controversies he engaged in; of the things he ate and the things he drank. I have never seen such a labyrinth of detail.

"We now come back to the writing of the letter in this affidavit. This affidavit is filled with all sorts of things. Conley says: 'Frank grabbed me by the arm and squeezed it. He held me so tight it made his hands cramp. He had me like he was walking up the street with a lady. He carried me back through his office into his outer office, picked up a box of sulphur matches. Then he looked out and saw two ladies coming.

Searching Analysis Of Negro Continued.

"He said 'Gee, there come Emma Clark and Corinthia Hall. Then Frank grabbed me and put me into a closet. I was a little slow, and he gave me a push.'

"Now, gentlemen, Conley says Emma Clark and Corinthia Hall were there at 1 o'clock or shortly after, and as a mater of truth they were there between 11:30 and 11:40. Then Frank says: 'Get into the closet.' Once it was mapped out it was no trouble at all for Conley to tell his tale. He knew about the closet in Frank's office. He knew every foot of the plant. He had swept out every inch of it. He could tell by the voices of the women and the spots on their dress who they were. He says he heard Mrs. Freeman say: 'Good morning, Mr. Frank, are you alone?'

"Now, gentlemen, this miserable wretch has himself hiding in the

Continued on Page 7.

BALTIMORE AND RETURN—$20.95.

On sale August 22, 23, 24. Through steel trains. Seaboard.

SEND YOUR ROLL TO ME and get the best results you ever had in 8 hours.

THE COLLEGE "CO-OP."

Shelley Ivey, Manager, I've moved to 119 and 121 Peachtree, Candler Bldg.

Special.

P. S.—Free development of any brand of rolls or packs. Use My 8-Hour Service.

$3.50 Recipe Free, For Weak Men

Send Name and Address To-day—You Can Have It Free and Be Strong and Vigorous.

We have in our possession a prescription for nervous debility, lack of vigor, weakened manhood, failing memory and lame back, brought on by excesses, unnatural drains, or the follies of youth, that has cured so many worn and nervous men right in their own homes—without any additional help or medicine—that we think every man who wishes to regain his manly power and virility, quickly and quietly, should have a copy. So we have determined to send a copy of the prescription free of charge, in a plain, ordinary sealed envelope, to any man who will write us for it.

This prescription comes from a physician who has made a special study of men, and we are convinced it is the surest-acting combination for the cure of deficient manhood and vigor failure ever put together.

We think we owe it to our fellow-men to send them a copy in confidence, so that any man anywhere who is weak and discouraged with repeated failures may stop drugging himself with harmful patent medicines, secure what we believe is the quickest acting restorative, upbuilding SPOT-TOUCHING remedy ever devised, and so cure himself at home quietly and quickly. Just drop us a line like this: Interstate Remedy Co., 4374 Luck Building, Detroit, Mich., and we will send you a copy of this splendid recipe in a plain, ordinary envelope free of charge. A great many doctors would charge $3.00 to $5.00 for merely writing out a prescription like this—but we send it entirely free.

Southern Suit & Skirt Co.—Atlanta, New York—Southern Suit & Skirt Co.

Now Come the Supreme Values of the Expansion Sale

Most Remarkable Reductions of All!

Every Summer Garment Must Go—At a PRICE!

Reductions so great that they sound unreasonable at first glance—BUT, when such conditions arise as now face this store, with remodeling going on and new goods arriving in great quantities—DRASTIC MEASURES are required.

Therefore, to-morrow morning, we will place on sale every summer garment left in stock at the MOST REMARKABLE REDUCTIONS in the history of this business.

Here They Are—While They Last

$25 to $35 Lingerie Dresses, choice	*$12.50*
$19.50 to $22.50 Lingerie Dresses, choice	*$9.85*
$9.85 to $12 Lingerie Dresses, choice	*$4.95*
$10 to $12 Fancy Voile Dresses, choice	*$4.95*
$7.50 to $9.85 Fancy Voile Dresses, choice	*$3.50*
$12.50 to $19.50 Ratine Dresses, choice	*$4.95*
$12.50 to $19.50 Linen Dresses, choice	*$4.95*
$10 Ratine and Linen Dresses, choice	*$2.95*
$3.95 to $5 Wash Dresses, choice	*98c*
$12.50 to $19.50 Ratine and Linen Suits	*$3.95*
$10 to $12.50 Ladies' Motor Coats now	*$4.95*
$5 Ladies' Motor Coats now	*$1.48*
$3.50 White Ratine Skirts now	*$1.48*
$1.50 White P K Skirts	*69c*
$7.50 Wool Skirts now	*$3.95*
$10 to $12.50 Wool Skirts, choice	*$6.50*
$1.50 White Voile and Marquisette Waists	*69c*

Southern Suit & Skirt Co.

"Atlanta's Exclusive Women's Apparel Store"—43-45 Whitehall Street

Summer Dresses and Linen Suits

Greatly Reduced at ALLEN'S

$6.95 to $10.00 Dresses	*$2.45*
$12.50 to $16.50 Dresses	*$4.45*
$18.50 to $22.50 Dresses	*$6.95*
$25.00 to $30.00 Dresses	*$8.95*
$35.00 to $40.00 Dresses	*$11.95*
$45.00 to $50.00 Dresses	*$15.95*

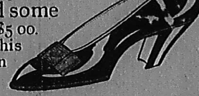
Any Linen Suit in the House

$4.45

J. P. Allen & Co. 51-53 Whitehall St.

Women's High-Grade Footwear at $2 a Pair

A sale of Allen's shoes at $2.00 a pair is a money-saving opportunity, indeed. Not a shoe in the lot that would cost you less than $3.00 or $4.00 a pair, and some of them were formerly $4.50 and $5.00. Several new lots have been added to this group at $2.00. There are black, tan and white; more gun metal and tan than patent leather, satin and suede, but all materials are represented in the lot. There are only about three hundred and fifty pairs of them, so choose quickly.



Women's white canvas and white buckskin Pumps, Oxfords and Colonials at $1.50 a pair. They were formerly $3.00, $3.50, $4.00 and some $5.00 a pair. About one hundred pairs of these.

We have a small lot of white shoes grouped together, and these will be offered at $1.00 a pair.

They are all Allen shoes; some of them are a little soiled, but we will send them out in first-class condition.

Boys' and girls' barefoot sandals at 50c a pair. There are black, tan and white in the lot. They were formerly $1.00, $1.50 and $2.00 a pair. Shop early on these.

Every low shoe in the house reduced to either $5.95, $4.95, $3.95 or $2.95 a pair.

Next week our twice-yearly shoe sale will end, and you will lose if you don't get some of the exceptional bargains on sale now.

J. P. Allen & Co. 51-53 Whitehall St.

CRIME WAS THE DEED OF A SAVAGE NEGRO, DEFENSE CHARGES

Couldn't Have Happened as Conley Said It Did, Attorney Arnold Declares

OFFICERS ARE ACCUSED OF SCHEMING WITH BLACK TO FIX GUILT ON FRANK

Continued From Page 6.

closet while Mrs. Clark and Miss Hall were there. He said this was after the murder, when there has been evidence here that Mrs. Freeman and Miss Hall came and left before Mary Phagan came to the factory.

"All of this story has been changed now, gentlemen. When he was on the stand, he swore that he thought it was Corinthia Hall and Mrs. Freeman. They changed it when they saw that it wouldn't fit. This thing of Frank hiding Conley in the closet is ridiculous. There was no necessity for Frank hiding Conley in the closet.

"Notes Are Products Of Negro's Brain."

"If Frank saw the women coming, he could have met them in the hall. He could have shut the door of his office. He was the boss of the plant. It is all so utterly ridiculous that it is almost useless to argue it.

"And this thing of Conley watching. That was wholly unnecessary. And what a fine watchman he was? When Frank was in the metal room with the little girl and she screaming at the top of her voice, Conley let another girl in—Monteen Stover—and let her go upstairs and ramble all over the floor. And yet he was watching to see that no one interrupted while Frank murdered the girl.

"Now in his affidavit, Conley says that Frank told him to sit down, then said, 'Jim, can you write?' Now think of that. Conley admitted on the witness stand that he had been writing for Frank for two years, that he had written the names of pencils and made reports and that he had written notes to Frank, asking for loans. And yet the miserable liar says 'Frank asked me if I could write.'

"Things like this, gentlemen, show what al iar this negro has been. My friend Hooper says how foolish it would have been of the negro to write these notes. I say, gentlemen, how foolish it would have been for Frank to write these notes. The notes are the product of a negro brain. That is one thing that made me believe Newt Lee knew something of the murder. I believe Newt Lee discovered the body before he says he did, and I am forced to believe that Conley killed the girl.

"This question of 'Can you write?' is a beautiful question for a man to ask one who has been writing for him for two years. A lie always catches up with itself. Conley says that Frank told him to write: 'Dear Mother, a long, tall black negro did this by himself.'

Says Officers Stopped Conley in Confessing.

"Here Conley says Frank slapped him on the back and said, 'Jim, old boy, you're all right.' Just think of that. 'Jim, old boy, you're all right. You're a trump.' I just put in that trump myself, but that's what he meant.

"Now, Scott swore that he heard this negro sit down and write one of these notes for him, and how long did Scott say it took this negro? Why, he said it took him more than six minutes to write a part of it. Gentlemen of the jury, do you really think this defendant slapped that negro on the back and said: 'Jim, you're all right'? Do you think any decent white man would have done that. Good Lord, just think of it. Lies, lies, lies.

"And here he says Frank sat down in his chair, the chair that turned around, and reared back at him and then gave him a cigarette. He says Frank handed him a cigarette bix. He talks at first like the box was full of cigarettes. Then he says the box had money in it, and when he told Mr. Frank there was money there Mr. Frank told him to keep it. Lying all the way through.

"Listen at this. After he had done this he said that Mr. Frank stood there and said, 'Why should I hang? I have wealthy folks in Brooklyn.' Ah, why should I hang.' Gentlemen, the papers had been full of the fact for a week that Frank had relatives in Brooklyn. Everybody thought he was wealthy, but he wasn't. The only wealthy relative he had is his uncle, Mr. Frank, here in Atlanta, who made his money in Atlanta. People say, but how could Conley have made that up? I don't know how he did it, but it was a monstrous lie. There he sat in his cell and lying in every direction—baying at the moon. And then the officers kept after him.

"He wanted to confess but he never had a chance to. He would start off to confess and they would stop him. They would say, 'Stop, stop, now wait a minute.'

"Now he said in this affidavit that Frank 'rubbed his hands and then rubbed his face, rolled his eyes, then rubbed his hands again. I asked where is Snowball? Yea, in his extremity he asked for Snowball. Give me Snowball, give me Snowball.' Ah, give me liberty or give me death.

"Must Believe Whole Story or None of It."

"Then he said Frank's reason for wanting him to write the notes was that he wanted to send them to his relatives in Brooklyn to show them what a good nigger he was. He didn't know the reason why.

"Now, gentlemen, do you think that any sane man would have ever told that to an insane negro? Now, look at what these notes were that Jim Says Frank told him he was going to send away. Listen how it starts:

"'Dear Mother, he said he would love me.' Gentlemen, is that within reason? Is it within reason to believe that Frank told this negro that? It is a lie, base, infamous, preposterous.

"Unless you believe every word Jim Conley has said, the State has got no case at all. You have got to swallow guts, feathers and all or not take anything. When he said that about those notes, and right in the same breath said: 'Don't take out one dollar for that watchman,' his mind was wandering. He followed that right away by saying: 'And Frank said that big, fat wife of mine wants me to buy her an automobile.'

"Conley had seen her around the factory sometimes and put that in to make his lie sound the more reasonable. It is unkind for them to say she would not go down to the jail to see her husband. As a matter of fact she was very anxious to go down and see him and it was only at his specific request, almost a demand, that she stayed away, because he knew the newspapers would snapshot her, and that she would see him in a cell.

"His motives were the purest. No gentleman would want his wife to see him in jail and you know it. It was the only thing for a gentleman to do.

Reads Statement of Pinkerton Detective.

"Of course that didn't satisfy them. Anybody could see he was dodging being at the building. His first statement got him into it, all right. They knew there was more. I am going to show you, that in the next statement, there never was a man guided and protected more from becoming a principal in a crime. He was helped.

"I read you the testimony of Mr. Scott, a detective called as a witness by Solicitor Dorsey. My friend Hooper thinks you have got to believe Conley because he did not break down on the stand. I have seen honest men go to pieces on the stand, and I have seen the blackest liars on earth look the judge and the jury straight in the face and tell their tales.

"But here's Mr. Scott's story of how he made a statement."

Attorney Arnold proceeded to read Scott's testimony.

"Listen to these words of Scott: 'We tried to get him to add to or confirm the earlier statement he had made. He would say nothing further. We saw him again in Lanford's office for six or seven hours. We tried to impress on him that his statement about writing the notes on Friday would not fit. We saw him in Lanford's office the next day for five or six hours. We pointed out that the time of the note-writing would not fit at all. On that day he changed it to Saturday.'

"Is anything clearer than that? Yet in this statement Conley stuck to the parts of the story about what he did Saturday morning.

"Tracks of Perjury Clear in This Case."

"I can hear the detectives now; 'Conley, we want you to tell enough about this crime to convict Frank, but not enough to get yourself indicted. We want you as a witness.'

"Gentlemen, I hope I make myself clear. This is one of the slickest piece of business ever pulled off on the face of the earth. I don't mean they literally told Conley that, but their suggestion was mighty strong. They had taken them from Uncle Wheeler and turned him over to Lanford, Black and Scott. Scott says they told him what didn't fit. Think of that, gentlemen. He told him what didn't fit.

"Convict a man on this? It is hard to believe a negro at any time, but to convict a man on this testimony—

"They say that negro is smart; that he withstood Mr. Rossers attack. He is smart. He is well acquainted with the law. They did not have him hide the body of a murdered girl. He would have been guilty under the law. They had him say she had fallen and got hurt; that he did not know she was murdered. Isn't it clear? Just enough to put all the guilt on Frank and keep the negro free as a witness?

"The idea was to show that the other man killed the girl but Conley did not get into it himself. Gentlemen, the tracks of uerjpry in this case are as big as elephant tracks. They stand out like buildings.

"When we came into court we thought we had to believe his statement of May 29. Why couldn't he have told the truth then? In his first statements he said he hadn't told the truth because he thought Mr. Frank would help him. But he had cut loose from Mr. Frank at this time and on May 29 Conley swore that he saw that Mr. Frank wasn't going to help him and he decided to tell the truth.

Pictures Conley Killing Phagan Girl.

"That statement was what we came here to answer. Since then Conley says: 'I have had new revelations. Mr. Dorsey saw me seven times. Starnes and Campbell had regular seances with me. I saw everything in a new light. I made lots of changes in my testimony.'."

Arnold picked up Harry Scott's testimony and read from it where Scott had told about detectives talking to the negro and getting him to add to and change his testimony.

Arnold continued: "Does Jim Conley tell a thing because it is the truth or because it fits into something else they have in the case. Harry Scott says they told the negro to get his story so that it would fit. Conley says that after Mr. Dorsey and Starnes and my Irish friend, Patrick Campbell, saw him that he changed and added to his story.

"Are you going to hang a man on evidence like that? Where have we drifted, if I have to argue this? If we can't do this man justice we are less than men. We are spineless grubworms. I am not afraid to espouse his cause and talk it because it has for its foundation that rock of truth. I have the approval of my own conscience.

"The man who wrote the notes killed Mary Phagan. Conley admits he was in the factory slinking in the shadow of the dark passageway near the elevator when this little innocent girl tripped down the stairway.

"Gentlemen, I am telling this as in all probability it happened. It took but the twinkling of an eye for the deed. In two steps, the drink-crazed negro rushes forward and grabs the mesh bag from her hand.

"Probably robbery was his only motive. The little girl held on to her mesh bag. She struggled, the drunken brute hit her in the eye. She fell unconscious, her head striking the floor. It was but a moment's work to throw the body down the elevator shaft. Then the negro hung around until Frank left, carried the body back into the deep recesses of the basement and wrote the notes.

"What is more probable—that or the lying, rotten ridiculous story of the negro Conley which he told on the witness stand?

Arnold then picked up the court records and read portions of Conley's testimony to show that it had been changed, and how long it took Dorsey and his men to get it changed.

"Now every time he corrected his statement he added to it, assisted by Dorsey, Campbell and Starnes. In his previous statements he never said anything about seeing Mary Phagan come in, but it had to fit the evidence that she came in after Monteen Stover and he said 'All right boss, just put it that way.'

"Then he never said anything about seeing Frank come running back, but they told Conley he could hear it, and he heard it.

"Then they said to Conley, 'We've got an idea Frank is a moral pervert.' and asked him if he had not watched for Frank on previous occasions, and he said, 'Yes, boss, I expect I did.' Then they said, 'Conley there's a fellow named Dalton who used to go down there. We will bring him up here and let you see if you don't know him.' And he said, 'Yes, boss, sure I do.' And then there's that lewd girl, and he said he knew her, too.

"There is that cord around the girl's neck. He didn't see that the first time, but he sees it now, all right. And the mesh bag. He never saw that until Dorsey put him up in rebuttal. He couldn't see it on the direct examination at all, and he never said anything at all about that pay envelope because, gentlemen of the jury, robbery was the motive, and he had the envelope and money.

Asks Why Negro Was Removed From Tower.

"Finally my friend Dorsey on his last examination, asked about that bag. That was the straw that broke the camel's back, the crowning lie of all. Conley said yes, he had seen it—Frank had it on his desk. He didn't say anything about that envelope. He stole that for the money.

"Gentlemen, I have got to hurry on. What was the object in taking Conley from the jail to the police station? Is Sheriff Mangum an honest man? I have always heard he was, but he runs the jail fairly and not to convict people.

"They said it was awful that Frank would not face Conley. Frank told you why he wouldn't. Who would want to get into a row with that negro? Would it do any good? Then think of the possibilities of having your statement twisted and distorted. We have got in court the evidence of the man who wrote the two notes. We have got his own statement and perhaps the evidence of others that he was lurking in that hall.

"Gentlemen, is a life work nothing? Is it worth nothing for a man to work hard on a little salary and try to hold up his head? Is his word worth nothing against a drunken brute like this? This little child who was found brutally murdered in the basement of the factory—she couldn't inspire a crime like that in an intelligent white man. I have always said, the man who wrote those notes and who left incriminating evidence in the elevator shaft was the man who committed the crime.

Displays Chart of Frank's Movements.

"But take the defendant—this man's race don't kill people. They are not violent people. You may say some of them are immoral, and they may be immoral, but they don't carry it to the extent of murder. But a black brute like Jim Conley would murder; a brute like him would try to do something to hide the body. The killing of Mary Phagan was a black brute's crime. This negro had the lust for the little girl in his mind. He had been carrying it in his mind, and I believe this man Jim Conley killed her."

Arnold had the deputies to unwrap a long package which he had brought to the court room, a long printed chart of Frank's movements Memorial Day. It was arranged in a tabulation of minutes.

"First, I will discuss Mary Phagan's movements Memorial Day, and then the time Jim Conley said it took him to do what he alleges he did. Then I will take up Frank's movements, showing what he did and just how long it took him.

"Let's get back to the little girl's movements. First, the State put up little George Epps. And ever since they have been trying to knock him off. Epps says he got off the car at about 7 minutes past 12 at the corner of Forsyth and Marietta streets. I have always rather doubted that this little boy was as friendly with Mary as he says he was.

"Then Hollis says that he arrived at the corner of Broad and Marietta at 5 or 6 minutes after 12. Matthews says he knew her well and took her around to Hunter and Broad streets. The State has been trying to bulldoze these two witnesses ever since they went on the stand.

Phagan Girl's Steps Retraced in Detail.

"One witness whose watch had been in soak for six months and wo didn't have a watch on Memorial Day says he looked at his watch and saw Mary Phagan at 3 minutes after 12. Then they had other witnesses to get up and swear all sorts of things, and yet there were even other witnesses who have walked from Forsyth and Marietta streets and from Broad and Hunter streets to the pencil factory, and the time it took them to walk there even according to their own witnesses would put little Mary Phagan at the factory at 8 minutes past 12.

"They have put up men like this fellow Kenley, who would lead a mob of forty men and who would run at the crack of a pop-gun. This man eKnley never saw Mary Phagan any more than I did.

"Now, let's take little George Epps again. Would Dorsey say that his own witness lied? If Epps, Hollis and Mathews are telling the truth, Mary Phagan reached Mr. Frank's office sime time between 8 and 11 1-2 minutes past 12. Now the State is trying to do everything it can to get away from the Epps evidence. I am taking it to be the truth.

"Frank says she got there at about 12:07. I would take the dead girl's mother's word, and she said Mary left there at a quarter of 12. The schedule to town is seventeen minutes. The cars are due at Broad and Marietta at 12:07. We've got the schedule; our witnesses and their witness, Epps and Mary Phagan's mother's word, and every one of them puts her there at this time.

Time Discrepancies Emphasized to Jury.

"So we take it she got to the factory about 12:12, and I stand on that. We can't change watches and schedules to suit Dorsey.

Next, how long did it take to go through Conley's performance.

Continued on Page 14.

EADE'S GOUT PILLS

The Old and Popular Remedy for Gout, Rheumatism, Sciatica, Lumbago; pains in the head, face and limbs. All druggists. E. FOUGERA & CO., Inc. Agents for U.S. 90 Beekman St., N.Y.

A Wise Man

will make more opportunities than he finds.

Ninety-nine per cent of the great industries and businesses of to-day were created and not found. They were built by men who had the vision to see the needs of their time, and the brains and energy to meet the demand.

But opportunities call for cash or credit. Build up a cash reserve in the bank, and you will have the former and can get the latter.

$1.00 starts the account, and 4 per cent interest paid.

We are United States depository for Postal Savings fund.

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Atlanta's Oldest Savings Bank

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CHAMBERLIN-JOHNSON-DuBOSE CO.

ATLANTA NEW YORK PARIS

A Fine Day For You, Mr. Man

To-morrow we shall furnish you with furnishings, as shirts, sox, ties, pajamas and the like are called, at such very little prices that the sale might properly be called a Harvest Sale.

Now lets analyze it—

To begin with, here are

Men's $1.00 Shirts at 68c

And they are all fresh and fine, just out of their boxes (we drove a good bargain). They are negligee coat styles, with attached cuffs, soft, fine percale, white ground with black, tan, blue and lavender stripes, neat, good-looking shirts, and white madras.

Sizes 14 to 17 to begin with.

Next comes

The Clearaway of "Onyx" Sox

Hardly any need of telling a man how fine "Onyx" sox are—they are priced now in this fashion merely because of the well defined principle of merchandising at Chamberlin - Johnson - DuBose Co.'s, new stocks with the new season.

They are lisle hose, double sole, toe and high spliced heel. Choose from black, tan, gray, navy and red.

35c Sox 23c 50c Sox 3 pairs for $1.00

And then

Night Shirts and Pajamas Are Priced

The Night Shirts

V neck and low military collars; of cambric, longcloth and nainsooks. Trimmed with braids.

The scale of reductions—

50c Values...... 38c
75c Values...... 58c
$1.00 Values.... 75c
$1.50 Values.. $1.10

The Pajamas

Of nainsook and soisette in white, cream, blue and tan, also white striped in lavender, blue and black. Trimmed with silk and cotton frogs.

The scale of reductions—

$1.00 Values.... 75c
$1.50 Values.. $1.10
$2.00 Values.. $1.35

Also—
50c Washable Silk and Madras Ties are marked at half price, 25c; white with panel stripes of black, blue, tan, lavender, green and red and solid white.

Chamberlin-Johnson-DuBose Co.

Chamberlin-Johnson-DuBose Co.

ATLANTA NEW YORK PARIS

Remnant Day

In the Dress Goods and Silks

The Selling Starts at 9 o'Clock

A remnant sale of woolens in late August is worth two in February.

With children starting to school within a few weeks, with the fall season peeping around the corner of the month and all the needs for woolen dress goods that this will bring, the skirts, the suits, the coats—this remnant sale immediately takes on the appearance of a fine opportunity. We have sifted stocks for this sale. Nothing that was in a length from one to five yards escaped and the result is a fine selection and a broad one, and a great saving on every yard.

Included are:

Serges, Herringbone Stripes, Voiles, Basket Weaves, Whipcords, Challis, Eoliennes, Batistes, Diagonals, Checked Worsteds, Cheviots, Broadcloths

Many colors and combinations of colors and black.

Regular Prices Are Reduced

One-Third, One-Half and More

The Silks

Surprising quantities have accumulated within the last few weeks. They must be disposed of. There is no room for them in all this big store, particularly now that so much new merchandise is coming in, and what worthy kinds these remnants are.

Poplins, Foulards, Crepe Meteors, Messalines, Crepe de Chines, Marquisettes, Satins, Taffetas, Chiffons, Kimono Silks, Wash Silks

Lengths from one-half yard to nine yards.

Regular Prices Are Reduced

One-Third, One-Half and More

None sent C. O. D. or on approval. None will be exchanged.

An added attraction to the Silk Remnants is $1.00 Wash Silks at 69c a yard, 33 inches wide, and you may choose from white with black, blue, gray or lilac stripes. No question about how they will look after a tubbing.

Agents for Butterick Patterns and Publications.

Chamberlin-Johnson-DuBose Co.

THE GEORGIAN'S MAGAZINE PAGE

Choosing a Hat and a Husband

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By NELL BRINKLEY

Nell Brinkley Says

THROUGH the mossy-carpeted, scented temple, where hats are lifted tenderly and deftly on and off fair heads and dark, I strolled, the gentle cynic beside me, with one bright eye open for an Autumn hat for me, myself.

All about the outer edges of the temple glass cases rose, filled with varicolored chapeaux on their slender stands, like so many bright storks standing on one leg. Out in the green open of the temple two-faced mirrors stood about, each with a tiny gilt and mahogany chair before it.

Tall women, slender as race horses; short ones, round and plump as partridges, all clad in trailing, ankle-binding black, insinuated themselves softly about, carrying meltingly perfect little hats on three fingers, their faces spread with the expression of a slave bearing his master's pet jewel in his hand. We walked slowly and at last stood still behind a little beauty of a woman who twisted and turned on a mahogany and gilt chair under countless hats that were lowered to and lifted inas swift succession from her head.

Oh, la; such a weighty matter was this! Here was good, honest labor and thought spent recklessly! The race-horse saleslady in black charmeuse searched and worked desperately and absorbedly. The girl on the chair, brown-eyed, gold-haired, sought out her image in the mirror under a myriad of hats and endless angles Old Time trod swiftly by, and at last—at last, the little lady rose hastily.

"I must," she said, "I must think it over. I like this little blue one, but I must go home and think it over!" There was smiling and bowing, and the lady of the startling brown and gold face-coloring was gone.

The gentle cynic turned and smiled wryly.

"Look at that, pray, mademoiselle! That reminds me, because it is so different, of the fashion in which that same careful little lady will go out and take unto herself a husband! Of course, sometimes a woman walks out of a temple of millinery with a fright on her head, just as she leaves the church door with a fright by her side. But in the first mistake it isn't because she didn't spend time and gray matter on it!

"See, now, this little lady. She worked like a little towhead, using time, patience, all her brain, her judgment, her artistic sensibilities. She didn't stop at one. She tried two dozen on the top of her gilt head. And now—she has gone home to 'think it over.'

"How will it be when she takes a mate? He will probably pick up her wisp of a handkerchief on the train between Atlanta and New York, they will look once into each other's eyes and the next day there will be a wedding and their pictures in the paper. She'll never know if he's becoming to her style of disposition until after she has him. She'd never in a thousand years walk out with the first hat that ravished her eye. She goes home to 'think it over.' But she walks off with the first man who touches her heart. And it's after that she 'thinks it over.'

"Tell me why that is—when the hat may be chucked into the yesterdays when this short season is over—and a husband lasts forever!"

So I have made a picture of it for the cynic's delectation. If he is right or not I do not know.

.:. One Woman's Story .:.

By VIRGINIA TERHUNE VAN DE WATER

CHAPTER XXIII.

IN after years, Mary Danforth looked back at the moments during which she waited at her door about Herbert Fletcher came upstairs toward her as a crisis in her life. It was as if she stood at a point where she turned her back upon her youth, her fancies, her hopes, and deliberately faced a grim something of which she knew nothing, in which lurked a duty she could not escape—a duty to her mother. Yet back of the thought of her mother there was another impulse, one that drove her on to take blindly a step which she would not pause to consider. That impulse was born of wounded pride and of heartache such as she had never before felt, and which even now she would not analyse. And as she stood, swayed by these emotions, she heard Herbert Fletcher's heavy footfalls coming slowly into her life.

Wonderful Forces.

Conventionality and self control are wonderful forces. They enabled this fragile girl to face her caller calmly as he reached the top stair and turned toward her. He did not take off his hat until he had shaken hands with her.

"Why, good evening, Miss Danforth!" he said, holding out his large hand and engulfing her slender fingers in a grip that almost made her wince.

"Good evening." she returned in well-modulated tones. "Come right in, won't you? Will you hang your coat and hat there on the rack?"

He had removed his hat as he came into the apartment, and now wriggled out of a tan overcoat, evidently entirely new, as Mary noticed. She also observed that his evening clothes had been worn before. His light suit made his large figure appear more prominent, as usual, and, as he talked, he pulled out a pair of yellow gloves. Mary remembered suddenly that Howells had said that Silas Lapham's hands in evening gloves looked like hams. She also remembered that her caller had probably never heard of Howells, or of any author whom she knew and was familiar. What could he and she talk about this evening? What would they have in common? And, as she asked herself this question, she was observing every detail of this man's dashy person, his rather oily auburn hair, the heavy mustache several shades darker than his hair, his small gray eyes, pink-and-white complexion and full, sensuous lips. Yet, some girls would consider him handsome. He had a kind face, and she wanted some one to be kind to her.

"Sit down, won't you?" she said.

She tried not to notice that he dropped into a chair without waiting until she herself was seated. What did such trifles matter?

"I got your telegram just after I reached home," Fletcher said, "and I came as soon as I'd my supper. It was good of you to let me come to-night, ward her. He did not take off his hat until he had shaken hands with her.

"Why, good evening, Miss Danforth!" he said, holding out his large hand and engulfing her slender fingers in a grip that almost made her wince.

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NERVOUS PROSTRATION

Severe Case of a Philadelphia Woman—Her Symptoms.

Philadelphia, Pa.—"I had a severe case of nervous prostration, with palpitation of the heart, constipation, headaches, dizziness, noise in my ears, timid, nervous, restless feelings and sleeplessness.

"I read in the paper where a young woman had been cured of the same troubles by taking Lydia E. Pinkham's Vegetable Compound, so I threw away the medicines the doctor left me and began taking the Compound. Before I had taken half a bottle I was able to get up and in a short time I was able to do all my work. Your medicine has proved itself able to do all you say it will and I have recommended it in every instance as a good medicine.—Mrs. Mary Johnston, 310 Siegel Street, Philadelphia, Pa.

Another Bad Case.

Ephrata, Pa.—"About a year ago I was down with nervous prostration. I was pale and weak and would have hysterical spells and I had a very bad pain under my shoulder-blade. I was under the care of different doctors, but did not improve. I was so weak I could hardly stand long enough to do my duties.

"Lydia E. Pinkham's Vegetable Compound has made me well and happy and I have begun to gain in weight and my face looks healthy now.—Mrs. J. W. Hornberger, R. D. 3, Ephrata, Pa.

If you want special advice write to Lydia E. Pinkham Medicine Co. (confidential), Lynn, Mass. Your letter will be opened, read and answered by a woman and held in strict confidence.

Drew Off the Trinket.

"Yes, he had a kind heart, Mary," said Mrs. Scovee, her old lady's polish. "Men with exquisite manners are not always the most reliable. Thinking this, she lifted to her caller eyes full of sadness that he found himself asking her if she was unhappy. "Oh, no," she said, "I was thinking of my poor sister once more that he loved her so much that he was grave and pale, she did not forbid him to speak of the matter to her again.

"I was in a quiet mood when Mary Danforth's caller reluctantly left her, and she went alone to the room in which she knew her mother lay, still awake. She did not turn up the light and she bent over the anxious woman and kissed her cool cheek.

"I have a little writing to do before I go to bed, mother," she said. "I will tell you good night now. Try to sleep, dear, I'll come.

"Did you have a pleasant call from Mr. Fletcher?" the invalid asked.

"The girl pretended not to hear the question as she turned

THE GEORGIAN'S MAGAZINE PAGE

Confessions of a Medium

By CHAS. D. ISAACSON.
(Copyright, 1913, by International News Service.)

THE idea of crystal gazing is very easily understood and, if you're not too much "from Missouri," very easily believed. You take a glass globe, which has been perfectly rounded and polished and is flawless in its transparency. You raise it on a stand of some kind, preferably ebony, or something else black, to suggest mystery, and breathe unintelligible words of prayer over it. Then, when you look into it forever after, there will appear within its depth, pictures of your friends, no matter how many miles away they might be—and also pictures of yourself in the dim future, again though you are sure you're right in the present and could prove an alibi.

I mean you will be able to do this, if you are a gifted medium, or if you're not clever or fraudulent enough to be one, you will be able to have it done for you, provided you are willing to pay some said gifted mystic for the interpretation.

Professor S— of — avenue, advertises that he is a crystal gazer among other things. Together with a friend I called on the professor, and found him, among other things, including a huge crystal, which looked as clear as his schemes later appeared.

The professor is a little dark man with a curious air of mystery about him, which quite resembled the dark room he occupied.

A Question.

"What can I do for you, gentlemen?" he asked, bowing most effusively, as if though to say, "Enter—here are two more fools."

"I would like to learn the whereabouts of a friend who is now away from his home. I am a little worried about his health, and I should like to know just what he is doing."

"Ah, it is a gentleman," he answered mysteriously, as though he had made a great discovery, but then the word "she" might have suggested a lady, I suppose.

"It is," I acknowledged, and I told his name and gave a full description of his appearance.

"Be seated, gentlemen," he said solemnly, as he drew down the blinds, and polished the crystal. Then he turned toward us, collected his fee and whispered: "Silence, absolute silence, please."

Very deliberately he raised his arms to the table, rested his elbows upon it, put his chin between his tightly clenched fists, and gazed directly into the crystal. Time is money to a mystic as well as to any other business man, and visions must appear quickly to make the industry profitable, for he sat thus no more than seven seconds before something appeared to him.

We were made aware of this fact by a prolonged series of grunts, accompanied by a knit expression around his intelligent brown eyes.

"M—mm. Huh—hmm. Ah—hah," "It must be funny," I whispered to my companion, he's laughing."

He Was Well.

But just then he looked at us over his spectacles and said slowly, "Your friend is well. I see him in a room with several gentlemen and ladies. He is talking and laughing with a friend of whom he seems very fond. There seems to be something like a wedding or reception."

"Where is the place?" we queried.

"I can't quite make out, but it looks as though it might be a place in Germany or in France. Yes, I think it is France—yes, it is France. For there is the French flag flying."

We looked but we could see nothing—we were not wonderful mystics such as he. We couldn't even see the missing one, although he showed us just where he was located in the glass. But when we left we thanked him. It was peculiar that the friend we inquired about was my companion, and, although he had been seated right alongside me, he certainly disappeared him to France, accompanied by a lady—at a wedding reception!

I don't think Professor S— was half clever enough. Since he was paid for his money, why not give us a real whopper? Why didn't he do something like I did, for instance?

My crystal was about 12 diameter and rested on a heavy base, the whole being placed on a table which was covered with a cloth that reached to the floor and swept the floor.

One evening we gathered, about eleven of us, pulled down the blinds and waited, while I crooned and moaned out this hodge-podge of gypsy prayer over the unsuspicious glass, which I dressed as though it were a thing of magic and priceless worth:

"Oh dukk andral yakha,
Ja andrea pani,
Ja andremal pant,
Ja nani lakha,
Ja duso kli,
Oh dukk."

I stood back of the table, with the crystal between the visitors and myself. As we gazed, there suddenly burst a streak of light into the ball it flickered, almost went out, then expanded and expanded until it filled the room almost like daylight.

The light changed from yellow to pink to a deep pink to red, and then back to white. A country scene appeared. It was a pretty roadway, shaded by huge elms. Gradually it faded and a beautiful girls head filled the crystal. Then, in rapid succession, an old man, a group of boys, a half of lovers. My mother's face, somewhat aged, which I interpreted to be a happy prediction for me. All this and no spectacle appeared in the crystal, and all gazed and saw with their own eyes.

The stand on which rested the mysterious crystal ball was hollow, and stretched across the table, where a glass came in contact with the ebony, was a piece of sawed glass. Under the table was a cheap little magic lantern, worked by a wise little boy.

One would think that somebody would have been skeptical about the wonderful show. But there was not one who was careful enough to investigate before believing. And it is on this point that I wish I could impress the public. Don't be taken in so easily. Don't let these fake fakers learn how they do it, and don't take their wonders without a grain of salt.

Ask Any Man.

Gladys—Mamma, when people get married, are they made into one.
Mamma—Yes, dear.
Gladys—Which one?
Mamma—Oh, they find that out afterward, darling.

THE TUNNEL

Greatest Story of Its Kind Since Jules Verne

Allan rose slowly, his gaze on the table.

What Has Gone Before.

The story opens with Rives, who is in charge of the technical workings of the great tunnel from Alaska to Germany, on one of the tunnel trains, with Baermann, an engineer, in charge of Main Station No. 4. They are traveling at the rate of 118 miles an hour. Rives is in love with Maude Allan, wife of MacKendrick Allan, whose mind first conceived the great tunnel scheme. After going about 50 miles under the Atlantic Ocean, Rives gets out of the train. Suddenly the tunnel seems to burst. There is a frightful explosion. Men are flung to death and Rives is badly wounded. He hears someone calling his name as he staggers through the blinding smoke.

Now Go on With the Story.

(From the German of Bernhard Kellermann. Author copyright, 1912, by S. Fischer Verlag, Berlin. English translation and compilation by Walter Katerburg. (Copyrighted, 1913, by International News Service.)

"THREE thousand man — three thousand men," he kept repeating to himself as he toiled forward a foot at a time. The words brought him at last to a full realization of what had happened—and still the voice called his name. Once he put his hand down in the half-light and it rested in the palm of another hand, which by some reflex of dying convulsion closed over it. With half sob and half scream he drew back and rose unsteadily to his feet and lurched forward, following the voice until he stumbled over a negro laborer. The was the voice.

"I seen you, Mista Rives—I seen you," moaned the negro. "For Gawd's sake—don't leave me—don't leave me!"

At his feet was a little cavern of crossed girders out of which he had crawled, and which explained the fact of his existence in that hell. He got a grip on Rives' belt and clung to it desperately.

"Don't leave me—don't leave," he moaned again and again.

"Come on," said Rives dully, "we've got to get away from here."

Long tendrils of pungent smoke were curling and puffing around them and sparks were dropping and whirling like fireflies. Rives looked down in the direction of the fire and then he shuddered and closed his eyes. Over the track in which he had come lickers of flame took and broken timbers that were mingled with them, by the twisted crisscross of steel heaped up naked bodies of the dead.

"We've got to get away from here!"

A Terrible Sight.

And he began toiling forward, the negro clinging to his belt and screaming in terror at the sight of a crushed foot.

A little farther on he heard his name called again and found O'Neil, the superintendent of the drill, pinned between two girders and a great rock. From his hips down he was hopelessly crushed. But he was conscious and his eyes were calm in the ghastly glare of the fire-fogged.

"It's all over with me, old man," he said faintly, as Rives leaned on the rock and bent over him.

"God!" he groaned. "Can't I do anything for you?"

"Yes—shoot me!" The voice was faint but steady. Rives shivered and clung to the rock with both hands.

"I'm suffering horribly, Rives. For pity's sake, end it!" said the voice.

Rives drew his arm across his eyes and looked down at the approaching flames.

"Can you use your hands?" he asked. Then, with a sudden spasm of unreasoning fury, he cried: "Curse you, Mista O'Neil!"

With a quick movement Rives drew a pistol from the holster on his hip and pressed it into the dying man's hand. Then it plunged blindly forward up the tunnel, the moaning negro again clinging to him. A report followed them.

"The fire has reached the blasting charge," he said to himself.

Again they were stopped, this time by the sound of some one running toward them in the direction of the fire. As a reclaim passed over the breakneck ruin of the tunnel floor, and presently there appeared before them a bald-dead man with hair and eyebrows gone, his eyes bright and feverish, and a grin on his lips.

The Survivors.

"Here! the other way!" called Rives weakly.

The man stopped and grinned at them.

"Ha, ha!" he said, not even in an attempt at a laugh, but more in light derision.

"What's the matter with you? Go back!" ordered Rives.

"Ha, ha!" was the reply in the same tone, and eluding a hand that the chief reached for him, the crazed one ran on past them and into the flames.

Stumbling forward with the weight of the negro Rives came to his chief against a timber. The shock had the ultimate effect of clearing his brain sufficiently for him to realize that he fancied that the negro had struck him. He got swiftly to his feet, and raised his fists to defend himself before he realized what had happened. Then he helped the injured man up and was for the first time conscious of his own injuries. He seemed to be burned in a dozen places. His left arm ached and was full steady in his hold now he was master of what was left of himself. With his arm around the negro's body, he helped him forward. And thus the finished product of the world's greatest civilization and the straight-browed child of a lowly people, the strongest still helping the weakest, stumbled forward through the ruin, following with their last strength the primeval longing for the Light and Life.

Now they heard and saw signs of others. They had reached a section that had not felt the first force of the explosion, from which sand shrieked loud curses and muttered prayers seemed to come from beneath their feet and they heard the name of God called upon in a score of tongues. Rives and his companion had passed then all else high bursts of chattering insanity, or silence.

The now distant but slowly advancing dames threw evil shadows of red and black through the chaos, and the figures of the two men stood out in sharper relief. They were moving—going forward to Light and Life—and all who could move followed them. Indeed, indeed were stunned only numbed by horror and needed but the appearance of Rives and his charge to galvanize them into life, where, otherwise, they might have sat and died.

Others they found who unscathed or only slightly injured, had run, blind and panic-stricken, through the tunnel darkness until they had dropped of sheer exhaustion and made up their minds to die, too, hoping that they might miss from the light of day.

And so their numbers grew, staggering along in the smoke and dust with the light of the flames at their backs. At last they came out into a section of the tunnel that was free of wreckage. Only traces of the violence of the explosion were visible. It was less than five miles from the scene, but it might have been fifty. They were lost to all sense of distance, and time, reeling onward, driven by an instinct stronger than physical strength. And now there was only the sound of the shuffling, stumbling feet, low groans and curses and the gritting of teeth as some strong man fought with his agony.

Finally Rives became sensible of change in the spirit of his horrible followers. It had been each man for himself in a hopeless struggle for life. Then someone had mentioned the name of Allan—"Mac," as he was called all over the world. Instantly they were united in a bond of fury, revived by a lust of vengeance. Servant and unreasoning they raged at the great chief of the tunnel works as if he had premeditated and planned the cataclysm that had swallowed up thousands of their kind and seemingly condemned them to a slow and horrible death in the darkness.

Rives was with them and had worked with them every day. He had been caught as they were, and there were no curses for him. It was accident of destiny had decreed that he should be at the other end of the tunnel at the time of the explosion. It is probable that he had been included in the curses and incoherent threats that were leveled at his superior.

They came to a small eminence where supplies had been stored and they tore the boxes open with their bare hands. Rives waved them loudly against the emergency lamps, and they hurled these aside and turned themselves with provisions that none of them could eat. Then the crazy procession moved on into the darkness, and after hours they came into the view of faint lights at main station No. 4.

A Panic of Fear.

Here Baermann had nastily connected a small emergency dynamo to give some light to the scene, and pistol in hand, was holding the last train in the hope that a few of the survivors from the deeper workings might find their way out without the help of rescue parties. In vain he had pleaded for volunteers to go in with him. The men clambered onto the train as fast as they came in, and the owners had been only too willing to dash back to the engines with them. Too willing, for there had been two tail-end collisions and only one track was now open. No more trains were started in, because the dispatchers at the entrance knew the danger of another collision with the last of the returning trains.

His men pleaded with Baermann to leave, but he refused. They finally threatened the engine driver and he was eager to obey, when the young engineer drew his revolver and threatened to shoot him if he touched a lever.

"If one of you men come as far forward as the engine," he said, coolly, "he is a dead man. We're going to wait."

"But the train's full," protested one of the foremen. "They can't get on if they come."

"I guess we can crowd a few hundred more on," returned Baermann, quietly, and waved the man back with the menacing muzzle.

At that moment came a far-off shout from Rives' desperate hundred. Away down the tracks the men on the trains could see the hordes surging forward. If they came up while the train was still there it would be a battle for place on the cars. A murmur, cowardly but ominous, rang along the train.

"Start, he engines — start the engines!"

Baermann kept his eye on the engine driver and raised his pistol. The next moment there was a flash from a window at the forward end, and a shaft rapped Baermann stiffened, then his right arm across his face, spun, and fell across the tracks.

"And just as the leaders of Rives' survivors reached for the step of the rear car the train slid out into the tunnel and left them screaming and cursing and running in the dark.

To Be Continued To-morrow.

Don't Let Perspiration Embarrass You
Use HID
No More Odor—NONE
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THE DIAMOND BRAND.
Ladies, ask your Druggist for Chi-ches-ter S Diamond Brand Pills, for 25 years known as Best, Safest, Always Reliable
SOLD BY DRUGGISTS EVERYWHERE

Advice to the Lovelorn

By BEATRICE FAIRFAX.

PERHAPS SHE FORGOT.

Dear Miss Fairfax:

A few weeks ago I met a young girl at a sociable and was quite fond of her. I made a date two weeks ahead and the day was to meet. She receives a card telling me that she had an appointment, and therefore, asked me to call the following Sunday during the afternoon. On my arrival, I found quoted at home.

ANXIOUS.

It is possible the impression you made on her was so faint that she forgot all about you. At any rate, her conduct does not show that she is greatly interested.

Try it again. Don't be discouraged with the first rebuff. Write her, and ask for the privilege of making a call.

CERTAINLY NOT.

Dear Miss Fairfax:

I am seventeen and in love with a young man of twenty. He has asked me to go out with him, but I refused, because my mother said she wanted to see the young man first. He wants me to meet him on the corner of our street. Do you think he has any respect for me if he will not call for me at my home? JOHANNA.

Your mother is right, and his refusal to comply doesn't indicate any great amount of self-respect or respect for you.

Don't meet him anywhere. Accept your mother's wish as law, and respect it.

WRITE AGAIN.

Dear Miss Fairfax:

I am seventeen and am deeply in love with a man two years my senior. Some time ago I left the city. He asked me to write, which I did, and have not received an answer yet. I tried to forget him, but it is in vain.

A CONSTANT READER.

There is a chance that he did not receive your letter. Be sure that you have the correct address and write again—just a friendly letter; nothing more.

If he does not reply to that, I hope you will try so hard to forget him the effort will not be in vain.

Snap-Shots

IF the world has lost all meaning, and there seems to be no gleaning, while gray clouds your sun darkening—come out and look! When my world seems dark and dreary, and no roof-tree joys will cheer me and life's blind way is weary—out of doors still can hold and enchant me, and the little results grow big can dismiss the ghosts that haunt me, so of course I am prone to despair breathing in the land I am unshaking—while the sweetest incense breathing out of doors, a place for deeper breathing in the land I am unshaking—while the sweetest incense breathing out of doors, seems to wing the lightsome hours if you'll just seek Nature's bowers—out of doors!

GLEANINGS FROM THE PHILISTINE.

Life is a compromise between Fate and Free Will.

True lovers always evolve a cipher code.

The proudest of women will accept orders from the right man.

Your own will come to you if you hold the thought firmly—and hustled it is a good policy to leave a few things unsaid.

* * *

A WOOD PATH.

By Bliss Carman.

At evening and the morning
By an enchanted way,
I walk in solitude and wonder
And have no word to say.

It is the path we traversed
Once in the spring, then
Thy beauty all a rapture,
My spirit a song.

Thy joy never fell upon it.
The moon and mist and rain,
But not the magic footfall
That made its meaning plain.

The Gray Dusk

By LOUISE HEILGERS.

IT was very quiet in the lane and the scent of the hawthorn blossoms tied about one's throat like pale, cool hands in the darkness. Beneath a big copper beech that overhung the path some benefacent Paris council, with a kindly forethought for lovers, had placed a rustic seat that girt the width of the tree with a strong wooden rim.

A woman sat waiting there alone, the white of her skirt spotting its dusk like a flower, all the rest of her blurred by the approaching night.

There was the smell of roses about her. One divined that they were pinned somewhere about her gown.

Presently a lemon-colored moon slipped above the treetops and lit the lane with the fantastic gleam of a Chinese lantern.

Presently, too, there came footsteps and a man joined the woman sitting so still beneath the leaves.

The little night things walking all about might have heard the sound of lovers' greeting had they listened and had they not long ago lost all interest in lovers.

It was the woman who spoke first, as she withdrew herself from his caress.

"I have been waiting ever so long for you," she said fretfully. "What kept you?"

He hesitated drawing further back into the shadow before he spoke. She noticed that his breath came quickly and his voice was uneven as he answered:

"Ralph kept me. We went for a walk in the woods—and—and——" His voice fell into silence.

The woman leaned forward eagerly "Did you—did you tell him?" she asked, tenderly.

Then, as he did not answer: "Oh, I am see you didn't. He drew a long breath. "Well, if you are afraid——" she flung the word at him like a taunt—"to tell him, I will. I'm sick and tired of this deceit. Besides, it isn't fair to Ralph to let him go on thinking I'm still going to marry him next month."

He did not seem to hear; he was staring gloomily away into space. "Why do you ask me that?" he asked loudly, turning upon her so fiercely that she shrank back in alarm. "Of course I told him. It—he told me he wanted to be alone."

The woman rose hastily, with a soft little rustle of skirts. "Then he's still out; he may come here," she said, nervously. "Announcing to take us into his head to stroll out of the wood into the lane? It's quite close, you know."

"He won't come. No fear of that." The man rose too, and spoke with sudden energy. "He's far enough away by this time." He laughed a queer, ugly laugh.

A streak of moonlight slipping to his face showed her that his lips were white with sweat. Involuntarily she stretched out her hand as if to shield her from the sight.

"I don't understand," she whispered, tensely. "I don't feel—I know there is something wrong."

He caught her to him. "What could there be wrong?" he asked, his face against her hair, "so long as you are mine?"

But hastily she drew away from him. "What—what is that?" she stammered, her fixed and staring eyes to where they rested on his spirit cuff. "There was fear in his face a moment ago."

"Oh, that," he said—"I cut my wrist at dinner. The knife slipped. Nothing to worry about—the merest scratch." He drew the sleeve of his coat over his shirt cuff.

She stood staring down at the dust of the lane, afraid to think or move, a great terror seemed to envelop her from head to foot. The man stood watching her for a moment and then abruptly caught her to him.

"Kitty, kiss me, he said, passionately.

But she was rigid in his arms.

"What have you done to Ralph?" she asked.

And even as she spoke she knew the answer; knew before there came the beat of hurried feet down the lane, and a man came rushing past with staring, frightened eyes, crying wildly that someone in the coppice beyond was dead.

Lost on Him.

"Hallo, Jim! You're the very man I want to see. I've got a new one for you."

"A new what?"

"A new conundrum."

"There isn't such a thing," asserted Jim. "If it's good it isn't new; if it's new, it isn't."

"Oh, stop it, man, and listen! What's the difference between a poet and a plumber?"

"A poet and a plumber? That's easy enough. A poet hasn't any money, and a——"

"My good chap, you're miles off the track," his friend interrupted. "This is the answer: A poet pipes a lay, and a plumber lays a——"

"My plumber doesn't," began Jim. "He——"

But there Jim stopped. His friend was stalking off, muttering fiercely.

"What's the good of telling a joke to a man with no more sense of humor than an ox?"

Not Even False.

Teacher—Children, can any of you name an animal that has no teeth?

Little Boy—Yes, ma'am, I can.

Teacher—Well, what is the name of the animal?

Little Boy—My grandma.

With Cereco in your Coffee cup the presence of caffeine is largely done away with and your coffee bills practically cut in two.
½lb., 1lb. and 2lb. cans at grocers.
Check-Neal Coffee Co., Knoxville, Boston, Jacksonville.

BRENAU COLLEGE CONSERVATORY
GAINESVILLE, GEORGIA (Fifty Miles from Atlanta)
In the Heart of the Old South; Alive with the Spirit of the New
SPECIAL ANNOUNCEMENT.
The course of study of Brenau has recently been revised in accordance with standards of foremost American universities and colleges. The requirements for the degree of A. B. will be the only degree granted. The requirements for admission to Freshman Class are fourteen units.
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For the benefit of many girls who can remain in college only two years, courses are arranged so that diploma may be received and the title of Associate in Arts conferred at the end of two years work in the high school. This is similar to the practice of the University of Chicago.
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Courses equivalent to the work of a first-class high school are offered, and provision is made to receive pupils as young as fourteen years of age.
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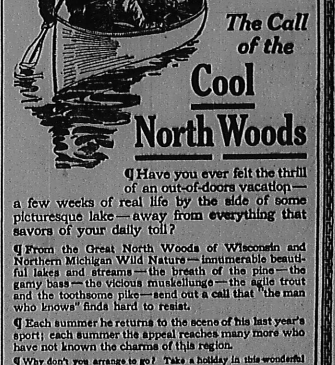
The next term begins September 11. Only a few places are still open.
NEW BOOK READY.
A beautiful new book, entitled "Brenau Girl," has just been published. It is sent free upon request.
Address:
H. J. PEARCE or T. J. SIMMONS, Presidents,
BRENAU, Box 16, GAINESVILLE, GA.


The Call of the Cool North Woods
¶ Have you ever felt the thrill of an out-of-doors vacation—a few weeks of real life by the side of some picturesque lake—away from everything that savors of your daily toil?
¶ From the Great North Woods of Wisconsin and Northern Michigan Wild Nature—immeasurable beautiful lakes and streams—the breath of the pine—the gamy bass—the vicious muskellunge—the agile trout and the toothsome pike—send out a call that "the man who knows" finds hard to resist.
¶ Each summer he returns to the scene of his last year's sport, but summer the appeal reaches many more who have not known the charms of this region.
¶ Why don't you arrange to go? Take a holiday in this wonderful country, where a thousand sparkling lakes teeming with gamy fish await you.
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ARNOLD FLAYS CONLEY

CRACKERS TAKE FIRST

EXTRA

THE ATLANTA GEORGIAN.

Read for Profit---GEORGIAN WANT ADS---Use for Results

VOL. XII. NO. 16. ATLANTA, GA., THURSDAY, AUGUST 21, 1913. Copyright 1906, By The Georgian Co. 2 CENTS. PAY NO MORE

LINK BY LINK, FRANK DEFENDER HEWS AWAY AT STATE'S THEORIES

In a cold, cutting arraignment of the methods used to build up a case against Leo M. Frank, accused of the murder of Mary Phagan, Reuben Arnold, of the accused man's defense, Thursday afternoon unsparingly flayed Jim Conley as a perjurer and willing tool in the hands of men determined to convict an innocent man.

Arnold's attack minced no words. It bristles with scathing denunciation and bitter ridicule. Its impassioned appeal was interspersed with sardonic humor that made a hostile court room lauhg. But its humor was only in flashes. Otherwise it fairly rang with accusation and denunciation.

Arnold charged that the state had deliberately perverted evry innocent action into a circumstance pointing to guilt. Link by link, he hewed away at the prosecution's chain.

He ridiculed the theory of a premeditated attack, declaring that none but God could have known that Mary Phagan was to call for her pay on Saturday—a holiday. He said the State's attempt to prove premeditation was but an instance of its many "wild guesses."

From tim eto time Arnold centered his attack on Conley. He said that the had never heard of a witness who was so thoroughly convicted of lying being put forward as one to be believed.

His address followed a scathing arraignment of Frank by Frank A. Hooper, who opened the argument for the State and demanded the conviction of the defendant on the plea that the evidence presented left no other conclusion than of Frank's guilt.

Charges Efforts To Make Time Agree.

