

# BURNS SAYS CONLEY KILLED PHAGAN GIRL

Slayer of Homicidal Type, and  
Negro Is That, Detective  
Charges in Frank Report.

## READY TO PRODUCE PROOF

Accuses Atlanta Police of Impeding  
His Investigation—Motion for  
New Trial Is Up To-day.

*Special to The New York Times.*

ATLANTA, Ga., April 22.—Amplifying his statement made yesterday that Leo M. Frank was innocent of the murder of the little girl Mary Phagan, Detective W. J. Burns submitted a brief to-day on the result of his investigations addressed to the attorneys for Frank, in which he declared that the negro, Jim Conley, was the real slayer.

The hearings on the extraordinary motion for a new trial and to set aside the verdict were to have been heard before the Superior Court to-day, but on account of a death in the family of counsel for the defense were postponed. The extraordinary motion will be heard to-morrow and the motion to set aside the verdict will be heard on May 1.

### Investigation About Completed.

The brief of Mr. Burns reads as follows:

April 22, 1914.

Messrs. L. Z. Rosser, Reuben A. Arnold, Henry A. Alexander, Herbert J. Haas, Leonard Haas, attorneys for Leo M. Frank, Atlanta, Ga.:

Dear Sirs: I hoped to be able to furnish you to-day with my complete report showing the results of my investigation of the murder of Mary Phagan.

My investigation is about complete, with the exception of a few details which I have as yet been unable to cover. In addition to these, I had also expected to secure to-day from Chief of Detectives Lanford, according to a promise he had made while I was out of the city, certain affidavits bearing on the case, which were extremely important in view of the fact that I had offered a reward of \$1,000 to any person furnishing evidence of Leo M. Frank's immorality, and the only response there was from Chief Lanford, who had stated through the public press that he would turn certain affidavits over to me upon my return to the city which would prove this.

I called on Chief Lanford to-day and requested to see the affidavits he had, but he declined to let me see them, and made the astounding assertion that the charge of perversion did not enter into the case and had simply been injected by the attorneys for Frank.

This being, as stated, the only response made by any person to my offer of reward for evidence of Leo M. Frank's immorality, I am, of course, very anxious to see those affidavits, and until I do see them it will be impossible for me to render my final report.

I must, therefore, ask your indulgence in the matter until I can get free and complete access to all evidence bearing upon the case.

It is my intention to-day to immediately increase the offer of reward for such information as I have previously mentioned to the amount of \$5,000.

I am now engaged in drawing up my formal report, which will be submitted to you as soon as the same has been finally completed. I desire, however, to anticipate the same in these respects:

1. The murder was unquestionably the crime of a pervert of homicidal tendencies of the most pronounced type.

2. That Leo M. Frank is not a pervert, and is innocent of the murder for which he has been convicted.

3. That James Conley—and he alone—is guilty of the murder of Mary Phagan, and further, he is a pervert of the type heretofore described.

All of which I am prepared to prove.

WILLIAM J. BURNS.

### Strictures on Atlanta Police.

Mr. Burns severely criticised the Atlanta police and detective departments for their attitude toward his investigation, which has been in progress more than a month. His strictures were occasioned by his visit on Tuesday to

Chief Lanford, Chief Beavers, and Solicitor Dorsey.

"I was very much disappointed by the attitude of the detective department," he said, "and also by the attitude of Solicitor Dorsey. The detective intimated that the detectives and the Solicitor did not want to be convinced that Frank was innocent."

"I asked Mr. Dorsey if he would be good enough to tell me," Mr. Burns continued, "what was meant by the article that appeared in the newspapers stating that he intended to prosecute every person that perjured themselves in connection with this case. I also asked him if he intended to include in that persons that might testify for the State as well as the defense, and he said that he did."

The detective quoted Mr. Dorsey as saying:

"Mr. Burns, you told me that I wasn't to pay any attention to anything I saw in the newspapers, and I have seen a great many items indicating that your investigation is finished and that you have reached the conclusion that Frank is innocent."

"I said: 'Well, I don't mind indicating to you that my report will state Mr. Frank is innocent.' He stated, 'I would like to see that report when it is finished.' I replied, 'I have no objection to your getting one, but it must come from the lawyers.'"

"Mr. Dorsey stated that he ought to have one just as quickly as the other lawyers; I replied that so far as I was personally concerned I would be very glad to have him get it, and thought he ought to have it."

"Dorsey followed me to the door of his office, and on reaching there and finding Detectives Starnes, Black, Campbell, and others he assumed a loud tone of voice and said: 'You know you have been employed by friends of Frank to come down here to upset this verdict, I expect you to come here and convince me if I am wrong, but if you expect me to convince you I don't propose to do that.'"

"I then said: 'I thought you didn't want to discuss any of these questions—what is the use of making this speech?'"

The death of the mother of Herbert Haas, one of Frank's attorneys, caused Judge Hill to postpone the hearing on the extraordinary motion, set for to-day, till to-morrow.

The hearing on the motion to upset the verdict of guilty on constitutional grounds was postponed till May 1 at the request of Solicitor Dorsey, who wanted more time in which to prepare his argument.