

CONLEY GRILLED FIVE HOURS BY LUTHER ROSSER

REMARKABLE STORY IS TOLD BY NEGRO IN ACCUSING FRANK OF PHAGAN MURDER

Chief Witness for State Admits, Under Cross-Examination, That He Has Been Under Arrest Seven or Eight Times, and That Many Statements Made in His Three Affidavits Are False. Hangs His Head and "Fools With His Fingers" When He Lies, He Says.

LOOPS MURDER NOOSE AROUND HIS OWN NECK TO ILLUSTRATE STORY

By Order of Judge the Court Is Cleared of Women and Children at Afternoon Session Owing to Revolting Testimony Given by Conley—Dr. Roy Harris, It Is Understood, Will Be Closing Witness Summoned by the Prosecution.

The long-looked-for sensation in the Leo M. Frank trial came Monday morning when Jim Conley, the negro sweeper formerly employed at the National Pencil factory, took the stand and told a revolting as well as dramatic story of what he claims to know of the murder of little Mary Phagan.

Following the telling of this story, parts of which can only be hinted at, Conley was placed under cross-examination by Luther Rosser. For five hours and a half the able attorney for the defense wheeled and coaxed and cajoled and used every tactic known to the legal profession to break down the fabric of the story and to tear the tale to tatters.

He succeeded in confusing the negro as to minor details only. He failed to shake the foundation of the main story—which was that, on Saturday, April 25, Leo M. Frank had asked him to "look out" for him while he "chatted" with a young woman; that later Frank had called to him and told him the girl had "refused him" and that he had struck her. He then described seeing the body of the girl lying on the floor near her machine with a cord and a piece of cloth around her neck. She was dead.

He recited that Frank had asked him to help him dispose of the body and that he had taken it to the basement. He told of Frank's plan to have him burn the body. He told of writing the notes which were given to Frank and which were later found near the body.

These things he told in a fashion so rapid it was difficult for the stenographers to follow him. During the

Weather Prophecy

Generally Fair.

Georgia—Fair Tuesday and probably Wednesday; light to moderate variable winds.

Local Report.

Lowest temperature 63
Highest temperature 82
Mean temperature 74
Normal temperature 77
Rainfall in past 24 hours 0.00
Deficiency since last month 7.2
Deficiency since January 1 11.18

Reports From Various Stations.

STATIONS AND WEATHER.	Temperature.	Rain.	
	7 p.m. High.	Inches.	
ATLANTA, Clear.	84	93	.00
Atlantic City, Clear.	74	84	.00
Baltimore, Clear.	80	86	.00
Birmingham, Clear.	88	84	.00
Boston, Rain.	62	70	.20
Brownsville, Pt. Clear.	84	90	.00
Charleston, Clear.	70	84	.00
Chicago, Clear.	70	72	.00
Denver, Clear.	88	92	.00
Des Moines, Clear.	78	78	.00
Galveston, Pt. Clear.	84	84	.00
Hatteras, Pt. Clear.	88	84	.00
Jacksonville, Clear.	80	90	.01
Kansas City, Clear.	84	100	.00
Louisville, Clear.	82	88	.00
Memphis, Clear.	88	92	.00
Miami, Clear.	84	88	.00
Mobile, Clear.	90	94	.00
Montgomery, Clear.	88	92	.00
New Orleans, Clear.	88	94	.00
New York, Clear.	74	78	.00
Oklahoma, Clear.	84	88	.00
Pittsburg, Clear.	70	72	.00
Raleigh, Clear.	82	80	.00
Washington, Clear.	74	88	.00

C. E. VAN HERRMANN, Section Director.

Scenes in Courtroom Monday While Conley Was on Stand

"JIM, CAN YOU PUT THIS CORD AROUND YOUR NECK LIKE YOU FOUND IT ON MARY PHAGAN'S BODY?"

SOLICITOR DORSEY.



JIM CONLEY. On the STAND.

WOMEN SPECTATORS.

PRESSURE BROUGHT BY UNITED STATES TO DEPOSE HUERTA

Ambassador Wilson Resigns and Ex-Gov. Lind Is Ordered to Mexico as Personal Agent of President.

MEXICANS TO BE TOLD HUERTA MUST ABDICATE

Believed American Ban on Huerta May Force Resignation—Henry L. Wilson Asked to Keep Out of Mexico.

MISSIONARIES ORDERED TO GET OUT OF MEXICO

Anderson, S. C., August 4.—Secretary of State W. J. Bryan, in a telegram marked "confidential," has instructed Dr. Pressley, treasurer of the board of missionaries of the Associate Reformed Presbyterian church, with headquarters at Due West, S. C., to order all missionaries of that church out of Mexico at once, as they are in peril.

Washington, August 4.—President Wilson today took the first steps in the policy through which he proposes to deal with the Mexican situation. He formally accepted the resignation of Ambassador Henry Lane Wilson, to take effect on October 14, and sent to Mexico City as his personal representative—but not accredited to the Huerta government—former Governor John Lind, of Minnesota, a lifelong friend of Secretary Bryan. The understanding is that when a stable government is established in Mexico Mr. Lind will be formally named as ambassador.

Lind's Mission Announced. President Wilson and Secretary Bryan had frequent conferences during the day. Ambassador Wilson had a long talk with Mr. Bryan and Chairman Bacon, of the senate foreign relations committee, discussed the situation with the president at the white house. But for the announcement of Mr. Lind's mission, no explanation of the policy to be pursued by the American government was forthcoming. The statement from Secretary Bryan read: "Ex-Governor John Lind, of Minnesota, has been sent to Mexico as the personal representative of the president to act as an adviser of the embassy in the present situation. When the president is ready to communicate with the Mexican authorities as to the restoration of peace he will make public his views.