Directing his remarks as much to the counsel for the State as to the twelve men in the jury box, Arnold charged that in order to place Frank's life in jeopardy, Solicitor Dorsey and his colleague, Hooper, had gone to the extreme length of assuming on the one hand that the street car on which Mary Phagan came to town was several minutes ahead of time and on the other that the clock at the factory was five or ten minutes behind time.

They had established by their own witness, George Epps, he said, that Mary arrived in town at 12:07 o'clock and then forthwith had started out to destroy Epps' testimony and arouse the assumption that she got in town at 12:02 or 12:03.

Arnold was only well started on his address when recess came at 12:30. He began a review of all of the circumstances preceding and following the crime as soon as court opened in the afternoon.

Through all the day Frank's mother and wife sat by him. The younger Mrs. Frank sat much of the time with her arm linked with that of her husband. Very little change in the appearance of the three persons was observable. Frank smiled slightly when Hooper satirically was describing Frank's actions at the Selig home Saturday night when he is said to have interrupted a card game which was in progress by the relation of a funny story he had read in a magazine.

Hooper Emphasizes Gantt's Trip to Factory.

Mr. Hooper emphasized various features of the State's case that had not been clearly brought out before, dwelling particularly on the incident of J. M. Gantt's visit to the factory on the afternoon of the tragedy and how Frank had at first refused to let him enter, and how the accused man had called up Newt Lee, the watchman, later, fearful, said Hooper, that Gantt had discovered something.

After Hooper had finished his argument he began presenting authorities to the judge to guide him in making his charge to the jury. He declared that the jury should not be charged that direct evidence was superior to circumstantial evidence.

Before Thursday's session began Frank had expressed himself as entirely confident of the outcome.

"I am certain that I will be acquitted and set right before the world," he said. "It has been a terrible ordeal, but I await the outcome with the utmost confidence."

"May it please your honor and gentlemen of the jury," began Mr. Hooper, "the object of this trial, as of all other cases, is the ascertaining of truth and the attainment of justice. I want to distinctly impress upon you the correctness of our position. We want it distinctly understood that we are not seeking a verdict of guilty unless this man is guilty.

"We want it distinctly understood that the burden of proving him guilty is on our shoulders. We recognize that this has got to be done beyond a reasonable doubt, and from the evidence. We cheerfully assume this burden.

"There is not one connected with the prosecution who would see a hair of the head of this man injured wrongfully.

"We want him to have the rights and protection of the law just as any other citizen. He is entitled to the

LATEST NEWS

SAN FRANCISCO, Aug. 21.—The members of the panel from among whom twelve jurors will be selected to try F. Drew Caminetti on a charge of violating the white slave law, were warned to-day not to discuss the case of Caminetti or the case of Maury I. Diggs which ended last night in a conviction of the former state architect.

WASHINGTON, Aug. 21.—President Wilson will send a special message to Congress on the Mexican situation either to-morrow or Saturday, it was stated at the White House late to-day. This message it was indicated, will include an outline of the American propolals sent to Mexico with Envoy Lind, and the complete text of the reply of President Huerta. It will contain no comment from President Wilson.

LAUREL, MISS, Aug. 21.—Cleveland Bush, circuit clerk of Jones County died here to-day from blood poisoning as the result of two pistol wounds inflicted in his heart a month ago. His father, whom he succeeded, cut his own throat several months ago and died.

SAN FRANCISCO, Aug. 21.—The members of the panel from among whom twelve jurors will be selected to try F. Drew Caminetti on a charge of violating the white slave law, were warned to-day not to discuss the case of Camnetti or the case of Maury L. Digs which ended last night in a conviction of the former State architect.

2 DEAD IN FIGHT WITH KNIVES AT CHURCH

As a result of a knife battle fought within a few yards of the doors of the New Hope Church, in Cobb County, three miles out of Marietta, after prayer meeting Wednesday night, two men are dead, one is probably fatally wounded and a fourth is held by a Coroner's verdict on a charge of murder.

The dead are Fred Lemmings and John McElroy. John Harper has wounds in a shoulder and lung and is in a serious condition.

Fred Harper is held by the Coroner's jury charged with killing Lemmings.

The trouble between the Harpers and the Lemmings dates back to the last term of the Cobb County Superior Court, when Charles Lemmings, a brother of Fred Lemmings, was sentenced to the chaingang on a charge of cursing before women. The Lemmings clan assert that he was not guilty, but had been railroaded to the chaingang through false testimony.

Wednesday night the warring class met at the doors of New Hope Church. When the pastor pronounced the benediction and the congregation filed slowly out of the little church, the warring families met almost directly in front of the doors. Hot words were exchanged. Knives flashed and the battle began amid the screams of the women and children.

Sulzer and Glynn Imbroglio Has Echo In Georgia Capitol

That the Sulzer-Glynn gubernatorial mix-up in New York State has a far-reaching effect was indicated at the Georgia Capitol Thursday when the Governor found his hands tied in connection with efforts to have Homer Reed extradited from New York. Reed is charged with bad stock manipulation in Appling County.

Following the indictment Reed fled to the District of Columbia and later to New York when Governor Joe Brown made efforts to have him extradited just before he retired from office.

In the meantime the matter was held up just long enough for the Sulzer-Glynn imbroglio to interfere. The upshot of the whole matter now is that Mr. Sulzer, erstwhile Governor of New York, according to the ruling of the Attorney General of that State, has the requisition papers for Reed in his pocket. The final disposition of the ematter has all the Georgia statehouse officials guessing.

THAW PLEA UP TO HIGH OFFICIALS

Fugitive Not to Appear at Writ Hearing Because of Danger of Deportation Arrest.

ALBANY, N. Y., Aug. 21.—Aid from the Federal authorities in having Harry K. Thaw deported to New York State was invoked to-day by Acting Governor Glynn and Attorney General Carmody. Telegrams were sent to the Secretary of Commerce and the Secretary of State, as follows:

"In the name of the State of New York, we request that you ask Canadian immigration authorities to deport Harry K. Thaw to the State of New York. Haste is necessary."

SHERBROOKE, QUE., Aug. 21.—The legal fight to prevent the deportation or extradition of Harry K. Thaw into New York by Canada was carried to the very seat of the Dominion Government to-day by W. L. Shurtleff, of counsel for Thaw. Shurtleff left here for the Canadian capital to lay Thaw's case before the Department of Immigration.

Mr. Shurtleff said he would make a direct appeal for the release of Thaw on the ground that he is illegally detained here.

"We will ask 'British justice' for Thaw," said Mr. Shurtleff. "If Thaw is to be sent out of this country, we contend he should be deported at the point where he entered Canada and not turned over to New York."

It was learned that Mr. Shurtleff carried a promise from Thaw to the immigration authorities in Ottawa to leace Canada at once if allowed to choose his destination. This destination would be either Europe or South America.

Judge Arthur Globensky postponed the hearing of arguments on Thaw's petition for freedom on a writ of habeas corpus from 10 o'clock this morning until next Wednesday morning.

May Seek Further Delay.

Thaw's counsel said they would seek further delay until next Monday.

After a long night conference, counsel for Thaw decided that they would not produce the Matteawan fugitive in the Superior Court to-day on the writ obtained yesterday.

It was supposed that Thaw's lawyers did not wish to subject him so soon to the danger of arrest by the immigration authorities.

District Attorney E. A. Conger, of Dutchess County, New York (in which Matteawan is located), was unable to see Thaw until to-day, although Sheriff Hornbeck, also of Dutchess County, who arrived here with Mr. Conger, was able to get to the prisoner. Hornbeck has in his pocket a warrant charging Thaw with conspiring "against the peace and dignity of the State of New York to escape from the State asylum at Matteawan."

An investigation of the manner in which Thaw came into possession of a railroad ticket for Detroit, Mich., is being made. The Dominion authorities are not satisfied that Thaw bought the ticket himself.

It was learned from an authoritative source that immigration officers who are here plan to arrest Thaw on the ground that he smuggled his way into Canada if he gets his freedom on a habeas corpus writ. The village of St. Hermenegilde, where Thaw and his companions came into Canada from the United States, is not a port of entry.

Suffragettes Cut London Phone Lines

Special Cable to The Atlanta Georgian.

LONDON, Aug. 21.—Part of London was isolated to-day, so far as telephone communication was concerned.

Suffragettes had cut the wires.

RACING RESULTS

AT SARATOGA.

FIRST—5 1-2 furlongs: Pennant 108 (Borel), 1-4, out, won; Orotund 105 (Butwell), 12, 5-2, even, second; Ralph 108 (Steele), 10, 2, 4-5, third. Time 1:06 1-5. Also ran: Bac, Spearhead, Stake and Cap, Armament, Uncle Mun.

SECOND—About 2 miles: Zagg 170 (Lieut. Milling), 6-5, out, won; Kinnelon 168 (Lieut. Lyman), 7-10, out; O. K. refused and did not finish. Time, 4:37. Only three starters.

THIRD—Mile: Montressor 98 (J. McTaggart), 6, 8-5, out, won; Barnegat 113 (Loftus), 8-5, 1-2, out; Scallywag 104 (Davis), 8-5, 1-2, out. Time, 1:38. Also ran: Briar Patch.

AT TORONTO.

FIRST—About 5 furlongs: Johnnie Harris 105 (G. Jackson), 15, 6, 3, won; LaSainrella 103 (Moore), 4, 2, even, second; Turkey Trot 103 (Halsey), 5, 2, even, third. Time 1:01. Also ran: Delicious, Mandy Zane, Miss Menard, Sheriff Nolte, Danville II, Top.

SECOND—About 5 furlongs: Cherry Seed 108 (Knight), 3, 1, 1-2, won; Lou Lanier 106 (Carroll), 6, 2, 1; Bodkin 103 (Hall), 2, 1, 1-2. Time, 1:01 1-5. Also ran: Phew, Jack of Hearts, Cap Nelson, Blanche Frances, Fairchild and Maurice Reed.

THIRD—About 5 furlongs: Lucetta 103 (White), 3-2, 1-2, out, won; Mother 106 (Carroll), 2, 1, 1-2; Merise 108 (Knight), 4-5, 2-5, out. Time, 1:02. Also ran: Kinder Lou, Doll Baby, Alooha, Fleming and Paul Davis.

FOURTH—About 5 furlongs: Carlsima 111 (Levee), 3, 1, 1-2, won; Dick Deadwood 105 (Fuerst), 6, 2, 1; John Marrs 113 (Knight), 6, 2, 1. Time, :59 4-5. Also ran: Linbrook, Concarne, Sally Savage and True Step.

Race Entries on Page 11.

M'KEE REPEATS THAT HE WILL NOT RESIGN

Postmaster Hugh L. McKee Wednesday denounced as false the statement that he would comply with the demand of First Assistant Postmaster General Roper and resign his position as postmaster of Atlanta.

"Most emphatically do I assert," said Mr. McKee, "that I will fight the recent request of the department. Had my resignation merely been requested on the grounds that the Administration wished to appoint another man, a member of the Democratic party, in my place, I most certainly would have complied with the request at once.

"In the letter demanding my resignation it was stated that charges of inefficiency had been filed against me. I will not resign without knowing what these charges are. I am guilty of absolutely no violation of any rules of the Postoffice Department and can disprove any charges.

"While it is true that perhaps I am not familiar with all the minor details of the postal service, I have men under me who are familiar with them. All complaints come to me. Hence I know when everything is running smoothly. Mr. Cole, my assistant, is competent to handle all financial matters, and my superintendent of mails, Mr. Hart, is a man with eighteen years' experience in the postal service.

Bryan to Stump for Democrat in Maine

WASHINGTON, Aug. 21.—Secretary of State Bryan will do his first electioneering since becoming a member of the Cabinet, early in September.

He will spend two days in Maine trying to elect William R. Pettengill as Representative from the Third Maine District. The death of Representative Goodwin caused the vacancy.

Free Wool Is Urged By Nevada Senator

WASHINGTON, Aug. 21.—"I am heartily in favor of the free raw wool provision of the tariff bill," declared Senator Pittman of Nevada, one of the greatest wool-producing States in the country.

"I am firmly convinced that the provision is for the best interest of my State and other States."

THE WEATHER.

Forecast for Atlanta and Georgia—Fair Thursday and Friday.

C. BROWN AND PRICE ON MOUND

Crackers and Billikens in Hot Fight for First Game; Locals Score Three in Fourth.

PONCE DE LEON BALL PARK, Aug. 21.—Billy Smith's men took the lead in the fourth inning of their first game with the Billikens by pounding out three runs. C. Brown was knocked off the slab in this session.

Montgomery scored two runs in the fifth inning.

Gilbert Price was on the hurling hill for the locals. He was strong in the early innings.

FIRST INNING.

McDowell safe on Holland's error. Wares out, Bisland to Agler and McDowell was doubled at third, Agler to Holland. Elwert out, Bisland to Agler. NO HITS, NO RUNS.

Agler popped to Gribbens. Long walked. Welchonce forced Long at second, Knaupp to Wares. Smith fanned. NO HITS, NO RUNS.

SECOND INNING.

Sloan walked. Jantzen forced Sloan, Holland to Smith. Knaupp flied to Welchonce. Jantzen stole second went to third on Chapman's bad play. Snedecor flied to Calvo. NO HITS, NO RUNS.

Bisland singled to center and was out stealing, Gribbens to Wares. Holland walked. Calvo hit by pitched ball. Chapman popped to Wares. On a short passed ball Holland attempted to go to third and was out, Gribbens to Elwert. ONE HIT, NO RUNS.

THIRD INNING.

Gribbens doubled to right. C. Brown popped to Price. McDowell singled past short and Gribbens took third. Wares popped to Bisland. Elwert walked, filling the bases. Sloan grounded to Smith, who threw low to first, and Gribbens scored. Jantzen forced Sloan at second to Smith unassisted. TWO HITS, ONE RUN.

Price singled to left and when Jantzen let the ball get by him Price scored. Agler popped to Knaupp. Long walked. Welchonce flied to McDowell. Long out stealing, Gribbens to Wares. ONE HIT, ONE RUN.

FOURTH INNING.

Knaupp out, Price to Agler. Snedecor out, Smith to Agler. Gribbens walked. C. Brown grounded out to Agler unassisted. NO HITS, NO RUNS.

Smith tripled to right. Bisland doubled to right, scoring Smith. Holland hit in front of the plate and when Gribbens threw late to third both runners were safe. At this stage of the game Case relieved C. Brown in the box. On a passed ball Holland took second. Manush fanned. Chapman singled to left, scoring Bisland and Holland. Price hit into a double play, Knaupp to Wares to Snedecor. FOUR HITS, THREE RUNS.

FIFTH INNING.

McDowell bunted down the third base line and beat it out for a hit. Wares forced McDowell at second, Bisland to Smith. Elwert tripled to deep left, scoring Wares. Sloan fouled to Agler. Jantzen singled to right, scoring Elwert. Knaupp forced Jantzen at second, Bisland to Smith. THREE HITS, TWO RUNS.

Agler fanned. Long doubled to left. Welchonce grounded out to Snedecor unassisted, Long moving up to third. Smith beat out a slow roller to Knaupp and on the hit Long scored. While the Billikens were "beefing" over the decision at first Smith pilfered second. Bisland singled to left, scoring Smith. And when Jantzen fumbled the ball Bisland went to the midway. Holland out, Elwert to Snedecor. THREE HITS, TWO RUNS.

SIXTH INNING.

Dobbs was put off the catching lines by Umpire Stockdale. Snedecor flied to Manush. Tommy Long gathered in Gribbens' fly after a long chase. Case flied to Welchonce. NO HITS, NO RUNS.

Jantzen was shifted to rightfield and Sloan to left. Manush ballooned to Sloan. Chapman popped to Knaupp. Price out, Wares to Snedecor. NO HITS, NO RUNS.

SEVENTH INNING.

McDowell singled to right. Wares lined to Welchonce. Elwert flied to Manush, and when the latter missed the ball Elwert took second, while McDowell raced to third. Sloan flied to Welchonce. Jantzen out, Holland to Agler. ONE HIT, NO RUNS.

Agler flied to McDowell. Long tripled to deep center. Welchonce popped to Knaupp. Smith flied to McDowell. ONE HIT, NO RUNS.

For Remainder of Details See Red Type.

High Cost of Walking Now Confronts Us

CHICAGO, Aug. 21.—Shoes that cost $2 to $2.50 to-day may cost $5 and $7 in a few years. This gloomy prediction was made by J. Harry Selz, newly elected president of a million-dollar shoe manufacturing corporation.

The reason, he told the assembled salesmen of his company, was the alarming decrease in cattle production in the United States.

MONTGOMERY	0	0	1	0	2	0	0	0	0	—	3
ATLANTA	0	0	1	3	2	0	0	2	x	—	8

CRACKERS	r	h	o	a	e	BILLIKENS	r	h	o	a	e
Agler, 1b	0	0	9	1	0	McDowell, cf	0	4	3	0	0
Long, lf	1	2	1	0	0	Wares, 2b	1	0	5	2	[illegible]
Welchonce, cf	0	0	5	0	0	Elwert, 3b	1	1	1	2	[illegible]
Smith, 2b	2	2	5	1	1	Sloan, rf	0	0	1	0	[illegible]
Bisland, ss	2	4	2	6	0	Jantzen, lf	0	1	1	0	[illegible]
Holland, 3b	2	1	1	2	1	Knaupp, ss	0	0	[illegible]	[illegible]	[illegible]
Calvo, rf	0	0	1	0	0	Snedecor, 1b	0	0	[illegible]	[illegible]	[illegible]
Chapman, c	0	2	1	0	1	Gribbens, c	1	[illegible]	4	3	[illegible]
Price, p	1	1	1	1	0	C. Brown, p	0	0	[illegible]	[illegible]	[illegible]
Manush, rf	0	0	1	0	1	Case, p	0	0	0	0	0
Totals	8	12	27	11	3	Totals	3	7	24	10	3

SUMMARY.

Two-base hits—Gribbens, Bisland, Long. Th[illegible] hit—Smith, Elwert, Long. Double plays—Bisland [illegible] to Holland. Struck out—by C. Brown 1; by Case [illegible] Price 1. Bases on balls—off C. Brown 3; off Pr[illegible] Stolen bases—Jantzen, Smith. Passed ball—[illegible] Hit by pitched ball—Calvo.

Umpires—Stockdale and Rudderham.

EIGHTH INNING—Knaupp popped to Smith. Snedecor out, Bisland to Agler. Gribbens out, Bisland to Agler. NO HITS, NO RUNS.

Bisland singled to left. Holland singled past Elwert. Manush sacrificed. Chapman singled, scoring Bisland and Holland. Price forced Chapman at second. Agler beat out a bunt. Long flied to Sloan. 4 HITS, 2 RUNS.

NINTH INNING—Case fanned. beat out a grounder. Wares popped to Bisland. Elwert flied to center. ONE HIT, NO RUNS.

FINAL★

SOUTHERN LEAGUE

FIRST GAME.

AT BIRMINGHAM—

NEW ORLEANS	000	001	0	-	1	6	1
BIRMINGHAM	300	000	X	-	3	5	0

AMERICAN LEAGUE

AT CHICAGO—				
PHILADELPHIA	00.	...	...	-
CHICAGO	01.	...	...	-
AT ST. LOUIS—				
WASHINGTON	01.	...	...	-
ST. LOUIS	00.	...	...	-
AT CLEVELAND—				
BOSTON	00.	...	...	-
CLEVELAND	01.	...	...	-

NATIONAL LEAGUE

AT BOSTON—					
ST. LOUIS	202	020	0..	-	..
BOSTON	000	222	0.	-	..

Griner and Hildebrand; Hess and Rariden. Umpires, O'Day and Emslie.

AT NEW YORK—				
CHICAGO	001	01.	...	-
NEW YORK	004	20.	...	-

Stack and Archer; Mathewson and McLean. Umpires, Rigler and Byron.

AT BROOKLYN—				
CINCINNATI	011	020	...	-
BROOKLYN	002	101	...	-

Ames and Clarke; Ragon and Miller. Umpires, Klem and Orth.

AT PHILADELPHIA—				
PITTSBURG	203	12.	...	-
PHILADELPHIA	003	00.	...	-

O'Toole and Simon; Alexander and Killifer. Umpires, Brennan and Eason.

First Installment Of Federal Loan to Atlanta Banks Sent

WASHINGTON, Aug. 21.—Secretary of the Treasury McAdoo to-day sent to several Southern cities the first installment of the $50,000,000 he proposes to distribute to aid in moving the crops.

The details of the distribution were not announced, but it was said Chicago, St. Louis, Baltimore and New Orleans banks will get about $20,000,000 of the fund, and Atlanta, Memphis and Richmond each will receive $750,000.

ELBERTON, Aug. 21.—R. E. Adams, aged 78, a former representative in the Legislature died here to-day. The funeral takes place Friday afternoon.

Boston's 'Fore and Aft' Skirt Winks Oh!—Coquettishly

BOSTON, Aug. 21.—The "fore and aft" skirt created a sensation in Cambridge streets to-day, when a young woman wearing one was seen promenading Harvard Square.

The skirt had a very slight slash, which allowed an emerald petticoat and silken hose to wink coquettishly as she walked.

By leaving one side buttoned all the time the garment may be wrapped about the waist as one piece of cloth. All that remains to do is to button up the one side.

Result: The coiffure is not disarranged and the young man does not have to miss the first act waiting for "Snooky Ookums" to dress.

FRANK CALM AS HOOPER ARGUES TO SEND HIM TO THE GALLOWS

Stoically and Unblinkingly He Listens to Scathing Arraignment of State

ACCUSED ATTEMPTED TO SACRIFICE TWO NEGROES AND GANTT, STATE SAYS

Continued from Page 1.

protection of the law just as any other citizen.

"But another thing: He is not entitled to any more. He is not, on account of his high position and wealthy connections, entitled to any more than any other defendant. The strong arm of the law is strong enough to reach to the highest places and do justice there.

"It is strong enough to reach down into the gutter and regulate the lives of the lowliest. I am not going to undertake to go over all the facts in this case.

Believes Firmly In Frank's Guilt.

"I congratulate you, gentlemen of the jury, that the case is nearing an end. I have felt sympathy for you, because you not only have worked hard, but you have been deprived of your liberty and the enjoyment of your homes. In one sense of the word, you have been in jail.

"There has never been a criminal case in Georgia that has been so long. There has been no trial so important or the result of which will be so far-reaching, and that only makes the responsibility on you the greater.

"There is one other thing that I want to say to you before I go into the facts of the case. This man ought not to be convicted simply because someone has to be, nor because of the law that demands an eye for an eye and a life for a life. We think the evidence shows him to be guilty beyond any reasonable doubt.

"In taking up this evidence I am considering you deeply, I am considering the strain you have been under. I am thinking deeply; in fact, I am trying to make myself as one of you twelve men, and in attempting to bring this to a conclusion I am striving to get at the truth.

"Let's see what the situation was on Memorial Day, Saturday, April 26. Here is this great big pencil factory, which was being run by a number of men with this defendant in charge. Let us consider the conditions that existed there, and, gentlemen, I must say that I am not proud of these conditions.

Witnesses Incensed By Factory Conditions.

"But to get to the real facts of this case; to come to a full realization of just how things occurred, we must understand the conditions that existed here absolutely before we can proceed with this case. The character of this place was one to make us think deeply. The evidence which has been laid before you here has been of the kind to make one doubly serious. Take the defendant. Between 25 and 40 girls have come before you and said that his character was good.

"They spoke in the highest terms of him. That must be considered. But on this charge this is negative evidence. But also consider that we have brought before you girl after girl who told of his character being bad ;who told of the immoral conditions that existed in this great pencil factory, and, gentlemen of the jury, most of these girls had quit working at that factory from two years to three weeks before the time of this trial.

"Every one of them said his character was bad. Did you notice the emphasis with which they said it was bad? And did you notice that they would have told more if they could have been allowed to? Did you notice how highly incensed they felt toward the immoral conditions which existed at this factory?

"You have those who are still there who will say that his character is good, but you have those who have left who invariably say his character is bad. We put them on notice from the very first that we were willing to enter fully into his character. We could furnish particular information in regard to this, but we have been prevented.

"We have asked their own witnesses and our own; we have asked them, 'Did you ever hear of this incident?' and 'Did you ever hear of that incident?' We brought these particular girls before you, and asked them in regard to Frank's character. They said it was bad. We turned them over to the defense, and they failed to question them in regard to any of the incidents to which we have referred."

Colonel Arnold interrupted at this point, protesting to Judge Roan that he considered Mr. Hooper was making an improper argument in saying that the State could not go into the particular evidence and in intimating that it was an incriminating circumstance that the defense did not take advantage of its privilege and question the State's witnesses in regard to the particular incidents. Judge Roan sustained Hooper, saying that it was his only legal recourse. Hooper continued:

"If out of 100 men, 90 of them say that a certain person's character is good, but ten of them say, 'Beware of that man; he is a bad man,' would you say that you had a man of good character?

Says Girls' Morals Were in Hands of Men.

"It is almost impossible to magnify the temptation in the National Pencil Factory to a man without conscience and filled with lust. These girls in the factory were entirely dependent upon the attitude assumed by the men who were superior to them. This defendant, assisted by the noble Darley and the handsome young Schiff, practically had these girls' morals in his hands. The girls were absolutely dependent upon this trio.

"We find that the defendant connected himself up with a man whose character is good enough at present, but who admittedly was leading an immoral life at that time. What can we say when a man whose daily associates are bankers and prominent business men shall associate himself in his leisure hours with a man of the character of this C. B. Dalton?

"I expect most all of you have read that little story, "Dr. Jekyll and Mr. Hyde." We are all dual characters; none is so good but that there is some evil; none so bad but that there is some good. It is when the evil predominates that we have a bad man. The bad is good when with his own class. When the shades of night have fallen, and he seeks associates of his baser passions, then it is that we get a glimpse into his other nature. So it is with this defendant.

"He didn't seek out the bankers and people of his regular sphere when his baser passions came on. He looked for an associate in a man like Dalton. Dalton has had a number of men to get up here and say they would believe him. They are men who have worked side by side with him. Of course, he is a fellow of a lower class, but it has been shown to you that he is a good fellow of his class, congenial to that environment.

"Then there are other facts to support this idea. This defendant claimed to you he did not know Mary Phagan. Yet the evidence showed that he passed back and forth by her every day. We find he did know her. Witnesses declared he stopped to speak to her and show her how to do her work. He told her HE was the superintendent of the factory. He pursued her out of the beaten path. This little girl, sent there by her parents to be under his protection, was in his eye, the eye of lust. He was laying a foundation for his object.

Conley, Too Ignorant to Lie, Stuck to Truth.

"Let's turn back to the first evidence of this, the first interest of this man who never knew Mary Phagan. He said to Gantt, a man reared in the same community, several weeks before the tragedy, 'You are pretty thick with Mary Phagan?' He had her in his mind. Next we see him getting Gantt removed, and it was just after he had remarked what a good office force he had. The first opportunity was about one dollar. He sought to give you the impression of dishonesty. He would attack this man whom he wouldn't let go into his factory unless accompanied by a negro. Shame upon him!

"Thus he got rid of Gantt, and began to lay his plans.

"You remember that the defense pitted its case against Conley. I haven't said anything about him yet, but he comes in right here. He was to them like a stone mountain. They must break him down, or they are lost. They must break him down, and you have seen here the greatest fight between my herculean friend Rosser on the one side, and that poor, ignorant negro on the other, and you have seen the result. It was brains against ignorance; strength against weakness—and after three and one-half days you saw Conley unshaken. His evidence was written as fast as he talked and my friend here, Rosser, carried him back over the same ground again and again, but they could not break him down, because it was the truth. It continued to pour like the waters through a mill race, because that negro didn't have sense enough to lie. He was telling for the first time the real story of what actually happened that fatal day.

"Why didn't Mr. Rosesr break Jim Conley down? It was because, after all the lies the negro had told, he was telling the truth, and the truth is stronger than either of these two gentlemen. And it was the truth, gentlemen of the jury, that held Jim Conley unbroken on the stand for three days. And truth is greater than all. Yes, even after my herculean friend had worn himself out in a three days' effort to break the negro, he tried to put it off on his brother, Mr. Arnold. But the law protects a man, and would not allow this. They will tell you that Jim Conley is a powerful liar—and he is. But take each of his affidavits. Each one of them gave a little more of the truth, and on Mr. Rosser's long cross-examination he brought out more of the truth.

"The opinion I expressed at the time was that if the defense continued to bore into Conley they might bring out even more of the truth. What they brought out did Frank no good. They beat upon him mentally but he remained unshaken.

"This defendant is a smart man. It was a remarkable statement that he made upon the stand to you, but he didn't need to get on the stand here and talk to you for more than two and a half hours. He went into each detail, going from one thing to the other, and putting it on one man and then the other.

"But let us go back to Jim Conley, the Jim Conley they could not shake, because he was telling the truth. He tells you he had done that often before. He told you that he saw other people come there; that he saw men and women meet there; and, gentlemen, there are other people who corroborate Jim Conley; who said they saw men and women come to this pencil factory and meet the defendant there.

Says Affidavits Fit Exactly With Negro's Narrative.

"The next morning Frank was there to see him; the next morning Jim was there. Do you know, gentlemen, that Providence sometimes will divulge the truth at the very last minute? At the last minute yesterday two men came up here and said that they saw Jim Conley there. Mrs. Arthur White said she saw someone resembling Jim, but she was not certain. So Jim was telling a story that a good many people were disbelieving, but here came two men who said they saw him there, or a negro very much like him, who directed them to the office, at the right of the stairs. As Mrs. White came downstairs she saw a negro sitting exactly where Jim Conley in his affidavits said he was. They made their affidavits at different places, but they fitted in exactly.

"Why was he there? For what was he sitting there hour after hour? He was sitting there to do as he had done many times before—to watch at the direction of Frank. One thing they have said is that he was drunk. I suppose he did drink a few beers that morning, but have you noticed that he told of everyone that went up there that morning, and in the order in which they went up. He could have said that he saw Mrs. White, but he admitted that he was napping about this time. Now we come to the time of the tragedy. Jim was still there.

"But about this little Mary Phagan. A little girl who asked for Mary's money had been refused the night before. They told her that Mary would have to come after it herself. This was a violation of the general rule at the office. Even Schiff told you, I think, that they gave out the envelopes to other persons if they knew them well enough. Frank told Jim on Friday night to come back the next morning, but he didn't have any work for him to do. All he wanted of him was to watch at the door as he had done before. He wanted him to watch while girls came up to the office to chat with him. You will notice something peculiar about that word 'chat.' It is a word I never have heard before, but you will notice that there are two persons that use it. One of them is Frank and the other is Conley.

"He tells Jim he wants to have a chat with that girl that day. 'Jim, you just make yourself convenient; wait around.' Jim comes and waits. He makes himself easy there in the hall. He takes a nap. People come and go. Then Mary Phagan comes, the beautiful little Mary. She must have been a beautiful little girl. I guess you all remember her pictures, with her curly hair and bright eyes, and trim figure.

"She came with a little boy. They must have been sweethearts. She had an engagement with him. She wanted to go to the factory first for her little $1.20. She went, tripping along, a happy child. From that dreadful hour not one thing was heard from her. But we know what a horrible catastrophe she met as she went, so innocently, for her little $1.20.

"Frank was there. How do we know it? From his own statement. And he had to change it when he came upon the stand. A live human being, a young girl, came here and said he was not there when she went to his office. Frank did not see her. She waited five minutes. He was not in. I am not going into the details of the time. Mr. Dorsey will do that in his conclusion. What I want to impress upon you is that Frank stated here from this stand he might have gone out of his office for a moment. It was the first time such an admission was intimated. But there was the sworn statement of Monteen Stover to combat him.

"It had to be got around. You don't have to depend altogether on Jim Conley's story. Monteen Stover went to his office after Mary Phagan, and he was not here.

Rosser Interrupts to Enter an Objection.

"In the meantime another little girl was waiting in his office—Monteen Stover—and Conley was waiting for the signal downstairs. Frank followed that little girl back there, and I want to be perfectly frank and say I do not think he had murder in his heart when he did, but the pent-up passions of weeks gained control and he could not stop. That scream that was poorly described here by this poor, ignorant negro—I wish you could have heard it; that scream that sounded like a ripple of laughter that ended when she realized his hellish purpose; the scream that ended when her life began to ebb."

Rosser interrupted Attorney Hooper to say that there was no evidence about laughter. Hooper replied: "All right; I was mistaken."

"The scream," Hooper continued, "and then those fast running footsteps. That was Frank coming to get the cord that strangled the child. Then he gave the signal for the negro to lock the door and come up, and Conley found him nervous and shaking, fresh from that harrowing scene on the rear of the floor on which his office was located.

"Now, gentlemen, we have this man Frank—this man of high standing and character—either committed this crime or that he was back in his office in plain hearing of any scream or any running of the elevator or the hearing of people going up and down the stairs, attending to his duties in his office, preparing that wonderful statement we have heard so much about.

Finds Mute Accuser In Factory Diagram.

"By this diagram I will show you that he was bound to have known of the commission of this crime, even if he hadn't committed it, but listened to that brute negro attack that little girl.

"I want to show you that even if he was where he said he was, and where Monteen Stover said he was not, that this crime could not have been committed without his knowledge.

"I want to show you that he could see from his desk to a point by the clock. I don't want to give any testimony, for if I did I could show that he saw more than that, but by this diagram—and it is a fact—I will show that his line of vision sitting at his desk would bring him to the clocks.

"Frank doesn't sit back in his chair. He sits away forward, and when he is at work he is the hardest working man you ever saw. And, gentlemen, he could see into the space beyond his office.

"Little Mary Phagan was killed back there in the metal room—back there where our friends say they could see not find any blood spots, but where we have shown there were spots of blood. And, gentlemen of the jury, if Frank did not commit this crime, he sat supinely there at his desk and let that brute negro kill her; let that negro bring her up the passageway, bring her up to the elevator and take her down that elevator, which, when running, shook the whole building, which the negro said he could hear downstars; which witness after witness has told you could be heard over the entire building, and which Frank could not have helped but hear.

"Frank's First Word Betrayed His Guilt."

"Mr. Frank, I will give you the benefit of every doubt, but according to your own statements as to the time you were there, and the time which has been shown conclusively that the girl was killed, you were right there; you sat right there, and you never moved.

"Now, to bring Jim Conley back into it: Gentlemen of the jury, isn't it an evident fact—haven't you been shown conclusively, that either Frank or Conley killed little Mary Phagan? Or that Frank killed her by himself, as Conley says? Or that Frank sat supinely at his desk and let this negro Conley kill her, and yet he made no move?

"As soon as the murder was consummated, there was something upstairs that had to be attended to. There were two men upstairs and a woman. Frank was anxious that they be let out of the factory. He went upstairs and told them that if they were going to go, now was the time.

"Mrs. Arthur White left. Arthur White and Harry Denham stayed. Frank told Mrs. White that he was going to put on his coat and hurry away. But this man, who was in such a hurry, still was without his coat when she got down to the office floor. Frank went into his office, washing his hands in that imaginary water. They say that this was his habit, and that we must not assume anything from it.

"The first words that he uttered when he got inside the office, he opened the doors to his guilt that all might look in. Frank said: 'Why should I hang,' adding that he had wealthy people in Brooklyn.

"What was the estimate that he put on the life of a young girl? Didn't it hurt him to wind the rope about her neck until it had sunk deeply into the tender flesh? I can't conceive how any being with the instincts of humanity could have twisted the rope about the neck of that pretty little girl. But he said: 'Why should I be punished for doing such a little thing as taking the life of this little girl? I have rich relatives in Brooklyn.' They will say he never uttered these words. He has denied them on the stand. But did Jim know that he came from Brooklyn? Did Jim know that he had rich relatives in Brooklyn? Did Jim know that he reckoned a human life in dollars and cents?

"No; those words came from the bottom of this man's heart.

"From the African temperament of Jim Conley came the next remark. 'What's going to become of me?' he asked. 'Oh, I'll take care of you, Jim; you have been a good negro. I will write my mother in Brooklyn.'

"This is that old mother who has stayed here in the courtroom so faithfully through all this trial. I can not understand how she has had the bravery to do it."

At this point Attorney Rosser objected on the ground that the speaker was quoting from the affidavits that Conley first made and not those that he told on the stand.

"You will find that they are all about the same," said Hooper.

"Frank says: 'Jim, can you write?' Jim says: 'Yes, I can write a little bit.'

Says Frank Lost Head In Fixing the Notes.

"Why did he ask Jim that question? Jim had furnished reports on those boxes. He knew what Jim could do.

"Jim was trustful; he wasn't on his guard like he was when confronted by the terrible Mr. Rosser. He had faith in his boss, and how false was his boss? As false as he was to the little girl. As false as he was to poor old Newt Lee when that bloody shirt was planted.

"You all, I presume, are Southern men, or have lived long enough in the South to become familiar with the traits of the negro. Can you tell me that you could imagine a negro on his own initiative writing such notes as were found beside that body?

"They charge the crime to a negro—a negro who could hardly write. Would a negro who stood before the grilling of Luther Rosser for three days, and came out victor, be fool enough to do that?

"The truth of the matter—the fixing of those notes seems to be the only time that Frank lost his head. He might have known the police would go back of that.

"Then we come to the money in the case: I don't think Frank had any $200 in his office when he was talking to Conley, but dollar bills would look mighty big. He handed the reward to Conley. Then he thought: 'You are as deep in the mud as I am in the mire.' Aloud he said: 'Let me see that money, Jim;' and he sticks it back into his pocket as if to say: 'If everything comes out all right, I will give it back to you.'

Tells How He Arranged To Dispose of the Body.

"False again to the poor negro who had carried out his hellish purpose, he compromises with a cigarette box containing about $1.50.

"Perhaps there was another idea in his head; there was the mute and mutilated evidence of the crime in the basement. That must be destroyed. This money would be a reward to get that removed.

"Then we come back to that original proposition that the body was carried down the elevator shaft by Frank and Conley. But there is the part of burning the body. A man who had committed the crime would not hesitate to burn it. He knew that there was no man to come back there that day except Newt Lee.

"I don't care anything about what time Frank got home or what he did there; he got back to the factory at 3 o'clock, where he had an engagement with Conley to dispose of the body, and he knew that Newt Lee was going to get there at 4 o'clock.

"Conley overslept himself and Lee came first. Frank said: 'You go away, Newt,' then to himself he said: 'And give me two more hours to get rid of that body.'

"But Conley never came back, and Newt Lee did. He had to let him in, and he knew then that he was lost.

"When Frank saw Gantt in front of the factory door, did he start back aghast and say, 'There is that bloodthirsty thief that was $1 short?' No; he said, 'There is Gantt; he was Mary Phagan's friend. He lived near her and her family has sent him to find her.'

"But Gantt would not harm a flea. He reassured Frank by telling him he nad come to get a pair of shoes he had left in the factory. But Frank didn't want him in there, and told him the shoes had been swept out.

Charges Frank Lied to Gantt.

"Gantt told him there was another pair, and, gentlemen of the jury, Frank had to let him in, and he went in and found not one pair of shoes, but both pairs.

"Did Frank tell him a lie to keep him out of the factory, or did he really think the shoes had been swept out? He told a lie, and he was so afraid Gantt would find something that he sent him in under guard.

"And, gentlemen of the jury, as he stood at that entrance in the presence of Gantt the thought was going through his head, 'It is going to be known in a day that Mary is gone. Lord knows I don't want to let you in here, but I have got to let you in, but I will guard you. Come on in, but you go with him, Newt,' and, gentlemen of the jury, notice this:

"The striking thing about it—the singular fact is that Gantt found both pairs of shoes, showing, gentlemen of the jury, that Frank had never seen the negro sweeping them out.

"Did he lie about this, gentlemen? And after he had left the pencil factory, trembling and with a burden upon him, what did he do that night? He did something he had never done before. He called up Newt Lee over the telephone, and when he could not get him the first time, he called again and asked if that long-legged Gantt was there.

"And when he found that Gantt had left and had discoveerd nothing, what burden rolled from him! No wonder he looked light-hearted. No wonder that he could read baseball stories and joke. No wonder that his family could say that he had nothing on his mind.

"Another Thing on His Mind That Night."

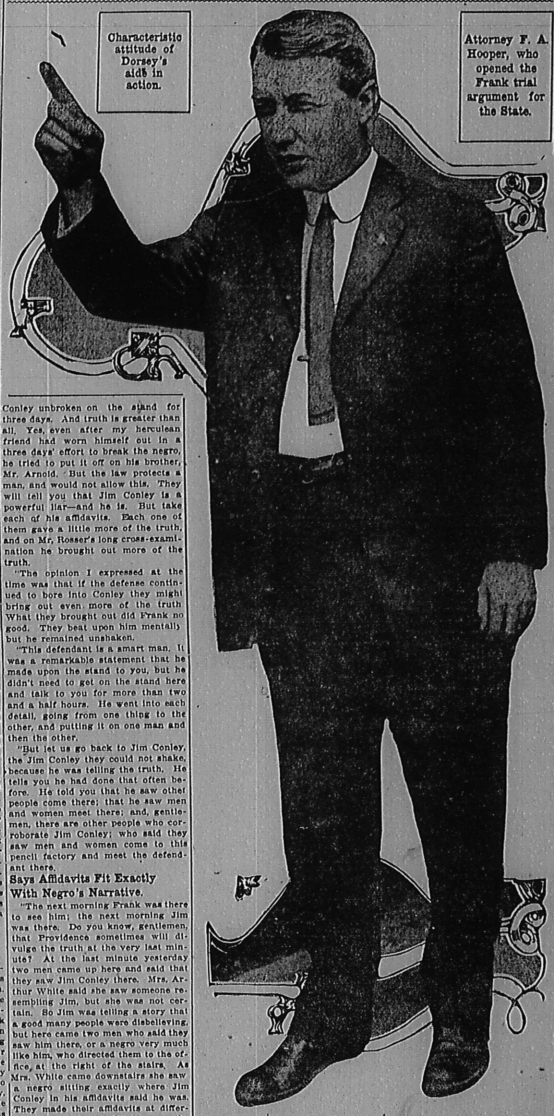
"But yet he had another thing on his mind before the night had gone. During the early hours his telephone rang, but he did not answer it. Honest old Newt Lee notified the police and tried to notify him.

"But Frank did not answer. He says he heard the telephone but faintly, or he imagined he heard it.

"But the police heard the call, and they went down into that basement

Continued on Page 3, Column 1.

ATTORNEY F. A. HOOPER ARGUING BEFORE JURY



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Attorney F. A. Hooper, who opened the Frank trial argument for the State.

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ARNOLD CALLS CASE GREATEST OF 'FRAME-UPS'

'Frank Prosecuted Because He Is a Jew,' He Says to Jury

'WRITER OF THOSE NOTES KILLED MARY PHAGAN,' IS CHARGE OF DEFENSE

Continued From Page 2.

and found something. They found the body of little Mary Phagan cruelly murdered, the cold body lying on the ground where it had been left for Jim Conley to burn.

"Jim had taken his nap, though, and had not come back. The policemen took the body to the undertaking establishment, and at daybreak they started to get up Frank again. And when they got him he was anxious to know if there had been a fire.

"And, gentlemen, aside from the conversation that took place, every officer and every man who was with him that morning will tell you that he was nervous; that he was shaking like a leaf; that he rubbed his hands and was completely filled with nervousness.

"But, gentlemen, he is a wonderful man. Though he stood there and quivered that Sunday morn, not a one of you can say that during this trial you have seen him quiver once. He is as calm and cool as any man in the courthouse, to all intents and purposes.

"But the morning after the crime he was as weak as a cat.' He was nervous; he was trembling like a leaf. The people in the automobile on the way to the undertaking establishment felt him tremble.

Holds Up Time Slip to Jury.

"What was his conduct when he got down there to the morgue? He did not look on his victim, on whom he had had lustful eyes for weeks. He fled; he could not pay the proper respect to a dead body. He went behind a curtain, a place where he had no business to go. He rushed out and waited for the rest.

"Did he identify her? No; he said he thought it was the girl he had paid off the day before. He had to go back to the records; he had to look up and see what her name was. Still he had seen her every day as he passed the machine where she worked.

"It was the same girl he called Mary; it was the same girl he tried to engage in conversation; it was the same girl on whose shoulder he placed his hand.

"What did he do with the time slip that was put in the night before? He said, after looking at it, that it was properly punched. Others looking over his shoulder agreed to it. Darley himself agreed to the error."

At this point Attorney Hooper produced the time slip which he held up before the jury.

"There weren't any marks on it then," he continued. "Frank said it was perfect. He told the night watchman: 'I know you didn't do it, Newt.' But he found that he was getting himself in trouble.

Bloody Shirt Also Exhibited.

"He asked himself why he had said anything about the slip until he had had time to fix it up.

"The next day comes Holloway, his right-hand man, saying that he had the slip, and that it had two misses on it. Frank made some remarks about Newt Lee.

"John Black, suspecting that the negro might know something about the crime, went out to Newt Lee's house and in a trash barrel he found this."

The bloody shirt was held up by Hooper before the jury.

"Somebody had to plant a shirt out at Newt Lee's. Somebody did plant a shirt out at Newt Lee's.

"Did you notice how minutely Frank described his movements all day Sunday and all Sunday night? That struck me as very suspicious.

"Newt Lee said: 'If that is a machine made shirt it is not mine, and if it is a home-made shirt it is mine.' And behold! it was a home-made shirt.

"These remarkable discoveries were made when the shirt was found. You will find that the blood is on both sides of the shirt. And not in corresponding places.

"There is only one explanation—it was used to wipe up a pool of blood. It did not have the distinctive negro odor; it had not been washed. The button holes and not been opened up since it came from the laundry.

"Willing and Anxious To Sacrifice Negro."

"Remember please that that morning this defendant had brought up a time slip with skips showing that Newt Lee had not made all the punches. Gentlemen, he was willing and anxious to have that negro's life sacrificed to save himself.

"The Bible says: 'What will a man not give for his life?' He was willing to give up Gantt, but never one word did he say against Conley. Conley was his friend and associate. That poor negro got arrested for washing a shirt to go to Frank's trial.

"Frank never accused him until the Newt Lee scheme and the other schemes had fallen through. As a last resort the defense has thrown his whole attack on Conley.

"There is one other thing I want to mention—that big stick and the little piece of paper found by the shrewd, smart Pinkerton detectives who can find anything, even an elephant, on a floor. These were found after numerous searches, weeks after the murder.

"Unfortunately, they showed the slip of paper to Mr. and Mrs. Coleman, but there was a figure '5' on this piece of paper, purporting to be a part of Mary Phagan's pay envelope.

"When they came on the stand with that evidence, the figure '5' had been conveniently removed. It fitted the amount Mary Phagan drew that week.

"Doctors say the wound on Mary Phagan's head could not have been made with a stick like they exhibited. No scientific tests for blood were made on it. Yet the defense introduced it as the possible weapon that caused her death.

"Where Is Mincey?" Hooper Asks.

"An inquiry has been made about a man named Mincey. Conley went on the stand and was asked if he did not make certain statements to Mincey about killing a girl. The only purpose of these questions was to introduce Mincey to clear up this whole affair.

"My recollection was he was brought into the courtroom and sworn with the other witnesses."

Rosser: "You are mistaken."

Hooper: "I may be, but where 's Mincey? It looked like the whole fight was to be about him. Frank was to be cleared, Conley convicted. But there has not been one word from him.

"Gentlemen, I am not going to take up any more of your time. I wanted to open up the case fairly and squarely to show you and the defense your positions on these various points."

Hooper concluded. Then Judge Roan asked Solicitor Dorsey to cite the authorities upon which he expected the court to base its charge to the jury.

Solicitor Dorsey requested Mr. Hooper to do it for him.

The jury retired for a short recess and Dorsey sent his deputies out for a number of court decisions.

"Use Common Sense," Hooper Tells Jury.

After the jury returned to the box, Hooper read from a great many authorities on the question of a reasonable doubt and the quality of circumstantial evidence.

"I have heard men say that they thought one thing but when they were on a jury they had to decide another way," said Hooper. "That being on a jury made a whole lot of difference, but it was never intended that such should be the case.

"If you gentlemen believe beyond a reasonable doubt, that is the way you should decide. You should decide this case as you would in your own home. You are supposed to use your common sense in arriving at a conclusion in this case, for the law is supposed to be common sense in its highest form.

"The absolute certainty is not obtainable. The most that can be obtained is the moral certainty, which has been described as being an absolute certainty. The question of moral certainty is before you in this case. The question for you to decide is whether or not it is an absolute certainty.

"It is unfair for a jury to be charged that direct evidence is superior to circumstantial evidence. And it is against the law to charge a jury that circumstantial evidence is inferior to direct.

Citing other authorities, Hooper said: "If the facts of the case point unerringly to the guilt of this defendant, then to all intents and purposes his guilt is as certain as though the evidence was direct.

"The proof of good character," Hooper continued, "will not hinder a conviction if the evidence against the defendant is sufficient. Even though the proof of good character is not attacked, as it was in this case, the evidence in the case is enough to overbalance the character testimony.

"An alibi must exclude the possibility of the presence of the defendant at the place and the time the crime was committed.

"You are not to be governed by any opinion that counsel may express, but by the evidence presented.

"If a party is apprised of the evidence against him and does not explain or controvert it, the strongest presumption is that it is true."

DAUGHTER OF JUROR WAITING TO SEE 'PAPA'

Margaret Louise Wisbey, whose father Is on the Frank Trial Jury.

Arnold Opens Argument Charging Persecution

When Attorney Arnold arose to speak he asked for the paper model of the pencil factory. The model was brought in and placed before the jury stand.

"Gentlemen of the jury," Arnold began, "we are to be congratulated that this case is drawing to a close. We have all suffered at trying a case requiring so much effort, time and concentration is such hot weather. We have suffered for lack of adequate quarters, and from the noises from the street.

"A man's physical surrounding has a good deal to do with how he can do work. I never could do good work when I was uncomfortable. And it has been especially hard for you jurymen, shut off as you are, but that has always been so. You are set upon a hill, as it were, where the sound of the multitude does not reach you—away from the ugly things men do and think and feel.

"The jury system has been in use a long time. It is now in use in all of the countries of Europe adopted from the English system. In the old days trained judges tried cases; they heard all the facts and were supposed to be able to tell when a man was telling the truth and when he was not, and from the viewpoint of an expert

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GEORGIA'S GREATEST MURDER TRIAL NEARS ITS FATEFUL CLOSE

By JAMES B. NEVIN.

The evidence in the Frank case all has been delivered; the last word has been spoken, both for and against the defendant, so far as the witnesses are concerned.

It only remains for the lawyers to argue the matter to the jury—and then, after the court has given the jury the law in charge, there will remain only the verdict to record.

The most complex, difficult, elusive and mysterious murder case in the entire criminal history of Georgia is nearing its end!

It is doubtful whether any of us ever shall see the like of the Frank trial again.

Lawyers give it as their opinion that it has been, in a dozen or more ways, the most extraordinary proceeding ever coming under their observation—and certainly the newspapers of the State never have been called upon to handle a story so amazingly strange in its varied and sometimes astonishing ramifications.

The Phagan case—for as such it will go down in history, rather than as the Frank case—has combined within itself all that goes to make for intense and insistent heart interest.

It has revolved about a sweet little working girl, tragically, and cruelly, and brutally killed—murdered in the first flush of young and promising womanhood, who probably never knew, and if knowing, still not comprehending, why that awful fate should have come upon her so suddenly and so unavoidably!

It has involved the honor and the home happiness of a young business man, theretofore of unblemished integrity and standing in one of the most cultured cities in the world; it has stormed about two households, equally unoffending within themselves; it has concerned itself with the love of two mothers, and it has made to bleed the heart of a wife, and has brought sorrow unspeakable to the minds of hundreds of loving friends, both of the accused man and the dead girl.

Sleeping Prejudice Aroused.

It has, with sordid emphasis, suppressed but unmistakable, made manifest deep-seated prejudices and opinions—gathering as it swept along many things foreign to the real point in issue, until the one big stake the cards must settle presently has, at times, been completely lost sight of, and even now is not easy to locate with certainty.

The Phagan case has run the entire scale of human emotions—there is little by way of sinister or grim appeal that has not been, somehow and sometime, injected into it!

But, after all is said and done, perhaps the matter has been thrashed out thus far in the light of the best intelligence that might have been applied to it.

At times, fate has seemed all too unkind to the defendant; at times the State has seemed unduly estopped from proceeding as it thought it had a right to proceed.

Undoubtedly things have been said and done by both sides to the Frank trial that, as strict matters of law and justice, never should have been said or done.

Frank has had to answer not to the charge of murder alone—as the indictment contemplated he should—but to two charges.

The one means an ignoble death if sustained; the other means a worse than ignoble life thereafter in the penitentiary.

In a measure, too, the charge of murder has been swallowed up and obscured by the other monstrous thing—and yet one can hardly see wherein the defense may complain of that, in that the second charge got into the record with the consent of the defense, if not almost by its invitation.

Scales Held With Even Hand.

Judge Roan—and in this, at least, —I think the public is agreed, has tried his level best to hold the balances even. If there be error in his rulings, they have been errors of the head and not of the heart, I take it. And, error or no, he has maintained an impartial average of judicial favor, so to speak, and he will come through unsullied and uncriticised.

What effect upon the jury the evidence will have is highly speculative and problematical.

If the jury were not composed of human beings and could confine itself to those things alone it has been legally held to, the pathway to acquittal of Frank might seem brighter.

But the trial has been so long drawn out, so full of perplexing detail, so worrying and fretting to simple analysis, so mixed as to issues, and so disconcerting in sequence of testimony, that one is at a loss to imagine just what the jury MUST think of it all now.

In its strict legal aspect, the case against Leo Frank, while wonderfully well held together and set forth by the Solicitor General, still is not such a case as would prompt one to predict sure conviction.

Neither, however, has the defense been of a nature warranting a prediction of sure acquittal.

If the technically legal case could be differentiated in the mind of the jury from the psychological case—if the pleadings could be confined strictly to the primary issue, murder, and not in any manner confused with the other unmentionable issue brought into the case—the probable finding of the jury would be easier to anticipate and forecast.

If Frank might have been tried for murder, pure and simple, NOW, and LATER tried for the other thing, the problem of the jury might, and doubtless would, be simplified immensely.

But to expect the jury to separate in its mind entirely the two things Frank is answering for is almost to expect of it the impossible—the superhuman!

Jury but a Part of the Public.

It has been seemingly impossible for the public to do that—and, after all is said and done, the jury is but a portion of the public, made more careful in forming its opinions, to be sure, by the solemn oath it has taken, but merely a portion of the great public nevertheless!

The big card played against Frank was the negro sweeper, Conley.

Upon his astonishing story turns the State's entire case, from every point of view.

Conley it was who first pointed the direct finger of accusation toward Frank and fixed upon him the awful charge of murder, and Conley it was who first spoke the word of unspeakable scandal that has made Frank's road to acquittal a thousand times harder to journey.

Pitted against Conley is Frank, almost and pathetically alone!

He made a remarkable statement—it carried with it every indication, so far as the surface of things seemed to show, of truth and straightforwardness.

If it was a sustained misstatement of fact, told to save himself, it was the most wonderful piece of work I ever witnessed.

In his own behalf Frank was far and away the very best witness the defense put forward.

If it shall so fall out that he be acquitted, that statement must and will be credited with a tremendous share of the responsibility thereof.

It has behind it, too, some things that the Conley statement has not—among other things, a long record of respectability, integrity and business standing, vouched for by an abundance of very high-class evidence as to Frank's character.

And yet—it was not delivered on oath, and it certainly carried a load of self-interest.

Undoubtedly much has crept into the case, or been lugged in, that is irrelevant, but—well, it is in, and that is the end of it, perhaps!

If Frank is convicted there will be grounds innumerable for asking a new trial; and if that is refused, there will be an abundant assignment of error whereby a reversal possibly may be had later and a new trial ordered.

Frank, however, has staked his all and everything on acquittal—to be denied that is to be denied the hope of all hopes that sustain him to-day!

And so, after the evidence all is in, and the public at last is face to face with the forthcoming verdict—after four months of nerve-racking suspense, swung this way and that, and never knowing exactly what to think—there is but one thing human beings of normal minds and poise can do to-day.

They must await the verdict with minds prepared to accept it as the truth—the very best human ingenuity and the forms of law can establish by way of justice and right.

