

BURNS TAKES A HAND IN FRANK'S BEHALF

**Famous Detective Visits Atlanta
Prisoner and Displays Keen
Interest in His Case.**

Special to The New York Times.

ATLANTA, Ga., March 2.—For two hours this afternoon William J. Burns, the famous detective, sitting before the cell of Leo Frank in the County Jail, pilled the prisoner with questions relating to the murder of Mary Phagan, for which Frank was condemned to death.

The two men went over the case from the beginning. Frank detailed his movements on the day of the crime with the same minuteness that he described them on the witness stand to establish his alibi.

"Have you decided definitely to take up the investigation of the Phagan murder?" Mr. Burns was asked after his conference with Frank.

"I can't say positively," said the detective. "I have reviewed the case with considerable detail already, and I am greatly interested in it. I will be back in town on Wednesday, and will continue my investigation then. It is likely that I will make my decision then.

"It would be a breach of confidence for me to divulge what I said to Frank and what he said to me," said the detective in reply to a question.

Mr. Burns would not say whether Frank's manner impressed him as that of an innocent man or a guilty one.

He did say, however, that he would do nothing to thwart justice, but that his efforts would be directed toward bringing out the full and indisputable facts. Mr. Burns several times said that any case in which private detectives had a hand would bear watching.

"They are as a rule," he said, "crooks and grafters."

Burns left here for Jackson, Miss., after his interview. He will return on Wednesday morning. Frank was much pleased by the detective's visit.

"I do not care to say anything more than to repeat what I already have said," Frank remarked. "I shall be mighty glad to have him take up the case. I do not know, however, that he is going to do so. His investigation up to this time, as I understand it, has been merely with a view of determining whether any good purpose can be served by his efforts in the matter.

"I went over this with Detective Burns at length, especially as to the part played by the negro, Conley, and the notes found beside Mary Phagan's body. A human life is at stake. That it happens to be mine is incidental. It actually is an incident in my view of the case.

"The big principles involved are the things that count and not a person's identity. What I say and what I feel are from the viewpoint of a person totally separated from actual connection with the tragedy and its investigation.

"If the worst comes," the prisoner said significantly, "Conley will be a triple criminal. If his infamous lies are going to be accepted and things take the course that they have started to take, then Conley will have destroyed three lives.

"He will have destroyed Mary Phagan, whom he strangled to death; he will have destroyed Leo M. Frank, whom he perjured to death, and he will have destroyed Hugh Dorsey, whom he will have betrayed and committed to a worse fate than death. I say to every man, woman, and child in Georgia that I am innocent of the charges brought against me.

"If I had not said it so many times, I would repeat that the hand that wrote the notes was the hand that strangled Mary Phagan."

If the remittitur from the Supreme Court in the Frank case is received in the Superior Court within the next two days Frank will be arraigned before Judge Ben H. Hill and resented within the week.

Attorneys for Frank will make an effort to have Judge Hill impose a life sentence in lieu of the death penalty, but if this effort is futile, Burns will have fewer than sixty days in which to obtain evidence for reopening the case. The defense's extraordinary motion for a new trial probably will be delayed as long as possible so that the detective may have a chance to develop new testimony.

Regardless of the failure or success of Burns's work, an extraordinary motion for a new trial is certain and will be based on the repudiation of their testimony by certain witnesses who testified against Frank.