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# SUNDAY AMERICAN

# EXTRA

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## BRITISH ENVOY DECLARES FOR CANAL TOLLS; JAPAN ELATED

Sir Cecil Spring-Rice's Statement to the President That He Is a "Pupil of Pauncefote" Astounds American Diplomats.

Wilson Is Notified by Japan That She Will Protest Against the Land Act of California—Swift-ness of Action Disturbs Him.

By JOHN TEMPLE GRAVES. WASHINGTON, May 10.—"I am of the school of Lord Pauncefote and his pupil," was the astonishing and significant remark by Sir Cecil Spring-Rice, the new British ambassador, in his first interview with the President of the United States to-day.

This declaration has been the talk of diplomatic Washington. It is generally construed as a direct announcement of the attitude which the ambassador will maintain in the further discussion of the Hay-Pauncefote treaty and the Panama Canal tolls.

It is well known that Sir Cecil was sent to Washington at this time because of his intimacy with Lord Pauncefote and his acquaintance with the upstart negotiators attending the Hay-Pauncefote treaty. It is generally understood that the remarks place the ambassador fairly on record as to the "Pauncefote" view.

Japanish Ambassador, who has the most conservative of diplomat regard it as remarkable and significant that, this candid and trained diplomat, in his first conversation with the head of our Government, should have so openly allied himself with the one British diplomat whose name brings up inevitably the contention between the United States and the British Government.

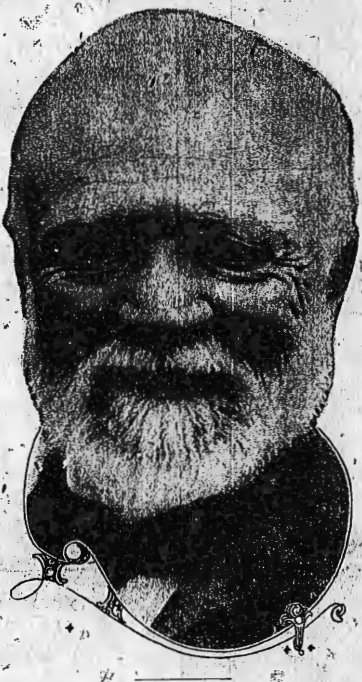
"The Japanese Embassy is reported as highly elated over the conversation," says John Bassett Moore, Acting Secretary of State, refused to do so, as usual, to elucidate any of the questions that have been urged upon the State Department of Great Britain and Japan.

The White House and the State Department have been notified by the Ambassador of Japan that he will protest against the Panama Canal tolls as a clear contravention of the treaty of 1850.

Swift Action Disturbs Wilson. This swift action of Japan, which is seen as an advance step toward the alien land bill by Governor Johnson has had an awakening and distinctly disturbing effect upon the Administration.

## CARNEGIE A CITIZEN? NO, Declares a Suffragette YES, Answers His Secretary

Latest picture of Andrew Carnegie. This photograph was taken Thursday in New York and shows the titan and advocate of peace just as he looks to-day.



Woman Points to Fact That Laird of Skibo Is Registered as a Voter in Scotland.

Miss Mae Scott-Troy, a San Francisco suffragette, has questioned Andrew Carnegie's claim to United States citizenship and in a pointed question makes the following demand of the Laird of Skibo:

"What right have you to pose as an American citizen when you are registered as a voter in the parish of Dorochou, in the County of Sutherland, Scotland? You are voter No. 11 on the official list compiled by me to-day from the Sheriff of the county. Why did King Edward offer you a dukedom?"

Mr. Carnegie is described on the voting list as "a gentleman. Place of abode, Skibo, Gaelic."

In answer, Mr. Carnegie's secretary, James Herrihan, makes the following reply:

"Mr. Carnegie is an American citizen. He became so without naturalization because he came here when he was 11 years of age, and his father was naturalized before he became 21 years of age. If he is registered as a voter in Scotland he had nothing to do with it personally. He is a property owner there and his name probably appears on its registry list in connection with that fact. He could not vote in that country because he is an alien there."

## Admits a Chemist Can Create Life

British Scientist Thinks It Must Be of Low Form, and Cannot Dispel Religion.

SPECIAL CABLE TO THE AMERICAN. LONDON, May 10.—Professor Huxley Woodhead, lecturing before the Royal Society of the Arts, discussed the origin of life.

He said he agreed with Professor Huxley that it was quite possible to give a low form of life might be created by a chemist, but he pointed out that was "no reason to change our belief in God."

## MAN WEDS ON DEATHBED TO MAKE BRIDE HIS HEIR

MAINEVILLE, W. Va., May 10.—Wedding on what is generally known as the deathbed of the late Mr. J. B. Anderson, who was released a few days from the hospital here by Dr. Frederick P. Kleinman, has found a way to leave the estate to the girl who has cared for him since he became incapacitated by disease.

## DIVORCED WIFE OF PROF. PECK NOW HIS NURSE

Former Columbia Instructor Taken Home by Woman He Separated From Years Ago.

## SECOND MATE AGREABLE

Two Parties Reach Understanding Christian Science Cure to Be Tried.

ITHACA, N. Y., May 10.—In the stillness of an afternoon and a hopeless mental breakdown attending Prof. Harry Thurston Peck, who for more than a quarter of a century held the chair of Anglo-Languages at Columbia University, his first wife, Mrs. Corinne Daborn Peck, has assumed complete charge of the helpless invalid. This with the consent of his second wife, whose financial resources are meager.

The first wife started with him on a journey that will end in her home at South Beach, Fla. Peck's wife adds all past differences which caused her to divorce him in September, 1908, the first Mrs. Peck has cheerfully assumed the duty of nursing the former scholar in his declining days.

Believes Science Will Cure. "No hope is held out by the specialists in mental disease who have examined Prof. Peck, while he has been at the City Hospital, that he can ever recover. His first wife is an enthusiast in Christian Science, and is firmly convinced that under her ministrations her former husband's reason can be restored. There is no doubt that even in his aged condition of mind, he has taken great comfort in the presence of his wife, who has been present for some time, and she has taken great interest in his recovery."

The present Mrs. Peck is certainly known best to carement of the first Mrs. Peck because she who has borne in to the care of the afflicted scholar. There has been a great deal of talk of the possibility of a divorce, but the first Mrs. Peck has refused to do so.

Women Have No Remorsement. The present Mrs. Peck is it certainly known best to carement of the first Mrs. Peck because she who has borne in to the care of the afflicted scholar. There has been a great deal of talk of the possibility of a divorce, but the first Mrs. Peck has refused to do so.

On the other hand, his former wife received a financial settlement from Professor Peck at the time of the divorce, and afterward he made direct contributions to her and on behalf of their daughter, Constance, in addition his first wife had property of her own. Both wives were at his bedside for a time, but a day or two ago Mrs. Peck No. 2 left this city for a summer retreat near here. Her whereabouts are known only to the hospital authorities.

Professional Hoop. The former wife hopes to do what the doctors say cannot be done, and she has a professional Christian Science healer. But she has a religious philosophy of her own which she avers to have found wonderfully efficacious in the past, and she has full belief in her ability to cure her husband's disease.

## REVOLVER USED TO STOP STREET CAR IN SAN JOSE

SAN JOSE, May 10.—Because the street car did not stop to admit him, H. J. Taylor, a workman in a local factory, used a revolver to stop the street car. Taylor was shot in the chest and is now in the hospital.

## SPIRIT CHILD OF 5 YEAR-OLD GIRL'S DREAM

Strange Psychic Powers of Donor Girl Causing Great Interest All Over Country.

## REMAINS INVISIBLE ALWAYS

Corinne Mayfield, However, insists That Her Companion Is of the Flesh.

DENVER, May 10.—The story of "Margie," the little girl of five years old, who is said to be the daughter of a U. S. Major, of this city, made public a few weeks ago has created a great interest among persons who read the article, and want to know more about the strange manifestations of the spirit companion of the little Denver girl.

Hundreds of letters have poured in to the Mayor, in evidence of the Josephine Street, and dozens of persons have called, either out of curiosity or sympathy.

Little Corinne, who possesses mysterious psychic powers, plays dolls with an imaginary or spiritual playmate she always calls by the name of "Margie." This little invisible companion, which Corinne Albert describes as being a mere child like herself, has been the constant playmate of the Denver girl ever since she was one year old, at which time she first began to lip the name of "Margie."

The parents make no attempt at solving the mystery and students of psychology are puzzled. Accounts of some of the strangest coincidences in connection with the mysterious appearance of the spirit child have come out in the Denver city papers.

Is This the Spirit Child? One letter, written by an earnest woman of Rochester, N. Y., who has read the Denver address which had been made, recounts a story that is even more strange than that which is told in the Denver city papers.

Denver newspaper reporter a little girl we had whose name was Margie, with beautiful purple curls which she wore in a bun. She had a great talent for drawing, and had a great deal of money.

Margie was first taken sick when she was three years old. She was in the room with her, dressed in white, with white shoes and stockings like the color of her hair. She was sitting alone in the room with the baby in my arms, and though Margie loved death, she was ill and did not expect him to recover.

Dear little Margie, when we laid her away she had on her just pair of white shoes and stockings. At the time Margie was sick our other little child, seven months old, whom Margie loved dearly, was ill and we could not get her to recover.

"I am not a spiritualist, but I know Margie's spirit came back, and I can tell you that she was in the room with the baby in my arms, and though Margie loved death, she was ill and did not expect him to recover."

PRIEST TURNS SOLDIER TO PROTECT HIS LIFE. EL PASO, TEX., May 10.—Having been asked to turn his back on the altar, a priest has turned to the Government for protection. The priest is now in the army, and is being trained as a soldier.

