

VISITS OF GIRLS TO FRANK'S FACTORY REVEALED

THE diagram shows the daily routine of the jurors who are trying the case against Leo M. Frank. Their daily life is traced from their rising at the Kimball Hotel, their walk to the courtroom, their lunch in Fryer street, their return to court, their stroll after adjournment, and their final retiring for the night.



WIFE IS OVERCOME BY CHARGES AGAINST FRANK

Continued From Page 1.

the defense, taking him on cross-examination, bridged his witness with many searching questions. At first the negro was silent under the examination.

"I remember," was his usual response to the lawyers' inquiries. Later he was forced from that defense, and admitted that in some of the details he had been mistaken. Then he said he had.

Conley had told in detail the circumstances of the day, and of his every movement. Later Lawyer Rogers set him to say that the negro had left home about the time he went to the factory about the time he bought a flask of whisky, and that the time Frank was away from the office about the time various persons left the factory building, and the previous admissions he had made in testimony.

Heat is intense in Court. The week was a period of acute physical suffering. The heat in the courtroom was intense, and the strain which spectators and principals alike underwent was terrific. Indeed was the story of the week and of other witnesses.

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Phagan Trial Makes Eleven "Widows" But Jurors' Wives Are Peers Also

By L. F. WOODRUFF

ELEVEN widows were made in Atlanta in a day without the assistance of the Grim Reaper, a trip to Reno, palbearers or affinity worse in the newspaper.

And there is but one drop of consolation in the fact that the widows were made by the testimony of a man who was a peer of the jurors.

They had the satisfaction of having their husbands officially proclaimed good men and true, which they may have questioned before the jury envelope was brought home with its mixture of success and failure.

Resigns One Place; Then Loses Other

Major Quits Office to Become Collector of Port, but Suffers From Curdallism.

PORT HURON, MICH., Aug. 9.—The order of Secretary McAdoo abolishing the office of collector of customs at this port has thrown former Major John J. Bell out into the cold.

Thief Since Child; Boasts of 500 Crimes

Boy Declares That He Is Beyond Reformation, and Welcomes the Gallows.

CHICAGO, Aug. 9.—Walter Kovak, 17, arrested with four companions for the theft of a car, boasted of 500 crimes since he was a child.

Fetidist's Daughter Shouts at Conviction

Woman Obtains Practically All the Evidence Produced in Court Against Slayer.

WINCHESTER, KY., Aug. 9.—The work of Mrs. Lillian Gross, daughter of the late Dr. J. H. Gross, former member of the Kentucky legislature, was rewarded today when a jury returned a verdict of guilty against her son, Dr. J. H. Gross, for the murder of her husband.

POLITICS MIXED IN ALABAMA AS JOHNSTON DIES

Underwood May Be Drawn Into Senate Race—Knox and DeGraffenreid Mentioned.

MONTGOMERY, Ala., Aug. 9.—The death of Senator Joseph Taylor Johnston has precipitated in Alabama a political problem. He was assassinated by the fatal attack of illness at the home of his wife in the midst of a fight with Congressman Richmond B. Hobson to retain his seat in the Senate.

GERMANS RAP U.S. POLICY IN PLEA TO KAISER

Consuls Complain This Country Has Failed to Protect Foreigners in Mexico.

WASHINGTON, Aug. 9.—M. A. Leach, of San Francisco, who, as an ex-vice consul in Mexico, has been engaged in the most strenuous efforts for President of the Commission of Birminghams ever since the Wood, as the candidate of the people is making many and varied charges against the political administration of the president of the commission of Birminghams.

Annual Mountain Excursion Southern Railway

Saturday, August 16

8:00 Atlantic N. O.
1:00 Lake Cayaway N. O.
1:00 Hendersonville N. O.
1:00 Hot Springs N. O.
1:00 Hot Springs N. O.
1:00 Hot Springs N. O.

SEE THE MOVIES AT THE GRAND ALL SEATS 10c

AGED HUSBAND SUES GIRL WIFE WHO SPENT FORTUNE

BIRMINGHAM, Aug. 9.—Joseph Wood, 65, a prominent Birmingham politician, who married Miss Hattie Wood, a young girl, and who spent his fortune on her, has sued her for the return of his property.

HOT FIGHT FOR COMMISSIONER IN BIRMINGHAM

Recorder Wood, "People's Candidate," Denounces Opponent as Champion of Interests.

BIRMINGHAM, Aug. 9.—Clarence H. Wood and George B. Ward are engaged in the most strenuous efforts for President of the Commission of Birminghams ever since the Wood, as the candidate of the people is making many and varied charges against the political administration of the president of the commission of Birminghams.

WHITE SLAVE CASE WHICH INVOLVES U.S. GOES TO TRIAL

Diggs Faces a Jury and Caminetti Will Later Fight Charge of Taking Girls to Reno, Leaving Their Wives in State of California.

After Five Months of Delay and Scandal Involving National Officials, Special Prosecutors Are Appearing for the Government.

SAN FRANCISCO, Aug. 15.—All California attention is becoming the unsavory center of the nation's attention for the next three weeks or a month, probably during the trial of the Diggs-Caminetti white slave cases, arrangements for the beginning of which today are complete, after many months of controversy, postponement and of turmoil that threatened to disrupt President Wilson's cabinet.

The jury to hear the case of Mary I. Diggs, former State Architect, one of the two defendants, was summoned completely today, after considerable difficulty in selecting the twelve members. Exhaustive examination of 35 treatment was necessary before the twelve were chosen.

The first witness was called. He was F. J. Peck, a Reno real estate dealer, by whom the defense sought to show that the burglarous offense by the defendants in Reno was committed with no view to concealment. Peck testified against the defendants, but high rendering exceedingly difficult the task of picking a jury. Of the twelve men chosen, eight are married and have children, two are single men, living with their parents, and one is a single man, living in San Francisco was the only one examined of the general territory. A friend was chosen as a member of the jury. He expressed his preference against "any married man who will abandon his wife and go to Reno on an spree with another woman," but said he would vote for a verdict in accordance with the evidence.

Case Comes Up Separately.
The case against Diggs and Caminetti will be tried separately. The prosecution feels it has made out the stronger case against Diggs, and because the defense in this case will assume a course different from that in the Caminetti case.

Diggs and F. Drew Caminetti, son of former Congressman and now Commissioner General of Immigration, are charged with taking girls to Reno for immoral purposes. Both are married men. The prosecution will attempt to show, through the testimony of Mrs. Diggs, that she was taken to Reno and there a cottage in which the party lived.

Diggs' agent, who has been made in relation to Mrs. Caminetti, is said to be contemplating a severe attack on the charges against the girl. She has subpoenaed husbands of this city and twenty witnesses from Sacramento to San Francisco. It is making no move against Mrs. Caminetti. The government's case against her husband, who is in her attitude toward her husband, is said to be complete. It may bring on their children, she thinks for the protection of her married women, her husband should be made an example.

Mrs. Diggs, also is bitter toward her husband. The defendants of both men, however, to-day are claiming complete reconciliation of the defendants with their wives, and declare that when the trial gets fully under way both Mrs. Diggs and Mrs. Caminetti will be seen sitting at their husbands' sides.

PRINCIPAL figures in the white slave case which has stirred the whole nation and involved official circles. Snapshot of young Caminetti and Diggs, the girls for whom they deserted their homes, and United States Commissioner of Immigration Caminetti. Young Caminetti has a cigarette in his hand. To the right is Marsha Warrington, and to the left, Lola Norris.



PHOTOS COURTESY OF THE NATIONAL NEWS SERVICE.

husbands' sides, a spectacle which, the defense calculates, will have an effect to their advantage on the jury. Diggs and Caminetti both are free from custody, having taken advantage of the \$10,000 bail offered them. At first they feared freedom, as violence was anticipated, but later this fear was overcome.

Barred From Employment.
Diggs appears to be cheerful today, taking matters easily. He is reputedly desirous of being discharged from the court. He came into the courtroom with the flock of attorneys, bearing a cheerful smile, and bowed a dozen times to familiar faces. He was seen to smile at the other hand, seemed deeply worried. He was well and palatially very nervous. His father, the Commissioner General of Immigration, did not make his appearance, and probably will not be seen at the trial.

Two Special Prosecutors.
The trial to be held at the Federal court before Judge Van Fleet, Matt I. Sullivan and Theodore H. Roche, president of the San Francisco Police Commission, have been appointed special prosecutors by Attorney General McPherson, to take the place of District Attorney David McNab, who resigned with the announcement that he was being brought to Reno from Washington to prevent the trial of the two defendants.

Arrayed with the special prosecutors are Attorney General McPherson, Attorney Johnson, and Acting District Attorney Robert D. Doyle and Thomas H. Salvage. Diggs and Caminetti have an equally impressive line-up of legal defense. They include Robert D. Doyle and Marshall B. Woodworth, both former United States District Attorneys; Nathan C. Kaplan and S. Luke Howe. A heavy guard is thrown around the courtroom because feeling runs high against the two defendants. The government's case against the defendants is said to be complete. It may bring on their children, she thinks for the protection of her married women, her husband should be made an example.

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COLLEGE HEN MISSES LAYING 1 DAY IN 100

Champion Barryard Producer Rests Only When Commencement Season Arrives.

OREGON AGRICULTURAL COLLEGE, CORVALLIS, OREG., Aug. 15.—A college hen, which laid 92 eggs in 100 days and observed Commencement week by taking a single day's vacation, is a new claimant for prominence in the chicken world.

The newly hatched layer is three-quarters White Leghorn and one-quarter Barred Plymouth Rock, descending from several generations of heavy layers bred at the Oregon agricultural college experimental farm.

The 92 eggs were laid during the 100 days ended June 8, as follows: Thirty-one in March, 21 in April, 19 in May and 21 in the first 8 days in June.

Not only is this the best record ever secured at Oregon Agricultural College, but it is the best record ever secured for the same length of time, but a careful record of all other records from other stations on this falls to the rear. The result of breeding as shown in the egg production of this one hen only is a definite example of what a superior parent can do for her offspring. The eggs are available for the purpose of showing the inheritance of egg production.

Nearly Five Months to Bring Caminetti and Diggs to Trial

Farley Drew Caminetti, married, twenty-seven, son of U. S. Commissioner of Immigration Caminetti, with Lola Norris, nineteen, unmarried, and Maurice I. Diggs, married, ex-State Architect, about twenty-four, and Marsha Warrington, nineteen, unmarried, all of Sacramento, are charged with taking girls to Reno for immoral purposes. Both are married men. The prosecution will attempt to show, through the testimony of Mrs. Diggs, that she was taken to Reno and there a cottage in which the party lived.

The men are indicted for violating the Mann white slave law, put under bonds of \$10,000 and their cases put on the calendar for trial in June. Citizens over California appeal to U. S. District Attorney John L. McNab to push the cases.

United States Attorney McNab says Attorney General McPherson, who has applied for a writ of habeas corpus for the two defendants, that both prisoners were being held to secure postponement of trial. Also that bribery and perjury were being used in their behalf.

