

OFFICIALS OF COBB SEEK CLEW TO MOB

After the Coroner's Inquest Failed to Bring Out Information, Officers Pledge to Make Diligent Search.

"Cobb county officials are going to do their utmost to apprehend the lynchers of Leo Frank. The sheriff's office and the town police force have been actively investigating the tragedy since the moment the body was discovered. If the perpetrators are not brought to book, it will not be the fault of the Cobb county authorities."

This was the statement of Deputy Sheriff George N. Hicks, of Marietta, to a reporter for The Constitution yesterday morning at the close of the coroner's inquest into the Frank lynching which found that he came to his death at the hands of "unknown parties." The deputy was giving the reporter a list of the proposed grand jurors who are being summoned to serve upon a jury specially called to probe the Frank case.

The jury list is composed of some of the best known and most substantial residents of Cobb county, most of them being farmers, with a few merchants, and one capitalist. Nearly all have been residents of Marietta and Cobb county all their lives.

The list has been prepared after a long study, and, according to the deputy sheriff, contains the names of some of Cobb county's "most fearless men." The special jury is being subpoenaed at the order of Judge T. H. Patterson, presiding over the Blue Ridge circuit superior court, who has expressed a determination to go to the bottom of the Frank slaying. The jury list was revised and supervised by him.

Meets Next Wednesday.

The grand jury will meet next Wednesday morning at 9 o'clock in the courthouse at Marietta. There will probably be a hundred witnesses called before the body, and the investigation will be conducted by Solicitor General Herbert Clay, with legal assistance employed by the county commission.

The following men were being summoned by the sheriff's office Tuesday afternoon to serve upon the jury.

J. H. Mabry, farmer; F. L. Jolly, farmer; W. P. Grover, farmer; W. J. Bishop, interurban conductor; John Gann, city marshal, Mapleton; W. J. Tapp, farmer; A. H. McClesky, farmer; R. P. Norton, farmer; John H. Terry, farmer; W. H. Robertson, farmer; W. T. Boring, farmer; M. S. Austin, farmer; W. B. Lunsford, retired farmer; R. P. McLain, farmer and ex-representative from Cobb county; D. C. Brown, farmer; W. P. Davis, merchant, Austell; B. V. Hopkins, capitalist and ex-banker; M. D. Jefferson, merchant, Acworth; J. F. Collins, merchant, Acworth; W. J. Frey, farmer and ex-sheriff Cobb county.

Judge Patterson, who is now presiding over court in Cumplings, the county seat of Gwinnett, has been in frequent touch with Marietta and Cobb county officials by long-distance telephone. He will return Monday in time to call the special session of court and to charge the special grand jury.

Without being able to elicit from any one of eleven witnesses a single clew as to the identity of any person connected with the lynching of Leo M. Frank, near this city last Tuesday morning, the coroner's jury empaneled to inquire into the matter rendered a verdict today that Frank came to his death by hanging at the hands of parties unknown.

City and county officials testified that they had endeavored diligently to get at the facts of the lynching, but so far their efforts had been of no avail.

Deputy Sheriff Hicks and City Marshal Looney stated they were working hard on the case, but at this time could throw no light on the identity of the parties who participated in the lynching.

Saw Mob at Its Work.

The nearest disclosure as to what happened in the oak grove near the Frey gin came from J. A. Benson, a Marietta merchant, who drove by the place soon after the lynching party had parked its automobiles by the roadside and had led Frank to the tree where death awaited him.

Mr. Benson said he had a "pretty good suspicion" as to what was going on, but he didn't stop to see it and he didn't recognize anybody in the party.

The text of the jury's verdict was as follows:

"State of Georgia, Cobb county.

"In accordance with the inquisition taken this 17th day of August, 1915, and completed this 24th day of August, 1915, before John A. Booth, coroner of said county, upon the body of Leo M. Frank, who was hanged by the neck until dead in a cluster of woods about two miles east of Marietta, in said county, and near what is known as W. J. Frey's gin on the Roswell public road, upon the oaths of Dr. W. H. Perkinson, J. N. Gantt, J. A. G. Heard, B. V. Greer, J. F. Shaw and G. A. Griffin, sworn, according to law as jurors, and charged by John A. Booth to inquire when and how and in what manner the said Leo M. Frank came to his death. That the said jurors aforesaid make and return the following presentments in reference to the aforesaid matters and things concerning which we were sworn to inquire by the said John A. Booth, coroner. We attach the evidence adduced at this inquest to this, our inquisition, and make the same a part of it.

"We, the jurors aforesaid, upon our oaths, say that Leo M. Frank did, on the 17th day of August, 1915, in said county, come to his death by being hanged by the neck until dead, by unknown parties."

Attorney John T. Dorsey, of Marietta, was present as representative of the state, of Georgia, Solicitor Herbert Clay, of the Blue Ridge circuit, being in attendance at court in Forsyth county.