ENFIELD SHAKER COLONY REDUCED TO SMALL NUMBER. NEWFIELD, CONN., May 10.—The Enfield Shaker colony, North Farmington, Conn., has been reduced to a small number of members. The colony was founded in 1787 and has since that time been a center of Shaker activity.

## Radium Tube in Liver Cures Case of Cancer

Six Weeks Ago Patient's Death Was Certain—Now He Is Able to Walk.

PHILADELPHIA, May 10.—Mildred Watson, 43 years old, who at the Methodist Episcopal Hospital apparently cured of cancer by radium and is now under the surveillance of Dr. G. J. Schwartz and other physicians who assisted in the operation.

Watson carries in his body a silver tube containing twenty milligrams of radium inserted in his liver about six weeks ago, when authorities on cancer had declared his death was inevitable.

Watson was taken to the hospital on a stretcher, but since the operation has made rapid strides to recovery. Recently he was able to walk to a carriage.

## Peary 'Channel' Is Land Says Rasmussen

Explorer Reports It Is a Large Tract of Ice, with Gains in Abundance of It.

SPECIAL CABLE TO THE AMERICAN. COPENHAGEN, May 10.—A message from Thorshavn, Faroe Islands, announces the success of Knud Rasmussen's Greenland expedition. Rasmussen returned yesterday after a three year absence. At Peary Land the expedition found large numbers of seal and musk ox and which provided ample supplies.

Where the Peary channel was supposed to be found a large tract of land free of ice. Game was abundant in that section, and the party halted for a month before starting on the return journey, over 400 miles, which was covered at an average rate of 10 miles a day. Rasmussen depended entirely on his Eskimo outfit and took with him no refined provisions.

## Judge Blames Girls for Flirting, Not Men

Mothers, in Turn, Are Held Responsible for Daughter's Actions by Chicago Police Judge.

CHICAGO, May 10.—Police Magistrate John P. Boyer, from the bench today, scolded the mothers of girls who were more responsible for flirting than men, and that mothers, in turn, were responsible for their daughters' conduct for lack of watchfulness over them.

The court said that girls who were seen in the streets, with their parents, should be held responsible for their conduct. The court said that mothers should be held responsible for their daughters' actions.

GROVER CLEVELAND'S HOME TO BE KEPT AS MEMORIAL. CALDWELL, N. J., May 10.—What color paint was on the Presbyterians' mansion when Grover Cleveland was born, now the property, is being tried to ascertain with the view to making the building again look as it did on that historic occasion.

Opinions differ among the old residents, but in view of the fact that white was the prevailing color for mansions years ago the committee is likely to adopt it.

## SEN. VARDAMAN OUTLINES HIS NEW PLAN TO SOLVE NEGRO PROBLEM

Noted Mississippi Explains Why He Will Urge Repeal of the Fifteenth Amendment and Modification of the Fourteenth.

Northern and Southern People Both to Be Pitied for Attitude They Take Toward Question So Vital to the Race, He Declares.

WASHINGTON, May 10.—Among whose chief determination is to repeal the Fifteenth amendment, which states that the rights of citizens shall not be denied on account of race, color or previous condition of servitude, the noted Mississippi has written the following for the Sunday afternoon.

BY JAMES K. VARDAMAN. U. S. Senator from Mississippi. THE importance of the race problem is rightly understood by comparatively few people. Unfortunates man and woman of the North earnestly push it aside with the absurd statement that it is not their business and should be left alone to the white man of the South to settle. And on the other hand, here in the great white man and woman of the South who seem to go around the globe with their heads in the clouds, and content themselves to let matters drift.

For the two classes, I have no other feeling than that of commiseration. Possibly, they cannot help it. They are an ignorant of the real tendency of things—as incapable of understanding the dangers involved in the policy of quiet nothingness as the light-hearted child who gathers flowers from the roadside beneath whose foliage is hidden a slow poison or strike it dead. This question is not a political issue. It is not a national issue. It is a racial issue. It is a question of the survival of the fittest.

At least 90 per cent of the young girls through whom we are allowed to do so, as they please. Their parents exercise no jurisdiction over their conduct, and as a consequence they roam the streets, visit public halls and encourage the flirting of men. This is as well as men, ought to be kept out of the streets.

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## JAMES K. VARDAMAN

Senator from Mississippi who plans to solve the negro problem by abolishing the Fifteenth Amendment.

# A Monster That Does Not Exist

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**Y**OU can understand the human race and contemplate and study passing events more clearly when you realize that CRIME, of which we hear so much, is really not an important thing, not a PERMANENT thing, and actually not a REAL thing.

A man is born with certain attractions and passions and a certain amount of power. And he has a brain which directs and controls his forces and expresses his emotions.

And when the machinery is out of order, the brain badly formed, the nervous system badly developed, the power of self-control and guidance insufficient, the man is what we call "a criminal."

He is simply a human machine out of order. And you may compare him justly to an automobile out of order.

Nobody speaks of such a thing as "a criminal automobile," or a criminal flying machine, or a criminal driving wheel.

Yet often the automobile, when the steering gear breaks, kills more than any criminal. And the flying machine, when a rod snaps, or the engine gives out, kills its freight. And the big driving wheel in a factory, when it bursts, may kill hundreds.

The automobile, flying machine and driving wheel are not "criminal." They are simply like the human being, organized individuals, possessing certain forces, obedient to certain attractions, gravitation, centrifugal force, etc. Normally they work harmoniously, usefully and safely, like the well-constructed human being, and they work harmfully and disastrously, like the human "criminal," when the machinery is out of order.

This will be a better and a more intelligent world when human beings realize that the criminal is a "machine out of order," one to be repaired, to be pitied, to be protected against itself and against evil doing if necessary, but never hated.

We shall be more nearly civilized as a race when we cease to feel toward the criminal revenge, hatred or vindictiveness. We have reached the stage in treating the insane which we shall soon reach in the treatment of criminals.

In the old days they put the insane man or woman in a miserable stone cell, without any bedding, chained to the wall. And when the poor, insane mind protested and struggled and shrieked, the unhappy creature was beaten into insensibility or exhausted with the pouring of ice cold water.

The history of crime and the horrible history of insanity are told in a single page which describes Jack Sheppard, the famous English criminal, going to see his mother, a crazy woman in the asylum.

He saw her naked, chained to the wall with an iron band around her waist, lying on a little heap of wet straw, pounding her fists on the stone pavement, only to be whipped "for her bad behavior," and not long afterward Jack Sheppard, the son of that crazy woman, was taken to be hanged in due course, while the mob howled its hatred, a solemn judge having previously told him how "wicked and criminal" he was.

The mother was insane and was treated with brutality.

And the son, with a badly formed brain, born of an insane woman, was no more a criminal, in intention, than the judge on the bench.

He was a badly made machine, and that was all.

Children should be taught to lose their fear of criminals, taught never to speak of criminals as a class apart, but rather to look upon the criminal as a man sick, suffering, almost invariably weak, and always to be pitied.

The descriptions of the criminal foolishly written in novels make of him a marvel of intelligence and of strength.

Almost without exception the criminal is dull, stupid, addicted to drugs and extremely feeble physically.

The writer of this article was invited by a judge in a great city to watch the criminals pass before him for sentence.

Ten criminals appeared, one after the other, all guilty of burglary, or crimes of that nature. And not one of them weighed one hundred and forty pounds. Every one was a timid, shrink-



**Men for Ages Have Talked, Written About and Feared a Thing Called "Crime" Which Actually IS NOT A REALITY. What We Call Crime and Wickedness Is Force Misapplied, Ignorance, a Brain Malformed, Opportunity Lacking.**

**The Real Nature of Man Is Upright, Truthful and Good. Crime in Its Different Branches Is Only Perversion, Misdirected Force and Energy.**

**The Day Is Not So Far Distant When It Will Fade Away and Be Forgotten, Existing Only in Memory and in History with Cannibalism, Leprosy and the Other Diseases and Vices of Ignorance and Barbarism.**

ing, badly made, nervous, frightened creature. And if one of them ever committed a murder it would simply be because fear drove him to killing a stronger, better man, whom he dreaded.

An experiment made by Lombroso, the great Italian criminologist, proves distinctly two things:

First, that the criminal is at first glance a badly made machine, and second, that women, and even young girls, possess an intuition which protects them against the human being badly constructed.

Lombroso asked a school mistress to show twenty portraits of thieves and twenty portraits of great men to the girls in her class.

There were thirty-two of the young girls. Eighty per cent of the girls, that is to say, four-fifths of them, recognized immediately the twenty thieves as the bad people and the twenty great men as the good people—although they had never seen portraits of either criminals or great men.

Again Lombroso asked three doctors to examine photographs of two hundred young men and pick out the criminal type. All three of them selected among the two hundred the youth that was a criminal.

And a little girl twelve years old did exactly the same thing, and picked out "the bad face" among the two hundred.

Her instinct, the marvelous intuition with which Nature protects women against bad men,

made it possible for this child to identify the badly made human face. What is the use of calling that boy a criminal, of planning revenge upon him, when it was clear to a child of twelve that he could not help himself, and needed only care and protection against himself?

You do not blame a lame man for not walking evenly. You do not hate a one-armed man because he has only one arm.

You have no right to blame or to hate those that are called "criminals" because they have not the brain, the nerves, the strength, the control that would have made them what you think they ought to be. Criminals are weak physically, mentally and

in every other way. A great French writer, observing the marked differences between men in prison and out, said:

"Their cringing and timid ways, their mobility and cunning of their looks, something feline about them, something cowardly, humble, suppliant and crushed, make them a class apart. One would say dogs who had been whipped; hardly, here and there a few energetic and brutal heads of rebels."