Either an acquittal or a conviction—the one final, and the other a matter to be reviewed—would be the finish of this trial most satisfactory to the public.

All that any man SHOULD desire—all, indeed, that any honest man CAN desire—is that the truth be recorded in the Frank case, in the light of reason, common sense and justice, as man is given the light to see!

Both the defendant and the State have much at stake—the one has his life and his liberty, the other has the majesty of the law, which is the protection of the lives and liberties of all.

It is easy to find fault, to say that a mistake was made here and there; that sins of commission and sins of omission marked the progress of the trial from both sides.

But that, and none of that, gets us away from the fact that the trial has been as fair and square as might have been expected—and whatever the verdict, no man will have the right to say that undue favor has been shown.

The verdict of the jury—"twelve good men and true"—that the public should be prepared to accept, loyally and sincerely, as the TRUTH of the Phagan murder, in so far as Leo Frank is concerned therein.

SEABOARD EXCURSION TO WRIGHTSVILLE.

$6 round trip. Saturday, August 23. Special train leaves 6 p. m.

Rich's Economy Basement.

A Fresh Supply of

Boudoir Slippers

59c

All desirable sizes and colors now on hand. Genuine 75c values for only 59c.

The New Fall

High Shoes

for Women, Misses, Boys and Children

are on sale at popular prices. Now is the better time to make selections while sizes are plentiful, and before the rush.

Rich's Economy Basement

"Watch Out"

Indigestion
Dyspepsia
Constipation
Biliousness

will surely "get you" if you are careless and neglect the Stomach, Liver and Bowels. Be on guard, and at the first sign of trouble always take

HOSTETTER'S STOMACH BITTERS

It tones, strengthens, invigorates the entire system. Try it now.

M. RICH & BROS. CO.

August Furniture Sale

This sale was carefully planned six months ago and the 10 to 50 per cent reductions embrace:

First—Every piece of our regular furniture on the warerooms and on the floors.

Second—Special purchases from manufacturers who supply us regularly.

Customers wishing to profit by the August prices and desiring more than the usual 30 days' credit, can arrange terms through our office.

(Furniture—Fourth Floor)

For College Girls, Brides or Matrons

A hand-embroidered shirtwaist will please them all. Exquisitely embroidered shirtwaist fronts, on sheer voile and lingerie, are to be sold for $1.98. The designs are beautiful and the work is perfection. Before the number diminished we sold these for $2.50 and $3.50, but we dislike to keep this beauty hidden.

$1.98

(Embroideries—Main Floor, Right)

Neckwear of Beauty

The new Fall Neckwear has arrived. But—that is too conservative when speaking of this array of loveliness. Rich Oriental effects for the stately matron—dainty pink and blue embroideries for the buds—modest little colored embroideries on ecru for the schoolgirl and beauty for all. 29c to $5.00.

New tartan and bandit striped sashes are here in full force. Fringed ends—ready for the quick, novel adjustment which brings a frock up to the minute in style. 2½ yards long. $1.75, $3.00, $5.00.

(Neckwear—Main Floor, Right)

Center Aisle Greets You

With a Sparkling Trio of Good Values.

Hatpins 25c. Imported 6-inch hatpins, small heads, set with clusters of most brilliant rhinestones. 2 on card 25c

Hair Ornaments $1.49. Jeweled barrettes, back combs and other hair ornaments. Beautiful and exclusive. Values from $3 to $7

Bandeaux 25c New coiffures demand bandeaux. These would adorn the head of Psyche herself—so prettily are they set with brilliants, pearls and corals. Were good values at 50c to $1, are now but 25c.

69c---Leather Bags---69c

Regular $1 and $1.50 values, but an odd assortment, so all will go for 69c. Frames—German silver and leather-covered. Top strap handle, round and creased bottoms, leather and moire lined. Fitted with neat coin purses. Mostly black, but some in colors.

(Center Aisle—Main Floor)

Handkerchiefs Wave Farewell

In fact, that's what we expect. We are not anxious to keep these broken lots in the store. You will be glad we feel that way when you see:

Pretty Handkerchiefs—15c each. Some white, others with colored borders. Black and white borders on many. Values—25c to 50c.

All-Linen Handkerchiefs—25c each. Ladies' embroidered and men's hemstitched handkerchiefs. Worth 50c to 75c each.

All-Linen Handkerchiefs—6 for 49c. Ladies' initial handkerchiefs. Only a few initials lacking. Values—98c to $1.25.

All-Linen Handkerchiefs—6 for 98c. Many styles. Unusual opportunity to get very good handkerchiefs for less than the price of ordinary ones. Values—$1.50 to $2.

School Days Are Nigh

Get the children handkerchiefs before the last minute.

Girls' Handkerchiefs—6 for 29c. All-linen hemstitched and initial handkerchiefs. Used to cost 50c, but you can buy six for your little girl at 29c.

Boys' Handkerchiefs—6 for 69c. All-linen, with neat initial. Serviceable. Best $1 value—good for Dad, too.

(Handkerchiefs—Main Floor, Left)

Here Again, Double-Front Petticoat 98c

This eliminates use of two petticoats. Narrow style, carefully fitted with buttoned placket, neatly scalloped hem. Double-front gore makes it the preference under summer frocks. Ought to mark it $1.25.

(Muslinwear—Second Floor)

Neat House Dresses 98c

Ginghams and percales with little tailored touches which remove them from the commonplace. You can take absolute satisfaction in their simple prettiness. Were $1.25, now 98c.

Dainty Kimonos 98c

Flowered lawns, in Empire style. Some have large, fancy collars. Pink, blue and lavender—all in floral designs with borders to match. Were $1.25, now 98c.

August Blanket and Bedding Sale Continues.

M. RICH & BROS. CO.

'MAN WHO WROTE NOTES KILLED MARY PHAGAN,' SAYS ARNOLD

Recalls Dreyfus Case to Show Mistakes of Circumstantial Convictions

'PRINCE OF PERJURERS' IS EPITHET APPLIED TO CONLEY BY ATTORNEY

Continued From Page 3.

determine his guilt or his innocence. The jury system came as a result of a desire to popularize the courts; to let the people flow through the courts.

"God Grant We Get Away From the Street."

"Inexperienced, as they are, it was decided that juries were capable of deciding questions of fact. Of course the judge still decides all legal points.

"My friend Hooper, in reading his authority just now, used a funny expression. He said your position is not different from any man's who wants to learn the facts; from any man on the street."

Hooper objected. "Your honor," he said, "I don't want the speaker to misrepresent my meaning."

Arnold: "You said street. God grant that we get away from the street when we come into court. What is the use of having any court if we don't get away from the street? There it is the man who has the most friends who wins. Courts are to protect a man from the street.

"Gentlemen, sometimes the very horror of a crime does a man a grave injustice. Time rights it all, of course, but at the present blush of a horror friends can't judge fairly.

"The crime in this case is an awful crime. It was committed by a fiend—a brute. But no matter how terrible, no fair-minded man would refuse to give a man accused of it a fair trial.

"But well-balanced men don't say just because he is charged with the crime by Detective Starnes and Solicitor Dorsey: 'We will hang him.' Thinking men weigh the facts.

"Kenley Sample of Lying Blowhards."

"I remember a case when Charley Hill was Solicitor, he asked a prospective juror the formal question, and when he came to that part where the Solicitor General said: 'Juror, look on prisoner; prisoner, look on juror,' that old fellow got up and looked him over and said: 'Judge, he's guilty.' That is the way with public sentiment in this case.

"There has been so much lying and rascality as I will show you that I won't add to it. That fellow Kenley is a fair example. He is a man that any honest man ought to be ashamed to say he knows. His mouth is set like a catfish. He is the type of lying blowhards that constitutes the so-called public sentiment. He is the man who said they hanged two negroes at Decatur because they had to have somebody, and he is the man who said, 'Hang this Jew for the murder of that poor little girl whether he is innocent or guilty.'

"I had rather be in Leo Frank's shoes to-day than Kenley's.

"Gentlemen of the jury, there are people who say that Frank is a remarkable man; that he is a man of wonderful courage; that he has gone through this trial in a manner most remarkable for a man of his physical build and temperament.

"Gentlemen, he has inherited it through 2,000 years of persecution. Behind him there is a long line of ancestors who for centuries have been abused, and I hope the day will come when a man will get justice, will be accorded fair treatment, be he Jew or Gentile, or white or black.

"He has endured persecution, and his family has endured it. The Jews have been thrifty, and envy has been the result. If Leo M. Frank had not been a Jew there would not have been any prosecution of him on this despicable charge. The miserable, lying negro, Jim Conley, was brought in to tell his miserable, lying story, to recite, parrot-like, the story in which he had been so well drilled.

"I am asking my own people and my own kind of people to do Frank justice. I am not a Jew, but I would rather my throat would be cut than do one an injustice of this sort.

"They have got their miserable perjurer, Conley, to come up here and swear Frank's life away. They have had him swear against a man who never had a word said against him before.

"Of course, after a crime, you always find persons who say that they knew the defendant's character was bad. But you don't make a murderer in a single day.

"I am going to compare the witnesses that were used by the defense with those that were used by the prosecution. They brought up the dregs of humanity to testify against this man. They brought up jailbirds and convicts to hang this man. They spouted hot and cold. They hurried the schedule of a street car. They slowed down the time clock at the factory. They got the detectives to say that Frank was nervous. They got his mother-in-law to say that he was so soulless he didn't open his mouth.

"Built Up Case, Then Tore It Down."

"They got little George Epps to testify that Mary Phagan got into town at 12:07. Then they began to tear their own testimony down. I am going to strip the case of some of the falsities and the warpings of the evidence, if God Almighty gives me strength. I don't know that He will, for I am nearly worn out.

"There have been a great many things brought into this case which should not have been brought in. The defendant must be proved guilty of the murder of Mary Phagan. Every other reasonable hypothesis must be eliminated.

"You must liberate Frank, otherwise. The law says you must. If you think that it is as reasonable to believe that Jim Conley committed the crime, then you must turn Frank loose.

"Our friends, the detectives and police, were hard put to find somebody on whom to place the crime. They thought at first it was this man Gantt. Sentell and others said they saw Mary Phagan on the street at midnight. Of course, they did not. But it will illustrate the uncertainty with which this crime has been hatched.

"Then they were almost certain that Newt Lee was the man. They found the notes by the girl's body, and Newt Lee said in reference to 'night-witch,' a phrase occurring in one of the notes, that 'night-witch means me, Boss.'

"I do not think that Newt Lee committed the murder, or had anything to do with the killing of the girl, but I never will get it out of my mind that Newt Lee knew something about the writing of those notes.

"Man Who Wrote Note Killed Mary Phagan."

"This is one of the profoundest mysteries that ever confronted a community. It has baffled investigation at every turn. But one thing has stood out like a mountain on a plain since the very beginning of this case. The man who wrote those notes killed Mary Phagan.

"Oh, you remember how they searched for him. The notes were found beside the dead body. It was right hard to recite what was in the obscure mind that wrote those notes. It looked like one negro trying to accuse another, but the one question stood out. Who wrote the notes? Who wrote the notes?

"Things developed. Newt Lee was put through the third degree and the fourth degree. Just the day or the day before the Court of Appeals handed down a decision which is especially applicable to this case. It denounces such methods. How it does hit Jim Conley and the authorities that made him swear. How it does hit Minola McKnight!"

He read a newspaper clipping of the decision.

"Our friend Hooper said there was nothing to hold Jim Conley in that chair but the truth. My God! He has his life at stake! Before you get through with this case you will see that they have got to depend on Jim Conley. If they can not hobble on those too rotten crutches they can't hobble at all. Before I get through with it I am going to show there never was such a frameup since the world began."

Court adjourned at this time.

Recalls Famous Durant Case.

When court convened for the afternoon session, Arnold resumed his argument.

"Gentlemen of the jury," he said, "my friend Hooper made some remarks about circumstantial evidence and how powerful it was. He forgot to mention the fact that the circumstances had to be substantiated by reputable witnesses and eliminate every other reasonable doubt.

"I read a book once that dealt with circumstantial evidence and it was positively sickening the number of mistakes that have been made. The famous Durant case that has come within our memory is a striking illustration. Two girls were found murdered in the tower of a church. Durant was the last man seen with them. The public said, 'You are guilty.' One man swore he saw him wearing a girl's ring. Another man swore he had found Durant nervous and perspiring as though he had come from recent great exercise. The women egged him on his way to court. The jury found him guilty and a weak judge the first I have ever heard of, sentenced him to hang in three days. They appealed the case, but lost out, and they hanged him. There was not a cemetery in 'Frisco that would bury that man. They took him out to a little country churchyard and buried him. Time went on and people forgot about it. The preacher in that little church continued to address his congregation. After a number of years the preacher was confined to his death bed. He called a number of his friends around him and confessed to the murder of those two girls, and explained the circumstances in such a way that it left no room for doubt that he was telling the truth.

Cites Infamous Dreyfus Case.

"I remember another case—the Hampton case in England. It is a historic case. A country gentleman by the name of Hampton disappeared. He had lived with an old woman and her two sons. It was supposed that he had been killed. One son made incriminating admissions. They tried the old lady and her two sons and hanged them all. In a year Hampton appeared in life.

"I recall another case, the most dreadful of all—the Dreyfus case. He was a lieutenant in the French army. Someone had been telling the plans of the French fortifications. Dreyfus was suspected. They got evidence against him; he was court-martialed and sent to Devils Island. The men who sent him away thought they were safe, but the people became calmer and began reconsidering their action. In time a most infamous conspiracy was revealed. One man confessed and before the end practically every man in the prosecution committed suicide. Dreyfus was a Jew. He was friendless. He was an easy mark and they got him.

"I have never seen so much venom as there is in this trial. The murderous bestiality that robbed little Mary Phagan of her life is scarcely worse than the spirit that would deprive this man of justice. No wolf in the forest, no beast in his cage is so savage as these people who would hang this man on the flimsiest sort of evidence.

Arnold Grows Facetious At Expense of Hooper.

"One thing in my friend Hooper's speech I want you to consider. What he didn't know about this case would fill many volumes. He has got just a little feeble smattering of an idea. He doesn't know what the witnesses said. He doesn't know anything about the factory. He got mixed in Conley's evidence. Part of the time he was quoting from statements of Conley made before the trial.

"But I can't blame him much. Conley's evidence is so crooked he couldn't follow it. It reminds me of the story of the farmer who tried to teach his boy to plow a straight row. He said: 'Son, you see that bull across yonder? Follow straight to him and your row will be straight.' He came back later and found the boy plowing in semi-circles. 'What are you doing?' asked the farmer. 'I am following the bull,' replied the boy."

Arnold illustrated his point by walking around in circles before the jury, holding his walking stick as though it were a plowstock.

Sheriff Mangum had to rap to keep down the laughter.

"I have never yet seen an effort to get a jury to believe a witness in the attitude of Jim Conley," Arnold continued. "There are vile different editions of his statement. If he made one to-morrow, there would be a sixth. He has got the strongest motive in the world to lie—to save his own neck.

Premeditated Killing, Scouts Theory Frank

"Take my friend Hooper's theory that Frank knew it if Conley killed the girl. That is about as weak as the rest of his argument. If Conley had killed her on the second floor, he never would have taken her down until Frank and Mrs. White left.

"Frank left about one. It is absurd to assume that it was impossible for him not to have seen Conley. But we don't believe she was killed on the second floor. And I am going to show that there is no evidence that she was killed there, except what Christopher Columbus Barrett found.

"Hooper smelled the plot. He says this man had had his eye on this dear little girl for some time. That he had been thinking of how he could get her. That he had plotted to make an attack on her. I join with everyone in saying that who killed Mary Phagan was a foul beast, a fiend, a savage. It was not the act of a civilized man.

"But Hooper was hard pressed. They had to fall on something. They had to fall back on the evidence of this miserable negro, Jim Conley. And look at his evidence. A mass of lies. He lied in the first affidavit; in the second; in the third; in the fourth. He lied the fifth time, and I daresay that if he was placed on the stand he would lie the sixth time.

"Now look at what they got. They say that on Friday Frank knew he was going to make an attack on little Mary Phagan. And, gentlemen, taking in the evidence and everything else, this is the wildest conception I ever heard of.

"Conley Was Made to Tell Suitable Tale."

"The utmost they can get is by this poor miserable little fellow, Turner, brought in here at the eleventh hour and who says he worked at the pencil factory for ten days. And all he said was that Frank had put his hand on her shoulder and called her Mary.

"When asked if he could describe her, Turner said that he could not. He did nto know anyone else in the factory. He could not describe anyone. And what did he say that Frank said to her? All in the world that he said was that: 'I am superintendent of this factory.'

"And mind you, gentlemen of the jury, this was in broad open daylight. They brought in other women here to testify as to his conduct with Mary Phagan. And all that they could say was that they had heard him call her Mary.

"To get back to Jim Conley; he is at the beginning of the plot. From all the evidence, they just took him and led him around and made him fit a theory. I will prove by Harry Scott's evidence that whenever Conley said anything that didn't exactly fit, they said: 'Here Jim, that won't do. That doesn't fit Bill Jones' testimony and Conley immediately switched it around so that it would fit.

"By Conley's evidence that on 3 o'clock Friday afternoon, Frank came to him on the third and fourth floors, they expected to show that Frank at 3 o'clock Friday afternoon knew Mary Phagan was not coming for her pay.

"Now they didn't begin the payroll until 5 o'clock Friday afternoon. Who on earth but God himself would know that little girl was not coming for her pay?

Sees Conspiracy in State Evidence Chain.

"How unreasonable must it be for intelligent human beings to believe any story so utterly unreasonable.

"There is a little girl named Ferguson. I notice that Mrs. Coleman never said a word about the Ferguson girl, nor did she say a one about the Epps boy. But the Ferguson girl says: 'I asked Mr. Frank for Mary Phagan's pay, and he wouldn't give it to me.' Frank didn't know Mary was not coming for her pay that day? How did he know she wouldn't come for her pay that day? Wasn't it natural to suppose that if she didn't come that day, that she would come on Monday, the next working day? Do you think that he knew she was coming Saturday morning?

"Gentlemen, it is the wildest theory on earth. Yet the Ferguson girl said: 'I asked for Mary's pay and he said he wouldn't give it to me.' Frank never paid off. Schiff always did that. They had a pay window, and Schiff sat behind it. I doubt if Frank ever saw the girls who were paid.

"There is another little girl, Magnolia Kennedy. She looks just as well as the Ferguson girl. She declares she was behind the Ferguson girl and that the Ferguson girl asked for the pay of no one but herself.

"There is your conspiracy. Before anything happened you have Conley laying the foundation. You have Frank on Friday knowing all these things and telling Conley to come back Saturday. You have Frank saying :'I don't think Mary Phagan will ask for her pay this evening. I don't think she will come down and get it at the usual time. I think she will come Saturday morning. So I will have Conley here and he can watch for me while I assault her.

Accuses the State of Begging the Question.

"Gentlemen, it is too thin. But my friend Hooper says that Frank fired Gantt for a one-dollar debt. Gantt don't come into this case in a very good light. He admitted the one shortage for which he was discharged. There was no doubt that the man who made the complaint knew of the missing one dollar. You don't know how much more there was. You don't know what Gantt did during the time he was working there. We didn't go into that. We don't want to sling any mud on to anyone at all. Yet they are bringing in the discharge of Gantt as having a bearing on this case.

"They claim Gantt was discharged because he had said he knew Mary Phagan. There is no proof that Gantt knew her. They were born in the same county, but there are 30,000 people in Cobb County. He was not her guardian. She was not dependent upon him.

"Little Grace Hix said that Frank didn't know Mary. Magnolia Kennedy said that Frank was not acquainted with the Phagan girl.

"My friend Hooper said some mighty bad things about what happened at the factory. He has pictured the conditions at the factory as being grossly immoral.

"Gentlemen, that is begging the question. I venture the assertion that this factory is no better nor no worse than the general line of factories. Any place where you work from 100 to twice that number of men and women you are almost certain to get some who are not so good as they might be. There is always the evil mixed with the good.

"Discharged Employees Testified in Revenge."

"We are not trying this case on whether you or Dorsey or me or Mr. Starnes or Frank have always been perfect. I say to my friends, let him without sin cast the first stone. There was a little immorality here as in other factories. My friends Dorsey and Hooper have put the microscope on everything. They have dug up everything that ever happened at that factory. They have gone back five years in their efforts to create trouble. They went fishing for witnesses and I don't wonder that they could find a dozen or so who were willing to swear that Frank's character was bad.

"You can always find discharged employees of the factory who were envious or jealous and are anxious to get revenge on their employees. When you swear to character, it is always an opinion. And the value of your opinion depends on the length of time you have known the person for or against whom you are swearing.

"The prosecution has put up eleven girls. Most of them worked there years ago and for only a few weeks at a time. They have gotten all the floaters they could find, employees who worked at one place for a short while then moved on.

"They have searched these witnesses out carefully. They have taken them to their offices and questioned them. And I don't doubt that after they got through questioning them they were able to find many who were willing to swear that Frank's character was bad. From the way they have been giving evidence, I am inclined to believe it.

"Now, of all the incidents mentioned by our friend Mr. Hooper, the dressing room incident is about the worst. There is the room, gentlemen that has absolutely no conveniences—no wash room, no lavatory.

"Now Miss Javckson said that the girls went to work at 7 o'clock and that Frank loked in at 7:10 or 7:16. Miss Jackson admited that girls had been flirting from the windows of that dressing rom. She said they were all afraid of Frank and went to work when he appeared. The only reason that Frank loked into that dressing room, was to see that his orders prohibiting flirting had been obeyed.

"Do you think he could run a factory like that and flirted and had been familiar with the help? Don't you know that if he had done that, all organization would have been swept away and work would have been practically at a standstill? Do you think Montag would have kept him if he had done all the things the prosecution said he did? Do you think they would have trusted their business with a man like that? Why, it is preposterous.

"Men here talk like putting the hand on a thirteen-year-old girl's shoulder amounts to anything. Or looking into a room where girls change only their top dresses? Why you can go out to Piedmont Park any day and see 500 women with almost nothing on.

"You can go to shows and see them with practically nothing on. And I don't mean we are getting worse, either. eW are getting broader. This prudish attitude of holding up your hands in horror of a man's putting a hand on a woman's shoulder makes me sick. I wouldn't trust that sort of a man behind a door.

Killing Was Crime Of Savage Negro.

"We are living in a broad age. We are getting more sense about these matters. Sometimes I think it is a little too broad for me. But Frank's acts that were testified about were made in the broad open day, and no complaints were made about them at the time.

"I was talking about Hooper's theory. He is the sort of man who sees a bear behind every bush. He quoted Conley's statement about Frank telling him to come back and watch. Don't that fit beautifully? Mary Phagan had not been there. It isn't so, of course. Frank couldn't have had any engagement with that little girl. That crime couldn't have happened as Conley said it did. It was the crime of a savage negro, whose first attack is violence, because he can not accomplish his object in any other way.

"Now we come to this man Barrett. I don't know what his name is, but I call him Christopher Columbus because of his numerous discoveries. He talked about a reward. Smith testified he saw him counting his imaginary money. Frank, Chief Beavers and Detective Starnes made a searching investigation of that factory Sunday. They didn't find any blood spots. But Christopher Columbus embarked on a voyage the next day and discovered wonders.

"I am going to show you just how

Continued on Page 6.

$20.95 BALTIMORE AND RETURN VIA SEABOARD.

On sale August 22, 23 and 24. Correspondingly low rates from other points. Through steel trains.

Funeral Designs and Flowers FOR ALL OCCASIONS.
Atlanta Floral Company
455 EAST FAIR STREET.

SKIN TROUBLE BEGAN WITH ITCHING

Could Not Rest Day or Night. Sores Itched So Would Scratch Herself to Pieces. Cuticura Soap and Ointment Cured in Two Weeks.

Glenns P. O., Va.—"My baby's trouble began with an itching and then a little bump would come and she could not rest day or night. The trouble affected her whole body. The bumps festered and came to a head and the corruption looked like thick matter, kind of a yellow color. The sores itched so badly until it seemed to me she would scratch herself to pieces and then a sore would form and her clothes would stick to her body and pull off the little scab. In some places she would scratch and irritate the sores until they seemed to be large. She was affected about a year.

"First I employed a medicine which did very little good; next I used ——— and ——— that did harm. So I wrote for a sample of Cuticura Soap and Ointment. I bathed her body in warm water and Cuticura Soap and then I applied the Cuticura Ointment and they afforded relief after twice using. I bought some more Cuticura Soap and Ointment and inside of two weeks she was cured." (Signed) Mrs. J. R. Greggs, Nov. 21, 1912.

For more than a generation Cuticura Soap and Ointment have afforded the most economical treatment for affections of the skin and scalp that torture, itch, burn, scale, and destroy sleep. Sold everywhere. Sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

Chamberlin - Johnson - DuBose Co.
ATLANTA NEW YORK PARIS

Here's News That Will Make Interesting Reading For Women

Nainsook Gowns That Were Until Now $1, $1.50 & $1.75, Are 69c

Prepare to buy them in twos and threes and half dozens. You will, once you see how fine they are—(it does not take a woman's eye long to catch the real value that lies in such an offering as this).

Here—

They are, every one of them, taken from our own stocks, which means they had to be worth their former prices before they could enter. The nainsook is smoothly woven and light and free from all filling.

The laces, Valenciennes, Cluny and shadow, are those neat and dainty patterns that women of good taste instinctively prefer, and so with the Swiss embroideries that form yokes, that are oddly placed in sleeves, slip-over style, Empire style, both variously charming. We warrant you haven't known such gowns before at 69c.

Chamberlin - Johnson - DuBose Co.

J. M. HIGH COMPANY.

A Big Sale

Remnants White and Colored Wash Goods

12 1-2c to 35c Qualities

SALE BEGINS PROMPTLY AT 8:30 o'clock Friday morning. White Piques, Repps, Bedfords, Dimities, Lawns, Nainsooks, Batistes, Swisses, Voiles, Crepes, Madras and Poplins. Values up to 35c yard. Colored Ginghams, Poplins, Voiles, Madras, Piques, Foulards, Serpentine Crepes, Batistes, Chambrays, Percales, etc.; up to 35c yard. 9c YARD

Be amongst the first comers at this sale; the assortment is the greatest we've ever put into a Remnant Sale.

Waist Sale 77c
Values to $2.50

A clean sweep sale of all voile, lingerie and linen waists of our great special purchase, also a big lot of slightly soiled fine waists from our regular stock. Sale begins at 8:30 sharp, Friday morning. While they last 77c each.

Women's Undermuslins 25c

New, Fresh Fall Goods

100 dozen pairs of women's fine cambric drawers, the best we've ever bought under 35c, per pair 25c

50 dozen neat pretty new nainsook Corset Covers, six lovely styles, trimmed with embroidery, lace, beading and draw ribbons. Special price, Friday and Saturday, half-day 25c

White Skirts $1.00
Values to $2.50

We have put into one lot all white Bedford, Ratine, Pique and Crash Skirts formerly priced $1.50, $2.00 and $2.50. We intend to close them out in one half day. Therefore the price is cut regardless of cost to $1.00 each.

Kimonos 39c
50c and 75c Values

All our summer stock of short lawn kimonos, in white and colors; also black and white effects—while they last, 39c each.

Just In!

BIG STOCK OF NEW FALL CREPE KIMONOS — perfect beauties; new styles, new patterns, and worth one-third more than our prices.

$1.50 to $1.98

Men's

$1 and $1.25 Shirts To Go in One Lot 79c

The most stylish patterns in plaited and plain-front shirts, all sizes, imported percales and madras, made by the best people in the business—in our August Reduction Sale, 79c each.

All 50c Silk Neckwear, except Contract Goods 35c

25c and 50c Wash and Silk Neckwear 20c

Men's Summer Underwear, 1-4 OFF.
Men's 50c Black Silk Sox, 25c PAIR.

Women's Vests To Close 10c

100 dozen women's fine Maco Cotton Vests, low neck, no sleeves. Friday and Saturday, while they last, at 10c each.

Rummage Sale---Notions

4 bars Armour's Bath Soap for 25c.
15c box Marine Bond Stationery 8c box.
Cable Cord, all sizes, white or black, 12 yards for 10c.
High's Poplin Lawn Paper, 15c pound.
Western Electric Hair Curlers, curl the hair in a few minutes, without heat, 2 on card, 10c card.
Best Quality Clincher Dress Fasteners, 12 on card, 5c card.
4 Papers American Dress Pins for 5c.
15c Tooth Brushes 10c.
Treasure Nickel-plated Safety Pins, all sizes, 5c card.
Washable Net Collar Forms, 5c.
25c and 35c Scissors, 19c.
500 Yards Spool King's or Pennant Basting Cotton, 5c Spool or 50c Dozen.
Blue Bird Rings, 25c.
10c Collar Bands, 5c.
15c Inside Belting, white or black, 10c yard.
Ribbon Remnants, 1-4 off marked prices.
4 Palm Leaf Fans for 5c.

J. M. HIGH COMPANY. J. M. HIGH COMPANY.

The World of Society

Much interest is being manifested in the water sports to be given Saturday evening at the East Lake Country Club. For several seasons large crowds of club members and their friends have assembled to witness the exciting swimming and diving races, which are always followed by a dance.

The dance on Saturday evening will be of unusual pleasure, since "turkey trotting" is now allowed at the club. Dinner will precede the dance, and several parties are being arranged.

Misses Annie Akers, Mildred Harman, Winter Alfriend and Mr. Bay, of New York, who is visiting Mr. Alfriend, will form a congenial party attending the water sports.

Eugene Kelly, chairman of the committee on arrangements, announces that the races will begin promptly at 4 p. m. Mr. Al Doonan has offered a silver vase for the champion lady swimmer and diver and a silver medal will be awarded the next best lady swimmer and diver. Each girl who qualifies for these trophies must enter both the swimming and diving contests.

The girls who will compete in the quarter-mile swimming race are Misses Nora and Alexa Stirling, May O'Brien, Lyda Nash, Ellen O'Keefe and Helen Thorn. The same girls, with the addition of the Misses Priscilla Patton and Regina Rambo, will compete in the fancy diving contest, while the Misses Duncan will also enter the quarter-mile swimming race.

For Miss Tappan's Guests.

Mr. Arthur Cook entertained Tuesday evening at a progressive conversation party for Miss Bessie Tappin's guests, Miss Lucy Jacks, of Forsyth, and Miss Julia Gill, of Woodberry.

The house was decorated with old-fashioned flowers and Japanese lanterns adorned the porches.

Miss Minnie Cook and Mrs. Philip Cook assisted him in entertaining the guests.

Presiding at the punch bowl were Misses Helen Lamar, Martha Jones and Roberta Cook.

The guests were Misses Marion Cook, Helen Atkinson, Sadie Bellew, Gladys Sands, Irene Hollis, Jettie Mae Herrington, Bertha Bellew, Alice Dorough, Ruth Herrington, Mary DeSaussure, Elizabeth Dorough, Ada Hollingsworth, Messrs. Nat Beall, Fred Jones, Clarence Richards, Clifton Wood, Leonard Saine, John DeSaussure, Burke Ponder, Charles Forbes, Hugh Wilson, Louis Rawlett, Floyd Traynham, Fowler Rowlett and William Strauss.

For Miss Hull.

Miss Sallie Cobb Hull, whose marriage to Mr. Philip Weltner takes place next month, was tendered an informal tea Thursday afternoon at the Piedmont Driving Club by Mrs. Ronald Ransom. The guests' tables was laden with garden flowers. Mrs. Ransom was attractive in mustard-colored silk, with girdle of black and touches of old blue on the corsage, her toilet being completed by a big black hat.

Invited to meet Miss Hull were Misses Callie Hull, Sara Rawson, Mrs. William Pope of Sante Fe, N. Mex.; Mrs. Marion Hull, Mrs. Frank Adair, Mrs. Robert Gregg, Mrs. Wilmer L. Moore, Mrs. Jerome Simmons, Jr., Mrs. Hughes Spalding, Mrs. Charles T. Hopkins, Jr., Mrs. Marion Jackson, Mrs. Malcolm Fleming, Mrs. William Schroder and Mrs. Aquilla J. Orme.

Dinner Dance at Country Club.

The weekly dinner dance at the Capital City Country Club Thursday evening will be one of the largest sponsored by the club.

Mr. and Mrs. Charles E. Sciple will entertain a party of ten and Mr. and Mrs. Russell Bridges will entertain a party of ten. Parties of six will be entertained by Messrs. Joseph Colquitt, Arthur Clarke, William Dickey and W. B. McBurney. Mr. W. E. Austin will entertain eight guests and parties of four will be entertained by Messrs. Eugene Haynes, E. H. Thornwell and Hamilton Douglas, Jr. Mr. and Mrs. John King Ottley will attend the dinner dance with a small group of friends.

For Miss Beatie.

Miss Leila Ponder entertained 30 guests informally at bridge Thursday afternoon for Miss Josephine Smith and her guest, Miss Eva Beatie, of New York. Ferns and garden flowers were decorations, and silk hose and lavender sticks were prizes. A salad course and ices were served. Miss Ponder wore white lingerie.

Blasingame-Barron.

Mr. and Mrs. W. W. Blasingame, No. 558 Edgewood avenue, announce the marriage of their daughter, Beatrice, to Mr. Victor V. Barron, of this city, Wednesday evening at 8 o'clock at the residence of the Rev. S. W. Reid, No. 36 Washita avenue, Inman Park.

For Mrs. Daniel.

Mrs. Thomas Patton gave a luncheon for six, followed by a matinee party at the Forsyth, Wednesday afternoon for Mrs. Thomas Daniel, who will leave Atlanta September 1 for residence in Columbia, S. C.

Stewart-Aldridge.

Miss Sophronia V. Stewart and Mr. James Aldridge were quietly married Wednesday at 3 p. m. at the bride's home on Evans drive, the Rev. A. C. Ward officiating.

B. Y. P. U. to Meet in Kirkwood.

The City B. Y. P. U. will meet with the Kirkwood union Thursday evening at 8 o'clock. All members are urged to attend.

Atlantans Among New Members of Southern Society

WASHINGTON, Aug. 21.—With its membership more than doubled during the past few months, the Southern Society, the exclusive organization of Southerners at the Capital, of which Claude N. Bennett, of Atlanta, is president, now has more than 500 members and is making preparations for a brilliant winter social season.

Last night the applications of more than 100 new members were approved. These included Congressman and Mrs. Henry D. Clayton, Congressman and Mrs. Joseph J. Russell, Congressman James W. Collier, Mr. and Mrs. Charles M. Galloway, Mr. and Mrs. William J. Harris, Miss Rosalie Thornton, Congressman and Mrs. Walter A. Watson, Senator and Mrs. Thomas P. Gore, Congressman and Mrs. Gordon Lee of Georgia, Congressman and Mrs. William Schley Howard of Atlanta and Senator Claude A. Swanson.

PERSONAL

Mrs. E. C. Thrash is visiting her mother, Mrs. M. T. Crouch, at Gay, Ga.

Miss Thelma Wright, of Elberton, visited her aunt, Mrs. Frank Weldon, in Atlanta Tuesday.

Mr. and Mrs. Charles Bickerstaff announce the birth of a daughter on Wednesday, August 20.

Miss Annie Hollinsworth has returned from Richmond, Washington, Baltimore and New York.

Miss Elizabeth Martin will return Thursday evening from a two-months visit in Kentucky and Tennessee.

Mr. and Mrs. J. W. Childress, of No. 467 Whitehall street, announce the birth of a son, J. W., Jr., August 18.

Mrs. Harvie Jordan, who was operated on for appendicitis Wednesday afternoon at St. Joseph's, is recuperating.

Mrs. Lewis Turner, of LaGrange, arrived Wednesday to visit her mother, Mrs. Lyman Hall. Mrs. Turner was Miss Muriel Hall before her marriage in June.

Mr. and Mrs. Otis Ham and infant son, Marshall Welch Ham, of Jackson, Ga., are guests of Mrs. Ham's father and sister, Mr. M. M. Welch, and Mrs. Stewart Roberts, Inman Park.

Mr. and Mrs. Robert Thomas Sterrett, of Philadelphia, announce the birth of a daughter, who has been named Irene Richards for her maternal grandmother. Mrs. Sterrett was Miss Natalie Taylor, of Atlanta.

The Rev. Robert Theodore Phillips, rector of Church of Holy Comforter, at Sumter, S. C., will be in the city the last of the month and will visit his mother, Mrs. Frank D. Allen, and will be joined later by the Rev. Henry D. Phillips and family, who are at Lake Konuga.

Shreveport Seeks Advice in Vice War

That Shreveport is preparing to follow Atlanta's example in closing the segregated district is indicated in a letter received by Police Chief Beavers from Mrs. Randell Hunt, a prominent Shreveport woman and president of the Co-operative Protective Society of that city.

Mrs. Hunt asked Chief Beavers to furnish detailed information as to the closing of the houses here and the results, and to give his opinion on gradual restriction. Chief Beavers replied, advising the closing of the places as the only real solution.

Rancher Buried Alive By Mexican Rebels

SAN FRANCISCO, CAL., Aug. 21.—Among the recent arrivals from Mexico is Sydney M. Sutherland, from Mexico City. He said:

"Deeds are daily committed in Mexico which it would be difficult to credit in this country. The so-called revolutionists, who are nothing but outlaws, have done things to their own countrymen and to foreigners which Americans can scarcely believe possible in this age."

He told of seeing an aged ranch owner buried alive by Zapatists.

$3.50 Recipe Free, For Weak Men

Send Name and Address To-day—You Can Have It Free and Be Strong and Vigorous.

We have in our possession a prescription for nervous debility, lack of vigor, weakened manhood, failing memory and lame back, brought on by excesses, unnatural drains, or the follies of youth, that has cured so many worn and nervous men right in their own homes—without any additional help or medicine—that we think every man who wishes to regain his manly power and virility, quickly and quietly, should have a copy. So we have determined to send a copy of the prescription free of charge, in a plain, ordinary sealed envelope, to any man who will write us for it.

This prescription comes from a physician who has made a special study of men, and we are convinced it is the surest-acting combination for the cure of deficient manhood and vigor failure ever put together.

We think we owe it to our fellow-men to send them a copy in confidence, so that any man anywhere who is weak and discouraged with repeated failures may stop drugging himself with harmful patent medicines, secure what we believe is the quickest acting restorative, upbuilding, SPOT-TOUCHING remedy ever devised, and so cure himself at home quietly and quickly. Just drop us a line like this: Interstate Remedy Co., 4275 Luck Building, Detroit, Mich., and we will send you a copy of this splendid recipe in a plain, ordinary envelope free of charge. A great many doctors would charge $3.00 to $5.00 for merely writing out a prescription like this—but we send it entirely free.

PREDICTS FLIGHT TO VENUS WITH RADIUM'S AID

Noted Parisian Talks of Interplanetary Congresses to Be Held in Few Centuries.

Special Cable to The Atlanta Georgian.

PARIS, Aug. 21.—Ernest Archdeacon, the most prominent patron of aviation in France, declares something will soon be discovered infinitely better than aeroplanes, which are not likely ever to exceed 125 miles per hour.

Archdeacon states that with 27 kilogrammes of radium a projectile weighing a ton could be shot to the moon in 49 hours, provided all the radium's energy could be released within that time.

With 400 kilogrammes of radium aboard, a visit could be made to Venus and back to earth again. He is convinced the inhabitants of all the planets will make each others' acquaintance within a few centuries and that interplanetary congresses will be held.

LONDON, Aug. 21.—Robert Donald, editor of The London Daily Chronicle, in his opening address as president of the Institute of Journalists at York, prophesied that aeroplanes and airships will eventually deliver newspapers, which will appear almost hourly.

News will be collected by wireless telephones and reporters will carry portable phones.

At the offices wireless messages will be delivered to the editors printed in column form.

At amusement places all the day's news will be given by cinematograph and gramaphone, while for those too lazy to read the news will be delivered like gas and water, and householders will listen to announcements while resting in their gardens or else have a daily newspaper printed in column form turned out by a printing machine in the house.

Man Who Wrote Those Notes Killed Mary Phagan, Charge

Continued from Page 5.

absurd his discoveries are. I am not going to just hit the high places like my friend Hooper did. I am going fully into it. My friend Hooper is a bully fellow. He is such a good fellow that really I am almost pursuaded he hasn't had his heart in this case at all.

Blood Stains Were Only Analine Drops.

"Four pieces of floor were chipped up. Each piece had a spot on it which they thought to be blood. These chips were taken from the floor covered with dirt and grease one-quarter of an inch thick. This floor has never been scoured, and we know a few men who had been hurt back there and who had been carried by this spot. There is a difference of opinion as to how much they bled, but we know that they did bleed, that they bled considerably. And this place was in front of the ladies' toilet.

"And we know from the chemists who have been upon the stand that if a drop of blood had fallen there four years ago the chemist could find corpuscles now. They took up four chips. I want to show you these chips, and I also want to read you Dr. Claud Smith's testimony on the stand here. Here are the chips with the blood spots on them—all blood. Oh! The chemist can find the corpuscles! Unless they are scoured up they will be there ten years. Now listen to Dr. Claude Smith's evidence. He says here that he found three or four or five corpuscles in the field. My recollection is that one drop of blood contains not less than 80,000 corpuscles.

"As to the amount of blood, you can form your conception. And here is what he says about the chips: 'The chips I handled had blood and dirt, grease and other things on them.' He says he found corpuscles on one of the chips, but he could not tell what chip it was. He said he raked them all together. He could not even say whether the corpuscles he found were human or not. He could not even pick out the one chip that had the blood on it. He said that he tested for blood only; that he made his test in the ordinary way, and he found the stain on every chip. And that stain was paint, analine which we have insisted was there. And as to the amount of blood, he could not say whether it was half a drop or less.

No Blood Spots Where Hair Was Found.

"I say that one-half a drop of blood might have been there several years. And now, if I make myself clear, what they say was blood was a stain, the same thing on every chip, and not blood at all. It just happened there were one or two corpuscles on one chip when one drop of blood would have made 80,000 corpuscles. And they would have remained intact several years.

"Now that hair Christopher Columbus found on the lathing machine, and by the by it has never been introduced and I would like to know where it is. It has never been identified for the very simple reason that it is not in existence. Every doctor has told you that she must have bled where the hair was found or where the wound was made, and there was no blood found."

Attorney Rosser here interrupted Arnold to read from Detective Black's testimony in which he said that Detective Starnes and himself made a thorough examination of the metal room and dressing room the Sunday morning after the crime and found neither hair nor blood.

"Now here where Barrett found strands of hair," Arnold continued, 'I want to say that it would be nothing remarkable to find strands of hair on any machine in the factory at which women worked.

Even Frank's Honesty Worked Against Him.

"My friend Dorsey says they washed up blood in several places. Now why wasn't it all washed up, instead of putting this haskeline around that one place?

"The whole truth is that the whole case rests on this fact: that Frank was honest enough to tell them that first Sunday morning that he did see Mary Phagan; that she did come there for her money, the time she came there and the time she left. Now, if he had been trying to hide anything he would certainly have had sense enough—my friend Hooper says he is more than the ordinary in intelligence—to have denied seeing the girl at all, to have known absolutely nothing about her and to have had her pay envelope in the cash drawer where it would have been if he had not honestly paid her off when she went to his office unharmed.

"When Little Mary Phagan came Harry Denham and Arthur White were upstairs. Lemmie Quinn and Monteen Stover and all the others were coming in. People were coming and going all morning. The doors of the offices were open; the doors of the metal room were open. There were glass doors in the metal room so anyone could look in and see everything that was going on.

"Do you mean to tell me that a man is going to plot murder with conditions like that? There were people coming in before and after the crime—a dozen people were dropping in. There Frank was overwhelmed with work, his stenographer gone, and yet they tell me he had planned to lose half or almost all the entire morning with a plot like that. All reason would be against his having relations with the girls in the factory.

Brands Dalton As A Common Liar.

"I have no doubt that some of the girls in the factory were bad, but I don't believe they were all bad. I believe most of the girls who work in that place are good. Now the prosecution has jumped on poor Daisy Hopkins and has torn her character to shreds. I have no doubt that Daisy Hopkins is a bad woman. She has admitted it. I am sorry for her, but some of the men who testified in this case were no better. Think of the motorman who got on the stand here and told about going to that place with women and Dalton telling about going there with Dansy Hopkins and sneaking down through a scuttle hole into the basement.

"They told us that Dalton, the man with a criminal record, had reformed. He lied when he said he had reformed and if he ever went into the pencil factory he slipped in. Look at this man, gentlemen (pointing to Frank). Why should such as he associate with Dalton. Would you think he would be a boon companion of a man like that. No man says he was but Dalton and Conley. Dalton and Conley brought Daisy Hopkins into this case, too. She was not our witness except in this way. Fallen women sometimes tell the truth. It is known that they have peculiar characteristics and we knew that if they had lied when they said they went to this place with her she would say so.

"Now, Daisy Hopkins says it is a lie and when all of these people say Frank was never there with women and when the clerks, the office boys and his assistant, Schiff, say that these men lied, then Dalton has lied."

Cat Slayer Breaks Circumstance Chain

MONTCLAIR, N. J., Aug. 21.—Mrs. L. H. Forster's pet cat was murdered, seemingly by a dog, whereupon Mrs. Forester rushed into police headquarters here and asked that Snap, a dog owned by a neighbor, be charged with the murder and duly executed.

Asked if she knew to a certainty that Snap was the culprit, she answered in the negative, but declared she felt sure Snap killed her cat, "because he was sniffing in my yard afterward." The police contended that Snap had a right to sniff and refused to have him haled into court.

589 Rifle Experts in Fight for U. S. Trophy

CAMP PERRY, OHIO, Aug. 21.—For the military rifle championship of the United States, the most coveted individual honor at the national tournament, 589 contestants are fighting to-day.

The skirmish and surprise contests occupied the morning, and the 600-yard stage was scheduled to be shot this afternoon. The 1,000-yard stage will be run off to-morrow afternoon.

Negro Boy Held for Drowning White Lad

DOUGLASVILLE, Aug. 21.—Will Tally, a negro boy, is in jail here charged with the murder of Fred Hollingsworth, a white boy, at Lithia Springs.

It is alleged that in a struggle between the boys on the banks of Sweetwater Creek the negro struck Hollingsworth with a rock and pushed him in the creek, where he was drowned. The negro says they were in swimming and when the white boy became strangled he was unable to save him.

BALTIMORE AND RETURN—$20.95.

On sale August 22, 23, 24. Through steel trains. Seaboard.

Southern Suit & Skirt Co.—Atlanta, New York—Southern Suit & Skirt Co.

Now Come the Supreme Values of the Expansion Sale

Most Remarkable Reductions of All!

Every Summer Garment Must Go—At a PRICE!

Reductions so great that they sound unreasonable at first glance—BUT, when such conditions arise as now face this store, with remodeling going on and new goods arriving in great quantities—DRASTIC MEASURES are required.

Therefore, to-morrow morning, we will place on sale every summer garment left in stock at the MOST REMARKABLE REDUCTIONS in the history of this business.

Here They Are—While They Last

$25 to $35 Lingerie Dresses, choice . . . $12.50
$19.50 to $22.50 Lingerie Dresses, choice $9.85
$9.85 to $12 Lingerie Dresses, choice . . . $4.95
$10 to $12 Fancy Voile Dresses, choice . . $4.95
$7.50 to $9.85 Fancy Voile Dresses, choice $3.50
$12.50 to $19.50 Ratine Dresses, choice . $4.95
$12.50 to $19.50 Linen Dresses, choice . $4.95
$10 Ratine and Linen Dresses, choice . . . $2.95
$3.95 to $5 Wash Dresses, choice 98c
$12.50 to $19.50 Ratine and Linen Suits . $3.95
$10 to $12.50 Ladies' Motor Coats now . $4.95
$5 Ladies' Motor Coats now $1.48
$3.50 White Ratine Skirts now $1.48
$1.50 White P K Skirts 69c
$7.50 Wool Skirts now $3.95
$10 to $12.50 Wool Skirts, choice $6.50
$1.50 White Voile and Marquisette Waists 69c

Southern Suit & Skirt Co.

"Atlanta's Exclusive Women's Apparel Store"—43-45 Whitehall Street

Summer Dresses and Linen Suits

Greatly Reduced at ALLEN'S

$6.95 to $10.00 Dresses . . $2.45
$12.50 to $16.50 Dresses . . $4.45
$18.50 to $22.50 Dresses . . $6.95
$25.00 to $30.00 Dresses . . $8.95
$35.00 to $40.00 Dresses . . $11.95
$45.00 to $50.00 Dresses . . $15.95

Any Linen Suit in the House

$4.45

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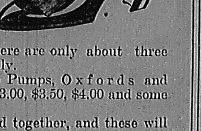

A sale of Allen's shoes at $2.00 a pair is a money-saving opportunity, indeed. Not a shoe in the lot that would cost you less than $3.00 or $4.00 a pair, and some of them were formerly $4.50 and $5.00. Several new lots have been added to this group at $2.00. There are black, tan and white; more gun metal and tan than patent leather, satin and suede, but all materials are represented in the lot. There are only about three hundred and fifty pairs of them, so choose quickly.

Women's white canvas and white buckskin Pumps, Oxfords and Colonials at $1.50 a pair. They were formerly $3.00, $3.50, $4.00 and some $5.00 a pair. About one hundred pairs of these.

We have a small lot of white shoes grouped together, and these will be offered at $1.00 a pair.

They are all Allen shoes; some of them are a little soiled, but we will send them out in first-class condition.

Boys' and girls' barefoot sandals at 50c a pair. There are black, tan and white in the lot. They were formerly $1.00, $1.50 and $2.00 a pair. Shop early on these.

Every low shoe in the house reduced to either $5.95, $4.95, $3.95 or $2.95 a pair.

Next week our twice-yearly shoe sale will end, and you will lose if you don't get some of the exceptional bargains on sale now.

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HOME EDITION

ARNOLD CHARGES A 'FRAME-UP'

Hooper Calls Defendant a Jekyll and Hyde

U. S. URGED TO POLICE MEXICO

Senate Resolution Asks for Constabularies to Protect Foreigners in Turbulent Republic.

WASHINGTON, Aug. 21.—Senator Penrose to-day introduced a resolution in the Senate declaring it to be the sense of that body that the President of the United States should establish constabularies in Mexico and place in them a sufficient number of troops to protect the lives and property of American citizens.

The resolution also declares it to be the sense of the Senate:

That it has been the policy of the United States to maintain the Monroe Doctrine.

That the United States recognizes its responsibility under this doctrine.

That there is internal lawlessness and warfare in Mexico.

That the continuation of this condition will add to the complications there.

That the first duty of the United States is to protect the lives and property of its citizens at home and abroad.

That the extension of such protection will lessen the danger of foreign interference, and that it is not the policy of the United States to aid or assist any faction.

The resolution explains that in sending troops into Mexico for the purpose of protecting American citizens and their property there was no intent of hostility toward Mexico and that it could not be considered an act of war.

Asks Money for Protection.

Senator Penrose asked that the resolution lie on the table, as he did not intend to discuss it to-day. He then introduced a proposed amendment to the first deficiency appropriation bill providing for an appropriation of $10,000,000 for the protection of lives and property of American citizens in Mexico.

This money is to be available at any time up to July 1, 1914. Senator Penrose, asked that this amendment also lie on the table.

"American citizens in Mexico have their rights in international law and under the Constitution," said Penrose. "Rather than appropriate a paltry $100,000 for the removal of these Americans from Mexico I would spend $25,000,000 to assure their safety and protection in Mexico."

Owing to the seriousness of the Mexican situation, both Senators Bacon and Lodge of the Senate Foreign Relations Committee insisted that all matters pertaining to it should be referred to the Foreign Relations Committee.

Republicans Protest.

The resolution brought forth a storm of protest, chiefly from Republican Senators, who said they thought the President was doing everything possible to better conditions.

Senator Smoot said he was opposed to intervention, and believed President Wilson was doing everything that could be done. Senator Bacon (Georgia) said that many Senators, including himself, restrained themselves with difficulty when discussing the Mexican situation.

Senator Fall, of New Mexico, urged that not only the Senate, but the general American public, be given more information as to the policies of the Administration in the exact situation and conditions in Mexico.

"There is a growing sentiment in the United States of resentment," said Senator Fall. "I believe the people should be informed rather than inflamed."

Senator Penrose consented that the resolution be introduced on previous days respecting the Mexican situation now be referred to the Foreign Relations Committee. He said he would be glad to furnish the Foreign Relations Committee with the facts in his possession which prompted him last week to attack William Bayard Hale, a personal representative of President Wilson in Mexico.

Atlanta Mother Wants to Ship Her Boy by Parcel Post

Is a 5-year-old boy mail matter? Can he be wrapped up, with a tag around his neck, stamps on his head and handled like a sack of mail?

Jacob Unger, a stenographer in the office of Superintendent of Mails L. C. Hart, at the Federal building, wants to know.

Mrs. James E. Vaughn, 287 Piedmont avenue, telephoned Superintendent Hart's office late Tuesday.

"Can parents send 5-year-old boys by parcel post?" she inquired.

"I want to send my son to Augusta and I thought it would be so nice to send him by parcel post. Then I'd know he wouldn't get lost or run over."

Unger told Mrs. Vaughn he would look through the parcel post regulations and see if boys are listed as merchandise, and are mailable. He is still looking.

Boston's 'Fore and Aft' Skirt Winks Oh!—Coquettishly

BOSTON, Aug. 21.—The "fore and aft" skirt created a sensation in Cambridge streets to-day, when a young woman wearing one was seen promenading Harvard Square.

The skirt had a very slight slash, which allowed an emerald petticoat and silken hose to wink coquettishly as she walked.

By leaving one side buttoned all the time the garment may be wrapped about the waist as one piece of cloth. All that remains to do is to button up the one side.

Result: The coiffure is not disarranged and the young man does not have to miss the first act waiting for "Snooky Ookums" to dress.

High Cost of Walking Now Confronts Us

CHICAGO, Aug. 21.—Shoes that cost $2 to $2.50 to-day may cost $5 and $7 in a few years. This gloomy prediction was made by J. Harry Selz, newly elected president of a million-dollar shoe manufacturing corporation.

The reason, he told the assembled salesmen of his company, was the alarming decrease in cattle production in the United States.

Millionaire Taking Woman's 'Fast Cure'

SEATTLE, WASH., Aug 21.—Robert Graham, the millionaire British bread king, is taking the "fast cure" under the notorious Linda Burfield Hazzard, despite the warning of the British Vice Consul that several British subjects have been starved to death.

For thus killing one of her patients, this woman is now under sentence to the penitentiary.

Bryan to Stump for Democrat in Maine

WASHINGTON, Aug. 21.—Secretary of State Bryan will do his first electioneering since becoming a member of the Cabinet, early in September.

He will spend two days in Maine trying to elect William R. Pettengill as Representative from the Third Maine District. The death of Representative Goodwin caused the vacancy.

'Tango' and 'Trot' on Last Legs in Chicago

CHICAGO, Aug. 21.—Last rites were being prepared to-day for the tango and the turkey trot in Chicago restaurants and cafes following the action of the City Council in adopting an ordinance prohibiting these dances and barring the wearing of tights in cabaret performances.

Mayor Harrison said he would sign the ordinance in time to make it effective August 30.

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Thursday and Friday.

THAW PLEA UP TO HIGH OFFICIALS

Fugitive Not to Appear at Writ Hearing Because of Danger of Deportation Arrest.

ALBANY, N. Y., Aug. 21.—Aid from the Federal authorities in having Harry K. Thaw deported to New York State was invoked to-day by Acting Governor Glynn and Attorney General Carmody. Telegrams were sent to the Secretary of Commerce and the Secretary of State, as follows:

"In the name of the State of New York, we request that you ask Canadian immigration authorities to deport Harry K. Thaw to the State of New York. Haste is necessary."

SHERBROOKE, QUE., Aug. 21.—The legal fight to prevent the deportation or extradition of Harry K. Thaw into New York by Canada was carried to the very seat of the Dominion Government to-day by W. L. Shurtleff, of counsel for Thaw. Shurtleff left here for the Canadian capital to lay Thaw's case before the Department of Immigration.

Mr. Shurtleff said he would make a direct appeal for the release of Thaw on the ground that he is illegally detained here.

