

WILL INVESTIGATE FRANK CASE ANEW

**Solicitor General Dorsey Again
Active, Following Attorney
Smith's Disclosures.**

GETS CONLEY'S STATEMENT

**Negro Says Smith Appealed to Him
"to Tell the Truth," Declaring He
Could Not Be Punished Further.**

Special to The New York Times.

ATLANTA, Ga., Oct. 5.—Solicitor General Dorsey, who conducted the prosecution, as a result of which Leo M. Frank was convicted of the murder of Mary Phagan, has actively re-entered the case following the declaration of W. M. Smith, former attorney for the negro, "Jim" Conley, that a miscarriage of justice had taken place and that his own client was the real murderer.

The Solicitor obtained from Conley a statement that Smith for several weeks had been seeking to get from him another "confession," one which would relieve Frank from all blame and would place the responsibility on his (Conley's) shoulders.

"I haven't liked the way Mr. Smith has acted for the last few weeks," said Conley when interviewed at the Bellwood Convict Camp, where he is serving a sentence as accessory to the murder. "He's been trying to get me to make a confession. He told me that it was time for me to tell the truth, when I've been telling the truth right from the time I went on the witness stand. I don't see why he thinks I'm lying. He used to tell me that he thought I was telling the truth. But now he comes out here and asks me to confess.

"He told me that they couldn't touch me now, even if I did confess to the murder. He said I had been convicted just for helping Mr. Frank, and that they couldn't do anything with me if I admitted I killed the little girl.

"Mr. Smith told me he wanted me to help him so he could help a friend of his. He told me who the friend was, but I don't want to tell his name."

Conley was asked if the name was Burns or Lehon, but would not say. He is understood to have told City Detective Starnes and Campbell, who visited him later.

"Mr. Smith told me one time," continued the negro, "that I ought to do something here so they would whip me, and then he could sue the county for me, but I never did anything."

Conley grinned after he had read Smith's statement in the papers.

"It certainly is funny that he's got all them ideas now," he said. The negro reiterated that he told the whole truth on the stand and had nothing more to reveal.

"I'm ready to make a statement to Solicitor Dorsey," he said. "I will tell him everything that Mr. Smith said to me. I can tell some things against him, and if Mr. Dorsey wants to know them I will tell them all. I'm through with Mr. Smith."

Solicitor Dorsey today hinted that sensational revelations might be expected in regard to Mr. Smith's change of front. Mr. Smith himself had little to say concerning his former client's charges.

"I did not expect Conley would take my accusation against him with particularly good grace," he said. "He did the only thing that he could do to put himself in a favorable light and make it appear that I had sought to get a confession from him whether he was guilty or not.

"The story classes very well with the multitudinous fictions of which he has been the author since he was arrested a year and a half ago. He is so expert a liar that I shall not enter a controversy with him, but shall permit later developments to speak for themselves."

William J. Burns pointed out yesterday that he had been the first to call attention to the importance of some of the points which caused William M. Smith, attorney for the negro, "Jim" Conley, to announce his opinion that Conley, and not Leo M. Frank, had murdered Mary Phagan.

"Mr. Smith's statement," he said, "brings out what I emphasized at the beginning of my connection with the case—that the bruises on the girl's face and the cinders rubbed into her skin indicated that her head had been buried in the cinders near the elevator shaft in the cellar. Mr. Smith lays his finger on another important point—Conley's murder notes that were found near the body, with which Mr. Smith admits he now believes Frank had nothing to do.

"I sincerely hope that the people of Atlanta will give Frank the benefit of the new feeling aroused because he was convicted at a time when the public, aroused by a series of murders, demanded a scapegoat. Prominent persons all over the country have been taking an immense interest in the case, hoping that local interest would be aroused. This seems now to have begun. I have no wish to say anything to arouse a controversy, but I hope

that justice will prevail and that Frank will get a new trial."

Referring to Mr. Smith's statement that he never had believed Frank abnormal, Mr. Burns remarked:

"I eliminated this charge from the case. There is not a cleaner man in the United States than Leo M. Frank, morally and every other way. I investigated closely, and found him fine, clean, bright, brilliant. His only recreation was the carrying out of the principles of the B'nai B'rith, of which he was President."

Mr. Burns refused to discuss the report from Atlanta that Mr. Smith had admitted that he had sought Mr. Burns's co-operation last Summer, or that since then he had been working with an employe of the Burns Agency. Neither would the detective say anything as to his own present or possible future connection with the case.