Secretary of Labor Wilson telephones McPherson that Commencement is approaching, and that he has applied for a writ of habeas corpus for the two defendants, that both prisoners were being held to secure postponement of trial. Also that bribery and perjury were being used in their behalf.

McPherson's comment: "I'm not shedding any tears; he is a Republican." Secretary of Labor Wilson assumes responsibility for McPherson's action; a cabinet meeting is called and President Wilson overrules McPherson and orders the cases rushed.

Blue Underwear Is 'Hot Weather Relief'

Head of U. S. Health Department Recommends It as Means of Keeping Cool.

WASHINGTON, Aug. 15.—The head of the Public Health Department says today that instructions on "How to Keep Cool, Happy and Healthy in Summer" should be distributed to all citizens.

The health department says that blue underwear is the best for hot weather. It is made of cotton and is light in color. It is also made of silk and is light in color. It is also made of wool and is light in color.

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Wind Saves Life of Baby Caught by Kites

Strong on Toy Endorsers Threat of Child and Life Him From Earth.

CHICAGO, Aug. 15.—Except for the baby, Alan McNamara, it is thought that the kites which were used in the trial of the Diggs-Caminetti case would have been blown away by the wind.

The baby, Alan McNamara, was caught by the kites and was blown away by the wind. The kites were used in the trial of the Diggs-Caminetti case.

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Every Luxury Provided for 12 Prize Dogs

Private Room, Electric Light, Leather Chairs, Etc., for Each of Dozen Pomeranians.

ST. LOUIS, Aug. 15.—Because his love for a pretty German actress resulted in his squandering an inheritance of \$25,000 in one year, Dr. Otto Gordon, dentist, and a wealthy family, a lieutenant in the German cavalry and a graduate of Göttingen University, was forced by his father to come to the United States and join the army here as a private.

Ruth Werner, German dancer and singer, charmed the young man when in Vienna. His grandfather had just died and left him \$25,000. Within a year the money was gone, and after numerous appeals to his father, Dr. Gordon was forced to come here.

His father, who is the vice president of the Corporation of Hamburg, told him to give up the girl, his commission in the army and go to America. "I will live with the girl," explained "Private" Gordon, "and I will spend all my money on her. She was beautiful. If she would have loved me, I would have been a millionaire."

He then went to London, and after a few months he returned to St. Louis. He had a car and a house. He was a millionaire.

McNab Outlines His Case Against the Defendants

In his report Mr. McNab gives the following picture of Caminetti and Diggs. The defendant, Diggs was a draughtsman in the office of the State Capitol in Sacramento. He is married and has two young children.

But a short time before the action hereafter married by her husband, who was a lawyer. The defendant, Diggs, was a draughtsman in the office of the State Capitol in Sacramento. He is married and has two young children.

Foundling Is Heiress To \$100,000 Fortune

Father Makes Wealth After He Had Left Baby in Michigan Institution.

CADIZ, MICH., Aug. 15.—Sheriff Chamberlain has been asked by a 12-year-old girl, who was adopted by a family in Corning, N. Y., to locate the father of the child. The girl, who was adopted by a family in Corning, N. Y., is now a heiress to a \$100,000 fortune.

Ban on Tobacco Seen By Prohibitionists

Smoking and Drinking Are Blamed for Increase in Crime.

BATTLER, MICH., Aug. 15.—That tobacco was another evil which should be placed under national prohibition, before the end of another generation, is the assertion made here by Irving Fisher, Peter Blaine, Henry, tobacco, overuse of meat and too frequent use for the terrible increase of crime.

Spooners Protest Against Headlights

Big Illuminating Power Now Carried on Engines is Worry to Summer Boarders.

MINNEAPOLIS, Aug. 15.—The Ontario Millwrights and St. Paul Millwrights are protesting against the use of headlights on automobiles. They say that headlights are a nuisance to summer boarders.

Flaherman, Who Unintentionally Violated Law, Kicks State, and Justice of Peace Offers

CRANE, MO., Aug. 15.—A resident of Crane has been fined \$100 for violating the law against the use of headlights on automobiles. The justice of peace offered to let him off with a fine of \$50.

Flaherman, who unintentionally violated the law, kicked the state, and the justice of peace offered to let him off with a fine of \$50.

Gives Check for Fine, Then Stops Payment

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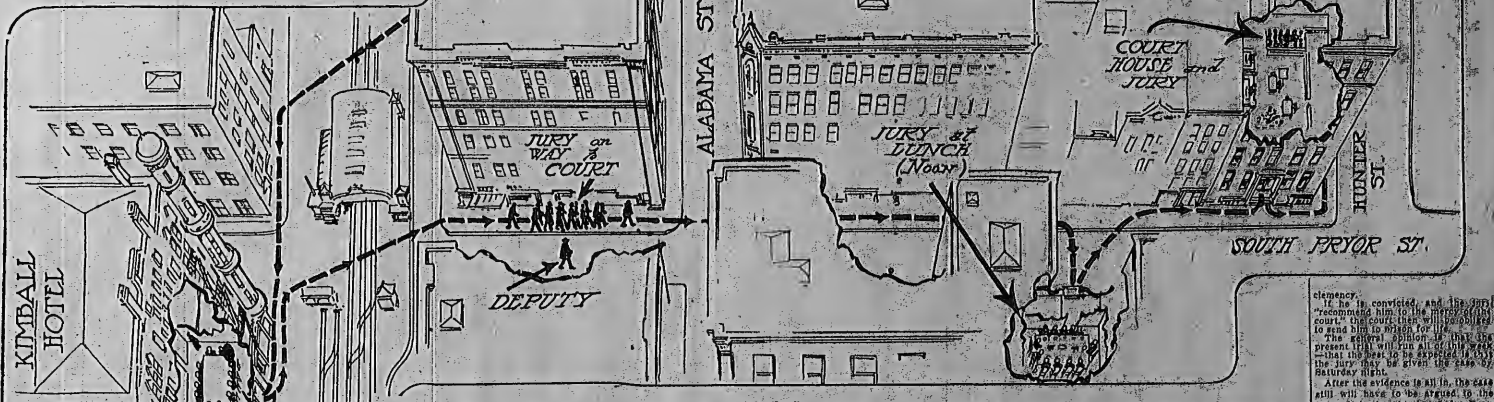
Your Teeth Examined WITHOUT CHARGE

DR. E. G. GRIFFIN'S GATE CITY DENTAL ROOMS. Over Brown & Allen's. Hours 8 to 8 Sunday, 9 to 9.

OUR PRICES WITH FULL GUARANTEE. SET OF TEETH \$5. GOLD FILLING \$1.50. BRIDGE WORK \$4.50. CROWN \$1.50. PLATE REPAIRED \$1.00.

FRANK'S CHARACTER IS NEW BATTLE GROUND

THE diagram shows the daily routine of the jurors who are trying the case against Leo M. Frank. Their days are traced from their rising at the Kimball House, their walk to the courtroom, their lunch in Pryor street, their return to court, their stroll after adjournment, and their final retiring for the night.



DEFENSE HAS TO CLEAR NAME OF TWO CHARGES

Continued From Page 1.

went to sleep in the afternoon and neglected to perform this service. THAT Frank, called to the factory early in the morning of Sunday, April 27, displaying great nervousness, and while on his way to the factory without having been informed of the dead girl's identity, declined, or at least failed and neglected, to look upon her features at the undertaker's, notwithstanding the fact that he later admitted her identity without having seen her dead.

THAT at the factory, at the place of the crime, his nervousness continued, and that next morning (Monday), when called to the police station for further questioning, he had secured counsel to defend him, notwithstanding the fact that he then had not been placed under arrest.

THAT after having been placed under arrest and indicted for murder, he persistently refused to meet his chief accuser, Jim Conley, face to face, or to discuss any features of the charges lodged against him.

THAT in addition to the crime of murder, as set forth in the indictment, Frank is a disolute character, practicing the most depraved and perverted crimes with persons of loose morals, and that Jim Conley, on more than one occasion, acted as "lookout" for Frank on the first floor of the factory, while unspesakable and unmentionable things were being enacted above.

The State, in setting up the foregoing allegations, summoned as its principal and all important witness, Jim Conley, who already made public affidavits to all of the charges set forth, except the one of perversion and the exact time of the crime charged.

Conley, after four or five changed statements thereto, made, set up in his final statement on the stand many other seemingly minor details not contained in any previous statement.

The foregoing is the State's case in completed form, except that it yet will have the right to produce witnesses in rebuttal of the defense's witnesses, the defense's witnesses in turn, having the right to a further rebuttal of the State's rebuttal.

The defense has contended, or will contend:

THAT Conley's story is a tissue of frightful lies from start to finish, and that he himself really committed the crime charged against Frank, and that the defense will so demonstrate.

THAT Mary Phagan was not killed as early as 12:05 on the afternoon of April 26, but was, as a matter of fact, killed at least fifteen minutes later than that, as a matter of fact, killed at least five minutes later than that time, and actually killed even later.

THAT if she was not killed previous to 12:05, as set forth, by the State, that contention being uncomprehensively claimed by the State's own witnesses—Jim Conley and Monteen Stover—then Conley's story is impossible and absurd, and Monteen Stover's evidence entirely negligible.

THAT Frank did not lure Mary Phagan to the rear of the second floor, or to any other place, for any purpose whatsoever, but that she was only on the second floor sufficiently long to get her pay from the hands of Frank, and that she immediately thereafter left the second floor, going down to the first floor to meet her death at the hands of Conley.

THAT Frank never asked for or received the assistance of Jim Conley in disposing of the body of Mary Phagan, because he was in utter and entire ignorance of the murder until apprised of it Sunday morning.

THAT Frank had nothing whatever to do with the framing of the notes found beside the dead girl, and that in support of such a charge the State has only the word of Jim Conley, intensely interested in shifting the blame from his own guilty shoulders and on to the shoulders of Frank.

THAT Frank never paid Jim Conley any sum of money for

any purpose whatever on Saturday, nor promised him any sum for any purpose whatever, and that Conley's word alone says that he did begin to try to assist on Frank until after suspicion began drifting in his (Conley's) direction, that his plea of wishing by his first silent course of conduct to "protect" Frank is not sound, because after the alleged disappointment that Frank did not "get him out of his trouble, as he had promised," and declaring that he, therefore, intended to tell his "whole truth of the murder," he still persisted in his lies and falsifying to the atttempted damage of Frank, and found it necessary to issue three conflicting affidavits before he got one he thought might be depended upon to stand up.

THAT Conley began his statements with a lie—to the effect that he could not write—and continued lying steadily thereafter, but frequently canceling one lie in favor of another, as his first lies were shown to be untrue and senseless.

THAT Conley in revising his various statements was aided and abetted by various police officials, presumably anxious for the reward offered for the apprehension and conviction of Mary Phagan's murderer, and that these officers pointed out to Conley the discrepancies as they arose from time to time, and that without this aid Conley's story never could have been made to hold together even as well as it did, notwithstanding this prejudicial aid, however, Conley's story still is impossible and absurd, and of no account whatever against Frank.

The foregoing, in general, is the theory of the defense, as already set up and as yet to be developed, and along that line it will fight its battle to the end.