"We will ask 'British justice' for Thaw," said Mr. Shurtleff. "If Thaw is to be sent out of this country we contend he should be deported at the point where he entered Canada and not turned over to New York."

It was learned that Mr. Shurtleff carried a promise from Thaw to the immigration authorities in Ottawa to leave Canada at once if allowed to choose his destination. This destination would be either Europe or South America.

Judge Arthur Globensky postponed the hearing of arguments on Thaw's petition for freedom on a writ of habeas corpus from 10 o'clock this morning until 2 o'clock this afternoon in the Superior Court.

May Seek Further Delay.

Thaw's counsel said they would seek further delay until next Monday.

After a long night conference, counsel for Thaw decided that they would not produce the Matteawan fugitive in the Superior Court to-day if the writ obtained yesterday.

It was supposed that Thaw's lawyers did not wish to subject him so soon to the danger of arrest by the immigration authorities.

District Attorney E. A. Conger, of Dutchess County, New York (in which Matteawan is located), was unable to see Thaw until to-day, although Sheriff Hornbeck, also of Dutchess County, who arrived here with Mr. Conger, was able to get to the Prisoner. Hornbeck has in his pocket a warrant charging Thaw with conspiring "against the peace and dignity of the State of New York to escape from the State asylum at Matteawan."

An investigation of the manner in which Thaw came into possession of a railroad ticket for Detroit, Mich., is being made. The Dominion authorities are not satisfied that Thaw bought the ticket himself.

It was learned from an authoritative source that immigration officers who are here plan to arrest Thaw on the ground that he smuggled his way into Canada if he gets his freedom on a habeas corpus writ. The village of St. Hermenegilde, where Thaw and his companions came into Canada from the United States, is not a port of entry.

Suffragettes Cut London Phone Lines

Special Cable to The Atlanta Georgian.

LONDON, Aug. 21.—Part of London was isolated to-day, so far as telephone communication was concerned.

Suffragettes had cut the wires.

DEFENDER OF FRANK WHO RIDICULES PROSECUTION

Attorney Reuben Arnold, who opened the closing argument for the defense in the Frank trial.

2 DEAD IN FIGHT WITH KNIVES AT CHURCH

As a result of a knife battle fought within a few yards of the doors of the New Hope Church, in Cobb County, three miles out of Marietta after prayer meeting Wednesday night, two men are dead, one is probably fatally wounded and a fourth is held by a Coroner's verdict on a charge of murder.

The dead are Fred Lemmings and John McElroy. John Harper has wounds in a shoulder and lung and is in a serious condition.

Fred Harper is held by the Coroner's jury charged with killing Lemmings.

The trouble between the Harpers and the Lemmings dates back to the last term of the Cobb County Superior Court, when Charles Lemmings, a brother of Fred Lemmings, was sentenced to the chaingang on a charge of cursing before women. The Lemmings clan assert that he was not guilty, but had been railroaded to the chaingang through false testimony.

Wednesday night the warring clans met at the doors of New Hope Church. When the pastor pronounced the benediction and the congregation filed slowly out of the little church, the warring families met almost directly in front of the doors. Hot words were exchanged. Knives flashed and the battle began amid the screams of the women and children.

Sulzer and Glynn Imbroglio Has Echo In Georgia Capitol

That the Sulzer-Glynn gubernatorial mix-up in New York State has a far-reaching effect was indicated at the Georgia Capitol Thursday when the Governor found his hands tied in connection with efforts to have Homer Reed extradited from New York. Reed is charged with bad stock manipulation in Appling County.

Following the indictment Reed fled to the District of Columbia and later to New York when Governor Joe Brown made efforts to have him extradited just before he retired from office.

In the meantime the matter was held up just long enough for the Sulzer-Glynn imbroglio to interfere. The upshot of the whole matter now is that Mr. Sulzer, erstwhile Governor of New York, according to the ruling of the Attorney General of that State, has the requisition papers for Reed in his pocket. The final disposition of the emaitter has all the Georgia statehouse officials guessing.

Free Wool Is Urged By Nevada Senator

WASHINGTON, Aug. 21.—"I am heartily in favor of the free raw wool provision of the tariff bill," declared Senator Pittman of Nevada, one of the greatest wool-producing States in the country.

"I am firmly convinced that the provision is for the best interest of my State and other States."

M'KEE REPEATS THAT HE WILL NOT RESIGN

Postmaster Hugh L. McKee Wednesday denounced as false the statement that he would comply with the demand of First Assistant Postmaster General Roper and retain his position as postmaster of Atlanta.

"Most emphatically do I assert," said Mr. McKee, "that I will not the recent request of the department. Had my resignation merely been requested on the grounds that the Administration wished to appoint another man, a member of the Democratic party, in my place, I most certainly would have complied with teh request at once.

"In the letter demanding my resignation it was stated that charges of inefficiency had been filed against me. I will not resign without knowing what these charges are. I am guilty of absolutely no violation of any rules of the Postoffice Department and can disprove any charges.

"While it is true that perhaps I am not familiar with all the minor details of the postal service, I have men under me who are familiar with them. All complaints come to me. Hence, I know when everything is running smoothly. Mr. Cole, my assistant, is competent to handle all financial matters, and my superintendent of mails, Mr. Hart, is a man with eighteen years experience in the postal service.

RACIAL PREJUDICE IS BLAMED BY DEFENSE FOR 'PERSECUTION'

Reuben R. Arnold, defending Leo M. Frank against the charge of a brutal murder, with all of the eloquence at his command in his argument to the jury Thursday, placed on the prejudice of race the responsibility for what he described as one of the worst conspiracies against a man's life that ever had come before a Georgia court.

His address followed a scathing arraignment of Frank by Frank A. Hooper, who opened the argument for the State and demanded the conviction of the defendant on the plea that the evidence presented left no other conclution than of Frank's guilt.

Arnold declared that in order to get a case having any semblance of merit against Frank, the State had been compelled to draw many of its witnesses from the dregs of humanity, had been forced to depend upon the ever-shifting stories of "the black prince of perjurers, the miserable Jim Conley," and had been driven to change its own theories from time to time, discrediting its own witnesses as they changed.

Charges Efforts To Make Time Agree.

Directing his remarks as much to the counsel for the State as to the twelve men in the jury box, he charged that in order to place Frank's life in jeopardy, Solicitor Dorsey and his colleague, Hooper, had gone to the extreme length of assuming on the one hand that the street car on which Mary Phagan came to town was several minutes ahead of time and on the other that the clock at the factory was five or ten minutes behind time.

They had established by their own witness, George Epps, he said, that Mary arrived in town at 12:07 o'clock and then forthwith had started out to destroy Epps' testimony and arouse the assumption that she got in town at 12:02 or 12:03.

Arnold was only well started on his address when recess came at 12:30. He began a review of all of the circumstances preceding and following the crime as soon as court opened in the afternoon.

Through all the day Frank's mother and wife sat by him. The younger Mrs. Frank sat much of the time with her arm linked with that of her husband. Very little change in the appearance of the three persons was observable. Frank smiled slightly when Hooper satirically was describing Frank's actions at the Selig home Saturday night when he is said to have interrupted a card game which was in progress by the relation of a funny story he had read in a magazine.

Hooper Emphasizes Gantt's Trip to Factory.

Mr. Hooper emphasized various features of the State's case that had not been clearly brought out before, dwelling particularly on the incident of J. M. Gantt's visit to the factory on the afternoon of the tragedy and how Frank had at first refused to let him enter, and how the accused man had called up Newt Lee, the watchman, later, fearful, said Hooper, that Gantt had discovered something.

Arnold to Attack Every Argument.

After Hooper had finished his argument he began presenting authorities to the judge to guide him in making his charge to the jury. He declared that the jury should not be charged that direct evidence was superior to circumstantial evidence.

Attorney Reuben Arnold, opening for the defense, had prepared an exhaustive review of the evidence, planning to attack every argument made by the State no matter how apparently unimportant.

It seemed probable that Mr. Arnold would talk most of the afternoon. Luther Rosser will follow him. He has stated that he will not talk more than two hours at the most, and Solicitor Dorsey will close with what is expected to be the masterpiece of his career. The Solicitor will be unsparing in his words and go into greater detail in discussing the evidence against Frank.

Before Thursday's session began Frank had expressed himself as entirely confident of the outcome.

"I am certain that I will be acquitted and set right before the world," he said. "It has been a terrible ordeal, but I await the outcome with the utmost confidence."

"May it please your honor and gentlemen of the jury," began Mr. Hooper, "the object of this trial, as of all other cases, is the ascertaining of truth and the attainment of justice. I want to distinctly impress upon you the correctness of our position. We want it distinctly understood that we are not seeking a verdict of guilty unless this man is guilty.

"We want it distinctly understood that the burden of proving him guilty is on our shoulders. We recognize that this has got to be done beyond a reasonable doubt, and from the evidence. We cheerfully assume this burden.

"There is not one connected with the prosecution who would see a hair of the head of this man injured wrongfully.

"We want him to have the rights and protection of the law just as any other citizen. He is entitled to the

FRANK CALM AS HOOPER ARGUES TO SEND HIM TO THE GALLOWS

Stoically and Unblinkingly He Listens to Scathing Arraignment of State

ACCUSED ATTEMPTED TO SACRIFICE TWO NEGROES AND GANTT, STATE SAYS

Continued from Page 1.

protection of the law just as any other citizen.

"But another thing: He is not entitled to any more. He is not, on account of his high position and wealthy connections, entitled to any more than any other defendant. The strong arm of the law is strong enough to reach to the highest places and do justice there.

"It is strong enough to reach down into the gutter and regulate the lives of the lowliest. I am not going to undertake to go over all the facts in this case.

Believes Firmly In Frank's Guilt.

"I congratulate you, gentlemen of the jury, that the case is nearing an end. I have felt sympathy for you, because you not only have worked hard, but you have been deprived of your liberty and the enjoyment of your homes. In one sense of the word, you have been in jail.

"There has never been a criminal case in Georgia that has been so long. There has been no trial so important or the result of which will be so far-reaching, and that only makes the responsibility on you the greater.

"There is one other thing that I want to say to you before I go into the facts of the case. This man ought not to be convicted simply because someone has to be, nor because of the law that demands an eye for an eye and a life for a life. We think the evidence shows him to be guilty beyond any reasonable doubt.

"In taking up this evidence I am considering you deeply, I am considering the strain you have been under, I am thinking deeply; in fact, I am trying to make myself as one of you twelve men, and in attempting to bring this to a conclusion I am striving to get at the truth.

"Let's see what the situation was on Memorial Day, Saturday, April 26. Here is this great big pencil factory, which was being run by a number of men with this defendant in charge. Let us consider the conditions that existed there, and, gentlemen, I must say that I am not proud of these conditions.

Witnesses Incensed By Factory Conditions.

"But to get to the real facts of this case; to come to a full realization of just how things occurred, we must understand the conditions that existed here absolutely before we can proceed with this case. The character of this place was one to make us think deeply. The evidence which has been laid before you here has been of the kind to make one doubly serious. Take the defendant. Between 25 and 40 girls have come before you and said that his character was good.

"They spoke in the highest terms of him. That must be considered. But on this charge this is negative evidence. But also consider that we have brought before you girl after girl who told of his character being bad; who told of the immoral conditions that existed in this great pencil factory, and, gentlemen of the jury, most of these girls had quit working at that factory from two years to three weeks before the time of this trial.

"Every one of them said his character was bad. Did you notice the emphasis with which they said it was bad? And did you notice that they would have told more if they could have been allowed to? Did you notice how highly incensed they felt toward the immoral conditions which existed at this factory?

"You have those who are still there who will say that his character is good, but you have those who have left who invariably say his character is bad. We put them on notice from the very first that we were willing to enter fully into his character. We could furnish particular information in regard to this, but we have been prevented.

"We have asked their own witnesses and our own; we have asked them, 'Did you ever hear of this incident?' and 'Did you ever hear of that incident?' We brought these particular girls before you, and asked them in regard to Frank's character. They said it was bad. We turned them over to the defense, and they failed to question them in regard to any of the incidents to which we have referred."

Colonel Arnold interrupted at this point, protesting to Judge Roan that he considered Mr. Hooper was making an improper argument in saying that the State could not go into the particular evidence and in intimating that it was an incriminating circumstance that the defense did not take advantage of its privilege and question the State's witnesses in regard to the particular incidents. Judge Roan sustained Hooper, saying that it was his only legal recourse. Hooper continued:

"If out of 100 men, 90 of them say that a certain person's character is good, but ten of them say, 'Beware of that man; he is a bad man,' would you say that you had a man of good character?

Says Girls' Morals Were in Hands of Men.

"It is almost impossible to magnify the temptation in the National Pencil Factory to a man without conscience and filled with lust. These girls in the factory were entirely dependent upon the attitude assumed by the men who were superior to them. This defendant, assisted by the noble Darley and the handsome young Schiff, practically had these girls' morals in his hands. The girls were absolutely dependent upon this trio.

"We find that the defendant connected himself up with a man whose character is good enough at present, but who admittedly was leading an immoral life at that time. What can we say when a man whose daily associates are bankers and prominent business men shall associate himself in his leisure hours with a man of the character of this C. B. Dalton?

"I expect most all of you have read that little story, "Dr. Jekyll and Mr. Hyde." We are all dual characters; none is so good but that there is some evil; none so bad but that there is some good. It is when the evil predominates that we have a bad man. The bad is good when with his own class. When the shades of night have fallen, and he seeks associates of his baser passions, then it is that we get a glimpse into his other nature. So it is with this defendant.

"He didn't seek out the bankers and people of his regular sphere when his baser passions came on. He looked for an associate in a man like Dalton. Dalton has had a number of men to get up here and say they would believe him. They are men who have worked side by side with him. Of course, he is a fellow of a lower class, but it has been shown to you that he is a good fellow of his class, congenial to that environment.

"Then there are other facts to support this idea. This defendant claimed to you he did not know Mary Phagan. Yet the evidence showed that he passed back and forth by her every day. We find he did know her. Witnesses declared he stopped to speak to her and show her how to do her work. He told her HE was the superintendent of the factory. He pursued her out of the beaten path. This little girl, sent there by her parents to be under his protection, was in his eye, the eye of lust. He was laying a foundation for his object.

Conley, Too Ignorant to Lie, Stuck to Truth.

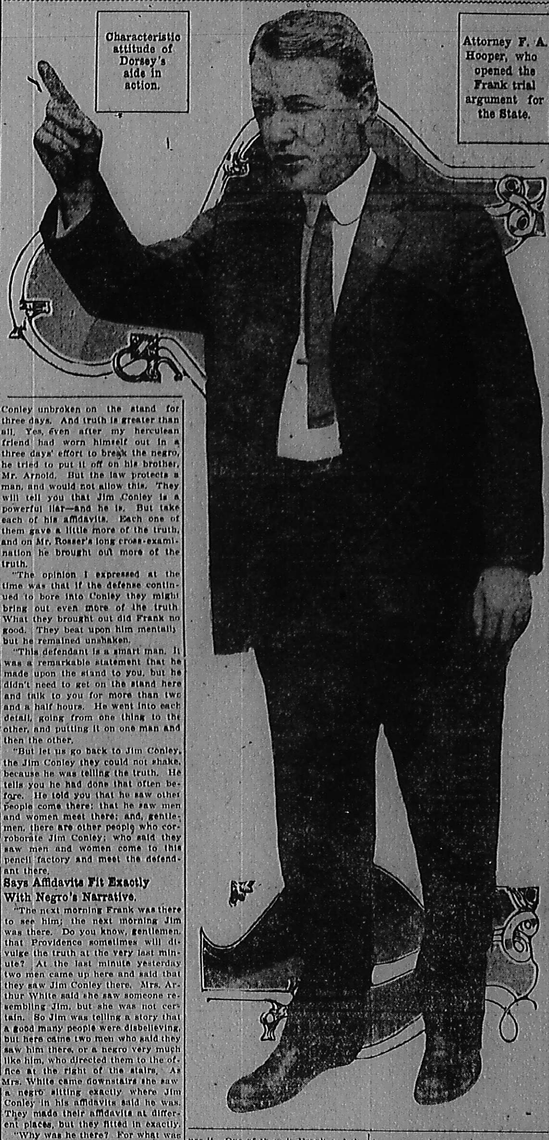
"Let's turn back to the first evidence of this, the first interest of this man who never knew Mary Phagan. He said to Gantt, a man reared in the same community, several weeks before the tragedy, 'You are pretty thick with Mary Phagan?' He had her in his mind. Next we see him getting Gantt removed, and it was just after he had remarked what a good office force he had. The first opportunity was about one dollar. He sought to give you the impression of dishonesty. He would attack this man whom he wouldn't let go into his factory unless accompanied by a negro. Shame upon him!

"Thus he got rid of Gantt, and began to lay his plans.

"You remember that the defense pitted its case against Conley. I haven't said anything about him yet, but he comes in right here. He was to them like a stone mountain. They must break him down, or they are lost. They must break him down, and you have seen here the greatest fight between my herculean friend Rosser on the one side, and that poor, ignorant negro on the other, and you have seen the result. It was brains against ignorance; strength against weakness—and after three and one-half days you saw Conley unshaken. His evidence was written as fast as he talked and my friend here, Rosser, carried him back over the same ground again and again, but they could not break him down, because it was the truth. It continued to pour like the waters through a mill race, because that negro didn't have sense enough to lie. He was telling for the first time the real story of what actually happened that fatal day.

"Why didn't Mr. Rosser break Jim Conley down? It was because, after all the lies the negro had told, he was telling the truth, and the truth is stronger than either of these two gentlemen. And it was the truth, gentlemen of the jury, that held Jim

ATTORNEY F. A. HOOPER ARGUING BEFORE JURY



Characteristic attitude of Dorsey's aide in action.

Attorney F. A. Hooper, who opened the Frank trial argument for the State.

Conley unbroken on the stand for three days. And truth is greater than all. Yes, even after my herculean friend had worn himself out in a three days' effort to break the negro, he tried to put it off on his brother, Mr. Arnold. But the law protects a man, and would not allow this. They will tell you that Jim Conley is a powerful liar—and he is. But take each of his affidavits. Each one of them gave a little more of the truth, and on Mr. Rosser's long cross-examination he brought out more of the truth.

"The opinion I expressed at the time was that if the defense continued to bore into Conley they might bring out even more of the truth. What they brought out did Frank no good. They beat upon him mentally but he remained unshaken.

"This defendant is a smart man. It was a remarkable statement that he made upon the stand to you, but he didn't need to get on the stand here and talk to you for more than two and a half hours. He went into each detail, going from one thing to the other, and putting it on one man and then the other.

"But let us go back to Jim Conley, the Jim Conley they could not shake, because he was telling the truth. He tells you he had done that often before. He told you that he saw other people come there; that he saw men and women meet there; and, gentlemen, there are other people who corroborate Jim Conley; who said they saw men and women come to this pencil factory and meet the defendant there.

Says Affidavits Fit Exactly With Negro's Narrative.

"The next morning Frank was there to see him; the next morning Jim was there. Do you know, gentlemen, that Providence sometimes will divulge the truth at the very last minute? At the last minute yesterday two men came up here and said that they saw Jim Conley there. Mrs. Arthur White said she saw someone resembling Jim, but she was not certain. So Jim was telling a story that a good many people were disbelieving, but here came two men who said they saw him there, or a negro very much like him, who directed them to the office at the right of the stairs. As Mrs. White came downstairs she saw a negro sitting exactly where Jim Conley in his affidavits said he was. They made their affidavits at different places, but they fitted in exactly.

"Why was he there? For what was he sitting there hour after hour? He was sitting there to do as he had done many times before—to watch at the direction of Frank. One thing they have said is that he was drunk. I suppose he did drink a few beers that morning, but have you noticed that he told of everyone that went up there that morning, and in the order in which they went up. He could have said that he saw Mrs. White, but he admitted that he was napping about this time. Now we come to the time of the tragedy. Jim was still there.

"But about this little Mary Phagan. A little girl who asked for Mary's money had been refused the night before. They told her that Mary would have to come after it herself. This was a violation of the general rule at the office. Even Schiff told you, I think, that they gave out the envelopes to other persons if they knew them well enough. Frank told Jim on Friday night to come back the next morning, but he didn't have any work for him to do. All he wanted of him was to watch at the door as he had done before. He wanted him to watch while girls came up to the office to chat with him. You will notice something peculiar about that word 'chat.' It is a word I never have heard before, but you will notice that there are two persons that use it. One of them is Frank and the other is Conley.

"He tells Jim he wants to have a chat with that girl that day. 'Jim, you just make yourself convenient; wait around.' Jim comes and waits. He makes himself easy there in the hall. He takes a nap. People come and go. Then Mary Phagan comes, the beautiful little Mary. She must have been a beautiful little girl. I guess you all remember her pictures, with her curly hair and bright eyes, and trim figure.

"She came with a little boy. They must have been sweethearts. She had an engagement with him. She wanted to go to the factory first for her little $1.20. She went, tripping along, a happy child. From that dreadful hour not one thing was heard from her. But we know what a horrible catastrophe she met as she went, so innocently, for her little $1.20.

"Frank was there. How do we know it? From his own statement. And he had to change it when he came upon the stand. A live human being, a young girl, came here and said he was not there when she went to his office. Frank did not see her. She waited five minutes. He was not in. I am not going into the details of the time. Mr. Dorsey will do that in his conclusion. What I want to impress upon you is that Frank stated here from this stand he might have gone out of his office for a moment. It was the first time such an admission was intimated. But there was the sworn statement of Monteen Stover to combat him.

"It had to be got around. You don't have to depend altogether on Jim Conley's story. Monteen Stover went to his office after Mary Phagan, and he was not here.

Rosser Interrupts to Enter an Objection.

"In the meantime another little girl was waiting in his office—Monteen Stover—and Conley was waiting for the signal downstairs. Frank followed that little girl back there, and I want to be perfectly frank and say I do not think he had murder in his heart when he did, but the pent-up passions of weeks gained control and he could not stop. That scream that was poorly described here by this poor, ignorant negro—I wish you could have heard it; that scream that sounded like a ripple of laughter that ended when she realized his hellish purpose; the scream that ended when her life began to ebb."

Rosser interrupted Attorney Hooper to say that there was no evidence about laughter. Hooper replied: "All right; I was mistaken."

"The scream," Hooper continued, "and then those fast running footsteps. That was Frank coming to get the cord that strangled the child. Then he gave the signal for the negro to lock the door and come up, and Conley found him nervous and shaking, fresh from that harrowing scene on the rear of the floor on which his office was located.

"Now, gentlemen, we have this man Frank—this man of high standing and character—either committed this crime or that he was back in his office in plain hearing of any scream or any running of the elevator or the hearing of people going up and down the stairs, attending to his duties in his office, preparing that wonderful statement we have heard so much about.

Finds Mute Accuser In Factory Diagram.

"By this diagram I will show you that he was bound to have known of the commission of this crime, even if he hadn't committed it, but listened to that brute negro attack that little girl.

"I want to show you that even if he was where he said he was, and where Monteen Stover said he was not, that this crime could not have been committed without his knowledge.

"I want to show you that he could see from his desk to a point by the clock. I don't want to give any testimony, for if I did I could show that he saw more than that, but by this diagram—and it is a fact—I will show that his line of vision sitting at his desk would bring him to the clocks.

"Frank doesn't sit back in his chair. He sits away forward, and when he is at work he is the hardest working man you ever saw. And, gentlemen, he could see into the space beyond his office.

"Little Mary Phagan was killed back there in the metal room—back there where our friends say they could see not find any blood spots, but where we have shown there were spots of blood. And, gentlemen of the jury, if Frank did not commit this crime, he sat supinely there at his desk and let that brute negro kill her; let that negro bring her up the passageway, bring her up to the elevator and take her down that elevator, which, when running, shook the whole building, which the negro said he could hear downstairs; which witness after witness has told you could be heard over the entire building, and which Frank could not have helped but hear.

"Frank's First Word Betrayed His Guilt."

"Mr. Frank, I will give you the benefit of every doubt, but according to your own statements as to the time you were there, and the time which has been shown conclusively that the girl was killed, you were right there; you sat right there, and you never moved.

"Now, to bring Jim Conley back into it: Gentlemen of the jury, isn't it an evident fact—haven't you been shown conclusively, that either Frank or Conley killed little Mary Phagan? Or that Frank killed her by himself, as Conley says? Or that Frank sat supinely at his desk and let this negro Conley kill her, and yet he made no move?

"As soon as the murder was consummated, there was something upstairs that had to be attended to. There were two men upstairs and a woman. Frank was anxious that they be let out of the factory. He went upstairs and told them that if they were going to go, now was the time.

"Mrs. Arthur White left. Arthur White and Harry Denham stayed. Frank told Mrs. White that he was going to put on his coat and hurry away. But this man, who was in such a hurry, still was without his coat when she got down to the office floor. Frank went into his office, washing his hands in that imaginary water. They say that this was his habit, and that we must not assume anything from it.

"The first words that he uttered when he got inside the office, he opened the doors to his guilt that all might look in. Frank said: 'Why should I hang,' adding that he had wealthy people in Brooklyn.

"What was the estimate that he put on the life of a young girl? Didn't it hurt him to wind the rope about her neck until it had sunk deeply into the tender flesh? I can't conceive how any being with the instincts of humanity could have twisted the rope about the neck of that pretty little girl. But he said: 'Why should I be punished for doing such a little thing as taking the life of this little girl? I have rich relatives in Brooklyn.' They will say he never uttered these words. He has denied them on the stand. But did Jim know that he came from Brooklyn? Did Jim know that he had rich relatives in Brooklyn? Did Jim know that he reckoned a human life in dollars and cents?

"No; those words came from the bottom of this man's heart.

"From the African temperament of Jim Conley came the next remark. 'What's going to become of me?' he asked. 'Oh, I'll take care of you, Jim; you have been a good negro. I will write my mother in Brooklyn.'

"This is that old mother who has stayed here in the courtroom so faithfully through all this trial. I can not understand how she has had the bravery to do it."

At this point Attorney Rosser objected on the ground that the speaker was quoting from the affidavits that Conley first made and not those that he told on the stand.

"You will find that they are all about the same," said Hooper.

"Frank says: 'Jim, can you write?' Jim says: 'Yes, I can write a little bit.'

Says Frank Lost Head In Fixing the Notes.

"Why did he ask Jim that question? Jim had furnished reports on those boxes. He knew what Jim could do.

"Jim was trustful; he wasn't on his guard like he was when confronted by the terrible Mr. Rosser. He had faith in his boss, and how false was his boss? As false as he was to the little girl. As false as he was to poor old Newt Lee when that bloody shirt was planted.

"You all, I presume, are Southern men, or have lived long enough in the South to become familiar with the traits of the negro. Can you tell me that you could imagine a negro on his own initiative writing such notes as were found beside that body?

"They charge the crime to a negro—a negro who could hardly write. Would a negro who stood before the grilling of Luther Rosser for three days, and came out victor, be fool enough to do that?

"The truth of the matter—the fixing of those notes seems to be the only time that Frank lost his head. He might have known the police would go back of that.

"Then we come to the money in the case: I don't think Frank had any $200 in his office when he was talking to Conley, but dollar bills would look mighty big. He handed the reward to Conley. Then he thought: 'You are as deep in the mud as I am in the mire.' Aloud he said: 'Let me see that money, Jim;' and he sticks it back into his pocket as if to say: 'If everything comes out all right, I will give it back to you.'

Tells How He Arranged To Dispose of the Body.

"False again to the poor negro who had carried out his hellish purpose, he compromises with a cigarette box containing about $1.50.

"Perhaps there was another idea in his head; there was the mute and mutilated evidence of the crime in the basement. That must be destroyed. This money would be a reward to get that removed.

"Then we come back to that original proposition that the body was carried down the elevator shaft by Frank and Conley. But there is the part of burning the body. A man who had committed the crime would not hesitate to burn it. He knew that there was no man to come back there that day except Newt Lee.

"I don't care anything about what time Frank got home or what he did there; he got back to the factory at 3 o'clock, where he had an engagement with Conley to dispose of the body, and he knew that Newt Lee was going to get there at 4 o'clock.

"Conley overslept himself and Lee came first. Frank said: 'You go away, Newt,' then to himself he said: 'And give me two more hours to get rid of that body.'

"But Conley never came back, and Newt Lee did. He had to let him in, and he knew then that he was lost.

"When Frank saw Gantt in front of the factory door, did he start back aghast and say, 'There is that bloodthirsty thief that was $1 short?' No; he said, 'There is Gantt; he was Mary Phagan's friend. He lived near her and her family has sent him to find her.'

"But Gantt would not harm a flea. He reassured Frank by telling him he had come to get a pair of shoes he had left in the factory. But Frank didn't want him in there, and told him the shoes had been swept out.

Charges Frank Lied to Gantt.

"Gantt told him there was another pair, and, gentlemen of the jury, Frank had to let him in, and he went in and found not one pair of shoes, but both pairs.

"Did Frank tell him a lie to keep him out of the factory, or did he really think the shoes had been swept out? He told a lie, and he was so afraid Gantt would find something that he sent him in under guard.

"And, gentlemen of the jury, as he stood at that entrance in the presence of Gantt the thought was going through his head, 'It is going to be known in a day that Mary is gone. Lord knows I don't want to let you in here, but I have got to let you in, but I will guard you. Come on in, but you go with him, Newt,' and, gentlemen of the jury, notice this:

"The striking thing about it—the singular fact is that Gantt found both pairs of shoes, showing, gentlemen of the jury, that Frank had never seen the negro sweeping them out.

"Did he lie about this, gentlemen? And after he had left the pencil factory, trembling and with a burden upon him, what did he do that night? He did something he had never done before. He called up Newt Lee over the telephone, and when he could not get him the first time, he called again and asked if that long-legged Gantt was there.

"And when he found that Gantt had left and had discovered nothing, what burden rolled from him! No wonder he looked light-hearted. No wonder that he could read baseball stories and joke. No wonder that his family could say that he had nothing on his mind.

"Another Thing on His Mind That Night."

"But yet he had another thing on his mind before the night had gone. During the early hours his telephone rang, but he did not answer it. Honest old Newt Lee notified the police and tried to notify him.

"But Frank did not answer. He says he heard the telephone but faintly, or he imagined he heard it.

"But the police heard the call, and they went down into that basement

Continued on Page 3, Column 1.

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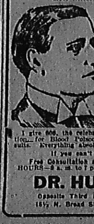

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ARNOLD CALLS CASE GREATEST OF 'FRAME-UPS'

'Frank Prosecuted Because He Is a Jew,' He Says to Jury

'WRITER OF THOSE NOTES KILLED MARY PHAGAN,' IS CHARGE OF DEFENSE

Continued From Page 2.

and found something. They found the body of little Mary Phagan cruelly murdered, the cold body lying on the ground where it had been left for Jim Conley to burn.

"Jim had taken his nap, though, and had not come back. The policemen took the body to the undertaking establishment, and at daybreak they started to get up Frank again. And when they got him he was anxious to know if there had been a fire.

"And, gentlemen, aside from the conversation that took place, every officer and every man who was with him that morning will tell you that he was nervous; that he was shaking like a leaf; that he rubbed his hands and was completely filled with nervousness.

"But, gentlemen, he is a wonderful man. Though he stood there and quivered that Sunday morn, not a one of you can say that during this trial you have seen him quiver once. He is as calm and cool as any man in the courthouse, to all intents and purposes.

"But the morning after the crime he was as weak as a cat. He was nervous; he was trembling like a leaf The people in the automobile on the way to the undertaking establishment felt him tremble.

Holds Up Time Slip to Jury.

"What was his conduct when he got down there to the morgue? He did not look on his victim, on whom he had had lustful eyes for weeks. He fled; he could not pay the proper respect to a dead body. He went behind a curtain, a place where he had no business to go. He rushed out and waited for the rest.

"Did he identify her? No; he said he thought it was the girl he had paid off the day before. He had to go back to the records; he had to look up and see what her name was. Still he had seen her every day as he passed the machine where she worked.

"It was the same girl he called Mary; it was the same girl he tried to engage in conversation; it was the same girl on whose shoulder he placed his hand.

"What did he do with the time slip that was put in the night before? He said, after looking at it, that it was properly punched. Others looking over his shoulder agreed to it. Darley himself agreed to the error."

At this point Attorney Hooper produced the time slip which he held up before the jury.

"There weren't any marks on it then," he continued. "Frank said it was perfect. He told the night watchman: 'I know you didn't do it, Newt.' But he found that he was getting himself in trouble.

Bloody Shirt Also Exhibited.

"He asked himself why he had said anything about the slip until he had had time to fix it up.

"The next day comes Holloway, his right-hand man, saying that he had the slip, and that it had two misses on it. Frank made some remarks about Newt Lee.

"John Black, suspecting that the negro might know something about the crime, went out to Newt Lee's house and in a trash barrel he found this."

The bloody shirt was held up by Hooper before the jury.

"Somebody had to plant a shirt out at Newt Lee's. Somebody did plant a shirt out at Newt Lee's.

"Did you notice how minutely Frank described his movements all day Sunday and all Sunday night? That struck me as very suspicious.

"Newt Lee said: 'If that is a machine made shirt it is not mine, and if it is a home-made shirt it is mine.' And behold! it was a home-made shirt.

"These remarkable discoveries were made when the shirt was found. You will find that the blood is on both sides of the shirt. And not in corresponding places.

"There is only one explanation—it was used to wipe up a pool of blood. It did not have the distinctive negro odor; it had not been washed. The button holes had not been opened up since it came from the laundry.

"Willing and Anxious To Sacrifice Negro."

"Remember please that that morning this defendant had brought up a time slip with skips showing that Newt Lee had not made all the punches. Gentlemen, he was willing and anxious to have that negro's life sacrificed to save himself.

"The Bible says: 'What will a man not give for his life?' He was willing to give up Gantt, but never one word did he say against Conley. Conley was his friend and associate. That poor negro got arrested for washing a shirt to go to Frank's trial.

"Frank never accused him until the Newt Lee scheme and the other schemes had fallen through. As a last resort the defense has thrown his whole attack on Conley.

"There is one other thing I want to mention—that big stick and the little piece of paper found by the shrewd, smart Pinkerton detectives who can find anything, even an elephant, on a floor. These were found after numerous searches, weeks after the murder.

"Unfortunately, they showed the slip of paper to Mr. and Mrs. Coleman, but there was a figure '5' on this piece of paper, purporting to be a part of Mary Phagan's pay envelope.

"When they came on the stand with that evidence, the figure '5' had been conveniently removed. It fitted the amount Mary Phagan drew that week.

"Doctors say the wound on Mary Phagan's head could not have been made with a stick like they exhibited. No scientific tests for blood were made on it. Yet the defense introduced it as the possible weapon that caused her death.

"Where Is Mincey?" Hooper Asks.

"An inquiry has been made about a man named Mincey. Conley went on the stand and was asked if he did not make certain statements to Mincey about killing a girl. The only purpose of these questions was to introduce Mincey to clear up this whole affair.

"My recollection was he was brought into the courtroom and sworn with the other witnesses."

Rosser: "You are mistaken."

Hooper: "I may be, but where is Mincey? It looked like the whole fight was to be about him. Frank was to be cleared, Conley convicted. But there has not been one word from him.

"Gentlemen, I am not going to take up any more of your time. I wanted to open up the case fairly and squarely to show you and the defense your positions on these various points."

Hooper concluded. Then Judge Roan asked Solicitor Dorsey to cite the authorities upon which he expected the court to base its charge to the jury.

Solicitor Dorsey requested Mr. Hopper to do it for him.

The jury retired for a short recess and Dorsey sent his deputies out for a number of court decisions.

"Use Common Sense," Hooper Tells Jury.

After the jury returned to the box, Hooper read from a great many authorities on the question of a reasonable doubt and the quality of circumstantial evidence.

"I have heard men say that they thought one thing but when they were on a jury they had to decide another way," said Hooper. "That being on a jury made a whole lot of difference, but it was never intended that such should be the case.

"If you gentlemen believe beyond a reasonable doubt, that is the way you should decide. You should decide this case as you would in your own home. You are supposed to use your common sense in arriving at a conclusion in this case, for the law is supposed to be common sense in its highest form.

"The absolute certainty is not obtainable. The most that can be obtained is the moral certainty, which has been described as being an absolute certainty. The question of moral certainty is before you in this case. The question for you to decide is whether or not it is an absolute certainty.

"It is unfair for a jury to be charged that direct evidence is superior to circumstantial evidence. And it is against the law to charge a jury that circumstantial evidence is inferior to direct.

Citing other authorities, Hooper said: "If the facts of the case point unerringly to the guilt of this defendant, then to all intents and purposes his guilt is as certain as though the evidence was direct.

"The proof of good character," Hooper continued, "will not hinder a conviction if the evidence against the defendant is sufficient. Even though the proof of good character is not attacked, as it was in this case, the evidence in the case is enough to overbalance the character testimony.

"An alibi must exclude the possibility of the presence of the defendant at the place and the time the crime was committed.

"You are not to be governed by any opinion that counsel may express, but by the evidence presented.

"If a party is apprised of the evidence against him and does not explain or controvert it, the strongest presumption is that it is true."

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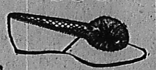

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DAUGHTER OF JUROR WAITING TO SEE 'PAPA'

Margaret Louise Wisbey, whose father Is on the Frank Trial Jury.

Arnold Opens Argument Charging Persecution

When Attorney Arnold arose to speak he asked for the paper model of the pencil factory. The model was brought in and placed before the jury stand.

"Gentlemen of the jury," Arnold began, "we are to be congratulated that this case is drawing to a close. We have all suffered at trying a case requiring so much effort, time and concentration is such hot weather. We have suffered for lack of adequate quarters, and from the noises from the street.

"A man's physical surrounding has a good deal to do with how he can do work. I never could do good work when I was uncomfortable. And it has been especially hard for you jurymen, shut off as you are, but that has always been so. You are set upon a hill, as it were, where the sound of the multitude does not reach you—away from the ugly things men do and think and feel.

"The jury system has been in use a long time. It is now in use in all of the countries of Europe adopted from the English system. In the old days trained judges tried cases; they heard all the facts and were supposed to be able to tell when a man was telling the truth and when he was not, and from the viewpoint of an expert

Continued on Page 5, Column 3.

GEORGIA'S GREATEST MURDER TRIAL NEARS ITS FATEFUL CLOSE

By JAMES B. NEVIN.

The evidence in the Frank case all has been delivered; the last word has been spoken, both for and against the defendant, so far as the witnesses are concerned.

It only remains for the lawyers to argue the matter to the jury—and then, after the court has given the jury the law in charge, there will remain only the verdict to record.

The most complex, difficult, elusive and mysterious murder case in the entire criminal history of Georgia is nearing its end!

It is doubtful whether any of us ever shall see the like of the Frank trial again.

Lawyers give it as their opinion that it has been, in a dozen or more ways, the most extraordinary proceeding ever coming under their observation—and certainly the newspapers of the State never have been called upon to handle a story so amazingly strange in its varied and sometimes astonishing ramifications.

The Phagan case—for as such it will go down in history, rather than as the Frank case—has combined within itself all that goes to make for intense and insistent heart interest.

It has revolved about a sweet little working girl, tragically, and cruelly, and brutally killed—murdered in the first flush of young and promising womanhood, who probably never knew, and if knowing, still not comprehending, why that awful fate should have come upon her so suddenly and so unavoidably!

It has involved the honor and the home happiness of a young business man, theretofore of unblemished integrity and standing in one of the most cultured cities in the world; it has stormed about two households, equally unoffending within themselves; it has concerned itself with the love of two mothers, and it has made to bleed the heart of a wife, and has brought sorrow unspeakable to the minds of hundreds of loving friends, both of the accused man and the dead girl.

Sleeping Prejudice Aroused.

It has, with sordid emphasis, suppressed but unmistakable, made manifest deep-seated prejudices and opinions—gathering as it swept along many things foreign to the real point in issue, until the one big stake the cards must settle presently has, at times, been completely lost sight of, and even now is not easy to locate with certainty.

The Phagan case has run the entire scale of human emotions—there is little by way of sinister or grim appeal that has not been, somehow and sometime, injected into it!

But, after all is said and done, perhaps the matter has been thrashed out thus far in the light of the best intelligence that might have been applied to it.

At times, fate has seemed all too unkind to the defendant; at times the State has seemed unduly estopped from proceeding as it thought it had a right to proceed.

Undoubtedly things have been said and done by both sides to the Frank trial that, as strict matters of law and justice, never should have been said or done.

Frank has had to answer not to the charge of murder alone—as the indictment contemplated he should—but to two charges.

The one means an ignoble death if sustained; the other means a worse than ignoble life thereafter in the penitentiary.

In a measure, too, the charge of murder has been swallowed up and obscured by the other monstrous thing—and yet one can hardly see wherein the defense may complain of that, in that the second charge got into the record with the consent of the defense, if not almost by its invitation.

Scales Held With Even Hand.

Judge Roan—and in this, at least, —I think the public is agreed, has tried his level best to hold the balances even. If there be error in his rulings, they have been errors of the head and not of the heart, I take it. And, error or no, he has maintained an impartial average of judicial favor, so to speak, and he will come through unsullied and uncriticised.

What effect upon the jury the evidence will have is highly speculaive and problematical.

If the jury were not composed of human beings and could confine itself to those things alone it has been legally held to, the pathway to acquittal of Frank might seem brighter.

But the trial has been so long drawn out, so full of perplexing detail, so worrying and fretting to simple analysis, so mixed as to issues, and so disconcerting in sequence of testimony, that one is at a loss to imagine just what the jury MUST think of it all now.

In its strict legal aspect, the case against Leo Frank, while wonderfully well held together and set forth by the Solicitor General, still is not such a case as would prompt one to predict sure conviction.

Neither, however, has the defense been of a nature warranting a prediction of sure acquittal.

If the technical legal case could be differentiated in the mind of the jury from the psychological case—if the pleadings could be confined strictly to the primary issue, murder, and not in any manner confused with the other unmentionable issue brought into the case—the probable finding of the jury would be easier to anticipate and forecast.

If Frank might have been tried for murder, pure and simple, NOW, and LATER tried for the other thing, the problem of the jury might, and doubtless would, be simplified immensely.

But to expect the jury to separate in its mind entirely the two things Frank is answering for is almost to expect of it the impossible—the superhuman!

Jury but a Part of the Public.

It has been seemingly impossible for the public to do that—and, after all is said and done, the jury is but a portion of the public, made more careful in forming its opinions, to be sure, by the solemn oath it has taken, but merely a portion of the great public nevertheless!

The big card played against Frank was the negro sweeper, Conley.

Upon his astonishing story turns the State's entire case, from every point of view.

Conley it was who first pointed the direct finger of accusation toward Frank and fixed upon him the awful charge of murder, and Conley it was who first spoke the word of unspeakable scandal that has made Frank's road to acquittal a thousand times harder to journey.

Pitted against Conley is Frank, almost and pathetically alone!

He made a remarkable statement—it carried with it every indication, so far as the surface of things seemed to show, of truth and straightforwardness.

If it was a sustained misstatement of fact, told to save himself, it was the most wonderful piece of work I ever witnessed.

In his own behalf Frank was far and away the very best witness the defense put forward.

If it shall so fall out that he be acquitted, that statement must and will be credited with a tremendous share of the responsibility thereof.

It has behind it, too, some things that the Conley statement has not—among other things, a long record of respectability, integrity and business standing, vouched for by an abundance of very high-class evidence as to Frank's character.

And yet—it was not delivered on oath, and it certainly carried a load of self-interest.

Undoubtedly much has crept into the case, or been lugged in, that is irrelevant, but—well, it is in, and that is the end of it, perhaps!

If Frank is convicted there will be grounds innumerable for asking a new trial; and if that is refused, there will be an abundant assignment of error whereby a reversal possibly may be had later and a new trial ordered.

Frank, however, has staked his all and everything on acquittal—to be denied that is to be denied the hope of all hopes that sustain him to-day!

And so, after the evidence all is in, and the public at last is face to face with the forthcoming verdict—after four months of nerve-racking suspense, swung this way and that, and never knowing exactly what to think—there is but one thing human beings of normal minds and poise can do to-day.

They must await the verdict with minds prepared to accept it as the truth—the very best human ingenuity and the forms of law can establish by way of justice and right.

Either an acquittal or a conviction—the one final, and the other a matter to be reviewed—would be the finish of this trial most satisfactory to the public.

All that any man SHOULD desire—all, indeed, that any honest man CAN desire—is that the truth be recorded in the Frank case, in the light of reason, common sense and justice, as man is given the light to see!

Both the defendant and the State have much at stake—the one has his life and his liberty, the other has the majesty of the law, which is the protection of the lives and liberties of all.

It is easy to find fault, to say that a mistake was made here and there; that sins of commission and sins of omission marked the progress of the trial from both sides.

But that, and none of that, gets us away from the fact that the trial has been as fair and square as might have been expected—and whatever the verdict, no man will have the right to say that undue favor has been shown.

The verdict of the jury—"twelve good men and true"—that the public should be prepared to accept, loyally and sincerely, as the TRUTH of the Phagan murder, in so far as Leo Frank is concerned therein.

"Watch Out"

Indigestion
Dyspepsia
Constipation
Biliousness

will surely "get you" if you are careless and neglect the Stomach, Liver and Bowels. Be on guard, and at the first sign of trouble always take

HOSTETTER'S STOMACH BITTERS

It tones, strengthens, invigorates the entire system. Try it now.

M. RICH & BROS. CO.

August Furniture Sale

This sale was carefully planned six months ago and the **10 to 50 per cent** reductions embrace:

First—Every piece of our regular furniture on the warerooms and on the floors.

Second—Special purchases from manufacturers who supply us regularly.

Customers wishing to profit by the August prices and desiring more than the usual 30 days' credit, can arrange terms through our office.

(Furniture—Fourth Floor)

For College Girls, Brides or Matrons

A hand-embroidered shirtwaist will please them all. Exquisitely embroidered shirtwaist fronts, on sheer voile and lingerie, are to be sold for $1.98. The designs are beautiful and the work is perfection. Before the number diminished we sold these for $2.50 and $3.50, but we dislike to keep this beauty hidden.

$1.98

(Embroideries—Main Floor, Right)

Neckwear of Beauty

The new Fall Neckwear has arrived. But—that is too conservative when speaking of this array of loveliness. Rich Oriental effects for the stately matron—dainty pink and blue embroideries for the buds—modest little colored embroideries on ecru for the schoolgirl and beauty for all. 29c to $5.00.

New tartan and bandit striped sashes are here in full force. Fringed ends—ready for the quick, novel adjustment which brings a frock up to the minute in style. 2½ yards long. $1.75, $3.00, $5.00.

(Neckwear—Main Floor, Right)

Center Aisle Greets You

With a Sparkling Trio of Good Values.

Hatpins 25c. Imported 6-inch hatpins, small heads, set with clusters of most brilliant rhinestones. 2 on card 25c

Hair Ornaments $1.49. Jeweled barrettes, back combs and other hair ornaments. Beautiful and exclusive. Values from $3 to $7

Bandeaux 25c

New coiffures demand bandeaux. These would adorn the head of Psyche herself—so prettily are they set with brilliants, pearls and corals. Were good values at 50c to $1, are now but 25c.

69c—Leather Bags—69c

Regular $1 and $1.50 values, but an odd assortment, so all will go for 69c. Frames—German silver and leather-covered. Top strap handle, round and creased bottoms, leather and moire lined. Fitted with neat coin purses. Mostly black, but some in colors.

(Center Aisle—Main Floor)

Handkerchiefs Wave Farewell

In fact, that's what we expect. We are not anxious to keep these broken lots in the store. You will be glad we feel that way when you see:

Pretty Handkerchiefs—15c each.
Some white, others with colored borders. Black and white borders on many. Values—25c to 50c.

All-Linen Handkerchiefs—25c each.
Ladies' embroidered and men's hemstitched handkerchiefs. Worth 50c to 75c each.

All-Linen Handkerchiefs—6 for 49c.
Ladies' initial handkerchiefs. Only a few initials lacking. Values—98c to $1.25.

All-Linen Handkerchiefs—6 for 98c.
Many styles. Unusual opportunity to get very good handkerchiefs for less than the price of ordinary ones. Values—$1.50 to $2.

School Days Are Nigh

Get the children handkerchiefs before the last minute.

Girls' Handkerchiefs—6 for 29c.
All-linen hemstitched and initial handkerchiefs. Used to cost 50c, but you can buy six for your little girl at 29c.

Boys' Handkerchiefs—6 for 69c.
All-linen, with neat initial. Serviceable. Best $1 value—good for Dad, too.

(Handkerchiefs—Main Floor, Left)

Here Again, Double-Front Petticoat 98c

This eliminates use of two petticoats. Narrow style, carefully fitted with buttoned placket, neatly scalloped hem. Double-front gore makes it the preference under summer frocks. Ought to mark it $1.25.

(Muslinwear—Second Floor)

Neat House Dresses 98c

Ginghams and percales with little tailored touches which remove them from the commonplace. You can take absolute satisfaction in their simple prettiness. Were $1.25, now 98c.

Dainty Kimonos 98c

Flowered lawns, in Empire style. Some have large, fancy collars. Pink, blue and lavender—all in floral designs with borders to match. Were $1.25, now 98c.

August Blanket and Bedding Sale Continues.

M. RICH & BROS. CO.

U. S. EXPORTS TO CANADA GAIN 200 MILLION

Remarkable Increase in Trade Is Cited as Proof of Need For Reciprocity.

WASHINGTON, Aug. 21.—The need of reciprocity with Canada was strikingly shown in a report issued to-day by the Bureau of Foreign and Domestic Commerce.

This report sets forth that despite the high tariff wall between the United States and the Dominion that territory during the fiscal year just ended was the world's largest purchaser in the market of the United States.

The total value of United States exports for 1913 was $415,000,000 against $216,000,000 in 1910.

"Manufactures," says the report, "form about two-thirds of the American merchandise exported to Canada, and were the chief factor in the remarkable gain by which trade has practically doubled in three years."

Under the broad reciprocal agreement urged by Mr. W. R. Hearst three years ago, tariffs on the mutual exchange of the commodities of the United States and Canada would have been lessened to such an extent that the Dominion imports would have far exceeded the 1913 fiscal year figure.

A Clinching Argument.

Steps were taken to-night to bring this report to the attention of Congress as the most convincing argument yet advanced for the enactment into law of an agreemet between the United States and Canada.

It was pointed out that inasmuch as the Hearst reciprocity agreement adopted in an amended measure by the Taft administration, called only for decreased duties on commodities mutually exchanged, the manufactured exports of the United States would have remained practically the same, while Canada's purchases from the American farmer would have greatly increased.

Through the drastic reductions in the present tariff bill, Canada will virtually get all the advantages proposed in the reciprocal agreement, without making return to the United States.

She will be able to purchase more cheaply than ever in the United States, while the American consumer will still have to pay Canadian duties on goods imported from the Dominion.

The report in part follows:

"Passenger and freight cars imprted from the United States increased in value from $500,000 to $5,333,000 in the past three years, and the export of automobiles to the Dominion nearly tripled, increasing from $3,333,000 to $9,250,000.

Gains by Millions.

"Other gains were copper pigs, bars, etc., from less than $1,000,000 to more than $6,500,000; steel rails, from less than $1,000,000 to nearly $4,000,000; cotton cloths, from $750,000 to $2,500,000; locomotives, from $250,000 to more than $1,000,000; lumber, from $5,000,000 to $13,333,000; structural iron and steel, from less than $3,000,000 to more than $9,000,000; metal working machinery, from $332,000 to $2,333,000; agricultural implements, from $3,333,000 to practically $7,000,000.

"The gain in raw materials and foodstuffs was less pronounced.

"The actual gain in exports from the United States to Canada in the fiscal year, 1013, was $36,000,000; that in exports to the United Kingdom, $33,000,000; Germany, $35,000,000; Netherlands, $22,080,000; Belgium, $15,000,000; Italy, $11,000,000; Europe, as a whole, $138,000,000; to all South America, $14,000,000; to all North America, except Canada, $15,000,000.

"According to Canadian figures the United States supplied 63 per cent of the imports of Canada in 1912, against 58,4 per cent in 1902.

"The growth in the import trade with canada is less striking, the total being $95,000,000 in 1910, compared with only $121,000,000 in 1913."

OBITUARY

The funeral of Robert A. Camp, who died Wednesday afternoon at a local hospital, will be held at the chapel of Greenberg & Bond at 1:30 o'clock Thursday afternoon. He was 58 years old, and leaves a wife and five children. Interment at Westview.

Mrs. John Carter, 37 years old, died Wednesday at a sanitarium. She is survived by her husband and four children. The funeral announcement will be made later.

Henry Yarbrough, one of Atlanta's oldest citizens, died Wednesday at his home, 201 Kirkwood avenue. He was 77 years old. Surviving him are his wife, one son, A. M. Yarbrough, and three daughters, Mrs. J. M. Criswell, Mrs. S. P. Winburn and Mrs. C. D. Kay. The funeral announcement will be made later.

Pauline Griffin, 12 years old, died early Thursday at a sanitarium. She is survived by her parents, Mr. and Mrs. W. J. Griffin, two brothers and two sisters, all of Fish, Ga., to which place the body was sent Thursday for funeral and interment.

Mrs. R. E. Turpin, 68 years old, died Thursday morning at a sanitarium. The body will be sent to Rex, Ga., for funeral and interment.

Oscar W. Thompson, fifty-seven years old, a bookkeeper for the Western Union Telegraph Company, died Thursday morning at his home, 19 Cain street. Funeral services will be held Friday morning at 7 o'clock, and at 8 o'clock the body will be sent to Macon for interment. Mr. Thompson is survived by his widow, two daughters, Misses Louise and Mabel Thompson; and three brothers, L. F. and C. B. Thompson, of Thomasville, and A. D. Thompson, of Savannah. He was a member of the Macon lodge, No. 36, K. of P., and of the Second Baptist church in Atlanta.

John C. Beauchamp, the 19-day-old son of Mr. and Mrs. J. P. Beauchamp, No. 374 Fifth avenue, died Thursday morning at 1 o'clock. The funeral will be held Thursday afternoon at the Indian Creek church.

The funeral of Leo Hamby, infant son of Mr. and Mrs. Leo Hamby, who died Wednesday, was held Thursday morning from Bloomfield's chapel. Interment at Westview.

Morgan Is Refused Seat on Own Road

BOSTON, Aug. 21.—J. P. Morgan with his valet and handbags the other day boarded an express train at New London for New York and demanded a seat in the parlor car. There was none left and the conductor was dreadfully sorry, for Mr. Morgan practically owned the road.

He was led to an ordinary coach and his valet stowed away on a seat. Further developments resulted in the conductor seizing the baggage master's private camp chair and excavating a place in the parlor car for Mr. Morgan, who rode to New York perched on the camp chair and wabbling rather wrathfully.

45 Factories Sign For Exhibit Space

The directors of the Chamber of Commerce Realty Company and the permanent exhibit committee held a joint meeting Wednesday afternoon, at which it was decided to go ahead with the Atlanta Manufacturers' Exposition, although only three of the four floors allotted for it have been sold.

Forty-five manufacturers have signed for space, and the committee believes others will come in as soon as they see the exposition is really assured.

Negress Ends Life After Shooting White

HAZLEHURST, Aug. 21.—John F Hall, a prominent farmer and turpentine operator of Jeff Davis County, was shot and slightly wounded by Phoebe Carr, a negress, at his home five miles north of this place. Later she was found dead in the house.

The Coroner's verdict was suicide. After shooting Hall the negress took poison.

King and Queen of Roumania Shot At

BUCHAREST, Aug. 21.—An attempt to assinate King Charles of Roumania and the Queen was made to-day at Sinaia, but both escaped.

Shots were fired at an automobile in which their majesties were riding.

4 Reported Dead in Mississippi Wreck

MEMPHIS, TENN., Aug. 21.—Messages from Boguechitte, Miss., this afternoon said four persons were killed in the wreck of an Illinois Central fast passenger train bound from New Orleans to Chicago.

BARNESVILLE TAX INCREASE.

BARNESVILLE.—City Assessors W. M. Howard, E. L. Rogers and Emmet Langford show the total property returned by whites for the year 1913 to be $1,976,633 and that for negroes $102,105, making a total of $2,078,982, a gain of $73,637 over 1912.

FARMER IS BANKRUPT.

