

MARY PHAGAN MURDERED WITHIN HOUR AFTER DINNER

SHEPPARD SUBSTITUTE FOR LIPSCOMB BILL IS PASSED BY HOUSE

Votes of State Board Tax Reformers Were Needed to Carry the Measure Through.

ROLL CALL SHOWS FRIENDS AND ENEMIES OF REAL TAX REVISION

Many Went on Record for Measure They Did Not Indorse in Hope of Senate Amendment.

At the close of a morning session, which was prolonged until after 3 o'clock in the afternoon, the house on yesterday passed the Sheppard substitute for the Lipscomb bill by a vote of 107 to 59.

This was only fourteen votes over the required constitutional majority, and without the help of tax reformers, who believe in a state board and equalization among counties, it would have been impossible for the bill to have passed at all.

Quite a number of members who had lined up with Mr. Sheppard and Dr. Stovall in the mutilation of the ways and means committee bill did not vote for the Sheppard substitute and went on record as opposed to any form of tax revision whatever.

Analysis of Vote. There were others who voted for the adoption of the Sheppard substitute, who, when the roll was called for the final passage of the measure, cast their votes against it, enough of these, in fact, to have defeated the measure had it not been for the state board revisionists who came to its assistance.

Dr. Stovall, of Elbert, who, more than any other, was responsible for the mutilation of the ways and means bill, was one of those who voted for the adoption of the Sheppard substitute and then voted against it on its final passage.

Tax Reformers Saved Substitute. This seems clearly to have demonstrated what the advocates of the ways and means bill have claimed from the first, that the Sheppard substitute was put forward in the hope of defeating all tax reform. That it did not succeed in doing this was due largely to the efforts of those open and in earnest advocates of tax reform, who came to its aid at the last moment and would not allow it to be butchered at the hands of its supposed friends.

That Mr. Sheppard himself worked very earnestly for the salvation of the measure, when its passage seemed to be threatened cannot be doubted. This is shown by the fact that he even called upon the state board revisionists to save it from defeat.

Of the men to whom he yielded his time, after the previous question had been called, one was an outspoken and thoroughgoing advocate of the state board principle, who had determined to vote for the substitute as a last resort to save the cause of tax reform, and another was a member who had always been counted on that side.

An Extraordinary Situation. A still more extraordinary situation was presented, however, when one of the men called upon by Mr. Sheppard to defend his measure, and who voted for its adoption, but cast his vote against it when it was up for final passage.

It was at first thought that the bill by substitute would pass with little difficulty after the substitute had been adopted. Members were generally averse to another roll call, as the hour of 2 o'clock had been

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THERE IS A WAY OUT No condition is ever as bad as it could be. And there are no obstacles that can't be gone over, under or around.

Will power rules. Have you got your share? Use it. You can have anything you want—if you go after it in the right way.

CASTRO'S RETURN TO LEAD REVOLT CAUSES SENSATION

State Department Hoped to Prevent His Going Back to Venezuela, and Supposed Him Still in Exile.

GUNBOAT AT BRUNSWICK ORDERED TO THE SCENE

Former President Reported at Coro at Head of an Armed Force—Gomez Is Made Dictator.

Washington, August 1.—News of the appearance in Venezuela of ex-President Cipriano Castro, after his five years' exile, caused something of a sensation at the state department today. For the past five years the department has been keeping Castro under surveillance to prevent his returning to Venezuela, which country has been enjoying a period of unwarlike prosperity and quiet since his retirement.

Department officials supposed the exile was living quietly in the Canary Islands until a cablegram came today announcing his re-entrance into the country of his birth at the head of an armed force, while various uprisings in his behalf were reported from different points in Venezuela. He was said to be at Coro.

From the legation at Caracas the state department was informed of uprisings in the state of Tachira, at Coro and Masuro. Telegraphic communications between the capital and the disturbed points was interrupted but the Venezuelan foreign office claimed the revolutionists had been defeated by state troops at all points. The president had been granted dictatorial powers, it was said, and men were being impressed for military service.

Represented by Clerk. The United States government is represented in Venezuela at present only by a legation clerk, Richard J. Biggs. Minister Northcott resigned and left his post and Secretary Caffery moved to Washington attached to the state department. It was announced that a secretary would be rushed to Caracas to be followed by a regularly accredited minister as soon as one could be appointed and confirmed.

The state department today called upon the navy to look after American interests in Venezuelan waters and the gunboat Des Moines, now at Brunswick, Ga., was ordered to make the cruise. It is calculated that the gunboat can make the run to Lagunaira, the nearest point to Caracas, in about six days.

Hernandez at Capital. General Jose Manuel Hernandez, Venezuelan nationalist-liberal leader, now a political exile, arrived in Washington today and called upon Secretary of State Bryan, of the navy. His call was unofficial and after a brief visit with Mr. Roosevelt, he went to the state department to pay his respects to Secretary Bryan.

The Venezuelan exile, popularly known as "El Mocho," is opposed both to Castro and to President Gomez, against whose government he has long agitated. He declared his present attitude was one of observation, and that he believed both Gomez and Castro were destined to political retirement.

Castro, whose whereabouts hitherto have been indefinite, has landed at Coro, in the Gulf of Venezuela. This information was cabled to the state department today by American Consul Thomas A. Vetter, at La Guaira, the port of Caracas.

The cruiser Des Moines is being held at Brunswick, Ga., in readiness to sail today for Venezuela. She probably will put in at La Guaira, to look after American and their interests.

Gomez Made Dictator. Caracas, Venezuela, August 1.—In consequence of the outbreak of the revolution in Venezuela and the invasion of the country for forces under the leadership of former President Castro, the federal council today constitutionally authorized President Juan Vicente Gomez to assume dictatorial powers until the movement is crushed.

President Gomez on Wednesday night sent the following telegram to the governors of all the Venezuelan states: "General Cipriano Castro, impelled by an ambition to assume the power, has provoked a revolution in this republic by ordering his partisans to arm themselves against the constitutional government.

"Already rebel forces in several localities have disturbed the public order.

"It is necessary for you to be alert and to act rapidly and energetically in assisting the government to crush the rebels.

"The peace of the country, which conscientious Venezuelans are obliged to maintain, cannot be left at the mercy of adventurers who possess no idea of decorum.

"I trust you will fulfill your duty."

Support Is Promised. The governors in their replies promised.

Witnesses Called to Stand to Testify Against Frank



From left to right: Mrs. George W. Jefferson, who was a witness on Thursday morning; R. P. Barrett, who testified to finding Mary Phagan's pay envelope and strands of her hair, and Mrs. Maggie White, who told of seeing strange negro in pencil factory on afternoon of crime.

AMBASSADOR WILSON'S REPORT CONTRADICTED

State Department Has Information at Variance With His Description of Conditions.

Washington, August 1.—Developments in the Mexican situation today were confined to efforts on the part of the administration to prevent unnecessary agitation over the revolution.

So far as the United States is informed, both federal and constitutionalists are complying with the desire of the American government for the protection of foreigners and their property and there is a hopeful feeling manifest in official circles that efforts of influential Mexicans to bring about peace may be successful.

In the meantime President Wilson and his advisers are opposed to any attempt to force the American government into any hasty declaration of policy. Secretary Bryan promptly denied today a story that European governments are pressing the United States.

Recital of Conditions. On authority of the president himself it is known that the only documents from foreign powers to the United States on the subject in recent months were those transmitted when the diplomatic representatives in Mexico City recently gave a description of conditions in the republic to their home governments with the request that the information be conveyed to the United States. The president has told inquirers within the last 24 hours that in no case was there any suggestion or intimation of action desired, but merely a recital of conditions.

To prevent any aggravation of the situation, which, in the view of officials here, is slowly adjusting itself, the administration does not look favorably on the proposal to have Ambassador Wilson appear before the house committee on foreign affairs. Administration officials did not think it compatible with the public interest to have Ambassador Wilson appear before the senate committee on foreign relations, not because they hesitated to submit reports he had made, but because the feeling is growing among them that he is a factor in promoting objectionable discussion in Mexico.

Wilson Report Contradicted. The ambassador is known to hold views at variance with those of the president and Secretary Bryan and it is said on good authority that information in possession of the state department contradicting in many essentials the reports of Ambassador Wilson. For this reason it is believed that when Chairman Flood, of the house committee on foreign affairs, consults the president or Secretary Bryan about summoning the ambassador before the committee he will be informed that while no objection exists to the idea of allowing the house committee the same information which the ambassador gave the senate committee, the administration is strongly desirous not to agitate the situation further, especially since Mr. Wilson is not likely to go back to Mexico as the American ambassador.

News was scant in Mexican circles about the progress of the peace suggestion that are passing to and fro between some of the leaders of the two factions in Mexico. The most significant development was the frequent use of the name of Miguel Covarrubias, at present Mexican minister to Russia, for provisional president. Covarrubias is an appointee of the Huerta administration, but is not affiliated with any faction in Mexico. He would satisfy the constitutionalists, who say their only desire is to have a provisional president chosen to succeed Huerta, who would conduct a free and honest election.

SALOON MEN LOSE IN MACON COURT

Prohibitionists Claim That the Decision Means the Death Knell of Near Beer Saloons in Georgia.

