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**THE JOURNAL**  
COVERS DIXIE  
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VOL. XXXI. NO. 99.

# The Atlanta Journal

Atlanta spot cotton nominal 12c; New York quiet 12 10/100; New Orleans steady 12 7/16.

**THE WEATHER**  
Fair tonight and Sunday.

## LEO M. FRANK INDICTED FOR MURDER OF GIRL, NO ACTION AGAINST LEE; NEGRO SWEARS FRANK ASKED HIM TO WRITE CERTAIN NOTES ON FRIDAY; WOODWARD SOUGHT EVIDENCE AGAINST BOTH CHIEFS, SAYS DICTOGRAPH

### NEGRO SWEEPER TELLS OFFICER FRANK ASKED HIM TO WRITE SOME NOTES DAY BEFORE TRAGEDY

He Thinks These Notes Are the Same as Those Found by the Body of the Murdered Girl, but Had Not Seen the Original Notes When He Made His Sensational Statement to the Detectives Saturday Morning

NEGRO STUCK TO HIS STORY THROUGH GRUELLING EXAMINATION IN SOLICITOR'S OFFICE SATURDAY

Conley Voluntarily Sent for Detectives to Make His Statement. It Is Declared - He Told the Detectives That He Wanted to Confess the Whole Truth, That Frank Called Him Into His Office and Told Him He Wanted to See His Writing

Saturday morning James Conley, the negro sweeper formerly employed in the pencil factory where Mary Phagan was killed, and who was arrested on suspicion and has been held in jail since as a material witness for the state, sent for Detective John Black and declared that he wanted to tell the truth.

"Boss, I wrote those notes," said he, referring to the mysterious notes found beside the dead body of Mary Phagan. He declared that he could not identify them positively, inasmuch as he had never seen the originals, but that as they were read to him out of the papers he believed they were the ones he wrote. On Friday, the day before the murder, he said to detectives, Leo M. Frank called him into his (Frank's) office at the factory and said he wanted to get some samples of his handwriting, and dictated for him to write-dictating, said the negro, what he remembered as substantially the notes that afterward were read to him out of the newspapers. The negro was taken immediately to the courthouse.

Conley was arrested during the coroner's inquest, when some one saw him washing a shirt at the factory. His defense was that it was his sole and only shirt, and that he was washing it so that he would appear clean at the inquest, whether he had been summoned as a possible witness.

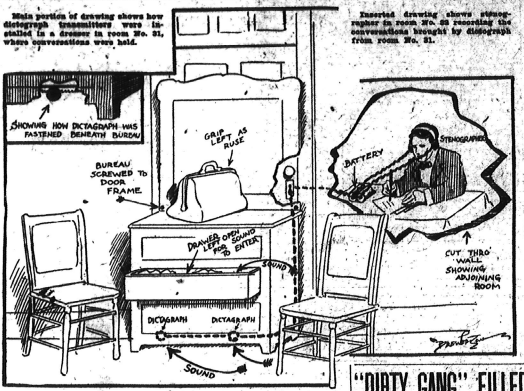
HERE IS NEGRO'S AFFIDAVIT. In possession of the city detective department:

The following affidavit was made by Conley and is in possession of the city detective department:  
COUNTY OF PUTNOM.  
I, Notary Public in and for the County of Putnam, do hereby certify that the following is a true and correct copy of the affidavit of James Conley, negro, as sworn to on Friday evening before the Holiday, about four minutes to 1 o'clock, P. M., at the residence of the undersigned, which was at the time on the fourth floor where I was working, and when I went down to the office he asked me to write and I told him yes, I could write for him, and he gave me a scratch pad and told me what to put on it, and told me to put on three, "four mother, a long tall black negro dress by himself," and he told me to write two or three lines on that. I wrote on a white scratch pad, a brown looking scratch pad, and looked at my writing and wrote on that himself, but when I went to his office he asked me if I wanted a cigarette and I told him yes, but they didn't allow any smoking in the factory, and he pulled out a box of cigarettes that cost like a box and in that box he had \$2.50, two paper dollars and two quarters, and I took one of the cigarettes and handed him the box back and he told me that was all right I could keep the box, and I told him he had some money in the box, and he said that was all right, I was welcome to that for I was a good working negro around there, and then he asked me

(Continued on Page 7)  
**DICTOGRAPH SAYS COL. FELDER OFFERED HIM \$1,000 BRIBE**

Dictograph machine illustration with a person speaking into a microphone. The machine has a large circular dial and a rectangular base. The person is shown in profile, facing the microphone.

### Actual Drawing of Dictograph as Used on Col. Felder. Mayor Woodward, C. C. Jones E. O. Miles and Others



### "WE HAVE ENOUGH VOTES IF WE GET THE EVIDENCE," THE MAYOR IS QUOTED BY THE DICTOGRAPH

The Journal is Presenting Below the Complete Stenographic Report of the Interview in the Williams House, in Which Mayor Woodward, E. O. Miles, G. C. February and A. S. Colyar Took Part, While the Dictograph Recorded the Conversation

THAT Mayor James G. Woodward was photographed by the city detectives on Wednesday afternoon, shortly after Colonel Woodward, located in room 32 of the Williams House No. 2, 24-26 North Forsyth street, Atlanta, Ga., said dictograph being connected with room No. 31 of the said hotel, and I saw Mr. E. O. Miles, whom I am personally acquainted with, Mr. G. C. February, whom I have known for several years, and Mr. A. S. Colyar, with whom I have only been acquainted a short time, enter room No. 31 of said hotel, at about 4 o'clock on the afternoon of May 21, 1913.