The defense is heavily equipped with witnesses to sustain its every contention, and these will be offered, in their order, to break down the contrary theory of the State, as hereinbefore outlined, and upon their relative strength of the two showings depends, of course, the verdict.

Of absorbing interest now is the seeming determination of the defense to put Leo Frank's character frankly and fearlessly in evidence.

In a former article in The Sunday American several weeks ago I predicted that the defense would do this—and then apparent determination of the defense along that line shows no symptoms of having deviated from that prediction.

When Conley made his additional unadmitted attack on Frank's character from the witness stand, it was rather freely intimated about the streets that Frank had been forced to have his character put in evidence. Under the law, the State can not put the defendant's character in evidence, but it is put in at the discretion of the jury, and, once in, however, it may be ridiculed by the State if the State is able to do it.

The determination, therefore, of the defense to put Frank's character in evidence is being received generally as indicating an unaltering confidence in the truth of the defense's case, and as indicating an intention to overcome the terrible and prejudicial charge of degeneracy, as well as the charge of murder, both resting so largely upon Conley's character, and which indicates a belief upon the part of the defense that the State already has done its worst in the matter of attacking Frank's character.

MUST REFUTE TWO CHARGES

The fact that Frank is now engaged in refuting two charges instead of one makes his case double unless in Georgia, as it is contrary to the unbroken theory of the law heretofore.

In Georgia, the courts uniformly have held that a man can not be tried for more than one offense at one time; that he that can not be charged with murder, and in the same trial be called to account for another felonious crime.

The charge of degeneracy, however, got into the case without objection, and Frank's lawyer cross-examined the witness making it. The judge, however, although a motion was made afterward to strike out this evidence, ruled that it was too late to expunge it, and that it should go for what it was worth.

This ruling, while in a way more or less unprecedented, was, in the matter, by the public generally approved, upon the fact that it was felt by both the State and the defense that the horrible charge, having been made, be thrashed out.

Should Frank be convicted, it is practically certain that a new trial will be asked on this very point, and it is not at all improbable that Judge Roan will grant it, although this conviction is purely and absolutely speculative.

INTENSE INTEREST HOLDS

Besides these, a score or more of Atlanta's most prominent business and financial men have been selected to come to court and testify in behalf of Frank's good name.

If it were not for the intense interest in a murder trial as there unquestionably is in the Frank case.

The crowd attending the trial has been enormous, the officers finding it necessary every day to use a large number of extra troops to keep the tide of the Frank case from overflowing the jury room. It is no wonder that it is a joy well above the average, and that it is now the beginning and the end of a long day's work for many of the city's people.

Judge Roan is as well as the rest of the court, too, when it comes to speaking upon what he may regard as the trial of a man.

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agreed that he is handling the case with an open and judicially just mind.

Speculation as to the outcome of the trial is varied. There are those who see nothing but a conviction, just as there are others who see nothing but acquittal.

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That section of the public generally credited with being calm, poised, and disinterested in the trial, no matter which way it falls, apparently has suspended judgment.

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The general policy of judges is to give motions for new trials back to the court, and to let the jury decide.

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clerical, convicted, and the jury will take the State's case in respect of this, and both sides will be permitted to go the limit.

Mr. Rosser and Mr. Arnold will examine at least one entire day in examination, and Mr. Dorsey and Mr. Hooper will not take less time.

It is expected that Hooper will open for the State and Dorsey will open for the defense and Arnold close. The State has the opening and the concluding arguments before the jury.

ATLANTA'S BURLESQUE THEATER
FORSYTH
KEITH VAUDEVILLE
Week Aug. 13th-18th

RALPH HERBY
The Star of Merit Circuit
Vaudeville's Best Comedy

Wm. A. Weston & Co.
in Vaudeville

ADAS FAMILY
Seasonal Attractions

WOOD & WYDE
in Vaudeville

MILD BELOD & Co.
in Vaudeville

THE RANDALLS
in Vaudeville

BRANGAN & SAVILLE
in Vaudeville

WILLIE WATSON
and
MIKE BERRARD

Dr. Whillaw
PAINLESS DENTIST

Have your teeth treated at once. Make your teeth as good as new. We use the latest scientific methods and use only the best materials. No pain. No swelling. No redness. No soreness. No odor. No expense. Examination free.

Crown and Bridge Work \$3, \$4, \$5 GUARANTEED TEETH

\$5 a Set

My Gold Dent Rubber Plate will not pull or drop. Guaranteed for 20 years.

Filling in Gold, Silver, Platinum and Porcelain. See and try.

PHONE MAIN 1298

Open from 8:10-5—Sundays 10:00-3

TERMS TO SUIT

Atlanta and most prominent business and financial men have been selected to come to court and testify in behalf of Frank's good name.

WHITE SLAVE CASE WHICH INVOLVES U.S. GOES TO TRIAL

Diggs Faces a Jury and Caminetti Will Later Fight Charge of Taking Girls to Reno, Leaving Their Wives in State of California.

After Five Months of Delay and Scandal Involving National Officials, Special Prosecutors Are Appearing for the Government.

SAN FRANCISCO, Aug. 9.—Martha Warrington and Lola Norris, Sacramento high school girls alleged to have been taken to Reno in November by Maury Diggs and Drew Caminetti for immoral purposes, will take the stand before a jury today in the trial resumed Tuesday. No second trial was held today. Diggs and Caminetti will take the stand before the trial in connection with the case against them.

Judge Van Fleet dealt the defense a hard blow yesterday when he announced that the jury would not consider the willingness or unwillingness of the two girls to accompany Diggs and Caminetti.

The jury to hear the case of Diggs and Caminetti was selected after considerable delay in selecting the twelve members. Exhaustive examination of 35 volunteers was necessary before the twelve were chosen.

The first witness was called, H. E. Beck, Reno real estate dealer, by whom the defense sought to show that the business occupied by the defendants in Reno had been run with no view to concealment.

Preference against the defendants was high, rendering exceedingly difficult the task of picking a jury. Of the twelve jurors eight were white, two were colored, two were married, two were single, and two were women.

San Francisco was the scene of a bitter fight over the selection of the jury. The defense sought to have a jury composed of men who were known to be friendly to the defendants.

The prosecution sought to have a jury composed of men who were known to be hostile to the defendants. The jury was finally selected after a long and bitter struggle.

The trial is being held in the Federal Court before Judge Van Fleet. The case is being heard in connection with the trial of Diggs and Caminetti.

The defense is being represented by Attorney John D. Quinn. The prosecution is being represented by Attorney George F. Quinn.

Principal figures in the white slave case which has stirred the whole nation and involved official circles. Snapshot of young Caminetti and Diggs, the girls for whom they deserted their homes, and United States Commissioner of Immigration Caminetti. Young Caminetti has a cigarette in his hand. To the right is Marsha Warrington, and to the left Lola Norris.



PHOTOGRAPH BY THE INTERNATIONAL NEWS SERVICE

husbands' sides, a spectacle which the defense calculates will have an effect to their advantage on the jury. Diggs and Caminetti took the stand first, but later they were taken into custody, having taken advantage of the 10:00 ball offered them. They were taken to the jail where they were held over night.

Two Special Prosecutors. The trial is being held in the Federal Court before Judge Van Fleet. The case is being heard in connection with the trial of Diggs and Caminetti.

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Nearly Five Months to Bring Caminetti and Diggs to Trial

PARLEY DREW Caminetti, thirty-four, son of U. S. Commissioner of Immigration Caminetti, with Lola Norris, nineteen, daughter of and Maury Diggs, married, ex-State Architect, about twenty-five, and Marsha Warrington, nineteen, unmarried, all of Sacramento, got to Reno, resident under assumed names, in a cottage last night, and live four days together with arrested. The men assert they are happy and intend to marry the girls after securing divorces.

The men are indicted for violating the Mann white slave law, under bonds of \$10,000 and their cases put on the calendar for trial in June. Citizens all over California applied to U. S. District Attorney John L. McNab to push the case.

United States Attorney McNab says Attorney General McCreynolds that both prisoners were basing of their influence at Washington, and that strenuous efforts were being made to secure postponement of the trial. McNab says that he has been unable to get any support from the old machine and that the new machine has been organized to support the old machine.

Secretary of Labor William McCreynolds said that the Commission of Immigration, Caminetti, who has applied for leave of absence to attend the trial of his son, can not be spared.

McNab sends in resignation to President Wilson. McCreynolds' comment: "I'm not shedding any tears; I'm a Republican."

Secretary of Labor Wilson assumes responsibility for McCreynolds' action. A Cabinet meeting is called and President Wilson overrules McCreynolds and orders the case closed.

The President accepts McNab's resignation, with a rebuke for giving this resignation the form of an irreparable intimation of injustice and wrongdoing. In a letter to McNab he says: "I am entirely satisfied that the course you took in these cases was prompted by sound and impartial judgment and a clear insight for what was fair and right."

ORPHAN SOUGHT AS WIFE BY MAN WRITING POLICE

Would-Be Benedict Gives Evidence in Letter That He Fears Mother-in-Law.

OAKLAND, CAL., Aug. 9.—John K. Benedict, a man who writes to the police of his intention to marry a woman, has written a letter to the police in which he says he is afraid to marry her because she is an orphan and he is afraid of her mother-in-law.

The following notes were received from the following sources: A man who writes to the police of his intention to marry a woman, has written a letter to the police in which he says he is afraid to marry her because she is an orphan and he is afraid of her mother-in-law.

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ALL STATES TO SHOW POLARITY AT KNOXVILLE

Exhibition of Best Breeds To Be Feature of National Cattle and Poultry Exposition.

KNOXVILLE, TENN., Aug. 9.—The National Cattle and Poultry Exposition, which is being held here from August 10 to 15, will feature an exhibition of the best breeds of cattle and poultry from all over the United States.

The exhibition will include a number of the best breeds of cattle and poultry from all over the United States. The exhibition will be held in the city of Knoxville, Tennessee.

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Buys a \$4,000 Auto To Use Cheap Gas

When Ex-Senator Scott Has Burned 60,000 Gallons He Will Have Saved Cost of Gas.

WASHINGTON, Aug. 9.—The house of Senator Nathan P. Scott of West Virginia has bought a new automobile for \$4,000 to use cheap gas.

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SALE OF SHOES \$1.95

Another lot of White Canvas Pumps and Oxfords on sale for

Ladies' hand-turned colonial pumps and oxfords in white canvas, patent cap, tan, viol kid and Russia tan. Among them is a white canvas colonial pump with a low heel, a white canvas colonial pump with a low heel, a white canvas colonial pump with a low heel.

Men's Sorois \$5.00 Oxfords, \$3.85

J.M. High Company

Any Woolen Suit \$20

Any Mohair Suit \$15

When one ponders and considers the offering made at the prices quoted above and remembers the qualities we have, it affords full explanation for the ready response to our sale announcements.

Cloud-Stanford Co.

61 Peachtree Street

McNab Outlines His Case Against the Defendants

In his report Mr. McNab gives the following picture of Caminetti and Diggs: The defendant Diggs was a draughtsman in the office of the State Capitol in Sacramento, California, and had two young children.

