RETURN OF NEGRESS ORDERED BY JUDGE MONDAY MORNING The Atlanta Constitution (1881-2001); May 5, 1914; ProQuest Historical Newspapers Atlanta Constitution (1868 - 1945)

# RETURN OF NEGRESS ORDERED BY JUDGE MONDAY MORNING

If Anna Maud Carter Is Not in Atlanta Within Five Days Her Evidence Will Not Be Considered.

Charges of bribery, perjury and witnesses coercion of thoroughly investigated by Solici-tor Dorsey and then a number of prosecutions will follow, according to a statement by the solicitor on Monday night.

"Prosecutions will certainly low later on," he said. "It will be my duty as a prosecuting officer to see that justice is done. Outside of that, I can say nothing else, except that the scope of my prosecutions will include all who have been guilty of crookedness—even the men higher up."

Judge Ben Hill demanaed of Trank's defense yesterday afternoon hat Anna Maud Carter, the negro-ritness, be returned to the jurisdiction of the court within five days. Judge Ben Hill rank's defense y that

tion of He d tion of the court within five days.

He declared that if she were not brought back to Atlanta within that time he would decline to consider her evidence or any evidence in which she was involved.

"Detective Burns admitted before party said Judge Hill "that he had

was involved.
"Detective Burns admitted before
me," said Judge Hill, "that he had
sent Anna Maud Carter from the jurisdiction of the court. I want an
order drawn commanding Anna Maud
Carter to be returned to Atlanta in
five days or I will not consider any
of the evidence in which she is concerned."

A few minutes later Judge Hill sup-

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cerned."

A few minutes later Judge Hill supplemented his statement with these words:

"In making this demand I do not mean to reflect on the counsel for Frank. It was testified before me that Detective Burns had removed the Carter woman."

Will Bring Woman Back.

It is said that immediate efforts will be made to bring the missing woman back to Atlanta. She is now in New Orleans, where, according to a letter she recently wrote relatives in this city, she is working with the William J. Burns Detective agency. This letter was read to Judge Hill by Solicitor Dorsey Monday afternoon.

Anna Maud Carter is the negress who accuses Jim Conley of having confessed to her the murder of Mary Phagan. A literal mountain of evidence was introduced by the solicitor Monday to show that she had conspired with George and Jimmy Wrenn in Fulton jall, to frame up on Conley. Other testimony was adduced to show that she had told friends and relatives upon being released from jall that she had tried to "pick" Conley, and that he had firmly maintained that Leo Frank was the murderer.

Regarding the Carter woman, Attorney Arnold was asked by a reporter for The Constitution if lawyers for Frank or the Burns agents would seek to bring the woman back to the city. Mr. Arnold smiled in reply, saying that he did not know as yet.

A surprising new phase of evidence that arose Monday was an affidavit from Mrs. Hattle Waltes, the young wife of J. M. Waltes, who swears that on the morning of the day Mary Phagan was slain, she saw Leo Frank

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## RETURN OF NEGRESS ORDERED BY JUDGE

# Continued From Page One.

and Jim Conley talking to each other some time between 10 and 11 o'clock, and that they were apparently engaged in earnest conversation.

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This evidence was introduced to bear out in part that portion of Conley's testimony bearing with a meeting he swore he had with Frank on the morning of the 28th at Forsyth and Nelson streets, when Frank is alleged to have instructed him to come to the pencil factory that noon to "watch" for him. Mrs. Waltee' affidavit has been kept a secret by the solicitor, and created a sensation when it was sprung.

Lehon Nears Contempt.

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At the very outset of the retrial proceedings Monday morning a sensation was created when Dan S. Lehon, southern superintendent of the William J. Burns forces, was practically put under arrest for contempt of court. Following the strenuous examination which he underwent before Solicitor Dorsey he made a heated tirade against the solicitor's tactics.

They were cut short by Judge Hill, however, who ordered him to cease, and who instructed Deputy Sheriff Plennie Miner to take charge of the Burns man. Miner escorted Lehon into an adjoining room, where he remained for some little while. Later, Judge Hill asked the court stenographer to read that part of Lehon's statement which attacked Dorsey.

Attorneys Arnold and Rosser stated that the witness head at the sentence had the sentence had the sentence head at the sentence had t

Statement which attacked Dorsey.

Attorneys Arnold and Rosser stated that the witness had not intended to be in contempt. Judge Hill ordered the words expunged from the record, called Deputy Miner into the room and ordered that Lehon be allowed to go his way. Only two witnesses were examined—Lehon and L. P. Eubanks. Mary Rich, the negress who was alleged by the defense to have made an affidavit in which she stated she saw Jim Conley emerge from the rear of the pencil plant at 2:15 o'clock on the tragedy date, has made an affidavit in which she denies having made the document submitted by the defense.

Refused to Sign Paper.

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"Some time recently," she swears, "Mrs. Lucile Frank and Rabbi Marx and two men came to see me, and tried to get me to make an affidavit. The affidavit was not true, and I refused to sign it. Mrs. Frank said to me: 'If you will sign this affidavit you will take the rope from around my husband's neck.' I replied fhat I could not tell a lie, and that to sign the paper would be telling a lie.