The account of Mr. February's words have been omitted from the sworn record which The Journal has secured.

The dictograph is the statement by him that he was looking for evidence against the police department and particularly against Chief of Police James L. Beavers. The mayor is also quoted as saying that there were enough votes in the police board to remove Chief Beavers if they could get the evidence.

The sworn statement of Stenographer George M. Gentry, detailing the alleged dictograph conversation in which the mayor figure is given, follows:

The following statements were overheard by me, by using a dictograph, located in room 32 of the Williams House No. 2, 24-26 North Forsyth street, Atlanta, Ga., said dictograph being connected with room No. 31 of the said hotel, and I saw Mr. E. O. Miles, whom I am personally acquainted with, Mr. G. C. February, whom I have known for several years, and Mr. A. S. Colyar, with whom I have only been acquainted a short time, enter room No. 31 of said hotel, at about 4 o'clock on the afternoon of May 21, 1913.

Colyar: (Question incoherent.)  
Miles: I am satisfied you ought, but you know when they go into it they are going to put up a law.  
Miles: (Conversation too low to catch.)  
Miles: The mayor will give us absolute assurance that he will protect it.  
Colyar: Will you bring the mayor up here? Right now?  
Miles: I think I can bring the mayor up here right away. The evidence is in the —  
Colyar: It looks like a frame-up on Felder and they couldn't detect it.

Colyar: You are not a Jew are you?  
Miles: No, I am not a Jew, my name M-I-L-E-S.  
Colyar: These sons of a gun down here can frame up anything on Decatur street. I told Felder I would get the roads and go outside of the county and I would meet you and him at East Lake.  
Miles: There is no occasion for your leaving town.  
Miles: I think I can bring the mayor up here right away.

Colyar: But I mean afterwards, I am afraid to stay here.  
February: If the mayor and Felder will stay behind us like they said they would, I will stay here.  
Colyar: I would like to have the mayor's assurance.  
Miles: But right now he may be busy. Felder can get — Mr. Felder is a good ball. Now, it will take about ten minutes in any

(Continued on Page Five)  
**LUTHER McCARTY KILLED IN FIRST ROUND OF FIGHT**  
CALGARY, Alberta, May 26.—Luther McCarty, white heavyweight champion pugilist, died here soon after he received a knockout blow over the heart in the first round of a scheduled ten round bout with Arthur Paddy.

### LEO M. FRANK IS INDICTED BY GRAND JURY FOR MARY PHAGAN'S DEATH; NEGRO, NEWT LEE HELD

True Bill Against Pencil Factory Superintendent Returned Less Than Ten Minutes After Evidence Was Closed, at Noon, Saturday. Authority Quoted That He Will Be Tried During Third Week in June—Negro to Stay in Jail

SOLICITOR DORSEY DID NOT ASK JURY TO ACT ON BILL—PENDING AGAINST NIGHT-WATCHMAN

Grand Jury's Session Began Friday Morning - Many Witnesses Examined, but Not All. That Solicitor Has Were Introduced Into Grand Jury Room—Change Is That Frank Killed Mary Phagan by Choking Her With a Cord That He Tied

Leo M. Frank, superintendent of the National Pencil factory in the basement of which the slain body of Mary Phagan was found in the early morning of Sunday, April 27, stands formally charged with her death.

A grand jury indictment, a true bill charging that he killed Mary Phagan, was returned by the Fulton county grand jurors at 12:28 Saturday afternoon.

Less than ten minutes earlier the jury had gone into executive session and Solicitor Dorsey, who had been conducting the examination of witnesses, had left the room. In the interval, the jury reached its verdict and each of the jurors signed his name to the formal document upon which Frank will be arraigned on the charge of murder.

NO ACTION AGAINST NEWT LEE  
No action was taken with regard to the negro night watchman, Newt Lee, held by the coroner on a "suspicion" warrant for the grand jury.

Mr. Dorsey stated afterward that he had not asked the grand jury to take action with regard to Lee. It is probable, seemingly, that the grand jury will not return a "true" or "no" bill in Lee's case until after the trial of Superintendent Frank.

Lee, therefore, will remain in jail meanwhile, with the charge holding him there as a suspect.

It is assumed with the best of authority that the indicted man, Leo M. Frank, will be put on trial during the third week in June, less than a month hence.

It is known that several witnesses whom the state has secured to substantiate its charge were not introduced before the grand jury by Solicitor Dorsey.

The jury's true bill charge formally laid upon Frank that "Leo M. Frank did murder, in that in the county of Fulton (Georgia), state of Georgia, on the 27th day of April in the year of our Lord 1913, with force of arms he did unlawfully and with malicious intent, kill and murder one Mary Phagan, by him and there choking her, said Mary Phagan, with a cord that he placed around her neck."

Neither the negro nor Frank appeared before the grand jury. Both remained in the Tower, where they have been confined since the coroner's inquest ordered them to be held.

INQUIRY ASSISTED  
The Fulton county grand jury began its second day's probe of the murder of Mary Phagan at 10 o'clock Saturday morning, taking up the case of Leo M. Frank and Newt Lee, held at the institution of the coroner's jury.

The first witness was Miss Grace Hix, who worked side by side with Mary Phagan at the pencil factory. Miss Hix was one of the twenty-seven grand jurors who were present Friday when the grand jury was formed and in addition George A. Garber, who had been turned from New York. Victor H. Kringstad, who was examined temporarily by the grand jury.

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