"Governor and Mrs. Lind departed for Mexico tonight by rail, to proceed via New Orleans to Galveston. It became known that a further announcement would be made by President Wilson in a few days, possibly on the arrival of Mr. Lind in Mexico City. Huerta Being Urged to Resign.

It is said the president is observing with keen interest the efforts of leading Mexicans to bring about peace and will offer no suggestions until these apparently prove futile. That Mr. Lind will be empowered to explain to all inquirers the unalterable opposition of the American government to the recognition of the Huerta administration expected to be a factor which may assist the situation. Prominent Mexicans have taken it upon themselves to try to persuade General Huerta to resign in favor of another provisional executive acceptable to all factions. Meanwhile arms and munitions of war from the United States will continue to be denied to the two warring forces and unless it is apparent that internal efforts to bring about peace succeed, the United States will not render its services as a mediator. Mr. Lind undoubtedly will act in that capacity when the time comes. Declarations from both Huerta and

There's Only One Way to Do a Thing.

That's the right way. And the right way is usually the easiest and best way.

When you want clothes you go to shop that sells them and buy what you want.

When you want a job you should look for similar tactics. Go where the jobs are offered. Read The Constitution and use Constitution want ads every day—until you find the job you want.

There's no keeping you down if you're sincere. Others have found right place through The Constitution. There's no reason why you cannot do likewise.

Our ad in this paper carries right with the business men of Atlanta because they know you pay for it. All of which only means that a business man you do business with can't get something for nothing.

You can't get something for nothing.

SENATE INDORSES CUT OF \$280,325 IN MONEY SHEET

Upholds Action of Committee in Making Outgo of State Equal to Income by Chopping 7 Per Cent Off Figures.

SENATORS VOTE TODAY ON PENSION DECREASE

All Other Amendments Are Agreed To on Monday. University Accepts Smaller Appropriation.

The state senate completed half of the general appropriations bill as amended by the appropriation committee yesterday afternoon. There were many amendments offered to the bill and to the committee's amendments, but in every instance the action of the committee was sustained by a handsome majority.

The most animated fight of the day came over the amendment of Senator E. L. Smith, of the ninth, to completely strike the section giving \$30,000 to the State Medical college at Augusta and the effort of Senator M. C. Tarver, of the forty-third, to cut the appropriation to the Georgia Tech from \$80,000 to \$70,000 instead of \$74,400 as recommended by the committee. Both of these attempts were lost.

Committee Amendments Adopted.

The following amendments of the committee were passed: University of Georgia, \$52,500 to \$48,725. Georgia Tech, \$80,000 to \$74,400. Georgia Normal and Industrial college, \$52,500 to \$48,725. Agricultural college at Dahlonega, \$21,000 to \$19,935. State Normal school at Athens, \$47,500 to \$44,175. State College of Agriculture, \$100,000 to \$93,000. Georgia Medical college, \$30,000 to \$27,900. Common school fund, \$2,550,000 to \$2,317,500. Preliminary due on instance of Georgia School for Deaf and Dumb, \$450. The following other amendments were passed: By Senator Tarver, of the forty-third, to decrease the number of dockkeepers in the house of representatives from five to four.

Amendments Lost 21 to 15.

The amendment of Senator Oliff, of the fourth, to the committee's amendment, providing that the cut in the common school fund shall only be from \$2,550,000 to \$2,500,000, was lost by a vote of 21 to 15 after a lively debate. Senator Oliff deplored the fact that the poor people of the state were made to suffer at the hands of the state, while certain schools of higher education were given the same amount as they have been getting or even more in view of the fact that 7 per cent was cut from their appropriation which was raised in the house. In all cuts the amount was 7 per cent of that given by the house and those institutions which had been granted a larger sum by the house benefited accordingly. Only one committee amendment remains to be considered, the cut from \$385,000 to \$310,150 in the pension fund, and judging from the manner in which the senate supported its committee Monday this decrease will in all probability be made today.

Only One Amendment Probable.

Although many amendments have been sent to the desk, it is probable that the amendment of the committee decreasing the pension fund will be the only one that is passed by the senate. If the bill is passed as amended by the committee and from other amendments it will cut from the general appropriations bill the sum of \$280,325, approximately the same amount which is in excess of the anticipated revenue.

Probably the most striking incident of the session occurred when Senator R. T. DuBose, of the thirteenth district and a resident of Athens, made a short talk to the upper house seconding the motion to cut the maintenance fund of the University of Georgia from \$22,500 to \$18,725. Senator DuBose stated that he knew that the University of Georgia was perfectly willing to give up her share of money along with the other state institutions in the interest of the betterment of the financial condition of the state. "Of course," said he, "the university needs the money as much, if not more than most of our educational institutions, but at the same time when a serious crisis is facing our state I know it is willing to sacrifice itself for the state."

Senator Smith Explains Position.

The amendment striking the \$30,000 from the Augusta Medical college was lost by a vote of 23 to 8. Senator Smith, of the ninth district, in support of his amendment striking the appropriation of \$30,000 to the Augusta Medical college, among other things, said: "At the last session of the legislature the trustees of this college came before the legislature and offered this college to the state as a gift, and I understand, that they stated they would ask for no appropriation. Now, at this, the very first session of the legislature after the property has been given to the state, they come and ask for \$30,000."

"The state now is having to appro-

RATE CASES WON BY GEORGIA TOWNS

Freight Rates to LaGrange, Carrollton and Vienna Declared Unjust—Will Cost Railroads \$4,000,000 Year.