M. M. Abernathy, a farmer of Gwinnett County, Thursday filed a voluntary petition in bankruptcy. He admitted liabilities of $1,323, with assets of $210.

U. S. FAIR BOARD NAMED.

WASHINGTON, Aug. 21.—President Wilson to-day named A. C. Miller, Assistant Secretary of the Interior; Dr. W. F. Stratton, Department of Commerce, and F. Lamson Scribner, Department of Agriculture, members of the Government board for the Panama Exposition.

CHAUFFEUR KILLS BOY.

COLUMBUS.—Elbert Ellis, a twelve-year-old negro boy, is dead from injuries received when the negro chauffeur of David Rothschild, a wholesale dry goods merchant, drove a heavy touring car over his body and head, crushing the skull. The chauffeur was on a joy ride.

DRINKS ACID BY MISTAKE.

LOUISVILLE, KY., Aug. 21.—Miss Marie Senning, 18, who was to have sailed in a few days for Europe to complete her musical education, died to-day poisoned by carbolic acid which she drank by mistake for headache medicine.

NEW OFFICIAL IN OFFICE.

BARNESVILLE.—Joel D. Dunn, who won the race for the unexpired term as Tax Collector, will at once make the required bond and assume his office. Only a few months have elapsed on the term.

POSTAL CLERK NEEDED.

A civil service examination for the position of clerk-carrier will be held at the Atlanta postoffice November 5, 1913. Applications must be made before October 1 to E. H. Jennings, secretary of the Civil Service Board.

MEET TO CALL PRIMARIES.

A special meeting of the City Executive Committee has been called for Saturday, August 23, by its chairman, John Y. Smith, for the purpose of considering and ordering the city primary and other matters.

KILLS MAN OVER DEBT.

CHATTANOOGA, Aug. 21.—Sam McReynolds, a restaurant keeper, was shot to death last night by Minor Davis, a railroad car inspector, in McReynolds' restaurant, following a quarrel over a debt. Davis is in jail.

$20.95 BALTIMORE AND RETURN VIA SEABOARD.

On sale August 22, 23 and 24. Correspondingly low rates from other points. Through steel trains.

Funeral Designs and Flowers FOR ALL OCCASIONS. Atlanta Floral Company 455 EAST FAIR STREET.

Man Who Wrote Those Notes Killed Mary Phagan, Charge

Continued From Page 3.

determine his guilt or his innocence. The jury system came as a result of a desire to popularize the courts; to let the people flow through the courts.

"God Grant We Get Away From the Street."

"Inexperienced, as they are, it was decided that juries were capable of deciding questions of fact. Of course the judge still decides all legal points.

"My friend Hooper, in reading his authority just now, used a funny expression. He said your position is not different from any man's who wants to learn the facts; from any man on the street."

Hooper objected. "Your honor," he said, "I don't want the speaker to misrepresent my meaning."

Arnold: "You said street. God grant that we get away from the street when we come into court. What is the use of having any court if we don't get away from the street? There it is the man who has the most friends who wins. Courts are to protect a man from the street.

"Gentlemen, sometimes the very horror of a crime does a man a grave injustice. Time rights it all, of course, but at the present blush of a horror friends can't judge fairly.

"The crime in this case is an awful crime. It was committed by a fiend—a brute. But no matter how terrible, no fair-minded man would refuse to give a man accused of it a fair trial.

"But well-balanced men don't say just because he is charged with the crime by Detective Starnes and Solicitor Dorsey: 'We will hang him.' Thinking men weigh the facts.

"Kenley Sample of Lying Blowhards."

"I remember a case when Charley Hill was Solicitor, he asked a prospective juror the formal question, and when he came to that part where the Solicitor General said: 'Juror, look on prisoner; prisoner, look on juror,' that old fellow got up and looked him over and said: 'Judge, he's guilty.' That is the way with public sentiment in this case.

"There has been so much lying and rascality as I will show you that I won't add to it. That fellow Kenley is a fair example. He is a man that any honest man ought to be ashamed to say he knows. His mouth is set like a catfish. He is the type of lying blowhards that constitutes the so-called public sentiment. He is the man who said they hanged two negroes at Decatur because they had to have somebody, and he is the man who said, 'Hang this Jew for the murder of that poor little girl whether he is innocent or guilty.'

"I had rather be in Leo Frank's shoes to-day than Kenley's.

"Gentlemen of the jury, there are people who say that Frank is a remarkable man; that he is a man of wonderful courage; that he has gone through this trial in a manner most remarkable for a man of his physical build and temperament.

"Gentlemen, he has inherited it through 2,000 years of persecution. Behind him there is a long line of ancestors who for centuries have been abused, and I hope the day will come when a man will get justice, will be accorded fair treatment, be he Jew or Gentile, or white or black.

"He has endured persecution, and his family has endured it. The Jews have been thrifty, and envy has been the result. If Leo M. Frank had not been a Jew there would not have been any prosecution of him on this despicable charge. The miserable, lying negro, Jim Conley, was brought in to tell his miserable, lying story, to recite, parrot-like, the story in which he had been so well drilled.

"I am asking my own people and my own kind of people to do Frank justice. I am not a Jew, but I would rather my throat would be cut than do one an injustice of this sort.

"They have got their miserable perjurer, Conley, to come up here and swear Frank's life away. They have had him swear against a man who never had a word said against him before.

"Of course, after a crime, you always find persons who say that they knew the defendant's character was bad. But you don't make a murderer in a single day.

"I am going to compare the witnesses that were used by the defense with those that were used by the prosecution. They brought up the dregs of humanity to testify against this man. They brought up jailbirds and convicts to hang this man. They spouted hot and cold. They hurried the schedule of a street car. They slowed down the time clock at the factory. They got the detectives to say that Frank was nervous. They got his mother-in-law to say that he was so soulless he didn't open his mouth.

"Built Up Case, Then Tore It Down."

"They got little George Epps to testify that Mary Phagan got into town at 12:07. Then they began to tear their own testimony down. I am going to strip the case of some of the falsities and the warpings of the evidence, if God Almighty gives me strength. I don't know that He will, for I am nearly worn out.

"There have been a great many things brought into this case which should not have been brought in. The defendant must be proved guilty of the murder of Mary Phagan. Every other reasonable hypothesis must be eliminated.

"You must liberate Frank, otherwise. The law says you must. If you think that it is as reasonable to believe that Jim Conley committed the crime, then you must turn Frank loose.

"Our friends, the detectives and police, were hard put to find somebody on whom to place the crime. They thought at first it was this man Gantt. Sentell and others said they saw Mary Phagan on the street at midnight. Of course, they did not. But it will illustrate the uncertainty with which this crime has been hatched.

"Then they were almost certain that Newt Lee was the man. They found the notes by the girl's body, and Newt Lee said in reference to 'night-witch,' a phrase occurring in one of the notes, that 'night-witch means me, Boss.'

"I do not think that Newt Lee committed the murder, or had anything to do with the killing of the girl, but I never will get it out of my mind that Newt Lee knew something about the writing of those notes.

"Man Who Wrote Note Killed Mary Phagan."

"This is one of the profoundest mysteries that ever confronted a community. It has baffled investigation at every turn. But one thing has stood out like a mountain on a plain, since the very beginning of this case. The man who wrote those notes killed Mary Phagan.

"Oh, you remember how they searched for him. The notes were found beside the dead body. It was right hard to recite what was in the obscure mind that wrote those notes It looked like one negro trying to accuse another, but the one question stood out. Who wrote the notes? Who wrote the notes?

"Things developed. Newt Lee was put through the third degree and the fourth degree. Just the day or the day before the Court of Appeals handed down a decision which is especially applicable to this case. It denounces such methods. How it does hit Jim Conley and the authorities that made him swear. How it does hit Minola McKnight!"

He read a newspaper clipping of the decision.

"Our friend Hooper said there was nothing to hold Jim Conley in that chair but the truth. My God! He had his life at stake! Before you get through with this case you will see that they have got to depend on Jim Conley. If they can not hobble on those too rotten crutches they can't hobble at all. Before I get through with it I am going to show there never was such a frameup since the world began."

Court adjourned at this time.

Recalls Famous Durant Case.

When court convened for the afternoon session, Arnold resumed his argument.

"Gentlemen of the jury," he said, "my friend Hooper made some remarks about circumstantial evidence and how powerful it was. He forgot to mention the fact that the circumstances had to be substantiated by reputable witnesses and eliminate every other reasonable doubt.

"I read a book once that dealt with circumstantial evidence and it was positively sickening the number of mistakes that have been made. The famous Durant case that has come within our memory is a striking illustration. Two girls were found murdered in the tower of a church. Durant was the last man seen with them. The public said, 'You are guilty.' One man swore he saw him wearing a girl's ring. Another man swore he had found Durant nervous and perspiring as though he had come from recent great exercise. The women egged him on his way to court. The jury found him builty and a weak judge the first I have ever heard of, sentenced him to hang in three days. They appealed the case, but lost out, and they hanged him. There was not a cemetery in 'Frisco that would bury that man. They took him out to a little country churchyard and buried him. Time went on and people forgot about it. The preacher in that little church continued to address his congregation. After a number of years the preacher was confined to his death bed. He called a number of his friends around him and confessed to the murder of those two girls, and explained the circumstances in such a way that it left no room for doubt that he was telling the truth.

Cites Infamous Dreyfus Case.

"I remember another case—the Hampton case in England. It is a historic case. A country gentleman by the name of Hampton disappeared. He had lived with an old woman and her two sons. It was supposed that he had been killed. One son made incriminating admissions. They tried the old lady and her two sons and hanged them all. In a year Hampton appeared in life.

"I recall another case, the most dreadful of all—the Dreyfus case. He was a lieutenant in the French army. Someone had been telling the plans of the French fortifications. Dreyfus was suspected. They got evidence against him; he was court-martialed and sent to Devils Island. The men who sent him away thought they were safe, but the people became calmer and began reconsidering their action. In time a most infamous conspiracy was revealed. One man confessed and before the end practically every man in the prosecution committed suicide. Dreyfus was a Jew. He was friendless. He was an easy mark, and they got him.

"I have never seen so much venom as there is in this trial. The murderous beastiality that robbed little Mary Phagan of her life is scarcely worse than the spirit that would deprive this man of justice. No wolf in the forest, no beast in his cage is so savage as these people who would hang this man on the flimsiest sort of evidence.

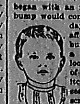
Postmaster French, Of Memphis, Is Dead

MEMPHIS, Aug. 21.—Major J. C. French, Memphis postmaster, appointed after a bitter fight several weeks ago, died unexpectedly of apoplexy to-day. He was more than 70 years of age.

L. W. Dutro, whom Major French succeeded, was recently drowned in the Mississippi River.

SKIN TROUBLE BEGAN WITH ITCHING

Could Not Rest Day or Night. Sores Itched So Would Scratch Herself to Pieces. Cuticura Soap and Ointment Cured in Two Weeks.



Glenns P. O., Va.—"My baby's trouble began with an itching and then a little bump would come and she could not rest day or night. The trouble affected her whole body. The bumps festered and came to a head and the corruption looked like thick matter, kind of a yellow color. The sores itched so badly until it seemed to me she would scratch herself to pieces and then a sore would form and her clothes would stick to her body and pull off the little scab. In some places she would scratch and irritate the sores until they seemed to be large. She was affected about a year.

"First I employed a medicine which did very little good; next I used ——— and ——— that did harm. So I wrote for a sample of Cuticura Soap and Ointment. I bathed her body in warm water and Cuticura Soap and then I applied the Cuticura Ointment and they afforded relief after twice using. I bought some more Cuticura Soap and Ointment and inside of two weeks she was cured." (Signed) Mrs. J. R. Greggs, Nov. 21, 1912.

For more than a generation Cuticura Soap and Ointment have afforded the most economical treatment for affections of the skin and scalp that torture, itch, burn, scale, and destroy sleep. Sold everywhere. Sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

Chamberlin-Johnson-DuBose Co.

ATLANTA NEW YORK PARIS

Here's News That Will Make Interesting Reading For Women

Nainsook Gowns That Were Until Now $1, $1.50 & $1.75, Are 69c

Prepare to buy them in twos and threes and half dozens. You will, once you see how fine they are—(it does not take a woman's eye long to catch the real **value** that lies in such an offering as this).

Here—

They are, every one of them, taken from our own stocks, which means they **had** to be worth their former prices before they could enter. The nainsook is smoothly woven and light and free from all filling.

The laces, Valenciennes, Cluny and shadow, are those neat and dainty patterns that women of good taste instinctively prefer, and so with the Swiss embroideries that form yokes, that are oddly placed in sleeves, slip-over style, Empire style, both variously charming. We warrant you haven't known such gowns before at 69c.

Chamberlin-Johnson-DuBose Co.

J. M. HIGH COMPANY.

A Big Sale

Remnants White and Colored Wash Goods

12 1-2c to 35c Qualities

SALE BEGINS PROMPTLY AT 8:30 o'clock Friday morning. White Piques, Repps, Bedfords, Dimities, Lawns, Nainsooks, Batistes, Swisses, Voiles, Crepes, Madras and Poplins. Values up to 35c yard. Colored Ginghams, Poplins, Voiles, Madras, Piques, Foulards, Serpentine Crepes, Batistes, Chambrays, Percales, etc.; up to 35c yard. **9c YARD.**

Be amongst the first comers at this sale; the assortment is the greatest we've ever put into a Remnant Sale.

Waist Sale 77c

Values to $2.50

A clean sweep sale of all voile, lingerie and linen waists of our great special purchase, also a big lot of slightly soiled fine waists from our regular stock. Sale begins at 8:30 sharp, Friday morning. While they last 77c each.

White Skirts $1.00

Values to $2.50

We have put into one lot all white Bedford, Ratine, Pique, and Crash Skirts formerly priced $1.50, $2.00 and $2.50. We intend to close them out in one half day. Therefore the price is cut regardless of cost to $1.00 each.

Men's

$1 and $1.25 Shirts To Go in One Lot **79c**

The most stylish patterns in plaited and plain-front shirts, all sizes, imported percales and madras, made by the best people in the business—in our August Reduction Sale, 79c each.

All 50c Silk Neckwear, except Contract Goods 35c

25c and 50c Wash and Silk Neckwear 20c

Men's Summer Underwear, 1-4 OFF.

Men's 50c Black Silk Sox, 25c PAIR.

Women's Undermuslins 25c

New, Fresh Fall Goods

100 dozen pairs of women's fine cambric drawers, the best we've ever bought under 35c, per pair 25c

50 dozen neat pretty new nainsook Corset Covers, six lovely styles, trimmed with embroidery, lace, beading and draw ribbons. Special price, Friday and Saturday, half-day 25c

Kimonos 39c

50c and 75c Values

All our summer stock of short lawn kimonos, in white and colors; also black and white effects—while they last, 39c each.

Just In!

BIG STOCK OF NEW FALL CREPE KIMONOS — perfect beauties; new styles, new patterns, and worth one-third more than our prices.

$1.50 to $1.98

Women's Vests To Close 10c

100 dozen women's fine Maco Cotton Vests, low neck, no sleeves. Friday and Saturday, while they last, at 10c each.

Rummage Sale---Notions

4 bars Armour's Bath Soap for 25c.
15c box Marine Bond Stationery 8c box.
Cable Cord, all sizes, white or black, 12 yards for 10c.
High's Poplin Lawn Paper, 15c pound.
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EVENING EDITION

HOOPER'S SPEECH AGAINST FRANK IN FULL

ATTORNEY F. A. HOOPER ARGUING BEFORE JURY

Characteristic attitude of Dorsey's side in action.

Attorney F. A. Hooper, who opened the Frank trial argument for the State.

Arnold Begins Plea for the Defense

PRISONER STOICALLY LISTENS TO SCATHING ARGUMENTS OF STATE

Comparing Leo M. Frank to that sinister dual personality Dr. Jekyll and Mr. Hyde, of Stevenson's famous story, Frank A. Hooper, Solicitor Dorsey's associate, Thursday morning scathingly arraigned the man accused of the murder of Mary Phagan on April 26.

With the prisoner gazing upon him, unflinching and unblinking, Mr. Hooper took up the chain of circumstances with which the State has labored to connect him with the gallows and put link after link before the twelve men in the jury box who listened intently.

Frank's mother and wife were in court at his side, inscrutable and faithful. They sat silent and tense as Hooper denounced the moral character of the accused man and graphically described his theory of how the murder had occurred.

Mr. Hooper emphasized various features of the State's case that had not been clearly brought out before, dwelling particularly on the incident of J. M. Gantt's visit to the factory on the afternoon of the tragedy and how Frank had at first refused to let him enter, and how the accused man had called up Newt Lee, the watchman, later, fearful, said Hooper, that Gantt had discovered something.

After Hooper had finished his argument he began presenting authorities to the judge to guide him in making his charge to the jury. He declared that the jury should not be charged that direct evidence was superior to circumstantial evidence.

Attorney Reuben Arnold, opening for the defense, had prepared an exhaustive review of the evidence, planning to attack every argument made by the State no matter how apparently unimportant.

It seemed probable that Mr. Arnold would talk most of the afternoon. Luther Rosser will follow him. He has stated that he will not talk more than two hours at the most, and Solicitor Dorsey will close with what is expected to be the masterpiece of his career. The Solicitor will be unsparing in his words and into greater detail in discussing the evidence against Frank.

Before Thursday's session began Frank had expressed himself as entirely confident of the outcome.

"I am certain that I will be acquitted and set right before the world," he said. "It has been a terrible ordeal, but I await the outcome with the utmost confidence."

"May it please your honor and gentlemen of the jury," began Mr. Hooper, "the object of this trial, as of all other cases, is the ascertaining of truth and the attainment of justice. I want to distinctly impress upon you the correctness of our position. We want it distinctly understood that we are not seeking a verdict of guilty unless this man is guilty.

"We want it distinctly understood that the burden of proving him guilty is on our shoulders. We recognize that his has got to be done beyond a reasonable doubt, and from the evidence. We cheerfully assume this burden.

"There is not one connected with the prosecution who would see a hair of the head of this man injured wrongfully.

"We want him to have the rights and protection of the law just as any other citizen. He is entitled to the protection of the law just as any other citizen.

"But another thing: He is not entitled to any more. He is not, on account of his high position and wealthy connections, entitled to any more than any other defendant. The strong arm of the law is strong enough to reach to the highest places and do justice there.

"It is strong enough to reach down into the gutter and regulate the lives of the lowliest. I am not going to undertake to go over all the facts in this case.

Believe Firmly In Frank's Guilt.

"I congratulate you, gentlemen of the jury, that the case is nearing an end. I have felt sympathy for you, because you not only have worked hard, but you have been deprived of your liberty and the enjoyment of your homes. In one sense of the word, you have been in jail.

"There has never been a criminal case in Georgia that has been so long. There has never been a trial so important or the result of which will be so far-reaching, and that only makes the responsibility on you the greater.

"There is one other thing that I want to say to you before I go into the facts of the case. This man ought not to be convicted simply because someone has to be, not because of the law that demands an eye for an eye and a life for a life. We think the evidence shows him to be guilty beyond any reasonable doubt.

"In taking up this evidence I am considering you deeply. I am considering the strain you have been under. I am thinking deeply; in fact, I am trying to make myself as one of you twelve men, and in attempting to bring this to a conclusion I am striving to get at the truth.

"Let's see what the situation was on Memorial Day, Saturday, April 26. Here is this great big pencil factory, which was being run by a number of men with this defendant in charge. Let us consider the conditions that existed there, and, gentlemen, I must say that I am not proud of these conditions.

Witnesses Incensed By Factory Conditions.

"But to get to the real facts of this case; to come to a full realization of just how things occurred, we must understand the conditions that existed here shortly before we can proceed with this case. The character of this place was one to make us think deeply. The evidence which has been laid before you here has shown the kind to make us doubly serious. Take the defendant. Between 85 and 40 girls have come before you and said that his character was good.

"They spoke in the highest terms of him. That must be considered. But on this charge this is negative evidence, but also consider that we have brought before you girl after girl who told of his character being bad; who told of the immoral conditions that existed in this great pencil

U. S. URGED TO POLICE MEXICO

Senate Resolution Asks for Constabularies to Protect Foreigners in Turbulent Republic.

WASHINGTON, Aug. 21.—Senator Penrose to-day introduced a resolution in the Senate declaring it to be the sense of that body that the President of the United States should establish constabularies in Mexico and place in them a sufficient number of troops to protect the lives and property of American citizens.

The resolution also declares it to be the sense of the Senate:

That it has been the policy of the United States to maintain the Monroe Doctrine.

That the United States recognizes its responsibility under this doctrine.

That there is internal lawlessness and warfare in Mexico.

That the continuation of this condition will add to the complications there.

That the first duty of the United States is to protect the lives and property of its citizens at home and abroad.

That the extension of such protection will lessen the danger of foreign interference, and that it is not the policy of the United States to aid or assist any faction.

With the exception of some diplomatic sparring and formal exchanges which have little to do with the main issue, the Lind mission to Mexico is ended. The return of the Envoy to Washington may be expected soon.

It is definitely known that the Huerta rejection of the American proposals is so absolute that it leaves nothing for the United States to do but withdraw the proffer of its good offices to Mexico.

President Wilson has sent additional instructions to Lind, but he entertains little hope that the situation will be changed by them.

It is believed the American proposals embraced every channel by which an outside nation could take a hand in the warfare now disrupting Mexico and that the only step now open to the United States is to await the downfall of the Huerta government.

Recognition is not to be extended in any event unless the revolution is suppressed entirely and civil government is restored in all parts of the country.

THAW KEEPS TO HIS CELL IN FEAR

Fugitive Not to Appear at Writ Hearing Because of Danger of Deportation Arrest.

SHERBROOKE, QUE., Aug. 21.—The hearing on Harry K. Thaw's petition for release on a writ of habeas corpus was postponed from 10 o'clock until 2 o'clock this afternoon by Judge Globensky in the Superior Court.

After a long night conference counsel for Thaw decided that they would not produce the Matteawan fugitive in the Superior Court to-day on the writ obtained yesterday.

Governor LaForce, of the St. Francis District Jail, and the Sheriff were so notified and their plans for the safe removal of Thaw to the courthouse were dropped. It had been previously decided to take him in a carriage.

When the news got abroad that Thaw would not make the trip the hundreds of spectators gathered in the streets showed keen disappointment.

It was supposed that Thaw's lawyers did not wish to subject him so soon to the danger of arrest by the immigration authorities.

Thaw Fears Jerome.

Thaw was apparently perturbed by a rumor that former District Attorney William Travers Jerome, who prosecuted him for the murder of Stanford White, might come here to aid the New York State authorities because of his intimate knowledge of the various angles of Thaw's case. The fugitive always has regarded Jerome as his nemesis, as no one has fought harder than the former New York District Attorney to keep Thaw in Matteawan.

That the coming of Mr. and Mrs. Carnegie and Dr. Britton D. Evans, an alienist, cheered the prisoner was evident. He brightened up considerably after the morning visit.

Dr. Evans has been in the employ of the Thaw family to combat the State alienists who have been trying to keep the Pittsburger in Matteawan. He came here prepared to take Thaw's side in the event that the Provincial authorities demand a mental examination of the prisoner.

Investigate Through Ticket.

District Attorney E. A. Conger, of Dutchess County, New York (in which Matteawan is located), was unable to see Thaw until to-day, although Sheriff Hornbeck, also of Dutchess County, who arrived here with Mr. Conger, was able to get to the prisoner. Hornbeck has in his pocket a warrant charging Thaw with conspiring against the peace and dignity of the State of New York to escape from the State asylum at Matteawan."

An investigation of the manner in which Thaw came into possession of a railroad ticket for Detroit, Mich., is being made. The Dominion authorities are not satisfied that Thaw bought the ticket himself.

It was learned from an authoritative source that immigration officers who are here plan to arrest Thaw on the ground that he smuggled his way into Canada if he gets his freedom on a habeas corpus writ. The village of St. Hermenegilde, where Thaw and his companions came into Canada from the United States, is not a port of entry.

"Educated Roger" Thompson, Thaw's traveling companion, who has been held in $500 bail on the charge that he aided an undesirable alien to enter Canada, has retained W. L. Shurtleff, one of Thaw's lawyers. It was Thompson who drove the automobile in which Thaw fled Matteawan.

Refuses to Discuss Divorce.

Representatives of New York State, the United States Government and the Immigration Department of the Canadian Government are co-operating to cover all loopholes through which Thaw might get his ultimate liberty. If he is freed on the contention that he is a tourist, detectives will trail him into Detroit, where he probably will be arrested on the conspiracy warrant which Sheriff Hornbeck, of Dutchess County, is carrying around in his pocket.

Atlanta Mother Wants to Ship Her Boy by Parcel Post

Is a 5-year-old boy mail matter? Can he be wrapepd up, with a tag around his neck, stamps on his head and handled like a sack of mail?

Jacob Unger, a stenographer in the office of Superintendent of Mails I. C. Hart, at the Federal building, wants to know.

Mrs. James E. Vaughn, 387 Piedmont Avenue, telephoned Superintendent Hart's office late Tuesday.

"Can parents send 5-year-old boys by parcel post?" she inquired.

"I want to send my son to Augusta and I thought it would be so nice to send him by parcel post. Then I'd know he wouldn't get lost or run over."

Unger told Mrs. Vaughn he would look through the parcel post regulations and see if boys are listed as merchandise, and are mailable. He is still looking.

Boston's 'Fore and Aft' Skirt Winks Oh!-Coquettishly

BOSTON, Aug. 21.—The "fore and aft" skirt created a sensation in Cambridge streets to-day, when a young woman wearing one was seen promenading Harvard Square.

The skirt had a very slight slash, which allowed an emerald petticoat and silken hose to wink coquettishly as she walked.

By leaving one side buttoned all the time the garment may be wrapped about the waist as one piece of cloth. All that remains to do is to button up the one side.

Result: The culture is not disarranged and the young man does not have to miss the first act waiting for "Snooky Ookums" to dress.

Says Her Husband Is Confessed Slayer

Atlanta police are looking for a confessed negro slayer following a story given them Thursday morning by a negress claiming to be the wife of the fugitive.

The negro woman gave her name as Mattie Smith and said she had married Charley Smith in Chattanooga two months since. Last night, she avers, she and her husband came to Atlanta, stopping off here on their way to Mobile. They got a room on Piedmont avenue. In the night, the woman asserts, her husband got up and fled, taking $150 from her purse under the pillow. She asked for the arrest of her husband, and told the police that he had confessed to her not a week ago that he was wanted for murdering a white man near Macon.

Millionaire, at 62, Weds a College Girl

NEW HAVEN, Aug. 21.—Henry E. Howe, millionaire oyster grower of New Haven and Providence, who is 62 years old, married Miss Rita Elvira MacMillan, who gave her age as 27, in Providence.

Last year, the bride was president of her class at Lasell Seminary, Auburndale, Mass.

Girl Model Causes New 'Balkan' Clash

PARIS, Aug. 21.—A beautiful girl model was the cause of the latest Balkan war. Bulgarian and Roumanian art students got into a dispute over which faction the girl most favored.

After ten of the combatants had been carved up, the police arrived.

Progressive Party Year Old August 30

CHICAGO, Aug. 21.—The first celebration of the birth of the Progressive or "Bull Moose" party will be held in Chicago on August 30. It is to be known as "Progressive Day." Progressives from five States of the Middle West will participate.

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Thursday and Friday.

2 DEAD IN FIGHT WITH KNIVES AT CHURCH

Feudists Clash in Fierce Battle to Death at Country Meeting House Near Marietta.

As a result of a knife battle fought within a few yards of the doors of the New Hope Church, in Cobb County, three miles out of Marietta, after prayer meeting Wednesday night, two men are dead, one is probably fatally wounded and a fourth is held by a Coroner's verdict on a charge of murder.

The dead are Fred Lemmings and John McElroy. John Harper has wounds in a shoulder and lung and is in a serious condition.

Fred Harper is held by the Coroner's jury charged with killing Lemmings.

Worshipers who attended the church services witnessed the fight.

The trouble between the Harpers and the Lemmings dates back to the last term of the Cobb County Superior Court, when Charles Lemmings, a brother of Fred Lemmings, was sentenced to the chaingang on a charge of cursing before women. The Lemmings clan assert that he was not guilty, but had been railroaded to the chaingang through false testimony.

Wednesday night the warring clans met at the doors of New Hope Church. When the pastor pronounced the benediction and the congregation filed slowly out of the little church, the warring families met almost directly in front of the doors. Hot words were exchanged. Knives flashed and the battle began amid the screams of the women and children and the pleadings of male members of the congregation.

Fred Lemmings received a fatal wound within a few minutes after the fight began, and then the battle raged about his dead body. John McElroy and John Harper were lying unconscious on the ground. Fred Harper was taken in custody when officers arrived from Marietta and an inquest over Lemmings' body had been conducted. McElroy died this morning.

Millionaire Taking Woman's 'Fast Cure'

SEATTLE, WASH., Aug. 21.—Robert Graham, the millionaire British bread king, is taking the "fast cure" under the notorious Linda Burfield Hazzard, despite the warning of the British Vice Consul that several British subjects have been starved to death.

For thus killing one of her patients, this woman is now under sentence to the penitentiary.

HOBBLE SKIRT CAUSES INJURY.

LENOX, MASS., Aug. 21.—Miss Dorothy Sherman, of Brooklyn, stepped in a narrow gown to-day and her collarbone was fractured by the fall.

High Cost of Walking Now Confronts Us

CHICAGO, Aug. 21.—Shoes that cost $2 to $2.50 to-day may cost $5 and $7 in a few years. This gloomy prediction was made by J. Harry Selz, newly elected president of a million-dollar shoe manufacturing corporation.

The reason, he told the assembled salesmen of his company, was the alarming decrease in cattle production in the United States.

EMMANUEL GOES CALLING.
Special Cable to The Georgian.

ROME, Aug. 21.—Announcement was made here to-day that King Victor Emmanuel and Queen Elena, of Italy, will visit Montenegro next month. Queen Elena is a daughter of King Nicholas, of Montenegro.

Negress Ends Life After Shooting White

HAZLEHURST, Aug. 21.—John F. Hall, a prominent farmer and turpentine operator of Jeff Davis County, was shot and slightly wounded by Phoebe Carr, a negress, at his home five miles north of this place. Later she was found dead in the house.

The Coroner's verdict was suicide. After shooting Hall the negress took poison.

DRINKS ACID BY MISTAKE.

LOUISVILLE, KY., Aug. 21.—Miss Marie Senning, 18, who was to have sailed in a few days for Europe to complete her musical education, died to-day poisoned by carbolic acid which she drank by mistake for headache medicine.

DROPS DEAD AT BALL GAME.

BUENA VISTA.—J. F. Rushin was stricken with apoplexy while attending the Pialna-Buena Vista ball game here, and died in a few minutes. He was 66 years of age, a Confederate veteran and formerly Sheriff of Marion County. His son Leon died three weeks ago.

NEW OFFICIAL IN OFFICE.

BARNESVILLE.—Joel D. Dunn, who won the race for the unexpired term as Tax Collector, will at once make his required bond and assume his office. Only a few months have elapsed on the term.

POSTAL CLERK NEEDED.

A civil service examination for the position of clerk-carrier will be held at the Atlanta postoffice November 5, 1913. Applications must be made before October 1 to E. H. Jennings, secretary of the Civil Service Board.

MEET TO CALL PRIMARIES.

A special meeting of the City Executive Committee has been called for Saturday, August 23, by its chairman, John Y. Smith, for the purpose of considering and ordering the city primary and other matters.

Postmaster French, Of Memphis, Is Dead

MEMPHIS, Aug. 21.—Major J. C. French, Memphis postmaster, appointed after a bitter fight several weeks ago, died unexpectedly of apoplexy to-day. He was more than 70 years of age.

L. W. Dutro, whom Major French succeeded, was recently drowned in the Mississippi River.

FRANK CALM AS HOOPER ARGUES TO SEND HIM TO THE GALLOW

Stoically and Unblinkingly He Listens to Scathing Arraignment of Sta

ACCUSED ATTEMPTED TO SACRIFICE TWO NEGROES AND GANTT, STATE SAYS

Continued from Page 1.

factory, and, gentlemen of the jury, most of these girls had quit working at that factory from two years to three weeks before the time of this trial.

"Every one of them said his character was bad. Did you notice the emphasis with which they said it was bad? And did you notice that they would have told more if they could have been allowed to? Did you notice how highly incensed they felt toward the immoral conditions which existed at this factory?

"You have those who are still there who will say that his character is good, but you have those who have left who invariably say his character is bad. We put them on notice from the very first that we were willing to enter fully into his character. We could furnish particular information in regard to this, but we have been prevented.

"We have asked their own witnesses and our own; we have asked them, 'Did you ever hear of this incident?' and 'Did you ever hear of that incident?' We brought these particular girls before you, and asked them in regard to Frank's character. They said it was bad. We turned them over to the defense, and they failed to question them in regard to any of the incidents to which we have referred."

Colonel Arnold interrupted at this point, protesting to Judge Roan that he considered Mr. Hooper was making an improper argument in saying that the State could not go into the particular evidence and in intimating that it was an incriminating circumstance that the defense did not take advantage of its privilege and question the State's witnesses in regard to the particular incidents. Judge Roan sustained Hooper, saying that it was his only legal recourse. Hooper continued:

"If out of 100 men, 90 of them say that a certain person's character is good, but ten of them say, 'Beware of that man; he is a bad man,' would you say that you had a man of good character?

Says Girls' Morals Were in Hands of Men.

"It is almost impossible to magnify the temptation in the National Pencil Factory to a man without conscience and filled with lust. These girls in the factory were entirely dependent upon the attitude assumed by the men who were superior to them. This defendant, assisted by the noble Darley and the handsome young Schiff, practically had these girls' morals in his hands. The girls were absolutely dependent upon this trio.

"We find that the defendant connected himself up with a man whose character is good enough at present, but who admittedly was leading an immoral life at that time. What can we say when a man whose daily associates are bankers and prominent business men shall associate himself in his leisure hours with a man of the character of this C. B. Dalton?

"I expect most all of you have read that little story, "Dr. Jekyll and Mr. Hyde." We are all dual characters; none is so good but that there is some evil; none so bad but that there is some good. It is when the evil predominates that we have a bad man. The bad is good when with his own class. When the shades of night have fallen, and he seeks associates of his baser passions, then it is that we get a glimpse into his other nature. So it is with this defendant.

"He didn't seek out the bankers and people of his regular sphere when his baser passions came on. He looked for an associate in a man like Dalton. Dalton has had a number of men to get up here and say they would believe him. They are men who have worked side by side with him. Of course, he is a fellow of a lower class, but it has been shown to you that he is a good fellow of his class, congenial to that environment.

"Then there are other facts to support this idea. This defendant claimed to you he did not know Mary Phagan. Yet the evidence showed that he passed back and forth by her every day. We find he did know her. Witnesses declared he stopped to speak to her and show her how to do her work. He told her HE was the superintendent of the factory. He pursued her out of the beaten path. This little girl, sent there by her parents to be under his protection, was in his eye, the eye of lust. He was laying a foundation for his object.

Conley, Too Ignorant to Lie, Stuck to Truth.

"Let's turn back to the first evidence of this, the first interest of this man who never knew Mary Phagan. He said to Gantt, a man reared in the same community, several weeks before the tragedy, 'You are pretty thick with Mary Phagan?' He had her in his mind. Next we see him getting Gantt removed, and it was just after he had remarked what a good office force he had. The first opportunity was about one dollar. He sought to give you the impression of dishonesty. He would attack this man whom he wouldn't let go into his factory unless accompanied by a negro. Shame upon him!

"Thus he got rid of Gantt, and began to lay his plans.

"You remember that the defense pitted its case against Conley. I haven't said anything about him yet, but he comes in right here. He was to them like a stone mountain. They must break him down, or they are lost. They must break him down, and you have seen here the greatest fight between my herculean friend Rosser on the one side, and that poor, ignorant negro on the other, and you have seen the result. It was brains against ignorance; strength against weakness—and after three and one-half days you saw Conley unshaken. His evidence was written as fast as he talked and my friend here, Rosser, carried him back over the same ground again and again, but they could not break him down, because it was the truth. It continued to pour like the waters through a mill race, because that negro didn't have sense enough to lie. He was telling for the first time the real story of what actually happened that fatal day.

Other Men and Women Corroborate Conley.

"Why didn't Mr. Rosser break Jim Conley down? It was because, after all the lies the negro had told, he was telling the truth, and the truth is stronger than either of these two gentlemen. And it was the truth, gentlemen of the jury, that held Jim Conley unbroken on the stand for three days. And truth is greater than all. Yes, even after my herculean friend had worn himself out in a three days' effort to break the negro, he tried to put it off on his brother, Mr. Arnold. But the law protects a man, and would not allow this. They will tell you that Jim Conley is a powerful liar—and he is. But take each of his affidavits. Each one of them gave a little more of the truth, and on Mr. Rosser's long cross-examination he brought out more of the truth.

"The opinion I expressed at the time was that if the defense continued to bore into Conley they might bring out even more of the truth. What they brought out did Frank no good. They beat upon him mentally but he remained unshaken.

"This defendant is a smart man. It was a remarkable statement that he made upon the stand to you, but he didn't need to get on the stand here and talk to you for more than two and a half hours. He went into each detail, going from one thing to the other, and putting it on one man and then the other.

"But let us go back to Jim Conley, the Jim Conley they could not shake, because he was telling the truth. He tells you he had done that often before. He told you that he saw other people come there; that he saw men and women meet there; and, gentlemen, there are other people who corroborate Jim Conley; who said they saw men and women come to this pencil factory and meet the defendant there.

Says Affidavits Fit Exactly With Negro's Narrative.

"The next morning Frank was there to see him; the next morning Jim was there. Do you know, gentlemen, that Providence sometimes will divulge the truth at the very last minute? At the last minute yesterday two men came up here and said that they saw Jim Conley there. Mrs. Arthur White said she saw someone resembling Jim, but she was not certain. So Jim was telling a story that a good many people were disbelieving, but here came two men who said they saw him there, or a negro very much like him, who directed them to the office at the right of the stairs. As Mrs. White came downstairs she saw a negro sitting exactly where Jim Conley in his affidavits said he was. They made their affidavits at different places, but they fitted in exactly.

"Why was he there? For what was he sitting there hour after hour? He was sitting there to do as he had done many times before—to watch at the direction of Frank. One thing they have said is that he was drunk. I suppose he did drink a few beers that morning, but have you noticed that he told of everyone that went up there that morning, and in the order in which they went up. He could have said that he saw Mrs. White, but he

DAUGHTER OF JUROR WAITING TO SEE 'PAPA'

Margaret Louise Wisbey, whose father Is on the Frank Trial Jury.

admitted that he was napping about this time. Now we come to the time of the tragedy. Jim was still there.

"But about this little Mary Phagan. A little girl who asked for Mary's money had been refused the night before. They told her that Mary would have to come after it herself. This was a violation of the general rule at the office. Even Schiff told you, I think, that they gave out the envelopes to other persons if they knew them well enough. Frank told Jim on Friday night to come back the next morning, but he didn't have any work for him to do. All he wanted of him was to watch at the door as he had done before. He wanted him to watch while girls came up to the office to chat with him. You will notice something peculiar about that word 'chat.' It is a word I never have heard before, but you will notice that there are two persons that use it. One of them is Frank and the other is Conley.

Paints Word Picture of Little Mary Phagan.

"He tells Jim he wants to have a chat with that girl that day. 'Jim, you just make yourself convenient; wait around.' Jim comes and waits. He makes himself easy there in the hall. He takes a nap. People come and go. Then Mary Phagan comes, the beautiful little Mary. She must have been a beautiful little girl. I guess you all remember her pictures, with her curly hair and bright eyes, and trim figure.

"She came with a little boy. They must have been sweethearts. She had an engagement with him. She wanted to go to the factory first for her little $1.20. She went, tripping along, a happy child. From that dreadful hour not one thing was heard from her. But we know what a horrible catastrophe she met as she went, so innocently, for her little $1.20.

"Frank was there. How do we know it? From his own statement. And he had to change it when he came upon the stand. A live human being, a young girl, came here and said he was not there when she went to his office. Frank did not see her. She waited five minutes. He was not in. I am not going into the details of the time. Mr. Dorsey will do that in his conclusion. What I want to impress upon you is that Frank stated here from this stand he might have gone out of his office for a moment. It was the first time such an admission was intimated. But there was the sworn statement of Monteen Stover to combat him.

"It had to be got around. You don't have to depend altogether on Jim Conley's story. Monteen Stover went to his office after Mary Phagan, and he was not here.

Rosser Interrupts to Enter an Objection.

"In the meantime another little girl was waiting in his office—Monteen Stover—and Conley was waiting for the signal downstairs. Frank followed that little girl back there, and I want to be perfectly frank and say I do not think he had murder in his heart when he did, but the pent-up passions of weeks gained control and he could not stop. That scream that was poorly described here by this poor, ignorant negro—I wish you could have heard it; that scream that sounded like a ripple of laughter that ended when she realized his hellish purpose; the scream that ended when her life began to ebb."

Rosser interrupted Attorney Hooper to say that there was no evidence about laughter. Hooper replied: "All right; I was mistaken."

"The scream," Hooper continued, "and then those fast running footsteps. That was Frank coming to get the cord that strangled the child. Then he gave the signal for the negro to lock the door and come up, and Conley found him nervous and shaking, fresh from that harrowing scene on the rear of the floor on which his office was located.

"Now, gentlemen, we have this man Frank—this man of high standing and character—either committed this crime or that he was back in his office in plain hearing of any scream or any running of the elevator or the hearing of people going up and down the stairs, attending to his duties in his office, preparing that wonderful statement we have heard so much about.

Finds Mute Accuser In Factory Diagram.

"By this diagram I will show you that he was bound to have known of the commission of this crime, even if he hadn't committed it, but listened to that brute negro attack that little girl.

"I want to show you that even if he was where he said he was, and where Monteen Stover said he was not, that this crime could not have been committed without his knowledge.

"I want to show you that he could see from his desk to a point by the clock. I don't want to give any testimony, for if I did I could show that he saw more than that, but by this diagram—and it is a fact—I will show that his line of vision sitting at his desk would bring him to the clocks.

"Frank doesn't sit back in his chair. He sits away forward, and when he is at work he is the hardest working man you ever saw. And, gentlemen, he could see into the space beyond his office.

"Little Mary Phagan was killed back there in the metal room—back there where our friends say they could see not find any blood spots, but where we have shown there were spots of blood. And, gentlemen of the jury, if Frank did not commit this crime, he sat supinely there at his desk and let that brute negro kill her; let that negro bring her up the passageway, bring her up to the elevator and take her down that elevator, which, when running, shook the whole building, which the negro said he could hear downstars; which witness after witness has told you could be heard over the entire building, and which Frank could not have helped but hear.

"Frank's First Word Betrayed His Guilt."

"Mr. Frank, I will give you the benefit of every doubt, but according to your own statements as to the time you were there, and the time which has been shown conclusively that the girl was killed, you were right there; you sat right there, and you never moved.

"Now, to bring Jim Conley back into it: Gentlemen of the jury, isn't it an evident fact—haven't you been shown conclusively, that either Frank or Conley killed little Mary Phagan? Or that Frank killed her by himself, as Conley says? Or that Frank sat supinely at his desk and let this negro Conley kill her, and yet he made no move?

"As soon as the murder was consummated, there was something upstairs that had to be attended to. There were two men upstairs and a woman. Frank was anxious that they be let out of the factory. He went upstairs and told them that if they were going to go, now was the time.

"Mrs. Arthur White left. Arthur White and Harry Denham stayed. Frank told Mrs. White that he was going to put on his coat and hurry away. But this man, who was in such a hurry, still was without his coat when she got down to the office floor. Frank went into his office, washing his hands in that imaginary water. They say that this was his habit, and that we must not assume anything from it.

"The first words that he uttered when he got inside the office, he opened the doors to his guilt that all might look in. Frank said: 'Why should I hang,' adding that he had wealthy people in Brooklyn.

How Did Conley Know He Came From Brooklyn.

"What was the estimate that he put on the life of a young girl? Didn't it hurt him to wind the rope about her neck until it had sunk deeply into the tender flesh? I can't conceive how any being with the instincts of humanity could have twisted the rope about the neck of that pretty little girl. But he said: 'Why should I be punished for doing such a little thing as taking the life of this little girl? I have rich relatives in Brooklyn.' They will say he never uttered these words. He has denied them on the stand. But did Jim know that he came from Brooklyn? Did Jim know that he had rich relatives in Brooklyn? Did Jim know that he reckoned a human life in dollars and cents?

"No; those words came from the bottom of this man's heart.

"From the African temperament of Jim Conley came the next remark. 'What's going to become of me?' he asked. 'Oh, I'll take care of you, Jim; you have been a good negro. I will write my mother in Brooklyn.'

"This is that old mother who has stayed here in the courtroom so faithfully through all this trial. I can not understand how she has had the bravery to do it."

At this point Attorney Rosser objected on the ground that the speaker was quoting from the affidavits that Conley first made and not those that he told on the stand.

"You will find that they are all about the same," said Hooper.

"Frank says: 'Jim, can you write?' Jim says: 'Yes, I can write a little bit.'

Says Frank Lost Head In Fixing the Notes.

"Why did he ask Jim that question? Jim had furnished reports on those boxes. He knew what Jim could do.

"Jim was trustful; he wasn't on his guard like he was when confronted by the terrible Mr. Rosser. He had faith in his boss, and how false was his boss? As false as he was to the little girl. As false as he was to poor old Newt Lee when that bloody shirt was planted.

"You all, I presume, are Southern men, or have lived long enough in the South to become familiar with the traits of the negro. Can you tell me that you could imagine a negro on his own initiative writing such notes as were found beside that body?

"They charge the crime to a negro—a negro who could hardly write. Would a negro who stood before the grilling of Luther Rosser for three days, and came out victor, be fool enough to do that?

"The truth of the matter—the fixing of those notes seems to be the only time that Frank lost his head. He might have known the police would go back of that.

"Then we come to the money in the case: I don't think Frank had any $200 in his office when he was talking to Conley, but dollar bills would look mighty big. He handed the reward to Conley. Then he thought: 'You are as deep in the mud as I am in the mire.' Aloud he said: 'Let me see that money, Jim;' and he sticks it back into his pocket as if to say: 'If everything comes out all right, I will give it back to you.'

Tells How He Arranged To Dispose of the Body.

"False again to the poor negro who had carried out his hellish purpose, he compromises with a cigarette box containing about $1.50.

"Perhaps there was another idea in his head; there was the mute and mutilated evidence of the crime in the basement. That must be destroyed. This money would be a reward to get that removed.

"Then we come back to that original proposition that the body was carried down the elevator shaft by Frank and Conley. But there is the part of burning the body. A man who had committed the crime would not hesitate to burn it. He knew that there was no man to come back there that day except Newt Lee.

"I don't care anything about what time Frank got home or what he did there; he got back to the factory at 3 o'clock, where he had an engagement with Conley to dispose of the body, and he knew that Newt Lee was going to get there at 4 o'clock.

"Conley overslept himself and Lee came first. Frank said: 'You go away, Newt,' then to himself he said: 'And give me two more hours to get rid of that body.'

"But Conley never came back, and Newt Lee did. He had to let him in, and he knew then that he was lost.

"When Frank saw Gantt in front of the factory door, did he start back aghast and say, 'There is that bloodthirsty thief that was $1 short?' No; he said, 'There is Gantt; he was Mary Phagan's friend. He lived near her and her family has sent him to find her.'

"But Gantt would not harm a flea. He reassured Frank by telling him he had come to get a pair of shoes he had left in the factory. But Frank didn't want him in there, and told him the shoes had been swept out.

Charges Frank Lied to Gantt.

"Gantt told him there was another pair, and, gentlemen of the jury, Frank had to let him in, and he went in and found not one pair of shoes, but both pairs.

"Did Frank tell him a lie to keep him out of the factory, or did he really think the shoes had been swept out? He told a lie, and he was so afraid Gantt would find something that he sent him in under guard.

"And, gentlemen of the jury, as he stood at that entrance in the presence of Gantt the thought was going through his head, 'It is going to be known in a day that Mary is gone. Lord knows I don't want to let you in here, but I have got to let you in, but I will guard you. Come on in, but you go with him, Newt,' and, gentlemen of the jury, notice this:

"The striking thing about it—the singular fact is that Gantt found both pairs of shoes, showing, gentlemen of the jury, that Frank had never seen the negro sweeping them out.

"Did he lie about this, gentlemen? And after he had left the pencil factory, trembling and with a burden upon him, what did he do that night? He did something he had never done before. He called up Newt Lee over the telephone, and when he could not get him the first time, he called again and asked if that long-legged Gantt was there.

"And when he found that Gantt had left and had discoveerd nothing, what burden rolled from him! No wonder he looked light-hearted. No wonder that he could read baseball stories and joke. No wonder that his family could say that he had nothing on his mind.

"Another Thing on His Mind That Night."

"But yet he had another thing on his mind before the night had gone. During the early hours his telephone rang, but he did not answer it. Honest old Newt Lee notified the police and tried to notify him.

"But Frank did not answer. He says he heard the telephone but faintly, or he imagined he heard it.

"But the police heard the call, and they went down into that basement and found something. They found the body of little Mary Phagan cruelly murdered, the cold body lying on the ground where it had been left for Jim Conley to burn.

"Jim had taken his nap, though, and had not come back. The policemen took the body to the undertaking establishment, and at daybreak they started to get up Frank again. And when they got him he was anxious to know if there had been a fire.

"And, gentlemen, aside from the conversation that took place, every officer and every man who was with him that morning will tell you that he was nervous; that he was shaking like a leaf; that he rubbed his hands and was completely filled with nervousness.

"But, gentlemen, he is a wonderful man. Though he stood there and quivered that Sunday morn, not a one of you can say that during this trial you have seen him quiver once. He is as calm and cool as any man in the courthouse, to all intents and purposes.

"But the morning after the crime he was as weak as a cat. He was nervous; he was trembling like a leaf. The people in the automobile on the way to the undertaking establishment felt him tremble.

Holds Up Time Slip to Jury.

"What was his conduct when he got down there to the morgue? He did not look on his victim, on whom he had had lustful eyes for weeks. He fled; he could not pay the proper respect to a dead body. He went behind a curtain, a place where he had no business to go. He rushed out and waited for the rest.

"Did he identify her? No; he said he thought it was the girl he had paid off the day before. He had to go back to the records; he had to look up and see what her name was. Still he had seen her every day as he passed the machine where she worked.

"It was the same girl he called Mary; it was the same girl he tried to engage in conversation; it was the same girl on whose shoulder he placed his hand.

"What did he do with the time slip that was put in the night before? He said, after looking at it, that it was properly punched. Others looking over his shoulder agreed to it. Darley himself agreed to the error."

At this point Attorney Hooper produced the time slip which he held up before the jury.

"There weren't any marks on it then," he continued. "Frank said it was perfect. He told the night watchman: 'I know you didn't do it, Newt.' But he found that he was getting himself in trouble.

Bloody Shirt Also Exhibited.

"He asked himself why he had said anything about the slip until he had had time to fix it up.

"The next day comes Holloway, his right-hand man, saying that he had the slip, and that it had two misses on it. Frank made some remarks about Newt Lee.

"John Black, suspecting that the negro might know something about the crime, went out to Newt Lee's house and in a trash barrel he found this."

The bloody shirt was held up by Hooper before the jury.

"Somebody had to plant a shirt out at Newt Lee's. Somebody did plant a shirt out at Newt Lee's.

"Did you notice how minutely Frank described his movements all day Sunday and all Sunday night? That struck me as very suspicious.

"Newt Lee said: 'If that is a machine made shirt it is not mine, and if it is a home-made shirt it is mine.' And, behold! it was a home-made shirt.

"These remarkable discoveries were made when the shirt was found. You will find that the blood is on both sides of the shirt. And not in corresponding places.

"There is only one explanation—it was used to wipe up a pool of blood. It did not have the distinctive negro odor; it had not been washed. The button holes ahd not been opened up since it came from the laundry.

"Willing and Anxious To Sacrifice Negro."

"Remember please that that morning this defendant had brought up a time slip with skips showing that Newt Lee had not made all the punches. Gentlemen, he was willing and anxious to have that negro's life sacrificed to save himself.

"The Bible says: 'What will a man not give for his life?' He was willing to give up Gantt, but never one word did he say against Conley. Conley was his friend and associate. That poor negro got arrested for washing a shirt to go to Frank's trial.

"Frank never accused him until the Newt Lee scheme and the schemes had fallen through. last resort the defense has throw whole attack on Conley.

"There is one other thing I wa mention—that big stick and the piece of paper found by the shre smart Pinkerton detectives who find anything, even an elephant, on floor. These were found after merous searches, weeks after the mur der.

"Unfortunately, they showed the slip of paper to Mr. and Mrs. Coleman, but there was a figure '5' on this piece of paper, purporting to be a part of Mary Phagan's pay envelope.

"When they came on the stand with that evidence, the figure '5' had been conveniently removed. It fitted the amount Mary Phagan drew that week.

"Doctors say the wound on Mary Phagan's head could not have been made with a stick like they exhibited. No scientific tests for blood were made on it. Yet the defense introduced it as the possible weapon that caused her death.

"Where Is Mincey?" Hooper Asks.

"An inquiry has been made about a man named Mincey. Conley went on the stand and was asked if he did not make certain statements to Mincey, about killing a girl. The only purpose of these questions was to introduce Mincey to clear up this whole affair.

"My recollection was he was brought into the courtroom and sworn with the other witnesses."

Rosser: "You are mistaken."

Hooper: "I may be, but where 's Mincey? It looked like the whole fight was to be about him. Frank was to be cleared, Conley convicted. But there has not been one word from him.

"Gentlemen, I am not going to take up any more of your time. I wanted to open up the case fairly and squarely to show you and the defense your positions on these various points."

Hooper concluded. Then Judge Roan asked Solicitor Dorsey to cite the authorities upon which he expected the court to base its charge to the jury.

Solicitor Dorsey requested Mr. Hooper to do it for him.

The jury retired for a short recess and Dorsey sent his deputies out for a number of court decisions.

"Use Common Sense," Hooper Tells Jury.

After the jury returned to the box, Hooper read from a great many authorities on the question of a reasonable doubt and the quality of circumstantial evidence.

"I have heard men say that they thought one thing but when they were on a jury they had to decide another way," said Hooper. "That being on a jury made a whole lot of difference, but it was never intended that such should be the case.

"If you gentlemen believe beyond a reasonable doubt, that is the way you should decide. You should decide this case as you would in your own home. You are supposed to use your common esnse in arriving at a conclusion in this case, for the law is supposed to be common sense in its highest form.

"The absolute certainty is not obtainable. The most that can be obtained is the moral certainty, which has been described as being an absolute certainty. The question of moral certainty is before you in this case. The question for you to decide or not it is an absolute certainty.

"It is unfair for a jury to be charged that direct evidence is superior to circumstantial evidence. And it is against the law to charge a jury that to direct.

Alibi Must Be Complete.

Citing other authorities, Hooper said: "If the facts of the case point unerringly to the guilt of this defendant, then to all intents and purposes his guilt is as certain as though the evidence was direct.

"The proof of good character," Hooper continued, "will not hinder a conviction if the evidence against the defendant is sufficient. Even though the proof of good character is not attacked, as it was in this case, the evidence in the case is enough to overbalance the character testimony.

"An alibi must exclude the possibility of the presence of the defendant at the place and the time the crime was committed.

"You are not to be governed by any opinion that counsel may express, but by the evidence presented.

"If a party is apprised of the evidence against him and does not explain or controvert it, the strongest presumption is that it is true."

Negro Boy Held for Drowning White Boy

DOUGLASVILLE, Aug. 21.—Will Tally, a negro boy, is in jail here charged with the murder of Fred Hollingsworth, a white boy, at Lithia Springs.

It is alleged that in a struggle between the boys on the banks of Sweetwater Creek the negro struck Hollingsworth with a rock and pushed him in the creek, where he was drowned. The negro says they were in swimming and when the white boy became strangled he was unable to save him.

JEFF DAVIS CORN RALLY.

VIDALIA.—The boys' corn clubs of Jeff Davis County held a rally at Hazlehurst Wednesday, all the clubs in the county having representation. A program previously arranged was carried out.

