

WHILE HUNT CONTINUES FOR SLAYER OF MARY PHAGAN MARIETTA MOURNS AS BODY IS LOWERED INTO GRAVE

FACTORY CLOCK NOT PUNCHED FOR HOURS ON NIGHT OF MURDER

Newt Lee, Negro Watchman, Had a Record for Punctuality in Registering Time Until Night of the Killing—Bloody Shirt Found in His Home by Detectives, but Negro Asserts That He Had Not Seen It for Two Years—Blood Was Fresh, Assert Officers.

**MORE ARRESTS WILL BE MADE
TODAY, SAY MEN ON THE CASE**

"We Have Sufficient Evidence to Convict the Murderer of Mary Phagan, Declare Local Detectives and Pinkertons—Leo M. Frank Subjected to a Gruelling Third Degree—Rumors Spread Over City That Lee Had Confessed Denied by Chief Lanford.

The record of the factory time clock in the pencil plant was brought to police headquarters last night. It shows an irregularity in three separate periods during the night of the murder of Mary Phagan.

Lee, the negro night watchman, was supposed to punch the time piece every thirty minutes during each night of duty. Up until 9:32 o'clock Saturday night it was visited with regularity. An adjustment was skipped from that time until 10:29 o'clock. At 11:04 another adjustment was missed. The next punch was registered at midnight.

The most convincing irregularity of the record sheet, however, is the adjustment that was missed between 2 o'clock Sunday morning and 3. The body was discovered at 3:30 o'clock. Where was the watchman when he failed to punch the hour?

Coincident with the discovery of the irregular clock register comes the information that the negro was a trustworthy watchman, performed his duties faithfully, and previously adjusted the clock with regularity.

Bloody Shirt Found at Lee's Home.

Another find, which the sleuths declare is direct evidence of guilt, was the discovery of a fancy shirt, splashed with blood, which was found in the house on Hendrix avenue, in which the suspect lived.

Detectives Black and Scott brought it to headquarters Monday afternoon. The negro was confronted with it. After careful examination of the bloody garment, he said:

"White folks, that's a shirt I wore two years ago. It wasn't bloody then. I ain't seen it since. Honest, that's the truth."

The blood is obviously fresh. Only hurried examinations have been made. A negro woman occupant of the house in which it was found was also brought to police station. She testified that it had not been worn by the negro on the day of the murder. It had not been seen, she said, since two years ago.

If the crime was committed by the wearer of the telltale garment, as the police assume, Lee, they say, would have had ample time to go to his home, remove the shirt and return to the factory.

CLOCK AND THE SHIRT CALLED IMPORTANT LINKS

Detectives consider the clock register and crimson shirt as strong links in the chain they are forging around the black man. Following such expression of their confidence, comes this theory, which was advanced last night:

Is the watchman suspect a victim of planted evidence? Is the real murderer striving to convict an innocent man?

It is plausible. The shirt could not possibly have remained for two years in the bottom of the barrel under the pile of refuse that it was found. It is fresh, clean and evidently had not been worn for more than a day. The negro brought to headquarters declared that Lee had not worn the garment on the day of the murder. He wore the shirt in which he was arrested, she stated.

SOME THEORISTS BELIEVE EVIDENCE WAS PLANTED

The theory is advanced by some that the prisoner is a victim of plant-



Photos by Francis E. Price, Staff Photographer.

Scenes at the funeral services of victim of Sunday's brutal crime. In one picture is shown casket being borne from church; in another her brother, Ben Phagan, who is in the navy; and in the bottom one, the beautiful floral offerings covering the newly-made grave.

ed evidence. They say that the watchman's clock evidence is flimsy and openly crude. The date, April 27, is apparently stamped upon the register sheet with a stamp detached from the timopiece's mechanism. Leo did not touch the clock after his arrest. Customarily, he never affixed the date until the hour he was relieved from duty each morning.

It is obvious that no one, in the tense excitement which naturally prevailed upon the tragedy's discovery, thought of the clock. The building was locked and guarded by policemen. Nobody has come forward with the information that the date had been stamped upon the sheet.

It would have been an easy task to replace Saturday night's clock record with that of a previous night when the watchman's adjustment had been irregular. Frank, himself, states that the negro had failed to punch it properly on the preceding night.

More Arrests Expected.
"We have sufficient evidence to convict the murderers of Mary Phagan. More arrests will be made before day-break. The mystery is cleared!"

Detectives Harry K. Scott and John Black emerged, tired and sweating, from a gruelling third degree of three hours to which Leo M. Frank and the negro night watchman were subjected yesterday afternoon, and made this announcement to a reporter for The Constitution.

The mystery, as baffling as any which the police department of any southern city have been confronted, is now being cleared. The slayers of Mary Phagan are known.