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Founding Is Heiress To \$100,000 Fortune

Father Makes Wealth After He Had Left Baby in Michigan Institution.

CAMILLAC, MICH., Aug. 8.—Sheriff Chamberlain has been asked by an attorney to locate the heirs of the late George W. Weaver, who was adopted by a Michigan, Mich. family from a New York foundling home over twenty years ago, and a few days ago became heir to a \$100,000 fortune.

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Ban on Tobacco Seen By Prohibitionists Against Headlights

Smoking and Drinking Are Blamed for Increase in Chronic Diseases in America.

BATTLERS, MICH., Aug. 8.—That tobacco as well as alcohol will be placed under national prohibition before the end of another generation is the belief of the members of the Michigan Prohibition League.

The members of the Michigan Prohibition League believe that tobacco as well as alcohol will be placed under national prohibition before the end of another generation.

GIRL HELPS FATHER IN BUILDING NEW HOUSE

Helped to Build New House for Father and Mother.

HARTFORD, MICH., Aug. 8.—On the city of Hartford, Mich., a young girl, who adopted the child when on a trip through New York, returned here in the fall of 1912, and built a new house for her father and mother.

The young girl, who adopted the child when on a trip through New York, returned here in the fall of 1912, and built a new house for her father and mother.

Weather Forecast—Atlanta and vicinity: Generally fair Sunday and Monday.

HUERTA HELD TO ANSWER TO U. S. FOR LIND'S LIFE AND SAFETY

Foreign Relations Committee Told in White House What Wilson's Plans Are to Meet Crisis Now Confronting Nation in Mexico.

DAY'S DEVELOPMENTS IN MEXICAN SITUATION

Special Ambassador John Lind reached Vera Cruz. No demonstration marked his arrival. He is expected to reach Mexico City Sunday.

The United States Government has notified Provisional President Huerta he will be held personally responsible for Lind's protection.

President Wilson summoned the entire Foreign Relations Committee of the Senate and Secretary Bryan to meet him in the White House last night.

Senator William Alden Smith charged on the floor of the Senate that a paid attorney and lobbyist of the Constitutional party in Mexico has the ear of the State Department and is attempting to influence the action of the United States toward Mexico.

WASHINGTON, Aug. 9.—President Wilson told the Foreign Relations Committee of the Senate to meet exactly what his plans are regarding Mexico.

Callie Hoke Smith Capital Debutante

Make-up of First Democratic "Bouquet" Puzzles Washington's Youngster Set.

WASHINGTON, Aug. 9.—The make-up of the first Democratic "bouquet" puzzled the younger set. It is considerably expected that the debutante will be Miss Callie Hoke Smith, daughter of the Speaker, Champ Clark, daughter of the Speaker, will be one of the buds, and Miss Frank Moore, the daughter of Clarence H. Moore, one of the Tillamoc heroes, another.

Chinda Sees Bryan On Japanese Reply

Ambassador and Secretary Arrange for Formal Discussion of Overdue Rejoinder Next Week.

WASHINGTON, Aug. 9.—The Japanese ambassador called to see Secretary Bryan late today, marking his second visit within 48 hours.

Scientist Hints New Immortality Proof

Dr. Oliver Lodge, of London, Will Give World Results of His Researches.

LONDON, Aug. 9.—Sir Oliver Lodge, whose researches into the unknown world made him famous, will assert at the meeting of the British Association on September 10 a belief in "an ultimate continuity of existence before and after death as essential to science."

Mrs. Phoebe Hearst Y. W. O. A. Benefactor

Dedications Camp at Pacific Grove, Cal., Which Her Generosity Made Possible.

DEL MONTE, CAL., Aug. 9.—A luncheon, the splendid new conference grounds of the California, Arizona and Nevada Young Women's Christian Association, which occupies 20 acres of ground on the ocean near Pacific Grove, was formally dedicated with a beautiful ceremony, including a segment of 400 gifts, Y. W. O. A. association work.

Billie Burke Hurries Home for Operation

Actress Believes She Will Have to Go Under Knife for Appendicitis.

LONDON, Aug. 9.—Billie Burke sails on the Mauretania to-day. Instead of waiting for the Olympic, as arranged. She told The American correspondent to-day that she had been "dived on the edge of a volcano for the last few weeks."

Prince Safe From Laundress' Charge

Accusation of White Slavery Disproved to Be Non-Extraditable, and Homeless Continues.

VANCOUVER, B. C., Aug. 9.—Prince Stanislaus Bulow, his bride, having everything well come out all right but I fear the operation is inevitable."

Switzerland Accepts Bryan's Peace Proposal

WASHINGTON, Aug. 9.—Switzerland has accepted in principle Secretary Bryan's peace proposal making the League of Nations a record for peace.

Doctor Ready to Graft New Limbs on Men

Surgeon Says Experiments on Animals Has Given Him High Hopes of Success.

Two Patients Are Willing Necessary to Obtain Legs and Arms From Persons Suddenly Dead or Electrocuted.

LONDON, Aug. 9.—Within a month after my arrival in New York I expect to be able to prove by actual demonstration that it is possible to graft new limbs on human beings to replace those lost.

Carnegie Finds Kin in Lair of Sutherland

Iron Master Makes Discovery in Conversation With Owner of Ross Hall Estate.

Special Cable to The American. EDINBURGH, Aug. 9.—Andrew Carnegie has discovered a relative among the lairds of Sutherland. He is W. E. Gilmore, owner of the Ross Hill estate, who is connected with the Morrisons from which family Mr. Carnegie's mother came.

Titanic Lookout Dies

Special Cable to The American. LONDON, Aug. 9.—Reginald Lea, one of the fellows in the lookout when the White Star liner Titanic struck iceberg on her last voyage, died at Southampton.

Not a move escapes his restless eyes, though his face is calm.

The prisoner is shown in the photograph attitude he assumes most of the time.

Fight Causes Panic in Crowded Hotel Lobby

Bystanders at Piedmont Separate Combatants After One Blow Is Struck.

Guests at the Piedmont hotel early Saturday night were thrown into a panic when two men engaged in a fist combat in the lobby.

The loud talking of the men, who were standing in the main foyer, attracted attention, and a circle immediately formed about them.

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Bystanders at Piedmont Separate Combatants After One Blow Is Struck.

Special Cable to The American. EDINBURGH, Aug. 9.—Andrew Carnegie has discovered a relative among the lairds of Sutherland.

Continuing the doctor said: "I have not yet attempted to graft a limb on any human being for the reason that my experimental work was only just satisfactorily concluded before leaving for London, but immediately on my return I shall start preparation for the first human test."

Dr. Sorel added that the preparations for the operations may take place some time within a month.

"Both my patients need arms. Oblique suitable arms is not easy to get, but I have never succeeded in exactly how long life remains in an arm after death."

Death Must Be Sudden. "Of course you understand that an arm must come from some person who has just met sudden death either by accident or by electrocution. In my experiments with animals I have been able to transfer the limbs without loss of time, but such a proceeding where human beings are concerned is not so simple except in cases of electrocution."

Dr. Sorel said that the results of the experiments would be announced through the Academy of Medicine.

FRANK OR CONLEY? STILL QUESTION

Issue Firmly Puzze Between Two Men Defense Starting to Mould Its Case

Theory That Negro Attacked Mary Phagan With Motive of Robbing Her Will Be Shown; Two Charges Against Accused Must Be Refuted.

By an OLD POLICE REPORTER.

The second week of the trial of Leo Frank, charged with the murder of Mary Phagan in the National Pencil Factory on the afternoon of April 25, came to a close Saturday noon.

The State's case has been entirely made up in its primary aspects, and the defense has gone into its story of the great crime sufficiently to make clear both its theory and probable lines of pleading.

The public, as the case has progressed, has been awayed this way and that, and to-day the remarkable mystery of Mary Phagan's untimely and tragic end remains, by hundreds of minds, quite as much of a mystery as ever.

The Battle Is a See-Saw. The State has had his good days, and the defense has met the same fate. At times things have seemed dimly dark and gloomy for Frank, while at other times the clouds apparently have lifted from about him decidedly.

Quit Will Be Filed On One of Two Men.

This much has been made clear: Either Leo Frank will be shown to be responsible for the death of Mary Phagan, or Jim Conley will.

The one is the heart and soul of the State's case, and the other is the heart and soul of the defense's contention.

Frank is battling not only to clear himself but to convict Conley.

Conley is battling not only to clear himself, but to convict Frank.

The only difference is that Conley, although not yet indicted, expects to be convicted as an accessory after the fact of the murder in any event, whereas Frank, already indicted, expects to come absolutely clear and free of all possible connection with the crime.

One of Good Names; Other's Past Shady.

The one has a heretofore good name to restore in all of its undiminished integrity, the other has merely his present reputation for criminal inclination to preserve against sinister allegations.

The issue has been sharply and indolently drawn—it is either Leo Frank's life for Mary Phagan's, or it is Jim Conley's.

The State has shown, or has endeavored to show the following things:

THAT Frank, shortly after noon on April 26, and before five minutes past noon, lured Mary Phagan, for an unusual purpose, to the second floor of the National Pencil Factory, and there, because she would not yield to his desires and demands, he knocked her down and immediately thereafter strangled her to death with a small cord, about one-eighth of an inch in thickness.

THAT after strangling her, Frank remained with her dead body until after a girl caller in his office had departed, when he tipped to the front of the door whereupon the murder had been consummated, and secured the help of a negro sweeper, Jim Conley, employed about the place, to dispose of the body.

Disposition of the Body as Shown by State's Evidence.

THAT Conley, under the direction of Frank, wrapped the dead body in a piece of heavy cloth, carried it to the elevator, and thence on the elevator to the basement, where it was placed in an obscure corner in the rear, later to be found by News Lee, a negro night watchman, generally held guilty of direct connection with the crime itself.

THAT Frank, after hiding the body, with Conley's assistance, then induced Conley to write and place beside the dead girl certain literature notes fixing the crime in so far as they might apply to some other person than either Frank or Conley, and that Frank, for Conley's services, paid him the sum of \$2.50, but not until then for the

Former (Wife of Tod Sloan, Says She Will Never Tire of Single Life).

NEW YORK, Aug. 9.—"Never again" will be the terse reply of Mrs. Sanderson, the actress, when she is asked if she expects to be married again. She said she intended to remain single.

After declaring that she never plans to be married again, Mrs. Sanderson said she had a different man in mind than the one who had married her. Nobody wants to talk to you, she said. She has no more news for me.

CHATTANOOGA, TENN., Aug. 9.—Pitiner Burley Grimes, of the Lookouts, was married today at the home of Margaret "Mam" Grimes to Miss Florence Eaton, of Athens. The marriage was the culmination of a romance which originated in Nashville when the veteran Mrs. Grimes saw her husband with a victory for Chattanooga.

ATLANTA GIRL BRIDE OF LOOKOUT PITCHER.

CLERGYMAN HELD AS FORGER OF DEED RECORD.

KEYTTSVILLE, MO., Aug. 9.—The Rev. Henry Dubanks, a clergyman in the Christian Church, living at Tripoli, Mo., was arrested today on a charge of forgery.