Macon, Ga., August 1.—(Special.)—According to Macon prohibitionists, Judge H. A. Mathews, of the Bibb superior court, this afternoon sounded the death knell of the near beer saloons and blind tigers in Georgia when he granted a permanent injunction against the saloon of Ed Cassidy on Cotton avenue. After a hearing, which lasted all day, on a petition brought by the Law Enforcement League of Macon, and signed by fifty persons, Judge Mathews held that the saloon of Cassidy was a public nuisance and ordered the place closed.

The judge refused to grant a supercedas until the case can be passed on by the supreme court.

The decision is claimed to be of far-reaching importance as regards the prohibition law in Georgia, for if the supreme court sustains Judge Mathews, the Macon Law Enforcement League will bring similar proceedings against every saloon in the city, and it is said to be the intention to wage the same kind of a campaign throughout the entire state.

Saloon Men Downcast. There is no denying the fact that the saloon men of Macon are considerably downcast over the decision of Judge Mathews. But they are prepared to fight to the last and for that purpose have formed an association with which to provide funds to carry on the fight.

Similar cases to that of Cassidy are now pending against Charles Bekakes, of 212 West on Columbus street, and Tony Cutro, a locker club proprietor. These cases, however, along with charges of contempt of court for alleged violation of the temporary restraining order granted some time ago by Judge Mathews have gone over to September 5.

The Law Enforcement League was represented in the hearing today by Attorney R. D. Feagin, while Attorneys John R. Cooper, Joe Hill Hall and Sam B. Hunter represented Cassidy.

Attorney Feagin did not have much trouble in proving that while he had been sold at the place of Cassidy and introduced several witnesses to prove it. The chief witness was Bud Allen, of Forsyth who had been employed by the league to secure the necessary evidence. R. F. Wigham and H. W. Elkins both testified that they had seen sales of whisky made at the Cassidy place.

No Witnesses for Defense. The defense introduced no testimony, but in the arguments by Attorneys Cooper and Hill it was contended that the proceedings were irregular in that they were not brought through the solicitor general's office.

Attorney Cooper declared that if all the saloons in Georgia are closed up it will mean a loss in revenue to the state of \$300,000 annually and it will be necessary to call a special session of the legislature to devise means of raising money to defray the expense of the state. He said it means the throwing of 11,000 people out of employment and in Macon alone it will shut down close to 100 places of business. He pleaded against the mixing of the affairs of church and state and declared the solicitor general to be an able man and able to enforce the law without the aid of Dr. W. N. Alsworth and Dr. John L. White, local clergymen.

Bees Cause Runaway. Upper Sandusky, Ohio, August 1.—James McClain, a farmer, was badly injured when his team of horses ran away when moving. Stings from angry bees caused the horses to run away.

FATE OF MRS. HAWKINS IS NOW WITH THE JURY

Love Letters From Jim Cantrell to Wife of Murdered Man Are Read in Court.

Constitution, Ga., August 1.—(Special.)—The trial of Silvia Hawkins, the widowed mother of three little children of Arthur Hawkins, who was murdered by Bartow Cantrell at the instigation of his brother, Jim Cantrell, continued through today. At a late hour tonight the jury is still out.

She made a statement of over an hour's duration, in which she denied any knowledge of the crime and of any part which she is said to have played in it.

The state introduced a batch of letters from Silvia Hawkins to Jim Cantrell showing by intimation the close relations between the two. These letters, besides being very mushy, were funny in their coolness. Several rhymes were enclosed, one of which is "As shore as the vine grows round the pine, I'll be your'n if you'll be mine."

Colonel William Johnson opened the arguments for the defense. Colonel McKilian spoke for two hours and fifteen minutes for the state. Colonel Ben Gaillard, in one of the most impassioned speeches ever heard in the courthouse, addressed the jury in defense of the woman. Colonel Johnson criticized the state's arguments and evidence, and Colonel McKilian answered his remarks in a complete exonerator of the state's officials.

REGIMENT TRAMPLES UPON AMERICAN FLAG

Saskatoon, Sask., August 1.—A member of the Saskatoon militia was today tried by court-martial and discharged from his regiment for trampling an American flag under his feet during a parade last night. Members of the regiment threatened to resign if the dismissal of their comrade was allowed to stand, and the offender at once was reinstated.

When the One Hundredth and Fifth Fusiliers were marching down the city's Bowyer, a girl in an automobile waived an American flag in front of one of the members of the bugle band. A man broke ranks, caught the flag and trampled it under his feet, most of the regiment passing over it also.

FALLS AGAINST SAW AND IS CUT IN TWO

DeFuniak, Fla., August 1.—Walter Bowers, superintendent of a sawmill of Quite Terwin, and one of the best known citizens in Walton county, met a terrible death here today by falling against a rapidly revolving saw. He fell with his back against the saw and his body was ripped to the breast bone.

Besides being superintendent of the mill, Bowers was extensively engaged in cattle and sheep raising in Walton county.

BANKERS TO FORM ADVISORY BOARD

Amendment Made to Currency Bill as Result of Protest Against Government Control of Reserve Board.

Washington, August 1.—Consideration of the American currency bill was practically concluded tonight by the democrats of the house banking and currency committee after more than five weeks of constant and stormy discussion. The bill was ordered closed and reported, and Monday the democratic committee members will take a formal vote on recommending the measure to the democratic caucus. It will go to the caucus with the disappearance of at least three members of the committee, it was virtually certain tonight.

As closed tonight the bill differs little in its essentials from the administration measure framed by Representative Glass, Chairman Owen, of the senate committee, and Secretary of the Treasury McAdoo, and approved by President Wilson. Complete government control of the federal reserve fund, which will direct the new banking and currency system, deemed by the president the all-important factor of the bill, was retained. At the eleventh hour democratic members of the committee incorporated an amendment providing for an advisory board of bankers to "advise" the federal reserve board. This amendment was in the nature of a compromise with the banking interests which protested vigorously against the exclusively governmental feature of the control of the board.

Redeem Section Altered. Another important amendment incorporated in the bill altered the redeem section conferring the power to require federal reserve banks mutually to redeem paper. A change was made in the division of the earnings of the federal reserve banks created by the law. Originally the banks were allowed a yearly cumulative dividend of 5 per cent and a surplus equal to 20 per cent of the paid-in capital stock. All earnings above these amounts reverted to the government.

As amended, the balance of earnings after the 5 per cent dividend and the 20 per cent surplus will be paid, 60 per cent to the government to be used as a sinking fund among the number of banks in proportion to their balances in the federal reserve bank concerned. In the reserve section the committee reduced the period during which a bank must hold a 25 per cent reserve against deposits, from 25 to 60 days. It finally passed, the reserve section requires that after a period of gradual changes the country banks must keep their 15 per cent reserves either in their own vaults or in the federal reserve bank of the district in which they are located.

Provision Struck Out. By a vote of 7 to 5 the conference today struck from the bill in provision previously ordered inserted, forbidding interlocking directorates between banks. It was stricken out on representations that the president believed it should be considered apart from general currency legislation.

The so-called insurgent amendments to the bill, providing for currency on warehouse receipts for cotton, corn and wheat, were voted down today by a viva voce vote with little discussion. Representative Bagudale, and Representative Henry, of Texas, will carry the fight for these amendments to the floor of the democratic caucus.

DR. H. F. HARRIS GIVES STARTLING EVIDENCE ABOUT TIME OF MURDER

Wound on Eye of Girl Victim of Pencil Factory Crime. Looked as if It Came From Blow of Fist, Secretary of State Board of Health Tells the Jurymen.

While on the Stand. Dr. Harris Collapses from Recent Illness.

Frequent Clashes Take Place During Testimony of N. V. Darley, Assistant Superintendent of National Pencil Factory, Over the Alleged Nervousness of Frank.

Within three-quarters of an hour after she had eaten her frugal breakfast of cabbage and bread, Mary Phagan was dead.

This startling fact was brought out at Friday's session of the Leo M. Frank trial, when Dr. Roy Harris, secretary of the state board of health, took the stand to tell of the post-mortem examination he performed on the body of the child.

The time of the murder has always been a mooted question. When Dr. Harris made his declaration and exhibited a small bottle containing particles of cabbage, which had been taken from the stomach and which had not had time to digest, a thrill went through the court room.

As soon as Dr. Harris entered the court room during the afternoon session, the crowd seemed to sense the dramatic situation which was to follow.

It was pretty generally known that Dr. Harris had made an examination, but the result of this examination was not known.

When he came into the room, carrying a small physician's satchel and looking slightly pale from a three days' illness, all eyes were turned toward him.

What would he testify to? This was the question each asked his neighbor.

Dr. Harris briefly told of his medical experience and then proceeded to explain the details of his examination of the dead girl's body.

Cabbage Found in Stomach. He stated that he had found in the stomach of the girl particles of undigested cabbage and he exhibited a bottle containing them. He said in reply to a direct question that the condition of the cabbage showed she had met her death within a half to three-quarters of an hour after she had eaten this food. He also displayed a bottle of fluid taken an hour afterward from the stomach of a man who had eaten cabbage and bread. None of the cabbage was visible.

