

LEHON CONTEMPT TRIAL UP TODAY

Judge Hill Flays Detective Burns in His Charge Before Grand Jury—Calls for Indictments Against Perjurers.

Following an indirect but unmistakable denunciation of Detective William J. Burns by Judge Ben Hill, it was announced yesterday that the contempt proceedings against Dan S. Lehon, of the Burns organization, would be held before Judge Hill this morning at 10 o'clock.

The occasion of the judge's attack upon the nationally famous sleuth was his charge to the grand jury Monday morning when that body organized in their offices in the Thrower building. Judge Hill commanded that the jury probe deeply into the various criminal charges that have been heaped upon both the defense and prosecution in the Frank case.

Referring to the charges of perjury in the Frank situation, Judge Hill ordered that the jury make a complete and thorough investigation and return bills of indictment wherever there existed prima facie evidence. He declared that perjury was equivalent to murder, and that murder only meant the death of a body, but perjury slew justice.

What Judge Said.

"Last year," he stated, "a terrible murder was committed in the community. A man was indicted, tried and convicted for the crime. A motion for a new trial was overruled, the decision of the trial judge was affirmed by the supreme court, and the supreme court decided that no error had been committed by the lower court.

"Then followed a motion for a new trial on the ground of newly-discovered evidence. Affidavits were produced by witnesses who swore that their testimony at the trial was false and that they had been induced to make the trial testimony by detectives. Investigate this, and, if it be true, return bills of indictment against the officers involved.

"Later, however, these witnesses recanted, and swore that they had been induced to repudiate their testimony by bribery, coercion or misrepresentation by agents employed by the defense.

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Some of these latter witnesses even declared their affidavits were forgeries.

As to Detectives.

"I charge you to inquire diligently into this and find out which is false and to perform your duty in returning bills of indictment accordingly. Wherever you find a detective on either side who is guilty of causing these witnesses to commit perjury or swear falsely in any manner, it will be your duty to proceed against him.

"I want to charge you specifically in regard to an affidavit made by a preacher named Ragsdale, in which he claimed to have heard the negro, Jim Conley, confess the murder of Mary Phagan. Three days after having made the affidavit this man says it was false and that he had been paid \$200, and that a man named Barber, who was also involved in the affidavit, was paid \$100.

"It is your duty to find out if he was induced by money to make the affidavit, and not only your duty to indict him for perjury, but to indict the man who paid him. If you find out that any detective employed by the defense knew of this transaction—if it existed—it shall be your duty to indict him also.

"There is another matter on which I want to charge you specifically. A negress named Annie Maud Carter, a totally disreputable and utterly worthless character, made an affidavit declaring Jim Conley had confessed to the murder. After having made this document, the woman was removed from the jurisdiction of the court.

Who Engineered Transaction?

"You shall inquire into this and find out how much, if anything, she was paid to make this affidavit. If so, then you shall find out who engineered the transaction. If the affidavit is true, then it is all right. But, if otherwise, it shall be your duty to ascertain who engineered the 'frame-up.'

"I think it not amiss to say here that the people of this community have been wrought up and their indignation excited by a detective alleged to be a famous sleuth. I doubt the wisdom of allowing detectives from another state, whether they be noted, famous, infamous or otherwise, to come here and criticize our officers and our courts.

"We have no room here for such men—men who come posing as seeking the truth when they are only seeking notoriety and money. I think it right for those who have the right to issue license to inquire into this matter and refuse such people the right to do business here. These men do not detect crime. Rather, they encourage it. They are a menace to the state and an obstruction to the administration of justice.

"Never in the history of the state has there been a case which deserved the consideration of the grand jury more than this one, to which I have brought your attention."

The grand jury is composed of the following men: B. L. Willingham, foreman; St. Elmo Massengale, Henry Lewis, H. K. Taylor, R. J. Rice, G. S. Pryor, B. F. Burdette, George I. Walker, Charles B. Walker, R. M. Watkins, George Winship, Jr., J. J. Haverty, J. A. Hudson, W. E. Adamson, J. M. McGee, James Bell, E. Rivers, R. A. Sims, Floyd Parks and W. H. Adkins.

Immediately following Judge Hill's charge, the jury adjourned until Wednesday morning.

The Tye motion to upset the Frank verdict again was postponed yesterday until next Saturday. Solicitor Dorsey has accumulated a mass of evidence to be contained in his counter showing, and his forces express confidence of victory. On the other hand, however, attorneys for the convicted man's defense declare that the motion will eventually gain Leo Frank's freedom.