It is important for fathers and mothers to remember that crime is a combination of mental weakness and cruelty.

And cruelty is largely based on imitation. A child that SEES cruelty is apt to be cruel. The child that SEES kindness practices kindness.

Those that beat their children, and the untought fools that advocate the whipping of children and other brutalities in schools, should realize that the crimes committed against children are the causes of crimes committed by the children when grown.

One scientist found that cruelty practiced in childhood was a forerunner of criminality later. He describes a child brutally beaten by its parents that used to take young birds, pull out their feathers and burn them alive. "He was revenging himself upon the birds for the punishment imposed upon him by his parents."

When that child grew up a criminal the fault was not with him, but with the parents that gave him a bad brain to start with, and then made it worse by beating him. If your brain is so poor that you can't bring up your children without a club, pity yourself and them.

It must be remembered that crime is something apart from what we call honesty. The general supposition is that men are naturally honest, and that civilization has made them dishonest.

As a matter of fact, primitive man was naturally a thief, and civilization has made many of him honest.

Savages are all dishonest except where their own immediate family or tribe is concerned.

The remote ancestors of everybody now living practiced murder and theft, and considered both highly honorable.

That had nothing to do with crime; it was business, the way of making a living.

Little by little men have outgrown dishonesty and murder, and taken up other kinds of business.

Once upon a time all killed those whom they did not know. Two of the lowest types of English laborers were talking together when a Frenchman asked one a question.

"What did he say?" asked the second laborer.

"I don't know; he is a foreigner."

"Then," said the second laborer, "why didn't you 'k' him?"

A Maori chief, a very high type of the savage, expressed very simply to a questioner the moral view which once prevailed with every one of us—before we had acquired our little coating of civilization.

Said he: "If I go out for a morning walk with my spear, and I see a man, and I push my spear through him, that isn't murder—that's 'killing.' But if I invite him to my home, give him food, tell him to sleep, and then kill him, that is murder."

This savage had reached the stage when it was all right to push his spear through a man whom he didn't know, but wrong to kill a man after pretending to be his friend.

Such ancient methods of collecting property, getting rid of strangers and enjoying life were common among all of us when we were savages. In the different countries where our races began.

That has nothing to do with what we now call crime.

We call crime now that which the policeman watch, that which the judges punish, and that which the prisons punish and greatly increase. It is simply weak, misdirected energy, badly formed brains, defective education, poverty that starves the body and stunts the mind.

The race as a whole is healthy, hopeful, manly, well, abhors crime and cruelty.

And that little percentage of so-called "criminals" which attracts so much attention will disappear entirely when the biggest, strongest, better men shall have realized that their sympathy, help and protect. NOT HATE, but pity, is the only way to help the unfortunate, weaker, misdirected brother.







"Mr. Cohen had a vision. He seemed to see eight hungry children walking up his steps three times a day chorusing 'You sent our pop to jail, you must feed us.'"

**L**OUIS DRUCKER was down in Ludlow Street Jail, where New York sends the gentlemen who won't pay up their alimony and other gentleman who won't pay less unusual debts. Mr. Drucker owed Mr. Samuel Cohen a matter of \$10, and Mr. Cohen, falling to collect, had sent Mr. Drucker to Ludlow Jail for two weeks to wipe out the debt. Mr. Cohen wouldn't get any money by doing it, nobody would get any money and Mr. Drucker wouldn't be able to make any money for his wife and children while in jail, but that was the law, and Mr. Cohen at least got satisfaction of a sort; Mr. Drucker, paying his cell, pondered over the foolishness of a law that puts a man who owes money in a place where it's impossible to make any money.

Mrs. Drucker and the eight little Drucker children were all sitting home thinking much the same thing. Nobody knows better than Mrs. Drucker how hard it is to keep eight children from being hungry. Yet here was Mr. Drucker in jail—and the truth is that there was not a thing to eat in the house!

Now it can readily be seen that neither the Druckers nor Cohens are what is called "important people." No one outside of their own little sphere would ever have heard of them. If it hadn't been for Mrs. Drucker's much worried over the situation, suddenly encountered a really important idea. When an unimportant person gets an important idea they become noteworthy—like a coal scuttle that is made of diamond or a piece of old paper with a sonnet by Shakespeare in his own handwriting. Hence the raising of the Druckers and the Cohens into the limelight.

It was very late—or very early—when Mrs. Drucker got the idea. Not long after—Ray, her next-door neighbor, came to the door. "Samuel Cohen sat up in bed. His wife has her curtains away, and beside him, they started. It was half past six o'clock in the morning.

"Rap, rap, rap.

Mrs. Cohen peeped at the door. "Go, Sam," she cautioned.

Shaking in his red robe with yellow stripes, Mr. Cohen averted from behind the door he peeped into the hall at the wife of Louis Drucker. Mr. Cohen tried to shut the door. Mrs. Drucker pushed past it. She strode into the room. Her daughter Martha followed. They sat down without invitation, but with a determination to stay so strong as to be audible.

"You put my husband in jail and taken our support from us," said Mrs. Drucker. "Now support us!"

"Go woman!" said Mr. Cohen. "But Mrs. Cohen stopped in her track of taking down her curtains. "You have how many children?" she asked.

"Eight," answered Mrs. Drucker. "This is Martha, the oldest. She's bright, isn't she? We're coming to live with you unless your husband gets out of jail."

Mrs. Cohen retreated into a closet. He came out in street attire. "I'll have you the police lock you up," he said. He went out. Soon the stairs creaked. He came down, a policeman.

"Put along here. You're disturbing this man's sleep," cried the policeman.

"His disturbed mind is locked my man up because he owed him something he couldn't pay!"

"Excuse me."

"Talk it over among yourselves," the policeman advised at last in his doleful, low voice. "I've got to go. They're waiting for me."

They talked until it was time for Cohen to go to work.

"I'll be back soon and bring the other seven," Mrs. Drucker assured Mrs. Cohen. Mrs. Cohen, preparing her two for school, permitted a tear of self pity to trickle down her cheeks.

"The children in this fat and we were crowded before," she sighed. "There'll be a slatter from morning till night. And the cost!"

Observe the curious fact that Mrs. Cohen is already accepting the thing as certain.

That evening Mrs. Drucker came back bringing most of the children with her, five to be exact. The Cohens, sitting at their quiet evening meal, as if they heard the determined tramp, tramp of six pairs of feet on the stairs, heard Mrs. Drucker's unmistakable rap upon the door, heard the childlike voices in long sustained speech.

"We haven't a thing to eat since you sent Pop to jail," was the burden of their cry.

For five minutes they sat at the table, the meal interrupted, their appetites gone. Then Mrs. Cohen repeated her order of the morning.

"Let them in, Sam."

Mrs. Drucker marched in as a general marches at the head of his army. She deployed the army to various points of vantage.

"Here Martha, take Pearl and sit on that chair by the window. Aaron, get up. Olive me the baby, Eva, and you take the dog by the collar."

Mr. Cohen professed. Mrs. Cohen placed her hands on her temples and burst into tears. Mrs. Drucker laid the children sat and looked at the table.

"It's justice. Your husband owed me the money," said Cohen.

His daughter said to Mrs. Drucker. "But that doesn't matter. You've put him away where he can't earn any money. He's dead to us. You and when the month's out at our flat, you've got to sleep up!"

Cohen started to walk the floor. But Martha was in his way to the door and when he turned to walk the other way he tripped over Eva. Battered, he went back to his chair, which will make such a prison, work while in jail and the payment for this work will go to his wife.

Mrs. Drucker did not know it, but she was really applying the old common law—that a man might send a man to jail because he owed him something, but he was responsible for his keep.

Generally adopted and carried to its extreme, her principle of an eye for an eye, a tooth for a tooth, and broad appeal for bread, would lead to a confused sense of property rights. Cohen was within his rights. Probably Drucker deserved to go to jail. Cohen ought to have been humane man. But his wife was humane and wouldn't permit him to do so. It gives us a vision of the future—a new matriarchy. Mrs. Cohen and Mrs. Drucker sitting in the kitchen settling a point on which their husbands fought, is a prophecy of the success of a female board of arbitration.

"That's the woman's law," said Mrs. Drucker, asserting the family laundry for Monday.

"But it's the woman's law and the right," she went on. "If a man gets enough money he ought to support the family of the man's wife and id, and if a man kills another one he ought to be made to support his family all his life."

"It was woman's law," agreed Mrs. Cohen.

And that's what makes this article important enough to print. What is the woman's law? That's what the man-made laws that fitted the days of the Trojans, or the Pharaohs. For it should be understood that the dog was the first domesticated animal. It was certainly domesti-

## "The Woman's Justice Which Will Rule the Future"

By Judge Wauhope Lynn, (The Distinguished New York Jurist)

Mrs. Drucker and Mrs. Cohen settled the matter on the common ground of household necessities. That is what government will be when woman shares in it—simply an expanded housekeeping. The principles of the well regulated household will reach into all branches of the government and better them.

To illustrate this: I was walking along the clean streets of Denver recently, keeping a wary eye on the sign "Don't smoke!" for I sometimes chew tobacco. A neat, well-dressed woman passed me and I heard her speak to a street cleaner. She spoke in a kindly, admonitory way.

"George," she said, "that curvet back there is quite filthy. That must be kept as clean as the rest of the street. Will you please attend to it at once?"

George did, and I looked after the neat young woman with admiration.

I had not noticed that the curvet was unclean. With woman's keen eye for detail and her beautiful sense of fitness, she knew.

