

GRIM JUSTICE PURSUES MARY PHAGAN'S SLAYER

As Famous Murder Case Nears Trial the Public Mind Again Reverts to the Discovery of the Crime; and Again the Great Question Comes Up: "What Happened in the Pencil Factory Between Noon Saturday and 3:15 Sunday Morning?"



Automobile in which detectives and newspaper man went to the scene of the murder. In the machine are Detective Starnes, Harry Scott, W. W. (Boots) Rogers and John Black.



Spot where Mary Phagan's dead body was found. Detective John Black is shown in the picture.



Mary Phagan, the young victim of a most mystifying murder.

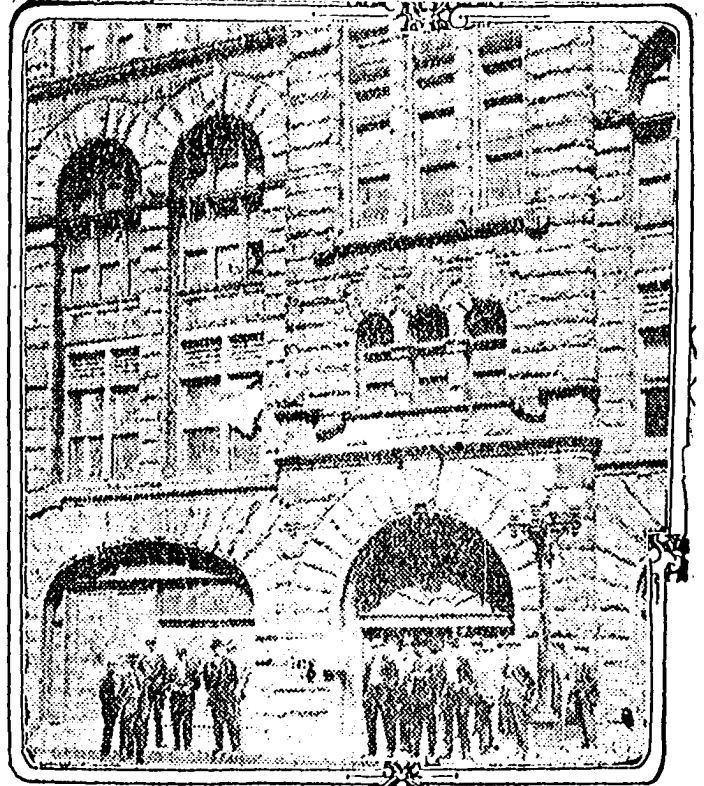
By Britt Craig.
There are things that happen right before our eyes that defy the pen of a god to describe. The mind of a murderer would find itself lamentably incompetent, and the words of a Demosthenes would become pante-stricken in the attempt.
One of these was the night Mary Phagan's body was found. It was a night as dramatic as the fury of a queen and poignant as her sorrow. It wrote the first thrilling chapter of Atlanta's greatest criminal case, and it will live forever in the minds of those who knew it.
This story is no effort at description, because description is impossible. It is just a plain, ordinary story of the happenings that night when Newt Lee went down into the basement to wash his hands and emerged, overcome with fear, the discoverer of a crime that put an entire state in mourning.
A week from tomorrow, Leo Frank, manager of the pencil factory, where Mary Phagan's body was found, will be placed on trial charged with the murder of the young girl, and interest in this mysterious crime again goes back to the night when Newt Lee startled police headquarters with news of his grisly find.
Finding the Body.
Newt was nightwatchman in the factory of the National Pencil company on South Forsyth street. He is a typical negro and on the afternoon preceding his discovery, just to show how typical he is, he had spent the whole of two leisure hours allotted to him watching a negro play a banjo and sing cotton field songs at a patent medicine show on Decatur street.
It was between 3 and 3:30 a. m. that night when he arose from the desk in the office where he had been scribbling pictures of cats and dogs and railroad trains to while away the lonesome hours, and picked up his sooty lantern to make a tour of the plant. The world outside was fast asleep, and the only sound was the occasional faraway rap of a policeman's night stick.
The building was dark and gloomy as a tomb and his footsteps created uncanny sounds. Something in the atmosphere of loneliness inspired him to hum the ancient strain:
"I got a gal in de white folks' yard,