Dr. Harris was emphatic in his statement that Mary Phagan must have met her death from one-half to an hour after she had eaten.

He also described the wound on the dead girl's head, and said she must

Weather Prophecy LOCAL THUNDER SHOWERS

Georgia—Occasional showers Saturday and Sunday.

Lowest temperature	73
Highest temperature	92
Mean temperature	82
Normal temperature	77
Rainfall in last 24 hours	1.2
Deficiency since 1st of mo., inches	.27
Deficiency since Jan. 1st, inches	.63

Reports From Various Stations

STATIONS AND WEATHER	Temperature	Rain	Wind
Atlanta, rain	76	92	00
Baltimore, cloudy	82	88	1.22
Birmingham, p. cly.	86	82	00
Boston, cloudy	72	85	00
Charleston, p. cly.	84	92	00
Chicago, clear	73	78	00
Galveston, clear	82	86	00
Jacksville, clear	76	80	00
Kansas City, clear	84	86	00
Knoxville, cloudy	70	91	54
Louisville, p. cly.	80	90	00
Memphis, cloudy	86	80	00
Miami, cloudy	82	85	00
Mobile, p. cloudy	84	90	00
Montgomery, p. cly.	83	84	00
New Orleans, clear	84	83	00
New York, cloudy	70	84	00
Portland, cloudy	78	86	00
Raleigh, cloudy	86	92	00
San Francisco, clear	68	79	00
St. Louis, clear	82	85	00
St. Paul, clear	82	84	00
Salt Lake City, p. cly.	99	92	00
Shreveport, cloudy	82	84	00
Tampa, cloudy	84	86	00
Toledo, clear	78	82	00
Washington, cldy.	86	82	00

C. F. von HERRMANN, Section Director.

have been struck an upward blow. The blow on the eye, he said, looked as if it had been inflicted by a person's fist.

Commenting on the general condition of her body he said he could not tell whether she had been outraged, but there were evidences of violence indicating it.

Dr. Harris had been on the stand but a few moments when he was taken with a fainting spell and was compelled to leave the stand. The defense did not have an opportunity to cross-question him. In fact, Solicitor Dorsey had not finished the direct examination when he left the room. He will resume his testimony as soon as his physical condition will permit.

The state expressed satisfaction at the testimony of Dr. Harris, and Mr. Dorsey was particularly pleased. Speaking of the turn of affairs he said:

"It is perfectly plain sailing from now on. We have a mass of evidence and it is only a question of knitting it together."

Mrs. Coleman's Testimony.

As soon as Dr. Harris had made his startling statement in regard to the time of Mary Phagan's death, the minds of those in the court room reverted to the testimony of her mother, Mrs. J. W. Coleman, who, earlier in the week, had told of the little girl having eaten cabbage for breakfast the morning before she was killed.

Frequent Clashes Occur.

Frequent clashes took place between opposing counsel during the testimony of N. V. Darley, assistant superintendent of the National Pencil factory. The point at issue was the nervousness of Frank on the morning following the murder. Darley testified that Frank was very nervous. On cross-examination he said he had seen him equally as nervous on two other occasions.

During the introduction of the time slips as evidence, Frank appeared to lose the calm which has been his marked characteristic during the trial. In fact, the long hours in court seem to be telling on him.

Arthur McKnight, husband of Minnie McKnight, and who made a sensational affidavit and afterward retracted it, and who cooks for the Franks, testified that on the day of the murder he was in the Frank kitchen; that he saw Frank come in in the dining room, but did not see him eat anything. He stated Frank spent several minutes in the room at the sideboard and then left the house, taking a car at Pulliam street and Georgia avenue.

Luther Rosser riddled McKnight's testimony and endeavored to show it was impossible for him to have seen from the kitchen into the dining room.

"What is your position with the company?"

"I am general superintendent and director of the company."

"How long have you held that position?"

"In Atlanta I have held that position since August 10, 1904. My place of business is at 27 to 41 South Forsyth street."

"About how many employees have you there?"

"About 107 in that plant."

"Male or female?"

"I guess there are a few more girls than boys."

"On Saturday, April 26, I will get you to state if that was a holiday with your company, holiday. The factory was shut down."

Several People in Building.

"Who was in that building during the day?"

"Well, there were several people who come in during the morning."

"Was anyone in the office with you up to noon?"

"Yes, sir, the office boy and a stenographer."

"What time did they leave?"

"About 12 or a little after."

"Have you a day watchman there?"

"Yes, sir."

"Was he on duty at 12 o'clock?"

"No, sir, he left shortly before."

"Who came in after the stenographer and the office boy left?"

"This is the girl, Mary Phagan, but at the time I didn't know that was her name. She came in between 12:05 and 12:10, maybe 12:07, to get her pay envelope, her salary."

Frank Pays Mary Phagan.

"You paid her?"

"Yes, sir, and she went out of the office."

"What office was you in at that time?"

"In the inner office at my desk, the furthest office to the left from the main office."

"Could you see the direction she went in when she left?"

"No, sir, it was impossible."

"What was your impression?"

"My impression was she just walked away. I didn't pay any particular attention."

"Do you keep the door locked downstairs?"

"I didn't that morning, because the man coming in, I locked it at 1:10 when I went to dinner."

"Was anyone else in that building?"

"Yes, sir, Arthur White and Harry Denham. They were working on the machinery, doing repair work, work on the top floor of the building, which is the fourth floor, toward the rear, or about the middle of the building, but a little more to the rear."

"What kind of work were they doing?"

"They were tightening up the belts; they are not machinists, one is a foreman in one department and the other is an assistant in another, and Denham was just assisting White, and Mrs. White, the wife of Arthur White, was also in the building. She left about 1 o'clock. I went up there and told them I was going to dinner, and they had to get out, and they said they had to get out, and they said until some time in the afternoon; and then I said, 'Mrs. White, you will have to go, for I am going to lock these boys in here.'"

Door Was Locked.

"Can anyone from the inside open that door?"

"They can open the outside door, but not the inside door, which I locked."

"In going in the outside door, is there any way by which anyone could go in the basement from the trap-door?"

"Yes, sir, through the trap-door."

"They would not necessarily have to go up the steps?"

"No, sir, they couldn't get up there if I was out."

"You locked the outer door?"

"Yes, sir, and I locked the inner door."

"What time did you get back?"

"At 3 o'clock, maybe two or three minutes before, and I went to the office and took off my coat and then went upstairs to tell those boys I was back, and I couldn't find them at first, they were back in the dipping room, in the rear, and I said, 'Are you ready?' and they said, 'We are just ready,' and I said, 'All right, ring out when you go down, to let me know when you go out, and they rang out, and Arthur White came in the office and said, 'Mr. Frank, loan me \$2, and I said, 'What's the matter? We just paid off,' and he said, 'My wife robbed me,' and I gave him \$2 and he walked away, and the two of them walked out."

Newt Lee Arrives.

"And you locked the doors behind them?"

"I locked the outer door, when I am in there, there is no need of locking

the inner door. There was only one person I was looking for to come in, and that was the night-watchman."

"What time did he get there?"

"I saw him twenty minutes to 4."

"Did you previously arranged for him to get there?"

"Yes, sir. On Friday night I told him, after he got his money. I gave him the keys and I said, 'You had better come around early tomorrow, because I may go to the ball game,' and he came early because of that fact, I told him to be there by 4 o'clock, and he came twenty minutes to 4. I figured I would leave about 1, and would not come back, but it was so cold I came back to the factory as I usually do. He came in, and I said, 'Newt, you are early,' and he said, 'Yes, sir,' and he had a bag of bananas with him, and he offered me a banana. I didn't see them, but he offered me one, and I guess he had them. We have told him, once he gets in that building never to go out. I told him he could go out, but he got there so early, and I was going to be there. He came back about four minutes to 6; the reason I know that, I was putting the clock slips in, and the clock was right in front of me. I said, 'I will be ready in a minute,' and he went downstairs, and I came to the office and put on my coat and hat and followed him and went out."

Saw Newt and Gantt Talking.

"Did you see anybody with him as you went out?"

"Yes, sir; talking to him was J. M. Gantt, a man I had fired about two weeks previous."

"Did you have any talk with Gantt?"

"Newt told me he wanted to go up to get a pair of shoes he left while he was working there, and Gantt said to me, 'Newt don't want me to go up,' and I said, 'You can go with me, Mr. Frank,' and I said that's all right, go with him, Newt, and I went on home, and I got home about 8:25."

"Is there anything else that happened that afternoon?"

"No, sir, that's all I know."

"You don't know what time Gantt come down after he went up?"

"Oh, no; I saw him go in and I locked the door after him, but I didn't try them."

"Did you ask Newt?"

"Yes, sir. I telephoned him. I tried to telephone him when I got home. He punches the clock at half hour intervals, and the clock and the phone is in the office, and I didn't get an answer, and at 7 o'clock I called him and asked him if Gantt got his shoes, and he said yes he got them, and I said is everything all right, and he said yes, and the next thing I knew they called me at 7:30 the next morning."

Did Lee Let People In?

"Do you know whether your watchman, at any time, has been in the habit of letting people in there, any time?"

