

LEO M. FRANK, AN INNOCENT MAN, MAY SUFFER A DISGRACEFUL DEATH FOR ANOTHER'S CRIME

By EDWARD MARSHALL.

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That Is the Conclusion of Edward Marshall After a Week's Investigation of the Frank Murder Case in Atlanta.

First Interview With Conley, the Ignorant Negro on Whose Sole Testimony Frank Has Been Condemned to Death.

Summary of the Frank Case

Mary Phagan, 14 years old, was found murdered, on the morning after Confederate Memorial Day last year, in the cellar of the National Pencil Factory in Atlanta, where she worked. She had been outraged and strangled. Public sentiment demanded the punishment of the murderer at any cost.

On the testimony of "Jim" Conley, a negro sweeper, Leo M. Frank, superintendent of the factory, was convicted of the murder, although at the conclusion of a trial marked by many popular demonstrations against the prisoner, the Judge declared that he did not know whether Frank was guilty or not. Both Frank and Conley had been in the factory on April 26, when Mary Phagan went there and collected her pay from Frank, but there is much testimony to show that Frank was not in the building when the crime was committed. Conley, by his own confession, assisted in disposing of the murdered girl's body. Conley charged Frank not only with the murder, but with vices in which he professed to have assisted Frank. He also swore that after Frank had killed Mary Phagan he, Conley, helped him to dispose of her body.

The Supreme Court later upheld the trial Judge in ruling that the trial was regular and refusing a new one. It has since been discovered that in the first trial much false testimony was accepted; various persons are charged with endeavoring to quiet the public clamor by manufacturing evidence against Frank, and it is contended that the influence of sensational journalism has also been potent against him.

Frank is under sentence to be hanged on April 17. The negro, Conley, has been sentenced to serve a year in the chain gang. Meantime extraordinary efforts are being made to obtain a new trial. Several Atlanta newspapers are now demanding this, and the feeling is growing that Frank is innocent of the murder, and will so be proved.

By EDWARD MARSHALL.

The murder of little Mary Phagan in Atlanta seems destined to go into history as one of the most interesting of crimes, not only because of the pretty 14-year-old little factory girl, but because of subsequent events—suspensions, denials, the double conviction of a prominent and heretofore highly respected white man on a negro's testimony, rumors of unspeakable vices, barely averted riots, and perhaps lynchings, talk of race prejudice more symptomatic of Russia than of the United States, and revelations of unlimited perjury. The Frank murder trial has even had its large political significance.

Will Frank be hanged on April 17? It will be his thirtieth birthday. Will it be, also, his death day?

The story of the astonishing murder case of recent years was made by special assignment of THE NEW YORK TIMES, with clear instructions that a week should be spent in Atlanta devoted to interviews with those best informed and a personal investigation. It reveals a complicated, fascinating wave of fact and falsehood as yet by no means fully separated to the satisfaction of the public by the action of the courts. It tells of our courts, who back in the notoriety of the death sentence with complicity and no apparent horror; it includes the first full statement as yet published from the negro Conley—heartless, brutal, greedy, literally a black monster, drunken, low-lived, utterly worthless, admittedly accessory to the crime, by some suspected of being guilty of it, and—under sentence of one year's imprisonment!

That Leo Frank, the highly educated, well-to-do and hitherto respected managing expert in lead pencil manufacture, should be doomed to die, is not more astonishing than that this black human animal, confessedly a participant in the crime, should be allowed to tell his dreadful tale for readers of THE NEW YORK TIMES to shudder at.

I have ingrained respect for Judges and for juries; I hesitate to question, even silently, in my own mind, the wisdom of our courts, but a careful study of this case leaves me unable to feel satisfied with what the courts have done with it.

Indeed, I am convinced that Leo Frank is absolutely innocent of the murder of little Mary Phagan. I am convinced that there has been a great miscarriage of justice, for which there have been many complicated reasons.

The exact present status of the case is this: Frank's life may be saved, but may not be. It should be made a certainty.