"One man with Mrs. Frank and Rabbi Marx tore off a little plece of the paper that was in his hands. This man was C. W. Burke. He said: 'You take this paper.' I told him that I didn't want the paper, and he said: 'This will not hurt you, but you keep this paper. It is just for you, so that you will know it when you see it again.' I took it and kept it.

"I showed it in a few minutes afterward to Mr. F. J. Wellborn, a man that I have known a good long time, who was standing by when these people were talking to me. Afterwards I took the paper to somebody in the office of Solicitor General Hugh N. Dorsey. I have looked at the piece of paper attached to the affidavit signed by F. J. Wellborn, and it looks to me to be about the size and shape of the paper which Burke gave me. Burke also told me that if I got into trouble I might know the cause of it."

Dorsey presented a number of affidavits dealing with an alleged conspiracy within the county jall between Anna Maud Carter and Dr. George Wrenn and Wrenn's brother, Jimmie Wrenn, to 'frame-up' on Jim Conley. Dr. George Wrenn was a prisoner serving sentence for complicity in the Gilsey diamond robbery.

One angle of this evidence is an affidavit from Frank Reese, an exprisoner, who lives at 7 Kingsley street. Ho was a trusty prisoner in

davit from Frank Reese, an exprisoner, who lives at 7 Kingsley street. He was a trusty prisoner in the Tower, worked in the prison laundry and did odd jobs required of trusties. ties.
"I have heard Dr. Wrenn telling

Conley that he had been tried, and that he (Conley) could take the Mary Phagan murder on himself and that it would free Mr. Frank," said Reese, "and that Conley could never be tried any more for it. Conley refused to consider this.

Saw Them Talking.

"Wrenn talked to Fred Perkerson—another prisoner—and myself several times, and tried to get us to agree to go into Conley's cell and come out and claim that Conley had confessed to us. He said we would get lots of money if we did. I knew Annie Maud Carter, and I have seen her and Dr. Wrenn talking together very often.

"I saw Annie Maud Carter go to Conley's cell once, and Fred Perkerson called to her that if she went in she would be locked up. Both Fred and I knew she was crooked, and we

cautioned Jim Conley about her. I the trial, was brought to Atlanta Monsaw Dr. Wrenn at one time throw a day by Detective John Black from note to Annie Maud Carter from the second floor. She carried it to Conley's cell, pitching it through the bars

sow D. When at an either throw as when the work of the construction of the constructio

unat ne was induced by agents of the defense to make the recanting document.

He says that L. P. Eubanks, the car inspector whom Dorsey grilled on the stand. Monday morning, and C. W. Burke had offered him money to sign a false paper, and told him that whenever he wanted money they would furnish him with it. He swears that he has borrowed in the neighborhood of \$30 from Eubanks.

"On, April 30, of this year," his affidavit freads, "Jimmie Wrenn took me in an automobile over the city, carrying me to dinners in cafes and to shows and then riding me toward Austell, Ga. I slept all night in the automobile. They brought me back the next day, and, when we stopped in front of the Marietta Chair Works on Marietta street, we were surrounded by a crowd of Jews, who pressed me with many questions bearing on my testimon."

Lent Duffey Money.

B. E. Duffey, father of Duffey, has made a statement saving the Eubante in the surrounded by a crowd of Jews, who pressed me with many questions bearing on my

he had sot a negre to coproborate him.

The interpt, however, fell down, according to the minister's statement, of cording to the minister's statement, be procured who could assist the predictor of the state of the procured of the cordinate of the

recognize Jinimy's "father" again the mintite I saw him.

Sworn to and subscribed before me this
7th day of April, 1914.
(Signed)
Notary Public, Futton County, Georgia.
The examination of Dan Lehon was
the first proceeding on the program of
Monday's session. Lehon was asked
numberless 'questions regarding his
operations on the Frank case, the
source of his pay and of the Ragsdale incident. It was at the close of
his interrogation that he came near
suffering punishment for contempt of
court.

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Here is how the stenographer recorded his final words verbatim:

"Can I make a statement, judge, in reference to this case?"

"Yes, you may make an explanation if you desire," answered Judge Hill.

"I am an American citizen," retorted Lehon, "and I have been in the police business for twenty years. These questions asked here are the most outrageous questions I have ever been asked—"

He was cut short by the judge, who said:

most outrageous questions I have ever been asked—"

He was cut short by the judge, who said:

"You cannot state that. It is not admissible,"

"This is the most outrageous treatment," continued the witness, "from the district attorney—"

Again he was stopped, Judge, Hill saying:

"You cannot state that, Mr. Witness, I will have to send you to jail if you persist."

"I don't mean any discourtesy to the court—any disrespect to the court," said Lehon.

Lehon, in naming the source from which he obtained money, frequently mentioned the name of Herbert J. Haas, an attorney for the defense. He said that Boots Rogers was employed by the Burns agency, and that Carlton C. Tedder was also attached to the Burns forces.

He told of having paid C. C. Tedder \$250 on his salary a short time previous to the Ragsdale affidavit. He said the money had been obtained from Haas, from whom he procured most of his fees. He stated that the fees and money turned over to him by Haas were in check form, and that the checks were turned over to C. E. Sears, superintendent of the Burns agency.

The retrial hearing was adjourned by Judge Hill Monday afternoon at 2 o'clock. It will be resumed this morning at 10 o'clock.