One day there came up before me in court 200 policemen. There was chaos about street signs. Some were hung too low, some too high, some were too large. The man in the street and banged and lumbered into court, women with their eye for form and proportion would have settled that without coming into court.

Certain inharmonies in the law will adjust. For instance, as man made the law there are strange inequalities and incongruities about the property rights of women. The woman who has no children has fewer rights in a property sense than the woman who has. The law regards the last as a whole woman, the first as half a woman.

The young woman usually receives a larger allotment of property than the old one. These crookednesses women will speedily straighten and we need not fear for the confusion of property rights which will at first ensue.

Mrs. Drucker's Fortis-like widow has made me a stronger suffragette. With their help I have no doubt that the just principle of making a man who has widowed a wife and orphaned a family work for both State and family will be carried out. If, for example, a man's earning capacity in prison is \$120 a day, 50 cents of that should go to the State and 50 cents to the family he has bereaved. More than anything else, though, Cohen's last case and Mrs. Drucker's victory are important, because it shows us the feminine viewpoint applied to the problem of harmonizing the law with the conditions of life. Every law is the result of a human prompting. Her human prompting was for the welfare of her children. She took the short cut to it. Women will do that when they have a part in the administration of the law.



Mrs. Drucker and the Whole Eight Drucker Children.

## Why the Dog, Not Man, Is the Most Highly Educated Creature in the World

By Rene Bache.

MOST people would say that man was the most highly educated of living creatures. But such is not by no means the fact. It is the dog that deserves this to be characterized.

The dog has undergone certain educational processes to which man has never been subjected. So extraordinary effective have these processes been that in the brain of the dog is blazed by something like one-fourth that of a wolf of equal weight and size.

As everybody knows, dogs are the direct descendants of wolves. But let us begin with exactly what is meant by this statement. For the precise significance of it is not generally understood.

Scattered over the earth are many species of the genus canis. Wherever any of these species has been found, it has been domesticated. The species which have proved susceptible of domestication are called dogs. Those which, like the wolf, have proved incurably wild are called wolves.

That is all the difference there is between a dog and a wolf, the start. But the difference between the wolf and the dog was not then and is not now. The former is an enemy of man; the latter is his most faithful and devoted friend.

It is all a matter of education. But in order to realize how thorough education the dog has been evolved from the wolf, we must go back to a period long before the earliest dawn of the most primitive civilization—to the days of the Trojans, or the Pharaohs.

For it should be understood that the dog was the first domesticated animal. It was certainly domesti-

ated tens of thousands of years before the horse or the sheep or any other living creature. Furthermore, its domestication was accomplished at the outset by women. In all likelihood, who brought home occasional wolf pups and raised them as pets.

Wolf pups of any breed are rather inclined to be fierce when they have got beyond early puppyhood. But this fact necessarily resulted in a weeding out of the fiercer ones, those of greatest disposition being saved, to become in their turn the parents of other puppies, destined to undergo the same process of selection.

It is, therefore, not surprising that the fiercer wolf qualities were gradually eliminated. Doubtless the reason for taking so much trouble in the breeding of the earliest types of dogs was that primitive man found them very useful. They may have been more or less servicable in the chase, but their principal usefulness was doubtless for guarding the cave or other dwelling against surprise by an enemy.

Primitive man was himself a rather ferocious animal. We see today plentiful evidence of the survival of this ferocity in crimes of violence, and most strikingly in the fact that civilized nations, for the betterment of their dupes, customarily resort to the expedient of wholesale murder and equally wholesale destruction of property, calling it "dollar wars."

Primitive man knew no such thing as peace. He was in constant apprehension of attack by people of other races and rival settlements. By night and day he was obliged to be on the alert, lest he be killed. His children were guarded, and his women carried away. Hence the value to him of a four-toothed guardian who could be counted upon to be always on the alert and ready to give a prompt alarm in case of danger.

Such was the beginning of the domestication of the dog. And it should be realized that the breeding of the animal was conducted, and has ever since been continued, on lines wholly different from those considered in the breeding of any other creature. Horses, cattle, sheep, pigs and chickens are bred solely for the improvement of physical qualities—speed, size, strength, beauty, wool-bearing, egg-production, etc. The dog, on the other hand, has been bred chiefly for the improvement and development of its moral qualities and intelligence.

Probably this has been going on for at least 10,000 years. During all that period, from generation to generation the gentlest and most intelligent dogs have been selected for breeding. And as a result, we have in the dog of today the most faithful and devoted friend we know—an animal which in certain respects is on the much higher level than ourselves, morally speaking.

Incidentally, the virtues which in human beings we regard as highest and noblest of all are loyalty and unselfish devotion. In these respects a good dog is superior even to the best human being. With him a disregard of self goes so far that at any time he is ready to lay down his life for his master. His love and devotion are absolute and unqualified.

Human beings have never been bred for intelligence. Neither have they been bred for the improvement of their moral qualities. It is all chance mostly from generation to generation, so that the sort of a philosopher and philanthropist is just about as likely as anybody else to turn out a thinking descendant. It is surprising to consider what the human race might be like today, and to what heights it might have arrived, if it had been subjected to the same care and selection for moral and mental attributes, like the genus canis, for 10,000 years.









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PRICE FIVE CENTS

BRITISH ENVOY DECLARES FOR CANAL TOLLS, JAPAN ELATED

Sir Cecil Spring-Rice's Statement to the President That He is a "Pupil of Pancoff's" Astounds American Diplomats.

Wilson is Notified by Japan That She Will Protest Against the Laid Act of California—Swift-ness of Action Disturbs Him.

By JOHN TEMPLE GRAVES. WASHINGTON, May 10.—"I am of the school of Lord Pancoff and his pupil," was the astonishing and significant remark by Sir Cecil Spring-Rice, the new British Ambassador, in his first interview with the President of the United States to-day.

The declaration was the talk of diplomatic Washington. It is generally construed as a direct announcement of the attitude which the Ambassador will maintain in the further discussion of the Hay-Pancoff treaty and the Panama Canal tolls.

It is well known that Sir Cecil was sent to Washington at this time because of his intimacy with Lord Pancoff and his acquiescence in the unwritten negotiations attending the Hay-Pancoff treaty.

The most conservative of diplomats regard it as remarkable and significant that this careful and trained diplomat, in his first conversation with the head of our Government, should have so closely allied himself with the one British statesman whose name brings up inevitably the contention between the United States and the British Government.

Government officials regard the situation as more serious and menacing than it has ever been. Japan has been smiling with deep interest in the proposition of the British protest against the Panama tolls, which may be filed at the State Department on the same day as the Japanese protest.

It is known that the reply to the Japanese protest is already in preparation and that it will take the form of an evasion of the main charge.

Out of the dense fog which has been raised on the present question, the one object of the State Department will be to avoid direct issues and enter upon a process of delay.

"Spanish Prisoner" Uncovers a Victim

Hoary Swindle Still Working—John Booth Falls to Recus Imprisoned Beauty.

NEW YORK, May 10.—That hoary relic of olden days, the "Spanish prisoner" game, "where you whisk when the time comes" an American "duke stealer" was prattling babies, was once more taken off the book shelf yesterday, dusted, roiled, alabed and put on board the Kronprinz Wilhelm, of the North German Lloyd line, which steamed for Bremen.

The gallant American who left to rescue the beautiful Spanish and her father, whose fortune is in the hidden pocket of the portmanteau now in the hands of the customs authorities of Spain, gave his name as John Booth. He acknowledged that it was an assumed name.

Detective Weinstein, of the Hoboken police, tried to explain to Booth that he was being victimized, but the man declared he had met his girl, and knew how to take care of himself. He showed Weinstein the letter which he had received from Madrid, and said that he was sure they were genuine.

Herr Oscar Explains His Need of Dippel

Might Use Him to Carry Bricks, Says the Impresario in Reply to Consultation Rumor.

NEW YORK, May 10.—"Dippel? Oh, yes, I could use him," commented Oscar Hammerstein, "right now, I could use Dippel to carry mortar and bricks. Yes, indeed."

This was Mr. Hammerstein's reply to a report that he and the former manager of the Chicago Opera Company would join forces in the production of operas in New York.

Asked concerning the report that the directors of Metropolitan Opera Company have tried to induce him to limit his proposed grand opera to the production of operas in New York, he said: "I have tried to get us together so we could come to some agreement, but as yet it is not done. I have talked to Otto. It is not done. I desire a small produce in my language. I see it."

Republicans May Cut South's Delegation

Hillas Calls Executive Committee to Consider National Convention to Change Representation.

NEW YORK, May 10.—Charles D. Hillas, chairman of the Republican National Committee, yesterday issued a call for a meeting of the executive committee at the New Willard Hotel, in Washington, May 24.

The meeting will consider the demand for a special national convention to change the basis of representation.

Senator Cummins and other leaders will bring the matter to the vote and the result will be a meeting of the party for President, thus reducing the power of the Southern States in the convention. The "Old Guard" is opposed to any change.

"Doctor" No Longer; President Dislikes It

Visitors Learn Title Must Not Be Used at the White House From New On.

WASHINGTON, May 10.—President Wilson, whose biographical record is a list of degrees, when he is called "Doctor Wilson" by any one who uses the title with him at the White House now quietly disavows his error.

PREVENTION OF RAILWAY ACCIDENTS CHAMBER'S AIM

Provisionary measures for the prevention of accidents, particularly in connection with railroads entering Atlanta, will be discussed at a meeting of the committee on public safety of the Chamber of Commerce Friday afternoon.

The special matter of the stimulation of trade crossings will be taken up. In this connection correspondence has been received from W. J. Lovelace, chairman of the committee, and Harry Bay Landrum, chairman of the Interstate Commerce Commission, will be heard.