"No, sir."

"Have you ever heard of it?"

"No, sir."

"Did you ever have any trouble with any watchman about such as that?"

"No, sir."

"Do you know whether any of your employees go there at night?"

"Yes, sir. Gantt did when he was working there; he had a key and sometimes he would have some work done until I go out; I go out and come back, but he has come back before I left, but that is part of his duty."

"Did you take a bath yesterday or Saturday night?"

"I did on Saturday night at home."

"Did you change your clothes?"

"Yes, sir."

"The clothes that you changed are at home?"

"Yes, sir; and this is the suit of clothes I was wearing Saturday. After I left the shop I went to Jacobs' pharmacy and bought a box of candy for my wife, and got home about 8:25."



Photo by Francis E. Price, Staff Photographer.

On the left, F. V. L. Smith, and on the right Beder Townsend.

own hands and shook them violently.

"Could Frank have nailed up the back door?"

"I think so."

"What did you swear about this in your affidavit?" asked the solicitor.

"The witness held out that he thought Frank could have nailed the door."

"How did Frank look that Sunday morning?"

"Pale."

"Did you say or not if Frank was upset and why in either case?"

Rosser Takes Dig at Darley.

"The witness can't testify in regard to 'upset,' roared Attorney Rosser; "it has been in the courtroom all the week, though, and had watched the solicitor he would know what the word means."

"I don't see why we can't use the good old Anglo-Saxon word, 'upset,' instead of having to use 'nervous,' the solicitor objected, and after an argument the court ruled that 'upset' was just as much allowable as the Latin derivative.

On objection of Mr. Darley this question was ruled out.

"Barrett claims to have discovered the blood spots, doesn't he?"

"Mr. Rosser also got this question ruled out."

"When you first saw the blood spots, who pointed them out to you?"

"Quinn, Barrett and others."

"Were they hidden by white spots?"

"Partially; not completely."

"In other words, the man who attempted to hide the spots left the spots and the attempt to hide them revealed," said Mr. Arnold.

"It looked that way," replied the witness.

"Did Barrett tell you he was working for the rewards?"

"Mr. Darley objected to this question, and was sustained by Judge Roan."

"Did you ever see any blood around Mary Phagan's machine?"

"No."

"Did you see Barrett find the pay envelope?"

"No. I was at the other plant."

"What did most of the employees do with their pay envelopes?"

"They take them and take out the money."

"By looking at this envelope can you tell whether it ever had any money in it?"

"No, there are no indications by which one can tell."

"Don't you find such envelopes all over the factory?"

"Yes, even in the metal room."

"Liable to find them anywhere, aren't you?"

"Yes."

"Nothing more common than pay envelopes?"

"No."

"Were you present when Frank ran his finger down the time slip?"

"Yes."

Falls to Identify Time Slip.

Mr. Arnold then showed the witness the time slip which the defense claims is the one taken out of the clock that Sunday morning by Frank.

"Is this the one?" the attorney asked.

"I can't say that it is; they are all alike."

"Did you notice the absence of punches on it?"

"No."

At this juncture M. Johnsoning, one of the jurors, stated that he desired some information about these time slips, and he and the witness exam-

ined it together, the factory man explaining to the juror the manner in which a record is kept on it of the time the punches are made and how the clock worked.

"I believe you saw the financial sheet Sunday morning?"

"Yes."

"It is all in Franks handwriting?"

"Yes."

Mr. Arnold then asked the witness to tell what the financial sheet showed and the state objected to this until the actual sheet should be brought into court.

"We are going to produce it," said Mr. Rosser. "Oh, yes; you needn't fear but what we'll bring that in all right," added Mr. Arnold.

"Why did you always want to look at that sheet on Saturday?" said Arnold.

"Because it always told what had been done during the past week, ending Thursday," said Darley.

"Was it always made up on Saturday afternoon?"

"Yes."

"Takes an expert to get it up, too, doesn't it?"

"Yes, it has not been got up since Mr. Frank left the factory."

A Laborious Task.

Mr. Arnold produced the sheet and went into great detail as to each item on the sheet, proving by the writing that the task of making out this sheet was a laborious one, and one that required expert work and that it usually took from 3 to 5 or 6 o'clock for Frank to make it out.

"Could the sheet have been made out on that Saturday before 2 or 3 o'clock?"

"I left there at 9:40 and he had not started on it then."

"How does Frank's handwriting on this sheet compare with his handwriting on similar sheets?" asked Mr. Arnold.

"Mr. Darley objected to this, saying that Darley was no handwriting expert and that the best evidence would be to produce other sheets and let the jurors judge for themselves about the comparison. Both Attorneys Arnold and Frank Hooper, for the state, and the Frank Hooper, for the state, joined in the protest on the question, to which his colleague, the solicitor, had objected.

Frank "Partially Done-up."

Darley then declared that Frank was "partially done-up" on that Sunday morning that the body was discovered.

"Give your reasons for saying he was partially done-up," said Mr. Darley.

"Well, he did some things that a man entirely unstrung could not have done," said Darley.

"What was a new word used when it came into the trial spectators' expected Attorney Rosser to ask for its credentials, but he let it in without a murmur.

Mr. Arnold then asked the defense to produce the bludgeon which it is claimed was found later in May near the elevator. They produced it.

"Did you see this club found?" Mr. Darley asked, sending it clattering down on the floor between the witness and the jury box.

"No."

"Was the finding of the club subsequent to the cleaning up?"

"Yes."

"Did you see anything on the rear of the office floor near the ladies' dressing room Monday after the murder?"

"Yes, blood," replied the witness.

"Who called your attention to the blood?" asked Attorney Arnold.

"Barrett and Quinn."

Arnold Cross-Questions.

"How many strands of hair did Barrett show you?" asked Mr. Arnold, who here took up the cross-examination which before this Attorney Rosser had always conducted.

"When I first saw them they were wound around a lever, and there seemed to be six or eight in all," said the witness.

"Wasn't it difficult to tell their color?"

"Yes."

"Barrett did most of the discovering, didn't he?"

"Yes."

"Isn't he mono-maniac on the subject of the crime; buys all the papers and keeps constant watch on the case?"

Frequent and Angry Clashes Between Attorneys Mark the Hearing of Darley's Testimony

N. V. Darley, mechanical head of the National Pencil factory and directly in charge of the Georgia Cedar company, an adjunct concern, was put on the stand by the state, after Mrs. White had finished.

"How long have you been with the company, and are you still employed there?" asked Solicitor Dorsey.

"I've been there about five years, and am still employed there."

"Who is your immediate superior?"

"I consider Sig Johnsoning my immediate superior," he replied.

"What is your relation to Frank?"

"We are co-laborers, on an equal basis."

"With whom do you more often come into contact?"

"With Frank."

"Did you see Frank on Saturday, April 25?"

"Yes."

"What time did you leave the factory that morning?"

"About 9:40."

"When did you next see Frank?"

"About 8:20 Sunday morning, at the factory."

"Was Frank there when you got there?"

"He came up just as I got there."

"What were you doing there?"

"Mrs. Frank had called me up and told me all. Mr. Frank had asked her to tell me to go to the factory."

Rosser objected to the witness telling anything Mrs. Frank had told him, and, despite the solicitor's statement that it had already been proved that Frank had asked his wife to call up Darley, Judge Roan ruled out his statements about what the wife had said.

Noticed Frank's Nervousness.

"Did you notice Frank as you got there?"

"Yes."

"What did you observe about him?"

"Nothing at first."

"Well, what, if anything, later?"

"When we started to go to the basement, noticed his nervousness."

"Describe it."

"Well, he started to lower the elevator, and as he reached for the rope his hands trembled, and then when he started to pull up the back door of the basement later his hands trembled again, and I took the hammer and nailed up the door myself."

"What, if anything, did Frank say to you?"

"When we started to nail up the back door he made some remark about his clothes, and pulled off his coat."

"Did he say anything about coffee?"

"No, then."

Frank Wanted Coffee.

"Well, what did he say at any time that morning about coffee?"

"At the station house he told me he had been rushed away from home without any breakfast and carried

into a dark room, where they turned the light on and showed him the dead girl, and that he was nervous and wanted some coffee."

"What did he say breakfast would do for him?"

"He said breakfast would keep him from being nervous."

"Did he get any breakfast?"

"I don't know; I left him at 10 o'clock."

"Did you see Newt Lee at the time you saw Frank in the factory?"

"Yes."

"Was Lee nervous or composed?"

The solicitor fired the above question at the witness as though seeking to show the jury that the man he charged with being guilty was nervous when in the scene of the crime, and the innocent man was not.

"Lee seemed thoroughly composed," answered the witness.

"What was said in the basement?"

"Something was said about the staple and Frank said that it would have been easy for anyone to have pulled out the staple. The staple looked to me like it had been pulled out before," the witness said.

"Did Frank suggest that the murderer had occurred in the basement?"

"Yes."

"Repeat his words."

"I can't repeat the exact words, but I know he suggested that."

"Did he say anything later about being nervous or not?"

"Monday afternoon he said that if he had had some breakfast that morning he would not have been so nervous."

"What brought up the talk?"

"I don't remember what or who brought it up."