Gordon Gann acted as special attorney for Coroner Booth.

Dr. Elder on Stand.

The jury was composed of six residents of the county, Dr. W. H. Perkinson being the foreman.

Dr. C. D. Elder was the first witness

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called to the stand. He testified to viewing the body of Frank while it was still hanging in the oak grove near the Frey gin. Dr. Elder did not know Frank personally, but was told the body was his. He was not present when the body was cut down. When he arrived on the scene of the lynching the body was still warm.

J. Bart Wing, a Cobb county commissioner, was the next witness. He also was among the first to reach the scene of the lynching after the body was discovered.

"Do you know anything about the hanging?" he was asked.

"Nothing."

"Is there anything you would like to state to the jury."

Mr. Wing hesitated a moment. Then he said:

"Nothing except that that morning on the road I saw several automobiles on the Roswell road going in the direction of Marietta."

"What time was this?"

"Between 6:30 and 7 o'clock in the morning."

"Where were you at the time?"

"I had been fishing with Bob Cochran, a neighbor. We were in a buggy and I had driven my horse into a creek to water him when three or four automobiles went by. We were forty or fifty yards off the road. Bob Cochran said to me, 'I wonder what all that crowd is.' I said, 'Look like joy riders to me.'"

"Could you tell who were in the machines?"

"No sir, I couldn't tell whether they were negroes or white people."

Frey Called to Stand.

W. J. Frey, owner of the place on which Frank was lynched and regarded as the star witness of the inquest, next was sworn. Mr. Frey an ex-sheriff of the county, took the stand in his shirt sleeves.

"Mr. Frey," asked Acting Solicitor Dorsey, "did you know Leo M. Frank?"

"I attended his trial in Atlanta two days, but I didn't know him."

"You were among the first to discover the body?"

"Well, sir, when I got there with Gus Benson and Walter Gann, there wasn't anybody in the grove but Leo M. Frank."

"When did you first know anything had happened that morning?"

"I think it was about 5 o'clock that morning my brother telephoned me the state prison farm had been broken into and Frank taken out."

"What did you do then?"

"Didn't do anything, but went on about my business at home. Walter Gann, a traveling man from Augusta, was visiting at my place. I live right on the main road. Mr. Gann and I were in the field about 6:30 or 7 o'clock when three or four automobiles came whizzing by the place. They were about forty yards apart."

Mr. Frey said the man he afterward found out was Frank was seated in the rear seat of one of the passing cars, a man being on either side of him.

"How was Frank dressed?"

"Looked as if he had on a thin shirt of some sort. He was bareheaded."

Didn't Recognize Those in Cars.

"Did you know at the time this man was Frank?"

"I thought it was him, but I couldn't recognize him."

"Did you recognize any of the other parties in the cars?"

"No, sir."

"Do you know now who they were?"

"No, sir."

"Were they masked?"

"No, sir, but they all wore goggles and their faces were covered with red dust."

"What did you do next?" Frey was asked.

"I turned to Walter Gann and said, 'Let's go to the house; there's something going to be doing.' We went to the house and Mrs. Frey had breakfast ready for us in about five minutes. We ate and I got my car started and we put out for Marietta."

Mr. Frey said he passed the actual scene of the hanging without noticing anything out of the way.

Saw Cars Parked at Scene.

J. A. Benson, a Marietta merchant known as Gus Benson, was the next witness. He drove in from the country some minutes after the lynching party passed the Frey place.

H. H. Looney, city marshal of Marietta, said he knew nothing of the lynching until after the body was discovered.

"You are bending your best efforts to discover who took part in this transaction?" suggested Mr. Dorsey.

"Yes, sir."

"Well, is there any light you can throw on the situation at this time?"

"No, sir; this transaction was really outside the city limits, but we are co-operating with the county officials."

Mayor E. P. Dobbs, of Marietta, who is also a state senator, said that when he first heard of the lynching he thought the story was a hoax.

"I met Deputy Sheriff Hicks," said the mayor, "and asked him about it. He said he knew nothing. I suggested that we get a car and go out to the Frey gin, although I thought at the time that when we got back the town folk would have a good laugh on us. I didn't believe we would find Frank, but when we got to the oak thicket there he was hanging by the neck."

"Deputy Sheriff Hicks took charge of the situation. We have done all in our power to find out who composed the party that hanged Frank. I told Marshal Looney to instruct the entire police force to get all the information possible, and report to me the slightest clew."

"Have you received a report?"

"No, sir, not yet."

"Is there anything else you would like to say?"

"I have seen in the papers that a lot of automobiles were missing from Marietta the morning of the lynching. The truth is we didn't miss a single car. I have no idea whether Marietta people or country people were engaged in this transaction. I do not believe the Marietta people are any more responsible for this than people of the county or any other county. We don't know who did this. It may have been people from another county who brought Frank to this county."

"We are doing all we can, gentlemen, but, of course, you know these things are hard to find out."