DIVORCED WIFE OF PROF. PECK NOW HIS NURSE

Former Columbia Instructor Taken Home by Woman He Separated From Years Ago.

SECOND MATE AGREEABLE

Two Parties Reach Understanding Christian Science Cure to Be Tried.

ITHACA, N. Y., May 10.—In the plebeian circumstance of an utter and hopeless mental breakdown, afflicting Prof. Harry Thurston Peck, who for more than a quarter of a century has been the chair of Ancient Languages at Columbia University, his first wife, Mrs. Corneilia Dabrah Peck, has assumed complete charge of the helpless invalid. This with the consent of his second wife, whose financial resources are meager.

The first wife started with him on a journey that will end in her home at Sound Beach, Conn. Putting aside all past differences, she has now been divorced from him in September, 1908, the first Mrs. Peck has cheerfully assumed the task of nursing the former scholar in his declining days.

Believes Science Will Cure. No hope is held out by the specialists in mental diseases who have examined Prof. Peck, while he has been at the City Hospital, that he can ever recover. His first wife is an enthusiast in Christian Science, and is firmly convinced that under her ministrations her former husband's sanity can be restored.

There is no doubt that even in his deplorable condition, he has taken great satisfaction in his presence. Where nurses and doctors have proved unable to control him—and he has times been a bit of a violent—the presence of the first Mrs. Peck has invariably had a soothing effect.

The first following the divorce decree granted Mrs. Peck against the Columbia professor he married twice, Elizabeth H. Dabrah, a public school teacher of New York City, an invalid, who has been in the hospital since the time of her marriage.

When Mrs. Peck is in the hospital she is in the hospital. The second Mrs. Peck is in the hospital. The second Mrs. Peck is in the hospital.

Spirit Child IS 5-YEAR-OLD GIRL'S CHUM

Strange Psychic Powers of Denver Girl Causing Great Interest. All Over Country.

Corinne Mayfield, However, Insists That Her Companion is of the Flesh.

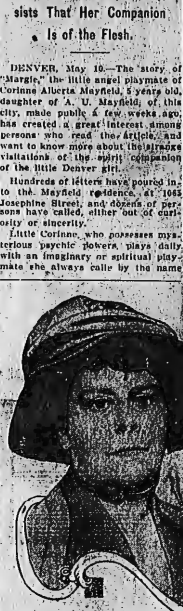
DENVER, May 10.—The story of "Marge," the little angel playmate of Corinne Alberta Mayfield, 5 years old, daughter of A. W. Mayfield, of this city, made public a few weeks ago, has created a great interest among persons who read about illustrations of the spirit world.

Hundreds of letters have poured in to the Mayfield residence, at 1645 Josephine street, and dozens of persons have called, either out of curiosity or sincerity.

Ramona Borden Missing Again

Girl and Mother Both Disappear Young Heiress Seen with Stranger

Ramona Borden, who ran away a few weeks ago with two women, now said to be missing again.



Multi-Millionaire Milk Dealers Daughter Reported to Have Run Away Again With Mrs. White

NEW YORK, May 10.—Miss Helen Borden, 17-year-old daughter of Gail Borden, multi-millionaire New York milk dealer, whose mysterious disappearance from a New Jersey institution several weeks ago caused a big sensation, is reported to be missing again.

The first hint that Ramona had run away again came from New Haven, Conn., to which place she had gone with Mrs. Helen Borden White, who is a rich Cleveland, Ohio, business woman.

It is reported that Mrs. White and her daughter, who has been living at the hotel and that their present whereabouts are unknown.

Spirit Hands Bless Cripple; Cure Him

Members of Faith Mission Lay Invalid's Recovery to Supernatural Visitation

MEMPHIS, Tenn., May 10.—The members of Faith Mission in this city declare that "they" lay hands on the crippled child and he was cured.

Canal Will Open by Fall Says Engineer

Management of Work at Panama Promises Completion of Work by October

SAN FRANCISCO, May 10.—Lucius M. Easton, engineer in charge of the Panama Canal, yesterday declared that the big ditch by October will be made certain, visitors from all over the world will be invited to see the work.

WEAK EVIDENCE AGAINST MEN IN PHOENIX SLAYING

Detectives in Coroner's Jury Probe Admit They Have Nothing on Which to Convict Anyone in Mysterious Tragedy of Atlanta.

TESTIMONY BROUGHT OUT NO INCRIMINATING POINTS

BY AN OLD POLICE REPORTER

The most sensational testimony offered at the Coroner's inquest in the Phagan case was that of entirely by the police papers.

At the Coroner's inquest, Detective Black, who was on the witness stand, admitted that he had no positive information as to who committed the murder.

Detective Black replied, "No, sir, I have not."

Coroner Doneho asked Detective Scott of the Phagan case on the witness stand.

"Have you any definite information which makes you believe any party of this crime?"

Detective Scott replied, "I would not commit myself, I am working on a chain of circumstances. Detective Black will see all the time on the case and I know about the same stages as he."

"As you read this over and consider it carefully, you will be impressed by the fact that the two most important detectives in the case now for a period of two weeks on the Phagan case, have said that they have no positive information as to who committed the crime, in fact really know nothing about it at all."

"I am setting down here by your thoughts and ideas, without intending the slightest disrespect to any official, and for the cause I believe I am at liberty to do so because of Scott's and Black's testimony."

MYSTERY STILL WITHOUT SOLUTION

In "The Sunday American" of last week I published an article saying that the developments of the preceding week had been mysterious and that the mystery was then as dark and deep as any mystery that ever puzzled police and detectives.

I can only repeat this statement to-day. I am not on the confidence of any of the detectives, of Solicitor Dorney, of Coroner Doneho, or any of the persons engaged in the attempt to unravel the crime.

I know what the average newspaper reader knows—no more. I walk about the streets a keener deal, I ride on the cars and meet a great many people who talk about the terrible reality and I believe I am right in saying that the result is of nothing now is that the police and detectives are very far indeed from solving the mystery.

In making this statement I do not wish to be understood as casting reflections upon the police or detective forces. The men engaged on the case are well-meaning, but I think they are wrong and they may have made mistakes.

The perfect detective, like the indispensable man, does not exist.

All detectives are not "man catchers," and many detectives employ very stupid methods in their work. They can see the obvious things but they lack imagination. Their minds work on a singular way and they know a problem sometimes slips their grasp when working out, just as a tangle of knots in a plank being sawed puts the saw out of business.

CORONER DONEHO VERY EFFICIENT

To pay my respects here to Coroner Doneho in the way I handled the case. His examination of witnesses showed a high intelligence. His questions were searching and by a fair and open in the public welfare, that must not be overlooked.

Coroner Doneho is not a Shepley Holmes. He performed his function in the law in a creditable manner. He really wanted to know the truth and he was not afraid to ask questions that might have been more exact than that there was always a hope that a blind justice might catch a witness of guilt and there would be an ending revelation.

What did the Coroner's inquiry develop?

That first the case of Lee. The testimony against him was that he is the only person known to have been in the room at 4:30 o'clock in the evening until the bodies were discovered.

Frank testified that he found three bodies in the room and Lee should have pointed.

Sergeant E. J. Brown testified that Lee could not identify the body from the place the night watchman told him to go to.

Sergeant E. S. Dobbins testified that Lee could not identify the body from the place the night watchman told him to go to.



# NO REAL SOLUTION OF PHAGAN SLAYING MYSTERY YET

## Old Police Reporter Finds Flaws in Case

Continued From Page 1.

notes found near the body of the dead girl meant "night watchman." F. M. Berry, assistant cashier at the Fourth National Bank, testified that the notes found near the body were in his opinion written by Lee.

Detectives told of finding a shirt with blood stains near the right shoulder in a barrel at the rear of Lee's house. The indications were that the shirt never had been worn, however.

**TESTIMONY FAVORING LEE.** Testimony favoring Lee is that, he was not alone in the building until after 6:30 o'clock, and that it can not reasonably be supposed that he would have been able to lure the girl to the factory by any means after this time, or even that the girl would have been alone in that vicinity at that time. There is no evidence to account for her whereabouts between 12:10 and 6:30 o'clock.

Lee's own testimony was that he did not know the girl and that he never saw her until he came upon the body in the basement of the factory shortly before 3 o'clock Sunday morning.

W. W. Rogers testified that Lee did not appear excited. Other officers who went to the factory Sunday morning corroborated this testimony.

These circumstances conflict with what is known of Lee's nature. The natural course for Lee, had he been the culprit, it is argued, would have been instant flight.

The framing of the notes to divert suspicion, according to the testimony of persons familiar with the negro nature, was too subtle a plan to suggest itself to Lee's mind.

What was developed against Frank? The principal points brought out connecting him with the crime were:

He was the last person known to have seen Mary Phagan. By his own testimony, he saw her at 12:10 Saturday afternoon, April 26, when she appeared at the factory to get her pay. No one was able to swear she was seen after that time.

Q. W. Epps, Jr., a boy friend of the Phagan girl, testified that Mary had told him Frank had waited at the door when she left the factory one day and had winked at her and tried to flirt. Epps rode to town with her the day she went to the factory to get her money, and was to meet her again at 4 o'clock at Five Points. She did not appear, leading strength to the theory that she never left the factory after once going to get her pay. Frank's Conduct With Girls.

Thomas Blackstock, a former employe, testified that he had seen Frank attempt liberties with girls in the factory.

Nellie Pettis, 9 Oliver Street, testified that Frank had made improper advances to her when she went to get her sister-in-law's pay at the factory. She said he pulled out a box of money from a drawer and looked at her and then the money and asked: "How about it?"