Neither of the detectives would give names. Chief Lanford said, however, that the crime lay between the negro watchman and the factory president. Chief Beavers would not commit himself.

Satisfied With Progress.
"I am satisfied with the progress we have made," were his only words.

Frank firmly denies guilt. He expresses confidence that he will be released this afternoon. To a reporter for The Constitution who talked with him after the third degree, he made a complete statement of his actions on the afternoon and night preceding the discovery of the girl's body.

"I'll admit that I was alone in the building from 4 o'clock until 6. I was working on the office books and reports, though. No one else was in the place. That's positive. I'll swear it. I would hardly have recognized Mary Phagan had we met on the street," he said.

His chief defense, he avers, will be alibis to prove his whereabouts during the hours of Saturday and Sunday morning except the space of time between 4 and 6:30 o'clock.

Remained at Factory.

"I was with two of the plant's mechanics," he told, "until 4 o'clock. They left at that time. The negro watchman, Lee, showed up just about 1 o'clock. I had prepared to go to the ball game. It was cold and dreary and looked like rain. I had a lot of work to do in the office. It needed me more than the ball game. I decided to remain at the factory."

"Saturday afternoon was half-holiday. When the watchman showed up, there was no need for him around the place while I was there. He deserved holiday, too."

"You can go out and knock around until 6 o'clock," I told him.

"At 6 o'clock he re-appeared. Gantt showed up about that time, hunting his shoes. I gave him permission to go into the building and referred him to the watchman."

"At 6:30 o'clock I went directly home and remained there until I heard of the discovery of Miss Phagan's body."

"How did you hear of it?" he was asked.

"Detective Starnes called me over the

about 6 a. m. He came out for me in an automobile. I went immediately to the factory."

Locked Up Doors.
Frank's first act after viewing the corpse, it was remembered by The Constitution reporter, who went with the police when they first visited the scene, was to nail up the door which had been broken open in the basement, presumably by the girl's slayers.

"I am not guilty. Such an atrocious crime has never entered my mind. I am a man of good character and I have a wife. I am a home-loving and God-fearing man. They will discover that. It is useless to detain me, unless for investigation and for information I might be able to give."

Frank stated that he was no surprised when the detectives came to arrest him Tuesday afternoon.

"I had been expecting it," he said. "I knew I would possibly be able to render information that would lead to the real murderers."

Frank Given Third Degree.
He was taken into custody shortly before noon. Detectives Starnes and Black found him in the offices of the pencil plant. He willingly submitted, and was rushed to headquarters in the automobile of Chief Beavers.

Immediately upon arriving there, he was locked in the office of Chief Lanford with Pinkerton Detective Scott, Lanford, Chief Beavers and other police experts. For three hours he was grilled and questioned. The negro watchman was interrogated at the same time and in the presence of Frank.

Frank is a small, wiry man, wearing eyeglasses of high lens power. He is nervous and apparently high-strung. He smokes incessantly and stuffed a pocket with cigars upon leaving for police headquarters at the arrest. His dress is neat, and he is a fluent talker, polite and suave.

The doors had been locked behind him during the third degree no more than thirty minutes when Attorney Luther Rosser, counsel retained by the factory president, appeared at police station.

Rosser Denied Admittance.

As he started to climb the steps leading from the second floor to the detectives' quarters in the third story, he was checked by Policeman John W. West, who had been stationed at that point with orders to admit no one upstairs.

"You can't go up there," the attorney was told.

"I will go. I want to see Mr. Frank," Mr. Rosser replied.

"You'll have to get permission from the chief. I've orders to admit no one."

The lawyer left in an angry state. Within a few minutes he communicated with Chief Beavers over telephone. The chief assured him that he would be admitted to the building and even to the room in which his client was being interrogated.

When Mr. Rosser later came into the presence of Frank's questioners, a stormy scene ensued between him and Chief Beavers. Sounds of hot words came through the closed door and attracted a large crowd of detectives and reporters.

Lawyer Demands Admittance.

The lawyer was heard to say: "I've got my opinion of how a chief of police should conduct himself. I had a perfect right to be admitted by that policeman downstairs—the right as a citizen and as a lawyer. He told me he had orders to keep me down from here. He even called my name."

"I've got my opinion, too, of how a police department should be run," said the chief. "I did not give instructions to keep you from this office. I ordered that the crowd be kept away."

"I wasn't argued, was I?" soon the crowd was over, however, and better feeling prevailed. The cross questioning was resumed in presence of the subject's counsel.

During the course of the questioning, Detective Scott, who is an operative of the Pinkertons, began interrogating Frank. The Pinkertons were employed on the murder Monday night by the National Pencil company through the suspected president.

Hired to Learn the Truth.

Frank turned upon the Pinkerton man:

"You're acting mighty funny. You were hired by me, if you remember! Why should you ask me such questions?"