GEORGIA'S GREATEST MURDER TRIAL NEARS ITS FATEFUL CLOSE

By JAMES B. NEVIN.

The evidence in the Frank case all has been delivered; the last word has been spoken, both for and against the defendant, so far as the witnesses are concerned.

It only remains for the lawyers to argue the matter to the jury—and then, after the court has given the jury the law in charge, there will remain only the verdict to record.

The most complex, difficult, elusive and mysterious murder case in the entire criminal history of Georgia is nearing its end!

It is doubtful whether any of us ever shall see the like of the Frank trial again.

Lawyers give it as their opinion that it has been, in a dozen or more ways, the most extraordinary proceeding ever coming under their observation—and certainly the newspapers of the State never have been called upon to handle a story so amazingly strange in its varied and sometimes astonishing ramifications.

The Phagan case—for as such it will go down in history, rather than as the Frank case—has combined within itself all that goes to make for intense and insistent heart interest.

It has revolved about a sweet little working girl, tragically, and cruelly, and brutally killed—murdered in the first flush of young and promising womanhood, who probably never knew, and if knowing, still not comprehending, why that awful fate should have come upon her so suddenly and so unavoidably!

It has involved the honor and the home happiness of a young business man, theretofore of unblemished integrity and standing in one of the most cultured cities in the world; it has stormed about two households, equally unoffending within themselves; it has concerned itself with the love of two mothers, and it has made to bleed the heart of a wife, and has brought sorrow unspeakable to the minds of hundreds of loving friends, both of the accused man and the dead girl.

Sleeping Prejudice Aroused.

It has, with sordid emphasis, suppressed but unmistakable, made manifest deep-seated prejudices and opinions—gathering as it swept along many things foreign to the real point in issue, until the one big stake the cards must settle presently has, at times, been completely lost sight of, and even now is not easy to locate with certainty.

The Phagan case has run the entire scale of human emotions—there is little by way of sinister or grim appeal that has not been, somehow and sometime, injected into it!

But, after all is said and done, perhaps the matter has been thrashed out thus far in the light of the best intelligence that might have been applied to it.

At times, fate has seemed all too unkind to the defendant; at times the State has seemed unduly estopped from proceeding as it thought it had a right to proceed.

Undoubtedly things have been said and done by both sides to the Frank trial that, as strict matters of law and justice, never should have been said or done.

Frank has had to answer not to the charge of murder alone—as the indictment contemplated he should—but to two charges.

The one means an ignoble death if sustained; the other means a worse than ignoble life thereafter in the penitentiary.

In a measure, too, the charge of murder has been swallowed up and obscured by the other monstrous thing—and yet one can hardly see wherein the defense may complain of that, in that the second charge got into the record with the consent of the defense, if not almost by its invitation.

Scales Held With Even Hand.

Judge Roan—and in this, at least,—I think the public is agreed, has tried his level best to hold the balances even. If there be error in his rulings, they have been errors of the head and not of the heart, I take it. And, error or no, he has maintained an impartial average of judicial favor, so to speak, and he will come through unsullied and uncriticised.

What effect upon the jury the evidence will have is highly speculative and problematical.

If the jury were not composed of human beings and could confine itself to those things alone it has been legally held to, the pathway to acquittal of Frank might seem brighter.

But the trial has been so long drawn out, so full of perplexing detail, so worrying and fretting to simple analysis, so mixed as to issues, and so disconcerting in sequence of testimony, that one is at a loss to imagine just what the jury MUST think of it all now.

In its strict legal aspect, the case against Leo Frank, while wonderfully well held together and set forth by the Solicitor General, still is not such a case as would prompt one to predict sure conviction.

Neither, however, has the defense been of a nature warranting a prediction of sure acquittal.

If the technically legal case could be differentiated in the mind of the jury from the psychological case—if the pleadings could be confined strictly to the primary issue, murder, and not in any manner confused with the other unmentionable issue brought into the case—the probable finding of the jury would be easier to anticipate and forecast.

If Frank might have been tried for murder, pure and simple, NOW, and LATER tried for the other thing, the problem of the jury might, and doubtless would, be simplified immensely.

But to expect the jury to separate in its mind entirely the two things Frank is answering for is almost to expect of it the impossible—the superhuman!

Jury but a Part of the Public.

It has been seemingly impossible for the public to do that—and, after all is said and done, the jury is but a portion of the public, made more careful in forming its opinions, to be sure, by the solemn oath it has taken, but merely a portion of the great public nevertheless!

The big card played against Frank was the negro sweeper, Conley.

Upon his astonishing story turns the State's entire case, from every point of view.

Conley it was who first pointed the direct finger of accusation toward Frank and fixed upon him the awful charge of murder, and Conley it was who first spoke the word of unspeakable scandal that has made Frank's road to acquittal a thousand times harder to journey.

Pitted against Conley is Frank, almost and pathetically alone!

He made a remarkable statement—it carried with it every indication, so far as the surface of things seemed to show, of truth and straightforwardness.

If it was a sustained misstatement of fact, told to save himself, it was the most wonderful piece of work I ever witnessed.

In his own behalf Frank was far and away the very best witness the defense put forward.

If it shall so fall out that he be acquitted, that statement must and will be credited with a tremendous share of the responsibility thereof.

It has behind it, too, some things that the Conley statement has not—among other things, a long record of respectability, integrity and business standing, vouched for by an abundance of very high-class evidence as to Frank's character.

And yet—it was not delivered on oath, and it certainly carried a load of self-interest.

Undoubtedly much has crept into the case, or been lugged in, that is irrelevant, but—well, it is in, and that is the end of it, perhaps!

If Frank is convicted there will be grounds innumerable for asking a new trial; and if that is refused, there will be an abundant assignment of error whereby a reversal possibly may be had later and a new trial ordered.

All Staked on Acquittal.

Frank, however, has staked his all and everything on acquittal—to be denied that is to be denied the hope of all hopes that sustain him to-day!

And so, after the evidence all is in, and the public at last is face to face with the forthcoming verdict—after four months of nerve-racking suspense, swung this way and that, and never knowing exactly what to think—there is but one thing human beings of normal minds and poise can do to-day.

They must await the verdict with minds prepared to accept it as the truth—the very best human ingenuity and the forms of law can establish by way of justice and right.

Either an acquittal or a conviction—the one final, and the other a matter to be reviewed—would be the finish of this trial most satisfactory to the public.

All that any man SHOULD desire—all, indeed, that any honest man CAN desire—is that the truth be recorded in the Frank case, in the light of reason, common sense and justice, as man is given the light to see!

Both the defendant and the State have much at stake—the one has his life and his liberty, the other has the majesty of the law, which is the protection of the lives and liberties of all.

It is easy to find fault, to say that a mistake was made here and there; that sins of commission and sins of omission marked the progress of the trial from both sides.

But that, and none of that, gets us away from the fact that the trial has been as fair and square as might have been expected—and whatever the verdict, no man will have the right to say that undue favor has been shown.

The verdict of the jury—"twelve good men and true"—that the public should be prepared to accept, loyally and sincerely, as the TRUTH of the Phagan murder, in so far as Leo Frank is concerned therein.

VIDALIA GINS RUNNING.

VIDALIA.—The cotton is well under way and both gins at this place are running, ten or twelve bales per day being ginned. At Higgston, however, the gins will not start until after a rain, as there is not water enough to run them.

FORMER EMPLOYEES WHO ATTACK FRANK

MISS MYRTICE CATO.

MISS MARIE KARST.

Cat Slayer Breaks Circumstance Chain

MONTCLAIR, N. J., Aug. 21.—Mrs. L. H. Forster's pet cat was murdered, seemingly by a dog, whereupon Mrs. Forester rushed into police headquarters here and asked that Snap, a dog owned by a neighbor, be charged with the murder and duly executed.

Asked if she knew to a certainty that Snap was the culprit, she answered in the negative, but declared she felt sure Snap killed her cat, "because he was sniffing in my yard afterward." The police contended that Snap had a right to sniff and refused to have him haled into court.

ALL-SOUTH ROAD PROJECT GAINS FAVOR FAST

Good Roads Boosters Are Aroused. Big Ovation for Pathfinders Is Planned in Birmingham.

Good roads and highway boosters of Atlanta and Georgia are watching with interest the progress of Pathfinder Ferguson, who is blazing a trail from Atlanta to San Francisco for Hearst's Sunday American and other papers.

The Ferguson party is speeding through east Alabama toward Birmingham. Arriving there about noon Thursday the party will be escorted into the city by a big delegation of good roads boosters, city officials and leading citizens, headed by a brass band. Soon after the arrival a monster meeting and reception will be held in honor of the trail-blazers.

The tourists will resume the journey to Montgomery Friday morning and are scheduled to arrive in the Alabama capital Saturday. From Montgomery the party will proceed to Mobile, thence to New Orleans, Dallas, Houston, San Diego, Los Angeles and San Francisco.

Enthusiasm Augurs Success.

If the enthusiasm manifested in the big campaign all along the route from Atlanta to Birmingham is an indication of that which is to follow from Mobile and New Orleans on to San Francisco, the ultimate success of the project is assured.

Seldom in either Georgia or Alabama have people been known to take such interest in a campaign of this sort. Leaving Atlanta Monday morning the Ferguson party arrived at Austell, where a big delegation of Douglasville good roads boosters met the tourists to escort them to Douglasville. Here Mayor Upshaw and Editor Drake acted as hosts at a reception at the Douglasville Hotel. Not to be outdone by their neighbors, the Tallapoosa boosters took the tourists in hand Tuesday morning and escorted them across the State line to Heflin, Ala., where another reception was held, with Booster R. A. Perryman as the host.

Contest Over Routes Develops.

From Heflin the tourists proceeded direct to Anniston, where a new sort of evidence of the immense interest in the campaign was found in the form of a contest between rival delegations from Ashville and Riverside, who want the highway between Anniston and Birmingham.

Mr. Ferguson settled the controversy for the present by deciding to go by way of Ashville on this trip and via Riverside and Pell City on the second trip to San Francisco. Although the Riverside enthusiasts were keenly disappointed, they took their medicine manfully and went back home Tuesday afternoon to begin work on the road in prepartion for Mr. Ferguson's trip several months hence. The official route through this section of the country will not be selected until both routes have been checked over carefully.

Following arrival at Anniston Pathfinder Ferguson declared the roads between Atlanta and the Alabama city were in good shape in most places and highly capable of affording a first-class trans-continental route. If the citizens of Georgia and East Alabama do as much for the roads in the next two years as they have done in the last two, Mr. Ferguson declared, the highway through this section will be ideal.

The records Mr. Ferguson is making show the road between Austell and Douglasville to be one of the finest stretches in East Georgia. The road bed is built of fine granite soil which is damaged very little by traffic.

From Douglasville to Tallapoosa the road is not quite so good but is in such shape that a small expenditure would put it in excellent condition. The entire route from Austell to Tallapoosa is over the old Tallapoosa highway, which in former times was the Tallapoosa Indian trail. The present road was constructed about 25 years ago.

The Ferguson party traveled over a new route from Tallapoosa to Heflin, Ala. A part of the road is in fairly good shape, but other sections are rough.

These bad conditions will soon be a thing of the past, however, through the mutual co-operation of the Alabama farmers who are giving a part of their time to working the roads in Cleburne County. Between Heflin and Anniston the road is bad in spots.

200,000 Blistered Hands Resume Work On Missouri's Roads

KANSAS CITY, Aug. 21.—Reeking with the odor of liniment, displaying sorely blistered hands and cheerfully trying to persuade aching back muscles to do their bidding, the men of Missouri who joined the crusade of Governor Major to make the State's roadways better resumed their toil to-day.

Few desertions were reported among the 100,000 men who gave up other duties for two days to "pull Missouri out of the mud." They promised that to-day's setting sun should shine on $1,000,00 worth of road improvement.

Governor Major himself was out near Jefferson City to-day directing the operation of a road-making machine. He toiled tirelessly alongside grocers, undertakers, barbers, preachers, plumbers and men of every line of business.

Queen Mary Won't Let George Run Club

Special Cable to The Atlanta Georgian.

LONDON, Aug. 21.—A committee of the exclusive Marlborough Club decided recently to have a ladies' night once a week, on which members might bring ladies to dinner, with a quiet little game of cards afterward.

A resolution was submitted to King George, who has absolute authority in all such matters, as the club was founded by King Edward, and he approved it.

Last week, however, the King notified the club that on second thought he withdrew his approval.

It is said Queen Mary caused the King to change his mind.

Rancher Buried Alive By Mexican Rebels

SAN FRANCISCO, CAL., Aug. 21.—Among the recent arrivals from Mexico is Sydney M. Sutherland, from Mexico City. He said:

"Deeds are daily committed in Mexico which it would be difficult to credit in this country. The so-called revolutionists, who are nothing but outlaws, have done things to their own countrymen and to foreigners which Americans can scarcely believe possible in this age."

He told of seeing an aged ranch owner buried alive by Zapatists.

'Minute Men' Guard U. S. Flag to Germany

WASHINGTON, Aug. 21.—Selected as a guard of honor for the American flag that will accompany the members of the German Patriotic Society of America to the fatherland, ten officers of the "minute men" of Washington, a semi-military organization, have departed with the flag, the gift of the Daughters of the American Revolution.

They joined the society delegates on board a specially chartered liner for the voyage to Bremen.

CLAYTON TO LIFT BAR TO CREEK DREDGING

Will Make Official Request to County Board So Peachtree Work May Be Taken Up.

Denial that Captain Robert M. Clayton, City Chief of Construction, had made official request that the County Board of Commissioners rush the cleaning out of Peachtree Creek so as to have the work completed before the opening of the new sewage disposal plant has been made by Commissioner Thomas Winn.

"The members of the board have read in the newspapers interviews from Captain Clayton in which he urged the work," said Commissioner Winn, "but we have never been communicated with officially. It occurs to me that the proper way to go about the work would be for the city to officially inform the board of the work that is necessary.

"I am sure the Commissioners would give the matter immediate consideration and that it will be the very best that possibly can be done to give the new plant a fair trial, without the handicap that naturally would result from a congested outflow. The board can do nothing until the matter is properly presented."

Captain Clayton in a statement said the matter of cleaning Peachtree Creek so as to give a free outflow for the sewage disposal plant never had been presented to the board officially, but declared he did not think it necessary.

"In personal conversation with every member of the board," he said, "I have urged the importance of this work, and personally went before the board emphasizing the fact that the removal of the accumulated driftwood from the bed of Peachtree Creek is necessary to the successful operation of the new sewage plant.

"However, in order to remove all doubt and get the work started as soon as possible, I will at once make a written statement to the board of the necessity of the work, and invite its co-operation. I also will take the matter up with the Bond Commission."

Chairman Quillian, of the City Bond Commission, said he will call a meeting of the commission at once and take formal action on the matter. The Public Improvements Committee of the Board of Commissioners meets Saturday morning, and it is probable the official requests of Captain Clayton and the Bond Commission will be laid before the board then.

"Watch Out"

Indigestion
Dyspepsia
Constipation
Biliousness

will surely "get you" if you are careless and neglect the Stomach, Liver and Bowels. Be on guard, and at the first sign of trouble always take

HOSTETTER'S STOMACH BITTERS

It tones, strengthens, invigorates the entire system. Try it now.

Women Control 3 Big Baseball Clubs; Mrs. Locke Magnate

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Morgan Is Refused Seat on Own Road

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Couple Married 11 Times in 4 Years

HAGERSTOWN, MD., Aug. 21.—Mr. and Mrs. Frank Vernon lay claim to being the most married couple in the world. They've had the knot tied eleven times. They first were married in Columbus, Ohio, in 1909, then in Montreal in 1910, in Scotland, England, Wales, Germany, France, Belgium and Russia in 1911; in Australia in 1912, and in Mexico in 1913.

Vernon said it merely was a hobby of theirs to be married in every different country they visit.

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As officer in charge of the commissary of the battleship Louisiana Arms' negligence made it possible for the chief commissary steward to defraud the United States out of $7,060.

Princeton Students Farming 200 Acres

PRINCETON, N. J., Aug. 21.—Within 100 yards of the Princeton University campus a farm of 200 acres is being cultivated by six undergraduates of that institution.

In a few weeks the crops from this acreage will be dispensed to the students of Princeton and the summer work of the six college farmers will close.

Hail Ruins $50,000 North Dakota Crops

MINOT, N. D., Aug. 21.—Fifty to seventy-five thousand dollars' damage to crops of Renville County resulted from a terrific hailstorm. The damage extends from Tolley across the international boundary.

The path of the storm was five miles wide and more than thirty miles long.

BALTIMORE AND RETURN—$20.95.
On sale August 22, 23, 24. Through steel trains. Seaboard.

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$6.95 to $10.00 Dresses . .	$2.45
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$18.50 to $22.50 Dresses . .	$6.95
$25.00 to $30.00 Dresses . .	$8.95
$35.00 to $40.00 Dresses . .	$11.95
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Any Linen Suit in the House

$4.45

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South Georgia
AFTERNOON EDITION

VOL. XII. NO. 16. ATLANTA, GA., THURSDAY, AUGUST 21, 1913. Copyright, 1906, By The Georgian Co. 2 CENTS. PAY NO MORE

HOOPER BEGINS ARGUMENT

Expect Frank Case to Go to Jury Friday Night

2 KILLED IN KNIFE WAR AT CHURCH

Fight With Knives Near Marietta Fatal to Fred Lemmings and John Elroy.

As a result of a knife battle fought within a few yards of the doors of the New Hope Church, in Cobb County, three miles out of Marietta, after prayer meeting Wednesday night, two men are dead, one is probably fatally wounded and a fourth is held by a Coroner's verdict on a charge of murder.

The dead are Fred Lemmings and John McElroy. John Harper has wounds in a shoulder and lung and is in a serious condition.

Fred Harper is held by the Cornere's jury charged with killing Lemmings.

Worshipers who attended the church services witnessed the fight.

The trouble between the Harpers and the Lemmings dates back to the last term of the Cobb County Superior Court, when Charles Lemmings, a brother of Fred Lemmings, was sentenced to the chaingang on a charge of cursing before women. The Lemmings clan assert that he was not guilty, but had been railroaded to the chaingang through false testimony.

Wednesday night the warring clans met at the doors of New Hope Church. Wehn the pastor pronounced the benediction and the congregation filed slowly out of the little church, the warring families met almost directly in front of the doors. Hot words were exchanged. Knives flashed and the battle began amid the screams of the women and children and the pleadings of male members of the congregation.

Fred Lemmings received a fatal wound within a few minutes after the fight began, and then the battle raged about his dead body. John McElroy and John Harper were lying unconscious on the ground. Fred Harper was taken in custody when officers arrived from Marietta and an inquest over Lemmings' body had been conducted. McElroy died this morning.

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Millionaire, at 62, Weds a College Girl

NEW HAVEN, Aug. 21.—Henry E. Rowe, millionaire oyster grower of New Haven and Providence, who is 62 years old, married Miss Etta Elmira MacMillan, who gave her age as 27, in Providence.

Last year, the bride was president of her class at Lazell Seminary, Auburndale, Mass.

Progressive Party Year Old August 30

CHICAGO, Aug. 21.—The first celebration of the birth of the Progressive or "Bull Moose" party will be held in Chicago on August 30. It is to be known as "Progressive Day."

Progressives from five States of the Middle West will participate.

Atlanta Mother Wants to Ship Her Boy by Parcel Post

Is a 5-year-old boy mail matter? Can he be wrapepd up, with a tag around his neck, stamps on his head and handled like a sack of mail?

Jacob Unger, a stenographer in the office of Superintendent of Mails I. C. Hart, at the Federal building, wants to know.

Mrs. James E. Vaughn, 387 Piedmont avenue, telephoned Superintendent Hart's office late Tuesday.

"Can parents send 5-year-old boys by parcel post?" she inquired.

"I want to send my son to Augusta and I thought it would be so nice to send him by parcel post. Then I'd know he wouldn't get lost or run over."

Unger told Mrs. Vaughn he would look through the parcel post regulations and see if boys are listed as merchandise, and are mailable. He is still looking.

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Millionaire Taking Woman's 'Fast Cure'

SEATTLE, WASH., Aug 21.—Robert Graham, the millionaire British bread king, is taking the "fast cure" under the notorious Linda Burfield Hazzard, despite the warning of the British Vice Consul that several British subjects have been starved to death.

For thus killing one of her patients, this woman is now under sentence to the penitentiary.

DIGGS GUILTY AS SLAVER; FIGHTS ON

Convicted on Four Counts and Facing a Twenty-Year Term, Californian Plans Appeal.

SAN FRANCISCO, Aug. 21.—Maury I. Diggs, State architect at 25 and now but 27 years of age, convicted on a charge of violating the Mann white slave act in transporting Marsha Warrington from one State to another for immoral purposes, will be sentenced September 2. His attorneys announced to-day that they will appeal the case.

It was the unanimous opinion of the twelve jurors before whom he was tried that he was guilty on four of the six counts in the indictment. Under the law the maximum penalty is five years in the penitentiary, a $5,000 fine, or both, on each count.

Next Tuesday F. Drew Caminetti, son of United States Commissioner of Immigration Caminetti, will go on trial in the same court on the same charge. He eloped with Lola Norris to Reno, Nev.

Diggs can be sent to the penitentiary for twenty years on the four counts. An indictment still stands against him for attempted subornation of perjury.

Last night Diggs kept out of the Alameda County jail by filing a bond for $20,000—$5,000 on each of the four counts. His old father and his father's partner and cousin, Marshall Diggs, the widely known Democratic leader, were sureties.

Child Sleeps in Courtroom.

While Diggs was facing conviction his little daughter Evelyn slept peacefully in the courtroom, in which she had prattled through the day. His young wife bit her lips and tried to look brave. His father and mother bowed their heads and seemed to age in their seats as the minutes of the jury's deliberation dragged.

The four counts on which Diggs was found guilty regarded the purchase of the ticket for the flight from Sacramento to Reno and the carrying off of the two girls.

The first count alleged that he assisted and aided in transporting Marsha Warrington from Sacramento to become his mistress.

The second count accused him of assisting in transporting Lola Norris to Reno to be the mistress of F. Drew Caminetti.

The third count alleged that he purchased a ticket for Marsha Warrington, and the fourth that he purchased a ticket for Lola Norris.

Unable to Agree on Two.

On the other two counts there was a long wrangle and finally disagreement.

These were:

That Diggs induced, persuaded and advised Marsha Warrington to go with him to Reno for immoral purposes, and that he induced, persuaded and advised Lola Norris to go to Reno with F. Drew Caminetti for immoral purposes.

While the women of the Diggs and Caminetti families sat as if stunned arrangements for bail were made and the jurors went away. Some of them said it was the story of Diggs himself on the stand that hurt his cause.

"Cheer up, Maury," said Drew Caminetti, going up to his chum. "The fight is not over yet. Stop looking so glum."

But young Mrs. Diggs wept silently, while the defendant's mother seemed about to faint.

Diggs refused to comment on his conviction. After his bonds had been filed he left with his wife and daughter for his father's home in Berekeley.

To Carry Up Appeal.

Prosecutor Roche, following the return of the verdict, said that the United States Supreme Court has held that a person is technically guilty of violating the Mann white slave law when he induces a woman to go to another State even to enter a dance hall, contending that it lays the woman open to a life of debauchery.

THAW'S HOPE LIES IN R.R. TICKET

Aided by Relatives and Brilliant Legal Array, Slayer Continues Fight for Release.

SHERBROOKE, CANADA, Aug. 21.—Attired in a natty new suit which he had sent out of the jail to purchase, Harry K. Thaw, the fugitive from the Matteawan, N. Y., asylum for the criminal insane, received his brother-in-law and sister, Mr. and Mrs. George Lauder Carnegie, in his cell to-day before the hour set for the arguments on Thaw's petition for a writ of habeas corpus and told them not to worry, that he would soon be at liberty.

After a restful night, Thaw ate a hearty breakfast and made an elaborate toilet. With the self-consciousness which always has characterized his actions, he took extreme care with his dress, knowing that he would pass the gantlet of thousands of eyes on the quarter-mile ride from the gray old stone jail to the courthouse.

At times it seemed that Thaw was worrying more over his appearance than the outcome of his present fight for freedom. He had written out a number of points which he wanted his lawyers to feature in their arguments, and these stuck importantly from his pockets.

Chafes at Delay.

However, Thaw's three lawyers, Colonel H. B. Fraser, W. L. Shurtleff and C. D. White, took the stand that they were running the defense, and told Thaw that he was to consent to their own opinions. Thaw chafed under delay, but finally admitted that it would be better to be guided by legal talent more fully acquainted with Canadian laws than he.

Thaw was apparently perturbed by a rumor that former District Attorney William Travers Jerome, who prosecuted him for the murder of Stanford White, might come here to aid the New York State authorities because of his intimate knowledge of the various angles of Thaw's case. The fugitive always has regarded Jerome as his nemesis, as no one has fought harder than the former New York District Attorney to keep Thaw in Matteawan.

That the coming of Mr. and Mrs. Carnegie and Dr. Britton D. Evans, an alienist, cheered the prisoner was evident. He brightened up considerably after the morning visit.

Dr. Evans has been in the employ of the Thaw family to combat the State alienists who have been trying to keep the Pittsburger in Matteawan. He came here prepared to take Thaw's side in the event that the Provincial authorities demand a mental examination of the prisoner.

Investigate Through Ticket.

District Attorney E. A. Conger, Dutchess County, New York which Matteawan is located), was unable to see Thaw until to-day, although Sheriff Hornbeck, also of Dutchess County, who arrived here with Mr. Conger, was able to get to the prisoner. Hornbeck has in his pocket a warrant charging Thaw with conspiring "against the peace and dignity of the State of New York to escape from the State asylum at Matteawan."

An investigation of the manner in which Thaw came into possession of a railroad ticket for Detroit, Mich., is being made. The Dominion authorities are not satisfied that Thaw bought the ticket himself.

It was learned from an authoritative source that immigration officers who are here plan to arrest Thaw on the ground that he smuggled his way into Canada if he gets his freedom on a habeas corpus writ. The village of St. Hermenegitde, where Thaw and his companions came into Canada from the United States, is not a port of entry.

"Educated Roger" Thompson, Thaw's traveling companion, who has been held in $500 bail on the ground

Continued on Page 2, Column 4.

DAUGHTER OF JUROR WAITING TO SEE 'PAPA'

Margaret Louise Wisbey, whose father Is on the Frank Trial Jury.

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Boston's 'Fore and Aft' Skirt Winks Oh!-Coquettishly

BOSTON, Aug. 21.—The "fore and aft" skirt created a sensation in Cambridge streets to-day, when a young woman wearing one was seen promenading Harvard Square.

The skirt had a very slight slash, which allowed an emerald petticoat and silken hose to wink coquettishly as she walked.

By leaving one side buttoned all the time the garment may be wrapped about the waist as one piece of cloth. All that remains to do is to button up the one side.

Result: The coiffure is not disarranged and the young man does not have to miss the first act waiting for "Snooky Ookums" to dress.

HOBBLE SKIRT CAUSES INJURY.

LENOX, MASS., Aug. 21.—Miss Dorothy Sherman, of Brooklyn, tripped in a narrow gown to-day and her collarbone was fractured by the fall.

PRISONER STOICALLY CALM AS STATE ASKS FOR DEATH PENALTY

A vigorous plea to the jury for the conviction of Leo M. Frank, accused of the murder of Mary Phagan, was begun Friday morning by Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, and marked the opening of the final chapter in the State's greatest criminal trial.

Methodically and clearly Attorney Hooper took up the case that had been made out against the prisoner and proceeded to forge the links into a chain which he said proved guilt.

Frank never flinched under the attack. He looked unblinkingly at Hooper as the State's attorney asked for his life. He was as cool as ever—once again the stoic prisoner.

Before Thursday's session began Frank had expressed himself as entirely confident of the outcome.

"I am certain that I will be acquitted and set right before the world," he said. "It has been a terrible ordeal, but I await the outcome with the utmost confidence."

"May it please your honor and gentlemen of the jury," began Mr. Hooper, "the object of this trial, as of all other cases, is the ascertaining of truth and the attainment of justice. I want to distinctly impress upon you the correctness of our position. We want it distinctly understood that we are not seeking a verdict of guilty unless this man is guilty.

"We want it distinctly understood that the burden of proving him guilty is on our shoulders. We recognize that this has got to be done beyond a reasonable doubt, and from the evidence. We cheerfully assume this burden.

"There is not one connected with the prosecution who would see a hair of the head of this man injured wrongfully.

"We want him to have the rights and protection of the law just as any other citizen. He is entitled to the protection of the law just as any other citizen.

"But another thing—He is not entitled to any more. He is not, on account of his high position and wealthy connections, entitled to any more than any other defendant. The strong arm of the law is strong enough to reach to the highest places and do justice there.

"It is strong enough to reach down into the gutter and regulate the lives of the lowliest. I am not going to undertake to go over all the facts in this case.

Believes Firmly In Frank's Guilt.

"I congratulate you, gentlemen of the jury. I have felt sympathy for you, because you not only have worked hard, but you have been deprived of your liberty and the enjoyment of your homes. In one sense of the word, you have been in jail.

"There has never been a criminal case in Georgia that has been so long. There has been no trial so important or the result of which will be so far-reaching, and that only makes the responsibility on you the greater.

"There is one other thing that I want to say to you before I go into the facts of the case. This man ought not to be convicted simply because someone has to be, but because of the law that demands an eye for an eye and a life for a life. We think the evidence shows him to be guilty beyond any reasonable doubt.

"In taking up this evidence I am considering you deeply, I am considering the strain you have been under. I am thinking deeply; in fact, I am trying to make myself as one of you twelve men, and in attempting to bring this to a conclusion I am striving to get at the truth.

"Let's see what the situation was on Memorial Day, Saturday April 26. Here is this great big pencil factory, which was being run by a number of men with this defendant in charge. Let us consider the conditions that existed there, and, gentlemen, I must say that I am not proud of these conditions.

"But to get to the real facts of this case; to come to a full realization of just how things occurred, we must understand the conditions that existed here absolutely before we can proceed with this case. The character of this place was one to make us think deeply. The evidence which has been laid before you here has been of the kind to make one doubly serious. Take the defendant. Between 25 and 40 girls have come before you and said that his character was good.

Witnesses Incensed By Factory Conditions.

"They spoke in the highest terms of him. That must be considered. But on this charge this is negative evidence. But also consider that we have brought before you girl after girl who told of his character being bad; who told of the immoral conditions that existed in this great pencil factory, and, gentlemen of the jury, most of these girls had quit working at that factory from two years to three weeks before the time of this trial.

"Every one of them said his character was bad. Did you notice the emphasis with which they said it was bad? And did you notice that they would have told more if they could have been allowed to? Did you notice how highly incensed they felt toward the immoral conditions which existed at this factory?

Weary Lawyers Welcome Close.

Four weary and exhausted lawyers welcomed the close of the State's and defense's cases in the trial of Leo Frank Wednesday afternoon. The strain had told markedly on all of them. The one who showed the lightest effects of the long grill was Frank A. Hooper, associated with Solicitor Dorsey in the prosecution.

The reason of this was that he Solicitor had borne by far the heaviest burden in the preparation of the case and in the examination and cross-examination. His associate was able to take his work more easily and assumed a part in the active work only at intervals.

The nerves of the others were unmistakably on edge and they were glad to hurry along the testimony toward the end of the trial so as to get ready for the final bitter struggle Thursday in the arguments for and against Frank. The end came at 5:14 Wednesday night when the defense, after conducting a brief sur-rebuttal, announced "closed."

Judge Roan said the arguments would begin on Thursday morning at 9 o'clock. He had no disposition to limit the time of the arguments, he said, as so much evidence had been introduced that he did not think the attorneys should be bound. It was regarded as likely that Frank Hooper

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Thursday and Friday.

ATTORNEYS EXPECT TO SEND FRANK CASE TO JURY FRIDAY NIGHT

Continued from Page 1.

would open for the State and Attorney Rosser would follow him with a comparatively brief argument—possibly one of an hour and a half or two hours.

Attorney Arnold was expected to close for the defense with an address fully three hours long. It was known that Solicitor Dorsey would reserve the right to close for the State.

Dorsey Still Hammers Character.

Solicitor Dorsey devoted Wednesday mostly to an attack on the character of Frank and to the substantiation of the statements made on the stand by his star medical witness, Dr. H. F. Harris, secretary of the State Board of Health.

He called one girl after another who had worked in the pencil factory to testify that Frank's general character was bad, and that his moral character was bad. The defense declined to cross-question the girls and as a result it was impossible for the State to point out any specific acts of immorality on the part of Frank.

The exclusion of everything but the general estimate of Frank's character, unless the defense itself desired to go into the particulars, was the result of a ruling by Judge Roan at the outset of the day's proceedings.

Because of this decision, the Solicitor was unable to obtain the testimony of one young woman who was prepared to say that Frank had made improper advances toward her and the testimony of another who, the Solicitor said, had seen the defendant with a woman one time in the factory.

Later in the day Miss Nellie Pettis, who gave damaging testimony in respect to Frank's character at the Coroner's inquest, was called, but she was not allowed to repeat what she had said at the inquest, but only to give her opinion that his character was "bad."

The ruling out of the specific acts of alleged immorality and improper conduct constituted a great victory for the defense, as it leaves with the jury the declarations of the girls that Frank's character was bad without any particular instances to back up the opinions.

Experts Uphold Harris Testimony.

Three well-known physicians and medical instructors were called in the forenoon and testified that the statement of Dr. Harris that Mary Phagan came to her death within half or three-quarters of an hour after she had eaten April 26 was not a wild and reckless guess. All of them thought that the time could be estimated with a fair degree of accuracy, but they were inclined to place the time intervening between the Phagan girl's meal and her death at nearer an

Those who testified on this point were Dr. Clarence Johnson, stomach and intestinal specialist; Dr. George N. Niles, an instructor at the Atlanta Medical College, and Dr. John Funke, professor of pathology and bacteriology. Dr. Funke agreed with Dr. Harris that the Phagan girl had been the victim of criminal violence, but thought there was less certainty about the time the cabbage had been in her stomach before she met her death.

Miss Ruth Robinson and Miss Dewey Hewell testified that they had seen Frank speak to Mary Phagan on several occasions and had heard him call her by her first name. Frank, in a brief statement before the State closed, denied that he ever had called the girl by any name. He also denied the story of Will Turner, told the day before. Turner said that he saw Frank trying to engage Mary in conversation against her will.

Miss Myrtice Cato and Miss Maggie Griffin created a sensation by their testimony that they had seen Frank enter the dressing room on the fourth floor with Miss Rebecca Carson on several occasions. This testimony was fought bitterly by the defense on the ground that it violated his ruling against specific acts charged to the defendant. Frank's lawyers were overruled on this point.

Miss Carson was called and denied indignantly that such an occurrence ever had taken place. Frank in his closing speech to the jury came to the defense of Miss Carson and declared that the testimony was most unfair to the young woman, as she was of unblemished reputation so far as he knew.

Car Schedules Sometimes Varied.

Several street car men were called to testify that it was not unusual for the car on which Mary Phagan came to town to arrive ahead of schedule. Motorman Matthews and Conductor Hollis had testified that they never arrived ahead of time.

An effort was made in the surrebuttal of the defense to discredit the stories of the two men, M. E. McCoy and George Kendley, who had sworn they saw Mary Phagan at noon or within two or three minutes after on the day she was killed. A pawnbroker was called and showed in his books that McCoy had had his watch in pawn there from some time before the crime until August 16.

McCoy had said that he looked at his watch just before he saw the Phagan girl. Other witnesses testified that Kendley was notorious for his vilification of Frank and that he had declared he would be one of a mob of men to lynch him if he were freed by the jury.

Suffrage Speaker Hit by Water 'Bomb'

NEW YORK, Aug. 21.—Miss Marthat Klatschken, suffragette and a veteran of the hikes to Albany and Washington, was struck by a bomb yesterday while making a speech from a soap box.

The outer casing of the bomb was a paper bag. The interior was filled with water. Miss Klatschken was so badly drenched that she quit speaking and went home to change her dress.

Girl Model Causes New 'Balkan' Clash

PARIS, Aug. 21.—A beautiful girl model was the cause of the latest Balkan war. Bulgarian and Roumanian art students got into a dispute over which faction the girl most favored.

After ten of the combatants had been carved up, the police arrived.

Dies of Disease He Always Had Feared

BOSTON, Aug. 21.—Typhoid pneumonia has claimed Sergeant Arthur C. Mills, of the Charleston Cadets, who lived in fear of the disease and three times submitted to inoculation of a serum which was supposed to have made him immune.

Postmaster French, Of Memphis, Is Dead

MEMPHIS, Aug. 21.—Major J. C. French, Memphis postmaster, appointed after a bitter fight several weeks ago, died unexpectedly of apoplexy to-day. He was more than 70 years of age.

L. W. Dutro, whom Major French succeeded, was recently drowned in the Mississippi River.

OBITUARY

The funeral of Robert A. Camp, who died Wednesday afternoon at a local hospital, will be held at the chapel of Greenberg & Bond at 1:30 o'clock Thursday afternoon. He was 56 years old, and leaves a wife and five children. Interment at Westview.

Mrs. John Carter, 37 years old, died Wednesday at a sanitarium. She is survived by her husband and four children. The funeral announcement will be made later.

Henry Yarbrough, one of Atlanta's oldest citizens, died Wednesday at his home, 201 Kirkwood avenue. He was 77 years old. Surviving him are his wife, one son, A. M. Yarbrough, and three daughters, Mrs. J. M. Criswell, Mrs. S. P. Winburn and Mrs. C. D. Kay. The funeral announcement will be made later.

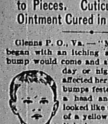
Pauline Griffin, 13 years old, died early Thursday at a sanitarium. She is survived by her parents, Mr. and Mrs. W. J. Griffin, two brothers and two sisters, all of Fish, Ga., to which place the body was sent Thursday for funeral and interment.

Mrs. P. E. Turpin, 68 years old, died Thursday morning at a sanitarium. The body will be sent to Rex, Ga., for funeral and interment.

SKIN TROUBLE BEGAN WITH ITCHING

Could Not Rest Day or Night. Sores Itched So Would Scratch Herself to Pieces. Cuticura Soap and Ointment Cured in Two Weeks.

Glenns P. O., Va.—"My baby's trouble began with an itching and then a little bump would come and she could not rest day or night. The trouble affected her whole body. The bumps festered and came to a head and the corruption looked like thick matter, kind of a yellow color. The sores itched so badly until it seemed to me she would scratch herself to pieces and then a sore would form and her clothes would stick to her body and pull off the little scab. In some places she would scratch and irritate the sores until they seemed to be large. She was affected about a year.



"First I employed a medicine which did very little good; next I used ——— and ——— that did harm. So I wrote for a sample of Cuticura Soap and Ointment. I bathed her body in warm water and Cuticura Soap and then I applied the Cuticura Ointment and they afforded relief after twice using. I bought some more Cuticura Soap and Ointment and inside of two weeks she was cured." (Signed) Mrs. J. R. Greggs, Nov. 21, 1912.

For more than a generation Cuticura Soap and Ointment have afforded the most economical treatment for affections of the skin and scalp that torture, itch, burn, scale, and destroy sleep. Sold everywhere. Sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

☞Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

VICTIMS IN GODBEE TRAGEDY AT MILLEN

Judge Walter S. Godbee and his bride, slain by his divorced wife.

ALL-SOUTH ROAD PROJECT GAINS FAVOR FAST

Good roads and highway boosters of Atlanta and Georgia are watching with interest the progress of Pathfinder Ferguson, who is blazing a trail from Atlanta to San Francisco for Hearst's Sunday American and other papers.

The Ferguson party is speeding through east Alabama toward Birmingham. Arriving there about noon Thursday the party will be escorted into the city by a big delegation of good roads boosters, city officials and leading citizens, headed by a brass band. Soon after the arrival a monster meeting and reception will be held in honor of the trail-blazers.

The tourists will resume the journey to Montgomery Friday morning and are scheduled to arrive in the Alabama capital Saturday. From Montgomery the party will proceed to Mobile, thence to New Orleans, Dallas, Houston, San Diego, Los Angeles and San Francisco.

Enthusiasm Augurs Success.

If the enthusiasm manifested in the big campaign all along the route from Atlanta to Birmingham is an indication of that which is to follow from Mobile and New Orleans on to San Francisco, the ultimate success of the project is assured.

Seldom in either Georgia or Alabama have people been known to take such interest in a campaign of this sort. Leaving Atlanta Monday morning, the Ferguson party arrived at Austell, where a big delegation of Douglasville good roads boosters met the tourists to escort them to Douglasville. Here Mayor Upshaw and Editor Drake acted as hosts at a reception at the Douglasville Hotel. Not to be outdone by their neighbors, the Tallapoosa boosters took the tourists in hand Tuesday morning and escorted them across the State line to Heflin, Ala., where another reception was held, with Booster R. A. Perryman as the host.

Contest Over Routes Develops.

From Heflin the tourists proceeded direct to Anniston, where a new sort of evidence of the immense interest in the campaign was found in the form of a contest between rival delegations from Ashville and Riverside, who want the highway between Anniston and Birmingham.

Mr. Ferguson settled the controversy for the present by deciding to go by way of Ashville on this trip and via Riverside and Pell City on the second trip to San Francisco. Although the Riverside enthusiasts were keenly disappointed, they took their medicine manfully and went back home Tuesday afternoon to begin work on the road in prepartion for Mr. Ferguson's trip several months hence. The official route through this section of the country will not be selected until both routes have been checked over carefully.

Following arrival at Anniston Pathfinder Ferguson declared the roads between Atlanta and the Alabama city were in ogod shape in most places and highly capable of affording a first-class trans-continental route. If the citizens of Georgia and East Alabama do as much for the roads in the next two years as they have done in the last two, Mr. Ferguson declared, the highway through this section will be ideal.

Complete Records Kept.

The records Mr. Ferguson is making show the road between Austell and Douglaslasville to be one of the finest stretches in East Georgia. The road bed is built of fine granite soil which is damaged very little by traffic.

From Douglasville to Tallapoosa the road is not quite so good but is in such shape that a small expenditure would put it in excellent condition. The entire route from Austell to Tallapoosa is over the old Tallapoosa highway, which in former times was the Tallapoosa Indian trail. The present road was constructed about 25 years ago.

The Ferguson party traveled over a new route from Tallapoosa to Heflin, Ala. A part of the road is in fairly good shape, but other sections are rough.

These bad conditions will soon be a thing of the past, however, through the mutual co-operation of the Alabama farmers who are giving a part of their time to working the roads in Cleburne County. Between Heflin and Anniston the road is bad in spots.

THAW CONFIDENT AS HE BATTLES FOR RELEASE

Continued from Page 1.

that he aided an undesirable alien to enter Canada, has retained W. L. Shurtleff, one of Thaw's lawyers. It was Thompson who drove the automobile in which Thaw fled Matteawan.

Refuses to Discuss Divorce.

Representatives of New York State, the United States Government and the Immigration Department of the Canadian Government are co-operating to cover all loopholes through which Thaw might get his ultimate liberty. If he is freed on the contention that he is a tourist, detectives will trail him into Detroit, where he probably will be arrested on the conspiracy warrant which Sheriff Hornbeck, of Dutchess County, is carrying around in his pocket.

Thaw sent a reassuring message to his mother in Cresson, Pa., telling her not to worry.

It is said that Thaw has held no communication with his wife, Evelyn Nesbit Thaw, since his arrest. Also Hhaw has received no word from his wife, who is dancing at a New York theater. Asked if he would secure a divorce if legally declared sane, he replied:

"I can not discuss that now. I will say, though, that I am sorry Evelyn went back to her old life. Evelyn's return to the stage was the hardest blow I've felt. I feel that I have lost my all by it. Broadway and all its life implies is gone from me forever."

CLAYTON TO LIFT BAR TO CREEK DREDGING

Will Make Official Request to County Board So Peachtree Work May Be Taken Up.

Denial that Captain Robert M. Clayton, City Chief of Construction, had made official request that the County Board of Commissioners rush the cleaning out of Peachtree Creek so as to have the work completed before the opening of the new sewage disposal plant has been made by Commisisoner Thomas Winn.

"The members of the board have read in the newspapers interviews from Captain Clayton in which he urged the work," said Commissioner Winn, "but we have never been communicated with officially. It seems to me that the proper way to go about the work would be for the city to officially inform the board of the work that is necessary.

"I am sure the Commissioners would give the matter immediate consideration and that it will be the very best that possibly can be done to give the new plant a fair trial, without the handicap that naturally would result from a congested outflow. The board can do nothing until the matter is properly presented."

Captain Clayton in a statement said the matter of cleaning Peachtree Creek so as to give a free outflow for the sewage disposal plant never had been presented to the board officially, but declared he did not think it necessary.

"In personal conversation with every member of the board," he said, "I have urged the importance of this work, and personally went before the board emphasizing the fact that the removal of the accumulated driftwood from the bed of Peachtree Creek is necessary to the successful operation of the new sewage plant.

"However, in order to remove all doubt and get the work started as soon as possible, I will at once make a written statement to the board of the necessity of the work, and invite its co-operation. I also will take the matter up with the Bond Commission."

Chairman Quillian, of the City Bond Commission, said he will call a meeting of the commission at once and take formal action on the matter. The Public Improvements Committee of the Board of Commissioners meets Saturday morning, and it is probable the official requests of Captain Clayton and the Bond Commission will be laid before the board then.

Slaton 'Stretches' as He Signs Last Bill

Governor Slaton completed the task of signing the bills passed by the Legislature at 6 o'clock Wednesday afternoon. As the last one was signed the Chief Executive leaned back in his chair, stretched his arms and gave thanks.

Only one bill met with the disapproval of the Governor, and this was because the fact was revealed that it had been read but twice in the Senate. This was the bill granting 5,000 acres of land in Chatham County to the Chatham Academy. The bill came too late to receive a thorough investigation by the Governor. Two former Attorney Generals have rendered opinions declaring the grant could not be legally made.

The largest bill to be signed was Atlanta's new city charter. It weighs more than 20 pounds.

TO-DAY'S MARKET OPENING

NEW YORK STOCK MARKET.

Stock quotations to 10 a. m.:

STOCK—	High.	Low.	10 A.M.	Prev Close
Amal. Copper.	73	72¾	73	73⅝
American Can	33½	33⅜	33⅜	33⅝
American Ice.	22	22	22	22
Am. Smelting.	67⅛	67⅛	67⅛	67⅝
Interboro, prf.	61½	61½	61½	61⅝
North. Pacific	111⅞	111¾	111¾	111⅞
Reading	160⅞	160⅞	160⅞	161¼
So. Pacific....	91	90⅝	90¾	91
St. Paul......	106½	106½	106½	106¾
Union Pacific.	153	152⅞	153	153⅜
U. S. Steel...	63⅝	63½	63½	63¾
Utah Copper..	51⅛	51⅛	51¼	51⅞
West. Electric	71½	71½	71½	71½

NEW ORLEANS COTTON.

	Open	High	Low	First Call.	Prev. Close
Aug.	11.98	11.98	11.96	11.96	11.91-93
Sept.	.....	.....	.....	.....	11.62-64
Oct.	11.59	11.59	11.59	11.59	11.56-57
Nov	.....	.....	.....	.....	11.53-55
Dec.	11.60	11.61	11.60	11.61	11.57-58
Jan.	11.62	11.63	11.62	11.63	11.59-60
Feb.	.....	.....	.....	.....	11.57-59
Mch.	11.72	11.72	11.72	11.72	11.67-68
May	11.82	11.82	11.82	11.82	11.77-78

NEW YORK COTTON.

	Open	High	Low	First Call.	Prev. Close
Aug.	11.80	11.80	11.77	11.77	11.81-85
Sept.	11.62	11.63	11.62	11.63	11.64-67
Oct.	11.56	11.60	11.53	11.60	11.56-57
Nov.	11.48	11.48	11.48	11.48	11.48-51
Dec.	11.50	11.56	11.50	11.56	11.51-53
Jan	11.43	11.48	11.43	11.47	11.43-44
Feb.	11.45	11.45	11.45	11.45	11.45-47
Mch.	11.52	11.56	11.52	11.56	11.50-51
May	11.57	11.57	11.55	11.55	11.54-55

LIVERPOOL COTTON MARKET.

Futures opened firm.

	Opening Range.	2 P. M.	Prev. Close
Aug.	6.41½-6.40½	6.37	6.31
Aug.-Sept	6.34 -6.36	6.31	6.29
Sept.-Oct.	6.26 -6.27½	6.23	6.24
Oct.-Nov.	6.22 -622½	6.19½	6.18½
Nov.-Dec.	6.17½-6.17	6.15	6.11½
Dec.-Jan.	6.17 -617½	6.16	6.11½
Jan.-Feb	6.17 -6.18	6.15½	6.12
Feb.-Mch.	6.19 -6.19½	6.16	6.13½
Mch.-Apr.	6.20 -6.19½	6.18½	6.14½
April-May.	6.20½	.....	6.15½
May-June	6.21½-6.23½	6.20	6.18½
June-July	6.21½-6.23	.....	6.18½

Salesman Found Dead in His Room

George E. McTeer, a widely known salesman, 29 years old, was found dead in his room in the Hight apartments, 167 Whitehall street, about 6 o'clock Wednesday afternoon.

He had left the store earlier than usual, saying he did not feel well. About 5:30 o'clock he asked a negro servant girl to get him a milkshake. When the girl returned he was apparently asleep, but when Frank Crapp, in whose apartment McTeer was staying, entered the room he was found to be dead.

The body was removed to Bloomfield's chapel, where an inquest was held Thursday morning. McTeer came here from Greenville, S. C., and is survived by his mother and two sisters of that place. His mother was expected in Atlanta Thursday.

Advertises in London For Daring Hunters

Special Cable to The Atlanta Georgian.

LONDON, Aug. 12.—The following peculiar advertisement appeared in the Times:

"A hunting expedition traveling along the Mexican, Central and South American coasts has a vacancy for two young gentlemen possessed of a spirit of adventure. Highest references are required. Possibility of big fortune and certainty of thrilling adventures. Must invest £500 each. Apply Dr. Battle, Santa Barbara, Cal."

Woman's Attemtp to Swim Channel Fails

Special Cable to The Atlanta Georgian.

DOVER, ENG., Aug. 21.—An unsuccessful attempt to swim the English Channel was made to-day by Miss Lilly Smith, champion woman swimmer of England. She started from South Foreland, but gave out after making five miles and had to be taken on board a boat which was following her. There was a strong wind.

South Foreland is a rocky promontory in Kentshire.

Princeton Students Farming 200 Acres

PRINCETON, N. J., Aug. 21.—Within 100 yards of the Princeton University campus a farm of 200 acres is being cultivated by six undergraduates of that institution.

In a few weeks the crops from this acreage will be dispensed to the students of Princeton and the summer work of the six college farmers will close.

PREDICTS FLIGHT TO VENUS WITH RADIUM'S AID

Noted Parisian Talks of Interplanetary Congresses to Be Held in Few Centuries.

Special Cable to The Atlanta Georgian.

PARIS, Aug. 21.—Ernest Archdeacon, the most prominent patron of aviation in France, declares something will soon be discovered infinitely better than aeroplanes, which are not likely ever to exceed 125 miles per hour.

Archdeacon states that with 27 kilogrammes of radium a projectile weighing a ton could be shot to the moon in 49 hours, provided all the radium's energy could be released within that time.

With 400 kilogrammes of radium aboard, a visit could be made to Venus and back to earth again. He is convinced the inhabitants of all the planets will make each others' acquaintance within a few centuries and that interplanetary congresses will be held.

LONDON, Aug. 21.—Robert Donald, editor of The London Daily Chronicle, in his opening address as president of the Institute of Journalists at York, prophesied that aeroplanes and airships will eventually deliver newspapers, which will appear almost hourly.

News will be collected by wireless telephones and reporters will carry portable phones.

At the offices wireless messages will be delivered to the editors printed in column form.

At amusement places all the day's news will be given by cinematograph and gramaphone, while for those too lazy to read the news will be delivered like gas and water, and householders will listen to announcements while resting in their gardens or else have a daily newspaper printed in column form turned out by a printing machine in the house.

Dog and Calf Brought Feud to Fatal Climax

LEESBURG, Aug. 21.—In a duel by moonlight Claude McDonald was shot and killed instantly by his halfbrother, Hinton McDonald, in the western part of Lee County, as the result of ill-feeling that had existed for some time.

It is said that when Claude McDonald's dog chased Hinton McDonald's calf the feud reached a climax and the pistol duel resulted. Both were men with families.

Suffrage Head Back To Lead Campaign

NEW YORK, Aug. 21.—Mrs. Carrie Chapman Catt, president of the International Woman Suffrage Association, has arrived from Europe and was greeted by a bevy of suffragists. She will begin the fall campaign for suffrage in New York.

The fact that the bill for the woman suffrage referendum has been indorsed by all three political parties and has once passed the Legislature, is regarded as assurance that the measure will pass when it comes up again in 1915, but the leaders propose to take no chances on a reversal.

Negress Ends Life After Shooting White

HAZLEHURST, Aug. 21.—John F. Hall, a prominent farmer and turpentine operator of Jeff Davis County, was shot and slightly wounded by Phoebe Carr, a negress, at his home five miles north of this place. Later she was found dead in the house.

The Coroner's verdict was suicide. After shooting Hall the negress took poison.

$3.50 Recipe Free, For Weak Men

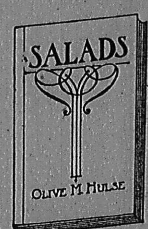
Send Name and Address To-day—You Can Have It Free and Be Strong and Vigorous.

We have in our possession a prescription for nervous debility, lack of vigor, weakened manhood, failing memory and lame back, brought on by excesses, unnatural drains, or the follies of youth, that has cured so many worn and nervous men right in their own homes—without any additional help or medicine—that we think every man who wishes to regain his manly power and virility, quickly and quietly, should have a copy. So we have determined to send a copy of the prescription free of charge, in a plain, ordinary sealed envelope, to any man who will write us for it.

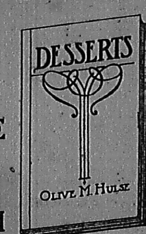
This prescription comes from a physician who has made a special study of men, and we are convinced it is the surest-acting combination for the cure of deficient manhood and vigor failure ever put together.

We think we owe it to our fellowmen to send them a copy in confidence, so that any man anywhere who is weak and discouraged with repeated failures may stop drugging himself with harmful patent medicines, secure what we believe is the quickest acting restorative, upbuilding SPOT-TOUCHING remedy ever devised, and so cure himself at home quietly and quickly. Just drop us a line like this: Interstate Remedy Co., 4276 Luck Building, Detroit, Mich., and we will send you a copy of this splendid recipe in a plain, ordinary envelope free of charge. A great many doctors would charge $3.00 to $5.00 for merely writing out a prescription like this—but we send it entirely free.

EVERY WOMAN



NEEDS THESE UNIQUE BOOKS $1 EACH



The first edition of "Salads" is sold out; but the second edition is just off the press. The first edition of "Desserts" is going fast. Send in orders at once. There are no books like these.

"SALADS"

This is not a "cookbook" in the ordinary sense. It is **unique**—the work of the foremost authority on salad-making, Olive M. Hulse.

"Salads" contains more than 200 original recipes—each a masterpiece in the art of making salads; 30 recipes for salad dressings, and a remarkable introductory chapter on "Salad Lore."

There are 95 pages and the printing and binding are most attractive. **$1 Postpaid.**

"DESSERTS"

This volume contains 155 pages. In it are more than 200 matchless recipes for the making of the most delicious **desserts**—French Pastries, Pies, Cakes, Puddings, Ices and Fruit Desserts. The introductory chapter on "Dessert Lore" reads more like a fairy story than the actual history of desserts.

In the preparation of "Desserts" Mrs. Hulse has had the co-operation of some of the most famous chefs in America. The result is the most fascinating and useful book of its kind ever published. **$1 Postpaid.**

Don't Delay—Send Now

Mrs. Hulse's "Salads" and "Desserts" are unique not only because of their invaluable recipes, but in the manner in which the author presents her subject. Her recipes enable the woman in the most moderate circumstances to match the skill of the French chef. Send to-day for "Salads" and "Desserts"—they are $1 each, prepaid. The editions are limited, but a prompt reply will insure delivery.