It is accused of having traced with acids from the records of a dead two of three aliases referring to his "bodily heirs."



Leo Frank in his seat in the courtroom where he is fighting for life.

Do You Know?

The Biggest Govern in the World See First "Want Ad" Page

Continued on Page 8, Column 3.

FRANK AND CONLEY BATTLING EACH OTHER FOR THEIR LIVES

DEFENSE BEGINS BUILDING ITS THEORY OF TRAGEDY

he had first paid him \$200, which was withdrawn under promise to restore that sum later.

THAT Frank had an understanding with Conley, whereby Conley was to return to the factory later in the afternoon on Saturday and burn the body in the basement furnace, but that Conley went to sleep in the afternoon and neglected to perform this service.

THAT Frank called to the factory early in the morning of Sunday, April 27, displaying great nervousness, and while on his way to the factory without having been informed of the dead girl's identity, declined, or at least failed and neglected, to look upon her features at the undertaker's, notwithstanding the fact that he later admitted her identity without having seen her dead.

THAT at the factory, at the place of the crime, his nervousness continued, and that next morning (Monday), when called to the police station for further questioning, he had secured counsel to defend him, notwithstanding the fact that he then had not been placed under arrest.

THAT after having been placed under arrest and indicted for the murder, Frank is desirous to meet his chief accuser, Jim Conley, face to face, or discuss any feature of the charges lodged against him.

THAT in addition to the crime of murder, as set forth in the indictment, Frank is a disolute character, practicing the most depraved and perverted crimes with persons of loose morals, and that Jim Conley, on more than one occasion, acted as "lookout" for Frank on the first floor of the factory, while unspeakable and unmentionable things were being done above.

Jim Conley is the State's Principal And All-Important Witness.

The State, in setting up the foregoing allegations, summoned as its principal and all-important witness Jim Conley, who already had made public his version of the charges set forth, except the one of perversion and the exact time of the crime charged.

Conley, after four or five changed statements theretofore made, set up in his final statement on the stand many other seemingly minor details not contained in any previous statement.

The foregoing is the State's case in completed form, except that it yet will have the right to produce witnesses in rebuttal of the defense's witnesses. In its turn, having the right to a further rebuttal of the State's rebuttal.

The defense has contended, and will contend: THAT Conley's story is a tissue of frightful lies from start to finish, and that he himself really committed the crime charged against Frank, and that the defense will so demonstrate.

THAT Mary Phagan was not killed as early as 12:05 on the afternoon of April 26, but, as a matter of fact, killed at least fifteen minutes later than that, in a matter of still fact, Conley also was not disabled hopelessly about that time, and actually killed even later.

THAT if she was not killed previous to 12:05, as set forth by the State, that contention being uncompromisingly claimed by the State's own witnesses—Jim Conley and Monteen Stover—then Conley's story is impossible and absurd, and Monteen Stover's evidence entirely negligible.

THAT Frank did not lure Mary Phagan to the rear of the second floor or to any other place for any purpose whatever, and that she was only on the second floor immediately long to get her pay from the hands of Frank, and that she immediately thereafter left the second floor, going down to the first floor to meet her death at the hands of Conley.

Defense Holds Frank Had Nothing To Do With the Death Notes.

THAT Frank never asked for or received the assistance of Jim Conley in disposing of the body of Mary Phagan, because he was in utter and entire ignorance of the murder until apprised of it Sunday morning.

THAT Frank had nothing whatever to do with the framing of the notes found on the body of Phagan, because he was not charged with a charge the State has only the word of Jim Conley, intensely interested in shifting the blame from his own guilty shoulders and on to the shoulders of Frank.

THAT Frank never promised Jim Conley any sum of money for any purpose whatever on Saturday, nor promised him any sum for any purpose whatever, and that Conley's word alone says that he did.

THAT whatever nervousness Frank displayed, if he displayed any unusual or unnatural nervousness at all, was occasioned by the mysterious attitude of the officers notifying him of some unnamed trouble at the pencil factory, and that in support of his approximately normal frame of mind in the fact, proved by the State's own witnesses; that he opened the office safe to look up the record of Mary Phagan, after having acquired knowledge of her identity, without tremor or hesitation whatever, setting the intricate combination easily and opening the safe on the first trial.

THAT the innocence of all guilty knowledge of the crime is further evidenced by his three hours' perfectly normal work on his books in the factory on the afternoon of April 26, at which time, if the State's theory holds, Mary Phagan, with Frank's knowledge, then was a corpse in the basement, dead at his murderous hands.

THAT Frank, instead of declining to look upon the face of the dead girl at the undertaker's on his way to the factory Monday morning, did, as a matter of fact, look upon her face and recognized her.

Frank's Counsel Was Not Sought by Him, the Defense Contends.

THAT Frank had no counsel until after his retention at police headquarters had been publicly made known, and when he was automatically under arrest, and that even then he was not permitted to him by some outside friends, and did not come at his invitation or by his direction.

THAT Frank's refusal to meet Jim Conley, his lying account was natural and proper in the circumstances, and that such course was prescribed by the particular advice of his counsel; that Frank was under no moral or legal obligation to discuss his case with Conley, or with any other witness for the State.

THAT Frank, far from being a disolute character, is a man of unblemished integrity, happily married, that he never has practiced depraved and perverted crimes, because such things would be and are entirely foreign to his nature, that he never has associated with immoral persons anywhere, at any times; that neither Jim Conley nor any other person ever acted as "lookout" for him for any purpose whatsoever, and that every monstrous and untrue

DORSEY SATISFIED WITH PROGRESS OF TRIAL; DEFENSE REFUSES TO MAKE ANY STATEMENT

I am very well satisfied with the State's case and do not see that the defense has dealt it any damaging blows in the evidence introduced to date.

Saturday's developments were of no material advantage to either side. —SOLICITOR HUGH M. DORSEY.

Neither Luther Rosser nor Reuben Arnold, attorneys for Frank, would make any statement on the progress of the trial.

charge or suggestion of immorality and degeneracy rests absolutely, and finally upon the unsupported word of Conley, and not otherwise.

THAT there has been no tenable motive assigned to Frank for the murder of Mary Phagan; that the girl was not sexually violated or in any manner incited; that Frank had only the most casual acquaintance with her, and that of a perfectly natural business sort, and that he could not have had, and did not have, any reason whatever for desiring her death.

THAT, in truth and reality, the motive prompting the murder of Mary Phagan was robbery upon the part of Conley, and that for the purpose of securing her pitance of money, contained in a mesh purse, he did murder her and concealed her body in the basement.

Theory of Crime as the Defense Holds That Slaying Occurred.

THAT, as a matter of fact, Mary Phagan reached the National Pencil Factory on the afternoon of April 26 about 12:15 or 12:20; that she came up the stairs directly to Frank's office, and received her pay for the time she had in amount \$1.20; that she at once departed Frank's office, without comment of any sort, and that Frank never saw her alive thereafter; that going down the steps, with her silver mesh bag in her hand, she had to pass Jim Conley, recently aroused from a drunken dose; that in attempting to get from the foot of the stairs, where Conley was sitting, to the door, some 20 feet away, she had to traverse a gloomy walkway, more than ordinarily gloomy at the time because the day was a legal holiday and the doors were closed, but not locked; that in traversing this walkway her back was toward Conley, that Conley without money, and craving more liquor, saw the unprotected little girl with the enticing silver bag in her hand, and surmising that she had been paid off by Frank upstairs, hit her a violent blow upon her head, snatched her purse from her hand, and at once threw her body into the cellar by way of a nearby open space, for fear of someone coming into the building; that likely the blow first delivered was not sufficient to kill her, but that her actual death was hastened, and may have been hastened later in the cellar below, by means of strangulation, there being always there an abundance of the very cord employed or supposed to have been employed in that sort.

THAT after accomplishing his bloody deed Conley escaped by withdrawing the intruder's body to the basement, and took only a few feet away from the place where the dead girl subsequently was found; and that tracings of Conley during the afternoon of April 26 at various saloons about town show that he spent then an amount of money approximating that which Mary Phagan is supposed to have had in her purse at the time of her murder.

Conley Declared to Be Jailbird And Notoriously Disolute Character.

THAT of all her possessions the purse alone, notwithstanding exhaustive inquiry, never was accounted for until the last day Conley was on the stand, when he stated that Frank had had the purse in his possession just after the murder, and that he had concealed it in his safe. This allegation, the defense points out, is sustained, aside the other most damaging allegations, by Conley's unsupported word entirely.

THAT Conley, the State's main witness, is a notoriously disolute character; by his own admission seven times a jailbird; many times a convict; and on the witness stand, and admitted, "mistaken" in some statements made against Frank; that he did not begin to throw suspicion on Frank until after suspicion began dawning in his (Conley's) direction, that his plea of "no sound mind" because after he formed disadmission, that Frank did not get him out of his trouble, as he had promised, and declining to be heard, intended to tell the "whole truth of the murder"; that he still persisted in his lies and falsifying to the attempted damage of Frank, and found it necessary to issue three conflicting affidavits before he got one he thought might be depended upon to stand up.

THAT Conley began his statements with a lie—to the effect that he could not write—and continued lying steadily thereafter, but frequently canceling one lie in favor of another, as his first lies were shown to be useless and worthless.

THAT Conley in revising his various statements was aided and abetted by various police officials, presumably anxious for the rewards offered for the apprehension and conviction of Mary Phagan's murderer, and that these officials pointed out to Conley the discrepancies as they arose from time to time, and that without this aid Conley's story never could have been made to hold together even as well as it did; that notwithstanding this prejudicial aid, however, Conley's story still is impossible and absurd, and of no account whatever against Frank.

Defense Heavily Equipped to Sustain Beery Contentment, It Says.

The foregoing, in general, is the theory of the defense, as already set up and as yet to be developed, and along that line it will fight its battle to the end.

The defense is heavily equipped with witnesses to sustain its every contention, and these will be offered, in due order, to beat down the contrary theory of the State, as hereinbefore outlined, and upon the relative strength of the two showings depends, of course, the verdict.

Of absorbing interest now is the seeming determination of the defense to let Leo Frank's character frankly and fearlessly in evidence.

In a former article in The Sunday American several weeks ago I predicted that the defense would not do this—and they seemed to determine to do so. It is a bold move, and one that the State's attorneys are not making.

Under the law, the State can not put the defendant's character in evidence if it is put in at all, it must be put in by the defendant voluntarily. Once in, however, it may be rubbed by the State, if the State is able to do so. The determination, therefore, of the defense to put Frank's character in evidence is being accepted generally as indicating an unflinching confidence upon the part of the defense that Frank may be able thereby to overcome the terrible and prejudicial charge of degeneracy, as well as the charge of murder, both resting so largely upon Conley, and Conley's word and indications, a bold move upon the part of the defense. That the State already has done its worst in the matter of attacking Frank's character. The fact that Frank is now engaged in refuting two charges instead of one makes his case doubly unenviable in Georgia, as it is contrary to the unbroken policy being followed in that State. In Georgia, the courts uniformly have held that a man can not be tried for more than one offense at one time—that is, that he can not be charged with murder, and in the same trial be called to account for another felonious crime. The charge of degeneracy, however, got into the case without objection, and Frank's lawyers cross-examined the witness making it. The judge, therefore, although it would seem an error to do so, ruled that it was too late to expunge it, and that it should go in for what it was worth.

