

THE
STANLEY
SOUTH
NEWS

FREED
ORDER CHARGE

Vol. X

An /who Made Startling
ations in the Phagan
1381.
Acquitted of Murder
His Brother-in-Law.

Sw Dalton, Ga., January 8.—(Special.)—
W. Fisher, the former Atlantian
whose accusation of an Atlanta mer-
chant with the murder of Mary Pha-
gan proved a fiasco, was found not
guilty of the murder of Dug Steele,
his brother-in-law, by a jury here this
afternoon. Owing to the sensation
which Fisher's ill-founded charges in
the Phagan case caused, a vast crowd
gathered to hear the verdict.

The jury went out at 10:15 o'clock
this morning. At 1 o'clock it reported
a disagreement, but Judge Fite refused
to dismiss it.

Witnesses for the state testified that
on the night of November 28, 1903,
when Steele met his death, that he and
the defendant were seen together, and
that Fisher had threatened him, but
that Steele had stated that he was
able to take care of himself. Prior to
that time, there had been an alterca-
tion between Fisher and Steele, in
which the latter had sustained a slight
injury, but after which Fisher had
made threats against Steele to various
persons, stating that he intended to
kill him.

On the night of the death of Steele,
witnesses testified that they heard the
defendant and the dead man quarrel-
ing and using abusive language. When
the body of Steele was found, in the
northern part of the city, early in the
morning, Fisher and his wife, who was
a sister of the deceased, were among
the first to reach the body, and Fisher
is said to have been very nervous and
badly excited, and remarked at that
time that he regretted it very much
as he and Steele had "made up" the
evening before, and had become friends
again.

Swear They Were Coached.

Other witnesses testified that Fisher
had coached them how to swear before
the coroner's jury and told them that
if they repeated certain occurrences
that he would kill them. Two of the
witnesses on whom the defense relied
to establish an alibi for the accused
could not be found, both being under
indictment here for misdemeanors.

The defendant, in his statement, tes-
tified that he spent the night, after
leaving Dug Steele, sitting up at the
home of a friend whose wife was sick,
and his statement was a general denial
of guilt of the crime. The state intro-
duced as a witness the sister of the
woman who was sick, who testified
that she sat up at the home of her
sister, where Fisher claimed to have
been, and she swore most positively
that Fisher was not there on the night
he states that he was. This testimony
was corroborated by the testimony of
another woman who stated that she
was with the sick woman on the night
Steele was killed and that Fisher was
not there at that time.

Little Blood on Corpse.

Witnesses swore that they had seen
the accused man, shortly after the
finding of the dead body, wiping
something that appeared to be blood
from his clothing.

At the time of the finding of the
body, the head was completely severed
from it, and one arm had been mashed
off, but there was very little blood.
Expert testimony of a surgeon was
introduced to show that if the body
had been stricken while the person
was alive and mangled in such a man-
ner it would have bled profusely and
would have exhausted fully one-half
gallon of blood. Dr. J. S. Rollins fur-
ther testified that blood would con-
geal to such an extent in from two to
ten minutes that it would not flow
very much. It was further testified
that the deceased was drinking on the
night of his death, which would cause
the blood to flow more freely.

It was shown that Steele frequently
swung trains near where his body
was found and alighted at his home
about a mile above there, which is up
a steep grade.