"How often did Frank try to explain his nervousness?"

"Twice."

"On what subject did Frank seem to dwell the most, the murder or his nervousness?"

Rosser Offers Objection.

Rosser entered a strong objection to this question, claiming that the witness was not qualified to testify in what Judge Roan ruled that it could not be asked in that form.

"Well how often did he talk about the murder?"

"On numerous occasions."

"How much of Frank's body was shaking?"

"His hands."

The solicitor then produced a former affidavit made by Darley, in which the man had said Frank was shaking all over.

After he had looked at it, Darley reiterated his statement that only Frank's hands were trembling.

"It's too much to say that a man's whole body is trembling; you can't walk," he pointed out.

"When were his hands trembling?"

"As we started to go down the elevator to the basement he reached for the rope and both hands trembled," and here the witness held up both his

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BETWEEN ATTORNEYS
Continued From Page Two.

only about Frank's excitement that there was any material evidence. Judge Roan held that the witness might be used to show that the occasion was an exciting one, but that he could not be used to show that others were excited.

Messrs. Arnold and Rosser repeatedly stated that they wished their protest against this to go on record.

"Were there any spots on the metal room floor?" asked Mr. Arnold, again taking up his questioning.

"Yes; varnish spots," replied the witness.

"Any red spots?"

"Yes; red and dark ones."

"How long have you worked in a factory?"

"Twenty-four years."

Blood Spot Frequent.

"Have you ever seen blood spots around where the employee work?"

"Yes, they are quite frequent."

"Why was the back door nailed up that Sunday morning?"

"Well, the factory could not be left unprotected."

"What colored suit did Frank have on that Saturday?"

"A brown one."

"Did he wear the same one Monday?"

"Yes; it looked like it."

"Well, the suit he wore Sunday was just his regular Sunday suit, wasn't it?"

"I don't know; it was a different suit."

"Did you see any scratches or bruises on Frank Sunday?"

"Never noticed any."

"Does the elevator make a noise when it runs?"

"Yes."

"Makes a bumping noise when it stops, too, doesn't it?"

"Yes, some."

"Is not the factory saw attached to the same motor as is the elevator?"

"Yes, it was when we went there. It was dirty, and it has always been so. In some places the dirt and grease is an inch thick and boxes are cluttered around on the floor."

Dark Around Elevator Shaft.

"Was it dark around the elevator shaft?"

"Yes, especially on cloudy days."

"Was April 26 cloudy? Didn't it rain on that day?"

"Yes, part of the time."

"Was it very dark on the second floor around the elevator shaft and near the clock?"

"Yes."

"Can the metal room door be locked?"

"No, there is no lock on it."

"Are there the large vats in the metal room?"

"Yes."

"Big enough to get a horse in?"

"Well, no, I won't say you could."

"Get a pony in there, then, couldn't you?"

"Well, I don't know. They were rather shallow."

"Well, how deep are they, about 3 feet, or a foot and a half?"

"About a foot and a half, I think."

"Is anybody supposed to be in the factory on Sunday?"

"No."

"Isn't there slack in the elevator rope?"

"Yes, some little slack."

"When Frank was gazed in his work at the factory wasn't he very intent on it?"

"Yes."

Frank Easily Excited.

"Have you ever seen him get excited when things went wrong?"

"Yes, never a day went by without his getting excited. I've seen him get excited frequently and I've seen him rub his hands together a thousand times, and one day when Sig Montag raised cane he became terribly excited."

"Were you as nervous as Frank?"

"No."

"When he got excited and worried he would call on you, wouldn't he?"

"Yes, frequently."

"Did Frank know many of the help?"

"Yes, he knew many of them."

Mr. Dorsey objected to the witness stating what was really something that was a state of Frank's own mind, and Judge Roan finally ruled that the witness might give his opinion.

"I don't know whether or not he knew Mary Phagan," the witness then declared.

"Did you know her?"

"I did not know the name, but if I had seen the girl on the street I would have known that she was one of the factory girls."

Darley then stated that pieces of paper similar to the part of a scratch pad found near the girl's body were commonly scattered around the building.

"Was the clock door unlocked that day?"

"Yes, the door was usually kept locked, but about that time the key was lost and the door was kept unlocked."

"Both you and Frank were mistaken that Sunday morning in thinking that the punches on the time slip were all right, were you not?"

"Yes," the witness replied.

Judge Roan then adjourned court for lunch.

Roan Reverses Decision.

At the beginning of the afternoon session Judge Roan reversed his decision in which he had sustained the state in their objection to testimony relative to the nervousness of others beside Frank being admitted.

He said:

"The defense can show the mental demeanor of any other person in the building. Relative to Darley's testimony of the handwriting, inasmuch as he is no expert, his statement will not be admitted without the comparison of the defendant."

The witness was then questioned by Attorney Arnold. After pointing out a number of stated discrepancies in the diagram presented by the state, he was asked:

"Anybody on the third floor can see anyone coming from the metal room, can they not?"

"Yes."

"Have you seen Mr. Frank in a nervous condition on any previous occasion?"

"Once when he saw a child run over by a trolley car on which he was riding. He was nervous throughout the day and couldn't work. On an occasion prior to that he and Sig Montag had had an argument on the office floor of the pencil factory, and following Mr. Frank was nervous the rest of the day."

"Did he use any remedy on day of the car accident?"

"Yes, spirits of ammonia."

Everybody Was Excited.

"Everybody at the pencil factory was excited on the morning the body was discovered, were they not?"

"Yes."

"Some manifested nervousness in some ways while others manifested in different ways?"

"Yes."

"Who were they?"

"Detectives Black and Starnes and Boots Rogers and others."

"Is there anything right about this diagram of the state's except a general view of things at the factory?"

"Yes."

"Isn't Frank's office a lot smaller than shown in the picture?"

"Yes."

"Does the picture show a bookcase in Frank's office?"

"No."

"Isn't there a case that hides part of the view from the office?"

"Yes."

"Isn't the picture misrepresenting the office view?"

"Yes."

"Isn't it drawn adroitly with that view?"

"It seems so."

Objection Is Sustained.

Attorney Hooper's objection to rule out the word 'adroitly,' on the grounds that it was purely a conclusion, was sustained.

"The safe looks small in the diagram, when, in fact, it is larger than the door?"

"Yes."

"The diagram doesn't show a roll-top desk, two cabinets nor a wardrobe, does it?"

"No."

"That's not a very accurate picture, is it?"

"No."

Solicitor Dorsey took the witness.

"Did you observe the persons who were there at the factory the same time you observed Frank's department?"

"Not at those very special moments."

"Did you tremble when you called the door in the basement?"

"No."

"Is there generally any difference in a person's attitude?"

"No."

"Who were nervous?"

"Signes looked and spoke as though he was worried and excited."

"How do you know?"

"By his manner and words."

"Well, let's take up the next man."

"They all were officers."

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"Well, let's take up the next man."

"They all were officers."

"Well, whether they were officers or not, you said they all were nervous. Now describe the actions of them all."

"I have explained all I know."

"Why did you notice Frank so much?"

"Because Frank was so much more nervous than all the others."

"Who else was nervous?"

"Mr. Holloway was shaky on Monday."

At this juncture the witness showed signs of anger. The solicitor asked him:

"Are you mad—do you mind my questions?"

"No."

Another question was asked:

"Who else was nervous?"

"Mr. Schiff was shaky and apparently nervous."

"Was anybody nervous on Tuesday?"

"Yes, Mr. Frank was when the extras came out that he was to be arrested."

"Who gets up the data for the financial sheet?"

"Mr. Schiff and others."

"Then all Frank has to do is to compile this data?"

"No, not."

"Was New Lee nervous?"

"I never noticed."

"What did Frank state to you in reference to the clock slips?"

"Correct Up to 2:30 A. M."

"He said the slip of New Lee's was correct up until 2:30 o'clock, is that right?"

"What was the date of this slip?"

"I didn't notice."

"Where are the time slips kept?"

"In a desk, and later in a safe."

"Could there have been two slips punched by New Lee—were his slips ever in duplicate form?"

"Is there any knowledge?"

"Where is the nearest place to Frank's office that these yellow pads are kept?"

"In asking the question the solicitor held to view a yellow scratch pad containing slips of paper similar to the one of the mysterious murder missives found beside the girl's body."

"On second floor near the office, we gave you twenty or more of them—almost all we had."

"Is there a place to keep them in the basement?"

"No. They go down sometimes in the garbage."

"Is there any use for them on the first floor?"

"No, except on the office floor. They are often scattered around, now-ever."

"Where is the trash put when carried downstairs?"

"Near the boiler in the basement."

Looked Like She Was Crying.

"What was Miss Smith doing that Saturday morning when you walked downstairs with her?"

"She looked as though she was crying."

"How long have you and Frank worked together?"

"For two years."

"On the Tuesday following the Phagan tragedy did any woman become subject to an illness?"

"Yes, a Miss Ella Mac Flowers had a crying spell Tuesday."

"The whole factory was wrought up, wasn't it?"

"Yes, I had to let them go on Monday, and I often wished I had not let them go back to working during the whole week."

