

Frank Not Guilty, Believes Conley's Lawyer; Plans to Obtain Freedom of 'Man in Tower

**WILLIAM M. SMITH
SAYS HE HAS FAITH
MURDER MYSTERY
WILL BE SOLVED**

Asserts He Had Plans to Liberate Factory Superintendent, But Was Prevented by Conditions Which He Does Not Care to Discuss—Intimates He May Reveal Them Later.

**ALL THAT IS NEEDED
NOW IS CO-OPERATION
OF OFFICERS, HE SAYS**

Solicitor Dorsey Declares That He Has No Statement to Make on Development—Dan Lehon Says That He Had Known of Smith's New Opinion for Some Time.

That he not only believes Leo M. Frank innocent of the murder of Mary Phagan, but will seek to demonstrate his innocence, was the statement made last night by Attorney William M. Smith, counsel for the negro, Jim Conley, Frank's accuser and a convicted accessory after the crime.

The statement came when a reporter for The Constitution queried the attorney in regard to persistent rumors that Conley's counsel had experienced a change of opinion in the Frank case. Mr. Smith dictated his words over the telephone.

Mr. Smith also declared that he had previously sought to manifest Frank's innocence, but was unable to do so by conditions which handicapped him.

**WILL SOLVE
MYSTERY.**

Smith states that, with the proper co-operation of officials, Frank will be freed, and that the mystery of Mary Phagan's murder will be solved. He also adds that he never has believed Frank to be a pervert, although Conley testified so repeatedly on the stand.

"I have never ceased to be a student of the case," Smith's statement reads. "Practically all of my spare time has been devoted to a study of it. I have come definitely to the conclusion—or, at least, this is my personal judgment after much study—that Leo M. Frank is innocent, and that if a proper co-operation of officials can be secured, I have absolute faith that the mystery of the death of Mary Phagan will be solved to the satisfaction of every reasonable man in this community. I have never believed Frank to be a pervert."

At the conclusion of his statement Mr. Smith was asked on what new facts he based his conclusion.

"I would rather not discuss that now," was his reply.

"Do you intend trying to secure the freedom of Frank?" was another question.

**HAD PLANS
TO FREE FRANK.**

"I have had plans of that nature," he answered, "and have sought before this to put them in operation, but was prevented by conditions which I do not care to discuss. I still hope to demonstrate Frank's innocence and obtain his freedom."

"Inasmuch as you say Frank is innocent, do you mean to imply that Conley is guilty?" was put to him.

"I wouldn't care to be quoted now on that point," was his answer.

Solicitor Dorsey, when notified of this statement, stated over the telephone that he had nothing to say in reply and that he would rather not touch on the subject. The solicitor, when asked earlier in the afternoon if he had heard anything of the rumor that Conley's lawyer had had a change

of mind, declared that he "was in no position to say anything about it."

Smith would not go into the subject of "handicaps" which he said he had met in his previous attempts to demonstrate the innocence of Frank. He intimated, however, that they would be disclosed later. The publication of his sensational declaration now means that he will hereafter be enlisted in the aid of Frank in an effort to clear the mystery and to obtain the convicted man's freedom.

Smith was linked with the prosecution throughout the trial of Frank. He had been engaged as Conley's lawyer some time after the negro was arrested. He was retained first by an Atlanta newspaper, but declined his services to the paper when a demand was made upon him to divulge conferences between him and his client. He was then employed by the mother and sister of Conley. He has never, he states, been paid for his services to the negro.

IMPRESSED BY PAMPHLET.

Smith is known to have been impressed by a pamphlet written on the Frank case by Colonel J. P. Fyffe, of Chattanooga, a former newspaper man of the Tennessee city, whose investigation was made for The New York Times.

He admitted having read Colonel Fyffe's article and having commented upon it, but would not dwell upon it for publication.

Leonard Haas, associate counsel for Leo Frank, when called over the tele-

BELIEVES LEO FRANK INNOCENT OF CRIME



WILLIAM M. SMITH.

phone for a statement in respect to Smith's change of attitude, said:

"I have heard that Mr. Smith has changed his mind, but I would prefer to make no comment."

Early last night Dan S. Lehon, lieutenant of the William J. Burns forces, who is in Atlanta, told a reporter for The Constitution that he knew of Smith's new opinion of the Frank case; that he had known of instances in which the attorney had discussed it with others.

REPRESENTED CONLEY.

Smith had actively represented Jim Conley until the time the negro was sentenced to a year in the penitentiary as an accessory to the murder of Mary Phagan. He had, during that while, professed a firm belief in the innocence of Conley and the guilt of Frank. Whether his change of mind has been influenced by a statement or act of Conley he would not state.

Smith has, perhaps, been closer to Conley than any other person connected with the Frank case. It was Conley's counsel who took such extra precautions in having the negro prisoner isolated in the Tower to prevent private detectives and others from getting to him. During the trial of Frank and the subsequent happenings in his case, Smith held numerous conferences with his client.