

# ARMY HITS CONLEY

## Defense Fights Hard to Establish its Theory of Killing

### GEN. HUERTA IS ARMING JINGOS

Hated Against Americans in Capital Stirred by President—Lind Warned Not to Come.

WASHINGTON, Aug. 8.—The administration today decided to ignore entirely the note sent by President Huerta to the American government and to direct Special Envoy Lind to proceed to Mexico City without delay on his arrival at Vera Cruz to-night, unless he be held back by armed force. "The President declines to be bluff," stated a prominent government official today.

Special Cable to The Atlanta Georgian, MEXICO CITY, Aug. 8.—With the approval of Provisional President Huerta, arms were issued today to the cadets of the National Military Academy, who yesterday drafted a resolution praising Huerta for declaring John Lind, the special American envoy, persona non grata to the Mexican Government.

A number of residents in the American colony, who have fortunes invested in Mexico, are planning to make a demonstration Sunday when the protests will be lodged against the action of President Wilson in sending a personal representative to Mexico City and urging that the Mexican Government be upheld. Foreign Minister Aldape and other members of the Cabinet are doing all in their power to arouse the patriotism and enthusiasm of the people. Meetings of young hot blooded Americans are being encouraged. They are standing up for President Huerta in his defiance of the Stars and Stripes, are being encouraged. Mexican secret service agents have been detailed to watch every movement that Mr. Lind makes here and the envoy will be under constant surveillance.

The newspapers today carried flaming stories of "Yankee interferences" and warned the State Department to recall Mr. Lind from Vera Cruz and not allow him to come to Mexico City.

Direct consequences are promised if President Wilson and Secretary Bryan continue their present course of trying to settle the internal affairs of Mexico while withholding official recognition of the Huerta administration. "All the papers carry warm words of praise for Huerta and promise that he will stand like a rock in behalf of his policy of Mexicans for Mexican affairs."

United States warships in the harbor at Vera Cruz were in wireless communication with the New Hampshire, upon which Mr. Lind is coming, and it is expected that the New Hampshire will reach Vera Cruz about 4 o'clock to-night. Some would ignore Lind. There was a gathering of Cabinet Ministers and Huerta adherents in Congress at the National Palace today at which the existing American-Mexican situation was thoroughly discussed. Some are for completely ignoring Mr. Lind, while the rest insist that he shall be expelled unconditionally.

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**Do You Know?**  
 The Smallest Kingdom in the World  
 See Page 13

### RACING RESULTS

**AT TORONTO.**  
 FIRST—3-year-olds and up about 5 furlongs: Naughty Rose 109 (Trapp), 1:27.02, out, won; Fleming 111 (D. H. Miller), 1:27.21, even, second; The Duke 112 (Blacklock), 2:07.14, third; Rose Time 113 (Blacklock), 2:07.14, fourth; Topkirk 114 (Impression), 2:07.14, fifth.

**AT SARATOGA.**  
 FIRST—114 (Warrington), 4:31.22, 2:27.00, out, won; Wooten 108 (W. H. Miller), 4:31.22, 2:27.00, second; Turkey in the Straw 109 (H. H. Miller), 4:31.22, 2:27.00, third; The Duke 112 (Blacklock), 2:07.14, fourth; Topkirk 114 (Impression), 2:07.14, fifth.

**AT PORT ELLER.**  
 FIRST—2 furlongs: Capr Saucy 103 (H. H. Miller), 1:08.14, out, won; The Duke 112 (Blacklock), 1:08.14, second; Turkey in the Straw 109 (H. H. Miller), 1:08.14, third; The Duke 112 (Blacklock), 1:08.14, fourth; Topkirk 114 (Impression), 2:07.14, fifth.

### LATEST NEWS

**BIRMINGHAM, ALA., Aug. 8.**—In a race, collision between two freight trains which occurred Friday morning on the N. & N. Railroad at Falato, a few miles below here. Engineer P. B. Bosworth was slightly injured. The trains were delayed six or eight hours.

**SAN FRANCISCO, Aug. 8.**—Theodore Kytko, a handwriting expert, was the first witness examined today in the trial of Murray D. Diggs, charged with violating the white slave law when he and Drew Cammelt took Martha Warrington, wife of Lora Norris from Sacramento, Cal., to Mexico City before Saturday. No reason was given for the witness's unavailability.