Negro Lurking in Factory
Seen by Wife of Employee

Mrs. Maggie White, wife of John Arthur White, who was at work on the fourth floor of the National Pencil factory part of the day upon which Mary Phagan was killed, was the first witness the state called to the stand Thursday morning in the Frank trial.

The witness told of going to the factory twice on that day to see her husband, and of seeing Frank on both occasions, and also of seeing a negro lurking behind some boxes on the first floor.

"How long has your husband been working for the National Pencil factory?" Solicitor Hugh Dorsey asked after the usual questions as to her identity.

"About two years," she replied.

"Does he still work there?"

"Yes."

"Was he at the factory on April 26, and at what time?"

"Yes, he was there; I left home to go there about 7:30 in the morning. I saw him there when I first went there about 11:30, and when I came back at 12:30 he was still there."

"Who else did you see there?"

"Miss Corintha Hall, Mr. Frank, Miss Emma Freeman and two men whose names I do not know; all were in Mr. Frank's office when I first saw them."

"How long did you stay the first time?"

"About twenty minutes."

"Did you talk to Frank?"

"Yes; I asked to see my husband."

"What did he say?"

"He asked me if I were Mr. White's wife."

"What else did he say, if anything?"

"He said he thought as much as I looked like the Cambells. My father, E. S. Campbell, and my brother, Wade Campbell, both worked there, she explained.

"How long had they worked there?"

"About two years."

"What did Frank say after that?"

Saw Her Husband.

"He told Miss Freeman to go after Mr. White, and my husband came down to see me."

"Where did you see your husband?"

"On the second floor, near the foot of the stairs."

"How long did you talk to him?"

"About five minutes."

"What did you do then?"

"I went out."

"What time did you come back?"

"About 12:30."

"Why do you use the word 'about'?"

"Well, I looked at the clock and read the time as 12:30, but there might have been a minute's difference."

"Did you see Frank when you came back the second time?"

"Yes."

"What then?"

"He jumped when I went into his office and spoke to him."

"What did you do then?"

"I went upstairs to see my husband."

"Who was with him?"

"Harry Denham."

"Where were they?"

"On the fourth floor of the building, about middle way down."

"What were they doing?"

"Hammering on one of the machines."

"How many were using hammer?"

"One of them."

"Did you hear the hammering?"

"Yes."

"When?"

"As I got to the fourth floor."

"How loud was the noise?"

"Just like the sound of a hammer hitting a piece of iron."

"What did you ask Frank after he jumped?"

"I just asked if my husband and Mr. Denham had gone back to work, and he said they had."

Had to Repeat Question.

"How often did you ask him?"

"I asked him twice."

HIS TESTIMONY CAUSES CLASH

Photo by Francis E. Price, Staff Photographer.

N. V. DARLEY,
Assistant Superintendent of National Pencil Factory.

"Yes."

"How close were you when you spoke to him?"

"I came right into the office and spoke to him."

"Didn't you surprise him by speaking suddenly?"

"I don't think so."

"What happened then?"

"He told me to go up and see my husband."

"Did Frank say when he came up there that if you wanted to get out before 3 that you had better go pretty soon, as he was going in a few minutes?"

"Yes, that's about it."

The attorney for the defense was evidently trying to convince the jury that Frank had not been especially anxious to get the woman out of the building right away.

"As you got down the steps you saw a darkey there?"

"Yes."

"Between the foot of the stairway and the door?"

"Yes."

On his own blue print of the factory the defending attorney then had the witness point out her various movements that day in the factory building, and she was allowed to come off the stand after having been testifying for about half an hour.

SEC. M'ADOO PREPARING TO DISTRIBUTE HUGE SUM
\$50,000,000 of Government Funds
To Be Parceled Out According to Needs of Sections

Washington, August 1.—Secretary McAdoo today prepared to distribute twenty-five to fifty millions of dollars of government funds in the agricultural regions of the south and west. The secretary is collecting information as to the relative needs of each section where harvesting is now under way or soon to begin, and expects to have the money in the banks in ample time for the movement of crops. Treasury officials today were confident that the secretary's plan would be a powerful factor in averting or relieving the prospective tightness of money characteristics of the crop moving season.

Much interest was manifested in the secretary's declaration of willingness to receive prime commercial paper as security for the deposits. This innovation marks the government's first participation in the commercial market.

SEASHORE EXCURSION
AUGUST 7
Jacksonville, Brunswick, St. Simon, Cumberland, Atlantic Beach, \$6.00—Limited 6 days. Tampa, Fla., \$8.00—Limited 8 days.
Two Special Trains
10:00 p. m. Solid Pullman Train.
10:15 p. m. Coach Train.
Make Reservations Now.
SOUTHERN RAILWAY.

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THE GILMAN SCHOOL
HOLLAND PARK, MD.
The most beautiful suburb of Baltimore. Accommodations for 60 boarding boys in the new building; 100 boys and 14 masters. Preparatory for the leading colleges.
Dr. John M. T. Finney, President Board of Trustees.
FRANK W. PINE, Headmaster.

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Corner S. Pryor and Hunter Sts., Atlanta, Ga.
\$10 MONTHLY FOR TUITION
Class rooms equipped with every modern convenience.
INDIVIDUAL INSTRUCTION given by the proprietors in person. Catalogue Free.

Startling Statements Made
During Testimony of Dr. Harris

Making the startling declaration that Mary Phagan had been killed within thirty or forty-five minutes after she had eaten dinner, Dr. Roy F. Harris, state chemist, took the stand during the afternoon session yesterday.

It was Dr. Harris who made the autopsy upon the body when it was brought in Marietta on May 5. He brought with him into court specimens of predigested cabbage which had been removed from the slain girl's stomach.

Harris looked and spoke as though he was worried and excited.

"How do you know?"

"By his manner and words."

"Well, let's take up the next man."

"They all were officers."

caused the discoloration of the eye?"

"Because the discoloration was swollen and didn't show any degree of contusion that an instrument or hard substance would have caused."

"Do you think that this and the other injuries were made before death?"

"Unquestionably."

"What did you find in her stomach upon its removal?"

"One hundred and sixty-six cubic centimeters of cabbage and biscuits."

"Was this substance digested?"

"No."

Here the witness took from his satchel a small vial containing fluid preservative, in which floated a small amount of cabbage.

"This," he said, "is some of what I removed from the stomach."

"How long was this substance in her stomach before death?"

"She was either killed or received the blow upon the head thirty or forty-five minutes after her last meal."

Evidences of Violence.

Dr. Harris then testified that in examining the organs of the girl's body, he had discovered evidences of violence.

"How long does it take a corpse to begin rigor-mortis?"

"It varies so much in different cases that it is impossible to determine."

"Are you able to say how long it was before Mary Phagan died?"

"No, I can't say."

"How long did she live after eating her last meal?"

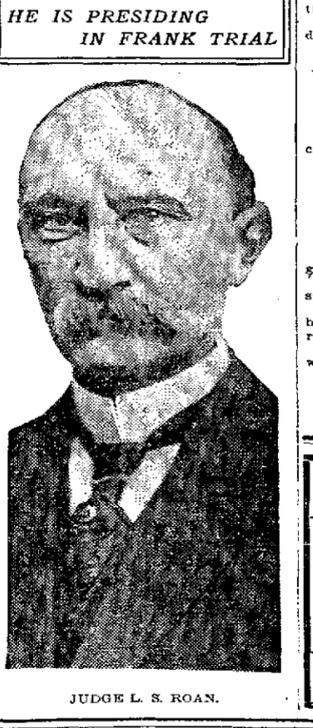
"Thirty or forty-five minutes."

"How much blood did she lose?"

"That, I cannot say."

"It was upon this last answer that Dr. Harris suffered the collapse. He was assisted from the stand by Deputy Sheriff Fleming. Before the defense was able to begin its cross-examination.

HE IS PRESIDING IN FRANK TRIAL



JUDGE L. S. ROAN.

Policeman W. F. Anderson Tells
Of New Lee's Telephone Call

W. F. Anderson, the policeman who answered the telephone when New Lee called police headquarters on the morning of the discovery and who went with the police squad to the scene, was next called to the stand.

"About 3 o'clock on the morning of April 26 where were you?" he was asked by the solicitor.

"At police headquarters."

"Did you have a telephone call about that time?"

"A man called from the National Pencil factory and said a woman had been killed. I asked was it a white woman or negro, and he answered that she was white."

"Upon arriving at the factory who did you try to telephone?"

"Called for Frank."

"Did you get him?"

"No."

"Did you get central?"

"Yes."

"How long did you continue to call?"

"Five minutes or more."

"Who else did you call?"

"Mr. Sellig and Mr. Montag."

"Did you get them?"

"Yes."

"Within what time?"

"Within a very short time."

"Did you make any other effort to get in communication with Frank?"

"Yes, about 4 o'clock, with still no success."

"Who was the first to get into the basement when your party first arrived?"

"We were all together—I think I was last."

"Describe the body's underclothing."

"It was dirty and soiled."

The attorney Rosser took the witness.

"Did you explain to Montag that a

girl had been killed when you called him over the telephone?"

"Yes, and they said we would have to get Mr. Frank or Mr. Darley."