Mrs. C. D. Donegan, 165 West Fourteenth Street, said she had seen Frank smile and flirt with the girls in his employ.

Nellie Wood, 8 Corbett Street, testified that Frank had attempted familiarity with her in his office, and had put his hands on her and had tried to persuade her to remain with him in his office.

Frank testified that he was at the factory Saturday afternoon from 12 to 1 o'clock and from 3 to 6:30 o'clock. Harry Denham, Arthur White and White's wife were in the factory part of the afternoon, the two men until 3:10. From 3:10 until 3:45 Frank was alone in the factory. Then New Lee came and was told by Frank to take the remainder of the afternoon off until 6 o'clock. From about 4 o'clock until 6, Frank again was alone in the factory, so far as the testimony showed.

Lee testified that the crime could not have been committed in the night without his knowledge, as he had gone past the lathe machine on the second floor, where the struggle is believed to have taken place, twice every half hour on his regular rounds.

Lee testified that Frank appeared greatly agitated when he met him at the door of the factory office just before 4 o'clock. He said that Frank seemed nervous and was rubbing his hands in an excited fashion.

J. M. Gantt, a former employe who happened to be in the factory at 6 o'clock, testified that Frank appeared nervous and apprehensive at this time.

**UNABLE TO REACH FRANK AT 3.** Call Officer Anderson testified that he tried to telephone Frank at his home after the police had viewed the body at 3 o'clock Sunday morning, but that he could not get him.

W. W. Rogers, former county policeman, who carried the officers in his automobile to the scene of the murder and later got Frank, testified that Frank told the officers he had come to ask them if "anything had happened at the factory," and if the night watchman had "found anything" when nothing had been told him at that time as to the tragedy.

Rogers said he saw Frank remove the time slip from the time clock which Lee had punched. Rogers said that there were no "slips" on it, but that it was punched regularly every half hour, from 6:30 in the evening until 2:30 the next morning. It was shortly after 2:20 o'clock that Lee told the officers he had found the body. The time slip which later was turned over to Chief Lanford by Frank had three "slips" in it.

Lee testified that Frank had told him the Sunday the body was found that the clock was moved all right and later contradicted himself by saying there were three "slips" in it and that it "looked queer."

Lee testified that Frank had told him in a private conference that "they would both go to hell" if Lee maintained his present attitude.

Harry Scott, Pinkerton detective, brought Lee on this point. I am inclined to classify this as a negative testimony. Frank is reached and held through a process of elimination.

Three of the detectives working on the Phagan case, and some of the events in the gruesome slaying. The slayers are (from left to right): J. N. Starock, Harry Scott, Pinkerton operative, and John Black.



Testimony pointing toward the innocence of Frank was that of Frank himself. He said that he had not known Mary Phagan by name before her murder; that he recalled paying her at 12:10 Saturday afternoon, but that she left his office at once and he heard her footsteps dying away as though she had left the building. He said he remained at the factory until 1 o'clock in the afternoon and then went to his home for luncheon, returning about 3 o'clock. He said that he was entirely alone from 4 o'clock until 6, and that he arrived home at 7 in the evening, where he remained. He declared he knew nothing of the tragedy until the following morning. He said that he dreamed during the night that some one was ringing the telephone, but that he did not fully awaken. In this manner he explained his failure to answer the telephone.

Harry Deuhman, one of the men in the factory Saturday afternoon until 3:10 o'clock, testified that Frank did not appear nervous or agitated when he saw him.

F. M. Berry, assistant cashier of the Fourth National Bank, testified that the notes found by the side of Mary Phagan did not appear to be in the handwriting of Frank.

Lemmie Quinn testified that he was in the office of Frank Saturday afternoon between 12:15 and 12:30, and that he did not see Mary Phagan in the office or anywhere else in the building.

Mr. and Mrs. Emil Selig, Frank's parents-in-law, corroborated the story of Frank's movements during the day.

Quinn and other men in the factory testified that they never had seen Frank make any improper advances toward the girls, but that on the contrary he had been most courteous when he had any personal dealings with them, which was not frequently.

The whole matter now rests in the hands of Solicitor Dickey. He observed Frank attempt any liberties with any of the girls.

Herbert Schiff, chief clerk in the factory, testified that the work which Frank accomplished Saturday afternoon on the financial sheet would have taken any expert five or six hours.

**EVIDENCE IS NOT CONVINCING.** I ask, would you consider this very convincing in the case of either man? I do not.

But after the coroner's inquest the case assumes a new form. The whole matter now rests in the hands of Solicitor Dickey. He have never met him. All that I hear about him is in his favor. But he has never shown any unusual skill as a detective. He knows criminal law, and he will proceed along the regular lines of bringing the whole matter to the attention of the Grand jury, and indicting both Frank and Lee. Then will come the trial.

If Detectives Scott and Black are reported accurately in their testimony, as quoted at the beginning of this article, then the prosecution in my opinion has very little upon which to base a trial of either of the men now held for the crime. Lee came through the cross-questioning without any discredit at all. The insults made against Frank are not of much importance. They may forewarn something big. They were, of course, sufficient to warrant the coroner's jury in holding him for the Grand jury. An indictment by the Grand Jury does not mean that a person is guilty. Far from it.

## Mary Phagan's Death Only Assured Fact Developed

BY JAMES B. NEVIN, Mary Phagan is dead. She was murdered.

Lee Frank and New Lee are in jail upon the findings of a coroner's jury, held as suspects for investigation by the Grand Jury.

Here is a case of cause and effect involving the most elusive factors of connecting events that ever came under my observation of criminals and crimes, through fifteen years of varied newspaper experience in a number of American cities.

It is not my purpose here to try this case. Such comments as I may set down are personal merely.

It did all through the last day of the coroner's inquest, but beyond that, my information as to this strange case came to me by way of the mouths and pens of persons charged with some measure of responsibility for raising the truth of the matter in such wise as it might be fixed. My facts are authoritative, my conclusions strictly my own.

It is my opinion that the slayer of poor little Mary Phagan has not yet been found or identified. Moreover, I am inclined to believe that an ever-increasing doubt that her slaying is a mystery, ever will be apprehended.

**Case Against Prisoners.** As I see it, a shabby, vicious, unskilled man has been made out of Frank, and all but no case at all against Lee.

The most horrible and detailed details have been culled up in some disordered brain hereabout, and imaginary facts and circumstances of this little girl's death have been passed from lip to lip in revolving detail. It was bad enough, as it was—

removed from out the mass of misinformation, half-facts, pure falsehoods and prejudice, what remains of it? What is there left that will stand up before a jury and its responsibility for Harry Phagan's murder upon somebody now in custody?

Lee's Straight Story. I looked New Lee over carefully, observed his manner and his general bearing on the stand, during the sitting of the coroner's jury on Thursday. I have studied his testimony as delivered at the hearing. Lee is just an ordinary negro. There are a million of them in the South to-day. He told a simple, straightforward story, and he told it and no amount of prodding has caused him to waver a hair's breadth from it.

If Lee committed the crime, he is a most unusual negro—rather than a most common negro, such as I take him to be. If he killed Mary Phagan early in the evening of April 26, he must have murdered her early in the evening, if at all—and he must have murdered her dead body until 4 a. m., then to call the police, he is the most astonishing negro that ever came under my observation.

If, however, there were other circumstances tending to show that the murderer and the murdered incline to waive the first cited untenable and unproved circumstances, and say all right, he may have done it.

If Lee committed the crime and then dragged the body to the cellar of the National Trust Factory, there to lay it in the dirt until he went in at 6 o'clock, when he was the sole of the door leading into the cellar, he is a most unusual man. This done to arouse the suspicion that the murderer and the murdered came into the cellar through the cellar door, and that, therefore, the crime was committed by some one outside the factory? This procedure would be that the real murderer entered the factory, after the murder in the cellar, then went outside, broke the middle of the door, reentered the building and awaited his next move, the hated alarm to the police.

Where Was Mary Phagan? Did Lee do that? He is a most exceptional negro, if he did, and yet, if murderer and murdered tell me—and I am speaking of those who KNOW observed Lee outside, and after dark, or near dark, what became of Mary Phagan from the time she was paid off at noon until she was murdered, and where she may have been? Could she have been outside the factory any of that time, or part of that time, and not living but willing to testify to it?

Against all these poor man theories, and set off Lee's remaining in the factory certainly many hours after the murder was committed, his alarm to the police near daybreak, and the fact that the coroner's inquest was brought to light.

Did Lee murder Mary Phagan? I do not know anything of it, but I do know that he is a very innocent of all connection with it. Frequently, I incline to the last

conclusion, but I may be altogether wrong about it. That speaks little for me. It looks to me more probable that Lee did it perfectly, nearly nothing in this Phagan case, and not the unusual or very-much-out-of-the-way thing.

Well, if not Lee, was Lee Frank covered in this killing? A jury likely will pass upon that, for I suspect the Grand Jury will indict Frank. There is some circumstantial evidence connecting him with this crime that may or may not mean much.

Appearance of Frank. Frank looks very unlike the national murderer. That speaks little if anything, perhaps—at least, nothing of itself. And yet a man's ordinary appearance should count for something, when there is nothing peculiarly established against his other ways.

Unfortunately for a Frank, it is easier to make out a case of what he might have done than it is to make out a case against somebody else as to what he might have done. But, while Frank MAY have done all these things, when is the evidence that he DID do them? Such as there is to the purely and honestly circumstantial case, even of the slightest kind.

But, even after indictment, it is a long, long road to conviction in circumstantial cases, even of the slightest kind.