"I was put on the case by my superiors," he answered. "They were employed to catch the murderer. That was what I was instructed to do. If you are the murderer, then it's my duty to convict you," the detective replied.

At the close of the third degree he was nervous and plainly agitated. He clung to the arm of friends as they ascended the three flights of steps to the prison.

A charge of suspicion was entered against him. He first was locked in a cell. Later, a guard was placed over him, and he was removed to the detectives' quarters.

Frank's Wife Arrives

While her husband was being sweated by the detectives, Mrs. Frank, the beautiful young wife of the factory president, tearful and anxious, came to police headquarters. She was accompanied by friends. Denied admission to the floor on which her husband sat, she was led, weeping bitterly, into the probation officers' room.

She did not remain long. She left before the third degree was finished, and never returned. Frank was unaware of her presence at police station. She had been notified of his arrest by friends who summoned her over telephone.

Detectives predicted a collapse of the negro watchman throughout the day. He plainly showed the effect of the two days' of terror experienced in one continuous round of interrogation. His nerves were shattered, he trembled



LEO M. FRANK.
Photo taken by Constitution's staff photographer at the police station Tuesday afternoon.

fearfully and apparently verged on a breakdown.

It is said that the arrest of Frank resulted from evidence dropped by the negro suspect. At 4 a. m. he was awakened in his cell and questioned grillingly by Detective Black. From then on the day was one of incessant interrogation.

Handwriting Examined.
Specimens of the negro's handwriting according to microscope examinations of handwriting experts, compare favorably with that of the notes found beside the victim's body.

It was rumored around headquarters that the mysterious package carried by Detective Black, when he returned to the station after an automobile trip, contained a bloody shirt of the negro prisoner. It was said that he could not give a satisfactory explanation.

Habeas corpus proceedings were instituted in behalf of John M. Gantt, the young bookkeeper arrested Monday afternoon in connection with the Phagan murder. The prisoner was transferred to the county jail and placed in charge of the state.

Gantt Not Guilty.

Chief Lanford said Monday night that he had abandoned the theory that Gantt was implicated in the crime. He was merely a victim of circumstantial evidence, it was said, and he is believed to be entirely guiltless. He probably will be released within a short while.

No one answered The Constitution's story asking for information relative to Mary Phagan's whereabouts on the afternoon of her murder. Evidently, she was not seen after entering the factory doors at 12:01 o'clock Saturday afternoon to draw her salary. It is the theory of the police that she never emerged alive from the building.

Psychological Methods Fail to Get Confession.

Confident that he could wring a confession from Newt Leo, Francis E. Wright, a salesman living on Pulliam street, came to police headquarters early last night, and conferred with detectives.

The prisoner had just finished undergoing rigid questioning from a number of detectives. Wright was admitted to the locked room in which the negro sat handcuffed to a chair. Chief Lanford introduced the newcomer as a minister, sent to console the negro.

The door was locked, leaving Wright and the prisoner together. The lat-

ter sat nervous and fidgety, his eyes roving in every direction. The white man began:

"You Haven't Long on Earth."
"Newt, you haven't got long on this earth—only a few days. They're going to get you—they've already got you. What little time you've been allotted for life, you'd better put it to good advantage."

"There isn't but one thing—to do—tell all you know and cleanse your soul. If you die with a lie on your lips, you'll drop straight to perdition. There isn't a chance for you. This earth is hell enough. But the next world—that's the thing for you to consider."

"They're going to electrocute you. They're going to kill you. I saw it done once. I witnessed a white man sent to death for a murder he had committed. It was the most horrible sight I ever saw. I would hate to see even you go to the chair."

On Bible Swears Innocence.

Wright hesitated, giving time for his words to take effect. The negro raised his eyes. The white man jerked from his pocket a strip of paper. It was the full page head-line of an afternoon paper:

"NEGRO'S GUILT PROVED"

Negro Kisses the Bible.
The suspected watchman gazed, unmoved, upon the type. Wright dramatically jerked a small pocket Bible from his coat and held it before the eyes of the black man.

Leo rose from the chair as much as his handcuffs would permit. Dropping to his knees, he fervently kissed the book.

"I swear 'fore God I didn't do it."

Wright pocketed the Bible and moved to the door. As he emerged from the room he exclaimed to the group of detectives and reporters standing by:

"He's as innocent as a babe!"

It was rumored freely over the city until a late hour last night that the negro watchman had confessed, and that his admission was being kept secret by the detective department. This report was declared by Chief Lanford to have been totally untrue.

Arthur Mullinax, the ex-street car conductor, of 60 Poplar street, who was arrested Sunday night for suspected complicity in the Phagan tragedy, is still detained at police headquarters. The suspicion around him is rapidly dissolving. It is predicted that he will be released shortly.