"What kind of lantern did New Lee have?"

"It was sooty and soiled."

Conduct Experiments.

"You stood in place from which Lee said he first saw the body, did you not?"

"Yes, we put a box with a sack over it and experimented. You could see the bulk of something in the spot in which the body lay."

"When the coroner's jury went down, didn't you take the lantern and say you didn't think you could see the body—didn't you say it?"

"I said I didn't think you could distinguish it as a body."

"Did you find any tracks in the basement?"

"Yes."

"Did you say that there were tracks all over the cellar?"

"Yes."

"Isn't that all you said?"

"I said, also, that there were tracks on the left hand side of the shaving room."

"Do you remember Frank's telephone number?"

"No."

Deputy Clerks Appointed.

Stanton Henley, son of United States Assistant District Attorney Henley, and Hugh N. Fuller, son of O. C. Fuller, clerk of the federal courts for the northern district of Georgia, have been named deputy clerks to the United States courts in Atlanta. The appointments, effective at once, having been made by Judge Newman.



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Don't bother to bring or send them. Write them out carefully, being sure that you use enough words to make your meaning absolutely clear, and then

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3 lines 3 times 54c.

An ad-taker will write your dictation, word for word, and insert the want ad in the right classification the required number of times.

Do this now with all the want ads you wish to appear in

SUNDAY'S CONSTITUTION
The Standard Southern Newspaper
Read in the Home.

Usual August Reductions Prevail at Muse's---

These apply to Clothing, Furnishings, Straw Hats, and Shoes for Men and Boys; also Ladies' Shoes and Automobile Accessories.

The store will be open till 9 o'clock tonight.

GEORGE MUSE CLOTHING COMPANY

Husband of Minola McKnight Describes Movements of Frank

Albert McKnight, colored, the husband of Minola McKnight, who made a startling affidavit for the police in regard to circumstances at the Frank home on the night of the murder, followed February to the stand.

"What is your wife's name?" the solicitor asked.

"Minola McKnight."

"What does she do?"

"Cooks at Mrs. Selig's home."

"How long has she held that place?"

"For two years."

"Where were you about 1 o'clock on the afternoon of April 25?"

"I was at Mr. Frank's home."

"The Franks have been living with the Seligs, Mrs. Frank's parents?"

"Did you see Frank?"

"Yes."

"What did he do?"

"He went to the sideboard and then went out. The sideboard is in the dining room."

"How long did he stay at home?"

"Five or ten minutes."

Rosser began questioning the negro.

"Who was at home when Frank arrived?"

"Mrs. Frank and Mrs. Selig."

"Where were you?"

"In the kitchen."

"How could you see into the dining room?"

"The door was open."

"Do you know positively that he ate nothing?"

"Yes."

"Doesn't the door stay closed?"

"Sometimes."

"How could you see into the entire dining room?"

"I could look into a mirror in the dining room."

"How long is the dining room?"

"I couldn't tell."

Sketch Drawn by Prisoner.

Frank, at this point of the negro's testimony, drew a sketch to illustrate the position of the dining room and kitchen. McKnight explained by aid of the drawing how he could see into the dining room.

"You haven't got a curve in your eye, have you? You can't look a curve, can you?" Rosser asked.

Witness did not answer.

"You say Frank went to the sideboard then back to town?"

"Yes."

"You couldn't tell what he did at the sideboard?"

"No."

"Who talked to you at the station?"

"Mr. Lanford, Mr. Starnes, Mr. Campbell and Mr. Dorsey."

"That's the day Dorsey sent Minola to jail, isn't it?"

"Yes."

"Did you go to see Minola in jail?"

"No."

"Never?"

"No, sir."

"When you got to Frank's home, Mrs. Frank and Mrs. Selig were there, weren't they?"

"I heard them talking."

"You followed Frank from the house, didn't you?"

"Yes."

"Where did he go?"

"Took Street Car to Town."

"He got on a Georgia avenue car at Pulliam street?"

"Yes, sure."

"Are you sure?"

"Yes, sir."

Dorsey began questioning here.

"What street is the Frank home on?"

"Georgia avenue."

"Upon leaving his home, what did Frank do?"

"Came out of the front door and walked up Georgia avenue to Pulliam street, where he caught a car."

"Which was nearer for him to have caught a car, at Pulliam street or Washington street?"

"Both are about the same."

"He was then called from the stand."

Humor--Pathos--Tragedy In the Quickly Changing Kaleidoscope of the Frank Trial

By Britt Craig.

The Leo Frank trial is a clearing-house of human emotions. If you don't know what a clearinghouse of human emotions is, go into the courtroom and sit awhile. That is, if you can get in. A good many haven't been able to. Yet, on the other hand, a good many have.

They say that humor and pathos go hand in hand. Down there at Pryor and Hunter streets, right across from the spot where the magnificent new temple of justice is mounting higher and higher every day, they go with locked arms. Tragedy walks between in what little space is left.

A person with just a little imagination and an ordinary hearing apparatus can sit in the courtroom and enjoy a performance that includes farce, comedy and tragedy and most anything else that is included in the list of human feelings.

It's a pity the place isn't large enough to accommodate everybody.

A Self-Appointed "Sob" Sister.

A slight little woman, as pretty as a picture, came into the courtroom the other day at an afternoon session. She carried a heavy notebook under her arm and had to push her way as she wedged in between one man here and another there.

She eventually reached the press table. A number of reporters were bumming cigarettes from Florine Miner and sending notes to Chief Lanford, jokingly asking if he would deny the report that he had died that morning. There was an empty seat, and therein she reposed herself and notebook with an air of "Well, here I am, thank goodness."

A reporter who had an eye for beauty as well as an insatiable curiosity, quired:

"What paper are you with?"

"I'm not on any paper, thank you. I'm a sub-sister."

"A what?"

"Oh, a sub-sister. Don't you know what they are?"

"Yes, but they work on papers like other ordinary reporters."

"Are you a free-lance?"

"What is the job of sub-sisters?"

"They write stories with tears in 'em and make folks cry and weep and pull at their heart strings."

The press table grouped their heads and said that no sub-sister who ever admitted she was a sub-sister ever would be. So, they concluded that she was a rank impostor, making no difference how pretty she was, or how willing she was to admit that she belonged to somebody's sub-sister.

"We don't allow any free-lances at this table," said Deputy Sheriff Miner. "If you're on no particular paper, you'll have to move."

"Very well, then," she answered. "If it'll suit you, I'm on the Fulton County Daily Report."

She sat.

Attorney Moore in Court.

Attorney John Moore, who, for the past two biggest murder trials of the last years has been a figure as important and conspicuous as the defendant, seems to find it impossible to keep away from the biggest criminal case of the year.

At the Friday morning session he appeared at the Frank trial, smiling and nodding to acquaintances all over the courtroom. While the heated argument between Solicitor Dorsey and counsel for the defense was under way, he climbed to the bench and

talked interestedly for several moments with Judge Roan.

Mr. Moore has made repeated and constant denial that he is in any manner associated with the defense in the Frank case. The rumor has been in circulation some time, however, that he is a silent figure in movements of the defense.

Reserve Seats DeLuxe.

There are places and places from which one may be able to witness a big trial, but the bank gallery of a livery stable with only a bannister waiting for a seat is a point of vantage hitherto unheard of.

But many hitherto unheard of things have happened in the Frank trial.

At the Friday morning session someone happened to glance through a window directly behind the witness box. A few feet beyond, just across an alley, a long gallery of an adjoining livery stable was filled with men and women and girls. Many sat on the bannister railing, while others reposed on buggies and wagons and vehicle of all sorts.

A woman who was pretty enough to have wiled her way past the door-keeper of an executive session of the board of education, stood in the doorway to the kitchen of a Greek restaurant.

All these spectators were able to read the entire examination of witnesses and most of the arguments.

Agent Nervousness.

It was an interesting argument that followed Solicitor Dorsey's objection to E. L. Holloway's query put to M. B. Darley, regarding the nervous demeanor of others who were with Frank at the pencil factor on the morning of the body's discovery.

Attorney Arnold had asked Darley after Darley had stated that Frank was obviously nervous and trembling. If all others around the building were similarly affected.

"I object," interposed the solicitor, and the fireworks began.

"Some men," said Mr. Arnold, "display nervousness and gloom do not. It is all according to temperament. Some men are able to face a hailstorm of bullets while men drop, bloody and disfigured, all about them. Yet, there are plenty of us who quail at the sight of a corpse, and are completely unstrung at such a spectacle."

"The question of nervous deportment should have never been injected into this case. Some of the biggest rasps on earth car sit stolidly and never tremor, while a man of undisputed honesty will quake and tremble on examination."

The solicitor, after citing a ruling in the famous Woolfolk case, said briefly:

"It is absurd to throw out a drag-net and attempt to rope in everybody's temperament on the day of the tragedy—utterly absurd."

He was sustained.

Deputies as Censors.

The duties of a censor, which, heretofore, has been confined to moving pictures and bald-head-row stage performances, now apply to Atlanta's jurymen. Deputy Sheriff Florine Miner, or whoever is deputizing the jury in the Frank case, has been assigned by Judge Roan to censor whatever mail the jurors desire to read during course of the case.