Washington, August 4.—(Special.)—Commissioner Clements, in rendering the decision of the interstate commerce commission today in the LaGrange, Carrollton and Vienna declared unjust—will cost railroads \$4,000,000 a year, or a reduction of 10 per cent. The decision of the commission is of tremendous importance. It will cause a readjustment of rates throughout the south, and it is estimated to mean a loss to the railroads of \$4,000,000 or \$5,000,000 a year, or a reduction of 10 per cent. The decision does not prohibit lower rates to basing points which have water competition, or to Atlanta, which, by reason of competition has long been a basing point. It does condemn the existing so-called "arbitraries," or differences above the rates to basing points, and "differentials," or differences below the basic rates.

New Southern Rates Are Based.

All rates to the south from the east are based on the rates from Baltimore and Louisville to Atlanta. The commission finds that the arbitrary increase of 27 cents to Carrollton, as compared to the Louisville-Atlanta rate is too high by 15 cents. It holds the arbitrary increase of 20 cents over the Baltimore-Atlanta rate is too high by 8 cents. In other words, taking the rail and water rates from Baltimore and Louisville, as controlling all these rates, it decides that the differentials shall not exceed 12 cents from east or west and that the arbitraries shall not exceed 12 cents. The basing point system of making rates is not condemned per se. The commission recognized the fact that trading centers and trade routes existed long before the establishment of railroads. This was recognized in fixing rates to interior

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How Atlanta Is Affected By the New Express Rates

By John Corrigan, Jr. Washington, August 4.—(Special.)—Here are the new express rates from Atlanta to a selected list of cities, ordered by the interstate commerce commission, to become effective October 15. The rates ordered by the commission will undoubtedly be used as an argument for further reducing the parcel post rates. It is predicted that within five years the express companies will have been abolished entirely. The figures given below are a comparison of the present parcel post rates, present express rates and new express rates for packages weighing one, five and ten pounds. The last two columns are the present express rates and new express rates on 100 pounds of merchandise. The new limit for parcel post packages is twenty pounds, but this increase was ordered after the interstate commerce commission had made up its table of comparisons and these are not carried beyond the former eleven-pound parcel post limit.

From Atlanta To	1 Pound.		5 Pounds.		10 Pounds.		100 Pounds.				
	Parcel Post.	Present Ex. rate.	Parcel Post.	Present Ex. rate.	Parcel Post.	Present Ex. rate.	Parcel Post.	Present Ex. rate.			
Jacksonville	.07	25	27	60	28	52	75	35	235	1.15	
Chicago	.08	25	32	70	32	62	1.00	44	3.75	2.00	
St. Louis	.08	25	32	70	31	62	.90	42	2.25	2.45	
Nashville	.07	25	27	60	28	52	.60	35	1.75	1.75	
New Orleans	.08	25	32	65	31	62	.80	41	3.55	2.35	
Augusta, Maine	.10	30	24	46	75	37	91	1.10	55	5.00	3.70
Denver	.10	30	24	46	80	46	91	1.35	72	8.25	5.45
Spokane	.12	30	29	60	65	1.20	1.40	1.10	12.75	9.20	
Duluth	.00	30	25	37	75	40	75	1.35	61	6.00	4.30

NEGRO IS SOUGHT BY ARMED WHITES

Residents of Lampkin Street and Vicinity Stirred by Attempted Assault Upon Girl 11 Years Old.

As the result of an attempted assault upon a little white girl 11 years of age, London Green, a negro, was sought for hours last night by a large crowd of white men. The attack took place in the home of the negro at 38 Lampkin street, about 7:30 Monday morning. The young girl was playing with her sister, age 13 years, on the porch of her home, which is directly across the

street from where the negro lives, when Green called her, asking her if she did not want a bunch of flowers. According to her own story, when she arrived at Green's door he asked her to step inside, as he had the flowers in a back room, already cut. Upon reaching the second room of the house, she states that Green, who is a large negro about 45 years old, threw his arms about her and kissed her. She immediately began to struggle, but made no outcry. Although of small stature, the girl succeeded in frustrating the negro's evil designs for perhaps ten minutes, when he became frightened and released her. The little girl sped swiftly up the street to the home of her sister, where she sobbingly poured out her pitiful story. Police were notified and officers were hastily dispatched to the scene, but the negro could not be found. In the meantime, a determined body of men, heavily armed and provided with a rope and headed by the neighbors of the little girl, were going through every house in the vicinity of the crime, and had been captured. Green would doubtless have met death

SENATE WAITING FOR HOUSE BILL

Will Start Work on Revision When Sheppard Substitute Is Transmitted—No Reconsideration.

There was no reconsideration of the Sheppard substitute by the house yesterday and the bill should be engrossed in time to be transmitted to the senate today. Chairman Miller, of the senate finance committee, said that his committee was waiting for the bill and would go to work on it just as soon as it is obtained from the house. It all depends now on the time required to copy the bill by one of the engrossing clerks of the house, and there seems to be no reason why the measure may not reach the senate today.

In speaking on the subject of tax reform, Senator Miller said:

"It has not yet been determined whether or not the house bill will be simply amended or passed by substitute in the senate. It will not go through the finance committee without some provision being made for a tax commission or some form of state board to supervise tax returns of the whole state. I do not believe that the senate will accept a bill that makes no better provision for equalization than merely county boards of equalizers."