An extraordinary motion for a new trial is in preparation, predicated upon a discovery since the trial of new evidence and upon the proved falsity of much evidence accepted at the trial. These developments have been noted in THE TIMES as they have occurred.

This motion is addressed to the sound discretion of the Judge. Frank's chief counsel, L. Z. Rosser, Reuben Arnold, and the Haas brothers, all believe it will be granted. If so, Frank will be retried, de novo.

I firmly believe that the public, awakened to the weakness and character of the evidence accepted at the original trial, the police methods used to secure it, and the real facts of the case will demand an acquittal. But be that as it may, Frank was tried at a time of great excitement, in the midst of great prejudices, and the inherently fair people of Atlanta are beginning to feel exceedingly uncertain of the justice of the verdict.

In case a new trial is denied, which seems improbable, the case will be carried to the Board of Pardons, which may recommend a pardon to the Governor, or Frank may be pardoned by the Board of Pardons. It is inconceivable that he should hang, under the sentence now imposed upon him. Indeed, this is a matter worthy of the national interest it is arousing.

Where the White Man Rules.

Consider this: The scene, Atlanta, where the white man fosters white supremacy with passionate resolve, where not so many years ago a negro's attack upon a little girl was followed by a race riot lasting several vicious days and lurid nights and bringing death to fifty negroes—perhaps more—nobody could deny; nobody, that is, no white man, would have dared to suggest that the chief living actor in the drama, a young man of prominence. A city seething in its courts of justice, in its family circles, in its political affairs, even in its churches.

And white men doomed to die writes essays on his innocence in his steel cage on the topmost tier of Atlanta's lynch-mob-proof "Tower," while the negro, condemned upon twelve

months of imprisonment, in his case,

on the ground floor of the same grim fortress, grumbles because he finds the jail pork fat, the jail peas dry. Frank's life is ebbing fast; he sends communications to the newspapers. "Jim" Conley, losing flesh, growls like a hungry dog.

In July of last year Frank was convicted of the murder of which he says he knows absolutely nothing and is believed by thousands. His conviction was confirmed by the Supreme Court of Georgia, and he was resentenced while I went about Atlanta studying the case, studying the negro, studying the city-wide history, studying the officials who have managed or mismanaged the raw tragedy.

Startling features bristle everywhere throughout the case. The crime was an atrocious one, occurring on Confederate Memorial Day, Saturday, April 26, 1913, when the pretty little working girl went to the factory to draw her pitiful wage of something like \$12.00.

It was discovered early the next morning, when Neat Lee, the negro night watchman, found the child's broken body, solled with ashes and grime, lying in a refuse bin in the dark cellar of the factory. Poor little Mary Phagan dead was very quickly famous; hanging would surely not have emerged from oblivion.

Frank a Man of Culture.

The man convicted now, and under the death sentence for her murder, is a graduate of our own Brooklyn public schools, a student at Cornell University; he is a man of culture and refinement, he has traveled abroad, his popularity, at least among the members of his own race in Atlanta, was attested by the fact that he was President of the Hebrew Benevolent Order of B'nai B'rith in Atlanta at the time of his conviction.

Other unusual features marking this case célèbre are the facts that the Judge, although he denied the motion for a new trial, made the following statement, which is regarded as one of the most remarkable ever made by a trial Judge in denying such a motion:

"I have given this question long consideration. I am of the opinion that I am certain that any other case I was ever in, and I want to say right here that, although I heard the evidence and arguments during those thirty days, I do not know this morning whether Leo Frank is innocent or guilty. But I was not the one to decide. I am not a lawyer, and I must accept the verdict and overrule the motion."

The testimony brought out against this hitherto irreproachable young man included accusations (now scarcely credited by any sane person) that he had committed perjury (he had committed it, I am sure), and that he frequently indulged in the most revolting and unnatural inclinations.

Since the day of his conviction Atlanta has known no peace of mind. Frank's friends have been protesting and, constantly, a fortune has been spent in counsel fees and elaborate investigation, the case has passed beyond the realm of a mere criminal trial and become a political issue.

