

SAYS FRANK IS INNOCENT.

Fisher Declares He Saw Atlanta Merchant Kill Mary Phagan.

Special to The New York Times.

ATLANTA, Ga., Oct. 19.—The arrival in Atlanta to-day of a man from Birmingham, who declares he was a witness of the murder of Mary Phagan and who alleges that Leo M. Frank was not the guilty man, stirred the city as had no other development in the case since the conviction of the pencil factory superintendent of the crime.

The newcomer gave his name as I. W. Fisher. He said he formerly lived in Atlanta, but after the crime was offered money to leave and finally, as the result of threats, did so. Before coming here he went to Chief of Police Bodeker of Birmingham and told his story. According to Bodeker, the man accused a well-known merchant of Atlanta of the crime and said he was confessing because conscience-stricken; he had not done so before because he had not believed Frank would be convicted.

The man reached Atlanta early this morning and managed to reach the office of Luther Rosser, attorney for the defense. The Frank petition for a new trial will be heard next Wednesday.

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