Motion to Reconsider Withdrawn. When the house met yesterday morning Representative McMichael, of Marion, who had given notice of a motion to reconsider the Sheppard measure, asked the unanimous consent of the house to withdraw his motion so that the bill might be transmitted to the senate earlier. This was granted and there was no further effort made to reconsider the bill. An effort will be made to have the senate finance committee adopt the amendments of Mr. McMichael and Mr.

Continued on Page Five.

rectal he was as calm and composed as it was possible for a human being to be.

When the cord, which was found around the little girl's throat, was headed him he placed it around his own neck to illustrate how it was tied, and as he did so his hands were as steady as if he was tying a scarf.

The story was one of the most remarkable that has ever been recited in the state of Georgia. On it the case of the state will stand or fall.

Explaining how he happened to be at the factory on Saturday he said he had been asked to "look out" for Frank while he was engaged with a young girl. This was no uncommon thing for him to do, he said.

Watched Out Before.

On several occasions Frank had asked him to watch out for him to see that no one entered the building, he said; and he told of one occasion when he surprised Frank and a woman in a compromising attitude. According to this statement, the woman was seated in a chair and Frank was kneeling on the floor.

On one occasion he says Frank and another man were alone in the building with two women and he stood guard for them.

A significant feature was brought out by the state in regard to the writing of the notes, which have proved so baffling to the detectives. The state attempted to show that Frank knew Conley could write. This was objected to by the defense.

"Your honor," said Mr. Dorsey, "we expect to show that while the detectives were having Newt Lee write and getting specimens of Frank's writing, Frank knew that Conley could write, but never once informed the authorities of the fact."

Will Conley Stand Up?

Will Conley be able to stand up under the terrific cross-fire of questions which will be hurled at him today?

That is the question which occupied every mind when court adjourned at 5:30 o'clock Monday afternoon.

Only a prophet could answer this question. Upon it depends everything.

During the cross-examination Conley admitted having been in jail seven or eight times—he could not tell how often.

Conley's statement on the stand Monday differed in many essentials from the three affidavits he had made. He admitted quite frankly that he had lied in some of the statements made in them, but he said

that all three contained elements of truth.

This morning at 9 o'clock Conley will once more be placed on the stand and it is safe to say he will be on the stand when court adjourns, unless the unforeseen takes place and he writes and collapses under the white heat of the fire through which he must pass.

Dorsey Is Pleased.

When court adjourned Monday, Solicitor Dorsey expressed himself as pleased beyond expression with the way Conley had stood up.

While the defense had little to say, it was obvious that Monday's cross-examination was but the faintest forerunner of what is to come—the preliminary skirmishing to mix up the witness, to undermine him and to get him in condition for the big coup today.

Room Cleared of Women.

After the noon recess, Judge Roan had the room cleared of women and children. There were fully 150 women and several small children in the room at the time and they displayed the keenest resentment that they were not permitted to remain. The testimony had been of such a revolting nature that Judge Roan deemed it no place for a woman to be.

Solicitor Dorsey at one stage of the afternoon proceedings showed evident displeasure at the attitude of Judge Roan and sharply snapped to a law book he was about to read from. Judge Roan had turned to listen to a question addressed to him by some one seated by his side.

The state will not close with Conley. Dr. Harris, whose illness prevented him from finishing his testimony as soon as he is well enough. It is understood that the state will endeavor to bring out much additional information as to the time of Mary Phagan's death.

Conley Taken to Tower.

At the conclusion of Monday's proceedings Mr. Arnold asked that Conley be taken in charge by the sheriff and placed in the Tower, where no one could see him or talk to him. William Smith, his attorney, asked that he be allowed to see his food. Judge Roan ordered that this be done, and he was removed to the jail in Chief Beavers' automobile. Just as he was leaving the courtroom he asked a reporter for some cigarettes. He was not nervous and was apparently in good condition.

OPPOSES SEGREGATION OF RACES IN P. O. DEPT.

Washington, August 4.—Opposed to segregation of the races in the post-office department, Senator Clapp of Minnesota today prepared to insist that Postmaster General Burleson explain the grounds on which a department order providing for such a separation of the white and negro employees was in contemplation.

The senator contends that the two races have worked together for a half century, and he does not believe any greater need exists for their separation now than at any time in the past. The proposed plan, Senator Clapp says, has been given to understand, would increase the expenses of the department by approximately \$150,000 a year.

While there have been no very strenuous complaints from employees of post-offices throughout the country, officials admit that vigorous protests against working with negroes have been filed by employees in the railway mail division. On long runs, the complaints have represented, while railway mail clerks frequently are compelled to eat and sleep with negro clerks. They have made a concerted effort to have this condition remedied.

The Best Hot Weather Tonic. GROVE'S TASTY CHILL PILLS combats the blood and builds up the whole system, and it will wonderfully strengthen and fortify you in whatever the depressing effect of the hot summer. 50c.—(Adv.)

Amazing Testimony of Conley Marks Crucial Point of Trial; Says Frank Admitted Crime

The crucial point of the entire case of the state versus Leo M. Frank, charged with the murder of little Mary Phagan, an employee in the National Penell factory, of which he was superintendent, came Monday morning when after putting one or two witnesses back on the stand to bring out minor points, Solicitor Hugh Dorsey called out, "Bring in Jim Conley."

The state had been gradually paving the way for the testimony of the negro sweeper who declares that Frank called on him to hide the body of the dead girl and told him that "he had struck her too hard," and as the darkey's name was called out a murmur ran through the crowded courtroom and several women spectators even clapped their hands together before the sheriff's deputies could restore order.

Jim Conley came in after a short wait. Police Chief James L. Beavers had brought the negro from the station house in his automobile and the negro came walking into the courtroom with the sheriff's deputies could restore order.