**WASHINGTON, Aug. 8.**—Secretary of State Bryan today issued a statement to the following effect: "The statement of the Mexican Government is not based on the representation for which this Government is not responsible. The sending Governor Lind as adviser to the Mexican Government is not his going will be regarded as unauthorized by the United States Government."

### JOHN H. HOBSON OF 3 RAILS OR CRACKERS IS DEAD

United States Senator Victim of Pneumonia After Nine Days' Illness at Capital.

WASHINGTON, Aug. 8.—Senator Joseph H. Hobson, of Alabama, died at 9 o'clock this morning at his apartment in the Virginia Hotel. Senator Hobson had been ill for eight days, suffering from pneumonia. As a mark of respect to the memory of Senator Hobson, the Senate adjourned immediately after assembling at noon.

Senator Joseph Forney Johnson, of Birmingham, was born in North Carolina in 1842. He served in the Confederate army from the beginning of the war to its conclusion, and was wounded four times. He rose from a private to the rank of captain, and was frequently mentioned honorably for gallant conduct.

His immediate successor will be named by Governor O'Neal, which means that Mr. Hobson will not get the immediate appointment. He had been in poor health for several weeks.

**Mobile Offers Stevens To Fill Vacancy.**  
 MOBILE, Aug. 8.—Mobile will ask Governor O'Neal to appoint State Senator F. J. Stevens to the vacant seat in the United States Senate caused by the death of Senator Joseph H. Hobson.

**Immediate Election May Be Necessary.**  
 MONTGOMERY, Aug. 8.—Governor O'Neal may be compelled to call an extra session of the Alabama Legislature to order an election at once to fill the vacancy in the United States Senate, as it is generally believed at the Capitol here today that under the Seventeenth Amendment to the Federal Constitution the Governor has not the power to appoint a successor to the late Senator J. H. Hobson, who died in Washington today.

### SOUTHERN LEAGUE

FIRST GAME.

AT CHATTANOOGA—	100 000 000 - 1 4 8
BIRMINGHAM	000 000 01X - 2 8
CHATTANOOGA	000 000 01X - 2 8
AT MONTGOMERY—	1
MONTGOMERY	0
NEW ORLEANS	0

### NATIONAL LEAGUE

AT PITTSBURGH—

BOSTON	001 000 010 - 2 8 1
PITTSBURGH	020 100 01X - 4 9 2

AT CHICAGO—

PHILADELPHIA	400 003 0 -
CHICAGO	000 020 0 -

AT CINCINNATI—

ST. LOUIS	001 000 -
NEW YORK	000 20 -
CINCINNATI	100 00 -

### AMERICAN LEAGUE

AT WASHINGTON—

OLYMPIA	100 2 0 0 -
WASHINGTON	101 000 0 -

AT PHILADELPHIA—

CHICAGO	000 211 000 - 4 8 0
PHILADELPHIA	010 000 000 - 1 6 1

AT ST. LOUIS—

ST. LOUIS	020 001 0 -
NEW YORK	020 001 0 -

AT DETROIT—

DETROIT	210 000 010 - 4 6 2
BOSTON	001 101 101 - 5 13 4

### Offers \$200 For Old War Engine's Whistle

DALTON, Aug. 8.—An offer of \$200 for the whistle taken from the engine "General" when it was captured by Andrew Raiders has been made to the Western Union Telegraph Company by the following message, purporting to be from his landlord, Robert Moore: "If you call once at our place, pay arrears rent, make arrangements to take care of damage caused by your dog, yourself and wife, will wear out criminal warrant to-morrow charging you with malicious destruction of property."

### Medical Bill is Passed, With Amendment

After a bitter fight in which Representative Wohlwend of Missouri, charged under influence by six members of the House, the House of Representatives Friday morning passed the medical bill, known as the medical practice act, by a vote of 121 to 3, amended so as to prevent the members of the allopathic school of medicine having a majority of the proposed State Board of Medical Examiners. The original bill provided for a board of five allopaths, two eclectics and one homoeopath.

