

MURDER EVIDENCE MAY BE CONCLUDED BY NEXT SATURDAY

Trial May Have Reached the Point By End of This Week Where Lawyers Will Begin Their Argument.

FIERCE ATTACK COMING ON HARRIS TESTIMONY

The Defense Will Also Make Every Attempt to Break Down Story Told by Jim Conley, Negro Sweeper.

The main points which the defense in the case of the state against Leo Frank, charged with the murder of Mary Phagan, will place before the jury in rebuttal of the prosecution will be given this week and by Saturday it is expected that the trial will have reached the point where the lawyers will begin their arguments.

What the defense has in view, Attorneys Luther Rosser and Reuben Arnold are naturally silent about, and whether or not they have something hitherto unknown that they will spring suddenly upon the state remains to be seen as the trial progresses.

At present there are three things that it is practically agreed that the defense will attempt during the next few days.

Attack on Dr. Harris.

The testimony of Dr. H. F. Harris, who placed the time of the girl's death by the condition of the contents of her stomach, the damaging story of Jim Conley, whose testimony is the only direct evidence against the defendant, and the vital issue of the time of murder, will certainly receive the fiercest attack of any other phases of the state's case.

There are many other features of the state's case that will be fought and there are many points for the defense which are expected to be placed before the jury between Monday and Saturday, but it is known that the defense has made extensive preparations to break down the three points above named.

The defense is also expected to bring evidence in an effort to convince the jury that the elevator was not used on Saturday and thus prove the lie to that part of Conley's story in which he claims he and Frank carried the body from the second floor to the basement on the elevator.

Guesswork Said Childs.

Dr. Harris' testimony after his post-mortem examination has already been attacked through Dr. L. W. Childs, another expert, who, on having hypothetical questions propounded to him by Attorney Arnold, named the deductions as pure guesswork.

Through Drs. T. H. Hancock, J. N. Ellis and Willis Westmoreland, whom it is said will be put on the stand, the defense hopes to convince the jury that there is no foundation to the deductions made by Dr. Harris.

Other physicians may be introduced, but it is generally understood that these men will be the first called upon.

Should the defense prove that the murder was committed or might have been committed later in the afternoon when Frank had already left for dinner, the way will be open for doubt in the minds of the jurymen as to many points which the state has introduced.

Through the two street car men who claim to have manned the car upon which the Phagan girl rode to town that day the defense has already attacked the statement of little George Epps, the newsboy, who claims that he rode with her, and that she left him to go to the factory for her money at about seven minutes after twelve.

Fabrication Charged to Epps.

Through a reporter who talked to Epps on the day the body was found the defense has already started in to show that the lad's story was only the fabrication of a childish mind.

That various attacks would be made upon Conley's story which the negro held to through thirteen hours of grilling, was made known when Attorney Rosser asked him concerning four conversations which he is alleg-

ed to have had with certain factory employees.

The negro denied all of them, and the first attack on this came when H. G. Schiff, an assistant in the office, swore Saturday that he had talked to the negro and told him not to be afraid.

That the other employees will be put on the stand later in the week to attest to the other conversations and strange actions of the negro is expected by the state.

Conley confessed freely under cross-examination that he had told a mass of lies during his various recitals, and even that when he made his final affidavit, which he swore to as the whole truth, that there was much which he could have told before going on the stand.

Serious doubt on Conley's entire story is hoped by the defense to come from factory employees swearing that he lied when he denied talking to them and showing fear when the case was mentioned to him before he was arrested.

Main Points Held True.

The state contends, however, that while Conley, following the bent of an ignorant negro, has told tale after tale in an effort to clear up the case without involving himself, that the main points which were wheedled out of him are true, and that the mass of circumstantial evidence which points toward it will bear it up and force the jurors to believe that the negro was sticking to the truth when he underwent the cross-examination and held to his story.

The principal speculation at present on the part of Solicitor Hugh Dorsey, his assistant, E. A. Stephens, and Attorney Frank A. Hooper, specially employed to aid the state, is whether or not the character of Leo Frank will be made one of the issues in the case.

No inkling of what the state could bring against the man's character has been given out by these attorneys, and it is not known whether they have been able to secure anything that would rebut the evidence of the scores of Atlantans who have signified their willingness to swear that Leo Frank was far above the average man in his personal character and in home and business life.

In the evidence of Conley and of C. B. Dalton the defense recognizes that to a certain extent the man's character has already been put in issue against their will and by the testimony of Schiff that Frank never had women at the factory on Saturday afternoons and holidays and that Conley never hung around the factory on those occasions, the first attempt to rebut this has already been made.

Other factory employees and salesmen who claim to have visited the factory on those occasions are also expected to go upon the stand and deny in full the charges of the two state's witnesses.

Character Issue.

Whether or not the defense will go further, and, by claiming good character for Frank, challenge the state to make a complete attack upon it is unknown. Among attorneys who daily attend the hearings to watch the conduct of the case, this point has been the subject of animated discussion, some declaring that character will be an issue and others that a denial of the specific allegations will be as far as the defense will go.

That Frank has always denied showing improper attentions to his women employees and that he asks for a complete refutation of the humiliating charges, as well as acquittal of the charge of the actual crime, makes it appear that he is willing to risk his character, fully confident that it will stand the test.

When court convenes today Schiff is due to be again upon the stand, as Solicitor Dorsey had not completed his cross-examination when court adjourned Saturday afternoon.

At that time the solicitor was questioning the witness closely upon his testimony about the length of time taken to get up the financial sheet which the defense claims Frank made up on the afternoon of the murder.

The solicitor was attempting to trap Schiff into admitting that he had exaggerated the amount of work and the time necessary, and should he succeed in this today, he would have broken down one of the strongest and best pieces of evidence which the defense has. Schiff was apparently unperturbed, and was answering most of his points with clearness and rapidity, and it remains to be seen what the solicitor will accomplish by the cross-examination.