Brings no butter 'n brings me lard, Can't help but love her, so help me heaven—
Shout mourners, you shall be free!"
Newt went to the first floor where the big watchman's clock ticks incessantly on the wall near the bottom of the steps. It was the only lifelike thing in the building, and Newt, like all other nightwatchmen, felt a deep attachment to clocks that tick-tock so humanly through the lonely hours of night.
The hands stood somewhere in the neighborhood of 3:15, showing that his tri-nightly trip into the basement was due. It wasn't an inviting place, this basement, and Newt, as any other typical negro would do, made it a point not to make any more than the three required trips thereto.
His "Watching" Performance.
It was his custom to go only to the bottom of the ladder that ran from the scuttle hole, from which point he surveyed what little of the cellar that could be perceived by the light of his lantern. Very seldom did he venture further. He preferred the upper floor, with its machinery and the lifelike clock and less possibility of ghosts and spooks.
That night, however, he wanted to wash his hands. Spots of ink had clung to his fingers as he had sketched the cats and dogs at the office desk. The superintendent had forbidden him the use of any but the basement sink, and it was there that he always performed his meager ablutions.
With a courage a negro manages to muster only when he drives from his mind all thought of everything, Newt descended the shaky ladder. A tiny flame flickered from a gas jet directly beneath the scuttle hole, but beyond the interior was as black as the soul of night.
Humming his tune so as to keep his mind vacant of other things, including fear, he walked to the sink. It was midway of the basement, just beyond the furnace. The darkness and solitude seemed so intense that he could almost feel it, and his steps beat upon his ears with a creepy thudding.
He set his lantern down beside the sink and washed his hands. Then he dried them on a newspaper. As he picked up the lantern to return to the scuttle hole it revealed something over

in the corner just behind the edge of the partition that ran half the length of the basement.
Negro "Sees Something."
It was an object that looked human and apparently had on a dress. Newt looked at it closely, his eyes attracted to the spot like a bird's might be attracted by the charm of an adder. The longer he looked the tighter did something close itself around his stomach, and the more convincingly did the object assume human proportions.
It lay prone in the sawdust, and what appeared to be an arm was stretched lifeless from the shoulder.
He suspected it was a joke, and that someone had put a dummy in the basement to frighten him. He hoped it was! But, dummy or not, it certainly looked human—too human, in fact, for the uncongenial surroundings.
Impelled by a combination of emotions composed mostly of curiosity and fear, Newt strode to the spot. He picked up the lifeless arm. The flesh yielded beneath his grip. It dropped limply to the sawdust.
A panic no man can picture seized him. He wheeled around. The rush of air blew out the flame in his lantern. There was nothing left but darkness, thick, impenetrable darkness that shrouded even the glow of the gas jet at the scuttle hole. That and a quietude overwhelming.
Uttering a shriek that reached into the ears of the dead, he sprang erect and plunged headlong into the inky space ahead.
"Headquarters" Suddenly Awakened.
Police headquarters had been dull and sleepy, an unusual condition for a Saturday night. Sergeant Sells, on the desk, had complained of underwork and the motorcycle men, lounging drowsily in their chairs, agreed that crime wasn't what it used to be.
The hands of the clock pointed somewhere around 3:30. Boots Rogers, an ex-county policeman, dozed in an easy chair, too contented to go home until breakfast time. His big touring car stood at the curb on the outside.
The reporters on the police run for the Sunday papers had all gone home at 3:30—all except one, a Constitution man, who lived across town and was waiting for Rogers to ride him home in the auto.
Policeman Anderson answered the telephone that rang exactly at 3:30. Headquarters dozed on. Telephone

calls, even at 3:30 a. m., are more or less insignificant. There was not even a stir as the policeman entered the booth.
"This police station?" came over the wire in an excited tone.
"Yep. What's the trouble?"
"Somebody's killed up here 't the pencil factory on Forsyth street. It's—"
Anderson dropped the receiver and left it swinging on the cord. He jumped from the booth and called to Sells:
"Killing up on Forsyth street!"
"Who is it?" asked Sells, sarcastically, as he swung a record book to the stand above his desk.
"I'm no mind-reader," retorted Anderson, diving for the door. Rogers awoke from his doze and jumped to his feet.
"Get in my ear," he called. "I'll run you up."
The Constitution reporter had reached for a telephone.
"Wait a second," he was asking. "Let me call the office—there ought to be a story in this."
"Wait like a lizard," blazed Anderson. "Think we're going to murders on schedule?"
The reporter's office went unnotified.
Hurry-Up Run to Factory.
At a 40-mile clip Rogers whirled the policeman up Decatur street toward Five Points. At Decatur and Pryor Sergeants Dobbs and Brown were encountered. They jumped into the machine and Anderson's call. Like a racing demon gone mad, the big car snorted through the uptown district and turned down Forsyth at Marietta street.
The pencil factory building stands almost midway of the block between Alabama and Hunter streets. It is four stories high and looms far above its neighboring structures. There is something in its black and gloomy aspect that is, itself, suggestive of tragedy. A wee light from a gas jet on the second floor flickered feebly like a beacon of lost hope.
The machine rolled alongside the curb and stopped with a roar. Its occupants clambered out. There were no lights on the first floor, and the interior looked as lifeless as the body Newt Lee had discovered in the cellar. Not knowing what to expect, but in preparation for anything, the policemen drew their pistols.
Anderson knocked at the door. No answer came. A suggestion was made to break through the glass, when there was a commotion in the vicinity of the stairway, down which came a streak