Changes and almost incredible amount of proof of perjury have shocked the usually placid Southern city. A public fund has been subscribed to build a monument to the little victim of the tragedy; the thoughtless coming of the issue of the man's guilt or innocence.

Anti-Jewish Feeling.

It may be well promptly to consider what has been said to the effect that anti-Jewish feeling in Atlanta has been responsible for some of the alleged injustices which have been done to Frank. I have heard the Frank case likened to the Dreyfus case in France and the Belles case in Russia.

After careful study of this case I find myself inclined to think not only my real feeling against Jews existed in Atlanta before the Phagan murder, but that the fact that Frank is Jewish gave the thoughtless something which might be used as an epithet against him.

"The damned Jew" was common talk, but I am sure that it was meant for Frank and not as a reproach upon the people of Atlanta. I am informed to a "slush fund." It was generally understood, whether so intended or not, that this "slush fund" was a corruption purse of mighty size, raised by the Jews to save Frank's life, right or wrong, cost what it might. Its existence was and is truthfully denied, although money for the Frank defense—extraordinary sums of money—have not been lacking. For he had well-to-do relatives who were satisfied of his innocence and fortified by his insinuations.

When Milton Klein and other Jews were on the "Tower" asked them, they were not those friends of Frank.

Mr. Dorsey spoke of Frank's Washington Street friends, who were in the street being a thoroughfare largely occupied by Jewish residents.

"Hang the Jew."

When the list of Jewish witnesses was being read by counsel the audience laughed audibly. Kendley, a witness against Frank, was shown to be a Jew hater, and in court was credited with the remark that whether Frank was guilty or not, he ought to hang the Jew. The juror, Henslee, was shown by affidavits in the application for a new trial to have frequently alluded to Frank as the "damned Jew."

Indeed there seems to be good reason to believe that after the case had reached the trial stage derogatory remarks concerning Jews were common in the courtroom crowd. These are attested in the new trial affidavits. I am assured that the four Jews on the Grand Jury all were opposed to the indictment, and will make affidavit to that fact if so requested. The law requires indictment on vote of the majority.

But it is probable that there exists among some classes in Atlanta prejudice extending beyond the Jews to all outsiders from abroad. Newcomers from foreign countries do not make the fine distinctions between the negro and the white man which it is tradition in old Atlanta to demand. The foreigner has no color prejudice. He meets the negroes upon equal terms. This may very well explain much of the general race feeling.

When first arrested Frank had against him the community and all its newspapers. Out of court they had tried him and convicted him before he ever stepped into the actual courtroom.

His only supporters were the rabbi of his Jewish congregation and his Jewish friends. This arrayed these few and him against the balance of Atlanta. It made of it a battle. This itself helped to create a general prejudice.

The expression, common in Atlanta then and still common there, now some classes when Frank is referred to, (although there is a strong and general revision of opinion in his favor) was "the Jew"; often it was "the damned Jew." It was not, is not, especially significant. He, the Jew, the Jew, in the same circumstances he would have been called "the Jap" or "the damned Jap"; had he been a Greek, "the damned Greek"; an Italian, "the damned dog."

The greatest prejudice, of all undoubtedly arose from the entirely unfounded rumors of mutilation of the murdered girl. They were followed by the wildest, and, most people now admit, wholly unfounded and inexcusable tales of the most heinous kind. There, there seems not to have been one vile indignity which has not been heaped upon this suffering defendant.

Of these dreadful and entirely unjustified stories—these most awful of all slanders—these tales of the most heinous kind, the most heinous, he referred to Oscar Wilde and Frank in the same sentences, sneeringly.

An attempt to draw a parallel between the infamous and horrid San Francisco Duran case and Frank's former case, part of his long address. The allegation, since demonstrated to be utterly false, that Frank was a degenerate, was aimed into the public's ears.

The formerly woman's repudiation of her affidavit against Frank, a moral character, her statement that she did not even know the man, and her admission that the police forced her into making it, were never mentioned, and the harm her widely heeded charges did him; even if they did not help to convict him.

