

# BURNS TO EXTEND FRANK CASE INQUIRY

**Will Visit Other Cities Seeking  
Evidence, Leaving Aid in  
Charge at Atlanta.**

## NO THIRD PERSON INVOLVED

**Detective Says Guilt Lies Between  
Frank and Conley — Growing  
Demand for New Trial.**

*Special to The New York Times.*

ATLANTA, Ga., March 21.—William J. Burns will extend his investigation of the Mary Phagan murder case to other cities after the arrival of Daniel Lehon, Superintendent of the Southern Division of the Burns Detective Agency, in Atlanta Sunday. Mr. Burns said to-day that various features of the case requiring a thorough investigation would take him out of the city for a few days. It is understood he will leave Atlanta Monday or Tuesday, placing Lehon in charge of the local end of the case. Mr. Burns will be accompanied by Leonard Haas of counsel for Frank.

Mr. Burns refuses to say what angles of the case will take him from the city, nor will he say where he is going. He may go to New York before he returns, he says, but will be in Atlanta when his final report is made. Mr. Burns also admitted that his investigation had not brought a third party into the case.

"There is no doubt," he said, "that the murder lies between the two men, Leo Frank and Jim Conley, the negro. Nothing which I have developed indicates in any way that a third person might have figured in the crime."

The detective was asked if by any chance his investigation might lead to Birmingham to see Mrs. J. B. Simmons, who heard screams in the factory on the afternoon of the day of the murder. Although replying that he did not think it necessary to see Mrs. Simmons, Mr. Burns evidently was much interested in her affidavit and called attention to the fact that the basement of the pencil factory was open and that screams would have been perfectly audible to a person standing on the grating on the sidewalk, where Mrs. Simmons declares she stood. This leads to the inference that Burns may be working on an entirely different time theory from that held by the State in the trial, for it was well after 1 o'clock when Mrs. Simmons heard screams.

### Progressing Satisfactorily.

The detective still refuses to forecast the length of his investigation, although he says it is progressing satisfactorily. He said of the attack upon him by William M. Smith, attorney for Jim Conley:

"If anything I have been quoted as saying has hurt Mr. Smith, I am sincerely sorry. It is not my intention to try to trample on the rights of Mr. Smith or any one else. If he really represents the negro, and I cannot say that he does not, certainly I will go to him when I want to talk to Conley."

Mr. Burns refused to comment on the report that he has located the purse, ribbons, and flowers that Mary Phagan had when she went to the pencil factory on the fatal Saturday. He reiterated his determination to tell about them only when he submitted his final report.

In addition to his activities in the Frank case, Mr. Burns now is having a merry round with what he terms "a bunch of liars, crooks, and incapable asses masquerading under the bogus title of detective."

These terms were not applied to members of the Atlanta Detective Department. Mr. Burns desires it understood that he approves of their zeal, as shown in the case on which he is engaged.

"But the man who sent that telegram full of fake stuff from Newark, N. J.," said Mr. Burns, "I know to be the representative of a rival detective organization in New York, which has tried to annoy me before this with a mess of lying assertions."

### Demands for a New Trial.

Interest in the fate of Frank continues unabated, as shown by the large number of letters being received, in all of which the demand for a new trial is made.

Judge Ernest C. Koutz, a well known Atlanta attorney, ex-City Recorder, ex-Councilman, and ex-member of the City Board of Education, says:

"I am reliably informed that during the trial a former Mayor of Atlanta, a man of calm, judicial mind, saw going toward the Court House a friend of his whom he thought, on account of his association, might be suspected by some of the excited crowd around the Court House of sympathizing with Frank, and he advised the gentleman not to go that way, as he considered it dangerous for him to do so. Under such conditions the fact of that excited, not to say hostile, feeling of a considerable part of the public could no more be kept from that jury than the sun's scorching heat, though its rays did not strike them.

"Personally I believe in capital punishment, and because I do and because in my opinion the execution of Frank without another trial would do more than any other one thing has ever done to break down adherence to capital punishment in Georgia, I think a new trial should be granted."

Mrs. C. M. Porter of Carrollton, Ga., wrote: "Give the man a square deal and prove to the world that our courts are not governed by mob law or race prejudice. An atrocious crime has been committed, and we want the guilty punished, but we do not wish to add another crime by hanging a possibly innocent man."

U. M. Mooty, a leading lawyer of La Grange, Ga., says:

"As a lawyer and as a citizen I have taken a keen interest in the Frank case. I was in the Kimball House when the jury returned the verdict. Sitting in my room on the south side I could hear the cheers and applause that greeted the reception of the verdict. There was nothing in the noise to suggest that a man's life was about to be taken in cool, deliberate judgment. It gave one who was not in the same atmosphere a queer feeling. It was the shout of the mob.

"I am not satisfied as to Frank's guilt or innocence, but let him be tried again under saner circumstances. Let the atmosphere be such that the defendant can venture out and hear his own verdict. Let him hear all of his own trial without risking what hope of life he has."

Frank's friends are seeking signatures to a petition asking for a new trial. It is understood the petition is being generally signed. The jurors who tried Frank were asked to sign it, but refused.