

ANALYZES 'MURDER NOTES'

Frank Didn't Dictate Them, Says Expert—One an After Thought.

Special to The New York Times.

ATLANTA, Ga., Oct. 7.—Attorney William M. Smith, who declares that Jim Conley, his former client, and not Leo M. Frank murdered Mary Phagan, today gave to the press an analysis of the two murder notes found beside the murdered girl, made by Berry Benson of Augusta, one of the leading handwriting experts of Georgia, who has done expert work in litigations involving forgeries. After exhaustive study of the notes, Benson declares that there is not a white man, North or South, who could have dictated the notes with their typical negro lingo.

"If Edgar Allan Poe, a genius with his pen and a Southern man, failed in his story of 'The Gold Bug' to write properly the dialect of the Carolina coast negro, how could a Northern man, in the South but a few years, possibly express negro lingo?" asks Benson.

"Conley swears that these two notes were written at the same time at Frank's desk on a pad taken from his desk and at Frank's dictation. They were not written about the same time. The second note was an afterthought. This is clear for two reasons:

"First—Because the first note at its

ending is badly crowded, with the evident intent to get all in on that sheet; so much crowded, in fact, that the last word 'me' is written under the last line, on the bottom edge of the sheet and in the middle of the bottom edge.

"Second—Because the writing in the second note, although undoubtedly by the same hand, is smaller than that in the first note.

"I had enlarged photographs made and then measured carefully with surveyors' compasses. I found that the letters in the first note exceed in height in the second note in the proportion of 120 to 100; that is, they are one-fifth higher in elevation on the average.

"This is a very large difference, and it is to be accounted for by the second note being written later, by some interval of time, than the first note. Probably the nerves of the writer had recovered somewhat from the first excitement of the murder."

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