

FRANK NOT GUILTY OF PHAGAN MURDER DECLARES ARNOLD

Prominent Atlanta Lawyer
Engaged to Aid in Defense
of Pencil Factory Superin-
tendent.

NO WHITE MAN KILLED GIRL, ASSERTS LAWYER

Formby and Conley State-
ments Should Not Be Given
Credence So Far as They
Tend to Incriminate Frank,
He Says.

Reuben R. Arnold, perhaps the best-known attorney in Georgia, has been engaged to aid the defense of Leo M. Frank, the suspected pencil factory superintendent, in the Mary Phagan mystery. This announcement was made from his office yesterday afternoon.

In a statement that was furnished each of the newspapers, Mr. Arnold attacks the detectives for their continued efforts to lay the Phagan murder at his client's door. He hoots at the credence which he says has been placed in Conley's story and in the sensational affidavit sworn by Mima Formby.

Asserting his anticipation of clarifying the situation in due time, Mr. Arnold says that in the evidence the prosecution holds against Frank there is no room whatever in which to believe him guilty, and that no white man committed the crime.

Injustice, Says Arnold.

He deplores alleged injustice done the suspected superintendent by reports circulated to the effect that Frank's friends had persuaded the Formby woman to leave town and by many other false rumors deliberately set before the public, he declares.

His statement follows:

"It is true that I have accepted employment to assist in the defense of Mr. Leo M. Frank, but I wish to state that before I agreed to take the case, I made it a condition that I should have time to study critically all the evidence delivered at the coroner's inquest and all the affidavits that have reached the public through the newspapers, so I could form an opinion for myself as to Frank's innocence or guilt. I would not defend any man if guilty of such a murder as the one in this case.

"After studying the evidence as critically as I can, I am satisfied that I hazard not a thing in saying that there is no room to believe Mr. Frank guilty of this horrible murder. I do not believe that any white man committed the crime.

"Indeed, it is surprising to me that the detectives should continue to try to put this crime on Frank with the positively incriminating affidavits of Conley before them. People of common sense, unless under great excitement, ought not to give a moment's credence to either the Formby or Conley statements in so far as they attempt to incriminate Mr. Frank.

"I see the detectives are gradually giving it out that Mrs. Formby will not be called as a witness, although her affidavit has been paraded before the public, bearing the unqualified indorsement of the detective department as being perfectly reliable and true. Worse than this, an intimation was published in the newspapers that Frank's friends had persuaded her to leave town. In this and in many other ways our client has been done a very great injustice. The effort seems to have been not to find the criminal, but to try by all means to put the crime on Frank.

"However, I think we will be able to clarify the situation in due time."

Trial Will Be in July.

Indications at present are that the trial of Leo M. Frank for the murder of Mary Phagan will be held not on June 30, as previously indicated, but on either July 14 or 28.

Solicitor Hugh Dorsey is out of town and is expected to return some time today. It remains for him to set the date of the trial, and then there is a probability that the defense will ask for a postponement.

It is understood that the jail will not be cleared of those waiting for trial by June 30, and it is hardly probable that the state would enter into a long trial before clearing the jail as much as possible of short cases.

The fact that Judge L. S. Roan, who, by special appointment, presides over the criminal division of the Fulton superior court, will not have to hold court in the Stone Mountain circuit during either the week of July 14 or July 28, makes it possible that the trial will be set for this date.