### Shower Routs Heat; Cool Spell Promised

The heavy downpour of rain late Thursday afternoon broke up the hot wave that for the past week has been beating Atlanta to which they were poor explorers. Thursday night was cool, and at 7 o'clock Friday morning the thermometer registered 74 degrees. At 10 o'clock it had climbed to only 84, about five degrees lower than at the same time the past several days. Plenty of cool breezes and occasional showers will keep Friday night and Saturday comfortable, according to the official forecast.

### Kansas' Heat Record 108; Missouri's 109

KANSAS CITY, Aug. 8.—Records for heat were threatened today following yesterday's high temperature, which exceeded all previous marks in parts of Kansas.

### The Weather.

Forecast for Atlanta and Georgia—Occasional showers Friday and Saturday.

### FOREMAN OF FACTORY GIVES STARTLING NEW EVIDENCE FOR FRANK

That the door leading from the entryway on the first floor of the National Pencil Factory, which had been nailed up since the first of January, was found broken open shortly after the murder of Mary Phagan was the startling testimony of N. V. Darley at the trial of Leo Frank Friday afternoon.

No testimony of this nature had been presented before and no intimation of such a discovery had been made during the investigation of the murder mystery. Its production, if the statements remain uncontroverted, opens up the possibility that the murderer of Mary Phagan attacked her on the first floor, broke open the door into the rear of the building and threw the body down one of two trap doors, one of which opens onto a chute and the other onto a steep stairway.

The defense did not appear to be abandoning its theory that Conley might have attacked Mary Phagan and thrown her down the elevator shaft only a few feet distant or down the scuttlehole right by the elevator. On the contrary, Reuben Arnold in questioning Darley and other witnesses emphasized the case which which such a deed might have been accomplished. It seemed to be the effort of the defense at this time not to center upon any theory, but to show the jurors that the negro might have perpetrated the crime and disposed of the body in any one of four or five ways.

Darley, in advancing the striking possibility that the body had been carried through the door on the first floor into the rear of the building, said that the door had been nailed up again a few days after the crime as mysteriously as it had been broken open. Darley Suspected Conley.

Darley said that he had kept watch of employees after the murder and that his suspicion immediately had fastened upon Conley because of the negro's peculiar actions. He said he had detailed the day watchman to maintain an espionage over Conley. C. B. Dalton's story received a severe blow at the hands of Darley. Darley said that no negro night watchman had been employed at the factory before April, 1913. Dalton did of night visits at the factory prior to this time and said he was met by a negro night watchman.

Solicitor Dorsey, cross-examining Darley, made the witness admit that detectives had been in the factory after the crime and might themselves have broken open the door. The solicitor has brought out that if the body had been thrown down the chute in the rear of the factory, it would have dropped behind a pile of boxes where it would have been more effectively hidden than where it was discovered by New Lee. The solicitor claimed that the trap door over the rear stairway into the basement was nailed.

The attorneys for Frank vigorously assailed Friday the stories of two of the State's two of the State's negro witnesses, Jim Conley, the accuser of Frank, and Albert McKnight, who said he saw Frank at the Selig house Saturday afternoon, April 28. The motorman and conductor of the street car on which Mary Phagan is believed to have come to town the day of her death both testified that they know the girl and that she was on their car which arrived at Broad and Hunter Streets not before 12:07 o'clock. She stayed on the car, they said, until the car reached Broad and Hunter Streets, which was about 12:10 o'clock. Consequently, it would have been impossible for her to reach the factory before 12:11 or 12:12 o'clock.

If the testimony of the two street car employees is accurate, it completely upsets Jim Conley's story that he saw Mary Phagan enter the factory before Monteen Stover came in. By the Stover girl's own testimony she entered the factory at 12:05 o'clock and left at 12:10 o'clock. Thus, she had gone by the time the Phagan girl arrived.

It also serves to destroy the significance of the Stover girl's testimony that Frank was absent from his office when she arrived there. As Mary Phagan had not yet arrived, according to the testimony of the street car men, it could hardly be regarded as a suspicious circumstance that Frank was not in his office, if it develops that he really was not. The defense also contends that Miss Stover, who admits she did not enter the inner office, could have looked through the doorway without seeing Frank.

Soon after court reconvened of No. 301 Peachtree street, Manly in the afternoon, H. V. Hinchey, agent of the South Atlantic