Conley on the Stand.

After the usual questions to establish his identity the solicitor asked: "Do you know Leo M. Frank?"

"Yes, sir."

"Point him out."

The negro did so, indicating with his right hand the defendant who was sitting within a few feet of him.

"He told me to come back there Friday, April 25, of this year."

"Yes, sir."

"Tell about it and what was said?"

"Well, about 3 o'clock that day Mr. Frank came up to where I was at work and told me to come back Saturday morning that he had work for me to do."

"How long had you been working at the factory?"

"About two years."

"Had you ever gone back before for Mr. Frank?"

"Yes, sir," replied the negro.

"Did he give you any instructions about coming back Saturday?"

"No, sir. He told me to go by 'instructions,'" said the witness.

"Well, did he tell you what he wanted you to do on Saturday when you came back?"

"He told me to come back there Saturday about 8 o'clock."

"Did you go?"

"Yes, sir."

"What time did you get there?"

"About half past eight."

"What time did you leave?"

"We both got there 'bout the same time."

"What was said?"

"Well, I said, 'Good mornin', Mr. Frank, an' he said, 'Good mornin', Jim.' I told him I was in the building right away. He then told me to go there rather earlier than he thought I'd be there and that he wanted me to watch the door for him, as I'd done lots of times before."

"Had you ever watched the door before?"

"Yes, sir."

"Why did you watch the door, what for?"

Frank Tested Negro.

"Well, when Mr. Frank would have young ladies up dere to chat with them I'd always watch the door for him while dey wuz chattin'."

"Well, I dunno 'bout dat, but dey wuz up dere to chat with them, but dat's what I had to watch for. If any nobdy could disturb 'em while he and de ladies wuz chattin'."

"How many times had you watched the door for Frank before that day?"

"I can't remember how many times, but it was lots o' times I'd done it."

"Well, tell us some particular time that you'd watched the door before."

"Well, I remember watchin' de door on last Thanksgiving day. Mr. Frank was a big, handsome lady up dere then and another man and another lady, too. They all stayed up in the factory while I watched de door."

"Well, go back to that day."

"Well, when Mr. Frank said I was dere too early I told him I'd go down to the Capital City laundry and see er pesson an' come back, and he said for me to be shore and be back in 40 minutes."

"Did you come back, and when did you next see Frank?"

"Well, sir, he told me to meet him on Forsyth street near Nelson street, dere, here Montag's is, an' I met him there."

"What time did you meet him there?"

"I dunno 'zactly."

"I 'bout what time was it?"

"Well, I wuz 'bout half past ten."

Met By Appointment.

"You met Frank there, which way did he come from?"

"He came on his way to Montag's."

"Did he say anything?"

"Yes, sir."

"What was it?"

"He said, 'Ha, ha, youse herw's in you an' I said, 'Yes, sir, Mr. Frank is here all right.'"

"What he said?"

"He told me to wait there for him while he went on to Montag's and he said he'd be right back."

"Did he come back?"

"Yes, sir, he come back in a few minutes and he told me to come on with him and I followed him down the street, going towards the factory."

"Did you go to the factory and no where else?"

"Well, sir, we stopped in at Curtis' drug store, dere, and Mr. Frank went there a moment and I waited for him, an' then we went on down the street, me er followin' Mr. Frank and onct he looked back to say something to me an' he run into a little boy on the sidewalk and I members that cause the man what was with the baby to ok at me like he thought I done it, but the white man didn't say nothing and Mr. Frank and I went on to the factory and he told me to go sit on a box near a trash pile on the first floor, and I did that."

Arrangin' Signs.

"Then he said, 'Jim, there'll be a young lady up here to chat with me in a while an' I want you to watch the door while she is up there. I wants you to do jes like you allus do, he says, 'at when a lady goes up if an' I hear de door an' she like er lady you hear me whistle, you go an' unlock the door and get back some.'"

"Well, did you start to watching then?"

"Yes, sir; Mr. Frank, he went on upstairs and I started to watch an' Miss Mattie Smith, she come up and then came on back down and in er little while Mr. Darley, he come back and he went on right after Miss Mattie an' he patted her on the back an' I heard him say, 'Dat's all right Miss Smith, you jes wait; you'll get dat on next Saturday an' you needn't worry no more.' Dat was all I heard an' he say and de lady went on out, wiping her eyes with a handkerchief, an' Mr. Darley went back up stairs."

"Was this talking between the two

people before or after you and Mr. Frank came back to the factory from where you met him at Forsyth and Nelson streets?" asked the solicitor.

"It was after we come back," replied Conley.

"Well, what happened then?"

"Well, after de lady done left, then Mr. Darley left too."

"Well, go on, what happened next?"

"Well, a lady, she come in and went up the stairs and then a nigger come on. He was a nigger, a woman er peg-leg nigger, she went up the stairs and I waited around er white and Mr. Darley and Mr. Holloway bof came down and left," and then Mr. Quinn come in and he went up stairs."

"He stays 'just er little while and be come down and left'?"

"Who came next?"

Mary Phagan Came.

"Den de lady, she came up and went up de steps."

"What lady?" asked the solicitor.

"Oh, she was Miss Monte Stover."

"What is her name?"

"Miss Mary—Miss Mary Perkins. I allus called her," said the negro witness.

"Well, go on."

"Well, after I hears footsteps an' thought that two people was coming down de steps, but I hear the footsteps all pass the head of the steps and go back towards the back of the building, back towards the metal room an' after a little while I heard a lady scream back there an' then everything got quiet again."