It has been an extraordinary case for affidavits of all kinds, most of them aimed against Frank, subject to immediate denial. In the case of the boy Epps, whose original testimony was exceedingly incriminating, and retractions that Atlanta is amused by, the case is a byword, meaning "little lie."

Conley's Mixed Testimony.

Conley's testimony, which principally convicted Frank, appears so full of contradictions to the outside reader of his words that it is almost impossible of any jury taking it at its face value. He has admitted that he made such numerous misstatements at the first that he could not keep track of them, yet Leo Frank is doomed to die upon his testimony.

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LEO M. FRANK OF ATLANTA.

not proved to be Mary Phagan's blood, before the women's dressing room.

Cellar, Scene of Tragedy.

Where the police claimed that they found a mark upon the floor, as if the body had been dragged, Conley swears, the little girl was held clear of the floor and did not drag. A soft substance deposited underneath the elevator at an hour before the murder was untouched the following morning, but marked with the new day's first use of the elevator, which would indicate that the elevator was not used upon the day of the murder, which was a holiday. Conley swore that he and Frank took the body down upon the elevator.

In the event that they did not, the theory must be that Mary Phagan met her death down in the cellar, at a point not far from where she rested when discovered dead, and that would be a mighty point in Frank's favor. Two men who were on the fourth floor before the murder, and who were personally testify that it is a noisy machine.

Gordon Bailey, in whose presence Conley said that Frank requested him to come and watch for him on Saturday, denies this.

These are but a few of the innumerable complications of this case. It does not seem unreasonable to believe that their existence will be recognized by the authorities and that something will be done to bring greater clarity into it.

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antagonistic. Indeed, the claim is frequent that Frank was newspaper convicted. In The Constitution of May 25 appeared an article with headlines running:

"Frank Is Guilty," says a Pinkerton man. ("This detective's name is Harry Scott.") "Sufficient Evidence Found to Convict Him," Declares Man Hired by the Pencil Company."

In The Georgian, May 26, a headline read: "Lay Bribery Effort to Frank's Friends; Colver Tells Lanford that Two Persons Swear False Testimony Was Sought." In the same paper rumors were repeated that Nina Forsmyth and Monteen Stover, two witnesses for the prosecution, the first known as a keeper of a disorderly house, had been offered money to leave town.

Again, in the same paper, an article bearing the headlines, "Evidence Against Frank Conclusive, Say Police," was certainly at that time unfair to the accused and inflammatory of the public mind.

Planted Police Views.

Interviews with the Chief of Detectives, Lanford, were common episodes in the Atlanta newspaper's "Conley's story." "It is the truth. . . . We were already convinced. . . . Makes the case against Frank direct and positive. . . . Conley will make no further confession. There is none for him to make. . . . From the very first we were convinced that Frank was guilty, but we were never prejudiced against him." These are sample statements.

An interview given to The Constitution Chief Lanford said he was disgraced after his arrest, had been taken from imprisonment in the Tower to a cell at Police Headquarters to escape the harassment of visitors to Frank, declaring that they stopped at his cell, tried to make him drink liquor, and endeavored to intimidate him. In the same interview Sheriff Mangum was accused of placing obstacles in the way of the press.

So much for newspaper handling of the case, which is credited by the defense with arousing much of the really wild prejudice against Frank before his trial and greatly influencing the public, and through the public the jurors. It is true that in the newspapers the wildest rumors were continually repeated, only to be denied in later issues. This case introduced the "extra" to Atlanta.

Then came affidavits and reported affidavits which later were denied by those who made them. One of these (published in The Constitution, June 4) credited Minola McKnight, colored, as having said Mrs. Frank to the effect that Frank was drunk on that fatal Saturday night and made her sleep upon a rug, as saying that Mr. Frank had muttered that he could not understand how he could be guilty of murder; that he had begged his wife for a pistol to be used for suicidal purposes.

The denial of this affidavit by Frank's cook was not far behind its publication, but the defense maintains that it had its dire effect upon the public mind.