Western Merchandise & Supply Company

326 West Madison Street : : : : : : : : : : : : : Chicago, Ill.

GEORGIA'S GREATEST MURDER TRIAL NEARS ITS FATEFUL CLOSE

By JAMES B. NEVIN.

The evidence in the Frank case all has been delivered; the last word has been spoken, both for and against the defendant, so far as the witnesses are concerned.

It only remains for the lawyers to argue the matter to the jury—and then, after the court has given the jury the law in charge, there will remain only the verdict to record.

The most complex, difficult, elusive and mysterious murder case in the entire criminal history of Georgia is nearing its end.

It is doubtful whether any of us ever shall see the like of the Frank trial again.

Lawyers give it as their opinion that it has been, in a dozen or more ways, the most extraordinary proceeding ever coming under their observation—and certainly the newspapers of the State never have been called upon to handle a story so amazingly strange in its varied and sometimes astonishing ramifications.

The Phagan case—for as such it will go down in history, rather than as the Frank case—has combined within itself all that goes to make for intense and insistent heart interest.

It has revolved about a sweet little working girl, tragically, and cruelly, and brutally killed—murdered in the first flush of young and promising womanhood, who probably never knew, and if knowing, still not comprehending, why that awful fate should have come upon her so suddenly and so unavoidably!

It has involved the honor and the home happiness of a young business man, therefore of unblemished integrity and standing in one of the most cultured cities in the world; it has stormed about two households, equally unoffending within themselves; it has concerned itself with the love of two mothers, and it has made to bleed the heart of a wife, and has brought sorrow unspeakable to the minds of hundreds of loving friends, both of the accused man and the dead girl.

Sleeping Prejudice Aroused.

It has, with sordid emphasis, suppressed but unmistakable, trade manifest deep-seated prejudices and opinions—gathering as it swept along many things foreign to the real point in issue, until the one big stake the cards must settle presently has, at times, been completely lost sight of, and even now is not easy to locate with certainty.

The Phagan case has run the entire scale of human emotions—there is little by way of sinister or grim appeal that has not been, somehow and sometime, injected into it!

But, after all is said and done, perhaps the matter has been thrashed out thus far in the light of the best intelligence that might have been applied to it.

At times, fate has seemed all too unkind to the defendant; at times the State has seemed unduly estopped from proceeding as it thought it had a right to proceed.

Undoubtedly things have been said and done by both sides to the Frank trial that, as strict matters of law and justice, never should have been said or done.

Frank has had to answer not to the charge of murder alone—as the indictment contemplated he should—but to two charges.

The one means an ignoble death if sustained; the other means a worse than ignoble life thereafter in the penitentiary.

In a measure, too, the charge of murder has been swallowed up and obscured by the other monstrous thing—and yet one can hardly see wherein the defense may complain of that, in that the second charge got into the record with the consent of the defense, if not almost by its invitation.

Scales Held With Even Hand.

Judge Roan—and in this, at least, —I think the public is agreed, has tried his level best to hold the balances even. If there be error in his rulings, they have been errors of the head and not of the heart, I take it. And, error or no, he has maintained an impartial average of judicial fervor, so to speak, and he will come through unsullied and uncriticised.

What effect upon the jury the evidence will have is highly speculative and problematical.

If the jury were not composed of human beings and could confine itself to those things alone it has been legally held to, the pathway to acquittal of Frank might seem brighter.

But the trial has been so long drawn out, so full of perplexing detail, so worrying and reeling to simple analysis, so mixed as to issues, and so disconcerting in sequence of testimony, that one is at a loss to imagine just what the jury MUST think of it all now.

In its strict legal aspect, the case against Leo Frank, while wonderfully well held together and set forth by the Solicitor General, still is not such a case as would prompt one to predict sure conviction.

Neither, however, has the defense been of a nature warranting a prediction of sure acquittal.

If the technically legal case could be differentiated in the mind of the jury from the psychological case—if the pleadings could be confined strictly to the primary issue, murder, and not in any manner confused with the other unmentionable issue brought into the case—the probable finding of the jury would be easier to anticipate and forecast.

If Frank HAD not have been tried for murder, pure and simple, NOW, and LATER tried for the other thing, the problem of the jury might, and doubtless would, be simplified immensely.

But to expect the jury to separate in its mind entirely the two things Frank is answering for is almost to expect of it the impossible—the superhuman!

Jury but a Part of the Public.

It has been seemingly impossible, for the public to do that—and, after all is said and done, the jury is but a portion of the public, made more careful in forming its opinions, to be sure, by the solemn oath it has taken, but merely a portion of the great public nevertheless!

The big card played against Frank was the negro sweeper, Conley.

Upon his astonishing story turns the State's entire case, from every point of view.

Conley it was who first pointed the direct finger of accusation toward Frank and fixed upon him the awful charge of murder, and Conley it was who first spoke the word of unspeakable scandal that has made Frank's road to acquittal a thousand times harder to journey.

Pitted against Conley is Frank, almost and pathetically alone!

He made a remarkable statement—it carried with it every indication, so far as the surface of things seemed to show, of truth and straightforwardness.

If it was a sustained misstatement of fact, told to save himself, it was the most wonderful piece of work I ever witnessed.

In his own behalf Frank was far and away the very best witness the defense put forward.

If it shall so fall out that he be acquitted, that statement must and will be credited with a tremendous share of the responsibility thereof.

It has behind it, too, some things that the Conley statement has not—among other things, a long record of respectability, integrity and business standing, vouched for by an abundance of very high-class evidence as to Frank's character.

And yet—it was not delivered on oath, and it certainly carried a load of self-interest.

Undoubtedly much has crept into the case, or been dragged in, that is irrelevant, but—well, it is, and that is the end of it!

If Frank is convicted there will be grounds innumerable for asking a new trial; and if that is refused, there will be an abundant assignment of error whereby a reversal possibly may be had later and a new trial ordered.

All Staked on Acquittal,

Frank, however, has staked his all and everything on acquittal—to be denied that is to be denied the hope of all hopes that sustain him to-day!

And so, after the evidence all is in, and the public at last is face to face with the forthcoming verdict—after four months of nerve-racking suspense, swung this way and that, and never knowing exactly what to think —there is but one thing human beings of normal minds and poise can do to-day.

They must await the verdict with minds prepared to accept it as the truth—the very best human ingenuity and the forces of the law can establish by way of justice and right.

Either an acquittal or a conviction —the one final, and the other a matter to be reviewed—would be the finish of this trial most satisfactory to the public.

All that any man SHOULD desire—all indeed, that any honest man CAN desire—is that the truth be recorded in the Frank case, in the light of reason, common sense and justice, as man is given the light to see!

Both the defendant and the State have much at stake—the one has his life and his liberty, the other has the majesty of the law, which is the protection of the lives and liberties of all.

It is easy to find fault, to say that a mistake was made here and there; that sins of commission and sins of omission marked the progress of the trial from both sides.

But that and none of that, gets us away from the fact that the trial has been as fair and secure as might have been expected—and whatever the verdict, no man will have the right to say that undue favor has been shown.

The verdict of the jury—"twelve good men and true"—that the public should be prepared to accept, loyally and sincerely, as the TRUTH of the Phagan murder, in so far as Leo Frank is concerned therein.

FORMER EMPLOYEES WHO ATTACK FRANK

MISS MYRTICE CATO.

MISS MARIE KARST.

Rancher Buried Alive By Mexican Rebels

SAN FRANCISCO, CAL., Aug. 21—Among the recent arrivals from Mexico is Sydney M. Sutherland, from Mexico City. He said:

"Deeds are daily committed in Mexico which it would be difficult to credit in this country. The so-called revolutionists, who are nothing but outlaws, have done things to their own countrymen and to foreigners which Americans can scarcely believe possible in this age."

He told of seeing an aged ranch owner buried alive by Zapatists.

U. S. EXPORTS TO CANADA GAIN 200 MILLION

Remarkable Increase in Trade Is Cited as Proof of Need For Reciprocity.

WASHINGTON, Aug. 21.—The need of reciprocity with Canada was strikingly shown in a report issued today by the Bureau of Foreign and Domestic Commerce.

This report sets forth that despite the high tariff wall between the United States and the Dominion that territory during the fiscal year just ended was the world's largest purchaser in the market of the United States.

The total value of United States exports 1913 was $413,000,000 against $216,000,000 in 1910.

"Manufactures," says the report, "form about two-thirds of the American merchandise exported to Canada and were the chief factor in the remarkable gain by which trade has practically doubled in three years."

Under the broad reciprocal agreement urged by Mr. W. R. Hearst three years ago, tariffs on the mutual exchange of the commodities of the United States and Canada would have been lessened to such an extent that the Dominion imports would have far exceeded the 1913 fiscal year figure.

A Clinching Argument.

Steps were taken to-night to bring this report to the attention of Congress as the most convincing argument yet advanced for the enactment into law of an agreement between the United States and Canada.

It was pointed out that inasmuch as the Hearst reciprocity agreement adopted in an amended measure by the Taft Administration, called only for decreased duties on commodities mutually exchanged, the manufactured exports of the United States would have remained practically the same, while Canada's purchases from the American farmer would have greatly increased.

Through the drastic reductions in the present tariff bill, Canada will virtually get all the advantages proposed in the reciprocal agreement, without making return to the United States.

She will be able to purchase more cheaply than ever in the United States, while the American consumer will still have to pay Canadian duties on goods imported from the Dominion.

The report in part follows:

"Passenger and freight cars imported from the United States increased in value from $500,000 to $5,333,000 in the past three years, and the export of automobiles to the Dominion nearly trebled, increasing from $2,333,000 to $9,266,000.

Gains by Millions.

"Other gains were copper pigs, bars, etc., from less than $1,000,000 to more than $6,000,000; steel rails, from less than $1,000,000 to nearly $4,000,000; cotton cloth, from $710,000 to $2,500,000; locomotives, from $250,000 to more than $1,000,000; timber, from $5,000,000 to $13,333,000; structural iron and steel, from less than $3,000,000 to more than $7,000,000; metal working machinery, from $333,000 to $2,833,000; agricultural implements, from $2,333,000 to practically $7,000,000.

"The gain in raw materials and foodstuffs was less pronounced.

"The actual gain in exports from the United States to Canada in the fiscal year, 1913, was $86,000,000; that in exports to the United Kingdom, $33,000,000; Germany, $35,000,000; Netherlands, $22,000,000; Belgium, $15,000,000; Italy, $11,000,000; Europe as a whole, $135,000,000; to all South America, $14,000,000; to all North America, except Canada, $15,000,000.

"According to Canadian figures the United States supplied 63 per cent of the imports of Canada in 1912, against 58.4 per cent in 1910.

"The growth in the import trade with canada is less striking, the total being $121,000,000 in 1910, compared with only $121,000,000 in 1912."

Queen Mary Won't Let George Run Club

Special Cable to The Atlanta Georgian.

LONDON, Aug. 21—A committee of the exclusive Marlborough Club decided recently to have a ladies night once a week, on which members might bring ladies to dinner, with a quiet little game of cards afterward.

A resolution was submitted to King George, who has absolute authority in all such matters, as the club was founded by King Edward, and he approved it.

Last week, however, the King noticed the club that on second thought he withdrew his approval.

It is said Queen Mary caused the King to change his mind.

'Minute Men' Guard U. S. Flag to Germany

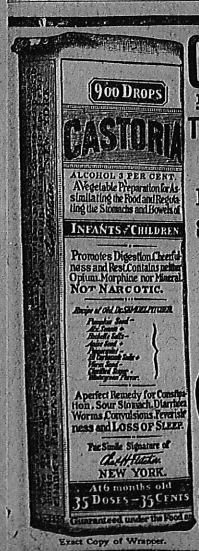
WASHINGTON, Aug. 21—Selected as a guard of honor for the American flag that will accompany the members of the German Patriotic Society of America to the fatherland, ten officers of the minute men of Washington, a semi-military organization, have departed with its flag, the gift of the Daughters of the American Revolution.

They joined the society delegates on board a specially chartered liner for the voyage to Bremen.

Hail Ruins $50,000 North Dakota Crops

MINOT, N. D., Aug. 21—Fifty to seventy-five thousand dollars' damage to crops of Renville County resulted from a terrific hailstorm, the damage extends from Tolley across the international boundary.

The path of the storm was five miles wide and more than thirty miles long.



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The Kind You Have Always Bought

Bears the Signature of Chas. H. Fletcher

In Use For Over Thirty Years

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"Watch Out"

Indigestion
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will surely "get you" if you are careless and neglect the Stomach, Liver and Bowels. Be on guard, and at the first sign of trouble always take

HOSTETTER'S STOMACH BITTERS

It tones, strengthens, invigorates the entire system. Try it now.

AMERICA'S CHAMPION HUSBAND,

NAT GOODWIN

has come to the rescue of downtrodden men who dare not speak their minds, and reveals all the joys and heartaches of matrimony in

"WHAT I THINK OF MY FIVE WIVES"

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

NEXT SUNDAY'S AMERICAN

with the countless other features which have made The American the leading newspaper of the South, as well as a positive joy to the readers of Dixie. Lady Duff Gordon, who, as Lucille of London, is equally famous, will entertain her followers with a description of

MARRIAGE MARKET GOWNS

with which far-seeing mothers enhance the charms of their debutante daughters. And coming down to the doings of fashionable Atlanta you will find that

POLLY PEACHTREE

was among those present at all the functions of the inner circle, and will tell about them in her usual sprightly style. Moreover, baseball fans, as well as those who never see a game, will find a fascinating story in

THE PLOT FOR THE PENNANT

by Hugh S. Fullerton, which begins in this issue. So, why worry about your Sunday reading when you know that in addition to these great features and a dozen others, you can have all the news of the whole universe—sports, financial, foreign, political and local—delivered at your front door for 5 cents? Better clinch the bargain at once, and order from your dealer or by phoning Main 100.

EXTRA

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VOL. XII. NO. 15. ATLANTA, GA., THURSDAY, AUGUST 21, 1913. Copyright, 1913, By The Georgian Co. 2 CENTS. PAY NO MORE.

BOTH SIDES CLOSE IN FRANK TRIAL

Prisoner On Stand Again; Case Nears Jury

The end of the trial of Leo M. Frank, except for the arguments, came at 5:14 Wednesday afternoon. The State closed its case at 4:10, and as soon as certain pieces of documentary evidence had been submitted by Solicitor Dorsey the defense began its brief sur-rebuttal.

The arguments will begin at 9 o'clock Thursday morning. Judge Roan said that he did not propose to cut the attorneys in the length of their speeches. So much evidence has been submitted that the judge did not think the attorneys should be bound.

Frank took the stand just before adjournment, and made a statement in rebutial of several of the charges of improper conduct that had been made against him in the State's rebuttal. He made positive denial that he ever had gone into the dressing room on the fourth floor with Miss Rebecca Carson, a forelady, defending her character, and asserted again that he did not know Mary Phagan by name.

"The statement of that Turner boy is false," he declared. "The testimony of two young women that they heard me call Mary Phagan by her first name is a mistake. I did not know her name, and could not have called her either 'Mary' or 'Miss Phagan.'

"I may have spoken to her. I speak to most of the employees.

"The statement that I entered the dressing room with Miss Rebecca Carson is utterly false. It is unfair to the young lady. So far as I know, she is a young woman of unblemished character."

The strong probability Wednesday night was that Frank's fate would be in the hands of the jurors late Thursday or some time during Friday's session.

The close of the State's case was marked by a severe grilling of Detective J. V. Starnes by Attorney Rosser. The lawyer tried to make it appear that Starnes had kept Minola McKnight locked up and had given her the third degree until she finally had signed the affidavit incriminating Frank in order to obtain her release.

Dorsey put in evidence statements of Miss Hattie Hall, Wade Campbell, Minola McKnight and other of the defense's witnesses who had sworn differently on the stand than they had at the Coroner's inquest or at his office.

The State finished the submission of its documentary evidence at 4:50 o'clock and the defense called for T. Y. Brent, who said he had heard Conductor Kenley, a State's witness, yillify Frank.

Harry Scott, Pinkerton detective, was recalled in an attack on Frank's own story, at the afternoon session Wednesday.

W. T. Dobbs, a member of the city fire department, directly contradicted W. M. Matthews, one of the defense's witnesses and motorman of the car on which Mary Phagan came to town April 26, in the course of his testimony.

Dobbs testified that he saw Matthews about three days after the crime and that Matthews told him that Mary Phagan had ridden with him that day, that she got off at Marietta and Forsyth streets, and that the Epps boy was with her.

Matthews testified when on the stand that the Phagan girl did not get off at Marietta and Forsyth streets, but rode on to Broad and Hunter streets, and that he did not see the Epps boy with her.

L. S. Kendrick, who was night watchman at the pencil factory before Newt Lee was engaged, testified that he had gone to the factory frequently on Saturday afternoons and on occasions had seen Jim Conley as well as other negroes hanging around on the first floor. Kendrick also said he had run a tape through the time clock since the murder, making a record upon it, and that it had required only three or four minutes to do it. The tape was placed in evidence.

Ivy Jones, a negro driver, testified to seeing Jim Conley between 1 and 2 o'clock the afternoon of the murder. He said that he walked with Conley toward Conley's home and left him at Hunter and Davis streets.

J. D. Reed, a tile layer, was called for the purpose of impeaching the testimony of W. T. Hollis, conductor on the car on which Mary Phagan came to town. Reed said Hollis had told him that Epps had got on the car with the girl and that the two had talked together as though they were sweethearts.

Progresses in Attack On Frank's Character.

Solicitor Dorsey renewed his determined attack upon the character of Leo M. Frank Wednesday, and for the first time since the opening, the Solicitor made the most of his advantage, and before the noon recess had arrived ten witnesses, most of them young girls, had sworn that Frank's general character was bad and that his moral character was the same.

The most sensational bit of testimony involved one of the foreladies. Two of the girls who formerly had worked in the factory, Miss Myrtice Cato and Miss Maggie Griffin, testified that they had seen Frank go into the dressing room on the fourth floor with Miss Rebecca Carson, who was a witness for Frank only a few days ago.

Miss Cato said she had seen the two go into the dressing room on two occasions. Miss Griffin testified it had

LIND MADE HUERTA RECALL DEFI

U. S. Envoy Went to President's Room at Midnight and Forced Retraction.

Special Cable to The Atlanta Georgian.

MEXICO CITY, Aug. 20.—The story of how President Huerta sent an "ultimatum" to the United States Embassy Monday night demanding immediate recognition of Mexico by the United States was told to-day for the first time.

President Huerta, in replying to the note from President Wilson, offering suggestions for the pacification of Mexico, rejected all President Wilson's proposals and declared that the Mexican regime must be recognized by the United States within twelve hours.

The Mexican Ministers knew the contents of the note, having had a hand in its formation. Acting Foreign Minister Gamboa objected to the aggressive tone, but War Minister Blanquet and Minister of the Interior Urrutia thought that the tone of the note was no stronger than the occasion demanded.

Accordingly this note, which had all the qualifications of an international ultimatum, was transmitted to Charge d'Affaires O'Shaughnessy, of the United States Embassy. Mr. O'Shaughnessy and John Lind, the special envoy from President Wilson, lost no time in breaking the seal. Both were amazed at the tenor of the note, and the truculent threats of war unless the United States recognized Mexico.

"I must see President Huerta at once," declared Mr. Lind.

Goes to President's Room.

Despite the fact that the special envoy had not been invited to the National Palace, being persona non grata to the Mexican Government and in spite of the fact that the hour was nearly midnight, Mr. Lind and Mr. O'Shaughnessy jumped into an automobile and sped to the National Palace.

Lights were blazing in the presidential suite so the belated visitors knew that Huerta was at home, but was he "at home" in an official sense to his visitors? That was the important question.

Mr. O'Shaughnessy was recognized by the sentries at the gate, but they turned questioning eyes upon Mr. Lind who stood impatiently awaiting entrance.

"It is official business; we must enter and see the President," declared the Charge d'Affaires.

After a slight delay the men were permitted to enter the visitors' chamber. Almost immediately Huerta entered. The President had discarded his military uniform and was dressed in civilian attire.

Talks Plainly to Huerta.

In spite of the infringement on diplomatic usage, Mr. Lind proceeded right away to enter upon his diplomatic work. He told Huerta of the disastrous consequences which must necessarily follow the transmission of the ultimatum to Washington.

So forcefully did he talk that the hard lines of determination in the old soldier's face relaxed and he listened patiently with few interruptions.

Huerta sat up and paced up and down the room as he replied. He said that he believed the course of the United States would wreck the Mexican Government, but that he did not want to plunge his already impoverished country into war. He finally consented to cut out the demand for recognition from his reply to the Wilson note, although no amount of persuasion could induce

Continued on Page 10, Column 1.

Fans at Ball Game Fight Over When And How to 'Root'

Goodloe Yancey, secretary of the State Prison Commission, and widely known throughout the State, was fined $5.75 by Recorder Pro Tem Preston Wednesday as the result of an outburst of enthusiasm at the ball game Tuesday, which culminated in a fight in the grandstand between Yancey and J. W. Ware, an agent for a drug sundries house, who lives at the Imperial Hotel.

In court Mr. Yancey, who is well along in years, declared that Ware had cast reflections on his ability to root.

Ware, who was sitting two rows down in front of Yancey, said that the Commissioner had struck him first.

According to Policeman King, who separated the two, the difficulty arose when Ware declared that the Atlanta team should be placed in the cellar.

"Knocker!" shouted the loyal Commissioner.

"You are too old to root," answered Ware. "Go way, back and sit down."

Yancey struck Ware and was attacked by the agent.

The two were served with charges and allowed to see the game through.

Gainesville Matron Dise in Birmingham

GAINESVILLE, FLA., Aug. 20.—The body of Mrs. C. B. Deland, who died at the home of her daughter, Mrs. Thomas Dayton, in Birmingham, was brought here and interred in the city cemetery.

Mrs. Deland for years was prominent in society, church and charity circles. She leaves four children—Mrs. J. N. Willis, of Williston; Miss Bernice Deland and Harold Deland, of Gainesville, and Mrs. Dayton, of Birmingham.

Brother of Georgia Congressman Dying

SAVANNAH, Aug. 20.—At the home of his brother, Congressman Charles G. Edwards, in this city, Robert H. Edwards, of Claxton, is lying at the point of death. He was moved there from the Park View Sanitarium Sunday. Congressman Edwards is now hastening from Washington in response to telegrams.

It was stated at the residence to-day that the condition of Mr. Edwards had not improved and that the end might come at any moment. There is practically no hope of recovery.

Florida Hotel Man Leases in Savannah

SAVANNAH, Aug. 20.—The Hotel Geiger, located on Broughton street, to-day came under the management of H. M. Stanford, who is interested in the Tampa Bay Hotel, at Tampa, the Arcadia, at Jacksonville, and the hotel at Atlantic Beach, Fla.

John Geiger, retiring lessee, hereafter will devote his attention to his theatrical business. The name of the hotel will be changed. Many improvements are contemplated.

Engineer Killed as Fly Wheel Bursts

BIRMINGHAM, Aug. 20.—A flywheel going at a very rapid rate burst in the foundry of the Payne & Joubert Company here to-day, killing A. A. Davis, stationary engineer.

The man's head was mashed to a pulp and both arms practically torn from his body. He was instantly. Considerable damage was done to the plant by the flying iron and steel.

Davis was married.

Boy, in Convulsions, Dies From Scalds

EUFAULA, Aug. 20.—Harvey Calhoun, aged 3 years, son of Mr. and Mrs. Charles Calhoun, residing south of Eufaula, died to-day as the result of scalds received yesterday afternoon in falling in a pail of boiling water, being used by his mother in house cleaning.

The child, rendered unconscious, did not move for hours until a series of convulsions started, resulting in his death.

THAW WINS WRIT, AIDING RELEASE

SHERBROOKE, QUEBEC, Aug. 20.—A writ of habeas corpus in the case of Harry Thaw was granted by Hon. Justice Globensky shortly after 2 o'clock this afternoon, and to-morrow morning at 10 o'clock Thaw will be brought before the court. At that time arguments as to the merits of the petition for Thaw's release will be heard.

A report from Albany, N. Y., says that the Superintendent of Prisons of that State has been advised by the Consul General at Ottawa that Thaw will be deported to Rouse's Point, N. Y. The report is news to the authorities here.

Thaw has plunged into his fight to keep from being returned to the Matteawan Asylum with vigor and confidence.

"Thaw will be discharged from custody," said Mr. Shurtleff. "I am confident that he can not be held."

After the petition for the writ of habeas corpus had been written out it was taken in the old stone jail on a hilltop overlooking the St. Francis River, where Thaw swore to the truth of the allegations.

Carnegie Fails to Arrive.

The principal reason for the continuation of the arguments until tomorrow was the failure of Mr. and Mrs. George Lauder Carnegie to arrive on schedule time.

Counsel representing Thaw was augmented by the retention of Charles D. White, of Sherbrooke. All Thaw's attorneys seem confident that he will be freed. They claim that Thaw had in his possession a railroad ticket for Detroit, Mich., despite the fact that he was headed toward the coast when caught.

Thaw was examined by Dr. Noel, the prison physician, after he arose. The fugitive seemed to be in fine physical condition.

Thaw did not have any ready cash to-day and made a "touch" from the jailer in order to purchase some fresh clothing.

A great majority of stores closed so that the employees could have an opportunity to see the prisoner on his way to the courthouse. Everywhere were heard comments and expressions of sympathy with Thaw.

Fully 1,500 people crowded into the courtroom before court convened. The women were attractively gowned. They showed great interest in the case. The sympathy of every one is the room apparently was with Thaw.

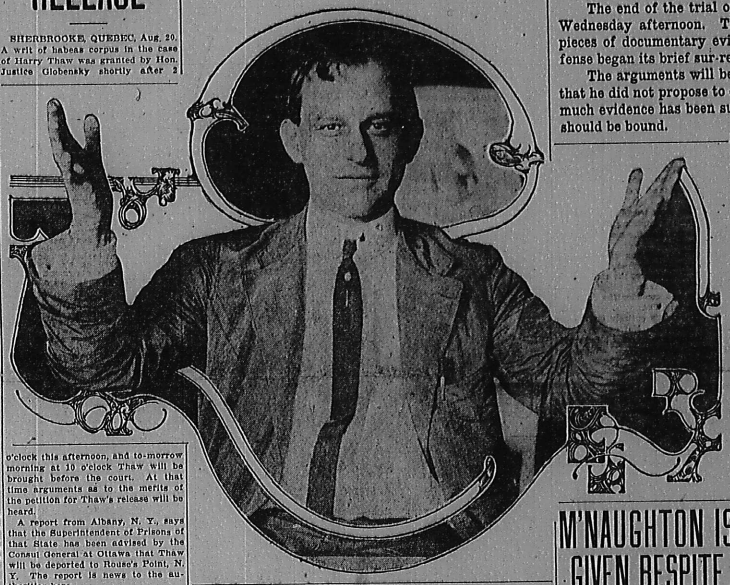
It is believed here that if Thaw is released on a writ of habeas corpus he probably will be rearrested at once on some other charge. Indications are that he will be detained here the balance of this week. In fact, it is certainty that the case will be definitely decided here and that action of the kind will be taken elsewhere.

Since Thaw was arrested yesterday

Continued on Page 10, Column 3.

DORSEY SNAPPED IN ACTION IN HOT CLASH AT TRIAL

SOLICITOR HUGH DORSEY.



CYCLE RACER McNEIL SUCCUMBS TO HURTS

Jock McNeil, known in the sporting world as one of the fastest and cleanest motorcycle racers who ever circled a saucer track, died early Wednesday morning at the Grady Hospital of injuries received Monday afternoon in practice at Jack Prince's Drome. McNeil never recovered consciousness after his fall.

The little Scotchman probably was the most popular rider who ever appeared in Atlanta. His riding was a revelation to those unfamiliar with the game. He brought to his work a strange mingling of Scotch shrewdness and hardy courage, and a wonderful dash and abandon that seemed to bespeak a warm-blooded Latin strain in his ancestry. He was more than a merely brilliant rider; he was really a "speed marvel."

The injury that caused his death was the result of this strange enthusiasm. At the suggestion of some of his admirers, he was "riding the white" in practice—sending his powerful J. A. P. flyer by sheer speed up above the banked turns of the drome, until it was hanging, fly-like, to the vertical white rim that topped the bank, sustained by nothing but the centrifugal force attained by a frightful velocity of 90 miles an hour. The rim, not intended to withstand such a strain, yielded, and Jock and his great machine, hurtled diagonally from the break to the bottom of the track.

Count and Marquis Wounded in a Duel

Special Cable to The Atlanta Georgian.

BUDAPEST, Aug. 20.—Count Tisza, president of the Hungarian Chamber of Deputies, and Marquis Pallavicini, the Austro-Hungarian Ambassador to Turkey, were both wounded during a duel here to-day.

The men fought fiercely with heavy cavalry sabers, both receiving deep gashes on the arms and body.

After the duel a reconciliation was effected.

MOTOR TO CANADA AND RETURN

COLUMBUS, Aug. 20.—Mr. and Mrs. J. A. Ellison, of Hartsboro, Ala., passed through Columbus en route home from a motor trip to points of interest in Canada. Mr. Ellison is president of the Bank of Hartsboro. They made the trip to Canada and return without an accident.

22,000-Foot Peak in Himalayas Scaled

Special Cable to The Atlanta Georgian.

BURIN, ITALY, Aug. 20.—Mount Numkam, 22,000 feet high, and one of the loftiest peaks in the Himalaya Mountains, has been scaled.

Word was received here to-day that Marion Riacenza, an Italian explorer, reached the summit.

YOUNG MEN NAME TICKET.

MACON, Aug. 20.—The names of the candidates for Aldermen on the "Young Men's" ticket, which has Wallace Miller as its candidate for Mayor, were made public this afternoon by the Miller campaign committee. The ticket contains twelve progressive young business men.

ORDERS LIQUOR DESTROYED.

HUNTSVILLE, ALA., Aug. 20.—Justice Wright, of Marshall County, sitting here, has ordered the destruction of 100 gallons of whisky and a large cargo of beer seized from the steamer John Ross, on the Tennessee River.

M'NAUGHTON IS GIVEN RESPITE OF MONTH

Dr. W. J. McNaughton, convicted of murdering Fred Flanders in Savannah three years ago, and sentenced to be hanged September 5 was granted another respite of one month by Governor Slaton Wednesday morning.

It was announced in the office of the Governor to-day that the further respite was granted because the Governor will be away during the next ten days, and will therefore not have sufficient time to consider the case before the date set for the execution of the condemned man.

All evidence and papers in the case have been in the hands of the State Prison Commission for several weeks, but no action will be taken now.

All of September probably will be devoted to considering the case and hearing those who are interested in it, the recommendation of the board probably will go to the Governor a few days before the date now set for the execution, October 5.

DENIED USE OF JAIL.

GADSDEN, Aug. 20.—Probate Judge Herzberg to-day decided that neither the Salvation Army nor the Volunteers of America should have the abandoned county jail building as headquarters. A fight, bordering on open war, developed over possession of the building.

NEW ANNISTON INDUSTRY.

ANNISTON, Aug. 20.—Another $100,000 industry was assured for Anniston to-day when S. P. Morris and J. H. Carrington announced that the Standard Foundry Company's plant will be located in the northern part of the city. Work has started on the buildings.

FIRST SALE BRINGS 19 1-2 CTS.

GADSDEN, Aug. 20.—The first bale of 1913 cotton was sold to-day by W. H. Campbell, on Etowah County Farmer, to Pickard & Lay, for 19½ cents a pound.

DORSEY FIGHTS HARD TO BOLSTER UP DR. HARRIS' EVIDENCE

Ends His Case With Hard Assault On Defense; Leo Frank Testifies Again

MARY PHAGAN VICTIM OF CRIMINAL VIOLENCE, SAYS DR. JNO. FUNKE ON STAND

Continued from Page 1.

occurred three or four times to her knowledge.

Miss Carson was called by the Solicitor and indignantly denied that such an occurrence ever had taken place.

Saw Frank Lay Hand On Mary's Shoulder.

Of even greater importance, although of less sensational interest, was the testimony of Miss Dewey Hewell, who sworye that Frank was in the habit of talking frequently to Mary Phagan; that he called her by name, and that he stood close to her and laid his hand familiarly on her shoulder. She was not able to relate the subject of the conversations when she was cross-examined. She did not know but that Frank might have been talking about her work.

Miss Ruth Robinson corroborated the Hewell girl in her testimony. Miss Hewell was brought from the Home of the Good Shepherd in Cincinnati to testify against Frank. Neither was able to say that there had been anything improper or unusual in Frank's talk with Mary.

N. Kelly, an employee of the street railway company, said that he stood at Forsyth and Marietta streets April 26 and took the English avenue car at 12:03 to Alabama street. He said he knew Mary Phagan and that she was not on this car from Forsyth and Marietta streets. His testimony, if believed by the jury, is extremely important to the State, as it supports the State's contentions in two respects—first, that Mary Phagan go off the car at Forsyth and Marietta streets, and, second, that the car was considerably ahead of time. Other street car employees testified that it was not unusual for the English avenue car, due at 12:07, to come in ahead of the Fair street car, which is due at 12:05.

Experts Corroborate Harris' Evidence.

Solicitor Dorsey, successful in his endeavor to re-open the question of the time Mary Phagan met her death as judged by the condition of the food found in her stomach, gathered a brilliant array of stomach and intestinal specialists Wednesday to lead in an onslaught against the testimony of the experts called by the lawyers for Leo Frank.

Dr. Clarence Johnson, a well-known Atlanta specialist, on being asked a hypothetical question embracing the condition in which the cabbage in Mary Phagan's stomach was found, gave it as his opinion that the girl came to her death within an hour after the digestion began.

This corroborated in a measure the testimony of Dr. Harris, who estimated the time at from half to three-quarters of an hour after the cabbage had been eaten.

Dr. George M. Niles, who holds the chair of gastro-enterology at the Atlanta Medical College, swore that digestion could not have progressed more than an hour under the conditions described. He was quite positive digestion had progressed less than an hour.

Dr. John Funke, professor of pathology and bacteriology at the Atlanta Medical College, testified that he had been shown sections of the organs of Mary Phagan by Dr. Harris, a circumstance which had not been made known until this point in the trial. The defense had charged that Dr. Harris had made his experiments and analysis in secret and had consulted no other expert.

Dr. Funke later admitted that he had not made the examination until about a week ago after the charges had been made and he had been asked by Dr. R. T. Dorsey, brother of the Solicitor, to inspect the specimens.

Asserts Girl Was Criminally Attacked.

This expert corroborated Dr. Harris in his declaration that Mary Phagan was a victim of criminal violence, but he fell somewhat short of substantiating Harris on the time the cabbage had been in the stomach before the digestive processes had been stopped by death.

Being pressed for a definite answer on this point, he said:

"One can not say positively, but it is reasonable to assume that digestion probably had progressed an hour, maybe a little more, maybe a little less."

Dr. Johnson was extremely cautious in his answers. He dictated his replies slowly and studiedly to the court stenographer and picked his words and phrases most carefully.

He said first in reply to questions by the Solicitor that it was his scientific opinion that the digestion of the cabbage and bread in Mary Phagan's stomach had stopped within an hour after they were eaten. Attorney Arnold, however, got the expert to change his answer to "within an hour after digestion had begun," forcing Dr. Johnson to admit that the beginning of digestion many times is delayed by poor mastication or overdilution of the gastric fluids. The witness would not undertake to say how long it was before the first processes of actual digestion had begun in the case of Mary Phagan.

Much surprise was occasioned when it was learned that Jim Conley had been brought to the courthouse at the command of Solicitor Dorsey. It was rumored that he would go on the stand, but Solicitor Dorsey insisted that he had him brought over merely to have him identified by persons who could swear to his good character.

Defense Puts Up Hard Battle.

A lively argument over the State's proposal to call three or four prominent physicians to controvert the testimony of the defense's medical experts marked the opening of the Frank trial Wednesday.

Luther Rosser and Reuben Arnold vigorously fought the introduction of witnesses for this purpose in the State's rebuttal. Solicitor Dorsey maintained he had a perfect right to develop as much testimony along this line as he wished.

The defense took the attitude that all of their medical experts were called only for the purpose of rebutting the testimony of Dr. H. F. Harris, secretary of the State Board of Health, who will go down in the history of the Phagan case as the witness who professed to determine the time that intervened between the time that Mary Phagan left home and the time she was killed by the condition of some undigested cabbage in her stomach.

Attorney Arnold argued that if the State had wished to obtain the testimony of other medical experts to corroborate the statements of Dr. Harris, they should have been called in the original presentation of the State's case instead of in the rebuttal.

He said that the defense had not attempted to cover any new points through the physicians they had on the stand and that these experts were questioned solely with the purpose in view of discrediting Dr. Harris.

Endless Process Seen by Arnold.

"If this is to be allowed," said Arnold, "it will mean that it is to be simply an endless process. I never heard of such a thing before. If Mr. Dorsey is permitted to call all the medical experts he wishes to bolster up the testimony of Dr. Harris, I shall call back all of the experts we had on the stand."

The argument had its beginning late Tuesday afternoon when Dr. Clarence Johnson, a well-known Atlanta specialist, was called to the stand just before adjournment. Rosser and Arnold entered their objections the instant that Solicitor Dorsey began questioning the witness along the same line that he had questioned Dr. Harris when the State presented its case against the defendant.

"I just want to question this man in rebuttal of the denfense's witnesses," insisted the Solicitor. "They testified that Dr. Harris was making a wild and reckless guess when he declared that Mary Phagan was killed within three-quarters of an hour after she ate and left home. I want to prove by Dr. Johnson and the other experts that I will call that this declaration of Dr. Harris was based on scientific principles that are well known to the physicians who specialize along those particular lines."

The Solicitor said that he had plenty of authorities to uphold him in his stand on the admissibility of the testimony in rebuttal and asked the judge to adjourn until Wednesday morning so that he might have time to look them up. The Solicitor got Dr. Johnson to say before he left the stand that Dr. Harris was premising his statement upon substantial physiological principles and that it was in no sense a wild guess. It was the plan to recall Dr. Johnson to the stand again as soon as court opened Wednesday.

Expert Permitted to Answer State's Query.

Dr. Clarence Johnson was called and Solicitor Dorsey resumed his argument on the admissibility of evidence supporting Dr. H. F. Harris.

"I have this authority," said Dorsey. "It has been the well-recognized practice to follow this course. I have not been able to put my hand on a specific authority, though I have looked for it for some time. However, I think your honor will recall that it is the uniform practice to allow the State to make out a prima facie case and go into the whole thing later. It is within the discretion of the court to allow a case to be reopened even after the State and the defense have rested."

"What I want to know is," said Judge Roan, "if you want to reopen this whole case."

"I have a right to do that," said Dorsey.

"Where would this thing end?" asked the judge. "They would have the right to rebut."

"Of course the court would not allow anything absurd."

"What is more absurd," asked Arnold, "than for the State to bolster up its testimony after the matter is closed? I know some judges who have been elevated from the office of Solicitor General who would allow the State to bring in anything on rebuttal. If this is to be reopened, we are going to ask to be allowed to bring back our experts to go over the rebuttal. If Dr. Harris' testimony needs bolstering, he should have put up the doctors at first."

"As a matter of right," said Judge Roan, "you (Dorsey) have not any. As a matter of discretion of the court you have. I will exercise that discretion in your favor, Mr. Dorsey. You may go on with the question."

Girl Died Within Hour After Eating Cabbage.

Solicitor Dorsey had the court stenographer read the hypothetical question about the length of time the cabbage Mary Phagan ate had been in her stomach and whether a doctor could determine anything definite about the time of death or whether it would be a wild guess.

The answer was:

"To answer that question under the oath I have taken I would have to know whether the pathologist was thoroughly capable and employed the most modern scientific methods."

Q. Well, assume that he was, doctor?—A. If a capable pathologist found there was only combined hydrochloric acid with due consideration of other conditions as possible factors, I would express in my opinion scientifically that the digestion of the bread and the cabbage was stopped within one hour after eating.

The witness then addressed the court:

"Your honor, I would like to have my answer read to me by the stenographer." The request was granted.

Q. Is every stomach a law unto itself?—A. No.

Arnold took the witness on cross-examination.

Q. What are some of the other possible factors?—A. I didn't say that.

Q. What did they say, then?—A. I said there were probable factors in the cut on the head and strangulation.

Q. Well, how would that affect digestion?—A. Anything that disturbs the circulation of the blood would affect digestion.

Q. What did you mean by mechanical conditions?—A. The thickness of the stomach, the size and the general appearance.

Q. Do you consider the color test reliable?—A. Yes.

Q. It depends entirely on the eye of the man?—A. Not exactly.

Q. If a man were color blind would it affect the test?—A. Why, of course.

Says Digestive Juices Disappear After Death.

Q. Now this acid has an ascending and descending scale, hasn't it?—A. Yes.

Q. What is the highest degree of activity?—A. Do you want my experience?

Q. No, the science.—A. I think it varies from 30 to 40.

Q. What becomes of the pancreatic juices of the stomach after death?—A. There are no pancreatic juices of the stomach. They are in the intestines.

Q. Well, what becomes of them after death?—A. They would lose the chemical property in time, but the physical pancreatic juice would remain.

Q. What becomes of free hydrochloric acid after death?—A. When the stomach disintegrates it disappears.

Q. But tell me, doctor, what becomes of the free hydrochloric acid after death regardless of time?—A. It eventually disappears.

Q. What delays the beginning of the digestive process?—A. If mastication was not good, or rather very bad, it would be delayed.

Q. Would walking delay it?—A. Not unless it was a tiring walk.

Q. Well, when you answered Mr. Dorsey's question, you only meant one hour from the time digestion started and not how long it had been in the stomach?—A. Yes.

Q. You said, as I remember it, that digestion began within an hour and was arrested?—A. I prefer to have my answer read.

Q. The stenographer is taking every word you are saying. He will do you justice.—A. It is not justice for myself I want. I want to do justice to all.

"Yes, I know that," said Arnold, and, continuing:

Q. Could you tell by looking at that cabbage how long digestion had been delayed?—A. In my laboratory I could tell exactly. Here it would only be an estimate.

Witness Declines to Guess at Anything.

Q. You mean a guess?—A. I don't guess at anything.

Q. You never made any test on Mary Phagan's stomach?—A. No.

Q. You are simply testifying what possibly might have been done?—A. I am simply testifying to scientific truth.

The witness was excused and Dr. G. M. Niles, another stomach and intestinal specialist, and a professor at the Atlanta Medical College, and also author of a book on pellagra, was summoned. Dorsey questioned him?

Q. Does science recognize that every stomach is a law unto itself?—A. Every healthy normal stomach has certain fundamental relations to all other healthy normal stomachs.

In answer to the hypothetical question embracing the case of Mary Phagan, Dr. Niles answered: "In the orderly process of the course of digestion, there should be pure hydrochloric acid in the course of one hour. I am answering my question without regard to any psychic or physical shock. I am not going so much by the appearance of the cabbage as the statements of the results of the laboratory tests."

Q. What have you to say about variations of diseased stomachs?—A. There are wide variations. Stomachs have idiosyncracies, but where they are very marked I would not call them normal.

Q. There is nothing that differs so much as individual digestion, is there?—A. I would say that a man's temperamental view of life differs more than that.

Q. How long does it take cabbage to digest?—A. I can not answer that question absolutely.

Q. Don't you know what the books say—from four to four and one-half hours?—A. I can not answer that specifically.

Q. What is the longest time you have known cabbage to remain in a fairly normal stomach?—A. Four or five hours.

Q. You found it there in a normal stomach five hours, haven't you?—A. The remains of it.

Q. Is starch one of the carbohydrates?—A. Yes.

Q. Then cabbage is a carbohydrate?—A. Yes.

Cabbage Had Not Been In Stomach Three Hours.

Q. Then the digestion should begin in the mouth?—A. That is, the preliminary mechanical process.

Q. Well then, in a normal stomach, if the cabbage were not well masticated it would be there some time before the stomach started work, wouldn't it?—A. No, I would say the stomach got busy immediately.

Q. You would not say how long that cabbage was in that little girl's stomach, would you?—A. I would not.

Q. Now, look at that cabbage and tell me whether it might not have been there three hours or more.

Dr. Niles looked at the cabbage several minutes and said: "No; if it had been in the stomach three hours, it would have been more pulverized."

Q. Now, if this little girl ate that cabbage, bolted it down in a hurry to get to town and see the parade, would you say that that circumstance delayed digestion?—A. Well, if she was hungry and took any pleasure in eating the meal, the mastication or lack of it would not make any great difference.

Q. Then mastication does not make any great difference?—A. It certainly does.

Q. Did you make any examination of the stomach?—A. No.

Q. You made none of the tests?—A. No.

Q. Do you know that the doctor who made the examination did not save any of the contents of the stomach?—A. I read it.

Q. Did you know that he did not call any physician in to help him?—A. Yes.

Q. That he did not divulge any of the findings until he came here?—A. Yes.

Q. That he kept those findings secret?—A. Yes.

Q. That we only have his plain unsupported statement?—A. Yes.

Dr. Harris Not Guilt Of Breach of Ethics.

Dorsey took the witness.

Q. Is there any set of ethics that prohibits those things?—A. I never heard of it.

The witness was excused and Dr. John Funkie, who holds the chair of pathology and bacteriology at the Atlanta Medical College, where he graduated twelve years ago, was called to the stand. Dorsey questioned him concerning an examination made of Mary Phagan's body, and then pronounced his usual hypothetical question about the cabbage.

A. About the cabbage, I would not like to say positively that with the conditions found in the laboratory test taken into consideration, that the first six feet of the small intestines were clear, and if there was found 32 degrees of combined hydrochloric acid, I would say the cabbage had been there an hour, maybe a little more or less.

Arnold took the witness.

Q. When did Dr. Harris come to you in regard to this exabination?—A. He didn't come to me, I was asked to look into it last Saturday.

Q. Who asked you?—A. Dr. Dorsey, the brother of the Solicitor.

The witnes was excused and Dorsey tendered a telegram from Leo M. Frank to Adolph Montag, in New York, on April 28, as evidence. This telegram read:

> Atlanta, Ga., April 28, 1913.
> Adolph Montag, Imperial Hotel, New York. You may have read in Atlanta papers of factory girl found dead Sunday morning in cellar of pencil factory. Police will eventually solve it. Assure my uncle I am all right in case he asks. Our company has case well in hand.
> LEO M. FRANK.

O. M. Battle, manager of the Postal Telegraph Company was called. Dorsey questioned him.

Q. Up to April 29 did either Frank or the National Pencil Company do business with you?—A. I could not say.

Q. Did Frank send a telegram through your company on April 29?—A. I have one dated April 29.

"I made a mistake," said Dorsey. "It was April 28. It was received April 29. I just put him up because he said he could not divulge anything except in court." The witness was excused.

W. G. Peeples, of the Western Union Telegraph Company, was called.

Q. Did the Western Union Telegraph Company have any telegrams sent by Leo M. Frank on April 26, 27 or 28?—A. No.

Q. Did your company have any on the dates covered by the subpena duces tecum?—A. Yes.

Q. Let me have them.

Dorsey looked at the telegrams and said:

"Your honor, these are not signed by Frank and I don't care to introduce them."

Girl Says Frank's Character Is Bad.

Miss Myrtice Cato was the next witness called. Dorsey questioned her.

Q. Are you acquainted with the general character of Leo M. Frank?—A. I am.

Q. Is it good or bad?—A. Bad.

Q. Did you work at the National Pencil Company?—A. I did.

Q. When?—A. For about three and one-half years up to April 28, 1913.

Q. On what floor did you work?—A. Fourth.

Dorsey turned to Rosser.

"She is with you," he said coolly.

"Come down," said Rosser.

Miss Maggie Griffin was called to the stand. Dorsey questioned her.

Q. Were you acquainted with the general character of Leo M. Frank prior to April 26?—A. Yes.

Q. Was it good or bad?—A. Bad.

Q. Did you work at the National Pencil Factory?—A. Yes, for two months.

Q. On what floor?—A. Fourth.

Rosser took the witness on cross-examination.

Q. Where did you work?

Dorsey interrupted to say: "I haven't finished. I have another question yet."

Q. Are you acquainted with Frank's character for lasciviousness? That is, his conduct toward women? I don't want you to answer until the judge rules. Your honor, doesn't the fact that he denies certain charges make my question admissible?

Rosser: "Let the jury retire if he is going to argue this, but your honor has already ruled."

The jury left the room.

Judge Roan: "Mr. Dorsey, give me some authority on that."

Dorsey: "We don't need any authority for that. The defendant's own statement makes it admissible."

Dorsey looked on his table for a copy of Frank's statement, but did not find it. He continued addressing the court:

"While this jury is out I want to say that I want to put up a witness who will say she saw Frank go in the dressing room on the fourth floor with a woman."

Rosser: "You have already ruled on that."

Dorsey: "This is a specific instance to rebut and impeach the statement of the girls on the fourth floor. We want to show that he went into that dressing room with a forelady."

Judge Roan: "You can show his general character for lasciviousness. I don't know about the other. You will probably have to call the woman and put the question to her and then seek to impeach her."

The jury was ca'ed back.

Rosser—Your honor rules here on a trial for a Georgia murder that the Solicitor can ask about the defendant's character for lasciviousness?

Judge Roan—I do.

Swears Frank's Relations With Women Are Bad.

The jury returned to the courtroom at this time. Dorsey continued the questioning.

Q. I will ask you if you are acquainted with Frank's general character for lasciviousness—his relations with women?—A. I am.

Q. What is it? Good or bad?—A. Bad.

Rosser took the witness.

Q. How many girls did you know on the fourth floor?—A. Four.

Q. Where do you work now?—A. Fulton Bag and Cotton Mills.

Q. Where do you live?—A. No. 84 Evans Drive.

The witness was excused and Miss Cato was recalled. Dorsey questioned her in regard to Frank's general character for lasciviousness and she declared that it was bad.

Rosser took the witness on cross-examination.

Q. Where do you work now?—A. At Cone's drug store, Decatur and Pryor streets.

Q. Where do you live?—A. At No. 59 Tumlin street.

The witness was excused and Mrs. Marion Dunning was called to the stand. Dorsey questioned her.

Q. Are you acquainted with Leo M. Frank's character?—A. Yes.

Q. Is it good or bad?—A. Bad.

Q. Are you acquainted with his general character for lasciviousness—his relations with women?—A. No.

Q. When did you work at the pencil factory?—A. About two years ago.

Q. For how long?—A. Two weeks.

Not Much Acquainted With His Character.

The witness was not cross-examined. Mrs. H. R. Johnson, of Stonewall, was called to the stand. Mrs. Johnson declared she worked at the pencil factory for two months in 1910. Dorsey questioned her.

Q. Are you acquainted with Frank's general character?—A. Yes.

Q. Is it good or bad?—A. Bad.

Q. Are you acquainted with his general character for lasciviousness?—A. Not very well.

Dorsey—Answer yes or no.

Rosser—She has answered.

Dorsey—All right, she has said not very much.

Rosser took the witness on cross-examination.

Q. Where is Stonewall?—A. On the street car line.

Rosser—Come down.

Dorsey—Just a minute. What floor did you work on?—A. The fourth floor.

The witness was excused and Miss Marie Karst, of No. 191 Kelly street, was called. Dorsey questioned her.

Q. Have you ever worked at the pencil factory?—A. Yes. On the second floor about two years ago.

Q. Are you acquainted with Frank's character?—A. Yes.

Q. Is it good or bad?—A. Bad.

The witness said the general character of Frank for lasciviousness was bad.

She was not cross-examined.

Mrs. L. T. Corsey was called but did not answer. It was stated that she was sick. Miss Nellie Pettus was called. Dorsey questioned her.

Q. Do you know Leo M. Frank?—A. Yes.

Q. How long have you known him?—A. I didn't know him exactly, except I knew him when I saw him and knew about him.

Q. Was his character good or bad?—A. Bad.

Q. Did you know his general character for lasciviousness?—A. Yes.

Q. Was it good or bad?—A. Bad.

Q. Where did you work at the pencil factory?—A. I didn't work there. My sister-in-law worked there. She hardly ever went there on Saturday and I went there to get her pay.

Q. Who did you see there?

Rosser interposed an objection, but was overruled.

A. I saw Mr. Frank once.

Rosser took the witness on cross-examination.

Q. Who is your sister-in-law?—A. Mrs. Lillie May Pettus.

Q. Where did she live?—A. No. 9 Oliver street.

Q. Does she work there now?—A. No; she quit working there about three weeks before the murder.

Witnesses Fail to Answer When Called.

The witness was excused and the following were called, but failed to answer: Mrs. T. C. Harrison, Miss Pearl Dobson and Thomas Blackstock. Miss May Davis, No. 8 Louis avenue, an employee of the pencil company, said Frank's character was bad. Rosser cross-questioned her, asking but one question:

Q. Where do you work now?—A. I am not working now.

Mrs. Mary E. Wallace, an elderly woman in mourning, was called. Dorsey questioned her.

Q. Did you ever work at the National Pencil Factory?—A. Yes; three days.

Q. When?—A. July, 1911.

Q. Did you know Leo Frank's general character?—A. Yes.

Q. Was it good or bad?—A. Bad.

The witness declared that Frank's general character as to lasciviousness was bad. The witness was not cross-examined.

Estelle Winkle was next called to the stand. She said that she worked at the pencil factory for one week in March, 1910. She said that Frank's character was bad. On cross-examination she said she was not working now, and gave her residence as being twelve miles from Griffin.

Miss Carrie Smith was the next witness. The rapidity with which she was chewing gum created a ripple of laughter in the courtroom, and deputies were forced to rap for order. The witness testified that she worked on the fourth floor of the pencil-factory, and that Frank's character was bad. She was not acquainted with his character for lasciviousness. On cross-examination she said she resided at No. 257 Simpson street, and that she worked for the factory off and on for three years, working there the last time about three weeks after Christmas.

Miss Ruth Robinson was the next witness. Dorsey questioned her.

Saw Frank Speak to Mary About Her Work.

Q. Did you ever work at the pencil factory?—A. Yes.

Q. Did you know Mary Phagan?—A. Yes.

Q. Did you know Frank?—A. Yes.

Q. Did you ever see Frank talking to Mary Phagan?—A. Yes.

Q. What were they talking about?—A. Her work.

Q. Well, how often did he talk to her?—A. Several times.

Q. What would he do?—A. Show her how to fix pencils.

Q. How would he do it?—A. Just take pencils and show her.

Q. Did you ever hear him speak to Mary Phagan?—A. Yes.

Q. What did he call her?—A. Mary.

Rosser took the witness on cross-examination.

Q. Are you sure of that?—A. Yes.

The witness was excused, and Miss Dewey Hewell was called. Dorsey questioned her.

Q. Where are you located now?—A. In the courthouse.

Q. I mean, where were you before you came here?—A. Do you mean where my parents live?

Q. Yes; where do you live?—A. No. 8 Porter street.

Q. Where are you living now?—A. In Cincinnati at the Home of the Good Shepherd.

Says Frank Put Hand On Mary Phagan's Shoulder.

Q. What sort of a home is that—no, never mind that. Did you work at the National Pencil factory during February and March, 1913?—A. Yes.

Q. Did you ever see Frank talk to Mary Phagan?—A. Yes.

Q. How did he act?—A. He would come to her machine and put his hand on her shoulder.

Q. What would he say?—A. He would put his face close to hers and call her "Mary."

Rosser took the witness on cross-examination.

Q. You didn't work in the metal room very long, did you?—A. About two weeks.

The witness was excused and Miss Rebecca Carson was recalled. Dorsey questioned her.

Q. Did you ever go into the dressing room on the fourth floor with Mr. Frank?—A. I never did.

Dorsey—Come down.

Miss Myrtice Cato was recalled. Dorsey requested her not to answer the question he was going to put until the court ruled upon it.

Q. Did you ever see Frank go into the dressing room on the fourth floor with Miss Rebecca Carson?

Rosser interposed with an objection, but the witness answered "Yes," before he could stop her.

"That Ain't All I Know," Says Witness.

The objection was not forced.

Q. How often did you see it?—A. Three or four times, and that ain't all I know.

Rosser took the witness on cross-examination.