"Well, what took place next?"

"Oh, I heard Miss Monte Stover, she come on in an went up the steps."

"How was she dressed?"

"She had on er rain coat an' tennis shoes."

"Did you ever seen her before? Did you know her?" asked Dorsey.

"Yes, sir; I'd seen her onct or twice befo' an' I knowed who she was."

"Do you, Jim," urged the solicitor.

"No, an' Miss Monte Stover, she come on down and everything was quiet and den I heard somebody tip-toin' from de back of the building towards the head of the stairs on the second floor, sounded lak dey wuz kinder runnin' on dey toes," he added.

"Then I heard somebody go back towards the metal room on dey tiptoes, an' an' 'bout dat time I dex dozed off an' I wuz dere some time later, I dunno how long 'twas, but I wuz Mr. Frank er stompin' on de floor above what waked me. I locked de door lak he done telt me to do when I heard him er stompin' an' finally he began to talk to me, lak de door an' den a few minutes I walked up dey steps."

"Did you see Frank then?"

Frank Was Scared.

"Yes, sir; I seed him. He was standin' dere in his office jes er shiverin' an' er rubbin' his hands together an' he was lak de door lak he done telt me to do."

"Did you look at his eyes?"

"Yes, sir."

"How did they look?"

"Dey was large and he looked funny 'bout de door."

"Did you see his face look?"

"His face was all red like."

"Is this the cord you saw?" asked the solicitor, displaying a small piece of wrapping twine similar to that found around the dead girl's neck.

"Well, it was cord jes like dat," replied the witness.

"What was said?"

"Well, sir, Mr. Frank asked me ef I'd seed er girl come up and I told him I'd seed her, lak de door lak he done telt me to do, and I seed one of 'em go back down, but I hadn't seed the other go down yet. Then he said I never would see on of them go back down."

"He said that the little girl went up and he said he wanted to see her and he tried to stop him he guessed he bit her too hard."

"Jim," he says to me, 'You know I ain't made de other men,'" added the witness.

"Had you ever seen that he was not made like other men?" asked the solicitor.

"Yes, sir."

"When?"

"Well, on las' Thanksgiving day, for instance, I seed him with a lady up there."

The negro sweeper then went on to describe in detail what he claims to have seen in regard to Frank and his consort with women and with girls in the factory and declared that what he was telling he had seen with his own eyes.

"Had you seen this often?" asked Mr. Dorsey.

"Yes, sir several times."

"In this factory?"

"Yes, sir."

Finds Girl Dead.

"Well, what did Frank tell you to do when you came upstairs?"

"He told me to go on back and get the girl and bring 'em up there, and I went back and found her lyin' there on her back with her hands kinder stretched out above her head and a cord tied round her neck."

"With a cord furnished by the solicitor, the negro showed the jury how he meant the cord was tied around the dead girl's neck."

"She was dead and when I saw that I went back to where Mr. Frank was in his office and told him that the girl was dead and he told me to go to get a piece of cloth and tie her up in it and take her downstairs to the basement. He said I could get a piece of dat baggin' like they wrap cotton in and that it was in er box on the first floor and I got it and went back to wrap her up."

"I took the young girl," the negro said, "an pulled her hands down to her sides and closed her feet together an' wrapped 'em back around her, and then I got kinder scared and went back to see Mr. Frank and I looked at er clock and it was four minutes to one."

"Then the solicitor's order Conley then pointed out on the floor on the cross section diagram of the building the spot where he had found the body."

"I went on and I walked up to Mr. Frank and told him that girl was dead an' he done lak he done telt me to do, 'Sibb,' the negro held up de hand as persons do when they warn another to stop talkin'.

The negro then pointed out where he had the bagging to wrap the dead girl in."

"I then rolled the dead lady over and went on and tied her up in the sack."

"Well, did you do this?" the solicitor interrupted the negro's story.

"Yes, Mr. Frank, he was my boss and he telt me to," said the negro simply.

"Go ahead," replied the solicitor.

"Well, I saw her hat and a piece of ribbon like on the floor an' I layed that across her and tied her up like er washerwoman does clothes on dem from the white folks' house to wash 'em. I picked her up and she

was so heavy I dropped her on the floor and when she fell that scared me and I called to Mr. Frank to come help me."

"He said he would and he come runnin' back there on his tiptoes and he was tremblin' awful like, but he grabbed her by the feet and helped me carry her to the elevator. We started on down and at the first floor the door was shut up and Mr. Frank got it started again and went on down to the basement and Mr. Frank telt me to take the body on back to the far back end of the basement and put it on the sawdust pile and I did, half draggin' it. It was so heavy," he added.

Throw Body In Corner.

"I throwed her down and took off the cloth she was wrapped in and her umbrella and hat fell to one side and I picked them up and started up towards the elevator and called out to Mr. Frank to ask Jim what I was to do with the umbrella and hat and he said drop them right there and I flung 'em to one side."

Coming up the elevator Mr. Frank went to get off and he was so excited he could not wait for the car to stop, but jumped off and fell an' the car door hit me er awful whack on the shoulder." Here the darkey rubbed his right shoulder and winched, as though the remembrance of the pain made it hurt again.

"And Mr. Frank, he went on back to the sink to wash his hands where he'd got them dirty when he fell and as he went he says, 'Gee! that was a tire-some job! I thought I would see'."

"Was his face red then?"

"Yes, sir; and his eyes was looking like diamonds."

"What happened next?"

"Well, I heard somebody er coming and he made me hide in the wardrobe for fear they'd see me and he shut me up in there and I heard someone come in the office and talk to him and then they went out together and after a while I heard the door open and see die in that close place he came back and let me out."