Study of Frank Convicts, Then It Turns and Acquits

Readers of Human Nature See Anything They Want, but Personal Equation Is Forgotten.

By O. B. KEELER. Leo Frank sits in the presence of a jury and a court and reads the face of a great many of them.

(1) No innocent man could remain calm under such fearful charges.

(2) No guilty man could remain calm under a life.

Leo Frank admitted with horror and grieved in the morning the murder of Mary Phagan was discovered.

(3) A guilty man naturally would be nervous.

(4) An innocent man naturally would be calm.

Leo Frank sits there in the presence of the court and the jury, and reads the face of a great many of them.

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Advertisement for Dr. Whilaw, Painless Dentist.

FRANK'S RUGGLES TO PROVE HIS CONDUCT WAS BLAMELESS

Co-Workers in the Factory Declare Stories of Factory Revelries Are Beyond Reason

ASSISTANT TELLS HOW ACCUSED MAN MADE OUT COMPLEX ACCOUNTS

Testimony of Newsboy Who Said He Accompanied Mary Phagan on Street Car On Day of the Killing Attacked by Defense's Counsel.

With one set of lawyers fighting to send Leo Frank to the gallows and another struggling just as desperately not only to save him from this fate, but entirely to remove the stigma of the murder charge, the second week of the battle for the young factory appointments' life ended shortly after noon yesterday.

The defense was only faintly under way in its presentation of evidence. Another week, at least, will be consumed in the examination of witnesses, and it is regarded as not at all unlikely that the jury will reach the case for the verdict not before the latter part of the following week.

More than 100 witnesses will be called to the stand before the defense rests. Some of them will be questioned and cross-questioned at length. Others will be on the stand only a few minutes.

Conduct in Question.

Many who will be called are factory employees. They will be asked in regard to Frank's conduct at the pencil factory. This line of testimony already has been begun by the defense. E. F. Holloman, day watchman at the factory, and N. V. Bailey, general manager, testified Friday last. Others, aside from those of Frank's family, never visited him at the factory. Herbert G. Schiff, assistant to Frank, who was on the stand yesterday, practically all the testimony of the defense.

Schiff was taken into an exhaustive examination of the duties of his position as day watchman and superintendent of the factory. His testimony, however, was regarded by the defense as extremely important. The financial sheet, in particular, which Frank worked the afternoon of the murder, came up for general consideration. Schiff told in elaborate detail the complexities of the sheet and the elements that entered into its making.

It was the purpose of the defense to show that the sheet was not a true statement of the results of human production, but a mere record of putting an atrocious and brutal murder could have taken down, without a word of his own or a whisper of his hand, but down columns after column of figures, and made scores of notations with never an error.

Boy's Credibility Questioned.

Gay Parties Impossible. The reporter was called to strengthen further the doubt of the credibility of the boy. He related that he had visited the Eggs home, No. 246 Fox street, Sunday night, April 27, having learned that the children of the family had been acquaintances of the girl whose death had been the cause of the trial.

He went there, he said, for the purpose of seeing the girl, and at that time she had just been released from the hospital. He talked at length both to the boy and his sister. In response to the question as to whether he had seen Mary Phagan, he said that he had seen her, the sister, deceased, that she had played with Mary the Thursday before, and that George only told her occasionally when he had ridden to town with Mary when she was going to work in the morning, mentioning that all that he had ridden with her at most only the day before when she was on the journey that ended in her death.

The most exhaustive examination of any of the defense's witnesses so far introduced came Saturday with Herbert Schiff on the stand. With an impressive and remarkable memory, Schiff was able to answer clearly and almost without hesitation a number of detailed questions both by the lawyers for the defense in direct examination, and by the State's attorneys on cross-examination. Even bits of conversation were recalled, notably the talk between Leo Frank and a Mr. Greenback on the afternoon before the day of the killing.

"Do you recall hearing a conversation between Mr. Frank and Mr. Greenback Friday about going to the ball game Saturday?" he asked.

"I would Schiff," but not exactly what was said. "I heard Mr. Frank say something about 'I will go if I can, Charlie.'"

Seemingly to refute Monteau's statement that she looked into Frank's office and found that he was not there, Schiff testified that if it would have been impossible for her to have looked over the open safe door into all the offices.

"I failed to see Mesh Bann," Schiff said, who looked into the office safe the Monday following the killing, according to his statement. He said he saw nothing of the alleged removal of Phagan, which Jim Conley testified Frank did in the afternoon of the murder of Phagan's body.

When Jim Conley was frightened that Tuesday following the murder, when

THE WOMAN OF SORROWS--MRS. LEO M. FRANK



Mrs. Frank, the wife of the man on trial for his life, is next to the defendant himself, the most interesting figure in the case. Each day of the trial she has sat at her husband's elbow, whispering consoling words in his ear when the blackest parts of the testimony have been brought out by the prosecutor. At other times she glares defiance at her husband's accusers. But out of the courtroom she is a sad, heartbroken woman. Her face, as she goes between her home and the courtroom, shows the tragedy that the killing of Mary Phagan has brought into her life. These two pictures were taken yesterday as Mrs. Frank left the courthouse.

he investigation was at his hotel, was another bit of Schiff's testimony. "I was sitting near the sleeping porch," he testified, "and I saw Mr. Frank go in there. He was doing there, and he said he was afraid to go out. He said he would give a million dollars to be a white man. I answered that that would not do any good, as they had taken Mr. Frank."

Under Solicitor Dorsey's cross-examination, Schiff said that Frank appeared eager to employ the Pinkerton detective to work toward clearing the mystery, desiring that the young superintendent called him over the telephone two or three times Monday after the murder to talk over various matters, once to suggest the employment of a private detective. Schiff said that he was asked to employ the Pinkerton detective to work toward clearing the mystery, desiring that the young superintendent called him over the telephone two or three times Monday after the murder to talk over various matters, once to suggest the employment of a private detective.

Trapper Not Liked. Schiff testified that not only was there a hole in the floor of the factory, but also in the basement floor. He was asked about the door leading from the National Bank building back into the room used by the Pinkerton detective, from which Mrs. Frank was detected on the night of the murder. He said that he noticed the door had

apparently cracked open. Schiff's testimony was unshaken by cross-examination, and he proved an able witness for the defense, much more so than the other factory employees. E. F. Holloman, who became confused on the witness stand under the grilling cross-examination of Attorney Dorsey.

The attack of the defense on Conley's character was evident with Schiff on the stand. The witness was asked at length concerning the negro and refuted that he was worthless, unreliable and untruthful.

It is likely that Schiff will be called again to the stand when the trial resumed Monday.

Cash Gro. Co. 110 & 120 Eagle Mill, 1st. Dept. - 5 1/2c Monday Specials Good, Sound, Juicy, Ripe LEMONS @ 12c

Wm. Milk, 10c; Eggs, \$1.02 Eagle Mill, 1st. Dept. - \$1.69 Meadow Gold Butter, pound 33c Parakee Butter, pound 28c Leta Ice Cream Powder, 5 1/2c Meadow Gold Butter, 6 1/2c Pound pkgs. Corn Starch, 6 1/2c 4oz Edgewood Coffee, pound 28c 2oz Tea, 2oz for 1 cent 36c CASH GROCERY CO., 110 & 120 EAGLE MILL, 1ST. DEPT.

CASE NEVER IS DISCUSSED BY FRANK JURORS

Every Man on Panel Has Nickname and Formality Has Been Cast Out.

No member of the jury that is to decide Leo M. Frank's guilt or innocence has expressed an opinion on the case or even one witness' testimony when the second week of the trial ended yesterday afternoon, according to the deputies who have them in charge.

In the court it is an attentive jury. No bit of evidence given by unnoticed, no wrangle occurs between the attorneys that is not given their undivided attention, and when a juror testifies they catch every word, knowing the formal charge that will come from the judge. "You are to believe all of it, or any part of it, or you see fit to do take the word of the defendant, who is not here on oath."

Members of the jury are also given a different kind of a jury. "Probably in that his members hear during the case during 'business hours' and are glad to discuss topics that do not bring in the possibility of wearing a man's life. But not one member of the jury has at any time expressed any opinion. If there is one, it is probably confined to those who have watched the faces during the two weeks and yesterday that it was a jury that was still open to conviction.

The formal "good-morning" Mr. Conley, who has a nickname, Friday morning each member came from the hotel with a tiny white flower on his coat. They were the gift from the wife of a lawyer, who would have been on the jury if Judge Ross had listened to his excess.

Saturday afternoon and Sunday at the days that are really interesting. They are allowed to communicate with one another in the morning and afternoon constitutional, are permitted to venture from their three rooms assigned them, just week the attorney's consent, for them to purchase magazines, or any reading matter, and with the exception of the division, a jurymen no at two or three week trial has anything but the finest position in Atlanta.

Conley, Unconcerned, Asks Nothing of Trial.

Despite the fact that the defense in the trial of Leo Frank has made upon the jury "the" defense from whose lips the following testimony and abundant testimony of Conley, jury has ever heard of any trial at all at the "power" instructions and instructions.

The news, for weeks, that Leo Frank in the criminal case, has become an ally of the people. He has been called back to the courtroom of the trial. The fact that he is a admitted attorney after the fact in the trial of Leo Frank Phagan does not necessarily weigh upon the mind.

He asks no questions about the trial or whether the defense has exceeded in breaking down his remaining ability. He has been asked to vouch for him he receives it with the same confidence as he that he has been a lawyer and that he has had abundant of criminality since the trial. He is, however, a lawyer, and Phagan case.

Any Woolen Suit \$20

Any Mohair Suit \$15

When one ponders and considers the offering made at the prices quoted above and remembers the qualities we have, it affords full explanation for the ready response to our sale announcements.

Cloud-Stanford Co.

61 Peachtree Street.

SALE OF SHOES \$1.95

Ladies' hand-tanned colonial pumps and oxfords in white canvas, patent calf, tan, viol and Russia tan. Among them is a white and black patent pump with a low heel, a patent calf colonial pump with a low heel, a pretty black and white pump with a low heel, and other styles. Monday, Tuesday and Wednesday they go on sale for \$1.95.

