

THE  
STANLEY  
SOUTH  
NEWS

# FREED ORDER CHARGE

Vol. X

## An. /ho Made Startling 1381. /ations in the Phagan Acquitted of Murder His Brother-in-Law.

Swatton, Ga., January 8.—(Special.)—  
W. Fisher, the former Atlantian  
whose accusation of an Atlanta mer-  
chant with the murder of Mary Pha-  
gan proved a fiasco, was found not  
guilty of the murder of Dug Steele,  
his brother-in-law, by a jury here this  
afternoon. Owing to the sensation  
which Fisher's ill-founded charges in  
the Phagan case caused, a vast crowd  
gathered to hear the verdict.

The jury went out at 10:15 o'clock  
this morning. At 1 o'clock it reported  
a disagreement, but Judge Fite refused  
to dismiss it.

Witnesses for the state testified that  
on the night of November 28, 1903,  
when Steele met his death, that he and  
the defendant were seen together, and  
that Fisher had threatened him, but  
that Steele had stated that he was  
able to take care of himself. Prior to  
that time, there had been an alterca-  
tion between Fisher and Steele, in  
which the latter had sustained a slight  
injury, but after which Fisher had  
made threats against Steele to various  
persons, stating that he intended to  
kill him.

On the night of the death of Steele,  
witnesses testified that they heard the  
defendant and the dead man quarrel-  
ing and using abusive language. When  
the body of Steele was found, in the  
northern part of the city, early in the  
morning, Fisher and his wife, who was  
a sister of the deceased, were among  
the first to reach the body, and Fisher  
is said to have been very nervous and  
badly excited, and remarked at that  
time that he regretted it very much  
as he and Steele had "made up" the  
evening before, and had become friends  
again.

### Swear They Were Coached.

Other witnesses testified that Fisher  
had coached them how to swear before  
the coroner's jury and told them that  
if they repeated certain occurrences  
that he would kill them. Two of the  
witnesses on whom the defense relied  
to establish an alibi for the accused  
could not be found, both being under  
indictment here for misdemeanors.

The defendant, in his statement, tes-  
tified that he spent the night, after  
leaving Dug Steele, sitting up at the  
home of a friend whose wife was sick,  
and his statement was a general denial  
of guilt of the crime. The state intro-  
duced as a witness the sister of the  
woman who was sick, who testified  
that she sat up at the home of her  
sister, where Fisher claimed to have  
been, and she swore most positively  
that Fisher was not there on the night  
he states that he was. This testimony  
was corroborated by the testimony of  
another woman who stated that she  
was with the sick woman on the night  
Steele was killed and that Fisher was  
not there at that time.

### Little Blood on Corpse.

Witnesses swore that they had seen  
the accused man, shortly after the  
finding of the dead body, wiping  
something that appeared to be blood  
from his clothing.

At the time of the finding of the  
body, the head was completely severed  
from it, and one arm had been mashed  
off, but there was very little blood.  
Expert testimony of a surgeon was  
introduced to show that if the body  
had been stricken while the person  
was alive and mangled in such a man-  
ner it would have bled profusely and  
would have exhausted fully one-half  
gallon of blood. Dr. J. S. Rollins fur-  
ther testified that blood would con-  
geal to such an extent in from two to  
ten minutes that it would not flow  
very much. It was further testified  
that the deceased was drinking on the  
night of his death, which would cause  
the blood to flow more freely.

It was shown that Steele frequently  
swung trains near where his body  
was found and alighted at his home  
about a mile above there, which is up  
a steep grade.