Here a long time, and he said, 'I here a long time,' and he said, 'I reached I did Jim, you are all awestruck,' and he gave me some cigarettes out of a box and telt me I could smoke. It was against the rules to smoke ever in the factory, but he telt me to go ahead and smoke."

"What did he do then?" asked Mr. Dorsey.

"Well, he sat dere in the chair an' squirmed about and finally he said, 'You can write, can't you Jim,' and I telt him that I could and I'd written him a letter."

"He then said there was only one way for us both to get out of it and I asked if I'd help him and I telt him I would. He was a white man and my handwriting," explained the witness, "and I thought I ought to help him out of his trouble."

Jim Writes the Notes.

"An he made me write some notes for him, he telt me what to write and when I had written four notes he slapped me on the back and said that was right, that was fine, and he took out a little roll of greenbacks and handed them to me and I said, 'Mr. Frank, I'm going to take some er this money to pay for my watch,' and he said I needn't worry about that watch, and wouldn't have to worry about nothing."

"Jim," he went on, 'I've got lots of money what I've saved up; that fat wife of mine wanted to buy an automobile, but I wouldn't do it, I've saved my money.'

"Then he telt me he wanted me to go to the basement after a while for him and then he asked me to hand that money he'd give me back to him for a minute and I thought he wanted to count it and I handed it to him and jes kept the little money what he had given me with the cigarette box."

"Well, then he put the money in his pocket and said that it would be all right about roll of greenbacks and I jumped up and clapped his feet together, and he says, 'Why should I bang? I've got wealthy folks and they'll care for me.'

"Then he telt me to take the notes and put them near the dead lady's body and said, 'What ever you do, Jim, you keep your mouth shut,' and I promised him I would and went and put the notes by the body and then I went back and he said he wanted me to come back there in about 40 minutes, but I could go out for a while."

"Well, what did you do then?" asked Mr. Dorsey.

"I went to a near-beer saloon and had some beer and some sandwiches and fooled around in a place for a while and then I looked at a clock and it was twenty minutes to two and I came out with a nigger and he made me lend him a dime."

"After a while I decided I would go on out home and give the old lady some money to pay the rent with before I went back to the factory and I got there and found no dinner ready for me and I give a nigger chile a quarter an' er six, here, you did, you run up to dat store and buy me some sandwiches,' and when I got dem I ate 'em and went to sleep and when I woke up it was about 6 o'clock."

"Had you seen Frank again that day?" asked Mr. Dorsey.

"No."

"No, sir, next time I seed him was on er Tuesday followin' when I saw him at the factory and he came up and telt me to keep my mouth shut, and then he said for me to come back to the office after a while that he wanted to see me, and I thought he was intending to give me back that money."

"Then I worked around during the day and find one of the ladies telt me that Mr. Frank had been arrested."

Mr. Dorsey then had the negro identify the dead girl's parcel.

"Did Mr. Frank know you could write?" the solicitor then asked.

"Yes, sir, I knowed I could write."

"How did he know?"

"Well, when I'd be cleanin' up I'd have to count the boxes lyin' around and write down the number of them on a piece of paper, and Mr. Frank telt me to do that and furnished the paper for me to use."

"When were you first arrested, Jim?"

"I was arrested on May 1."

"Look at these tables and notes and see if the notes are the ones you wrote for me, Frank's dictation," said the solicitor.

"Dem's the ones," said Conley.

"Where did you get them?"

"That young man right over there, he give them to me, he knows all about it," said Conley, pointing to Mr. Frank, who was watching him closely.

"What did he tell you to write?" asked Mr. Dorsey.

"Jes what's on those notes there. I wrote jes lak he said."

Indicates Movements on Diagram.

Solicitor Dorsey then had Conley point out on the diagram his movements in the factory that day. Conley used the cross section drawing of the building and seemed to have much less trouble understanding it than Newt Lee had experienced.

He pointed out first the furnace where he said Frank had intended to throw the girl's body, and thus destroy every evidence of the crime. Then

"I was to help do that when I came back in the forty minutes Mr. Frank had allowed me," he said, "but

"I didn't come back no more."

"Could you have put the body in the furnace?" asked Mr. Dorsey.

"I don't know; I didn't try it," replied Conley.

"Do you know anything about the back door?"

"No, sir, not a thing."

"Do you know what became of the notes you wrote?"

"No, sir, I didn't hear anything more about 'em, but I was in prison down at the police station."

"What time did you leave home that morning, Jim?" Mr. Dorsey then asked.

"'About 7 or half past,'" said the negro.

"Who left the factory first after you had put the body in the basement, you or Frank?"

"I left first, and Mr. Frank, he was standin' there watchin' me like he was afraid I wouldn't go straight out."

Doesn't Remember Woman's Name.

"Do you remember the name of the woman who was there on Thanksgiving day?"

"No, sir, I don't. There was two ladies and another man."

"What was the man's name?"

"His name was Mr. Dawson," said Conley, who was called into the office that Saturday when Frank had you looked up in the wardrobe?"

"I don't know, sir."

Conley was then made to point on the cross section the place where he had sat on a box and watched the door.

"What sort of work had you done around the factory, Jim?"

"I worked on the elevator until last Christmas and then they took me off and put me to cleanin' up the building."

"Do you know Mrs. Arthur White?"

"No, sir."

Mr. Dorsey then requested a deputy to bring Mrs. White in.

"How did you find out that the girl was dead?" he continued while waiting for the woman to appear.

"When Mr. Frank brought me back there I touched her and found out she was dead and I went and telt him so."