Another lot of White Canvas Pumps and Oxfords on sale for \$1.45

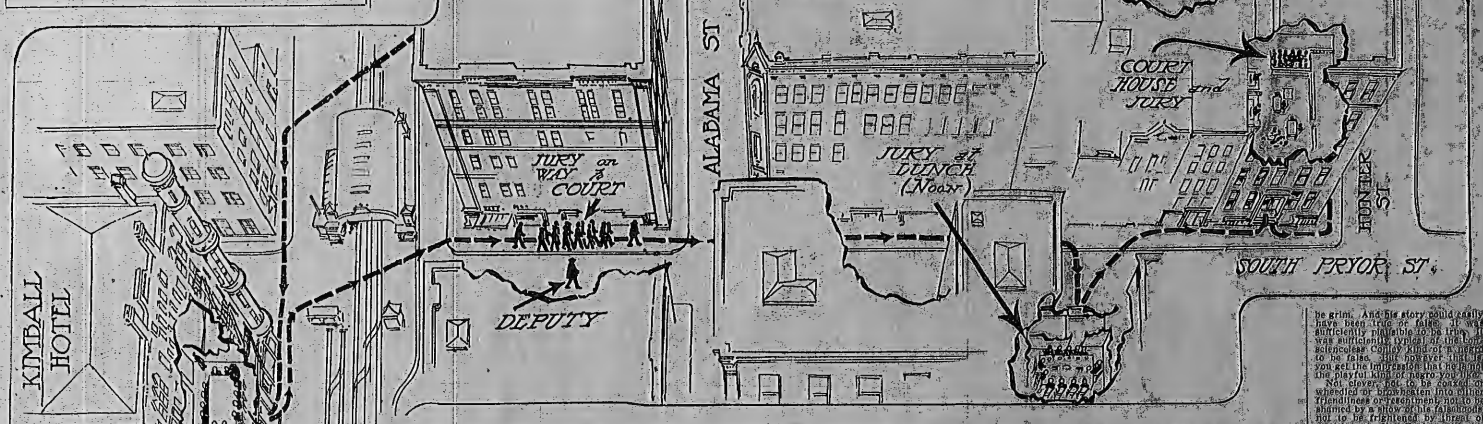
Men's Sorosis \$5.00 Oxfords, \$3.85

J.M. HIGH COMPANY.

INTEREST IN TRIAL NOW CENTERS IN STORY OF MINCEY

Question of Time Considered in Defense Theory of Frank Case

THE diagram shows the daily routine of the jurors who are trying the case against Leo M. Frank. Their days are traced from their rising at the Kimball Hotel, their walk to the courtroom, their lunch in Pryor street, their return to court, their stroll after adjournment, and their final retiring for the night.



EVERY EFFORT WILL BE MADE TO ACCOUNT FOR ALL HIS MOVEMENTS

As all interest centered in the dramatic story of Jim Conley while the case of the prosecution in the courtroom was being presented, so the public now is awaiting with keenest expectancy the tale that Mr. Hill, the lawyer, and insurance co. will relate when he is called to the stand for the attorneys for Leo M. Frank.

Conley swore as glibly as though he were telling of an inconsequential incident in one of his great games. Frank had confessed to him the killing of Mary Phagan. Then the negro went on to elaborate detail to tell the horrible story of the disposal of the girl's body.

Phagan Trial Makes Eleven "Widows" But Jurors' Wives Are Peersesses Also

By L. F. WOODRUFF

ELEVEN widows were made in a day without the assistance of the Grim Reaper, a trip to Reno, California, an amity motion in the newspaper, but there is but one drop of consolation in their cup. When they were made widows they automatically became peersesses, for which privilege many American girls have coveted. Their fathers have sown the seed of good American money and removed heartache and their daughters to be printed between the story of the rabbit that chased the fox and the life narrative of the ship girl, who in a night became a stage star.

They'll Be Brides Again. If there is any man in the white who know that it will not be long before they will be brides and once more their husbands will be returned to them as soon as they have decided whether or not Leo Frank is guilty of the murder of Mary Phagan.

They'll Be Brides Again. If there is any man in the white who know that it will not be long before they will be brides and once more their husbands will be returned to them as soon as they have decided whether or not Leo Frank is guilty of the murder of Mary Phagan.

Dalton Sticks Firmly To Story Told On Stand.

C. B. Dalton's statement as a witness in the Frank trial sticks firmly to the story he told in court when he was confronted Saturday by the story of Alaura Atkinson, No. 28 1/2 street, one of the young women named in his sensational testimony. He branded the statement concerning the girl as a lie.

Mary Phagan's Mother To Be Spared Trial.

A specialist at the trial of Leo M. Frank for the murder of his daughter Phagan reported that the mother of the girl, Mrs. Phagan, will not be called to the stand to testify.

ONE GLANCE AT CONLEY BOOSTS DARWIN THEORY

Frank's Accuser Is Not the Type of Negro White-Men Consider Their Friend.

BY TARTLETON COLLIER.

Jim Conley is a low-browed, thick-skulled, anthropoidal sort of negro. You look at him and your faith in Mr. Darwin's theory goes up the chimney after a half-second's glance.

He is a burly, short-necked black man, 5'10" in height, with a heavy nose, a wide forehead, and a pair of eyes that seem to stare out of their sockets.

It would be difficult to find a more perfect illustration of Darwin's theory of evolution than in the case of Jim Conley. He is a specimen of the lowest type of the negro race.

He grimaces and his face is a study in itself. He is a specimen of the lowest type of the negro race.

He is a specimen of the lowest type of the negro race. He is a specimen of the lowest type of the negro race.

He is a specimen of the lowest type of the negro race. He is a specimen of the lowest type of the negro race.

He is a specimen of the lowest type of the negro race. He is a specimen of the lowest type of the negro race.

SEE THE MOVIES AT THE GRAND ALL SEATS 5c

ALL NEXT WEEK AT THE MONTGOMERY

Guy Merrill and Alleen Foster

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SPECIAL FOR MONDAY THE FLIGHT OF THE CROW

COOLEST SPOT IN TOWN

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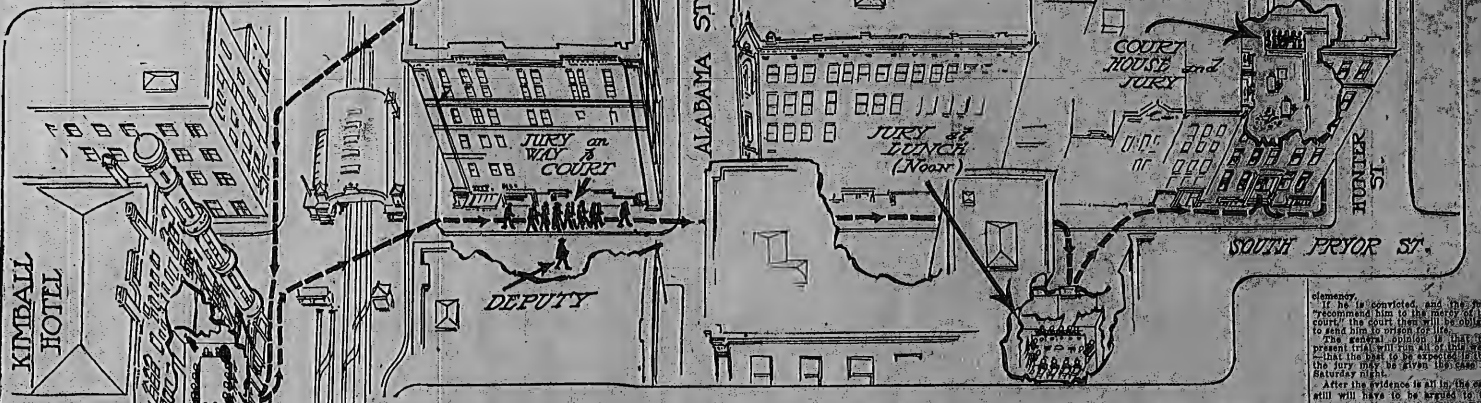
Motor Races

Tuesday Night 8:30 P. M.

WIL HARRER
W. H. HARRER
W. H. HARRER

FRANK'S CHARACTER IS NEW BATTLE GROUND

THE diagram shows the daily routine of the jurors who are trying the case against Leo M. Frank. Their days are traced from their rising at the Kimball Hotel, their walk to the courtroom, their lunch in Pryor street, their return to court, their stroll after adjournment, and their final retiring for the night.



DEFENSE HAS TO CLEAR NAME OF TWO CHARGES

Continued From Page 1.

went to sleep in the afternoon and neglected to perform his services.

THAT Frank, called to the factory early in the morning of Sunday, April 27, displaying great nervousness, and while on his way to the factory without having been informed of the dead girl's identity, declined, or at least failed and neglected, to look upon her features at the undertaker's, notwithstanding the fact that he later admitted her identity without having seen her dead.

THAT at the factory, at the place of the crime, his nervousness continued, and that next morning (Monday), when called to the police station for further questioning, he had secured counsel to defend him, notwithstanding the fact that he had not been placed under arrest.

THAT after having been placed under arrest and indicted for murder, he persistently refused to meet his chief accuser, Jim Conley, face to face, or to discuss any features of the charges lodged against him.

THAT in addition to the crime of murder, as set forth in the indictment, Frank is a dissolute character, practicing the most depraved and perverted crimes with persons of loose morals, and that Jim Conley, on more than one occasion, acted as "lookout" for Frank on the first floor of the factory, while unpeepable and unmentionable things were being enacted above.

The State, in setting up the foregoing allegations, summoned as its principal and all-important witnesses, Jim Conley, who already made public affidavits to all of the charges set forth, except the one of perversion and the exact time of the crime charged.

Conley, after four or five changed statements thereto made, set up in his final statement on the stand many other seemingly minor details not contained in any previous statement.

The foregoing is the State's case in completed form, except that it yet will have the right to produce witnesses in rebuttal of a further rebuttal of the State's rebuttal.

The defense has contended, or will contend:

THAT Conley's story is a tissue of frightful lies from start to finish, and that he himself really committed the crime charged against Frank; and that the defense will so demonstrate.

THAT Mary Phagan was not killed as early as 12:05 on the afternoon of April 28, but was, as a matter of fact, killed at least fifteen minutes later than that; if, as a matter of still further fact, she was not disabled hopelessly about that time, and actually killed even later.

THAT if she was not killed previous to 12:05, as set forth, by the State, that continuingly uncorroborated claim by the State's own witness—Jim Conley and Monteen Stover—then Conley's story is impossible and absurd, and Monteen Stover's evidence entirely negligible.

THAT Frank did not lure Mary Phagan to the rear of the second floor, or to any other place, for any purpose whatever, and that she was only on the second floor sufficiently long to get her pay from the hands of Frank, and that she immediately thereafter left the second floor, going down to the first floor to meet her death at the hands of Conley.

THAT Frank never asked for or received the assistance of Jim Conley in disposing of the body of Mary Phagan, because he was in utter and entire ignorance of the murder until apprised of it Sunday morning.

THAT Frank had nothing whatever to do with the framing of the notes found beside the dead girl, and that in support of such a charge the State has only the words of Jim Conley, intently interested in shifting the blame from his own guilty shoulders and on to the shoulders of Frank.

THAT Frank never paid Jim Conley any sum of money for

any purpose whatever on Saturday, nor promised him any sum for any purpose whatever, and that Conley's word alone says that he did.

THAT whatever nervousness Frank displayed, if he displayed any unusual or unusual nervousness, it was occasioned by the mysterious attitude of the officers notifying him of some unnamed trouble at the pencil factory, and that in support of his approximately normal frame of mind is the fact, proved by the State's own witnesses, that he opened the office safe to look up the record of Mary Phagan, after having acquired knowledge of her identity, without tremor or hesitation whatever, setting the intricate combination and easily opening the safe on the first trial.