The Georgian, in printing the retraction, said: "The woman denies absolutely every statement attributed to her by the police and denies that she ever signed the paper made public by the police."

No member of the Frank family was present when she made this denial. She also denied engaging an attorney, who was credited with having been retained by her, announcing with some drama, as she raised her hand: "I ain't got no lawyer except God."

Rumors of Domestic Strife.

In the meantime, as a natural sequence of the charges that the prisoner had been guilty of unnamable crimes with Frank, the rumor was but natural that there had been domestic troubles in the Frank family. These rumors still persist. They were mentioned to me by the Solicitor General during our talk at the Country Club. Mrs. Frank passionately denied them. They were supposed to find substantiation in the fact that for a day or two she did not visit Frank in his confinement.

Rabbi Marks, chief of the Jewish congregation of which the Franks are members, assures me that the reason Mrs. Frank did not go to the police station for a time was that her husband begged her not to. He wished not to have her see him in the surroundings of the station house. She has been constant

in her visits to him since he has withdrawn from other people.

I did not see Mrs. Frank while in Atlanta, but every rumor—and they still are plentiful—of revolt of Mrs. Frank against her husband because of vicious tendencies before the crime and because of her husband's devotion to the discovery of the murder and his accusation were specifically denied by Rabbi Marks, whose devotion to Frank's interests and certainty of his innocence are worth a journey to Atlanta to observe.

A part of an article in The Georgian is worth quotation as indicating the mad contradictions of the time: "On the heels of the utter repudiation of Minola McKnight, took in the household of Leo M. Frank, of the statement she is alleged to have made in the sensational police affidavits, Mrs. Leo M. Frank made her first public statement—an eloquently pathetic defense of her husband—and attacks Solicitor Dorsey's methods in obtaining evidence, charging torture and a deliberate determination to distort facts."

A Brilliant Prosecutor.

During the afternoon which I spent with Solicitor General Dorsey, the prosecuting officer, I noted many things about him. His mentality is brilliant. He is not a large man; he is light in coloring. The strain of the case or an illness of some sort has ringed his eyes with almost startling shadows. He would not talk for publication, but he talked privately with apparent freedom. Of course he would not admit that there had been anything in the conduct of the case which he regretted.

When I asked him if I might see Conley at the prison he demurred, but he said at first upon the ground that every other newspaper man had been refused the privilege. He then told me he would let me see the negro if I would prepare myself to talk to him with a really informed mind.

Mr. Smith introduced me to the negro with the words:

"Jim, this gentleman is from THE NEW YORK TIMES. Tell him everything you know."

Conley Nimble in Replies.

In fairness to Attorney Smith and Conley I must say here that from that moment the attorney interfered with me not at all. He was back in the shadows of the corridor, while I stayed close before the bars of Conley's cage and asked him what I liked.

WHY HE DEMANDS A NEW TRIAL

didn't learn in school. I learned to write a long time ago, but there wasn't nobody much knew I could write."

"How did Mr. Frank know you could write?"

"He had some writing I had wrote in his own desk. Oh, he knew. If he hadn't knowed that I could write how come he'd ask me to write down them notes?"

"But, Jim, you've told two stories about when he asked you to write them. Which one is true and why did you tell one that wasn't?"

"Well, the last one that I told is true. He didn't ask me to write the notes on Friday and I didn't write the notes on Friday. He asked me to on Saturday, just like I said he did. And it was Saturday I wrote 'em, just like I said it was."

"Why should you have written them for him? Didn't you know that knowing you could write, people would recognize your writing and accuse you of the crime?"

Fury On His Face.

"Wasn't many except Mr. Frank that knowed I could write. I didn't think he would go back on me." Jim Conley's curiously primitive face became extremely hard and wooden—ebony like. It scarcely expressed rage. It just got hard. "I wish I could get at him," he said briefly. "Wish I could get at him."

"Did you make any agreement with him?"