Mrs. White entered the courtroom at this moment and was led to a spot facing the negro on the stand.

"Do you know the lady that day?" asked the solicitor.

"No, sir, I never seed her."

The solicitor then requested that the defense allow him to put Mrs. White on the stand for a few moments, but Attorney Rosser flatly refused. When this was then asked to leave the courtroom and the examination went on.

"What did the lady look like that you saw in Frank's office last Thanksgiving day?" Solicitor Dorsey asked.

Describes Woman With Frank.

"She was a big, handsome woman, wearin' a big hat and she had on white shoes and stockings," said Conley.

"Tell about other times you watched for Frank," said Dorsey.

"Well, I watched for him lots of times and sometimes he'd let another man and woman come in and that man and woman would usually go down to the basement."

"Tell us about that contract you made for a watch," said the solicitor.

Attorney Rosser immediately entered an objection, declaring that the about's contract, if there was one, about a watch had nothing to do with the case.

He gave Mr. Dorsey the chance to bring before the jury one of the strongest pieces of circumstantial evidence he had yet sprung, and in explaining to the judge before the jury his reasons for holding this part of the testimony the solicitor played one of his strong cards.

"I want to show by this contract and by the testimony that Frank advised the negro about it and saw him sign it," said the solicitor, "that the negro that Conley has written, and yet that when Frank and Lee and Conley were looked up as suspects and detectives were making Frank and Lee write so as to compare their penmanship with that of the murder notes, that Frank kept silent about knowin' Conley's handwriting."

Judge Roan allowed the testimony to be used and Conley was made to tell of some trouble he had got into over the purchase of a watch on the installment plan and of how Frank had advised him in regard to it and how he had signed a final contract in regard to the watch.

Rosser and Arnold Confer.

At this juncture Attorneys Rosser and Reuben Arnold, for Frank, halted proceedings while they went into an ante-room for a conference. In the interim the solicitor had a bailiff bring the negro witness a glass of water, which he drank with every evidence of being thirsty.

The attorneys for the defense then returned and Mr. Dorsey again took up his examination.

"How did you see the young girl, Conley?" asked the solicitor.

"I'm 21, sir."

"Where did you work before you went to the pencil factory?"

"I worked for Dr. Palmer."

"What made you quit there?"

"Well, I was driving for Dr. Palmer and he colored doctor and didn't know how to run it and I didn't know, and so I had to quit so's he could get somebody what could run that thing for him."

Cross-Examination Begins.

Then at the solicitor's request he told of several other people and firms for which he had worked previous to getting a job at the pencil factory.

"That's all," the solicitor said finally, and turned his witness over to the tender mercies of the defense.

The negro was apparently as composed as ever, and in the courtroom when he finished telling his story and he sat in the chair for a few minutes seemingly at ease while the defense made ready to go after him.

When Attorney Rosser finally rose to his feet and took a few steps forward Conley was still entirely at ease, but the spectators could see that the man who felt nervous was the solicitor. So much depended on Conley's actions during what the solicitor knew was coming that he could not help showing that he felt.

Mr. Rosser got up naturally and faced the darkey. He wore a pleasant and agreeable expression.

"Jim," he said, "how old are you?"

"Twenty-seven, boss," said Jim, and he seemed from the first question to wait for that man who had started to talk to him.

"Where were you born, Jim?"

"In Atlanta, Ga."

"When did you get your first job, Jim?"

"'Bout seven years ago, sir."

"How old were you then?"

"'Bout seven, I said, sir."

"I thought you said about eleven years ago you got a job; you must have misunderstood me," said Mr. Rosser, and in the kindest of tones he straightened things out until the witness established the fact that it was about sixteen years ago when he was eleven years old that he first got a job.

Conley Begins on Rosser.

Jim seemed to appreciate the ex-

pression of the white man to get him straightened out after he had misunderstood him and the negro, who was rather a kindly face and the soft voice of the southern darkey, fairly beamed upon his questioner.

Mr. Rosser and Jim Conley then went through a more or less connected story of Jim's early life, his school days and what he had learned in that rather short period of his life. Jim did not care for his studies and never did not so he could read much, but learned to count pretty well in later life when he worked as a drayman.

Here and there the lawyer corrected in a kindly tone certain discrepancies in the darkey's tale and helped him get it straightened out. To the credit of observer Attorney Rosser had only the kindest intentions toward Jim, but was possessed with a desire that Jim's store of learning and the memories for whom he had worked.

Rosser Taps With Words.

They took up again the subject of Jim's ability to read.

"Can you read the papers, Jim?"

"Yes, sir, finally asked.

"Yes, sir, he replied, 'I can read 'em, but I can't read 'em, only not much. I jes reads dis and dat in 'em.'"

"Oh, you jes reads dis an' dat," Mr. Rosser had dropped into the negro talk that all southerners know and that the darkey of them use as children and never seem to forget.

"You jus' look through the papers, Jim, till you rd dis an' dat, and you read 'dis and 'dat' and then you don't read anything else," he said, as though a great understanding of the importance of this an' dat" had just dawned upon him.

The lawyer went on making a play upon the words "dis" and "dat," which passed entirely over the negro's head, but which almost convulsed the courtroom with laughter.

Mr. Rosser then went on to work for Coates, Jim," said Mr. Rosser. "Can you spell 'Coates'?"

"No, sir; I can't spell that word."

"Can you spell 'search'?"

"No, sir, can't spell dat."

Then the lawyer named over a score of more or less easy words, some of the simplest of which Jim proudly announced he could spell, and some of

Continued on Page Three.

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