As to the attempts to break down Frank's character—well, there has been testimony submitted, and opinion on that phase of the case. As to the evidence submitted in vindication of his character has outweighed that against it—that is, as to the probability is favorable to Frank.

Who Then Did Murder Mary Phagan? The question is almost as far from an answer to-day, as it was when Mary Phagan's dead body was dragged to rest on last early Sunday morning in April. As at the coroner's inquest, strictly five per cent. of the questions asked were answered, and ninety per cent. of the information obtained worthless. Not only this was so, but there was so very, very little to go on. The coroner and the jury could—could have done no better, perhaps—but there was so little by way of fact to predicate conviction upon.

If the cases against Frank and Lee were brought down, such a verdict in the mind of a jury that were obtained, could they be picked up and set within the range of the possible, but hardly within the range of it. I wish to state that I am not a

### FERTILIZER HIT BY NEW TARIFF, SAYS PROTEST

Business Men Receive Message From Washington, Following Passage of New Bill.

The following telegram, which explains itself, was received from Washington today by some of the leading business men of Atlanta: "What do you think of the Democratic Congress, pledged to tariff reform, taking off of the free list an article and putting a duty of ten per cent on same?" This I am advised was done yesterday by the House of Representatives at Washington. My understanding that the ten per cent is an ad valorem tax which, at the present price of sulphate of ammonia, would be over \$4 a ton, and would be fully as much if more than the old Republican tariff of 80 cents per hundred pounds, which was knocked out of the Payne-Aldrich bill and became a law in August, 1909, and which sulphate of ammonia has been on the free list.

"You must know about the increased production in this country and the fact that the industry has greatly prospered in four years of free trade. The fertilizer manufacturers used to protest to our Representatives, both in the House and in the Senate, against this law which directly against the farmer and the Democratic party, having pledged themselves to reduce the tariff and bring about cheaper cost of living. Is it liberality to raise the tariff and bring about a higher cost of living? It is when the price of the per ton was imposed. This material is a by-product of the health and needs of production."

BERLIN AND SAVILLE IN TOUCH BY WIRELESS

Special Cable to The American. BERLIN, May 10.—Wireless communication has been established between the new station at Nauen, near Berlin, and the Davenny station on Long Island. No commercial messages were transmitted, the operators exhibiting themselves to a series of questions and answers.

### Going Into Society? STODDARDIZE!

IF YOU are going to enter the whirl of society, then STODDARDIZE! It's the correct thing nowadays to have one's clothes STODDARDIZED—it keeps one well-dressed all the time! Practically all Atlanta society, women and men STODDARDIZE!

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### If you want to see the prettiest and at the same time the highest class residence property Atlanta offers, drive out HABERSHAM ROAD through PEACHTREE HEIGHTS PARK

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There is going to be "something doing" in PEACHTREE HEIGHTS PARK right away. See your own real estate agent about it. He will tell you.

Better still—look at the property first and then see him or see us. Call at "The Lodge" for information and plats.

### E. RIVERS REALTY CO.

8 West Alabama St.











# NO REAL SOLUTION OF PHAGAN SLAYING MYSTERY REACHED YET

## EVIDENCE AGAINST MEN NOW HELD IN BAFFLING CASE WEAK, SAYS OLD POLICE REPORTER

### Detectives in Coroner's Jury Probe Admit They Have Nothing on Which to Convict Anyone in Mysterious Tragedy of Atlanta.

## TESTIMONY BROUGHT OUT NO INCRIMINATING POINTS

BY AN OLD POLICE REPORTER.

The most sensational testimony offered at the Coroner's inquest in the Phagan case was lost sight of entirely by the newspapers.

Juror Langford asked Detective Black, who was on the witness stand:

"Have you discovered any positive information as to who committed this murder?"

Detective Black replied, "No, sir, I have not."

Coroner Doneho asked Detective Scott of the Pinkerton force on the witness stand:

"Have you any definite information which makes you suspect any party of this crime?"

Detective Scott replied, "I would not commit myself. I am working on a chain of circumstances. Detective Black has been with me all the time on the case and he knows about the circumstances I refer to."

As you read this over and consider it carefully, you will be impressed by the fact that the two most important detectives engaged for a period of two weeks on the Phagan case testify under oath that they have no positive information as to who committed the crime—in fact really know nothing about it at all.

I am setting down here my own thoughts and ideas, without intending the slightest disrespect to any official, and further, I believe I am at liberty to do so because of Scott's and Black's testimony.

### MYSTERY STILL WITHOUT SOLUTION.

In the Sunday American of last week I published an article saying that the developments of the preceding week had led nowhere, and that the mystery was then as dark and deep as any mystery that ever puzzled police and detectives.

I can only repeat this statement today. I am not in the confidence of any of the detectives, of Solicitor Dorsey, or of Coroner Doneho, or any of the persons engaged in the attempt to unravel the crime.

I know what the average newspaper reader knows—no more, no less. I walk about the streets a great deal, I ride on the cars and meet a great many people who talk about the terrible affair, and I believe I am right in saying that the consensus of opinion now is that the police and detectives are very far indeed from solving the mystery.

In making this statement I do not wish to be understood as casting reflections upon the police or detective force. The men engaged on the case are well-meaning, but of limited experience, and they may have made mistakes.

The infallible detective, like the indispensable man, does not exist.

All detectives are not "man catchers," and many detectives employ very stupid methods in their work. They can see the obvious things, but they lack imagination. Their minds work like a circular saw, and a knotty problem sometimes stops their minds from working entirely, just as a tangle of knots in a plank being sawed puts the saw out of business.

I pay my respects here to Coroner Doneho in the way he has handled the case. His examinations of witnesses showed unusual intelligence. His questions were searching and he exhibited a zeal in the public welfare that must not be overlooked. But Coroner Doneho is not a Sherlock Holmes. He performed his functions under the law in a creditable manner. He really wasted hours in asking questions that might have been spared except that there was always a hope that a blind guess might catch a witness off-guard and there would be an ensuing revelation.

What did the Coroner's inquiry develop? I know first the case of Lee. The testimony against him is that he is the only person known to have been in the pencil factory after 6:30 o'clock in the evening until the body was discovered. Frank testified that he found three "skips" in the clock tape Lee should have punched.

Sergeant R. J. Brown testified that Lee could not have seen the body from the place the night watchman told him he first saw it.

Sergeant L. S. Dobbs testified that Lee, without suggestion from any one, said that the words "night witch" in one of the notes found near the body of the dead girl meant "night watchman."

F. M. Berry, assistant cashier at the Fourth National Bank, testified that the notes found near the body were in his opinion written by Lee.

Detectives told of finding a shirt with blood stains near the right shoulder in a barrel at the rear of Lee's house. The indications were that the shirt never had been worn, however.

### TESTIMONY FAVORING LEE.

Testimony favoring Lee is that he was not alone in the building until after 6:30 o'clock, and that it can not reasonably be supposed that he would have been able to turn the girl to the factory by any means after this time, or even that the girl would have

SOLICITOR GENERAL HUGH DORSEY, in a characteristic pose, examining a witness. On Solicitor Dorsey is placed dependence for the solving of the puzzling Phagan slaying case. He is making every effort to unravel the mystery.



been alone in that vicinity at that time. There is no evidence to account for her whereabouts between 12:10 and 6:30 o'clock.

Lee's own testimony was that he did not know the girl and that he never saw her until he came upon the body in the basement of the factory shortly before 8 o'clock Sunday morning.

W. W. Rogers testified that Lee did not appear excited. Other officers who went to the factory Sunday morning corroborated this testimony.

These circumstances conflict with what is known of Lee's nature. The natural course for Lee, had he been the culprit, it is argued, would have been instant flight.

The framing of the notes to divert suspicion, according to the testimony of persons familiar with the negro nature, was too subtle a plan to suggest itself to Lee's mind.

What was developed against Frank? The principal points brought out connecting him with the crime were:

He was the last person known to have seen Mary Phagan. By his own testimony, he saw her at 12:10 Saturday afternoon, April 26, when she appeared at the factory to get her pay. No one was able to swear she was seen after that time.

G. W. Epps, Jr., a boy friend of the Phagan girl, testified that Mary had told him Frank had waited at the door when she left the factory one day and had winked at her and tried to flirt. Epps rode to town with her the day she went to the factory to get her money, and was to meet her again at 4 o'clock at Five Points. She did not appear, lending strength to the theory that she never left the factory after once going to get her pay.

### FRANK'S ODDITY WITH GIRLS.

Thomas Blackstock, a former employee, testified that he had seen Frank attempt liberties with girls in the factory.

Nellie Pettis, 9 Oliver Street, testified that Frank had made improper advances to her when she went to get her sister-in-law's pay at the factory. She said he pulled out a box of money from a drawer and looked at her and then the money and asked: "How about it?"

Mr. C. D. Demogun, 165 West Fourteenth Street, said she had seen Frank smile and flirt with the girls in his employ.

Nellie Wood, 8 Cornut Street, testified that Frank had attempted familiarities with her in his office, and had put his hands on her and had tried to persuade her to remain with him in his office.

Frank testified that he was at the factory Saturday afternoon from 12 to 3 o'clock and from 8 to 6:30 o'clock. Harry Deaham, Arthur White and Wirt's wife were in the factory part of the afternoon, the two men until 3:10. From 3:10 until 3:45 Frank was alone in the factory. Then Newt Lee came and was told by Frank to take the remainder of the afternoon off until 6 o'clock. From about 4 o'clock until 6, Frank again was alone in the factory, so far as the testimony showed.

Lee testified that the crime could not have been committed in the night without his knowledge, as he had gone past the latrine

machine on the second floor, where the struggle is believed to have taken place, twice every half hour on his regular rounds.