"Sure I did. He made me mighty pretty promises. He told me that if I got locked up he'd get me out on bond and for me to keep my mouth shut. I believed him. I always did believe him. That's where I made a big mistake. I thought he'd get me out and send me away from here, and I stood by him. There in the court room they kept me on the stand two days and a half."

"It was Saturday he told me that, and on Monday they had me in the court. They said I had been washing my shirt, and that was true, but it was not because there was any blood on it, but because I had to go to court, and I wanted that shirt clean. Couldn't go to court with that shirt like it was."

"They brought me to the station house and put me in the cell. I don't know how long I was there. They treated me right mean. Kept nagging me. They wanted to know if I could write, and I told them that I couldn't."

"You see, there was two reasons why I didn't want to have them think I wrote them notes. In the first place, I was figuring that if I said I wrote the notes they'd try to put the killing of the little girl on me. I thought probably that if I told them that I wrote the notes that it would hurt me. So I kept on saying that I couldn't write. And the other reason was that I was sticking tight to what I promised Mr. Frank. I wanted to wait and see what Mr. Frank was going to do."

"Even yet I thought that if I give him time he'd do the square thing, like he said he would. I thought he'd help me out. He'd told me all about his rich relations in Brooklyn, and I thought he'd keep his word and help me out. He never did get on to him at all. They took me up to Chief Lanford's and showed me a newspaper. In newspaper it was all printed out he was doing. It said that Mr. Frank was trying to put off the whole thing on me."

Turned Against Frank.

"I hadn't had any lawyer up to then. But then I started in to feel a little kind of scared. I hadn't really worried up

to then. But now I saw that people all was trying to put the whole thing off on me and I began to wonder where I would end up. I didn't like to think about a rope around my neck.

"It was getting mighty hard to keep on telling all that stuff that wasn't true, and finally I owned up the truth. I saw that Mr. Frank wouldn't do nothing for me. But even then I wasn't what you might call really mad at him like I am now. I figured that he was in trouble, too, and that he couldn't help himself, let alone help me."

"They was going to put a rope around my neck. That was what they sure was going to do if I didn't come out with the whole truth and let them know that it was Mr. Frank, not me, that killed that little girl. So I come out."

"I was mighty anxious before that to get taken out of the police station and locked up here in the Tower, where Mr. Frank was, for I thought that if I once got locked up here I'd see Mr. Frank and that he'd tell me what to do. I thought maybe we could have a private talk."

"But when we got a chance to see each other, and I bet we could have seen each other by ourselves if he had wanted to, why he wouldn't see me. The police had told me that he wouldn't. They had told me he was trying to put off the thing on me and I hadn't quite believed them."

"Now I saw that what they said was true. I saw that Mr. Frank was going to let me hang; that Mr. Frank was going to help hang me to save himself. And that was when I sure made up my mind to come out with the whole truth. I never would have gone back on him if he hadn't gone back on me first. And then they made a charge against me that I was an accessory." (This word was too much for Jim. He got it badly mixed. It twisted his thick tongue. But I knew what he meant). "They made that charge against me. I can't say it very well, but I know what it means—it means a man who done comes in after everything is done done."

Those are Conley's words—exactly quoted—in defining the meaning of "accessory."

I asked Jim if he had a family there in Atlanta.

"Yes, Sir," he answered. "My mother's living here."

"How does she feel about all this?"

"I don't know how she feels about it. I reckon she feels bad. She wants to come and see me, but they won't let her. It's seven months and eight days that I've been locked up. Yes, Sir. Seven months and eight days."

Smith, his counsel, laughed. "Jim keeps close track of time," said he. I asked Jim what he planned to do when his sentence of one year is up. "I'm going to get a job and go to work right here in Atlanta. They can't drive me out of here. I ain't afraid of any white man here. Some bad nigger he might come along and stick me with a knife. But no white man will."

Denies Promise of Clemency.

There has been talk that the Solicitor General has told Conley that he would protect him against capital punishment as a reward for testifying against Frank, even if it transpired that the negro is the guilty man. I asked Jim about this. He grinned.