of light—the lantern in the negro's hands he scampered down the steps from the office to which he had fled in fear.
The newcomers rushed in as he opened the door. Their presence seemed to inspire courage. His teeth chattered and the lantern trembled in his fingers.
Lee Glad to See Officers.
"Lord!" he exclaimed, "I'm glad you come. It's a girl, dead, down there." He indicated the scuttle hole to the basement with a quivering finger.
The reporter was nearest it. Some news instinct makes the newspaper man the luckiest of professionals per man the luckiest of professionals guided him first into the black and yawning opening. Rogers followed. Before the shivering negro could chatter another word, the entire party had scrambled into the cellar. Lee was the last to enter.
Weird shadows danced on the walls from the dim glow of the lone jet. Rogers and the reporter forged their way through the darkness. Swinging his lantern, Newt was coming behind. Suddenly, he warned:
"Look out, white folks—you'll step on it!"
He took the lead. Someone slipped and fell in the treacherous sawdust that gave 'way beneath the feet. The crunch, crunch of feet were the only sounds. The odor of pencil wood and lead pervaded the place almost stiflingly. Its smell will forever bring tragic recollection.
When the lantern's rays fell upon the form that lay rigid and mutilated in the recess, the knot of men were too startled to move. The intense darkness and sight of the spectacle struck them momentarily powerless. It was a scene that a wholesome mind can attribute to only the stego-mangery of Satan.
The body lay on its face. The long tangles of brown hair that straggled over the sawdust told that the girl was white and the dress that reached only to the knees, that she was a child. A jagged gash in the dull bespoke murder. Rigor-mortis had set in. Death had reeled hours ago.
Sergeant Dobbs was the first to speak:
"And this in a civilized country!"
Oratory will play a dominant part in the Phagan case, and it will be oratory of a masterful kind, but that simple little sentence, spoken by the policeman as he stood over the lifeless form in the basement darkness, will stand, unquestioned, the most eloquent and damning.
The mysterious murder notes, that



National Pencil Company building, on Forsyth street, in Atlanta, where Mary Phagan's body was found.

went unsolved for weeks, were found, side by side, within a foot of the body. Suspicion, as is always the case with the police mind, was promptly directed to the negro. Someone faintly accused him. He was too astonished to reply. At length he stammered:
"Good God, boss! Do you think I'd do a thing like that?"
As he pointed a tremulous finger at the corpse, and all eyes were turned upon it, it was hard to conceive that any human could have done it. But it had been done. No one was dreaming. The body lay before them, ghastly proof of a fiend's work. There were no baboons or monsters in metropolitan Atlanta. Someone was guilty—someone human.
So they put the handcuffs on Newt, the discoverer.
To fully convince themselves that the negro was guilty, the policemen made him go through a pantomime of his discovery. It would have driven Belshazzar's greatest achievement to shame. There, in a solitude of the grave, with the policeman's electric torches and the policemen's electric torches for light, the negro enacted a drama over the body of a slaughtered child that would strike terror to the heart of an audience.
"Bird Degree" for Negro.
With a composure that comes from the reaction of panic, he clenched the lantern in his mangled hands and went graphically through every detail of his actions. It was, in itself, a third-degree that would have extracted confession from the hardest-hearted of murderers. Newt Lee manifested his innocence in an eloquence far greater than speech when he pantomimed his discovery.
But the police weren't convinced. They sent him to headquarters to satisfy a public that demands immediate

arrests in such cases.
With an arrest made, two substantial clues obtained in the murder notes, and a search being carried on for more, it became necessary to identify the victim. Rogers drove in his car for Miss Grace Hicks, a relative who lives at 100 McDonough road, and who is an employee of the pencil factory.
The body still lay in the position in which it was discovered, when she entered the basement, sleepy-eyed and drowsy from the sleep from which she had been aroused. With a single glance at the upturned face, scarred and purple and swollen, she uttered a cry that pierced the building, and swooned into the arms of her kinsman.
"It's Mary Phagan!" she wailed. "My God, who killed her?"
Sobbingly, she told the policemen of her attachment to the girl whose body lay stretched before her. They had worked side by side at the same machine. For years they had been inseparable chums. Mary was the sweetest girl in the factory and the prettiest.
It seemed a crime of Fate that she, of all others, should be called to identify the corpse of her friend.
She resisted being led away, begging to stay beside the body. The undertakers came and wrapped it in a tarpaulin and carried it away. A newspaper photographer came and made a flashlight of the spot. Detectives arrived and took charge of the scene with characteristic officiousness. Then came the inevitable mob of the curious.
Daybreak mounted over the skyscrapers and streaked the sky with purple. The city began to awaken. Less than an hour passed, and the night Mary Phagan's body was found retreated before the brilliance of a Sabbath sun.