Not only that, but he has been ordered to censor the jury's literature. Friday afternoon at the close of the Friday session Judge Roan gave the jurymen permission to read magazines

and periodicals which the sheriff—or his deputy, or whoever is concerned in the matter—decided was fit reading matter.

Speculation is rife—whatever that happens to mean—over the kind of literature a sheriff or his deputy will select for a jury.

It will also, no doubt, be a very delicate job for the sheriff, or his deputy, to peruse some of the mail of the jurors.

Maybe, though, the situation can be solved, as has already been suggested, by swearing the deputy or the sheriff or whoever it is who has the censoring business on his hands to utter secrecy. Things are likely to develop—if not likely, liable—which needs secrecy, utter secrecy.

Lanford and the Press Stand.

Chief Newport A. Lanford, of the detective department, of police headquarters, has been an interesting figure in the Frank trial. Every day he sits just behind the table occupied by the state.

It was under his direction that much of the important evidence was gathered which is being produced by the solicitor. He was associated with the thirty degree and examinations to which Frank was subjected and those under which Jim Conley was put.

He is a large, striking looking man, very big and heavy and wears a moustache closely cropped, which is beginning to show gray at the edges. He is a thin observer of the proceedings, overlooks nothing and frequently makes suggestions to the solicitor.

During lulls in the trial he makes the occupants of the press table butts for his pointed jokes. He denies that the defense is planning to put him on the stand. When asked to verify the notion that the defense would use him he said:

"They'll quickly discover that they are resting under a decidedly grave misapprehension of the testimony I could give—it would be very hurtful to them."

A Touch of Tragedy.

The grim story of Mary Phagan's tragic and was brought forcibly to the attention of a crowded courtroom Friday afternoon when Dr. Roy F. Harris, state chemist, told on the stand of exhuming the body of Mary Phagan and of making minute examination of her corpse.

With a precision of the medical expert, he calmly related the story of the discolored eye, the wounds on the body and the gash in the head. He told of opening the skull to ascertain whether or not the blow had been sufficient to break and of examining the brain for hemorrhage.

There was not a sound from the hundreds, straining eyes and ears for fear one tiny detail would be lost. The room was hushed and stifling, and only the noise of the street was to be heard blending with the ceaseless buzzing of the oxonators and the electric fans. It was the most thrilling testimony of the day, and during its course many women arose and left their seats, hiding their faces and the crimson that spread to the cheeks with newspapers.

"There was a deep impression in the throat," said the medical expert. "It was made by a stout cord or twine. It was an eighth of an inch deep and fully that wide. Death, unquestionably, was from strangulation."

When the solicitor arose holding to view the wrapping cord which had

LOYAL CHINESE FORCE MARCHING ON CANTON

HIS TESTIMONY ANGERED DORSEY

Immense Exodus From Threatened City and All Business Has Been Suspended.

Hongkong, China, August 1.—General Lung Chi-Kuang with a force of loyal troops from the province of Kwang-Si is marching on Canton after taking possession of Shuihung on the West river. An engagement is imminent between General Lung's army and troops dispatched from Canton by the governor general of Kwang-Tung.

General Kuang occupied the city of Shuihung on the West river and captured the gunboat Tai-Kong which was in the hands of the rebels. Communication with Shams-Hui has been cut and trains stopped. Troops have been hurried to oppose the advance of General Lung's forces but the city of Canton is panic-stricken. There is an immense exodus from the city and all business has been suspended.

been found around the neck of the body, and said:

"Could it have been inflicted by a cord this size? There were many shuders, especially from the girls and women."

As the witness gave his answer, his features whitened. He wavered and clutched the arms of the chair for support. He had almost collapsed, and could not resume his statement because of illness with which he had been confined to bed for three previous days.

E. L. HOLLOWAY, Who, on Thursday, declared he had made a mistake when he signed affidavit that power box of elevator was closed on day of murder.



Stenographer Parry Identifies Notes Taken at Phagan Inquest

Stenographer Parry, the official court stenographer, was next called to the stand to identify a number of notes he took at the coroner's inquest held in police headquarters shortly after Frank's arrest.

He was asked by Solicitor Dorsey: "Did you report the coroner's inquest over the body of Mary Phagan?"

"Did you take a statement from Leo Frank?"

"Yes."

The solicitor showed the stenographer's notes.

"Is that your report?"

"Yes."

"Is it correct?"

"It is correct to the best of my ability."

"You are an expert?"

"I am a man of twenty-five years' experience."

Attorney Rosser took the examination: "Look at Lee's testimony. Did you take it down correctly?"

"To the best of my ability."

"I don't want to know your ability. I want to know if it was correct. Are you prepared to say whatever you took down is correct or not?"

"In the proper acceptance of the term it is correct."

He then identified an amount of Lee's testimony.

Women and Girls Thronging Court for Trial of Leo Frank

Fully one-fourth of the big audience at yesterday afternoon's session of the Frank trial was composed of women and girls. It was the largest crowd of the entire case, and, to the credit of Deputy Sheriff Miner and his force, was handled more effectively than at any preceding session.

There were many strange faces. The women sat in conspicuous seats, fighting many times to obtain a location in view of the witness stand and the

tables at which sat the state's lawyers and counsel for the defense. Many were small girls, especially one, who did not look over 11, and who wore a big hat that covered a mass of brown curls.

There were all types of feminine auditor—the woman of social position and the working woman, most of the latter coming into the courtroom later in the afternoon when their working hours were at an end.

Gay Febuary Tells Frank Jury About Statement Prisoner Made

Gay C. Febuary, secretary to Chief Newport A. Lanford, of the detective bureau, and recent figure in the sensational dictagraph episode, was called to the stand to testify to a statement made by Leo Frank on April 26 in Chief Lanford's office.

It was during Febuary's testimony that Frank's statement was permitted to be produced before the jury. It was read by Attorney Stephens, an associate of Solicitor Dorsey.

Mr. Dorsey questioned Febuary: "You were present at Lanford's office when Frank and Luther Z. Rosser were there?"

"Yes."

"Do you remember having made stenographic report of a statement made by Frank?"

"Yes."

He was given the report for identification, which he established.

"What was Attorney Rosser doing during the time the statement was made?"

"Looking out of the window most of the time."

Mr. Rosser began the interrogation at this point.

"You haven't got a dictagraph with you, have you?" he asked sarcastically.

"No," was the answer.

"Lanford sent for you to make this statement, didn't he?"

"Yes."

"You are Lanford's private secretary?"

"Yes."

"He has been chief of police for years?"

"He has been chief of detectives."

"Chief of detectives, then, that's just as bad."

Here Rosser pointed to Lanford, sitting in a chair at the railing.

"That's he—my handsome friend over there."

ON STAND WEDNESDAY



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CLOTHING SPECIALS

One very extra Special lot Men's and Young Men's Two and Three-Piece Suits; mixtures, light and medium colors. Absolute Values \$12.50 to \$18.00—now selling at..... **\$6.50**

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One very Special lot Men's and Young Men's high-grade NORFOLK Suits; greater number received from the factories within the past 30 days. Absolute Values \$20.00 to \$25.00—now selling at..... **\$12.50**

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Other high-class SHIRTS including E. B. Specials. \$1.00 to \$5.00 values, reduced to

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Two-piece garments 50c to \$2.00 per garment. Values now

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All shades—all sizes, \$1.00 to \$2.50 values, now

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Boys' Double-Breasted Suits, choice range fancy mixtures, 33 1-3 per cent discount.

Extra Special Boys' Suits—one lot boys' Double-Breasted suits, regular values \$5.00 to \$10.00, now \$2.70 to \$5.00.

Boys' Odd Pants—fancy mixtures, 25 per cent discount.

Boys' Felt Hats, 25 per cent discount. Boys' Straw Hats, Half-Price.

Boys' WASH SUITS—33 1-3 per cent discount.

Boys' WASH SUITS—One lot slightly store-handled. HALF-PRICE.

Boys' BLOUSES—K. & E.—35c—3 for \$1.00.

Boys' Colored Blouses and Shirts. Regular 75c to \$1.50—values now 60c to \$1.15.

Boys' Pajamas—75c to \$1.50 values—now 60c to \$1.15.

Boys' and Children's Cool Underwear, 25c to 50c garments—now 15c to 25c.

Boys' and Children's Genuine K. & E. Rompers—50c to \$1.00 values—now 40c to 75c.

BELTS 25% DISCOUNT

NECKWEAR

Silk, Silk Knitted and Washables, 50c values 35c. 3 for \$1.00 \$1.00 to \$3.00 values now..... 65c to \$1.85

Fine Footwear At Clearance Prices!

Main Floor—Rear.

Men's Low-Quarter Shoes. Bal and Blucher styles. All leathers—Tan, Black, Patents, etc.

Regular \$6.50 and \$7.00 values, now..... \$5.25

Regular \$6.00 values, now..... \$4.75

Regular \$5.00 values, now..... \$3.85

Regular \$4.00 values, now..... \$3.00

BOYS' LOW-QUARTER SHOES

Regular \$3.50 values, now..... \$2.75

Regular \$3.00 values, now..... \$2.50

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