THAT his innocence of all guilty knowledge of the crime is further evidenced by his three nearly perfectly normal work on his books in the factory on the afternoon of April 26, at which time, if the State's theory holds, Mary Phagan, with Frank's knowledge, then was a corpse in the basement, dead at his murderers' hands, or supposed to have been employed in that way.

THAT Frank, instead of declining to look upon the face of the dead girl at the undertaker's while on his way to the factory Monday morning, did, as a matter of fact, look upon her face and recognized her.

THAT Frank had no counsel until after his retention at police headquarters had been publicly made known, and when he was not interrogated under suspicion, and that even then counsel was sent to him by Frank upstairs, hit her a violent blow upon her head, snatched her purse from her hand, and at once threw her body into the cellar by way of a nearby open space, for fear of someone coming into the building; that likely the blow that delivered was not sufficient to kill, and that her actual death was hastened, or may have been hastened later in the cellar below, by means of strangulation, there being always there an abundance of the very cord employed or supposed to have been employed in that way.

THAT Frank's refusal to meet Jim Conley, his lying accuser, was natural and proper in the circumstances, and that such a course was persisted in by the particular advice of his counsel; that Frank was under no moral or legal obligation to discuss his case with Conley, or with any other witness for the State.

THAT Frank far from being a dissolute character, is a man of unblemished integrity, happily married; that he never has practiced depraved and perverted crimes, because such things would be entirely foreign to his nature; that he never has associated with immoral persons anywhere, at any time; that neither Jim Conley nor any other person ever acted as "lookout" for him for any purpose whatsoever, and that every monstrous and unpeepable charge or suggestion of immorality and degeneracy rests absolutely and finally upon the unsupported word of Conley, and not otherwise.

THAT there has been no tenable motive assigned to Frank for the murder of Mary Phagan; that the girl was not sexually violated or in any manner lauded; that Frank had only the most casual acquaintance with her, and that of a perfectly natural business sort, and that he could not have had, and did not have, any reason whatever for desiring her death.

THAT in truth and reality, the motive prompting the murder of Mary Phagan was robbery upon the part of Conley, and that for the purpose of securing her pitance of money, contained in a mesh purse, he did murder her and concealed her body in the basement.

THAT, as a matter of fact, Mary Phagan reached the National Pencil Factory on the afternoon of April 28 about 12:12 or 12:15; that she came up the steps directly to Frank's office, and received her pay for the time due her, in amount \$1.20; that she at once departed Frank's office, without comment of any sort, and that Frank never saw her alive thereafter; that going down the steps, with her silver mesh bag in her hand, she had to pass Jim Conley, recently aroused from a drunken dose, as in attempting to get from the foot of the stairs, where Conley was sitting, to the door; some 20 feet away, she had to traverse a theory walkway, more than ordinarily gloomy at the time because the day was a legal holiday and the doors were closed, but not locked; that, in traversing this walkway her back was toward Conley; that Conley, without money and craving more liquor, saw the unprotected little girl with the sniffling silver bag in her hand, and surmising that she had been there after accomplishing his bloody deed Conley slipped by withdrawing the inside staple from the basement back door only a few feet away from the place where the dead girl subsequently was found; and that tracings of Conley during the afternoon of April 28 at various saloons about town show that he spent then that amount of money approximately that which Mary Phagan is supposed to have had in her purse at the time of her murder.

That of all her possessions the purse alone, notwithstanding exhaustive inquiry, never was accounted for until the last day Conley was on the stand, when he stated that Frank had had the purse in his possession but after the murder, and that he had concealed it in his safe. This allegation, the defense points out, is sustained, as are the other most damaging allegations, by Conley's uncorroborated word alone.

THAT Conley, the State's main witness, is a notoriously dissolute character, by his own admission seven times a liar, many times a liar, even under oath and on the witness stand, and ad-

mittedly was "mistaken" in some statements made against Frank; that he did not begin to throw suspicion on Frank until after suspicion began drifting in his (Conley's) direction; that his plea of wishing by his first silent course of conduct to "protect" Frank is not sound, because after the "great" disappointment that Frank did not "get him out of his trouble, as he had promised," and declaring that he, therefore, intended to tell the "whole truth of the murder," he still persisted in his lies and falsifying to the admitted damage of Frank, and found it necessary to issue three conflicting affidavits before he got on he thought might be depended upon to stand up.

THAT Conley began his statements with a lie—to the effect that he could not write—and continued lying steadily thereafter, but frequently canceling one lie in favor of another, as his first lies were shown to be useless and senseless.

THAT Conley in revising his various statements was aided and abetted by various police officials presumably anxious for the reward offered for the apprehension and conviction of Mary Phagan's murderer, and that these officers pointed out to Conley the discrepancies as they arose from time to time, and that without this aid Conley's story never could have been made to hold together even as well as it did; that notwithstanding this prejudicial aid, however, Conley's story still is impossible and absurd, and of no account whatever against Frank.

The foregoing, in general, is the theory of the defense, as already set up and as yet to be developed, and along that line it will fight its battle to the end.

The defense is heavily equipped with witnesses to sustain its every contention, and these will be offered, in their order, to break down the contrary theory of the State, as herebefore outlined, and upon the relative strength of the two showings depends of course, the verdict.

Of absorbing interest now is the seeming determination of the defense to put Leo Frank's character frankly and fearlessly in evidence.

In a former article in *The Sunday American* several weeks ago I predicted that the defense would do this and the then apparent determination of the defense along this line shows no symptoms of having been changed.

When Conley made his usual unanticipated attack on Frank's character as a dissolute character, it was rather freely predicted that the State would then and there set up to have his character put in evidence. Under the law, the State can not put in the defendant voluntarily, and only in a case of extreme necessity, and that he also indicates a belief upon the part of the defense that the State already has done its worst in the matter of showing Frank's character.

MUST REVEAL TWO CHARGES

One fact that Frank is now engaged in putting two charges instead of one makes his case doubly unique in Georgia, as it is contrary to the unbroken theory of the law heretofore.

In Georgia, the code uniformly has held that a man can not be charged with murder and in the same trial be called to account for another felonious crime.

This charge of degeneracy, however, got into the case without objection, and Frank's lawyers chose to examine the witness making it. The judge, therefore, although a motion was made afterward to strike out this evidence, ruled that it was too late to expunge it, and that it should go in for what it was worth.

This ruling, while in a way more or less unprecedented, was, in the main, by the public assembly approved, upon the idea that it was fairer to both the State and the defense that the horrible charge, having been made, be struck out.

Should Frank be convicted, it is practically certain that a new trial will be granted in this very point, and it is not as yet probable that Judge Tom will grant it, although this conjecture is purely and absolutely speculative, of course.

The defense has summoned some seventy character witnesses among whom are many more than 3000 former employees of the National Pencil Factory all of whom will appear. It is said, to the defendant's recent and generally conducted attentions in their presence and during their varied terms of service in the factory, ranging from one to five years.

INTENSE INTEREST

There has been a news item of Atlanta's most prominent business and professional men has been cited to come to court and testify in behalf of Frank's good name.

Had it not been before it, there has been an intense interest in a murder trial as questionable as this is in the Frank case.

One might as well undertake to read the riddle of the Sphinx as to read the riddle of the Frank case in the minds of the jury trying it. It is said that it is a jury well worth the average, and that is about the best thing that can be said of an intelligent cross as to what it will do.

The jury sitting there in the courtroom, day after day, has been the subject of the interest of thousands of Atlanta's inhabitants—many and the news.

Every fellow answers for himself. The jury is imperturbable, unshakable, almost seemingly indifferent. At these times, however, a jury that is so intense interest, nevertheless!

One night as the jury was about to retire, the riddle of the Sphinx as to read the riddle of the Frank case in the minds of the jury trying it. It is said that it is a jury well worth the average, and that is about the best thing that can be said of an intelligent cross as to what it will do.

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agreed that he is handling the case with an open and judicially just mind. It is thought that Judge Sims will take the burden in respect of this, and both sides will be permitted to go the limit.

Mr. Hoover and Mr. Arnold will come down at least one entire day in argument, and Mr. Dargay and Mr. Hooper will not lack for time.

It is expected that Hooper will open for the State and Dargay close that Hooper will open for the defense and Arnold close. The State has the opening and the closing argument before the jury.

After the evidence is all in, the case still will have to be argued to the jury. It is thought that Judge Sims will take the burden in respect of this, and both sides will be permitted to go the limit.

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LIND CALLS ADMIRAL IN CONFERENCE AT VERA CRUZ

Ambassador Sends Mysterious Message to Commander of Fleet for Meeting Immediately on His Arrival at the Mexican Port...

Sulzer Used Funds Of Campaign to Play Market, Is Charge

Chairman Frawley of Investigating Committee Says This is Enough to Warrant Impachment...

GIVES OWN LIFE TO SAVE THOSE ABOARD BOAT

ALL THE PASSENGERS ESCAPE. Divers Exploring Wreck of Steamboat Peters Lee Find Modern Jim Bigsbee In Hold...

Slit Skirts Furnish Mosquito Clan With Choicest Barbecue

Trailhead of Winemans Stenographers and Milliners Have to Tramp Through Stagnant Belt...

FRANK OR CONLEY? STILL QUESTION Issue Firmly Drawn Between Two Men Crime Definitely Fixed on One of Pair

Famous Case to Solve Mystery of Slaying of Mary Phagan Enters Its Third Week With Public Opinion Constantly Shifting...

By AN OLD POLICE REPORTER. The second week of the trial of Leo Frank, charged with the murder of Mary Phagan in the National Penitentiary on the afternoon of April 20, came to a close Saturday noon...



Leo Frank in his seat in the courtroom where he is fighting for life.

The prisoner in the cell in the unguarded attitude he assumed here for most of the time.

Mrs. Phoebe Hearst Y. W. C. A. Benefactor

Delegates Camp at Pacific Grove, Cal., Which Her Generosity Made Possible.

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Each of 1,000 Employees Gets a Policy Equal to His Yearly Salary.

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Makeup of First Democratic 'Bud' 'Squeaker' Puzlack Washington's Youngster.

Manuel Pawns His Father's Decorations

Former King of Portugal Unable to Struggle Along on Income of \$100,000 a Year.

Do You Know?

The Greatest Progress See First 'Want Ad' Page

Not a move escapes this man's restless eyes, though his face is calm.

Scientist Hints New Immortality Proof

Dr. Oliver Lodge, of London, Will Give World Results of His Researches.

Admits he's decent in answering marriage ad.

Autos empty churches, say country preachers.

Jack London Puts Joke on His Appendix

Novelist Tells the Latest on Former Part of Himself and What Left.

THAT Frank

shortly after noon on April 26, and before a few minutes past noon, lured Mary Phagan, for an immoral purpose...

THAT Conley

after the direction of Frank, wrapped the dead body in a piece of heavy cloth, carried it to the elevator...

THAT Frank

had an understanding with Conley, and was to return to the factory later in the afternoon...