"No, Sir; Mr. Morsey never told me nothing like that," he answered. "What he said was that he'd break my neck if I didn't tell the truth, and that that was all he wanted of me. He talked to me by himself. I like him all right. Nobody has been mean to me but Mr. Frank."

"Would you ever again do a thing like what you did?"

"No, Sir; I would not."

His attorney now broke in. "Jim, didn't I tell you to tell the truth, even if it hung you?"

Jim did not look as cheerful as he had been looking. "Yes, Sir."

"Have I told you that since Mr. Frank's conviction?"

"Yes, Sir, Mr. Smith. You told me to tell the truth if it would hang me."

"Did any detectives try to get you to lie?" I asked.

"No, Sir; Mr. Starrs and Mr. Campbell they talked with me first, but they didn't ever say they wanted me to lie."

"When you told them things would they take you around to find out if you told the truth about them?"

This query also was suggested by the negro's counsel.

"Yes; they took me around in an automobile."

"Were you afraid when they took you back to the factory?"

I wish I might convey in printed words the utterly uncanny episode that followed. I shall not even try, though, for it was too dreadful.

I tried to stir in Conley's breast some sign of emotion, some pity for the little dead girl, some sign of horror at remembrance of the details of the crime. I failed.

There are certain things omitted from the make-up of this negro which I had previously supposed were in some small degree in every human being, no matter how devoid of virtue, how hardened to a criminal career he might be. But Jim Conley, this negro whose word was taken against Leo Frank, and may send the college man to death, is not like any other human being I have ever seen.

Brute in Human Form.

I asked him leading questions about his feelings while he held the little dead girl in his arms, while he was dragging her to her last hiding place, while he was dropping her and raising her again.

Once her falling frightened him, but it seems that it was rather because he thought she showed some sign of life than because of the dread consciousness that she was dead of violence and sagging in his arms.

I shall let the really revolting psychology of the extraordinary negro pass by saying that many years of newspaper work have never before thrown me in contact with anything quite so repellent as his description of his cautious handling of the poor, dead child. His calm, his brutal frankness in discussing the grim details of his journey to the elevator, the down trip and his dreadful burden-bearing in the cellar of the pencil factory, far surpassed in horror anything that I had ever heard; they far surpass in horror anything I ever wish to hear.

"It didn't make you feel sick, Jim?"

"No, Sir; I didn't feel sick, none."

I asked Jim if he had ever been to church.

"I been to Baptist church."

"Did they tell you about heaven and hell, there?"

He was plainly puzzled. "Been so long I done forgot. I know the preacher said a lot about badness."

"But, mister, I just want to git out of this jail. I'm going to be 25 years old some time next month, and I'm going to have my birthday right here in this prison or in the chain gang. Makes me right mad to have to stand all this for what he done."

"But think of what may happen to him!"

"Yes, Sir, I know what you mean." He didn't flinch. "He's going to be hung."

"And you're not sorry?"

"No, boss, I ain't sorry."

And soon afterward I went away from Conley. I was glad to be away from him. I never shall forget his horrid story of his treatment of the poor, dead little girl. Whoever killed her, Conley must remain to those who see him as I did the incarnation of brutality.

Food His Only Thought.

"Say, boss," he called after me. "Can't you get them to give me some better stuff to eat?"

I went back to him. Frank, the dead child, and the gallows all had left his mind. He held the pannikin of pork and peas in his black, powerful hand.

"I'm 5 feet 9 and weighed 165 pounds when they first locked me up. I don't weigh more'n 140 now." He fingered the fat pork. "Say, boss, ask 'em, will you? I can't eat this."

"Could you send out and buy some food that you would like?"

"I ain't got no money, boss."

His attorney tried to pull me on, but I gave Jim \$2.

Instantly all his sorrows were forgotten. He took the money which meant something for his stomach and stood there grinning happily at me.

What did he care for the memory of little Mary Phagan? What did he care for Leo Frank, up stairs, and waiting to be hanged.

He had \$2 of good money. He could get some food that would be palatable.