Q. Who was on the floor when you saw that?—A. Several women.

Dorsey took the witness again.

Q. How did you see it?—A. I was in that end of the building.

The witness was excused and Miss Maggie Griffin was recalled in rebuttal of Miss Carson's testimony. Dorsey questioned her.

Q. Did you ever see the defendant and Miss Rebecca Carson go into the dressing room on the fourth floor?—A. Yes; three or four times.

Q. How long a period did that cover?—A. Sometimes they would stay in there about fifteen minutes and sometimes about thirty minutes.

Rosser—We must oppose that.

Judge Roan—The objection is sustained.

Q. What time in the day was it?—A. Sometimes in the morning and sometimes in the evening.

Rosser—We are objecting to it all.

The court sustained the objection again.

Says Car Ran Ahead of Schedule.

The witness was excused and Henry A. Hoffman, inspector for the Georgia Railway and Electric Company, was called. Dorsey questioned him.

Q. Do you know Matthews, who runs on the English avenue line?—A. Yes.

Q. Who is he under?—A. He is under me from 11:30 until he goes to dinner.

Q. Was he under you April 26?—A. Yes.

Q. For what time?—A. Thirty-seven minutes.

Q. Is there any set schedule such as 12:07 1-2?—A. None on the board.

Q. Prior to April 26, were you ever on his car when he cut off the Fair street car?—A. Yes.

Q. What was the time the Fair street car was due to arrive?—A. 12:05.

Q. At the time Matthews cut off the Fair street car, was the Fair street car on time?—A. Yes.

Q. Did you ever compare watches with Matthews?

Arnold objected, but said he would not argue the point. His objection was overruled.

A. Yes.

Q. Did you ever find Matthews when his watch was not with yours?—A. Yes.

Q. How far off was he?—A. Thirty or forty seconds.

Q. Did you ever call his attention to running ahead of time?—A. Yes.

Q. Do they come in ahead of time often?—A. At lunch and supper, nearly always.

Three Minutes Ahead of Time at Noon.

Rosser took the witness on cross-examination.

Q. You don't remember whether he was ahead of time April 26, or not, do you?—A. No.

Q. Do you discharge a man for be-

Continued on page 3, column 1.

LEO FRANK'S MOTHER ON HER WAY TO COURT

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WOMEN OF FACTORY SWEAR FRANK'S CHARACTER IS BAD

State Makes Headway With Testimony Hitting Standing of Prisoner

WITNESS SAYS SHE SAW ACCUSED PLACE HAND ON PHAGAN GIRL'S SHOULDER

Continued from page 2.

ing ahead of time?—A. Not at first.

Q. Now, did you ever catch him ahead of time at 12 o'clock?A. Yes.

Q. How much?—A. Three minutes.

Q. When was it?—A. During the spring of the year.

Q. How many times have you known him to be ahead of time?—A. Only twice, I think, in the short time he has been under me.

The witness was excused and N. Kelly, a motorman was called. Dorsey questioned him.

Q. Where were you April 26 between 12 and 12:05 o'clock?—A. At Broad and Marietta streets.

Q. Do you know what time the English avenue car came in?—A. It was 12:03.

Q. Do you know Matthews and Hollis?—A. Yes.

Mary Phagan Not On the Cars.

Q. Did you see them on the car?—A. Yes.

Q. At what time?—A. 12:03.

Q. Did you know Mary Phagan?—A. By sight.

Q. Was she on that car when you saw it?—A. She was not.

Rosser took the witness on cross-examination.

Q. How do you remember that?—A. I looked at my watch to catch a car.

Q. Did you look at it yesterday at that time?—A. I don't remember.

Q. Why did not you report about little Mary Phagan not being on that car?—A. I did not want to get mixed up in this.

Q. When did you first tell the detectives?—A. I didn't see the detectives. I told Mr. Starnes this morning.

Q. Who else was on that car?—A I don't remember.

Q. What did you do after that?—A. I stood at Jackson & Wessels for a time and then went and caught the 12:10 car for College Park.

Q. You were not paying any particular attention to anything, were you?—A. I was watching the crews being relieved.

Q. What is the schedule of the College Park and Hapeville cars?—A. The College Park schedule is 8:30 to 8:50 and the Hapeville cars run on the hour and every twenty minutes.

Rosser—Don't tell it so fast. What's the schedule?—A. A car every ten minutes.

Says Car Often Is Ahead of Time.

The witness was excused and W. D. Owens, a conductor on the White City line, was called. Dorsey questioned him.

Q. What time do you get to town at noon?—A. 12:05.

Q. Do you remember seeing the English avenue and Cooper street car on April 26?—A. No.

Q. Did you ever know that car to come in there ahead of you?—A. Yes.

Q. How much?—A. Two minutes.

Q. Ever more than that?—A. I have known it to be three minutes.

The witness was excused and L. F. Ingram, a street car conductor, was called. Dorsey questioned him.

Q. Do you remember coming to town on an English avenue car Saturday, April 26?—A. I do.

Q. What time was it?—A. I don't remember.

Q. An English avenue car is due at Marietta and Broad streets at 12:07 o'clock. Do you remember that car ever coming in ahead of time?—A. Yes; frequently. Sometimes they come in ahead of time and sometimes late. I saw one of those trippers come in this morning at 8:24 when it was due at 8:30 o'clock.

Q. How much have you known the English avenue car to be off schedule?—A. Three or four minutes.

Rosser took the witness on cross-examination.

Q. It's against the rules of the company to come in ahead of time, isn't it?—A. Yes.

The witness was excused and Miss Mamie Kitchens, an employee of the pencil factory on the fourth floor, was called. Dorsey questioned her.

Q. How long have you been at the factory?—A. Two years.

Q. What floor?—A. Fourth.

Q. Were you at the factory today?—A. Yes.

Only Hearsay About Superintendent.

Q. Do you know any woman on that floor who has not been called as a witness here?—A. Miss Eva Jones and Mrs. Howell.

Q. Are you acquainted with Frank's general character?—A. Only by hearsay, and I don't want to testify.

Q. That's all right. I won't press the question. Now were you ever in that dressing room on the fourth floor with Miss Irene Jackson when this defendant, Leo M. Frank, came in?—A. Yes.

Q. Well, just tell the jury about it.

A. I was back there one day when he came back and stuck his head in the door. He laughed, and said something about us having no work to do, and then went out.

Rosser took the witness on cross-examination.

Q. Did he ask you if you girls had any work to do?—A. Yes.

Q. Didn't he open the door and say: "Haven't you girls any work to do?"—A. He didn't say it that way.

Q. Who else was there?—A. Miss Ethel Stewart was in there for a time.

Q. Aren't you mistaken about Miss Jones and Mrs. Howell not being called as witnesses?—A. I only have their word for it.

Q. I am going to ask you a question we have asked every woman who works on the fourth floor. Did you ever meet Mr. Frank for any improper purpose?—A. I never did.

Dorsey: "Your honor, if that question is admissible, why can't we ask Miss Wood the question we have indicated?"

Judge Roan: "They claim their questions are only in rebuttal of Conley."

At this time, 1 o'clock, court recessed until 2, making the longest morning session yet held in the trial.

Motorman, Recalled, Denies Talk of Case.

The first witness called at the afternoon session was W. M. Matthews, motorman, who declared that the Phagan girl came into the city on his car on the morning of the murder. Solicitor Dorsey endeavored to show that he had feeling in this case which caused him to lean toward the defense.

Dorsey—Do you know this man, W. C. Dobbs?—A. I do.

Dobbs was sent from the courtroom.

Q. Didn't you have a talk with Mr. Dobbs about three days after the murder and say that Mary Phagan and George Epps got off your car at Broad and Marietta streets?—A. I never told anyone that.

Q. Didn't you tell someone you owed a debt of gratitude to someone connected with this case?

Rosser interposed an objection. "Let him give names," he said.

Dorsey—How long since you were a defendant in court?A.—About two years.

Q. Who defended you?—A. Mr. Moore and Mr. Branch, Mr. Colquitt and Mr. Conyers.

Rosser — You were acquitted, weren't you?—A. Yes.

W. C. Dobbs Sys He Talked With Conductor.

Q. Does Mr. Branch live anywhere near you?—A. No.

Q. Did you ever talk to me about this case?—A. One time.

Q. Did you ever talk to this man (indicating Attorney Arnold)?—A. No.

Q. This man (indicating Frank)?—A. No.

Q. You have no interest in this case?—A. No.

Q. What were you tried for?—A. Manslaughter.

Q. Did the jury acquit you?—A. Yes.

The witness was excused and W. C. Dobbs was called to the stand. Dorsey questioned him.

Q. Did you ever have any conversation with Conductor Matthews about Mary Phagan and George Epps coming in on his car?—A. Yes; he told me she came in on the car and that Epps was with her.

Q. Did he say anything about where they got off?—A. Yes; at Marietta and Forsyth streets.

Rosser took the witness on cross-examination.

Q. are the son of Police Sergeant Dobbs who is testifying in this case, are you not?—A. Yes.

The witness was excused.

J. W. Coleman, step-father of Mary Phagan, was called again. He did not answer and Solicitor Dorsey said that Coleman's wife was sick and it would be necessary to send for him.

W. W. (Boots) Rogers was recalled to the stand. Dorsey questioned him.

Q. Did you notice anything about the stairs and door that Sunday morning in the National Pencil Factory from the basement to the first floor?—A. Yes; the stairs were dirty and dusty and the door could not be lifted.

Man Says He Saw Negro In Alleyway.

The witness was excused without being cross-examined.

Sergeant L. S. Dobbs was called to the stand. Dorsey questioned him.

Q. Did you see Boots Rogers try to open that door to the stairway leading from theb asement in the pencil factory the Sunday morning the body was found?—A. Yes.

The witness was excused and Rogers recalled. Dorsey questioned him.

Q. Did you see anything by that chute?—A. Yes; a large pile of shavings.

Rogers was excused and Oxel Tillanter was called to the stand. Dorsey questioned him.

Q. Were you at the pencil factory April 26?—A. Yes.

Q. At what time?—A. Just before 12 o'clock.

Q. Did you see anybody?—A. Yes; when I went in I saw a negro coming through a dark alleyway. I asked him the way to the office and he showed me.

Q. Have you seen this boy, Jim Conley?—A. Yes.

Q. Is he the negro?—A. I won't be positive, but he looks like him.

Q. Did you see Frank?—A. Yes.

Q. Where?—A. In his office.

Q. What was he doing?—A. Working.

Q. What did you say to him?—A. I asked him for my daughter-in-law's pay and got it.

Rosser took the witness on cross-examination

Q. You are not positive about its being Conley?—A. No.

Q. You say you saw a darkey come up from a dark alley. Where was that?—A. At the side of the factory.

Step-Father of Dead Girl on Stand.

The witness was excused. E. K. Graham was called to the stand. Dorsey questioned him.

Q. On Saturday, April 26, were you at the pencil factory?—A. Yes, about 20 minutes to 12 o'clock.

Q. Did you see a negro at the entrance?—A. Yes.

Q. Have you seen Jim Conley?—A. Yes, I saw him this morning.

Q. Was he the man you saw there?—A. I couldn't say. I noticed a resemblance, though it seems to me that the man I saw was a little brighter.

Q. Did you say anything to him?—A. No. The man with he asked him how to get to the office.

Q. Did he show you?—A. Yes.

Q. Was he drunk or sober?—A. I didn't see any signs of drunkenness.

Rosser took the witness.

Q. You say the negro you saw was brighter than Conley?—A. Is seems to me he was.

The witness was excused. J. W. Coleman, step-father of Mary Phagan arrived at the courthouse at this time and was placed on the stand. Dorsey questioned him.

Q. Do you remember a conversation you had with Inspector McWhort, of the Pinkertons?—A. Yes.

Q. Did he or not exhibit an envelope found in the factory?—A. He did.

Q. What figures if any did the envelope have on it?—A. It had a figure 1 up in the corner. Then a figure was torn out; than a 5.

The witness was shown the envelope the detectives brought into court and he said it did not look like the one shown him.

J. M. Gantt Is Recalled to Sand.

Rosser cross-questioned the witness.

Q. You don't know whether this is the same envelope or not, do you?—A It might be, but the figures are not the same.

Dorsey took the witness again.

Q. Did you say anything about this envelope not fitting the case?—A. Yes, my wife spoke up and said—

Rosser interrupted: "Never mind what your wife said."

The witness was excused. J. M. Gantt was called to the sthand. Dorsey questioned him.

Q. Did you ever see Leo M. Frank make up the financial sheet?—A. Yes.

Q. How long would it take him?—A. If he had the data, it would not take him more than one and one-half hours.

Q. Was that time clock accurate?—A. No.

Q. How did it vary?—A. Two to three minutes.

Rosser took the witness on cross-examination.

Q. Did you pay off those girls by it?—A. Yes.

Dorsey took the witness again.

Q. How often was that clock regulated?—A. Two or three times a week.

Arnold registered an objection but was overruled.

The witness was excused and Herbert Schiff was recalled. Dorsey questioned him.

Q. How much pay did Mary Phagan draw that last week?—A. $1.20.

Q. Now I want you to show me on that book there where the $2 Frank loaned Arthur White appears.—A. It appears as $4 because I advanced him $2 the next week and made the entry myself.

Q. Where is that ticket Frank made of it?—A. I tore it up.

Says He Gave Haas All the Papers.

Q. You tore it up?—A. We always do.

Q. You were served with a duces tecum to bring to the court a paper signed by Charley Lee in regard to the injury of this man Dudley?—A. I was.

Q. Did you bring it?—A. I turned over to Mr. Haas all the papers I had.

Q. Did you ever show to Lee a written statement he had made about this accident?—A. I don't think he ever wrote a statement. tI was written on a typewriter.

Q. Was it in the papers you gave Mr. Haas?—A. It had no right to be there.

Q. Did you have the same time clock at the time of the murder that you had when Gantt was there?—A. We have two time clocks.

Q. How much behind was the clock when you sent for Mr. Price to fix it?—A. I don't think that was the trouble at all. tI think it was clogged with the ribbon.

Rosser took the witness.

Q. You had $1,174.80 for the payroll except for the loans you were to pay out, and every cent of that was in wages, was it not?

Dorsey: "This is his witness. He can not lead him as though it were a cross-examination."

Rosser: "What? I thought I could cross-examine him. Mr. Dorsey has brought in an entirely new matter of that time."

Judge Roan: "The uniform rul has been that when one side introduces a witness, he remains their witness."

Rosser: "Then, your honor, we have suffered grievously by this. (Turning to the witness) Mr. Schiff, I will now shift my method of examining you. Come down."

Negro Says He Drank With Conley.

Ivy Jones, a negro, was the next witness. Dorsey questioned him.

Q. What do you do?—A. Drive for Walker Brothers.

Q. On Saturday, April 26, did you see Jim Conley?—A. Yes.

Q. Where?—A. At Forsyth and Hunter streets.

Q. What time was it?—A. Between 1 and 2 o'clock.

Q. Can you be more accurate than that?—A. No.

Q. Was he drunk?—A. No.

Q. Where did you go with him?—A. To a saloon.

Q. Then where?—A. Toward his home. I left him at the corner of Davis and Hunter streets about three blocks from his home.

Rosser took the witness on cross-examination.

Q. You and he drank beer at that saloon, didn't you?—A. Yes; both of us got some.

Rosser: "Come down."

Harry Scott, Pinkerton detective, was recalled to the stand. Dorsey questioned him.

building, did you see any blood around the scuttle hole on the first floor, which leads to the basement?—A. No.

Rosser—This has all been gone over before and is incompetent.

Dorsey—We want to rebut McWhort's evidence about the bludgeon and the blood.

The objection was overruled.

Q. When did the State learn of this bloody bludgeon?—A. I told you personally about it on July 15.

Further objections caused Solicitor Dorsey to change his line of questioning.

Memory Not Clear on Finding Piece of Cord.

Q. Mr. Scott, when you were going through the basement with Mr. Frank, did you pick up a piece of cord similar to that found around Mary Phagan's neck?—A. I think I did.

Q. Did you pick it up, or Frank pick it up?—A. My memory is not clear.

Q. Did Newt Lee ever recognize that bloody shirt?—A. He did not.

Q. From whom did you learn Conley could write?—A. I got the information from my office. I was out of town when they found it out.

Q. When did you learn of it?—A. McWhort told me on Sunday—

Rosser objected and was sustained.

Q. What did you do when you discovered Conley could write?

Rosser: "Then went into that on the direct."

The objection was sustained.

Q. What conversation did you have with Frank about Darley?—A. We told him we believed Darley had been going with girls in the factory. He said, "No; Darley is the soul of honor. He could not know anything about it."

Q. Did Black say to you: "Come on, there is nothing doing?"—A. No.

The witness was excused, and L. F. Kendrick, former night watchman at the factory, was called to the stand. Dorsey questioned him.

Dorsey's questions Met With Objections.

Q. Did you have any conversation with Holloway about swearing that Frank called you up?

Rosser interrupted: "Holloway was their witness. They can not impeach him."

Rosser's objection was sustained.

Dorsey: "Well, can't I show intest and feeling, then?"

Judge Roan: "You can only impeach Holloway on points on which he has mislead you."

Dorsey: "That is not the law."

Judge Roan: "Then what is the law?"

Dorsey: "I will get you the authorities."

Judge Roan: "Then I will rule later."

Q. Now, during the two years you were working there, did you ever see women there on Saturday afternoons?

Rosser: "You have already ruled on that."

Judge Roan: "You can't ask that."

Q. Did you ever put a slip in the time clock?—A. Yes.

Q. How long did it take you?—A. About two or three minutes.

Q. Could you hear that elevator running when there was hammering and knocking?—A. No.

Q. Have you ever seen Conley around the elevator on Saturday afternoons?—A. I have seen Conley there on the way back from lunch.

Rosser took the witness.

Q. You have seen all the negroes around there?—A. I have seen some of them.

The witness was excused and Dorsey tendered as evidence the time slip made by the witness.

Little Girl Tells of Visit of Reporter.

Vera Epps, a little girl 11 years old, sister of George Epps, was called. Dorsey questioned her.

Q. Did you know Mary Phagan?—A. Yes.

Q. Did you talk to a Georgian reporter, Mr. John Minar, the Sunday after the murder and tell him the last time you had seen Mary Phagan was the Thursday before the murder?—A. Yes.

Q. Was your brother George Epps, there?—A. He was in the house, but he wasn't there all the time this man was there.

Q. Had your brother told you he had seen Mary Phagan on Saturday?—A. No.

The witness was excused, and C. B. Maynard was called to the stand. Dorsey questioned him.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Did you ever see him go into the pencil factory with a woman?—A. Yes.

Q. When?—A. In June, or July.

Q. What time of day?—A. Between 1 and 2 o'clock.

Q. What day of the week was it?—A. Saturday.

Rosser took the witness.

Q. You are sure of that?—A. Yes.

The witness was excused and W. T. Hollis, conductor on the English avenue line on which Mary Phagan came to town the day she was murdered was recalled to the stand. Dorsey questioned him.

Q. Didn't you have a conversation with J. D. Reid on Monday after the murder?—A. I don't know him.

Q. Didn't you tell him that you saw a little boy with her who looked like her sweetheart?—A. I did not.

Recognizes Patron But Doesn't Know Name.

Q. You say now, like you did the other day, that if George Epps was on the car you did not know it?—A. Yes.

Solicitor Dorsey had Reid brought into the courtroom. Dorsey then addressed the witness:

Q. Do you know this man?—A. He rides on my car. I don't know his name.

Q. Did you tell him anything like I have suggested?—A. I did not.

The witness was excused, and J. D. Reid was brought to the stand.

Q. On Monday, April 28, did you have and conversation with Conductor J. T. Hollis on the street car about Mary Phagan?—A. No. I wasn't on the car with her.

A ripple of laughter ran around the room.

The witness continued: "I am a little deaf; will you come a little bit closer."

Dorsey moved closer to the witness and repeated his question.

A. Yes. He told me it made him feel bad because the little girl rode on his car the last time. He said that a little boy named Epps, her sweetheart, rode i nwith her. He said they sat in the same seat and got off together.

Rosser did not cross-examine the witness.

City Detective Tells Of McKnight Story.

J. M. Starnes, city detective, who has been in the courtroom with Solicitor Dorsey since the trial began, was recalled to the stand. Dorsey questioned him.

Q. Did you see any stains of blood spots near the scuttle hole on the first floor of the pencil factory when you made your examination of the building, immediately after the murder?

Rosser interrupted: "He answered that before."

Starnes: "I did not."

Dorsey: "Now we will jump to the arrest of Minola McKnight. Tell us about that, Mr. Starnes."

A. We had information about what her husband said she knew. We took her to Mr. Dorsey's office, and from there to the police station. I did not see her until the next day. We got Mr. Pickett and Mr. Craven from the Beck & Gregg Hardware Company to come up and see if they could get a statement from her. I asked Minola if she had rather make her statement to them or to us. She said to them. I said: "Minola, if this is not the truth, do not make it."

When she was about half through I asked her attorney, Mr. George Gordon, to come in. I had the stenographer read over what she had said. When he had finished she signed it.

Q. Was she held by my authority?—A. Sshe was not.

Q. Could I order you to release her?—A. You told me over the phone you could not tell me what to do.

Rosser took the witness on corss-examination.

Q. Now, Starnes, you locked that woman up because she would not give you the kind of statement you wanted?—A. No.

Locked Her Up Because He Was on Murder Case.

Q. Well, why did you lock her up?—A. I was working on a murder case.

Q. Answer my question. A. I am going to tell you.

Dorsey—He has a right to answer it.

Q. Well, by what authority did you lock her up?—A. By the authority of an honorable officer working on a murder case.

Rosser—That's all right. Now, who issued a warrant for that woman's arrest?—A. There was none that I know of.

Q. Who arrested her?—A. A bailiff or deputy from Dorsey's office went out and got her. He did not arrest her.

Q. Who locked her up?—A. I turned her over to the desk man.

Q. And you kept her there twenty-four hours?—A. Yes.

The witness was excused and the jury retired for five minutes to take their usual afternoon soft drink.

When the jury returned to the room, Attorney Rosser stated that he was not through questioning Starnes, and the detective was recalled to the stand.

Q. Did you call Mr. Dorsey about that statement?—A. Yes.

Q. What did you tell him about it, to the best of your recollection?—A. My recollection is that I phoned Mr. Dorsey right after Minola made her statement and told him that her attorney, Gordon ,would be around to see him.

Q. You just wanted to get his permission?—A. No.

Starnes was excused.

Attorney Rosser "Takes" Witness Chair.

Dorsey: "We want to introduce some documentary evidence. First, I want to introduce the statement of Miss Hattie Hall before the Coroner."

The Solicitor read the parts of the evidence of Miss Hall, stenographer for Montag Brothers, given before the Coroner's jury, which he offered as evidence.

Attorney Rosser climbed into the witness chair to listen.

—M—PHAGAN—

Mr. Dorsey offered an affidavit of Wade Campbell concerning an interview with Mrs. Arthur White about seeing a negro on the first floor of the factory the day of the crime.

Attorney Rosser objected to various parts of it and the Solicitor conceded to them being stricken.

The following documents were submitted by Solicitor Dorsey as evidence:

Parts of Minola McKnight's affidavit; the bloody shirt found at Newt Lee's home; a record of the injury to J. E. Duffy; affidavit of Lemmie Quinn; the records of Conley's transfer from the tower to the police station.

Is Put in Evidence. Conley's Police Record

Solicitor Dorsey also put in Conley's police record of punishment for thirty offenses; the handwriting of Leo Frank identified by his mother; the pay envelope found by Barrett; the affidavit of E. F. Holloway of May 12.

Rosser—We object to that Holloway affidavit; Holloway was his witness and he has not the right.

Dorsey—He entrapped me.

Judge Roan—Where he entrapped you it is admissible.

Dorsey—I also want to present part of the evidence of Emil Selig given before the Coroner's jury. It is contradictory with his testimony here; also the testimony of Mrs. Josephine Selig.

Judge Roan—All right.

At 4:46 o'clock Solicitor Dorsey said—We close our case, your honor.

T. Y. Brent was the first witness called by the defense in its rebuttal. Rosser questioned him.

Q. Do you know a fellow named Kenley who runs on the East Point car?—A. Yes.

Q. Did you ever hear him express an opinion about Frank?—A. Yes.

Q. What did he say?—A. He said that he felt about Frank like he did about those two negroes at Decatur. He said he didn't know whether the negroes were guilty, but they had to hang somebody and it might as well be them. He said Frank was nothing but a Jew and he ought to be hanged anyway. He said he would help lynch him.

Dorsey took the witness on cross-examination.

Q. Why was it you left the Stevens Lumber Company? What was the charge against you and how did you settle it?

Arnold—that is absolutely inadmissible.

Judge Roan sustained the objection.

Went Through Factor With Owens.

Q. Are you the Brent who went through the pencil factory with Dr. Billy Owens?—Yes.

Q. Did your employment by the defense include that, too?—A. No. I went there on Sunday.

Q. What part did you take in the illustration of the crime given there?—A. Jim Conley.

The witness was excused and N. E. Stahl was called to the stand. Arnold questioned him.

Q. Where do you live?—A. On Washington street.

Q. Did you ever hear this man Kenley talk about the defendant, Leo Frank?—A. He said if Frank was acquitted he would be one of five or seven to get him.

The witness was excused without cross-examination.

J. M. Asher was the next witness. Arnold questioned him.

Q. Have you ever been on a street car with a fellow named Kenley?—A. Yes.

Q. What did he say about this case?—A. He was talking very loud and discussing the Frank case and he suddenly said: "The damn Jew; they ought to take him out and hang him." I took his name to report it to Mr. Arkwright. He said if there was any doubt that it should be given to the State that Frank was guilty. A young man sitting in front of him disputed it and he asked him angrily: "Do you work for a Jew?"

Pawnbroker Says He Had McCoy's Watch.

Dorsey did not cross-examine the witness. Nathan Sinkovitz, a pawnbroker, was the next witness called. Arnold questioned him.

Q. Do you know M. E. McCoy?—A. I do.

Q. Has he ever pawned his watch to you?—A. Yes; January 11, 1913.

Q. Where was it on April 26, 1913?—A. I had it.

Q. When did he get it?—A. He gave me $10 to take it out on August 16, 1913.

Q. Did he have any other watch?—A. No; this is the same one I have been getting all the time.

Dorsey took the witness on cross-examination.

Q. Describe him.—A. He is a tall fellow with a mustache.

Dorsey looked for the entries on the pawnbroker's book and moved that they be ruled out. The objection was overruled.

The witness was excused.

Arnold addressed the court:

"Your honor, we want the defendant to go on the stand in rebuttal of what has come out."

Frank took the stand. Looking straight at the jury he said:

"In reply to the statement of the Turner boy about seeing me talking to Mary Phagan, it is absolutely false. In reference to the statements of the girls, Miss Dewell and Miss Robinson about me talking to Mary Phagan and putting my hand on her shoulder and calling her Mary, I wish to state they are mistaken. I may have spoken to Mary Phagan, but I did not put my hand on her and I did not call her Mary. With reference to the statements of the two women who said they saw me going into the dressing room, it is utterly false. It is a blemish on the character of a young woman who is a perfect lady."

Frank left the stand. Attorney Arnold wanted to call other girl witnesses who worked on the fourth flor but Solicitor Dorsey objected and was sustained.

Arnold—Then, your honor, we announce that we will close.

It was 5:14 o'clock.

Judge Roan (addressing the attorneys)—Are you gentlemen willing to indicate to me how long you will want to argue?

Dorsey—I am satisfied with the amount the law allows.

Judge Roan—The law allows you two hours, but with so much evidence, I don't think counsel should be restricted. Stick to the evidence and get through as quickly as you can.

Court then adjourned until 9 o'clock Thursday morning.

Dalton City Council Shorn of Its Power

DALTON, Aug. 20.—The City Council, at the regular meeting last night, discussed the new charter amendment and decided that the body now had authority to do little more than meet and adjourn.

The Whitfield representatives declined to push in the General Assembly the Council's bill to give it authority over the police department and Recorder's court, but secured the passage of a substitute which took from Council the supervision of the public utilities.

Electric Chair for Cats Is Projected

PASADENA, CAL., Aug. 20.—Stray dogs and cats marked for execution by the Pasadena Humane Society will be sent to their final journey across the border by a miniature electric chair, according to Dr. E. L. Conger, president of the society.

Dr. Conger recently saw one of the animal electric chairs operated in Boston which killed dogs and cats in a fraction of an instant.

Dr. Conger stated that immediate steps would be taken to install one of the chairs by the local humane society.

STATE FORECASTS HEAVY CORN CROP

Government Reports Georgia's Acreage Is Over Half Million More Than in 1910.

Georgia has 675,351 more acres planted in corn this year than in 1910, according to statistics issued Wednesday morning by the Department of Agriculture. Three years ago the total acreage of corn land was 3,385,061, while late figures, based on Government and State reports, show that there are this year 4,061,412 acres. The figures also show that of the 106,884,000 acres growing corn in the United States, Georgia has 3.8 per cent.

Officials of the Department of Agriculture stated also that the corn crop this year gave romise of being one of the heaviest in the history of the State, as the condition of the growing crop is good.

Indications are also that the yield and quality of oats and other grain will be greater than ever before.

7 Perish in Sinking Of River Steamboat

KEOKUK, IOWA, Aug. 20.—Divers to-day went to the bottom of the deepest part of the Mississippi River channel here making preparations for raising the sunken steamer Henry Bosse and recovering the bodies of seven persons who were drowned when the boat was struck by a storm yesterday afternoon.

One man drowned trying to save his sister. Seven passengers and the members of the crew escaped.

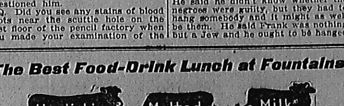
Verdi's 'Aida' Given With 800 Performers

Special Cable to The Atlanta Georgian.

MILAN, Aug. 20.—In the vast Roman amphitheater at Verona, which holds 20,000, the most original and elaborate performance ever attempted is being given of Giuseppe Verdi's Egyptian opera, "Aida," in honor of the composer's centenary.

There are more than 800 performers in the orchestra. The scenery for the enormous amphitheater cost nearly $100,000.

The Best Food-Drink Lunch at Fountains



Insist Upon

ORIGINAL GENUINE HORLICK'S

Avoid Imitations—Take No Substitute

Rich milk, malted grain, in powder form. For infants, invalids and growing children. Pure nutrition, upbuilding the whole body. Invigorates nursing mothers and the aged. More healthful than tea or coffee. Agrees with the weakest digestion. Keep it on your sideboard at home. A quick lunch prepared in a minute.

Davison-Paxon-Stokes Co.

New and Becoming Dresses For Girls Are Priced at 69c

In a few days the early fall school wardrobe must be looked into, and the needs of fresh, new wash dresses will be revealed.

Here are new dresses that are intended for just this purpose. They are beautifully made, in eight different styles, of pretty striped lawns, light and dark shades, and effectively trimmed. Sizes 6 to 14 years—priced for to-morrow's sale at 69c each.

Pretty New Dresses for Little Tots at 39c

Every one new—they have just come, and will be gladly welcomed by mothers who are now finding their children's wardrobes dilapidated from the hard summer's wear.

These dresses are made of sturdy percales, dotted and figured effects; about six styles—low square neck, short sleeves, long waisted, plaited skirt, with belt; 2 to 6-year sizes. Priced at 39c.

A Sale of New P. N. Corsets at Special Prices

$1.50 for $2.00 Corsets
$1.00 for $1.50 Corsets

Every corset in both groups is new. Bought under special conditions to sell for less. New models; extra boning; medium and low busts; extra long; six good supporters attached.

HOW LIND MADE HUERTA RECALL DEFI TO U. S.

Mexican President Shown Error of Ways at Midnight Conference Forced by Americans.

Continued from Page 1.

him to alter the balance of the document.

The note then was transmitted to Washington. In the meantime Dr. Urrutia, not knowing that the demand for recognition had been stricken from the reply was telling the correspondents that an ultimatum had been served and that Charge d'Affaires O'Shaughnessy had been given his passports.

Mr. Lind said to-day the situation had improved greatly since his arrival.

Pasqual Orozco, Sr., father of the famous general who went over to Huerta after Madero was assassinated, has been killed by the Zapatista revolutionaries to whom he was sent as a peace delegate. His body was found in a heap of dead rebels in the streets of Huatla, where a four-day battle has just ended in victory for the Federals.

Mrs. Edna Godbee is a woman of intense impulses, and those intimate with the family were apprehensive of trouble, but no one expected such tragic results.

The postoffice, where the shooting took place, is located in the Estelle Hotel building, where Judge Godbee and his wife resided.

President Wilson Studies Huerta's Reply.

WASHINGTON, Aug. 20—President Wilson to-day is studying the full text of the Huerta rejection of the American proposals and is mapping out the reply on which he bases his hope that the Lind mission to Mexico may be something more than an ineffective move toward peace. The feverish tension of yesterday following teh senational statement of Senor Urrutia, the Mexican Minister of the Interior, that relations with the United States soon would be broken, vanished and Washington officials now are prepared to take without undue excitement the next "grandstand" play of President Huerta.

Should Lind be called from Mexico abruptly, the next step will be to grant the Constitutionalists the right to import arms from the United States on the same terms that now are given the Huerta faction.

Washington expects that a supplementary conference between Lind and Huerta will be held either to-day or to-morrow, and this will conclude Mr. Lind's mission to Mexico unless Huerta makes a characteristic reversal of position.

"The most completely lost of all days is the one on which we have not laughed."

The Piedmont Hotel

Is the center of Atlanta's gayety, and happy dining parties constantly throng its Ladies' Restaurant, its Cafe and the Buffet.

To add to the pleasure of our guests and patrons, we are now serving

Imported Muenchener Kinderl' Brau

—on draught.

And also the celebrated

Piel's Pilsener

—on draught.

The Piedmont Hotel has exclusive sale for these well-known imported beverages and the patronage of discriminating persons is courteously solicited.

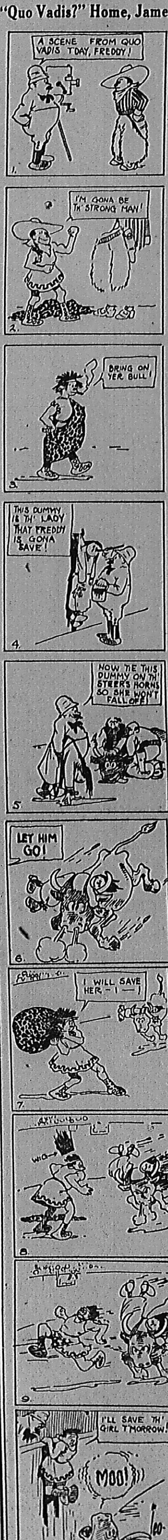
You

are invited to make the Piedmont Hotel your headquarters for any meal or After-the-Theater. Service superior to any heretofore known in the South.

Freddy Film

Copyright, 1913, International News Service.

"Quo Vadis?" Home, James



JOKE DISLOCATES JAW.

CAMDEN, N. J., Aug. 20.—A joke told by one of her 200 fellow employees tickled Jennie O. Chinpa so much that she laughed until she dislocated her jaw.

THAW SAYS HIS WIFE NEEDN'T FEAR HIM

Fugitive Wins First Move for Writ of Habeas Corpus — Hard Legal Fight Near.

Continued from Page 1.

in Coaticook, 25 miles from here, after crossing the border in a carriage, he has been buoyed up by the cheerful belief that the Canadian Government will not send him back to New York.

Says Wife Needn't Fear.

"I have studied every legal phase of my case and have arrived at the belief that I am safe here," said Thaw. "My plans did not alone include my physical escape. I looked into the legal feature to establish my status in any other State than New York and any other country than the United States. I am not a dangerous man. I do not seek vengeance. My wife, Evelyn Nesbit Thaw, need not fear me. Nor need anyone else fear me. All I want is peaceful and legal liberty. I feel that I am perfectly safe. I have studied law ever since I was admitted to Matteawan, and I believe that I am qualified to speak in this matter.

"Statements to the effect that I only sought liberty to kill are senseless. They are so ridiculous that I won't talk of them. I have the kindest feelings toward the people of Canada, and will retain such feelings no matter what action the Dominion Government takes, but I hope that they do not deport me. Detention in an insane asylum is a living death. It is enough to make a maniac out of a perfectly sane man."

Asked for a detailed story of his flight he refused.

"Yes, I was the man they spotted in Lenox, Mass.," said he. "But from that point on I must say nothing. I won't betray my friends."

Among the grounds upon which the Thaw lawyers put into their plea for their client's liberty is that he is only a tourist passing through Canada and they point to the case of Jack Johnson, the negro pugilist, as a precedent. They contend that Johnson was under conviction of an infraction of the United States law whereas Thaw has not broken any law. They contended that Johnson was a fugitive from justice, whereas Thaw is a fugitive from an institution for the insane.

Thaw Urges Speed.

They pointed to Thaw's behavior to uphold the contention that no matter what his condition in the past he is now sane and rational. The facts that Thaw has not broken any Canadian laws and that no indictment exists against him across the border were emphasized. Thaw offered many suggestions to his lawyers and in a way seemed to be their pilot. He looked very solemn and impressive as he gave his opinions of his own case.

"My idea is that speed is the requisite thing," Thaw told them.

The Canadian Government and the United States Government were both represented by able counsel who resisted Thaw's efforts to gain his liberty on a writ of habeas corpus. They contended that the law governing Thaw's case is very plain and they pointed to precedents.

In fact, it was reported that Acting Superintendent of Immigration Blair in Ottawa had been counseled by the ministry of justice that Thaw should be deported at once. When Thaw heard this report he trembled and became pale. He was unnerved by the news and showed it.

The presence here of the most spectacular and sensational prisoner in the world made to-day a gala occasion. Not one of the provincial fairs which are being held throughout Eastern Canada at this time could vie with Thaw as an attraction. Great crowds came into Sherbrooke from the surrounding country.

Eager for Glimpse of Thaw.

Families gathered about the jail, hoping to get a glimpse of the well known prisoner if he was taken to the courthouse. Some came a distance of 100 miles to see Thaw. The street on which the jail is located was jammed.

This curiosity tickled Thaw immensely. He said he did not want to disappoint any one who really wanted to see what he looked like.

Mr. Shurtleff was resentful against Justice of the Peace Dupuis, of Coaticook, who held Thaw on the charge of being a fugitive and sent him here for further examination.

"We contend that Justice of the Peace Dupuis acted illegally," declared Shurtleff. "He exceeded his authority. He had no right to hold Thaw."

Colonel Fraser assured Thaw that conspiracy is not an extraditable offense and that he need not feel any great alarm over the fact that a warrant charging Thow with conspiring to gain his liberty is on its way here from Dutchess County. He did not give such optimistic assurances about deportation, however.

Thaw lost no time in arranging to secure cash. He telegraphed to a banker relative in Pittsburg (where the bulk of the Thaw fortune is invested) to send him money to fight his case.

The Canadian laws provide for barring out any person who is insane or who has had an attack of insanity within five years.

It is the custom to return "undesirables" to the place whence they came. The New York authorities contend that if Thaw is deported he should be sent into New York State. If Thaw is sent over the line he will continue his fight by maintaining that, as he crossed into Canada from New Hampshire, he should be deported into that State. In New Hampshire Thaw could begin an entirely new fight against going back to Matteawan.

Thaw Whistles an Air of Opera Sung As He Slew White

SHERBROOKE, QUEBEC, Aug. 20.—Ovejamme Rumon, the barber of the Magog House, who was called to the jail this morning to shave Harry Thaw, said the prisoner seemed very cheerful and said he was sure he would get away to-day.

"He sang," said the barber, "and whistled a tune from the opera 'Mlle. Champagne.' (This is the opera he heard the night he shot Stanford White.)

"Thaw said all Canadians were with him, and I guess they are."

New York Attorney Sent To Fight Habeas Corpus.

ALBANY, N. Y., Aug. 20.—Deputy Attorney General Frank Kennedy left Albany to-day for Sherbrooke, Canada, to represent the State of New York in opposing the writ of habeas corpus Harry K. Thaw may use in fighting his return.

John B. Riley, superintendent of prisons, said to-day that he would use every means to have Thaw again placed in Matteawan and had hopes that this would be done eventually.

Abandoned Auto Is Claimed by New York Man.

NEW YORK, Aug. 20.—That the big touring car abandoned near Rochester, N. H., is the one rented by Richard J. Butler for the flight of Harry Thaw from Matteawan is the belief of John Collins, of this city, from whom Butler rented an automobile.

The number of the abandoned machine is 36824, New York, and that was the number of the machine hired by Butler at $50 a day. Collins said he would leave to-day for New Hampshire to claim the car. Collins has not yet heard from Roger Thompson, chauffeur of the machine.

Two Claim Reward For Thaw's Capture.

COATICOOK, QUEBEC, Aug. 20.—Formal demand for the $500 reward offered by Superintendent Kieb, of Matteawan Asylum, for the arrest of Harry K. Thaw, was made to-day by Chief of Police John Boudreau, of this place.

Although Thaw's arrest was brought about by Deputy Sheriff Kelsea, of Colebrook, N. H., the actual arrest was made by Boudreau, as Kelsea had no authority to act in Canada. Deputy Sheriff Kelsea claimed the reward yesterday.

Engineer Saves Train By Sticking to Post

MINNEAPOLIS, Aug. 20.—The lives of several scores of passengers on the Oriental Limited, the crack train of the Great Northern road, at Crary, N. Dak., to-day where saved by the courage of Engineer Falkinger, who remained at his post after the engine had left the rails and brought the heavy train to a stop.

Two unidentified men who were riding on the trucks of the baggage car were killed.

Mystery in Breaking Of Royal Betrothal

Special Cable to The Atlanta Georgian.

LUXEMBOURG, Aug. 20.—Following the official announcement of the bethrothal of Grand Duchess Marie Adelaide, the 19-year-old ruler of the Grand Duchy of Luxembourg, to Prince Henry of Bavaria, the grand marshal of the court denied to-day that any such engagement existed.

A sensational report was circulated that the Grand Duchess had broken the engagement.

Investment Company Fits Up New Offices

The Trust Company of the South is fitting up offices at No. 54 Peachtree street, where it will be installed within a week or so, together with the American Bakeries Company and the Hurt & Cone Real Estate Co.

The Trust Company of the South recently absorbed the Railway Mail Clerks' Investment Association. It will enlarge its activities considerably within the year. Allen M. Schoen is president. The capital is $300,000.

Michigan 'Mooser' Seated in the House

WASHINGTON, Aug. 20.—The House Elections Committee to-day voted to seat William McDonald, Progressive, of the Twelfth Michigan District, in place of H. Olin Young, Republican, who resigned from the House, but whose resignation was not accepted because of McDonald's contest.

CALL GROCER BANKRUPT.

An involuntary petition in bankruptcy was filed against S. C. Glass, a retail grocer, Wednesday. A petition for a receiver is attached.

STATE ASSAILS CHARACTER OF FRANK

Many Girls, Former Employees of National Pencil Factory, Appear Against Defendant.

Continued From Page 2.

ing ahead of time?—A. Not at first.

Q. Now, did you ever catch him ahead of time at 12 o'clok?A. Yes.

Q. How much?—A. Three minutes.

Q. When was it?—A. During the spring of the year.

Q. How many times have you known him to be ahead of time?—A. Only twice, I think, in the short time he has been under me.

The witness was excused and N. Kelly, a motorman was called. Dorsey questioned him.

Q. Where were you April 26 between 12 and 12:05 o'clock?—A. At Broad and Marietta streets.

Q. Do you know what time the English avenue car came in?—A. It was 12:03.

Q. Do you know Matthews and Hollis?—A. Yes.

Mary Phagan Not On the Cars.

Q. Did you see them on the car?—A. Yes.

Q. At what time?—A. 12:03.

Q. Did you know Mary Phagan?—A. By sight.

Q. Was she on that car when you saw it?—A. She was not.

Rosser took the witness on cross-examination.

Q. How do you remember that?—A. I looked at my watch to catch a car

Q. Did you look at it yesterday at that time?—A. I don't remember.

Q. Why did not you report about little Mary Phagan not being on that car?—A. I did not want to get mixed up in this.

Q. When did you first tell the detectives?—A. I didn't see the detectives. I told Mr. Starnes this morning.

Q. Who else was on that car?—A. I don't remember.

Q. What did you do after that?—A. I stood at Jackson & Wessels for a time and then went and caught the 12:10 car for College Park.

Q. You were not paying any particular attention to anything, were you?—A. I was watching the crews being relieved.

Q. What is the schedule of the College Park and Hapeville cars?—A. The College Park schedule is 8:30 to 8:50 and the Hapeville cars run on the hour and every twenty minutes.

Rosser—Don't tell it so fast. What's the schedule?—A. A car every ten minutes.

Says Car Often Is Ahead of Time.

The witness was excused and W. D. Owens, a conductor on the White City line, was called. Dorsey questioned him.

Q. What time do you get to town at noon?—A. 12:05.

Q. Do you remember seeing the English avenue and Cooper street car on April 26?—A. No.

Q. Did you ever know that car to come in there ahead of you?—A. Yes.

Q. How much?—A. Two mniutes.

Q. Ever more than that?—A. I have known it to be three minutes.

The witness was excused and L. F. Ingram, a street car conductor, was called. Dorsey questioned him.

Q. Do you remember coming to town on an English avenue car Saturday, April 26?—A. I do.

Q. What time was it?—A. I don't remember.

Q. An English avenue car is due at Marietta and Broad streets at 12:07 o'clock. Do you remember that car ever coming in ahead of time?—A. Yes; frequently. Sometimes they come in ahead of time and sometimes late. I saw one of those trippers come in this morning at 8:24 when it was due at 8:30 o'clock.

Q. How much have you known the English avenue car to be off schedule?—A. Three or four minutes.

Rosser took the witness on cross-examination.

Q. It's against the rules of the company to come in ahead of time, isn't it?—A. Yes.

The witness was excused and Miss Mamie Kitchens, an employee of the pencil factory on the fourth floor, was called. Dorsey questioned her.

Q. How long have you been at the factory?—A. Two years.

Q. What floor?—A. Fourth.

Q. Were you at the factory to-day?—A. Yes.

Only Hearsay About Superintendent.

Q. Do you know any woman on that floor who has not been called as a witness here?—A. Miss Eva Jones and Mrs. Howell.

Q. Are you acquainted with Frank's general character?—A. Only by hearsay, and I don't want to testify.

Q. That's all right. I won't press the question. Now were you ever in that dressing room on the fourth floor with Miss Irene Jackson when this defendant, Leo M. Frank, came in?—A. Yes.

Q. Well, just tell the jury about it. A. I was back there one day when he came back and stuck his head in the door. He laughed, and said something about us having no work to do, and then went out.

Rosser took the witness on cross-examination.

Q. Did he ask you if you girls had any work to do?—A. Yes.

Q. Didn't he open the door and say: "Haven't you girls any work to do?"—A. He didn't say it that way.

Q. Who else was there?—A. Miss Ethel Stewart was in there for a time.

Q. Aren't you mistaken about Miss Jones and Mrs. Howell not being called as witnesses?—A. I only have their word for it.

Q. I am going to ask you a question we have asked every woman who works on the fourth floor. Did you ever meet Mr. Frank for any improper purpose?—A. I never did.

Dorsey: "Your honor, if that question is admissible, why can't we ask Miss Wood the question we have indicated?"

Judge Roan: "They claim their questions are only in rebuttal of Conley."

At this time, 1 o'clock, court recessed until 2, making the longest morning session yet held in the trial.

Motorman, Recalled, Denies Talk of Case.

The first witness called at the afternoon session was W. M. Matthews, motorman, who declared that the Phagan girl came into the city on his car on the morning of the murder. Solicitor Dorsey endeavored to show that he had feeling in this case which caused him to lean toward the defense.

Dorsey—Do you know this man, W. C. Dobbs?—A. I do.

Dobbs was sent from the courtroom.

Q. Didn't you have a talk with Mr. Dobbs about three days after the murder and say that Mary Phagan and George Epps got off your car at Broad and Marietta streets?—A. I never told anyone that.

Q. Didn't you tell someone you owed a debt of gratitude to someone connected with this case?

Rosser interposed an objection. "Let him give names," he said.

Dorsey—How long since you were a defendant in court?A.—About two years.

Q. Who defended you?—A. Mr. Moore and Mr. Branch, Mr. Colquitt and Mr. Conyers.

Rosser — You were acquitted, weren't you?—A. Yes.

Democrats Fail to Break Filibuster in Tennessee Assembly

NASHVILLE, Aug. 20.—The Democrats of the Tennessee General Assembly, failing yesterday afternoon and this morning to get the fusionists to join them in a session to pass an appropriation bill, to-day reelected the three State election commissioners chosen in April. This was to remedy what was claimed to be an irregularity at the June session when the amended election law was ratified in the House behind locked doors.

The Democrats, later went into caucus to decide further action. It is certain the legislative session will be prolonged as long as the fusionists remain away from the Capital.

Some State institutions are in dire need on account of the failure to get appropriations.

Carnegie Finances War Cruelty Probe

Special Cable to The Atlanta Georgian.

PARIS, Aug. 20.—Andrew Carnegie is to finance a great international investigation into reports of Bulgarian atrocities in the second Balkan war between Bulgaria and her former allies, Servia, Montenegro and Greece.

Final arrangements were made here to-day by the Carnegie endowment for international peace for a peace committee which will examine fully into the charges by Greece that Bulgarian soldiers committed unspeakable outrages on defenseless men and women in Macedonia.

BARBECUE AT ZIMMER'S.

The Atlanta Hotel Men's Association and Mr. and Mrs. William H. Hassler and Mrs. Mabel Leys, of Detroit, will be the guests of Will Zimmer at an old-fashioned Georgia barbecue at Kimballville Farm Wednesday afternoon at 1:30 o'clock.

L. G. WELLS DEAD.

News was received in Atlanta Wednesday of the death of Lewis Gray Wells at Madison, Wis. His son, J. O. Wells, well-known young business man, left for Louisville, where the funeral will take place Friday.

Eckman's Alterative

FOR THE THROAT AND LUNGS.

Eckman's Alterative is effective in Bronchitis, Asthma, Hay Fever, Throat and Lung Troubles, and in upbuilding the system. Does not contain poisons, opiates or habit-forming drugs. For sale by all leading druggists. Ask for booklet of cured cases and write to Eckman Laboratory, Philadelphia, Pa., for additional evidence. For sale by all of Jacobs' Drug Stores.

A Beautiful Face

with clear eyes—unwrinkled skin and vivacious manner comes to the girl who is freed from the nervous tension—the headaches, backaches and pain that sap her strength at irregular intervals and make her old before her time. She can be rescued from such slavery by taking the right remedy.

Dr. Pierce's Favorite Prescription

has been sold by druggists for over forty years and always gives satisfaction.

Weak, Nervous and Diseased Men Permanently Cured

DR. HUGHES is an experienced specialist. Dr. Hughes successfully treats and permanently cures Premature Weakness, Blood Poison, Kidney, Bladder, Prostatic and Contracted Diseases and all Chronic and Private Diseases cured in a few days. Varicocele, Hydrocele Stricture, Piles and Fistula. I am against high and extortionate fees charged by some physicians and specialists. You will find my charges very reasonable and no more than you are able to pay for skillful treatment. Consult me in person or by letter and learn the truth about your condition, and perhaps save much time, suffering and expense. I am a regular graduate and licensed, long established and reliable.

For 30 days my fee will be just one-half what other specialists charge, or Weekly or Monthly Payments Accepted.

FOR BLOOD POISON I use the marvelous GERMAN REMEDY, "606" or "914," and such improved remedies used for the cure of this disease. No detention from work.

For Weak Men, Lymph Compound, combined with my direct treatment, restoring the vital forces to the fullest degree.

In Chronic Diseases my patients are cured in less time, quickly, and I use the latest improved methods. Consultation and advice Free. Call or write.

DR. HUGHES,
Opposite Third National Bank,
16½ N. Broad St., Atlanta, Ga.
Hours: 9 a. m. to 7 p. m.; Sundays, 9 to 1.

New York Couple Weds in Cemetery

NEW YORK, Aug. 20.—A cemetery is where Miss Jennie Kocher Berger and Fred Staberman are going to be married on August 27.

The wedding will take place at Flushing, N. Y. The girl's father is superintendent of the cemetery.

French Count Says Canal Lacks Soldiers

Special Cable to The Atlanta Georgian.

PARIS, Aug. 20.—Count Maurice De Perigny, French explorer, writing to the Paris "Temps" from Colon, says:

The Count thinks that instead of 3,000 soldiers distributed along the Panama Canal, there should be at least 25,000.

Soda crackers are more nutritive than any other flour food. Uneeda Biscuit are the perfect soda crackers.

Though the cost is but five cents, Uneeda Biscuit are too good, too nourishing, too crisp, to be bought merely as an economy.

Buy them because of their freshness—because of their crispness—because of their goodness—because of their nourishment.

Always 5 cents. Always fresh, crisp and clean.

NATIONAL BISCUIT COMPANY

FRANK H. REYNOLDS & CO.

SURETY BONDS, FIRE, CASUALTY AND BURGLARY

INSURANCE

Automobile, Accident and Health Insurance. Plate Glass.

914-34 Candler Building. Phone Ivy 5277.

SEMI-ANNUAL STATEMENT

For the six months ending June 30, 1913, of the condition of

THE COMMONWEALTH INSURANCE CO.

OF NEW YORK,

Organized under the laws of the State of New York, made to the Governor of the State of Georgia, in pursuance of the laws of said State. Principal Office—76 William street, New York City.

I. CAPITAL STOCK.

Whole amount of capital Stock ... $ 500,000.00
Amount paid up in cash ... 500,000.00

II. ASSETS.

Total assets of the company, actual cash market value ... $2,602,033.73

III. LIABILITIES.

Total liabilities ... $2,602,033.73

IV. INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total income actually received during the first six months in cash ... $ 472,769.85

V. EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total expenditures during the first six months of the year in cash ... $ 458,502.73
Greatest amount insured in any one risk ... $30,000.00
Total amount of insurance outstanding ... Moderate

A copy of the act of incorporation, duly certified, is of file in the office of the Insurance Commissioner.

STATE OF NEW YORK—County of New York.

Personally appeared before the undersigned E. G. Richards, who, being duly sworn, deposes and says that he is the president of The Commonwealth Insurance Company of New York, and that the foregoing statement is correct and true. E. G. RICHARDS, President.

Sworn to and subscribed before me this 8th day of August, 1913.
W. W. APGAR,
Notary Public, New York County.

Name of State Agent—A. R. THOMASSON.
Name of Agents at Atlanta—FRANK. H. REYNOLDS & CO.

EDWIN P. ANSLEY W. FLOYD JOHNSON

Ansley & Johnson

INSURANCE

Fire, Liability, Automobile, Life, Accident, Health, Loans, Surety Bonds

We Have Automobile 2% Fire Policy

Phone Ivy 873 821 Forsyth Building

SEMI-ANNUAL STATEMENT

For the six months ending June 30, 1913, of the condition of the

UNITED FIREMEN'S INSURANCE COMPANY

OF PHILADELPHIA,

Organized under the laws of the State of Pennsylvania, made to the Governor of the State of Georgia, in pursuance of the laws of said State. Principal Office—Corner Third and Walnut streets.

I. CAPITAL STOCK.

Amount paid up in cash ... $ 400,000.00

II. ASSETS.

Total assets of the company, actual cash market value ... $1,774,181.55

III. LIABILITIES.

Total liabilities ... $1,774,181.55

IV. INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total income actually received during the first six months in cash ... $ 242,739.28

V. EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total expenditures during the first six months of the year in cash ... $ 334,231.83

A copy of the act of incorporation, duly certified, is of file in the office of the Insurance Commissioner.

STATE OF PENNSYLVANIA—County of Philadelphia.

Personally appeared before the undersigned Robert B. Beath, who, being duly sworn, deposes and says that he is the president of the United Firemen's Insurance Company and that the foregoing statement is correct and true. ROBERT B. BEATH.

Sworn to and subscribed before me this 14th day of August, 1913.
W. G. FISCHER, JR., Notary Public.

Name of State Agents—HUGHES, YATES & HURT.
Name of Agents at Atlanta—ANSLEY & JOHNSON.