Lee testified that Frank appeared greatly agitated when he met him at the door of the factory office just before 4 o'clock. He said that Frank seemed nervous and was rubbing his hands in an excited fashion.

J. M. Gant, a former employee who happened to be in the factory at 6 o'clock, testified that Frank appeared nervous and apprehensive at this time.

UNABLE TO REACH FRANK AT 3. Chief Officer Anderson testified that he tried to telephone Frank at his home after the police had viewed the body at 3 o'clock Sunday morning, but that he could not get him.

W. W. Rogers, former county policeman, who carried the officers in his automobile to the scene of the murder and later to get Frank, testified that Frank, when he saw the officers, began to ask them if "anything had happened at the factory?" and if the night watchman had "found anything," when nothing had been told him at that time as to the tragedy.

Rogers said he saw Frank remove the time slip from the time clock which Lee had punched. Rogers said that there were no "skips" on it, but that it was punched regularly every half hour from 6:30 in the evening until 2:30 the next morning. It was shortly after 2:30 o'clock that Lee told the officers he had found the body. The time slip, which later was turned over to Chief Inspector by Frank had three "skips" in it.

Lee testified that Frank had told him the Sunday the body was found that the clock was punched all right and later contradicted himself by saying there were three "skips" in it, and that it "looked queer."

Lee testified that Frank had told him in a private conference that "they would both go to hell" if Lee maintained his presence at the trial.

Harry Scott, Pinkerton detective, bore out Lee on this point. I am inclined to classify this as a negative testimony.

Frank is reached and held through a process of elimination. Testimony pointing toward the innocence of Frank was that of Frank himself.

He said that he had not known Mary Phagan by name before her murder, that he recalled paying her at 12:10 Saturday afternoon, but that she left his office at once and he heard her footsteps going away as though she had left the building. He remained at the factory until 1 o'clock in the afternoon and then went to his home for luncheon, returning about 3 o'clock.

He said that he was entirely alone from 4 o'clock until 6, and that he arrived home at 7 in the evening, where he remained. He declared he knew nothing of the tragedy until the following morning. He said that he dreamed during the night that some one was ringing the telephone, but that he did not fully awaken. In this manner he explained this failure to answer the telephone.

Harry Deaham, one of the men at the factory Saturday afternoon until 3:10 o'clock, testified that Frank did not appear nervous or agitated when he saw him.

F. M. Berry, assistant cashier of the Fourth National Bank, testified that the notes found by the side of Mary Phagan did not appear to be in the handwriting of Frank.

Lemmie Quinn testified that he was in the office of Frank Saturday afternoon between 12:15 and 12:30, and that he did not see Frank in any office or anywhere else in the building.

Mr. and Mrs. Emil Selig, Frank's parents-in-law, corroborated the story of Frank's movements during the day.

Quinn and other men in the factory testified that they never had seen Frank in any office or anywhere else in the building, but that on the contrary he had been most courteous when he had any personal dealings with them, which was not frequently.

Miss Corintha Hall, one of the employees, said she never had observed Frank attempt any liberties with any of the girls.

Richard Smith, chief clerk in the factory, testified that the work which Frank accomplished Saturday afternoon on the financial side would have taken any expert five or six hours.

EVIDENCE IS NOT CONVINCING. I ask would you consider this very convincing in the case of either man told of in this article? I do not.

But after the Coroner's inquest the case assumes a new form. The whole matter now rests in the hands of Solicitor Dorsey. I have named no man. All that I hear about him is in his favor. But he has never shown any unusual skill as a detective. He knows criminal law, and he will proceed along the regular lines of bringing the whole matter to the attention of the Grand Jury, and including both Frank and Lee. Then will come the trial.

If Detectives Scott and Black are reported accurately in their testimony, as quoted at the beginning of this article, then the prosecution in my opinion has very little upon which to base a successful trial of either of the men. In fact, the case, as it stands through the cross-questioning without any discredit at all. The points made against Frank are not of much importance. They may foreshadow something big. They were, of course, sufficient to warrant the Coroner's Jury in holding him for the Grand Jury.

In my opinion the indictment by the Grand Jury does not mean that a person is guilty. Far from it.

PRECEDENT HAS NOT BEEN VIOLATED. I hope Solicitor Dorsey will be able to unravel the great mystery, and that he will have evidence enough to convince—not only a jury of twelve men, but the entire community as well, of the guilt or innocence of whatever persons, Frank, Lee or others who may yet be caught in the net, of the murder of the innocent little girl.

An indictment by the Grand Jury is a very important legal document. It must be air tight, and held together by such a strong chain of evidence that it can not be broken anywhere. It has to run the whole gamut of the law. An imperfect indictment falls of its own weight.

For the battle really begins—not before a Coroner's Jury, but in the court room, where the law and the facts have precedence over everything else.

When the prosecution in the Phagan case goes into court, it will be faced by one of the best lawyers in the South.

Luther Z. Rosser, big of frame, big of intellect, big in the knowledge of the law and schooled in all the intricacies of its machinery, will be at the opposing counsel's table, making a battle for his client, turning evidence with his shield from the lance of Mr. Dorsey, affixing every piece of evidence for the jury, challenging every inch of the law to the judge.

When the defense is allowed with the use of the broad sword as he is deft with the rapier.

I am writing thus freely, for the reason that the two detectives, quoted at the beginning of this article, in their testimony gave me the right answer to the matter in the columns of the newspapers as I am doing.

PRECEDENT HAS NOT BEEN VIOLATED. This is no violation of precedent. It is not for the purpose of establishing the guilt or innocence of any person. It is solely because I am trying to set down what I believe to be the truth, running through the mists of the average man and woman.

Frank and Lee may be guilty, but it would require a great deal more evidence than has been published in the newspapers to convince me of it.

It may be that Mr. Dorsey has a mass of evidence to present to the jury when it confronts the accused in open court, and over-whelms the defense with suggestion after suggestion and buttressed fact after buttressed fact.

I do not know whether this is so or not. I give my own opinion

for what it is worth. What the detectives and police have done against Frank and Lee at this moment is apparently, in my opinion, all that can be done.

Any day or any hour may bring forth new developments and new criminals.

I can not help but sympathize with Frank in being held in on the very slight evidence presented against him. If the evidence, it would seem as though he were a victim of circumstance, and that he would have to take the consequences that follow the superintendent of the factory and the last person who was known to have seen Mary Phagan alive. And consequences that are as unappealing as anything.

FRANK'S PAST IN HIS FAVOR. I said in my article in last Sunday's American that I knew of Frank's past in his favor. I reiterate that. He is a large graduate, a man of culture, has traveled considerably and stands well among his friends.

Public Opinion that first condemned Lee, then Frank, and both of them, then was ready summarily to disperse of them out waiting for the processes of the law, is almost to-day as anxious for the facts.

I do not mean by this that I believe Public Opinion to acquit Frank without a trial, for the belief prevails that the evidence has been made public. But Public Opinion is willing to try fact and hear the facts.

I hope Solicitor Dorsey will continue his investigation, and he is weaving his web around Frank and Lee. It may be that he is not guilty. It may be that some other person or persons committed the ghastly deed. It is worth while for our alert press to watch in all directions for the criminals.

And it may be well for our citizens to keep their minds open and receptive, not acquitting or condemning anybody on mere what color, race or creed, until all the facts are known.

We can afford to be patient—even with THE L.A.V. The great professor Drummond once asked a little girl in Glasgow Sunday school for a definition of patience. She said: "To wait a-while, an' danna get weary, to keep yer shunt and yer eyes open!"

### MOOSERS SEEKING MORE HOUSE JOBS

Each of 20 Progressives Should Have Place on Important Committees, Says Murdock.

### KNIFE AVENGES SIX-YEAR SLIGHT

Arthur Bridwell Claims Abuse of Grudge Caused Him to Shoot O. W. Gilbert.

WASHINGTON, May 10.—Victor Murdock, leader of the Progressives, failed to get Oscar Underwood, the Democratic leader, a promise today that each of the twenty Progressives in the House should be given places on the more important committees.

Murdock spent more than an hour with the Democratic leader and chairman of the House Committee on Committees, trying to convince him that representation on the Ways and Means Committee and on the Rules Committee, two important assignments, are not sufficient to satisfy the Progressives.

Mr. Underwood, Republican leader, is unwilling that with the recognition of the Progressive House Democratic organization has gone his way, and that the Progressives should be admitted with appointment to minor committees. There are 120 followers to take care of as against 10 led by Murdock. Underwood desires to please each faction.

FLAGLER REPORTED TO BE EXTREMELY WEAK

WEST PALM BEACH, Fla., May 10.—No material change was noted today in the condition of Henry M. Flagler, the banker, who is seriously ill at his home here. Mr. Flagler passed a restless night, but was reported to be extremely weak.

According to a report received here Saturday for the week ending May 10, the condition of the banker was reported to be very serious. He is reported to be unable to get out of bed.

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## Do You Want A Motor Car?

Do you want a little runabout or a big limousine touring car, a toy tonneau or a torpedo roadster? No matter what type of car you have in mind or what price you want to pay, you will find it in the large selection fully illustrated and described in the May issue of Motor, The National Magazine of Motoring.

The May issue of Motor is the Buyers' Number. It is indispensable to owners and prospective buyers of motor cars, accessories and equipment of all sorts. Practically every product of merit in the motor world is advertised in this issue.

If you want to get the car and the equipment best suited to your particular use, study May Motor. It will give you the most complete and comprehensive review of the market. It has had Motor's continuous examination of every new model. It has a buyers' reference volume from which you can select every article you need.

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