

# ABOUT THE FRANK CASE

## Harry Scott, Pinkerton Detective Who Worked On It, Answers Critics.

*To the Editor of The New York Times:*

In the Magazine Section of THE NEW YORK TIMES for Sunday, Jan. 17, 1915, is published a letter signed "William J. Burns," in which, referring to the writer, Mr. Burns's evident purpose is to convey the impression that, while in the employ of Leo M. Frank "to ferret out the murder" of Mary Phagan, I, "Mr. Scott, the man whom Mr. Frank employed," conspired with the police "to frame up" Frank.

The National Pencil Company, through its Secretary and Treasurer, Mr. Montag, and Leo Frank, its Superintendent, retained Pinkerton's National Detective Agency to endeavor to determine how Mary Phagan met her death.

The crime was committed on April 26, 1913.

The Pinkerton Agency was called in on the matter on the afternoon of April 28.

Frank was placed in custody on April 29.

Two days after Frank's arrest the Pinkerton Agency was requested by Mr. Montag, Secretary and Treasurer of the National Pencil Company, and Attorneys Herbert Hass and Luther Rosser, to continue on the case absolutely in the interest of public justice, with the distinct understanding that we were to co-operate with the police, and the services of the Pinkerton Agency were so continued, intermittently at times, until Frank's conviction in August, 1913, and at no time was there even an intimation that the agency or any of its employes were to be in Frank's employ and to work only in his interest.

I am confident that any intelligent person reading my complete evidence of the incident incompletely quoted in your article must conclude that, although counsel for Frank tried to make it ap-

pear that I would follow police theories which contradicted facts, my testimony very clearly shows that I did not and would not do so.

I was co-operating with the police with the authority of the agency's clients, the National Pencil Company, and, necessarily, we were working together, and each night discussed with Chief of Detectives Lanford of Atlanta our work and what it had developed, and, naturally, and not improperly, the officers of the law would be advised on these matters in advance of our daily reports to our clients, copies of which reports went to Chief Lanford at the same time as to our clients, and with the full knowledge of Frank's attorneys.

I am conscious that in all my connections with this case there was never anything that came to my notice of "framing up" by the police nor any one else connected with the prosecution.

I am also conscious that my testimony at the trial was carefully honest and without fear or favor, regardless of discrepancies there may be between that testimony and my reports, dictated to stenographers who are not infallible, or evidence at the Coroner's briefed and one-sided inquiry.

When I was called into the case on April 28, 1913, the police had been on it for forty-eight hours, and, according to the understanding with the agency's client to co-operate with the police, I, naturally, went to them to review the evidence they had secured.

The following day, April 29, Chief Lanford sent for me and requested me to go with City Detective Black and ask Frank to accompany us to Police Headquarters, as there were rumors about town that Frank would likely be lynched. As representing the National Pencil Company, I made this trip with Detective Black, and we returned with

Mr. Frank in an open automobile; that it was "crowded with detectives" or that Frank was "hounded" is untrue and ridiculous. The trip was very short, too short for any extended conversation.

William J. Burns closes his letter by telling of his being deprived of his license to conduct a detective agency in the City of Atlanta, and of his being dropped from the honorary membership roll of the International Association of Chiefs of Police, attributing both to the work of the police of Atlanta, with the implication that I was connected with them in that work.

Is it conceivable that the Board of Police Commissioners (not the Chief of Police), composed of respectable and responsible gentlemen, would recommend to the General Council of Atlanta and that that body (Councilmen), who have the granting and canceling of detective licenses, almost unanimously agree to revoking that of Mr. Burns, because he (Mr. Burns) made an investigation in the interest of public justice?

Is it reasonable to assume that any one Chief of Police could so influence the membership of the International Association of Chiefs of Police, which is composed of practically every Chief of Police in the United States, at their annual convention, that they would permit the dropping of Mr. Burns's name from membership of their association, because a Chief of Police, as an individual, was opposed to Burns?

HARRY SCOTT,  
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609 Onondaga County Savings Bank Building, Syracuse, N. Y., April 9, 1915.